

SAN DIEGO ADULT DRUG COURT PROGRAM

NORTH, EAST, SOUTH AND CENTRAL DIVISIONS

POLICIES & PROCEDURES



MISSION STATEMENT

The mission of the Adult Drug Court Program is twofold: to improve lives that have been impacted by drug addiction and to increase public safety by reducing the amount and frequency of drug related crimes. These goals are accomplished by assisting the participants in leading clean, sober, independent and productive lives. The tools used to provide this assistance are mandated treatment, rigorous court supervision, sanctions and the dedication of caring and knowledgeable collaborative team members.

SAN DIEGO DRUG COURT MANUAL
NORTH, EAST, SOUTH, AND CENTRAL DIVISIONS

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OVERVIEW

PROGRAM DESCRIPTION

The San Diego Drug Courts are specialized courts that take non-violent, non-sexual, non-serious misdemeanor and felony drug offenders and place them into treatment programs as an alternative to incarceration. The goals of Drug Court, epitomized in the program's mission statement, is to increase public safety by reducing drug related crimes and assisting participants in taking the necessary steps to lead healthy, clean, and drug free lives.

Modeled around other successful Drug Courts nationwide and guidelines put forth by the National Association for Drug Court Programs, the San Diego Drug Courts incorporate individual and group level counseling, drug treatment services, personal development, strict supervision, and judicial oversight into an overarching model aimed at rehabilitation.

Offenders placed within Drug Court participate in a strict five-phase program. Each 13 week phase includes specific goals for the participant to accomplish before they are "phased up," wherein direct supervision is gradually decreased. Successful participants graduate upon completion, and at that point they can petition the court for a dismissal of charges and/or a termination from probation. The length of time spent in the program varies and treatment is administered on a case-by-case basis to ensure that treatment needs are being met.

In keeping with the best practices of Drug Courts, the San Diego Drug Court program implements a sanctions and incentive model, whereby participants who violate the terms of their probation or in some other way violate program rules face swift and immediate consequences. This encourages personal responsibility and accountability among participants. Sanctions are largely at the discretion of the team and the judge, but examples include writing papers, conducting community service, increased testing, and flash incarceration.

The San Diego Drug Court program, currently operating in all four divisions of the San Diego Superior Court, was started in January of 1997 in North County. To date, over 3000 participants have graduated successfully from one of the San Diego Drug Courts.

PROGRAM GOALS

GOAL 1	Provide intense judicial supervision of offenders in order to reduce crime and drug use recidivism.
GOAL 2	Decrease overcrowding in jails by non-violent drug offenders, and thereby providing e -more space in jail for the violent offenders.
GOAL 3	Place non-violent drug offenders in a community <u>in community</u> -based programs so that those offenders who are likely to succeed in community-based options can be identified, monitored, tested, encouraged and supported in their efforts.
GOAL 4	Provide a Court-supervised treatment program for non-violent drug offenders that meets the offender's 's' need for supervision, control and treatment.
GOAL 5	Provide a drug testing process to enforce compliance with <u>the</u> court program.

KEY COMPONENTS

The following components were developed through a cooperative agreement between OJP, DCPO and the NADCP. They highlight the primary pillars of the Drug Court structure, and serve as a framework for the development of substance-abuse court programs.

1. Drug Courts integrate alcohol and other drug treatment services with the justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participant's due process rights.
3. Eligible participants are identified early and promptly and placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants' compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.



SAN DIEGO ADULT DRUG COURT Fact Sheet

Answers to some of the most frequently asked questions about Drug Court.

What is a Drug Court?

A Drug Court is a special type of court that specializes in cases involving non-violent, drug-using felony offenders. The program includes taking responsibility for your actions, frequent random drug testing, judicial supervision, drug treatment and counseling, education and vocational training opportunities, and the use of court imposed sanctions and incentives. In Drug Courts the judge is actively involved in supervising each participant alongside ~~with~~ the prosecutor, defense attorney, law enforcement officers, and a case manager. Upon successful completion of the criminal drug court program, which constitutes a minimum of 18 months, probation may be terminated, or in rare instances, based on the recommendation of the prosecutor, the drug charge may be dismissed.

How many Drug Courts are there?

According to the National Association of Drug Court Professionals (NADCP), in June 2010 there were over 2,500 Drug Courts in the nation (this includes Adult, Juvenile and Family Drug Courts). Approximately 12% of the nation's Drug Courts operate in California. Each of the programs in San Diego County ~~were~~ was designed using the guidelines from the Federal Office of Drug Court Policy. San Diego County Drug Courts include:

- North County Drug Court - started January, 1997;
- Central Division Drug Court - started March, 1997;
- East County Drug Court - started August, 1997;
- South County Drug Court - started October, 1997;

Since their inception, more than 3,000 individuals have graduated from San Diego's adult Drug Courts.

What is the Adult Drug Court's mission?

The mission of the Adult Drug Court Program is twofold: to improve lives that have been impacted by drug addiction, and to increase public safety by reducing the amount and frequency of drug-related crimes. These goals are accomplished by assisting the participants in leading clean, sober, independent and productive lives. The tools used to provide this assistance are mandated treatment, rigorous court

supervision, sanctions and the dedication of caring and knowledgeable collaborative team members.

How is the Adult Drug Court funded?

San Diego Adult Drug Courts operate with Federal and State grant money. In addition, local agencies contribute staff resources. Efforts to obtain federal, state and local funding are regional in approach. The County of San Diego, in collaboration with the San Diego Superior Court, has applied for and received funding for Drug Court operations, including state funding through the CA Drug Court Partnership Act and Comprehensive Drug Court Implementation Act.

Participants in the Adult Drug Court programs also pay fees to contribute toward their success. In most cases a \$20 fee is collected each week by the treatment provider to help off-set costs.

What entities are involved in the Adult Drug Court?

The Drug Court Team consists of representatives from the following entities:

- Superior Court – judge and support staff;
- District Attorney;
- Public Defender;
- State and local law enforcement agencies;
- Case management and treatment providers.

How do Drug Court Teams receive training?

Most grants obtained by the San Diego Drug Courts require that the applicant allocate a portion of the grant's budget to on-going training. Teams obtain training through local, state and national organizations such as:

- NADCP - National Ass'n of Drug Court Professionals;
- CADCP - California Ass'n of Drug Court Professionals;
- NDCI – National Drug Court Institute;
- SD County Health and Human Services Agency;
- National Judicial College; and,
- UCSD – Clinical Institute in Addiction Studies

Why do we need Drug Court?

The connection between drug addiction and crime has been well documented at the local, state, and federal level. The cycle of drug use, criminal prosecution, and

incarceration has not been shown to deter recidivism in drug addicts. Recent studies indicate that more than 70% of people sent to prison, will return to prison within three years of their release. Drug Courts attempt to change this cycle using a collaborative justice model, where the criminal justice system links with the treatment system to challenge drug addicted offenders to become stable and law-abiding citizens.

Are Violent/Serious Offenders Eligible?

San Diego's Drug Courts exclude offenders charged with violent or serious offenses, sex crimes, and drug manufacturing. Protecting public safety is the most important goal.

Are Drug Courts cost effective?

The CA Administrative Office of the Courts has conducted several research studies on California's Drug Courts, finding that every \$1.00 invested in Drug Courts net an average of \$7.30 in savings. The outpatient treatment programs utilized by Drug Court are relatively inexpensive when compared to incarceration costs. Current estimates place Drug Court participant funding at approximately \$13,000 per person, per year, compared to \$47,000 per person, per year in prison expenses. In addition, immeasurable savings result to the community from reductions in property crime and reduced public health costs.

Are Drug Courts Another "Soft-on-Crime" Program?

Drug Courts across the country rely on close law enforcement supervision and immediate sanctions when warranted. ~~Comprehensive and multi-faceted supervision/monitoring is achieved through linkages with Multi-faceted supervision, including close supervision by~~ law enforcement, random drug testing, home checks, and regular judicial contact, create a comprehensive case management approach. Drug Courts place more stringent conditions on offenders than traditional proceedings.

The judge's "tool box" in Drug Court includes the ability to order immediate sanctions when a participant has re-lapsed or not followed program rules. This can include community service, jail, added drug testing, and self-evaluation by the participant.

How often does Drug Court convene?

The Drug Court Team meets weekly. Participants appear before the judge weekly in phase 1 ~~and but~~ bi-weekly or monthly in later phases of the program. At each court appearance a progress report is prepared

by the case manager and law enforcement provides updates.

Are Drug Courts Effective in Reducing Recidivism?

The National Association for Drug Court Professionals estimates that approximately 75% of Drug Court graduates remain arrest-free for at least two years following program completion. In San Diego, the District Attorney's Office researched Adult Drug Court recidivism and found that: 14% have a new conviction within 1 year of completion; 25% have a new conviction within 2 years of completion and 29% have a new conviction within 3 years of completion.

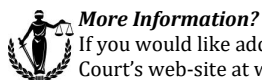
What does the treatment program entail?

The four Adult Drug Court Programs utilize a single case manager who creates a treatment plan incorporating community referrals with drug/alcohol treatment. The case manager is under contract with San Diego County Health and Human Services Agency. The Drug Court Teams and case manager work together to design a drug intervention program that meets the needs of the participant, provides an early opportunity for treatment, and a cost-effective approach to rehabilitation. The program has been established cooperatively by the Superior Court, Public Defender's Office, District Attorney's Office, County HHS- Alcohol & Drug Services, and law enforcement agencies. Treatment services are designed to meet the participants needs: ~~services and~~ include: ~~g~~Group and individual therapy, ~~coordinated case management,~~ drug testing, ~~placement in residential treatment,~~ sober living, and mental health programs as deemed appropriate by the Drug Court Team and availability of resources.

In addition, referrals to ancillary services are provided. These may include: job and employment assistance, education, such as obtaining a G.E.D., ~~and health~~ ~~care~~ referrals.

What happens at graduation?

Upon completion of the 18-month program, the participant, along with their family and friends, are invited to a graduation ceremony to celebrate their accomplishments. Upon graduation, and depending on the underlying charges, probation may be terminated or, based on the recommendation of the prosecutor, the criminal case may be reduced to a misdemeanor or dismissed. Post-program activities include an alumni association, aftercare plans and mentoring projects.



More Information?

If you would like additional information about the San Diego Adult Drug Court Programs, visit the Superior Court's web-site at www.sdcourt.ca.gov.

PROGRAM PROCEDURES

ELIGIBILITY AND EXCLUSIONARY CRITERIA

❖ ELIGIBILITY CRITERIA ❖

- Adult male and females;
- Charges must be non-violent & non-sexual;
- Current charges include:
 - HS 11350
 - HS 11351 & HS 11351.5
 - HS 11352 & HS 11352.5
 - HS 11357
 - HS 11358
 - HS 11360
 - HS 11364
 - HS 11365
 - HS 11368
 - HS 11377
 - HS 11378 & HS 11378.5
 - HS 11379 & HS 11379.5
 - HS 11550(a)
 - BP 4140

❖ EXCLUSIONARY CRITERIA ❖

- Charges involving sale or transportation of drugs;
- Manufacturing of controlled substances
- Currently enrolled in another Drug Court
- Eligible for diversion (PC 1000 eligible)
- Violent offenses
- Sex crimes/child molestation
- Weapons conviction
- Strike conviction
- Active informant
- Documented or suspected gang member
- Holds from other jurisdictions
- Illegal with no legal resident status
- Not capable of actively participating; not amenable to treatment locally

PARTICIPANT SCREENING & REFERRAL

Chronology of Steps	Central	East	North	South
AT TIME OF ISSUANCE BY PROSECUTION	Deputy City Attorney (DCA) and Deputy District Attorney (DDA) screen and tag all eligible cases	Deputy District Attorney (DDA) screens and tags all eligible cases		Deputy District Attorney (DDA) screens and tags all eligible cases.
PRIOR TO ARRAIGNMENT			<p>Defense attorney advises defendant re: Drug Court</p> <p><i>In Custody:</i> Defense attorney contacts DDA to screen case for eligibility. Defendant is assessed while in custody on the morning of the court hearing.</p> <p><i>Out of Custody:</i> Defense attorney contacts DDA to screen case for eligibility> Defendant Defenand is assessed by MHS for suitability and observes a Drug dRug Court session.</p>	
ARRAIGNMENT	<p>Misdemeanor: Defense attorney advises defendant re: Drug Court</p> <p>All Cases: Defendant pleads NOT GUILTY</p> <p>Misdemeanors: Case is set to appear in Drug Court within one week.</p> <p>Felonies: Case set for FDC</p>	<p>All Cases: Defense attorney advises defendant re: Drug Court.</p> <p>Defendant is screened by the MHS assessor for eligibility</p> <p>4th Amendment waivers are taken (if necessary). Judgment is not entered</p>	<p>All Cases: Defendant pleads guilty.</p> <p>4th Amendment waiver taken.</p> <p>Judgment is not entered until termination or completion of program.</p> <p>Case is set to appear in Drug Court within one week.</p>	<p>All Cases: Defense attorney advises defendant re: Drug Court.</p> <p>Defendant is screened by MHS assessor for eligibility.</p> <p>Defendant pleads guilty.</p> <p>4th Amendment waiver</p>

Chronology of Steps	Central	East	North	South
	hearing in 7-14 court days.	until termination or completion of the program. Case is set to appear in Drug Court within one week.		is taken. Judgment is not entered until termination or completion of program . Case is set to appear in Drug Court within one week.
POST ARRAIGNMENT	Misdemeanors: Client attends AA/NA meetings. Felonies: At FDC hearing, defense attorney advises defendant re: Drug Court. Case is set to appear in Drug Court within one week.	Out-of-custody clients are to report to MHS the day after arraignment. In-custody clients are released to MHS the day after arraignment. At MHS, participant receives an orientation to Drug Court and enters treatment immediately.	Out-of-custody clients are to report to MHS the day after arraignment. In-custody clients are released to MHS the day after arraignment. At MHS, participant receives an orientation to Drug Court and enters treatment immediately.	Out of custody clients are to report to MHS within 2 hours of arraignment. In custody clients are released to MHS the day after arraignment. At MHS, participant receives an orientation to Drug Court and enters treatment immediately.
1ST APPEARANCE IN DRUG COURT	Client observes Drug Court. If out-of-custody, participant is drug tested. Placed in custody if test is positive.	Signed contract is entered on the record. Participates Participates in program.	Signed contract is entered on the record. Participates in program.	Signed contract is entered on the record. Participates in program.
WEEK FOLLOWING 1ST APPEARANCE	Client is counseled by the Public Defender; documents are executed and address is verified.	Attends 2 nd week of program.	Attends 2 nd week of program.	Attends 2 nd week of program.

Chronology of Steps	Central	East	North	South
2ND APPEARANCE IN DRUG COURT	<p>Defendant is assessed by Court Referral Officer.</p> <p>Signed contract is entered on the record.</p> <p>Defendant pleads GUILTY.</p> <p>Judgment is not entered until termination or completion of program.</p>	Participates in program.	Participates in program.	Participates in program.
WEEK FOLLOWING 2ND APPEARANCE	<p>Out-of-custody clients are to report to treatment provider day after the 2nd Drug Court appearance.</p> <p>In-custody clients are transported by Drug Court Referral Officer to treatment during week following 2nd appearance.</p>	Attends 3 rd week of treatment.	Attends 3 rd week of treatment.	Attends 3 rd week of treatment.

TRANSFER OF CASE PROCEDURE

Background All four adult drug court divisions ~~were had been~~ implemented by the end of 1997. In December, 1997, the Presiding Judges and Court Administrators of the four Municipal Courts unanimously approved a Memorandum of Agreement between the Drug Courts for the transfer of cases between jurisdictions. This procedure has continued since unification of the trial courts. (See attached copy of Memorandum of Agreement).

Procedure The following procedure is to be followed, when transferring drug court cases between divisions:

Step	Action
1	Drug Court participant makes a request to transfer to another division for a variety of reasons.
2	If Drug Court Team approves transfer, go to step 3. If Drug Court Team disapproves transfer, participant is to be notified that he/she must remain in the original division.
3	If Drug Court Team approves transfer, then representative in the originating division should contact the representative in the receiving division. <ul style="list-style-type: none"> • Central contact phone #: 619-515-6994, Fax# 619-531-4095 (C-44) • East County contact phone #: 619-441-6642, Fax #619-441-4683 (S-117) • North County contact phone #: 760-940-6655, Fax#619-760-801-6116 (N-161) • South County contact phone #: 619-691-4425, Fax#619-691-4438 (S-111)
4	Division representative in the receiving division requests approval for transfer from the Drug Court Judge. <ul style="list-style-type: none"> • If Drug Court Judge approves the transfer, then the receiving division representative contacts the originating division so that file and appropriate paperwork can be forwarded to the receiving division. • If Drug Court Judge disapproves the transfer, then the receiving division representative contacts the originating division and informs them of the Judges' decision. Case and participant will be returned to originating Division for further review and processing.
5	Once transfer is approved, participant to be told by treatment personnel to appear in the originating division to receive paperwork with the new appearance date, time and location. Unless instructed otherwise, originating division should enter new appearance date in JURIS.
6	If approved for transfer, all paperwork and case file(s) are forwarded by the originating division to the receiving division. (See sample transmittal form.)

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Additional Steps for transferring Cases to South County Division

Note that if the case is being transferred to South County Division, the following additional steps will be taken:

1. At the first hearing in South County, the Court Referral Officer will conduct a suitability screening.
2. If the participant is found to be suitable by the Court Referral Officer, the participant will be directed to report to MHS for further assessment.
3. When participant is assessed by MHS and found to be eligible, case will be accepted into South County Drug Court.
4. If participant is found to be unsuitable by the Court Referral Officer, the participant and case will be returned to the originating division for further review and processing.
5. If participant is found to be ineligible by MHS, the participant and case will be returned to the originating division for further review and processing.

Outstanding Warrants

Receiving division should be notified of any outstanding warrants. The originating division should not recall the warrants unless specifically ordered by the Judge.

Terminations

If participant is terminated and/or sentenced, case file(s) should be returned to originating court for filing.

Additional Information

Each division has a maximum caseload (excluding Continuing Care Phase) of:

- Central Division – 85 participants
- East County Division – 85 participants
- North County Division – 85 participants
- South County Division – 85 participants

Any questions, concerns or changes to the procedure, contact Carol Conner at 619-615-6359.

TEAM

TEAM MEMBER ROLES & RESPONSIBILITIES

Law Enforcement

Background Officers from various law enforcement agencies in San Diego play a vital role in the Adult Drug Court programs. For most police agencies, community policing has been a part of their departments for many years. The San Diego County ~~D~~drug ~~C~~ourts ~~-system-have~~ emphasized linkages with law enforcement since their implementation in 1997. The law enforcement liaison officers assigned to each of the Drug Court programs play an important part in the team process. ~~In fact, this very-I~~Linkage with the San Diego Police Department made it possible for the Central Division Drug Court Program to be recognized as a Mentor Drug Court program. ~~The law enforcement liaison officers assigned to each of the Drug Court programs play an important part in the team process.~~

San Diego County Law Enforcement Agencies All agencies having jurisdiction in San Diego County are represented on the Drug Court Teams. These agencies include:

- California Highway Patrol
- Carlsbad Police Department
- Chula Vista Police Department
- Coronado Police Department
- National City Police Department
- Oceanside Police Department
- San Diego County Sheriff's Department (Imperial Beach, Vista, San Marcos, Santee, Lemon Grove)
- San Diego Police Department (2 full-time liaison officers assigned – one for South County and one for Central Division)

What is the role of Law Enforcement? ~~Though Each~~ divisions may utilize the law enforcement liaison officers ~~differently in a slightly different manner, but basically,~~ the role of the law enforcement is essentially as follows:

- Conduct home visits or environmental checks;
- Conduct periodic surprise “sweeps”/~~home~~ visits of participants’ homes;
- Attend and participate at weekly team meetings and ~~D~~rug ~~C~~ourt sessions;
- Attend Drug Court conferences and training seminars, based on availability of funding

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Law Enforcement (Continued)

Officer Notification System

Every law enforcement agency in San Diego County (except California Highway Patrol) utilizes a common database for documenting and tracking contacts and incidents involving criminal behavior. This database system is called the Officer Notification System (ONS). Each liaison officer assigned to the Drug Court is required to enter basic information about each drug court participant into ONS. (See [eExample](#) attached) Upon termination or graduation from Drug Court, the liaison officer must remove the participant from the database.

Information in ONS provides identification of drug court participants to all officers, including 4th amendment waiver information. If any officer contacts a drug court participant, the liaison officer assigned to that division and participant will be contacted.

The Officer Notification System (ONS) is also known as the “ARJIS” system.

TEAM MEMBER ROLES & RESPONSIBILITIES

Prosecutor

Background The San Diego County District Attorney's Office provides staff support and team representation to the Adult Drug Court Programs in the Central (felonies only), East, North and South County Divisions. ~~In addition,~~ The San Diego City Attorney's Office provides staff support and team representation to the Central Division's misdemeanor ~~D~~drug ~~C~~ourt participants.

Prosecutors' Role The following are a list of duties performed by representatives from the Prosecutors' offices:

- Initial eligibility screening of potential Drug Court participants, based on a standard set of eligibility criteria;
- Participation at each Drug Court team meeting and session;
- Compile state-wide arrest and conviction recidivism data on every Drug Court participant in the program (may include current, graduated and terminated participants);
- Attendance at Drug Court conferences and training seminars, based on availability of funding;
- The District Attorney Office will provide one (1) full-time Drug Court Coordinator;
- The City Attorney's Office will provide one (1) Supervising Deputy City Attorney to oversee the program.

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Prosecutor (Continued)

Eligibility charge criteria

Qualifying Charges:

- HS 11350
 - HS 11351
 - HS 11351.5
 - HS 11352
 - HS 11352.5
 - HS 11357
 - HS 11358
 - HS 11360
 - HS 11364
 - HS 11365
 - HS 11368
 - HS 11377
 - HS 11378
 - HS 11378.5
 - HS 11379
 - HS 11379.5
 - HS 11550
 - BP 4140
-

Factual Disqualifiers

Reasons for disqualification from Drug Court, include, but may not be limited to:

- Eligible for diversion (PC1000, et seq);
 - Criminal record of violence, sex crimes or child molestation;
 - Current or past history of possession of weapons;
 - Manufacturing of controlled substances;
 - Active confidential informant;
 - Prior strike conviction;
 - Currently enrolled in Drug Court;
 - Documented or suspected gang member;
 - Hold from another jurisdiction;
 - Illegal/undocumented person with no legal resident status;
 - Cannot be treated locally;
 - Not capable of actively participating in program.
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Prosecutor (Continued)

Discretionary Issues

The Prosecutor will use the following discretionary eligibility criteria on a case-by-case basis:

- Current small quantity sales charges;
 - Current small quantity transportation charges;
 - Small quantity cultivation;
 - Prescription forgery;
 - Criminal record of drug sales;
 - Criminal record of drug transportation;
 - On active parole;
 - An illegal alien with legal resident status;
 - Has previously been to prison.
-

Special Exceptions

The following are considered special exceptions to eligibility criteria:

- If defendant has current sales or transportation charge and is admitted to Drug Court as a special exception, their case will not be dismissed upon completion of Drug Court as the charges are priorable.
 - If the defendant has drug charge cases as well as misdemeanor DUI or petty theft/prior charges and is admitted to Drug Court as a special exception, the charges which are priorable will not be dismissed.
-

Other Exceptions

Other eligibility exceptions will be reviewed by the Prosecutor's Office on a case-by-case basis.

TEAM MEMBER ROLES & RESPONSIBILITIES

Public Defender

Background The San Diego County Public Defender's Office provides staff support and team representation to the Adult Drug Court Programs in the Central, East, North and South County Divisions. On rare occasions, the defendant may be represented by private counsel. However, the Public Defender is usually designated to appear at all Drug Court review hearings.

Public Defender's Role The following are a list of duties performed by representatives from the Public Defender's office:

- Review and obtain defendant's initials on Participant Contract prior to the defendant's participation in the Drug Court program;
- Legal counseling services to potential and accepted Drug Court participants;
- Participation at each Drug Court team meeting and session;
- Attendance at Drug Court conferences and training seminars, based on availability of funding;
- The Public Defender's Office will provide one (1) full-time Drug Court Coordinator;

TEAM MEMBER ROLES & RESPONSIBILITIES

Program Manager

Background Under the direction of the Director, Substance Abuse Services, the Drug Court Program Manager is responsible for the implementation and day-to-day operations of the Drug Court Program. .

Program Manager's Role The following are a list of duties performed by the Drug Court Program Manager:

- Training and supervision of the Drug Court staff;
 - Respond to messages, telephone calls from various providers, correspondence and information requests;
 - Coordinate drug testing;
 - Assign participants to case managers;
 - Assist Judge in court when Drug Court Assessors/Case ~~M~~anagers are not available;
 - Approves treatment provider invoices to be forwarded to the Director, Substance Abuse Services, ~~and then~~ the fiscal department for processing;
 - Maintains direct contact with ~~polite~~ police liaisons to have ~~partie~~ participants taken to jail directly ~~or~~ to Drug ~~Court~~ Court upon arrest;
 - ~~Coordiantes~~ Coordinates Drug Court Graduation (~~befre~~ before/after pictures, hiring caterer, set up and clean up);
 - Notifies Drug Court Team of changes regarding participants or Drug Court procedures;
 - Attends Drug Court meetings;
 - Attends management meetings and submits monthly documentation on Drug Court activities;
 - Prepares statistics as necessary;
 - Conducts performance evaluations of supervised staff;
 - Drafts policies and procedures for the approval of the Director and Drug Court Team.
-

FORMS

DRUG COURT

CONSENT FOR RELEASE OF PHOTOS/AUDIO/VIDEO

I, the undersigned, authorize Drug Court staff to photograph me or make audio or video recordings of me while I am a participant in Drug Court. Any resulting photos, audio or video recordings may only be used internally among program and court staff and other clients for bona fide program activities and for Court educational purposes to promote and support Drug Court activities.

I further understand that before any photographs, audio or video recordings can be used in any other way that I will be given opportunity to sign a release specific to each use.

I. DRUG COURT PROGRAM USE ONLY

Participant's Name (Please Print)

Participant's Signature

Date

Witness' Signature

Date

II. GENERAL USE

Description of event or use of photographs, audio or video recordings:

Participant's Name (Please Print)

Participant's Signature

Date

Witness' Signature

Date

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central Division East County Division North County Division South County Division

PEOPLE vs. _____

CASE # _____ PROS. # _____ DOB: _____

CHARGE(S):
.....

CASE CALLED FOR DRUG COURT REVIEW HEARING ON

<p>_____ DATE</p> <p>_____ PHASE</p>	<p><input type="checkbox"/> Defendant present with Drug Court Team, report reviewed. Defendant to remain in Drug Program. Released O/R. Next appearance date: _____</p> <p><input type="checkbox"/> Defendant failed to appear or comply, Bench Warrant ordered, Bail set at \$55,555.00</p> <p><input type="checkbox"/> Hold warrant to next appearance date: _____</p> <p><input type="checkbox"/> See additional minutes for this hearing.</p> <p><input type="checkbox"/> Other: _____</p> <p>Judge: _____ I certify the above is the true and correct record of the proceedings held on this date. Clerk: _____</p>
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<p>_____ DATE</p> <p>_____ PHASE</p>	<p><input type="checkbox"/> Defendant present with Drug Court Team, report reviewed. Defendant to remain in Drug Program. Released O/R. Next appearance date: _____</p> <p><input type="checkbox"/> Defendant failed to appear or comply, Bench Warrant ordered, Bail set at \$55,555.00</p> <p><input type="checkbox"/> Hold warrant to next appearance date: _____</p> <p><input type="checkbox"/> See additional minutes for this hearing.</p> <p><input type="checkbox"/> Other: _____</p> <p>Judge: _____ I certify the above is the true and correct record of the proceedings held on this date. Clerk: _____</p>
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<p>_____ DATE</p> <p>_____ PHASE</p>	<p><input type="checkbox"/> Defendant present with Drug Court Team, report reviewed. Defendant to remain in Drug Program. Released O/R. Next appearance date: _____</p> <p><input type="checkbox"/> Defendant failed to appear or comply, Bench Warrant ordered, Bail set at \$55,555.00</p> <p><input type="checkbox"/> Hold warrant to next appearance date: _____</p> <p><input type="checkbox"/> See additional minutes for this hearing.</p> <p><input type="checkbox"/> Other: _____</p> <p>Judge: _____ I certify the above is the true and correct record of the proceedings held on this date. Clerk: _____</p>
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<p>_____ DATE</p> <p>_____ PHASE</p>	<p><input type="checkbox"/> Defendant present with Drug Court Team, report reviewed. Defendant to remain in Drug Program. Released O/R. Next appearance date: _____</p> <p><input type="checkbox"/> Defendant failed to appear or comply, Bench Warrant ordered, Bail set at \$55,555.00</p> <p><input type="checkbox"/> Hold warrant to next appearance date: _____</p> <p><input type="checkbox"/> See additional minutes for this hearing.</p> <p><input type="checkbox"/> Other: _____</p> <p>Judge: _____ I certify the above is the true and correct record of the proceedings held on this date. Clerk: _____</p>
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Judge: _____ I certify the above is the true and correct record of the proceedings held on this date. Clerk: _____	

Distribution by: _____ on _____ to: Jail Def. Atty. Pros. Prob. R&R Interpreter Assessment Other: _____

**SAN DIEGO SUPERIOR COURT
ADULT DRUG COURT PROGRAMS**

**NOTICE TO LAW ENFORCEMENT
RE: TERMINATION OF PARTICIPANT FROM DRUG COURT**

The following individual(s) have been terminated or dismissed from the Drug Court and should be removed from the Officer Notification System for purposes of Drug Court:

Name	Court Case #	Termination Date

SAN DIEGO COUNTY SUPERIOR COURT
STAFF TRAVEL REQUEST

TO:	Travel Specialist, Judicial Services, C-44			Date:	
FROM:				Phone No.:	
OFFICIAL TITLE:				Location:	
Name of Meeting/Purpose of Trip:		(Attach any supportive material regarding trip if applicable)			
Destination:	City:			State:	
Conference Dates:	From:	To:	Actual Court Days off:		
Will you be making all your own travel arrangements?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
Method of Travel:	Air <input type="checkbox"/>	Rail <input type="checkbox"/>	Private Auto <input type="checkbox"/>	Fleet Car <input type="checkbox"/>	
EXPENSES: (Please provide original receipts for all expenses, excluding meals)					
Number of nights lodging:			Number of persons:		
Hotel preference:					
Registration Fee:	\$	Taxi \$	Bus \$	Rental Car \$	
Other expense:	Per diem	Indicate specific expense:			
Do you require an advance from the Court?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is any of this trip reimbursable by anyone other than the Court or by Grant funding?				Yes <input type="checkbox"/>	No <input type="checkbox"/>
If reimbursable, by whom?					

The undersigned states: That all expenses submitted for reimbursement related to this Travel Request will be true and correct, that no part thereof will have been previously paid and is justly due and that they will be submitted no later than one year after the last expense item has accrued.	Approved:	
Requestor's Signature _____	Date _____	Disapproved:

Account #	62356		
Sub Account #	50	1	506 01
<small>(Call Fiscal Admin. At 531-3148 for correct Sub Account #)</small>			
ESTIMATED EXPENSE APPROVED		\$	

Supervisor's Signature _____

Assistant Executive Officer
Send **Original** to Judicial Services, Travel C-44.
If time sensitive call 531-3434 immediately.

Approved by Executive Officer, with the following conditions:

Travel Request:	#	Advance:	\$	Registration:	\$	Payee Name:	

OPERATIONAL DOCUMENTS

Memorandum of Understanding

Between

County of San Diego, Health and Human Services Agency, Alcohol and Drug Services

And

County of San Diego, Probation Department

And

County of San Diego, Office of the District Attorney

And

San Diego City Attorney's Office

And

County of San Diego, Office of the Public Defender

And

San Diego Police Department

And

San Diego Superior Court

A. Program Description / Introduction:

This agreement is entered into between Alcohol and Drug Services, hereafter referred to as ADS; the Probation Department, hereafter referred to as Probation; Office of the District Attorney, hereafter referred to as District Attorney; San Diego City Attorney's Office, hereafter referred to as City Attorney; the Office of the Public Defender, hereafter referred to as Public Defender; the San Diego Police Department, hereafter referred to as SDPD and San Diego Superior Court, hereafter referred to as Superior Court, to document the roles and responsibilities of each agency as members of the Adult Drug Court Teams. For purposes of brevity, other Law Enforcement Agencies represented on the Drug Court teams are not included in this MOU, as they are represented on an ad hoc basis, based on availability of officers.

B. Mission Statement:

The San Diego Superior Court Adult Drug Court Program's Mission Statement, as previously approved on July 30, 2002 by the Judges' Substance Abuse Policy Advisory Committee, reads as follows:

The mission of the Adult Drug Court Program is twofold: to improve lives that have been impacted by drug addiction, and to increase public safety by reducing the amount and frequency of drug related crimes. These goals are accomplished by assisting the participants in leading clean, sober, independent and productive lives. The tools used to provide this assistance are mandated treatment, rigorous court supervision, sanctions and the dedication of caring and knowledgeable collaborative team members.

C. Provisions

To this end, each agency agrees to participate by coordinating and/or providing the following:

Alcohol and Drug Services (ADS) agrees to:

- **Serve as the lead agency for applying for and administrating the grants that support case management, treatment and testing for the Adult Drug Court Programs. Responsibilities shall include the following:**
 1. **Through a competitive procurement process, contract with qualified Case Managers and Treatment Providers to provide treatment and testing services to Adult Drug Court participants;**
 2. **Oversee all data collection on Drug Court participants that is performed by contracted Treatment Providers and Case Managers, using the Phasessm database.**
 3. **Monitor Case Management and Treatment Provider programs for contract compliance;**
 4. **Compile and provide Drug Court reports to grantors and Drug Court stakeholders as requested or mandated;**
 5. **Designate, through the Case Management or Treatment Provider Managers, one or more representatives to participate as co-equal members of the Drug Court teams in each of the court divisions;**
 6. **Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.**
 7. **Send representatives to Drug Court conferences and training seminars, based on availability of funding;**
- **Alcohol and Drug Services will serve as the liaison to the State of California Department of Alcohol and Drug Programs and other grantors for matters relating to all grants supporting the Adult Drug Court Programs.**

Commented [LE2]: Seriously?

The Probation Department agrees to:

- **Identify and recommend referrals of felony probationers to the Adult Drug Court Programs, based on agreed-upon eligibility criteria in the policies and procedures established pursuant to AB444;**
- **Supervise Drug Court Partnership (DCP) Felony Drug Court participants' compliance with court-ordered probation conditions;**
- **Designate Probation Officers to participate in the DCP Felony Drug Court in each of the court divisions as co-equal members of the DCP Felony Drug Court Team;**
- **Conduct criminogenic assessments using LSI tools, and sharing results with DCP Felony Drug Court Team for purposes of formulating individual case plans;**
- **Compile DCP-mandated data and forward to ADS, on a monthly basis, regarding participants of the DCP Felony Drug Court program in each of the court divisions;**
- **Send representatives to Drug Court conferences and training seminars, based on availability of funding;**
- **Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.**

The District Attorney and City Attorney agree to:

- **Screen eligible participants, based on established criteria, for placement into the Adult Drug Court Programs in each of the court divisions;**

- Designate representatives to participate as co-equal members of the Drug Court Team in each of the court divisions. (Note: City Attorney representation is limited to the Central Division);
- Research recidivism information on all participants that have successfully completed the Drug Court programs;
- Provide recidivism information to ADS and the Superior Court, based on mutually agreed upon formats and reporting frequency;
- Send representatives to Drug Court conferences and training seminars, based on availability of funding;
- Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.

The Public Defender agrees to:

- Identify and recommend referrals of eligible Public Defender clients to the Adult Drug Court;
- Represent Adult Drug Court participants in all court divisions, unless otherwise ordered by the court;
- Review Drug Court Contract with defendant prior to placement into the Drug Court program;
- Designate representatives to participate as co-equal members of the Drug Court Team in each of the court divisions;
- Send representatives to Drug Court conferences and training seminars, based on availability of funding;
- Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.

The San Diego Police Department agrees to:

- Provide a full-time Law Enforcement Liaison Officer to the South County Division's and Central Division's Drug Court program;
- Designate representatives to participate as co-equal members of the Drug Court Team in the South County and Central Divisions;
- Compliance monitoring of Drug Court participants in the South County and Central Divisions, including periodic house checks;
- Entry of Central and South County Drug Court participant information into the County-wide Officer Notification System (ONS);
- Send officers to Drug Court conferences and training seminars, based on availability of funding;
- Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.

The Superior Court agrees to:

- Designate a Drug Court Judge, Courtroom clerk and Courtroom for all Drug Court Team meetings and Drug Court proceedings in each of the court divisions;
- Comply with all Drug Court policies and procedures that have been previously agreed upon by all parties.
- Send representatives to Drug Court conferences and training seminars, based on availability of funding;
- The Drug Court Judge will participate as a Drug Court team member. The Drug Court Judge will make the final decision when consensus cannot be reached by all team members or as otherwise appropriate.

D. Mutual Indemnification

The participating agencies agree to indemnify, defend and hold harmless each other and their officers, agents and employees from any and all claims, actions or proceedings arising solely out of the acts or omissions of the indemnifying agency in the performance of this Memorandum of Understanding.

The participating agencies agree that each is acting in an independent capacity and not as officers, employees or agents of the other agencies.

E. Term of Agreement

This Agreement is effective on February 3, 2003, and may be renewed each year upon mutual agreement of all parties.

F. Fiscal Terms

This Memorandum of Understanding does not involve an exchange of funds. The parties, instead, agree to participate in an exchange of services as specified in Item C, Provisions.

G. Terms And Conditions

All terms and conditions of the Agreement are subject to the continuation of Drug Court funding for treatment and testing of Adult Drug Court participants.

H. Termination of Memorandum of Understanding:

Upon mutual consent of all parties, this Memorandum of Understanding is subject to further negotiation and revision as required to support the needs of the Adult Drug Court programs. Any changes shall be in writing and signed by all parties herein or their duly appointed representatives authorized to act on their behalf.

This Memorandum of Understanding may be terminated by any party for any reason by giving a thirty calendar day written notice.

I. This Memorandum of Understanding will be reviewed on a yearly basis by the San Diego County Drug Court Planning Committee and revised as necessary upon mutual agreement of all parties.

Signatures of Authorized Representatives:

Al Medina
Alcohol and Drug Program Administrator

Date

Alan Crogan
Chief Probation Officer, County of San Diego

Date

Bonnie M. Dumanis
District Attorney, County of San Diego

Date

Casey Gwinn
San Diego City Attorney

Date

Steven Carroll
Public Defender, County of San Diego

Date

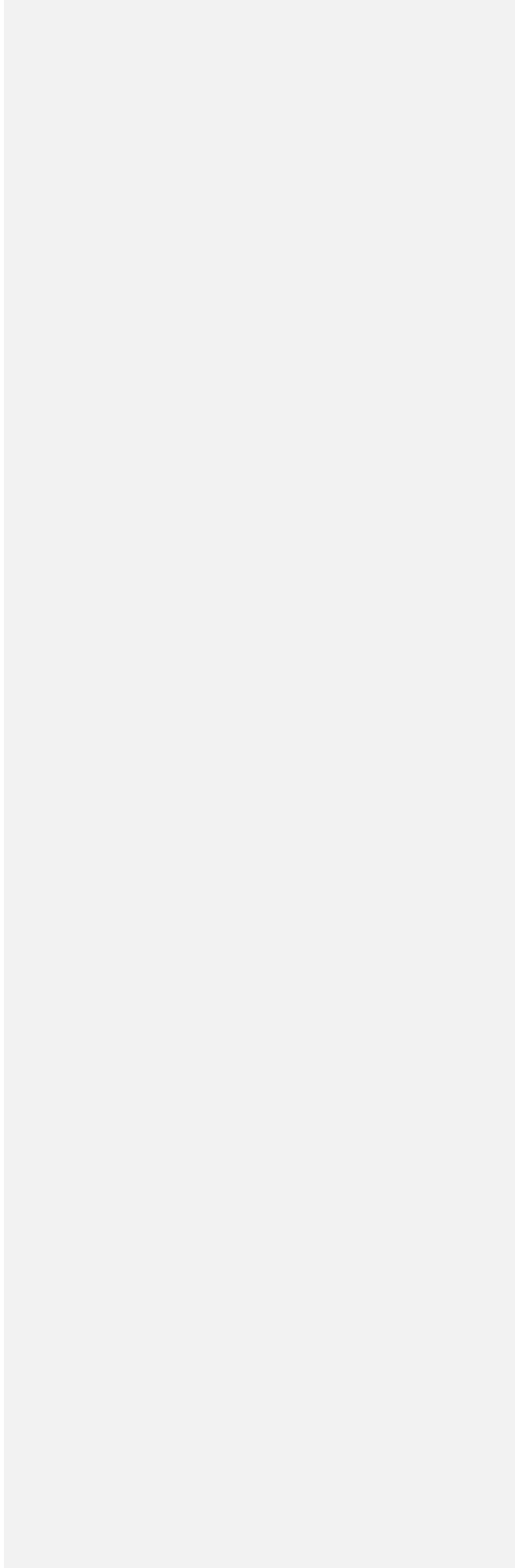
David Bejarano, Chief
San Diego Police Department

Date

Richard E. L. Strauss, Presiding Judge
San Diego Superior Court

Date

5/18/17



CONTACTS

HHSA, Alcohol and Drug Services:

- NAME: Sharon Cornish
- TITLE: Justice Programs Coordinator
- PHONE: (619) 692-5695
- MAIL STOP: P-571
- E-MAIL: Sharon.Cornish@sdcounty.ca.gov

Probation Department:

- NAME: Jeannie Emigh
- TITLE: Probation Director
- PHONE: (619) 515-8331
- MAIL STOP: S-236
- E-MAIL: Jeanie.Emigh@sdcounty.ca.gov

District Attorney:

- NAME: Lori Koster-Temko
- TITLE: Deputy District Attorney
- PHONE: (619) 515-8410
- MAIL STOP: D-421
- E-MAIL: lkoster@sdca.org

City Attorney:

- NAME: Joan Dawson
- TITLE: Deputy City Attorney
- PHONE: (619) 533-5563
- MAIL STOP: City-61
- E-MAIL: Jdawson@sandiego.gov

Public Defender:

- NAME: Carl Arnesen
- TITLE: Special Assistant for Support Services
- PHONE: (619) 338-4638
- MAIL STOP: C-277
- E-MAIL: carnesen@sdcounty.ca.gov

San Diego Police Department:

- NAME: Terry McClain
- TITLE: Sergeant
- PHONE: (619) 531-2918
- MAIL STOP: City-756
- E-MAIL: tmclain@pd.sandiego.gov

Superior Court:

- NAME: Janice Dame
- TITLE: Collaborative Courts Coordinator
- PHONE: (619) 615-6359
- MAIL STOP: C-44
- E-MAIL: Janice.Dame@sdcourt.ca.gov

**ADULT DRUG COURT MEMORANDUM OF UNDERSTANDING
Amendment 1**

The parties agree that the following clause will be substituted for
C. Provisions, Page 2, Probation Department's role,
as follows:

The Probation Department agrees to:

- **Maintain all Formal Probation cases in Drug Court in a specialized substance abuse bank caseload.**
- **Designate the Supervising Probation Officer (SPO) of the specialized substance abuse bank unit as the contact within adult supervision to communicate with the Court and facilitate information exchange regarding Drug Court defendants. This may include information regarding new criminal cases and/or violations of probation.**
- **Orient Drug Court Defendants upon entry into the adult supervision system so that they understand the expectations and requirements of formal probation. In addition, Drug Court defendants will be encouraged to succeed in Drug Court. Every effort will be made to avoid subjecting Drug Court defendants to dual jurisdictional supervision conflicts.**
- **Designate a team of Investigators at the Hall of Justice to do all pre-sentence reports on Drug Court defendants with new felony convictions.**

Signatures of Authorized Representatives:

Terry Carleton,
Acting Alcohol and Drug Program Administrator

Date

David E. Cranford
Acting Chief Probation Officer, County of San Diego

Date

Bonnie M. Dumanis
District Attorney, County of San Diego

Date

Casey Gwinn
San Diego City Attorney

Date

Steven Carroll
Public Defender, County of San Diego

Date

William M. Lansdowne, Chief
San Diego Police Department

Date

Richard E. L. Strauss, Presiding Judge
San Diego Superior Court

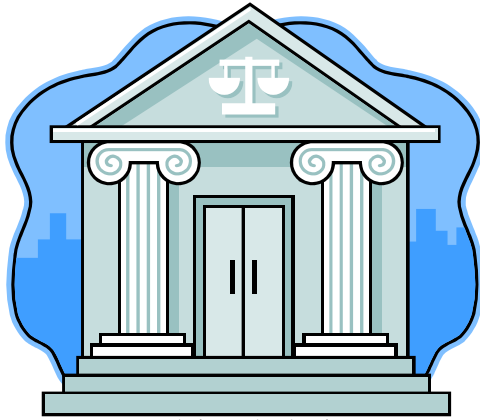
Date

5/18/17

San Diego Superior Court
Adult Drug Court Programs

- DRAFT -

**SAN DIEGO SUPERIOR COURT
ADULT DRUG COURT PROGRAM
Central Division**



Sobriety Checkpoint

PARTICIPANT HANDBOOK

Your Name _____

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WELCOME

Welcome to the San Diego County Adult Drug Court. This *Handbook* is designed to answer your questions and provide overall information about the Drug Court Program. As a participant, you will be expected to follow the instructions given in Drug Court by the Judge and comply with the treatment plan developed for you by the case manager and treatment team.

This *Handbook* will detail what is expected of you as a Drug Court participant. It will review general program information. If you are reading this *Handbook* it means that you have been accepted into Drug Court based on a look at your history of drug/alcohol use and other encounters with law enforcement and it also means that we are confident that Drug Court will help you to learn how to make successful choices free of the influence of drugs or alcohol.

OVERVIEW

Drug Court is a five-phase intervention program for adults who have pled guilty to one or more non-violent drug offenses and who are having difficulty staying clean and sober. It is a collaborative effort between in the Superior Court, District Attorney's Office, San Diego City Attorney's Office, Public Defender's Office, Probation Department, Health and Human Services Agency, police agencies and case management and treatment programs. By working together, they seek to provide a variety of programs and consistent supervision geared toward supporting and helping you maintain a drug-free life. Drug Court involves frequent court appearances, random drug testing as well as group and individual counseling. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules may be placed in short-term custody, moved back to the previous phase of drug court or a variety of other sanctions. They may also be terminated from Drug Court. All of the staff working with Drug Court will assist you to be sure you understand what is expected of you.

THE DRUG COURT TEAM

The Drug Court Judge will make all decisions regarding your participation in the Drug Court Program with input from the Drug Court Team. In addition to the Judge, the Drug Court Team consists of the following members:

- Deputy Public Defender (your attorney)
- Deputy District Attorney or Deputy City Attorney
- Probation Officer
- Case Manager/Assessor
- Treatment Provider
- Police Officer Liaison

Prior to the Drug Court session, the Drug Court Team members familiarize themselves with your progress so that they may discuss that progress with you during the Drug Court session.

PROGRESS REPORTS

Before your Drug Court hearing, the judge will be given a progress report presented by your Case Manager or Treatment Provider. The progress report will discuss your drug testing results, attendance, participation and cooperation in the treatment program, employment or other requirements that may have been imposed. The judge may ask questions about your progress and discuss any problems you may be having. If you are doing well you may be rewarded with reduced program requirements or, at times, other incentives like movie tickets. If your progress reports show that you are not doing well,

the judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can be anything from increased program requirements to jail custody.

DRUG COURT HEARINGS

As a Drug Court participant, you will be required to appear in Drug Court on a regular basis. The number of times you must appear depends upon the phase of drug court you are currently in. Failure to appear will result in a warrant being issued for your arrest and detention in jail until you can appear before the court. If you have questions about your court appearances you may contact your Case Manager, Treatment Provider or your attorney. The phases of Drug Court are listed on the next page.

PHASES OF DRUG COURT

Drug Court is an 18-month program divided into five phases , including a Continuing Care phase. A participant must successfully complete each phase before transitioning to the next phase. Each phase has a key concept or focus.

PHASE ONE	
Key Concept:	Recovery and Responsibility to Self
Length of phase:	At least 13 weeks
Requirements:	Drug Court attendance weekly ; at least 3 random urine tests per week; at least 3 group sessions per week; at least 3 self-help meetings per week.
PHASE TWO	
Key Concept:	Maintenance of Recovery and Responsibility to Others
Length of phase:	At least 13 weeks
Requirements:	Drug Court attendance every other week ; at least 2 random urine tests per week; at least 3 group sessions per week; at least 3 self-help meetings per week
PHASE THREE	
Key Concept:	Maintenance of Recovery and Responsibility to Self and Others
Length of phase:	At least 13 weeks
Requirements:	Drug Court Attendance at least every three weeks ; at least one random urine test per week; at least 2 group sessions per week; at least 3 self-help meetings per week
PHASE FOUR	
Key Concept:	Reinforce a clean, sober and legal lifestyle
Length of phase:	At least 13 weeks
Requirements:	Drug Court attendance at least monthly ; at least one random urine test per week; at least 2 group sessions per week; at least 3 self-help meetings per week
CONTINUING CARE PHASE - PHASE FIVE	
Key Concept:	Maintenance of a clean, sober and legal lifestyle
Length of phase:	At least 6 months
Requirements:	Drug Court attendance at least every 3 months ; at least one random urine test per month, at least 3 self-help meetings per week

CONFIDENTIALITY

State licensing requires that your identity and privacy be protected. In response to these regulations, Drug Court and its case managers and treatment providers have developed policies and procedures that guard your privacy. You will be asked to sign a Consent for Disclosure of Confidential Substance Abuse Information. This disclosure of information is for the sole purpose of hearings and reports concerning your specific Drug Court case.

DRUG COURT PROGRAM RULES

As a participant you will be required to abide by the rules outlined in the participant contract, including, but not limited to the following:

1. Totally abstain from the use of illegal drugs and alcohol.
2. Inform your treating physicians that you are a recovering addict and may not take narcotic or addictive medications or drugs.
3. Attend court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain clean and sober and law abiding.
4. Do not associate with people who use or possess drugs.
5. Do not possess any weapons while in the Drug Court program.
6. Keep the Drug Court team, case manager, treatment provider and police officer liaison informed of your current address and phone number at all times.
7. As a condition of participation in the Drug Court program, your person, property, place of residence, vehicle or personal effects may be searched at any time with or without a warrant, and with or without reasonable cause, when required by a probation officer or other law enforcement officer.
8. Dress appropriately for court and treatment sessions.
9. Abide by all other rules and regulations imposed by the Drug Court Team.

COMPLIANCE WITH DRUG COURT RULES WILL RESULT IN REWARDS CALLED "INCENTIVES." FAILURE TO COMPLY WITH RULES MAY RESULT IN SANCTIONS.

INCENTIVES

Upon the recommendation of the Drug Court Team, participants may be given rewards or incentives for compliant behavior. Common incentives are as follows:

- Praise by the Court/Judge
- Gift ~~c~~ertificates
- Movie ~~p~~asses
- Sobriety ~~t~~okens
- Promotion to next phase
- Certificates of ~~g~~raduation
- Dismissal of ~~c~~ourt ~~c~~ase

MINIMUM SANCTIONS

BEHAVIOR	MINIMUM SANCTION(S)
1 st Missed Drug Test	Up to the discretion of the Drug Court team – may include custody, increased self-help meetings or community service
1 st Positive Drug Test	Weekend or 3 days in custody and 30 self-help meetings in 30 days
2 nd Positive Drug Test	1 week in custody; 60 self-help meetings in 60 days and 20 hours volunteer work
3 rd Positive Drug Test	2 weeks in custody; 90 self-help meetings in 90 days; 20 hours volunteer work and will consider termination or residential treatment
4 th Positive Drug Test	Termination from Drug Court
Missed meetings or other treatment requirements	Addressed as part of the treatment plan with the case manager or treatment provider.
Any other violation	Sanction will be at the discretion of the Drug Court team

TERMINATION FROM DRUG COURT

Warrants, new arrests or a violation of any aspect of your treatment plan may result in your being terminated from the Drug Court Program. Other violations, which could result in termination, include the following:

- Missing and/or positive drug tests;
- Altered drug test;
- Demonstrating a lack of program response by failing to cooperate with the case manager or treatment program;
- Violence or threat of violence directed at treatment staff, other participants of the program or other clients of the treatment providers;

SEARCH AND ARREST REQUIREMENTS

As a participant in Drug Court, you are required to submit your person, vehicle, place of residence or area to search and seizure of narcotics, drugs or other contraband at any time of the day or night with or without a search warrant, without prior notice and without probable cause by any peace officer or probation officer. Any law enforcement officer who observes a current participant of Drug Court in any of the following circumstances is authorized to arrest that individual:

- **I**n violation of any criminal law;
- **I**ngesting a controlled substance, marijuana or alcohol;
- **B**eing under the influence of a controlled substance, marijuana or alcohol;
- **P**ossessing a controlled substance, marijuana or alcohol or drug paraphernalia;

- Being in the presence of a person in possession of controlled substance(s) and a reasonable person in a like position, would conclude that drugs are present.

Participants detained in jail after arrest will be brought before a Drug Court judge for hearing.

CHEMICAL TESTING

You will be drug tested randomly throughout your entire Drug Court Program.

- You will be observed to ensure freedom from errors.
- If you miss a test, it will count as a positive (dirty) test.
- If you have a positive test in any drug court phase, the judge, based on recommendations from the case manager or treatment staff, will apply immediate sanctions including time in jail to help you stop your drug using behavior.

GRADUATION

Upon your successful completion of a treatment program and satisfaction of all other court requirements including continued sobriety, you will graduate from Drug Court and be eligible for promotion to the Continuing Care Phase of the Drug Court Program.

Graduation from the Drug Court Program is recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing Phases I – IV of the Drug Court Program and achieving your goal to establish a drug-free life.

CONTINUING CARE.....

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In order to provide you with a continuing support system and to ensure that you can maintain your valuable sobriety, you will be required to participate in a 6-month continuing care phase prior to dismissal of your court case. Please take advantage of this opportunity to prove to the Drug Court team that you are ready to start your new life as a productive, law-abiding member of society.

CONCLUSION

The goal of the San Diego County Adult Drug Court Program is to help you achieve a life free of dependence on mind-altering substances. The Judge, court staff and the Drug Court Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make this commitment to a drug free life.

DRUG COURT PHONE NUMBERS

Case Manager _____

Treatment Provider _____

Testing Phone # _____

Public Defender (your attorney) _____

Police Officer Liaison _____

Sav-On Pharmacist Number: 1-800-622-4728

AA Hotline: 1-800-711-6378

NA Hotline: 619-584-1007

Other _____

SUMMARY OF DRUG COURT PARTICIPANT RULES
Rulebook

1. You will totally abstain from the use of illegal drugs and alcohol.
2. You will inform all treating physicians that you are a recovering addict and may not take narcotic or addictive medications or drugs.
3. You will attend court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain clean and sober and law abiding.
4. You will not associate with people who use or possess drugs, nor will you be present while drugs or alcohol are being used by others.
5. You will not possess any weapons while in the Drug Court program and will disclose the presence of any weapons possessed by anyone else in your household.
6. You will keep the Drug Court team, case manager, treatment provider and police officer liaison informed of your current address and phone number at all time
7. As a condition of participation in the Drug Court program, your person, property, place of residence, vehicle or personal effects may be searched at any time with or without a warrant, and with or without reasonable cause, when required by a probation officer or other law enforcement officer.
8. You will dress appropriately for court and treatment sessions. You are expected to wear a shirt or blouse, pants, dress or skirt of reasonable length. Shoes must be worn at all times. Clothing bearing violent, racist, sexist, drug or alcohol-related themes or promoting or advertising alcohol or drug use is considered inappropriate. Hats may not be worn. Gang attire is also inappropriate.
9. You will abide by all other rules and regulations imposed by the Drug Court Team.

One day at a time...

