

Codington County Drug Court Participant Manual



Codington County Drug Court
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What is Drug Court?

Drug court participants are court ordered to go to treatment and to counseling. By being in drug court, I have the opportunity to change my life and make it better.

If I agree to drug court, I would be sentenced to the program. During the time I was in drug court, I would have to come to court each week, go to treatment, and do random drug testing. I would also go to support group meetings. Drug Court lasts at least 14 months.

Why Drug Court?

In drug court, I would have a chance to stay in the community and receive long-term treatment instead of going to prison.

ELIGIBILITY - I could be offered drug court if:

1. I am at least 18 years old
2. I am facing felony charges
3. I agree to be in the program
4. I am willing to live within the drug court service area
5. Drugs or alcohol use has made my life unmanageable
6. I am not on parole
7. I am not a drug dealer, sex offender or violent offender

REFERRAL PROCESS - How can I get into drug court?

If I am interested in applying to drug court, I need to ask my Court Services Officer or attorney to help me decide if I should do drug court. My attorney can help me fill out an application.

I HAVE APPLIED AND WAS ACCEPTED INTO DRUG COURT. NOW WHAT??

Show Up,

Be Honest,

Try.

PROCEDURES - What is a drug court team and what happens at court?

The Drug Court Team includes a judge, lawyers, probation officers, treatment people, program coordinator, and law enforcement. The Team meets each week before court and talks about my case and how they can support me so I can succeed. The judge wants to know if I have been to all my treatment sessions, if I have had any positive drug tests, if I have been going to work, attending support group meetings, and what I am working on in treatment. When I get to court, the judge will ask me about my week and I will tell the judge what has been happening. If I do well, the judge will give you an incentive. For the things I have not done well, the judge will give me a sanction. Sometimes the judge will instruct me to attend more treatment. At first, I will attend court each week. While I am there, I will encourage my fellow participants by clapping at their progress.

CONFIDENTIALITY

To participate in drug court, I must sign a release that says the drug court team is able to share information about my progress during the team meetings. When I go to court, the hearings are open to the public.

PARTICIPANT RIGHTS - What are my rights in drug court?

If I agree to participate in drug court, I agree to waive my right to usual court proceedings, such as questioning or disputing the legality of a search, seizure, or traffic stop; a preliminary hearing; and a trial by jury or court. My attorney can explain this in detail to me, if I have any questions.

DRUG TESTING - What is random alcohol and drug testing?

To help me stay sober, I will have to do random drug and alcohol testing often; sometimes every day or maybe even twice in one day. My name will be checked with the South Dakota Prescription Drug Monitoring Program to make sure I am not abusing my prescription medications.

Do not consume Kratom, any performance enhancing supplements, supplements containing creatine, diet powders, Monster drinks (energy drinks), sports enhancing materials and herbal/homeopathic preparations unless approved by CSO.

PHASES - of Drug Court

The Program consists of five (5) phases. Examples of each phase are explained in detail below. I am required to submit a written request to the Drug Court Team in order to advance to the next phase or graduate. Program length may vary, but is *no less* than fifteen months.

Phase 1 – Acute Stabilization

- **Minimum of 60 days**
- Attend Court weekly
- Comply with treatment and probation supervision

- Weekly office visits
- Unannounced home visits
- Random and frequent drug testing (at least 2 per week or 28% chance every day)
- Curfew of 9:00 pm
- Address housing needs (need court approval)
- Introduction to peer support groups (as directed)
- Start Changing people, places, and things
- No negative contact with Law Enforcement
- Make daily entries in planner/journal

In order to advance to Phase 2, I must:

- A **minimum** of **60** days since starting drug court
- Show regular attendance at treatment and office visits
- Show honesty
- **14** days of continuous sobriety
- Tell my CSO I am ready to advance
- Read the Phase 1 checklist to Court
- Complete application and present to the Court to move to Phase 2
- Present letter to the CSO/Court – “History of Drug Use”

Phase 2- Clinical Stabilization

- **Minimum of 90 days**
- Attend Court weekly
- Comply with treatment and supervision
- Weekly office visits
- Unannounced home visits
- Random and frequent drug testing (at least 2 per week or 28% chance every day)
- Curfew of 10:00 pm
- Attend weekly support group meetings as directed
- Maintain team approved housing
- Address finances, completion of Financial Literacy Class (budget assessment)
- Show a change in people, places, and things
- No negative contact with Law Enforcement
- Make daily entries in planner/journal

In order to advance to Phase 3, I must:

- A **minimum** of **90** days since starting Phase 2
- **30** days of continuous sobriety
- Comply with treatment and supervision
- Tell my CSO I am ready to advance
- Read the Phase 2 checklist to Court
- Complete application and present to the Court to move to Phase 3

- Present letter to the Court – “What I Want to Get Out of Drug Court”

Phase 3 – Pro-Social Habilitation

- **Minimum of 90 days**
- Court bi-weekly (every-other week)
- Comply with treatment
- Review and comply with adult probation agreement
- Bi-weekly office visits
- Unannounced home visits
- Attend community support group meetings as directed
- Establish AA/NA sponsor
- Random and frequent drug testing (at least 2 per week or 28% chance every day)
- Curfew of 11:00 pm
- Must obtain fulltime employment, training or education if haven't already
- Demonstrate change in people, places and things
- Establish pro-social activity
- No negative contact with Law Enforcement
- Make daily entries in planner/journal

In order to advance to Phase 4, I must:

- A **minimum** of 90 days since starting Phase 3
- **45** days of continuous sobriety
- Comply with treatment and supervision
- Tell my CSO I am ready to advance
- Read the Phase 3 checklist to Court
- Complete application and present to the Court to move to Phase 4
- Present letter to the Court – “How Drugs Have Affected My Life”

Phase 4 – Adaptive Habilitation

- **Minimum of 90 days**
- Court monthly
- Comply with treatment and supervision
- Bi-weekly office visits (every-other week)
- Unannounced home visits
- Random and frequent drug testing (at least 2 per week or 28% chance every day)
- Attend community support group meetings as directed
- Maintain court-approved housing
- Maintain sober network (sponsor and working through 12 steps)
- Curfew of midnight (12:00 am)
- Maintain fulltime employment, training or education
- Demonstrate change in people, places and things

- Maintain pro-social activity
- No negative contact with Law Enforcement
- Make daily entries in planner/journal

In order to advance to Phase 5, I must:

- A **minimum** of **90 days** in Phase 4
- **60** days of continuous sobriety
- Comply with treatment and supervision
- Engaged in employment/fulltime education or job training
- Engaged in the recovery community
- Tell my CSO I am ready to advance
- Read the Phase 4 checklist to Court
- Complete application and present to the Court to move to Phase 5
- Present letter to the Court – “Saying Goodbye To My Drug”

Phase 5 – Continuing Care

- **Minimum of 90 days**
- Court monthly
- Comply with treatment and supervision
- Develop a continuing care plan
- Complete criminal thinking
- Monthly office visits
- Unannounced home visits
- Random drug testing
- No curfew unless otherwise directed
- Maintain fulltime employment, training or education
- Maintain court –approved housing
- Maintain Sober Network
- Maintain Pro-Social Activity
- Completion of Healthy Relationships course
- Maintain change in people, places and things
- No negative contact with Law Enforcement
- Make daily entries in planner/journal
- Pay all fees on current Court file
- Pay all treatment related fees
- **90** days of continuous sobriety
- Submit an application to graduate

What happens when I have finished all 5 phases?

I am required to submit a written request to the Drug Court Team asking to graduate and explaining all I have completed in the program. I will be in drug court for at **least fourteen** (14) months and will have to do all of the following to graduate. Before graduating from the Program, I must complete a **Program Exit Survey**.

Commencement Requirements

- Complete Phase 5 (a **minimum** of 90 days)
- Maintain change in people, places and things
- Fully engaged in treatment and recovery community
- Pay all fees on current Court File
- Pay all treatment related fees
- **90** days continuous sobriety
- Full time employment or a combination of employment/education
- Program approved housing
- Participated in Program for at least fourteen (14) months
- Medical, dental & vision exams must be completed

All of my treatment groups must be completed six (6) weeks prior to graduation (last Friday of January, May, September). A graduation application be given to you and will have two (2) weeks to complete application. The team will then review your application and meet with you in person to talk about the transition out of Drug Court.

Upon successfully completing all five (5) phases, meeting graduation requirements, and recommendation of the Drug Court Team, I will graduate from Drug Court. Graduation from Drug Court is a very important event. My loved ones and friends will be invited to join me at a special ceremony as the Drug Court Team congratulates me for successfully completing all phases of the Drug Court Program and achieving all the goals to establish a healthy lifestyle.

OTHER INFORMATION I NEED TO KNOW

What are Incentives?

An incentive is reward by the Drug Court Team that I have reached a milestone or have completed a goal towards your life in recovery.

Some examples of incentives:

Incentives can include but are not limited to the following.

- Advance phases
- Fishbowl drawing (gift cards to local businesses, etc.)
- Suspension of partial fines
- Applause
- Acknowledgement from the bench

- Paid minutes for cell phone
- Transportation passes
- Payment towards electronic monitoring
- Decreased supervision
- Out of town Day Trips
- Tickets to community events
- Graduation

What are sanctions?

I may receive a sanction if I do not follow the rules of the program. Not following the program rules is a violation. The Drug Court Judge and Team will decide sanctions based on any violations.

Some examples of Sanctions:

Sanctions can include but are not limited to the following:

- Increased court appearances
- Increased reporting to Court Services
- Additional drug testing
- Temporary incarceration
- Delay in phase promotion
- Temporary phase demotion
- Written assignments for court
- Verbal reprimand
- Volunteer service hours
- House arrest
 - Having people over at your house without permission
- Imposition of electronic monitoring
- Residential placement
- Daily written schedule
- Stricter curfew
- In-court apology
- Honesty journal
- Loss of driving privileges
- Termination

What are therapeutic adjustments?

A therapeutic adjustment is a change in my treatment plan.

Some examples of Therapeutic Adjustments:

Therapeutic adjustments can include but are not limited to the following:

- Increased community support meetings
- Increased drug/alcohol testing
- Journaling
- Motivational interview exercises
- Evaluation of possible medication
- Increased court appearances
- Increased treatment intensity
- Additional assessments or evaluations
- Residential treatment

What happens if I fail to follow the rules of the program?

When I fail to show up, try, and be honest and not follow the rules of the program, I can be terminated or fail drug court.

Some examples of reasons to terminate are:

Reasons to be terminated can include, but are not limited to the following:

- Concern for public safety
- Threat to the integrity of the program
- Available treatment options have been exhausted, and the participant is no longer working towards recovery
- Violating rules of the Drug Court
- Commission of a crime
- Failure to attend Drug Court hearings
- Abandonment of treatment program
- Evidence that participant is involved with drug dealing or driving while under the influence
- Evidence that participant is involved in any threatening, abusive, or violent verbal or physical behavior towards anyone
- Tampering with drug/alcohol screening tests
- Inability to pass required drug/alcohol screening tests for any reason
- Failure to make satisfactory progress
- Any other grounds that the Drug Court Team finds sufficient for termination

Process for Termination

1. A member of the Drug Court Team makes a motion for termination.
2. My probation officer will give me a written copy of the possible violations
3. I can ask for an attorney to be appointed to represent me.
4. I will have a chance to talk to the Judge and the Team concerning the motion to terminate me from the program.
5. The Judge makes the final decision if I will stay in the program.
6. If I am terminated, the Court will advise me of my rights concerning potential probation revocation and appoint me an attorney.
7. I will be required to participate in a termination interview and may be subject to a probation revocation proceeding.

Voluntary Removal

I may request to be removed from the Drug Court Program. Before I make a request, I should visit with an attorney. If I have absconded or have run off from court services supervision while in the Drug Court Program, I may be considered to have voluntarily removed myself.

Fees

Court Related Fees

While I are in Drug Court, I must make payments for court fees. This can include the following:

- Child support
- Restitution
- Crime Victim Fund
- Public Defender fees
- Other

I will work with my probation officer to set up a payment plan.

Program Related Fees

I may be required to pay for testing, monitoring, and treatment while in the program, which may include:

- UA's
- 24/7 Program
- SCRAM
- Interlock
- Treatment
- Court fines

Places that you are prohibited to go

Phase 1 & 2

Establishments that serve alcohol (complete a request if wanting to go somewhere with alcohol for phases 3, 4, 5; ex: Applebee's)

All Phases

Liquor Stores
CBD Shops
Casino's

If you are unsure ~ Ask

Phase 1 Checklist

Basic Needs

(Housing, food, clothes, treatment, transportation, working phone)

If you need another piece of paper, use lined paper and number your answer.

1. I have been in the phase for at least 60 days.
2. I have attended Drug Court weekly.
 - a. If not, explain: _____
3. I have attended self-help meetings as ordered by the Judge.
4. I have complied with the rules of Drug Court and have not received any sanctions.
 - a. If sanctioned, what behavior led to my sanction: _____
 - b. I learned: _____
5. The treatment I have attended in Phase 1 is: _____
6. I have not missed any treatment sessions.
 - a. If missed treatment, please explain: _____
7. I have had a weekly in person visit with my CSO.
8. I have texted my CSO my daily schedule by 9:00 a.m. everyday.
9. I have presented my planner to my CSO, treatment providers and the court.
10. I have shown up on time to my UA's.
 - a. Passed: _____ Failed: _____
11. I have complied with unannounced, random visits by CSO or law enforcement.
 - a. If not, why: _____
12. I have established court approved housing.
13. I have identified the following:
 - a. Negative People: _____
 - b. Negative Places: _____
 - c. Negative Things: _____
14. I have abided by my 9:00pm curfew unless otherwise specified by the court.
15. I have not had any contact with Law Enforcement.
 - a. If so, why and did I contact my CSO immediately: _____
16. I have completed a minimum of 14 continuous days of sobriety.
17. I have completed a minimum of 10 hours of volunteer service hours, which may be matched by the Court upon phase advancement.

If checklist is approved by the team, you will receive your phase application at your next court date.

SHOW UP. BE HONEST. TRY.

Phase 2 Checklist Clinical Stabilization

(Treatment, med compliance and mental health needs)

***If you need another piece of paper, use lined paper and number your answer. ***

1. I have been in this phase at least 90 program days.
2. I have attended Drug Court weekly.
 - a. If not, explain: _____
3. I have attended three (3) self-help meetings per week.
 - a. If not, explain: _____
4. I have complied with the rules of Drug Court and have not received any sanctions.
 - a. If sanctioned, what behavior led to my sanction: _____
 - b. I learned: _____
5. The treatment I have attended in Phase 2 is: _____
6. I have not missed any treatment sessions.
 - a. If missed treatment, please explain: _____
7. **I attended a mental health session with a mental health counselor to determine any MH needs.**
8. **My mental health needs have been met, yes or no?**
 - a. If not, how can the team help: _____
9. **I have met with a psych provider to determine if I would benefit from any medications.**
10. **I have been med compliant.**
11. I have had a weekly in person visit with my CSO.
12. I have texted my CSO my daily schedule by 9:00 a.m.
13. I have presented my planner to my CSO, treatment providers and the court.
14. I have shown up on time to my UA's.
 - a. Passed: _____ Failed: _____
15. I have complied with unannounced, random visits by CSO or law enforcement.
 - a. If not, why: _____
16. My court approved housing has not changed.
 - a. If it has, why: _____
17. I have identified the following:
 - a. Negative People: _____
 - b. Negative Places: _____
 - c. Negative Things (social media): _____
18. I have completed a budget worksheet.
19. I understand that I will make a minimum payment per month in Phase 3 as determined by my CSO.
20. I have abided by my 10:00 pm curfew unless otherwise specified by the court.
21. I have completed a minimum of 30 continuous days of sobriety.
22. I have completed a minimum of 20 more hours of volunteer service. Anything beyond that may be incentivized by the court.

If checklist is approved by the team, you will receive your phase application at your next court date.

SHOW UP. BE HONEST. TRY.

Phase 3 Checklist

Developing my Pro-Social Lifestyle

(Focus on consistent employment; start GED or vocational training; attend individual/family/trauma therapy as assessed; regular attendance at community support groups; initiate sponsor)

***If you need another piece of paper, use lined paper and number your answer. ***

1. I have been in this phase at least 90 program days.
2. I have attended Drug Court every other week.
 - a. If not, explain: _____
3. I have attended three (3) self-help meetings per week.
 - a. If not, explain: _____
4. I have complied with the rules of Drug Court and have not received any sanctions.
 - a. If sanctioned, what behavior led to my sanction: _____
 - b. I learned: _____
5. I have been working on individualized personal growth goals in treatment with my counselor.
6. I have met with my CSO in person every other week.
7. I have texted my CSO my daily schedule by 9:00 a.m.
8. I have shown up on time to my UA's.
 - a. Passed: _____ Failed: _____
9. I have complied with unannounced, random visits by CSO or law enforcement.
 - a. If not, why: _____
10. My court approved housing has not changed.
 - a. If it has, why: _____
11. I have established a sober network (sponsor & support friends).
 - a. Who are they? _____ Sponsor name: _____
12. I have established pro-social activities as follows: _____
13. I have obtained and secured employment and/or school?
 - a. Please explain: _____
 - b. I have 40 hours of work, treatment, education and volunteer service hours per week.
 - c. I have documented these hours within my planner and shown to my CSO.
14. I have made the required minimum payment per month.
15. I have abided by my curfew of 11:00 pm unless otherwise directed by the court.
16. I have completed a minimum of 45 continuous days of sobriety.
17. I have completed a minimum of 20 more hours of volunteer service. Anything beyond that may be incentivized by the court.

If checklist is approved by the team, you will receive your phase application at your next court date.

SHOW UP. BE HONEST. TRY.

Phase 4 Checklist

Strengthening my Pro-Social Lifestyle

(Continue with focus on Pro-social lifestyle activities, treatment, sober network and recovery)

***If you need another piece of paper, use lined paper and number your answer. ***

1. I have been in this phase at least 90 program days.
2. I have attended Drug Court monthly.
 - a. If not, explain: _____
3. I have attended three (3) self-help meetings per week.
 - a. If not, explain: _____
4. I have complied with the rules of Drug Court and have not received any sanctions.
 - a. If sanctioned, what behavior led to my sanction: _____
 - b. I learned: _____
5. I have not missed any treatment sessions.
 - a. If missed treatment, please explain: _____
6. I have met with my CSO in person every month.
7. I have shown up on time to my UA's.
 - a. Passed: _____ Failed: _____
8. My court approved housing has not changed.
 - a. If it has, why: _____
9. I have maintained pro-social activities:
 - a. Identify the pro-social activities you have been doing: _____
 - b. The prosocial activities that I enjoy doing the most are: _____
10. I have established a sober network (sponsor & support friends).
 - a. Who are they? _____ Sponsor name: _____
11. I have abided by my curfew of 12:00 am unless otherwise directed by the court.
12. I have complied with unannounced, random visits by CSO or law enforcement.
 - a. If not, why: _____
13. I have obtained and secured employment and/or school?
 - a. Please explain: _____
 - b. I have 40 hours of work, treatment, education and volunteer service hours per week.
 - c. I have documented these hours within my planner and shown to my CSO.
14. I have made the required minimum payment per month.
15. If I have not done so already, I will visit with the coordinator on scheduling my medical, dental and vision appointments.
16. I have completed a minimum of 60 continuous days of sobriety.
17. I have completed a minimum of 20 more hours of volunteer service. Anything beyond that may be incentivized by the court.

If checklist is approved by the team, you will receive your phase application at your next court date.

SHOW UP. BE HONEST. TRY.

Phase 5 Checklist

Just Live It

(Building on your recovery capital and prosocial lifestyle without the direction of Drug Court)

***If you need another piece of paper, use lined paper and number your answer. ***

1. I have been in this phase at least 90 program days.
2. I have attended Drug Court monthly.
 - a. If not, explain: _____
3. I have complied with the rules of Drug Court and have not received any sanctions.
 - a. If sanctioned, what behavior led to my sanction: _____
 - b. I learned: _____
4. I have not missed any treatment sessions.
 - a. If missed treatment, please explain: _____
5. I have met with my CSO in person every month.
6. I participated in my personal recovery plan in the following ways: _____
7. I have shown up on time to my UA's.
 - a. Passed: _____ Failed: _____
8. My court approved housing has not changed.
 - a. If it has, why: _____
9. I have established a sober network (sponsor & support friends).
 - a. Who are they? _____ Sponsor name: _____
10. Maintain pro-social activity.
 - a. Identify the pro-social activities you have been doing: _____
 - b. The prosocial activities that I enjoy doing the most are: _____
11. I have obtained and secured employment and/or school?
 - a. Please explain: _____
 - b. I have 40 hours of work, treatment, education and volunteer service hours per week.
 - c. I have documented these hours within my planner and shown to my CSO.
12. I have complied with unannounced, random visits by CSO or law enforcement.
 - a. If not, why: _____
13. I know I had no curfew in Phase 5 and was responsible with my decisions.
14. I will develop a continuing care plan with my counselor.
15. I have paid all fines and costs on my Drug Court file.
 - a. If not, please explain why: _____
16. I have completed a minimum of 90 continuous days of sobriety.
17. All my required treatment has been completed.
18. I have completed all my required volunteer service hours.
19. I attended all Alumni Group meetings as scheduled.
20. I have scheduled a time with the Drug Court to meet and talk about this Phase 5 checklist in person.

If checklist is approved by the team, you will receive your phase application at your next court date.

SHOW UP. BE HONEST. TRY.