

# **Williamson County DWI/Drug Court Program County Court #2**



## **Policies and Procedures Manual**

*“Go confidently in the direction of your dreams. Live the life you have imagined.”*

*--Henry David Thoreau--*

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## **MISSION STATEMENT**

The Mission of the misdemeanor Williamson County DWI/Drug Court Program is to enhance public safety by providing supervision and treatment to offenders through a judicially supervised, therapeutic Court that ensures accountability and recovery.

## **FORWARD**

The purpose of this document is to provide general standards and practices for the misdemeanor DWI/Drug Court Program (DDCP) located in Williamson County, Texas. Although this document is written primarily for the benefit of the DDCP Team Members, it will be beneficial to anyone who is interested in the operation of the program. This manual addresses elements essential to the Court's operation but is not an exhaustive reference. It will be considered fluid and will undergo review and modifications periodically.

This manual is designed to:

- Concisely inform the reader concerning the establishment of the DDCP.
- Establish and clarify roles, duties, and procedures for the DDCP Team Members.
- Assist the DDCP Team communication with one another; with Participants and with members of the community.
- Outline the steps through which the DDCP Participants must proceed to complete the program

## **INTRODUCTION**

The misdemeanor Williamson County DWI/Drug Court (DDCP) is designed to provide an alternative to the traditional method of adjudicating. It is led by Judge Laura Barker and supported by a team of professionals from the legal, law enforcement, and treatment communities. DDCP is a five-phase, structured program, lasting a minimum of 12 months that integrates local criminal justice resources, case management, and substance abuse treatment designed to rehabilitate adults accused of misdemeanor alcohol or drug-related offenses. The DDCP Team consists of an assigned judge, court coordinator, program case manager, prosecutor from the County Attorney's Office, a defense attorney, representatives of the community supervision and corrections department, treatment providers, local law enforcement, and program evaluator. The team works together for the common goal of helping participants receive treatment from substance dependency and remain in recovery. It is through this team effort that maximum benefits will accrue for Participants with substance-related problems.

Currently, DDCP's target population is high risk/high need participants and low risk/high needs participants. DDCP uses the DUI-RANT (Risk and Needs Triage), PHQ-9 (patient health questionnaire), GAD-7 (general anxiety disorder), and PCL-5 (posttraumatic stress disorder checklist) assessments to establish the applicant's level of treatment needs and to verify program appropriateness. In addition, the Texas Risk Assessment System is administered to the participant as an assessment tool.

The results provide the DDCP valuable information needed to tailor supervision and treatment on an individual basis while protecting public safety.

Participants are carefully screened and must meet eligibility criteria. They are required to address their chemical dependency and/or mental health issues, resolve their legal obligations and obtain/maintain employment or schooling. They will also be required to make regular court appearances, meet with licensed probation officers, case management, submit to frequent and random drug testing, and advanced alcohol testing and monitoring equipment. The court will also direct its efforts toward changing offender behavior, addressing transportation and licensing issues, and focusing on the rights of any victims.

Honesty among participants is rewarded, and court responses are reduced for honest admissions of violations, while they are increased for dishonesty. Relapse is a common behavior for individuals in treatment; especially early in treatment and to the extent possible, the response to relapses will include an increased treatment response. Upon an unsuccessful discharge from DDCP, the case will be returned to court via a Motion to Revoke Supervision, or a Motion to set Aside Deferred Adjudication.

The goals of the misdemeanor Williamson County DWI/Drug Court are to:

- Enhance public safety.
- Eliminate participant substance use.
- Promote wellness in participants.
- Establish a stable funding base for the DDCP.
- Promote community awareness and involvement in the DDCP.
- Increase communication and collaboration among agencies involved in the Court.
- Evaluate the DDCP.

## THE TEN KEY COMPONENTS OF DWI/DRUG COURTS

The DDCP has adopted the tenements of the TEN Key Components as described by the U.S. Department of Justice in *Defining DWI/Drug Courts: The Key Components* (1997). Brief descriptions are listed in the key components that follow this introduction. The Key Components provides the foundation in format and content for the Williamson County DWI/Drug Court.

**Key Component #1:** *The DWI/Drug Court program integrates alcohol and other drug treatment services with justice system case processing.*

The DDCP promotes sobriety, recovery, and stability through a coordinated response to the Participant's dependency on alcohol and/or drugs. Participants are placed into the program as a condition of community supervision and are court ordered to participate in treatment as recommended by the DDCP Team.

**Key Component #2:** *Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.*

To facilitate the Participant's progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a Participant is accepted into the treatment court program, the team's focus is on the Participant's recovery and law-abiding behavior—not on the merits of the pending case.

**Key Component #3:** *Eligible participants are identified early and promptly placed in the DWI/Drug Court program.*

Early identification of Participants entering the criminal justice system is an integral part of the process of placement in the DDCP. The process that solicits referrals and then screens potential candidates' criminal history, assesses their history of substance use, and determines if they are appropriate for Intensive Outpatient Treatment.

**Key Component #4:** *The DWI/Drug Court program provides access to a continuum of alcohol, drug, other related treatment, and rehabilitation services.*

Participants in DDCP are required to complete a phased substance treatment program which may include some or all of the following: detoxification, inpatient treatment, or intensive outpatient treatment, aftercare, and recovery program attendance, based on an individualized treatment plan that addresses other substance related issues.

While primarily concerned with criminal activity and, substance abuse, the DDCP team also considers co-occurring problems such as primary medical problems, homelessness; basic educational deficits, employment; and family reunification.

**Key Component #5:** *Abstinence is monitored by frequent alcohol and other drug testing.*

Frequent court-ordered substance abuse testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

**Key Component #6:** *A coordinated strategy governs the DWI/Drug Court program response to participants' compliance.*

A Participant's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. The DDCP rewards cooperation as well as responds to noncompliance. The DDCP establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

**Key Component #7:** *Ongoing judicial interaction with each Participant is essential.*

The Judge is the leader of the DDCP. This active, supervising relationship, maintained

throughout treatment, increases the likelihood that a Participant will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing Judicial supervision also communicates to Participants that someone in authority cares about them and is closely watching what they do.

**Key Component #8:** *Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.*

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify the program.

**Key Component #9:** *Continuing interdisciplinary education promotes effective DWI/Drug Court program planning, implementation, and operations.*

All DDCP staff shall be involved in ongoing education and training. Interdisciplinary education exposes criminal justice officials to Participant treatment issues and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the Participant, treatment, and the justice system components.

Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice and treatment personnel, and promote a spirit of commitment and collaboration.

**Key Component #10:** *Forging partnerships among the DWI/Drug Court program, public agencies and community-based organizations generate local support and enhance the DWI/Drug Court program's effectiveness.*

The DDCP integrates alcohol and drug treatment services with the justice system case processing. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights and need for treatment. Eligible participants are provided access to a continuum of alcohol, drug and other related treatment and rehabilitation services. Abstinence is monitored by frequent alcohol and drug testing and a coordinated strategy governs responses to participant compliance. Ongoing judicial interaction with each drug court participant is essential and monitoring and evaluation measures the achievement of program goals and gauge effectiveness. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations. Forging partnerships among drug courts, public agencies, and community-based organizations generate local support and enhances drug court effectiveness.

## **FUNDING**

The DWI/Drug Court program began in 2006 and was awarded through the State of Texas the Governor's Office a grant in the amount of \$140,000 for the implementation of our misdemeanor DWI/Drug Court program. This grant funding was not renewed by the Governor's Office in September 2017. In 2020, Williamson County was awarded a 3-year Federal Bureau of Justice Administration grant in the amount of \$228,282. For the past several years, the DDCP has decreased jail costs, law enforcement contacts, and recidivism, as established by program evaluations. The \$500.00 program fee paid by participants will continue to offset a significant portion of the program's cost. This grant funding was not renewed by the Governor's Office in September 2017.

## **DDCP PROGRAM DESIGN – GOALS AND OBJECTIVES**

The DDCP will improve the criminal justice processing of targeted offenders and assist them to become sober, productive, and law-abiding citizens. Every community stakeholder will be invited to unite in an effort to address substance abuse among eligible misdemeanor Participants. The following goals are used to guide us to the mission:

1. The DDCP will foster communication and collaboration among criminal justice entities, substance abuse treatment providers, education officials, social services, and interested community stakeholders.
2. The DDCP will construct a completed case-processing plan from program entry to graduation.
3. Participants in the DDCP will be assessed for psychological, chemical dependency, and other issues that can be addressed through various types of treatment and supportive services.
4. Assessments and evaluations will be done by the Program Case Manager and/or licensed mental health treatment provider as needed.
5. 100% of DDCP participants will receive intensive court supervision including regular hearings, tracking of progress, and progressive sanctions for failures.
6. Participants receiving program services will reduce the frequency of alcohol and other drug use as measured by urinalysis and other testing results.
7. 85% of the eligible participants will complete the program successfully.
8. 100% of the participants who successfully graduate will have a long-term relapse prevention plan.
9. The DDCP program is a 12-month minimum program broken up into five phases. The exact length of time in each program is determined by each participant's needs and progress towards successful implementation of the participant's Treatment and Plans, nature

of the offense, and arrest history.

10. 90% of participants will successfully complete substance abuse treatment.
11. The DDCP will measure success by the number of participants that graduate from the program.
12. Graduates with less than a high school degree will work toward a GED.
13. 90% of the participants who graduate from the program will be arrest free within 1-year post- graduation.
14. The DDCP will increase savings to the taxpayer by reducing costs to the criminal justice system.
15. By employing the services of an independent researcher to provide process and outcome evaluations, DDCP will determine if predicted goals have been achieved.

## **MISDEMEANOR DWI/DRUG COURT PROGRAM STANDARDS AND PRACTICES**

### **DDCP ELIGIBILITY CRITERIA**

The DDCP is a viable and appropriate alternative to incarceration for certain criminal defendants. Decisions will be made objectively and balanced with the mission to keep the community safe. The DDCP has established eligibility requirements based on the target population and in accordance with current Federal and Texas Statutes.

The DDCP has two tracks available and is designed to facilitate the rehabilitation of participants accused or convicted of misdemeanor drug or alcohol offenses that meet criteria. All participants will have offenses which, in their totality, provide the DDCP at least 12 months of jurisdiction, but could be extended depending upon the treatment needs of each participant.

The two tracks available are Track One for low risk/high need participants and Track Two for high risk/high need participants. Deferred Adjudication probation is an option for individuals that either 1) failed out of the County Attorney's Pre-Trial-Intervention Program (PTIP) for continued alcohol use on a DWI<sup>1st</sup> offense and meet criteria or 2) those who meet criteria for deferred adjudication probation according to Texas' new statute for certain Driving While Intoxicated (DWI) offenses. Participants already under supervision that violate the terms of their supervision may be admitted to the DDCP.

The track and type of probation (formal or deferred adjudication) will be determined by reviewing the nature of the arrest, criminal history of the individual, and the assessments conducted by the Program Case Manager prior to their decision to participate in the court.



The DDCP program is a five-phase, structured program, lasting for a minimum of 12 months. Individual progress will vary. Each phase consists of specific treatment objectives and specific requirements for advancement into the next phase. Phase one is the Stabilization and Orientation stage lasting a minimum of 60 days. Phase two is the Treatment Phase lasting a minimum of 60 days. Phase three is the Pro Social Behaviors phase lasting a minimum of 60 days. Phase four is the Relapse Prevention phase lasting a minimum of 90 days. Phase five is the Continuing Care Phase lasting a minimum of 90 days. Each phase builds upon the previous phase so the participant will have a sound foundation, once he/she completes the DDCP.

The criteria for eligibility include the following:

- You must be at least 17 years of age.
- You must be eligible to be supervised in Williamson County as defined by TDCJ-CJAD Standards.
- You should not have holds or warrants from other jurisdictions or have other pending cases, although these participants may be considered for placement in the program on a case-by-case basis.
- You must be physically and mentally capable of participating in the program and meet its requirements.
- You must be placed on formal probation or deferred adjudication probation to at least a one-year term in DWI/Drug Court; or be eligible for an extension of the term of community supervision so that at least one year will remain upon DWI/Drug Court placement.

**Disqualifying Factors:** Cases will be reviewed on an individual basis to determine the extent and circumstances surrounding the disqualification factors versus the need to participate in the program. Those cases declined for acceptance into the DDCP will be retained by the Court Coordinator. Notice will be given to the prosecution and defense of the determination.

Offenders with significant criminal and traffic histories will be reviewed individually to determine the offender's situation and circumstances of the record.

**Disqualification considerations include:**

- Limited court jurisdiction, less than 12 months jurisdiction.
- Current or significant gang involvement.
- Prior or current enrollment in drug court.
- Sex offenses.
- Significant drug related charges.
- Highly resistant to changing their behavior in spite of previous interventions and/or punishments or severe criminal thinking.
- Out of state residents.
- Previous or current violent and/or assaultive criminal history reviewed on a case-by-case basis.
- Significant mental illness (DSM-V Axis I mental illness or behavioral disorder) that would prevent the individual from being able to engage in treatment recommendations.

**Confidential Informants:** In as much as the activities associated with being a “confidential informant” who works for law enforcement are contrary with the goals of a DDCP participant, a person actively engaged with law enforcement, as a confidential informant, is not eligible to be a DDCP Participant. A person who has been a confidential informant in the past, but is not actively a confidential informant, is eligible to participate in the program. Law enforcement is requested to assist the program in following this provision.

## **REFERRAL/SCREENING/INDUCTION**

Referrals to DDCP are made by judges, treatment providers, prosecuting or defense attorneys, supervision officers, detention facilities, or by the potential participant.

## **DDCP PROCESS**

- The Applicant will submit an application to the DDCP Program Case Manager for consideration into the DDCP.
- Admission to the DDCP is not automatic, and the assistance of an attorney in preparing your application is strongly recommended.
- Completed application is submitted to the Program Case Manager and forwarded to the County Attorney’s Office for review. An applicant’s tentative eligibility is based upon criminal history and current charges.
- Applications tentatively approved by the County Attorney’s office, will be sent to the Program Case Manager, along with an approval letter and offense report.
- The Program Case Manager will contact the applicant and cc the defense attorney of the tentative acceptance. A pre-screening orientation and assessments to determine the applicant’s level of treatment need/risk to reoffend will be scheduled. This includes a review of program expectations, answering questions about the DDCP, and verifying program appropriateness.
- The Program Case Manager will assist in scheduling a medication-assisted treatment (MAT) referral to ensure the participant is receiving appropriate care and treatment, if needed.
- Staffing of the applicant to enter DDCP is done every Tuesday, unless noted otherwise.
- If program criteria are met and the applicant is accepted into DDCP, a plea date is scheduled, and the case is transferred to the DDCP.

## **COURTROOM STANDARDS**

**Court Coordinator:** The court coordinator shall keep the DDCP Judge aware of administrative procedures that affect the DDCP. The coordinator shall ensure all DDCP cases are processed in an efficient manner and manage the court docket. The coordinator apprises the administrator for scheduling of plea in dates and off-docket requests for staffing or court dates. The court coordinator keeps track of paperwork that is generated on a daily basis for the DDCP. This position is responsible for taking brief minutes during staffing.

**Participant's Drug Use:** The DDCP Team Members have agreed to limit the use of positive urinalysis results and Participant admissions to drug use and agree upon treatment responses and consequences within the scope of the DWI/Drug Court Program as opposed to being the impetus for new law violations. The intent is to change the Participant's substance abusing behavior as opposed to burying the Participant with additional charges. This simply recognizes the fact that addicted people relapse. Use of illegal substances is in no way condoned by the program. The contrary is true. Continued substance abuse is an acceptable reason for the Court Judge to expel a Participant from the program. Nonetheless, the intent is to retain the participant in substance abuse treatment.

**Dress Code:** DDCP participants are expected to dress appropriately in Court. Men must wear pants of appropriate length and fit, shirt and shoes. Women must wear pants or skirts of appropriate length, a modest top and shoes. Tight and/or low-riding pants, see-through blouses, mini-skirts, "crop tops", tube tops, bathing suit tops and halter tops are examples of unacceptable attire. Clothing bearing drug or alcohol related themes or promoting, or advertising alcohol or drug use is not allowed. No gang colors or gang clothing shall be worn in court. No sunglasses, bandanas or hats are to be worn inside the courtroom. The intent of this dress code is to promote Participants to respect themselves and the Court. The program's focus should not be how a Participant dresses as much as it should concentrate on a Participant's progress toward meeting goals that involve a law-abiding, drug-free lifestyle.

**Cell Phones, Pagers, and the Bailiff:** While in the courtroom, participants will silence their cell phones for the duration of the court proceedings or leave their cell phones in the car. Team members will be required to turn their cell phones to silent. A bailiff will be present in the Courtroom and responsible for maintaining order and control. It will be the bailiff's responsibility to inform all treatment court participants and spectators in the courtroom that cell phones and pagers must be turned off or on silent.

**Participant Behavior:** While in court, Participants are expected to remain seated and quiet until called upon. The Judge will be addressed with respect. Unless approval to leave is given, Participants will remain for the entire proceeding. No children shall be allowed in Court without receiving prior permission from the Judge. Congratulations, support, and cheering are encouraged in the courtroom in recognition of Participant's successes.

**Confidentiality:** All treatment-related documents, in accordance with federal, state, and local law, will be maintained to ensure that the privacy and the identity (for research purposes) of the individual DDCP Participants are protected. All DDCP Participants will be asked to sign *Consent to Release Information* in accordance with confidentiality regulations. An identification number will be assigned to each Participant for use in conducting research and evaluations.

**Grievances:** All parties participating in the misdemeanor Williamson County DWI/Drug Court Program have the right to express opinions, recommendations, and grievances. In addition, all parties have the right to request and receive responses via a procedure of due process. If you have a complaint or grievance you may submit, without fear of negative repercussions.

Grievances should first be submitted in writing to the Specialty Court Coordinator (405 Martin Luther King St., Box 4, Georgetown, Texas 78626), or by email ([brenda.staples@wilco.org](mailto:brenda.staples@wilco.org)). Oftentimes, the complaint or grievance can be explained or corrected. However, you also have the right to submit your complaint or grievance directly to the Office of Court Administration, by email [Anissa.johnson@txcourts.gov](mailto:Anissa.johnson@txcourts.gov), by phone (512-936-0288), by fax (512-463-1648) or by mail (Office of Court Administration, Attn: Anissa Johnson, PO Box 12428, Austin, TX 78711).

**Disparate Impact Statement:** The Williamson County DDCP serves a diverse population representing many different backgrounds. The DDCP strives to provide equal services for all participants entering the court and will not discriminate based on race, color, national origin, religion, gender, age, sexual orientation, or disabilities. Each participant will be encouraged to participate in evidence-based practices and treatment, that supports their individual needs.

## COURT FEES

All DDCP Participants are required to pay a minimum program fee as mandated by the DDCP Judge. Each Participant will be required to pay a \$500.00 program fee, which will be made in monthly payments towards the cost of the program operations. All program fees must be paid in full to fulfill the requirements for graduation unless otherwise ordered by the DDCP Judge.

In addition, you will be required to pay for the cost of probation supervision, which is \$40.00 a month. Payments will be made directly to the Probation Department. No one will be refused services due to an inability to pay.

## INCENTIVES, SANCTIONS AND THERAPEUTIC RESPONSES

**Incentives:** WCVTC will use incentives and sanctions with program participants to assist them in leading law-abiding, drug-free lifestyles. Incentives are used to encourage participants to accomplish goals that they have established for themselves. Team members are encouraged to find reasons to encourage program participants. They are also encouraged to be creative when

recommending possible incentives as behavior modification. The list below includes examples of incentives and some reasons to apply them. **The list is not exhaustive.**

#### **Examples of Incentives**

- *Praise and Encouragement*
- *Decreased Court Appearances*
- *Social Engagement and Outings*
- *Phase Advancement*
- *Celebration with Food for PhaseUps*
- *Certificates*
- *Reeducation of Supervision*
- *Graduation Ceremonies and award*
- *Travel Approvals*
- *Reduced Community Service Hours*
- *Community Activities*
- *Reduced Sanctions*
- *Drawings for Gift Certificates*
- *Called First and Leave Early*
- *Sports/Concert Tickets*

#### **Reasons for Incentives**

- *Consecutive Days of Sobriety*
- *Completion of Phases*
- *Obtaining Employment*
- *Advancing Educational Status*
- *Obtaining Driver's License*
- *Assisting Others*
- *Perfect Attendance with Participation*
- *Outstanding Accomplishment*
- *Surpassing Minimum Requirements*
- *Family Involvement in Treatment*
- *Full Compliance*
- *Full Disclosure of Violation Behavior*

**Sanctions:** The use of sanctions is necessary to change participant behavior in meaningful ways. When applied appropriately, sanctions may keep a participant from unnecessarily spending time in jail. The threat of sanctions is expected to assist DDCP participants in becoming successful. As a result of substance use, participants may have lost respect for themselves and they have lost the support of their family and friends; therefore, the use of incentives and sanctions can motivate participants to succeed. Team members are encouraged to recommend sanctions, which conform to DDCP's goal of promoting a law-abiding, alcohol & drug-free lifestyle. Examples of sanctions and the reasons for sanctions that the Court Judge may impose are listed below. **The list is not exhaustive.**

#### **Examples of Sanctions**

- *Judicial Warning or Admonishment*
- *Curfew*
- *Written Assignment*
- *Reading Assignment*
- *Relegation to Previous Phase*
- *Electronic Monitoring*
- *Fines*

#### **Reasons for Sanctions**

- *Missed Treatment Events (unexcused)*
- *Missed Supervision Contacts (unexcused)*
- *Failure to Abide by Curfew*
- *Negative Attitude*
- *Positive UA's*
- *Adulterated and/or Diluted Urine*

- |   |   |
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| <ul style="list-style-type: none"> <li>• <i>Spending Day in Courtroom with Judge</i></li> <li>• <i>Increased Drug Testing</i></li> <li>• <i>Increased Community Service Hours</i></li> <li>• <i>Revocation</i></li> <li>• <i>Increased Supervision</i></li> <li>• <i>Increased Court Appearances</i></li> <li>• <i>Incarceration in County Jail</i></li> <li>• <i>Expulsion/Termination from the Program</i></li> </ul> | <p><i>Samples</i></p> <ul style="list-style-type: none"> <li>• <i>Missed 12-Step / Recovery / Self-Help Meetings</i></li> <li>• <i>Missed Court (unexcused)</i></li> <li>• <i>Late for Court (unexcused)</i></li> <li>• <i>New Charges</i></li> <li>• <i>Missed UA's</i></li> <li>• <i>Failure to Provide Adequate urinalysis Sample</i></li> </ul> |
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**Therapeutic Responses:** Although requiring Participants to complete additional treatment requirements such as additional groups or individual sessions will appear to the Participant as if it is a sanction, the DDCP Team is encouraged to consider such a step as a necessary treatment response. The Team should avoid recommending such a response for punitive reasons. Examples of Therapeutic Responses are below. **The list is not exhaustive.**

| Examples of Therapeutic Responses   | Reasons for Therapeutic Response  |
|---|---|
| <ul style="list-style-type: none"> <li>• <i>Additional Self-Helps</i></li> <li>• <i>Paper</i></li> <li>• <i>Higher Level of Care</i></li> <li>• <i>Adding Another Treatment Modality</i></li> <li>• <i>Financial Study</i></li> </ul> | <ul style="list-style-type: none"> <li>• <i>Additional Mental Health Resources are needed</i></li> <li>• <i>Not being able to meet financial obligations</i></li> <li>• <i>Relapse</i></li> <li>• <i>Admitted use of Drugs and/or Alcohol</i></li> <li>• <i>Admitted- Struggling/Dealing with Issues</i></li> <li>• <i>Failing to Meet Treatment Plan Goals</i></li> <li>• <i>Positive Drug Test</i></li> </ul> |

**\*\*\*INCREASED TREATMENT RESPONSES ARE NOT SANCTIONS\*\*\***

## TREATMENT STANDARDS

**Comprehensive Treatment:** The DDCP will make available to Participants a comprehensive treatment continuum from qualified providers. Frequent judicial intervention and Participant treatment retention is key to the program's success. Intensive Out-Patient Treatment and Aftercare Treatment Programs by the CSCD Treatment Counselor or by an outside substance abuse/mental health treatment provider will provide treatment services for DDCP participants. Other providers are invited to assist program Participants by making ancillary services available to them.

**Residential Treatment:** If it becomes necessary for a Participant to enter residential treatment, the Participant will be subject to the rules, regulations, and practices of that program.

## PROGRAM STRUCTURE/DESIGN

The DDCP team will consist of the County Court Judge, a Court Coordinator, a Program Case Manager, a Prosecutor from the Williamson County Attorney's Office, Program/Defense attorney, probation officer from adult probation, Licensed Addiction Counselor from Williamson County CSCD, and law enforcement officer. Most team members have attended both local and national training related to treatment offered by the National Association of Drug Court Professionals.

**Process:** The Program Case Manager will schedule an intake screening orientation to verify information and answer questions about the DDCP and then conduct an assessment to establish the applicant's level of treatment needs and to verify program appropriateness.

The prosecuting attorney will review the case file to determine the State's position on allowing the applicant to enter the treatment court program. If the applicant qualifies for and opts to enter the DDCP, the Court will require successful completion of the DWI/Drug Court program as part of any sentence imposed following a plea of guilty to the offense charged or following an admission of true in a revocation proceeding.

**Staffing:** The DDCP team will staff to assess what level of treatment will best meet the applicant's needs and make recommendations to the Judge. Each Participant will participate in a multi-component, outpatient program which includes developing a treatment plan, drug testing, counseling, recovery support/self-help meetings, and participating in the P.A.C.E. (Peer Support) per treatment plan. A case management strategy will also be developed in conjunction with the treatment plan

**Plea into DDCP:** Prior to entry into the program, each participant will meet with the Community Supervision Officer to receive and review program orientation materials and establish the participant's living and employment status. A court hearing is scheduled for the applicant to plea into the DDCP. Participants will undergo an initial alcohol/ drug test and receive a number for random drug testing. Participants will be introduced to the DDCP defense attorney.

**Court Sessions:** DDCP Court is held weekly, the first four Tuesdays of each month. Depending on the Track, Court is held at 4:00pm and 4:30pm. Females and males have separate dockets. Females will attend first with the male docket immediately following. Participants are required to attend court in accordance with the requirements for the individual Phase they have achieved.

**Staffing Schedule:** DDCP Participants are staffed on a weekly basis with the entire Treatment Court Team. Staffing sessions are held at 3:00pm where the staff will review the status of applicants as well as those who are scheduled to attend court that week. Any participant who has violated the terms of their probation will also be staffed and sanctioned at the Docket immediately following the infraction.

**Counseling:** Substance abuse counseling is comprised of two separate formats: individual and group. As part of a treatment plan, participants will be required to participate in both types of counseling, if it is appropriate. Together they are designed to develop self-awareness, self-discipline, and coping mechanisms necessary to maintain sobriety.

Attendance at both individual and group counseling sessions will be reported to the Judge for ongoing monitoring of progress. Prior permission must be obtained from the Community Supervision Officer or treatment provider to be excused from any counseling sessions.

**Treatment Phase:** While in the treatment court, participants will move through five phases. Typically, the orientation/ first and second phase are the most intensive and will focus on detoxification, intensive outpatient treatment, and stabilization. The third and fourth phase will focus on aftercare, ancillary treatment needs and relapse prevention. The fifth phase for the program focuses on recovery and sobriety maintenance.

Participants advance through each phase by maintaining sobriety and completing program requirements. Participants will complete various weekly steps or tasks such as a minimum of two clean alcohol/drug tests, maintaining employment, paying their fees, and participating in required treatment sessions and self-help meetings. As part of the program requirements, each may also complete DWI education or intervention, financial counseling, volunteer hours, and any courses required by the treatment provider, judge, or team.

The DDCP team will meet prior to the weekly court sessions. At that meeting, the team will evaluate each participant's progress and, in a non-adversarial setting, determine whether the participant is moving towards treatment goals and is compliant in the program, and review the individualized treatment plan. The team will consider incentives for those who are compliant and possible sanctions or therapeutic responses for those who are not.

**Recovery Support/Self Help Meeting:** Attendance is an important part of the recovery process. The meetings will familiarize you with the recovery support/self-help philosophy and help you to create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of these meetings and will direct you to special interest and recovery events in your community. You must provide proof of attendance to your Community Supervision officer prior to each court appearance. You are also required to find a sponsor or mentor, depending on the type of support group you attend. You will need to provide proof to your probation officer for verification.

**Drug Testing:** Participants will be tested for drug and alcohol use at random times throughout the entire treatment process. Participants will be tested a minimum of two times weekly. The Judge will have access to all drug test results, including any failures to test, and may order a drug test at any time. Relapse may occur in recovery; however, a positive, dilute, or missed test will result in a court-imposed sanction and/or treatment response. Tampering with any drug test will be deemed a positive test and may result in program termination. The Judge will review overall performance in the program; repeated offenses may result in progressively severe sanctions.

**Evaluation:** DDCP will monitor its success with an independent evaluator, who will conduct regular assessments of the program. DDCP evaluation plan includes two aspects: 1) an ongoing process evaluation to determine if the program is meeting its goals and objectives; and 2) an outcome evaluation gathered by administering pre and post-tests to measure specific variables of each DDCP applicant and participant. The evaluator will utilize software, analyze, and report on goal attainments



and performance measures. Written reports will be provided to the team on an annual basis.

Using the data collected by the evaluator and the reports generated from that data, the DDCP team will adapt its practices as needed to better meet the needs of the participants and to enhance the court's underlying goal of public safety. The policy and procedure manual will be modified in accordance with evaluator's recommendations.

### **TRAVEL REQUESTS**

No travel requests will be granted during phase one of the DDCP. Work related and emergency travel, will be evaluated by DDCP team during phase one. A detailed written notice must be submitted to the Probation Officer two weeks prior to the requested travel for consideration and approval by the Court. All travel requests will include departure and return date and time, reason, full address, route, how the participant will travel, and copies of any reservations or orders. Additional requested information, additional UAs, and additional monitoring equipment may be required for all granted travel requests.

Notice must be given as early as possible for work or emergency related travel requests. The work or emergency related travel requests will be considered on a case-by-case basis and is not a guarantee it will be granted.

### **GRADUATION AND TERMINATION**

**Graduation:** A program Participant will be eligible to graduate upon approval of the Treatment Court Judge, who will base her decision on the input from the team. Graduation from the program requires completion of five phases, program fee, restitution, if applicable, development of relapse prevention or continuing care plan that is presented to the team and a minimum of 90 consecutive days of sobriety and presentation of Pro-Social Activity project.

**Termination:** The Participant may be terminated from the DDCP if they do not comply with the treatment program. Although a relapse is not absolute grounds for termination, a continual inability to meet treatment goals will result in expulsion. There are several grounds for possible termination. These include:

- Failure to engage in the recommended treatment program.
- Failure to make progress in treatment areas as evidenced by ongoing maladaptive behaviors.
- New criminal charges.
- Negatively influencing other DDCP participants.
- Tampering with a UA sample.
- Repetitive Dishonesty.
- Threatening other participants or treatment team members.

If the decision is made to terminate further legal consequences from the court holding jurisdiction may occur up to and including a warrant for arrest.

## **ROLE OF THE DDCP JUDGE AND OTHER COURT ENTITIES**

**DDCP Court Judge:** The effective leadership and direction of the Court Judge shapes the success of the DWI/Drug Court Program.

- The Judge participates fully as a DWI/Drug court member, committing to the program mission and goals and works as lead partner to ensure success.
- The Judge initiates the planning process by bringing together the necessary agencies and stakeholders to evaluate current court processes and procedures and collaborates to coordinate innovative solutions. The position allows for the Judge to lead the facilitation and coordination of the DWI/Drug Court Program objectives and goals, allowing each Team member to participate fully in the design and implementation of standards and practices.
- The Judge is knowledgeable about addiction and is aware of the impact that substance abuse has on the court system, the lives of offenders and their families and the community at large.
- The Judge offers and participates in regular cross-training of Team members with community representatives and assists in creating community interest in and support for the treatment Court.
- The Judge leads the team to educate the community on program goals and standards and develops community resources to address Participant's ancillary needs.
- The Judge develops a working relationship with the program Participant, monitors his or her progress and addresses personal and ancillary issues without losing the aura of judicial authority.
- The Judge is the primary force in keeping the Treatment Court Participant motivated to complete his or her program.
- The Judge benefits Participants by allowing them to view both positive and negative feedback directed toward Treatment Court peers.
- The Judge maintains the responsibility of keeping a non-adversarial atmosphere in the Treatment Court to help ensure that all Team members keep the Treatment Court goal of rehabilitation and accountability a top priority.

**DDCP Program Case Manager:** Participates fully as a Treatment Court Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Receives referrals from the Courts, Defense Attorneys, Prosecuting Attorneys, discusses expectations with clients and family members.
- Solicits input from family members, prior treatment providers, and program officials.

- Manages the referral process for Program applicants by conducting Program overview for all referred participants; schedules and confirms assessments; interviews and completes the initial assessment process; records results in DIMS and provides initial report to the Treatment Court Coordinator.
- Compiles a written report of findings including recommendations; evaluates the information and makes decisions within established policies and standards.
- Provide crisis intervention services; maintains case files, intakes, and contact logs as well as the offender's statistical database accurately and in a timely manner.
- Keeps current on applicable laws and regulations, as well as clinical developments within a professional area of knowledge; maintains professional levels of communication with internal and external contacts.
- Interview, screen, and gather demographic information on offenders whose charges qualify for the treatment court program.
- Conduct follow-up screenings of Treatment Court participants.
- Briefly explain treatment court program to interested offenders.
- Review the weekly records of those arrested for eligible charges and notify the County or District Attorney's Office of offenders who meet basic eligibility requirements.
- Assist participants with life skills such as time management, job hunting, and budgeting.
- Research employment and community service opportunities for participants.
- Maintain paper and electronic files on participants.
- Attend treatment team meetings.
- Builds partnerships with community organizations to develop referral sources.
- Conducts initial and follow-up screenings of Treatment Court Participants.

**DDCP Specialty Court Coordinator:** Participates fully as a DDCP Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Coordinates and participates in DDCP pre-hearings, hearings, team meetings and Steering Committee meetings.
- Participate in weekly staffing meetings and court hearings.
- Manages daily operations and filing systems. Creates dockets, prepares reports for staffing meetings, and assures timely dissemination of compliance information.

- Identifies DDCP problem areas and recommends possible solutions.
- Participates in performing statistical analysis and program evaluation of DDCP.
- Participates in the collection of data.
- Assists in developing the team resource strategy to acquire funding, assists in preparing grant applications and builds linkages by supporting team in community outreach activities.
- Monitors grant deadlines and requirements.
- Creates supporting materials and disseminates them to stakeholders and service providers.
- Creates and distributes marketing materials.
- Creates and disseminates program materials to participants.
- Conducts initial and follow-up screenings of Treatment Court Participants.
- Assists in compiling, writing, editing, and updating Treatment Court policy and procedures and program manuals.
- Informs DDCP Team members of Treatment Court-related news and training opportunities
- Periodically evaluates DDCP operations using the Ten Key Components of Drug Courts and communicates his or her findings to the Treatment Court Team.

**DDCP Court Prosecutor:** Participates fully as a DDCP Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Appears in court each Tuesday of the month to represent the County in all Treatment Court pre-hearings and hearings.
- Participates in weekly staffing meetings, advocating in a non-adversarial manner for effective sanctions and incentives for program compliance or lack thereof.
- Ensures community safety concerns by maintaining eligibility standards while participating in a non-adversarial environment focusing on rehabilitation and accountability.
- Immediately screens possible Participants and makes referral to DDCP Court to determine eligibility.
- Discusses DWI/Drug court referrals with the appropriate Assistant County Attorney; files plea agreement specifying DWI/Drug Court.

- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.
- Files necessary legal documents.
- Acts as a spokesperson for the DWI/Drug Court Program, contributing to and participating in the education of the community, peers, colleagues, and the judiciary.

**Program Attorney/Defense Counsel:** Participates fully as a DDCP Team Member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Evaluates the participant's legal situation and ensures that the Participant's legal rights are protected.
- Maintains attorney/client confidentiality and only shares client communications with the Team which have been previously authorized by the participant.
- Effectively advises each Participant of their legal rights, legal options, treatment options, program conditions and sentencing outcomes while developing a relationship with the Participant that promotes the Participant's long-term best interests.
- Appears in court each Tuesday of the month to represent the Participant in all Treatment Court pre-hearings and hearings.
- Participates in weekly staffing meetings, advocating in a non-adversarial manner for effective sanctions and incentives for program compliance or lack thereof, and promoting a sense of a unified team presence.
- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.
- Encourages the Participant to be truthful with the judge and treatment staff, informing each Participant that she will be expected to speak directly to the judge, not through an attorney.
- Files necessary legal documents including orders for occupational driver's licenses.
- Reviews all program documents including waivers and written agreements.
- Acts as a spokesperson for the DWI/Drug Court Program, contributing to and participating in the education of the community, peers, colleagues, and the judiciary.

**Community Supervision / Probation Officer:** Participates fully as a DDCP Team Member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Participates in weekly staffing meetings, providing progress reports, making recommendations, and identifying supervision and ancillary service needs and attends weekly court hearings.
- Advocates for effective sanctions or incentives for program compliance or lack thereof.
- Provides coordinated and comprehensive supervision to minimize Participant manipulation and splitting of program staff. Coordinates continuum of care through regular contact with the treatment provider.
- Develops effective measures for drug testing and supervision compliance report that provide the team with sufficient and timely information.
- Conducts field visits, office visits and treatment visits.
- Primarily responsible for the collection of urinalysis samples.
- Determines if Participant is engaging in criminal activity and reports same to court.
- Assists in compiling and collecting DWI/Drug Court Program information for statistical analysis.
- Coordinates with ancillary entities, including health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, job skills training and placement to provide a strong foundation for recovery.
- Prepares sentencing-related documents as required by the Judge.
- Maintains compliance with all Community Supervision Corrections Department policies and procedures.
- Acts as a spokesperson for the DWI/Drug Court Program, contributing to and participating in the education of the community, peers, and colleagues.
- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.

**Treatment Provider:** Participates fully as a DDCP Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Treatment providers' responsibilities entail administrative activities, clinical supervision, and counseling services.
- Participates in weekly staffing meetings, providing progress reports, making recommendations, and advocating for effective sanctions and incentives for program compliance or lack thereof and attends weekly court hearings.
- Ensures that Participants are screened and evaluated for substance abuse in a timely

manner. The assessment may include medical history, employment history, criminal history, educational history, drug abuse history and psychosocial evaluation. May also include mental health assessment.

- Provides notification during staffing of applicants who do not meet DDCP criteria.
- Makes appropriate referrals to residential treatment with coordination through Community Compliance Officer.
- Develops program materials appropriate to the Participant population.
- Develops appropriate treatment plans, continuing care plans and aftercare plans.
- Make appropriate referrals to community resources and notify the Treatment Court members.
- Conducts group, individual, and family treatment.
- Provides written and verbal progress reports.
- Ensures that all files are maintained in accordance with program policies and procedures, and federal and state requirements for outpatient and continuing care programs.
- Maintains confidentiality of records and ensure professional and ethical standards of practice.
- Attends in-service training and continuing education conferences.
- Provide all statistics as required by any grant awards.
- Provide and participate in cross-training relating to addiction, alcoholism, and gender, age, and cultural issues.
- Acts as a spokesperson for the DDCP, contributing to and participating in the education of the community, peers, colleagues, and the judiciary.

**DDCP Law Enforcement Representative:** Participates fully as a DWI/Drug Court Team Member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.

- Participates in weekly staffing meetings and court hearings.
- Assists the treatment court team in monitoring of participants.
- Will designate specific officers to perform the service for the term of this Agreement and will assign a representative to participate as an active member of the DDCP Team.
- Provide appropriate information and insight from the law enforcement community's

perspective regarding treatment court participants.

- Will help to identify potential and eligible treatment court participants.
- Will advocate for effective incentives and sanctions during staffing.
- Serves as a liaison between the treatment court team and the community and provides information to the treatment court team on community issues related to alcohol and drug use.
- Provides information and support to participants in the community, encouraging them to succeed in the treatment court.
- Contributes to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
- May assist with home visits and curfew checks.

#### **Program Evaluator**

- Capture Program data.
- Provide data to assist with ongoing funding strategies.
- Provide cost/benefit study.

#### **All DWI/Drug Court Team Members:**

- Perform as a “Team” in a non-adversarial approach to make recommendations regarding Participants and program progress in a manner that effectively achieves the program’s goals.
- Meet at a minimum weekly for staffing meetings to provide input to the Judge regarding Participant progress and the application of incentives and consequences.
- Attend each Tuesday of the month for DWI/Drug Court hearings.
- Participate in other pre-screen staffing and staffing meeting, as necessary.
- Assist in program development issues.
- Assist in identifying, coordinating, and participating in training opportunities.
- Assist in creating and modifying DDCP policies, procedures, manuals, and publications.
- Locate and recommend utilization of ancillary community resources.
- Assist in the collection of DDCP data.



- Identify and train individuals to act as back up staff when needed.
- Act as ambassador and information conduit from the DDCP to other staff within each member's own entity.
- Participate in speaking engagements to community-based organizations as necessary in order to forge positive relationships between the program and the community.
- Make decisions regarding the Participant's continued enrollment in the program based on performance in treatment rather than solely on the legal aspects of the case.
- Monitor quality of treatment services.
- Collaborate in a flexible, positive manner to develop an effective and efficient program.

**New Staff Training:** All new team members are requested to review the policy and procedure manual as well as the participant handbook. New team members will complete online training through the National Drug Court Institute (NDCI) and review publications. In addition, they should complete yearly training in at least one of the following disciplines: Treatment Courts, Recovery/Addiction, Illicit/Prescription Drugs, Alcohol, Ethics, Cultural Diversity, or Ten Key Components. Training hours will be provided to the Court Coordinator.

## **DRUG TESTING POLICY**

**Purpose:** Participants of the DWI/Drug Court Program may be addressing substance abuse problems. Drug testing is necessary to determine effectiveness of treatment plans as determined by presence/absence of drugs/alcohol. Drug testing is also used to measure risk posed to the community. Drug testing assists participants in remaining drug free.

**Policy:** The DDCP has outlined the following drug testing policy.

- Positive urinalysis test result indicates the use of a substance.
- All drug tests used shall be from the same manufacturer.
- Urinalysis samples may be shipped for confirmation if the sample result is positive for a substance.
- Drug tests will be administered even if the Participant admits to drug usage prior to testing.
- If an analysis is positive, the participant will be given the chance to admit to drug usage. If the participant admits to drug usage the drug test may be sent in for confirmation and it may be at the expense of DDCP.
- If the participant denies drug usage, the drug test will be sent in for confirmation and if the confirmation is positive for drug use, the participant will be responsible for the cost of the confirmation test.

- A required urinalysis sample that is missed is considered a positive drug test.
- A positive urinalysis test may result in a sanction which may include but is not limited to a treatment response.
- Tampering with a drug test, using adulterants, smuggling in another person's urine, etc. are considered a positive drug test and extra sanctions may apply.
- Providing urinalysis samples are a requirement of participation in the DDCP. The samples are required to be observed by program staff.
- Program personnel will remain in direct visible contact with the urinalysis sample until the drug test is administered or the sample is secured in laboratory shipping standards by the participant.
- The initial drug tests will be administered immediately following court induction or immediately upon release from custody. A full panel drug screen will be performed.
- In the case of positive samples, levels will be monitored until the Participant is clean.
- Participants will not be informed of the number of drug tests they will be required to perform.
- Random Drug Tests will occur throughout the duration of a participant's program in accordance with best practice guidelines, remaining steady throughout their program.

## **ALCOHOL AND MEDICATION POLICY**

**Purpose:** DDCP believes that the answer to most problems is not found in the form of alcohol or other substances. Participants in DDCP may be addressing substance abuse problems.

Introduction of alcohol and other drugs into their bodies can result in severe physiological, psychological, and legal consequences. Understanding that most people have a need to take prescription and over the counter medications at some point in their life, DDCP has developed the following policy for participants. This policy is intended to remain clear concerning the use of alcohol by program participants as well.

**Policy:** DDCP has outlined the following policy for alcohol and medication. An additional addendum is included for medications that can be taken without approval.

- **Alcohol:** No program participant is permitted to consume alcohol while in the program. Furthermore, participants may not enter an establishment whose primary purpose is to sell or distribute alcohol.
- **Over the Counter Medications:** Participants are encouraged to resolve ailments through alternative methods to using medications. Prior to using any over the counter medication, participants are required to discuss it with their treatment counselor and community

supervision officer. Participants may **not** take medications that contain ephedrine, pseudoephedrine, phenylpropanolamine, or alcohol. Examples of these medications are Sudafed, Nyquil, Contac, Sine-Off and Allerest. This is not a complete listing. Participants are encouraged to read the label and ask the Pharmacist for medications that do not contain these substances. Some over the counter medications that do not contain these substances are aspirin, ibuprofen, and acetaminophen. Anyone taking over the counter medications should read and follow the directions on the label.

- **Physicians:** Participants are encouraged to receive medical treatment from a qualified medical doctor as needed. Participants are required to disclose their substance abuse history to their physician so that the physician can best address the patient's needs. "Doctor shopping" or using multiple physicians in order to obtain prohibited medications is prohibited.
- **Prescription Medications** – Program participants must register any prescription or over the counter medication with their treatment counselor and community supervision officer prior to taking the medication except in a life-threatening situation. The participant is required to inform their treatment counselor and community supervision officer as soon as possible after taking such medications in a life-threatening situation. If participants are prescribed medications by a doctor, they are required to take the medication as prescribed. Narcotic medication use is discouraged, and each participant can be provided with a letter to show attending physicians regarding court policy.

A candidate for the program may not be permitted to enter the program if they are using a habit-forming prescription medication or one that will test positive on a drug test. The candidate may become eligible if they stop using the medication in question under the supervision of their doctor, or if their doctor prescribes another medication that is not habit forming and will not test positive on a drug test.

If a participant must take a prescription medication that will test positive on a drug test for a limited period of time, the participant's clean day count will be suspended while they are taking the medication. Such an event should occur infrequently. Maintaining sobriety is most difficult for an addicted person when they must take mood-altering medications, even for a short period of time. Pain medication is particularly problematic. There are many prescription medications that are effective, not habit forming and will not test positive on a drug test. Most antibiotics fit into this category.

## **RECORDS MANAGEMENT AND RETENTION**

The DDCP uses electronic storage within the Williamson County Server system. All data is encrypted at rest and in transit to meet or exceed FIPS 140-2 standards. Data centers are on-premises and only available to personnel with FBI CJIS, HIPAA, and Texas Privacy Act training. All employees have signed confidentiality agreements as well. The least-privilege model is employed along with data classification to ensure only necessary personnel have access to data.

Williamson County District Clerks office electronically retains legal files in perpetuity. Our Auditors office maintains files for a minimum of 7 years. Programmatic files are maintained by the County Court #2 for a minimum of 5 years.

## DEFINITIONS

Administrative Meetings, - At the discretion of the Treatment Court Judge, meetings involving all Participant Court Team Members and representatives of ancillary services will be convened for the purposes of training, problem solving and settling questions concerning the program's processes.

Aftercare - a six-month weekly group program designed to discuss daily challenges to recovery and reaffirm alternate application of coping skills.

Applicant – Participants who have applied to the DWI/Drug Court Program but are not yet accepted into the program. Applicants before consideration will need an intake screening and assessment evaluations.

Cognitive Education- Program classes that support cognitive techniques in recognizing thinking barriers and tactics and assists with reducing undesirable behaviors through more thoughtful and intentional critical thinking.

Community Service- an activity completed by program Participants for an approved not-for-profit organization whereby the community benefits. Community service work can be used as a regular component of DDCP or as a sanction for non-compliance.

Community Supervision Officer (CSO) / Probation Officer (PO) - a designated community supervision/ probation officer who is assigned supervisor responsibility of program Participants.

DWI Education Program – State-certified classes totaling 12 hours, and dealing with the topics of addiction, drugs/alcohol use, and State laws regarding drinking and driving.

DWI Intervention Program – State-certified eight-week program for those with subsequent DWIs who need more intensive exposure to methods of reducing recidivism, achieving recovery, or accessing alternate treatment options. [formally known as repeat offender].

Family Counseling Session – a therapeutic treatment session for program Participants and their families or significant others. The treatment provider is expected to encourage frequent and consistent participation.

Group Counseling Session – a counseling session involving only program Participants and a qualified clinician who facilitates. Sessions will last a minimum of ninety (90) minutes. Group size will not exceed eighteen (18) Participants without the approval of the Participant Court Team. In an effort to maximize program effectiveness, groups will be conducted on the days and times that are deemed necessary by the DDCP Team to include evenings. Qualified clinicians must use research-based treatment modalities that have been proven to be effective. Some examples include Cognitive Behavioral Therapy, Cognitive Restructuring, Moral Recognition Therapy (MRT), Relapse Prevention and Relapse Support.

Hearing – judicial review that involves the review of the Participant's progress in the program provides an opportunity for the Participant to converse with the Judge, and for the Court to formally apply incentives and sanctions and determine continued participation in the court.

Individual Counseling Session - Counseling session facilitated by a qualified clinician with only one Participant. The duration of an individual counseling session will be no less than thirty (30) minutes. Examples of some of the issues that sessions might address are needs assessment, treatment plans, continuing care plans, stopping illegal substance abuse, impaired functioning, stopping illegal activity, family relationships and social relationships.

Interlock Device (IID) – is an in-car breathalyzer that prevents a user from starting a vehicle until a breath alcohol test is taken.

Intensive Outpatient Treatment (IOP)- is a 10-week program in which group therapy is its main component. The groups allow IOP participants to improve their communication, learn how to socializewithout drugs or alcohol, support each other, and experience structure and discipline.

Life Skill Classes - are designed to assist program Participants to function in society more readily. Topics include but are not limited to proper hygiene, interviewing for employment, parenting, pregnancy, childcare, nutrition, and personal finances.

Participant – is a person who was accepted and pled into the DWI/Drug Court Program.

Plea-In – This is when the Applicant goes before the Judge and is accepted into the DWI/Drug Court Program.

Portable Alcohol Monitor (PAM) – is an in-home monitoring device that is a portable alcohol monitoring device. They are commonly court-ordered as an alternative to the ignition interlockfor offenders who do not drive or own vehicles.

Pre-Screen Staffing – is a meeting that takes place to discuss new applicants' status, treatment plan, track and determine if the Applicant is a good candidate for the DWI/Drug Court Program.

Relapse Prevention – a program which reinforces awareness and accountability for subsequent substance use, while reinforcing techniques for preventing future alcohol/drug episodes.

SCRAM: a continuous, remote alcohol monitoring testing system that utilizes an ankle bracelet.

Staffing – a meeting that takes place prior to hearings that includes Participant Treatment Court Team members. The purpose of staffing is to review Participant progress and compile written progress reports and to make recommendations concerning the possible use of incentives and sanctions.

Participant Treatment Court Team – The Participant's Court Team comprises the Court Judge, Court Coordinator, a County Prosecutor, Defense Attorney, Community Supervision/Probation Officer, Treatment Provider, Statistician, and local law enforcement representative. The DWI/Drug Court Team comprises of persons that typically address the program's day-to-day activities.

Support Groups – a group that may or may not be faith based in nature that supports mental,

emotional, physical, social, or spiritual recovery from substance abuse or mental health issues. Examples may include Alcoholics Anonymous (AA), Narcotics Anonymous (NA), Grief Awareness, Co-Dependency, and peer support groups etc.

Thrive Program – a program designed to address cognitive changes for those struggling with substance abuse, compounded by trauma.

You Impact – an online course which incorporates people telling personal stories of how drinking and driving have impacted their lives.

## **PROJECT TEAM CONTACT INFORMATION**

### **Judge**

Hon. Laura Barker  
County Court at Law No. 2  
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Georgetown, TX 78626

### **Community Supervisor Officer**

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### **Prosecutor**

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### **Law Enforcement Representative**

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### **Specialty Court Coordinator**

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### **Treatment Counselor**

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### **Defense Attorney**

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### **Program Case Manager**

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## **MEMORANDUM OF UNDERSTANDING**

**AGREEMENT between *the DWI/Drug Court and its Representing Agencies/Businesses.***

**The parties to this Agreement endorse the mission and goals of the treatment court in order to enhance public safety, ensure participant accountability, and reduce the cost to society. By addressing criminal thinking, substance/alcohol use disorders, trauma, and mental and physical health, the participants will realize improved quality of life. The parties recognize that for the goals and mission of the treatment court to be successful, cooperation and collaboration must occur within a network of systems.**

**The parties to this Agreement understand that the confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. The parties agree to comply with all confidentiality requirements.**

### **PROGRAM GOALS**

Improve the lives of participants with substance use disorders in the criminal justice system through the integration of intensive supervision, alcohol and drug treatment, mental health services, alcohol and drug testing, and case management services with criminal justice system processing.

The parties agree that the program will follow the *10 Key Components of Drug Courts* in which the respective agencies will work cooperatively. They are:

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitations services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participant compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

## **INDIVIDUAL AGENCY RESPONSIBILITIES AND STAFF COMMITMENTS**

### **Treatment Court Judge**

1. The Judge will ensure a cooperative atmosphere for attorneys, probation officers, law enforcement, and Treatment Providers to stay focused on the task of providing participants with treatment and rehabilitation opportunities.
2. The Judge will ensure the integrity of the treatment court is maintained by having an understanding of the program's policies and procedures.
3. The Judge will participate as an active member of the Staffing Team and will chair the treatment court team.
4. The Judge will assist in motivating and monitoring the participants of the treatment court.
5. The Judge will gather information from the treatment court team and make all final decisions on incentives and sanctions that effect the participants.
6. The Judge will act as a mediator to develop resources and improve interagency linkages.
7. The Judge will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
8. The Judge encourages participants to succeed, treats participants fairly, and with respect and is not intimidating.
9. The Judge emphasizes treatment throughout the participant's time in the treatment court.

### **Ethical Considerations**

- The Judge must show impartiality
- The Judge must be aware of ex parte communication
- The Judge must demonstrate judicial authority
- The Judge must not give up their final decision-making authority
- The Judge must recognize constitutional rights and follow appropriate legal processes

### **Treatment Court Coordinator**

1. The Coordinator will assist in providing general oversight to the treatment court to include meeting attendance, grant reporting, and administration of the budget (to include management of contracts), program support, funding solicitation and community outreach. The responsibilities exist for the term of this Agreement, as funding permits.
2. The Coordinator will facilitate communication between team members and partner agencies.
3. The Coordinator will assist with organizing court, events and meetings and compiling supporting materials to disseminate to stakeholders and providers of



- services to maintain linkages.
4. The Coordinator will ensure the treatment court policies and procedures are updated annually and followed during program operations.
  5. The Coordinator will ensure all team members follow confidentiality regulations and all appropriate forms are signed and circulated to the appropriate agencies.
  6. The Coordinator will provide oversight of the statistical database and evaluation process of the treatment court.
  7. The Coordinator will assist in providing or seeking continuing training for the treatment court team and will ensure all new team members receive a treatment court orientation before participating in their first staffing.

#### Ethical Considerations

- The Coordinator must be knowledgeable of each team member's ethical boundaries and how they are incorporated into the treatment court.

#### **Treatment Court Program Case Manager**

1. Receives referrals from the Courts, Defense Attorneys, Prosecuting Attorneys, discusses expectations with clients and family members.
2. Solicits input from family members, prior treatment providers, Veterans' Administration, and program officials.
3. Manages the referral process for Program applicants by conducting Program overview for all referred participants; schedules and confirms assessments; interviews and completes the initial assessment process; records results in DIMS and provides initial report to the Treatment Court Coordinator.
4. Compiles a written report of findings including recommendations; evaluates the information and makes decisions within established policies and standards.
5. Provide crisis intervention services; maintains case files, intakes, and contact logs as well as the offender's statistical database accurately and in a timely manner.
6. Keeps current on applicable laws and regulations, as well as clinical developments within a professional area of knowledge; maintains professional levels of communication with internal and external contacts.
7. Interview, screen, and gather demographic information on offenders whose charges qualify for the treatment court program.
8. Conduct follow-up screenings of Treatment Court participants.
9. Briefly explain treatment court program to interested offenders.
10. Review the weekly records of those arrested for eligible charges and notify the County or District Attorney's Office of offenders who meet basic eligibility requirements.
11. Assist participants with life skills such as time management, job hunting, and budgeting.
12. Research employment and community service opportunities for participants.
13. Maintain paper and electronic files on participants.
14. Attend treatment team meetings.

15. Builds partnerships with community organizations to develop referral sources.

#### Ethical Considerations

- The Program Manager must be knowledgeable of each team members ethical boundaries and how they are incorporated into the treatment court.

#### **Treatment Court Prosecutor**

1. The Prosecutor will be assigned to the treatment court for the term of this Agreement and will participate as an active member of the Staffing Team and the Steering/Planning Team.
2. The Prosecutor will assist in identifying defendants arrested for specific offenses that meet program eligibility requirements.
3. The Prosecutor may help resolve other pending legal cases that affect participants' legal status or eligibility.
4. The Prosecutor will participate as a Team member during pre-court staffing and advocate for effective incentives and sanctions for program compliance or lack thereof.
5. The Prosecutor will participate as a Team member, operating in a non-adversarial manner during court, to promote a sense of a unified Team presence.
6. The Prosecutor will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
7. The Prosecutor agrees that a positive drug test or open court admission of drug possession or use will not result in filing of additional charges.
8. The Prosecutor makes decisions regarding the participant's continued enrollment in the program based on performance in treatment rather than on legal aspects of the case, barring additional criminal behavior.

#### Ethical Considerations

- The Prosecutor must make decisions to protect public safety
- The Prosecutor must advocate for the victims' interest

#### **Treatment Court Defense Attorney**

1. The Defense Attorney will be assigned to the treatment court for the term of this Agreement and will participate as an active member of the Staffing Team and the Steering/Planning Team.
2. The Defense Attorney will advise the defendant as to the nature and purpose of the treatment court, the rules governing participation, the consequences of abiding or failing to abide by the rules, and how participating or not participating in treatment court will affect his/her interests.
3. The Defense Attorney will participate as a Team member, operating in a non-adversarial manner during court, to promote a sense of a unified Team presence.
4. The Defense Attorney will review the participant's progress in the program and advocate appropriately for effective incentives and sanctions for program compliance or lack thereof.
5. The Defense Attorney will ensure the constitutional rights of the participant are protected.

6. The Defense Attorney will advocate for the participant's stated interests.
7. The Defense Attorney will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
8. The Defense Attorney explains all the rights that the participant will temporarily or permanently relinquish.
9. The Defense Attorney explains that because criminal prosecution for admitting to substance or alcohol use in open court will not be invoked, the participant is encouraged to be truthful with the team.

#### Ethical Considerations

- The Defense Attorney must demonstrate integrity to the Participant
- The Defense Attorney must protect attorney/client privilege
- The Defense Attorney must ensure the Participant's due process rights are protected

#### **Treatment Court Probation Officer**

1. The Probation Officer will be assigned to provide comprehensive case management and field supervision of treatment court participants for the term of this Agreement and to participate as an active member of the Staffing Team and Steering/Planning Team.
2. The Probation Officer will use a validated criminogenic risk/needs assessment tool to be conducted during the referral process to ensure the treatment court is serving the appropriate target population.
3. The Probation Officer will provide coordinated and comprehensive supervision and case management to include telephone contact, office/home/employment visits, as well as random field visits to participants' homes.
4. The Probation Officer will develop effective measures for alcohol and drug testing and supervision compliance reporting that provide the treatment court staffing team with sufficient and timely information to implement sanctions, incentives, and therapeutic interventions.
5. The Probation Officer will monitor/assist the participant compliance and progress to the adherence of the Judgement and Sentence order and program requirements.
6. The Probation Officer will participate in pre-court staffing and will provide updates on all active participants and advocate for effective incentives, sanctions, and therapeutic interventions during staffing.
7. The Probation Officer may coordinate the utilization of community-based services such as health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, and job skills training and placement to provide a strong foundation for participants.
8. The Probation Officer will utilize and deliver cognitive-behavioral interventions to address criminal thinking and increase a readiness for change.
9. The Probation Officer will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
10. The Probation Officer will develop a written case plan and update based on ongoing risk and need assessment.
11. The Probation Officer will oversee attendance and recovery components of mandatory Peer Support Recovery groups, to ensure that they are positive, supportive, and improving outcomes for participants.

### Ethical Considerations

- The Probation Officer must make decisions to protect public safety
- The Probation Officer must inform the court of non-compliance with judicial orders in a timely manner

### **Treatment Court Provider**

1. The Treatment Court Provider will participate fully as a Team member, for the term of this Agreement and will work as a partner to ensure the success of treatment court participants.
2. The Treatment Court Provider may coordinate the utilization of community-based services such as health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, and job skills training and placement to provide a strong foundation for participants.
3. The Treatment Court Provider will operate in conjunction with the treatment court team for the assessment and placement of participants in the appropriate level of care to meet their treatment needs.
4. The Treatment Court Provider will utilize a validated clinical screening and assessment tool to ensure appropriate placement of participants.
5. The Treatment Court Provider will provide progress reports to the Team prior to staffing, so the Team will have sufficient and timely information.
6. The Treatment Court Provider will advocate for effective incentives, sanctions, and therapeutic adjustments during staffing.
7. The Treatment Court Provider will provide information to the Team on assessment, basis of alcohol/substance use, the impact of treatment on the participant, and the potential for relapse.
8. The Treatment Court Provider will ensure all confidentiality forms are signed with the Participant and the team.
9. The Treatment Court Provider will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
10. The Treatment Court Provider manages the delivery of treatment services and administers behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes.
11. The Treatment Court Provider provides clinical case management, provides relapse prevention and continuing care, and develops a continuing care plan with participants.

### Ethical Considerations

- The Treatment Court Provider must keep its integrity to the Participant
- The Treatment Court Provider must have a valid release of information executed before sharing patient information
- The Treatment Court Provider only needs to share information that is pertinent to court requirements (i.e., attendance, testing results, where Participant is in treatment, changes in Participant treatment)

### **Treatment Court Law Enforcement**

1. Law Enforcement will assist the treatment court team in monitoring of participants.
2. Law Enforcement will designate specific officers to perform the service for the

- term of this Agreement and will assign a representative to participate as an active member of the DWI/Drug Court Team.
3. Law Enforcement will identify appropriate representatives to participate in the weekly court staffing meetings to provide appropriate information and insight from the law enforcement community's perspective regarding treatment court participants.
  4. Law Enforcement will help to identify potential and eligible treatment court participants.
  5. Law Enforcement will advocate for effective incentives and sanctions during staffing.
  6. Law Enforcement serves as a liaison between the treatment court team and the community and provides information to the treatment court team on community issues related to alcohol and drug use.
  7. Law Enforcement will provide information and support to participants in the community, encouraging them to succeed in the treatment court.
  8. Law Enforcement will contribute to the education of peers, colleagues, and the judiciary in the efficacy of treatment court.
  9. Law Enforcement will assist with home visits and curfew visits.

#### *Ethical Considerations*

- Law Enforcement must protect public safety
- Law Enforcement is sworn to uphold the law and serve their community

In creating this partnership and uniting around a single goal of addressing an underlying problem affecting our community, we pledge to enhance communication between courts, law enforcement, advocacy groups, and treatment programs. Through this linkage of services, we expect greater participation and effectiveness in addressing treatment court participants involved in the criminal justice system.

All parties agree to be represented in the treatment court team. The treatment court team will be responsible for modifying and amending this Agreement. The treatment court team will address problems and issues as identified and develop policy and program modifications.

#### **AGREEMENT MODIFICATIONS**

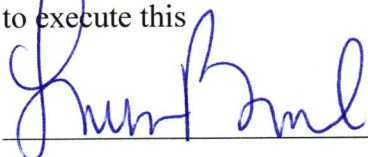
Any individual agency wishing to amend and/or modify this Agreement will notify the coordinator of this issue(s). The coordinator will present the issue(s) to the DDCP team for the purpose of modifying and/or amending the Agreement. The issues will be decided by consensus (if possible) or by simple majority, if not.

#### **TERMINATION OF AGREEMENT**

Individual agencies contemplating termination of their participation in this Agreement shall first notify the coordinator of their concerns. The coordinator shall attempt to resolve the program to ensure continuation of the treatment court. If the coordinator is unable to resolve the concern, the issue(s) will be presented to the DDCP team to reach a resolution.

If unable to resolve the problem, the individual agency or department can exercise its right to terminate this Agreement by notifying all other agencies in writing a minimum of sixty (60) days prior to such termination.

IN WITNESS THEROF, the parties have caused their duly authorized representative to execute this



Judge / Laura Barker

12/07/2021

Date



Program Coordinator / Brenda Staples

21. 12.07

Date



Program Case Manager / Erin Lucas

12/7/21

Date



Prosecutor / Anthony Stokes

12-7-21

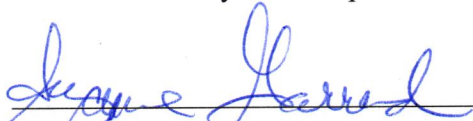
Date



Defense Attorney / Cole Spainhour

12-7-2021

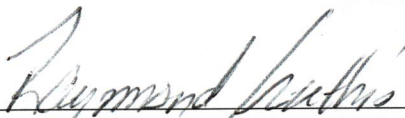
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Probation Officer / Suzanne Goddard Garrard

12-07-2021

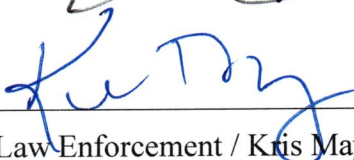
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CSCD Counselor / Ray Cruthis

12/7/21

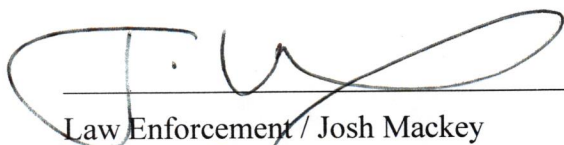
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Law Enforcement / Kris Mayo

12/07/2021

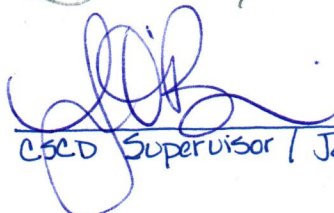
Date



Law Enforcement / Josh Mackey

12/14/21

Date



CSCD Supervisor / Jess O'Brien

12.7.2021

Date

## Addendum #1

### WILLIAMSON COUNTY DWI/DRUG COURT PROGRAM Staffing Visitor Confidentiality Agreement

I, \_\_\_\_\_, will participate in the staffing session of the Williamson County DWI/Drug Court Program, as a visitor for training and outreach purposes as necessary for health care operations. The Williamson County DWI/Drug Court Program is a multidisciplinary program which incorporates treatment professionals to deliver drug and/or alcohol abuse treatment services to its participants. During the staffing session, team members of the Court discuss the individual participants including their progress in drug and/or alcohol abuse treatment. As a visitor, I understand that I may encounter certain patient/client information that is confidential in nature and considered protected health information covered by the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and/or the Texas Medical Records Privacy Act.

Therefore, in exchange for my participation as a visitor to staffing and/or court session, I hereby acknowledge and agree to the following:

1. I will not use or disclose protected health information acquired during my visit other than as permitted or required by law.
2. I will not share protected health information acquired during my visit with third parties other than as permitted or required by law.
3. I will return to Court staff any written materials that I may receive during my visit containing protected health information.
4. I will not make notes or copies containing any protected health information acquired during my visit.
5. If I am not sure of legally permissible use or disclosure of protected health information, I will ask for direction from Court staff or seek my own legal counsel.
6. I understand that my improper use or disclosure of protected health information may subject me to personal criminal and/or civil liability.
7. Finally, I agree to immediately notify Court staff of any use or disclosure of protected health information not permitted by this Confidentiality Agreement.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2022

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name



## Addendum #2

### Approved Over the Counter (OTC) Medication List

The following medications are approved for Court Participants to take without prior permission from their treatment provider and/or probation officer. **ONLY THE PARTICIPANTS COMMUNITY SUPERVISION OFFICER CAN APPROVE MEDICATION.** The Participant is responsible for all positive alcohol or drug tests which result from the use of medications which have not been approved by the participant's probation officer.

**Controlled or habit-forming medication IS NOT allowed in the program** (i.e., Adderall, Xanax, Tylenol with Codeine, etc.).

These medications must be taken at the appropriate dosage listed on the drug's label or a positive urine test could result. **DO NOT TAKE MORE THAN THE DOSAGE INDICATED ON THE LABEL!**

If you have any questions, please contact your Community Supervision officer and/or treatment provider for clarification. **EACH DRUG LISTED BELOW MUST BE TAKEN AS LISTED AND WITHOUT ANY OTHER ADDITIVES (i.e., NO TYLENOL COLD OR TYLENOL NIGHTTIME).**

**PAIN:** (none of the following can be the PM formula)

Acetaminophen 500 mg, 1 or 2 tablets every 4-6 hrs.  
Ibuprofen 200-800mg, every 4-6 hours as needed  
Aspirin  
Excedrin Migraine

**ANTACIDS:**

Zantac  
Pepcid  
Prilosec  
Tums/Roloids

**COUGH/COLD:**

Delsym (non-alcoholic/pediatric)  
Mucinex (cannot be D or DM)  
& thermal patches  
Icy Hot muscle rub  
& Thermal patches

**ALLERGIES:**

(None of the following can be the D or DM formula) Claritin  
Allegra  
Benadryl

**STOMACH:**

Mylanta  
Milk of Magnesia  
Pepto Bismol

**FLU SYMPTOMS:**

Theraflu  
Alka-Seltzer

**JOINT PAIN:**

Tylenol Arthritis  
Ben Gay muscle rub

**VITAMINS:**

Multivitamins  
Prenatal vitamins

## **Addendum #2-Continued**

### **FOOD OR DRINKS OR ITEMS THAT MAY CONTAIN TRACES OF ALCOHOL**

To avoid any difficulties or problems with your testing device be mindful of eating any foods or drinking any liquids that may have any trace amounts of alcohol that would render a failing test. To do this, a participant should: (1) know any and all ingredients of foods or drinks, **READ LABELS**; (2) not eat or drink anything five minutes before testing; (3) and cleanout mouth by rinsing with water before testing.

It is important to follow the steps listed above. Below are examples of items to avoid which may contain trace amounts of alcohol:

- Alcohol based Mouth Wash and Toothpaste
- Sugarless Gum
- Alcohol Based Sweeteners
- Certain Energy Drinks or Bars
- Kombucha
- Hand Sanitizer
- Certain Peanut Butters
- Fermented Soda Drinks
- Ripe or fermented Fruit or foods
- “Alcohol Free” Beer or Wine (which may contain up to 0.5% alcohol by volume)
- Foods Cooked with or Contained with Alcohol (studies have shown that 25% of alcohol may remain after one hour of cooking)
- Nutritional supplements taken as liquid or by dropper.

### **PRODUCTS THAT CONTAIN CANNABIDIOL, CBD, THC, OR SYNTHETIC MARIJUANA ARE PROHIBITED FOR PARTICIPANTS IN THE DWI/DRUG COURT PROGRAM**

These products are not regulated by the FDA and may contain the active ingredient in marijuana or other substances which could result in a positive drug test. The Participant is responsible for all positive drug tests which result from the use of such products. Participants are prohibited from the use of marijuana and CBD products even if they may be traveling in an area where such products may be legally used.

### **Addendum #3**

#### **TEMPORARY CHANGES IN POLICES AND PROCEDURES DURING A PANDEMIC**

The misdemeanor Williamson County DWI/Drug Court Program (DDCP) Policies and Procedures includes temporary changes/protocols and potential consequences, resulting from risks to exposure during a pandemic. Please note that no civil liberties are affected by these changes, and the defendant's right to confrontation & representation will continue to be respected.

##### **Eligibility criteria, new intakes, and program referrals**

Eligibility criteria and program referrals remain the same. New applications will be received and reviewed; in-person drug and alcohol assessments may be conducted by telephone or video conferencing if the SAMHSA in-person requirement is waived. While Intake participants will appear at remote/virtual court hearings, there will be no waitlist suspension, until the DDCP has a maximum of forty (40) participants.

##### **Staffing**

Weekly staffing will be held via video conferencing with all DDCP Team members. The Judge and Team members will receive and discuss applicant requests for program approval. Documents regarding status of applicants, and progress reports for individual participants, will be emailed to members in advance of the staffing, for their review. Participants whose cases are discussed, will be identified using only their first names.

##### **Court Appearances/Hearings**

Weekly Court hearings and staffing will be conducted remotely in accordance with standard protocol via Microsoft TEAMS or other teleconferencing. Instructions are shared with each defendant in writing. [Exhibit "A"] Participants will email answers to a 10-item Court Info List to their Probation Officer prior to Court. [Exhibit "B"] Their answers will be noted on the updated Progress Reports for review at staffing. Each participant will be presented with a copy of Rules of Virtual Courtroom Etiquette. [Exhibit "C"]

##### **Treatment procedures**

Changes in treatment assessment and procedures will be based on any relaxed requirements from SAMHSA. This includes, and is not limited to, verbal consent replacing written consent for treatment, as long as this consent is received prior to the beginning of treatment. This may include telehealth (remote) video or phone chats in lieu of individual in-person counseling sessions. Intensive Outpatient Program (IOP) and Aftercare sessions will be conducted by licensed Counselors virtually, as a group. Counselors will email weekly assignments to participants for completion at home. Their ongoing progress will be professionally monitored and assessed.

##### **Probation Contacts**

In lieu of in-person office appointments, the Probation Officer will make video and/or telephone contacts to monitor compliance with conditions. This includes referrals to teleconferenced community services. (i.e., program peer support groups, a variety of recovery meetings, health resources, food pantries, housing advocacy) The Officer will encourage self-disclosure of substance use, and the Court will implement therapeutic responses whenever possible, in lieu of sanctions. In the case of a high-risk situation arising with a participant, a Probation Officer may

make a field visit to their home and require them to take a breath test in their ignition interlock device. This will only be conducted if all measures are taken to protect the health and safety of the client and staff, and all precautionary measures are followed.

## **Requirements**

Requirements are not suspended, though they may take on an alternate form.


1. Community Service Restitution (CSR): When CSR sites are suspended/closed due to Federal, State and Local Executive Orders, an alternate form of online or other virtual volunteerism will be approved by the Court. [See Exhibit "D" for examples]
2. Incentives: In order to address participant needs for recognition, creative alternatives may be granted. (i.e., acknowledgment by the Judge during Court hearings, cards/notes sent to defendants, gift cards mailed to participants who excel in compliance/attitude/service, CSR hours waived, etc.)
3. Graduations: These will be held via Microsoft TEAMS or other video teleconferencing. The focus will be on celebrating the accomplishments of graduates; all program participants will be required to attend. The Judge will share personal notes about each graduate, they will read their individual Graduation letters, and Certificates of Completion will be mailed to them. Graduates will be able to invite family or friends to join their virtual Graduation; announcements, programs & invitations will be emailed to participants, their guests, and Court participants. These Graduations may have a Guest Speaker and/or Invocator present.
4. Sanction Hearings/Amendments/Revocations: Sanctions will be presented to participants appearing remotely via teleconference. These sanctions will occur in a group teleconference session shared with other participants just as routine sanctions are done in open court. The Defense Attorney will attempt to contact any participant facing sanctions to privately discuss the sanction, reason for the sanction, any possible defenses or explanation for the behavior, and the defendant's legal rights. Participants facing sanctions may ask to privately talk with the Defense Attorney before any action is taken by the Court. If the participant agrees to the sanction, Defense Counsel may sign for the Participant on any Motion to Amend Conditions of Community Supervision. If a Participant is expelled from the program or the Participant refuses to accept the proposed sanction, the Prosecutor will file a Motion to Revoke Probation to be submitted to the Judge for her consideration.
5. Drug testing: Participants will be required to test 3-4 times/day using their interlock or other court-approved device, to determine alcohol usage. They will continue to abide by a random daily system of breath testing. When urinalysis can be safely conducted in a manner that ensures the health and safety of defendants and staff, this will be gradually implemented. At that time, all necessary steps will be taken to prevent and mitigate the spread of virus causing the pandemic.

## **Addendum #4**

### **Williamson County DWI/DRUG Court Program**

#### **REGARDING COURT HEARINGS/POLICIES IN DWI/DRUG COURT DUE TO THE INACCESSABILITY OF THE COURTHOUSE CAUSED BY CIRCUMSTANCES RELATED TO COVID-19**

The Courts of Williamson County remain open. However, because of ongoing concerns with COVID-19, the Williamson County DWI/Drug Court Program has made the following temporary adjustments and/or policies regarding the Williamson County DWI/Drug Court Program (DDCP).

1. REMOTE COURT HEARINGS will be conducted through TEAMS or WebEx, cloud-based software where all participants and DDCP Team members will meet for court hearings remotely. There will not be in-person Court hearings at this time.
2. HEARINGS are still held each Tuesday at 4:30 p.m. or on your scheduled week.
3. Conditions of the program/probation must still be completed.
4. FAILURE to log into the calendar invite remote hearing at your assigned time will be considered a “failure to appear” for Court.
5. DO NOT WAIT until the last minute to download any software apps.
6. A CALENDAR invite with a link will be sent to you the day prior to your scheduled court hearing. You will need to accept the invite for the remote court hearing.
7. On the day of your scheduled hearing, you will need to click on the invite where it says, “Join Meeting”, and it will take you to the virtual court room. Click on the  button and make sure your sound and video webcam are working.
8. TREATMENT COUNSELORS have all set up remote counseling and groups. Please contact your treatment counselor for steps in how to engage with your group or one-on-one counseling sessions.
9. RECOVERY MEETINGS need to temporarily be done on-line, by phone, or through other web-based group meeting options. Please contact your probation officer for a list of options as you are still required to do two meetings a week.
10. Please make sure you notify your probation officer within 24 hours of any change in email or phone number, if not sooner.
11. If you have questions or are having trouble with the virtual hearings or meetings, please reach out to your probation officer for further guidance.

## **Addendum #5**

### **COURTROOM ETIQUETTE**

1. **DO** arrive to treatment court proceedings 5-10 minutes early. If participant does not appear for Court as scheduled and does not have an excuse, a Bond Forfeiture Alias Warrant could be issued for participant's arrest.
2. **DO** go to the bathroom before the treatment court proceeding begins.
3. **DO** Turn Off phones/electronic devices and place them in the basket upon entry into the Court.
4. **DO** address the Judge and staff with respect.
5. **DO NOT** leave the Courtroom. Participant will remain in the courtroom until he/she is dismissed from the courtroom by the Judge at the end of Court. Exceptions can be made for early dismissal from Court upon written request to your probation officer and approval from the Judge.
6. **DO NOT** talk in the Courtroom during the treatment court proceeding.
7. **DO NOT** bring food, or beverages into the Courtroom, except bottled water.
8. **DO NOT** chew gum in the Courtroom.
9. **DO NOT** sleep in the Courtroom.
10. **DO NOT** wear clothing with obscene or inappropriate language, pictures, or references to drugs/alcohol.
11. **DO NOT** wear clothing or colors that show gang affiliation.
12. **DO NOT** wear risqué clothing (i.e., revealing shirts, blouses, excessively short shorts) tank tops, muscle shirts, crop-tops, sweatpants, see-through shirts, or unbuttoned shirts.
13. **DO NOT** wear hats, bandannas, or sunglasses.
14. **DO NOT** wear sagging pants (i.e., pants or shorts that hang below the waist, or with the crotch of the pants hanging to the knees).
15. **DO NOT** wear shorts, even in the summertime.

## **Addendum #6**

### **RULES OF COURT FOR REMOTE HEARINGS**

TEAMS or WebEx Remote Hearings will be conducted the same as if the staff and participants were physically in the courtroom. Please observe the following RULES OF COURT while attending your remote court appearance.

1. Prior to the remote hearing, learn how to unmute your phone or computer. All participants will be muted until they are called on by the Judge.
2. Activate your video webcam once the remote hearing has begun.
3. Arrive on time to the remote hearing.
4. Dress appropriately for the remote hearing. No torn or dirty clothing, tank tops, halter tops, shorts, hats, or any clothing considered drug-related, sexually explicit or gang related.
5. Turn off electronic devices and cell phones before entering the remote hearing.
6. DO NOT chew gum, smoke, or eat during the remote hearing.
7. BE polite to the Court staff, Judge, and other participants during the remote hearing and use appropriate language.
8. DO NOT interrupt others while they are talking.
9. Be prepared for the remote hearing and be in a proper place. For example, DO NOT drive while attending the hearing or appear in your bedroom for the hearing.