

Frederick County, Maryland
Drug Treatment Court



Policy & Procedures
Manual

Funding Resources

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All points of view in this document are those of the author and do not necessarily represent the official position of any State or federal agency.

Mission Statement

The Frederick County Drug Treatment Court is a voluntary, non-adversarial judicial response to non-violent, drug addicted offenders charged in Circuit Court by providing a comprehensive program of supervision and treatment, which includes substance abuse treatment, education, and vocational and rehabilitative services.

The Frederick County Drug Treatment Court focuses on assisting the participants in achieving self-sufficiency and becoming responsible members of the community by living drug-free in an environment filled with life's obstacles and pressures.

Program Goals

The following goals have been developed to provide a more efficient judicial process for criminal cases involving substances, to provide a more effective intervention for alcohol and substance abuse offenders and to decrease recidivism within the community.

Goal #1: Enhance public safety in Frederick County by reducing criminal activity (to include any drug and/or alcohol-related citation/charges) by Frederick County Drug Treatment Court (DTC) participant and graduates within the community.

Objective a: Collaborate with Community Supervision (DPP) (formerly Probation) and law enforcement to monitor participants and graduates compliance with the laws of the State of Maryland.

Measurable Outcome a: 50% of DTC participants will remain compliant with the laws of state of Maryland during participation in DTC and for one year after graduation.

Objective b: Collaborate with Frederick County Behavioral Health – Substance Abuse Services (SAS) and DPP to provide appropriate treatment, after care program and close supervision to reduce recidivism by DTC graduates.

Measurable Outcome b: DTC graduates will have a decrease in the recidivism rate by at least 10% for one year after graduation as compared to standard supervision with DPP.

Goal #2: Reduce substance abuse among DTC participants by providing effective interventions.

Objective a: The DTC will collaborate with the SAS to have potential DTC participants complete the DTC Intake Assessment and a Substance Abuse Assessment. The DTC Intake Assessment will be scheduled within 10 business days of determination of legal qualification. The Substance Abuse Assessment will be scheduled within 10 business days of the completion of the DTC Intake Assessment.

Measurable Outcome a: 80% of all those referred as a potential DTC participants will have DTC Intake Assessment and Substance Abuse Assessment completed within the appropriate time frames.

Objective b: Collaborate with SAS and the DPP to provide close supervision and treatment of participants ensuring long-term treatment.

Measurable Outcome b: 50% of participants will remain in treatment 90 days or longer.

Goal #3: To reduce the burden on taxpayers by promoting self-sufficiency of participants and graduates.

Objective a: Collaborate with the Workforce Services (WFS) and the Division of Rehabilitation Services (DORS) to assess the vocational, rehabilitative, and educational needs of DTC participants.

Measurable Outcome a: Upon entry into Phase 3 of DTC (as defined in this Policy Manual), 80% of DTC participants will have stable, DTC approved employment, full-time enrollment in an educational institution or a qualified disability.

Objective b: Collaborate with Department of Social Services (DSS) and the Social Security Administration (SSA) to identify and assess DTC participants that qualify for disability benefits.

Measurable Outcome b: 80% of those participants who are referred for SSI/RSDI benefits will complete and follow through with the application process.

Objective c: Collaborate with DPP to monitor the continued employment and/or disability benefits of DTC graduates.

Measurable Outcome c: 50% of DTC graduates will maintain stable employment and/or disability benefits for one year after graduation.

Screening and Eligibility

Target Population

The DTC is committed to helping non-violent, drug-dependent residents of Frederick County who are age eighteen (18) or older. Many of these residents will be unemployed, indigent, single parents who have educational, job training, housing and social issues. The eligibility requirements are blind to race, ethnicity, gender and/or religious orientation.

Entry Process

1. The DTC Coordinator and/or the State's Attorney's office receive all DTC referrals. Most referrals will come from Law Enforcement, Public Defender's office, Defense Attorneys, DPP or State's Attorney's Office.
2. A criminal history of the potential participant is prepared by the State's Attorney's Office and presented at staffing to determine appropriateness according to eligibility criteria.
 - i. The minimum planning team members who must be present at initial staffing are the Court/DTC Coordinator, State's Attorney's office and Public Defender's office/Defense Attorney.
3. If the potential participant **is not legally qualified**, they are referred to the original docket and prosecuted in the traditional manner.
4. If the potential participant **is legally qualified**, then the DTC Coordinator will schedule an Intake Interview and Risk and Needs Assessment (RANT) with the potential participant.
 - i. The Intake Interview will include the gathering of all demographic information (Name, Address, Phone Number, Social Security Number, Date of Birth, Height, Weight) as well as information deemed necessary to deliver the full scope of services available (Employment History, Treatment History, Medical History, etc.).

- The Intake Interview and RANT will be used as tools for assessing the need for further referrals to outside agencies for collateral services.
- ii. The DTC Coordinator will review the Participant Handbook with each potential participant, explaining in detail the DTC program and the participant's personal responsibility to his/her recovery. The potential participant will sign an "Acknowledgment of Receipt" for the handbook at the conclusion of the interview and assessment.
 - iii. The potential participant will sign necessary "Release(s) of Information" for the purpose of making referrals to SAS and other collateral services agencies.
 - iv. The "Participant Agreement" will be reviewed with each potential participant prior to their admission to the DTC program.
 - v. The Participant Agreement will advise the defendant of the following:
 1. The participant is required to enter a guilty plea or stipulate to a violation of probation as part of a negotiated written plea agreement.
 2. The negotiated plea agreement will specify the offense to which the guilty plea or violation of probation stipulation will be entered and the State's Attorney's office recommendation at sentencing based upon successful completion of DTC.
 3. The offender must voluntarily agree to:
 - ❖ Waive the right to a speedy trial
 - ❖ Waive the right to a preliminary hearing
 - ❖ Terms and conditions of treatment plan
 - ❖ Sign the DTC agreement
 - vi. Pursuant to Rule 2.9 of the Maryland Code of Judicial Conduct, the participant consents that the DTC judge may initiate, permit and consider ex parte communications in conformance with the established protocols for the operation of the DTC program.
 - vii. Should the participant successfully complete DTC program and all terms of the program, he/she will not be incarcerated.
 - viii. Failure to comply with the terms and conditions of the DTC program may result in termination from the program and sentencing based on the negotiated plea agreement.
5. If they are willing to actively participate in the DTC program and deemed appropriate for the DTC program, then, the DTC Coordinator will make a referral to the SAS counselor for a substance abuse assessment. The time period for conducting a substance abuse assessment is 10 business days from completion of the Intake Interview.
 - i. All potential participants must under go an assessment to establish drug dependency and history of drug use. The DTC utilizes a strength based, culturally sensitive, psychosocial history that identifies drug usage/abuse history, as well as other problem areas that may contribute to abuse or hinder clients progress, while identifying strengths that may be utilized to enhance the client's progress.
 6. The SAS will then forward a copy of the assessment to the DTC Coordinator.
 7. If it is determined that the potential participant is inappropriate for the DTC program, after the initial substance abuse assessment, they are referred back to the original Circuit Court docket.

8. If it is determined that potential participant is appropriate for the DTC program, the State's Attorney's Office and Public Defender or Defense Attorney negotiate a plea agreement and a plea date is set.
9. After completion of the negotiated plea, the participant begins the treatment phase of the DTC program.

Eligibility Criteria

1. The Offender must reside and be charged in Frederick County.
2. The original charge must be a non-violent, Circuit Court felony or a misdemeanor charged by criminal information or indictment, violation of probation or a non-violent, District Court misdemeanor with the possibility of incarceration of, at least, 5 years.
3. The Offender must be substance abusing, with a dependency diagnosis.
4. The Offender must voluntarily agree to participate in the drug court.
5. The Offender must be eighteen (18) years or older.
6. The Offender must comply with all housing and transportation requirements of the DTC program.
7. The eligibility criteria can be waived at the discretion of the DTC Staff on a case-by-case basis.

Disqualifying Factors

1. Offenders with Misdemeanor District Court or JTP charges with the possibility of less than 5 years incarceration.
2. Offenders with violent offenses or a propensity toward violent behavior.
3. Offenders with sex offenses or a history of sex offenses.
4. Offenders with child abuse or history of child abuse offenses.
5. Offenders with offenses which may be considered a threat to public safety.
6. First-time offenders
7. Offenders with current or prior felony weapon offenses.
8. Parolees or Mandatory release offenders without permission of the Parole Commission.
9. Offenders that are living outside of Frederick County.
10. Offenders with any unresolved legal issues in other jurisdictions.
11. Offenders that are under the age of eighteen (18).
12. Offenders with significant mental health issues which are not able to be effectively addressed in a community-based mental health treatment program.
13. Disqualifying factors can be waived at the discretion of the DTC Staff on a case-by-case basis.
14. Pursuant to The Drug Court Act, which states in part, "...the offender shall be given an eligibility form which may be **voluntarily** completed by the offender...The offender must request consideration for the drug court program." If the participant has been charged with an eligible offense but **does not voluntarily** want to be a part of the program, they will not be considered for the program.

Structure and Length of DTC

The DTC is a post-plea, pre-sentence program that includes Violation of Probation (VOP) cases. The defendant pleads guilty or stipulates to the VOP pursuant to the negotiated plea agreement, sentencing is deferred and the defendant is placed on pre-sentencing supervision with DPP. As a condition of the pre-sentence supervision, the defendant must participate fully with the prescribed treatment and successfully graduate from the DTC. Sentencing will commence upon graduation or termination from DTC.

The planned length of participation in the DTC is no less than 15 months. However, the expected average length is approximately 18 months, in order to account for potential relapses.

The DTC is divided in three distinct phases with differing guidelines and requirements.

They are as follows:

- Phase 1 is for Stabilization and will last no less than four (4) months.
- Phase 2 is for Intensive Engagement and Participation and will last no less than five (5) months.
- Phase 3 is for Continuing Care and will last no less than six (6) months.

Substance Abuse Assessment

The SAS utilize specific tools to assess the client. The DSM-IV criteria are used to determine substance abuse and/or dependence diagnoses. Physiological tolerance and withdrawal is assessed by client report; breathalyzers and urine drug screens are used to validate client report. Risk factors and predictors of success are determined during the bio-psychosocial interview using an assessment of strengths and weaknesses, spirituality inventory, the Addiction Severity Index (ASI), and a health questionnaire.

The assessment process consists of the counselor and client reviewing agency policies including confidentiality, the client's health information, and appropriate releases of confidential information. The counselor then conducts a bio-psychosocial interview using the ASI as well as assessment of spirituality, strengths and weaknesses. Based on the results of the assessment, the counselor evaluates the client's recovery environment, co-occurring medical and mental problems, readiness to change, relapse potential, and intoxication or withdrawal potential in order to determine treatment needs and the level of care.

Treatment plan goals and objectives are then developed in collaboration with the client, using the results of the assessment. The American Society of Addiction Medicine (ASAM) criteria are used to determine the appropriate addictions services. The client's needs are matched with appropriate services that may include community referrals in addition to substance abuse treatment.

Substance Abuse Treatment Services

The following description for Substance Abuse Services is based upon the services of the FCBH. If the participant has private insurance and/or private funds, they may choose a private substance abuse program. However, that provider MUST adhere to all DTC reporting, treatment and testing requirements. A Memorandum of Understanding must be entered into with each private provider.

The treatment philosophy of SAS is rooted in the individuality and dignity of all clients and staff members. The primary concern is the effect that substance abuse has on clients' lives and the lives of others. Interventions employed in group and individual treatment sessions include the 12-Steps, Chronic Disease Model, Motivational Enhancement; and Cognitive Behavior. In part, counselors utilize the "Living In Balance" curriculum and other Hazelden resources that include these interventions.

The SAS will be the primary treatment provider used by the Drug Court. Other providers may be used depending on a client's particular situation. If inpatient treatment is indicated, then the client will be referred to an appropriate provider. Likewise, a client with insurance or other financial means may choose an alternate treatment provider that meets the Drug Treatment Court's standard of care for substance abuse treatment.

The counselor, in collaboration with the client, develops an individualized treatment plan using results from the assessment. Client strengths and needs are determined during the assessment using tools that include the ASI and a questionnaire in which the client identifies their strengths. The treatment plan may be revised with the client, according to changing client need and ongoing assessment during treatment. Treatment plans are reviewed every 30 days for clients in Intensive Outpatient Treatment (Level II.5), and every 90 days for those in regular Outpatient Treatment (Level 1).

Treatment will be structured according to the individual client assessment. As the client progresses through DTC phases, they will also be progressing through treatment phases, involving treatment specific tasks. Treatment intensity and frequency will be stepped down as the client completes treatment plan objectives (i.e. participating in treatment, remaining drug- and alcohol-free, attending self-help groups, and obtaining employment).

During DTC Orientation Phase, the client is oriented to treatment and stabilized. The client and counselor will develop a treatment plan, and the client will enter treatment at the appropriate level of care. According to the client's need, treatment may consist of participation in the Intensive Outpatient Program (IOP) (Level II.5), which is 9-15 hours per week, or the Outpatient Program (Level 1), which is less than 9 hours per week.

IOP includes two phases. IOP Phase I begins with structured group meetings one to three hours daily for five days per week. In addition to group attendance, participants are expected to attend AA or NA meetings in the community and to complete several assignments. A client may progress to IOP Phase II after he or she has completed all requirements of Phase I. These are Phase I assignments: obtain ten phone numbers of people to use for support; begin to identify a temporary sponsor and a home group; complete a written 1st Step; present the 1st Step to the group; complete written "Big Book" assignments for chapters 1-6; keep a daily feelings journal; maintain abstinence for at least one month; and demonstrate regular

attendance and active participation. IOP Phase I will last a minimum of four (4) weeks, or however long it takes for the client to complete the required assignments.

IOP Phase II consists of three hours of group three times per week. In order to complete IOP Phase II, a client must attend a minimum of 12 days of treatment in addition to attendance at 12 self-help meetings. This phase may also last from four to ten weeks. The assignments for this phase include: complete a written 2nd Step; develop a written relapse prevention plan; complete various worksheets that focus on strengthening recovery; demonstrate basic knowledge of recovery concepts by taking a "final exam"; lead a self-help meeting; obtain a permanent sponsor; and continue to maintain abstinence. Urine drug tests and/or Breathalyzer tests may be done during treatment as needed. A client may transition to DTC Phase 3 while still participating in IOP.

Regular Outpatient Treatment (Level 1) includes treatment services from 1-8 hours weekly. If the client has progressed through IOP (Level II.5) to Level 1, then the client will focus on relapse prevention strategies, feelings management, and crisis management. A client may also begin Level 1 treatment if the initial assessment indicates a need for less intensive services. A client may be in Level 1 for up to 26 weeks, or longer if indicated. The client will need to be drug-free for 180 days in order to complete treatment. The client will also need to demonstrate advanced knowledge and practice of recovery concepts and relapse prevention techniques. Once the client has completed all treatment plan objectives, the counselor will discuss aftercare goals and objectives.

Treatment services in all phases of treatment are comprised of both group and individual counseling sessions. Group sessions are offered several times daily. The frequency of a client's attendance will depend on the level of treatment and treatment phase. Individual counseling sessions will be scheduled at least weekly. Family counseling sessions are available as needed and family groups are offered weekly.

The program offers various treatment modalities to address client needs. Specialized group services include client therapy, family therapy, gender-specific, self-help preparedness, relapse prevention, and co-occurring disorders. During individual counseling sessions, interventions are tailored to each client according to the client's need.

The program addresses anger management and victimization issues by referring clients to Heartly House, a program that serves survivors of relationship and childhood abuse and sexual assault as well as those in need of anger management. Counselors use Hazelden resources, including the curriculum "Living In Balance", to address the formation of values.

Written progress reports are submitted to the court weekly during DTC Phase 1. In Phase 2, reports will be submitted, at a minimum, biweekly. In Phase 3, reports are submitted, at a minimum, monthly. If the frequency of court hearings should change, then the reports will be submitted as needed. Minimum data included in the reports are urine drug test results (if done), counseling attendance and participation, and progress through levels of treatment. These elements reflect the client's overall compliance with the treatment plan.

Aftercare/Continuing Care Services

The client's counselor actively develops an aftercare plan with the client. They develop goals and objectives related to maintaining a recovery lifestyle. These are primarily goals and objectives related to self-help involvement, employment, mental health, and family relationships.

In addition to community self-help, the program has monthly aftercare groups, facilitated by a counselor, for those who have completed treatment. The group schedules are at the discretion of the treatment staff. Clients may also maintain monthly contact with the counselor by phone for aftercare and support services.

Aftercare services are available up to eighteen months after a client completes treatment. The average duration of aftercare is six to eighteen months. The client's counselor is responsible for coordinating and managing the aftercare process. Upon completion of treatment, the counselor with the client completes aftercare surveys monthly, reporting recovery progress for six months post-treatment, and at twelve months and at eighteen months. The counselor also provides the client with aftercare newsletters monthly for six months following treatment completion.

Primary and Mental Health Care Services

The ASI and a bio-psychosocial interview are the primary instruments used to assess a client's needs for primary and mental health care services. The ASI includes sections specific to medical needs and psychiatric needs. The counselor may determine that the client is in need of referral or additional assessment as a result of a client's responses and by the score computed by the ASI. The counselor may recommend that the client meet with the program's Medical Director, an ASAM-certified psychiatrist.

A client in need of primary health care services may be referred to his or her family physician, the Community Action Agency or other community resources. A client in need of mental health care services may be referred to Frederick County Mental Health or Catholic Charities or other public/private resources. The appropriate referrals will be made by the DTC Coordinator or Resource Specialist according to the client's ability to access such services.

Judicial Supervision

The DTC staff will meet for a staffing prior to each DTC hearing. The staffing will provide an update about the participant's progress to date and to discuss any concerns. The DTC staff will review referrals made to the DTC program.

A written staffing report will be compiled by the DTC Coordinator and submitted at each DTC hearing. Each report will contain drug test results, and all other pertinent information regarding the DTC participant since the last report.

- During Phase 1, the participant will appear before DTC judge no less than weekly.
- During Phase 2, the participant will appear before DTC judge no less than bi-weekly.
- During Phase 3, the participant will appear before DTC judge no less than monthly.

The DTC staff will determine at staffing, based upon progress reports, if there is a need for increased or decreased DTC appearances. If the participant's behaviors are inconsistent with positive progress in treatment and/or community supervision, then an increase in DTC appearances will be warranted. Factors will include, but not limited to, positive drug tests, missed treatment appointments, missed drug and alcohol self-help meetings, negative behaviors and lack of motivation.

Community Supervision

The DPP agent will provide day-to-day supervision to ensure that the individual case plan is being followed and the participant's individual needs are being met. The agent will conduct a Risk/Need Assessment with each participant. This measures the participants' prior/current criminal history, prior supervision history, current employment status, and drug and/or alcohol impact.

During the DTC Phases, the DPP agent will develop a case plan to address the criminogenic risk factors of each offender and determine the level of contact activity needed to address the identified factors.

Drug Testing

The DTC operates a fully random testing program. On a monthly basis, the DTC Coordinator assembles a drug testing schedule for the following month. Each participant will be assigned a color as a means of group identification and assignment. They will be given a Drug Test Hotline phone number and required to call in every day of the week for notification of the "color(s) of the day." The participant will be required to call in between the hours of 6am and 1pm. They will be required to report for testing on the day of their color between the hours of 8am and 4pm.

Participants will also be subjected to random drug screens at the full discretion of the DTC Staff. If the participant is specifically contacted to provide a specimen by a DTC staff member, the participant must comply or it will be viewed as a refusal to submit for testing and treated as a positive tests. The participant must report by the end of the business day or as directed by the DTC staff member.

The DTC will utilize rapid urinalysis screens and oral saliva screens as the approved method of drug testing for confirming abstinence from illicit substances. These devices are designed as a preliminary test, in order to reduce the amount of tests that need to be confirmed by gas chromatography/mass spectrometry (GC/MS) laboratory testing.

If a drug screen tests as "positive" for a banned substance, the DTC participant has the option to request the urine specimen be sent to a laboratory for GC/MS confirmation through the DPP. This confirmation will be at the cost to the DTC participant, if the results are confirmed as positive.

The drug screens will always be witnessed. However, precautions against tampering with the specimen are utilized on the rapid urinalysis screen. These precautions include temperature strips.

SCRAM Alcohol Monitoring Unit

This unit will test for alcohol consumption by transdermal testing. The mechanism for testing is a small bracelet that is placed around the participant's ankle. It will take a test every half hour and store the results in the bracelet. The participant is required to report to the DTC office on a weekly basis (unless directed otherwise) to download the results from the bracelet into the computer system for evaluation.

The SCRAM results are analyzed by trained personnel at Alcohol Monitoring Systems, Incorporated in Littleton, Colorado. The data is analyzed and results are confirmed within 24 to 48 hours. A positive alcohol consumption or tampering event will be treated as a positive drug screen by the DTC Staff.

The SCRAM Alcohol Monitoring unit will be utilized on all Phase 1 participants at the beginning of the program. All other participants will be subjected to SCRAM monitoring on a case-by-case basis. All participants who are required to wear the SCRAM ankle bracelet must sign a "User Agreement." The cost for the daily monitoring fee may be at the expense of each individual participant.

Community Service Requirements

All participants (excluding participants with a documented disability) will be required to perform forty (40) hours of community service beginning in Phase 2 of the DTC program. These hours will be completed through an assignment with the Frederick County Sheriff's Office Alternative Sentencing Program. The DTC Coordinator will make a referral for community service once the participant has entered into Phase 2 of the DTC program.

The DTC may assign additional community service hours to a participant when they are not showing satisfactory progress in obtaining employment or educational status. 4 hours of community service may be required for each day not working, in an educational institution or actively seeking employment.

Educational and Vocational Services

Participants will be referred to WFS, DORS or other educational/vocational service providers, unless they are employed, in school or have a documented disability. The providers use an Aptitude, Knowledge and Skills inventory. This instrument is designed to uncover the participants' abilities to function in a workplace, their innate abilities to perform a particular skill and their knowledge of a variety of employment-related and educational topics.

WFS will provide educational services for those seeking employment but lack educational achievement. WFS offers pre-GED testing and referrals for the GED test or GED refresher courses. WFS works closely with Frederick County Community College and the local Frederick County Technical School to provide opportunities to higher education. In addition to private sector employment referrals for participants, WFS offers participants an On-The-Job Training program, which is the best-suited employment program for the participants in DTC.

Participant will also have access to a variety of apprenticeships. A referral may be made to DORS if it is determined that the participant may have educational and/or vocational needs

that cannot be met by WFS. DORS will assist in evaluating the participant for services. The services may include: counseling and guidance to help set goals and make decisions; diagnosis and treatment of mental or physical impairments; interpreters, telecommunications and other equipment, for the deaf or hard of hearing; and other such services.

Collateral Services

The instruments that will be used to assess the DTC needs for collateral services will come primarily from the initial assessment by the Health Department, a risk/need assessment by DPP and an initial intake form that will be completed by the DTC Coordinator in a face-to-face interview with the DTC participant. The variables to be considered will include, but not limited to, need for additional assessments, physical health needs, life skills needs, educational assistance, vocational assistance, parenting skills and housing needs.

The DTC Coordinator, Resource Specialist, DPP agent and Treatment Counselor will assist participants in accessing appropriate services that are consistent to their individual treatment needs. The DTC participants will have access to all collateral needs that may be determined through accessing county agencies as well as private sector providers and agencies.

Incentives and Sanctions

The DTC will be using an individualized system of immediate sanctions and incentives, which are consistent and designed to specifically address program infractions and accomplishments of DTC participants.

Incentives will be distributed through two means. During the DTC status hearing, the DTC staff and Judge may allow for non-monetary incentives to be awarded on a case-by-case basis. Incentives may include, but are not limited to: praise, reduce reporting requirements, certificates, and reduction in community service. The DTC will also issue gift card incentives, as funds are made available.

The DTC will also recognize all participants who have attended all required treatment sessions and DTC-associated appointments, including referrals, education, mental health, physical health, etc. by way of an All-Star board. This board will be displayed in the Courtroom with the names of all participants who have met DTC standards of attendance and participation. In order to be eligible for an incentive, the participants name must be on the All-Star board. The DTC Coordinator will disperse the incentives. The participants will not be eligible for the All-Star board for their first 2 full weeks in DTC.

The incentives are responses to compliance, perceived as positive, by the receiver. They will be given as a result of observable, positive progress towards case plan goals (e.g. promotion from phase level, clean and sober milestones, education or vocational achievement). Incentives are to be administered by graduating levels of progress and achievement in accordance with the activity, phase level and individual needs.

The sanctions that will be employed include, but are not limited to: verbal reprimand, workbook, penalty box, community service, increased court appearances, increased probation supervision, SCRAM alcohol monitoring and jail time.

The sanctions are the imposition of a consequence, perceived as negative by the receiver, as a direct result of a prohibited activity (e.g. positive drug tests, missed treatment appointments). Sanctions are to be administered by graduating levels of severity in accordance with the prohibited activity, and phase level.

Random Polygraph Examinations

Participants may be subjected to random polygraph examinations. These examinations are designed solely for the purposes of verifying adherence to the DTC program policy and procedures. Information obtained in these polygraph examinations will not be used as the basis for potential new charges against the participant. Questions will focus on curfew violations, attending self-help meetings, falsifying self-help slips, completing community service assignments, etc.

The polygraph examination will be administered by a trained examiner from the Frederick County Sheriff's Department.

Distribution of Incentives

Incentives will be disbursed at the discretion of the DTC staff based upon compliance with assigned tasks or completion of milestones.

The DTC Coordinator, Resource Specialist, Probation Agent and Treatment Counselors will hand out incentive cards acknowledging your achievement. As funding is available, a weekly gift card incentive will be given to the Phase 1 and 2 participants who have collected the most cards since the last court date. When there is a tie between participants, the award distribution will be at the discretion of the DTC Judge and Staff.

Jeopardy Contract

Once a participant has reached an unacceptable level of negative behaviors, the DTC staff will require the participant to enter into a "Jeopardy Contract" with the DTC. The contract will be individualized on a case-by-case basis.

This contract will identify a list of needs, goals and/or objectives for the participant. The DTC Coordinator, in conjunction with the individual participant, will compile this list. The participant will then choose a certain number of items from a list of behavior modification tasks. The DTC Coordinator will assign a date of completion of chosen tasks.

Vacation/Overnight Stay Criteria

In order for the DTC staff to approve a participant for an overnight stay at a location other than their specified place of residence but within the state of Maryland, the participant must give notice to the DTC Coordinator or Resource Specialist. The participant must allow for time to obtain staff approval. This requires notice of at least 48 hours.

In order for the DTC staff to approve a participant for out of state travel, the participant must submit, to the DTC Coordinator, Resource Specialist or DPP agent, a travel permit requesting DTC authorization of travel. This permit may be obtained from the DTC

Coordinator or Resource Specialist. It must state the destination, length of stay, reason for stay and contact information for the location where the participant will be staying.

The travel permit must be submitted at least 15 days prior to intended date of travel for processing. Late entries may result in a denial of travel. A urinalysis will be required the last business day prior to departure and the first business day after return arrival.

Graduation Requirements

Graduation Criteria are the guidelines used to identify how offenders can successfully complete the DTC program.

1. Clean and Sober – No less than 6 months
2. Supportive Recovery System – establish regular attendance at drug and alcohol self-help meetings and secure a permanent sponsor and a home group
3. Education/GED/Vocational Skills – will either be employed full-time/part-time, in school full-time/part-time or have a documented disability
4. Stable Housing – must be DPP approved housing for no less than 3 months
5. Compliant with Medical/Mental Health Requirements – taking all prescribed medications for no less than 3 months
6. Completion of 3 community service activities with Youthful Offenders or other court approved community-based program.
7. Current with all financial obligations or on a DTC staff-approved payment plans.
8. Law abiding and no new offenses
9. Submission of a Graduation Application
10. Recommendation for graduation from Treatment Provider

Graduation Application

The Graduation Application is a neatly written or typed 3-5-page essay that will address the participants' understanding of personal problems of addiction, criminal behavior, and relapse prevention. It should be a 3-part essay. Each part should be at least one 8.5 x 11 page long. The Graduation Application will be due, at least, two weeks prior to graduation.

The first part, will describe the participants' life during their substance abusing past. They will identify the following: 1. My personal problems of addiction; 2. My Criminal thinking/behavior and where it led me; and 3. How I finally ended up in Drug Court.

The second part, will describe the participants' experience in Drug Court. They will identify the following: 1. How I felt getting started in Drug Court; 2. What worked the best for me in Drug Court; and 3. What I am thankful for from my time in Drug Court.

The third and final part, the participant will describe their Relapse Prevention Plan. The will identify the following: 1. What I am going to struggle with; 2. What I learned in Drug Court; and 3. How I am going to apply what I learned.

Termination Criteria

Termination Criteria are the guidelines used to unsuccessfully release a participant from the DTC program. Termination proceedings will comply with graduated sanctions until termination is the last option.

1. A current DTC participant that would be charged with a new criminal case that would disqualify them from being eligible for DTC in accordance to Bureau of Justice Administration violent offender requirements.
 2. Exhibiting non-compliance in accordance with DTC Policy & Procedures, Treatment and DTC individual case plans.
 3. Repeated failure to appear for DTC appearance/status hearings.
 4. Acts of violence.
 5. Medical problems that preclude participation in treatment (administrative discharge).
 6. Voluntary quitting the DTC program.
- ❖ The DTC Judge, in accordance with Maryland law, will decide all final terminations. The participant is entitled to an attorney at a termination hearing.

Drug Treatment Court and Restitution Costs

Fees will be collected by the Frederick County Health Department on a sliding scale depending on the participants' ability to pay for treatment.

All restitution must be scheduled for a payment plan through DPP during Phase 2.

DTC and Treatment Phase Level Chart

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| <p style="text-align: center;"><u>DTC Phase 1</u></p> <p>Stabilization expected to last no less than four months</p> | <p><u>Stabilization</u></p> <ul style="list-style-type: none"> * Develop treatment plan * Enter appropriate level of treatment <p><u>IOP (Level II.1) Phase I</u></p> <ul style="list-style-type: none"> * 5 days per week * 1-3 hours per day * minimum of 4 weeks <p><u>IOP (Level II.1) Phase II</u></p> <ul style="list-style-type: none"> * 3-4 days per week * 3 hours per day * 6-8 weeks <p><u>Outpatient (Level 1)</u></p> <ul style="list-style-type: none"> * typically 1-3 days per week * 1-8 hours weekly * up to 26 weeks or longer if indicated |
| <p style="text-align: center;"><u>DTC Phase 2</u></p> <p>Intensive Engagement & Participation expected to last no less than five months</p> | <p><u>IOP (Level II.1) Phase I</u></p> <ul style="list-style-type: none"> * 5 days per week * 1-3 hours per day * minimum of 4 weeks <p><u>IOP (Level II.1) Phase II</u></p> <ul style="list-style-type: none"> * 3-4 days per week * 3 hours per day * 6-8 weeks <p><u>Outpatient (Level 1)</u></p> <ul style="list-style-type: none"> * typically 1-3 days per week * 1-8 hours weekly * up to 26 weeks or longer if indicated |
| <p style="text-align: center;"><u>DTC Phase 3</u></p> <p>Continuing Care expected to last no less than six months</p> | <p><u>Outpatient (Level 1)</u></p> <ul style="list-style-type: none"> * typically 1-3 days per week * 1-8 hours weekly * up to 26 weeks or longer if indicated |
| <p>Treatment frequency is increased or decreased, depending upon an ongoing assessment of the client's needs.</p> | |

Roles and Responsibility of the Drug Treatment Court Team

The Judge

1. Explains DTC requirements and expectations to each participant.
2. Develops a personal relationship with each participant by reviewing past events and providing a parental role of authority.
3. Provides encouragement and imposes sanctions to participants in an effort to set examples and shape behavior.
4. Reviews with participants the current status of family and social relationships, employment and/or personal welfare.
5. Provides leadership and decision making skills to the drug court team and within the community.

The DTC Coordinator

1. The Coordinator shall be the custodian of the Memorandum of Understanding and all records of the DTC.
2. Serves as assistant to the Judge and provide clarification and direction to the remaining DTC staff members.
3. Coordinates the selection of treatment providers, reviews, modifies and negotiates contracts for treatment programs, reviews progress reports for compliance with DTC expectations and reviews billing for accuracy.
4. Identifies resources to support the DTC program and prepares grant applications and reports to secure continued funding of the DTC.
5. Reports on progress of the DTC program to the advisory board, grantee and other appropriate groups.
6. Maintains statistics describing DTC program participants.
7. Attends DTC hearings to observe, testify or represent DTC.
8. Interprets court orders and/or proceedings for offenders.
9. Holds weekly DTC staffing on participants.
10. Explains DTC requirements and expectations to each participant.
11. Conducts Intake Assessment for determination of collateral needs exclusive of treatment.
12. Provides advocacy and referrals for DTC participants.

The DTC Resource Specialist

1. Responsible for overseeing the collateral service component of the DTC.
2. Facilitates access to services and monitoring participant progress.
3. Establish and evaluate new community resources/contacts.
4. Assist participants in obtaining access to public medical insurance coverage and disability programs.
5. Develop and supervise community service and volunteer projects for participants.
6. Assists with drug testing program, as needed.
7. This position will not act in a clinical capacity. Licenses and Certificates are not a requirement for this position.

The State Attorney's Office

1. Approves admission of all offenders into DTC.
2. Negotiates plea agreements.
3. Ensures that DTC program eligibility requirements are met and maintained.
4. Requests sanctions and incentives as appropriate to be issued by the Judge.
5. Participates in all sanction and/or termination hearings.
6. Requests termination of DTC participants if their progress and behaviors do not show promise for rehabilitation.

The Public Defender's Office/Private Defense Attorney

1. Ensures that DTC procedures and protocols are in the DTC participants' best interests.
2. Evaluates the merits of each defendant's case to make appropriate recommendations regarding admission to the DTC program.
3. Negotiates plea agreements.
4. Advises defendants of their constitutional rights to counsel, trial, due process and speedy trial, and explains the drug court's requirements to waive certain rights.
5. Explains the case disposition that would likely occur if the participant completes or fails to complete DTC.
6. Represents participants in all sanction and/or termination hearings.
7. Attempts to establish a supportive relationship with the DTC participant to encourage compliance with the program guidelines.

The Community Supervision Agent

1. Supervises DTC participants in the community and monitors compliance with treatment schedules and with all general and special conditions of probation.
2. Follows up with participants who fail to appear for treatment or DTC hearings.
3. When available, attends DTC staffing and/or DTC hearings to describe participant's compliance with program rules.
4. Develops supervision case plans.
5. Assists with drug testing program, as needed.
6. Communicates with substance abuse treatment agencies on a regular basis about the progress or obstacles facing the DTC participants under supervision.
7. Provides supervision functions for assigned participants to include: explaining the rules and conditions of supervision; monitoring behaviors/activities and work attendance; supervising payment of restitution, court costs, fines and/or fees that have been ordered to be paid through the Division of Parole and Probation; referrals to social service agencies depending on needs; providing home/work contacts; and conducts drug testing and advises DTC of drug test results.

The Treatment Counselor

1. Provides group and individual treatment services, case monitoring and regular reports to the DTC regarding the progress of DTC participants.
2. Conducts drug testing (as necessary) and advises the DTC of the drug test results.
3. Regularly communicates with the DTC judge and the rest of the DTC staff regarding DTC participants' progress in the DTC program (e.g., attendance in treatment, drug test results and sanction/incentives that might be warranted).
4. Attends DTC staffing and /or DTC hearings as needed.
5. Reports on the treatment provider's recommendations for DTC participant phase advancement or graduated use of sanctions.
6. Provide treatment data in accordance with 42 CFR, Section 2, and HIPPA confidentiality regulations.
7. Creates individualized treatment plans to address participants' needs.
8. Provides participants with assistance and support in crisis situations.

The Law Enforcement Agencies

1. Makes referrals to DTC for potential participants.
2. Assists with community policing efforts, to include: conduct curfew checks, as available and providing accountability and encouragement to DTC participants.
3. Serve on the DTC Advisory Committee and associated work groups.
4. Aggressively serve bench warrants issued on behalf of DTC.
5. Assist in other DTC matters as requested and as resources permit.