

DANE COUNTY

DRUG COURT DIVERSION PROGRAM



October 2018rv

Welcome to Drug Court. This handbook outlines expectations while you are participating in the program. We encourage you to share this information with your family and friends who support your recovery. The handbook is a guide to the program and may change from time to time without prior notice. The handbook should not be considered a contract between you and the Drug Court Diversion Program.

MISSION

The mission of the Dane County Drug Court Program is to enhance public safety through the reduction of recidivism by coordinating effective and accountable substance abuse treatment and supportive services for offenders with substance abuse problems.

ELIGIBILITY

- Dane County Resident
- Referral must be a felony drug-driven charge
- Referring charge must be a non-violent offense with no weapon used
- Must meet criteria for substance use disorder
- Must be willing to be accept treatment, including participation in requested screening and assessment sessions
- Assessed to be a high risk to re-offend

Dane County Drug Court Diversion Program

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PROGRAM PHASES

Phase One: Treatment *(Minimum 45 days)*

Requirements:

- Enroll and participate in appropriate treatment
- Meet with case manager once per week
- Check-in with case management five times per week
- Appear in court every two weeks if testing negative and violation free
- Appear in court every week if testing positive or there are violations.
- No travel outside of Dane County

Goals:

- Achieve consistent negative drug/alcohol test (urine and breath tests)
- Seek/maintain stable housing
- Achieve honesty in all communications
- Complete phase advancement application and submit to court
- Other goals as established with case management

(Failure to achieve Phase 1 goals within 90 days may result in a motion to terminate or extend a person's participation in diversion court.)

Phase Two: Stabilization *(Graduation date set 6 months from Phase Two advancement.)*

Requirements:

- Maintain consistent negative drug/alcohol tests
- Meet with case manager once per week
- Check-in with case management three times per week
- Appear in court every three weeks if testing negative and violation free
- Travel outside of Dane County allowed with court approval
- Continue any treatment as recommended
- Maintain stable housing

- Pay \$50 Diversion Court fee

Goals:

- Engage in work/school/volunteering (if not already happening)
- Complete phase advancement application and submit to court
- Enroll and attend Cognitive Intervention Program
- Other goals as established with case management

(Failure to advance Phase 3 goals within 90 days from advancement to Phase 2 may result in a motion to terminate or extend a person's participation in diversion court.)

Phase Three: Graduation (Minimum 60 days)

Requirements:

- Maintain consistent negative drug/alcohol tests
- Meet with case manager once every two weeks
- Check-in with case management one time per week
- Appear in court every four weeks if testing negative and violation free
- Travel outside of Dane County (excluding overnights) may be approved by case manager
- Continue any treatment as recommended
- Maintain stable housing, school, employment, community service work as required

Goals:

- Complete recommended treatment and provide verification including a discharge summary
- Comply with treatment discharge recommendations
- Minimum of 90 days of consecutive negative drug and alcohol tests.
- Complete graduation application and submit to court
- Other goals as established with case management

(Non-compliance in Phase 3 may result in an extension of graduation date or termination motion.)

PROGRAM REQUIREMENTS

A. Treatment

Every Drug Court participant will be assessed and an individual treatment plan recommendation will be given. The plan will serve as a guide for you throughout treatment and will be updated regularly. The Drug Court team will focus on helping you achieve the goals in your treatment plan.

The assessment will determine the initial level of care that will best meet your needs. You may be referred to detoxification, residential, day treatment, intensive outpatient, or an outpatient program. Insurance provider will also be taken into consideration when recommending treatment provider. Treatment could include both individual and group counseling. In order to advance to Phase Two, you must be engaged and in compliance with treatment recommendations.

You must participate fully in your treatment plan and sign the releases of information for all treatment providers. Revoking these releases of information is a violation of program rules.

Discharge paperwork must be supplied to case management after completing a course of treatment. There may be additional treatment requirements based on discharge recommendations. All recommendations are to be completed prior to graduating from the Drug Court Program.

You are responsible for paying for treatment and for being in compliance with payment plan obligations. If uninsured, you will be encouraged to apply for or enroll in insurance.

B. Case Manager

You will be assigned a case manager. Case managers will assist you by connecting you to resources in the community. Many of the Drug Court case managers have worked with the program for many years, have a wealth of experience, and know what has helped past participants graduate successfully. Case managers have a responsibility to keep you accountable and must report to the Drug Court team on your progress and compliance.

Initially, you will meet for hour-long weekly appointments with your case manager. Be on time. Do not bring others including children to case manager meetings.

During meetings with your case manager, be open and honest about your goals, your progress towards achieving them, and anything else related to your recovery. Your case manager will give periodic updates to the Drug Court team about your progress. The case manager may make home visits and check in with your work place, schools, physician, counselor and any other persons involved in working with you while you are in Drug Court. Information shared with or obtained by the case manager will be shared with the team. You must sign releases of information as requested by your case manager. You must provide all medications prescribed to you.

“Check-ins” are required as part of Drug Court. A check-in consists of appearing in person at the case management agency during office hours to sign in or check in with staff. Frequency of check-ins varies by phase in the Drug Court program.

Please note: Directives from case management are expectations of Drug Court and you may face sanctions for not following directives.

C. Alcohol/Drug Testing

Drug and alcohol testing will be done to monitor unauthorized* substance use throughout your time in Drug Court. You will be randomly alcohol/drug tested. Testing will be on a **random basis any day of the week**. The Judge, case manager, probation agent can request additional testing at any time. On the day you have your intake with your case manager, you will be assigned a **color**. Call the color telephone number every day to find out if your color is called. When your color is up you are expected to test that day during available testing hours. **You must call every morning, seven days a week, including holidays. Listen to the complete recorded message.**

ARC	(608) 283-6433
ATTIC	(608) 255-0307 [press 1]

You are responsible for knowing the hours that the case management office is open for UA's. Be alert to the possibility of different hours on holidays.

- *Unauthorized substances include alcohol, illicit drugs, and addictive or intoxicating prescription medications that are taken without prior approval from Drug Court and not during a medical emergency.
- Drug and alcohol testing will be done on weekends and holidays.
- A staff person will directly observe the collection of test specimens. The staff person will be the same gender as you.

- Failure to provide a test or providing insufficient volume of fluid for testing is a violation of program rules and will be sanctioned accordingly.
- Attempts to dilute sample can be evaluated by a lab and is a violation of program rules.
- We are aware that cannabinoids can remain in the system for several days. We are also aware of the research that notes continued positive tests after two weeks should be considered new marijuana use. Drug Court team will be holding you to that expectation.
- You can be sanctioned for associating with other people who are engaged in substance use or for exposing yourself to passive inhalation or secondhand smoke.

D. Probation Agent

As part of participation you may be on probation during the program and possibly for a period of time after graduation from Drug Court. Your probation agent is part of the Drug Court team. Your case manager and probation agent will communicate frequently. They will assist you in accessing programs as quickly as possible. On the other hand, if there are violations, this communication will allow for rapid intervention.

Please note: Just because you told your probation agent about police contact, new address, or treatment issue, does not mean your case manager knows. Please communicate important events in your life to both individuals.

E. Court Appearances

You will be required to appear in court on a regular basis. Before each appearance, the Drug Court team, consisting of the prosecutor, public defender, clinical coordinator, and Commissioner, will be given a report about your progress prepared by your case manager. The report will include alcohol/drug test results, information on AODA treatment and attendance at support groups, employment or schooling, legal problems, financial issues, housing, physical and mental health issues, family relationships and domestic violence, recreation and spirituality. The Commissioner may ask you questions about your progress and discuss any problems you have been experiencing. You may raise questions or concerns. You will be encouraged to continue working with your treatment team toward graduation from Drug Court.

If you are not doing well, the Commissioner will discuss this with you and determine any further action that needs to be taken. There are many responses to program violations. The Commissioner may order sanctions as described later in this handbook.

Court appearances as scheduled are mandatory. Unless excused by the Commissioner, you must remain in the courtroom for the entire session. Court sessions can last up to three hours. If an emergency takes place and you cannot appear in court as scheduled, you must notify your case manager and notify the court if it is the day of the court hearing. In order for a missed hearing to be excused, you must provide documentation that supports the reason for the miss. An unexcused failure to appear in court on the date and time you are scheduled will result in a warrant being issued for your arrest.

The Court can be notified at 608-266-4311.

F. Fees

There is a non-refundable \$50 Drug Court fee that you must pay before you advance to Phase 3. Payments are to be made to the Journey, 25 Kessel Court, Suite 200, Madison, WI 53711. Cash, check, or credit card is accepted. Insurance will not cover the cost of the Drug Court fee.

If you are indigent you may apply to the Commissioner for waiver of the fee through the Clerk of Courts office.

G. Community Support Meetings

Attendance at community support meetings is encouraged and may be required throughout the entire Drug Court program. If you are court ordered to attend a support group meeting, you must provide your case manager with documentation of your attendance.

If you attend a 12-step program, it is recommended to obtain a sponsor. A sponsor is a group member with a significant period of sobriety, who is available to assist in your recovery.

Examples of acceptable support meetings and contact information:

Narcotics Anonymous: badgerlandna.org

Alcoholics Anonymous: www.aamadisonwi.org.

Celebrate Recovery: <http://grouplocator.crgroups.info/>

Smart Recovery: www.madisonSMARTrecovery.org

Marijuana Anonymous

Heroin Anonymous

H. Restitution

If restitution has been ordered in your case, you must make sufficient progress paying on this obligation. You may be asked about this progress during court reviews and during case management appointments. If you have not made sufficient progress on paying restitution, your drug court contract may be extended.

I. Community Service

Your case manager, Commissioner, or probation agent will assign community service if s/he determines you have the time and ability to do it, after taking into account your work, school, child care, and treatment obligations. There are many reasons we make community service a part of your Drug Court requirements:

1. It is a way of making amends to the community for breaking the law.
2. It furthers your recovery and rehabilitation
3. It is a productive use of your time, and encourages a good work ethic.
4. It brings you in touch with others who make a practice of giving back to the community.
5. It may give you experience that will help you get a paying job

J. Drug Court Rules

You are required to abide by the following rules:

1. **Honesty is expected.** Overcoming alcohol or drug addiction is not easy, yet thousands of individuals do it every year with the help of others. Your success will take your best effort, including constant truthfulness on your part. Lies keep you alone, speaking only to yourself. The Drug Court Team will tell you the truth and will expect the truth in return.

- Dishonesty is considered a program violation for which you may be sanctioned.** This includes keeping or hiding certain pieces of relevant information, otherwise known as “lying by omission.” Lying by omission is considered the same as lying and will be treated in the same way.
2. **Do not tamper with alcohol/drug testing.** Tampering or attempting to tamper with urine or interfering with alcohol/drug testing is a serious offense. This includes ingesting substances (including large amounts of water) to alter the result, putting something in the urine, providing a sample that is not urine, or providing urine that is not yours. Success in Drug Court Diversion Program depends on a relationship of trust. You are expected to be honest and truthful in their interactions with DCDP personnel. **THEREFORE TAMPERING OFFENSES WILL RESULT IN SIGNIFICANT SANCTIONS AND MAY RESULT IN TERMINATION FROM THE PROGRAM.**
 3. **Medications.** You must bring the actual medications, prescribed and over-the-counter, that you are taking to your case manager. Do not take any over-the-counter products that contain alcohol.
 4. **Do not possess or consume illegal drugs, drug paraphernalia, alcohol, or any substance that contains alcohol or any controlled substance not currently prescribed for you.** Sobriety is the primary focus of this program. Maintaining a drug-free lifestyle is very important to your recovery.
 5. **Submit to periodic alcohol and drug tests. If you miss a test** or are unable to produce a sample, you must make it up the next business day. A make-up test does not excuse a missed test. Missing a test is a violation, unless it is excused.

6. **Do not remain in the presence of others who are using illegal drugs.** It will be very difficult to maintain abstinence if you are with people using drugs. If you test positive it will count as a use violation, even if you tell us you did not use alcohol/drugs but were exposed to the substance use of others. The court may order you to have no contact with certain individuals.
7. **Follow the treatment plan made for you by your counselor and attend all assigned treatment appointments including individual and group sessions. Attend all required cognitive intervention group sessions.**
8. **Report to your case manager as directed and follow all rules and requests of your case manager.** You will have regularly scheduled meetings with your case manager. If you have a problem keeping a scheduled appointment, contact your case manager immediately. While we expect you to respect your case manager's time, you should never hesitate to contact him or her at any time if you need help.
9. **Be on time to court, case management appointments, and treatment.** Being late may mean that you miss counseling sessions and you will be considered noncompliant. Contact your treatment provider and case manager if there is a possibility that you may be late. The Commissioner may sanction you for being late to court, treatment, or other appointments related to Drug Court.
10. **Rules and Expectations for Court.**
 - a. Be on time.

- b. Be prepared for court. Bring any assignments, verification of community support meetings, community service verification forms, and planner to court.
- c. Act appropriately in court. Disruptive behavior is unacceptable. This includes leaving the court without permission to use the restroom. Inappropriate behavior will not be tolerated and may result in your termination from the program. This includes threats or threatening behavior toward other participants, counselors, or Drug Court team staff.
- d. Do not bring children to court.
- e. Do not have cell phones or other electronic devices on during court. These devices may be confiscated during the court session.
- f. Water is permitted in court. No other beverages, gum, or food is allowed unless court or case manager gives exemption.
- g. Dress appropriately for court.
- h. Be considerate and attentive of all participants during court.
- i. Do not schedule school, work, or outside appointments during the time of the court session.

11. **Behave appropriately at case management appointments and at treatment.** The rules governing court conduct above apply to these appointments as well.
12. You are expected to have a working phone with voicemail where you can be reached. Free cell phone can be accessed at www.safelinkwireless.com.
13. **Tell the Court, case management, and probation agent any time you have a change of address or phone number.**

14. **Phase length is expected to be 90 days.** If you are not able to advance to the next phase in 90 days, you will need to fill out an extension application. This application explains your plan for advancing by a proposed date. Drug Court Team will use your proposal as a guide in determining the expected advancement date. If you are unable to advance in that period of time, a motion to terminate will be filed, see page 20.

15. **Final Phase Expectations:** A missed drug or alcohol test during the final phase will extend the contract by one week. Two missed tests during that period, will extend the contract by 90 days from the date of the next negative test. Any other violation may result in an extension of contract up to 90 days. You are expected to have no positive alcohol or drug tests or use of unauthorized substances for 90 days prior to your graduation date. If there is a use violation, your graduation date will be extended based on next negative test. A motion to terminate may be filed if violations continue in the final phase for failure to progress.

16. **Obey the law.** Do not drive a vehicle without a valid driver's license. Report any police contact within 24 hours to your case manager and probation agent, whether or not you are arrested. If you are observed or are cited for driving after suspension or revocation, ***this will be considered a violation of the program.***

Fact: The First Dane County Drug Court hearing convened in 1996.

CONSEQUENCES OF BEHAVIOR

The choice is yours. It is important to know what will happen when you do well and when you are noncompliant in Drug Court. This section is designed to clearly let you know the consequences.

A. Incentives

When in compliance with rules and expectations of the Drug Court program, you may be recognized in one or more of the following ways:

- Positive feedback from Commissioner or Drug Court Team
- Early release from court
- Participation in a weekly drawing
- Permission for out of county travel
- Receiving gift card for food or other gift items
- Having fewer check-ins, appointments, and court appearances.
- Being recognized as Person of the Week
- Advancement of Drug Court phase including early phase advancement

Incentives may be granted for:

- First negative alcohol and drug test
- Progress and completion of substance use treatment or cognitive intervention group.
- Being upfront and honest about use or violation
- Advancing to the next phase
- Positive court report
- Obtaining valid drivers license
- Other accomplishments

B. Sanctions

If you violate a program rule, you are required to appear in court **at the next scheduled Drug Court session** regardless of your regular reporting schedule.

In the unusual case that your case manager determines a violation occurred for reasons beyond your control, s/he may excuse the violation. The case manager's decision is final. **Unless the violation is excused, you must make arrangements to appear in court at the next Drug Court session.**

Jail

When you fail to comply with the rules of the Drug Court Program, the Commissioner, in consultation with the Drug Court team, may order you to jail. Most jail sanctions are between one and five days, but may be longer. In addition, the Commissioner may order you to jail out of concern for your safety or the community's safety.

You must make arrangements before court to take necessary medication, reschedule appointments and take time off work, as the jail sanction will be served immediately after your court appearance. Don't leave your car parked at a meter if you think you might go to jail.

Writing Assignment

Your case manager or the Commissioner may require you to write an essay addressing some aspect of your recovery. You should provide that to your case manager within one week unless another time limit is set.

Other possible sanctions include:

- Extending the length of your Drug Court contract.
- Increasing the frequency of your court attendance.
- Increasing your time in a phase, or moving you back a phase.
- Increasing frequency of alcohol/drug testing, check-ins, and individual meetings.
- Require home alcohol testing or electronic bracelet monitoring.
- Other, individually tailored sanctions.

Sanctions may be imposed for:

- Possessing or using unauthorized substances
- Behavior inconsistent with a commitment to meeting Drug Court goals
- Being arrested for a traffic or criminal offense
- Missing or being late to court, UA or BA, case management meeting, a check-in, probation appointment, or treatment appointment
- Failing to report police contact within 24 hours
- Being dishonest, deceitful, or untruthful
- Engaging in disrespectful behavior towards staff, other agencies involved with drug court, or other participants
- Failing to seek or maintain full-time employment, education or a combination unless you are excused because of a disability or other hardship
- Violating any other program rule or individual requirement imposed by the Court, case management, or probation agent

TERMINATION

The following may result in your being terminated from the program and returned to the criminal branch for conviction and sentencing:

- Failure to progress could lead to termination. Participants are given 90 days to complete phase requirements and advance to next phase.
- Committing a felony, a violent misdemeanor, an offense that involves a weapon, or delivery of a substance.
- Tampering with a drug or alcohol test
- Any conduct presenting a threat to the safety and well-being of others.
- Operating (a vehicle) while impaired or Operating (a vehicle) after revocation or suspension
- Failing to progress through phase in expected timeline
- Repeated violations of Drug Court rules or of the law
- Any conduct compromising the integrity of the program

If the prosecutor makes a motion to terminate you, the Court will schedule a hearing, usually within six weeks. You are entitled to be represented by a lawyer at that hearing and to present any evidence you wish the Court to consider in deciding the motion. If you are requesting a public defender, you will need to reapply.

State Public Defenders Office is located:
17 South Fairchild Street, 2nd Floor
Madison, WI 53703
608-267-1777

**DECISIONS MADE BY THE DRUG COURT TEAM ARE
NOT SUBJECT TO APPEAL**

Resources in Dane County

This is a limited list of resources. Speak with case manager and probation agent about areas of need.

Community Support Meetings

Narcotics Anonymous: badgerlandna.org

Alcoholics Anonymous: www.aamadisonwi.org.

Smart Recovery: www.madisonSMARTrecovery.org

Celebrate Recovery:

<http://grouplocator.crgroups.info/>

Marijuana Anonymous

Heroin Anonymous

Family Support Meetings

Parent Addiction Network:

www.safercommunity.net/parent_addiction_network.php

Alanon Meetings: www.alanonmadisonwi.org

Families Anonymous Meetings:

www.familiesanonymous.org

National Alliance on Mental Illness:

www.namidaneconomy.org

Drivers License Resources

Clinical Assessment Unit: (608) 280-2630

If license is suspended due to OWI, you will need to obtain the required OWI assessment. Please let them know you are involved in Drug Court.

Department of Transportation: (608) 264-7447

For license eligibility, call or go to the DOT website,

<http://wisconsindot.gov/Pages/online-srvcs/online.aspx>

YWCA Driver's License Recovery Program

Assists individuals who have a suspended license due to unpaid Dane county traffic tickets and child support lien. Email: dlrp@ywcamadison.org for info.

Health insurance assistance:

<https://danecountyhumanservices.org/ppaca/#>

Dane County Human Services – Job Center

(via Access Community Health Center)

1819 Aberg Avenue, Madison, WI 53704

Mon-Fri, 8AM-4PM Walk-in only; 888-794-5556

Helplines in Madison

Domestic Abuse Intervention Services (DAIS), 24-7,
(608) 251-4445

Journey Mental Health Center Crisis Line, 24-7,
(608) 280-2600,

Narcotics Anonymous: (608) 258-1747

Alcoholics Anonymous: (608) 222-8989

AI-Anon: (608) 258-0314

Parent Stressline, 8am-10pm 7 days/week

(608) 241-2221, Listening support

www.canopycenter.org/p/parent-stressline.html

Rape Crisis Center, 24-7, confidential crisis counseling

(608) 251-7273

Recovery Dane, 9am-3pm, Monday thru Friday

(608) 237-1661

https://www.danecountyhumanservices.org/MentalHealth/Adult/Information_and_referral.aspx

United Way 211, 24-7, information and resource line

211 (formerly First Call for Help)

Center for Families Respite Center (not a helpline)

Respite center provides respite and crisis child care 24 hours a day, 7 days a week, to families experiencing high levels of stress. Call for more information: (608) 244-5700

Source: Parent Addiction Network, www.safercommunity.net

Medication Assisted Treatment

Medications like Buprenorphine, Methadone, Naltrexone, and Vivitrol are medications that in combination with substance use treatment can be effective in treating Opioid Use Disorder. Speak with case manager if you have questions about the medications and what treatment providers offer these services.

Naloxone (Narcan) is life saving medication that can counter an opioid overdose.

AIDS Resource Center: (608) 528-9103. www.arcw.org. Offers free training on identifying opioid overdose signs and administering Naloxone.

Recovery Centers in Dane County

511 Alano Society, Inc: 511 N. Carroll St, Madison

Eastside Alano Club: 1017 Northport Dr., Madison

Fitchburg Serenity Club: 6048 McKee Rd, Fitchburg,
fitchburgserenityclub.com

Wi Recovery Community Organization: 608-721-2244,
www.wirco.org

Solstice Warmline: 608-422-2383

Sober Living Options in Dane County

Establishing stable sober housing may be the single most important step towards your ongoing recovery. Your case manager can advise you on sober living options and assist with application process.

A Pathway Home: 608-445-3090, Christian based
sober living home

Aarons House: 608-445-8000,

www.aaronshousemadison.org, for young men
enrolled in post high school education

Jessie Crawford Recovery Center: 608-241-4285

Oxford Housing: 800-689-6411,

www.oxfordhouse.org

Tellurian, UCAN, Inc: 608-222-7311,

www.tellurian.org

Transitional Living Placement through Department
of Corrections

Speak to your agent for more information

Source: Parent Addiction Network, www.safercommunity.net

Drug Contact Information

Case Manager: _____
Contact Number: _____

Probation agent: _____
Contact Number: _____

Treatment provider: _____
Treatment counselor: _____
Contact Number: _____

Color for UA testing: _____
Color line Number: _____

Drug Diversion Court Handbook

I, _____ have read the Drug Court handbook and have had the opportunity to ask questions. I agree to follow the guidelines outlined in this handbook. I agree to hold on to this handbook as a reference while involved in the program. Bring signed handbook to show the Commissioner.

Participant Signature

Date

Case Manager Signature

Date

Drug Court Partner Agencies

ARC Community Services
ATTIC Correctional Services
City of Madison Police Department
Dane County Circuit Court
Dane County District Attorney's Office
Journey Mental Health Center
Dane County Sheriff's Office
Dane County Department of Human Services
University of Wisconsin – Dept. of Family Medicine
WI State Public Defenders Office
WI Department of Corrections