

# **JASPER COUNTY DWI COURT**



## **PARTICIPANT'S MANUAL**

**29th Judicial Circuit**

**Jasper County Missouri**

Revised March 2023

Treatment Court Location: 633 S. Pearl, Courtroom B, Joplin, MO 64801  
Treatment Court Time: 2<sup>nd</sup> and 4<sup>th</sup> Tuesday at 10:30 A.M.  
(Subject to change and phase advancement)

**My Treatment Court Team Members:**

Treatment Court Commissioner: Kimberly Fisher  
Treatment Court Administrator: Jared Prater  
Treatment Court Bailiff: Mike Manz  
Treatment Court Deputy: Andrew Alberston  
Probation Officer: Ryan Mann  
Probation Address: 1919 N. Rangeline Road, Joplin, MO 64801  
Probation Phone: Ryan Mann (Office) 417-572-2155 (Cell) 417-365-6183  
SATOP Treatment Counselor: \_\_\_\_\_  
Treatment Address: \_\_\_\_\_  
Treatment Phone Number: \_\_\_\_\_  
Treatment Court Clerk: Darlene Bloomer, Crystal Hornback  
Assistant Prosecutor: Amanda Collins  
Defense Attorney: Jamey Garrity  
LDP Contact: Jared Prater (Cell) 417-438-4245

**Drug Testing** (see drug testing section for more information)

TOMO Drug Testing Number: 1-800-494-1250  
TOMO Drug Testing Location: 705 Illinois Ave, Suite 12A Joplin, MO 64801

**Local Numbers**

Lafayette House: 417-782-1772 or 1-800-416-1772  
Ozark Center: 417-347-7730 (Crisis Line: 417-347-7720)  
Urgent Behavioral Solutions (UBS): 417-347-7800

**National Numbers**

Suicide and Crisis Lifeline: 988  
AA Hotline: 1-866-931-2567  
Drug Abuse Hotline: 1-877-761-0176

***Welcome to the Jasper County DWI Court program.*** This Handbook is designed to answer questions, address concerns, and provide overall information about the Jasper County DWI Court. All participants are encouraged to share this handbook with family and friends who will be supporting you in your recovery.

The first three rules that will help you through this program more than anything else:

1. **Show Up:** this is not a regular court, we will work with you as long as you show up and are making an effort. At first, there will be many appointments and court appearances. Don't get overwhelmed – just show up when and where you are supposed to be.
2. **Be Honest:** If you are truthful with the team, we can work with you through almost any problem. Lying to your team (or yourself) will keep you from success.
3. **Accept Responsibility and Help:** Take responsibility for what you have done and what you need to do. Take the help we are offering.

### ***What's in it for you?***

Many people come to Treatment Court to avoid going to prison. Others are here because they want to get their kids back or just need help in recovery. Regardless of your initial motivation, we want to help you succeed by connecting you to help and resources. Upon successful completion or even before completing the program, a Limited Driving Privilege is a great opportunity to operate a motor vehicle pending the reinstatement of your license.

## **Eligibility Criteria**

To participate in the Treatment Court program, you must fill out and turn in an application for the program. Applications can be found in courtrooms or on the Jasper County Treatment Court's webpage. The Treatment Court Administrator along with the other members of the Team will determine eligibility by assessing each applicant based on need, risk, history, and other factors. If accepted, you must be willing to sign the contract at the end of this manual and abide by the requirements. Your attorney can help you with this process.

## **Phase and Advancement**

There are five (5) phases in this program. You must successfully complete all requirements of a phase before you can be promoted to the next one. While there is a minimum length of time for each phase, the length of time you spend in this program will be based on your individual progress. It is important for you to know that we do not expect perfection but we do expect you to show progress. You do that by showing up, being honest, and taking accountability.

When you are ready for the next phase, turn in an application for phase advancement. These are available from your probation officer or on the Jasper County Treatment Court website. It is important to turn in the application at least three days prior to your expected promotion date so that the Treatment Court team has the opportunity to review and discuss if you are ready.

## Program Rules

As a participant, you will be required to abide by the terms and conditions outlined in the Participant Contract. This contract is located at the back of this manual and online. The following pages include an explanation of some specific requirements.

## Treatment Court Program Overview

	Phase 1 (Step In)	Phase 2 (Small Steps)	Phase 3 (Step Forward)	Phase 4 (Step Firm)	Phase 5 (Step Up)
<b>Minimum Length</b>	2 months	4 months	5 months	4 months	3 months
<b>Court Appearances</b>	1 <sup>st</sup> & 3 <sup>rd</sup> Tuesdays or as directed	1 <sup>st</sup> & 3 <sup>rd</sup> Tuesdays or as directed	Once a month or as directed	Once a month or as directed	Once a month or as directed
<b>Probation Officer Meeting</b>	Weekly or as directed	Every 2 weeks or as directed	Every 2 weeks or as directed	Once a month or as directed	Once a month or as directed
<b>Drug &amp; Alcohol Testing</b>	Start daily call-in	Daily call-in	Daily call-in	Daily call-in	As directed
<b>Treatment (group &amp; Individual)</b>	Start SATOP; follow treatment plan	As prescribed	As prescribed	As prescribed	As prescribed
<b>Community Support Groups</b>	As directed by your treatment provider	Obtain sponsor/mentor	2 times per week/Maintain sponsor/mentor	2 times per week/Maintain sponsor/mentor	2 times per week/Maintain sponsor/mentor
<b>Alumni Group</b>	Attend	As directed	As directed	As directed	Attend
<b>Volunteer Project/Self Improvement</b>	None	25% Complete	50% Complete / Begin CS Project	100% Complete / Complete CS Project	Completed
<b>Program Fee</b>	Pay as agreed	Pay as agreed	Pay as agreed	Pay as agreed	Pay as agreed
<b>Days of Sobriety (minimum)</b>	14 days	30 days	45 days	60 days	90 days
<b>Full time Employment</b>	Not required	Seek and obtain	Maintain	Maintain	Maintain
<b>Peer Support or Sponsor /</b>	Obtain	Twice per month	Meet twice per month	As directed by their peers	As directed by their peers
<b>Phase Advancement</b>	Application to advance	Application to advance	Application to advance to	Application to advance	Application to graduate
<b>Other</b>	Individual treatment plan, Start process to obtain State ID	Present relapse prevention plan to court, obtain State ID	Begin MRT; Attend VIP	Complete MRT Present aftercare plan to court	Clean hair follicle test

## Court Appearances

The requirements for each phase tell you how often you are required to attend court. The DWI Court schedule is located on the second page of this manual. There may be situations that the Commissioner (Judge) or Probation Officer tell you to appear for court at a different time and you must attend as directed. Always be on time and dressed appropriately for court. While in court, you should be prepared to discuss your progress with the Commissioner. You are

expected to maintain a respectful attitude at all times toward staff and other participants. Cell phones are not allowed in the Joplin Courts Building.

## **Dress Code**

The following dress code applies to all court sessions, probation meetings, and treatment sessions. As a participant you will be expected to wear a shirt or blouse, jeans, pants, dress, or skirt of reasonable length (inch above the knee). The following items will be considered inappropriate: clothing bearing drug/alcohol related use or themes, clothing with vulgar or profane words, clothing depicting violence or sexual acts, muscle shirts, tank tops, halter tops, shorts, cut-off jeans, baggy pants that fall below the hips, pants with holes, and hats (except those worn for religious purposes). Sunglasses are not to be worn inside the Courtroom or treatment center unless medically approved. If you appear in Court with inappropriate attire, you will be asked to leave and it will count as an unexcused absence. Speak with your Treatment Team if you need assistance with obtaining appropriate clothing.

## **Probation Supervision**

You will be assigned a Probation Officer (PO). He or she will set up a schedule with you so you know when and where to report. It is your PO's responsibility to monitor your living conditions, community service, employment, fee and restitution payments, and other requirements. To do this, your PO will make announced or unannounced visits to your house, work, school, or community service locations and may require you to document your activities. Your PO will report to the Commissioner regarding your progress. It is important to understand that while your PO is responsible for your supervision, he or she is also trained in substance use disorders and the recovery process. They are here to help you succeed.

## **Treatment Requirement**

You must complete SATOP as part of DWI Court. Your treatment provider will develop a treatment plan following an overall assessment of your needs. The total number of hours will depend on your individualized plan. The plan will act as a guide during your recovery and will be maintained by your treatment counselor and will be updated and expanded as you progress through the program.

It is important that you SHOW UP and be HONEST with your counselor. If you must miss a session, make sure you call your Treatment Provider before the session. If you miss a session without calling in prior, you will be issued a sanction.

## **Inclement Weather Policy**

If Jasper County Courts close, you do not have to appear for Treatment Court. You must call in to TOMO but will not be expected to report for drug testing that morning if the Courthouse is closed. Your Probation Officer may direct to report for testing later that day. If you are scheduled to meet with your Probation Officer, treatment provider, case manager, or other requirement, please call

that person to confirm availability. It is important for you to have a transportation plan during winter weather. When possible, plan ahead.

## **Confidentiality**

Your identity and privacy will be protected consistent with Missouri law. In response to these regulations, policies and procedures have been developed which guard your confidentiality. You will be asked to sign a release of information authorizing the transfer of information among all participating agencies as well as a release of liability. This means that the Team will discuss your progress. You are also expected to respect and maintain the confidentiality of others and can be held accountable for breaching confidentiality.

## **Drug & Alcohol Testing Procedures**

The Jasper County Treatment Court uses both regular and random drug/alcohol screenings throughout the DWI Court program. The number of tests you will have will depend on your phase and need. If you are having trouble staying sober, you may be required to test more frequently.

### **TOMO Procedures**

- Every day call 1-800-494-1250 between 4:30 AM and 7 AM unless or until directed otherwise
- Every day, call from your personal phone and enter your call-in code when prompted
- If selected to submit a drug test, report between 6 a.m. and 9 a.m. to TOMO Drug Testing located at 705 Illinois Ave, Suite 12A Joplin, MO 64801
- TOMO staff will observe you while you are giving a sample
- TOMO staff will discuss your test with you. If you have a positive test and you disagree with the results, you have the right to request that the test be sent off for a lab confirmation. If the lab confirms the onsite results, you may be assessed the cost of the lab confirmation.

In addition to the call-in code system, you may be asked to submit to testing during home visits, court sessions, or meetings with your probation officer or treatment provider. Drug test results will be shared with all other Treatment Court team members. In addition to submitting urine samples for drug testing, you may be asked to submit a sample of your breath for alcohol testing, blood tests, and/or to hair follicle testing.

## **Missed UA Policy & Sanction Schedule**

You are expected to personally call in and report for all drug and alcohol testing as required. In general, the consequences of missing a UA are more severe than a relapse. Any time you miss a call in or scheduled drug and alcohol screening, at least two sanctions will automatically trigger. First, a missed test will re-start your program sobriety days over which will delay your opportunity for phase advancement; prolonging your time in Treatment Court.

In addition to the above response, the following sanction schedule will apply:

1 <sup>st</sup> Missed Call-in/UA	Present written paraphrase of UA Policy to Court
2 <sup>nd</sup> Missed Call-in/UA	Present written paraphrase of UA Policy to Court; <u>and</u> One (1) hour of jail detention cleaning to be completed by Friday after your missed UA or as directed by your PO
3 <sup>rd</sup> Missed Call-in/UA	Present written paraphrase of UA Policy to Court; <u>and</u> Two (2) hours of jail detention cleaning to be completed by Friday after your missed UA or as directed by your PO
4 <sup>th</sup> Missed Call-in/UA	Present written paraphrase of UA Policy to Court; <u>and</u> Three (3) hours of jail detention cleaning to be completed by Friday after your missed UA or as directed by your PO; <u>and</u> Up to two days in jail (may be suspended).
5 or more - missed Call-in/UA	Present written paraphrase of UA Policy to Court; <u>and</u> Three (3) hours of jail detention cleaning to be completed by Friday after your missed UA or as directed by your PO; <u>and</u> Up to 2-3 days in jail to be served as ordered by the Court.

Missed call-ins, missed reporting, or inability to provide a sample will be treated as a positive (dirty) test. Altered or diluted samples will count as a positive (dirty) test and may result in additional sanctions.

If you are sick, have a family emergency, or other unforeseeable issue, it is your responsibility to call your Probation Officer to make them aware as soon as you can. Be prepared to provide documentation of the issue. If appropriate, the Probation Officer will forward the request to be excused to the Court. Only the Commissioner can excuse your absence. Work or school conflicts will not excuse a missed UA because you can make arrangements prior to missing. Employment is not an acceptable reason to fail to report for drug testing.

### **Alcohol and Drug Use**

Treatment Court is an abstinence program. As such, we expect you to not use alcohol or any mind-alternating drugs even if they are legal to purchase or consume. This includes energy drinks containing alcohol, marijuana, kratom, CBD, or synthetic cannabinoids such as K2, Delta-8 and Spice, bath salts, alcohol including non-alcoholic beers and food cooked with alcohol. ethyl-alcohol (ethanol) based products and/or foods including but not limited to medications including NyQuil, hand sanitizers, mouthwash, shaving creams, cologne, insect repellent, body wash, vanilla/almond extract, and herbal extracts.

You are responsible for anything that you ingest or apply to your body, will be considered non-compliant by using other persons smoking products or other consumables which results in a positive test for any non-prescribed narcotic or alcohol. You are not to associate with people who use or possess illegal or non-prescription drugs, nor be present while drugs, inhalants, or alcohol are consumed by others. This includes casinos and bars. You are not to purchase or possess ephedrine or pseudoephedrine products without a doctor's note.

## **Controlled Substance Policy**

This Jasper County Treatment Court closely monitors the use and possession of controlled substances as defined by the Controlled Substances Act (CSA). Any use or possession of a controlled substance must be prescribed or recommended by a medical profession and is subject to verification. Participants may use prescribed, FDA-approved medications, specifically including prescribed Medication Assisted Treatment (MAT), according to the frequency, amount and any other directions given by the prescribing health professional. Participants are subject to testing and to searches of their home, vehicle, person, or other areas under their control to ensure that medications are being used in accordance with the prescription. Participants will be required to sign any releases necessary to allow DWI Court staff to confirm the prescription and to communicate with the prescribing health professional. This policy is intended to facilitate effective substance use disorder treatment for our participants.

- ***Before*** obtaining any controlled substance, the participant shall provide the Medical/Dental Medication Form to the prescribing, recommending or supervising physician or nurse practitioner (“Medical Professional”).
- The participant will be required to return the completed form to the Treatment Court Administrator within two business days of receiving the prescription.
- Medical Professional must provide documentation of the following in writing within two days of any recommendation of use of a controlled substance:
  1. Length of physician-patient relationship;
  2. Diagnosis or qualifying medical condition which necessitates the use of a controlled substance;
  3. Attempted alternative treatments which have been tried and deemed ineffective and/or insufficient;
  4. Prognosis for how long such treatment is anticipated to be necessary;
  5. Appropriate dosage and method of ingestion of the controlled substance; and
  6. Acknowledgement of Missouri licensure including area of practice and whether the physician is in good standing in the State of Missouri;

This information must be updated every six months or with any change, increase, or decrease of recommendation. Merely providing proof of the prescription or certification of a qualifying medical condition will be insufficient to satisfy this requirement.

- Participants shall follow the dosage and method of ingestion as provided by the Medical Professional. Participant will provide the Treatment Court Probation Officer with the purchase receipts for all controlled substances which must include: the date, location and amount of the purchase. All medications are subjected to compliance checks and the participant is required to provide the supply to the supervising agent to allow him/her to confirm compliance.
- Participation in Treatment Court is subject to grant guidelines including treatment provider grants as well as those issued directly to the Treatment Court.



- A participant's failure to follow these guidelines and procedures while possessing or consuming a controlled substance may subject the participant to sanction or termination from the Treatment Court program. Participants who remain in strict compliance with above guidelines and procedures will not be sanctioned for the use of a controlled substance.

Nothing in this policy is intended or designed to suggest, imply, or waive any federal statute or law. Use or possession of any controlled substance under this policy may still be considered a violation of federal laws and requirements of probation or parole.

### **Program and Related Fee**

Treatment Court has a \$1800 program fee. Each participant must pay as directed by the Probation Officer. You may request that your fee be lessened due to financial hardship. These requests will be reviewed and discussed by the Treatment Court team on a case by case basis. Participants will not be held back in their phase due to financial hardship. If you leave or are terminated from the program, you will forfeit any money paid toward the fee. Fee payments will be reported to the judge as part of your regular progress report. In addition to the program fee, you may incur treatment-related costs.

In addition to the DWI Court program fee and related costs, the Missouri Department of Mental Health (DMH) – Division of Alcohol and Drug Abuse controls the fee amount charged for the SATOP screenings and ISAP assessments. SATOP and ISAP are required to participate in DWI Court. DMH mandates these fees which cannot be waived by the DWI Court.

- **SATOP Screening Fee - \$375**

***Before admission*** to DWI Court, each candidate must pay the SATOP screening fee of \$375 before being assessed. The screening must be completed by a court designated SATOP evaluator. If the SATOP screening is completed by an individual or agency other than the designated SATOP evaluator, the candidate may be required to undergo a 2nd SATOP assessment at his/her own cost. Defendants not selected for DWI Court will have up to six months from date of SATOP screening to begin their referred treatment program level before screening expires.

- **Treatment Assessment (ISAP) - \$250 or more**

*After admission*, all DWI Court participants must pay the treatment provider for an assessment (ISAP). Treatment cannot start until the ISAP has been completed. Unlike the SATOP screening, the ISAP fee can be adjusted based on income or paid over time.

## Limited Driving Privilege (LDP)

Once a participant has been in DWI Court for six months, he or she may apply to receive a LDP<sup>1</sup> if he/she has met the minimum requirements. Granting a LDP is at the sole discretion of the Court and the Court will consider many factors including compliance of DWI Court requirements, length of sobriety, overall stability, safety of the community, and any other criteria deemed appropriate. LDP is not guaranteed to DWI Court participants.

A LDP is not the same as a regular driver's license. A LDP will be limited to certain activities such as driving to/from work, medical or treatment appointments, and/or driving to/from school. A LDP does not allow someone to drive during a family vacation or to a restaurant. A LDP requires the installation and maintenance of an ignition interlock device (IID) and vehicular insurance at the cost to the participant. These requirements will continue throughout the duration of the LDP, even after DWI Court graduation. In addition, the Court will require random drug and alcohol testing during the duration of the LDP. Violating the terms of your LDP may result in its suspension or revocation.

### Minimum Application Requirements for Limited Driving Privilege

- Six (6) months in the DWI Court Program
- Six (6) months free of alcohol and drugs
- Six (6) months from any positive, diluted, adulterated, or missed drug and alcohol testing.
- Six (6) months from unlawful operation of a motor vehicle
- Active engagement in treatment with completion of a minimum of 75 hours of SATOP
- Completion of VIP
- Substantial and sustained compliance with all DWI Court requirements

Please note that these are the **minimum** requirements to be considered for a limited driving privilege. The DWI Court team will also consider safety of the community, level of participation in treatment, ability to comply with and maintain financial obligations, stability of mental health and residency, and any other criteria deemed fit.

## Volunteer Hours/Self-Improvement

As a participant of Treatment Court, you will be given at least 75 hours of volunteer work. For some of these hours, you may choose where you volunteer from our list of approved or you can suggest one of your own. At least 25 hours must be completed as a Community Service Project. A Community Service Project is exactly what it sounds like: project that you do to benefit our community. It is your way to give back to the community. Each project will be a minimum of 25 hours and can be used toward your overall volunteer hour requirement. You must present your

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<sup>1</sup> Please make sure that your Driver's License does not have any other holds and has not expired. For eligibility, call 573-751-4475 or go to the DMV.

project to the Court for approval before getting started. The Team can provide ideas about potential projects but we encourage you to tap into your own talents and interests.

Participants may also earn up to 10<sup>2</sup> volunteer hours on personal growth and development. These hours will differ from person to person but might include fitness, parenting education class, budgeting, job readiness, meditation, or trying something new. The Treatment Court Team can help you find resources if there is an area you want to improve. Participants may also purchase up to 10 volunteer hours at minimum wage (currently \$12/hour). These are used to support area activities and events or to provide materials to non-profit organization(s) in the area.

You must provide documentation of your volunteer hours to your Probation Officer who will verify and report to the Court. All volunteer hours **must** be completed prior to moving the final phase of the program.

### **Employment/Education Requirement**

Financial stability is very important to your continuing recovery and ability to maintain sobriety. Starting in Phase 3, you **must** maintain full-time employment or be enrolled in an approved academic program (see below). If you are already on SSI (disability) when you begin the program, the employment requirement will be waived but you will still be required to complete volunteer work in our community as directed by your treatment court team. Your probation officer will work with you to find volunteer work that you can do with your disability. A participant may choose to enroll in school rather than obtain full-time employment if approved by the treatment court team. If approved, a participant must be enrolled full-time in an accredited academic program (the equivalent of 12 hours per semester) unless alternative arrangements with your probation officer are made. The class schedule cannot consist of more than six hours of online classes. The probation officer will require written verification of attendance, syllabus, assignments, etc. Participants must maintain a 2.0 GPA. During summer and winter breaks, participants must work full time and volunteer in the community each week that school is not held.

### **Moral Reconciliation Therapy**

Moral Reconciliation Therapy (MRT) is a type of behavioral therapy aimed at decreasing the likelihood of someone returning to abusing substances or alcohol. Through structured groups and a workbook, MRT teaches people in the criminal justice system with substance use disorders to focus on the moral aspects of their illness, and the social consequences that may be associated with using drugs or alcohol.

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<sup>2</sup> For participants who are assessed more than 350 hours of volunteer service, 50 hours can be completed as self-improvement and an additional 50 hours can be purchased at the rate above.

## **Community Support Groups (12-Step Meeting Attendance)**

Attendance of community support groups such as, but not limited to, Narcotics Anonymous and/or Alcoholics Anonymous will be part of your recovery. The number of required meetings depends on the phase or your treatment plan. It is required that you arrive to meetings on time and that you stay for the entire session. You are responsible for maintaining your own log but please note that **only** the meeting's chairperson can sign the log. We count meetings from Sunday through Saturday. You may not double up on meetings without prior approval from your probation officer or treatment provider. You must present your verification logs, proof of employment, and volunteer work/self-improvement to your probation officer as directed.

## **Alumni Group**

We recognize that you may have challenges after graduation. The Alumni Group was established as a way to encourage and promote recovery lifestyle through mentoring and fellowship. The Alumni Groups can provide accountability, a chance to do the service work that can be a key to ongoing recovery, and a way to stay connected to the organization that helped them get their start on the road to sobriety. They also provide an important service to new participants who are not as established in their recovery while they adjust to the program.

The Alumni Group offers pro-social activities (picnics, bowling, dinners etc.) in order to help current participants and graduates reinforce pro-social connections and the knowledge that one can have a good time being sober and in recovery. The group meets on a bi-weekly basis at ROCC or other designated site and they welcome current drug court clients, staff member and visitors.

## **Home Visit Guidelines**

Home visits will serve as a way for court officers to become better acquainted with your family and assess living conditions. Home visits will be conducted randomly at any time day or night. They will be conducted in a professional and discreet manner. Your person/home/vehicle may be subject to search without a warrant for drugs, drug paraphernalia, and alcohol. People living at your residence should be advised that the **entire** home will be subject to inspection. If you are not at home when a home visit is attempted, the court officer will leave a business card. You **must** call back as soon as you return home no matter what time you return.

## **Association/Relationships with Other Treatment Court Participants**

You cannot live with or have a relationship with anyone else participating in a Treatment Court program. If you wish to request to be allowed to associate with or have a relationship with another participant, you must make a request in writing to your Probation Officer. If the Probation Officer believes your request should be approved, she or he will bring your request to the team. Married couples may be considered for a treatment court but may be subject to additional counseling requirements. You are expected to treat other participants with respect both inside and outside the courtroom. This extends to anyone attending community support or other treatment group. Physical and sexual harassment will not be tolerated.

You may not spend time with or associate with any person convicted of a felony, or with anyone currently under the supervision of the Division of Probation and Parole without first obtaining permission from your Probation Officer. It is your responsibility to know (or ask) the people you choose to spend about their history.

### **Incentives and Sanctions**

The Jasper County Treatment Court program recognizes that it takes effort to make real change. The team will give you incentives (rewards) when we see that you are doing your best to make positive decisions. Examples of incentives might include gift cards, praise, and travel privileges. On the other hand, you may get a penalty (sanction) if you violate court rules or fail to act as required. Sanctions may include verbal warning, curfew, increased supervision, or other options. A comprehensive list of incentives and sanctions may be found on the Jasper County Treatment Court website or in your binder.

### **Relapse & Sanctions**

The goal of the Treatment Court is to help you achieve total abstinence from alcohol and illicit drugs. We understand that relapses may happen while you are in the program. A positive breath or urine test will not automatically terminate you from the program. Dishonesty concerning use will result in a more severe sanction. No new criminal charges will be filed against you as the result of a positive breath or urine test, unless a separate crime has been committed. We encourage you to work with your therapist to understand your triggers to prevent a relapse. If you do relapse, we will work with you as long as you take responsibility and an active role in your recovery.

### **Termination from Treatment Court**

In ordering a participant's termination from the program, the Court will consider factors such as the nature of the violation, duration in the program, previous violations, criminal history, participants' desire to achieve sobriety as evidenced from their actions, and others. The following actions will result in immediate termination: distribution of drugs, violent crime, or assaultive, threatening, or abusive behavior toward any member of the Treatment Court staff, other participants of the program, or other clients of the treatment providers. Dismissal from the program will result in your case proceeding to sentencing on the basis of your plea. The reasons for your dismissal will be given to the sentencing judge for consideration. Depending on the nature of the termination, you may be sentenced to a term in the Department of Corrections or be continued on supervised probation.

Upon your successful completion of the DWI Court Program, you will graduate. This is a time for all of us to celebrate you and your success in the program. Graduations are held on a quarterly basis. Upon graduation, what happens to the underlying case depends on the plea agreement but could include release from probation or case reduction.

## **Conclusion**

Thank you for your participation in the Jasper County DWI Court. The Commissioner and entire team are here to guide and assist you but ultimately, the final responsibility is yours. We hope you take full advantage of the opportunity that you've been given to change your life for the better.

# TREATMENT COURT PROGRAM 29TH JUDICIAL CIRCUIT DWI COURT CONTRACT

Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

I agree to enter the Jasper County Treatment Court Program, and by doing so, I understand I will have certain obligations and responsibilities. I will have to follow orders given to me by the Judge, Probation Officer, Treatment Court Therapist, Treatment Court Administrator and other treatment providers involved in the program.

## Participant Rights and Benefits

### I understand that:

1. The prosecution of the criminal charge(s) against me will be stayed during the time I am in the Treatment Court.
2. The criminal charge(s) against me can be dismissed if I successfully complete the program.
3. The waiver of confidentiality of my treatment records is limited to the length of this contract.
4. I may rescind my waiver of confidentiality at any time and that if I do so before successful completion of this contract, I will be terminated from Treatment Court.
5. I can quit the program at any time, but I understand that if I do so, I can be sentenced to the full range of punishment for the crime under my plea agreement, including a term in the Department of Corrections.
6. If I quit the program, or am terminated, anything I have said concerning my drug usage while in the program cannot be used against me in a trial on the underlying case.

## Participant Responsibilities

### I agree that my responsibilities are:

1. I must tell the truth.
2. I have read, or has been read to me, the Treatment Court Participant's Manual. I understand that I am subject to all provisions of the manual. I understand that the requirements of the program can and will change from time to time. I agree I will comply with any changes.
3. I must show up for court, treatment, and probation as directed. Failure to do so may result in sanctions, termination, jail, or a warrant.
4. I understand that I must follow the treatment plan as directed.
5. I will provide breath, urine, hair, blood, and/or saliva samples as requested for drug and alcohol testing. Failure to submit or the submission of an adulterated specimen will result in a positive test.
6. I understand that participation in the Treatment Court requires me to be drug and alcohol free at all times. I will not consume, use, purchase, possess, or manufacture any illegal or non-prescription drugs, inhalants, or alcohol. I will not associate with people who use or possess

illegal or non-prescription drugs, nor will I be present while drugs, inhalants, or alcohol are consumed by others. This includes casinos and bars.

7. I will not purchase or possess ephedrine or pseudoephedrine products without a doctor's note or prior approval from my probation officer or members of my treatment team.
8. I will not purchase, possess, or use any kratom, bath salts, K2, Spice, synthetic cannabinoids, herbal smoking blends, "herbal incense," Delta-8 or any other mood-altering substance or chemical without a doctor's note or prior approval from my probation officer, regardless of legality.
9. I will not consume, use, purchase, possess, or manufacture any of the following:
  - Alcohol including non-alcoholic beers and food cooked with alcohol.
  - Ethyl-alcohol (ethanol) based products and/or foods including but not limited to medications, hand sanitizers, mouthwash, shaving creams, cologne, insect repellent, body wash, vanilla/almond extract, and herbal extracts. I further understand that it is my responsibility to read product labels before I consume, apply, or use any of the above.
10. I will provide my treatment provider with a list of all prescribed and over-the-counter medications that I am taking and update that list within 24 hours if changes occur.
11. I must not violate the law, and I understand that if I engage in any criminal act, I can expect to be terminated from the program and be prosecuted for the pending charge(s). I must notify the probation officer within 24 hours of any arrest, citation, or charge including traffic offenses.
16. I must live (reside) in Jasper County throughout the duration of the program. I agree to not leave the Jasper/Newton county area without specific approval of my probation officer or the DWI Court Commissioner. If approved to leave the area, I understand that I may have to wear a drug patch or other monitoring device with cost incurred to be paid by me. I must obtain prior approval from my probation officer before I change residence and before I change/disconnect my telephone number.
12. I will not associate with anyone with a felony conviction or on supervised probation without approval from my probation officer. It is my responsibility to know with whom I am associating.
13. I will not live with or engage in a continuing social relationship of a romantic or intimate nature with anyone participating in a Jasper County Treatment Court unless I have prior permission from the Court.
17. I must obtain and maintain verifiable full-time employment, education, or combination thereof. After 90 days in the program, if I am still unemployed or not enrolled in an approved academic program, I will perform volunteer work each week until I find a job. I will provide written verification of all employment, education, and community service hours. I must obtain prior approval from my probation officer before I quit or change my employment.
18. I will not possess a firearm or a knife exceeding six inches (6") in blade length while in the DWI Court program. I will bring no weapons of any kind to the DWI Court treatment center.
19. I will submit to a polygraph or Computer Voice Stress Analysis (CVSA) when requested.
20. I waive the right to confidentiality of my treatment records obtained in connection with the Treatment Court program and agree to communication of same to and between members of the Treatment Court Team.
21. I must inform all treating physicians in writing (Notice to Ant Healthcare Provider) that I am a recovering addict and may not take narcotic or addictive medications. If a treating physician wishes to treat me with narcotic or addictive medications or drugs, I must disclose this to my



treatment provider within 24 hours unless it is an emergency situation. I must notify and provide documentation to my treatment provider of all prescriptions medications that I am taking and any changes to those prescriptions.

22. I agree to pay the Treatment Court fee as directed.
23. I understand that participation in the Treatment Court program involves a minimum commitment of eighteen months. It may last longer if I violate this contract or fail to progress in the program.
24. If restitution is owed, I must pay this amount in full as ordered by the Court.
25. I will submit to a search of my person, residence, vehicles, papers, cell phone, computer, and/or effects at any time with or without warrant, and with or without probable cause, when requested by my probation officer, Treatment Court Team and/or law enforcement.
26. Failure to follow the responsibilities listed in this contract and in the Treatment Court Participant's Manual may result in sanctions. I have reviewed the Sanctions section of the manual and agree that any of the listed sanctions may be imposed if I violate this contract or fail to progress in the program

I have read the above contract and I understand what I have read. I am willing and voluntarily entering into this agreement with the Jasper County Treatment Court Program.

\_\_\_\_\_ Participant Signature / Date

\_\_\_\_\_ Treatment Court Commissioner/ Date