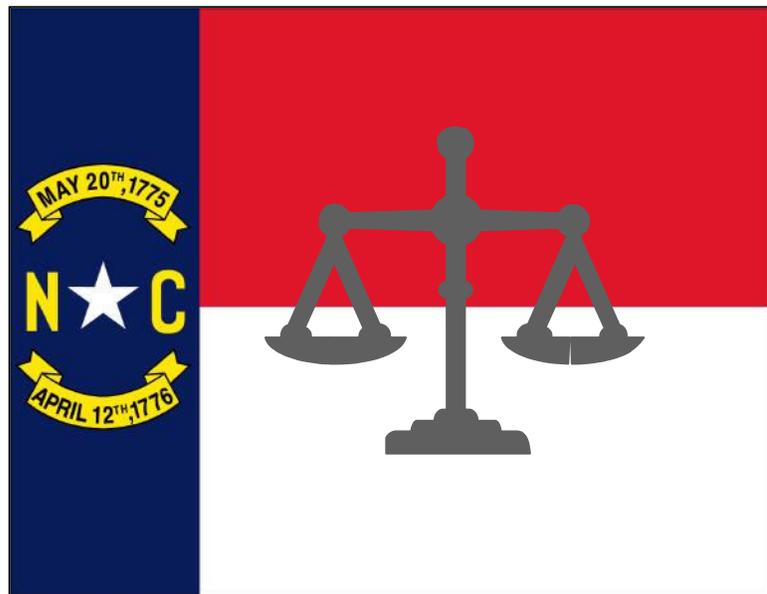


# **Pitt County Drug Treatment Court**



## **Policy and Procedure Manual**

**March 09, 2012**

# **PITT COUNTY DRUG TREATMENT COURT**

## **POLICIES AND PROCEDURES**

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# **PITT COUNTY DRUG TREATMENT COURT**

## **POLICIES AND PROCEDURES**

### **I. INTRODUCTION**

Pitt County is a rural county located in the eastern plains of North Carolina. The county covers approximately 656 square miles and is home to over 133,000 citizens. Over the past ten years, the population of the county has literally exploded. East Carolina University, with a student population of over 24,000, is located within the borders of the county. Eastern North Carolina's largest Medical Center, University Health Systems, has brought to Pitt County a wealth of medical professionals and their families and has provided quality medical care for the entire eastern region of the State. Pitt County is also home to one of the State's largest Hispanic populations, brought here because of a growing economic structure and an extensive agricultural industry. The City of Greenville, considered by many the "hub of the East", has been growing at a record pace, with presently over 63,000 full-time residents.

With unprecedented growth, unfortunately, have come many of the problems associated with much larger metropolitan communities. Problems such as unemployment, poverty, drugs and crime have steadily grown at an alarming rate. Those who work within the confines of the criminal justice system in Pitt County have recognized for some time the interrelated nature of these problems. To alleviate these identified problems, an interactive approach of the citizens of Pitt County is crucial to our future.

The criminal justice community, from law enforcement to judges, agree that our increasing crime rate is bolstered by the growing drug use of our citizens. It is estimated that drug use is the contributing cause of over 80% of the property crimes in the county. These substance abusers, which find themselves, for a multitude of reasons, economically disenfranchised, continually resort to property crimes such as larceny, forgery, break-ins, robberies and burglaries in order to finance their addiction. With a limited amount of community resources available, an integrated approach to the problem is necessary.

Drug offenses in our criminal courts are on the upswing as well. Of the 10,000 citizens booked into the Pitt County Detention Facility in 2003, over 13% are incarcerated for drug charges. Almost 50% of those arrested on drug offenses are between the ages of 16 and 25. 83 % of those arrested were males and 66% were African-Americans. Perhaps a more startling statistic is the sobering fact that 60%

of all persons committed into the custody of the Pitt County Detention Center had identifiable drug abuse issues.

The drugs of choice in Pitt County at present continue to be crack cocaine and marijuana. However, heroin use, which had been a significant problem in the Greenville area during the 1970's and early 1980's, has making a gradual and steady comeback, particularly among the older male population. Disturbingly, it is reported that marijuana use among local high school students and a significant number of middle school students is on the rise. An informal survey of the booking officers at the Pitt County jail reveals that approximately 15% of those processed into the Pitt County Detention Center upon arrest are under the influence of a narcotic substance.

In response to the negative impact of substance abuse in our neighborhoods, schools, and families, the Eastern Carolina Council on Substance Abuse established a broad and encompassing coalition of community, governmental, and business leaders in an effort to positively address the issue. The Pitt County Coalition on Substance Abuse: A Call to Action, was created and subsequently sponsored a one-day forum entitled, "Building a Better Community: A Call to Action to Address Substance Abuse. Over 165 concerned citizens of the community attended. One of the major issues identified by this coalition is its concern over the effectiveness and fairness of the criminal justice system in its response to the issue of substance use and abuse. A coordinated effort to initiate a Drug Court in Pitt County was soon commenced.

## **II. MISSION**

It is the mission of the Pitt County Drug Treatment Court is to improve the lives of our fellow citizens who have been unfortunately impacted by substance abuse, and in turn, make our community a safer place to live by reducing the amount and frequency of drug-related crimes. This mission will be accomplished by assisting the participating defendants in living a productive, sober, independent, and drug-free environment. The Pitt County Drug Treatment Court will offer participating defendants the tools necessary to achieve this mission by providing mandated individualized treatment, rigorous yet compassionate court supervision, effective drug testing, consistent sanctions and incentives, combined with a seamless and dedicated involvement of caring, knowledgeable and motivated Pitt County Drug Treatment Court team members.

### **III. OBJECTIVES AND GOALS**

The Pitt County Drug Treatment Court adopts as its objectives the following **10 KEY COMPONENTS** as adopted from *Defining Drug Courts: The Key Components* (National Association of Drug Court Professionals (NCDCP) :

1. The Pitt County Drug Treatment Court will integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel will promote public safety while protecting the participant's due process rights.
3. Eligible participants will be identified early and promptly placed in the Pitt County Drug Treatment Court program.
4. The Pitt County Drug Treatment Court program will provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.
5. Abstinence from substance use will be monitored by frequently by alcohol and other drug testing.
6. A coordinated strategy will govern the Pitt County Drug Treatment Court program's response to participants' compliance or non-compliance.
7. Ongoing judicial interaction with each Pitt County Drug Treatment Court program participants is essential.
8. Monitoring and evaluation procedures will measure the achievement of the Pitt County Drug Treatment Court program goals and subsequently gauge their effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug court, public agencies and community-based organizations generates local support and enhances drug court effectiveness.

The goals of the Pitt County Drug Treatment Court, as adopted from Chapter 7A-792 of the North Carolina General Statutes, are the following:

1. To reduce substance abuse among adult offenders and defendants.
2. To reduce criminal recidivism.
3. To reduce substance abuse-related court and probation supervision workloads.
4. To increase the personal, familial, and societal accountability of adult offenders and defendants.
5. To promote effective interaction and use of resources between the criminal justice system and the substance abuse treatment community.

#### **IV. MANAGEMENT COMMITTEE**

In accordance with North Carolina General Statute Sections 7A-790 et seq., a local Drug Treatment Court Management Committee has been established for Judicial District 3-A. The local Management Committee is charged with the responsibility of developing and approving local guidelines and procedures considered essential for the proper operation and evaluation of the local drug treatment court. These local guidelines must be consistent with previously established State guidelines. Membership on the local Management Committee is by appointment of the senior resident Superior Court Judge with the concurrence of the Chief District Court Judge and District Attorney, with the intent to insure representation appropriate to the type of drug treatment court to be operated in the Judicial District 3-A. The Judicial District 3-A Drug Treatment Court Management Committee shall include the following:

The Senior Resident Superior Court Judge  
The Chief District Court Judge  
The District Attorney  
The Public Defender  
A member of the private Criminal Defense Bar  
The Clerk of Superior Court  
District 7 Community Corrections Manager  
Pitt County Sheriff  
Greenville Chief of Police  
TASC Director  
PORT Human Services Clinical Director  
Pitt County Drug Treatment Court Program Coordinator  
Other persons as selected by the local Management Committee.

The daily operation of the Drug Treatment Court is the responsibility of the Program Coordinator in consultation with the Drug Treatment Court Judge. The Program Coordinator reports to the local Management Committee who retains authority over the final approval of all program contracts and the Memorandum of Understanding agreement.

#### **V. STAFF TEAM: COMPOSITION AND RESPONSIBILITIES**

The Pitt County Drug Treatment Court staff team is responsible for the program operation on a daily basis to ensure a successful, consistent, and efficient program. Program success is essential to the program's growth and longevity. Consistency among the staff members is imperative to establish a sense of commitment,

expertise, and unity. Program efficiency instills confidence in Drug Treatment Court participants to progress successfully through the phases of the program.

The Pitt County Drug Treatment Court staff consists of the following members:

The presiding Drug Treatment Court Judge  
An Assistant District Attorney  
The Public Defender or his/her designated assistant  
The Program Coordinator  
Community Corrections Officers  
PORT Human Services representative  
TASC representative  
Greenville Police law enforcement officer  
Pitt County Sheriff's Department law enforcement officer.

The Pitt County Drug Treatment Staff will meet the afternoon prior to each session of Drug Treatment Court to discuss fully each program participant's progress, including compliance. Decisions will be reached by group consensus concerning participant acceptance, progress, rewards and sanctions, and completion or termination of the program. Final decisions with regards to program participants always rest in the hands of the presiding Drug Treatment Court Judge.

The following responsibilities are assigned to each member of the Pitt County Drug Treatment Court staff team.

### **Drug Treatment Court Judge**

The responsibilities of the Drug Treatment Court Judge are as follows:

1. Preside over each and every session of Drug Treatment Court (herein after referred to as the DTC).
2. Explain DTC requirements and expectations to the DTC participants.
3. Assume the primary role of motivating, mentoring, and monitoring the participants who appear before the DTC.
4. Establish a supportive relationship with each participant in order to encourage program compliance.
5. Prescribe, with the input of the DTC core staff team, appropriate sanctions and incentives to assist participants in complying with the DTC.
6. Conduct the DTC in such a manner that all DTC participants benefit by observing the other participants as they progress or fail to progress in treatment and observing the court in taking appropriate action.

7. Support and maintain a non-adversarial atmosphere in DTC.
8. Provide leadership and support to the DTC core staff team.
9. Ensure a cooperative atmosphere for attorneys, probation officers, the Program Coordinator, treatment providers, and law enforcement officers.
10. Participate and moderate bi-monthly participant case staffing meetings with members of the DTC core team, collecting and clarifying participant program status, while providing a leadership role in arriving at a consensus among the DTC core team with regards to sanctions, incentives, or general non-compliance issues.
11. Make final decisions with regards to participant judgments and change the DTC core staff team's recommendation as necessary during the DTC session given additional information from the participant.
12. Sign all pertinent legal documents and Orders pertaining to DTC during or immediately following a DTC session when feasible and give all legal documents/Orders to the Clerk of Superior Court to be placed in the participant's file.
13. Moderate all DTC staff activities.
14. Help establish and implement DTC procedures in collaboration with all involved agencies.
15. Function as a spokesperson/program advocate for the DTC program for the news media and other public forums as requested.
16. Attend all other meetings, trainings and conferences applicable to position responsibilities, subject to budgetary restraints.

### **District Attorney**

The responsibilities of the District Attorney are as follows:

#### **The District Attorney agrees to:**

1. Establish participant eligibility standards for admission to the DTC.
2. Recommend and/or approve all participants by determining participant eligibility within seven (7) business days after having received a referral and return approved referrals to the Program Coordinator.
3. Ensure that all DTC participants meet the eligibility requirements as promulgated by the District Attorney.
4. Agree that the disclosure of positive drug screens by program participants, either through admissions or testing results, shall not result in new controlled substances charges or indictments being directed against the participant.
5. Establish and maintain a supportive relationship with each participant in order to encourage program compliance.

6. Remind the participants of the consequences of noncompliance with the program rules and expectations.
7. Notify the Court and Core staff team in a timely manner of any program violations that will result in program termination of the participant.
8. Maintain and promote a non-adversarial and constructive atmosphere in DTC.
9. Participate in client staffing meetings with other members of the DTC core team.
10. Recommend graduated sanctions for noncompliance or new non-violent arrests.
11. Recommend graduation, dismissal, transfer or termination from the program in accordance with established program guidelines.
12. Function as a spokesperson/program advocate for the DTC program to the news media and other public forums as requested.
13. Sign all participant agreements and other pertinent legal documents pertaining to the participant's DTC status immediately after court, when practical, and return signed forms to the Clerk of the Superior Court to be placed in the court file.
14. Attend all meetings, training, and conferences applicable to position responsibilities, subject to program funding restrictions.
15. Cooperate with the members of the DTC core team and assist in creating and maintaining trust among its membership and offer positive feedback in resolving any conflicts.

### **Public Defender**

The responsibilities of the Public Defender are as follows:

1. Advise all DTC participants of their constitutional rights.
2. Explain thoroughly the DTC program to all unrepresented participants and/or attorneys, including the following:
  - a. Purpose of the program.
  - b. Program requirements.
  - c. Consequences of program completion or non-completion.
3. Be available to explain all required waivers or stipulations necessary to participate in the DTC program.
4. Represent all participants at each session of the DTC.
5. Communicate often with the treatment provider concerning each participant's progress in treatment and any obstacles that the participant may be facing that may influence his or her progress in treatment or compliance with the program.

6. Establish a supportive relationship with the DTC participants in order to encourage their program compliance.
7. Assist in maintaining a non-adversarial atmosphere in DTC.
8. Participate in participant case staffing meetings with the other members of the DTC core team.
9. Attend meetings, trainings, and conferences applicable to position responsibilities, subject to program funding restrictions.
10. Assist in the development and implementation of the Drug Treatment Court policy and procedures.
11. Function as a spokesperson/program advocate for the DTC program to the news media and other public forums as requested.
12. Have clients who agree to participate in the DTC sign and date the Information Admissibility Waiver form and forward said Waiver to the District Attorney as soon as possible.
13. Assist in achieving a supportive work environment among DTC core team members by discussing concerns, accomplishments and opportunities for improvement with the Program Coordinator.

### **Community Corrections**

The responsibilities of the Community Corrections Officer are as follows:

1. Supervise DTC participants and develop supervision standards of compliance.
2. Monitor compliance with program requirements such as treatment, employment, community service, and payment of restitution or DTC fees.
3. Establish a supportive relationship with each participant to encourage program compliance.
4. Attend all sessions of DTC in order to provide the court with information concerning each participant's compliance with program requirements.
5. Help to maintain a non-adversarial atmosphere in DTC.
6. Communicate often with treatment providers concerning each participant's progress in treatment and any obstacles that the participant may be facing that may influence his or her progress in treatment or compliance with the program.
7. Coordinate receipt of referrals from fellow community corrections officers and forward these referrals to the Program Director.
8. Collect contact information regarding prospective participant's referrals to the Program Coordinator.
9. Perform weekly face-to-face contacts with DTC participants in the field, office or home.

10. Perform weekly urinalysis along with the TASC case manager and treatment provider to meet the required tests according to the Level I, II, and III guidelines.
11. Conduct warrantless searches and seizures of program participants, their residences, and/or vehicles for illegal controlled substances, alcohol or paraphernalia.
12. Assist in achieving a supportive work environment among team members by discussing concerns, accomplishments, and opportunities for improvement with the Program Coordinator.
13. Attend all sessions of DTC core team staffing meetings in order to provide the court with information concerning each participant's compliance with program requirements.
14. Assist the Program Coordinator during the intake process by investigating the participant's probation history in relation to eligibility, treatment issues, and program evaluation.
15. Assist in the development and implementation of DTC policy and procedures.
16. Attend meetings, trainings, and conferences applicable to position responsibilities, subject to program funding restrictions.

### **Program Coordinator**

The responsibilities of the Program Coordinator are as follows:

1. Coordinate administrative matters relating to DTC.
2. Serve as an assistant to the DTC Judge and provide staff support to the other members of the DTC core team.
3. Provide staff support to the local DTC management committee.
4. Compile and distribute progress reports to the local DTC management committee, funding agencies, Administrative Office of the Courts (herein after referred to as AOC), and other interested parties.
5. Periodically review the Memorandum of Understanding with all the involved agencies to ensure that each agency is meeting its responsibilities and to determine whether modifications of the Memorandum of Understanding are needed.
6. Ensure and encourage coordination and cooperation between all the involved agencies.
7. Assist in the selection of treatment providers.
8. Monitor the performance of treatment providers to ensure that they are providing adequate treatment.

9. Provide an administrative link between treatment providers and the DTC Judge.
10. Ensure that treatment providers submit bi-monthly treatment updates to the court and all DTC core team members.
11. Coordinate the development of an effective case management system.
12. Attend all sessions of the DTC.
13. Monitor an active caseload of up to thirty-five participants.
14. Maintain detailed and accurate manual and computer generated record keeping and statistical data of all participant-related activities as required by AOC, Pitt County, or any other funding sources.
15. Provide communication and operational linkage between the criminal justice system, treatment services, and supplemental support services.
16. Maintain thorough, up-to-date case files.
17. Attend all other meetings, trainings and conferences applicable to position responsibilities, subject to budgetary restraints.
18. Help to maintain a non-adversarial atmosphere in DTC.

### **Treatment Providers**

The responsibilities of TASC administered by PORT Human Services are as follows:

1. Conduct individual substance abuse screening to determine eligibility for DTC and notify the Program Coordinator and promptly notify program coordinator as to screening results.
2. Conduct prospective participant intake, bio-psycho-social assessment, and develop an individualized treatment plan upon formal acceptance of the DTC participant.
3. Provide regular and timely reports to the court concerning the treatment progress of DTC participants, including drug test results, compliance with treatment appointments and any other relevant case information and submit these progress reports by no later than the Thursday morning preceding the next session of DTC.
4. Conduct and/or assist Community Corrections with urinalysis testing.
5. Collaborate with and maintain a good working relationship with DTC staff and core team members.
6. Assist in maintaining a non-adversarial atmosphere in DTC.
7. Designate a specific staff person to serve as the liaison to the DTC and to attend all DTC sessions and all meetings of the participant case staffing meetings by the DTC core staff team members.

8. Attend all other meetings, trainings, and conferences applicable to position responsibilities, subject to budgetary restraints.
9. Assist the criminal justice system and the treatment community in resolving issues of confidentiality.
10. Assist in achieving a supportive work environment among core team members by discussing concerns, accomplishments, and opportunities for improvement with the Program Coordinator.
11. Prepare and present accurate and concise participant progress reports to the court.

The responsibilities of the treatment providers are as follows:

1. Provide individual and group services as indicated in the treatment process description, depending on the participant's individual needs.
2. Conduct and/assist Community Corrections with urinalysis testing.
3. Collaborate with and maintain a good working relationship with DTC staff and core team members.
4. Assist in maintaining a non-adversarial atmosphere in DTC.
5. Designate a specific staff person to serve as the liaison to the DTC and to attend all DTC sessions and all meetings of the participant case staffing meetings by the DTC core staff team members.
6. Attend all other meetings, trainings, and conferences applicable to position responsibilities, subject to budgetary restraints.
7. Assist the criminal justice system and the treatment community in resolving issues of confidentiality.
8. Assist in achieving a supportive work environment among core team members by discussing concerns, accomplishments, and opportunities for improvement with the Program Coordinator.

### **The Greenville Police Department**

The responsibilities of the Greenville Police Department are the following:

1. Coordinate and assist the Community Corrections Office in participant monitoring and/or surveillance.
2. Conduct other tasks as necessary such as systems checks to determine outstanding warrants for arrest and police calls to the residence of the participant.
3. Conduct searches for participants who have absconded.

4. Assist the Community Corrections Officer in conducting warrantless search and seizures for illegal controlled substances, alcohol or paraphernalia for all DTC participants.
5. Assist in achieving a supportive work environment among core staff team members by discussing concerns, accomplishments, and opportunities for improvement with the Program Coordinator.
6. Provide field supervision assistance for DTC participants.
7. Provide arrest information on candidates for admission to DTC.
8. Monitor warrants and arrest records of all program participants.
9. Make available participant information to other law enforcement officers as deemed necessary by the DTC core staff team members.
10. Help maintain a non-adversarial atmosphere in the DTC and core team member staffing meetings whenever present.
11. Contact the Program Coordinator and Community Corrections Officer whenever participant noncompliance is observed.

### **Pitt County Sheriff's Department**

The responsibilities of the Pitt County Sheriff's Department are the following:

1. Ensure that the necessary Bailiffs are provided for the operation of DTC.
2. Ensure the transfer of the participants between the Pitt County Detention Center and the Pitt County Courthouse for DTC.
3. Coordinate with the Clerk of Superior Court to ensure appropriate paperwork is placed in the participant's file to reflect detention and/or release status with regards to the Pitt County Detention Center.
4. Coordinate and assist the Community Corrections Office in participant monitoring and/or surveillance.
5. Conduct other tasks as necessary such as systems checks to determine outstanding warrants for arrest and police calls to the residence of the participant.
6. Conduct searches for participants who have absconded.
7. Assist the Community Corrections Officer in conducting warrantless searches and seizures for illegal controlled substances, alcohol, or paraphernalia for all DTC participants.
8. Assist in achieving a supportive work environment among core staff team members by discussing concerns, accomplishments, and opportunities for improvement with the Program Coordinator.
9. Provide field supervision assistance for DTC participants.
10. Provide arrest information on candidates for admission for to DTC.
11. Monitor warrants and arrest records of all program participants.

12. Make available participant information to other law enforcement officers as deemed necessary by the DTC core staff team members.
13. Help maintain a non-adversarial atmosphere in the DTC and core team member staffing meetings whenever present.
14. Contact the Program Coordinator and Community Corrections Officer whenever participant noncompliance is observed.

## **VI. THE DRUG TREATMENT COURT PROCESS**

### Participant Eligibility

The minimum criteria for participant referral to the Pitt County Drug Treatment Court program are as follows:

1. At least seventeen years of age or older
2. Referral must be post-conviction.
3. Referrals should be non-violent, misdemeanors, or community Corrections probation supervision modifications (referrals are not restricted to drug offenses) motivated by serious substance abuse usage issues and subject to a sentence of at least 60 days (inclusive of any split sentence).
4. Referrals must fall within the Intermediate (State Structured Sentencing guidelines) level of community corrections supervision.
5. Community Corrections probation supervision modifications must have at least one year remaining on probation supervision.
6. Participant must suffer from substance abuse dependency and/or addiction.
7. The prospective participant must not pose a serious risk to the community.
8. The candidate for participation must not have substantial mental health problems that prohibit their productive participation in the program.
9. The participant must not have previously participated in the program (unless accepted by a core staff team decision).
10. Referrals should be for convictions that are not sale/trafficking of controlled substances.
11. The participant must not have been found in possession of a firearm at the time of arrest.
12. The participant a resident of Pitt County.

### **Screening and Referral Procedures**

The screening and referral procedures for the Pitt County DTC are initiated by the Pitt County District Attorney's Office. Referrals of candidates for participation in DTC may come from any source as long as they initially meet the participant

criteria requirements of the District Attorney's Office. The Court retains the right to veto any referral without the consent of the Pitt County Drug Treatment Court core staff team or Local Management Committee.

Referrals to the District Attorney's Office will come from two primary sources. First, case referrals may be made directly to the District Attorney's Office. These referrals may be initiated by the District Attorney, Public Defenders, Judges, Defense Attorneys, enforcement officers, Community Correction officers, and others. These parties will take necessary steps to insure that potential participants are identified early, have charge(s) and plea quickly resolved, that they are promptly screened for substance abuse dependency, and subsequently seek approval or denial of program orientation and entry within a reasonably short period of time.

Second, cases scheduled for violation of probation hearings, either in District or Superior Court, may be referred to Drug Treatment Court either by the Court, District Attorney, Public Defender/Defense Attorney, or Community Corrections Officer.

In determining eligibility for the program, the District Attorney will review the Defendant's residency, criminal history, circumstances underlying the charged criminal offense, existence of a firearm, arresting officer and victim interviews, and other relevant data as indicated previously under Participant eligibility requirements.

Upon initial approval of the referral from the District Attorney's Office, the potential participant is referred to TASC for an initial assessment to determine program eligibility. TASC retains the right, based on this initial screening assessment of the potential participant's suitability, to accept or reject the referral.

### **Initial Screening Assessment Procedure**

TASC, will perform the initial screening following participant approval by the District Attorney's Office. This substance abuse screening will determine the participant's readiness to address documented substance dependence. The evaluation will be completed with regards to the potential participant's suitability for placement in the Pitt County Drug Treatment Court program. TASC will make the initial screening using professionally standard clinical assessment instruments. During the comprehensive one-on one interview, the Treatment Counselor will determine the potential participant's individual needs and suitability for admission into the Pitt County Drug Treatment Court Program and subsequent treatment

through a completion of a diagnostic evaluation. In addition, potential participants will be informed of the reporting requirements of TASC and the Treatment Provider as members of the Pitt County DTC staff team and subsequently will be asked to sign a release of information form allowing TASC and the Treatment Provider to share treatment information with the DTC staff team. Failure and/or refusal by the potential participant to sign the Waiver of Confidentiality forms will result in a denial of admittance into the DTC program. TASC will notify the Program Coordinator immediately of the approval of a potential participant for admittance into the DTC program. After an approved initial screening is made, the participant is scheduled for an assessment within 96 hours. Once the participant is determined suitable for admission through the screening process, an assessment appointment is scheduled to begin the admission process. This assessment will provide a complete psycho-social profile for each potential participant including all problem areas such as alcohol and other drug use, psychological, physical, legal, vocational, family, relational issues and concerns. Potential participants will be informed about the appropriate confidentiality regulations, including HIPPA, as well as other informed consent issues during the screening process.

The initial screening will be scheduled and conducted as soon as possible after the potential participant's approval by the District Attorney for admittance into the program. The Program Coordinator will defer the application for admission to the DTC staff core team until the next staffing meeting.

### **Case Processing**

Upon approval of the District Attorney's Office, TASC, Program Coordinator and/or DTC Staff, the participant will be scheduled for his/her initial Pitt County Drug Treatment Court appearance. At the initial appearance, the Drug Treatment Court Judge will review the program requirements with the participant and his/her attorney. The Participant will execute the appropriate DTC agreements, which will also outline the program's requirements and expectations. The Court will advise the participant that he/she can "opt out" of the program agreement at the next DTC session date. If all necessary paperwork is executed properly and all parties, including the participant are in agreement, the participant is officially enrolled in DTC at that time. If the participant chooses to "opt out", the case is immediately referred to the appropriate District or Superior Court for suitable disposition. Following the participant's enrollment into the program, his/her status will be continually evaluated at the bi-monthly DTC staff meetings held the day before the DTC session.

## **VII. SUBSTANCE ABUSE TREATMENT SERVICES**

The PORT Human Services (hereinafter referred to as PHS) will act as an “umbrella” agency in providing the necessary substance abuse treatment for program participants. Using multiple therapy interventions, such as the twelve-step program as well as both group/individual counseling sessions, PHS will provide the participant with a multitude of treatment options. Having the philosophy that mental illness, alcoholism, and drug dependence in many instances are preventable, PHS through its service providers, will offer care that fosters honesty, cooperation, and open communication. In providing multiple treatment services for the Pitt County DTC, PHS believes that comprehensive substance abuse treatment will benefit the program participant, his/her family, and the community. All treatment protocols and diagnostic testing are scientifically documented, standardized, and approved within the substance abuse treatment community. The entire substance abuse clinical staff will possess at least a baccalaureate degree in the human services field with a minimum two years experience. Extensive training is provided to assist the treatment staff in delivering quality and compassionate services to the program participants. Training will be provided to allow for the appropriate licensure or certification. Treatment will be timely, individualized, affordable, and in adherence to best practices of the substance abuse treatment professionals. In addition, interpreters will be available to assist with our Spanish-speaking and deaf population.

Based on the initial assessment results from TASC, the Treatment Provider will develop a treatment plan for each individual participant, focusing on areas of strengths and weaknesses. To ensure responsiveness to the individual participant’s needs, the treatment plan will be reviewed every thirty days, with appropriate revisions and adjustments implemented as deemed necessary. If additional participant needs are identified during treatment, the plan will be adjusted to accommodate the needs of the participant. For those participants with victimization issues, victim advocates will be available to offer the appropriate assistance. During periodic review of the service plan, assessment and reassessment of behavioral, emotional, educational/vocational, and cognitive functioning and needs will be monitored on a continual and ongoing basis.

### **Levels of Care**

Participant treatment sessions will include individual, family, and/or group counseling. Gender and age specific treatment will be available through existing

community resources. The following are the various levels of substance abuse treatment available to participants:

**Regular Outpatient Treatment:** 52 hours within a 21-week program in three phases:

Phase 1 (36 hours) - Two hours weekly for nine weeks.

Phase 2 (8 hours) - One hour twice weekly for four weeks.

Phase 3 (8 hours) - One hour once weekly for eight weeks.

**Intensive Outpatient Treatment:** 156 hours within a 33-week program in five phases:

Phase 1 (80 hours) - Three hours three times weekly for nine weeks.

Phase 2 (42 hours) - Two hours three times weekly for seven weeks.

Phase 3 (16 hours) - Two hours twice weekly for four weeks.

Phase 4 (10 hours) - One hour twice weekly for five weeks.

Phase 5 (8 hours) - One hour once weekly for eight weeks.

**Continuing Care Treatment** (Post discharge from Walter B. Jones Treatment Facility or DART): 100 hours within a 26-week program in five phases:

Phase 1 (36 hours) - Three hours three times weekly for four weeks.

Phase 2 (24 hours) - Two hours three times weekly for four weeks.

Phase 3 (24 hours) - Two hours twice weekly for six weeks.

Phase 4 (8 hours) - One hour twice weekly for four weeks.

Phase 5 (8 hours) - One hour once weekly for eight weeks.

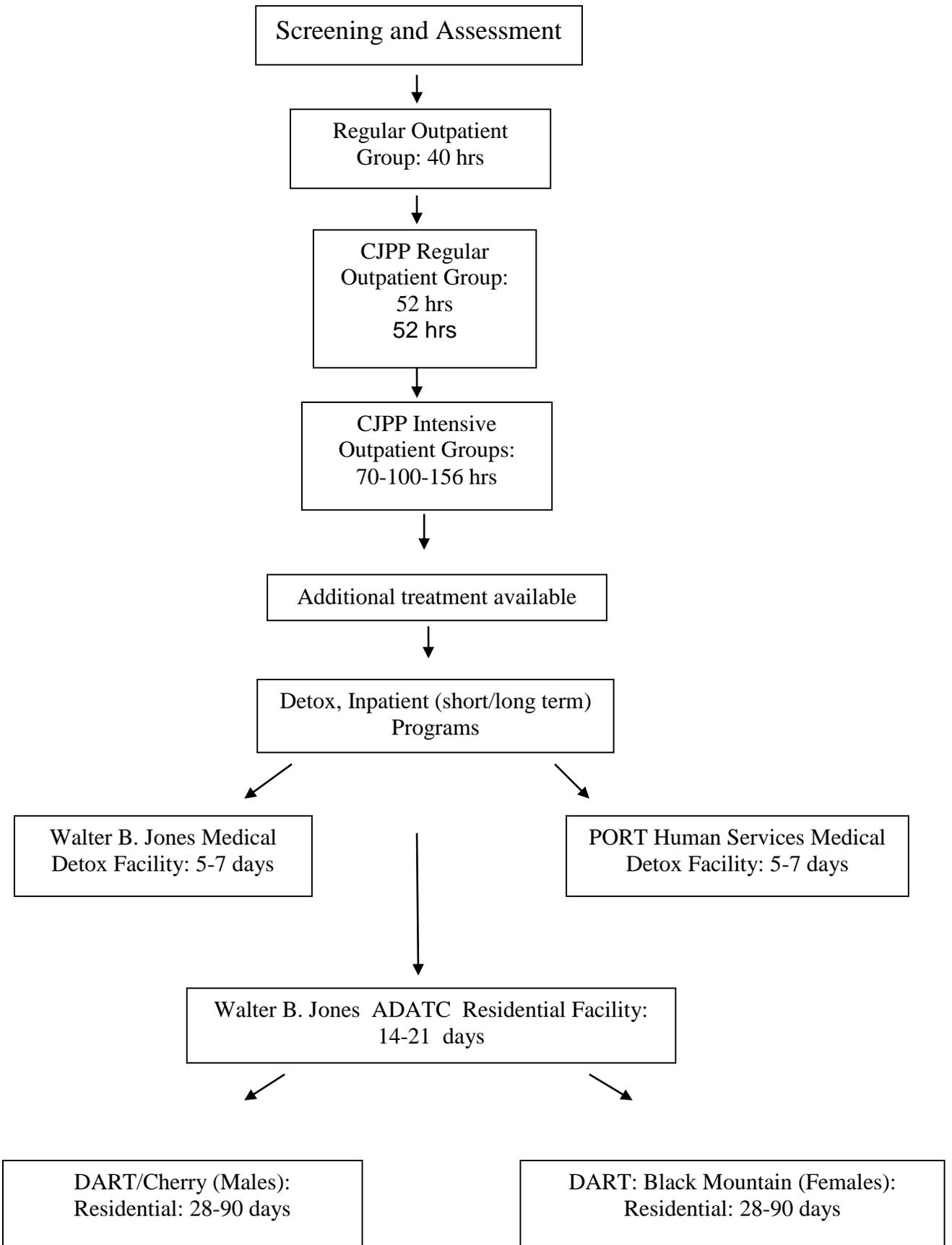
The entire curriculum includes: topics related to those beginning in recovery and how to cope with addiction and begin a lifelong recovery from chemical addiction. These phases of the program cover topics related to the dynamics of addiction, the medical, biological, psychological and social aspects of addiction. Triggers and cravings, coping skills, making changes to plan for recovery, coping with family and relationship issues, emotional awareness, anger management, stress management, self-care, nutrition, avoiding risks, HIV/STD/disease awareness, sex/alcohol and drugs, spirituality, social/refusal skills, communication skills, problem solving, goal setting, and job/work ethics topics will be addressed as well.

The continuing care portion of the program employs a relapse prevention-based curriculum. Clients enhance skills already learned in order to prepare for the transition from the group to lifelong recovery. Skills related to relapse prevention such as refusal skills, advanced coping skills, and preparing to handle risky

situations are discussed. This portion of the program also assists participants in identifying situations in which the potential for relapse is high.

The curriculum is also coupled with insight and motivational-related psychotherapy throughout the entire course of treatment. Counselors utilize psychotherapeutic techniques from motivation enhancement therapy, reality therapy, cognitive behavioral therapy, and insight-oriented therapies in order to generate motivation for change in participants and assist them in focusing on how to maintain positive change.

**HISAT: High-Risk Intervention Substance Abuse Treatment:** A program that provides services for adults dealing with chronic alcohol or drug dependency. One element of this comprehensive treatment and prevention program is day treatment to include individual, group, and family counseling, vocational rehabilitation, NA/AA recovery meetings, chemotherapy/pharmacological intervention if necessary, AIDS education, recreational activities, nutritional assistance, and transportation aid.



The following levels of care are residential services:

Medical detoxification: Non-hospital services are available at the Pitt County Detoxification Center. Clients receive 24 hour care and supervision during their stay which usually lasts 3 to 7 days; depending on the individual need of the participant. The program's philosophy is based on a combination of models including a Psychological Model, the Disease Model of Addiction, Motivational Enhancement Therapy, Humanistic-Experiential Therapy, and Reality Therapy.

Walter B. Jones ADATC Residential Facility: Located in Pitt County, this outstanding resource is a residential inpatient treatment facility for drug and alcohol treatment. Inpatient stays generally range from 21 to 90 days.

DART: Drug Alcohol Recovery Treatment program: A program that operates a specialized 28-90 day inpatient treatment program for chemically dependent offenders who meet the criteria under probation and parole supervision. The program is a “therapeutic community” administered by the Department of Corrections.

To ensure quality participant substance abuse treatment services, the DTC will periodically assess the Treatment Provider to determine effectiveness. The provider, PHS is an associated member of the North Carolina Treatment Outcomes and Program Performance System (NC-TOPPS). The purpose of NC-TOPPS is to integrate performance and outcome monitoring into the ongoing operations of area programs in hopes of facilitating the establishment of a quality management system. This is a stable, credible, efficient system for reporting performance and outcomes for state substance abuse services. These independent feedback reports will assist the Treatment Provider in assessing participant treatment outcomes and overall program performance.

### **Aftercare/Continuing Care Services**

An aftercare plan will be developed between the treatment counselor, TASC Care manager, the DTC Program Coordinator, and the program participant. The program participant will assist the DTC staff in identifying supports and resources considered crucial to the participant's long-term success in attempting to live in a drug-free environment. TASC will provide aftercare services including, but not limited to, reintegration, community supports, and 12-step programs. Aftercare will

be monitored for 60-90 days by the TASC Care Manager and progress updates will be provided monthly to the DTC staff. Monitoring time can be extended based on participant need with the approval of the DTC staff. A peer group will be established to support graduates and, in turn, to provide support to new participants. The TASC Care Manager will be responsible for coordinating aftercare services by bringing together the treatment counselor, DTC Program Coordinator, the DTC staff, and program participant to develop an appropriate aftercare plan in anticipation of the participant's successful completion of DTC program. Involving the program participant in developing an aftercare plan will serve as an empowerment tool by giving the participant input into his/her plan. TASC will keep program coordinator abreast of any situational changes with system reviews of the aftercare program at three, six, nine, and twelve-month intervals following the completion and graduation of the participant from the DTC program.

### **Educational and Vocational Services**

During the TASC assessment and screening process, the Court will identify participant life skill deficiencies, such as employment, educational, and socialization issues. Participants found with such deficiencies will be referred by TASC or the Community Corrections Officer to the appropriate community resource such as Vocational Rehabilitation, JobLinks Career Center, ), HRD (Human Research Development), STRIVE (employment preparation skills program such as career counseling and planning, resume building, and other services geared to gaining employment. Participants with educational barriers to employment will be referred to the local community college for the procuring of a high school diploma or its equivalent as a prerequisite to successful graduation from the Pitt County DTC. Social issues such as spousal abuse, childcare, or relational difficulties, will be referred to the appropriate agency such as Anger Management Program, SAFE program, or those offered to families by the Pitt County Department of Social Services. Again, successful compliance with these programs will be considered a prerequisite to successful completion of the Pitt County Drug Treatment Court program.

### **Primary and Adult Care Services**

Program participants identified during the TASC assessment as in need of supplementary mental health services will be referred to the Local Management Entity (hereinafter referred to as LME) who will screen and refer the individual for an assessment with local mental health provider. The Pitt County Drug Treatment Court has support from the Greenville Community Shelter and Clinic as well as

PiCASO (Pitt County AIDS Service Organization). The Community Shelter Clinic and Bernstein Clinics provide acute health care to the indigent population in our community. It is operated by medical students and faculty of the Brody School of Medicine and supported by volunteer physicians, nurses, medical students, and other members of the health care community. PiCASO provides educational outreach and various assistance services to those Pitt County citizens afflicted with AIDS or at risk of procuring AIDS, or living with a person affected by AIDS. The Pitt County Drug Treatment Court has a large community resource base to link program participants with other collateral services. Services such as public housing, group homes, halfway houses, bus services for the indigent, and many faith-based organizations that offer mentoring, financial, and other individual assistance.

## **VIII. JUDICIAL SUPERVISION**

As previously indicated, a DTC core staff meeting will be held the day prior to each session of the DTC. The DTC Judge, District Attorney, Public Defender, Program Coordinator, Community Corrections Officer, Treatment Provider, and any other relevant person should be in attendance. During this meeting, existing and new cases scheduled for the upcoming Drug Treatment Court session will be reviewed and discussed. The DTC core staff will address each participant's progress, or lack thereof, and make recommendations to the DTC Judge concerning rewards, sanctions, and any additional services that the program participant may need in order to insure his/her successful participation.

Each program participant will appear before the DTC Judge at every session. Each session will consist of the program participant standing before the Judge in order to facilitate direct and immediate communication. The program participant's case will be reviewed for progress since the last session of the DTC. Based on this review, the Court may respond with incentives, sanctions, applause, admonition, level changes, termination, or recommendation of graduation from the program.

### **Supervision Standards**

There are four levels of participation in the Pitt County Drug Treatment Court program. These levels are flexible and a program participant may have conditions imposed from more than one level simultaneously. The following four levels of participation and the accompanying requirements are included in each Drug Treatment Court participant contract as well as the Program Handbook each participant receives at his/her intake interview.

The initial caseload goal of the Pitt County Drug Treatment Court is thirty-five active cases. Twelve months is the expected completion date for the program with an extension possible upon the approval of the DTC staff. At each court session, recognition will be given for progress during each court session. This recognition may include, among other things, modifications of program requirements such as an extension of the curfew, or allowing out-of-state travel. Poor performance will require the Judge to impose sanctions that may include, among other things, demotion to a lower level in the program. The supervision levels are as follows:

**Minimum Requirements of Level I (a minimum of 2 months participation)**

- Two face-to-face contacts with the TASC Care manager each month.
- One face-to-face office contact with the Community Corrections Officer every week. Community Corrections Officer will also be making community and curfew checks in addition to the office contact. Community Corrections Officer will also make monthly home contact and monthly weekend contact.
- Enrollment in the appropriate treatment programs and attendance at all group and individual counseling sessions as directed by the Treatment Provider.
- Comply with curfew set by community corrections officer.
- A minimum of two drug screens per week.
- Attend scheduled Drug Treatment Court sessions.
- Sixty consecutive days of sobriety.
- Stable and suitable housing arrangement
- Employed full-time or faithfully pursuing employment or a course of study.
- Attend at least one self-help meeting per week and provide proper documentation of attendance.

**Level II (a minimum of four months participation)**

- Two face-to-face contacts with the TASC care manager each month.
- Weekly face-to-face office contact with the Community Corrections Officer in the field, home or office. Community Corrections Officer will also be making community and curfew checks in addition to the Office Management contact.
- Attendance at all group and individual counseling sessions as directed by the Treatment Provider.
- Comply with curfew set by community corrections officer.

- Attendance at a minimum of two self-help meetings per week and provide appropriate documentation of attendance.
- A minimum of one drug screen per week.
- Attend all scheduled DTC sessions.
- Must have 120 consecutive days of sobriety.
- Have stable and suitable housing arrangement.
- Must be employed or faithfully pursuing employment or a course of study.

### **Level III (a minimum of six months)**

- Two face-to-face contacts with TASC care manager.
- Weekly face-to-face with the Community Corrections Officer in the field, home or office.
- Individual sessions with treatment counselors as scheduled.
- Removal of curfew requirement with the approval of the DTC staff team.
- Weekly drug screens
- Attendance at a minimum of three self-help meeting per week and provide appropriate documentation of attendance.
- Cooperate with the Treatment Provider and Program Coordinator in development of an appropriate aftercare program and a relapse prevention plan to be subsequently submitted to the Pitt County DTC staff for its approval and implementation.
- Attend DTC sessions.
- Must have 180 consecutive days of sobriety.
- Have a stable and suitable housing arrangement.
- Be employed full-time or faithfully pursuing a course of study.
- 20 hours of volunteer service within Level III time period and appropriate documentation of participation.

### **Drug Testing**

Effective drug testing is essential to a successful Drug Treatment program. Drug testing will be the shared responsibility of the Community Corrections Officer and TASC. These drug screens will be administered at no cost to the program participant. Protocol any drug screens will be as follows:

1. Drug screens will be collected randomly from the program participants.
2. Program participant and test administrator will complete DCC26 Request for Substance Abuse Screening Form.

3. At the time of the drug screen collection, the test administrator will ask a series of questions about drug use, medications, and possible stressors.
4. All drug screens shall be observed by the test administrator. Female program participants will be observed by female staff and male program participants will be observed by male staff.
5. The program participant will sign forms to verify any medication he or she is taking, acknowledges that the urine sample obtained has not been tampered with, and authorize the release of the sample from the program participant to the test administrator.

### **Incentives and Sanctions**

The Pitt County Drug Treatment Court will recognize a participant's progress through the program at its bi-monthly Drug Treatment Court sessions. To encourage compliance and personal responsibility, token incentives (i.e. coupons for restaurants, movie passes, gift cards, etc.) be awarded for successful compliance. Other less tangible incentives such as curfew extensions, permission for overnight travel, early bird status (not being required to stay for the entire Drug Court Session) will be granted for continued successful compliance.

The use of sanctions is also effective in teaching responsibility, goal setting, and the pursuit of successful program achievement through the use of negative reinforcement. The goal of sanctions is to be immediate, consistent, and fair. The philosophy of the Pitt County DTC with regards to sanctions is to use them to encourage compliance rather than to punish. Examples of possible sanctions are: verbal admonitions from the DTC Judge, demotion to a lower level, community service, jail, or an increased frequency of supervision, drug testing, treatment and status hearings. The Pitt County Drug Treatment Court will employ a graduated sanctions approach that becomes more restrictive as the severity and frequency of the noncompliance increases. Expulsion because of a lack of compliance by program participants from the Pitt County DTC program remains the final sanction. Flexibility in issuing sanctions is the key. Caution should be used in developing sanctions for relapse episodes by participants. Relapse-free participants are expected to be the exception rather than the rule. More importantly, careful consideration should be given to HOW the participant reacts to his or her relapse. Sanctions should be imposed accordingly. The ultimate decision involving all incentives and sanctions, while open to the members of the Pitt County DTC Staff team for their input and discussion, remains with the DTC Judge.

## DTC Bi-Monthly Sanctions Grid

<b>Violations</b>	<b>First Non-Compliance</b>	<b>Second Non-Compliance</b>	<b>Third Non-Compliance</b>	<b>Fourth Non-Compliance</b>
<b>Late for Court Session (Unexcused)</b>	Reprimand	Essay	4 - 8 Hours Community Services	24 Hours in Jail
<b>Missed Court Session (Unexcused)</b>	Issue an OFA and Bring Participant Back to Court	24 Hours in Jail Electronic Monitoring	48 - 72 Hours in Jail	Case Review for Termination
<b>Late for Treatment Session (Unexcused)</b>	Reprimand	Make up Session and Write Essay	8 - 10 Hours Community Service and Make up Session	24 Hours in Jail and Make up Missed Session
<b>Missed Treatment Sessions (Unexcused)</b>	4 - 8 Hours Community Service and Make up Missed Session	Electronic Monitoring and Make up Missed Session	24 - 48 Hours in Jail and Make up Missed Session	48 -72 Hours in Jail and Make up Missed Session/Revert to Previous Phase
<b>Late for DTC Appointment (Unexcused)</b>	Reprimand	Make up Appointment and Write Essay	8 - 10 Hours Community Service	24 - 48 Hours in Jail
<b>Missed DTC Appointments (Unexcused)</b>	4 - 8 Hours Community Service and Make up Missed Session	Electronic Monitoring and Make up Missed Session	24 - 48 Hours in Jail	48 - 72 Hours in Jail
<b>Positive or Missed Drug Screen</b>	8 - 10 Hours Community Service (to be completed before next court session)	24 Hours in Jail Plus Extra Drug Screens	48 - 72 Hours in Jail/Revert to Previous Phase	> 72 Hours in Jail/Inpatient Treatment
<b>Not Paying Fees</b>	Reprimand	8 - 10 Hours Community Service	10-16 Hours Community Service	24 Hours in Jail
<b>Curfew Violations</b>	Electronic Monitoring	24 - 48 Hours in Jail	48 - 72 Hours in Jail	Inpatient Treatment
<b>Positive Drug Screen (Self Reporting)</b>	Extra Drug Screens	8 - 10 Hours Community Service	24 Hours in Jail	48 - 72 Hours in Jail/Inpatient Treatment

This sanction grid is to be used as a guideline. The DTC team reserves the right to deviate from the grid if it is in the best interest of the participant.

## **IX. PROGRAM TERMINATION**

Consistent failure to attend treatment sessions and participate in other requirements of the DTC program may result in termination. Termination from the program is regarded as ultimate and final program sanction. It is a remedy of last resort. Termination is a choice willfully made by the participant and subsequently approved by the Drug Treatment Staff.

Termination from the program **shall** occur as a result of the following circumstances:

Voluntary withdrawal by the participant to “opt out”.

A ninety-day or more absence for an outstanding Order of Arrest.

Use of artificial device or means to circumvent drug test and intent to produce a false result

Termination from the Drug Court Treatment program **may** occur as a result of the following:

New Misdemeanor charges

New Felony Charges

Failure to complete a Program Phase within the suggested time limits.

New charges involving the Sale and/or Manufacturing of a Controlled Substance, or Trafficking in a Controlled Substance.

Two false or adulterated urine test samples.

New Felony Charges involving violence.

Upon termination from the Pitt County Drug Treatment Court; the Participant’s case is immediately transferred to the appropriate District or Superior Court for sentence disposition. Even upon a failed Drug Treatment Court outcome, the Drug Treatment Court Staff should make every effort to insure that the appropriate treatment should continue while the participant is incarcerated.

## **X. PROGRAM GRADUATION**

The participant’s recovery from substance abuse and subsequent successful assimilation into society is the most important product of the program. A successful graduate from the Pitt County DTC program will receive a gifts and a graduation certificate to be awarded in court by the DTC Judge on behalf of the core staff. A cake and refreshment party for the graduate and his/her guests will be provided by the DTC Staff and program participants upon completion of the DTC session. Probation fees are expected to be paid in full prior to graduation unless waived with the approval of the Drug Treatment Court staff. Upon graduation from level three, participant will be transferred to the After-Care Program.

## **XI. CONFIDENTIALITY**

The enrollment of a participant in the Pitt County DTC program takes place while court is in session, which by state law, is an open courtroom. Therefore, matters

before the court are public information. However, the participant's subsequent progress in treatment, drug screening information, mental health or medical diagnosis or treatment, as well as any other information specified by Federal or State law is confidential. Participants are required to sign a release of information form to facilitate the exchange of information between the DTC staff and the treatment program to which the participant may be referred. The DTC staff will treat each participant case file as confidential information that will not be shared with anyone who is not a member of the treatment team.

## **XII. PROFESSIONAL DEVELOPMENT AND TRAINING**

The Pitt County Drug Treatment Court staff will endeavor to enroll and attend all available and affordable drug court training available on a local, statewide and a national level.