

Sonoma County Superior Court

DUI Court Program

Participant Handbook

Revised January 2010



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PROGRAM DESCRIPTION

Welcome to the Sonoma County DUI Court Program. This handbook is designed to answer questions, address concerns and provide basic information about DUI Court. As a participant, you will be expected to follow the instructions given in DUI Court by the judge and to comply with the treatment plan developed for you by your treatment team. This handbook will provide you with a general description of what is expected of you as a DUI Court participant. Participants are encouraged to share this handbook with family and friends.

The Sonoma County DUI Court program is a court-supervised, comprehensive treatment program for non-violent offenders. This is a voluntary pilot program that includes regular court appearances before a designated DUI Court judge. Treatment, which includes alcohol/drug testing, individual and group counseling, and regular attendance at 12-step meetings (such as Alcoholics Anonymous or Narcotics Anonymous) or other self-help groups, is provided through the combined effort of the Probation Department and the Alcohol & Other Drug Services (AODS) division of the Department of Health Services. Probation and AODS will also assist you with education and skills assessments and will provide referrals for vocational training, education and/or job placement services. The length of your DUI Court program will be determined by your progress, but will be no less than 12 months. Ongoing aftercare services will be available to all graduates through their treatment provider.

If you are charged with a DUI and have one or more prior convictions for this offense, you may be given the opportunity to participate in DUI Court. A deputy public defender or your private attorney will advise you of your choices and discuss the DUI Court program with you. Entry into the DUI Court program is voluntary but will require that you enter a guilty plea.

Following your guilty plea, you will be directed to appear at the next DUI Court session, where you will observe and speak with the DUI Court judge. If you are interested and are a suitable candidate, you will be referred for a substance abuse assessment. The DUI Court team will then make a recommendation regarding your participation in the program. If the recommendation is favorable, you will be sentenced by the DUI Court judge and admitted into DUI Court. Final determination of entry into the program shall only be made by the judge, with input from the district attorney, defense counsel, Probation, AODS and law enforcement.

You will be placed on formal probation for a period of five years and will be instructed to immediately report to the Probation Department following your sentencing. While on probation, you will be ordered to comply with specific terms and conditions. You will be assigned to a probation officer who will supervise and enforce the probation terms and conditions. Probation supervision will include unannounced home visits during which both you and your place of residence are subject to search and will also include random alcohol/drug testing. In addition, local law enforcement officers may assist your probation officer in your supervision. Your defense counsel will continue to represent you throughout your participation in DUI Court.

There is an initial 14-day evaluation period following sentencing during which an eligibility issue that could disqualify you from participating in DUI Court may arise, or you may decide not to participate in the program. In these events, your case will be returned to the misdemeanor courtroom for prosecution.

The jail portion of your sentence will be stayed, pending successful completion of the program. Upon graduation jail credits will be given for each successful week and each successful phase of the program. The balance of the jail sentence may be served through Supervised Electronic Confinement (SEC) during the term of probation and the latter part of the program. Conversely, failure or discharge from the program will result in imposition of the stayed sentence and may also include additional sanctions for a probation violation. The DUI Court judge will oversee your progress and have full authority over the entire process.

DUI COURT SUPERVISION

You will be required to appear in DUI Court on a regular basis. At each appearance, the judge will be given a progress report prepared by the Probation Department and treatment team regarding your alcohol/drug test results, attendance and participation in the program. The judge may ask you questions about your progress and discuss any specific problems you have been experiencing.

If you're doing well, you will be encouraged to continue with the program and work with your treatment team toward success. If you are not doing well, the judge will discuss this with you and the treatment team and determine further action. A program violation, including but not limited to a missed, positive or tampered test, tardiness or failure to attend individual or group counseling, 12-step meetings, etc., will result in a court-imposed sanction (see **SANCTIONS** on page 15). With repeated violations of program expectations, and/or a failure to progress satisfactorily, the Court may impose the ultimate sanction of discharge from the program and imposition of sentence.

Failure to appear in court on the date and time you are scheduled could result in a warrant being issued for your arrest and you being placed into custody. If you cannot appear in court as scheduled, you must notify your lawyer. If you cannot reach your lawyer, notify your probation officer prior to the court appearance. If you have any questions regarding your court appearances, you should contact your attorney.

Warrants and/or new arrests may result in your being terminated from the DUI Court program and the imposition of sentence. Moreover, any new arrest that results from placing others in danger (e.g., domestic violence, prostitution, a DUI, etc.) will result in termination from the program and imposition of sentence. You may also face additional sanctions for violating the conditions of your DUI Court probation. Other violations that could result in termination include missing alcohol/drug tests, demonstrating a lack of response to program interventions by failing to cooperate with treatment, and violence or threats of violence directed at the treatment team or other clients. All decisions regarding termination from the program will be made by the DUI Court judge.

DUI COURT PROGRAM RULES

As a DUI Court participant, you will be required to abide by the following rules:

1. Do not use or possess any drugs or alcohol.

Sobriety is the primary focus of this program. Maintaining an alcohol/drug free lifestyle is very important in your recovery process. This may include abstaining from over-the-counter (OTC) medications and alternative treatments typically found in health food stores. You must notify your treatment team of any prescription or OTC medications you are taking. All prescriptions and OTC medications will have to be registered at the site where you will be testing.

2. Attend all ordered treatment sessions.

This includes individual and group counseling, educational sessions, 12-step meetings, as well as other events (e.g., DUI Court graduations). If you are unable to attend a scheduled session, you must contact your AODS counselor. Although notifying your AODS counselor generally will not excuse your tardiness or absence, it will allow the counselor to consider special circumstances that might be involved.

3. Report to probation officer as directed.

You must comply with all conditions of probation as directed by your probation officer. You must also notify your probation officer before any change in residence. If you have any problem keeping an appointment, contact your probation officer immediately.

4. Submit to alcohol and drug testing.

You must be prepared to provide a urine sample at each visit to AODS and Probation. If you are unable or fail to provide a monitored sample, your test

result will be deemed a technical positive. You must submit to a breathalyzer test upon request by Probation, AODS or law enforcement.

5. Be on time for all appointments, including court appearances.

If you are late for a counseling session, you may not be allowed to attend that session and you will be considered non-compliant. Contact your AODS counselor if there is a possibility you may be late. If you are late for court you may receive a DUI Court program sanction or the judge may issue a bench warrant.

6. Do not make threats toward other participants or staff or behave in a violent manner.

Violent or other inappropriate behavior will not be tolerated and will be reported to the Court. This may result in termination from the DUI Court program.

7. Dress appropriately for court and treatment sessions.

As a participant, you will be expected to wear a shirt or blouse and pants, a dress or skirt of reasonable length. Shoes must be worn at all times. Clothing bearing alcohol or drug related themes or promoting or advertising alcohol or drug use is considered inappropriate. Sunglasses are not to be worn inside the courtroom or AODS treatment center unless medically approved. Hats are not appropriate. Speak with your treatment team if you need assistance with clothing.

8. While in court, remain seated and quiet at all times.

It is very important to maintain appropriate behavior in court for the benefit of yourself and others present.

9. Comply with all requirements of each phase.

TREATMENT PROCEDURES

Your treatment will be provided through a team approach with the combined resources of the Probation Department and AODS. The treatment team will assess what level of treatment will best meet your needs and recommend to the DUI Court judge that you receive either outpatient or residential treatment. If you are admitted to a residential treatment program, your treatment plan will include the requirements of that program. Upon release from a residential program, you will return to outpatient status with AODS and continue with the DUI Court program. If you are not admitted into a residential treatment program, a multi-component, outpatient program has been developed through AODS which includes:

Treatment Plans

You and your AODS therapist, following an overall assessment of your needs, will develop an initial treatment plan. The plan will be a guide for your initial treatment phase. As part of the plan, you will set goals and select methods and target dates for achieving those goals. The plan will be maintained by your treatment team and will be updated as you progress through the program.

Alcohol and Drug Testing

You will be randomly tested through the entire treatment process. During Phase One, you will be tested a minimum of two times weekly. As you progress through the phases of the program, testing will be required on a random, but less frequent basis. The DUI Court judge will have access to all alcohol/drug test results including any failures to test, and may order an alcohol/drug test at any time. Tampering with any test will be deemed a positive test result and may result in termination from the program. Although relapse may occur in recovery, a positive or "dirty" test will result in a court imposed sanction.

Counseling

Substance abuse counseling is conducted in two separate formats: individual and group. As part of your treatment plan, you will be required to participate in both types of counseling. Together they are designed to develop self-awareness, self-discipline, and coping mechanisms necessary to maintain a clean and sober lifestyle. You will be taking classes in drug and alcohol education, relapse prevention, anger management, assertiveness training, parenting, or any other topic AODS recognizes as needed to serve the DUI Court population. Your attendance at both individual and group counseling sessions will be reported to the judge as part of your progress report. You must have prior permission from your AODS counselor to be excused from a counseling session. Children are not permitted in treatment sessions at AODS and are not to be left unattended in the building.

12-Step Meetings

Attendance will be required at 12-step meetings such as Alcoholics Anonymous or Narcotics Anonymous or other self-help groups. The frequency of attendance requirement is determined by your progress in the program and your phase level. Attendance will help familiarize you with the 12-step philosophy and help you develop trust and create social bonds with other recovering addicts, and is an important part of your recovery process. Your treatment team will provide you with information regarding the time and location of 12-step meetings and will also direct you to recovery events in the community.

You must provide proof of attendance to your AODS counselor and probation officer prior to each court appearance. DUI Court also requires you to have a sponsor and work the steps of your 12-step program. Repeated failures to attend 12-step meetings or falsifying of 12-step meeting cards may result in termination from DUI Court.

Case Management

Case Management services are provided by the treatment team and are a result of a continuous assessment of your needs. These services are provided to facilitate your effort to successfully complete the DUI Court program as well as to become a productive member of society. Services may include:

- Detoxification Referrals
- Residential Drug and/or Alcohol Treatment
- Psychological Evaluation
- Employment Searches
- Education Referrals
- Perinatal Education and Support Services (i.e., parenting classes, etc.)

TREATMENT PHASES

The DUI Court program is a four-phase, highly structured, out-patient treatment program lasting a minimum of 12 months. Individual progress will vary. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, and specific requirements for advancement into the next phase. The components and requirements for advancement from each phase are described below.

Evaluation Period

The evaluation period is a 14-day period in which you will decide whether or not DUI Court is appropriate for you. At the same time, the DUI Court team will evaluate your suitability for the program. During this period, you will actively participate in all DUI Court program requirements. The judge may extend this evaluation period if he/she deems it necessary. Phase One includes the evaluation period.

During Phase One you will be assigned a probation officer and an AODS counselor who will provide you with an overview of the program. Your needs will be assessed and addressed by this treatment team. Your progress will be closely monitored by the treatment team and reported to the judge.

PHASE ONE

PHASE ONE lasts a minimum of 90 days and its requirements include:

- Group counseling: Minimum 1 per week
- Individual counseling: Minimum 2 per month (includes intake, assessment, evaluation, and individualized treatment plan)
- Alcohol/Drug testing: Minimum 3 per week at the Orenda Center as directed. You will be required to call in on a daily basis for testing requirements and information. You are also subject to random testing at the counseling offices, and by Probation
- Self-help meetings (12-step): Minimum 3 per week
- Court appearances: Minimum 1 per week unless modified by the Court
- Reporting to the probation officer once weekly
- Additional case management services as determined by the treatment team
- Have an alcohol monitoring device (SCRAM or other) installed for the first 30 days of the program
- Curfew at the discretion of the Court

Advancement Criteria:

In order to advance to Phase Two you must do the following, at minimum:

- Have no positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days
- Have no unexcused absences from scheduled services for 14 consecutive days
- Provide documentation of required minimum attendance at self-help meetings for 30 days
- Submit a written Phase Two advancement request

PHASE TWO

PHASE TWO lasts a minimum of three months and its requirements include:

- Group counseling: Minimum 1 per week
- Individual counseling: Minimum 2 per month (may be increased as needed)
- Alcohol/Drug testing: Minimum 2 per week at the Orenda Center as directed. You will be required to call in on a daily basis for testing requirements and information. You are also subject to random testing at the counseling offices, and by Probation
- Self-help meetings (12-step): Minimum 3 per week
- Court appearances: Weekly or bi-monthly, as determined by the DUI Court judge
- Reporting to the probation officer once weekly
- Curfew at the discretion of the Court

Advancement Criteria:

In order to advance to Phase Three you must do the following, at minimum:

- Have no positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days
- Have no unexcused absences from scheduled services for 21 consecutive days
- Provide documentation of required minimum attendance at self-help meetings for 30 days
- Have a 12-step sponsor and actively be working on the steps
- Submit a written Phase Three advancement request

PHASE THREE

PHASE THREE lasts a minimum of three months and its requirements include:

- Group counseling: Minimum 2 per month
- Individual counseling: Minimum 1 per month
- Alcohol/Drug testing: Minimum 1 per week at the Orenda Center as directed. You will be required to call in on a daily basis for testing requirements and information. You are also subject to random testing at the counseling offices, and by Probation
- Self-help meetings (12-step): Minimum 2 per week
- Court appearances: Bi-monthly, or monthly, as determined by the DUI Court judge
- Reporting to the probation officer weekly, or as instructed
- Curfew at the discretion of the Court

Advancement Criteria:

In order to advance to Phase Four you must do the following, at minimum:

- Have no positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days
- Have no unexcused absences from scheduled services for 21 consecutive days
- Provide documentation of required minimum attendance at self-help meetings for 30 days
- Have a 12-step sponsor and actively be working on the steps
- Submit a written Phase Four advancement request

PHASE FOUR

PHASE FOUR lasts a minimum of three months and its requirements include:

- Group counseling: Minimum 2 per month
- Individual counseling: Minimum 1 per month
- Alcohol/Drug testing: Minimum 3 per month at the Orenda Center. You are also subject to random testing at the counseling offices, and by Probation
- Self-help meetings (12-step): Minimum 1 per week
- Court appearances: Monthly, or as determined by the DUI Court judge
- Reporting to the probation officer as instructed
- Curfew at the discretion of the Court

Graduation Criteria:

In order to graduate you must have achieved the following, at minimum:

- Abstinence from all drugs/alcohol and any illegal, mood-altering substances
- Consistent attendance at all required treatment activities and court appearances
- No unexcused absences from scheduled services for 45 days
- Stable, clean and sober living arrangements
- Completion (with your counselor) of an aftercare plan to support your sobriety
- Proof of completion of required community service hours
- Proof that fines and fees have been paid in full, or an acceptable payment plan in place and current in payments
- Submittal of a written petition to graduate

OTHER PROGRAM REQUIREMENTS

Your DUI Court judge may require you to fulfill other program requirements such as attending community college courses or attending recovery related events.

SANCTIONS

If you fail to comply with the treatment program, the DUI Court judge may admonish you (give you an official warning) or make a finding of a probation violation. The judge may also order one or more of the following:

- Increased alcohol/drug testing
- Additional alcohol monitoring (such as SCRAM monitoring device) at client's expense
- Writing of an essay on a DUI Court related topic, which must be read aloud by you at your AODS group meeting
- Increased participation in self help, 12-step meetings
- Increased participation in individual and/or group counseling sessions
- Increased frequency of court appearances
- Additional community service hours
- Demotion to an earlier program phase
- Commitment to community residential treatment
- Incarceration
- Expulsion from the program and imposition of sentence

EDUCATION, VOCATION AND EMPLOYMENT PROGRAMS

Recovery from substance addiction means becoming a self-sufficient, productive and responsible member of the community. During the treatment program, full time employment or involvement in an educational or vocational training program is expected. Your counselor will work to assist you in assessing your needs and skills and will refer you to the proper agencies for education, training and job placement.

SOCIAL SERVICES

Upon your entry into the DUI Court program, your treatment team will assess your housing, transportation, family situation and general living needs. When appropriate, you will be referred to an agency for assistance.

GRADUATION

Once you have successfully satisfied the criteria for each phase (as described in the “Treatment Phases” section of this handbook), you will advance to the next level and eventually be a candidate to graduate from the DUI Court program. It will be necessary for you to submit an application to the treatment team to be considered for graduation. The final decision regarding advancement from each phase, as well as graduation eligibility, is made only by the DUI Court judge.

Your family will be invited to join you as the judge congratulates you on successfully completing the DUI Court program and achieving your goal to establish an alcohol/drug-free life.

CONFIDENTIALITY

Your identity and privacy will be protected, consistent with federal regulations and state laws (i.e., 42CFR, Part 2; Health & Safety Code Sections 11812(c), 5328, and 45CFR, Parts 160 and 164). In response to these laws and regulations, the court and its partner agencies developed policies and procedures that guard your confidentiality. You will be asked to sign a waiver authorizing the transfer of information among all participating agencies and the court. An identification number will be assigned to you that will be used in all research and evaluation activities to safeguard your identity.

CONCLUSION

The DUI Court program is designed to help you achieve total abstinence from alcohol and illegal drugs. The program promotes self-sufficiency and can return you to your community as a productive and responsible member. The program is voluntary. The judge, the court staff and the treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to an alcohol/drug free life.

We hope you find this handbook helpful and that it answers most of your questions. If you have any additional questions or concerns about the DUI Court program, please feel free to ask your treatment team. Important DUI Court telephone numbers have been listed at the end of this handbook. Also, for your convenience we've included a month-at-a-glance calendar and a 12 Step meeting attendance record sheet.

Good luck to you!

CONTACT INFORMATION

SONOMA COUNTY SUPERIOR COURT

Sonoma County Hall of Justice
600 Administration Dr. Room 107-J
Santa Rosa, CA 95403

(707) 521-6887

Contact: Laura Brinkoetter
Email: lbrinkoe@sonomacourt.org

SONOMA COUNTY PROBATION DEPARTMENT

Hall of Justice, First Floor
600 Administration Dr. Room 104-J
Santa Rosa, CA 95403

(707) 565-2149

Monday - Friday
8:00 a.m. to 5:00 p.m.

SONOMA COUNTY ALCOHOL AND OTHER DRUG SERVICES (AODS)

AODS

Orenda Center
1430 Neotomas Av
Santa Rosa, CA 95405
(707) 565-6945

DUI PROGRAM

1250 Coddington Center
Santa Rosa, CA 95401
(707) 565-5487

SONOMA COUNTY LAW OFFICE OF THE PUBLIC DEFENDER

Hall of Justice, First Floor
600 Administration Drive, Room 111-J
Santa Rosa, California 95403

(707) 565-2791

SONOMA COUNTY OFFICE OF THE DISTRICT ATTORNEY

Hall of Justice, Second Floor
600 Administration Drive, Room 212-J
Santa Rosa, California 95403

(707) 565-2311

MONTH AT A GLANCE CALENDAR

MONTH _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

MONTH _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

MEETING LOG SHEET

*Submit your meeting sheet to your counselor by 10 am the day of your court review.
(Your meetings must be on different days/dates)

NAME: _____
(Please print first and last name)

Meeting Location: _____ **Meeting Date:** _____ **Meeting Time:** _____

Secretary's Signature: _____

What Did You Learn About Recovery?

Meeting Location: _____ **Meeting Date:** _____ **Meeting Time:** _____

Secretary's Signature: _____

What Did You Learn About Recovery?

Meeting Location: _____ **Meeting Date:** _____ **Meeting Time:** _____

Secretary's Signature: _____

What Did You Learn About Recovery?

APPENDIX A: PHASE REQUIREMENTS AT A GLANCE

PHASE	MINIMUM DAYS	COURT APPEARANCES	12-STEP MEETINGS	ALCOHOL/ DRUG TESTING	PROBATION MEETINGS	AODS GROUP MEETINGS	AODS INDIVIDUAL MEETINGS
EVALUATION PERIOD	14 (included in Phase One)	Minimum 1/week	3/week	3/week	1/week	1/week	2/month
PHASE ONE	90	Minimum 1/week	3/week	3/week	1/week	1/week	2/month
PHASE TWO	90	Minimum 2/month (judge determines)	3/week	2/week	1/week	1/week	2/month
PHASE THREE	90	Minimum 1/month (judge determines)	2/week	1/week	As instructed	2/month	1/month
PHASE FOUR	90	Minimum 1/month (judge determines)	1/week	3/month	As instructed	2/month	1/month

*The table above lists minimum requirements of each phase. Participants may be required to do more than what is listed as determined by the DUI Court team.

**SONOMA COUNTY DUI COURT
PETITION TO ENTER PHASE TWO**

Name

Date

Program

Counselor

Please answer all questions thoroughly before turning in to your counselor. Your counselor must approve your petition before submitting it to the DUI Court Coordinator. Your petition must be turned in at least one week prior to your projected phasing date.

1. What was your life like before you got arrested?
2. How has your life changed since entering DUI Court?
3. What have you learned about alcoholism/addiction since entering the program?
4. What goals have you accomplished in Phase One?
5. Explain what Phase Two means to you and what it means for your recovery.

Counselor Signature

Date Received

Coordinator

Date Received

SONOMA COUNTY DUI COURT
PETITION TO ENTER PHASE THREE

Name

Date

Program

Counselor

Please answer all questions thoroughly before turning in to your counselor. Your counselor must approve your petition before submitting it to the DUI Court Coordinator. Your petition must be turned in at least one week prior to your projected phasing date.

1. What goals/objectives have you accomplished in Phase Two?
2. Describe how your drinking/substance use has affected your relationships with others (family, friends, and employers).
3. Explain what Phase Three means to you and what it means for your recovery?
4. What would make it easy for you to drink/use substances again?

Counselor Signature

Date Received

Coordinator

Date Received

SONOMA COUNTY DUI COURT
PETITION TO ENTER PHASE FOUR

Name

Date

Program

Counselor

Please answer all questions thoroughly before turning in to your counselor. Your counselor must approve your petition before submitting it to the DUI Court Coordinator. Your petition must be turned in at least one week prior to your projected phasing date.

1. What goals/objectives have you accomplished in Phase Three?
2. Describe your support system, including family, friends, peers in recovery, and sponsor.
3. What do you feel you need to work on before graduating from the DUI Court?

Counselor Signature

Date Received

Coordinator

Date Received

SONOMA COUNTY DUI COURT
PETITION TO GRADUATE

Name

Date

Program

Counselor

Please answer all questions thoroughly before turning in to your counselor. Your counselor must approve your petition before submitting it to the DUI Court Coordinator. Your petition must be turned in at least one week prior to your projected phasing date.

1. What goals/objectives have you accomplished in Phase Four?
2. How has your life changed since becoming clean and sober?
3. Have you completed your community service hours? Provide proof to your counselor.
4. What steps will you take to ensure that you do not get another DUI?

Counselor Signature

Date Received

Coordinator

Date Received

DISCLAIMER

This project is a part of the California Traffic Safety Program and was made possible through the support of the Judicial Council of California, Administrative Office of the Courts; California Office of Traffic Safety; Business, Transportation and Housing Agency; State of California; and the National Highway Traffic Safety Administration. The opinions, findings, and conclusions in this publication are those of the author and not necessarily those of the Judicial Council of California, Administrative Office of the Courts; California Office of Traffic Safety; Business, Transportation and Housing Agency; State of California; or the National Highway Traffic Safety Administration.