

Alachua County Drug Court

Drug Court is a pretrial diversion program based on the philosophy that rehabilitation from substance abuse will curb recidivism. In that light, Drug Court is a seven-month (minimum) program based on a therapeutic rather than punitive model.

The treatment is broken into three phases (discussed below) and consists of group and individual therapy, acupuncture/meditation therapy, support groups, community service, and accountability to the Drug Court Judge. Once the client has successfully completed the first phase of the program, he/she is offered a deferred prosecution agreement by the Office of the State Attorney stating that all included charges will be nollied upon successful completion of the entire program. In addition, at no time is the defendant asked to plead guilty or nolo contendere to any charges included in the Drug Court. Typically, defendants sign a waiver of speedy trial and an oral plea of not guilty is entered on their behalf by a representative of the Public Defender's Office during the initial status hearing.

ELIGIBILITY

An eligible Drug Court candidate must be charged with a non-violent felony offense, and may not be on current state probation or VOP status for any offense. Property crimes can be accepted into Drug Court only if there is no issue of restitution, since once a nolle is entered, the victim no longer has a right to compensation.

Felony drug possession charges are eligible for inclusion in Drug Court, but sale of a controlled substance and possession with intent to distribute charges are eligible only at the discretion of the Assistant State Attorney assigned to prosecute the case.

If a defendant's criminal history indicates a risk of failure to appear in court or violate other requirements, but is otherwise eligible for Drug Court, placement is available in Work Release of a minimum for 60 days. During that time, the defendant would be able to attend Drug Court activities and pursue employment.

The Drug Court Program will not accept any defendant who has a history of felony violence, or a high number of violent misdemeanor convictions.

PROGRAM REQUIREMENTS

Drug Court is comprised of three phases. *The first phase is a minimum of one month in length, and requires three consecutive weeks of sobriety in order to progress to the next phase and receive a Deferred Prosecution Agreement. Daily attendance in the mornings is mandatory, and status hearings are held on a weekly basis. *The second phase is a minimum of ninety days in length with a minimum of the last 90 consecutive days of sobriety to progress to the next phase. Attendance is required three times per week, plus status hearing twice a month. If the client is working or in school, he/she may request to attend evening group sessions. *Phase 3 is also 90 days long, with a requirement of a minimum of the last 90 days of sobriety to graduate. Attendance at one evening group per week, and one status hearing per month is required.

SANCTIONS

There is no sanction for a dirty urine screen, but a natural consequence of relapse is extra time required to progress to the next phase. Sanctions for non-attendance at required activities are comprised of jail and/or community service hours. The penalty for tampering with a urine sample or otherwise attempting to "cheat" on a urine test is expulsion from the program, with a possibility of revocation of released on his/her own recognizance (ROR).

SCREENING

Defendants, counselors, attorneys, and family members can all refer clients for Drug Court screening. All that is required is a voice message containing the name and demographic information of the potential client (338-7349). A potential client may be an inmate, released on bond, on supervised pretrial release, or on ROR with no special conditions. A screening can be performed on the basis of the voice mail message, and it is not necessary for the defendant to speak with the screener in person.

The Alachua County Drug Court Treatment & Rehabilitation Program has been serving our county since 1993. As of September 2000 there have been two hundred and seventeen (217) successful graduates from the program. In 1996, the Alachua County Drug Court Program received an award from the National Association of Counties for innovative and distinguished service to our community.