

**DWI DRUG COURT
INTERVENTION AND
TREATMENT PROGRAM**

OPERATIONS MANUAL



EL PASO, TEXAS

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FORWARD

The policies and procedures, outlined in this manual, represent the minimum requirements of the DWI Drug Court Intervention and Treatment Program. Additionally, specific practices were developed to provide team guidance and encourage DWI Drug Court participant conformity. The structure of these policies and procedures will:

- Creating public awareness through forums and informational meetings;
- Minimize duplication of efforts and ensure greater coordination among all affected departments and agencies;
- Maximize coordination and sharing of treatment resources;
- Strengthen efforts to obtain funding; by periodically reviewing, monitoring, and
- Managing data; furthermore to analyze program effectiveness, modified operations and refine goals.

MISSION STATEMENT

The mission of the DWI Drug Court Program is designed to reduce recidivism of alcohol and drug offenders and to enhance public safety through a cost effective integrated continuum of care and a judicially supervised regime of treatment and innovative case management.

DWI DRUG COURT PROGRAM

The DWI Drug Court Intervention and Treatment Program (hereinafter referred to as the Program) is the first dedicated specialized court in the region to handle adults convicted of DWI offenses. The program applies the principles of the traditional Drug Court Program to alcohol dependent adults. Eligible participants of the Program are adults convicted of a DWI offense(s).

The Program is a comprehensive fourteen (14) month, five (5) phase program designed with specific objectives aimed at keeping the offender sober, drug free and reducing recidivism.

The Program implements acute, clinical adaptation habitual and continuous care. The Program demands offender accountability by requiring judicial monitoring, mandatory treatment, intensive supervision and law enforcement surveillance.

10 KEY COMPONENTS

- Use a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program clients;
- Integrate alcohol and other drug treatment services in the processing of cases in the judicial system;
- Provide a continuum of alcohol, drug, and other related treatment and rehabilitative services;
- Ensure early identification and prompt placement of eligible clients in the program;
- Promote ongoing judicial interaction with program clients;
- Monitor abstinence through weekly alcohol and other drug testing;
- Foster a coordinated strategy to govern program responses to clients' compliance;
- Monitor and evaluate goals and effectiveness;
- Develop partnerships with public agencies and community organizations;
- Continue interdisciplinary education to promote effective program planning, implementation, and operations;

GOALS AND OBJECTIVES

- Address alcohol, drug abuse dependency; among offenders
- Engage participants in alcohol treatment with sober living;
- Reduce the overcrowding of Jails / prisons;
- Monitor attendance of Recovery support groups on a regular basis;
- Completion of the assessed community service hours as needed or ordered by the court;
- Intensive supervision by the DWI Team (Community Supervision Dept. and Surveillance officer);
- Random drug/alcohol testing;

ELIGIBILITY

Eligible participants of The Program are adults (17 years of age or older) with DWI offenses (Misdemeanor, Felony and Federal) residing in El Paso County, Texas.

DISQUALIFICATION CRITERIA

- Offense with a final conviction involving death, aggravated assault with deadly weapon or of a sexual nature and assault on a public servant.

PRE-QUALIFICATION SCREENING AND ASSESSMENT

Pre-Screening: The Assistant District Attorney and Compliance Officer will provide a screening to ensure referrals meet the established qualification criteria. They will then make the recommendation regarding placement in The Program to the Drug Court team. The participant will be referred to the Compliance Officer for program screening and orientation. If accepted, the participant will be referred to participate in The Program. Referring parties will then be notified whether placement was accepted or denied. The individual will then be given an appointment to proceed with intake process (sign a program contract) and establish new schedule appointments to follow. The individual will then be expected to complete The Program as a condition of their community supervision (probation).

Clinical Assessment: All Program participants are clinically assessed by a Counselor (LPC, LCDC, CI, etc) for placement in the appropriate level of treatment. All psychological and medical documents related to a participant will only be used to assure proper assistance while in the program and facilitate linkages to services. Administrative controls will be enforced to ensure compliance with all applicable federal and state laws regarding confidentiality.

If the participant is discharged from the program unsuccessfully, the Assistant District Attorney may prosecute the participant in the future, and the assessment results will not be available to aid in the prosecution. While the DA's office will be informed about the details of a participant's discharge because of their participation on the Team, the detailed results of the assessment or other disclosures may not be used for prosecution purposes because it is not conducive to the goals of The Program.

CONFIDENTIALITY

Participant's records are protected under Health Insurance Portability and Accountability Act of 1996 (HIPAA) and 42 CFR Part 2 (federal regulations governing confidentiality of alcohol and drug abuse patient records). Medical information and participant records cannot be disclosed without written consent to the Program or to associated partners of the Program unless otherwise provided for in the regulation. A participant's consent shall automatically expire when they are no longer receiving services from The Program. Absent specific statutory authority to the contrary, no confidential information may be released without the participant's written consent as documented by the accompanying signed consent form that complies with the requirements of the applicable laws and regulations. Please find an example of the Program's Consent Form on the following page.

DWI DRUG COURT INTERVENTION AND TREATMENT PROGRAM
CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

Client Name: _____

Date of Birth: _____

Client's Cause Number (s): _____

This form is my permission/consent to release my records and allow for the communication and disclosure of the following information (non-exhaustive list):

- Diagnosis;
- UA/BA (Drug Alcohol Testing);
- Attendance in Counseling Treatment (Alcohol/Drug & Mental Health);
- Participation in the Program;
- All relevant medical records and information;
- All relevant mental health records and information;
- All relevant drug/alcohol abuse and dependency information

*Any information disclosed in determining the effectiveness of my treatment or outcome evaluation will be disclosed in a statistical format only and not utilized in a criminal prosecution or investigation.

The above information may be disclosed and shared among and between the entities listed below:

- DWI Drug Court Intervention and Treatment Program
- Judge Robert S. Anchondo and Staff
- El Paso County Public Defender's Office
- 34th Judicial District Attorney's Office
- El Paso County Sheriff's Office
- El Paso County Community and Corrections Supervision Department
- El Paso Police Department
- Treatment Providers
- U.S. Federal Courts for the Western District of Texas
- U.S. Probation Department for the Western District of Texas
- U.S. Marshall Service for the Western District of Texas

I hereby give Treatment Providers, EPCSCD, and the United States Probation Department the authority to release my records and or information. I also understand that in doing so, the Treatment Providers, EPCSCD, and the United States Probation Department are not responsible for any legal liability that may occur as a result of the release of my records or information.

However, I hereby provide that my consent is valid for 14 months or upon my completion of the program.

I acknowledge that my records and or information concerning alcohol and drug abuse are protected by federal confidentiality regulations and as such cannot be released without my written consent unless otherwise provided for in the regulations. I also acknowledge that this consent to release my records and or information was made and or given freely, voluntarily, and without any form of coercion and that the information provided is correct to the best of my knowledge. In order for my medical records to be re-released by those receiving the information that I have authorized, I must give further written consent which will automatically terminate approximately 90 days upon my completion and or termination from the program unless I give a written revocation prior to the 90 day expiration date.

My alcohol and or drug treatment records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, the Health Insurance Portability and Accountability Act of 1996 (HIPPA), 45 C.F.R. Parts. 160 & 164, the Texas Health and Safety Code Title 2 Subtitle I, Chapter 181, and Title 7 Subtitle E Chapter 611. I understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it, and that in any event this consent expires automatically as follows:

- Complete the Program successfully and graduate; or
- Formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated into treatment.

I recognize that my review hearings are held in an open and public courtroom and it is possible that an observer could connect my identity

with the fact that I am in treatment as a condition of participation in The Program. I specifically consent to this potential disclosure to third persons in open court.

I understand that if I refuse to consent to disclosure or attempt to revoke my consent prior to the expiration of this consent agreement, such action is grounds for the immediate termination from participation in the Program.

I have been provided a copy of this form.

I acknowledge that I have been advised of my rights, have received a copy of the advisement, and have had the benefit of legal counsel or have voluntarily waived the right to an attorney. I am not currently under the influence of drugs or alcohol, or any other substance that prevents me from fully understanding the contents of this form. I fully understand my rights and I am signing this Consent voluntarily.

Client Name (Printed)

Date

Client Signature

Date

Compliance Officer

Date

**PROHIBITION ON REDISCLOSURE
OF CONFIDENTIAL INFORMATION**

This notice accompanies a disclosure of information concerning a client in alcohol/drug treatment, made to you with the consent of such client. This information has been disclosed to you from records protected by federal confidentiality rules (42 C.F.R Part 2). The federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertain or as otherwise permitted by 42 C.F.R Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The federal rules restrict any use of this information to criminally investigate or prosecute any alcohol or drug abuse patient.

PROGRAM PHASE REQUIREMENTS

Each participant will be expected to adhere to the following requirements:

Phase 1: Acute Stabilization

Duration: 2 months

- Shall attend and receive certificate of completion for Victim Impact Panel presentation (general)
- Shall schedule a medical appointment (Physical exam)
- Shall engage with the treatment plan which will be developed by your treatment provider. You are to set up the appointment within 24 hours of the next business day of intake
- Shall attend recovery support groups, as instructed by your treatment provider
- Shall appear weekly before the court for DWI Drug Court review hearings
- Shall report to your assigned Community Supervision Officer once a week.
- Case plan to be developed by your Community Supervision Officer of which you are expected to follow your appointments
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours (as directed by your community supervision officer)
- Shall abide by home curfew time 8:00 p.m. to 6:00 a.m.(unless at work/school/counseling sessions/Recovery support group meetings)must provide a work schedule/meeting sign in sheet for verification
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew hours, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- You are to address and comply with statutory-mandated jail confinement (if applicable)
- Shall establish a financial statement audit
- Shall maintain employment/enrolled in school (must show proof of same to Community Supervision Officer)
- You are to avoid people, places and things that will impair your recovery

Phase Advancement Requirements

- Attendance compliant with treatment and all requirements as mentioned above
- In order to advance the team will review treatment progress
- Sober time minimum of 14 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and remain crime free

Phase 2: Clinical Stabilization

Duration: 3 months

- Shall register and complete DWI/Repeat offender education program (provide certificate of completion to your Community Supervision Officer)
- Shall write and present a good-bye letter to drug of choice
- Shall engage and attend treatment counseling as directed by your Counselor
- Shall attend recovery support groups as instructed by your treatment provider
- Shall appear biweekly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer biweekly and continue reviewing case plan (follow your appointments)
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- You are to have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
- Shall abide by home curfew time 9:00 p.m. to 6:00 a.m.(unless at work/school/counseling sessions/Recovery support group meetings) must provide a work schedule/meeting sign in sheet for verification
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew hours, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall be current with all required payments (fine, court cost, program fee, probation fees, restitution fees-if any) pursuant to financial statement audit
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- You are to avoid people, places and things that will impair your recovery

Phase Advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 30 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and remain crime free

Phase 3: Pro-social Habilitation

Duration: 3 months

- Shall engage and attend treatment counseling as directed by your Counselor (begin cognitive processing of criminal thinking)
- Encourage sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall attend recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)
- Shall appear monthly before the court for DWI Drug Court review hearings
- Shall report to your assigned Community Supervision Officer biweekly continue with case plan (follow your appointments)
- Shall report to any probation office 2-3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
- Shall abide by curfew time 10:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission by the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall be current with all required payments (fine, court cost, program fee, probation fees, restitution fees-if any) pursuant to financial statement audit
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- Must be enrolled in GED classes/program (only required if not already obtained)
- You are to avoid people, places and things that will impair your recovery

Phase advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 45 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and crime free

Phase 4: Adaptive Habilitation

Duration: 3 months

- Shall engage and attend treatment counseling as directed by your Counselor
- Encourage a sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall continue attending recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)
- Will be provided with a treatment re-assessment before advancing to phase five
- Shall appear monthly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer biweekly
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
- Shall abide by curfew time 11:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall pay off all required payments (fine, court cost, program fee, probation fees, and restitution fees-if any) pursuant to financial statement audit
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- As need based, upon assessment; (Job Training, Parenting/Family Support, Vocational Training)
- You are to avoid people, places and things that will impair your recovery

Phase advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 60 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and crime free

Phase 5: Continuing Care

Duration: 3 months

- Shall engage in treatment counseling (continue cognitive processing of criminal thinking)
- Encourage a sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall continue attending recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)
- Shall appear monthly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer monthly for finalized case plan (follow your appointments)
- Shall report to any probation office 2 times per week (M,F) on a weekly basis for breath analysis/urine analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall zero out your community service hours (unless otherwise instructed by your CSO) that are required within the program
- Shall abide by curfew time 11:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, drug and alcohol free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- Must have obtained a GED certificate (if applicable)
- You are to avoid people, places and things that will impair your recovery

Graduation Requirements

- Shall remain crime-free and sober for 90 consecutive days during this phase
- Submission to all drug screening/testing requirements
- No alcohol or other drug use
- No re-arrests/active warrants
- Documented participation in Recovery support groups
- Have successfully completed treatment (i.e. SOP, aftercare services, other)
- Meet with the DWI Drug Court Judge prior to release from the program
- Compliance with all Program, Treatment and Probation requirements
- Payment satisfied for all assessed restitution/program/probation/other fees
- Complete all program required community supervision hours
- Ability to present a stable, habitable, and drug free residence
- Must have obtained a GED certificate (if applicable) have stable employment/enrolled in school for 90 consecutive days

Individualized aftercare/continuing care plans will be written with input from the Counselor and the graduate, and presented to the Team during the staffing session. The purpose of the plan is to assure the graduate will have continued linkages to community resources. The plan outlines goals and objectives for the graduate to complete during the aftercare phase. Once the participant has met the minimum aftercare completion requirements, the Community Supervision Officer/Counselor will make a recommendation of release to the Team and the participant will be scheduled for a final court appearance.

Participant's that have accomplished the goals outlined in this section and who have participated in the program for no less than fourteen (14) months are eligible to graduate. However, if a participant fails to complete the requirements outlined in this section and has continues to relapse there program completion time may be extended. Note: a treatment re-assessment will be conducted, a new treatment plan for relapse prevention will be implemented.

INCENTIVES/SANCTIONS

Incentives and sanctions are responses to participant's behavior. The application of incentives and sanctions are based on a consensus of the Team. Prior to awarding an incentive or sanction, the Team discusses the participant's progress or regress during the staffing session. The majority of the Team will need to be in agreement that an incentive or sanction is warranted. There will be such instances in which an incentive is automatic such as phase advancement and graduations, and the Team is aware of the incentive that will be awarded without lengthy discussion.

Sanctions are violations of any rule of the Program as specified in the program contract, program handbook, or a directive given by the Court, supervising community supervision officer, surveillance officer, or the treatment provider. In some cases, sanctions will be automatic for a participant's action and the Team is aware of the consequence that will be applied without lengthy discussion. However, certain sanctions will vary based on the nature and frequency of the violation and will require a Team consensus on the appropriate action to be taken. For example, a participant missing an appointment for the first time may receive a lecture from the Judge or the assignment of a written apology to the appointment host. Continuous or more serious violations may include but are not limited to increased screen/drug tests; more frequent attendance at group counseling sessions; increased fees or community service; a specified jail sanction; regression to a previous phase, or termination and expulsion from the program which may result in a jail or prison term. A plan for awarding sanctions/incentives is outlined below.

GRADUATED INCENTIVES AND SANCTIONS

The Team levies graduated incentives and sanctions during weekly status hearing.

Incentives are outlined in the following table:

Obtaining Job	<ul style="list-style-type: none"> • Recognition in Ct. • \$10 gas certificate • Driving privilege 		<ul style="list-style-type: none"> • Recognition in Ct. • \$10 gas certificate • Driving privilege 	<ul style="list-style-type: none"> • Recognition in Ct. • \$10 gas certificate • Driving privilege
Sober Time	<ul style="list-style-type: none"> • Recognition in Ct. • Gift card 	<ul style="list-style-type: none"> • Recognition in Ct. • Reduce 1 required AA meeting • Gift card • Excused absence from next court 	<ul style="list-style-type: none"> • Recognition in Ct. • Reduce 1 required AA meeting • Gift card • Excused absence from next court 	<ul style="list-style-type: none"> • Certificate • Reduce 1 required AA meeting
No Missed UAs/BAs	<ul style="list-style-type: none"> • Recognition in Ct. 	<ul style="list-style-type: none"> • Recognition in Ct. • Reduce 1 required AA meeting • Excused absence from next court session 	<ul style="list-style-type: none"> • Recognition in Ct. • Reduce 1 required AA meeting • Excused absence from next court session 	<ul style="list-style-type: none"> • Certificate • Reduce 1 required AA meeting
No Curfew Violations	<ul style="list-style-type: none"> • Recognition in Ct. • Curfew extension for 1 hour one night 	<ul style="list-style-type: none"> • Recognition in Ct. • Curfew extension for 1 hour one night 	<ul style="list-style-type: none"> • Recognition in Ct. • Curfew extension for 1 hour one night 	<ul style="list-style-type: none"> • Recognition in Ct. • Curfew extension for 1 hour one night
Obtaining GED/Graduation Diploma	<ul style="list-style-type: none"> • Free book • Movie tickets • Fish Bowl Prize 	<ul style="list-style-type: none"> • Free book • Movie tickets • Fish Bowl Prize 	<ul style="list-style-type: none"> • Free book • Movie tickets • Fish Bowl Prize 	<ul style="list-style-type: none"> • Free book • Movie tickets • Fish Bowl Prize
Enroll in School College/Trade School	<ul style="list-style-type: none"> • Driving privilege • \$10 Gift certificate for school supplies • Credit for 2 hours required community service hours 	<ul style="list-style-type: none"> • Driving privilege • \$10 Gift certificate for school supplies • Credit for 2 hours required community service hours • Excused absence from next court session 	<ul style="list-style-type: none"> • Driving privilege • \$10 Gift certificate for school supplies • Credit for 2 hours required community service hours • Excused absence from next court session 	<ul style="list-style-type: none"> • Driving privilege • \$10 Gift certificate for school supplies • Credit for 2 hours required community service hours

	<ul style="list-style-type: none"> • Credit for 5 hours required community service hours 		<ul style="list-style-type: none"> • Credit for 5 hours required community service hours • Excused absence from next court session 	<ul style="list-style-type: none"> • Credit for 5 hours required community service hours
Payment of all fees, court costs, and restitution	<ul style="list-style-type: none"> • Gift certificate 	<ul style="list-style-type: none"> • Gift certificate 	<ul style="list-style-type: none"> • Gift certificate 	<ul style="list-style-type: none"> • Gift certificate
No Violations for Entire Program				<ul style="list-style-type: none"> • Ivan Martinez/DA Recognition Award • \$20 Movie passes • \$20 Gift certificate
Completed Community Supervision				<ul style="list-style-type: none"> • Certificate of Completion

Typical violations and sanctions are outlined in the following table:

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
Positive drug/alcohol test Self-admitted use of drugs/alcohol Tampering with UA (treated as positive UA as it is deception/lying) Failure to report to drug testing lab as directed Violation/Tampering alcohol monitoring device: UA (treated as a positive UA with an additional sanction for deception/lying)	<ul style="list-style-type: none"> • For any positive if there is a Personal/public safety issue; in custody until sober • Jail sanction depending on circumstances, phase level, number of and how recent previous positive • Minimum 30-90 days delay in phase promotion (at least 90 days documented sobriety before promotion in any phase) • Jury box (watch drug/DWI court on a day they are not scheduled to be 	<ul style="list-style-type: none"> • Increase in level of treatment • Increase community support meetings • Increase AA/NA meetings • Increase UA/BA testing • Place with alcohol monitoring device(s) • Thinking report • Writing of essay • Book reporting • Letter of apology (to read in front of court)

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
<p>*Repeated positive tests may result in more days in jail or termination</p>	<p>in court – talk to judge about what the learned afterwards)</p> <ul style="list-style-type: none"> • Admonished by the Judge • Delay in phase advancement • Increased court appearances • Suspension of driving privileges • Failure to admit will add another 24 hours (minimum) 	<ul style="list-style-type: none"> • Increased treatment if indicated by assessment • Placement at residential treatment • Talk in open court/group session about relapse • Mental/psychiatric assessment
<p>Consumption of non-allowed products (products as described in the contract) Non prescribed medication</p>	<ul style="list-style-type: none"> • Jail sanction • Community services hours (as determined by Court) • Delay in phase advancement • Admonished by the Judge 	<ul style="list-style-type: none"> • Letter of apology (read in front of court) • Writing essay (research on certain non-allowed product) • Book reporting • Thinking report
<p>Missed UA/BA</p> <p>*Repeated miss may result in termination</p>	<ul style="list-style-type: none"> • Jail sanction • Delay in phase advancement • Suspension of driving privileges • Increase UA/BA testing (up to daily) • Community service hours (as determined by Court) • Increased court appearance • Earlier curfew time 	<ul style="list-style-type: none"> • Place with alcohol monitoring device(s) • Letter of apology (read in front of court) • Thinking report • Writing of essay • Book reporting • Time restriction on UA drops
<p>Late to Court</p>	<ul style="list-style-type: none"> • Letter of apology (read in front of court) • Admonished by the Judge • Jury box (half day) watch drug/DWI court on a day they are not scheduled to be in court – talk to judge about what the learned afterwards) • Suspension of driving privileges • Community services hours (as determined by the court) • Phase delay advancement • Earlier curfew time • Increase court appearances 	<ul style="list-style-type: none"> • Thinking report • Writing of essay • Book reporting • Letter of apology (read in front of court)
<p>Behind in completion of required community service hours</p>	<ul style="list-style-type: none"> • Admonished by Judge • Admonished by CSO • Phase delay advancement • Increase court appearances 	<ul style="list-style-type: none"> • Thinking report • Writing of essay • Book reporting

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
		<ul style="list-style-type: none"> • Letter of apology (read in front of court)
<p>Curfew Violation</p> <p>Noncompliance with doorbell requirement</p> <p>Noncompliance with safety measures for surveillance officers (dogs)</p> <p>Failure to communicate to surveillance officers as directed. (working past curfew hours, curfew extension granted, out of town leave permitted)</p>	<ul style="list-style-type: none"> • Jail sanction • Increased curfew checks • Earlier curfew time • Phase delay advancement • Admonished by Judge • Increase court appearances • Community services hours (as determined by the court) • Suspension of driving privileges 	<ul style="list-style-type: none"> • Place with alcohol monitoring device(s) • Thinking report • Writing of essay • Book reporting • Letter of apology (read in front of court) • Referral to drug testing lab (ETG/hair analysis)
<p>Unexcused absence from scheduled Drug Court Review Hearing</p>	<ul style="list-style-type: none"> • Jail sanction • Bench warrant • Phase delay advancement • Potential termination • Suspension of driving privileges • Increase court appearances 	<ul style="list-style-type: none"> • Referral to drug testing lab (ETG/hair analysis) • Writing of essay • Book reporting • Thinking report • Letter of apology (read in from of court)
<p>Commission of a new Misdemeanor/Felony Offenses</p>	<ul style="list-style-type: none"> • Team review of client's participation in program to determine the severity of the new offense • Jail time (as required) • Potential Termination • Restart program • Suspension of driving privileges 	<ul style="list-style-type: none"> • Increased treatment if indicated by assessment • Review treatment plan • Mental/psychiatric assessment • Placement at residential treatment • Increase AA/NA meetings • Increase UA/BA testing • Place with alcohol monitoring device(s)
<p>Driving on Suspended/Invalid License</p> <p>No permission from the court (no occupational license granted)</p> <p>No interlock in vehicle</p> <p>Received traffic citation (did not notify Community Supervision Officer or the Court)</p>	<ul style="list-style-type: none"> • Jail sanction • Admonished by the Judge/CSO • Suspension of driving privileges • Community services hours (as determined by the court) • Phase delay advancement • Earlier curfew time • Increase court appearances 	<ul style="list-style-type: none"> • Thinking Report • Writing of essay • Book reporting • Letter of apology (to read in front of court) • Defensive driving school

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
Removing steer wheel lock from vehicle without proper permission Failure to report traffic/class C citation		
Failure to fulfill payment obligation *Continued failure to fulfill payment obligation can result in jail time and possible Termination	<ul style="list-style-type: none"> • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Budgeting class/meetings • Thinking Report • Writing of essay • Book reporting
Providing false documentation on verification form (Forgery)	<ul style="list-style-type: none"> • Jail sanction • Phase delay advancement • Potential termination • Suspension of driving privileges • Community service hours (as determined by the court) • Increase court appearances 	<ul style="list-style-type: none"> • Thinking Report • Writing of essay • Book reporting • Letter of apology (read in front of court)
Misrepresentation to the court or team members	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Thinking Report • Writing of essay • Book reporting • Letter of apology (read in front of court)
Violation of a No-Contact Order (Order given by the Judge)	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Thinking Report • Writing of essay • Book reporting • Letter of apology (read in front of court)
Not providing verification of self-help meetings (AA/NA, support groups, etc...)	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge 	<ul style="list-style-type: none"> • Increase community support meetings

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
Not attending required AA/NA meetings or other support meetings	<ul style="list-style-type: none"> • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Increase AA/NA meetings • Increase level of treatment • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)
Association with individuals who are using drugs/alcohol in participant's presence/home	<ul style="list-style-type: none"> • No Contact Order • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Increase community support meetings • Increase AA/NA meetings • Increase level of treatment • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)
Unexcused absence from Substance Abuse Treatment (Group/Individual Counseling)	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Increased treatment • Extend treatment • Increase community support meetings • Increase AA/NA meetings • Increase level of treatment • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)
Missed scheduled appointment with Community Supervision Officer	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges • Increase court appearances • Increase appointments with CSO • Community service hours (as determined by the court) • Earlier curfew time 	<ul style="list-style-type: none"> • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)
Failure to report address/telephone number change	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Suspension of driving privileges 	<ul style="list-style-type: none"> • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)

<i>Violation</i>	<i>Possible Sanctions</i>	<i>Possible Treatment/Other Interventions</i>
	<ul style="list-style-type: none"> • Increase court appearances • Community service hours (as determined by the court) • Earlier curfew time 	
Possession of contraband/inappropriate drug/alcohol materials	<ul style="list-style-type: none"> • Jail sanction • Admonished by Judge • Admonished by CSO • Phase delay advancement • Increase court appearances • Community service hours (as determined by the court) • Suspension of driving privileges • Potential termination 	<ul style="list-style-type: none"> • Increased treatment • Extend treatment • Increase community support meetings • Increase AA/NA meetings • Increase level of treatment • Writing of essay • Thinking report • Book reporting • Letter of apology (read in front of court)

- ◆ **The Judge and Team reserve the right to exercise flexibility in the implementation of the provided Sanctions/Interventions based upon individual circumstances.**

TREATMENT SERVICES

Placement in outpatient, inpatient and residential treatment levels will be made based on the outcome of a clinical assessment. Participants that continue alcohol and other drug use after initial placement will receive more intensified services.

The treatment provider must represent the participant during the staffing and courtroom proceedings. If the participant's primary counselor is unable to attend the session, then they must designate an alternate to serve as liaison to the Program in their absence to assure the participant's progress is reported accurately. Additionally, the treatment provider shall maintain, for each participant, a confidential case file with documentation including, but not limited to: initial assessments and treatment plans, progress notes, services provided, and attendance records. The treatment provider shall prepare a treatment plan for each participant and will make periodic revisions noting the completion of treatment goals. The treatment provider will be required to submit a monthly progress report to the Team, which documents compliance with treatment program appointments and all requested case information.

All requirements of the treatment provider will be monitored by the Team to assure that participants receive the highest level of care at a reasonable cost. The Team will also work with local entities to establish a localized network through a memorandum of understanding or other formal agreements to provide support services to participants which at a minimum include housing, individual assessments, education, vocational training, and job placement.

Levels of Treatment

The following continuum of care services will be available to the participant:

Supportive Outpatient Services: A participant referred for supportive outpatient services will be required to attend a minimum of two (2) hours of group counseling and one (1) hour of individual counseling each week for a minimum of twelve (12) weeks. A participant may also be extended if the Team believes additional treatment is needed. The Team makes this decision during their staffing sessions.

Intensive Outpatient Services: A participant referred for intensive outpatient services will be required to attend approximately a minimum of ten (10) hours of treatment activities per week for up to forty-five (45) days. In addition to group counseling, the treatment activities will include one (1) hour per week of individual counseling.

A participant may also be extended if the Team believes additional treatment is needed. The Team makes this decision during their staffing sessions.

Residential Treatment: A participant referred for residential treatment may be assigned for a period of 30 days to 9 months. Once the participant completes the residential program, they will be transitioned to the next level of treatment within the continuum of services. A participant may be extended in a residential treatment program if the Team or treatment program believes additional treatment is needed.

SUPERVISION PROTOCOL

The Program Team, community supervision officer, treatment provider, surveillance officer and Compliance Officer will monitor the activities of the participant in the community. The frequency of these visits and drug testing is contingent upon the participant's program phase or progress in the program. All disclosures and progress reports will be used solely for the purpose of determining progress in the program and shall not be used in subsequent adversarial proceedings. Testing for drug use may take place at any of these appearances.

The participant will have regularly scheduled report days to their Community Supervision Officer based upon their program phase. Phase 1 participants are required to report weekly, Phase 2 through Phase 4 requires that participants report biweekly. Phase 5 requires that participants report monthly. While the number of office visits are dictated by a participant's phase status, a participant may be required to report more often than the phase requires if Judge, Community supervision Officer, Surveillance Officer (s), or Team deems necessary. Surveillance visits will also be conducted (in accordance with the procedures outlined within this manual) to monitor the participant's home and employment activities. In addition, all participants will have home visits conducted on a monthly basis.

The Community Supervision Officer and Counselor will be responsible for determining participant's readiness for phase advancement and graduation. Ongoing assessment and communication with the participant regarding their progress toward completing program goals and requirements is essential to participant's success. If the Community Supervision Officer/Counselor determines that a participant may not complete all of the phase advancement or graduation requirements due to unforeseen circumstances, this matter shall be brought to the Team's attention immediately. The Team may choose to waive a phase advancement and/or graduation requirement on case-by-case basis if the participant has a hardship that can be supported by documentation.

ALCOHOL AND DRUG TESTING PROTOCOL

The Program will conduct initial and random breathalyzer/Drug screenings (to include lab specimen collections/referrals) on participants throughout their involvement in the program. All drug/alcohol testing will be observed and conducted by a trained Program representative as well as breathalyzer/Drug screenings (to include lab specimen collections/referrals). Results are reported during weekly case staffing and the information is entered into the Management Information System (Household Database). The information is also recorded in the case file for supervision and evaluation purposes.

When collecting a urine sample for screening/testing, program staff will have the responsibility of ensuring that the specimen is not adulterated. Prior to providing a urine sample, participants will be instructed to wash their hands to prevent contamination of the sample. Also, the Program representative will observe the participant during the urine collection process to prevent contamination, adulteration, dilution or a change of specimen.

Note: Program representatives will collect urine samples from participants of the same sex.

TERMINATION CRITERIA

The Team may choose to terminate a participant's participation in the program if the client commits a new offense, once the various levels of sanctions have been employed, the participant refuses to comply with program goals, or the participant becomes a supervision risk. At the point of termination from the Program, criminal proceedings are reinstated.

PROGRAM FEES

All participants are required to pay a program fee. Participants that are unable to pay a program fee must have an alternate plan (e.g. community service) approved by the Program Team. Additional fees may also be assessed for urinalysis screening/testing. The community supervision officer will set payment time frames on a case-by-case

basis, with input from the Team. A participant must satisfy payment for all assessed restitution, probation, and program fees prior to being recommended for graduation.

TEAM STAFFING MEETINGS

A Team staff meeting or "staffing" is held prior to the court session. The staffing is attended by the entire Team, including the treatment providers, and is used as a forum to discuss the progress or regress of all participants. This forum is used to provide information about the participants that will be used to determine the participants' adherence to program requirements and the appropriate incentive or sanction. The participant waves the right to staffing operating as an open court proceeding and his/her presence at staffing.

DATA COLLECTION & PROGRAM EVALUATION

Research and evaluation will be critical elements in the ongoing development of the Program. A research and evaluation expert will be utilized to ensure that the program is comprehensively evaluated to include both process and outcome evaluations.

The process evaluation will be designed to assess the Program's effectiveness in meeting its operational and administrative goals. It will document not only the history of program development and implementation, but also the specific elements of the program. The process evaluation will enhance good internal management and monitoring, and will provide an independent and objective appraisal of operational performance. Additionally, the process evaluation will help to target problematic program areas and provide recommendations for improvements.

The evaluation will also serve as a quality assurance component. Measuring the process by which individuals are selected for the program, service delivery to participants and whether participants are changed (or not changed) by those services will help the program to continuously monitor and improve the quality of the DWI Drug Court Program.

Listed below are examples of data collected but not limited to:

Probated offense
Number of arrests
Drug of choice
Method of use
Treatment history
Family history
Length of time spent in each phase of program
Attendance patterns with the Program, community supervision officer, treatment provider, and other appointments assigned by the treatment Team
Age
Date of birth
Race
Marital status
Gender
Citizenship
Education
Employment

ROLE OF TEAM MEMBERS

All Team members will participate fully in the Program decision making process as a member of the Team, advocate for effective sanctions and incentives for program compliance or lack thereof, assisting in the facilitation of the participant's rehabilitation, and forming partnerships that will allow collaboration and the sharing of resources. The Team is comprised of the following members and their mention duties/task are not limited to the mention below:

Judge - The role of the Program Judge is to proactively attack chemical dependency problems in enrollees, orient new participants to the program, conduct status hearings, assure accountability from all parties, and to maintain a close working relationship with treatment sources, partnerships and the Team.

Compliance Officer - The role of the Compliance Officer is to oversee program operations which entails supervising program staff, screening potential placement and intake program process, acquiring funding, monitoring contractual compliance of agencies/individuals providing treatment, coordinate drug testing and activities with individual members of the team, disseminating information to the team on daily basis. Manages the filing system and databases, submits enrollment and discharge participants reports to various (Government/State/Local) entities. Performs home visits, prepares

travel/reimbursement/stipend paperwork for the team, coordinate attendance to annual conferences.

Specialty Court Liaison- The role of the Specialty Court Liaison is to assist the Judge and the Compliance Officer. Duties include placing electronic alcohol monitoring devices on participants, creating a weekly docket, maintaining the program's statistical data and case management system (household database), participate in staffing meetings, attending court status hearings, reaching out to community services that may be beneficial to the Program participants, issuing books to participants for group presentation, keeping track of and creating advancement contracts for participants, creating court hearings as needed, and keeping track of monthly graduates, scheduling schools presentations and monthly education webinars for team to view.

Community Supervision Officer - The role of the community supervision officer is to assist in the coordination of drug testing, performs random home visits, disseminate information to the surveillance team, provide supervision participants, Phase 1 clients are required to report weekly; Phase 2 through 4 requires that participants report every other week, and Phase 5 participants are required to report once a month. A participant may be required to report more often than the phase requires if the probation officer, Compliance Officer or Drug Court Team deems necessary. The community supervision officer will work with the team and program Compliance Officer to develop post program services, participants outreach, and aftercare activities (i.e. GED services, College information, employment services, etc). If the Program does not offer services needed, the Community Supervision Officer will refer the participant to the community agencies and/or to the Specialty Court Liaison to address their needs.

Prosecuting Attorney - The role of the Program Prosecutor is to protect public safety by ensuring each candidate is appropriate for the program. The prosecutor will follow up on the activities of current participants, assist with writing program success articles, facilitate plea agreements and with the program placement screenings (checks criminal background), and assist in filing appropriate documents for program completions and terminations.

Public Defender - The role of the Public Defender is to protect the participant's rights, encourage participation, and assist participants with legal matters and prepares participants Occupational License (once approved by Judge and team). Assists in researching and disseminating information regarding new laws/procedures involving Drug Courts.

Treatment Provider - The role of the treatment provider is to provide the required treatment services and report on participant's progress during staffing and courtroom proceedings. The treatment provider will also maintain participant's treatment files with documentation including, but not limited to: participant's assessments and treatment plans, progress notes, services provided, and attendance records. Assist participants with preparing their aftercare plan and program exit survey, provides referrals and outreach for outside services and activities.

Researcher/Evaluator/Management Information Specialist - In addition to ensuring safeguards for formative and process evaluation activities, the role of the Research and Evaluation Expert is to identify the variables for data collection and conduct analysis of the data.

Note: The Team member functions are written in accordance with the Drug Court Standards and should only be used for guidance and as an overview of the core competencies of each Team member. This information does not imply that the DWI Drug Court Program intends to govern the employment of individual Team members. All Team members, DWI Drug Court Program Staff, and hiring will be subject to the employment policies and procedures of the employing agency or department. Please consult the National Association of Drug Court Professionals for more detailed information and sample tasks.

TEAM MEMBER DEPARTURES AND REPLACEMENT

In the event that a Team member paid from the Program budget leaves the Team, the employing agency will assume hiring responsibility to assure that the governing policies for personnel are followed. If a designated (in kind) team member leaves, our partnering agency will then replace with another employee.

TEAM MEMBER COVERAGE

An alternate (backup) shall be designated to serve as the representative from his/her respective office if a Team member is absent (i.e. sick leave). This responsibility also applies to the Coordinator/Program Manager/Case Manager. This effort should be coordinated with the alternate Team member and on file with the Coordinator/Program Manager/Case Manager prior to the Team member's absence. Additionally, the alternate team member should have knowledge of the Program process and goals.

USE OF THE PROGRAM EQUIPMENT

The Compliance Officer is designated as the property manager for all equipment/supplies purchased for the Program. A physical inventory will be conducted annually by Compliance Officer to verify all equipment and/or supplies are intact and at the authorized location. Although the individuals that are participating in the Program from other agencies will utilize equipment or supplies such as cellular phones, pens, computers, etc. the equipment and/or supplies will remain the property of the Program at all times. A statement of understanding may be developed to address specific equipment usage. A Program representative using equipment and/or supplies must agree to the following conditions:

- In the event of damage or loss to the Program equipment/supplies, the user of the equipment and/or supplies must provide a written memorandum to the Compliance Officer within 24 hours outlining how the damage/loss occurred;
- If it is determined that the damage/loss was due to negligence, reimbursement of the cost of repair or replacement will be required;
- The Program equipment and/or supplies cannot be transferred, loaned, or used for purposes other than the Program related activities;
- The Program equipment and/or supplies must be returned to the Compliance Officer in the event of reassignment (in a capacity other than with the Program), resignation, or termination;
- The Compliance Officer will facilitate all purchases of additional services, supplies, or equipment for the Program.

Note: Statement of understanding form (Equipment/Electronics Usage) following below:

**DWI DRUG COURT INTERVENTION AND TREATMENT PROGRAM
Equipment/Electronics Usage**

Statement of Understanding

This document sets forth the ("DWI Drug Court Intervention and Treatment Program") policies about electronics usage such as Program-issued cell phones, two-way radios, video camcorder, digital camera and other related surveillance equipment (laptops) that applies to all Compliance and Surveillance Officers.

For purposes of this policy, the term "cell phone" is defined as any handheld electronic device with the ability to receive and/or transmit voice, text or data messages without a cable connection (including, but not limited to, cellular telephones, digital wireless phones, radio-phones/walkie-talkies, telephone pagers, PDA's (personal digital assistants with wireless communications abilities), or RIM ("research in motion") wireless devices.

The Program reserves the right to modify or update these policies at any time. By signing this policy, you acknowledge that you have read and understood everything about these policies.

I, _____ (print name) do hereby acknowledge that I will not place nor receive personal or non-program related calls on these program issued cellular phones provided for me by the t Program whether off or on duty. I acknowledge that these cellular telephones are provided for the Program use only. The only exception is in case of an emergency, and in this instance I will reimburse the Program for the cost of such call, and at the rate set by the program. I further acknowledge my responsibility to reimburse the Program for any personal calls placed or received on a program-issued cellular telephone. Should there be any damages to the program-issued cellular phones, two-way radios, video camcorder, digital camera or any other related surveillance equipment; I am expected to pay the Program back in full for the replacement of the equipment. I acknowledge that any equipment/electronics assigned to me are not allowed outside of the County of El Paso, State and or the Country.

VEHICLE USE FOR PROGRAM ACTIVITIES

This section is intended to address the use of a vehicle when performing the Program activities such as supervision or transport of participants. A Program representative using a vehicle to carry out the Program duties must agree to the following conditions:

- Use of a vehicle not owned or assigned to the Program, but used to perform the Program related duties, is subject to the policies and procedures governing the agency that owns the vehicle;
- In the event of an accident or other incident occurring in a vehicle while conducting the Program business, the team member must provide a written memorandum describing the incident to the Compliance Officer within 24 hours;
- All vehicles used to conduct the Program business must be insured and the driver must be an insured authorized operator of the vehicle.

**STANDARD OPERATING PROCEDURES FOR SURVEILLANCE OFFICERS
(Reviewed and approved by El Paso County Sheriff's Department and
El Paso Police Department for DWI Drug Court Program)**

The protocol outlined in this section is designed solely for law enforcement officers assigned to the Program

Assignment

Law enforcement personnel assigned as surveillance officers to the Program are done with the approval of their respective agency. Assignment of personnel is at the discretion of the parent agency and rotation. Reassignment or modification of contributed hours may be done when necessary; however, all such proper notification shall be given to the Program or designated representative.

Assignment to the Program does not in any way suspend, modify, cancel, interrupt or in any way change any right, privilege, duty or protection established under law, charter, ordinance or contract. Service to the Program may not in any way conflict with any policy or procedure established by the parent agency.

Surveillance Officer Supervision

Each parent agency shall designate a supervisor and an appropriate chain of command for their personnel. Deputies and/or officers shall comply with the necessary requirements for reporting, inspections, time and attendance and law enforcement, or investigative duties. Any particular needs or responsibilities imposed on assigned personnel shall be communicated directly to the Judge/Program Coordinator. The Judge/Program Coordinator should meet with parent agency supervisors to discuss assignment concerns and matters when needed.

Assigned personnel shall work directly with the Program Coordinator, Team and Judge. The Judge may direct the surveillance officers to conduct specific tasks related to the business of the Drug Court. Likewise, the Program Coordinator may specify particular tasks or activities that need to be done by the officers to obtain specific information on participants as assigned. The Team collectively may request or direct the officers to perform specific tasks also related to the participants.

Any conflict of orders, requests or instructions directly related to the Program activities shall be clarified and further directed by the Judge. The agency's supervisor personnel shall handle matters that involve specific issues relating to the parent agencies.

Schedules

Surveillance officers shall work a flexible schedule, which allows for their duties to be conducted during the mornings, afternoons, evenings, nights, and weekends. Work schedules shall be done with the agreement of parent agency supervisors and the Program Coordinator. Schedules will always allow for the officers to be present for the staffing sessions and the Program sessions.

Schedules should vary enough to allow for the widest possible range of observation times. This should include curfew and time when restrictions on activity or travel have been placed on a participant by the Court.

In all cases of scheduling, a 40-hour workweek must be satisfied. When appropriate, overtime shall be paid. Parent agency supervisors shall handle activities such as vacation requests, sick leave, funeral leave or other such time and attendance matters with notification to the Program Coordinator.

Documentation

Daily Log- Surveillance officers shall maintain a daily log of all their activities. Information on the log shall include name(s) of officer, starting time, activity times and locations, assignments, special instructions, equipment checks and other relevant information.

Field Notebook- Surveillance officers should maintain an official field notebook, employing all rules associated with its use. These are the property of the officers.

Surveillance Reports- Surveillance officers will complete the required surveillance report on each participant's contact or attempted contact and input all required and detailed information onto Household Database. The reports are to be entered prior to staffing sessions.

Number One Report- Any time that a surveillance officer has need to take official law enforcement action or conduct an investigation, the officer shall complete the required "number one" or complaint report, following the parent agency guidelines. Surveillance officers should work to assure that the report is complete, approved and has an assigned case number.

Field Activities

Surveillance officers are required to conduct monthly (at a minimum) regular unannounced and ongoing checks on each participant for the purpose of assuring their adherence to the Program requirements.

The following are requirements for field activities:

- A. Surveillance officers shall never work alone. At least two persons shall go out on every field interview or check. While the preference is two law enforcement officers, a community supervision officer may accompany a law enforcement officer on surveillance checks.
- B. Surveillance officers shall always carry a firearm, handcuffs, badge, identification, and at least one form of communication.
- C. Uniforms are not required but may be worn at the officer's discretion. If civilian clothing is worn it shall be appropriate, neat and clean.
- D. A hand-held radio is considered the primary form of communication in the field. Surveillance officers will have an assigned call sign and be able to get in direct contact with their parent agency. Cell phones and pagers are considered alternate forms of communication.
- E. Surveillance officer shall call out over the radio any time they are making contact with a participant. The call out shall follow prescribed radio procedures.

- F. Surveillance officer duties are separate and apart from regular patrol or investigative duties. However, in an emergency, they are expected to perform their duties to assist or back up other units or law enforcement agencies as necessary.

Participants Checks

The purpose of the surveillance officer is to perform unannounced monitoring of the activities of participants. The checks include face-to-face contact, conversation and physical observation. Checks for sobriety will be done every time that contact is made with a participant.

- A. The officer may conduct a face-to-face interview that includes direct questions about the participant's whereabouts, level of consciousness, orientation and level of coherence.
- B. Physical observation of the participant may include condition of eyes, steadiness, motions, nervousness, unusual habits or actions, smells, overall appearance and motor skills.
- C. A portable Breathalyzer will be used every time by the surveillance officer. The officer may also conduct this test when there are observations at the location to indicate alcohol use. Results shall be recorded in Household Database as well as the refusal of any participant to submit.
- D. A surveillance officer may conduct a field urine analysis (UA) at any time. The surveillance officer shall be present when the sample is given. Field test kits will be used immediately when the sample is given. Surveillance officers shall utilize appropriate protective practices and equipment (cedar rinse gloves, splash guard, and mask) to protect them from biohazards. At no time will samples be transported. Instead, the sample, once tested, shall be disposed of on the scene by flushing down the toilet. Field testing material shall also be disposed of at the scene. Only female officers may be present for collecting female samples and male officers for male participants.

- E. All results shall be documented including any refusal. If there is a positive result, a picture must be taken of the results and sent to the Team. Surveillance officer will then contact the Judge to inform him of violation and to receive further instructions from the Judge as to how to proceed. Judge will instruct the following: placing the participant in custody or order the participant to report to Court/Probation Officer the following morning.

If a participant is unable to produce a urine sample during a visit, the surveillance officer shall stay with the participant until they are able to provide a sample. If unable to, or refuse, the surveillance officer should notify the Judge.

Scene Investigations

When an officer is present at the living place of any participant, a cursory check of the location should be done. Things that should be noted include general appearance of site, number of persons living at location, cleanliness, repairs and serviceability of scene, pets or animals, vehicles and other environmental issues. This could include functioning utilities or lack of utilities. Photographs may be taken of living conditions to show to the Judge and Team members.

Living conditions should be noted in Household Database. Officers will refrain from comments to the participant concerning living conditions unless a specific health or safety issue is observed.

When possible, people living with or visiting the participant may be interviewed. Their identity should be noted in surveillance reports along with their relationship to the participant and any comments or information they provide. At no time will officers subject such persons to interrogations. A voluntary interview is all that is authorized unless an investigation is being conducted.

Officer may conduct random searches of participants' property, residence, vehicle or cell phone as per indicated by the Program Contract.

The results from any search shall be recorded in the Household Database.

Safety

While conducting checks, surveillance and interviews, officer safety will be practiced at all times. Standard street survival tactics shall also be used at all times. Backup assistance shall be requested whenever officers are in a dangerous situation or prior to going into a potentially hazardous one.

DWI DRUG COURT PROGRAM

CONFIDENTIALITY AGREEMENT

Participant records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 45 C.F.R. Parts. 160 & 164 (federal regulations governing confidentiality of alcohol and drug abuse patient records), also under the Texas Health and Safety Code Title 2 Subtitle I. Chapter 181, and Title 7 Subtitle E Chapter 611. As such, patient records cannot be disclosed without written consent unless otherwise provided for in the regulation or statute. Absent specific statutory authority to the contrary, no confidential information may be released without the participant's written consent as documented by a signed release form that complies with the requirements of the applicable laws and regulations. Once the participant has signed the consent to release information form, the participant has agreed to the release of his/her records to the DWI Drug Court Program.

POLICY:

In order to ensure that treatment is successful, the DWI Drug Court Program must be able to guarantee the confidentiality of information provided by its clients. In turn, this also becomes the responsibility of all staff members, team members and anyone visiting or partnering with the DWI Drug Court Program.

You are advised to consult with the staff when questions concerning confidentiality arise.

CONFIDENTIALITY STANDARDS OF CONDUCT:

1. Do not refer to or speak about participants by name with non-team members of the DWI Drug Court Program.
2. Refrain from using participants' names while engaging in conversation that takes place in public places.
3. When not able to relay information that is confidential, explain why confidentiality is vital.
4. If in doubt at any time, simply refrain from sharing any information at all.

CONFIDENTIAL INFORMATION CAN BE RELEASED WITHOUT CLIENT CONSENT ONLY IF:

1. The disclosure is allowed by court order.
2. The disclosure is made to medical personnel in a medical emergency, or to qualified personnel for audit or program evaluation.
3. The participant has committed, or threatens to commit a crime, either at the program or against any court staff person, team member, other program participant, or member of the community.
4. The participant is suspected of child abuse.
5. The participant is threatening homicide or suicide.

PROHIBITION ON REDISCLOSURE OF CONFIDENTIAL INFORMATION

The federal rules under 42 C.F.R. Part 2 prohibit you from making any further disclosure of confidential information of a client in alcohol/drug treatment unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The federal rules restrict any use of this information to criminally investigate or prosecute any alcohol or drug abuse patient.

CONFIDENTIALITY STATEMENT OF UNDERSTANDING

I hereby attest that as an employee, team member, and or visitor or partner of the DWI Drug Court Program, I am fully aware that I am required to maintain a strict standard of confidentiality on behalf of all clients. I also understand that any disclosure of information is regulated by Part 2 of Title 42 of the Code of Federal Regulations (see above), which oversees the confidentiality of all information discussed

Printed Name

Signature

Date

DWI DRUG COURT INTERVENTION AND TREATMENT PROGRAM

PARTICIPANT CONTRACT

Name:

DOB:

Cause number (s):

Judge/Court Referral:

I am hereby voluntarily enter into this contract between the DWI Drug Court Intervention and Treatment Program (hereinafter referred to as the Program) and myself, and hereby agree that I am bound by its terms. I have not been threatened or coerced in any way by any federal, state or local government officer or employee into signing this agreement. I fully understand that I have the right to forgo this program and have my case progress through the regular court process. I understand that this is a 5-phase treatment program with a minimum required participation time of 14 months. I also understand that I may be required to repeat all or a portion of a program phase if I have not complied with the requirements outlined in this contract or if I have not complied as directed by the Judge. I understand that the terms of this contract are subject to change at any time. You will be notified if there are any changes to the terms of this contract.

As a special condition of my federal supervised release/probation conditions, I voluntarily agree to participate in and abide by all the terms, conditions and general rules of the DWI Drug Court. I understand that the Program is a program run by a Court with jurisdiction granted by the State of Texas. I further understand that the officers and employees who work on this program are officers and employees of the United States of America, State of Texas or the County/City of El Paso, Texas. I voluntarily consent and submit to the authority of the Court and the State/County/City officers and employees who assist with this program. I agree that I will fully submit to their authority as outlined below, and that I will bring no action or claim against the United States Government, State of Texas, City and County of El Paso, Texas or any officers or employees due to the exercise of their authority under this program as outlined below

You have been given a file folder of information that includes the following:

1. DWI Drug Court Program Client Handbook;
2. DWI Drug Court Team Members Telephone Directory;
3. Recovery support group attendance sign-in sheet;
4. UA/BA testing sign-in sheet or instructions how to upload your alcohol monitoring device;
5. Antabuse/Vivitrol assessment referral form, if necessary;
6. Referral of treatment provider (s);
7. Scheduled court review hearing dates;
8. Referral of Probation Officer (with appt. date included);
9. DWI Drug Court Contract (copy);
10. Calendar
11. Other:

Please read this contract carefully and initial each policy or procedure to indicate that you understand it. I understand that I am to abstain from the use of alcohol or any other mind altering substance during the duration of the program.

GENERAL RULES

_____ I agree that my participation is contingent upon my receiving proper treatment.

_____ Further, I agree that my *proper* treatment may require disclosure of my personal information as the team sees fit.

_____ I agree to sign the consent form for the release of any information that will allow the Program team members to be able to communicate with individuals, my family members, treatment centers, and resources community agencies that are able to assist me in my recovery;

_____ I understand that I am required to pay the program fee of \$500 monthly supervision fees, fine, court costs, restitution (if applicable). These fees must be paid in full prior to graduation, unless otherwise ordered by the Court;

_____ I understand that statements related to my drug/alcohol treatment will not be used against me in any criminal action or proceeding while participating in the Program;

_____ I understand that I am to be on time, dress appropriately, turn off my cell phone, not to use foul language and be respectful to all Court staff. NO talking, whispering and/or laughing, no gum chewing, no caps/sunglasses during Drug Court proceedings,

_____ I understand that I am to notify the Program and my Community Supervision Officer/United States Probation Officer of any new arrest, traffic citations/warrants, change of address/phone number or any employment changes within 24 hours;

_____ I agree not to associate with persons who use or possess alcohol, any controlled substances or illegal drugs. I agree not to ingest medication without a prescription, or ingest over-the-counter medication that may result in a positive urine test;

_____ I understand that I am not to call the Court to reschedule my schedule appointment with the Community Supervision Officer/United States Probation Officer or contact the Community Supervision Officer/United States Probation Officer to reschedule my court appearances;

_____ I understand that if I miss a court appearance or any scheduled appointment with a staff member due to a medical issue, I must provide a **DOCTOR'S NOTE** for verification purposes. I also understand that failure on my part to attend a scheduled appointment with any staff member or court setting may result with a sanction being imposed;

_____ I understand that each time I report to my Community Supervision Officer/United States Probation Officer or for a court appearance, I am required that I bring my program folder with all of its contents in their entirety;

_____ I understand that I am required to begin recovery support groups and that I am to bring applicable sign-in sheet to court that reflects the required minimum meetings per week. **You must bring it at all times** when reporting to Community Supervision Officer/United States Probation Officer.

_____ I understand that I am not allowed to rinse my mouth or swallow regular mouthwash that contains any form of alcohol;

_____ I understand that I cannot possess, smoke, inhale, swallow, inject, snort or consume by any means or manner **ANY** synthetic cannabinoids, synthetic cocaine, K2 Spice, Energy Drinks or any other related mind-altering substances, homeopathic products, powder alcohol, e-cigarettes, oils or herbals;

_____ I understand that I am not to enter into any head shops or any known business or businesses related to smoking and/or drug paraphernalia;

_____ I understand that each time I test positive for any illegal drugs, mind altering substances, unprescribed medication, synthetic cannabinoids and/or alcohol; it may result in receiving a sanction.

_____ I further understand that I will not graduate until I have completed all treatment, classes, community service hours and have paid off all required fees as it is determined by the Drug Court Team;

_____ I understand that failure to participate in the Program requirements will result in sanctions being imposed against me which may include jail confinement, increased testing, community service hours and any other sanctions deemed necessary under these circumstances and/or if your case was sent by a referring court you may be sent back to the originating court for further disposition;

_____ I agree to allow any member of the Program to visit and search me and my home, cellular phone, computer, automobile, and view the surrounding premises, visit me at my place of employment, or any other place in the community where I may be located. You are to be present when home visits are conducted by Surveillance Officers/Community Supervision Officers United States Probation Officer during curfew hours, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions. I agree that the law enforcement team members may have K-9 drug sniffing dogs to assist them in the search if needed.

_____ I understand that I must have a working doorbell at my place of residence and if I have dogs, I must properly secure them during curfew hours.

_____ I further understand that if I ever withdraw my consent to search as outlined above, my participation in this program may be terminated and my case will then be returned to the original court for further disposition.

_____ I further agree that if I am outside my residence after curfew I must inform the law enforcement member(s) of my whereabouts. You are to abide by curfew times (phase one 8pm to 6am, phase two 9pm to 6am, phase three 10pm to 6am and phase four and five 11pm-6am) unless working past curfew hours (must show work schedule at all times to your Community Supervision Officer/United States Federal Probation Officers/Surveillance Officers) and need to call the surveillance officers prior working past curfew time.

_____ I understand **NO CELL PHONES** are allowed in the community supervision office, courtroom, treatment sessions, or any other scheduled court appointments.

TREATMENT

_____ I understand that I am expected to fully engage and complete any treatment counseling and assessments to determine level of care.

_____ *I must contact my designated/assigned treatment provider as instructed to schedule initial appointment;*

_____ I understand that my failure to comply with enrollment or to begin treatment will delay my advancement into the next phase of the program may cause sanctions to be imposed;

_____ If you have had previous treatment (Inpatient, IOP, SOP, etc.), you will provide proof of such treatment to the Court on your next court appearance for our records;

_____ I understand that I am to inform all treating physicians that I am a recovering substance user, If a treating physician wishes to treat me with a narcotic or habit forming medication, I must disclose this to my treatment provider and the Program Team that I am taking such medications. I agree to waive my right to confidentiality and further consent for the disclosure of my medical information to any member of the Program;

_____ I understand that my individual course of treatment may include residential treatment, supportive outpatient, intensive outpatient trauma counseling, education and/or self-improvement courses such as anger management, parenting, family or relationship counseling;

_____ I understand that I am to abide by all policies and procedures at the facility at which I attend treatment. (*Do not use cell phones or any other device during treatment sessions, do not arrive late and do not leave early during sessions, or make threatening remarks*);

_____ I understand that I must give at least a 24-hour notice if I am not able to attend any of my counseling sessions (group/individual). I am only allowed to call and reschedule an appointment due to a medical matter or an emergency situation **repeated occurrences of this behavior may result in termination from the program;**

URINE ANALYSIS/BREATH ANALYSIS TESTING (UA/BA)

_____ I have been advised of and understand the procedures of Submitting to a UA/BA in front of a DWI Drug Court staff member or court staff member;

_____ I understand that I am to provide a breath analysis (UA/BA) 3 TIMES PER WEEK (MONDAY, WEDNESDAY, FRIDAY). I agree to make sure that my Community Supervision Officer/United State Probation Officer or any other DWI Drug court member will sign my UA/BA sign-in sheet;

_____ I further understand that if one of the following occurs (1) Fail to appear and submit when required to test; (2) Fail to give a sample when being tested; (3) Alter or trying to change body fluids for purpose of testing; or (4) Tampering with my UA/BA samples; it is considered a refusal and sanctions may be imposed;

_____ I understand that I am not to consume any NON-ALCOHOLIC BEVERAGES that may contain small amounts of alcohol;

_____ I understand that if my UA is DILUTED, it will be considered positive and I will need to re-submit for further testing. (*If you leave without re-submitting, you are subject to sanctions*);

_____ I understand that I am subject to random UA/BA testing at any time, by any member of the Program Team (which may include a professional laboratory);

_____ I understand that if I admit to using and my UA comes back positive for any other substance other than what I admitted to, I may be subject to additional sanctions;

_____ I understand that I may be ordered to have an alcohol monitoring unit placed upon me during the course of the program.

MEDICATIONS

_____ I agree to provide the Program and Community Supervision Officer/United States Probation Officer with a copy of all prescription medications, including amounts taken when entering and throughout the program;

_____ I understand that if I am taking vitamins, any type of workout supplements, herbal medications, I must notify my Community Supervision Officer/United States Probation Officer immediately;

_____ I understand that I am required to inform the DWI Drug Court and Community Supervision Officer/United States Probation Office of any over-the-counter medications I may be using and that they are to be non-addictive and not contain alcohol. I am also responsible for confirming with a pharmacy or medical professional that these medications are non-addictive and do not contain alcohol;

_____ I understand that I **AM NOT** to take any prescribed medications that are not prescribed to me;

_____ I understand that if I go to the doctor to obtain a new prescription, I am to inform him/her and all treating physicians that I am a recovering addict, and am not to take a narcotic or addictive medications or drugs. I also must obtain a doctor's signature on the Doctor's letter provided by the Drug Court Team and return such letter to the Court immediately within 48 hours of my appointment;

_____ I will participate accordingly in a medically approved Antabuse/vivitrol assessment as directed by a licensed physician, if applicable. I further understand I am responsible for the cost of the exam, lab work, and antabuse/vivitrol medication.

ALCOHOL-ELECTRONIC MONITORING DEVICES

_____ I understand that if I am on Community Supervision for a DWI offense, I am required by law to have an Interlock Device on my vehicle for the length of my community supervision term if court ordered; in this program I will be required to have a photo camera Interlock;

_____ I understand that if I have a vehicle(s) registered under my name, the Court has the right to lock my vehicle(s) (with a steering wheel lock) and I agree that that steering wheel lock will not be removed by me or any other person. This is a secured measure used by the Program team to ensure that I am not driving my vehicle(s) without permission; The vehicle that you get caught driving without permission will be towed at your expense. Any team member has the right to take the keys to the vehicle, and the keys will only be released to a family member or friend that has a current valid driver license and the validity will be verified.

_____ I understand that I am not to operate **any** motor vehicle without the consent of the Program Judge (I must have a current Texas Driver's License, or Occupational Driver's License); I further understand that if allowed to drive a vehicle the vehicle will have current registration, inspection, and financial responsibility pursuant to the Texas Transportation code;

_____ I understand that if I am required to have the Interlock Device with camera and I fail to submit to a breath test, rolling test, scheduled test, calibration, tamper with the device or fail to abide by any additional conditions as required by this Court, it may result in sanctions being imposed;

_____ I understand that if I am required to have any other alcohol monitoring device and I fail to submit to a download as required, tamper with the device or fail to abide by any additional conditions as required by this Court, it may result in sanctions being imposed;

_____ I understand that if at any time I relapse, test positive or admit to using after I have had an alcohol monitoring device removed, I will be required to have it reinstalled for an undetermined amount of time. *(Please note that the removal process will be a court decision and will be determined after review of my progress in the program);*

OCCUPATIONAL DRIVERS LICENSE

If you request an Occupational Driver's License, it will be reviewed by the court and may be subject to a hearing prior to the issuance of such license.

Please note that you will be responsible for all fees required by the State of Texas. We do not have the ability to waive or suspend those fees.

I have read, understand and have had the opportunity to ask any questions in regards to the above contract and I understand what I have read. I am willing to voluntarily enter into this agreement with the Program. I understand that violations of this agreement may result in the sanctions contained within this contract, and may also result in the termination of this contract and my participation in this program. If my participation in this program is terminated, I understand that my case will be returned to the referring court with jurisdiction over my case for additional processing and disposition.

Please note that these policies and procedures are subject to change. The program brochure contains very important and useful information. If I am unsure of any policies and procedures, I shall refer to the client handbook.

You may also contact any team member of the program by phone for further assistance.

Your name (print)/Date

**DWI Drug Court Program / Date
Coordinator**

**DWI Drug Court Program / Date
Judge Robert S. Anchondo**

DWI DRUG COURT INTERVENTION AND TREATMENT PROGRAM



PARTICIPANT HANDBOOK

Name _____

Intake/Orientation Date: _____

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WELCOME

A letter from Judge Robert Anchondo and Team Members

Welcome to the DWI Intervention and Treatment Program. The program was created to address a serious problem that involves the disease of alcohol. It is designed as a team approach to help the participant through the program and comply with all requirements of the program. The team will consist of: The Judge, Supervision Officers, Prosecutor, Defense Attorney, Treatment Providers, Court Coordinator, and Specialty Court Liaison which will be an essential part in providing the discipline required for the participants success in addressing this very serious and debilitating disease.

You will be successful in this program if you follow three simple rules:

BE HONEST: We can work through almost any problem together if you are truthful with us. You will not succeed in this program if you are dishonest with us, yourself or your family.

SHOW UP ON TIME: Respect the time of those who are trying to help you. If you are late to appointments, treatment and Court hearings, it is a signal that you are not serious about this program.

ACCEPT RESPONSIBILITY: You are in this program due to your own actions. Take responsibility for what you have done and what you need to do. We will help you; however, sobriety is hard to achieve, especially when you don't want it for yourself.

Please know that you have support in this effort to attack the disease that has consumed your lives. The program is designed to help you, but you must be committed to the program and its tasks. Working together, we can achieve the success toward a safe, clean, and sober life.

Sincerely,

Robert Anchondo and Team

Judge, County Criminal Court at Law #2

This program was created to give persons an opportunity to seriously address their addiction to drugs and alcohol and recover from their addiction. By choosing to enter the DWI Drug Court program, you are choosing perhaps the best opportunity you will ever have to reclaim and rebuild your life. However, the Program is not easy. In fact, there are far greater expectations on you than if you were on regular probation.

The DWI Drug Court Program is a 14 month program designed primarily for people with DWI offense convictions. A person may enter the program, if the person admits that they have chronic alcohol and/or drug issues which contributed to their criminal conduct. ***However, if you don't believe you are addicted to alcohol or drugs, then you do not belong in this program.***

If you admit you have a substance abuse problem and you want help, you may avoid incarceration in the State prison by successfully completing this 14 month program. Not everyone is suited to be placed in this program. It is a difficult program and requires a commitment to stop drinking and using drugs and begin following rules. For some, prison may be more appropriate.

Please read this handbook carefully. It is your responsibility to be familiar with its contents. We encourage you to share this information with your family and friends who support your recovery. The information in this handbook may change, without prior notice, and should not be considered a binding agreement between you and the drug court program.

DWI DRUG COURT INTERVENTION AND TREATMENT PROGRAM CLIENT HANDBOOK

DWI Drug Court Program Responsibility

The DWI Drug Court Program is responsible for providing dignified, respectful service to the participant. Service coordination will be provided under the established protocols and the DWI Drug Court Program mandates. Participants will be informed of changes in the program. Equal treatment and services will be given without regard to race, color, sex, sexual orientation, religion, national origin, ancestry or physical disability.

Some Questions and Answers

The DWI Drug Court Program is for people with a misdemeanor Driving While Intoxicated conviction. The program lasts 14 months. Depending on your needs you will be required to participate in treatment, 12-step programs, alcohol and other drug screening/testing, community service, vocational counseling, and educational classes.

The DWI Drug Court Program is divided into five Phases. In order to move from Phase to Phase certain criteria must be met. Phase 1 will begin when you sign the court contract and lasts 2 months; Phase 2 will last 3 month;, Phase 3 will last 3 month; and, Phase 4 will last three months. At the end of Phase 4, you will be ready to transition to phase 5 for 3 months, which is the aftercare phase, providing all of the phase advancement requirements are completed.

Who Can be a Part of the DWI Drug Court Program

The program will be available to any adult convicted of a Driving While Intoxicated offense. A minimum participation period of 14 months is required. Eligibility is determined based on a screening process conducted by the Program Case Manager followed by a Mental Health Assessment/ Substance Abuse Assessment. Upon acceptance in the

program you will be required to sign a contract as a condition of participating in the DWI Drug Court Program.

Confidentiality

Federal laws regarding confidentiality protect the records of all participants. We are prohibited from releasing written or verbal information without your written signed consent. However, there may be emergency or legal circumstances that will not require your permission to release information such as:

1. The disclosure is allowed by a court order.
2. The disclosure is made to medical personnel in a medical emergency, or to qualified personnel for audit or program evaluation.
3. You commit or threaten to commit a crime, either at the program or against any court staff person, Team member, other program participant, or member of community.
4. You are suspected of child abuse.
5. You are threatening homicide or suicide.

General Program Rules and Regulations

1. I am responsible for calling the individual who I have the scheduled appointment (i.e. community supervision officer or counselor) to cancel and to reschedule all assigned appointments before the scheduled time.
2. I must show up for scheduled appointments on time. A missed appointment to the community supervision officer or counselor may be equivalent to a positive drug test.
3. I must abide by the curfew set by the DWI Drug Court Program. An exception to an established curfew requires prior approval by the DWI Drug Court Team, Judge, surveillance officer, or community supervision officer.
4. I cannot drive until the DWI Drug Court Team grants permission.
5. If this is my second DWI conviction, I will not be able to drive without a Deep Lung Interlock Device installed in my vehicle.
6. I must submit frequently to alcohol and other drug screening/testing.

The results of my alcohol and other drug screens/tests will be

- reported to the Team, which includes Judge Anchondo.
7. I am responsible for paying all fees in a timely manner.
 8. I will not be permitted to participate in any treatment program activity while under the influence of alcohol or other drugs.
 9. I must behave appropriately at all times
 10. I am responsible for being informed about program announcements by reading all material given to me by the Team and the treatment program.
 11. I will need to sign a consent form waiving confidentiality of any medical treatment or social service records to allow supervision of my case.
 12. I am responsible for keeping the Team, community supervision officers, surveillance officer, and treatment provider informed of my current address and telephone number(s), including any cellular number, and to report any changes immediately.
 13. I must request permission from the Team before taking any over-the-counter drugs (cold remedies). Participants must refrain from eating any food products containing poppy seeds.
 14. I will conduct myself in a respectful and proper manner when addressing to Court and team members.
 15. I will dress appropriately for all drug court matters.
 16. Failure to follow these rules and regulations will result in a sanction.

Courtroom Behavior and Rules

1. When addressing the Judge, I shall approach the bench with the utmost respect for the position.
2. I understand that "appropriately dressed for court" requires that I comply with the following rules:
 - A. No tank tops, muscle shirts, crop-tops, starter jackets, or shirts with words or pictures;
 - B. No sagging (i.e. pants or shorts that hang below the waist);
 - C. No unbuttoned shirts;
 - D. No hats, caps, or bandanas;
 - E. No gang attire of any kind;
 - F. No phones or pagers;
 - G. No shorts, even in summertime.
 - H. I shall dress in a clean and well-groomed manner.

Participant's Responsibility To The Program

You are responsible for adhering to all DWI Drug Court Program rules and policies. You are responsible for conducting yourself in a cooperative and dignified manner. Acting out, vulgarity or threatening behavior is prohibited and can have great consequences.

Fee Agreement

You will be responsible for paying a \$500 program fee in addition to other fees or restitution assessed by the Court. All clients are required to set up a payment plan upon entering the program. An individual may participate in the DWI Drug Court Program regardless of their current ability to pay their fees. Unless you request special payment arrangements that are approved by the Team, the assessed payments you are required to follow is outlined in your conditions of probation.

Counseling

You will be required to participate in treatment activities. A treatment program can include the following activities:

1. Individual and group counseling
2. Family Counseling
3. Mental Health evaluation and services
4. Other treatment deemed necessary by the Team

Treatment Planning

A counselor will prepare a treatment plan to guide your recovery process. The treatment plan is a problem-solving strategy to identify problems, create goals and identify action plans. The problems to be addressed in the treatment plan may include, but is not limited to the following need areas:

1. Alcohol and other drug addiction
2. Family problems
3. Unstable employment history

4. Lack of social network
5. A lack of understanding of the legal consequences of your offense
6. Medical and/or psychological problems
7. No high school diploma

Please be aware that you must participate in treatment groups, education classes, and life transitions/job development. This is a part of your treatment plan and court contract. If you miss any of these classes, you are required to make them up. You are also required to call in advance to tell the appointment host that you will be absent. All absences must be documented! For example, if you attend a medical or dental appointment, you must obtain a signed note from your doctor or office staff indicating the date and time. If you are going to be late to a Court session, you must notify the Surveillance Officer, Community Supervision Officer, or court immediately. Failure to do so may result in a warrant being issued.

Drug Testing

You will be required to submit to drug screening/testing. Screening/testing can be random or done at the request of the Judge, surveillance officers, community supervision officers, or the Team throughout the entire process. A drug screen/test will be observed and temperature tested. If your specimen does not register within the right temperature, it will not be accepted and will be reported as "dirty". The Court will rely on the result, and by signing the DWI Drug Court Program contract, you agreed not to protest a positive result "dirty".

If a surveillance officer requests a urine sample, you will have 20 minutes to provide that sample. If you are unable to produce a urine sample within 20 minutes, then the Surveillance Officer will report a positive drug result to Judge Anchondo, the Community Supervision Officer, and to the Team.

You must bring in all medication prescribed by a physician to the Community Supervision Officer/court. Prescriptions may be verified with your physician. Over-the-counter medications and medication taken without a prescription will not be accepted as a valid reason for specimens resulting in a positive drug screen/test. You must gain permission from the Court before taking any over-the-counter drugs containing alcohol or an illicit substance. You must abstain from eating any poppy seed food products.

Sanctions

Sanctions will be ordered for positive drug screens/tests, failure to participate in the program, failure to appear, new charges, or failure to pay fees or perform community service. Sanctions include but are not limited to:

- Verbal admonishment
- Increased supervision by the DWI Drug Court Program Judge, community supervision officer
- Imposition of curfew
- Increased drug testing
- Increased community service requirements
- A specified amount of jail time
- Commitment to a community residential treatment program for a specified period of time
- Unsatisfactory discharge from the DWI Drug Court Program which could result in prosecution for the original charge.

Incentives

Incentives may be granted for negative (clean) drug screens/tests, good reports, full participation, payment of fees and family or community support. Incentives may include any of the following:

- Phase Advancement
- Praise from the Bench/Team
- Applause
- Verbal accolades
- Gift Certificate
- Curfew extensions (except phase one)
- Program Completion Certificates
- Reinstatement of driving privileges
- Fewer court appearances
- Graduation Ceremony

PROGRAM DESIGN AND SERVICES

The participant will be expected to adhere to the following requirements:

Phase 1: Acute Stabilization

Duration: 2 months

- Shall attend and receive certificate of completion for Victim Impact Panel presentation (general)
- Shall schedule a medical appointment (Physical exam)
- Shall engage with the treatment plan which will be developed by your treatment provider. You are to set up the appointment within 24 hours of the next business day of intake
- Shall attend recovery support groups, as instructed by your treatment provider
- Shall appear weekly before the court for DWI Drug Court review hearings
- Shall report to your assigned Community Supervision Officer once a week.
- Case plan to be developed by your Community Supervision Officer of which you are expected to follow your appointments
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours (as directed by your community supervision officer)
- Shall abide by home curfew time 8:00 p.m. to 6:00 a.m.(unless at work/ school/counseling sessions/Recovery support group meetings)must provide a work schedule/meeting sign in sheet for verification
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew hours, they

shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions

- You are to address and comply with statutory-mandated jail confinement (if applicable)
- Shall establish a financial statement audit
- Shall maintain employment/enrolled in school (must show proof of same to Community Supervision Officer)
- You are to avoid people, places and things that will impair your recovery

Phase Advancement Requirements

- Attendance compliant with treatment and all requirements as mentioned above
- In order to advance the team will review treatment progress
- Sober time minimum of 14 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and remain crime free

Phase 2: Clinical Stabilization

Duration: 3 months

- Shall register and complete DWI/Repeat offender education program (provide certificate of completion to your Community Supervision Officer)
- Shall write and present a good-bye letter to drug of choice
- Shall engage and attend treatment counseling as directed by your Counselor
- Shall attend recovery support groups as instructed by your treatment provider
- Shall appear biweekly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer biweekly and continue reviewing case plan (follow your appointments)
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- You are to have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public

- transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
 - Shall abide by home curfew time 9:00 p.m. to 6:00 a.m.(unless at work/ school/counseling sessions/Recovery support group meetings) must provide a work schedule/meeting sign in sheet for verification
 - You are to present a stable, habitable, and drug free residence
 - Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
 - You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
 - Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew hours, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
 - Shall be current with all required payments (fine, court cost, program fee, probation fees, restitution fees-if any) pursuant to financial statement audit
 - Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
 - You are to avoid people, places and things that will impair your recovery

Phase Advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 30 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and remain crime free

Phase 3: Pro-social Habilitation

Duration: 3 months

- Shall engage and attend treatment counseling as directed by your Counselor (begin cognitive processing of criminal thinking)
- Encourage sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall attend recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)

- Shall appear monthly before the court for DWI Drug Court review hearings
- Shall report to your assigned Community Supervision Officer biweekly continue with case plan (follow your appointments)
- Shall report to any probation office 2-3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
- Shall abide by curfew time 10:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission by the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall be current with all required payments (fine, court cost, program fee, probation fees, restitution fees-if any) pursuant to financial statement audit
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- Must be enrolled in GED classes/program (only required if not already obtained)
- You are to avoid people, places and things that will impair your recovery

Phase advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 45 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and crime free

Phase 4: Adaptive Habilitation

Duration: 3 months

- Shall engage and attend treatment counseling as directed by your Counselor
- Encourage a sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall continue attending recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)
- Will be provided with a treatment re-assessment before advancing to phase five
- Shall appear monthly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer biweekly
- Shall report to any probation office 3 times per week (M,W,F) on a weekly basis for breath analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall complete ¼ of assessed community service hours
- Shall abide by curfew time 11:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, and drug free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions
- Shall pay off all required payments (fine, court cost, program fee, probation fees, and restitution fees-if any) pursuant to financial statement audit
- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- As need based, upon assessment; (Job Training, Parenting/Family Support, Vocational Training)
- You are to avoid people, places and things that will impair your recovery

Phase advancement Requirements

- Attendance compliant with treatment and all required appointments
- In order to advance the team will review treatment progress
- Sober time minimum of 60 consecutive days
- You are to be **HONEST**, forthcoming, committed to change and crime free

Phase 5: Continuing Care

Duration: 3 months

- Shall engage in treatment counseling (continue cognitive processing of criminal thinking)
- Encourage a sober network (sponsor, recovery support peers)
- Encourage pro social activities (hobbies, wellness, exercise, nutrition)
- Shall continue attending recovery support groups, you must attend no less than 3 meetings per week (unless otherwise instructed by your treatment provider)
- Shall appear monthly before the court for DWI Drug Court review hearings (unless otherwise directed)
- Shall report to your assigned Community Supervision Officer monthly for finalized case plan (follow your appointments)
- Shall report to any probation office 2 times per week (M,F) on a weekly basis for breath analysis/urine analysis testing until otherwise instructed

Note: Not required to do this if you are monitored by an alcohol device

- Shall have your alcohol monitoring device uploaded on a weekly basis (if applicable)
- You are not allowed to drive a motor vehicle without express permission from the court, you are to make arrangements by public transportation and/or supportive family members to comply with program requirements
- Shall zero out your community service hours (unless otherwise instructed by your CSO) that are required within the program
- Shall abide by curfew time 11:00 p.m. to 6:00 a.m.(unless attending work/school/counseling sessions/recovery support group meetings)
- You are to present a stable, habitable, drug and alcohol free residence
- Shall submit to unannounced breath analysis and random observed urinalysis/saliva testing (to include random referral to local drug testing labs)
- You are not allowed to spend weekends or overnight absences from home without the expressed permission from the court
- Shall be present when home visits are conducted by Surveillance Officers/Community Supervision Officers during curfew, they shall be allowed to enter premises and have the right to conduct a search of the premises and allow Officers to photograph living conditions

- Shall have stable employment/enrolled in school (must show proof of same to Community Supervision Officer)
- Must have obtained a GED certificate (if applicable)
- You are to avoid people, places and things that will impair your recovery

Graduation Requirements

- Shall remain crime-free and sober for 90 consecutive days during this phase
- Submission to all drug screening/testing requirements
- No alcohol or other drug use
- No re-arrests/active warrants
- Documented participation in Recovery support groups
- Have successfully completed treatment (i.e. SOP, aftercare services, other)
- Meet with the DWI Drug Court Judge prior to release from the program
- Compliance with all Program, Treatment and Probation requirements
- Payment satisfied for all assessed restitution/program/probation/other fees
- Complete all program required community supervision hours
- Ability to present a stable, habitable, and drug free residence
- Must have obtained a GED certificate (if applicable) have stable employment/enrolled in school for 90 consecutive days

Participants that have accomplished the goals outlined in this section and who have participated in the program for no less than fourteen (14) months are eligible to graduate. However, if a participant fails to complete the requirements outlined in this section and neglects to forge a plan for relapse prevention, they may be extended in the program.

DWI DRUG COURT DIRECTORY

For your convenience, a list of the team members and their contact information is noted below.

Compliance Officer Leticia Medina
lemedina@epcounty.com
500 E. San Antonio, Ste. 772 (915-834-8232 ext. 5)

Specialty Court Liaison Ana Dominguez
adominguez@epcounty.com
500 E. San Antonio, Ste. 710 (915-834-8232 ext. 5)

Probation Officer Manuel Solis
msolis@epcounty.com
7145 Industrial (915-771-8500)

Probation Officer Linda Potts
lpotts@epcounty.com
500 E. San Antonio, Ste. 771 (915-834-8232 ext. 5)

Intensive Probation Program
Counselor Ms. Rosales
vrosales@epcounty.com
7145 Industrial (915-771-8500)

Aliviane Counseling Center
Counselor Ms. Gonzalez
bgonzalez@aliviane.org
1626 Medical Center Dr., 2ND FLOOR (915-779-3764)

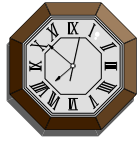
Shela M. Carter, MA, LPC, LCDC, MAC, CART
SCarter@epcounty.com
800 E. Overland, Ste. 101 (915-546-8120 Ext. 4182)

Officer Ferrel (EPPD) (915-472-4455) CELL

Deputy Gonzalez (EPSO) (915-472-4458) CELL

***NOTE: WHEN YOU ARE OUT PAST YOUR CURFEW TIME DUE TO WORK SCHEDULE HOURS; ATTENDING LATE AA MEETING; OR AN EMERGENCY SITUATION YOU MUST CALL AND TEXT BOTH SURVEILLANCE OFFICERS AT THE CELL PHONE NUMBERS LISTED ABOVE. PLEASE LEAVE A DETAILED MESSAGE WITH A TELEPHONE NUMBER IN CASE THEY NEED TO RETURN YOUR CALL.**

SUMMARY OF DRUG COURT PARTICIPANT RULES



1. Be on time for court and treatment sessions, submit to random drug testing, and stay clean, sober and law abiding.
2. Attend and sign a DWI Drug Court orientation contract, which outlines your rights, benefits, and responsibilities.
3. Don't associate with persons using or possessing drugs or be where drugs or alcohol are being used by others.
4. Don't use or possess any illegal drugs, alcohol or drug paraphernalia.
5. Tell your doctors you are a recovering addict and may not take narcotic or addictive medications or drugs, unless prescribed by Board-Certified Addiction Specialist who is aware of your addiction history and approved by the DWI Drug Court Team.
6. Don't use or possess any weapons unless authorized by drug court, and disclose the presence of any weapons possessed by others in your household.
7. Advise the DWI Drug Court Team of any changes in your current address and phone number.
8. Dress appropriately for court and treatment sessions.
9. Follow all DWI Drug Court rules and regulations.
10. Pay fees and costs as ordered by the DWI Drug Court Judge.
11. You and your property may be searched at any time by the DWI Drug Court officers and/or probation officers.
12. Do not leave El Paso County unless approved by the Judge or your probation officer.

**Remember, success comes
One day at a time**

Personal Notes
