



TWENTIETH JUDICIAL CIRCUIT COURT

**STATE OF FLORIDA
CHARLOTTE COUNTY**



DRUG COURT

CONSUMER HANDBOOK

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INTRODUCTION TO DRUG COURT

You have been arrested for a drug-related crime and, therefore, have been identified as a person who may have a drug problem. You are being offered an opportunity to participate in Charlotte County Drug Court. This program is designed to help you get off drugs and stay off drugs. Consult with counsel for details.

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 plan developed for you by your 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 this handbook with family and friends.

PROGRAM DESCRIPTION

The Charlotte County Drug Court Program is a court supervised, comprehensive treatment program for non-violent defendants. This is a voluntary program, which includes regular court appearances before a designated Drug Court Judge, treatment, which includes drug testing, individual/group counseling, and regular attendance at 12-step meetings (Narcotics Anonymous or Alcoholics Anonymous). The Drug Court Program is a combined effort of the State Attorney's Office, the Public Defender's Office, the Courts, the Department of Corrections, and health care drug abuse services providers. Program participants will be assisted with obtaining education and skill assessments and will be provided referrals for vocational training, education and/or job placement services. The program length, determined by each participant's progress will be no less than one year.

Following arrest, if eligible, you will be offered a choice between Drug Court and prosecution on the pending charges. The Drug Court Clinical Screener will discuss the Drug Court Program with you and the Public Defender or your private

counsel will advise you. Entry into the Drug Court Program is voluntary. While on Drug Court, you will be placed on drug offender probation, requiring compliance with specific terms and conditions. On your initial court date, you will be assigned a probation officer who will provide supervision and enforcement of the terms and conditions. Probation supervision will include unannounced home visits during which your person and residence will be subject to search. Your defense counsel will continue to represent you throughout your participation in Drug Court. If you have entered the program with private counsel and can no longer afford this expense, you may request court appointed counsel to represent you. Successful completion and "graduation" from the program may result in having the charges dismissed. Failure or discharge from the program will result in the suspended sentence being imposed.

Final determination of entry into the program shall only be made by the Judge with recommendation from the State Attorney, defense counsel, probation, and treatment provider.

CHARLOTTE COUNTY DRUG COURT STANDARDS AND REQUIREMENTS

A. Any individual who meets the following criteria will be deemed ineligible for enrollment in the program:

1. If the current charges are an attempt or conspiracy to commit, or the commission of: Homicide or manslaughter, robbery, drug trafficking, kidnapping, arson/aggravated assault or battery with a firearm, vehicular homicide, sexual battery, aggravated child abuse, aggravated stalking, commit assault or battery during burglary, burglary of structure/conveyance while armed, burglary of an occupied structure, or any felony requiring imposition of a mandatory state prison sentence or DUI.
2. Has prior convictions for crimes of: Homicide or manslaughter, robbery, drug trafficking, kidnapping, arson, aggravated assault or battery with a firearm, vehicular homicide, sexual battery, aggravated child abuse, aggravated stalking, commit assault or battery during burglary, burglary of structure/conveyance while armed, burglary of an occupied structure, or any felony requiring imposition of a mandatory state prison sentence.
3. Have been designated as a habitual violent felony offender.
4. Are in violation of conditions of controlled release or parole.
5. Have charges pending in other jurisdictions.

6. Have previously been adjudged incompetent or insane.
7. Have current charges that have resulted in serious personal injury to the victim.
8. Have previously been ejected from the drug court.
9. Have a consistent pattern of absconding from probation or community control or failures to appear for court appearances or a poor record of previous compliance with court-ordered directives.

B. The defendant will be evaluated to determine clinical eligibility. The SAO will then notify the court, the defendant, and defense counsel (if any), of legal eligibility for the program. The defendant will be required to sign a written contract, which explains all of the requirements of the program. The defendant will be required to enter a plea, a condition of which is completion of the drug court program. If the individual chooses to enter the drug court, they will then be sentenced with the sentence being suspended pending the successful completion of drug court. If the individual chooses to enter Drug Court program they will then be sentenced with the jail/prison being suspended pending successful completion of Drug Court. If the defendant fails to complete the program, they will be brought back before the court.

DRUG COURT SUPERVISION

As a Drug Court participant, you will be required to appear in Drug Court on regular scheduled dates. Missing a court date will result in a warrant being issued. At each appearance, the Judge will be given a progress report prepared by the treatment provider and/or the probation officer regarding your drug test results, attendance and participation. The Judge will ask you questions about your progress, and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work with your treatment team (probation and court staff) 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; i.e. positive or missed tests, failure to attend individual or group counseling or 12-step meetings, failure to report to your probation officer, etc., the Court will impose sanctions (See

SANCTIONS). With repeated violation of program requirements, and a failure to progress satisfactorily, the Court may impose the ultimate sanction of discharge from the program and imposition of sentence. If you entered the program by signing a Deferred Prosecution Agreement, your case will be returned to the assigned division.

Failure to appear In Court on the date and time you are scheduled will result in a warrant for your arrest and remand you to custody. 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 at (941) 575-5740.

Warrants and/or new arrests could result in your being terminated from the Drug Court Program and the imposition of the suspended sentence. Other violations, which could result in termination, include missing drug tests, demonstrating a lack of program participation by failing to cooperate with treatment, and failure to follow instructions of the probation officer. Violence or threats of violence directed at the treatment team or other clients will result in program termination. All final decisions regarding termination from the program will be made by the Drug Court Judge.

DRUG COURT PROGRAM RULES

As a Drug Court participant, you will be required to abide by the following rules:

1. Do not use or possess any illegal drugs and/or alcohol. Do not visit any place where the primary business is the sale of alcoholic beverages or any place where people are using illegal drugs and/or controlled substances. Any alcoholic consumption including but not limited to mouthwash, cold remedies, food preparations, "nonalcoholic beers", etc. will be considered a relapse and will be handled accordingly. Sobriety is the primary focus of this program and maintaining a drug-free lifestyle is very important in your recovery process.

2. Do not use, possess, or fill prescriptions for prescription medications and/or controlled substances. This includes prescriptions and controlled substances that you have lawful prescriptions for. Any substances including but not limited to controlled substances, prescription medicine, vitamin, herbal, energy, or diet supplements, inhalants, solvents, designer drugs, synthetic drugs, and over-the-counter medicines are to be approved by the Drug Court program staff members before you will be authorized to possess or take them. You will refrain from consumption of poppy seeds and you cannot possess or consume any substances not meant for human consumption. You will refrain from use or possession of any products containing ephedrine or pseudoephedrine.

3. Charlotte Behavioral Health Care must be provided a paper copy of every prescription written to you, if you plan to fill it or not. You must obtain permission from the Drug Court program manager prior to filling any prescription. In an emergency, if you are unsuccessful in reaching Drug Court program staff members and your probation officer and the prescription is not a controlled substance then follow doctor's orders and inform your treatment team and probation officer immediately. Any prescriptions that have been approved by the Drug Court treatment team for you to take must be ingested as prescribed, i.e. by mouth only.

4. Upon your admission to Drug Court you will be required to complete 90 12-step meetings in 90 days. You may attend more than one meeting in a day, but you must attend at least one meeting every day. You will also be required to (a) complete a minimum of 20 hours of community service each week at a DOC-approved organization and provide proper documentation to your probation officer, or (b) work a minimum of 20 hours per week, or (c) be enrolled and attending school for a minimum of 20 hours per week as a condition of your probation.

5. Report to your Probation Officer as directed: You must be prepared to provide a urine test at each visit. If you have any problem making an appointment, you are to call your probation officer.

6. Attend all ordered treatment sessions: This includes individual and group counseling, educational sessions and 12-step meetings. If you are unable to attend a scheduled session, you must contact your counselor.

7. Be on time: If you are late, you may not be allowed to attend your counseling session and will be considered an unexcused absence, which is a violation. Contact your assigned counselor if there is a possibility you may be late.

8. You are expected to adhere to CBHC Group Expectations during the course of your treatment. It is very important that your behavior and language remain appropriate and courteous at all times.

9. 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. This will result in termination from the Drug Court Program.

10. Dress appropriately for Court and treatment sessions. As a participant, you will be expected to wear a shirt or blouse, pants, dress, skirt, and shoes worn at all times. Clothing bearing drug or alcohol related themes; or promotion or advertising alcohol or drug use is considered inappropriate. Sunglasses are not to be worn inside court or treatment center unless medically approved. Speak with your treatment team if you need assistance with clothing. In consideration that your attendance may be directly after hours of employment, jeans, uniforms or other appropriate work related dress is allowed.

11. While in Court, remain seated and quiet at all times: It is very important to observe appropriate behavior in Court for the benefit of yourself and others present.

12. Sexual and/or romantic relationships between Drug Court participants are not permitted. Sexual and/or romantic relationships between Drug Court participants and Mental Health Court participants are not permitted. The destructive effects on newly clean and sober individuals and on the group process far outweigh the right of people to form new relationships during their year in treatment. Violation of this element of the contract may result in termination from the program.

13. It is important that members use the opportunity during treatment to focus on sobriety, healthy living, and to develop safe, healthy, and honest relationships with people in the Recovery community. Thus, socializing with Drug Court and Mental Health Court members outside of scheduled program activities may occur within the Recovery community, in the course of developing healthy, legal and safe substance free recreational activities. Members will be open and honest about activities outside of treatment, taking

responsibility for their own compliance with probation and treatment expectations. All members have an ethical obligation to report honestly to treatment providers and probation their own or others' activities which may interfere with treatment including a substance free lifestyle. All interactions between Drug Court members and Mental Health Court members are subject to the discretion of your treatment team and your probation officer.

ABSTINENCE AND RECOVERY

Drug Court requires that individuals remain substance-free while participating in the program. Unapproved use of unapproved substances while in the program may result in dismissal from the program or a modification of your contract, or sometimes a sanction as determined by the Drug Court treatment team and the Judge.

To that end, Charlotte Behavioral Health Care commits to make every effort to prescribe substances that are not controlled for individuals recovering or in remission from a substance abuse problem or addiction. Possession of controlled substances or use of unapproved substances while in the program will require staffing with and approval from the Chief Medical Officer/Medical Director and the Drug Court Program Manager.

Drug Court participants receiving medication or treatment from other medical providers in the community, including but not limited to, Pain Management Specialist, Dentists, or their Primary Care Provider (PCP) will be required to sign releases of information, so that Charlotte Behavioral Health Care may be directly in contact with the provider. Charlotte Behavioral Health Care will contact the medical provider via phone or letter to inform the provider of the participant's addiction issues and discuss treatment alternatives.

Drug Court staff will provide education to participants about the risks inherent in use of controlled substances.

Drug Court participants' continued use of prescribed controlled substances that interferes with their ongoing recovery or poses a risk to the participant and/or community may result in a possible sanction at the discretion of the Drug Court Judge or dismissal from the program and subsequent legal action.

PROGRAM FEES & INTAKE

As a participant on formal probation, you may be required to pay the cost of probation supervision. Payment will be made directly to the probation officer in money order form. Cost of supervision may be waived. You will be required to make regular treatment payments to Charlotte Behavioral Health Care to the total of \$1,500 over the course of 52 weeks. Participation in excess of 52 weeks will be charged an additional \$30 per week until graduation. Regular payments towards your treatment are expected. When applicable, we also accept private insurances, Value Options, Medicaid, and Medicare. Co-payments are expected at the time of service. We accept cash, personal checks, money orders, Visa or MasterCard.

Upon admission to Charlotte Behavioral Health Care, you will first meet with one of our intake personnel who will review intake paperwork and set you up in our system. You will be asked to provide necessary demographic and financial information at this time. Please be prepared to provide necessary paperwork. You will then meet with Drug Court staff and a comprehensive assessment will be conducted. During the assessment, you will be asked to provide information about your symptoms, substance use, treatment history, and other relevant topics. We ask that you be open and honest during this assessment process. After your assessment, you will be given an orientation and overview of the Drug Court program. Please anticipate this initial appointment to last at least 3 hours.

TREATMENT PROCEDURES

Your treatment will be provided through a team approach with the combined resources of the probation office and the assigned drug treatment staff. The treatment team will assess what level of treatment will best meet your needs and recommend to the Drug Court Judge that you receive outpatient or residential

treatment. If you are admitted to a residential treatment program, your treatment plan will include the requirements of that program. If you are not admitted into a residential treatment program, a multi-component, outpatient program has been developed which includes: group therapy, individual therapy, family therapy, monitored drug testing, life skills, and service coordination.

TREATMENT PLANS

An "initial" treatment plan will be developed by you and your treatment team following an over-all assessment of your problems and needs. 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 as you progress through the program.

DRUG TESTING

You will be drug tested through the entire treatment process. You will be tested a minimum of one time per week. The Drug Court Judge will have access to all drug test results including any failures to test, and may order a drug test at any time. Tampering with the drug/urine test will be deemed a positive test and may result in your expulsion from the program (this includes flushing, diluting, using someone else's urine, using any devices, etc.) A positive or "dirty" test will not automatically disqualify you from the Drug Court Program. The Judge will be reviewing your overall performance in the program.

COUNSELING

Substance abuse counseling comprises two separate formats: individual and group. As part of your treatment plan, you will be required to participate in both types of counseling. Together they are designed to develop self-awareness, realize self-worth, and develop the strength to practice self-discipline. The individual and group counseling sessions will include problem identification and alternative solutions. Your attendance at counseling sessions will be reported to the Judge as part of your progress report. You must have prior permission from

your counselor to be excused from a counseling session (acceptable reason for absence - hospitalization; documentation from the hospital will be required).

TWELVE STEP MEETINGS

Attendance will be required at 12-Step meetings such as Narcotics Anonymous, Alcoholics Anonymous, and/or Cocaine Anonymous. The frequency of attendance requirement is determined by your progress in the program and your phase level. However, the requirement for attendance is a minimum of four meetings weekly. Attendance is an important part of your recovery process to help familiarize you with the 12-step philosophy, and help you develop levels of trust, to earn and create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of 12-step meetings and will direct you to special interest and recovery events in the community. You must provide proof of attendance to the court probation officer at each court appearance. Your counselor may also require you to provide proof of attendance on a weekly basis.

TREATMENT PHASES

The Drug Court Treatment Program is a four-phase, highly structured, treatment program lasting for a minimum of one year, depending upon your individual progress. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities and specific requirements for advancement into the next phase. The components and requirements or advancement from each phase is described below:

PHASE I & II INTAKE, ASSESSMENT AND TREATMENT

In Phase I and Phase II, you will be assigned to a probation officer and a drug treatment counselor. They will comprise your treatment team and will provide you with an orientation/overview of the Drug Court Program. Your problems and needs will be assessed and a treatment plan will be developed. Phase I and II requirements include:

1. Orientation and Overview of Program

2. Assessment and Initial and Individual Treatment Plan Development
3. Drug Testing (four urinalysis tests per week minimum)
4. Recreation/Fellowship
5. Regular Attendance at 12-Step Meetings (90 meetings in 90 days, followed by a minimum of 4 meetings per week upon completion of 90/90)
6. Four Group Therapy Sessions, weekly
7. Report to the Probation Officer (monthly or as instructed by probation officer)
8. Other Case Management Services as Determined by the Treatment Team (housing, employment search, vocational training, etc.)
9. Formulate Personal Program Goals in Conjunction with the Treatment Team
10. Weekly or Bi-weekly Court Appearance as Determined by the Drug Court Judge.

ADVANCEMENT CRITERIA

- All sanctions must have been completed for 60 consecutive days after last day of most recent sanction
- Documented attendance at required treatment sessions, including 12-step meetings, individual/case management sessions, and group therapy sessions
- Employed, currently involved in vocational/educational setting, or performing community service at a minimum of 20 hours per week
- Obtain a 12-step sponsor
- To advance from phase 1 to phase 2, a written statement on the effect of substance use on your life and your commitment to recovery is to be submitted to your counselor.
- To advance from phase 2 to phase 3, a written statement on steps 1-3 and how they apply to you is to be submitted to your counselor.

PHASE III - ONGOING TREATMENT/RELAPSE PREVENTION

In Phase III, your treatment plan will be updated by you and your counselor to identify your treatment goals and objectives. Counseling and meetings will focus on relapse prevention issues and help you to identify ways of coping with stressful situations. Phase III requirements include:

1. Two individual or group therapy sessions weekly
2. Report to the probation officer as instructed
3. Ongoing review and updating of treatment plan
4. Drug testing (two urinalysis tests weekly - minimum)

5. Regular attendance at 12-Step meetings (minimum of 4 per week)
6. Recreation/fellowship
7. Other case management services as determined by the treatment team
8. Biweekly or monthly court appearances as determined by the Drug Court Judge
9. Employment and/or education "Goal Sifting"

ADVANCEMENT CRITERIA

- All sanctions must have been completed for 90 consecutive days after last day of most recent sanction
- Documented attendance at required treatment sessions, including 12-step meetings, individual/case management sessions, and group therapy sessions
- Employed, currently involved in vocational/educational setting, or performing community service at a minimum of 20 hours per week
- A written statement on the changes in your life since entering Drug Court is to be submitted to your counselor.

PHASE IV - ACHIEVEMENT/GRADUATION/MENTORING

Phase IV will address your ongoing recovery needs including maintaining total abstinence from all drugs. 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 IV requirements include:

One or two individual and/or group therapy sessions monthly

1. Two individual or group therapy sessions weekly
2. Report to the probation officer as instructed
3. Ongoing review and update of treatment plan
4. Drug testing (two urinalysis tests weekly – minimum)
5. Regular attendance at 12-Step meetings (at least three per week)
6. Recreation/fellowship
7. Other case management services as determined necessary by the treatment team
8. Biweekly or monthly court appearance as determined by the Drug Court Judge
9. Prepare personal application for graduation
10. Continued focus on full-time employment and/or educational goal setting.

GRADUATION CRITERIA

- All sanctions must have been completed for 120 consecutive days after last day of most recent sanction
- Acceptable level of sobriety (to include no positive drug tests) as determined by the Drug Court Team.
- Obtained gainful, consistent employment or sufficiently involved in a vocational/academic training program as determined by the treatment team.
- Maintained consistent attendance at all court appearances and treatment team appointments.
- A written statement to demonstrate understanding of personal problems of addiction, criminal behavior, and relapse prevention
- Maintained a stable living arrangement and healthy interpersonal relationships as determined by the treatment team.
- A written aftercare plan which may include 12-Step meetings, mental health and/or substance abuse outpatient counseling
- Fulfillment of goals as stated in the individual treatment plan.
- Fulfillment of conditions of Drug Court contract.

SANCTIONS

If you fail to comply with the treatment program, the Drug Court Judge may, at his or her discretion, order one or more of the following:

1. Increased drug testing
2. Writing of an essay on a Drug Court related topic
3. Increased participation in outpatient and/or group counseling sessions
4. Increased court appearances
5. Increased AA/NA meetings
6. Return to an earlier phase of treatment
7. Community service hours
8. Incarceration in the Charlotte County Jail
9. Residential treatment
10. Extended term of program
11. Sentence of probation with added special conditions (18 month felony probation):
 - a. Probation Restitution Center
 - b. Non-secure treatment program
 - c. Secure treatment program participation
12. Commitment to community residential treatment for a specified period of time.

EDUCATION, VOCATION, AND EMPLOYMENT PROGRAMS

Recovery from substance addiction means developing self-sufficiency and becoming a productive and responsible member of the community. During the treatment program, you will be expected to be employed, or involved in an educational, volunteer or vocational training program. Your counselor 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 agencies for education, training and job placement.

SOCIAL SERVICES

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.

GRADUATION

Once you have successfully completed the criteria for each phase (as described in the treatment phases sections), you will advance to the next level and eventually be a candidate to graduate from the Drug Court Program. It will be necessary to discuss your progress toward the goals you initially set and why you believe you have met the graduation criteria. Advancement for each phase and graduation from the program shall be determined by the Drug Court Judge and 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 and achieving your goal to establish a drug-free life.

CONFIDENTIALITY

Your identity and privacy will be protected consistent with Florida law, and procedures have been developed by CBHC to safeguard these rights. Please be aware that your participation in group treatment processes means that you will also be responsible for ensuring the privacy of information about others in your group. You will be asked to sign a release authorizing the transfer of information

among all participating Drug Court agencies. In some instances, your employment may be terminated if contacted by the probation officer. If you think this may happen, talk to your probation officer and the Drug Court Judge.

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 any additional questions or concerns about the Drug Court Program, please feel free to ask your treatment team. Important Drug Court telephone numbers have been listed on the last page of this Handbook for easy access.

DRUG COURT PHONE NUMBERS

Office of the Public Defender
350 E. Marion Avenue, 1st Floor
Punta Gorda, FL 33950
(941) 637-2181

Office of the State Attorney
350 E. Marion Avenue, 2nd Floor
Punta Gorda, FL 33950
(941) 637-2104

Department of Corrections
Office of State Probation
121 E. Marion Avenue
Punta Gorda, FL 33950
(941) 575-5740

Charlotte Behavioral Health Care Inc.
1700 Education Avenue
Punta Gorda, FL 33950
(941) 639-8300

Charlotte County Court Administration
350 E. Marion Avenue
Punta Gorda, FL 33950
(941) 637-2281

Charlotte County Sheriff's Office
7474 Utilities Road
Punta Gorda, FL 33982
(941) 639-2101

TWENTIETH JUDICIAL CIRCUIT
STATE OF FLORIDA
CHARLOTTE COUNTY

I hereby acknowledge receipt of the Charlotte County Drug Court Handbook. I have read this handbook and agree to its terms and conditions.

Signature

Date

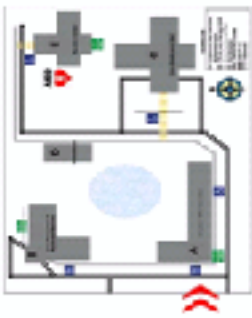
Witness Signature

Date

EMERGENCY PLAN

In Case of Emergency Evacuate the Building using the Nearest Exit Away From Danger

Building A & Annex



- A&B - Above P.A.
- A&B (Exterior)
- EXIT - Emergency Exit
- Fire Extinguisher
- Fire Alarm
- AED (Defibrillator)
- Fire Alarm System
- Furniture
- Equipment

