



Policies and Procedures Handbook
ADULT DRUG COURT PROGRAM

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WELCOME



Welcome to the Benton County Adult Drug Court (ADC). This program was created to give persons charged with qualifying felonies an opportunity to seriously address their addiction to drugs and alcohol and recover from their addiction. By choosing to enter the Benton County ADC program, you are choosing, perhaps, the best opportunity you will ever have to reclaim and rebuild your life.

This handbook is designed to answer your questions, provide overall information about the program, and explain what will be required of you as a drug court participant. As a participant, you will be expected to comply with Drug Court rules, follow the instructions given in ADC by the judge, and comply with the treatment plan developed for you by your treatment provider and the drug court team.

We are happy to welcome you into the program and wish you every success in your recovery.

Please read this handbook carefully. It is your responsibility to be familiar with the contents. We encourage you to share this information with your family and friends who support your recovery. The information in this handbook may change from time to time, without prior notice, and should not be considered a binding agreement between you and the ADC program.

OVERVIEW

The Benton County Adult Drug Court ADC is a voluntary, individualized, six-phase intervention program for adults who have been charged with one or more qualifying felony offenses and who have been unable to stay clean and sober. It is a collaborative effort of the Benton County Superior Court, Benton County Prosecuting Attorney's Offices, Benton County Public Defender's Panels, Benton County Human Services Department, Benton County Sheriff's Departments, Washington State Department of Corrections, other police agencies, case management, and treatment programs. By working together, we seek to provide a variety of resources and consistent supervision geared toward supporting and helping you maintain a drug-free life.

ADC involves frequent court appearances, strong judicial supervision, random drug testing, unscheduled home visits by ADC team members, substance use disorder (SUD) treatment, mental health treatment, as well as other needed and assigned programs and services. Releases of Information ROI for housing, treatment providers, and other agencies must be signed. These can be completed during your preliminary assessment or at any point while you are participating in the program. The Court awards incentives for compliant behavior and progress and provides interventions for non-compliant behavior. Participants who do not comply with (ADC) rules and requirements may be jailed, required to engage in volunteer hours, ordered to undergo increased treatment, or be subject to a variety of other interventions. If interventions are no longer deemed effective, the participant may also be terminated from ADC. All the staff working with (ADC) will assist you to be sure you understand what is expected of you.

The Benton County Adult Drug Court is a pre-adjudication program that provides eligible defendants the opportunity to receive intensive supervised substance use disorder treatment, case management, and support. ADC includes rigorous community supervision and strict accountability, frequent and random substance abuse testing, regular court appearances, and family/support involvement tailored to the individual needs of each participant. A combination of incentives and interventions is used to motivate participants and, upon completion of each stage of the program, recognition is provided. A graduation ceremony is held upon successful completion of the program.

Therapeutic or Problem-Solving Courts are built upon a unique partnership between the criminal justice system and the treatment community which structures treatment intervention around the authority and personal involvement of a single Therapeutic Court judge. Problem-Solving Courts are also dependent upon the creation of a non-adversarial courtroom atmosphere where a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of behavioral health disorders and criminal behavior.

MISSION STATEMENT

It is the mission of the Benton County Adult Drug Court to advance the safety and wellbeing of our community, to heal and rehabilitate high risk and high need offenders, and to conserve justice system resources. This will be achieved through the diversion of qualifying offenders to a program of

comprehensive treatment and education, offender accountability, and intensive court supervision designed to help participants gain control of their lives and stop the cycle of recidivism caused by their addiction.

GOALS AND OBJECTIVES

Primary Goal 1: To promote community safety and well being

Secondary Goal 1.1: Reduce criminal behavior/recidivism among participating offenders

Process Objective 1.1.1: Frequent and intense court supervision of participants

Process Objective 1.1.2: Frequent home contacts with participants

Outcome Objective 1.1.3: Reduce re-arrest rate of participants during program participation

Outcome Objective 1.1.4: Reduce re-arrest rate of participants following graduation from program

Secondary Goal 1.2: Decrease participants' (and participants' dependents') reliance upon social and human services and increase their abilities to live independently and responsibly

Process Objective 1.2.1: Direct participants to assistance in securing employment and drug-free housing

Process Objective 1.2.2: Direct participants to training and mentoring in life skills, such as parenting and financial management

Process Objective 1.2.3: Direct participants to assistance in eliminating deficits in basic education

Outcome Objective 1.2.4: Full payment by participants of restitution

Outcome Objective 1.2.5: Full employment or continued employment of participants at least 3 months prior to graduation

Outcome Objective 1.2.6: Every drug court graduate to have at least a high school diploma or general equivalency diploma (GED)

Outcome Objective 1.2.7: Full economic, social and psychological support of participants' dependents

Primary Goal 2: To heal and rehabilitate non-violent addicted offenders

Secondary Goal 2.1: Reduce and eliminate use of controlled substances and alcohol

Process Objective 2.1.1: Assess participant addiction and treatment needs using American Society of Addiction Medicine standards.

Process Objective 2.1.2: Refer participants to appropriate substance abuse treatment services and mental health services.

Process Objective 2.1.3: Monitor and assess the effectiveness of treatment service providers

Process Objective 2.1.4: Encourage participants' use of and participation in services through appropriate application of interventions and incentives

Outcome Objective 2.1.5: Graduation of at least 70% of participants

Secondary Goal 2.2: To assist participants in regaining their lives and re-uniting families

Process Objective 2.2.1: Conduct a strength-based assessment of each participant and engage participants in appropriate services relating to education, employment, housing, financial responsibility, families, physical and mental health and other issues that affect their ability to remain clean and sober and succeed in the program

Outcome Objective 2.2.2: Graduate participants who are maintaining a sober and drug-free recovery, have at a minimum a high school equivalency diploma, are employed, are responsible parents, and are becoming responsible, productive members of the community.

Primary Goal 3: To conserve justice system resources

Secondary Goal 3.1: Reduction in direct costs of arrest and incarceration of participants

Process Objective 3.1.1: Structure treatment, services, and supervision to reduce opportunities for and risks of further criminal behavior

Outcome Objective 3.1.2: Reduction of the number of jail-bed days for participants

Outcome Objective 3.1.3: Reduction of participants' contacts with law enforcement

Secondary Goal 3.2: Reduction in direct costs of judicial services/system

Process Objective 3.2.1: Formulate individualized plans for treatment, services and supervision that will promote steady and successful advancement through the program

Process Objective 3.2.2: Direct participants to assistance in obtaining/improving employment and developing financial responsibility

Outcome Objective 3.1.3: Participants complete at a minimum 120 community services hours.

Outcome Objective 3.1.4: Reduction of trial costs and court docket congestion, and maximization of cost avoidance

ELIGIBLE OFFENDERS

- Adult offenders with a diagnosis of a substance use disorder (SUD).
- No prior sexual offense convictions or pending sexual offense charges as defined in RCW 9.94A.030(47).
- Currently charged with an eligible offense for which no determination of guilt has been entered.
- Assessed by an SUD treatment provider as high need and completion of an ORAS risk assessment.
- The State will not amend any charges to allow for an offender to qualify for ADC.
- Be 18 years of age or older.
- Be legally competent.
- Be insured (privately, Medicare, Medicaid) or Medicaid-eligible and complete Medicaid application within three days of being accepted into ADC.

- Be free of active warrants or able to resolve them quickly.
- Agree to comply with treatment and their recommendations.
- Agree to be compliant with any court orders.
- Agree to waive certain legal rights.

ELIGIBLE OFFENSES

- Most class B and C property crimes including but not limited to the following:
 - Forgery
 - Possession of stolen property
 - Theft
 - Malicious mischief
 - Burglary 2nd degree
 - Residential Burglary
- Most class B and C assaults are eligible pursuant to RCW 2.30.030 with prosecutor, victim, and law enforcement input.
- Other felony offenses not listed as eligible, but may be eligible by special findings, will be individually evaluated on a case-by-case basis, pursuant to RCW 2.30.030

INELIGIBLE OFFENSES

- Sexual offenses as defined by federal law or RCW 9.94A.030(47), or any out of state comparable offense.
- Any delivery of a controlled substance or possession with intent to deliver/sell will be reviewed for eligibility on a case-by-case basis. The State will take into consideration whether the offender is dealing to support a habit or dealing for profit. Law enforcement must agree with the potential participants participation in the program if referred on these charges.
- Offenses where the defendant has prior convictions or current charges where a firearm has been used in the commission of the offense, including the intentional discharge, threat to discharge, or attempt to discharge a firearm in furtherance of the offense.
- Felony DUI regardless of the prong charged will not be eligible for ADC.
- A defendant charged with Assault in the Second degree is not automatically ineligible per RCW 2.30.030. The referral will be reviewed for eligibility on a case-by-case basis. Victim approval is required, firearms may not be involved or used in furtherance of the crime, and the State will take into consideration, including but not limited to, the severity of the harm as well prior history.
- A defendant charged with an eligible Class B Felony or Class C Felony, who is also charged with a Driving While Under the Influence (DUI) or Physical Control arising out of the same criminal fact pattern, may be eligible to bring that DUI/Physical Control in. This will be reviewed for eligibility on a case-by-case basis. They may still be eligible for drug court if they agree to plead guilty or do a Deferred Prosecution.
- A defendant charged with an eligible Class B Felony or Class C Felony, who has a prior conviction Assault in the Second Degree regardless of the prong may be eligible. This will be reviewed for

eligibility on a case-by-case basis.

- Other offenses prohibited under RCW 2.30.030

QUALIFICATION FOR ADULT DRUG COURT

Potential (ADC) participants may be identified by the prosecutor or may be referred to the prosecutor for eligibility screening and consideration for referral to ADC by Superior Court, law enforcement officers, the Washington Department of Corrections, the Washington Department of Social and Health Services, or other attorneys. Before being referred to the prosecuting attorney, potential participants must obtain a substance use disorder assessment within the last 6 months and be enrolled in treatment. The prosecutor will review the potential participant's criminal history and police reports to determine if the prosecutor will approve the defendant's case for ADC. If approved by the prosecutor, the referral form will be sent to the Behavioral Health Specialist to complete an ORAS assessment. The Behavioral Health Specialist will contact the potential participant to schedule the ORAS. The participant has 30 days to complete the Ohio Risk Assessment System ORAS (from date of initial contact to the Behavioral Health Specialist (BHS)). Failure to complete the ORAS within 30 days will result in denial of participation in the program. If the potential participant is determined to have risk factors, based on the ORAS assessment, the ADC team will staff the participant and make a final determination on eligibility. If determined to be eligible, the prosecutor will note the potential participant for Motion and Order to Transfer to ADC, and entry of the Participation Agreement. The original defense attorney must go over the Participant Handbook with the potential participant prior to referral to the prosecutor. Defendants with active warrants are ineligible for (ADC) until they can be resolved. If the defendant is referred with an active warrant, the (ADC) Team will send a rejection notification to the defense attorney informing them that their defendant may be referred again once warrant(s) are resolved. Failure to comply with the foregoing requirements may result in being placed at the bottom of the referral list or denial of participation in ADC.

The drug court will seek to maintain, insofar as available resources permit, a maximum caseload of 150 active participants. If additional resources become available, the maximum caseload of participants may be increased. The team will closely monitor the progress of current participants and the transfer of potential participants with the objective of limiting the period any potential participant is on the referral list.

ENTRY INTO ADULT DRUG COURT

Potential participants approved for participation enter the drug court program by executing a participation agreement and stipulation to reports signed by the participant, defense attorney, prosecutor, and judge. The agreement states that failure of the participant to abide by the terms of the agreement may result in termination from drug court and return of the case for a bench trial on the pending charge(s). The agreement includes a stipulation by the participant that in the event of termination and return for trial the court will consider the police reports attached to the agreement as the sole basis for its determination of guilt or innocence. The agreement also provides that upon successful completion of and graduation from the drug court program the pending criminal charge(s) that have been transferred to drug court will be dismissed with prejudice. **In cases where the charge is a DUI, the charge will not be dismissed but**

amended down to a Negligent Driving in the First Degree.

Each participant, immediately following acceptance into drug court, will begin (or continue) such treatment as is determined appropriate by the drug court team (utilizing the assessment and treatment recommendation information) and ordered by the Court.

Each new participant is required to attend every weekly drug court session during phase I unless specifically excused by the court. Every participant and the Adult Drug Court Team has the right, for a period of 28 days immediately following execution of the drug court participation agreement, to discontinue (or “opt out”) of drug court. The opt out period may be extended upon agreement of the drug court team. In the event a participant elects to opt out of drug court during the 28 days opt out period, the case will be transferred back to the regular criminal docket and original defense attorney. No information obtained or statements made in the course of drug court proceedings will be used against a participant who opted out of the Adult Drug Court program either voluntarily or by the Adult Drug Court team. Participants who do not opt out will be required to participate fully in all phases of the drug court program and will only be released from drug court by successful graduation or termination.

LIMITED ENGLISH PROFICIENCY PARTICIPANTS

All reasonable steps will be taken to ensure that participants with limited English proficiency (LEP) have full and meaningful access to Adult Drug Court and services provided through it. The team will develop and periodically update an (LEP) Plan to provide for the timely and reasonable provision of language assistance to (LEP) participants. The plan will reflect the fact that for a sizeable segment of the community Spanish, rather than English, is the primary language. It will include, among other things: a projection of the number of potential drug court participants for whom Spanish is the primary language and the number for whom a language other than English or Spanish is the primary language; the nature of language services (e.g. oral interpretation and/or written translation) reasonably necessary for various drug court functions, programs and services; standards of interpreter/translator proficiency required for various drug court functions, programs and services and protocols for determining that the standards are satisfied; and procedures for ensuring the timely identification of need for language services and the timely provision of them.

Court certified Spanish interpreters under contract with the counties will be utilized as necessary at court sessions. Court certified interpreters in other languages will be provided through the Washington Administrative Office of the Courts as necessary for court sessions. Interpreters for other court functions, programs and services will be selected and provided as set forth in the LEP Plan.

PROHIBITED DISCRIMINATION

Every participant has the right to be exempted from participation in any activities or programs that incorporate any religious elements or components that are contrary to their religious or personal beliefs. No participant will be denied entry into drug court, prevented from participating in and successfully completing and graduating from drug court or in any other way be penalized by reason of being so exempted from participation in activities or programs.

No potential participant will be granted or denied entry into drug court, nor any participant provided, or denied, any treatment or collateral services or benefits through drug court or prevented from participating in and successfully completing and graduating from drug court on the basis of race, ethnicity, color, national origin, gender or sexual orientation.

THE ADULT DRUG COURT TEAM

Each drug court team member is integral to the successful operation of the Benton County Adult Drug Court. Although each team member contributes the perspective of his or her respective discipline, every member commits to working collaboratively and cooperatively as a team to assist participants in becoming clean and sober and law-abiding members of the community. Each team member recognizes the critical importance of weekly case staffing, on-going training and education, and continuing team building and team-sustaining activities. With respect to issues relating to appropriate treatment or service requirements for individual participants or appropriate incentives or interventions for individual participants the team will endeavor to resolve such issues by consensus, and, if consensus is not possible, by majority vote of the members present.

The team, by consensus or majority as provided above, will determine, after full discussion and consideration of all reports and information provided at weekly staffing prior to each ADC session, on a more-probable-than-not basis, each participant's level of progress and compliance and any violations or failures to comply. The team will assess your compliance with ADC requirements and progress toward recovery from your addiction. Any member of the team who believes that additional information should be considered by the team should outline to the team the nature and substance of such additional information and request that the team obtain and/or consider such additional information.

The ADC team may consist of the following members:

- **JUDGE:** The ADC Judge serves as a lead partner of the ADC team and presides at all team staffing and ADC sessions. The Judge and other team members will make all decisions regarding your participation in the ADC program based upon input from the various team members, providers, and other support services. In addition, the ADC Judge determines the focus and direction of the ADC program through effective leadership and collaboration with the ADC team.
 - a. Provides responses, support, encouragement, rewards and interventions, as necessary, as the Adult Drug Court participant progresses through the program;
 - b. Makes final decisions when consensus among the Team cannot be reached;
 - c. Leads pre-court staffing meetings;
 - d. Promotes ADC policies, rules and procedures; and
 - e. serves as the central figure in a team effort that focuses on sobriety, accountability and recovery as the primary goals for ADC participants.
- **PROSECUTOR:** The role of the ADC Prosecutor is to protect public safety by ensuring that each candidate is appropriate for the program and complies with all ADC requirements.

The ADC prosecutor serves as the “gate keeper” for potential participants to the ADC program. The Prosecutors duties include:

- a. Participates fully as an ADC team member;
 - b. Makes eligibility recommendations and contacts collaborative agencies for input;
 - b. Makes recommendations for termination and/or Court responses that balance community safety needs with potential for therapeutic outcomes;
 - c. Participates in a cooperative manner at ADC hearings and meetings, and promotes a unified ADC Team approach;
 - e. Monitors client progress in the ADC program; and
 - f. Adheres to ADC policies, rules, and procedures.
- **DEFENSE ATTORNEY:** The role of the ADC Defense Attorney is to ensure his or her client’s legal rights are protected while encouraging the client’s full participation in the program. Within the parameters of the Rules of Professional Conduct, defense counsel:
 - a. Participates fully as an ADC Team member;
 - b. Advises a client of their legal rights, legal options, and potential sentencing outcomes;
 - d. Actively monitors client progress in ADC and discusses the long-term benefits of a drug-free lifestyle;
 - e. Participates in a cooperative manner at ADC hearings and meetings and promotes a unified ADC team approach; and
 - f. Adheres to ADC policies, rules, and procedures, including reminding Participants of their agreements, the ADC rules, mandates, and expectations, and the need to accept consequences for lack of compliance;
- **THERAPEUTIC COORDINATOR:** The ADC Therapeutic Coordinator is responsible for the administrative, financial, and contractual aspects of the program, public relations, collaboration with other criminal justice and community agencies, and facilitating monthly business meetings and trainings. The ADC Therapeutic Coordinator engages in case management with participants and facilitates the continuing growth of the Adult Drug Court program.
- **BEHAVIORAL HEALTH SPECIALIST/ACTIVE PROBATION OFFICER (APO):** Behavioral Health Specialist/APO, in cooperation with treatment providers, will provide case management of all drug court participants, and will gather and distribute weekly progress information to all drug court team members at weekly staffing. The Behavioral Health Specialist/APO will meet with each prospective participant, prior to the initial team staffing to determine whether the participant is accepted for drug court participation, to obtain information that will be helpful to the team in assessing the participant’s suitability for drug court. That information includes the level of substance use, family environment, significant relationships and support systems, employment history, prior history of treatment and counseling, medical and mental health needs, abuse history, cultural issues, and other psychosocial risk factors. The Behavioral Health Specialist/APO is responsible both for providing information and recommendations relating to issues of accountability and treatment and for participating cooperatively and collaboratively with

other team members in team meetings and staffing.

- **ASSISTANT:** The ADC Assistant provides comprehensive clerical and reception support to ensure the efficient operation of daily activities. This role supports the Therapeutic Coordinator with assigned tasks, prepares judicial files for weekly court sessions, records notes during staff meetings, and maintains professional relationships with community partners and agencies. The Assistant updates records, logs, and data in both manual and digital systems, revises and maintains required forms, and performs additional duties as assigned.
- **LAW ENFORCEMENT REPRESENTATIVE:** Serves as liaison between the drug court and the law enforcement community, and identifies and maintains contact with at least one officer within each city police department, sheriff's department, Washington Department of Corrections office and Washington State Patrol detachment within Benton and Franklin Counties for the purpose of developing a network between those agencies and the drug court team and developing and maintaining a plan and system for monitoring drug court participants. The law enforcement representative attends all weekly team staffing's and provides input on law enforcement contact with participants prior to entering ADC or while in ADC.
- **TREATMENT PROVIDER:** The treatment providers support ADC participants by engaging in SUD services including, inpatient referrals, intensive outpatient treatment, individual and group treatment services and therapeutic case management. The treatment provider for the ADC participants attends weekly staffing or provide updates to the case managers on a participant's compliance with treatment.
- **MENTAL HEALTH SERVICES:** In most cases Mental Health Services will be provided by Washington Behavioral Health.
- **DEPARTMENT OF CORRECTIONS LIAISON:** The Department of Corrections liaison provides information, expertise, and recommendations with respect to criminal history and current or previous supervision history. The liaison may help develop a network for monitoring participants on dual supervision, including referrals to appropriate treatment or skills programs available through the Washington State Department of Corrections.

CASE MANAGEMENT

The Behavioral Health Specialist/APO and ADC Therapeutic coordinator are responsible for providing primary case management and supervision of all drug court participants. During the period between each drug court session, the Behavioral Health Specialist/APO and/or ADC Therapeutic coordinator, or an approved designee, will personally review progress with each participant. At the court session the participant will provide proof of treatment participation, meeting attendance, receipt of services, employment or housing status, or other information that the participant was either requested to provide or wishes to show the judge. The judge will review with the participant each task the participant has completed or failed to complete.

The case management of drug court participants is built around the use of the substance use assessment, any mental health records, and current evaluation tools. It entails an interactive, coordinated process between the Behavioral Health Specialist/APO and ADC Therapeutic

coordinator and participant, with the ultimate goal of identifying the strengths and challenges of the participant and developing interventions and strategies around those issues. Case management and supervision will provide: (1) planning for intervention services and the fulfillment of criminal justice obligations; (2) brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion; (3) monitoring and reporting progress of the participant; (4) supporting the participant by identifying problems, and advocating for the participant with legal, treatment, social service, and medical and mental health systems; (5) monitoring urinalysis, breath analysis or other chemical testing; and (6) monitoring of phases.

Each participant is required to attend scheduled appointments with the Behavioral Health Specialist/APO or ADC Therapeutic Coordinator. The schedule and frequency of these meetings is based on phase and progress. Participants who arrive more than 15 minutes late for any scheduled appointment will be counted as a no-show/missed appointment for that week and may receive an intervention in court.

PROGRESS REPORTS

The case management of ADC participants is built around the use of the substance use assessment, any mental health records, and current evaluation tools. It entails an interactive, coordinated process between the Behavioral Health Specialist/Active Probation Officer and participant, with the ultimate goal of identifying the strengths and challenges of the participant and developing interventions and strategies around those issues. Case management and supervision will provide: (1) planning for intervention services and the fulfillment of criminal justice obligations; (2) brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion; (3) monitoring and reporting progress of the participant; (4) supporting the participant by identifying problems, and advocating for the participant with legal, treatment, social service, and medical and mental health systems; (5) monitoring urinalysis, breath analysis or other chemical testing; and (6) monitoring of phases.

Each participant is required to attend scheduled appointments with the Behavioral Health Specialist/Active Probation Officer. The schedule and frequency of these meetings is based on phase and progress. Participants who arrive more than 15 minutes late for any scheduled appointment will be counted as a no-show/missed appointment for that week and may receive an intervention in court.

Before your ADC hearing, the Judge will be given a progress report presented by the ADC Therapeutic Coordinator, Behavioral Health Specialist/Active Probation Officer, and your treatment provider. The entire ADC team will review and discuss the progress report, which will discuss your drug test results, attendance, participation, cooperation in the treatment program, and compliance with the ADC rules and requirements. The Judge may ask questions about your progress and discuss any problems you may be having. You will be expected to discuss openly and honestly how you are progressing in treatment and what issues may be affecting you for the week. If you are doing well, you may be rewarded with incentives. If the team concludes, from its consideration of your progress reports, that you are not making progress or complying with rules and requirements the Judge will discuss this with you during court and determine future action, which may include interventions to help you remember and pursue your goals in the program and move

toward or maintain your recovery. Your Behavioral Health Specialist/Active Probation Officer will regularly meet with you to assess your progress, and their review will be incorporated in your progress report.

ADULT DRUG COURT SESSIONS

As an ADC participant, you will be required to appear in court on a regular basis. The number of times you must appear depends upon the phase of ADC you are currently in and the level of your success in the program. **Failure to appear will result in a warrant being issued for your arrest and detention in jail until you can appear before the court.** If you have questions about your court appearances you may contact the ADC Therapeutic Coordinator, your Behavioral Health Specialist/Active Probation Officer, or your Defense Attorney.

Staffing and review by the ADC team of every scheduled case will immediately precede each court session. Before each team staffing, a Behavioral Health Specialist/Active Probation Officer will update participation notes for each participant and provide that information to the ADC team. At the weekly staffing and review the team will discuss and evaluate the weekly progress of each participant, determine whether the participant is complying or has violated ADC requirements or rules and determine whether changes in treatment or other services are warranted and what interventions and/or incentives should be given to the participant for the week.

While ADC is more informal than other court proceeding, participants still need to be concerned with their courtroom behavior. Any violation may result in a therapeutic response or a finding of contempt, which could lead to a \$500 fine or up to 30 days in custody. The following behavior at court sessions will **not** be tolerated:

- **Arriving late and leaving early:** Court begins at 1:30 PM on Thursday and ends when the judge declares the docket to be concluded. An important part of ADC participation is attendance and attention for the duration of court sessions unless specifically excused by the court. You are responsible for arranging other obligations and plans to accommodate your attendance at ADC sessions.
- **Talking:** At times conversations in the courtroom by participants become so loud that participants and ADC staff cannot hear the Judge speak. Remember that while ADC sessions are more informal than other court proceedings, you are nevertheless in a courtroom in a formal court proceeding and are expected to conduct yourself accordingly. Chatting, visiting, and movement in and out of the courtroom are not appropriate conduct during Drug Court sessions.
- **Attire:** Please wear appropriate clothing to court. This includes pants, skirts, blouses, and t-shirts (must sit at or below the waist band). *Tank tops and cut-off shorts are not appropriate.*
- **Food & Drink:** Food and drinks are not permitted in the courtroom.
- **Cell Phones:** Cell phones are not allowed during court proceedings and must be put away.

ADULT DRUG COURT PHASES

Drug court is a minimum 18-month, six-phase program aimed at intervening in substance

use issues and criminal behavior through intense supervision and participation in treatment and recovery services. Initially, participants are required to appear weekly at court sessions. As a participant successfully completes a phase and is graduated to the next phase, court attendance, reporting and treatment requirements will be adjusted to recognize and reflect the participant's progress. When a participant has successfully fulfilled the terms of the participation agreement and completed phases 1 through 6 and an essay for graduation has been reviewed with the participant and approved, the participant will receive a graduation certificate.

PHASES OF DRUG COURT

Opt-In/Opt-Out Period	
Key Concept:	On a Trial Basis
Minimum Time in Phase:	28 days (may be extended upon further review)
Requirements:	May begin at the participant's first court appearance following completion of inpatient treatment or upon the first court appearance following the entry of the Transfer Order; as determined by the team. Opt-in time will be credited toward Phase 1 upon transfer to ADC. Time spent in inpatient treatment is not eligible for Phase 1 credit. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.

Phase 1 - Acute Stabilization	
Key Concept:	Starting Adult Drug Court - Show up, Be Open, Be Honest.
Minimum Time in Phase:	60 days in Phase 1 with 30 days of consecutive clean time prior to promotion to Phase 2.

Requirements:	• Attend 5 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court weekly. • Meet with your Behavioral Health Specialist/Active Probation Officer weekly. • Call UA line daily and take a UA if required. • Be sanction free for 14 consecutive days prior to Phase 2. • Get enrolled into treatment and/or continue treatment as required. • Try to find a sponsor or sober support friend. • Attend the <i>Path to Freedom</i> ADC alumni meeting weekly at the Recovery Café; <i>participation in this group will count as 1 of your 5 of your required weekly meetings.</i> • Develop 3 short-term goals. • Verify medications. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.
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Phase 2 - Clinical Stabilization	
Key Concept:	Engage in intensive therapy, learn relapse prevention strategies, work on vocational or educational plans, complete a mental health assessment.
Minimum Time in Phase:	75 days in Phase 2 with 30 consecutive days of clean time prior to promotion to Phase 3.
Requirements	• Attend 5 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court every two weeks or as ordered by the court. • Meet with your Behavioral Health Specialist/Active Probation Officer every two weeks or as scheduled. • Call UA line daily and take a UA if required. • Be sanction free for 30 consecutive days prior to promotion to Phase 3. • Follow treatment plan. • Get a sponsor or sober support friend and work with them regularly. • Establish a “fab five” support group. • Must have a mental health assessment completed prior to phase promotion. Must follow the recommendation. • Establish a home group. • Work with a foundational community support and begin exploring job or education opportunities.

	• Complete 24 hours of community service towards 120 community service requirement. • Start making payments on restitution, if applicable (a minimum of 10% must be paid before promoting to Phase 3). • Develop 3 short-term goals. • Develop 1 long-term goal. • Verify medications. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.
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Phase 3 - Pro-Social Habilitation	
Key Concept:	Focus on rebuilding healthy relationships, develop positive coping mechanisms, begin to address life skills.
Minimum Time in Phase:	90 days in Phase 3 with 45 days consecutive clean time prior to promotion to Phase 4.
Requirements:	• Attend 3 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court every three weeks or as ordered by the court. • Meet with your Behavioral Health Specialist/Active Probation Officer every three weeks or as scheduled. • Call UA line daily and take a UA if required. • Be sanction free for 45 consecutive days prior to promotion to Phase 4. • Follow treatment plan. • Work on your recovery with your sponsor regularly. • Continue to follow mental health recommendation. • Continue exploring with a foundational community support to establish a job or education opportunity. • Set a goal to attend sober functions outside of self-help meetings to continue to build recovery capital. • Make a budget and provide it to your Behavioral Health Specialist/Active Probation Officer. • Complete 24 hours of community service towards 120 community service requirement. • Must have paid 30% of restitution if applicable before promoting to Phase 4.

	• Develop 3 short-term goals. • Develop 1 long-term goal. • Verify medications. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.
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Phase 4 - Adaptive Habilitation	
Key Concept:	Continue to solidify recovery, look for work, participate in education, vocational training, work to stabilize finances.
Minimum Time in Phase:	90 days in Phase 4 with 60 days consecutive clean time prior to promotion to Phase 5.
Requirements:	• Attend 3 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court every four weeks or as ordered by the court. • Meet with your Behavioral Health Specialist/Active Probation Officer every four weeks or as scheduled. • Call UA line daily and take a UA if required. • Be sanction free for 60 consecutive days prior to promotion to Phase 5. • Follow treatment plan. • Work on your recovery with your sponsor regularly. • Continue to follow mental health recommendation. • Complete 24 hours of community service toward 120 community service requirement. • Must have paid 50% of Restitution if applicable before promoting to Phase 5. • Work on developing a stable housing plan for the future. • Develop 3 short-term goals. • Develop 1 long-term goal. • Verify medications. • Verify employment or education. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.

Phase 5 - Continuing Care

Key Concept:	Focus on long-term recovery and maintenance, engage in employment or education, active participation in recovery network.
Mandatory Time in Phase:	120 days in Phase 5 with 90 days consecutive clean time prior to promotion to Phase 6.
Requirements:	• Attend 3 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court every five weeks or as ordered by the court. • Meet with your Behavioral Health Specialist/Active Probation Officer every five weeks or as scheduled. • Call UA line daily and take a UA if required. • Be sanction free for 90 consecutive days prior to promotion to Phase 6. • Follow treatment plan. • Work on your recovery with your sponsor regularly. • Continue to follow mental health recommendation. • Establish a housing plan. • Complete 24 hours of community service toward 120 community service requirement. • Must have paid 75% of Restitution if applicable before promoting to Phase 6. • Develop 3 short-term goals. • Develop 1 long-term goal. • Verify medications. • Verify employment or education. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members.

Phase 6 - Lifelong Recovery/Pre-Graduation

Key Concept:	Continue to build lifelong recovery skills and prepare life after graduation from the Adult Drug Court Program.
Minimum Time in Phase:	120 days in phase 6 with 90 days consecutive clean time prior to graduation.

Requirements:	• Attend 3 self-help meetings weekly as directed and bring signed meeting verification slip to case management appointments and to all treatment groups. • Attend Court every six weeks or as ordered by the court. • Meet with your Behavioral Health Specialist/Active Probation Officer very six weeks or as scheduled. • Call UA line daily and take a UA if required. • Be sanction free for 90 consecutive days prior to graduation. • Follow treatment plan. • Work on your recovery with your sponsor regularly, discuss Relapse Prevention Plan. • Continue to follow mental health recommendation. • Graduation or completion from substance use disorder treatment (if not completed in an earlier phase). • Establish a housing transition plan for life after ADC and comply with ADC approved housing requirements. • Complete graduation essay and turn into your Behavioral Health Specialist/Active Probation Officer before your exit interview. • Have no active warrants and/or pending charges. • Must complete all 120 community service hours prior to graduation. • Pay off your restitution as required per the ADC Policy and Procedures. • Develop 3 short-term goals. • Develop 2 long-term goals. • Verify medications. • Maintain consistent employment (minimum 20 hours a week) or full-time education (GED does not qualify as full-time) at least for 3 months prior to graduation. * If at any point you have barriers, please reach out to one of the Adult Drug Court team members. If you have a disability, the ADC team will evaluate the employment and education requirements on an individual basis.
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COMMUNITY SERVICE HOURS

All participants will be required to complete 120 hours of volunteer hours prior to graduating from the program. This requirement is in addition to any volunteer hours that are imposed as an Adult Drug Court intervention. All sites must be pre-approved and must be a non-profit.

SELF-HELP MEETINGS

Essential tools in recovery from substance use include self-examination, reflection, and motivation from others who are in successful recovery. Participants will be required to develop and utilize such tools. Those

tools are available through 12-step and other organized sober support recovery groups within the community. Participants will be required to participate in self-help meetings and may be required to engage in the 12-step program with a sponsor. In the event of conflict between the religious or personal beliefs of a participant and religious elements or components of such groups, the participant will be exempted from participation in such groups and participation in alternative services and programs that provide such recovery tools will be required. Participants must also bring proof of sober support meeting attendance to case management sessions and to the SUD treatment provider upon request. Failure to attend full meetings or bring attendance slips to office sessions may result in an intervention in court. Online meetings will not count toward your weekly meeting requirements, but participants are not prohibited from attending.

In connection with participation in 12-step or other sober support meetings, participants are required to establish and maintain during their participation in ADC, a close relationship with a sponsor or sober support person that includes frequent and regular contact.

RANDOM HOME VISITS

Participants will be subject to random and unannounced visits to their place of residence or employment by the ADC Team. All visits will be conducted discreetly and courteously.

RESTITUTION AND FEES

You will be expected to pay, during the time you are in Adult Drug Court, full restitution for the pending charge(s) against you. You will be required to make regular monthly payments. Restitution must be paid as a condition of graduation from Adult Drug Court.

Participants are required, to the extent of their reasonable ability and resources, to pay the following:

- full restitution for the pending charge(s) as outlined below.

The combined restitution owed on all pending cases in Benton County Superior Court may not exceed \$7,500 and the Benton County Prosecuting Attorney must be in agreement with the case/cases being transferred or filed into Adult Drug Court. The participant will be required to sign a restitution order for the total amount of restitution owed as a condition of acceptance into Adult Drug Court.

An Agreed Restitution Order will be entered at the time of opt in, if applicable. Restitution and any other fees must be paid at by a certain percentage beginning in Phase 2, and restitution should be paid pursuant to the above policy.

If you are terminated from ADC, all restitution and costs ordered by ADC will be included in the legal financial obligations ordered in any judgment and sentence if you are convicted of your pending charge(s).

EDUCATION AND EMPLOYMENT

If you have not already earned a high school diploma or GED before entering the ADC program, you will be encouraged to obtain one or make substantial progress toward it. If you already hold a diploma, you will be required to pursue further education or secure employment (minimum of 20 hours per week.)

HOUSING

Frequent contact with participants and monitoring of their compliance by the Coordinator, Behavioral Health Specialist/Active Probation Officer, and/or Law Enforcement personnel are a requirement under the ADC program. Therefore, participants must live at a residence approved by the ADC team and at all times reside within Benton or Franklin County or within five miles of the boundaries of Benton or Franklin County. Participants are required to keep their Behavioral Health Specialist/Active Probation Officer informed of their current address and phone number(s) at all times and must provide advance notice and obtain approval 48 hours prior to moving. All persons residing in the home must be informed of ADC policies, procedures, and the information in this handbook. The ADC team on a case-by-case basis can address emergency housing.

Participants will be subject to random, unannounced visits to their places of residence or employment by ADC representatives. All visits will be conducted discretely and courteously, and visits to places of residence are preferred.

SUBSTANCE USE DISORDER TREATMENT

All SUD treatment will be completed through a contracted provider unless the participant has needs outside the scope of services provided. Participants in ADC will/may be required to complete IOP, MRT, OP, or Seeking Safety as part of their treatment plan. A representative from ADC's contracted provider will provide assessments, recommendations, and treatment information to the Adult Drug Court team at each Thursday staffing and potentially throughout the week.

RELATIONSHIPS AMONG PARTICIPANTS

Your participation in Adult Drug Court will require you to work on some very personal and emotional issues, to develop a clear focus on yourself and your recovery. Romantic or intimate relationships with current ADC participants are prohibited. You may not begin such relationships while you are in ADC. **There is a zero-tolerance policy regarding such relationships.** Financial relationships or transactions between participants (for example lending/borrowing money, paying for goods or services or owning property together), are also prohibited unless specifically reviewed and approved by the court.

CONFIDENTIALITY

State and federal regulations require that your identity and privacy be protected. To comply with these regulations, the ADC team and treatment providers have developed policies and

procedures that guard your privacy. You will be required to sign Releases of Information (ROIs) upon entering the program. These forms allow confidential substance abuse information to be disclosed only to ADC team members, and the information will be used solely for the purpose of monitoring your progress in treatment, and, when necessary, determining appropriate changes in your treatment or other program requirements or appropriate incentives or sanctions. Further, any communications with your ADC Defense Attorney will be confidential.

OPTED-OUT PARTICIPANTS

Prior participants who have been terminated from drug court for serious violations, repeated non-compliance or the filing of new, ineligible charges, will not be considered eligible for drug court unless the drug court team agrees unanimously that there exist exceptional circumstances that warrant consideration for participation.

PREVIOUSLY TERMINATED PARTICIPANTS

Prior participants who have opted out of ADC may not re-enter drug court on the same underlying charge(s). Prior participants who have opted out of ADC, and thereafter have been charged with a new offense, may be referred to the prosecutor for possible participation under the new charge.

TERMINATION FROM ADULT DRUG COURT

Termination will occur upon a participant's election to opt out of drug court following execution of the drug court participation agreement.

Termination will also occur if a new charge(s) is filed against a participant alleging an offense(s) that is ineligible for drug court. If a participant, while in drug court, is charged with a new offense that would otherwise be eligible for drug court participation, the drug court team will consider the participant's circumstances on a case-by-case basis and determine if continued participation in drug court is appropriate and compatible with the new charge.

New arrests, serious violations, or repeated violations of ADC rules and requirements or any aspect of your treatment plan may result in your being terminated from the ADC program.

Serious violations that may result in termination include, but are not limited to:

- Violence or threatened violence to another participant or to drug court personnel, treatment staff, other participants of the program, or other clients of the treatment providers.
- Filing of any new felony charge against the participant
- Tampering with a test sample
- Absconding from drug court
- Behavior violating No Contact Orders or Conditions of Release prohibiting indirect or direct contact with witnesses or protected parties
- Violating of criminal laws

Repeated violations that could result in termination include, but are not limited to, the following:

- Missing and/or positive drug tests
- Demonstrating a lack of program response or progress e.g. failing to cooperate with the Adult Drug Court team or treatment program, over a reasonable time period
- Dishonesty to the Court or the ADC Team
- Missing court sessions
- Missing treatment sessions
- Failing to participate in court ordered treatment or services

If any member of the ADC team concludes that your termination may be necessary, the team will consider the recommendation at staffing. If it is the consensus that termination of the participant from drug court should proceed, you will receive a written Notice of Termination that explains why termination is being considered and, if you so request, a fact-finding hearing will be held to determine whether your participation in ADC should be terminated. This hearing will be done in front of the Judicial Officer assigned to the Drug Court team and you will be represented by defense counsel assigned to the ADC team. This hearing is your opportunity to admit or deny the allegations and present any additional information, if you so wish. The prosecutor will present information in support of termination based upon the prior record and interventions throughout the participants time in ADC. Testimony will not be permitted unless the court finds good cause to allow testimony.

The judge will determine whether a participant is terminated, taking into account the views of the other team members and any information provided by the participant. If a judge determines that the participant should be terminated from ADC following a hearing, the judge will make specific findings and conclusions in support of such determination. If a participant requests to voluntarily terminate from the program prior to notice of termination or after notice of termination, the participant will have the opportunity to discuss the consequences of termination with defense counsel. If, after discussing voluntary termination, with counsel and it is determinate that the participant would still like to terminate the program, a record will be made at the next available drug court docket stating that the participant would voluntarily like to terminate the agreement.

Upon entry of an Order of Termination due to voluntary termination or after a hearing, the case will be set for a stipulated bench trial on the next available Adult Drug Court docket, unless there is change of plea. At a stipulated bench trial, the Drug Court judge will review the stipulations and attached police report for a determination of guilt. If the participant is found guilty as charged, the Drug Court Judge will move to sentencing or set sentencing at a later time.

If you quit or are terminated from the ADC after the opt-out period, you will appear before the court for a stipulated bench trial, unless a change of plea is entered. The stipulated bench trial will be based solely on the police reports that you stipulated to when you entered ADC. You will not have the opportunity to testify or call witnesses.

INCENTIVES & INTERVENTIONS

Critical to the success of ADC participants are prompt incentives that encourage and reward their compliance with drug court requirements and progress in recovery and prompt interventions that discourage and interrupt their non-compliance with the participation agreement. Incentives may be awarded by the Judge, following consultation with the ADC team, when you comply with ADC rules and requirements and demonstrate progress. Incentives may include, but are not limited to:

- Recognition by the court/judge
- Rocket Docket
- Fishbowl
- ADC Prize Wheel
- Reduction in specific requirements
- Transportation passes
- Promotion to next phase
- Certificates of graduation
- Dismissal of pending charges
- Verbal praise
- Travel approval

Interventions may be imposed by the Judge, following consultation with the ADC team, when you do not comply with ADC rules and requirements and/or do not demonstrate progress. In the event the court determines that non-compliance requires an intervention a participant may, upon being advised of such an intervention, request a hearing before the court. Upon such a request, a hearing will be held, whenever practicable, at the time the request is made, and in any event within 48 hours of the request. If a request for hearing is made, the court may consider whether conditions for the participant's release pending hearing should be imposed. There is a wide range of interventions available that the Judge can impose. Interventions may include, but are not limited to:

LOW	MODERATE	HIGH
Admonishment from the bench	Increased supervision requirements	Day report
Essay or Letter of Apology	Additional community service (8-16 hours)	Electric Home Monitor (EHM)
Daily Activity Log	Increased court sessions	Home Detention/Curfew
Increased court sessions	Jail Sanction	Jail sanction (6+ days)
Increased UA frequency	Home visits by law enforcement	Mix of low/moderate intervention
Increased Sober Support	No contact orders	Portable Alcohol Monitor (PAM)
Additional Community Service (4-8 hours)	Extension of phase	Roundtable/Essay for staying in the program
Increase treatment level of care based on treatment Recommendations & reassessment	Increased case management sessions	Notice of Termination
Workbooks	Work crew	Termination from the Program

SEARCH AND ARREST REQUIREMENTS

Participants are required to submit their person, property, vehicle, place of residence and/or personal effects to search and a seizure of any narcotics, drugs or other contraband found, at any time, with or without a search warrant.

If a search results in the discovery of narcotics, drugs or other contraband, such items shall be seized and destroyed in accordance with Washington State law. If evidence found is a basis for new charges, the search will stop, and law enforcement may be called to apply for a search warrant under Washington State law. Upon approval of the search warrant and seizure of such evidence, law enforcement may file a report with the prosecutor's office to determine if new charges may be filed. Any violation of the ADC conditions of the participation agreement or conditions of pre-trial release may result in a warrant.

Participants who are arrested pursuant to a warrant or new criminal charges will appear before a judge or court commissioner the next court day following arrest and will be required to appear at the next scheduled ADC session.

TRAVEL POLICY

Participants may travel outside Benton and Franklin Counties only upon the prior, express authorization of the ADC Therapeutic coordinator, Behavioral Health Specialist/APO or Judge, and only subject to the requirements and restrictions governing drug court participation and any other conditions and restrictions imposed. Travel requests must be made one week in advance of the dates of travel. Requests should be made in writing to the participant's Behavioral Health Specialist/APO. The Behavioral Health Specialist/APO will present the request to the Adult Drug Court team, and the participant will be notified as soon as a decision has been made.

RANDOM DRUG SCREENS AND DRUG TESTING

Regular, random drug and alcohol testing is a key and mandatory component of the ADC program, and is conducted by various means, including, but not limited to urine, breath, saliva and sweat analysis. Testing is completed on a random basis and every sample collection is directly and fully observed. Test results will be used solely to determine if the offender is complying with drug court rules and requirements and/or progressing satisfactorily, to determine if the treatment plan needs modification, or to determine whether the participant should be terminated or graduated from the program. Only drug test results from the contracted provider will be reviewed to determine compliance.

You will be required to submit to random drug testing throughout your participation ADC. Testing measures may include urinalysis, breathalyzer, saliva strips, patch testing, or other testing devices. You may also be required to submit to, and pay for, additional drug screens as a condition of being permitted to travel outside Benton and Franklin Counties or excused from other ADC requirements or restrictions. Test results will not be used as evidence of a new crime; however, if you are under the supervision of any other court, your test results may be provided to that court or others supervising you pursuant to an order of that supervising entity.

You will be required to call the Adult Drug Court UA number through Washington Monitoring at 1-509-402-4595 each day to hear recorded instructions about testing. You can also visit drugscan.reliatrax.net/pub/testingtimes. When viewing the site, we recommend taking a screenshot by turning your phone sideways so you can see all the names, dates, and times clearly. If for any reason, you do not follow the recorded instructions, you may lose all your Adult Drug Court clean and sober time and may receive other interventions.

Testing will be done at Washington Monitoring located at 903 S. Auburn St. Kennewick, WA 99337. Testing hours during the weekdays are as follows:

- 8:00 A.M. – 11:30 A.M. and 12:30 P.M. – 5:30 P.M.
- Closed for Lunch 11:30 A.M. – 12:30 P.M.

Testing Hours for weekends and holidays are as follows:

- 8:00 A.M. – 12:30 P.M. (Open straight through)

Holidays, include but are not limited to:

- New Years Day
- Martin Luther King Jr. Day
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving
- Christmas Eve
- Christmas Day

If you are in treatment, you will NOT complete your testing during group time. Prepare yourself to go in before or after the group during the testing times listed above.

When you provide a sample for testing you will be directly observed by trained staff to ensure the absence of tampering or other errors. After you have provided a sample, you will be asked to place a security seal on the sample container and initial and date the seal in front of Washington Monitoring staff.

If you refuse to provide a sample when asked, it will be considered a positive test and it will result in the loss of clean time accumulated in drug court prior to the sample collection and it may result in additional court interventions. If you miss a test or provide a sample that is determined to be diluted or otherwise adulterated, it may be considered a positive (dirty) test and other court interventions may occur. Stalling (30 minutes or more), unexcused missed sample collections, other failures to comply with instructions may be considered the equivalent of a positive test.

If you have a positive test in any ADC phase, you will lose your ADC clean time. The ADC Judge, based on recommendations from the ADC team or treatment staff, may apply other immediate interventions to help you.

If you submit a urine sample that is diluted, you will lose your drug court clean and sober time and may receive other interventions. Diluted samples can be avoided by carefully following these following steps:

- *Eat food within 30 to 60 minutes before submitting a sample. -*
- *Do **NOT** consume large quantities (2 or more large cups) of beverage within 60 minutes of submitting a sample.*
- *Do not take/drink diuretics (diet shakes, teas, over the counter diuretics, etc.)*

In addition, to prevent a possible false positive result, **please see the prohibited substances list.**

PROHIBITED SUBSTANCE POLICY

All ADC participants are required to remain drug and alcohol free and are not allowed to use any form of mood-altering chemicals.

- Participants will not possess, use, distribute, sell, or have under their control any illegal drugs or drug paraphernalia.
- Participants will not possess and/or consume alcohol or marijuana in any form. This includes non-alcoholic beer, wine, or spirits, and any ingestible or topical products containing THC or CBD.
- Participants will not possess and/or consume any substance intended to replace an otherwise illegal/prohibited substance. All synthetic/designer drugs marketed and sold under false pretenses as “supplements” or with the warning “not for human consumption” are strictly prohibited. This includes “for research purposes only.”
- Participants will not use or possess canned air such as, but not limited to, air duster, carbon dioxide (CO₂) canisters, nitrous oxide, or any other canister that could be used for inhalant or huffing purposes.
- Participants will not possess and/or consume any products intended to substitute or alter the results of a urine drug test such as creatine, nitrites (Klear, Whizzies), UrinAid, Urine Luck, Certo, Sure-Jell, diuretics, etc.

Consuming and/or possessing any substance referenced above or in the list below is a violation of the terms and agreement and is grounds for an immediate notice of termination being filed and may result in termination from the program.

PROHIBITED SUBSTANCE LIST

Alcohol (Ethanol)	• Beer, wine, or spirits • Non-alcoholic beer, wine, or spirits • Foods containing alcohol • Cough syrup or liquid medications containing alcohol such as Nyquil, Dayquil, Robitussin, TheraFlu, etc.	• Mouthwash • Kombucha • Solvents
Amphetamines, Stimulants & Pseudoephedrine	• Adderall • Vyvanse • Ritalin • Concerta • Quillivant	• Phentermine (Adipex, Lomaira) • Allergy and cold medications containing pseudoephedrine such as Alka-Seltzer Cold, Claritin-D, Mucinex-D, Allegra-D, Advil Cold and Sinus, Sudafed, Tylenol

	• Methylphenidate • Dexedrine • Dextroamphetamine • Modafinil • MDMA (Ecstasy/Molly)	Cold, Tylenol Severe Cold & Flu, TheraFlu, Robitussin Cold Cough & Flu.
Benzodiazepines	• Alprazolam (Xanax) • Clonazepam (Klonopin) • Chlordiazepoxide (Librium)	• Diazepam (Valium) • Lorazepam (Ativan)
THC, CBD, & Synthetic Cannabinoids	• Any product containing THC or CBD (edible, drink, flower, dab wax, vapes, topical) • Delta-8 • Delta-9	• Delta-10 • Spice/K2 • THC-A • THC-O • THC-P
Opioids, Opioid Derivatives, Synthetic Opioids	• Codeine • Fentanyl • Heroin • Hydrocodone (Lortab, Loracet, Norco, Vicodin) • Hydromorphone (Dilaudid) • Morphine (Avinza, Kadian, MS Contin, Nucynta ER)	• Morphine Sulfate • Oxycodone (Oxycontin, Percodan, Percocet) • Poppy Seeds and/or foods or drinks containing poppy seeds • Tramadol • Xylazine (Tranq)
Methamphetamines	•	
Miscellaneous Substances	• All Appetite Suppressants • All Inhalants • All Supplements • All Synthetic substances • Anything labeled “Not for Human Consumption” • Bath Salts • Caffeine Pills • Cathinones (Monkey Dust) • Creatine • Diphenhydramine (Benadryl) • Flakka • Kava • Ketamine • Khat • Kratom	• 7-hydroxymitragyne (7-OH, 7-Hydroxy) • Pseudoindoxyl • Krokodil • Mephedrone • Mescaline • Phenibut (Anvifen, Bifren, Noofen, PhGaba, β-phenyl-GABA) • Poppy Seeds (food or drinks containing poppy seeds) • Spice/KS • Steroids • Tianeptine (Tia, Tianna, Zaza) • Xyrem (GHB) • Xylazine (Tranq) • Non prescribed peptides
Hallucinogens	• Dimethyltryptamine (DMT) • Ecstasy “Molly” • Ketamine • LSD • Methoxetamine	• MDPV (Monkey Dust) • Mushrooms (Psilocybin) • PCP • Tryptamine • Inhalants

***If you test positive and claim to have consumed one of these products your clean time will still be stripped, and a possible intervention given. The importance of honesty in this program cannot be over-emphasized!**

SUBSTANCE USE DISORDER ASSESSMENTS

Treatment providers approved by the court will complete assessments as ordered by the court. Prior to a potential participant's first formal appearance in drug court a written assessment and recommended treatment plan will be provided to the drug court team. The assessment will be based on American Society of Addiction Medicine criteria and comply with applicable Washington Administrative Code requirements. All information that is collected at this point is kept confidential except insofar as CFR 42 and/or state law requires reporting of such information. Such confidential information not subject to mandatory reporting may not be used in proceedings other than drug court unless the team, by consensus, determines that it should be. The treatment specialist will provide assessment and treatment information and recommendations to the other drug court team members at each staffing.

MENTAL HEALTH ASSESSMENTS

As part of a holistic and comprehensive approach to helping our participants, all ADC Participants must complete a mental health assessment. The mental health assessment must be completed before a participant is allowed to go into the final phases of the program. Mental health assessments help the Drug Court Team better understand the challenges that Drug Court Participants are dealing with and allow the Drug Court Team to better assist people stay in long term recovery.

PRESCRIPTION DRUG USAGE

Participants are expected to be drug free, including the use of mood-altering prescription medications. All prescription medications must be reported to the ADC team. Participants who take prescription medications or other mood-altering substances that would cause a positive urinalysis test without drug court approval may receive an intervention or termination according to the following guidelines.

ON-GOING PAIN MEDICATIONS

Potential participants with chronic pain that requires on-going and repeated use of prescription pain medications which are opiate, opiate-based, or benzodiazepine medications will not be considered appropriate candidates for drug court. If the defendant chooses to participate in drug court, he or she will be required to consult their physician about the ability to discontinue use of all above listed prescription pain medications and provide information from their treating physician concerning the treatment alternatives and / or potential risks to their condition if they do discontinue pain meds.

TEMPORARY PAIN MEDICATIONS

Participants, who opt-in to ADC and then experience an episode of acute pain, must have a special form completed by their doctor. The doctor must indicate on the form that he or she is aware that the Participant presenting the form is in ADC and is expected to remain drug free except in extreme instances.

Forms are available through the Court and treatment. Completed forms should be provided to the Court at Participant's next hearing and to the treatment provider at Participant's next appointment. Forms will include the following:

- doctor's name and signature;
- medication prescribed;
- amount prescribed (including refills);
- reason for prescription; and
- duration of treatment.

GRADUATION

Upon your successful completion of a treatment program and satisfaction of all other Adult Drug Court requirements, including continued sobriety and approval of your essay for graduation by the ADC team, you will graduate from the ADC program and the pending charge or charges against you will be dismissed. * Graduation from the ADC program represents a great accomplishment and is recognized as a very important event. Your friends and family that support your sobriety will be invited to join you at a special graduation ceremony as the ADC team congratulates you for successfully completing Phases 1 –6 of the drug court program and achieving your goal to establish a drug-free life.

* Decisions are made on a case-by-case basis. DUI charges will be reduced to negligent driving in the first degree.

CONCLUSION

The Benton County Adult Drug Court is financially sustained through county funding and community contributions. Your participation in Adult Drug Court is very important, and the Adult Drug Court team is working hard to ensure that this valuable program continues. However, please be aware that if the program is discontinued for financial reasons; your case will be returned to the regular docket.

The goal of the Benton County Adult Drug Court Program is to help you achieve a life-long recovery and freedom from active addiction. Your acceptance into the Adult Drug Court program means that the Adult Drug Court Team will provide you with tools and resources to help you be successful towards long-term recovery. The Judge and other Adult Drug Court team members, court staff, and treatment providers will be there to guide and assist you throughout your participation in Adult Drug Court, **but the final responsibility for success or failure will be yours.** To succeed, you must honestly desire to change to a new life free of drugs and be willing to work hard with those who will be available to help you reach that goal. Your recovery is your

responsibility and the best gift you can give yourself and your family!

ADULT DRUG COURT RULES

As a participant you will be required to follow the rules outlined in the participation agreement, including, but not limited to the following:

1. Be clean and sober.
2. Do not use or have any illegal drugs, marijuana, or alcohol.
3. Do not take any supplements without discussing it with your Behavioral Health Specialist/Active Probation Officer.
4. Do not use or have any items used to consume drugs. These items are as follows, but not limited to: needles, bongs, pipes and syringes.
5. Sign an Adult Drug Court participation agreement, which outlines your rights, benefits, and responsibilities.
6. Inform any doctor you see, or dentist, that you are an Adult Drug Court participant and may not take narcotics or addictive medications or drugs, unless approved by your attending doctor or dentist and/or the Adult Drug Court team, and only in the case of a medical emergency. Provide copies of all discharge paperwork from any medical appointments to the Adult Drug Court team immediately at your next appointment.
7. Be on time for court, treatment, and case management.
8. If something comes up and you cannot make it to court, you need to call and leave a message no later than noon of your court day. You must include your name and phone number in the message. This does not guarantee you will be excused.
9. Call the UA line every day **509-402-4595**, (or go online to drugscan.reliatrax.net/pub/testingtimes). If your color is called, you must give a UA no later than 5:30 p.m. weekdays and 12:30 on weekends or holidays. You must also take a UA if anyone on the Adult Drug Court team asks you to.
10. Go to treatment as required and do what your treatment provider tells you to do.
11. Do not spend time with people who are not clean and sober. This means friends and family members who are actively using too.
12. Avoid, when possible or as ordered by the Adult Drug Court, associating with persons using or possessing drugs.
13. Do not engage in romantic or intimate relationships with current Adult Drug Court participants.

14. Do not lend, borrow, swap, or sell anything with another Adult Drug Court participant without drug court's permission. No transactional relationships.
15. Tell Adult Drug Court where you live. If you want to move, you need to talk with Adult Drug Court before doing so. You must live in clean and sober housing; this means the people you live with must be clean and sober too.
16. You must tell Adult Drug Court your telephone number and if you change it, you must tell Adult Drug Court. If you are spending the night anywhere other than your home, you must notify the team.
17. You, your house, your car, and anything you own and possess can be searched at any time.
18. Dress appropriately for court and treatment. You may not wear shorts, tank tops, spaghetti straps. You cannot wear clothing that bears violent, racist, sexist, drug or alcohol related themes. If you are not dressed appropriately, you may be asked to go home and change.
19. Pay costs and fees as ordered by the Adult Drug Court.
20. **You must do everything Adult Drug Court tells you to do.**
21. Do not leave Benton and Franklin Counties without permission from Adult Drug Court.
22. Live in Benton or Franklin County or within five miles of either county.
23. If you speak with any police officer, you must tell them you are a participant in Adult Drug Court, you must then tell Adult Drug Court you had contact with the police officer.
24. Do not go to headshops, bars, casinos, marijuana dispensaries, or any other high-risk environment.
25. Any future changes and/or additions to the ADC Participant Handbook, which will apply retroactively. The ADC team will notify you of any changes.

I acknowledge that I have read the Participant Handbook. I affirm that I am voluntarily participating in Adult Drug Court and I understand the terms and conditions of the program.

Participant Name