

Adams County Drug Court

Participant Handbook

**Adams Superior Court
Decatur, Indiana
(260) 724-5347**

Patrick Miller
Judge



Kelly Sickafosse
Coordinator

**Adams County
Drug Court**

Welcome to the Adams County Drug Court!

This Handbook is designed to answer your questions and provide specific information about what you must do in order to successfully complete the requirements of the Adams County Drug Court Program. As a participant, you are expected to follow the instructions found in this Handbook, as well as the instructions of the Drug Court Judge, Staff, and Treatment Provider. You will also be expected to comply with the treatment plan developed for you by your Treatment Provider.

If you are reading this Handbook, it means that you are considering entry into the Drug Court based upon your history of drug/alcohol use and encounters with law enforcement. It also means that if you are accepted into Drug Court, we, the Drug Court Team, will help you learn how to make positive choices, free of the influence of drugs or alcohol. We are confident that you can be successful in this endeavor.

We encourage you to share this information with your attorney, family, friends, employer, or anyone else who is impacted by your participation in drug court. We look forward to working with you as you begin the process of long-term recovery!

Patrick Miller, Judge
Adams County Drug Court

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Section 1: Introduction

1.1: What is the Adams County Drug Court?

The Adams County Drug Court offers a sentencing alternative for non-violent, felony offenders addicted to or abusing illicit drugs. It is a voluntary program in which eligible offenders participate in an intense treatment program, submit to frequent drug testing, attend 12-step meetings, and complete other program requirements while under the supervision of the Drug Court Judge. Participants must complete the Drug Court in its entirety. Successful Participants will have their criminal charges or violations of probation reduced or dismissed.

Drug Court is a docket within Adams Superior Court. The Honorable Patrick Miller presides over Drug Court. The administrative office of the Drug Court is located in Adams Superior Court Building.

1.2: Eligibility Criteria

The Adams County Drug Court developed the Drug Court eligibility criteria in compliance with IC 33-23-16. To be considered for Drug Court participation, you must meet the eligibility criteria described below, complete a consultation with the public defender, and participate in an orientation with the Drug Court staff. The Drug Court team will determine your eligibility for the Drug Court. Under IC 33-23-16, a person does not have a right to participate in Drug Court.

Offenders eligible for Drug Court are non-violent adult men and women (age 18 and older) who have been charged with at least one of the following offenses:

1. Felony Controlled Substance Possession Offenses
2. Felony Legend Drug Possession Offenses
3. Other Felony Offenses that are Controlled Substance or Legend Drug related, including but not limited to: theft, forgery and non-residential burglary
4. Felony Probation or Community Corrections violations where the original charge or the violation was not a forcible felony (as defined in IC 35-41-1-11), crime of violence (as defined in IC 35-50-1-2), a sex crime or a crime involving a firearm or destructive weapon.

Offenders must also meet the following criteria:

- Willingness to comply with court ordered treatment services
- Ability to physically and mentally participate in treatment activities (within guidelines of the American Disabilities Act)
- High risk and high need level based upon the Indiana Risk Assessment System (IRAS)
- Moderate risk and high need level based upon the Indiana Risk Assessment System (IRAS)
- Meet clinical criteria for substance abuse or dependence
- Have the ability to pay restitution within the time frame of program
- No open warrants

- No Felony Controlled Substance distribution, cultivation or manufacture or waste-dumping Offenses
- No Felony Legend Drug distribution, cultivation or manufacture or waste-dumping Offenses
- No drinking and driving charges
- No pending charges or prior convictions for forcible felonies, sex crimes or crimes involving possession of a firearm or destructive weapons
- No charges pending out of county unless transferrable to Drug Court
- No other pending charges excluded by the eligibility criteria

Section 2: Drug Court Operations

2.1: Drug Court Requirements

As a Participant in the Drug Court, you must agree to comply with the following program requirements:

- 1. Attend all court sessions.** Drug Court Participants must report to the Drug Court Judge on a regular basis to discuss their progress in the program. Drug Court is in session on Thursday afternoons at 2:30 p.m. in the Adams Superior Court building. Participants who are in compliance with the Drug Court requirements will receive recognition in court. Participants not in compliance with the Drug Court requirements will receive sanctions. Sanctions may include community service work, jail stays, or other appropriate activities. Court sessions are held weekly, bi-weekly, or monthly, depending on the phase of Drug Court. You are required to attend all court sessions as scheduled. Failure to report to court may result in the court issuing a warrant for your arrest.
- 2. Attend all sessions with a treatment provider.** Attendance at treatment sessions is a requirement in order to successfully complete the Drug Court. If you miss an individual or group session due to illness or a death in the family, you must provide the court with appropriate documentation. Work, lack of transportation, or lack of childcare is not an acceptable reason for missing a session. All of your groups are scheduled in advance, so you will be able to make arrangements with your employer and arrange for childcare. It is recommended that you exchange phone numbers with other group members in the event you need transportation to or from group.
- 3. Attend self-help meetings.** Self-help meetings include Alcoholics Anonymous and Narcotics Anonymous. You may also attend other self-help meetings with approval from your Drug Court Case Manager such as Celebrate Recovery. You must show documentation of meeting attendance to your Case Manager and to the court. You may attend these meetings in the evenings, weekends, or whatever time works best with your schedule. You may obtain information from your Case Manager or treatment provider regarding meeting times and

locations. Oftentimes, other group members are willing to provide transportation to and from these meetings.

- 4. Submit to drug testing.** Drug Court Participants must submit to drug testing as ordered by the court. Drug testing will occur randomly 2-3 times per week. Positive drug screen results will result in sanctions from the court. **Failure to report for drug testing or drug screens that show evidence of tampering or dilution will be treated as a positive screen.** It is a criminal offense in the State of Indiana to tamper with, alter or carry in urine to a drug screen while on probation supervision. If you are found to have tampered with your drug screen, new charges could be filed against you and you could be terminated from Drug Court. Participants are asked to call the provided toll free number daily between 8:00 - 8:30 a.m. to determine if they will submit a drug screen that day. Monday through Friday, Participants must report to the Adams County Probation Office for testing between 8:00 a.m. and 4:00 p.m. Saturday, Sunday, and holidays or other days that the probation office is closed, the Participant shall report to the Adams County Law Enforcement Center for testing at 1:45 p.m. The Case Manager may also call a Participant in for additional drug testing if alcohol or drug use is suspected. Participants will pay a fifteen (\$15.00) per week drug testing fee unless otherwise ordered by the court to the Adams County Clerk each week of Drug Court participation.
- 5. Report to Case Manager as instructed.** Drug Court Case Managers provide the supervision for Drug Court. Your Case Manager may provide you with information on group meetings, self-help meetings, employment opportunities, education programs, and other community resources. You must keep your Case Manager informed of any changes in your address or employment. The contact information you provide to your Case Manager will be used to contact you in the event of changes in the court or group schedule. You should contact your Case Manager whenever you have questions about the Drug Court requirements. You should contact your attorney regarding legal matters related to your participation in Drug Court or if you have a question about your case. Case Managers are located in the Probation Department, found in the Superior Court building at 122 S. Third Street, Decatur. Office hours are Monday – Friday, 8:00 AM – 4:30 PM. The office is closed weekends and holidays.
- 6. Pay all fees associated with treatment services.** Drug Court Participants are expected to pay the costs associated with all treatment services. Payment is made directly to the treatment provider. If you have concerns about your ability to pay for services, please discuss this with your Case Manager and the treatment provider.
- 7. Work full-time, attend school full-time, or perform community service.** Anyone who participates in the Drug Court program must work full-time, attend school full time, or perform community service at a time determined by

the Drug Court team. The Participant can do a combination of the above, the total number of hours required will be determined by the Drug Court team.

- 8. Sign the Drug Court participation agreement.** The participation agreement is a legal document that you must sign in order to enter Drug Court. The participation agreement contains a list of rules you must comply with while on Drug Court supervision. Your signature indicates that you understand and agree to all of the terms of Drug Court participation. You must review this document with your attorney. If you agree to participate in Drug Court, you and your attorney will submit the participation agreement to the court for the prosecutor's, Case Manager's, your attorney's, and the Judge's signature. If you are terminated from or withdraw from Drug Court, you will be returned to the originating court to be sentenced or to have your probation revoked. If you have questions about this process, contact your attorney.
- 9. Maintain appropriate conduct and behavior while in the program.** You must comply with all of the Drug Court requirements and rules outlined in your Drug Court agreement signed with the court. If you are arrested for a violent or weapons related crime, you will be terminated from the program immediately. If you violate terms of your agreement, the court will impose appropriate sanctions. If you comply with the terms of your agreement, the court will offer appropriate incentives for you to continue working toward completion of the program. Some examples of sanctions include community service, increased court appearances, or jail time. Examples of incentives include waiver of drug screen fees or gift cards. Many other incentives and sanctions are utilized by the court.
- 10. Follow Courtroom Etiquette.** You must be punctual; appearing late for court is a sanctionable act. While there is no formal dress code for court, remember that your physical appearance broadcasts your attitude. Use good judgment when selecting your attire for court. Inappropriate attire would include t-shirts with swear words, depicting violence or sexual acts, or promoting drug or alcohol use; muscle shirts; tank tops; halter tops; shorts; cut-off jeans; baggy pants that fall below the hips; miniskirts; pants with holes; and hats. When an individual is speaking in the courtroom, he or she is to have the full attention of the court. Do not interrupt others while they are speaking. Remain silent if you are observing another person's court hearing. When you speak in court, you should be mindful of the specific language that you use. In particular, individuals speaking in a court of law should not use slang or language that demonstrates disrespect for the court. Also, remember when it is your turn to speak, do so loudly and clearly; hearings are being recorded. Address the Judge only as "Your Honor" or "Judge" in order to show the respect that the Judge and Judicial System in general require. Be sure to stand when the Judge enters and exits that room, and do not sit down until the Judge directs you to do so. Be respectful of the Judge, court staff, members of the Drug Court Team, and

other Participants. Maintain a respectful attitude at all times in the Superior Court building, including in the hallways and with your Case Manager. Turn off electronic devices prior to entering the courtroom.

2.2: Phases of Drug Court

The following is a description of each phase of Drug Court. Advancement from phase to phase is determined by the Judge and is based upon recommendations from the Drug Court team. Participants must complete all required phases in order to be considered for graduation.

Phase I - Acute Stabilization (60 days)

- Orientation with court staff
- Detoxification/residential treatment (if necessary)
- Assessment with the treatment provider
- Treatment services as recommended by treatment provider
- Minimum of one self-help meeting per week
- Drug testing - 2-3 x per week
- Court sessions weekly
- Case management sessions at least weekly
- 9:00 p.m. curfew
- Home visits weekly – announced and unannounced
- Remain in the State
- Two consecutive weeks clean time to move to Phase II

Phase II – Clinical Stabilization (90 days)

- Treatment services as recommended by the treatment provider
- Minimum of 2 self-help meetings per week
- Drug testing – 2- 3 x per week
- Court sessions every other week
- Case management sessions weekly
- Minimum of two home visits per month
- 10:00 p.m. curfew
- May travel out of State with court approval
- Employment by the end of this phase, or if disabled, court-approved activity
- Begin MRT
- 30 days consecutive clean time to move to Phase III

Phase III – Pro-Social Habilitation (90 days)

- Treatment services as recommended by the treatment provider
- Minimum of 2 self-help meetings weekly
- Drug testing 2-3 times per week
- Court sessions monthly
- Case management sessions twice per month
- Minimum of 2 home visits per month

- 11:00 p.m. curfew
- Develop a plan for restitution
- May travel out of State with probation officer/Case Manager approval
- 45 days consecutive clean time to move to Phase IV

Phase IV – Adaptive Habilitation (90 days)

- Treatment services as recommended by the treatment provider
- Drug testing 2-3 times per week
- Court sessions monthly
- Case management sessions twice per month
- Minimum of one home visit per month
- A minimum of 2 self-help meetings per week
- May travel out of State with probation officer/Case Manager approval
- 60 days consecutive clean time to move to Phase V

Phase V – Continuing Care (90 days)

- Treatment services as recommended by the treatment provider
- Drug testing 2-3 times per week
- Court sessions monthly
- Case management sessions monthly
- Minimum of one home visit per month
- A minimum of 2 self-help meetings per week
- Complete MRT
- May travel out of State with probation officer/Case Manager approval

2.3: Graduation

Participants must remain substance free and crime free for a minimum of 90 days prior to graduation. Persons who complete all Drug Court requirements may have their charges dismissed, charges reduced, limited sentences, or a combination of these options. Additionally, if the Participant enters the program as a result of violation of probation or home detention, the Participant may earn a dismissal of the petition alleging a violation or an agreed disposition that substantially reduces the consequences for the violation.

2.4: Incentives and Sanctions

Compliance with Drug Court rules will result in rewards, or incentives. Failure to comply with the rules may result in sanctions.

Incentives

Upon the recommendation of the Drug Court team, you may be given rewards or incentives for compliant behavior. Common incentives are as follows:

- Praise by the Court/Judge
- Gift cards

Attachment 15

- Later curfew
- Promotion to next phase

Sanctions

Upon the recommendation of the Drug Court team, the Judge may impose sanctions for non-compliant behavior. Common sanctions are as follows:

- Increased Supervision
- Homework assignments
- Earlier Curfews
- Community Service
- Electronic Monitoring
- Jail Time

2.5: Termination

In order to participate in Drug Court you must sign a plea agreement admitting guilt to your current charges. If you fail to complete the Drug Court requirements, the Judge may terminate you from Drug Court and you will be sentenced on your charges or your probation will be revoked. Your attorney will discuss this with you in further detail.

Section 3: Policies and Procedures

3.1: Prescription Medication Policy

Participants in the Adams County Drug Court Program shall not consume or possess any of the following medications or substances unless a valid prescription from a physician is provided to the Case Manager and then it is to be taken only as prescribed:

Acetaminophen w/ Codeine
Adderall (Amphetamines)
Xanax, Ativan, Klonopin (benzodiazepines)
Bupropion (Wellbutrin)
Cough medications with alcohol
Cough medications with codeine
Darvocet or Darvon (Propoxyphene)
Dextromethorphan
Dilaudid (Hydromorphone Hydrochloride)
Energy pills (ephedrine based)
Ephedrine/Ephedra-based products
Fenfluramine
Hydrocodone
Hydromorphone
Lorcet (Vicodin/Hydrocodone)
Lortab (Hydrocodone)
Mephentermine
Methadone

Morphine
Nasal inhalers with levmetamfetamine (l-desoxyephedrine)
Naloxone (Narcan)
Nyquil (OTC)
Oxycodone (Percodan)
Oxycontin (Acetaminophen/Oxycodone)
Percocet
Phenmetrazine (Preludin)
Phentermine (Adipex)
Phenylpropanolamine (PPA)
Propranolol (Inderal)
Pseudoephedrine (Sudafed)
Sleep aids (OTC)
Suboxone
Tylenol 3 (Tylenol with codeine, Hydrocodone)
Tylenol PM (or comparable medication)
Vicodin
Vivitrol
Weight Loss/Gain supplements or herbs
K2 or any substance containing a synthetic cannabinoid-like substance
Any mind or mood altering substance that results in your impairment or intoxication

3.2: Pill Count Policy

Drug Court Participants, if taking prescription medication at any time during their participation in Drug Court, shall be subject to pill counts at any time. Pills must be in the original bottle provided at the pharmacy.

3.3: Infection Control Policy

Drug Court staff exercise universal precautions and are obligated to report instances of infectious disease that pose a threat to the general public to the local health department.

3.4: Releases of Information & Confidentiality

Drug Court Participants will be required to sign releases of information so that the Drug Court team can receive information on your treatment services. Participant information is kept in a locked cabinet only accessible by Drug Court staff and will only be utilized for the intended purposes of Drug Court.

3.5: Complaints and Grievances

Participants have a right to express opinions, recommendations, and grievances in addition to the right to request and receive responses via procedure of due process. If you have a grievance that cannot be handled informally regarding the Adams County Drug Court, please request a grievance form from any staff member. Complete the

grievance form and submit it to the Adams County Drug Court Coordinator. Your grievance will be reviewed and you will have a response within seven (7) working days. If the grievance is not resolved by the Drug Court Coordinator, or you disagree with the decision of the Coordinator; you may appeal the decision the Adams County Drug Court Judge. Participants filing a grievance will not receive negative repercussions.

Section 4: Frequently Asked Questions

4.1: How long do I have to be in Drug Court?

The Drug Court is fourteen (14) months to twenty four (24) months in length depending on the needs and progress of each Participant. The program is divided in to five separate phases, which will be discussed with you at the time of your orientation with the public defender and Drug Court staff. The Drug Court Judge determines when you have successfully completed all the requirements.

4.2: How much will it cost?

All persons enrolled in the Adams County Drug Court will be assessed an administration fee of one hundred dollars (\$100.00) at admission into the program. A user fee in the amount of fifty dollars (\$50.00) per month will be assessed beginning with the second month of participation and for each month thereafter for the duration of your participation in the program. Drug screen fees are assessed at fifteen dollars (\$15.00) per week and an additional fifteen dollars (\$15.00) for any confirmation testing. All fees are payable to the Adams County Clerk.

Fees for treatment services are determined on an individual basis at the time of your assessment and collected by your treatment provider. Every Participant is expected to pay for the cost of treatment services. Payment of fees is a requirement of Drug Court just as attendance and abstinence from drugs and alcohol is a requirement. Some private insurance plans and Medicaid programs will assist in the cost of treatment services. If you have health insurance or Medicaid, bring this information with you to your treatment assessment.

4.3: Why should I participate?

Your participation in Drug Court is voluntary and you may discuss it with your family or public defender before making a decision. Some benefits of participation include becoming drug and alcohol free, furthering your education, job training, etc. Once you successfully complete the program, your charges will be reduced or dismissed, or your sentence will be limited.

4.4: What are my alternatives?

If you choose not to participate, your case will be prosecuted in the usual manner.

Section 5: Treatment Services

Park Center - Decatur Office:

809 High St., Decatur, IN 46733

Attachment 15

(260) 724-9669

Adams Behavioral Health:

805 High Street, Decatur, IN 46733
(260) 724- 2145 x 3404-5009

MAPPS – Decatur Office:

1620 Morningstar Blvd, Decatur, IN 46733
(260) 728-2919

Section 6: Drug Court Team Contact List

Patrick R. Miller, Judge Adams Superior Court	Phone (260) 724-5347 Fax (260) 724-5348
Kelly Sickafoose, Coordinator Drug Free Adams County/Superior Court	Phone (260) 724-5368 Fax (260) 724-5348
Jeremy W. Brown, Prosecutor Adams County Prosecutor's Office	Phone (260) 724-5338 Fax: (260) 724-5342
Brad Weber, Public Defender Adams County Public Defender's Office	Phone (260) 724-5365 Fax (260) 724-5366
Kelly Bollenbacher, Case Manager Adams County Probation Department	Phone: (260) 724-5336 Fax: (260) 724-5337
Jack Odle, Case Manager Adams County Probation Department	Phone: (260) 724-5336 Fax: (260) 724-5337
Amy Drake, MSW, LCSW Park Center – Decatur	Phone (260) 724-9669 / 866-216-9669 Fax: (260) 724-4872
Ian Gilbert, Director Adams County Community Corrections	Phone (260) 724-5380 Fax: (260) 724-5381
Dan Mawhorr, Sergeant Indiana State Police – District 22	Phone (260) 432-8661 Fax: (260) 436-5850
Leonard Corral Jr, Detective Decatur Police Department	Phone (260) 724- 8646 / (260) 724-5345 Fax: (260) 724-3957
Patricia VanLeuven, Evaluator Park Center – Fort Wayne	Phone (260) 481-2700 / 866-481-2700 Fax: (260) 481-2885

Section 7: Signatures

My signature below indicates that I have received a copy of the Adams County Drug Court Participant Manual. The Drug Court Coordinator or a Case Manager has reviewed its contents with me. I understand the information provided in this handbook, and I agree to comply with the Drug Court chemical testing requirements.

Participant signature / Date

Witness signature / Date