

PARTICIPANT HANDBOOK

Welcome to the Cherokee Tribal Drug Court. This program is designed for defendants who have alcohol and or drug addictions but have no chronic mental health diagnosis and have not been convicted of violent crimes or sexual offenses. As you enter this intensely supervised court-monitored program, you need to be motivated to work toward changing your lifestyle and becoming free of active chemical addiction.

PROGRAM DESCRIPTION

The Cherokee Tribal Drug Court is a twelve to eighteen month treatment program developed to promote wellness by intervening in alcohol/drug related criminal activity using intensive supervision, counseling and drug screening while also providing social services for a participant. The participants will be required to appear in court once weekly then bi-weekly, depending on which phase of the program they are currently enrolled. The Cherokee Tribal Drug Court Team monitors the participant's progress.

The Cherokee Tribal Drug Court uses a team approach to sentencing and to providing treatment and other related services to participants. The Tribal Drug Court Team consists of the Tribal Drug Court Judge, Tribal Drug Court Staff and representatives from law enforcement, treatment providers, and community members.

When the participant successfully completes the requirements of the program he or she will receive a graduation certificate and a ceremony will be conducted in a Tribal Drug Court Session and or the Cherokee Criminal Trial Court.

At any time, during your participation, you could be terminated from the program and sentenced for non-compliance with program rules or non-compliance with your individual program plan.

Upon voluntary or involuntary termination from Tribal Drug Court, a participant will be permanently ineligible to re-enter the Tribal Drug Court.

YOUR GOALS

The Cherokee Tribal Drug Court staff will assist you with establishing and accomplishing your individual goals; however, every program participant shares the following program goals:

1. To learn and live a recovery lifestyle free of alcohol and Drugs;
2. To learn and practice acceptable and productive life coping skills;
3. To develop a non-criminal pattern of living;
4. To enhance employment skills through vocational training and educational pursuits;
5. To join a support system through attendance at 12 step or self- groups;
6. To increase sober social skills;
7. To enhance self-esteem and self-motivation;
8. To learn the warning signs of relapse and develop a relapse prevention plan;
9. To accept responsibility for financial obligations and learn budgeting skills; and
10. To develop time-management skills.

Any Cherokee Tribal Drug Court participant with court related financial obligations, i.e., child support, restitution, or jail fees will make court approved payments on a regular set schedule and provide staff with documentation of the payments. If you cannot make the agreed upon payment, you must contact the Drug Court staff, so arrangements can be made prior to the due date. Failure to make timely payments will result in delaying your phase advancement or graduation from the program

YOUR RULES

Any violations of the following rules will be reviewed by the Cherokee Tribal Drug Court team and may result in sanctions.

Rules include, but are not limited to:

1. You must wear appropriate clothing at all times;
2. You cannot wear sunglasses inside the Tribal Drug Court office or in court;
3. You cannot wear clothing bearing drug or alcohol related themes, or promoting or advertising alcohol or drug use;
4. You must attend all scheduled counseling sessions, educational sessions, and court sessions, unless you obtain prior approval to be absent. You must arrive on time and not leave until the session is over. If you are late, you may not be allowed to attend the session and may be considered absent. You are responsible for making arrangements to make up missed sessions before your next court appearance;
5. You must turn off cell phones during court and group sessions;
6. You must comply with curfew times set by the drug court team;
7. You are expected to maintain appropriate behavior at all times during Drug Court sessions and while in the courthouse;
8. The Judge and all members of the Drug Court Team shall be addressed with respect;
9. Unless prior approval is given, you must remain for the entire proceeding. There will be no talking while seated in the audience. You will be permitted to show support and encouragement to fellow participants by applause, but only at appropriate times.

TRIBAL DRUG COURT LEVELS

The Tribal Drug Court Program is divided into seven levels or phases to correspond with the seven clans of the Eastern Band of Cherokee Indians. These phases are named after each clan in alphabetical order.

1. **Bird Clan:** This phase encompasses the Cherokee Trial Court Judge's determination that the criminal defendant is potentially eligible for Tribal Drug Court and the initial order allowing the defendant to participate in the program.

2. **Blue Clan:** This phase encompasses the time in which the referred participants
 - Receives his or her initial review, criminal record check, and Substance Abuse Assessments from Analenisgi;
 - Receives his/her orientation about the Tribal Drug Court program from the case manager, if he/she is eligible to continue;
 - Receives his or her review and acceptance into the program by the Tribal Drug Court Team.

3. **Deer Clan:** This phase consists of a stabilizing period which includes at least 90 days of continuous sobriety.

Minimum Requirements:

- A. Attend one Drug Court session per week;
- B. Provide random drug screens which reflect no use of alcohol or illegal drugs;
- C. Attend all assigned documented Alcoholic Anonymous AA Narcotic Anonymous NA meetings; Begin a 12 step Recovery Program, obtain a sponsor;
- D. Attend all assigned group, family, and/or individual counseling sessions;
- E. Develop a payment plan for Court obligations;
- F. Remain in court-approved stable housing;
- G. Maintain court-approved employment, training, and/or education referrals;
- J. Write daily journal assignments which are submitted to the Judge;
- I. Comply with any necessary medical referrals;
- K. Learn to speak and write their name in the Cherokee language;
- L. Maintain daily phone contact with case coordinator or program coordinator by providing a phone message with date, time and name. Restricted numbers will not be accepted;
- M. Visit office once per week.

- 4. Longhair Clan:** This phase encompasses an educational period which includes 90 days of continuous sobriety.

Minimum Requirements:

- A. Attend one Drug Court session every week;
- B. Provide all assigned drug screens each week which will reflect no use of alcohol or illegal drugs;
- C. Attend all assigned documented AA/NA meetings;
- D. Attend all assigned group, family, and/or individual counseling sessions;
- E. Continue a payment plan to satisfy any restitution, court cost, etc.;
- F. Maintain court approved stable housing;
- G. Maintain court-approved employment, training, and/or educational referrals;
- H. Turn in daily journal assignments;
- I. Read a cultural book every two weeks and turn in a report to the Judge;
- J. Maintain daily physical activity which is reported to the Judge;
- K. Do at least one good deed every week to be reported to the Judge and;
- L. Maintain regular contact with sponsor and continue work on a 12 step program;
- M. Write a paper on three (3) things you have learned about yourself;
- N. Maintain daily phone contact with case coordinator or program coordinator by providing a phone message with date, time and name. Restricted numbers will not be accepted;
- O. Attend office visit every week

5. Paint Clan: This phase covers life skills, including 90 days of Continuous Sobriety.

Minimum Requirements:

- A. Attend one Drug Court Session every other week;
- B. Provide all assigned drug screens each week which will reflect no use of alcohol or illegal drugs;
- C. Attend all assigned documented AA/NA meetings;
- D. Attend all assigned group, family, and/or individual counseling sessions;
- E. Continue payments to satisfy any restitution, court costs, etc;
- F. Maintain court approved stable housing;
- G. Maintain court approved employment, training, and/or educational referrals;
- H. Turn in daily journal assignments;
- I. Read a cultural book every two weeks and turn in a report to the judge;
- J. Maintain daily physical activity which is reported to the Judge;
- K. Perform at least one good deed every two (2) weeks and to be reported to the Judge;
- L. Maintain regular contact with sponsor and continue work on the 12 step program;
- M. Interview a cultural leader or elder;
- N. Phone contact two (2) times week;
- O. Maintain office visit every other week.

6. Wild Potato Clan: This phase encompasses a self-motivational period which includes 90 days complete sobriety.

Minimum Requirements:

- A. Attend one Drug court session every three (3) weeks;
- B. Provide all assigned drug screens each week which reflect no use of alcohol or illegal drugs;
- C. Attend all assigned documented NA/AA meetings;
- D. Attend all assigned group, family and/or individual counseling sessions;
- E. Pay remainder amount of restitution, court costs, etc;
- F. Maintain Court approved stable housing;
- G. Maintain Court approved employment, training, and/or educational referrals;
- H. Turn in journal assignments;
- I. Read a cultural book and turn in a report to the Judge;
- J. Maintain regular contact with sponsor and continue to work on a 12-step program;
- K. Do at least one good deed to be reported to the Judge;
- L. Mentor a new Drug Court participant and/or group session;
- M. Complete an exit calendar, exit interview, and plan for aftercare;
- N. Demonstrate tribal or cultural skill to participants;
- O. Obtain GED or High Skill equivalency;
- P. Attend graduation, and present a speech on what the program meant to you.

7. Wolf Clan: This phase consists of aftercare for at least three months.

Participants are required to be available for 3 months after graduation to serve as mentors for new participants or group session, and/or perform public speaking as requested by the program. Aftercare also involves continued attendance at AA or NA meetings, regular graduate support groups that continue to work on relapse prevention, alumni social meetings, and random urine screens and breathalyzers if requested by staff or the Tribal Drug Court Judge. Graduates must notify the Tribal Drug Court Team of any changes in address or employment status and contact the office at least once a year for 5 years for statistical purposes.

Graduates of the program are encouraged to call the Tribal Drug Court if they are struggling in their sobriety or are experiencing other crisis situations. A Case Specialist or Substance Abuse Treatment Counselor will be available to address the issues and offer assistance to support.

If graduates fail to meet the requirements of aftercare, the Tribal Drug Court Judge may then order the graduate to continue participation, or in some cases, revoke the conditional discharge from probation.

Attendance at all appointments will be verified through communication with the Tribal Drug Court staff and the agency providing the service.

Random Drug Screens

Random drug screens play a significant role in your recovery. They should be used as a tool to assist you in staying clean and sober. It is your responsibility to make sure that you understand and comply with the guidelines explained to you during your program orientation. If you go to the doctor you must take the drug court medical verification form with you for the physician's signature and return it to the Tribal Drug Court Staff. If you are prescribed any medications while in the program, you must bring the prescription to the Tribal Drug Court office along with the medical verification form for approval prior to filling the prescription. You must also report any over-the-counter medication to the Tribal Drug Court staff prior to taking them. Failure to comply with the proper procedure may result in sanctions.

Employment

Depending on your physical condition, the Tribal Drug Court team may require you to obtain and maintain approved employment or be involved in an ongoing educational program throughout your time in Tribal Drug Court. You are permitted to change jobs while in the program, however, the Tribal Drug Court staff must be notified prior to the change. If you do not obtain employment on your own within a reasonable time period of entering the program or are terminated from a job you will be required to complete 24 hours of community service a week until employment is found. You may also be referred to Vocational Rehabilitation or another job training program.

Employment will be verified routinely by the staff either through phone contact with your employer or through reviewing copies of your paycheck stub. On-site employment visits will also be conducted. It is your obligation to inform your employer of your participation in Tribal Drug Court and make necessary arrangements for Tribal Drug Court appearances, groups, meetings, and any other court ordered obligations.

Incentives

Incentives may be provided during drug court sessions and may include, but are not limited to:

- promotion to the next phase, certificates and tokens;
- decreased supervision; increased privileges and responsibilities;
- praise from the Tribal Drug Court Judge and Team;
- Extended curfews and other individual incentives approved by the Tribal Drug Court Team.

Although some tangible incentives may be given, you will come to recognize that natural incentives are occurring throughout your time in Tribal Drug Court that include re-establishing relationships, and trust with the family, obtaining employment, meeting educational goals, becoming current on financial obligations and other rewards gained as a result of becoming a productive member of the tribe and maintaining drug free, crime free lifestyle.

Sanctions

You are expected to comply with all requirements and other conditions established by Tribal Drug Court. Failure to comply will result in Tribal Drug Court Judge, imposing sanctions upon you.

Sanctions may include, but are not limited to:

- Reprimand from the Tribal Drug Court Judge;
- Increased level of outpatient treatment or residential drug treatment, community service, phase demotion;
- Increased contacts with the Tribal Drug Court Staff;
- Home confinement;
- Jail;
- Termination from the program.

Graduated sanctions may be used for continuous non-compliance. All sanctions will be appropriate, consistent, and immediately applied. Participants will be responsible for payment each time they are remanded to county jail for non-compliance.

Graduation and Completion of Program

All Tribal Drug Court graduates will receive a certificate at a graduation ceremony. The family of the graduate is invited to attend the ceremony presided by the Tribal Drug Court Judge.

Upon voluntary or involuntary termination from Tribal Drug Court, a participant shall be permanently ineligible to re-enter the Tribal Drug Court.

Upon successful completion of the Tribal Drug Court, the Tribal Drug Court Team may make recommendations to the Sentencing Judge to dismiss all charges.

Termination

A recommendation to terminate a participant from Tribal Drug Court may be made by the Tribal Drug Court Team as a result of the participant's non-compliance with drug court requirements or conditions. If the Tribal Drug Court Judge agrees with the termination, unless the participant has absconded, the participant is to be informed of the decision to terminate in a Tribal Drug Court session. Upon termination, the case is to be docketed on a criminal motion for further proceedings. If you have been terminated from Tribal Drug Court, you will not be permitted to enter Tribal Drug Court in the future.

Voluntary termination

Tribal Drug Court participants may petition the Drug Court Judge for termination/discharge from drug court. If the Tribal Drug Court Judge determines that the voluntary discharge request is knowingly and voluntarily made, the Tribal Drug Court Judge may voluntarily discharge the participant from Tribal Drug Court; however, the discharge cannot take place until the participant has completed all sanctions for Drug Court violations. Following discharge, the case will be placed on the Criminal Court docket for further proceedings. If you request and receive a voluntary termination from Tribal Drug Court, you will not be permitted to re-enter Tribal Drug Court in the future.

Disaster Preparedness Plan

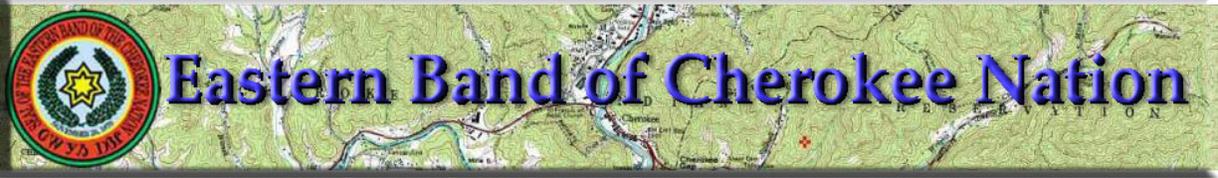
In the event of a natural or man-made disaster, every Tribal Drug Court participant must call the program cell phones and leave a message as to where you can be contacted. It is your responsibility to call and update this information if there are any changes.

Program Hours

The Tribal Drug Court office hours of operation are generally Monday through Friday from 8:00-4:30 with evening and weekend group sessions. However, the office will be closed on the following state & tribal-observed holidays:

New Year's Eve
New Year's Day
Martin Luther King, Jr. Day
Presidents Day
Memorial Day
Independence Day
Labor Day
Presidential Election Day
Veteran's Day
Thanksgiving Day
Tsali Day
Christmas Eve
Christmas Day

While the Tribal Drug Court office will be closed on these days, you may be drug tested and must still contact the Tribal Drug Court staff.



Tribal Drug Court



Participant Handbook

*“They drew a circle that shut me out
Heretic, Rebel, a thing to flout
But love and I had the wit to win
We drew a circle and took them in!”*

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