

FORREST/PERRY COUNTIES ADULT DRUG COURT

POLICY AND PROCEDURES

TWELFTH JUDICIAL DISTRICT
FORREST/PERRY COUNTIES ADULT DRUG COURT TEAM
JUDGE ROBERT B. HELFRICH
LUCY B DAVENPORT COORDINATOR
ROBERT K MINOR PROBATION OFFICER
DERRICK MINOR PROBATION OFFICER
ALYSSA CHANDLEE PROBATION OFFICER
OLETA GMEREK HOUSE ARREST OFFICER
GAY POLK PAYTON PUBLIC DEFENDER
PATRICIA BURCHELL DISTRICT ATTORNEY
JOSH FORTENBERRY ASSISTANT DISTRICT ATTORNEY
BILLY MCGEE SHERIFF'S DEPARTMENT

ROY WHITE TREATMENT
DR. LINDA VASQUEZ EVALUATOR

COMMUNITY HELPERS

Betty Ross	DREAM	
Dr. Beverly Smallwood		DHS Family Therapy
Clemen Terrell		Hattiesburg Parks and Recreation
Lawanda Sumpter		Salvation Army
Reverend Siggers		Mt. Olive Church/Faith community
Mary Schaub		University of Southern
	Mississippi	
Jim Robertson		Habitat for Humanity
Dr. Gary Carr		Health
Mr. Ben Strain		Health/Pharmacist
Dr. Carroll Russell		GED
Rich Campbell		Media/Hattiesburg American
Bill Ray		Asbury Foundation
Paula Walters		Adopt-A-Highway
Jim Cameron		Media
Celtie Wade		Forrest General
Tate Russell		Pearl River Junior
	College	

MISSION STATEMENT

The mission of the Forrest/Perry Counties Adult Drug Court is to enhance public safety and save the taxpayer money by providing a structured and accountable alternative to incarceration for non-violent offenders with the disease of substance abuse and chemical dependency; to enhance the health and lives of the offenders and their families by providing court-supervised treatment and rehabilitation to allow them to return to society as productive tax-paying citizens.

OUR GOALS AND OBJECTIVES:

<p>Goal #1 To reduce recidivism in the community by providing judicially supervised drug treatment and drug testing, improving the lifestyles of chemically dependent people and providing a support system for them and their families.</p>		
Objectives	Activities	Measure
1. Provide Substance Abuse Treatment	1. Develop a program which brings to this area much needed treatment services, under the supervision of the court, so that the	1. Calculate the % of participants that go to treatment versus those that complete.

	community will benefit from a safer and healthier population. 2. Participants will commence treatment within 5 days of acceptance.	
1. Provide Drug Testing	1. Treatment provider and the court will drug test participants frequently and randomly. 2. Home Visits	1. Keep stats on total # of drug tests and # of positives and negatives
1. Provide case management to participants to ensure legal lifestyle	1. Identify case management needs and refer to ancillary services.	1. Keep track of services needed and be sure they are being given 2. Do statewide NCIC reports

Goal # 2
To provide a reduction in drug abuse and produce a healthier individual

Objective	Activities	Measure
1. To cut down on use of drugs in community	Educate on Relapse Prevention Sanctions and Incentives	Keep track of relapses Conduct exit interviews Random Drug Screens (Phase 1 2Xweekly

1. To provide participant with opportunities to be a healthy community member and provide options for a healthier family life	1. Encourage Al-Anon, ACOA, COA, Al-Ateen 1.2 Provide physical exams 1.3 Provide Bio-Psycho-Social /ASI 1.4 Offer parenting classes	1.1# of children attending 1.2 Follow up on # of exams and results 1.3 # of psychiatric referrals 1.4 Know exactly what assessment includes & the results of each 1.5 # of participants attending parenting classes 1.6 # of children returned to family & families reunited
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Goal # 3
Maintain coordination among the entities that will be involved in developing, implementing and maintaining the functions of the Drug Court Program.

Objectives	Activities	Measure
1. Establish a steering committee	1. Ask representatives from	1. Accomplish by end of July 1.2 Schedule meetings

	community agencies	1.3 Take minutes
1. Have a person on team with law enforcement and other agencies that play a role in Drug Court	1.Weekly team meetings	1.Take minutes

Goal # 4 Examine the cost-effectiveness of the Drug Court Program		
Objective	Activities	Measure
1. Increase savings to taxpayers by reducing reliance on jail or prison for repeat offenders.	1.Send to treatment rather than incarcerate	1.# in treatment and not in jail; 1.2 Cost of incarceration 1.3 Restitution 1.4 Job training & GED 1.5 Child support , 1.6 Healthy babies
1. Maintain data collection system on Drug Court Program for the basis of an evaluation.	1.Partner with an evaluator	1.Meet with evaluator quarterly 1.2 Take minutes

Goal #5 To develop and finalize all forms and documents that will be needed for day to day operations.		
Objectives	Activity	Measure
1. Identify forms that will be used to perform functions in the Drug Court Program 2.Forms will be finalized and ready for use in the Drug Court Program	1.Stakeholders will offer feedback as to what forms their department will need to perform their duties with Drug Court. 1.2.Stakeholders will create draft copies of necessary forms of documents. 2.Stakeholders will review, amend, approve and finalize all necessary.	1.Forms will be identified by May 1 2.Forms will be finalized by June 1

Goal #6 To establish an effective MIS program that will measure recidivism and substance abuse among clients who complete the Drug Court Program.		
Objective	Activity	Measure
1. To track client arrest rates during the first year following discharge. 2. To compare the client's overall level of functioning at the time of	1. Review client arrest activities. (Up to 1 yr. After client's discharge) 2. To review data collected at the time of admission and discharge	1. The # of arrests and type of arrests will be recorded and later evaluated. 2. Compare data collected at time of admission and discharge of each

admission and at the time of discharge. (Provides data on level of substance abuse)		client.
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TARGET POPULATION

We target nonviolent male and female initial felony offenders and probation violators. The most common drugs of abuse for these offenders are marijuana, cocaine, methamphetamine, and prescription drugs. Initial felony offenders will be referred to Drug Court by the law enforcement and the defense bar. Both agencies will be provided with the criteria for admission and referral forms to complete and fax to the Drug Court Coordinator for screening. Initial felony offenders that are out of custody at the time of referral, will be contacted by the Drug Court Coordinator or the Probation Officer to report to his/her office for screening. The results of the screening will be reported to the drug court team and the offender will be required to appear in court to be sentenced to Drug Court. The average length of time between arrest and first appearance in drug court will be one to three weeks. The offender will report to the treatment provider for assessment immediately after first appearance in drug court.

Probation violators will be referred to Drug Court by the probation officer. The majority of these cases will be looking at prison time as an alternative to Drug Court. The average length of time between arrest and first appearance in Drug Court for probation violators will be three to four weeks. Since these probation violators are in jail waiting to be sentenced, the initial screening can be conducted at the jail before the offender goes to court. Assessment and treatment will commence within seven days from when they are accepted into the program. (Assessment within the first two days) All referrals will be considered based on the admission criteria not by race and ethnicity. The Drug Court Coordinator and Drug Court Judge will monitor the number of offenders in criminal court who may need treatment to ensure that the targeted capacity is reached.

ELIGIBILITY CRITERIA

Must be at least 16 yrs old with a felony

Addicted to any or all drugs

Male or Female

Abuser or Chemically Dependiant

History of misdemeanor or violence is accepted on a case by case basis.

Felony and misdemeanor history accepted

Probation Revocation accepted/no limit on # of priors (case by case)

DISQUALIFYING CRITERIA

Out of County Juvenile

Not physically able to participate

Prescription, mood altering drugs being taken

Mental Retardation or mentally incapable of participating

History of felony violence

Cannot speak English

STRUCTURE OF DRUG COURT

Post-Adjudication

INTAKE AND ENTRY PROCESS

After arrest, the arrestee has a first appearance and bond is set, if applicable. At that time, an attorney is retained or appointment set with Public Defender. The Defense Counsel will then recommend to Drug Court Coordinator or Probation officer if the program is needed. An arrestee can also be recommended by Law Enforcement. (Usually, Law Enforcement recommends to attorney, and attorney recommends to Drug Court.)

After recommendation is made, an intake is done. (see attachment) If defendant is incarcerated, intake is done immediately. If not in jail, Coordinator, Probation Officer, or Defense Counsel will attempt to contact defendant to set up interview with Drug Court. Next, a thorough background investigation is done on arrestee. We conduct an NCIC, Triple I, Booking Card, Driving Record, and all local records are checked. If all agencies involved think Drug Court is appropriate for the individual, a plea of guilty is entered and, if first offense, the Judge withholds acceptance of the guilty plea contingent on the completion of Drug Court Program. If the offender is a probation violator, the Judge will reinstate and modify their probation and require them to complete Drug Court.

The new participant will sign a Drug Court Agreement. The client is referred to treatment provider for assessment within 2 days from acceptance into the program. The trained professional will use the Addiction Severity Index (ASI) to measure the participant's psycho-social functioning related to substance abuse. The ASI provides a structured interview format to examine seven areas of functioning including drug/alcohol use, family/social relationships, employment/support status, mental health status, and screening for infectious disease. A treatment plan is determined. The assessment will be an ongoing process and will take into consideration new issues and new information obtained during treatment.

Requirements for Treatment and Supervision:

INPATIENT TREATMENT

Inpatient treatment - 30 days - 1 year: The initial assessment will provide information to the Drug Court Team to determine if inpatient treatment is needed. If deemed necessary, the Drug Court Judge will order the offender to complete a specified number of days of inpatient treatment at an approved facility. Treatment in the jail will provide the Drug Court with a critical opportunity to address the offenders' substance abuse problems early in the process. Inpatient treatment can be utilized by the Drug Court Team initially in a participant's treatment plan or later if a participant is unable to stay clean and sober in an outpatient setting.

Participants who have completed the requirements of the inpatient program are released into the community by the Drug Court Judge during a status hearing in court. At the time of release, they will be given clear instructions to report immediately for supervision, case management and outpatient treatment services, with future Drug Court status hearing appearance dates.

Requirements for inpatient treatment will include the following:

- Group Therapy
- Individual counseling sessions
- 12-step meetings
- Recreational activities
- Homework/Journaling
- Random urinalysis
- Weekly contact with Judge
- Comply with all rules and regulations/assignments

OUTPATIENT TREATMENT

PHASE I (Minimum 3 mths., 9 hrs. per week minimum)

Counseling

Individual, Group, Family, focusing on Alcohol and Drug Education, HIV Education and Relapse Prevention

Case Assessment and Management

Assessment for eventual assistance with benefits, health, education and employment

PHASE II (3 mths.; 9 hrs. per week minimum)

Life, Education, Wellness and Employment Preparation

Life Skills Coaching, Remedial Education/ GED Groups, and assistance accessing Wellness, Vocational Training and developing Employment Skills

Continuation of similar services received in Phase I

PHASE III (6 mths.; 3-6 hrs. per week minimum)

Aftercare Group

Focusing on issues addressed in first year sobriety (remaining sober, relationships, money management, support system, family reconciliation)

Continuation of similar, but limited, services received in Phases I & II

PHASE IV (6 Mths.)

Continuation of similar, but limited, services received in Phases I-III

PHASES OF DRUG COURT

Phase 1: Primary goal is to begin treatment. The requirement is to submit to random urine testing, twice a week minimum. Another requirement is to call in daily to Drug Court Program Coordinator or Probation Officer and attend ninety alcoholics or narcotics anonymous meetings in ninety days. Weekly written assignments are also required as well as attending Drug Court Sessions every Monday at Noon. To move from phase to phase, you must have the consensus of the Drug Court Team.

Phase 2: Primary goal is continued compliance with Drug Court and Treatment. Requirements are to seek and maintain employment or be enrolled in school working toward a vocation. Substantial progress toward obtaining a GED is also mandated, as it is necessary. Required also, is to begin and complete the payment of your fines and court fees. Four alcoholics or narcotics anonymous meetings will be required a week. Also required is to continue your weekly appearance, weekly writing assignments and submission of twice weekly urine screens.

Phase 3: Primary goal in Phase Three is continued compliance with Drug Court and Treatment. In this phase, requirements are to attend two Drug Court Sessions each month and 2-3 urine tests each month. GED must be completed if need be. Three meetings and one aftercare meeting must be attended. Another requirement is to participate on the Drug Court Relapse Prevention Panel, to provide advice to others in the program.

Phase 4: Primary Goal is continued compliance with Drug Court and Treatment. Status reports must be submitted on a monthly basis to the court, however no Drug Court Sessions have to be attended. Drug tests will be on a random basis. Encouragement is given to attend still 3 AA/NA meetings and 1 aftercare. In addition to your participation on the Drug Court Relapse Prevention Panel, you are invited to begin participation with the Drug Court alumni Group.

Our Aftercare services are provided through Pine Belt Mental Health and Forrest General/Pine Grove Recovery Center. Aftercare consists of one group one night weekly that meets for 1 1/2 hrs. to 2 hrs. to discuss relapse prevention and how to live life on life's terms. This continues for one year. Any counseling, as needed, will be provided.

The Participant will agree to sign any and all releases necessary to monitor his/her progress in the Drug Court Program.

SANCTIONS AND INCENTIVES:

Sanctions may include, but are not limited to, the following:

- Verbal Warning or admonishment
- An essay writing assignment or increased writing assignments
- Increased urine testing
- Increased attendance in Court
- Penalty Box
- Placement in an earlier phase or repetition of a phase
- Community Work Assignments
- Higher level of treatment
- Incarceration
- Dismissal from Drug Court

Incentives may include, but are not limited to, the following:

- Recognition by the Judge
- Recreational activities
- Decrease in urine tests
- Decrease in Court appearances
- Certificates of Completion
- Graduation
- Dismissal or reduction of charges
- Vouchers of some form (Food, Clothing, Game Tickets, Movie Tickets, etc.)
- “Goodie Bags”

SUPERVISION:

The drug court team will meet on Monday morning from 11:30-12:00, longer if needed, to discuss the participant's progress in treatment, urinalysis results, probation compliance, and case management issues. Participants will be required to appear before the Drug Court Judge every Monday at noon for status hearings. In phase I and II, participants will appear before the judge once per week and phase III, two times per month. In phase IV, Drug Court Meetings are not required except to submit written status reports to the court on a monthly basis. This will enable the judge to provide support to the participants as needed and to institute legal and clinical sanctions. Also present at the status hearings will be the treatment liason, the probation officer,

drug court coordinator, court program specialist, public defender, state attorney, bailiff, and clerk. The treatment liaison will answer any questions the judge may have about the participant's progress; the probation officer will provide information on compliance with employment, education and other case management needs; the drug court coordinator will coordinate the operations of court and collect data for an evaluation; the public defender will explain the legal ramifications of participation in drug court to new participants; the state attorney will review the current charges and criminal history before acceptance into drug court; the bailiff will maintain order in the court and take into custody any participants sanctioned with jail time.

DRUG TESTING

Drug court participants will be drug tested randomly and frequently throughout the program. Participants in residential treatment will be tested randomly by color code once per week. Phase I participants will be tested a minimum of 2 times per week at random. In phase II, participants are required to submit to 2 to 3 random urine tests per month. In phase IV, urine tests will be conducted at random, no minimum or maximum required. Participants are subject to be called in by the probation officer or treatment counselor at any time or day for a drug test. All participants who fail to test as directed will be considered to have tested "positive" and will be sanctioned accordingly. Participants who are the same sex as the collector will be personally observed urinating into collection bottles. Female participants may be required to use the "wand" or similar apparatus to minimize attempts to compromise the testing procedure. "Flushed" or water-loaded samples will not be accepted from any participant. If any participant submits a suspicious looking sample, they will be required to submit another acceptable sample without leaving the premises. Participants will be required to remove any coats or jackets prior to testing and will be required to rinse their hands and thoroughly dry them immediately prior to testing. Participants will be responsible for making sure that the identifying information on the container is complete, accurate and legible. All participants will be held fully accountable for any and all substances that they put into their bodies that may interfere with the drug testing. Participants will be required to inform medical doctors that they are enrolled in a drug treatment program and require non-narcotic medications. Any medication that is prescribed to the participants must be documented and approved by the treatment counselors prior to its use. All staff who process the drug testing will be trained by a certified instructor on applicable technology. Urine specimens and supplies will be stored in a location accessible only by qualified employees. Onsite testing will be conducted on samples within twelve hours of submission. Any positive tests will be reported immediately to the drug court team.

EVALUATION DESIGN

Target Population

Screening and Assessment

Case processing - at what point during the criminal justice process does the program intervene?

Program length ; What percentage of clients remain in the program for one month? For 3 mths.? For 6 mths.?, 9, 12,

Graduate? What are the characteristics of clients in each of these categories

Treatment resources: What treatment services are provided? Who provides the treatment? What specific treatment modalities are used? To what extent, and under what circumstances, does the drug court use residential treatment services? Is aftercare provided? What does it consist of ? How many units of each type of service are received by the clients?

Compare by phase of treatment, and specify the time period used.

Urinalysis testing and impact on substance abusing behavior: Who conducts urinalysis testing? How frequently are participants tested for specific types of drugs? Is the drug testing done randomly? Are drug tests observed? What percentage of all drug tests are positive for any drug? What percentage of clients has at least one positive urine test? Is testing of alcohol conducted on a routine bases? If so, what percentage of clients tests positive for alcohol?

What ancillary services are provided? Who coordinates the referral of services? How many referrals are made for each type of ancillary service? Percentage of clients that actually received this service?

Sanctions and Incentives: What behavior is sanctioned in the program? What sanctions are used? What behavior is rewarded? What incentives are used? Are sanctions and incentives applied uniformly? What is the average number of each type of sanction and incentive received for each client?

Judicial supervision: How often do defendants appear before the Judge? What team members are involved in the status hearings? Is staffing held prior to court? What information is routinely available to the judge and other team members? In what format? What is the average number of status hearings held for each client in the first three months of enrollment? First six months? 1 yr?

Expulsion: What are the expulsion criteria? What happens to defendants that fail the program?

Graduation: How does a defendant graduate from the program? Are charges dismissed upon graduation?

Drug Court Team and Program Coordination: Who makes up the Drug Court Team? What are the roles and responsibilities of the team members in the Drug Court? What other agencies are linked to or involved with the Drug Court? Who is in charge of coordinating all the agencies? How often does the team meet and what is discussed?

Retention in program: To what extent is the Drug Court successful in retaining participants in the program and in treatment, as evidenced by the number of persons a) accepted into the program; b) graduated; c) currently active; d) terminated? Are reasons for termination consistent? What are the characteristics of clients who graduate from the program? Who are terminated?

Impact on criminal behavior: To what extent have program participants been arrested on new charges while they are active in the program? When participants have been arrested, what is the type of charge? To what extent have drug court participants remained arrest-free after their admission to the program? What percentage of all clients is rearrested during their time in the drug court program? What percentage of graduates? Of those terminated? What are the characteristics of clients who are rearrested during the program, compared to those who are not rearrested?

Impact on participants' life circumstances: To what extent has the program succeeded in enhancing participants' capacity to function in the community? Enhancing their educational levels? Job Skills? Actual employment? Physical health? To what extent have program participants been able to be reunited with families from whom they had been separated because of their drug problems? How many drug-free babies have been born to program participants? What percentages of clients are employed after six months in the program? After 12 months? Upon graduation? What percentage is in school or in a training program?

The independent evaluator will collect information for the process evaluation from the following:

Observation of drug court team during staffing;
Observation of drug court session
Review of program manual, mission statement, goals, objectives
Interview all team members and steering committee members
Interview jail staff and treatment staff
Interview current participants in each phase and graduates
Interview those terminated who are in jail or prison and analyze data

collected on participants and nonparticipants

The information collected by the evaluator for the process evaluation will be turned into a written narrative—a case study—used for multiple purposes. The most common purpose will be to serve as a preface for funding proposals and annual reports to sponsors and funders; another will be to provide information to interested outsiders, including the media. The process evaluation will also be used to strengthen the program. The factual information on program processes will be critically examined by key staff and policy makers to see if revisions and mid-course changes are needed.

Outcome Evaluation: This will assess whether the drug court program reduces recidivism rates and maintains a cost-effective program in relation to the overall criminal justice system. The outcome evaluation will be a quasi-experimental design where the outcomes of drug court participants will be compared to the outcomes of a comparison group. The comparison group will be selected by non-random means to be as similar as possible to drug court participants. The evaluator will be provided with a list of drug court completers and non-completers. The list will comprise of participants' names, social security numbers, race, sex, date of birth, and Department of Corrections numbers. The evaluator will contact the Mississippi Dept. Of Corrections, sign a "Privacy and Security Agreement," and forward the names to MDOC to run in their records. The records from MDOC will reveal any new arrest committed by participants after graduating or dropping out of the program.

Another list will be provided to the evaluator which will include participants' name, date of birth,

race, sex, sentencing/admission date, termination date, and charge. The evaluator will also have a printout of all offenders sentenced in the same time period as the drug court participants. From this printout, the evaluator will select a comparison group with the same race, sex charge, age, and close sentencing date to those of drug court participants. The comparison group would have elected a different program for treatment or incarceration. The evaluator will provide the necessary information on the comparison group to MDOC to run in their records. Technical violations of probation of participants after completion of drug court will be provided to the evaluator by the Department of Corrections.

The following questions will be addressed by the evaluator:

What percentage of drug court graduates is rearrested one year after program completion?
What percentage of program failures? What percentage of all participants admitted to the drug court? What percentage of comparison group offenders is rearrested? For what types of charges? What are the characteristics of those rearrested versus not rearrested?
What percentage of drug court graduates received a technical violation of probation one year after program completion? What percentage of program failures? What percentage of all participants admitted to the drug court? For what types of technical violations?
What are the characteristics of those receiving violations versus those who do not? The focus of cost-savings of Forrest/Perry Counties Adult Drug Court is on the public benefits of decreased drug use among participants, rather than the benefits to the drug court

participants themselves. Public benefits include reductions in victim, law enforcement, criminal justice system, and corrections costs due to reductions in crime; improvements in health, leading to reductions in the public cost of emergency room visits, hospitalization, high-risk infant care, and substance abuse treatment; labor market gains through increased employment, tax payments, and productivity, and reductions in public assistance costs; and improvements in family life, leading to increased child support payments where required and reductions in child welfare and foster care costs. The Drug Court Coordinator will provide documentation to the evaluator of how much the drug court itself costs, over and above what the usual costs of handling drug-involved offenders may be. Drug Court costs for a specific period will be computed, with adjustments made for the number of participants involved, the length of time spent in drug court, and the services participants received. Costs of incarceration in the county jail and state prison will also be provided to the evaluator. The following questions will be addressed by the evaluator: What are the costs to the criminal justice system to run drug court? What are the total costs of the drug court, including treatment? What are the costs of alternative handling of drug court eligible-offenders, to the criminal justice and public health systems at minimum? Is the drug court an overall savings or expenditure to the county?

Ethics and Confidentiality Statement:

AUTHORITY TO INSPECT AND COPY CONFIDENTIAL INFORMATION

The undersigned hereby authorizes and consents to the disclosure to the Forrest/Perry County Adult Drug Court any applicable information pertaining to his or her personal, criminal, social, educational, medical, hospital, psychological and employment history.

The aforementioned medical and hospital history shall consist of any and all information, records, documents, reports, clinical abstracts, histories and charts, of every kind and description relating to the condition, care, confinement and treatment of the undersigned.

The undersigned does further authorize and consent to the furnishing to Forrest/Perry County Adult Drug Court photostatic or other copies of any and all of the previously mentioned information.

The undersigned agrees to release any cooperating agency, institution or individual from any and all liability arising from the disclosure of any of the aforementioned information.

In furtherance of this authorization, I hereby waive all provisions of law and privileges relating to the disclosure hereby authorized.

I have read, or had read to me, the foregoing authorization and consent and fully understand it.

Signature of Client

Date

Witness
Date

