



# **2019 Participant Handbook**

## *Douglas County DUI/Drug Court Treatment Program*

***A Division of State Court***

***This handbook belongs to:***

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My Pin Number is:

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The drug screen phone number is:

678-967-0419 or online @ [my.averhealth.com](http://my.averhealth.com)

## ***Douglas County DUI/Drug Court Contacts***

### **DUI/Drug Court Director:**

Anita Grainger

Office Phone: 770-920-7522; Direct: 770-920-7409

Fax: 770-920-7168

Cell: 770-864-3707

Email: [agrainger@co.douglas.ga.us](mailto:agrainger@co.douglas.ga.us)

### **MAILING ADDRESS:**

DUI/Drug Court  
8700 Hospital Drive  
Douglasville, GA. 30134

### **OFFICE LOCATION:**

Old Douglas County Courthouse  
6754 Veterans Memorial Highway  
Lower Level  
Douglasville, Ga. 30134

Ascension Counseling and Mental Health, LLC

Josh Nation

50 Academy St., Canton, Ga. 30114 (local office in ODCC)

Phone: 678-763-5860

### **DUI/Drug Court Case Manager**

Nilsa Martin

Phone: 770-920-7495

Fax: 770-920-7168

Cell: 770-865-7066

Email: [nmartin@co.douglas.ga.us](mailto:nmartin@co.douglas.ga.us)

### **DUI/Drug Court Probation Officer**

Matthew Durden

Phone: 678-449-3921

Email: [mdurden@co.douglas.ga.us](mailto:mdurden@co.douglas.ga.us)

### **DUI/Drug Court Judges**

**Eddie Barker, Chief Judge State Court**

**Brian K. Fortner, Judge State Court**

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# *Douglas County*

## *DUI/Drug Court Treatment Program*

*Honesty, Effort, Respect, Accountability*  
*Integrity, Dedication, Humility & Self-Worth*

This handbook is to provide the participant with an overview of the guidelines for the Douglas County DUI/Drug Court Treatment Program. It does not contain all rules, requirements, policies and procedures. The guidelines or requirements may change without notice.

### **I. Introduction**

The Douglas County DUI Court began on April 1, 2013, under the direction of State Court Judge Eddie Barker. The Douglas County Misdemeanor Drug Court was organized in March 2014 under the direction of State Court Chief Judge W. O'Neal Dettmering, Jr. and Solicitor General Matthew C. Krull. In January of 2016, the two courts combined to become the *Douglas County DUI/Drug Court Treatment Program* (DUI/Drug Court) with two tracks to ensure maximum benefits to all participants.

The Courts are a partnership among the Judges, the Solicitors Office, Probation, Law Enforcement, the DUI/Drug Court Office Staff, the Treatment Provider Representatives, and the Defense Bar with each of the two tracks being supervised by a different Judge. By working together, we seek to provide a variety of programs and consistent supervision geared toward supporting and helping you maintain a drug and alcohol-free life. The Douglas County DUI/Drug Court Treatment Program involves frequent court appearances, random drug and alcohol testing, interactive treatment in group counseling, and support from our community partners.

The program is a minimum of 18 months long and consists of four to five phases depending on your judge assignment/track. It encompasses vocational, educational, and spiritual components in conjunction with providing substance abuse treatment. **Orientation** provides an orientation to treatment, level of care screening and assignment to a treatment group and a baseline drug and alcohol screen. Once the treatment group is assigned, the Participant will get their phase schedule and Judge assignment.

The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules and guidelines may be placed in short-term incarceration, moved back to the previous phase of the treatment cycle, or a variety of other sanctions. They may also be terminated from the DUI/Drug Court Treatment Program.

All of the staff working with the DUI/Drug Court Teams will assist the Participant to be sure the Participant understands what is expected. It is the goal of the DUI/Drug Court Teams to help improve the Participant's life and the safety of our community. This program provides early intervention and serves as a meaningful alternative to incarceration for the participant who can function in the community with support. Those who graduate from the Douglas County

DUI/Drug Court Program will have a solid foundation to build upon in order to become a more productive member of our community.

## II. Overview

### **DUI/Drug COURT MISSION STATEMENT**

The mission of the Douglas County DUI/Drug Court Treatment Program is to provide a program for repeat impaired driving offenders and substance abusing offenders. The program is designed to enhance public safety, improve quality of life, reduce recidivism, and save tax dollars. The Court strives to promote healthier lifestyles for substance abusing repeat offenders in an effort to obtain sobriety through individualized treatment, with judicial oversight, participant accountability, and intensive supervision resulting in a drug free and productive lifestyle.

### **WHY DUI/Drug COURT?**

*Because punitive actions by the courts have not proven to be an effective deterrent for repeat offenders.*

The DUI/Drug Court Team recognizes the importance of a balanced approach of evidence-based treatment for offenders, enhanced consistent supervision, and accountability through constant Judicial Reviews. This approach will lead to higher success rates in long-term recovery and an increase in public safety. The DUI/Drug Court Team goal is to help Participants achieve life-time sobriety, increase public safety, and the savings of tax dollars through a reduction in repeat arrests.

## III. Team Member Roles

### **JUDGE'S ROLE**

The DUI/Drug Court Judge has knowledge of the impact of substance abuse on the court system, the lives of participants, and the entire community and is, therefore, committed to the program mission and goals, and works as a lead partner to ensure its success. One way the DUI/Drug Court Judge leads is through assisting the treatment team in developing protocols and procedures for the program. In the courtroom, the Judge develops a personal, working relationship with each participant while monitoring participant progress.

Your DUI/Drug Court Judge has many responsibilities beyond DUI/Drug Court. His time is limited. The Judge is not your case manager, personal attorney, and/or legal advisor. Information from yourself and your family must go through your case manager. **Participants should NOT, at ANY TIME, contact the Judge outside the courtroom.**

The Judge attends non-court settings such as status review meetings to discuss possible candidates for the program and to determine appropriate, effective sanctions for program violations as well as incentives for continued compliance. Such determinations are made using

knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, and culture) that may impact a participant's success. A further role of the DUI/Drug Court Judge is to advocate for the program by creating community interest and support for the program and to develop community resources to assist participants in their treatment.

### **SOLICITOR GENERAL'S ROLE**

Without the Solicitor General's (Solicitor) cooperation, you could not be offered the opportunity to participate in the DUI/Drug Court Program. The Solicitor has many responsibilities to the DUI/Drug Court. While in the courtroom, the Solicitor ensures that each eligible offender is referred to DUI/Drug Court. Further, the Solicitor presents each case to the Judge and facilitates entry into the DUI/Drug Court Program. The Solicitor attends staff meetings to assist in determining appropriate sanctions and incentives for current participants. Such determinations are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, and culture) that may impact a participant's success. Another role of the Solicitor is to contribute to efforts in community education and acquisition of community resources to aid the program. The Solicitor educates peers, colleagues, and judiciary on the effectiveness of DUI/Drug Courts. During your participation in the program, it is not appropriate to seek legal counsel from the staff of the Solicitor's Office. ***Should you need to speak with the Solicitor-General, you must make an appointment to do so, court sessions are not appropriate for these types of discussions.*** In the event that you are terminated from the DUI/Drug Court, the Solicitor will make recommendations to the Court regarding probation/bond revocation.

### **DEFENSE ATTORNEY'S ROLE**

While your personal Defense Attorney's role in your case was completed at the time of your plea or admittance to the DUI/Drug Court Program, you may at any time access legal counsel on your own accord should you feel this necessary. It is the desire of the DUI/Drug Court to protect your legal rights at all times.

The DUI/Drug Court Defense Attorney represents each and all of the Participants in the DUI/Drug Court who are not otherwise represented by counsel. The Defense Attorney's role is to evaluate the Participant's legal situation and ensure that the Participants' legal rights are protected. Additionally, the Defense Attorney effectively advises the offenders on their legal rights, legal options, treatment options, program conditions, and sentencing outcomes while developing a relationship with the offender that promotes the offender's long term best interests.

The ***DUI/Drug Court Team Defense Attorney*** monitors Participants' progress and ensures the appropriate provision of treatment and other rehabilitative services. The Defense Attorney attends status review meetings to determine appropriate sanctions and incentives for current Participants. Like the Judge and the Solicitor-General, the Defense Attorney also contributes to educating the community and assists in educating peers, colleagues, and judiciary in the effectiveness of DUI/Drug Courts. ***It is not appropriate to seek legal counsel from the DUI/Drug Court Defense Attorney regarding matters unrelated to DUI/Drug Court.***

## **LAW ENFORCEMENT'S ROLE**

Law Enforcement provides accountability for your participation in this program through their participation in status review meetings, sanction/incentive recommendations, and they will provide random searches of participant's homes and person. Your total honesty and cooperation with all law enforcement is essential to compliance with this program. Law enforcement will conduct curfew checks, random drug screens and employment verification when needed. *For many, this will be the first positive interaction with law enforcement representatives and one of our goals is to build positive rapport between Law Enforcement and Participants.*

## **DUI/Drug COURT DIRECTOR'S ROLE**

The DUI/Drug Court Director acts as the point of contact between all entities involved in the daily operations of the DUI/Drug Court Program. The DUI/Drug Court Director reports to the State Court Judges of the Douglas Judicial Circuit. The Director participates in status review meetings and is responsible for all data collection and dissemination to the DUI/Drug Court Team. The Director contributes to efforts in community education and acquisition of community resources to assist participants in the DUI/Drug Court Program. The Director reviews and updates the program policies and procedures manual to ensure that operations and administration comply with applicable local, state, and federal guidelines. The Director applies for and manages grant funds for the DUI/Drug Court.

The Director will also serve the court by coordinating the Probation Supervision service to the participants. The Director will perform the initial interview to make sure each Participant has a very clear understanding of the DUI/Drug Court rules and regulations. In the event that the Participant fails to comply with the rules and regulations of the DUI/Drug Court, the Director may attend the Probation/Bond Revocation Hearing and make recommendations to the Judge.

## **PROBATION OFFICER'S ROLE:**

The Probation officer will serve the court by providing the Probation Supervision service to the participants. The officer will oversee the participants sentencing conditions, assist with Drug and Alcohol screening and also assist the case manager with monitoring the conditions of the DUI/Drug court program. The officer will meet with the participants at least once a month. In the event that the Participant fails to comply with the rules and regulations of the DUI/Drug Court or the sentence conditions, the Probation Officer will file a petition with the allegations, get a hearing set through the clerk's office and attend the Probation Revocation Hearing and make recommendations to the Judge.

## **CASE MANAGER'S ROLE:**

The case manager will serve the court by providing assistance to participants in the following areas: ensure compliance with DUI/Drug court conditions as well as aid the participants in job search, daily living skills, attendance to all court related activities and meet with them on a regular basis. The case manager will meet with the participants at least once a month. The Case



Manager will also help refer participants that are in need of ancillary services. The case manager will also work with the treatment team to coordinate the participant's requirements and ensure sanctions and incentives are being completed.

### **TREATMENT PROVIDER'S ROLE**

The Treatment Provider facilitates all group and individual counseling sessions. They also coordinate any other recommended counseling on an as needed basis. The treatment provider has worked with the DUI/Drug Court to develop a specialized curriculum for DUI/Drug Court participants that includes proven evidence-based treatment practices. The Treatment Provider also performs alcohol and drug screening on all participants on an as needed basis. The Treatment Provider reports all Participants' progress and lack thereof to the DUI/Drug Court Director. A representative from the Treatment Provider attends all Drug Court Team Meetings and Court sessions.

***All questions not pertaining to counseling should be directed to the DUI/Drug Court Director to include the results of drug and alcohol screens performed.***

### **COMMUNITY PARTNER'S ROLE**

The Drug Court is not only concerned about the Participant while they are active in the DUI/Drug Court Program, but also in the Participant's long term sobriety, which is the ultimate goal. For that reason, it is essential that the Participant involve themselves in programs in our community for long term support. Programs include, but are not limited to, Celebrate Recovery, Reformers Unanimous, Alcoholics Anonymous, and Narcotics Anonymous.

A 501 (C)(3) Charitable Foundation was established in December 2014. The S.T.A.R.T. Foundation and its' Board of Directors is an organization formed with the goal of providing support to the Douglas County DUI/Drug Court Programs. Sobriety Through Addiction Recovery Treatment aids the Court in providing support for incentives as well as scholarships for participants with a documented financial need. The Foundation also provides education to the Community about the DUI/Drug Courts and their benefit to the citizens of Douglas County.

***ALL QUESTIONS RELATING TO THE POLICIES AND PROCEDURES OF THE DRUG COURT SHOULD BE DIRECTED TO THE DIRECTOR OR THE CASE MANAGER.***

## IV. Court

### **COURTROOM BEHAVIOR**

Your attendance in court is a critical requirement of your participation in the Douglas County DUI/Drug Court. Your behavior from the time you leave your automobile until you arrive in the courtroom should reflect positively on your DUI/Drug Court Program. Your attire should NOT include shorts, tank tops, halter-tops, bulging necklines, hats, sunglasses, see through or revealing clothing, clothes with holes, or excessively baggy clothing. Additionally, you should NOT wear clothes displaying offensive language, advertising alcohol or other drugs. Loud and boisterous behavior is unacceptable. **You must be punctual. Depending on your JUDGE, court is called to order on either the first and third Wednesday at 3:30 p.m. or the first and third Thursday of each month in the afternoon at 4:00 p.m. You are required to check in 30 minutes prior to court with the bailiff's/deputies.**

This behavior and attire is required for **ANYTIME** you are in the Courthouse or any other location that would be an extension of the DUI/Drug Court (such as graduation ceremonies or other Court activities). **You must be punctual.** Court is called to order at 4:00 p.m. You will be given access to a monthly calendar with all of the Court dates, and you will be advised of any exceptions or changes to this schedule. **Conversations should be minimal inside and outside the Courtroom.** You are to remain seated in the Courtroom unless directed otherwise. You are not to read or sleep in the Courtroom. **No food, drink, pagers, cell phones, gum chewing or other distracting items are allowed.** Any distracting cell phones in the Courtroom will be confiscated. You are responsible for your guests and/or children. Do not approach or try to ask DUI/Drug Court Team members questions while Court is in session, as this is also distracting. When addressed by the Judge, you should stand and respond respectfully (For example: “Yes, sir” and “No, sir” are appropriate). **Keep your hands OUT of your pockets at ALL times!** Speak clearly and directly and remain in front of the Judge until dismissed. Do NOT interrupt the Judge when he is speaking to you or to anyone else. **Violations of Courthouse and Courtroom Behavior WILL result in sanctions.**

*All participants should appear 30 minutes prior to court, sign in to pay fees, and be breath tested.* Participants arriving after court starts will be considered late, and could be subject to sanctions. Court sessions will be held in either Citizen's Hall on the main floor or your Judge's courtroom on the fourth floor at the Hospital Drive Courthouse, unless otherwise notice of a change is given.

### **SANCTIONS**

The Judge will impose sanctions on you if you violate program rules. If you have violated any program rule in which you would get a sanction, you **MUST** be in the next court session regardless of whether your phase is required to attend. Sanctions can include jail time, additional community service work, written essays, or anything that is deemed appropriate for you by the DUI/Drug Court Team. If at any time you want a copy of your sanction order that is signed by the Judge you may obtain this by contacting the DUI/Drug Court Office.

It is **YOUR** responsibility to make sure all documents are turned in to the Court and that they are filled out properly and completely. Take the time to review any documents prior to turning them in.

In the event that jail time is required for program violations, you must make sure that all personal matters are attended to prior to Court. This means that you must make arrangements for your job, childcare, vehicles, etc. if jail time sanctions are a possibility. Please bring all current medications with you when you come to court. Vehicles are not to be left unattended while you are incarcerated unless prior permission has been granted.

**IF YOU PURCHASE, POSSESS, OR CONSUME ALCOHOL OR ANY OTHER UNLAWFUL SUBSTANCE WHILE IN THIS PROGRAM, YOU WILL RECEIVE SANCTIONS.**

**INCENTIVES**

Program compliance and good behavior will be recognized by the Judge as an incentive to continue your recovery. You will receive lower treatment costs in the DUI/Drug Court Program than traditional treatment programs. Your jail time may have been suspended. Your fines and fees may have been suspended or will be reduced. You may receive credit for community service hours as you move through the phases. The DUI/Drug Court Team also may recognize a participant of the month and when each participant moves from one phase to the next. The participant of the month is determined by but not limited to progress in the program, lack of sanctions, and a good attitude. These are the initial tangible incentives for participation in the DUI/Drug Court Program. Over time, program compliance and good behavior will be recognized by the Judge as an incentive to continue your recovery. It is our hope that eventually you will recognize the benefits of an alcohol and drug free lifestyle and this will become your true incentive to stay in recovery long-term.

**TERMINATION**

The Douglas County DUI/Drug Court is committed to giving participants the opportunity to learn to become drug and alcohol free. However, your continued participation in the Douglas County DUI/Drug Court Program is contingent on compliance with ALL program guidelines and regulations. Non-compliance can result in termination.

We would be very pleased if no participant was terminated from the program, but we also understand that some participants will choose to continue to violate program requirements and there will be consequences for these types of behavior.

Violations that may lead to termination include, but are not limited to:

1. Your inability to remain clean and sober
2. A new DUI or Drug arrest
3. Failure to attend and participate in groups
4. Threats or violence against peers or staff
5. Altering or tampering with drug screens
6. Committing a new offense (all new offenses need to be reported to the DUI/Drug court office within 48 hours of the initial arrest).
7. An accumulation of program violations

8. Chronic failure to pay program fees
9. Failure to follow program guidelines

**We want every participant to succeed, and we consider termination the last resort.** Our goal is to help you obtain and maintain a healthy lifestyle. However, we also understand that not everyone who enters the Douglas County DUI/Drug Court Program is capable of and/or committed to achieving sobriety. Our resources are limited, and the Court may determine that termination from the program is necessary.

## V. Program Guidelines

### **FOURTH AMENDMENT SEARCHES/HOME VISITS**

All DUI/Drug Court participants must agree to waive their Fourth Amendment Right to Search and Seizure as a condition of their sentence in order to participate in the Douglas County DUI/Drug Court Program. From time to time, the DUI/Drug Court will utilize Sheriff's deputies or police officers to randomly conduct searches of the homes of DUI/Drug Court participants pursuant to said waiver(s). During such searches, deputies may perform breathalyzer and drug tests, look in refrigerators, open cabinets, etc., to determine if the participant is in possession of drugs and/or alcohol.

The same rules apply to these tests as those that are performed at the DUI/Drug Court Office, so if you choose to admit to use, make sure to tell the officer BEFORE the screen is conducted. If a participant tests positive for drugs and/or alcohol during a home visit, the deputy will reprimand the participant and then notify the DUI/Drug Court Director who will in turn notify the team. Additionally, if illegal drugs or drug paraphernalia are found in the home, the participant may be arrested on new charges which will likely result in termination from the DUI/Drug Court Program. The home visits of participants will raise the level of accountability for each participant in the program. Law Enforcement will be involved in Court Team meetings and Court sessions to contribute to the incentives and sanctioning process.

If the participant is not present at the residence when the law enforcement officer comes for a home visit, the law enforcement officer will leave a card stating the date and time that the officer attempted the home visit. The card will be left in a prominent location at the participant's residence. It is the participant's responsibility to look for a card each time they return home.

Upon returning to your residence, and locating a card, each participant must call the DUI/Drug court office at (770-920-7409) and leave a voice mail, stating your name, date, time of your call, and exact location of where you were when the law enforcement officer attempted to perform the home visit.

If a participant fails to call in immediately upon receiving a home visit card, they may be subject to sanctions. The DUI/Drug Court Team will review the circumstances, and reasons noted for missed home visits before making any sanction recommendation to the court.

## **RESIDENCE**

You will also receive sanctions if the Drug Court Office does not have your current address (where you reside) and phone number (where you can be reached). Please make sure the treatment provider has your new address and/or phone number as well. This address is defined as where you sleep every night and the phone number is the one that we can be used to reach you quickest. **Notification of a change of address must be done prior to the first date you wish to reside at the new address and must be given to the DUI/Drug Court Office in writing on the “Change of Address” form.** We will accept faxed change of address forms. Failure to notify the DUI/Drug Court Office of your new address prior to moving could result in a jail time sanction.

If you intend to stay away from this residence overnight, you must contact the DUI/Drug Court Office and get prior approval. **Participants that are on active curfew may not spend the night away from their residence.** You must inform the DUI/Drug Court Office of the address and phone number where you will be staying as well as the individuals who will be in the residence with you. If you intend to spend the night away from your residence over the weekend, you must get approval before the weekend occurs by filling out a leave request. Failure to obtain prior approval could result in a jail time sanction.

## **CURFEW**

A curfew requires the participant to physically be at the address/residence listed with the DUI/Drug Court Director/Probation as follows:

- In the Moderate Risk Track - First 120 days, the participant shall be and remain at their residence between the hours of 10:00 p.m. and 5:00 a.m.
- In the High Risk Track – Phases 1 and 2, , the participant shall be and remain at their residence between the hours of 8:00 p.m. and 5:00 a.m. Phase 3, the participant shall be and remain at their residence between the hours of 10:00 p.m. and 5:00 a.m.

Exceptions can be made for employment purposes; however, it must be approved in advance by the Drug Court Director/Probation Officer. Travel requests must also be approved in advance. Violations of the curfew policy WILL result in sanctions including but not limited to a delay in moving to the next Phase, community service, additional curfew enforcement and jail time!

## **EMPLOYMENT**

You are required to submit proof of employment to the Case Manager as required. Proof of employment consists of a copy of your paycheck stub, 1099 tax form, as well as a letter from your employer stating their intent to file the 1099 on your behalf and documentation of continued work, or a letter from your supervisor on company letterhead verifying dates of employment. All questions regarding employment verification should be directed to the Drug Court Office.

Full-time employment is MANDATORY in this program unless you have documentation that you are permanently disabled, unless you are a full-time student or have prior approval from the DUI/Drug court team. If you become unemployed you will be required to do a job search with the aid of the case manager and probation officer. You will be required to turn in documentation

on a weekly basis showing your diligent search for a job. A minimum number of applications and/or workshops may be required of you.

**It is policy of the Douglas County DUI/Drug Court Program that you may not work in any establishment where the primary sales are alcohol, such as a package store. Additionally, you may not work where narcotics, dangerous drugs, or other mood altering substances are sold. Exceptions may be considered if approved by the Court in advance.** If you have any questions about your place of employment, contact the DUI/Drug Court Office.

### **ATTENDANCE/LEAVE REQUESTS**

As a participant in the Douglas County DUI/Drug Court, you are required to obtain prior permission to travel. You are required to attend all meetings as assigned. Failure to obtain permission to travel and/or failure to attend meetings will result in sanctions. Special requests to travel and/or be excused from meetings must be approved by the DUI/Drug Court Director. Participants should not request leave to miss a group treatment session or a drug screen during the first 120 days of the program. In *Phase One*, you **will not** be granted a leave request, unless specifically approved in advance by the DUI/Drug Court Director or the Judge. After 120 days, you **may** be granted two leave requests per phase that will be limited to a maximum of three days per request, unless otherwise approved in advance by the DUI/Drug Court Director or the Judge. Leave requests that are longer than 3 days in duration may require an alcohol and drug screen to be paid at your own expense while you are gone as directed by the team. Leave requests for outside the country will not be permitted in any phase unless approved by the DUI/Drug Court team in advance. Granted leave requests for outside the country may also require compliance with special conditions, such as the use of a monitoring device or random drug and alcohol testing.

Your Judge will determine if you will be allowed a leave based on your progress in the Program, and he or a staff member will notify you if the request is approved on the Court date before the leave is scheduled. Upon approval, you will receive a copy of the approved leave request with any stipulations written on it. Failure to comply with these stipulations may result in a sanction. These requests are apart from any emergency, subpoena, Court appearance, etc. This procedure must be taken in order to submit a leave request:

1. All requests are to be submitted a minimum of two weeks in advance of the travel date to the Case Manager or the DUI/Drug Court Director.
2. All requests must have verified documentation attached. (For example: itinerary, doctor, school, work, or court letterhead explaining the situation and signed by a person in authority, including a phone number.)
3. The DUI/Drug Court Director will consider requests only if the participant is complying with all program conditions. The DUI/Drug Court Staff will screen requests and exercise discretion when deciding if they will be presented to the Judge for consideration on the Court date prior to your anticipated leave.
4. The Judge or a staff member will inform you at the court session of the decision on the requests that the staff recommends.
5. You will be required to submit to an alcohol and drug screen prior to leaving and upon your return from your leave. You will be given written notice of those times and you must abide

by them or your leave will be automatically revoked. Once a leave request has been approved, you may not change the times requested without prior approval from the Director or Case Manager.

Failure to comply with the above procedure may result in a denial of the leave request. Program staff also reserves the right to reject further leave requests for a participant's failure to comply with the stipulations during their leave.

Only Program **recognized** excuses will be considered for leave requests submitted prior to the first 120 days in the program. Recognized excuses include sudden illness and/or death of immediate family (immediate family includes spouse, children, siblings, parents, and grandparents). Contact the DUI/Drug Court Director by phone on the next working day and obtain proof of relationship, medical records, or an obituary to be submitted upon your return to treatment. Excuses that are **not** recognized during the first 120 days include leave requests for birthdays, anniversaries, vacations, concerts, etc.

## **ATTENDANCE AND EMERGENCY NOTIFICATION POLICY**

Only legitimate excuses for missing treatment sessions, court appearances, or other mandated appointments will be considered. Legitimate circumstances are described as follows:

**“WHEN AND WHO DO I NOTIFY?** All emergency notification communication with DUI/Drug Court personnel will be accomplished as soon as an emergency occurs or is anticipated to occur. This will be done by speaking directly with the Coordinator, Case Manager, Surveillance Officer or Treatment Provider. If after hours or if personnel are unavailable, a voicemail is allowed. However, a continued attempt to speak with someone live is required. The emergency notification is not complete until someone from the Court Team speaks with the participant live via telephone or in person. Waiting until after the participant's absence to inform the Case Manager or Treatment Provider may result in sanctions, even if it was a legitimate excuse.”

**“WHO IS IMMEDIATE FAMILY?** It is understood there are many interpretations of what constitutes a family member. Immediate family includes the participant's legal spouse or intimate partner, their children and parents. There are those who are not considered immediate family by this program. It is believed the following persons have their own support other than the participant and can make arrangements for such emergency circumstances. These persons include grandparents, stepparents, stepchildren, cousins, aunts, uncles, in-laws and girl/boyfriend's children unless they reside in your home on a regular basis. Arrangements can be made through the Case Manager's Office for extenuating circumstances.”

**“WHAT FORM OF PROOF DO I NEED?** Verification is then required **in writing** at the next contact visit. Participants are expected to bring written proof of the emergency at the next legitimate possible opportunity. The participant will need to provide proof of the relationship, medical records, police report number and officer name (in cases of vehicle accidents). ***The sooner the notification of an emergency, the sooner arrangements can be made to assist you in your crisis.***”

**“WHAT IF...?”** Preventable circumstances will not be considered a legitimate excuse. Do not schedule personal appointments during mandatory scheduled meetings with the Court or Treatment Provider.

**“FOLLOWED PROCEDURE...NOW WHAT?”** The participant will be expected to follow all instructions from the staff they spoke to. Since it is known that stressful situations in the participant’s past have been dealt with by using alcohol and drugs, an alcohol and drug screen may be required prior to or immediately following an absence. They may also be instructed to report to their probation officer, Treatment Provider or Case Manager.”

### **PAIRING OFF**

Early recovery is full of pitfalls and relapse triggers. One pitfall that we can easily avoid is “pairing off”. Pairing off occurs when two people in recovery spend too much time together and/or become romantically involved. When this happens, the parties involved tend to confuse feelings of fear or vulnerability with feelings of intimacy. This tends to shift their focus away from their recovery and greatly reduces their chance of success in recovery. Early recovery is a period of profound personal change and self-discovery. Relationships formed during this period generally do not last because of the personal changes that are taking place. The person you may be attracted to today may not be the same person tomorrow. It is better to wait until you are stabilized in your recovery before beginning a romantic relationship.

Pairing off includes, but is not limited to the following:

1. Suggestive or flirtatious remarks.
2. Physical contact, such as holding hands, hugging, kissing, or inappropriate touching.
3. Letter-writing or note-writing.
4. Physical isolation by a couple from the group or from peers.
5. Consistently sitting together or being together at scheduled or unscheduled activities.
6. Exchanging gifts of personal items.

**PAIRING OFF IS NOT PERMITTED!**

Participants are not allowed to cohabituate whether romantically involved or not. This includes participants from other Accountability Courts. If you have questions or concerns regarding this, contact the DUI/Drug Court Office.

### **MEDICATION/RELAPSE**

Relapse is a possibility no matter how long you have been clean and sober. Relapse is the process of returning to the use of alcohol and/or drugs after quitting. Once in recovery, most drug/alcohol abusers begin to notice stressors, patterns, triggers or warning signs that lead to relapse. Relapse warning signs involve your behavior, thinking patterns, attitude, feelings, or a combination of all of these.

Addicts tend to see relapses as “letting their guard down” or “an impulsive act”. However, this is not true. Stress, coping skills or the lack thereof, addictive thinking, and criminal thinking all



play a pivotal role in relapse behavior. Relapse is the final result of a chain of events that starts days, weeks, or months in advance of an actual relapse. Thus, it is imperative for you to develop a relapse prevention plan to address relapse triggers and relapse behavior.

As you will learn in the DUI/Drug Court Program, cross addiction is real. Many of you were already addicted to more than one substance when you started DUI/Drug Court, but only had one “favorite” substance. You will find it quite easy to change from one mood-altering substance to another and continue to be addicted. As long as you continue to manipulate your mood with a substance rather than *new* thoughts and *new* activities, you will remain cross-addicted and actively ill.

There are many reasons that you may continue to feel the need to use a variety of substances. The first thing that comes to mind is *insomnia (sleeplessness)* and you may be tempted to return to using sleeping medications within a short period of time because of poorly developed abilities to get yourself to sleep (these skills can be developed: warm milk, reading, meditation, etc.).

*Pain* is the second most common reason and if you choose to use mood-altering analgesics (pain-killers), especially any of the narcotic drugs (Lortab, Percocet, Darvocet, Darvon, etc.), you are extremely likely to return to your drug of choice eventually because this will short-circuit your ability to control impulsive action. You have to be very cautious when you become physically ill, even with respiratory diseases (colds, flu, or pneumonia) because many of the drugs used to treat these conditions cause mood changes and decreased ability to control impulses. There are many compounds that will cause you to crave a drink/drug...many cough syrups have narcotics in them.

It is difficult to remember which drugs to avoid and so this list of medications has been prepared for you...what you can take and what you must avoid. ***You have to take responsibility for all of your future drug use*** because not every physician, pharmacist, or dentist knows about the nature of your condition and what you have learned. If you have a particular problem, be sure and discuss it with your case manager. **No drug of any kind is to be taken without prior notice to the DUI/Drug court office.** Clients who take any type of medication are subject to increased counseling as directed by the DUI/Drug Court Clinicians.

**LET YOUR PHYSICIANS, DENTISTS, PHARMICISTS, AND ALL OTHER PERSONS THAT WILL BE INVOLVED IN YOUR RECEIVING MEDICATIONS KNOW THAT YOU ARE IN RECOVERY. YOU MUST GIVE THEM A NOTICE TO MEDICAL PROFESSIONALS FORM. THIS IS EXTREMELY IMPORTANT IN THE MAINTENANCE OF YOUR RECOVERY!**

See **ATTACHMENT #1** for the lists of drugs you can and cannot take safely. Please pay close attention to the medications that you receive to insure long-term health and recovery from addiction. ***You will be required to sign a consent form indicating you have received and understand these responsibilities.***



## **ZERO TOLERANCE DRUG AND ALCOHOL POLICY:**

No alcohol use is acceptable including using the substances as outlined below. Illegal drug use is prohibited. Prescription drugs may not be taken without approval from the Drug Court Team. If you test positive, we are not going to try to figure out why or what it is, it is alcohol or drugs in your system...period! Avoid the use of hand sanitizers which contain alcohol as well. Please note that even the purchasing of or possession of any type of alcohol while in this program will result in a sanction.

This list includes, but is not limited to the following:

1. After shave lotion.
2. Hair tonics.
3. Mouth wash.
4. Sterno.
5. Extracts (Lemon, Vanilla, etc.).
6. Medical alcohol.
7. Perfume.
8. Wood Alcohol.

## **DRUG TESTING**

### **Policy and Procedure**

All participants are to be drug tested on a random basis. For the duration of your participation in the Douglas County DUI/Drug Court Program, it is your responsibility to check daily to see if you are required to drug test that day. Drug testing is performed on a random basis; however, a breath or urine specimen ***may be required at any time***. Each participant shall be assigned a PIN number which they will use in determining if they are required to participate in a random drug and alcohol screen on any given day. **You must call the drug testing phone line each day to see if you are being called in for testing. The phone line opens at 1:00 AM each day. Hotline testing is held at the Old Douglas County Courthouse daily between the hours of 6:00 AM and 9:00 AM. In the event that, for any reason, you cannot access this information by phone, it is your responsibility to call the Director, Case Manager or Probation officer.**

**Random testing may occur at any place, on any day, at any time.**

You must be punctual and prepared to submit a specimen during the specified hours. **Late arrivals will not be allowed to test and the failure to submit a specimen will be sanctioned**

**as a missed screen. Tampering with or diluting a drug screen will result in sanctions and can be grounds for termination from the Douglas County DUI/Drug Court Program.**

Upon reporting for a drug screen:

1. A staff member must accompany you at all times during drug testing.
2. You must make sure that your name and the date is on your specimen bottle/ COC form.
3. You must indicate an admission or denial of alcohol or drug use and grant permission for confirmation of results if appropriate. A form will be provided for you each time you test. **Honesty is a crucial component for recovery and participation in the Douglas County DUI/Drug Court Program. Self-disclosure of use will be considered by the court when sanctions are imposed.**
4. You will not be allowed to leave the testing area or to drink excessive fluids until a specimen is rendered.
5. A staff member must always witness the sample being given.
6. You may not carry purses, coats, bags, etc. into the testing area.
7. Shirt sleeves should be rolled up to the elbow and you may be requested to remove additional clothing to ensure the validity of a specimen.
8. The test cup must contain a minimum 1/3 level to be adequate for testing.

If a participant has a positive test from an instant cup, he/she may request a confirmation test of the sample to be sent to a lab for verification. You must request the confirmation test at the time of testing to maintain chain of custody protocol. If the confirmation test is positive, the participant shall be responsible for the cost of the test up to \$50.00.

IF you have an emergency which will not allow you to appear for testing between the hours of 6:00 AM and 9:00 AM you must contact the DUI/Drug Court Director or your probation officer that morning before 9:00 AM to make arrangements to come to the Drug Court office to give your specimen. ***You must do this on the same day.*** If the Director, Case Manager or Probation Officer is not available you must appear at the Accountability Court Office for testing at the appointed time or the test will be counted as a missed screen and be sanctioned as such.

THE HOTLINE TELEPHONE NUMBER IS ***678-967-041*** or you may log in to the ***website at myaverhealth.com.*** Keep this phone number in a place where you have access to it.

You may not be able to stop using drugs immediately and recovery may not occur overnight. However, all use of illegal drugs will be sanctioned. This is not intended as punishment but to encourage sobriety. Thus, the ultimate goal of drug testing is to provide accountability and confirmation of an individual's progress towards recovery.

# VI. Treatment

## TREATMENT ATTENDANCE

As a participant in the Douglas County DUI/Drug Court Program, you are required to attend all group counseling meetings as assigned. **You must be on time. Failure to report on time will result in a missed group or meeting. Being late to or missing check-in or group will result in sanctions from the Court.** Failure to attend group will result in sanctions and attendance will only be verified by you signing the sign-in sheet. You need to sign the sign-in sheet legibly and on the correct sign-in sheet for your phase. If you do not do this, it will be counted as a missed group and will be sanctioned as such.

## MATERIALS

During your participation in the Douglas County DUI/Drug Court, you will be given substance abuse related materials and/or literature. It will be the participant's responsibility to bring this material to treatment as required.

## ASSIGNMENTS

You will also be given a variety of assignments while in treatment. Our expectation is that you will apply yourself to the best of your ability. Assignments that show little or no effort will not be accepted, and you will be required to complete the assignment again. The Judge will sanction a continued lack of effort on your assignments.

At Orientation you will be required to complete intake with the DUI/Drug Court Director's Office. You will also be required to complete an assessment, attend a program orientation, and complete a level of care screening with the treatment coordinator.

## TREATMENT FACILITY

All DUI/Drug Court activities and locations may be viewed as an extension of the Douglas County State Court. Your behavior should reflect that understanding at all times. This includes all contracted treatment locations, community service sites, special events, and any other functions associated with DUI/Drug Court activity. Violations of program rules can result in sanctions and/or new criminal charges. All staff members of the Douglas County DUI/Drug Court are officers of the Court, and you are expected to follow their instructions.

Confidentiality is a must. What is said here stays here! There will be **stiff consequences** to any violations of this rule. Free expression of your thoughts and feelings is encouraged; however, violence, threats or intimidation will not be tolerated. Extreme use of profanity is not acceptable.

1. *Pagers and cell phones must be turned off during group sessions. They will be confiscated if they ring or beep during group.*
2. No visitors allowed. You will be notified of scheduled exceptions to this rule. This includes children and pets.
3. Pairing up with another DUI/Drug Court participant for an intimate relationship is **NOT ALLOWED** and is grounds for possible termination.
4. **This is a tobacco free facility.** No smoking, no vapes, no chew, no dip, in the building or within 20 feet from the building per county ordinance and as posted. Smoking is to be done in the designated area ONLY and not during group sessions.
5. No littering in parking lot or in building. You must be responsible for assisting in maintaining the cleanliness of the building. Destroying or defacing property will lead to sanctions.
6. No alcohol drugs, weapons or pocketknives will be brought into these facilities.
7. Groups will begin on time! You must be punctual, as tardiness will result in sanctions. You must attend and participate in the full session to receive credit.
8. Sexual Harassment will NOT be tolerated.
9. No comments about the physical appearance of other participants allowed.
10. You may leave group only in an **extreme** emergency **after** notifying the clinician leading the group.

## **TREATMENT COMMUNITY**

Douglas County is very fortunate to have a strong recovery community. You can find local Celebrate Recovery meetings (<http://celebraterecovery.com>); Reformers Unanimous meetings (<http://reformu.com>); Alcoholics Anonymous meetings (<http://www.aageorgia.org>); and Narcotics Anonymous meetings (<http://www.grscna.com>). There is no required attendance at these recovery meetings but you are strongly encouraged to consider using these programs as you get close to the aftercare phase of the DUI/Drug Court program. These groups will be invaluable to your continued recovery after you are no longer under the courts close supervision.

Attachment #2 has a list of local Recovery Support Group Meetings

## **ANONYMITY**

Always remember that generally, Community Support Groups are anonymous organizations and that everyone is there for basically the same reason. It is never appropriate to say to a friend, "Guess who I saw at my meeting last night!"

Do not approach participants of this program or another treatment program in public unless you have permission from that person. You may unknowingly breach their confidentiality and ultimately endanger their sobriety. If you have questions or concerns about confidentiality, contact the DUI/Drug Court Office.

Never address your physician, dentist, minister, attorney, or other professional person at a meeting by that person's title or last name. Anonymity includes both name and vocation. Don't ever ask a professional person for professional advice while at any Community Support Group

function. To do so can be a serious threat to the attendance and sobriety of that person, who undoubtedly needs the meetings as much as you do.

**REMEMBER, you are ALWAYS responsible for the choices you make and for your own behavior. DUI/Drug Court can be as easy or as hard as you make it out to be. Attitude is EVERYTHING! PLEASE choose the RIGHT ATTITUDE!! It is ENTIRELY up to you to make the right choices!**

### **PHASES**

Once you are assigned to a Judge and treatment track, you will be given a copy of your treatment group's phases and completion requirements.

### **PHASING UP**

In order to transfer from one phase to the next, you will be required to complete and submit a Phase-Up Request Form which can be obtained from the DUI/Drug Court Case Manager. The Phase-Up request will need to be completed in its entirety and submitted to the DUI/Drug Case Manager. Please note that ALL requirements listed on the Phase-Up Request Form must be completed before the Phase-Up is considered.

Once the Phase-Up Request Form has been properly filled out, signed, and submitted, the DUI/Drug Court Case Manager will consult with the Clinician who you are assigned to for their approval. Once the Clinician has given their approval, if you have had no sanctions or reprimands and have made all of your payments timely, you will phase up administratively on your date of eligibility. You will be recognized at the very next court session by the judge with an advancement certificate. For those participants who have had violations, or have not paid timely, your request will be considered at the next DUI/Drug Court Team Meeting and voted upon by the team. This information will be presented to the Judge and he will announce in Court his decision regarding you advancing to the next phase.

You must also meet with the DUI/Drug Court Director for approval. An appointment should be made at least one week in advance of your anticipated phase up date.

All sanction requirements must be fulfilled prior to moving to the next phase. You will be provided with a complete list of each phase requirement when you have your orientation appointment.

## **GRADUATION REQUIREMENTS:**

Upon completion of the aftercare phase, you will be eligible for graduation. Graduation requirements must be met and turned in at least 30 days prior to your anticipated graduation date (or as otherwise approved by the DUI/Drug Court Office).

1. Complete Giving Back Project:
  - a.) **A written plan is to be submitted and approved by DUI/Drug Court Office within 60 days of moving to the aftercare phase. Projects can include but are not limited to – Habitat for Humanity, volunteering for projects at local parks or recreational fields, helping a senior citizen with projects around their home, completing projects at your local church, etc.**
  - b.) Minimum of 24 volunteer hours.
  - c.) Documentation must be verified by DUI/Drug Court Office (letter on company letterhead with hours and job completed and a contact person with a telephone number is acceptable).
  - d.) Submit a written summary of how/why project was chosen, feelings while completing project, personal reactions after project completion.
2. Complete exit survey and submit it to the DUI/Drug Court Office.
3. All Drug Court fees, Treatment fees, Probation fees, and Court fines (if applicable) **MUST BE PAID IN FULL.**
4. Complete exit interview with the DUI/Drug Court Team (approximately 1-2 weeks before your graduation date). This will be scheduled with you by the DUI/Drug Court Office. You should come to the exit interview prepared to discuss the following with the Drug Court Team:
  - a.) Background: Life before Drug Court.
  - b.) Brief Summary of your arrest situation.
  - c.) Reflections on Drug Court successes, struggles, and any suggestions.
  - d.) Plans/Goals for the future (personal and recovery).

***You are required to have 90 consecutive of days being drug free before being allowed to graduate.***

Successful graduation from the DUI/Drug Court Program will reflect satisfactory completion of that condition of your probation and could result in possible unsupervised probation, suspension of the balance of your probation (if applicable) and/or dismissal of your charges. This privilege will be facilitated by the DUI/Drug Court Director and may be granted by the DUI/Drug Court Judges, only.

## **GRADUATION**

### **CONGRATULATIONS!!!**

Upon completion of the Aftercare Phase (4 or 5), you will be eligible for graduation. We are all looking forward to this event. Our hope is that you will have established a healthy and productive lifestyle. Remember, your recovery is an ongoing process. At this point in your treatment, you will have made a very strong beginning to this lifelong endeavor.

Two weeks prior to graduation you must have clearance for all financial obligations from the DUI/Drug Court Office, the Probation Office and the Treatment Office. All essays must be received and all other requirements met.

## **VII. Program Fees**

### **FINANCES**

Throughout your attendance in the DUI/Drug Court Program, you are required to contribute financially through program fees. You will be charged separately for the initial testing. This must be paid to the Treatment Provider once you are referred to the program. The treatment provider will let you know how you can make payment to him when you set up your testing appointment. The cost of the initial evaluation is \$75.00.

### **TREATMENT, PROGRAM AND PROBATION FEES**

Once admitted to the program, fees are \$260.00 per month for a minimum of 12 months and then \$105.00 per month for the next 6 months. If you are in the program longer than 18 months, you will be required to continue to pay \$75.00 per month for the remainder of the aftercare phase to cover the cost of probation/supervision and treatment fees. These fees may change as grants expire or new funds become available. Payment can be made in the form of ***MONEY ORDER, CASHIERS CHECK, CASH or ONLINE by Credit or Debit Card at the DCSTART.ORG website.*** **NO PERSONAL CHECKS ARE ACCEPTED.**

The program fees include treatment groups and individual session, a base number of drug screen costs (this does not include cost of drug screen confirmations) and your supervision fees. It is expected that your account will be paid in full bi-weekly. Sanctions may be imposed if you fail to keep your account current without communicating the reasons why you cannot pay to the staff.

Additionally, as noted later under Drug Screens, a \$50 fee will be charged to your account if you deny use and request your urine sample be confirmed by another lab and it comes back positive.

***If you cannot meet your financial obligations, it is your responsibility to discuss your situation as soon as you are aware of it with the DUI/Drug Court Director or the Case Manager and develop a solution. Financial responsibility is considered an integral part of the recovery process.***

***Individuals with a financial need may apply for assistance to the START Foundation Board if deemed appropriate by the DUI/Drug Court Treatment team. An application describing your financial circumstance must be completed. You may get a copy of the application from the DUI/Drug court staff only after you have done financial counseling with the Case Manager and made every effort to pay the fees with your current income.***



## **VIII. Community Resources**

### **HOSPITALS**

### **BASIC NEEDS**

### **CRISIS LINES**

### **SUBSTANCE ABUSE**

See attachment #3 for lists of the above community resources.

#### **12 Steps**

1. We admitted we were powerless over alcohol and all other mind altering substances-that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God, as we understood Him.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.
8. Made a list of all persons we had harmed, and became willing to make amends to them all.
9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
10. Continued to take personal inventory and when we were wrong promptly admitted it.
11. Sought through prayer and meditation to improve our conscious contact with God, as we understood Him, praying only for knowledge of His will for us and the power to carry that out.
12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics/addicts, and to practice these principles in all our affairs.

-Alcoholics Anonymous, 3<sup>rd</sup> Ed., 1976

# Orientation and Participant Handbook Form

Participants entering the Douglas County DUI/Drug Court Program are expected to follow all of the guidelines set forth in this handbook. It is the participant's responsibility to understand all of the rules and expectations of the Douglas County DUI/Drug Court Program and to ask questions for clarification. As a condition of the Douglas County DUI/Drug Court Program, all participants must reside in Douglas County for the duration of the program.

I, \_\_\_\_\_, have, on this date, reviewed the contents of the Douglas County DUI/Drug Court Participant Handbook and all attachments with a Drug Court Staff member. I hereby attest that I understand the conditions set forth in the Douglas County DUI/Drug Court Participant Handbook. I further understand that it is my responsibility to familiarize myself with and remain current on all rules and conditions of my participation in the Douglas County DUI/Drug Court Program. It is my responsibility to ask for clarification if I do not understand what is expected of me. All questions pertaining to Douglas County DUI/Drug Court should be routed through the DUI/Drug Court Director. I understand that I am responsible for my Douglas County DUI/Drug Court Participant Handbook for the duration of the Program. In the event that it is lost, stolen, or destroyed, a \$5.00 replacement fee will be expected from me.

\_\_\_\_\_  
**Participant Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Staff Signature**

\_\_\_\_\_  
**Date**