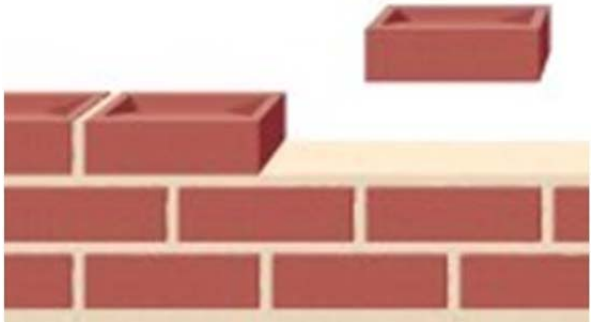
Volusia County East Side Adult Drug Court Participant Handbook



The Foundation for a New Beginning

Last updated July 1, 2020

Volusia County Drug Court Participant Handbook

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Who is on the Team?

The Drug Court Team is a group of very dedicated professionals who want drug court participants to be successful. The Judge leads the Drug Court team, which includes the following people:

Drug Court Judge, Circuit Judge Sandra Upchurch	
Drug Court Coordinator, Melissa Cuccoro	(386) 239-7770 ext. 4
Assistant State Attorney, Sandy Desrosiers	(386) 239-7710
Assistant Public Defender, Craig Dyer	(386) 239-7730
Probation Officer, Ruth Willems	(386) 317-3716
Court Services Officer, Samantha Tracey	(386) 239-7770 ext. 1
Court Services Officer, Alex Fox	(386) 239-7770 ext. 2
Court Services Officer, vacant	(386) 239-7770 ext. 3
SMA Director of Daytona Outpatient Services, Karen Wietzel	(386) 236-3212
SMA Treatment Counselor, Dawn Mahaffey	(386) 254-1206
SMA Treatment Counselor, Anna Mahoney	(386) 254-1137
SMA Senior Drug Court Counselor, vacant	(386)
Clerk of the Court	(386) 239-7750
Drug Court Manager, Brian Brittain	(386) 822-5706
Drug Court Administrative Assistant, vacant	(386) 943-7077
Drug Court Staff Assistant, Jessica Black	(386) 239-7770 ext. 8

THANK YOU! - Without the continuing support of the Volusia County Council and all of the contributing stakeholders in this community, drug court would not be a possible option for those in need.

This handbook is available for download at circuit7.org.

Introduction -Welcome to the Volusia County Drug Court!

We want you to succeed! Your success in this program will be good for you, your family and the entire community. As a participant in this program, you will be required to follow the program rules, instructions given in court by the Judge and follow the treatment plan you develop with your treatment counselor. This handbook explains what is expected of you. It will also provide you with general information about the program. Please read this handbook carefully. It should assist you in completing the program successfully. We encourage you to read it and to share it with your family and friends who support you in recovery. If you do not understand this handbook, please ask your attorney or a Drug Court team member to help you.

This handbook is a guide that contains information that you will need to successfully complete this program. Naturally, this handbook is not intended to overrule any direct orders of the Drug Court Judge or lawful instructions from a Drug Court team member. For instance, if the Judge orders you to get a job within four weeks, that means get a job!

Please ask questions. We want you to succeed!

Introduction - What is the Volusia County Drug Court?

The mission of the Volusia County Drug Court is to unite the judiciary, criminal justice entities, substance abuse treatment providers and the community in a singular program that reduces drug use by non-violent offenders, restores them to law-abiding productivity and lessens the fiscal impact on society.

The Volusia County Drug Court began operations in July 1997. It is a judicially led program for non-violent, addicted people with drug related felony charges who reside in this county. The program involves regular court appearances before the Judge, substance abuse treatment counseling, frequent random drug screening, supervision by probation and collaboration with other team members such as your attorney, the State's Attorney, court administration, treatment provider and law enforcement. Drug Court is a multi-phased program involving addictions treatment and the collaborative monitoring efforts of the entire Drug Court team. Everyone works together in an effort to give you the best opportunity to succeed. To be successful, you will be the most important person in this process.

The Mission and the Vision of the Florida Judicial Branch

Mission of the Florida Judicial Branch

The mission of the judicial branch is to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.

Vision of the Florida Judicial Branch

Justice in Florida will be accessible, fair, effective, responsive, and accountable.

• **To be accessible**, the Florida justice system will be convenient, understandable, timely, and affordable to everyone.

• **To be fair**, the Florida justice system will respect the dignity of every person, regardless of race, class, gender or other characteristic, apply the law appropriately to the circumstances of individual cases, and include judges and court staff who reflect the community's diversity.

• **To be effective**, the Florida justice system will uphold the law and apply rules and procedures consistently and in a timely manner, resolve cases with finality, and provide enforceable decisions.

• **To be responsive**, the Florida justice system will anticipate and respond to the needs of all members of society, and provide a variety of dispute resolution methods.

• **To be accountable**, the Florida justice system will use public resources efficiently and in a way that the public can understand.

http://www.flcourts.org/florida-courts/mission-and-vision.stml

Introduction - Participant Benefits

- Good chance of living a drug free lifestyle
- Good chance of living a law abiding lifestyle
- Rebuild family & community ties
- Avoid lengthy incarceration such as prison
- Early termination from probation or the possibility of your charges being dismissed

Introduction - Drug Courts Work! (Visit allrise.org)

The National Association of Drug Court Professionals (NADCP) tells us that:

- Drug Courts are the nation's most successful criminal justice program
- There are now over 2,900 Drug Courts nationwide
- Over the past 25 years Drug Courts have served over 1.3 million seriously addicted people
- Drug Courts annually refer more people to treatment than any other system in America
- Nationwide, 75% of Drug Court graduates remain arrest-free at least two years after leaving the program.
- The most rigorous and conservative scientific "meta-analyses" have all concluded that Drug Courts significantly reduce crime as much as 45% more than other sentencing options.
- Drug Courts save money, reduce crime and serve veterans in need of substance abuse and mental health treatment.
- Drug Courts save up to $27 for every $1 invested

Introduction - How Do I Join?

To enter the Drug Court program you must qualify for the program, agree to complete the program and be sentenced to probation with a special condition that requires you to successfully complete the program. You may qualify for PTI and have your case nolle prosequi upon successful completion. Drug dealers need not apply. Participants sign a participation agreement that explains exactly what is expected.

Introduction - How do I know if I qualify?

Qualification criteria include the following:

- Agree to participate
- 18 or older
- Non-violent drug related felony
- No violence in criminal history
- Residence in Volusia County
- Capable of benefiting from program regimen
- Other considerations including health issues and prescription medications

Introduction – "A Foundation for a New Beginning!"

This is a chance to move forward in your life. The lives of people in Drug Courts all over the world are being changed in incredible ways. Carefully consider your decision to join!

Introduction - How long is the Program?

This is a multi-phased program that can be completed in one year, depending on how well you do. It often takes people longer than a year to successfully complete because addiction is so difficult to overcome. Please review the participation agreement and this handbook closely to fully understand program requirements.

Introduction - We want you to Graduate!

We want you to do well and stay in treatment until you graduate! It is better for you, your family and the community. We conduct a special graduation ceremony for those who graduate. It is a time for you to continue living a law-abiding, drug-free lifestyle without the external "training wheels" provided by Drug Court. Using the support systems that you put in place while in Drug Court will become very important. Program graduates are strongly encouraged to come back to see Drug Court team members if you need help or, better yet, simply to tell us how well you are doing!

Courtroom – The Judge

Drug Courts are different than traditional courts because you appear before the judge often to review your progress regardless of whether you are doing well or struggling with the program. We have learned that this time with the Judge can help a participant to be successful in ways that nothing else can. Everyone wants the Judge to be proud of their achievements. Be prepared to tell the Judge how you are progressing in the program. Judge Upchurch wants very much for you to be successful!

Courtroom - A Word from the Judge

Many people have worked very hard for more than twenty years just to make this opportunity available. Your success will benefit you, your family and the community.
These are **three keys**:

1. Be honest
   with yourself,
   with the team members
   and with others

2. Respect yourself,
   respect the team members
   and respect others

3. Participate in treatment,
   come to court,
   comply with supervision
   and **do not abscond!**

Courtroom – Appear as Scheduled

It is important for you to come to court early. If you have a question about your next court date, please consult your court notice or contact a team member. A warrant is typically issued for those who fail to appear in court.

Courtroom – Behavior

- Show up early
- Turn off cell phones
- Stay seated and quiet until addressed by the Court
- Stand up and approach when addressed by the Court
- Stay for the entire hearing unless you are given approval to leave
- No food, drink or gum in court

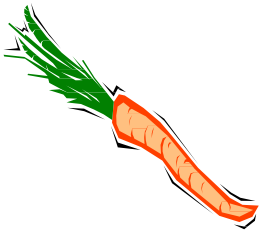
Drug Court Program - Dress Code

If you have any concerns about how to dress for any of the program requirements, please ask any team member. It is important to treat yourself and the Court with respect.

- No bathing suit tops, tank tops, halter tops, hip hugger pants, see through blouses, midriffs
- Undergarments should not be visible at any time
- No clothing bearing or promoting alcohol and/or other drug related themes
- No gang clothing or "colors"
- Remove hats and sunglasses

Courtroom – Incentives

You may expect to receive incentives when you do well. Examples include:



- A-Team
- A-Team with Incentives
- Applause & Recognition
- Words of Encouragement
- Certificates
- Fewer restrictions
- Tangible Incentives
- Earning Community Service Hours credit

Courtroom - A-Team with Incentives

Any participant that exceeds minimum requirements may be recognized as being on the A-Team with Incentives.

Courtroom - A-Team

"A-Team" is for participants who have completed everything required of them when they appear in court. Those who are on the A-Team may leave court right after they appear in front of the Judge. Most others must remain for the entire Drug Court hearing. Even though team members recommend who will be on the A-Team, the Judge makes the final decision. We love having large A-Teams in Drug Court!

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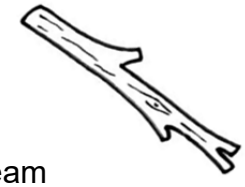
Courtroom – Some Additional Incentives

- Any participant on A-Team with Incentives earns ten dollars ($10.00) credit toward their treatment fees!
- Any participant on A-Team or A-Team with Incentives four consecutive times earns a chance to pick a prize from the Grab Bag!
- Any participant on A-Team or A-Team with Incentives may be approved by the Judge to travel outside the county.
- Any participant ready to phase up must be on the A-Team!

Courtroom – Sanctions

You may expect to receive sanctions when you do not follow through as expected. Accountability is very important when you are trying to modify behaviors. Examples include:

- It could take longer to graduate
- Expressions of disappointment from the Judge
- Required community service hours
- Restrictions
- Jail time
- You must remain in court for the full hearing if you are on the Bteam



Courtroom - Missed Meetings

A missed meeting consists of, but is not limited to, individual or group sessions with your counselor, meetings with your Probation Officer or your Drug Court Supervision Officer at a determined time and place. Communication is the key. You can only be excused from any of the aforementioned meetings by a Team member. In the event a meeting is missed and unexcused, suggested sanctions can range from being tasked with community service hours, completing an essay or up to detention in the county jail.

Courtroom – Appearances in Court

Every participant is required to be in court on their scheduled day. Failure to appear in court typically results in a warrant being issued. In such an event, attempts to contact the participant will be made to encourage the person to report to the jail to be incarcerated. The matter will typically be addressed at the next available Drug Court hearing. If the participant does not follow through as required, an additional number of days in jail can be expected. Do not use unauthorized drugs in the meantime. An individual who remains absent from the program for thirty days or more will be viewed as an absconder and may face expulsion from the program.

Courtroom – Treatment Responses

In addition to using incentives and sanctions, this program uses treatment responses. Sometimes a participant may need to attend additional treatment sessions, support groups, other types of services or even residential treatment. We understand that such a response might feel like a sanction; nonetheless, our intent is to provide each participant with the treatment services they need.

Addictions Treatment – Treatment Works!

It is remarkable how well addictions treatment works when participants apply themselves in the course of evidenced based services. There are millions of people in recovery all over the world who are leading very successful lives. Why not you?

Addictions Treatment - Confidentiality

To encourage candid participation in the treatment process, federal and state law protects your identity and privacy. Because of these regulations, policies and procedures have been developed to guard your confidentiality. To enable collaboration that is necessary for an effective Drug Court, you will be asked to sign a waiver authorizing the transfer of information among Drug Court team members. It is also important to know that Drug Court hearings are open to the public according to state law.

Addictions Treatment – Individual Counseling

You get to develop, review and update your treatment plan together with your counselor during individual sessions. Effective individual counseling sessions are an invaluable part of your treatment process. Please take advantage of this time to progress in the program and to achieve your goals. Please know that it may be necessary for your treatment counselor to schedule extra individual treatment sessions with you if a need is identified.

Addictions Treatment – Group Counseling

You will be required to attend group treatment counseling sessions and education classes that must not be missed unless properly excused in advance or in the event of a true emergency. Please avoid making excuses not to attend. Treatment groups are a major component of this program. Arrive on time, participate as appropriate and remain until the session is over. Otherwise, you may be counted as absent. Follow all of the treatment provider's "house rules".

Addictions Treatment – Unacceptable behavior

1. Violence or threats of any kind to staff or other participants
2. Use and/or possession of alcohol or other drugs
3. Belligerent behavior or acts of vandalism to property
4. Possession of any type of weapon
5. Inappropriate sexual behavior or harassment
6. Breach of confidentiality of other participants in treatment
7. Violations of the courtroom dress code

Addictions Treatment – Ancillary Services

Often, participants need additional services such as mental health counseling and/or medication, residential treatment, transitional housing, family counseling, primary medical services, etc. Based on available resources, we will do our best to help you meet your needs. We know recovery is not an easy process; we praise your efforts and your courage. We will attempt to provide the services you need in order to help you and your family through this difficult journey. These services should help to overcome stress, problems and conflicts that may block your recovery. Please let us know if at any time you feel that you are not realizing the benefits of this program and we will be glad to seek a remedy. The Family Education Program (FEP) is also available for education and support in a group setting for you and your family members or support system. Monetary incentives to reduce your treatment fees are available if you choose to attend with someone from your support system. Ask any team member for the details. The strong support of your family could help you achieve long term success.

Addictions Treatment – Support Groups / Self Help Meetings

Involvement in support groups such as the twelve-step programs like Narcotic Anonymous (NA), Alcoholic Anonymous (AA) or SMART Recovery Programs are important to your recovery. Drug Court requires you to attend and to provide written verification that you are doing so. You should get to know the people at these meetings who are recovering from addiction and living a drug-free lifestyle. Developing this support system may be critical to a long-term successful recovery. It is your responsibility to find out when and where meetings take place. Your treatment counselor and Court Supervision Officer will assist you if necessary. Warning: everyone who attends these meetings is not necessarily living a drug free lifestyle. Alternatives to AA/NA/Smart Recovery may be available if desired. Please address any concerns that you may have about these support groups with your treatment counselor.

Addictions Treatment – Medication

Upon your treatment orientation into this program, you will be provided with a medical release/informative form you are required to present to your doctor upon any visit. As this is an addictions treatment program, abstinence is the goal. In the event your medical provider prescribes you a narcotic and/or a mood altering medication, you must report this to your Court Supervision Officer along with a copy of all of the documentation from your visit within twenty-four (24) hours or on the next work day. When you have finished your medication, please report that information to your Court Supervision Officer.

Addictions Treatment Costs

Participants in this Drug Court program receive treatment services valued at many times the treatment costs actually paid. If you are serious about living a law-abiding lifestyle that is free of alcohol and other drugs, Drug Court is the right place for you – and it is also a good value. Participants in Drug Court are required to pay for treatment services to SMA Healthcare (SMA). Financial accountability is an important part of recovery. Delinquent fees can delay your advancement in the program.

Treatment Fees & Court Related Financial Obligations

Treatment fees are to be paid to SMA Healthcare unless the Court orders otherwise. You will be required to show proof of payments to your Court Supervision Officer. Participants with court related financial obligations such as child support, restitution, crime victims' fund and legal aid fees are expected to make payments on a regular schedule. You may be required to show proof of payments to your Probation Officer. If you cannot make a payment, discuss your situation with your Court Supervision Officer and Probation Officer in order to make other arrangements. Failure to make scheduled payments while in this program may delay your progress and your graduation. The total treatment fee for the first 24 months is $1,000. You are required to pay $300 prior to advancing to phase 3 and $700 before entering phase 4. It would be wise to pay weekly as soon as you can so you may advance through the program. If you remain in the program longer than 24 months, you will be charged $80 for each additional month, beginning on the first day of each month, thereafter until you graduate. Remember to keep your receipts!

Constructive Use of Time, Employment and Education

Using your time constructively will assist you in recovery and to successfully complete Drug Court. Typically, after advancing to phase 2, participants are required to get and keep a real job by working no less than 25 hours per week. Going back to school might also be a good idea but check with your Court Supervision Officer first. Idleness and boredom are not your friends. Although most participants find work or continue their education without a problem, some seem to go to great lengths to avoid working or becoming self-sufficient. Drug Court team members will help you find a job to the extent they are able. Your requirements will be made clear by the Drug Court team and the Judge if you have any questions. You must inform your Court Supervision Officer and Probation Officer right away if your employment or educational status changes. Expect someone to verify your work and/or educational status. Although we will work with your schedule as much as possible, you cannot miss court, group sessions or appointments due to conflicts in your work schedule. *You can receive a sanction – up to and including time in jail – for failure to maintain employment.*

VERY IMPORTANT!

Drug Court hearings take place on Thursdays at 10:00am.

12 Step meeting journals must be turned in to SMA at each individual counseling session.

Office visit hours with Drug Court Supervision Officers are every Monday or Tuesday between the hours of 8am and 11am or 1:00pm and 4:00pm.

Community service hours and Treatment fee receipts must be turned in to supervision at your office visit to receive credit.

Supervision

Supervision of Drug Court participants is the responsibility of the Probation Officer and Court Supervision Officers. Every participant in this Drug Court program is on probation with a special condition that requires successful completion of Drug Court. It is extremely important to abide by the conditions of your probation to include the requirements specified in the participation agreement.

Supervision - What are the Rules?

The rules are spelled out in great detail in the Participation Agreement. These are a few highlights.

1. Appear in court as scheduled
2. Follow your treatment plan
3. Show up on time for appointments
4. Complete the phase requirements
5. Be honest
6. Follow lawful instructions of all team members
7. Report for drug screening as instructed by a team member or by the random ua message line you call daily

Supervision - Show up on time for Appointments

Show up on time for court, treatment sessions, and probation office visits, drug screens...everything! You will be glad you did!

EASTSIDE

Court Supervision Office Visits Hours: 8:00am – 11:00am or 1:00pm – 4:00pm.

Every Monday or Tuesday in phase 1 and
every Monday or Tuesday of the week you are scheduled for court in phases 2, 3 and 4

Supervision - Steps to Success!!!

Each phase of the program includes treatment goals, activities and requirements that you must meet in order to successfully complete the program and graduate. These are things that you will be required to do no matter which phase you are in.

- Appear in court regularly
- Make regular payments towards your treatment fees
- Meet regularly with probation and Court Supervision Officers
- Progress in treatment

Supervision - The "regular stuff" you must do to advance to the next phase, is:

- Follow established individualized treatment plan
- Complete phase requirements
- Submit phase advancement form
- Have your treatment fees paid up
- Get the approval of the Team
- Get the approval of the Judge in court

Supervision - Complete Phase Requirements

All of the phase requirements for the program are spelled out in the Participation Agreement. Completing the phases are your steps to success. In brief, the steps you must take are described on the following pages. Everyone who enters the program as a participant starts in phase one. You will be placed on probation with a special condition that requires you to successfully complete the program.

Supervision - What else is expected of me?

- Treat team members and other participants with respect
- Stop all drug related activity
- Comply with drug screening
- Live a law-abiding lifestyle
- Review the program guidelines during your orientation and whenever you have questions

Supervision - Treat others with respect

You should respect the opinions and feelings of other program participants. Verbal or physical threats toward anyone will not be tolerated. Any inappropriate behavior will immediately be reported to the Court and may result in a severe sanction. Aggressive behavior towards staff or other participants cannot be tolerated.

Supervision - Fraternization, Living Together & Intimate Relationships

Participants are encouraged to build healthy relationships with others who are living a law-abiding, drug-free lifestyle. Helping other participants in the program by listening to each other, giving wise input when requested and carpooling together to treatment sessions are often good things that are encouraged. Residing in the same halfway house or sharing an apartment with another Drug Court participant may even be necessary to make ends meet financially. This type of living arrangement may be acceptable if approved by the team in advance; however, please be very prudent about the people with whom you spend your time, the places that you spend your time and the things that you do. Those who are within their first year or two into recovery typically experience huge changes in their life. People early on in recovery are often vulnerable in ways they do not fully understand. For this reason, entering into new, intimate relationships, especially with others who are new to recovery such as other program participants, is strongly discouraged. Sadly, it is more common for a person who relapses to pull down their significant other than for a person who is strong in recovery to pull up their intimate partner. We cannot overstate enough the importance for you to use this opportunity in drug court to focus your efforts on making yourself the best you can be.

Supervision - Stop all drug related activity

Do not possess, sell or use alcohol or illegal drugs. Do not frequent areas where drugs are being sold or used. Do not enter an establishment whose primary purpose is to sell or distribute alcohol. Any relapse you have with drugs or alcohol must be reported immediately to any team member.

Supervision - Community Service Hours

Participants are required to complete 20 community service hours while in Drug Court. The first 10 hours are due in Phase 1 and the remaining 10 hours are due in Phase 2. Participants can also benefit from an earned credit of $10.00 for every community service hour completed other than those hours designated for program requirements. Approved designated locations for community service can be obtained from your Court Supervision Officer.

Supervision - Live law-abiding lifestyle

You are required to refrain from further violation of the law. Additional offenses may result in you being terminated from the program. Testing clean is not the only program rule. We are very interested in you leading a law-abiding lifestyle. We strongly suggest that you get involved in pro-social activities such as bettering your employment situation, improving your education level, attending church, participating in organized sports, joining social clubs or engaging in family friendly activities. <u>You must notify your Probation Officer and Court Supervision Officer if you have any contact with Law Enforcement or are arrested or charged with any new law violation **within 24 hours of this happening.**</u>

Supervision – Unsuccessful Termination

Even with the Drug Court Team supporting you, this is not an easy program. Your success in this program depends mostly on you. The team will work very hard in an effort to help you to be successful; however, do not expect the team to work harder than you.

<u>Please do not do the following things:</u>

Ø LIE TO THE JUDGE
Ø Commit a new felony offense
Ø Commit a crime of violence
Ø Fail to comply with the program rules continuously
Ø Abscond from the program

Supervision – Probation Office Visits – EASTSIDE

You are <u>required to schedule an appointment and meet with your probation officer once each month</u>. You will be asked to fill out a monthly report. The probation office is located at: **210 N. Palmetto Ace, Suit2 A103**, in Daytona Beach. Your probation officer can discuss with you any probation fees or any restitution payments you may be required to make.

Supervision – Phase Advancement

Please use the phase advancement tracking sheet on the next page when you are ready to advance from phase 1 to phase 2. Your treatment team will have phase advancement tracking sheets for the rest of the phases when you are ready.

Volusia County Drug Court
Request to Advance to Phase Two

The following form must be completed prior to advancement from Phase 1 to Phase 2. *This is your responsibility to complete and turn in to the Drug Court Staff at your office visit prior to the court date when you are requesting to advance.* Failure to provide this form will result in postponement of advancement until the completed form is presented. Please ask your team if you need any further information to complete this.

Participant Name:

Participant completed minimum of 16 group sessions (SMA):_____

Participant completed Step 1 treatment packet (SMA):_____

Participant employment assessment completed (SMA)_____

Participant required to attend Employment Coaching and did so (CSO): _____

Participant completed minimum 20 consecutive clean days (CSO):_____

Date participant completed 10 Community Service Hours (CSO):_____

I have counseled with my attorney and signed and submitted the Participation Application and Disclosure form (CSO): _____

Date participant developed a payment plan with Probation if restitution is owed and describe the plan (DOC):_____

When completed, you need to have this form signed by treatment counselor and supervision staff. The decision to advance into the next phase is a team decision made by ALL parties of the Drug Court Team, with the Drug Court Judge making the final decision. Completion of these requirements does not necessarily mean you will advance to the next phase.

_____ _____ _____

Drug Court Counselor Drug Court Supervision Officer Probation Officer

Revised 111416

Drug Screening - Comply with Drug Screenings

One of the main goals of the program is to help you to not use drugs. A positive drug screen or admission of substance abuse may result in a sanction and/or changes in treatment. Repeated substance use may result in termination from the program. Drug screening will be conducted at the ua lab, the treatment facility, the probation office and even during court appearances. Always be ready to submit to a drug screen while in the program. You will have 2 hours to provide a sample when requested or ordered to do so.

Drug Screening - Over the Counter Medications

You will not ingest mood altering, over the counter (OTC) medications that may result in a positive drug screen. Such medications include those that contain **alcohol, dextromethorphan, phenylpropanolamine, pseudo-ephedrine and ephedrine**. You will discuss all over the counter medications and supplements you plan to take with your Court Supervision Officer and Treatment Counselor before taking anything. This is particularly important before ingesting **diet pills, herbal supplements or energy drinks**. Examples of OTC drugs that contain prohibited ingredients include, but are not limited to: **Nyquil, Actifed, Sudafed, Coricidin, Nasal Crom and Robitussin DXM**. Examples of OTC medications that will not result in a positive drug screen when taken as directed include: aspirin, acetaminophen, ibuprofen and naproxen.

Drug Screening - Additional Substances to Avoid

You will not possess or ingest any mind and/or mood altering substances. You will not possess or ingest designer drugs, smoking mixtures, synthetic cannabinoids, poppy seeds or anything labeled “not for human consumption”. Specific examples of these substances include, but are not limited to: Spice, Bath Salts, Kratom, Flakka and any products containing poppy seeds.

Drug Screening - A Drug is a Drug is a Drug!

Alcohol is a drug participants are not allowed to use while in the program. Over the counter medications are drugs. Check with the team before you take such medications. Prescription drugs are drugs. Follow your doctor’s orders and check with the team before you use these drugs. Do not take someone else’s prescription, not even from a family member.

All participants are required to call the random ua line <u>every</u> day including weekends and holidays. Call between 5:00 am and 7:30 am and listen carefully for the reporting instructions.
CALL (386) 239-7770 PRESS 6.

Drug Screening - Positive Urinalysis

As the premise for Drug Courts throughout the country is to assist the participant in abstaining from all drug use, we know that this is not an easy task. Abstaining from substance use can be a challenge; with this in mind, seek assistance from your counselor, your sponsor or any team member. If you have used a prohibited substance, inform a team member as soon as possible. Though your situation is personal, it may not be unique and certain forms of behavior modification may be necessary. These modifications could include extended treatment, increased counseling, court ordered detention or some other form of behavior modification.

Drug Screening - Missed Urinalysis (UA)

Please do not miss a UA! When participants have missed drug screens in the past, it has often been an attempt to avoid the detection of drug use. The consequence for missing a drug screen is as follows:

1. A loss of all accumulated clean time is effective immediately.
2. An additional sanction may also be imposed by the Judge.
3. An increase in the amount of treatment you are receiving which may include residential treatment.

Drug Screening - Dilute Samples

Please limit your liquid intake a few hours prior to drug screening. Dilute urine samples can indicate that an individual intentionally set out to alter the outcome of his/her drug screen. There is no way a team member can differentiate the individual's intent. With this in mind, it is the Drug Court Team's position that upon the first dilute sample, the individual will be given a warning from the Judge. Upon identification of the second or more dilute samples, a jail sanction is likely to be imposed.

STATE OF FLORIDA
SEVENTH JUDICIAL CIRCUIT
FLAGLER, PUTNAM, ST. JOHNS AND VOLUSIA COUNTIES
VOLUSIA COUNTY COURTHOUSE
101 NORTH ALABAMA AVENUE
DELAND, FLORIDA 32724

TO: **All Drug Court Participants**
FROM: **Melissa Cuccoro**
DATE: **Updated, Wednesday, April 7, 2016**
RE: **Random Urinalysis System**

The Volusia County Adult Drug Court is interested in all program participants remaining drug and alcohol free. Toward that end, it has been determined that a system of random urinalysis testing is necessary. Therefore, **all program participants** are required to do the following everyday including weekends and holidays without fail:

1) **Call** the random urinalysis voice mail system between 5:00 AM and 7:30 AM.
2) **Bring photo ID** with you to the lab so that your sample will be accepted.
3) You may be called in by your phase number, your name, or a random number of the day which is the same as the last digit of your social security number. You must appear in person at the location and time that is specified on the recording. This visit does not replace any scheduled supervision or treatment visit and does not eliminate the possibility of having to provide another sample on the same day.
4) If you are instructed to attend a morning drug screening, you must submit a valid sample between 8:00am and 10:00am. If you are instructed to attend an afternoon drug screening, you must submit a valid sample between 2:30pm and 4:30pm.
5) **Failure to report** in for a random urinalysis test, or failure to submit a valid test will very likely be **counted as a positive urinalysis test.** Therefore, it is extremely important for each participant to call in every single morning, no matter what!

Eastside Participants

CALL (386) 239-7770, after message begins, **press 6.**
If called, report to: **Court Administration UA Lab, 251 N. Ridgewood Ave** in Daytona Beach unless the message instructs you to another location.

Westside Participants

CALL (386) 943-7077, after message begins, **press 7**
If called, report to: **Courthouse Lab, 101 N Alabama Ave, 1st floor,** in Deland, unless the message instructs you to another location.

A Supervision Officer may suspend this requirement in advance if a participant is physically unable to report in due to incarceration, hospitalization or approved travel. Do not assume that this requirement is suspended. Speak with your Court Supervision Officer first.

Document Created June, 1999

STATE OF FLORIDA

VS

_____

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY

CASE NUMBER(S): _____

CHARGE(S): _____

Volusia County Drug Court Participation Application and Disclosure 08/16/18

I have a substance abuse problem and hereby request to be considered for the Volusia County Drug Court Program. I understand that the opportunity to participate in this program is a privilege, not a right. Understanding that accountability is an important aspect of the program, I acknowledge that if I am accepted, the following will apply to me as long as I am a participant in the program:

1. **I will enter the Program as a condition of probation:** I understand that I will enter this program as a condition of probation and that I must comply with the requirements of the program as outlined in this participation agreement, all standard conditions of probation, including any special conditions imposed at sentencing. Failure to comply with the Drug Court obligations ***may*** result in a violation of my probation, the issuance of an arrest warrant, modification of my probation conditions (including, but not limited to, the completion of residential treatment). If I am found in violation of probation and sentenced out of the program, the presiding Drug Court Judge is not bound by any predetermined sentences.

   If agreed upon by all parties at the time of sentencing, I may be eligible to have my plea/sentence vacated and all charges against me dismissed upon successful completion of the program.

2. **I consent to *ex parte* communication** (communication outside my presence and/or the presence of my attorney) among all members of the treatment team regarding my health, mental health, addiction, employment, legal status, and other personal information the treatment team deems appropriate as a part of my treatment. My consent to *ex parte* communication will be withdrawn and will end upon my return to a regular court docket for any reason.

3. **I hereby waive my right of privacy and confidentiality concerning information** contained in Department of Children and Families records. I consent to allow this information and all other information concerning me to be given to all Drug Court Team members as needed to carry out official tasks. This includes, but is not limited to: urinalyses results, treatment group attendance, office visits, field visits and overall program progress.

4. **I agree to waive my due process rights** with regard to the imposition of any sanction and to submit to any reasonable search of my person or properties while a participant in the Drug Court. The waiver of due process rights does not include a Drug Court Team decision for expulsion or termination from the program.

5. **Health:** I understand that health care is an important part of becoming clean and sober; therefore, I will make a diligent effort to maintain or apply for health care coverage as soon as possible upon entry into the program.

6. **Treatment**: I will cooperate with addictions screenings and/or assessments as needed to participate in drug court. I will report to my addictions treatment provider as instructed, which will be as soon as possible after entering the program. I will develop and sign an individualized treatment plan with my counselor and participate toward accomplishing the goals and objectives in my plan. Periodic modifications to my plan will be made. If my treatment plan requires additional evaluation, counseling, medication, medical treatment or residential placement, I understand that I may be required to pay some expenses related to these services. I agree to fully participate in the addictions treatment that will be delivered in the following drug court phases. Advancement to the next phase or graduation is based on the recommendation of the Team and final approval of the Judge.

Phase 1 (Assessment, Orientation and Stabilization): Minimum duration is twenty six (26) days.

- Court Appearances: Once (1) a week in front of the Drug Court Judge
- Group Therapy Sessions: Attend at least one (1) session each day, four (4) days per week
- Individual Therapy Sessions: Attend at least one (1) session per week
- Drug Tests: As instructed through the random drug testing system and by Drug Court Team members
- Support Groups such as: AA/NA/SMART Recovery: Attend one meeting each day, five (5) days per week
- Supervisory Office Visits: Once (1) a week with Court Services Officer
- Probation Office Visits: Once (1) a month as instructed by Probation Officer
- To advance to next phase: Complete ten (10) community service work hours at approved site
- To advance to next phase: Complete sixteen (16) group therapy sessions during the phase
- To advance to next phase: Acquire twenty (20) consecutive "clean urine days"

Phase 2 (Outpatient): Minimum duration is ninety (90) days

- Court Appearances: Once (1) every two weeks in front of the Drug Court Judge
- Group Therapy Sessions: Attend at least one (1) session each day, three (3) days per week
- Individual Therapy Sessions: Attend at least one (1) session every two weeks
- Drug Tests: As instructed through the random drug testing system and by Drug Court Team members
- Support Groups such as: AA/NA/SMART Recovery: Attend one meeting each day, four (4) days per week
- Supervisory Office Visits: Once (1) every two weeks with Court Services Officer
- Probation Office Visits: Once (1) a month as instructed by Probation Officer
- First Step, Inc. Fee: Pay in full within thirty (30) days of advancing to phase 2 ($12.48 per case)
- Obtain and maintain lawful employment within four (4) weeks of advancing to phase 2
- To advance to next phase: Complete ten (10) community service work hours at approved site
- To advance to next phase: Pay treatment provider $300 of drug court surcharge
- To advance to next phase: Acquire forty-five (45) consecutive "clean urine days"

Phase 3 (Transitional Outpatient): Minimum duration is one hundred twenty (120) days

- Court Appearances: Once (1) every three weeks in front of the Drug Court Judge
- Group Therapy Sessions: Attend at least one (1) session each day, two (2) days per week
- Individual Therapy Sessions: Attend at least one (1) session every three weeks
- Drug Tests: As instructed through the random drug testing system and by Drug Court Team members
- Support Groups such as: AA/NA/SMART Recovery: Attend one meeting each day, four (4) days per week
- Supervisory Office Visits: Once (1) every three weeks with Court Services Officer
- Probation Office Visits: Once (1) a month as instructed by Probation Officer
- To advance to next phase: Pay treatment provider 100% of drug court surcharge
- To advance to next phase: Acquire one hundred twenty (120) consecutive "clean urine days"

Phase 4 (Continuing Care): Minimum duration is sixty (60) days

- Court Appearances: Once (1) every four weeks in front of the Drug Court Judge
- Group Therapy Sessions: Attend at least one (1) session, one (1) day per week
- Individual Therapy Sessions: Attend at least one (1) session every four weeks
- Drug Tests: As instructed through the random drug testing system and by Drug Court Team members
- Support Groups such as: AA/NA/SMART Recovery: Attend as instructed by treatment counselor
- Supervisory Office Visits: Once (1) every four weeks with Court Services Officer
- Probation Office Visits: Once (1) a month as instructed by Probation Officer
- To graduate: Pay treatment provider 100% of drug court surcharge
- To graduate: Acquire sixty (60) consecutive "clean urine days" in phase 4 and a minimum of one hundred twenty (120) consecutive clean days accumulated between phases 3 and phase 4

7. **I understand that it will take a minimum of ten (10) months to graduate drug court:** however, based on my progress and the date of the next scheduled graduation ceremony, it could take longer. Graduates that have transferred into the program may withdraw their plea and have their charges dismissed.

Graduates that have entered the program as a condition of probation may be successfully terminated from probation early.

8. **I will appear at all Drug Court Hearings** as instructed by any member of the Drug Court Team. The Drug Court Team is comprised of representatives from the State Attorney's Office, the Public Defender's Office, the Clerk of the Court, substance abuse treatment providers, the Florida Department of Corrections (D.O.C.) Probation Office, the Seventh Judicial Circuit's Court Administration, and the Drug Court Judge.

9. **I understand that supervision officers employed by both the Florida D.O.C. Probation and Court Administration** will conduct supervisory contacts concerning me. These contacts may occur, consistent with the confidentiality of my treatment, at my home, my work, the treatment center, the courthouse, or anywhere deemed necessary. I will report when and where as directed by these officers. Each participant must provide a working telephone number on which they can be contacted at any time.

10. **Remaining drug free**: I understand that drug court will assist me to remain drug free by requiring the following:
    - **Urine samples**: I understand that I may be required to provide urine samples at any time while I am in this program. Failing to provide a valid sample, giving a *diluted sample, low volume sample* or missing a urinalysis may result in a sanction as great as a sanction imposed for a *positive result*. When an independent drug-testing lab is utilized for special needs, I may be ordered to pay for the testing services. Substituting or adulterating my urine specimen may result in termination from drug court.
    - **Alcohol**: I will not ingest alcohol or enter an establishment whose primary purpose is to sell alcoholic beverages. Examples of alcohol include beer, wine, whiskey, Nyquil, Sterno and mouthwash.
    - **Illegal Drugs:** I will not ingest, purchase or possess any illegal drugs. Examples of illegal drugs include cocaine, marijuana and heroin.
    - **Prescription Drugs:** I will not use prescription drugs without a valid prescription. I will report this within twenty four (24) hours to my Supervision Officer except in case of an emergency where disclosure may take place the next workday after using the prescription. I understand that use of a controlled prescription drug may delay my advancement in or completion of the program, whether or not that drug was validly prescribed. Currently, the program is not able to incorporate the use of methadone or buprenorphine in the course of addictions treatment. Finally, I must disclose to any doctor who intends to prescribe medication to me, that I am a participant in the Volusia County Drug Court Program where abstinence from mind altering substances is my goal.
    - **Over the Counter (OTC) Drugs:** I will not ingest mind altering OTC drugs that may result in a positive drug screen. Such medications include those that contain alcohol, dextromethorphan, pseudo-ephedrine and ephedrine. I will discuss all over the counter medications and supplements that I plan to take with my Supervision Officer before I take the medication. This is particularly important before ingesting diet pills, herbal supplements or energy drinks. Examples of OTC drugs that contain prohibited ingredients include, but are not limited to: Nyquil, Actifed, Sudafed, Coricidin, Nasal Crom and Robitussin DXM. Examples of OTC medications that will not result in a positive drug screen when taken as directed include: aspirin, acetaminophen, ibuprofen and naproxen.
    - **Other substances:** I will not possess or ingest any mind and/or mood altering substances. I will not possess or ingest designer drugs, smoking mixtures, synthetic cannabinoids, poppy seeds or anything labeled "not for human consumption". Specific examples of these substances include, but are not limited to: spice, bath salts, kratom, CBD oil, products containing cannabinoids and products containing poppy seeds.
    - **Not prohibited:** I may use nicotine, caffeine and sugar while in drug court; however, I will consider my health first.

11. **Incentives, Treatment Responses and Sanctions**: I understand that I can expect to receive incentives when I progress in the program and sanctions when I do not. Various forms of positive reinforcement such as "A" Team and "A" Team with Incentive recognition, compliments from the Judge and certificates of recognition will be used by the Team to encourage me to progress in the program. Failure to attend required counseling sessions, support meetings, supervision office visits, drug tests, using alcohol or other drugs, or failure to demonstrate progress in treatment will result in a review of my case by the Drug Court Judge. Additional counseling or support groups may be a required treatment response. Sanctions may include, but are not limited to, the loss of clean days, additionally required community service hours, written

assignments, tighter supervision, incarceration, wearing electronic drug detection equipment on my person, additional treatment fees or termination from the program.

12. **I agree to promptly and truthfully answer all questions asked by any member of the Drug Court Team** and understand that I must report any contact with Law Enforcement to the Court Supervision Officer either in person or by phone within twenty-four (24) hours of the contact. I agree to obey all lawful directions given to me by a Drug Court Team member.

13. **Employment and Education**: Within four weeks of advancing to Phase 2, I agree to maintain lawful employment and/or to advance my educational status in a manner that is approved by the Drug Court Team. I will not change my educational or employment status without approval of the Drug Court Team. If I do not have my high school diploma or General Education Diploma (GED), I will make a diligent effort to obtain one before graduation.

14. **I will not violate the law**, possess weapons or associate with a person engaged in criminal activity.

15. **I agree to reside locally** and to not change my address without the approval of the Drug Court Team.

16. **I will not leave Volusia County** without the advance approval of the Drug Court Team.

17. **Restitution, First Step and Cost of Supervision**: If I have been ordered to pay restitution, I will make paying it a priority. I understand that I should pay my restitution in incremental amounts or in full before paying any other fees, costs or fines and before being permitted to graduate. Within thirty (30) days of advancing to Phase 2, I agree to pay $12.48 per case to the Florida Department of Corrections (DOC) for the purpose of funding First Step Inc., a non-profit organization that assists probationers to include drug court participants in need of basic necessities. The 'cost of supervision fee' normally paid to DOC is suspended during my participation in drug court and is waived upon successful completion. At that time, court costs and other fees, excluding restitution, may be reduced to a civil judgment. Restitution, if any, must be paid in full in order for my case to be closed.

18. **Drug Court Surcharge**: I agree to pay the drug court treatment provider a surcharge of $1000.00 for the first twenty-four (24) months of participation in drug court. I understand that I may substitute community service hours performed at an approved site for payment of the fee at the rate of $10.00 per hour. This surcharge may be waived or suspended or modified by the Court, at its discretion. If I am still participating in drug court beyond twenty four (24) months from my starting date, then I also agree to pay $80.00 for each additional month, beginning on the first day of each month, thereafter until I graduate or am sentenced out of the Program.

19. **I understand that required community service work hours** must be completed at a work site that has been approved by the Drug Court Team. Although completed work hours can be used to offset the drug court surcharge, money will not be accepted in lieu of completing community service work hours.

20. **Additional Tasks**: I will complete all tasks as directed by the Drug Court Judge. Examples of such tasks may include, but are not limited to: remaining employed, staying in school, life skills education, literacy training, vocational rehabilitation, mental health services, community resource referrals, and community service work.

I understand and accept the contents of this form which I have read or have had read to me.

Defendant's Signature / Date	Defense Counsel / Date
Defendant's Complete Physical Address	Defendant's Phone Number

Summary – Entering Drug Court

Your success in this program will be good for you, your family and the entire community. Please take the time to read over this handbook and share it with your family. It may seem a little overwhelming, but we are here to help you succeed!

If you have questions, please ask a team member!

Summary – Expectations in Phase One

Your schedule now that you are in Drug Court is as follows:

For Supervision:

Every Day (5am to 7:30am) Call the Random UA message at 239-7770, then press 6.

Every Monday or Tuesday as directed by your officer

Supervision Office Visits are at the S. James Foxman Justice Center between 8:00am – 11:00am and 1:00pm – 4:00pm

For Probation:

Once per month - **Probation Office Visit** at 210 N. Palmetto Ave. Suite A103, Daytona Beach by appointment. Please make sure to schedule your appointment and complete the monthly form when you do report.

For Treatment:

Attend 5 self-help meetings (AA/NA/SMART Recovery) each week and turn your meeting log in to your treatment counselor at every individual counseling session.

Attend assigned groups, individual treatment sessions each week.

Monday	Relapse Prevention Group
Tuesday	MRT Group
Wednesday	Gender Group
Friday	Drug Education Group
Individual Session	

For Court:

Every **Thursday attend your assigned court hearing** in **Courtroom #4** at the S. James Foxman Justice Center at **10:00am**
251 N. Ridgewood Ave., Daytona Beach

Summary – You can succeed!

Remember the three keys:

1. Be Honest 2. Be Respectful to yourself and others 3. Participate in the Program!

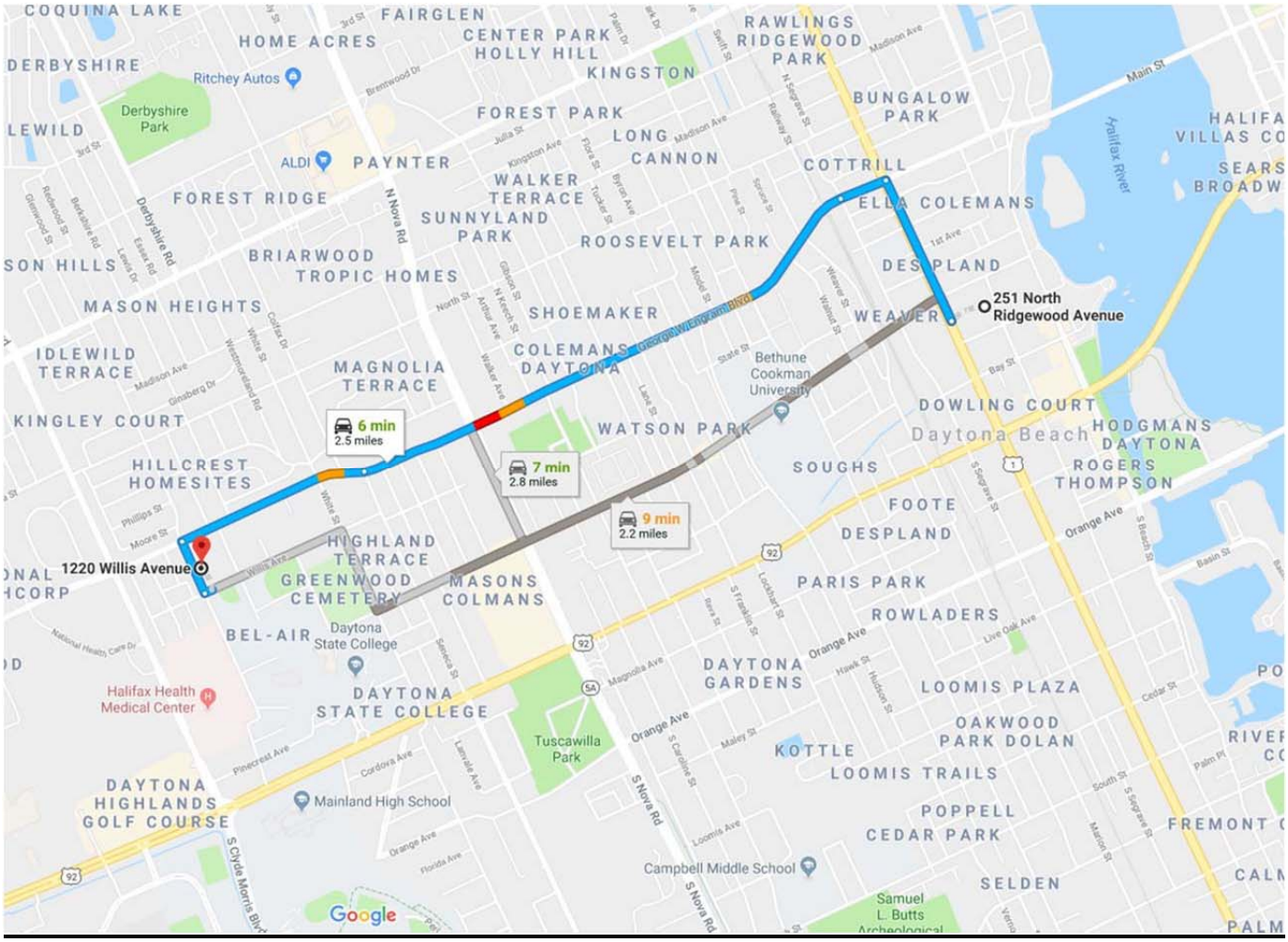
Driving Directions to the Stewart Marchman Act Behavioral Healthcare Office

Summary: 2.5 miles, 6 minutes

- Head northwest on N. Ridgewood Ave toward Dr. Mary McLeod Bethune Blvd
- Turn left onto Fairview Ave
- Continue onto George W. Engram Blvd
- Continue onto Dunn Ave
- Turn left onto Heineman St
- Turn left at the 1st cross street onto Willis Ave

Important note:

- If you are attending treatment group, report to building 9
- If you are attending individual counseling, report to building 1A



DRUG COURT DEMOGRAPHIC SHEET

Name _____ Date of Birth: _____

SSN _____ Race_____ Sex: M F Marital Status: Single Married Divorced Widowed

Current Physical Address: _____

City, State, Zip Code_____ Who lives with you? _____

House Phone: _____ Cell Phone: _____

Email address: _____

Emergency Contact: Name/Relationship: _____

Address_____ City_____ State_____ Zip Code_____

House Phone: _____ Cell Phone: _____

Children: Y/N Names/Ages/Live with you? _____

DCF Involvement Y / N If Yes, Case Manager's Name and Phone Number

_____

Employed: Y / N If Yes - Name of business: _____

Department you work in _____

Work Address: _____

City, State, Zip Code_____ Phone: _____ext._____

If No- How long unemployed/Why? _____

Where did you last work? _____

Education: Last Grade Level Completed _____ Discuss Educational goals & plans: _____

_____

Doctor's Name/Phone Number: _____

Do you have any medical problems: Y / N List: _____

Are you prescribed any medication: Y / N List: _____

Do you have a mental health diagnosis? Y / N Describe: _____

Drug(s) of Choice: 1st_____ 2nd_____ 3rd_____

Date and Substance of last use? _____

Have you ever attended AA/NA mtgs: Y / N Describe: _____

Have you ever been in Outpatient Treatment? Y / N

Where/What year? _____ Did you complete? Y / N

Have you ever been in Inpatient Treatment? Y / N

Where/What year? _____ Did you complete? Y / N

Does your significant other or any of your family members drink or use drugs? Y / N

Who? S/O Mother Father Sister(s) Brother(s) Other: _____

Do you have a valid driver's license? Y / N If no, why? _____

Do you have a photo ID? Y / N

Do you have Health Insurance? Y / N Are you receiving Medicaid or cash assistance? Y / N

Drug Court Case Number _____ Date in program_____ Officer_____

Case number(s)/Charge(s) _____

Form updated 7/1/20