

TWENTIETH JUDICIAL CIRCUIT LEE COUNTY ADULT FELONY DRUG COURT HANDBOOK



MISSION STATEMENT

*Providing the opportunity for changing and saving lives
through honesty, personal responsibility and recovery.*

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INTRODUCTION TO DRUG COURT

You have been arrested for a drug-related crime and have been identified as a person who may have a drug problem. You may be offered an opportunity to participate in Lee County's Drug Court. This program is designed to help you get off drugs and stay off drugs. Final disposition of your case will be determined by the terms of your Drug Court Contract.

This handbook is designed to answer questions, address concerns and provide over-all 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 and supervision plan developed for you by your treatment team. This handbook will detail what is expected of you as a Drug Court participant and review general program information. All participants are encouraged to share the handbook with family and friends.

PROGRAM DESCRIPTION

The Lee County Drug Court Program is designed as a court supervised, comprehensive treatment program for adults. This is a voluntary program which includes regular court appearances before a designated Drug Court Judge. You will be expected to participate in treatment, including drug testing, individual/group counseling, family counseling and regular attendance at Recovery Support Groups. As a participant, you will be assisted with obtaining education and skill assessments and will be provided referrals for vocational training, education and/or job placement services. It is expected that you will complete the program requirements between 15 and 24 months, depending on your individual progress.

Following arrest and/or formal charges being filed by the Office of the State Attorney, you will first complete a screening to determine if you are clinically appropriate for the Drug Court Program. You and your attorney will receive an explanation of the Drug Court Program so that you can decide whether the sentence being offered, in exchange for the plea to the charges, is in your best interest.

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.

Participants wishing to seal or expunge their records may complete an application for certification of eligibility via the Florida Department of Law Enforcement, but are not guaranteed

such. Specific requirements for the application, as well as a list of disqualifying charges and a list of agencies that can obtain sealed and expunged records, can be found on FDLE's site at <http://www.fdle.state.fl.us/expunge>.

Every plea into the Drug Court Program will include the following general terms:

- Random drug testing during the period of probation
- Curfew, except for work or purposes as approved by your Probation Officer
- No possession or consumption of alcohol, drugs, or "mind altering" substances
- Successfully complete the Drug Court Program
- Restitution (if applicable)

Entry into the Drug Court Program is voluntary. However, once you have pled into Drug Court and been sentenced, you may not voluntarily withdraw from the program. While in Drug Court, you will be placed on a minimum of two years state probation or drug offender probation requiring compliance with specific terms and conditions. You will be assigned a probation officer to provide supervision and enforcement of those terms and conditions. You will be required to provide random drug screens.

Successful completion of the program will result in the disposition of your case according to the terms of your drug court contract. Failure of discharge from the program will result in the Violation of Probation. If the participant willfully and substantially fails to comply with all of the requirements of the Drug Court Program, it may be considered a violation of the probation. The participant may be terminated from probation and re-sentenced to incarceration in jail, or prison, pursuant to the Florida Criminal Punishment Code if the violation of probation is proven after hearing. The Judge may also choose to keep the participant in the program and/or sanction the participant with time in jail, community service hours and other sanctions.

The State Attorney's Office will, as directed in Florida Statute 397.334(3)(a), make its recommendation to the Court after having taken into consideration the other factors specifically referenced in the statute. The Court will make the final determination as to acceptance into the Drug Court Program as provided in Florida Statute 397.334(3)(a).

DRUG COURT SUPERVISION

As a Drug Court participant, you will be required to appear in Drug Court on regularly scheduled dates. Missing a court date may result in a warrant being issued for your arrest and remand to custody.

The Drug Court team attends each court session to discuss the participant's progress and makes recommendations to the Drug Court Judge. The Drug Court team consists of representatives from the State Attorney's Office, the Public Defender's office, Pretrial Services, the Department of Corrections and the treatment provider. At each appearance, the Judge will be given a progress report prepared by the treatment provider and/or the probation officer regarding your

test results, attendance and participation. The Judge will ask you questions about your progress and discuss any specific problems you have been experiencing. You will receive encouragement to continue with your progress in the program and work with your treatment team toward success. If you are not doing well, the Judge will discuss this with you and the treatment team to determine further action. If you commit program violations, e.g. positive or missed tests, failure to attend individual or group counseling or Recovery Support Group meetings, failure to report to your Probation Officer, etc., the court may impose sanctions (See Sanctions below). With repeated violations of the program requirements and/or a failure to progress satisfactorily, the court may impose the ultimate sanction of discharge from the program which will lead to a violation of probation.

The imposition of sanctions may also result in the other “natural” consequences such as extended time to complete a phase of the total program; loss of wages due to loss of work; and/or other family, job, or financial hardship.

If you cannot appear in court as scheduled, you must notify your Probation Officer as soon as possible to explain why you cannot appear. If you have any questions regarding your court appearances, you are required to contact your Probation Officer.

Warrants and/or new arrests could result in your termination from the Drug Court Program and a violation of probation. Other violations, which could result in termination, include missing drug tests, demonstrating lack of program participation by failing to cooperate with the treatment, and failure to follow instructions of the Probation Officer. Violence or threats of violence directed at the treatment team or other clients will not be tolerated. All final decisions regarding termination from the program will be made by the Drug Court Judge.

FINANCIAL OBLIGATIONS

As a participant of the Drug Court Program you will be required to pay the following fees:

- Court Costs – Actual costs will be determined by the Judge at the time of sentencing. The Judge will exempt cost of supervision fees and allow the participant to work off the fine and court costs by doing community service with a credit of \$10 for each hour worked.
- Treatment Costs – You will be required to pay for your treatment. The cost will be determined by the treatment provider and paid directly to them.
- Drug Testing Costs – You may be required to pay Drug Testing fees.

TREATMENT PHASES

The Drug Court Treatment Program is a Five Phase, highly structured, treatment program lasting for a minimum of 15 months, depending upon your individual progress. After a plea, you will be assigned to a probation officer and a drug treatment clinician and who will provide an orientation/overview of the Drug Court Program. Your problems and needs will be assessed and an individual treatment plan will be developed.

Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, all required for advancement into the next phase, which also requires approval by the Drug Court Team. The components and requirements for advancement from each phase are described below.

The plan may also require the performance of community service. If needed, the participant may be required to consult with a doctor or other medical provider for any medical or mental condition. The participant is expected to inform his or her attorney, clinician and the court of any religious beliefs or practices that may serve as a conflict when drug court programs, peer groups and treatment are being considered.

If you relapse or have an unexcused missed drug test during any phase, you may be required to return to an earlier phase as determined by the Drug Court Team. No matter what phase of treatment you are in at time of relapse or an unexcused missed drug test, you must demonstrate six months of continuous sobriety prior to being considered for "Moving-On".

TREATMENT PLANS & COUNSELING

An individualized initial supervision plan will be developed by you and your treatment team following an overall assessment of your problems and needs. The plan will be made available to you and the entire Drug Court Team prior to entry into the program. The plan will act as a guide for your initial treatment phase and within it, you will set goals, select methods for meeting those goals, and develop target dates for achieving those goals. The plan will be maintained by your treatment team and will be updated monthly as you progress through the program. Any member of the Drug Court Team will be provided a copy of any treatment plan or treatment plan update at any time.

Treatment may consist of group therapy, individual therapy, intensive outpatient treatment, residential treatment, and/or referrals to community treatment partners. Your attendance at counseling sessions will be reported to the Drug Court Team as part of your progress report. You must have prior permission from your clinician to be excused from a counseling session.

Medically Assisted Treatment (MAT) will be considered where deemed medically appropriate on a case by case basis.

DRUG TESTING

You will be tested through the entire program. You will be tested randomly at a minimum of twice per week. The Drug Court Team will have access to all drug test results. Missing and or tampering with a drug test may be deemed a positive test and could result in your termination from the program (this includes flushes, diluting, using someone else's urine, or altering your test, etc.). Your creatinine level will also be monitored to ensure that you are not flushing, diluting or altering your test. You may be sanctioned if your creatinine level is less than 20 mg/dL or over 400 mg/dL. Please refer to the Drug Testing Practices Section for more detailed information on drug testing.

****Note:** If you are required to give a drug test on a day that you are also expected to appear in court, you are expected to provide the drug test BEFORE court.

RECOVERY SUPPORT GROUP REQUIREMENTS

Attendance will be required at Recovery Support Group Meetings such as Narcotics, Cocaine and/or Alcoholics Anonymous or another Recovery Support Group, such as Smart Recovery meetings approved by the treatment provider. The frequency of attendance requirement is determined by your progress in the program and your phase level. Attendance is an important part of your recovery process to help familiarize you with the "Recovery" philosophy, and help you develop levels of trust, as well as to earn and create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of local Recovery Support Group meetings and will also direct you to special interest and recovery events in the community. You will be expected to bring proof of attendance to court.

ATTENDANCE REQUIREMENTS

Attendance at all court appearances, group treatment sessions, drug screens, probation meetings and Recovery Support Group meetings (minimum # per week) is **MANDATORY**. Failure to attend any such event can lead to an immediate sanction or violation of probation. In order to be excused from a mandatory event, you must contact treatment or probation, as appropriate, immediately upon becoming aware of your inability to attend the event. You must provide appropriate proof/documentation of the emergency to treatment or probation, as appropriate, within 48 hours after the emergency has passed.

EDUCATION, VOCATION & EMPLOYMENT PROGRAMS

Recovery from substance addiction means developing self-sufficiency and becoming a productive and responsible member of the community. As you progress in the program, you will be expected to be employed or involved in an educational or vocational training program. Your clinician and your Probation Officer will work to assist you in obtaining an assessment of your needs and skills and will refer you to the proper agency for education, training, and job placement.

If not employed or involved in educational or vocational training, you may be required to perform community service hours at a rate of 20 hours per week.

CASE MANAGEMENT

Upon your entry into the Drug Court Program, your treatment team will assess your housing, transportation, family, and general living needs and when appropriate, refer you to a local, state and/or county agency for assistance.

MEDICAL TREATMENT PROTOCOL

You must provide your treatment provider/lab services with written notification of all prescribed and over-the-counter medications prior to taking a drug test.

When seeking medical treatment, you must do the following:

1. Inform your doctor that you have a substance abuse issue and that you are in drug court.
2. Request the doctor to note that you have informed him/her of this. The doctor needs to put this note on a prescription pad or in letterhead.
3. If the doctor believes a prescription to be medically necessary, have him/her note this as well.
4. Sign a release of information at all medical appointments authorizing the treatment provider to receive your medical treatment records.
5. Inform your treatment provider/lab services of all medications.
6. At a minimum Triage notes, admitting, and discharge records including a diagnosis will be required as well as any medications given or prescribed. The Court may also order you to provide additional records at your own expense.

In urgent medical situations (emergency room, urgent care, last minute appointments or as determined by the court) follow the steps 1 - 6 listed above. You must inform your treatment provider/lab services on the next business day by 9:00 a.m. In addition, you will submit to a urine drug screen at this time.

In emergency situations where you are hospitalized or seen in an emergency room, follow the steps 1 -5 listed above. You must inform your treatment provider/lab services on the next business day by 9:00 a.m. You must provide ALL documentation (including emergency room admission records, not just the discharge documents). In addition, you will submit to a urine drug screen at this time.

MOVING ON

Once you have successfully completed the criteria for each phase (as described in the treatment phases sections) you will eventually become a candidate to “Move On” from the Drug Court Program. We speak of “Moving- On” rather than “Graduation” because the Drug Court Team understands that no addict or alcoholic “graduates” from their addiction, as recovery is a lifelong process. You will be required to discuss your progress toward the goals you initially set, and explain why you believe you have met the criteria for “Moving-On”. Advancement for each phase and successful completion of the program shall be determined by the Drug Court Team. Your family will be invited to join you in court as the Judge congratulates you on successfully completing the Drug Court Program.

DRUG COURT PROGRAM RULES/REQUIREMENTS

Failing to comply with any of these rules may result in imposition of a sanction and/or termination from the Drug Court Program and a violation of probation.

Maintaining a completely drug-free lifestyle is essential in your recovery process. Sobriety is the primary focus of this program. Do not use or possess any drugs, alcohol, or “mind altering” substances, This includes over-the-counter medication/supplements, including all currently known and/or future synthetic and designer drugs, such as Bath Salts, Spice, Kratom, Flakka, etc., as well as mood-altering prescription drugs, such as Benzodiazepines (Valium, Xanax, etc.), Opiates (Tylenol 3, Percocet, Darvocet, etc.). Regarding prescription drugs, you need to follow the same process as stated above in the **Medical Treatment Protocol**:

1. Inform your doctor that you have a substance abuse issue and that you are in drug court.
2. Request the doctor to note that you have informed him/her of this. The doctor needs to put this note on a prescription pad or in letterhead.
3. If the doctor believes a prescription to be medically necessary, have him/her note this as well.
4. Sign a release of information at all medical appointments authorizing the treatment provider to receive your medical treatment records.
5. Inform your treatment provider/lab services of all medications.
6. At a minimum Triage notes, admitting, and discharge records including a diagnosis will be required as well as any medications given or prescribed. The Court may also order you to provide additional records at your own expense.

In urgent medical situations (emergency room, urgent care, last minute appointments or as determined by the court) follow the steps 1 - 6 listed above. You must inform your treatment provider/lab services on the next business day by 9:00 a.m. In addition, you will submit to a urine drug screen at this time.

You must refrain from the use of product or substance that may interfere with or cause a positive drug test. Examples include, but are not limited to: Poppy Seeds, Non-Alcoholic Beer, Vanilla Extract, as well as certain Mouthwash, Toothpaste, Cold Remedies, Hair Products, Inhalants and Cough Syrup.

“WHEN IN DOUBT, LEAVE IT OUT!” If you have any doubt as to whether a product may cause a positive drug test, refrain from use or consult your treatment provider/lab services before using.

1. Report to your Probation Officer as directed: You will meet with your Probation Officer as required to discuss your progress in the program and to ensure you are in compliance with your conditions of probation. Your Probation Officer will discuss with you these reporting procedures during your initial visit.
2. Attend all ordered treatment sessions: These may include individual and/or group counseling, family counseling, educational sessions and Recovery Support Group Meetings. If you are unable to attend any scheduled session, you must contact your treatment team to discuss immediately.
3. Be on time: If you are late, you may not be allowed to attend your counseling session and will be considered non-compliant. Contact your assigned clinician if there is a possibility that you may be late.
4. No threats or violence: Do not make threats toward other participants or staff, or behave in a violent manner. Violent or inappropriate behavior will not be tolerated and will be reported to the court.
5. Inappropriate sexual behavior or harassment: Inappropriate sexual behavior or harassment will not be tolerated and will be reported to the court.
6. Respect others: While in Drug Court or group, remain seated and quiet while others are speaking. Proper attention and respect for everyone in the room will be enforced, for the benefit of all participants and Drug Court Team members. There are to be no side conversations, and absolutely no cell phones will be permitted in the courtroom or in group.
7. Proper attire: As a participant, you will be expected to wear appropriate attire to Drug Court and to group treatment sessions.

Please avoid the following: shorts, flip flops, pants that fall below your waist, anything that depicts illegal or inappropriate activity, any see-through clothing.

DRUG COURT PHASES

PHASE I: Orientation

LENGTH: One Month (out of custody)

In Phase I, you will be assigned to a Probation Officer and a Clinician. They will provide you with an orientation/overview of the Drug Court Program. Your needs will be assessed, and an individualized treatment plan will be developed:

Phase I will include:

- Orientation/Overview of Program
- Initial Assessment and Individual Treatment Plan Development
- Random Laboratory Drug Testing (minimum of two urinalysis per week)
- Minimum of two (2) hours of Group Therapy Sessions per week with a goal of six (hours) as prescribed by the Florida Adult Drug Court Best Practice Standards
- One Recovery Support Group meeting per week
- Report to your Probation Officer as required
- Case Management Services or individual counseling session as required by your treatment plan (at least one per week)
- Formulate Personal Program Goals in conjunction with the Treatment Team
- Clean drug screens
- Curfew: 9:00 p.m. to 6:00 a.m. (or as directed by Probation Officer)
- Weekly Court Appearance as determined by the Drug Court Judge

Advancement Criteria:

- No positive, diluted/adulterated/altered or missed drug tests for at least 14 consecutive days prior to phase advancement
- No unexcused absences for at least 14 consecutive days prior to phase advancement
- Submit written or recorded statement (a list of topics will be supplied by your clinician)
- Documented required attendance at Recovery Support Group Meetings
- Certification by treatment of appropriate progress with recovery
- Has shown due diligence meeting all financial obligations; otherwise you will be required to meet with financial advisers and probation.

DRUG COURT PHASES

PHASE II: In-Depth Treatment

LENGTH: Four Months

In Phase II, your treatment plan will be updated by you and your clinician to identify your treatment goals and objectives. Counseling and meetings will focus on issues underlying your addiction, relapse prevention techniques, and coping mechanisms for stressful situations.

Phase II will include:

- At least one individual therapy session and one group therapy session per week
- Report to the Probation Officer as required
- Ongoing review and updating of treatment plan
- Random Laboratory Drug Testing (minimum of two per week)
- Case management services as required by your treatment plan
- Be employed or enrolled in educational or vocational courses OR perform required 20 hours of community service/week
- Court appearances every other week, or as directed by Judge
- Obtain a sponsor within 60 days of starting Phase II. Sponsor must have at least 3 years of sobriety
- Documented attendance in a Recovery Support Group (at least 3 per week)
- Curfew: 9:30 p.m. to 6:00 a.m. (or as directed by Probation Officer)

Advancement Criteria:

- No positive, diluted/adulterated/altered or missed drug tests for at least 60 consecutive days prior to phase advancement
- No unexcused absences for at least 60 consecutive days prior to phase advancement
- Stable employment and/or educational status
- Documented required attendance at Recovery Support Group meetings
- Continue to work with a Recovery Support Sponsor
- Submit written or recorded statement as directed by treatment
- Certification by treatment of appropriate progress with recovery
- Has shown due diligence meeting all financial obligations; otherwise you will be required to meet with financial advisers and probation.

DRUG COURT PHASES

PHASE III: Ongoing Treatment/Relapse Prevention

LENGTH: Four Months

Phase III will address your ongoing recovery needs including maintaining total abstinence from all mind altering substances. The focus will be on daily living skills. This phase is designed to support you in your return to the community as a productive and responsible member.

Phase III will include:

- One group therapy session per week or as directed by treatment
- One individual therapy session per week or as directed by treatment
- Report to the Probation Officer as required
- Ongoing review and updating of treatment plan
- Random Laboratory Drug Testing (minimum of two per week)
- Case management services as required by your treatment plan
- Curfew: 10:00 p.m. to 6:00 a.m. (or as directed by Probation Officer)
- Court appearances every 3 weeks, or as determined by Judge
- Stable employment and/or education status or perform required 20 hours of community service/week
- Continue to work with your sponsor
- Documented attendance in a Recovery Support Group (minimum 4/week)
- Has shown due diligence meeting all financial obligations; otherwise you will be required to meet with financial advisers and probation.

Advancement Criteria:

- No positive, diluted/adulterated/altered or missed drug tests for at least 60 consecutive days prior to phase advancement
- Written or recorded statement as directed by treatment
- No unexcused absences for at least 60 consecutive days prior to phase advancement
- Stable employment and or educational status
- Documented required attendance at Recovery Support Group meetings
- Working with a Recovery Support Sponsor
- Current on treatment payments
- Certification by treatment of appropriate progress with recovery

DRUG COURT PHASES

PHASE IV: Recovery Maintenance

LENGTH: Three Months

In Phase IV the focus is on implementing what you have learned over the last three phases. During this phase you are expected to fine-tune your recovery program and seek additional treatment and/or support as you feel necessary for your continued recovery.

Phase IV will include:

- One group therapy session per week or as directed by treatment
- No unexcused absences
- One individual therapy session per month
- Report to the Probation Officer as required
- Ongoing review and update of treatment plan
- Random Laboratory Drug Testing (minimum of two per week)
- Documented attendance at Recovery Support Groups (4 per week)
- Case management services as required by your treatment plan
- Monthly court appearance as determined by the Drug Court Judge
- Maintain full-time employment and/or educational program(s) or perform required 20 hours of community service/week
- Curfew (if required by Probation Officer)
- Continue working with sponsor
- Has shown due diligence meeting all financial obligations; otherwise you will be required to meet with financial advisers and probation.

Criteria for Moving On:

- No positive, diluted/adulterated/altered or missed drug tests for 6 months
- Stable employment and or educational status
- Documented required attendance at Recovery Support Group meetings
- Continue to work with a Recovery Support Sponsor
- You must be current on treatment payments
- Complete an exit interview and/ or presentation of a confirmed aftercare and relapse prevention plan to the Drug Court Team
- Verbally share your story of “Experience, Strength, and Hope” at your Moving On
- Certification by treatment of appropriate progress with recovery
- Certification by probation of appropriate compliance with probation terms
- Outstanding financial obligations may be used as a factor in the decision for moving on

DRUG COURT PHASES

REGULAR PROBATION: Aftercare

LENGTH: At least Three Months

Upon completion of your Moving On, the focus shifts to continued recovery and reintegration, with community-based supports.

Regular probation will involve:

- Drug Offender probation is converted to regular probation with no curfew
- Report to the Probation Officer as required
- Random Laboratory Drug Testing (at least twice per week)
- Monthly court appearances, or as directed by Judge
- Complete any outstanding terms of probation, including restitution and monetary obligations
- Please note treatment will attempt to contact you for the next 90 days for free aftercare

DRUG COURT PHASES

| PHASES | MONTHS | CURFEW | TREATMENT SESSIONS | RECOVERY MEETINGS | COURT |
|------------------------|---|---|--|-------------------|------------------|
| I | 1 | 9:00 PM – 6:00 AM (or as directed by Probation Officer) | Weekly <input type="checkbox"/> Group (2) Minimum <input type="checkbox"/> Individual (1) <input type="checkbox"/> Or as directed by treatment | 1 week | Weekly |
| II | 4 | 9:30 PM – 6:00 AM (or as directed by Probation Officer) | 2 Weekly <input type="checkbox"/> Group (1) <input type="checkbox"/> Individual (1) <input type="checkbox"/> Or as directed by treatment Obtain sponsor within 60 days | 3 weekly | Every other week |
| III | 4 | 10:00 PM – 6:00 AM (or as directed by Probation Officer) | 3 Weekly <input type="checkbox"/> Group (1) <input type="checkbox"/> Individual (1) <input type="checkbox"/> Or as directed by treatment | 4 weekly | Every 3 weeks |
| IV | 3 | None (or as directed by Probation Officer) | <input type="checkbox"/> Groups: 1 per week <input type="checkbox"/> Individual: 1 month <input type="checkbox"/> Or as directed by treatment | 4 weekly | Monthly |
| V Regular Probation | <ul style="list-style-type: none"> • LENGTH: at least 3 months • DRUG TESTING: twice/week • DRUG COURT ATTENDANCE: once per month or as directed • NO REQUIRED RECOVERY SUPPORT GROUP MEETINGS • ANY OUTSTANDING SPECIAL CONDITIONS OF PROBATION | | | | |

INCENTIVES AND SANCTIONS MATRIX

Compliance with the requirements and goals of the Drug Court program may earn you certain incentives. Likewise, non-compliance may result in certain sanctions, up to and including termination from Drug Court and a violation of probation being submitted to the court. Incentives and sanctions lie entirely within the discretion of the Drug Court Team.

Some examples are as follows:

| RESPONSES TO BEHAVIOR | |
|---|--|
| ACHIEVEMENTS | INCENTIVES |
| <ul style="list-style-type: none"> ➤ Attending all Drug Court appearances ➤ Negative drug test results for period of time ➤ Attendance and participation in treatment ➤ Attendance and participation in recovery support meetings ➤ Completion of GED ➤ College enrollment and attendance ➤ New job/Job promotion ➤ Compliance with treatment/supervision plan ➤ Voluntary Speaking Engagements ➤ Phase Advancement ➤ Volunteering at Non-Required Drug Court Community Service Projects ➤ Moving-On Ceremony ➤ Self-Reporting a Relapse | <ul style="list-style-type: none"> ➤ Recognition and praise by the Drug Court Judge ➤ Leave early from court ➤ Decreased Court appearances ➤ Phase advancement ➤ Extension of Curfew ➤ Overnight out-of-county travel ➤ One night without a curfew ➤ Early Termination of Probation/Moving-On Ceremony ➤ When applicable, State will file a notice of Nolle Prosequi ➤ No jail for certain self-reported relapses as determined by the Drug Court Team |
| NEGATIVE CHOICES | SANCTIONS |
| <ul style="list-style-type: none"> ➤ Missed Drug Court appearances ➤ Missed appointment with Probation Officer ➤ Missed recovery support group meetings ➤ Violation of Drug Court Order ➤ Positive drug test ➤ Missed drug test (considered a positive drug test) ➤ Tampered drug test ➤ Missed treatment ➤ Inappropriate behavior at treatment groups and/or treatment facility ➤ New Arrest ➤ Failure to perform Drug Court Sanction(s) ➤ Noncompliance with treatment plan and/or recommendations ➤ Dishonesty with treatment, probation, or the court ➤ Curfew Violation ➤ Inappropriate behavior at court ➤ Submitting fraudulent reaction sheets for recovery support group meetings and reporting a false sobriety date on your weekly treatment reports | <ul style="list-style-type: none"> ➤ Reprimand from the Judge ➤ Increased Court appearances ➤ Increased drug testing ➤ Daily reporting to Probation ➤ Curfew imposed for longer period of time ➤ LCSO Day Work Program ➤ Community Service Hours ➤ Presentation on a recovery topic at Drug Court ➤ Essay presented to Judge, Probation and/or treatment group ➤ Placement on GPS or SCRAM/Soberlink ➤ Home confinement except for work, treatment, and Drug Court ➤ Jail ➤ Delay in Phase change or regress to a prior Phase ➤ Termination from Drug Court/Imposition of a Florida Sentencing Guideline Score Sheet Sentence ➤ Reside at a sober living home |

FACTORS/CONSIDERATIONS IN DETERMINING RESPONSIVE BEHAVIOR:

- Length of time in program
- Prior Violations/Sanctions
- Honesty or Manipulation
- Other factors, of which the Drug Court Team may be aware you are experiencing in your life

DRUG TESTING PRACTICES

SAMSHA (United States Substance Abuse and Mental Health Agency) recommend that laboratory testing procedures adhere to specific methods in analysis. The most common testing method used by reputable and certified laboratories is enzyme immunoassay (EIA). This method (EIA) uses antibodies to detect the presence of drugs and other substances in the urine.

Why the Drug Court Team is providing this information to all UA clients and patients:

Dilutes:

Each day, laboratory testing facilities receive a large number of urine screens that are “diluted”. Dilution is a common method used by some individuals in an attempt to conceal or “throw off” the fact a substance is in the system. Dilution is also known as “water overload” or “adulteration”. Factual evidence from forensic science indicates that dilutions occur only under the following instances: 1) urine substitution, 2) ingestion of fluids or compounds to flush the system, dilute the sample or to interfere with the testing process and 3) direct addition of adulterants to sample itself. This information is important to those of you who are new clients or treatment patients ordered by the court to be screened. Should you unintentionally/intentionally alter the sample provided, consequences may occur. We want you to be informed so that you do not knowingly or unknowingly sabotage your own lab results. The only way to confirm that you did not continue to use a substance is by confirmation testing should adulteration occur with the sample that you provide.

Creatinine Levels:

Creatinine is a measurement used to determine whether a drug test is valid.

Low creatinine: if your sample has a creatinine level of less than 20 mg/dL, this is considered a dilute sample, and you may be sanctioned;

High/Elevated creatinine: This will be considered an attempt to mask dilution/water-loading by taking an over-the-counter supplement. You may be sanctioned if your creatinine level is over 400 mg/dL.

If you produce a urine sample with a creatinine level under 20 mg/dL or over 400 mg/dL , and if you have a medical condition that caused the low or high level, you must furnish the Drug Court Team with written documentation from a medical treatment provider. In that case, you may be required to submit to an alternative test such as an oral swab test, which may be at your expense.

What this means to you:

It is important that all UA clients and patients understand that it is counterproductive to attempt to rid the body of a substance through the use any of the above described methods. We understand that many new UA clients want to rid their body of unwanted substances prior to their first test and that they attempt to flush their system of the substance and do so with good intention. However, the results of this first test may show an inaccurate test result due to adulteration.

Alcohol testing--Monitoring with EtG/Ets (testing for the presence of alcohol):

Ethylglucuronide (EtG) and ethylsulfate (Ets) are metabolites of alcohol that are excreted more slowly from the body than alcohol itself. They are therefore better at picking up drinking and better at documenting abstinence. When being monitored with EtG/Ets, it is important, as in any monitoring situation to be aware of items to avoid so that inadvertent "incidental" exposure does not cause a positive test. In other words, it's important to know what items contain alcohol and to avoid them. With reasonable caution it is rare for "incidental" alcohol exposure to cause a positive test.

It is YOUR responsibility to limit and avoid exposure to the products and substances detailed below as well as any other substance that contains ethyl alcohol. It is YOUR responsibility to read product labels to know what is contained in the products you use and to inspect these products BEFORE you use them.

Terms used to describe alcohol in products that must be avoided include: denatured alcohol, SD alcohol, ethanol or ethyl alcohol. Use of the products detailed below or any other product containing alcohol is a violation of this contract and will NOT be allowed as an excuse for a positive test result.

Mouthwash/Hand Sanitizers: Many of these products contain alcohol and can cause positive tests for alcohol. You are required to read product labels and know whether such a product contains alcohol. Use of alcohol-containing products is not permitted. Non-alcohol mouthwashes and hand sanitizers are readily available and are an acceptable alternative. If you have questions about a particular product, bring it in to discuss with your clinician.

Over-the-counter medications: Do not use alcohol-containing cough syrups or cold preparations (e.g. Nyquil). Nutritional supplements can also contain alcohol and should be avoided. Ethyl alcohol is frequently used in liquid medications as a solvent. Read labels and if the product contains alcohol, don't use it unless you first receive clearance from your clinician or Probation Officer. Non-alcohol containing cough and flu medications are readily available and are acceptable alternatives.

Non-alcohol Beer and wine: These beverages (e.g. O'Doul's, Sharps, etc.) contain enough alcohol

that they can result in a positive test. You are not permitted to ingest these products.

Food and other consumable Products: Flavoring extracts, such as vanilla extract or almond extract, if consumed in excess (e.g. to flavor coffee) can cause a positive test. Some desserts, especially flamed desserts are prepared with large amounts of alcohol and can cause a positive test. Chocolates containing liquid filling can contain alcohol. Some churches use wine or fortified wine for communion, and depending on how much is consumed, can cause a positive test. All of these foods should be avoided.

Breathing Alcohol vapor can cause a Positive Test: Avoid breathing fumes of products containing alcohol, such as alcohol based hand sanitizing gels (e.g. Purell), perfumes or colognes, bug sprays, or other chemicals (lacquers, solvents, or gasohol).

Comments:

We realize that some of you will have questions about this information. If you have questions regarding this matter, please ask a staff member and someone will assist you. If you have questions as to how a diluted or positive screen will impact your legal standing, please contact your attorney for specific information.

Remember: YOU are responsible for what you put in your body

If you find yourself in need of assistance with drug or alcohol use, ask one of the court team members – that is what we do, all you need to do is ask for help.

PRIVACY & DISCLOSURE

Your identity and privacy will be protected consistent with the Florida and Federal law. In response to these regulations, policies and procedures have been developed which guard your confidentiality. You will be asked to sign a General Consent for Release of Confidential Information form authorizing the transfer of information among all named participating agencies.

CONCLUSION

The Drug Court Program has been developed to help you achieve total abstinence from illicit and illegal drugs and all criminal activity. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The program is voluntary and is your personal choice. The Judge, the court staff and the treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to a drug-free life.

We hope this Handbook has been helpful to you and answered most of your questions. If you have additional questions or concerns about the Drug Court Program, please feel free to ask your treatment team and your attorney.