

10 KEY COMPONENTS OF DRUG COURTS

-adopted by the US Department of Justice

Key Component One: Drug courts integrate alcohol and other drug treatment services with justice system case processing.

Key Component Two: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

Key Component Three: Eligible participants are identified early and promptly placed in the program.

Key Component Four: Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

Key Component Five: Abstinence is monitored by frequent alcohol and other drug testing.

Key Component Six: A coordinated strategy governs drug court responses to participants' compliance.

Key Component Seven: Ongoing judicial interaction with each drug court participant is essential.

Key Component Eight: Monitoring and evaluation measure the achievement of programs goals and gauge program effectiveness.

Key Component Nine: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

Key Component Ten: Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.



20th Judicial Circuit of Florida Administrative Office of the Courts

CONTACT INFORMATION

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For a Felony Drug Court Program Referral Form, or for more information on court programs within the 20th Judicial Circuit, please visit our website at www.ca.cjis20.org

FELONY DRUG COURT PROGRAM

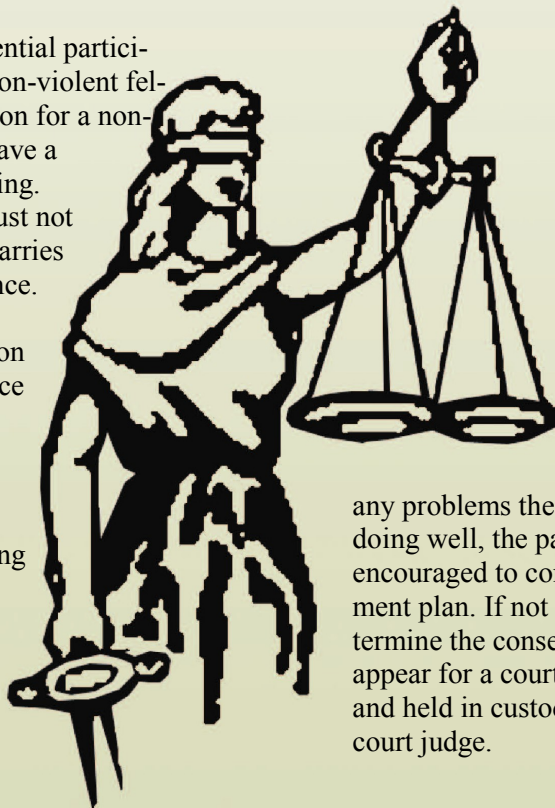
Lee County



Introduction and Program Goals:

The Felony Drug Court Program is a court-supervised drug and alcohol treatment program for individuals involved in the criminal justice system with a substance abuse problem. This program is designed to divert cases from the traditional court system while helping participants recover from drug and alcohol addiction, stay in recovery and become productive members of society. This program provides immediate and concentrated treatment, which include supervision and monitoring by a drug court team and drug court judge. The drug court team will work with and help the participant to comply with the requirements, but participants must be committed to recovery to be successful in this program. Entry into the program is completely voluntary, but compliance is required while in the program and the participant does not decide to stay or leave the program.

Eligibility Criteria- A potential participant must have a pending non-violent felony charge or be on probation for a non-violent felony charge and have a violation of probation pending. The potential participant must not have a current charge that carries minimum mandatory sentence. In addition, there could be other factors at the discretion of the State Attorney's Office which may preclude entry into the program. The potential participant must also be screened by an addiction specialist indicating he or she is amenable to substance abuse treatment and deemed appropriate for the program.

**Referral and Screening Process:**

Participants may be identified at booking by the Pretrial Services Intake and Investigation Unit or be referred by counsel, family, other treatment providers, or be self-referred. Criminal history is researched to ensure eligibility criteria are met and reviewed by the State Attorney's Office for final consideration.

Program Description:

Participants who enter the Felony Drug Court Program enter a plea with the prison sentence deferred during the program, while being supervised by the Department of Corrections. The participant must sign a Probation Agreement and enter a guilty or no contest plea to the charges, depending upon the plea agreement agreed upon by the participant, counsel and the State Attorney's Office. The participant will enter a plea of guilty or no contest and agree to accept the agreed upon sentence in a hearing before the judge.

The participant will report for regular court appearances and his or her progress will be discussed with the team and drug court judge. The team consists of representatives from Pretrial Services, the State Attorney's Office, the Public Defender's Office, the Department of Corrections and Southwest Florida Addiction Services. During court, the participant and the judge communicate to discuss

any problems the participant might be having. If doing well, the participant will be rewarded and encouraged to continue working on his or her treatment plan. If not in compliance, the judge will determine the consequences. If a participant fails to appear for a court session, he or she can be arrested and held in custody until brought before the drug court judge.

Treatment Plan:

An individualized treatment plan will be developed, which will change from time to time as the participant progresses through the program. The treatment plan will require attendance at group therapy or basic education, individual counseling sessions and 12-step meetings, such as Narcotics Anonymous, Cocaine Anonymous, Alcoholics Anonymous, or similar meetings. The participant will be required to find a 12-step sponsor. At minimum, the treatment plan will require outpatient treatment, but may also include family counseling and residential treatment. The plan will require the participant to find a job or participate in job training. The plan may also require the performance of community service.

Fees:

There are mandatory fees of \$50 per month to the treatment provider and an annual fee of \$100 for drug testing. There is also a \$100 fee to the Florida Department of Law Enforcement if charged with a drug offense, a \$100 prosecution fee and any applicable fees to the Public Defender. The judge typically allows defendants to work off court costs and fines by doing community service at a rate of \$10 per hour and exempts any costs of supervision while in the program.

Graduation:

Upon graduation, if the participant is in the program for a substantive charge (s), the State Attorney's Office will dismiss the charge (s). Upon graduation, if the participant has a charge of violation of probation after a prior plea and probation sentence, the violation of probation affidavit will be dismissed, the probation will be terminated and the original conviction that was imposed will remain. Adjudication originally withheld will be upheld upon graduation. If the participant pled to a charge (s) for which the participant has not previously been placed on probation, the participant will be allowed to withdraw the plea of guilty or no contest upon graduation, the sentence will be vacated and the charge (s) will be dismissed by the State Attorney's Office.