

**Baldwin County  
Drug Court  
Policies and Procedures  
Manual**

*Revised 03/04/2011*

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# **I. Introduction**

## **A. Mission Statement**

The mission of the Baldwin County Drug Court program is to promote justice and uniformity of judicial proceedings and decisions within Baldwin County as well as provide cohesive, educational, and rehabilitative efforts to meet the needs of those with drug and alcohol addiction to reduce future criminal conduct and return people to normal, productive lives.

## **B. Goals and Objectives**

- **Goal 1:** To reduce recidivism among participants among participants in the Drug Court program.
  - **Objective 1.1:** Reduce re-arrest rate of participants during participation of the program by frequenting court supervision by one to six week increments, increased random drug and alcohol testing from six to eight times per month, and weekly monitoring sessions with the case management specialist.
- **Goal 2:** To reduce costs associated with the judicial system resources.
  - **Objective 2.1:** Create individual plans of treatment for participants to reduce further criminal behavior.
  - **Objective 2.2:** Lessen the amount of trial costs and docket congestion by addressing the non-violent addicted offender cases quickly and efficiently.
  - **Objective 2.3:** Lower the amount of jail-bed days of individuals by implementing graduated sanctions.
- **Goal 3:** To help rehabilitate non-violent addicted offenders.
  - **Objective 3.1:** Assess participants upon entry into the Drug Court program to address the participants need and create an individualized treatment plan for recovery.
  - **Objective 3.2:** Monitor the participant's progress on a weekly basis to determine if any changes in the treatment plan are necessary.
  - **Objective 3.3:** Diminish the use of drugs and alcohol through frequent drug testing of at least six to eight random drug tests per month.
- **Goal 4:** To diminish the reliance on public services and increase the participant's ability to live independent lives.
  - **Objective 4.1:** Assist participants in establishing secure long term employment within the first two years of the program.
  - **Objective 4.2:** Direct participants to local training, parenting and mentoring programs within first month after identifying the need.
  - **Objective 4.3:** Require participants to pay off all of drug court treatment costs, drug testing fees, fines and restitution in full before completion of the program.

### **C. Ten Key Components of Drug Court**

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 rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants' 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.

## **II. Drug Court Organization**

### **A. Team Members and Roles**

#### **Drug Court Judge**

The drug court judge is essential to the success of the Drug Court program. The judge serves as the authority figure for the program and is responsible for explaining the program to each of the participants. The judge provides guidance for the drug court team and leads the weekly staffing meetings. The judge advises participants of their rights and accepts the guilty pleas into the program. Once the participant is accepted into the program, the judge will converse with the participant's individually at each court date for mentoring and reinforcement of the program. The judge will provide the final opinion on all matters regarding sanctions, rewards, and sentencing.

## **Prosecutor**

The drug court prosecutor is responsible for reviewing each week's drug related arrests and determining which participants will be applied to the next week's docket. The prosecutor will determine which participants are ineligible based on the charges alone. For the participants who are eligible based on their charges, the prosecutor will review the NCIC reports and criminal history for each of the potential participants and report the eligibility status to the drug court team. For eligible participants, the prosecutor will work with the defense attorney's to set up the participant's plea agreement and case file. For the drug court participants who are set for adjudication, the prosecutor will affirm the state's opinion for sentencing.

## **Drug Court Coordinator**

The responsibilities of the drug court coordinator include planning, organizing, and monitoring the activities of the Drug Court program. He/she will assist in the development of policies and procedures of the drug court in coordination with the drug court team. He/she will analyze data to evaluate rates, conduct progress reports, and create outcome evaluations of the Drug Court program. He/she will assist in all fundraising efforts including writing grants and preparation for the annual Drug Court Foundation program.

## **Case Manager**

The case manager will conduct intake interviews with participants to gather treatment and demographic information. The case manager will work directly with the court referral office for reporting of all drug testing results to the drug court team. Participants who enter the program will meet with the case manager on a weekly or bi-weekly basis for monitoring to discuss the participant's progress in the program. The case manager will attend the weekly staffing meetings to provide input on each defendant's compliance or noncompliance in the program.

## **Treatment Provider**

The treatment provider will meet with all participants upon entering of the Drug Court program to perform a substance abuse assessment. The treatment provider is responsible for developing an individual plan of treatment for each participant and ensuring the implementation of the treatment curriculum. The treatment provider will attend the weekly staffing meetings and provide the drug court team with information on current participants in the primary and after-care stages of treatment as well as provide knowledgeable insight on all issues regarding substance abuse addiction and recovery efforts.

## **Public Defender**

The public defender is responsible for explaining the Drug Court program to the participants – including personal responsibilities, financial obligations, program requirements, and the legal rights affected by entering the program. The public defender will meet with participants on an individual basis to discuss all legal and treatment options available. The defender will work with the prosecutor on the matters of the participant pleading into the program, sentencing, or deferment options. The participant will represent the defendant during the drug court hearings.

## **B. Drug Court Facilities and Operations**

The Baldwin County Drug Court schedules court on a weekly basis at the Baldwin County Courthouse in Bay Minette, Alabama. Court appearances are currently held on Fridays. Staffing meetings are held with the drug court team prior to the upcoming court date, generally the day before the scheduled court date.

## **C. Drug Court Foundation**

The Drug Court Foundation was established to assist with funding of the Drug Court program, establish community recognition of the program, organize the quarterly graduation brunch, and coordinate the annual drug court graduation to recognize all of the past year's drug court graduates.

# **III. Program Components**

## **A. Selection Criteria**

The Prosecutor reviews arrests each week and determines those eligible to apply for Drug Court. Adult offenders who are arrested for a class-C felony drug offense are eligible to apply for admission in the Baldwin County Drug Court program on a voluntary basis.

## **B. Eligibility**

The drug court team meets weekly in order to review each offender's eligibility. The Prosecutor determines whether it is the public's and participant's best interest to be admitted into the Program. Offenders charged with class-A or class-B felony's or offenders with class-A or class-B felony convictions, violent criminal history, charged with a sexual offense, or have been adjudicated as a youthful offender are ineligible to apply for the Drug Court program. Admission into the Drug Court program is at the discretion of the District Attorney upon meeting eligibility criteria.

## **C. Application Process**

Eligible offenders appear before the drug court Judge within five to ten days of arrest. Participants are provided with information regarding the Drug Court program at the time of their first court appearance. The participant must choose to enter into the Drug Court program or opt out by the third week of the initial appearance. In order to enter the Program, the participant must enter a guilty plea for the pending charge under either the Baldwin County Pretrial Intervention Statute or enter a plea of guilty to the charge and be adjudicated and placed in the Drug Court program as part of probation.

#### **D. Program Requirements**

The planned length of program participation including aftercare is a minimum of two years and a maximum of five years.

Participants are required to give three speeches while in the Drug Court program. The first speech is to be given when the participant finishes the initial part of the treatment program, the second speech is to be given once the participant has been in the program for one year, and the final speech is to be given once the participant graduates. If the participant remains in the program past the minimum length of completion, additional speeches may be required.

Participants are required to attend and complete a substance abuse program recommended by the drug court team. Each participant must attend 12-step meetings as directed by the drug court judge or other team member. Participants are to remain drug and alcohol free while in the program and provide random drug screen samples as ordered by the judge, treatment provider, case manager, or other team member.

#### **E. Treatment**

Once a participant is accepted into the Program, they are given an assessment by the local county mental health agency to determine the participant's drug/alcohol problem. The participant is required to complete a substance abuse program approved by the Administrative Office of Courts, The Department of Mental Health and Mental Retardation, and the Drug Court Judge. A participant will be sanctioned for unexcused absences from counseling sessions.

#### **F. Drug Screening**

Participants are required to sign up for color code drug screens on their first appearance in drug court. Participants receive random color code drug screens between six to eight times monthly. Participants residing in Baldwin County must take the drug screens at one of the court referral offices either in Bay Minette, Fairhope, or Robertsedale. Participants residing in Mobile County must take the drug screens at Mobile Community Corrections. Participants residing outside of Baldwin or Mobile County may take the drug screens at an approved facility and fax the test results in to the court referral office. For a participant to test at any other testing facility within Baldwin or Mobile County, permission must be granted by a member of the drug court team prior to the drug screen. A participant will be sanctioned for positive urine drug screens, breath tests, admittance to using drugs/alcohol, and missed drug/breath screens. The participant must remain drug and alcohol free for the last twelve months in the program.

#### **G. Case Management**

The participants are required to meet with the case manager on a weekly or bi-weekly basis as determined by the drug court team to ensure that all requirements are being met.

## H. Court Appearances

Participants will initially have court appearances with the Judge on a weekly or bi-weekly basis. After the participant has done well in the program for approximately two months, court appearances are reduced to every third or fourth week. Once the participant has completed treatment and continues to do well in the program, court appearances are lengthened to every fifth or sixth week.

## I. Fees

The following are the costs of participating in Drug Court for participants.

These calculations assume the participant is assessed for intensive outpatient treatment (Rapport) through Baldwin County Mental Health, successfully completes that program, and completes drug court in the minimum period of two (2) years.

<b>I. Court Costs and Assessments</b>	\$ 1,547.50
(Including ADDRA Assessment)	
<b>II. Pretrial Intervention Application Fee</b>	200.00
(Payable to the District Attorney)	
<b>III. Drug Testing</b> (Estimated over 2 years)	1,320.00
(Estimated at 5-6 times per month @ \$10.00 per test)	
<b>IV. Substance Abuse Treatment</b>	1,010.00
(Intensive Outpatient through Baldwin County Mental Health)	
<b>TOTAL</b>	\$ 4,077.50
<b>Less Credit for Substance Abuse Treatment Against DDRA Assessment</b>	( 1,000.00)
<b>Net Costs for Drug Court Participants</b>	\$ 3,077.50

**NOTE:** Inpatient programs can range in cost from \$500.00 to over \$10,000.00, and there is one program, and possibly others, that offer treatment at no cost to indigent persons.

## J. Sanctions and Incentives

A participant's first sanction will result in the participant being placed in the custody of the county jail for a period of 48 hours. If the participant is not honest about the reason the sanction is issued, the sanction is doubled. Participants who fail to follow the required guidelines will be subject to escalating sanctions.

Incentives will range from praise, fewer court appearances, reduced fines/fees, and graduation from the program.



## **K. Staffing Meetings**

The drug court team will meet on a weekly basis to provide the judge with insight on the participant's progress and compliance. This includes drug/alcohol test results, status reports from the treatment provider, and any information on negative behavioral components, including re-arrest. Staffing meetings also include the review of eligibility of potential participants who have attended the first week of drug court and the eligibility of prospective participants who were arrested within the last two weeks. The drug court team gives recommendations on appropriate sanctions or incentives based on each defendant's progress in the program.

## **L. Graduation Requirements**

Participants will be eligible for graduation from the Drug Court program upon successful completion of their required treatment plan to include attendance at all of their scheduled court hearings, completion of the approved substance abuse program, clean drug/alcohol tests for at least the last twelve months of the program, and payment in full of all fees and fines. Successful completion of the Drug Court program will result in the participant having no criminal conviction of the felony charge against them.

## **M. Termination Procedures**

Offenders may be terminated from the Drug Court program for continued violations or a subsequent arrest for a criminal offense including an arrest for a violent crime.

## **IV. Appendix**

- A. Drug Court PTI Agreement**
- B. Release of Information**
- C. Color Code Form**
- D. Urine Abstinence Testing and Incidental Alcohol Exposure Contract**
- E. Prescription Medication Form**
- F. Drug Court Professionals Application**

Appendix A

**BALDWIN COUNTY DRUG COURT**

**PRE-TRIAL INTERVENTION AGREEMENT BY AND BETWEEN  
THE DISTRICT ATTORNEY OF THE 28TH JUDICIAL CIRCUIT AND**

\_\_\_\_\_  
Defendant

Case Number: \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Current Employment

You have been charged with a Felony against the State of Alabama to-wit:

\_\_\_\_\_  
Based upon your request to the office of Hallie S. Dixon, District Attorney of the 28th Judicial Circuit for admission to the **BALDWIN COUNTY DRUG COURT PRE-TRIAL INTERVENTION PROGRAM** and based upon your acceptance to said program which includes you entering a plea of guilty to the offense set forth above, it is hereby agreed pursuant to statute that the State will request that the Court withhold adjudication and sentencing in this matter for a *maximum period of five (5) years with the option to modify said deferment to a minimum period of two (2) years should you complete the Baldwin County Drug Court Program*. Said deferment of adjudication and sentencing is being recommended by the District Attorney's Office based upon your acceptance into the Pre-Trial Intervention Program and your acceptance of the conditions of this agreement which are as follows:

1. You shall enter a plea of guilty to the offense(s) set forth above.
2. You shall provide a written or otherwise recorded statement as to your involvement in the crime charged which shall be admissible in any criminal trial.
3. You shall not be arrested for and/or convicted for any further criminal offenses. You shall not possess, use or have any contact with illegal drugs or associate with persons who sell, furnish, possess or use illegal drugs or who are involved in any other illegal activity.
4. You shall:
  - Work regularly at a lawful occupation or seek gainful employment.
  - Pursue a course of studies as a student or participate and acquire your GED if not a high school graduate.
    - Participate in community service for \_\_\_\_\_ hours pursuant to separate community service form agreement.
  - Abide by a curfew in which you will be in your residence from \_\_\_\_\_ until \_\_\_\_\_.
    - Submit to tests for the purpose of drug screen monitoring at the written or verbal request of the District Attorney or her agents, the Court, or the Court Referral Officer.
5. You shall forfeit any interest in all property seized in this case. No evidence shall be returned, except as specifically stated herein under other.

6. You shall take an active part in the rehabilitation program and pay the costs of said participation in the following required programs or counseling as required by the Court Referral Officer, at a minimum to include drug screen monitoring for a period of twelve months after the completion of any rehabilitation program

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7. If you reside outside of Baldwin County it is agreed that all drug screen reports and treatment reports shall be admitted without certification or witness at any bond revocation and sentencing hearing.

8. You shall provide truthful response to any questions asked by the Court Referral Officer when being evaluated for placement. Failure to be completely forthcoming and truthful with the Court Referral Officer can result in termination from the program.

9. You shall comply with the terms of any bond order entered by the Court.

10. You shall immediately inform the PTI program of any anticipated change in address or employment. You shall also keep the Clerk of the Court informed of your current mailing address.

11. You shall cooperate with the PTI staff in verifying any information requested by the PTI staff.

12. Other: \_\_\_\_\_

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13. You shall pay the following fines, court costs and assessments to the Clerk of the Court:

The costs and all fees of court to include court appointed attorney's fees.

Restitution in the amount of \_\_\_\_\_ to \_\_\_\_\_

A fine in the amount of \_\_\_\_\_.

The following special assessment(s): \_\_\_\_\_

Payments must be made within \_\_\_\_\_ days of this date, or  at a rate of \_\_\_\_\_ per month, beginning \_\_\_\_\_ until paid in full.

14. You shall pay the following special assessments:

Pre-Trial Intervention Application fee of **\$250.00** at the time of said plea, or within \_\_\_\_\_ days of said plea, to the Pre-trial Intervention Fund through the District Attorney's Office.

Pre-trial Intervention monitoring fee of **\$25.00 per month** to the Pre-trial Intervention Fund through the District Attorney's Office.

15. You shall have not or will not make false statements relative to prior arrest records or any other information sought relating to any terms of this agreement.

16. You will waive your right to appeal any final judgment/conviction that may result if you do not comply with the terms of the Pre-Trial Intervention Program or Bond Order (see attached Waiver).

During the period of deferred prosecution, the District Attorney or Assistant District Attorney(s) may revoke or modify the conditions of this agreement and/or terminate your involvement in the Pre-Trial Intervention Program and request that the Court proceed to adjudication and sentencing if you violate any of the terms of the bond order or pre-trial intervention program.

After the agreed period of deferred prosecution and upon your successful completion of this agreement with the District Attorney, the District Attorney or Assistant District Attorney(s) will file a motion with the Court requesting that this case be nolle prossed.

\_\_\_\_\_ Date \_\_\_\_\_  
Defendant

\_\_\_\_\_ Date \_\_\_\_\_  
Defendant's Attorney

\_\_\_\_\_ Date \_\_\_\_\_  
Hallie S. Dixon, District Attorney  
By Assistant District Attorney

**IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA**

STATE OF ALABAMA

vs. \_\_\_\_\_

CASE NO: CC-\_\_\_\_\_ - \_\_\_\_\_

**DEFENDANT'S STATEMENT**

After being advised that I have the right to remain silent, that anything I say, including what is provided in this statement, may be used against me in Court, that I have a right to a lawyer for advice before questioning and/or giving this statement, that if I cannot afford a lawyer, one can be appointed for me prior to questioning and/or giving this statement, I freely and voluntarily provide the following statement:

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\_\_\_\_\_  
DATE

\_\_\_\_\_  
DEFENDANT

\_\_\_\_\_  
WITNESS/DEFENDANT'S ATTORNEY

APPLICATION FOR PRE-TRIAL INTERVENTION PROGRAM  
FOR FELONIES AND MISDEMEANORS

Defendant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Current Employer: \_\_\_\_\_

Court Case Number: \_\_\_\_\_

Charges: \_\_\_\_\_

Defense Attorney: \_\_\_\_\_

I, \_\_\_\_\_ hereby apply for the Pre-Trial Intervention Program for the charges set forth above. I have also enclosed the application fee which is \$250.00 for a felony or \$150.00 for a misdemeanor. Attached hereto is a statement signed by me of my involvement in the charged offense and I affirm that I have not been arrested and/or convicted of any other criminal offenses including violations and misdemeanors except:

\_\_\_\_\_.

I affirm that the information contained herein is correct.

\_\_\_\_\_ Date \_\_\_\_\_  
Defendant Signature

\_\_\_\_\_ Date \_\_\_\_\_  
Defense Attorney

Position of the Investigating Officer:

- Opposes
- Does not oppose
- Has no position

Position of Victim:

- Opposes
- Does not oppose
- Has no position

Acceptance into Pre-Trial Intervention Program

- Granted
- Denied

\_\_\_\_\_ Date: \_\_\_\_\_  
Assistant District Attorney

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA

\*

vs.

\*

CC- \_\_\_\_\_

\_\_\_\_\_  
\*

**WAIVER OF RIGHT TO APPEAL**  
**WAIVER OF RIGHT TO JURY TRIAL**

I have entered into a plea agreement with the State of Alabama in which I have plead guilty, adjudication has been withheld, I have been placed in the District Attorney's Pre-Trial Intervention Program, and placed on a Bond order by the Court. I know that as a result of my plea agreement with the State of Alabama as of the date of this Waiver, no conviction, sentencing, or final judgment has been entered by the Circuit Court.

As part of my plea agreement in this case with the state of Alabama, I hereby knowingly and voluntarily waive my right to appeal any final judgment of conviction or sentencing that may be entered by the Circuit Court in the future if I should be terminated from the Pre-Trial Intervention Program or be shown to have violated the terms and conditions of my Bond Order such that my bond is revoked and I am adjudicated and sentenced. I know that I am waiving my right to have an appeals Court review both the law and the facts of this case as applied to my conviction and sentence.

I have been informed that if I violate the terms and conditions of my Pre-Trial Intervention program or bond Order, and the court determines that I have violated my bond Order, that the Circuit Court pursuant to my plea of guilty and plea agreement with the state of Alabama will then adjudicate me guilty. The State and I have agreed that I may at the time of any sentencing apply to the court for probation, but that the state has not agreed to recommend probation.

I have been informed that a defendant convicted (adjudicated and sentenced) of an offense in Circuit Court has the right to appeal said judgment within forty two (42) days after pronouncement of the sentence. I know that by signing this document and entering into the plea agreement with the state of Alabama in this case, I am hereby waiving my right to appeal any conviction and/or final judgment or sentencing that may be entered in this case.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA

\*

vs.

\*

CASE NO: \_\_\_\_\_

\*

ORDER

COMES NOW the Defendant, \_\_\_\_\_, represented by \_\_\_\_\_, having executed an Explanation of Rights and Plea of Guilty form, a Waiver of Appeal and Jury Trial Form, and having been advised of his/her rights with regards to these proceedings and the possible dispositions as required by Rule 14.4 of the *Alabama Rules of Criminal Procedure*, the Defendant enters a plea of guilty to \_\_\_\_\_.

It is hereby ORDERED, ADJUDGED and DECREED the defendant having waived his right to trial and having entered a plea of guilty to the offense charged, and the defendant having waived his right to appeal his conviction and sentence, pursuant to a plea agreement with the State of Alabama, and at the request of the State and with the agreement of the Defendant, the Court at this time is withholding adjudication on the Defendant's guilt for a *minimum period of two (2) years and a maximum period of five (5) years*. During the period in which adjudication is withheld, the Defendant shall be released on bond, the terms of which are set forth on a separate bond order, and during the period in which adjudication is withheld, the defendant must comply with all conditions and terms of the bond order and must participate and complete *the requirements* of his/her pre-trial intervention program to *include the Baldwin County Drug Court Program*. Should the defendant fail to abide by any of the above conditions to the satisfaction of the Court, the defendant shall be adjudicated guilty and the case shall proceed to sentencing and the defendant having waived his right to appeal shall be denied any bond regarding appeal.

The State has represented to the Court that if the defendant complies with all of the terms of the bond order, *the Baldwin County Drug Court Program*, and his/her pre-trial intervention program during the period in which adjudication is withheld at the end of said period, which is a *maximum period of five (5) years*, the State of Alabama will move to nolle prosequi this case, pursuant to the terms and conditions of its pre-trial intervention program contract with the defendant. *The State has represented that after a period of two (2) years, if the Defendant has successfully completed the Baldwin County Drug Court Program and fulfilled all the requirements under his/her pre-trial intervention contract, the State may at that time motion the Court to nolle prosequi the Defendant's case.* The State has further represented to the Court that if the defendant should fail to comply at any time during the period in which adjudication is withheld with any terms or conditions of the bond order, or the pre-trial intervention program, then the State will file a motion with the Court for the Court to adjudicate the defendant guilty based on his/her guilty plea in this case and proceed to a sentencing hearing. The State and the defendant have agreed that the defendant at the time of his sentencing could make application to the Court for probation, but the State has not agreed to recommend probation. The defendant has further agreed to waive his right to appeal this sentence. The defendant has represented to the Court that the statements set forth above do represent his plea agreement with the State of Alabama.

It is further ordered that pursuant to the Pre-trial Intervention agreement, the defendant shall pay to the Clerk of the Court:

- the costs and all fees of court to include court appointed attorney's fees
- the restitution in the amount of \_\_\_\_\_ to \_\_\_\_\_
- pay a fine in the amount of \_\_\_\_\_
- pay the following special assessment(s) \_\_\_\_\_
- within \_\_\_\_\_ days of the date of this or  at the rate of \_\_\_\_\_ a month beginning \_\_\_\_\_ until paid in full

DONE this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE



**IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA**

STATE OF ALABAMA

\*

vs.

\*

CASE NO: CC-\_\_\_\_\_

\*

**BOND ORDER**

The Defendant's Bond is conditioned on the Defendant complying with the following conditions of his/her bond:

1. Appear in Court whenever ordered. The Defendant shall keep the Clerk of the Court informed of his current residence/mailing address at all times.
2. The Defendant shall not be arrested for and/or convicted for any further criminal offenses.
3. The Defendant shall not possess, use or have any contact with illegal drugs or associated with any persons who sell, furnish, possess or use illegal drugs. A positive urine screen will be considered as evidence of a violation of this condition.
4. The Defendant shall not frequent any business or establishment that serves alcohol as its principal source of income, nor consume or be in possession of any alcoholic beverages while in the Pre-trial Intervention Program.
5. The Defendant shall submit to random drug screen monitoring at the request of the Judge, District Attorney, *treatment provider*, and/or Court Referral Officer. Failure to appear for drug screen monitoring will be a violation of the conditions of this bond order.
6. The Defendant shall successfully complete his Pre-Trial Intervention Program.
7. *The Defendant shall successfully complete the Baldwin County Drug Court Program.*
7. The Defendant shall appear in Court *when ordered*.
8. Pay all court ordered monies as ordered. *The Defendant shall pay \_\_\_\_\_ today and \_\_\_\_\_ per month beginning \_\_\_\_\_.*
9. The Defendant shall not test positive for any controlled substance not legally prescribed for the Defendant. The Defendant shall pay the cost of any drug screen *and* confirmation test. *The Defendant shall inform the Court, treatment provider, and his Court Referral Officer of any and all prescription drugs he is currently legally prescribed. He shall also comply with all documentation requirements of the Baldwin County Drug Court Program related to the verification of prescription medications.*
10. Restitution to be paid out first.

The Defendant is hereby advised that he/she shall be subject to arrest for violation of any condition of the bond order. The Defendant is further advised that the Court may, after notice to the Defendant in a hearing, at any time revoke or modify the conditions of this bond.

ORDERED, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

I, \_\_\_\_\_ the Defendant, hereby certify that I have read the above set forth Bond Order, understand the conditions set forth above, and have received a copy of this Bond Order.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant

THE PRE-TRIAL INTERVENTION  
APPLICATION FEE MUST BE PAID TO  
THE DISTRICT ATTORNEY'S OFFICE

\*\*NO CREDIT WILL BE GIVEN\*\*

\*\*FOR MONEY GIVEN TO THE\*\*

\*\* CLERK'S OFFICE\*\*

YOU MUST PAY THE EXACT  
AMOUNT EITHER BY: MONEY  
ORDER,  
CASHIER'S CHECK OR CASH

NO PERSONAL CHECKS WILL BE  
ACCEPTED

## Appendix B

**Appendix C  
Baldwin County Court Referral Office  
Drug Testing Form**

Client Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Case Manager: \_\_\_\_\_ Program: \_\_\_\_\_

**Your Color is:** \_\_\_\_\_

Listed below are the instructions you will follow for the Baldwin County Court Referral Office Color Code System. Through cooperating with this program, you can help yourself by proving to the criminal justice system that you are drug free.

1. You will be assigned a **color**.
2. You shall call the following number **EVERY DAY beginning TOMORROW** including Saturday and Sunday: **(251) 937-0368 (Bay Minette), 972-8561 (Foley) & 990-4669 (Fairhope)**. Please keep up with all of the numbers. In the event a line is out, please call one of the other numbers listed.
3. A recording will give you the color of the day. If your color comes up, you will report to the CRO Office **THAT DAY** and leave a urine sample. **REMEMBER, WHEN YOUR COLOR COMES UP, YOU MUST REPORT TO THE CRO THAT DAY.**
4. Urine specimens are collected from 8:00 a.m. to 4:30 p.m., every day, excluding Saturday and Sunday when the hours of operation are 8:00 a.m. to 12:00 p.m. All urine specimens collected are **observed**. **A missed test is considered a failed test!**
5. If you live outside Baldwin County, you must have your drug screen done at a facility that meets the requirements of the Baldwin County Court Referral Office AND the results must be faxed to the Baldwin County CRO office by 4:30 p.m. on the same date. The **fax number** is **(251) 580-1667**. **Telephone number** is **(251) 580-1666**.
6. When you come in for a urinalysis, you will be required to pay **\$10 IF IN DRUG COURT OR A JUVENILE. IF YOU ARE ON BOND OR IN ANY OTHER COURT THE COST WILL BE \$20.00.**
7. CRO office locations: Bay Minette, Fairhope, and Robertsdale.

The Color Code System is designed to help you by:

- Making it necessary to give up your habit entirely since the system is random and you will never know when your color is coming up.
- Helping us feel confident in providing a positive report of your progress to the Court.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Witnessed

\_\_\_\_\_  
Date

**THIS FORM MUST BE SUBMITTED TO THE CRO AT THE TIME OF COLLECTION**

## **Appendix D**

### **Urine Abstinence Testing and Incidental Alcohol Exposure Contract**

Recent advances in the science of alcohol detection in urine have greatly increased the ability to detect even trace amounts of alcohol consumption. In addition, these tests are capable of detecting alcohol ingestion for significantly longer periods of time after a drinking episode. Because these tests are sensitive, in rare circumstances, exposure to non-beverage alcohol sources can result in detectable levels of alcohol (or its breakdown products). In order to preserve the integrity of Drug Court testing program, it has become necessary for us to restrict and/or advise Drug Court participants regarding the use of certain alcohol-containing products.

It is **YOUR** responsibility to limit your exposure to the products and substances detailed below that contain ethyl alcohol. It is **YOUR** responsibility to read product labels, to know what is contained in the products you use and consume and to stop and inspect these products **BEFORE** you use them. **Use of the product detailed below in violation of this contract will NOT be allowed as an excuse for a positive test result. When in doubt, don't use, consume, or apply.**

Cough Syrups and Other Liquid Medications: Drug Court participants have always been prohibited from using alcohol-containing cough/cold syrups, such as Nyquil®. Other cough syrup brands and numerous other liquid medications, rely upon ethyl alcohol as a solvent. Drug Court participants are required to read product labels carefully to determine if they contain ethyl alcohol (ethanol).

Non-Alcoholic Beer and Wine: Although legally considered non-alcoholic, NA beers (ex. O'Douls®, Sharps®) do contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed. Drug Court participants are **not** permitted to ingest NA beer or NA wine.

Food and Other Ingestible Products: There are numerous other consumable products that contain ethyl alcohol that could result in a positive test for alcohol. Flavoring extracts, such as vanilla or almond extract, and liquid herbal extracts (such as Ginko Biloba) could result in a positive screen for alcohol or its breakdown products. Communion wine, food cooked with wine, and flambé dishes (alcohol poured over a food and ignited such as cherries jubilee, baked Alaska) must be avoided.

Mouthwash and Breath Strips: Most mouthwashes (Listerine®, Cepacol®) and other breath cleansing products contain ethyl alcohol. The use of mouthwash containing ethyl alcohol can produce a positive test result. Drug Court participants are required to read product labels and educate themselves as to whether a mouthwash product contains ethyl alcohol. Use of ethyl alcohol-containing mouthwashes and breath strips by Drug Court participants is not permitted.

Hand Sanitizer: Hand sanitizers (ex. Purell®, Germex®) and other antiseptic gels and foams used to disinfect hands contain up to 70% ethyl alcohol. Excessive, unnecessary, or repeated use of these products could result in a positive urine test.

Hygiene Products: Aftershaves and colognes, hair sprays and mousse, astringents, insecticides (bug sprays such as OFF®) and some body washes contain ethyl alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol (or its breakdown products) excessive, unnecessary, repeated use of these products could affect test results. Participants must use such products sparingly to avoid reaching detection levels. Just as the court requires Drug Court participants to regulate their fluid intake to avoid dilute urine samples, it is likewise incumbent upon each participant to limit their use of topically applied (on the skin) products containing ethyl alcohol.

Solvents and Lacquers: Many solvents, lacquers, and surface preparation products used in the construction industry and at home contain ethyl alcohol. Both excessive inhalation of vapors, and topical exposure to such products can potentially cause a positive test result for alcohol. As with the products noted above, Drug Court participants must educate themselves as to the ingredients in the products they are using. A positive test result will not be excused by reference to use of an alcohol-based solvent.

**REMEMBER! WHEN IN DOUBT, DON'T USE, CONSUME, OR APPLY!**

**Appendix E**  
**BALDWIN COUNTY DRUG COURT PROGRAM**  
**PRESCRIPTION MEDICATION FORM**

Name of Participant: \_\_\_\_\_ Date: \_\_\_\_\_

**To any Physician, Hospital, or other Medical or Health Care Provider:**

I am currently a participant in the Baldwin County Drug Court Program, in which I am receiving treatment for substance abuse. I am required to inform ALL medical care providers of my participation in the Program and request that, to the extent possible, I not be prescribed narcotic or other addictive medications. Before I may accept a prescription from you for ANY medication, I must have you, as the treating physician, sign below that I have made you aware of my substance abuse treatment.

Diagnosis/Procedure:

\_\_\_\_\_  
\_\_\_\_\_

<b><u>Current Prescription(s)</u></b>	<b><u>Dosage</u></b>	<b><u>Quantity</u></b>	<b><u>Refills</u></b>
---------------------------------------	----------------------	------------------------	-----------------------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Treating Physician: \_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Physician Signature

Telephone No: \_\_\_\_\_

Defendant's Signature: \_\_\_\_\_

Appendix F

ALABAMA ASSOCIATION OF DRUG COURT PROFESSIONALS

MEMBERSHIP APPLICATION

NAME

- Mr.
- Ms. \_\_\_\_\_
- Mrs.
- Judge

HOME ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

AGENCY \_\_\_\_\_

TITLE / POSITION \_\_\_\_\_

AGENCY ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

BUSINESS PHONE \_\_\_\_\_ FAX # \_\_\_\_\_

CELL PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

**Membership Type – All memberships run calendar year from January 1 – December 31.**

- Professional \$25 per year
- Associate \$25 per year
- Sustaining \$200 per year

*Please complete all information and return along with payment to:*

AADCP  
Attention: Kelly Saucer  
300 DEXTER AVENUE  
MONTGOMERY, ALABAMA 36104