



**21st JUDICIAL CIRCUIT
DRUG COURT**

**POLICY AND
PROCEDURE MANUAL**

2018

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What is Drug Court?

Mission Statement

The St. Louis County Drug Court is a court supervised treatment program for defendants with non-violent criminal charges who have a drug addiction. Drug Court is a voluntary program that includes regular court appearances along with intensive treatment. By increasing direct supervision of offenders, coordinating public resources, and expediting case processing, drug court can help break the cycle of criminal behavior, alcohol and drug use, and incarceration. The goal is to enhance individual accountability that will result in stronger and safer communities and families.

Drug Court Program

The 21st Judicial Circuit Drug Court Program is an intensive court supervised, comprehensive treatment program for non-violent offenders who exhibit signs of drug addiction and have a minimal history of prior criminal behavior.

The Drug Court Team may grant admission into the Drug Court Program, and acceptance is a completely voluntary choice made by the defendant. Once the defendant has been accepted into the program they must agree to make regularly scheduled court appearances before the Judge and the Drug Court Team and to meet regularly with assigned Probation Officer and Treatment Counselor.

An individualized educational and relapse prevention program will be established by the Treatment Counselor for each participant that will best meet their specific needs. Treatment, which includes but not limited to drug testing, breathalyzer tests, individual counseling, group counseling and group education is provided through a contract with local treatment providers, with on-site drug testing or drug testing by a certified laboratory.

Participants will also be required to meet regularly with a Probation Officer (PO) the PO will make random home visits, counsel participants on their personal relationships with family members and friends, and follow-up on employment and/or academic or vocational training.

While the Drug Court Program was designed to take into account the nature of chemical addiction, the participants are expected to remain drug and alcohol free during their time in the program. He/she must establish and/or maintain employment and/or be enrolled in an educational or vocational training program, meet any court-ordered financial obligations and fully cooperate with the guidelines set for the by the Drug Court Team.

The length of the Drug Court Program will be, at a minimum, fifteen (15) months. However, depending on the success rate of each individual participant, the program could run longer.

Drug Court Team Members

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Team Roles

The 21st Judicial Circuit will establish a standing team that shall be comprised of a Judge, Administrator, Prosecutor, Probation Officers, and Treatment Provider and Community Liaison.

Judge: The role of the Judge is essential to the success of the Drug Court as their authority has an extremely powerful impact on the participants. Each participant is required to appear before, and answer directly to the Judge, on a continual basis, that contact will have a significant impact on the success of each individual. Based on information presented at the pre-court team meeting, the judge will address each individual and administer reinforcement of positive or negative behaviors and impose consequences as the need arises. The Judge will make written entries into each participant's file regarding the team's decisions as well as any other action taken at each court appearance. The Judge has the power to make the final determination on any matter facing the participant.

Administrator: The primary role of the Administrator is to be in charge of the day-to-day operations of the Drug Court Program. The Administrator acts as liaison for the Judge, Prosecutor, Defense Attorneys, Treatment Counselor, Probation Officer and representatives of outside agencies. The Administrator will receive referrals from the prosecutor and will then disseminate information to the appropriate agency or team member. The Administrator is responsible for facilitation of all activities, team meetings, maintaining of all necessary forms, and making necessary revisions to the official policy and procedural manual as needed. The Administrator will be responsible for the ongoing evaluation of the program, preparing the budget, developing of request for proposal and contracts with external service providers, as well as preparation and administering of grants from outside funding sources.

Prosecutor: The Prosecuting Attorney will act as the gatekeeper for all referrals to the Drug Court Program. The Prosecutor will decide if an offender meets eligibility criteria and meets the classification as a non-violent person as defined by RSMo. Sec 478.005 (2000). The Prosecutor is a member of the Drug Court Team. He or she will attend all drug court hearings, actively participate in staffing of cases and interact in a non-adversarial manner to address pleas, application of sanctions and incentives and terminations as they apply to the participant.

Probation Officer: The Probation Officer (PO) will be responsible for intensive supervision, and will maintain an open line of communication regarding participants' actions, with all team members. The PO shall act as liaison between the Drug Court and drug testing agency, compiling all weekly drug testing results. The Probation Officer will report to the team the actions, and attitudes, as well as recommendations of each participant during the regularly scheduled pre-court team meetings. The PO will approve all travel for participants as well as all changes in residency. The PO will make periodic home visits to ensure that the participant is in compliance with program guidelines. As the Probation Officer will develop a keen understanding of each participant's background and daily happenings they will also be an intricate key in suggesting appropriate sanctions and incentives for each participant.

Treatment Counselor: The Treatment Counselor will be responsible for the establishment of all necessary chemical dependency and addiction treatment service as well as providing educational information related to substance abuse to the participant. The Treatment Counselor will conduct an initial assessment of each Drug Court participant, as well as regular group and individual counseling sessions, and report findings back to the Drug Court Team. A weekly summary, to include participant progress, missed and/or rescheduled appointments, and any other relevant information, shall be prepared by the Treatment Counselor and submitted to the weekly staffing session. The counselor will advise the team of the individual accomplishments, failures and general well-being of the participant between regularly scheduled court appearances.

Goals and Objectives

GOAL	OBJECTIVES	EVALUATION MEASURES
Break the cycle of addiction and reduce recidivism	Increase participants into the Drug Court during fiscal 2018, capacity up to 75.	Compare arrest records of participants before, during, and after entry into the DRUG Court Program of those that have graduated or terminated
Provide early screening, assessment and court intervention. Begin using RANT to determine level of treatment.	Establish and adhere to entry process timeframes for defendants Entry into Drug Court within 30 days of assessment. Match treatment level with RANT quadrant	Percentage of those entered into Drug Court that is under/over 30-day model period and 60-day model period. Compare completion rate based on quadrant and supervision approach.
Provide cost effective alternative to traditional sentencing practices	1. employment of participant 2. improve educational opportunities 3. address housing needs 4. reduce recidivism rates	Compare incarceration rates of those in and out of DRUG court program; GED rates; recidivism rates within 2-4 years after graduation
Develop evaluation design in partnership with SLU	Establish data collection and evaluation for 2018 with local university.	Work with NCADA for program evaluation.

Evaluation Research Activities/Goals Timeline*

	0-6 months (Spring 2018)	6-18 months (Fall 2018/Spring 2019)	18 months + (Spring 2019/Fall 2019)
Research Activities	<ol style="list-style-type: none"> 1. Preliminary visits to the courts for observation and data collection 2. Review of existing court documents and data 3. Drafting of new/revised data collection instruments 4. Review of extant literature 	<ol style="list-style-type: none"> 1. Ongoing site visits, observation, and data collection 2. Collaboration with court regarding needs (e.g., analysis, data collection, funding) 3. In-depth interviews/surveys of key court personnel (and, possibly clients) 4. Assist court with implementation of any newly developed data collection instruments 5. Begin statistical analysis and evaluation of existing court data 6. Begin exit satisfaction survey of graduates in May 2017 and ongoing after each graduation. 	<ol style="list-style-type: none"> 1. Ongoing site visits, data collection 2. Continue in-depth interviews/surveys 3. Continue both quantitative and qualitative analyses of data collected 4. Evaluate implementation of any new data collection instruments 5. Write progress/evaluation reports to the court 6. Write proposals for submission for external grant acquisition
Project Goals	<ol style="list-style-type: none"> 1. Continue to promote St. Louis Co. Alternative Courts 2. Review Drug/DWI court literature. 3. Identification of court data available and ready for review/examination. 4. Review SLU program eval and recommendations. 5. Invite community partners to revise current approach for opiate addicted participants. Use police data of Narcan use in field for overdose cases. 	<ol style="list-style-type: none"> 1. Gain a fuller understanding of court processes, services, and outcomes 2. Provide written (and other) feedback (e.g., progress reports, evaluations) to the court on all (preliminary) analyses conducted 3. Continue working with court personnel on identifying current and future needs (for services, evaluation, analysis, funding, etc.) 4. Schedule planning meeting in June to gather ideas about best practices for addressing the needs of those with opiate addiction. 	<ol style="list-style-type: none"> 1. Ongoing analysis/evaluation of data on the courts' processes, services, and outcomes 2. Develop and submit competitive external grant proposals to fund continued collaborative efforts with the courts

Structure/Model

Guiding Principles for St. Louis County Drug Court:

Guiding Principle #1 – *Target Population*

St. Louis County Drug Court will target all persons eligible for Drug court under §478.007.1 and are charged with a violation of drug related offense or an offense that is the result of an addiction, who have a minimal, non-violent criminal history.

Guiding Principle #2 – *Clinical Assessment*. The Drug Court treatment provider, Bridgeway Behavioral Health, in conjunction with State Board of Probation and Parole, shall conduct a comprehensive assessment that determines the individual's alcohol/drug use status, criminogenic risk, treatment needs, and related strengths across multiple domains. The treatment plan will also take the RANT quadrant score into consideration.

Guiding Principle #3 – *Treatment plan*. A comprehensive treatment plan will be developed by the treatment provider based on the individual needs of the clients. Treatment groups will be separated based on the participant's RANT score.

Guiding Principle #4 – *Supervision of the offender*. Drug Court will facilitate supervision centered on:

- a) frequent, random, and observed drug/alcohol testing which may include utilizing call-in drug testing, home visits, and other drug/alcohol monitoring equipment, or other recognized techniques as required;
- b) Weekly visits with supervising officer; and
- c) Treatment sessions and court appearances as set forth in the Program phases

Guiding Principle #5 – *Agency, organization, community support and partnerships*. St. Louis County Drug court will coordinate with local agencies for alternative housing for participants, when needed; for psychological evaluations as needed; with employment agencies such as SLATE and participants perform community service at local businesses and agencies Graduation notices and requests for speakers at graduation ceremonies are sent to local officials, Judges and Attorneys.

Guiding Principle #6 - *Judicial Leadership* - St. Louis County Drug Court will be presided over by St. Louis County Circuit Court Judge Colleen Dolan. The Judge will attend weekly meeting of the Drug Court Team and will encourage the Drug Court Team to reach consensus on decisions concerning drug court participants, appropriate sanctions, rewards and promotions, with conflicts resolved by the judge. The Judge will preside over weekly drug court sessions.

Guiding Principle #7 - *Case management strategies* - The St. Louis County Drug Court team, consisting of Judge, Prosecutor, Administrator, Treatment Providers, Probation Officers and Community Liaison will meet weekly to discuss each case

appearing on the docket to discuss the progress of the participant and address any needs.

Guiding Principle #8 - *Transportation Issues* - Participants whose license is suspended or revoked, and who do not have a valid stay order, will be ordered not to drive and will be sanctioned or terminated if the order is violated. He/she will be directed to use public transportation or request a ride from family or friends. Bus passes will be provided for those needing public transportation.

Guiding Principle #9 - *Program evaluation* – St. Louis County Drug Court will track admissions into the program and terminations and graduations from the program. St. Louis County will cooperate with any state-wide evaluation overseen by OSCA and enter case management data as directed.

Guiding Principle #10 - *Sustainability* - St. Louis County Drug Court will continue to search for funding and grants to supplement the funding currently received from OSCA, St. Louis County Government and from the participants through their payment of Drug court fees. The court will supervise and treat participants throughout the program according to best practices under Supreme Court Alternative Treatment Court Committee guidelines.

Ten Key Components:

1. St. Louis County Drug Court will integrate alcohol and other drug treatment services with justice system case processing.
2. We will use a non adversarial approach, with the prosecutor and defense counsel to promote public safety while protecting participants' due process rights.
3. Eligible participants will be identified early and promptly placed in the Drug Court program.
4. Our Drug court will provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence will be monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants' compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. We will forge partnerships among other Drug Courts, public agencies and community organizations to generate local support to enhance our programs effectiveness.

Eligibility Criteria

Eligibility screening is based on established written criteria. The Prosecuting Attorney begins the screening process. The complete screening process is done on a team basis which includes a clinical assessment as per guiding principle #2, the prosecuting attorney, the Department of Probation and Parole, treatment representatives, Administrator, and Drug Court Judge.

Screening criteria includes:

- The Defendant has been charged with a non violent felony or related offense.
- The Defendant was motivated by drug or alcohol abuse to commit the offense.
- Defendant understands the rigors of the program, agrees to participate.
- The Defendant has no violent charge or history.
- The Defendant is not currently on parole or on probation outside of St. Louis County
- The Defendant resides in St. Louis County or City, St. Charles or Jefferson County..
- The offense did not involve a weapon.
- There is no significant mental health history.

Eligibility Criteria for Probationers

- Probationer must be on probation for a Class C or D felony.
- Probationer does not have a violent history Violation is technical (not a new charge).
- Probationer has a verifiable drug addiction.
- Prior substance abuse treatment unsuccessful.
- Probation is a St. Louis County, City, St. Charles, Franklin Co.
- Case is out of St. Louis County Circuit Court.
- Probationer must have a minimum of two years remaining on probation
- The Defendant has no violent charge or history.

Entry Process

The following is a brief outline of the process by which the Drug Court Program received an offender into the program:

1. Following the defendants rights to due process, the prosecuting attorney or the defense attorney may refer the defendant to the Drug Court Program.
2. The Prosecuting Attorney does a through background check to determine if the defendant qualifies for the program
3. The administrator receives the initial referral from Prosecuting Attorney and conducts a preliminary assessment to determine if the defendant qualifies, and is willing to participate.
4. The Drug Court Team is presented with the defendant's assessment and makes a recommendation for entry into the Drug Court Program.

5. The defense attorney is notified in writing that his/her client has been accepted or denied into the program and is given 7 days to notify the Administrator of his/her willingness to participate.
6. The defendant is placed on a plea docket before the Drug Court Judge.
7. The defendant starts the program and a clinical assessment is done as per guiding principle #2

Entry Process for Probationers

1. The probationer is screened.
2. The sentencing Judge enters an order in accordance with 559.029 RSMo. and local rule 67.13 that supervision of the defendant's probation is transferred to Drug Court.
3. The defendant is immediately placed into the program.

Program Phases/Requirements

Phase I: ASSESSMENT AND INTENSIVE SUPERVISION PHASE (12 Weeks)*

- A. Comprehensive assessment to identify treatment, employment, educational, family and other pertinent issues and needs.
- B. Development of treatment plan with the Drug Court Team.
- C. Begin treatment which could include detoxification, inpatient treatment and/or intensive outpatient treatment. Treatment will be available in the evening hours for offenders who are employed. Treatment can also include significant other.
- D. Weekly appearance before the Drug Court Judge.
- E. Random urinalysis
- F. Face to face contact with probation officer weekly.
- G. Contact with significant other.
- H. Possible home visit.
- I. Employment verification biweekly.
- J. Pay \$20.00 per court appearance or \$80.00 per month for drug court fees.

**This requirement may be increased or decreased based upon progress in treatment.*

Treatment Level 2 - Out patient treatment, consist of three (3) days a week, three hours each day. One individual session every other week. Morning and evening hours are available.

Phase II: PRIMARY TREATMENT PHASE (20 Weeks)*

- A. Continuation of treatment with provider based on individual needs.
- B. Court appearance every 2 weeks. Pay \$40.00 per court appearance or \$80.00 per month for drug court fees.
- C. Random urinalysis
- D. One weekly face-to-face contact with Probation Officer.
- E. Contact with family or significant others on an as needed basis.
- F. Possible home visit per month

- G. Monthly employment verification
- H. 20 hours of community service.
- I. Must be engaged in a 12 step program and have regular contact with sponsor.

**This requirement may be increased or decreased based upon progress in treatment.*

Treatment

Level 3 - Out patient treatment, consist of one (1) day a week, for two hours. Morning and evening hours are available.

Phase III

CONTINUED CARE AND SUPERVISION (20 Weeks)*

- A. Continued treatment, aftercare with provider as needed.
- B. Court appearance once a month. Pay \$80.00 per court appearance for drug court fees.
- C. Random urinalysis.
- D. Minimum of 2 face-to-face contacts per month with Probation Officer.
- E. Monthly contact with significant other.
- F. Possible home visit.
- G. Monthly employment verification.
- H. Complete twenty (20) hours of community service.
 - I. Be engaged in a community based support group.
 - J. Must have a sponsor

**This requirement may be increased or decreased based upon progress in treatment.*

Phase IV: **MINIMUM SUPERVISION (13 Weeks)***

- A. Random urinalysis.
- B. Court appearance once a month.
- C. Minimum of one face-to-face contact with probation officer per month.
- D. Possible monthly home visit.
- E. Continue treatment of one (1) hour per month of individual counseling.
- F. Possible continuance of interlock device or other chemical monitoring device.
- G. Pay \$80.00 per month for drug court fees

**This requirement may be increased or decreased based upon progress in treatment*

GRADUATION REQUIREMENTS

Drug Court graduation requirements are:

- Development of an aftercare plan
- Minimum of 6 months sobriety
- Consistency in keeping appointments with Probation Officer, treatment provider, etc.
- Consistency in complying with the terms of the treatment plan
- Stable housing
- Stable employment
- Completion of community service
- Completion or continuing work toward obtaining HSE if he/she enters program with no high school diploma
- Engagement in community support groups (AA/NA or other groups)
- Has a sponsor or other mentor to provide support
- Demonstrates involvement in the community
- All Drug Court fees and criminal case costs paid in full.

Requirements for graduation must be completed 14 days before graduation.

Termination from Program Criteria

A participant may be involuntarily terminated from the program based on one or more of the following criteria:

1. Participant commits a violent offense while in the Drug program.
2. Participant commits any offense while in the program which is not considered an eligible offense to enter into the program; or,
3. Any other reason(s) as determined by the Drug Court Team.

A participant may voluntarily cease participation in the program, at any time, upon consultation with an attorney, and with written notification to the Drug Court Judge.

INCENTIVES AND SANCTIONS

Sanctions are the imposition of a consequence, perceived as negative by the receiver, as a direct result of a prohibited activity. Incentives are responses to compliance, perceived as positive, by the receiver. At each court hearing, participants are subject to consequences based on their performance and program compliance for the reporting period. Both compliant and noncompliant behaviors will be addressed, with rewards and sanctions ordered to reinforce the consequences of participants' choices and behaviors.

The more severe noncompliant behaviors receive the more severe responses. The first missed or positive drug test is automatic jail time for a minimum of 24 hours. The only acceptable excuse is a verified accident or severe illness requiring contact with a doctor. When ordering consequences, the Judge

considers the number of previous consequences, the participant's current phase level, and the participant's attitude and ownership of the behavior.

The Drug Court grants incentives to recognize participants for their efforts in recovery and to reinforce their positive behaviors. Incentives are granted on an as-earned basis.

Incentives:

1. Gift certificates
2. Transportation vouchers
3. Entertainment Certificates
4. Judge/team praise
5. Decreased community service requirements
6. Phase advancement
7. Graduation from Drug Court; and
8. Drug free

Sanctions:

1. Additional court appearances
2. More frequent drug tests and or SCRAM alcohol monitoring
3. Admonishment by the judge
4. Imposition of curfew/electronic monitoring
5. Additional community service hours
6. Verbal/written apology to team/judge
7. Essay
8. Additional meetings with probation and parole
9. Increased treatment sessions or group therapy sessions
10. Residential Treatment
11. 30 - 90 meetings in 30 - 90 days;
12. Letter of accountability or apology to those affected by participant
13. Record of daily log
14. Prison tour and write paper regarding your feeling of what you experienced.
15. Jail or CHOICES Program
16. Termination from program

Ethics and Confidentiality

When an application for admission to the 21st Judicial Circuit Drug Court is received, a file, separate from the criminal case file will be created and maintained as a confidential and closed file not accessible to the public or to any person not a part of the Drug Court Team. The file will contain a photo of the participant, docket entry relative to each Drug Court appearance as well as testing results, progress notes, and Drug Court sanctions and incentives imposed. The information contained in the file will not, under any circumstances, be used against the participant in any other court of law.

Members of the Drug Court Team are under an ethical obligation not to discuss the information obtained in Drug Court in any other form without the express written consent of the participant. A participant's progress and success or failure in the Drug Court program will not be revealed to any person who is not part of the Drug Court Team without the written authorization of the participant.

While Drug Court proceedings may occasionally be observed by teams from other courts, those persons will be under the same rules of confidentiality that apply to the members of the 21st Judicial Circuit Drug Court Team.

Federal law and regulations protect the confidentiality of drug and alcohol abuse patient records. A violation of those laws and regulations constitutes a crime. If a violation is suspected, it may be reported to the appropriate authorities in accordance with federal regulations.

Indigent Policy

If a participant in Alternative Court experiences financial hardship, the team may address the issue by waiving a portion of the required court fees if a good faith effort has been made to make payment. The team may also accept community service in lieu of payment at the rate of \$10.00 per one hour of service. If the participant is able to donate blood or platelets, the team would consider this as a contribution toward their fees or other monies owed.

A Statement of Financial Condition form will be required from any participant seeking an adjustment of fees. No potential participant will be rejected for placement in Alternative Court for lack of money.