

SONOMA COUNTY SUPERIOR COURT

DUI Court Program

Participants' Handbook

Revised January 2008



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

PROGRAM DESCRIPTION

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

Following arrest, depending on your eligibility, you may be offered DUI Court on the pending charges. A Deputy Public Defender or your private counsel will advise you of your choices and discuss the DUI Court Program with you. Entry into the DUI Court Program is voluntary but will require that you enter a guilty plea. You may be placed on formal probation for a period of three years. You may be instructed to immediately report to the Probation Department following your plea. While on probation, you will be ordered to comply with specific terms and conditions. You will be assigned to a probation officer who will be responsible for providing supervision and enforcing probation terms and conditions. Probation supervision will include unannounced home visits during which both you and your place of residence are subject to search and may include random alcohol/drug testing. In addition, local law enforcement officers may assist your probation officer in your supervision. Your defense counsel will continue to represent you throughout your participation in DUI Court.

There is an initial 14 day "window period" in which you may withdraw your plea and request prosecution on your case or an eligibility or suitability issue may arise, which will disqualify you. Successful completion and "graduation" from the program may result in early termination of Probation and/or the opportunity to serve jail sentence through electronic confinement. Failure or discharge from the program will result in imposition of the suspended sentence.

DUI Court is operational in Sonoma County Superior Court as a pilot. The DUI Court Judge will oversee your progress and have full jurisdiction of the entire process. Final determination of entry into the program shall only be made by

the Judge with input from the District Attorney, Defense Counsel, Probation, AODS, and law enforcement.

DUI COURT SUPERVISION

As a DUI Court participant, you will be required to appear in DUI Court on a regular basis. At each appearance, the Judge will be given a progress report prepared by the Probation Department with input from treatment regarding your alcohol/drug test results, attendance and participation. The Judge may ask you questions about your progress and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work with your treatment team (Probation, AODS) toward success. If you are not doing well, the Judge will discuss this with you and the treatment team and determine further action. A program violation, including but not limited to a missed, positive or tampered test, tardiness or failure to attend individual or group counseling, 12 step meetings, etc., will result in a court-imposed sanction. (See **SANCTIONS** on page 18.) With repeated violations of program expectations, and/or a failure to progress satisfactorily, the Court may impose the ultimate sanction of discharge from the program and imposition of sentence.

Failure to appear in court on the date and time you are scheduled could result in a warrant being issued for your arrest and you being placed into custody. If you cannot appear in court as scheduled, you must notify your lawyer. If you cannot reach your lawyer, notify the court clerk prior to the court appearance.

If you have any questions regarding your court appearances, you may contact your attorney.

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

DUI COURT PROGRAM RULES

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

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

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

2. Attend all ordered treatment sessions.

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

3. Report to Probation Officer as directed.

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

4. Submit to Alcohol and Drug Testing.

You must be prepared to provide a urine sample at each visit to AODS and Probation. If you are unable or fail to provide a monitored sample, a technical positive test result will occur as well. You must notify your treatment team of any prescription or over the counter medication you are taking. You must submit to a breathalyzer test upon request by Probation, AODS or law enforcement.

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

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

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

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

7. Dress appropriately for court and treatment sessions.

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

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

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

9. Police informant activity.

Because the purpose of the DUI Court is, as much as possible, to remove participants from the alcohol/drug culture environment, and because police informants in drug investigations must, of necessity, associate with individuals who are within the alcohol/drug culture environment, the purpose and goals of the two are inconsistent. It is difficult enough for a DUI Court participant to remain free from alcohol and drugs when living in an alcohol/drug

free environment. By being placed in an environment where alcohol and drugs are prevalent, the DUI Court participant's potential for successfully completing DUI Court is dramatically reduced. Hence, an individual choosing to participate in DUI Court, will not act as a police informant. If you are participating with a police agency in this manner, you must inform the DUI Court screener of your role as a police informant at the time of your initial interview. Any participant who becomes a police informant after acceptance into the DUI Court program shall be terminated without penalty, provided they are in program compliance.

10. Comply with all requirements of each phase.

PROGRAM FEES

As a participant on formal probation, you will be required to pay the cost of probation supervision or as directed by the Court based upon ability to pay not to exceed \$50 per month. Payments will be made directly to the Probation Department. The AODS will assess your ability to pay for counseling services and charge a sliding scale fee for treatment services. No one will be refused services due to an inability to pay.

TREATMENT PROCEDURES

Your treatment will be provided through a team approach with the combined resources of the Probation Department and AODS. The treatment team will assess what level of treatment will best meet your needs and recommend to the DUI Court Judge that you receive either outpatient or residential treatment. If

next phase. The components and requirements for advancement from each phase are described below.

Window Period

The window period is a fourteen-day period in which the client will decide whether or not DUI Court is appropriate for them. At the same time, the DUI Court team will evaluate the client's appropriateness for the program. During the window period, the client will actively participate in all DUI Court Program requirements. The Judge may extend this window if he/she deems it necessary. Phase 1 includes the window period.

During Phase 1 you will be assigned a Probation Officer and an AODS Counselor who will provide you with an overview of the program. Your needs will be assessed and addressed by this treatment team. Your progress will be closely monitored by the treatment team and reported to the Judge. Phase One requirements include:

PHASE ONE (Minimum 3 months)

- Group counseling: minimum 1 per week.
- Individual counseling minimum 2 per month (includes intake, assessment, evaluation, and individualized treatment plan).
- Urinalysis (UA) testing: minimum 2 per week at the Orenda Center. Also subject to random testing at the counseling offices, and by probation.
- Self-help meetings (12 step): minimum 3 per week.
- Court appearances: 1 per week unless modified by the court.
- Report to the Probation Officer once weekly.
- Additional case management services as determined by the treatment team.
- Curfew at the discretion of the court.

Advancement Criteria:

you are admitted to a residential treatment program, your treatment plan will include the requirements of that program. Upon release from a residential program, you will return to out-patient status with AODS and continue with the DUI Court program for the balance of the 12 months. If you are not admitted into a residential treatment program, a multi-component, outpatient program has been developed through AODS which includes:

Treatment Plans

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

Alcohol and Drug Testing

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

Counseling

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

12 step Meetings

Attendance will be required at 12 step meetings such as Alcoholics Anonymous and/or Narcotics Anonymous. The frequency of attendance requirement is determined by your progress in the program and your phase level. Attendance is an important part of your recovery process to help familiarize you with the 12 step philosophy, and help you develop levels of trust to learn and create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of 12 step meetings and will also direct you to special interest and recovery events in the community. You must provide proof of attendance to your health care counselor and probation officer, prior to each court appearance. The program requires you to have a sponsor and work the steps of your 12 step program. Repeated failures to

attend 12 step meetings or falsifying of 12 step meeting cards may result in termination from DUI Court.

Case Management

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

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

TREATMENT PHASES

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

In order to advance to Phase 2 you must complete the following:

- No positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days.
- No unexcused absences from scheduled services for 14 consecutive days.
- Documentation of required minimum attendance at self-help meetings for 30 days.
- Submittal of a written Phase 2 advancement request.

PHASE TWO (Minimum 3 months)

- Group counseling: minimum 1 per week.
- Individual counseling: minimum 2 per month (may be increased as needed).
- Urinalysis (UA) testing: minimum 1 per week at the Orenda Center. Also subject to random testing at the counseling offices, and by probation.
- Self-help meetings (12 step): minimum 3 per week.
- Court appearances: weekly or bi-monthly as determined by the DUI Court Judge.
- Report to the Probation Officer weekly.
- Curfew at the discretion of the court.

Advancement Criteria:

In order to advance to Phase 3 you must complete the following:

- No positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days.
- No unexcused absences from scheduled services for 21 consecutive days.
- Documentation of required minimum attendance at self-help meetings for 30 days.
- Have a 12 step sponsor and actively be working on the steps.
- Submittal of a written Phase 3 advancement request.

PHASE THREE (Minimum 3 months)

- Group counseling: minimum 2 per month.
- Individual counseling: minimum 1 per month.
- Urinalysis (UA) testing: minimum 1 per week at the Orenda Center. Also subject to random testing at the counseling offices, and by probation.
- Self-help meetings (12 step): minimum 2 per week.
- Court appearances: bi-monthly, or monthly as determined by the DUI Court Judge.

- Report to the Probation Officer weekly, or as instructed.
- Curfew at the discretion of the court.

Advancement Criteria:

In order to advance to Phase 4 you must complete the following:

- No positive alcohol/drug test results (including missed or tampered tests) for 30 consecutive days.
- No unexcused absences from scheduled services for 21 consecutive days.
- Documentation of required minimum attendance at self-help meetings for 30 days.
- Have a 12 step sponsor and actively be working on the steps.
- Submittal of a written Phase 4 advancement request.

PHASE FOUR (Minimum 3 months)

- Group counseling: minimum 2 per month.
- Individual counseling: minimum 1 per month.
- Urinalysis (UA) testing: minimum 2 per month at the Orenda Center. Also subject to random testing at the counseling offices, and by probation.
- Self-help meetings (12 step): minimum 1 per week.
- Court appearances: monthly, or as determined by the DUI Court Judge.
- Report to the Probation Officer as instructed.
- Curfew at the discretion of the court.

Graduation Criteria:

- An acceptable level of sobriety as determined by the treatment team.
- Maintained consistent attendance at all required treatment activities and court appearances.
- No unexcused absences from scheduled services of 45 days.
- Achieved stable clean and sober living arrangements.
- Completion (with your counselor) of an aftercare plan to support your sobriety.
- Proof of completion of required community service hours.
- Submittal of a written graduation advancement request.

OTHER PROGRAM REQUIREMENTS

Your DUI Court Judge may require you to fulfill other program goals such as attending community college courses or attending recovery related events. Further, the DUI Court Judge may impose additional conditions of probation such as a curfew. The DUI Court Judge will inform you of any additional requirements and your attorney, probation officer and AODS counselor will clarify such requirements.

SANCTIONS

If you fail to comply with the Treatment Program, the DUI Court Judge may, at his/ her discretion, order one or more of the following:

- Admonishment from the Court
- Increased alcohol/drug testing
- Writing an essay on a DUI Court related topic which must be read aloud at your AODS group meeting
- Increased participation in 12 step meetings
- Increased participation in individual and/or group counseling sessions
- Increased frequency of court appearances
- Community service hours in addition to those required by the program
- Demotion to an earlier program phase
- Commitment to community residential treatment
- Incarceration
- Formal probation violation
- Expulsion from program and imposition of sentence

EDUCATION, VOCATION AND EMPLOYMENT PROGRAMS

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

SOCIAL SERVICES

Upon your entry into the DUI Court Program, your treatment team will assess your housing, transportation, family and general living needs, and when appropriate, refer you to a local, state and/or county agency for assistance.

GRADUATION

Once you have successfully completed the criteria for each Phase (as described in the Treatment Phases section beginning on page 10), you will advance to the next level and eventually be a candidate to graduate from the DUI Court Program. It will be necessary for you to submit an application to the treatment team to be considered for graduation. In the application it will be necessary to discuss your progress toward the goals you initially set and why you believe you have met the graduation criteria. The final decision for advancement from each phase as well as for graduation eligibility is determined only by the DUI Court Judge. Your family will be invited to join you

as the Judge congratulates you on successfully completing the DUI Court Program and achieving your goal to establish an alcohol/drug-free life.

CONFIDENTIALITY

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

CONCLUSION

The DUI Court Program has been developed to help you achieve total abstinence from alcohol and illicit and illegal drugs and all criminal activity. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The program is voluntary and is your personal choice. The Judge, the court staff and the treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to an alcohol/drug free life.

We hope this handbook has been helpful to you and has answered most of your questions. If you have any additional questions or concerns about the DUI Court Program, please feel free to ask your treatment team. Important DUI Court telephone numbers have been listed at the end of this handbook for easy access. Also, a month-at-a-glance calendar and a 12 step Meeting Attendance Record Sheet have been included in this handbook for your convenience.

Good luck to you.

**SUPERIOR COURT DUI COURTS
PHONE NUMBERS**

SONOMA COUNTY DUI COURT

(707) 521-????

Monday - Friday
8:00 a.m. to 4:30 p.m.

SONOMA COUNTY PROBATION DEPARTMENT

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

(707) 565-????

SONOMA COUNTY ALCOHOL & OTHER DRUG SERVICES (AODS)

DUI Court
Monday - Friday
8:00 a.m. to 5:00 p.m.
Evenings available by appointment

(707) 565-????

SONOMA COUNTY PUBLIC DEFENDER'S OFFICE

(707) 565-????

MONTH-AT-A-GLANCE CALENDAR

MONTH _____

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--------|---------|-----------|----------|--------|----------|
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MONTH _____

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
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12 STEP MEETING ATTENDANCE RECORD

| DATE | NAME OF GROUP | GROUP SECRETARY |
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APPENDIX A:
PHASE REQUIREMENTS AT-A-GLANCE

| PHASE | MINIMUM DAYS | 12 STEP MEETINGS PER WEEK | DRUG TESTING | PROBATION MEETINGS | AODS GROUP MEETINGS | AODS INDIVIDUAL MEETINGS |
|--|--------------|---------------------------|---------------|--------------------|---------------------|--------------------------|
| ORIENTATION (includes 14-day window) | 30 | 5 to 7 | 3x/week | 1/week | 1x/week | 1x/week |
| PHASE I | 90 | 4 | 3x/week | 1/week | 1x/week | 2x/monthly |
| PHASE II | 120 | 3 | 2x/week | 1/week – TBD | 1x/week | 2x/monthly |
| PHASE III | 120 | 2 | 1x/week – TBD | 2x/monthly | 1x/week | 2x/monthly |

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

