

SALT LAKE COUNTY THIRD DISTRICT FELONY DRUG COURT



Policy & Procedures Manual

July 2015

Special Thanks To

SALT LAKE COUNTY
THIRD DISTRICT FELONY DRUG COURT
POLICY COMMITTEE MEMBERS

District Attorney's Office: Todd M. Olsen

Legal Defender's Association: Deborah Kreek Mendez

Criminal Justice Services: Janine B. Hansen, Kevin Mossel, Cris Lowe, Shirley Jenkins,

Sheriff's Office: Sergeant Rodney Lowery

Table of Contents

Mission Statement 4
Program Overview 5
Eligibility Requirements & Program Length 7
Waivers 10
Phases 12
Incentives & Sanctions 14
Monitoring 15
Drug Testing 17
Medical Treatment & Prescription Medications 19
New Charges & Police Contact 22
Bench Warrants & Removal 23
Transfers 25
Graduation 27
Training 30
Electronic Monitoring 31



Mission Statement

The mission of the Salt Lake County Felony Drug Court is to decrease the prevalence of substance abuse and drug-related crime in Salt Lake County by breaking the cycle of addiction, crime, and incarceration. 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.

The program is characterized by:

- Collaboration among the courts, prosecutors, public defenders, law enforcement, treatment providers, case managers, social service agencies and community-based treatment organizations.
- A system of graduated sanctions and incentives to encourage recovery goals and hold offenders accountable for non-compliant behaviors.
- A standardized assessment process used to identify eligible non-violent offenders.
- Staff members trained in substance abuse and mental health issues operating in a non-adversarial atmosphere.
- Continuing training and education on a state and national level for drug court professionals.
- On-going program evaluation and implementation of improvements as warranted.

Program Overview

The Salt Lake County Felony Drug Court program is founded on the Ten Key Components identified by the National Association of Drug Court Professionals (NADCP).

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court response to participants' compliance.
7. Ongoing judicial interaction with each participant is essential
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies and community-based organizations generates local support and enhances drug court program effectiveness.

Drug Court provides a courtroom environment where the judge is actively involved in the progress of individual clients. Clients undergo treatment based on Risk/Needs, ASAM levels, and diagnostic criteria from the DSM. Clients also make regular appearances before the judge, submit to frequent and random drug testing, and are monitored closely by Case Management staff and Salt Lake County Sheriff's Detectives. Graduated sanctions, including jail time, are imposed for program non-compliance

Pleas can be addressed in two ways in Drug Court, at the discretion of the State:

- Plea in Abeyance: Clients enter a guilty plea which is held in abeyance until successful completion of the program. Upon graduation, the guilty plea is withdrawn and the criminal charges are dismissed.
- Condition of Probation: Clients enter a guilty plea and work towards successful completion of the program. Upon graduation, the criminal charges are reduced. Pursuant to USA 763-402.

Regardless of entry status, participants must complete at least 12 months in the program and advance through four phases of treatment. Clients are allowed to remain in the program up to 36 months. At the 36 month mark, clients will be screened carefully to see if the program is efficacious beyond that time period. Certain requirements must be met in each phase before moving on to the next phase. Graduation ceremonies happen four times a year, January, April, July and October.

PURPOSE

Eligibility requirements assist Drug Court professionals to identify qualified candidates for Drug Court Services.

POLICY

A. ELIGIBILITY

The following requirements must be met for acceptance into the Drug Court Program:

1. Defendants must reside in Salt Lake County and must be legal residents of the United States (unless exempted by the Transfer Policy #10).
2. Defendants must have a DSM V diagnosis of current drug dependence as determined by a clinical assessment. Defendant must have a prior drug conviction, prior drug-related arrests, or a history of substance use disorder prior to the date of the alleged offense.
3. Defendants must have a felony charge related to drug use and must plead to a felony for inclusion in the program. The District Attorney's Office will determine whether the defendant receives a "plea in abeyance" or "condition of probation" offer.
4. Defendants must demonstrate high risk/high needs as determined by a standardized risk/need assessment (RANT) completed prior to admission into the program. Defendants will also be screened during the (RANT) for appropriateness of the program.
5. Defendants will complete a full psycho-social assessment, and be placed in the appropriate level of care for treatment. The assessment will be conducted by a CJS therapist, using a standardized assessment/test. Eligible defendants must be assessed as needing at least outpatient treatment according to ASAM, and be assessed as medium to high in ASAM dimension 5-relapse criteria.
6. Defendants on parole are not eligible for the program.
7. Defendant is willing and able to terminate use of lawfully prescribed controlled substances, prescriptions, and over-the-counter medications that affect the integrity and

accuracy of drug screening. The Drug Court Team will consider MAT if deemed necessary.

8. The District Attorney, after a review of the findings of the CJS treatment team, has final approval for inclusion or acceptance in the Drug Court program.

B. EXCLUSIONS

Defendants may be excluded from Drug Court for the following reasons:

1. Defendant has a history of sex offenses or has pending offenses that would make them a registered sex offender if convicted.
2. Defendant has been convicted for a misdemeanor crime of violence within the last five (5) years.
3. Defendant has a conviction for a felony crime of violence within the past ten (10) years.
4. Defendant has a pending crime of violence.
5. Defendant has a current or prior, or pending firearm, or weapon charge/conviction.
6. Defendant has pending charges for distribution or clandestine lab charges or a conviction for operating a clandestine lab, child abuse, or non-drug felony charges. Defendants with any of the above charges will be reviewed by the District Attorney's Office for a determination of eligibility.
7. Defendant has been convicted of three (3) DUI or lesser included offenses within the past ten (10) years; or has been convicted of two (2) DUI or lesser included offenses with the past ten (10) years and has a third pending DUI charge; or has a felony DUI charge pending.
8. Defendant has previously graduated Salt Lake County Felony Drug Court, or unsuccessfully completed Salt Lake County Drug Court.
9. Defendant has only alcohol or marijuana substance use disorder, or other substances that cannot be detected by routine drug screening.
10. Defendants with restitution amounts over \$2500 will not be eligible to receive a plea-in-abeyance.
11. Defendant who has been assessed anything else other than High Risk/ High Needs.

In conjunction with input from the Drug Court Team, the District Attorney's office may elect to grant an exception after review of the facts of these offenses and all decisions will be made with the safety of the Drug Court staff and participants of the program in mind.

C. LENGTH OF PROGRAM

1. Drug Court is at least 12 months in duration. The 12 months begins at the time of entering a plea agreement or when the Drug Court agreement is signed.
2. Time in jail (exclusive of jail treatment programs), time on bench warrant, taking lawfully prescribed program-prohibited controlled substances, or when a client is unable to participate in treatment, are not counted as time towards graduation. Exceptions will be considered on a case-by-case basis.
3. If a defendant does not complete the Drug Court program requirements during the term of the plea-in-abeyance or probation, the court may extend the term of the plea-in-abeyance or probation through an Order to Show Cause hearing. The client may waive the Order to Show Cause hearing and consent to the extension.
4. Graduation occurs each quarter in January, April, July and October.

PURPOSE

To define the rights waived by participants and outline the basic expectations of the program.

POLICY

Drug Court requires that certain rights and privileges be waived in order to allow for full program participation and communication within the Drug Court team.

Participants agree to the following prior to entering the program:

A. Waiver of Search and Seizure Rights

I acknowledge and agree in writing to be subject to search and seizure of my person, property, electronic devices vehicle, or residence by Drug Court-assigned law enforcement personnel, or a court bailiff at the direction of the Drug Court judge, at any time of the day or night, with or without a search warrant and with or without probable cause. I understand that this includes drug testing.

B. Defense Attorney Role

I understand that my defense attorney will advocate in conformity with the National Drug Court standards.

C. Guilty Plea

I understand that in Drug Court I will be required to admit the crimes charged in this case.

D. Admission of Drug Problem

I understand that by entering Drug Court I acknowledge that I have a substance use disorder, as determined by a clinical assessment based on ASAM criteria and in conformity with clinical assessments. An addiction to marijuana and/or alcohol alone, does not qualify for Felony Drug Court.

E. Subject to Sanctions

From the moment I sign below, I understand that if I do not remain clean and sober or otherwise comply with Drug Court rules, I may be sanctioned by the court without the court receiving an affidavit specifying the violation or without the court holding a hearing. Sanctions may include revocation of pretrial or bond release, incarceration, fines, community service, and/or increased treatment requirements.

F. Drug Court Is Program of Abstinence

I will not be allowed to take, on an ongoing basis, certain medications that are shown to have addictive or abuse potential and/or any other prescription that may test positive as a controlled substance. Time on these medications will not count towards graduation. If I am on Suboxone or Methadone, I will need to be seen at an approved provider immediately to safely taper off of those substances, unless I am approved for addiction medication by the drug court team.

PURPOSE

To clarify the client expectations while in each of the four phases of treatment in Drug Court.

POLICY

Each client will progress through four (4) phases of treatment. Successful completion of each of the four phases and any other requirements of the court, may qualify a client for graduation from Drug Court.

A. PHASE ONE - Pre-plea

This phase begins at legal orientation (usually the first Drug Court appearance) and should require two (2) weeks to complete. Phase One is used to determine acceptance into Drug Court and where clients must demonstrate some commitment to the program. Phase One has the following components which may be modified upon decision of the judge:

Legal

- In court, attend Legal Orientation provided by Legal Defenders.
- Meet with attorney to review facts and legal issues.
- Enter a guilty plea and/or sign a Drug Court agreement.

Treatment

- Complete Drug Court intake with a Case Manager.
- Schedule and complete an Addiction Severity Index (ASI) and develop an initial treatment plan, with a qualified Mental Health Professional.
- Demonstrate ability to manage the structure of the Drug Court program.
- Attend the Treatment Orientation Group.
- Attend the Drug Education Class.
- Attend the AIDS/Hepatitis C Awareness Class.
- Submit to random drug testing as required or upon request.
- Verify residence/living arrangements with Drug Court officer.

B. PHASE TWO – Treatment

This phase requires a minimum of 16 weeks to complete. Each client's treatment plan will be individualized utilizing a clinical assessment based on ASAM criteria; additional client needs (based on individual circumstances) may be identified by other assessment tools and/or by the Drug Court team.

Phase Two has the following components which may be modified upon decision of the judge.

- Comply with individualized treatment plan.
- Submit to random drug testing as required or upon request.
- Pay for all drug tests.
- Pay at least \$360.00 in program fees before moving to Phase Three.
- Establish restitution payment plan, if applicable.

C. PHASE THREE - Personal Enhancement

This phase requires a minimum of 16 weeks to complete. Phase Three requirements may be adapted to fit treatment already received through different agencies. During this phase, participants complete an elective activity while continuing substance abuse treatment.

Phase Three requirements include:

- Continue to participate in individualized treatment.
- Begin elective activity as determined by client and Case Manager.
- Begin 40 community service hours.
- Submit to random drug testing as required or upon request.
- Pay for all drug tests.
- Pay at least \$360.00 in program fees before moving to Phase Four.
- Make progress on restitution payment plan, if applicable.

D. PHASE FOUR- Aftercare and Community Reentry

The purpose of this phase is to help participants prepare to maintain a drug-free lifestyle without the structure of Drug Court.

Phase Four requirements include:

- Continue to participate in individualized treatment and develop an aftercare plan.
- Complete or continue progress on elective activity.
- Complete required community service hours.
- Submit to random drug testing as required or upon request.
- Pay for all drug tests.
- Pay program fees in full.
- Complete all restitution payments, if applicable.

PURPOSE

Incentives and sanctions are used to promote compliance with the program by rewarding positive behavior and discouraging non-compliance with the goal of long-term behavior change and abstinence.

POLICY

Drug Court utilizes incentives and sanctions throughout the program as recognized and endorsed by the National Drug Court Institute (NDCI). While recognizing that incentives have been shown to have a greater effect on behavior modification, sanctions may be imposed for program violations.

A. INCENTIVES

Drug Court clients are rewarded for progress in the program during weekly court sessions. Incentives may include, but are not limited to the following:

1. Recognition of accomplishments (good list, clean days, employment, education, etc.)
2. Weekly drawings for clients on the good list (gift certificates, UA waivers, inspirational messages, etc.).

B. SANCTIONS

For any Drug Court program violation that does not result in removal from the program, sanctions may be imposed at the discretion of the judge, with input from the Drug Court team. Graduated sanctions will be imposed in accordance with evidence-based principles in order to encourage program compliance. Sanctions may include incarceration, electronic monitoring and other less restrictive consequences.

C. Facts

Clients will be provided with the most current *Drug Court Incentives and Sanctions Grid* during the intake process.

PURPOSE

To ensure that intensive monitoring of program requirement occurs in order to closely track the progress of each participant in the program.

POLICY

Case Managers and Law Enforcement are responsible for ensuring that all relevant participant activities are monitored, documented, and reported to the Drug Court team. Relevant activity includes phone contact, face-to-face contact, house checks, correspondence, referrals, collaboration with other criminal justice and social service agencies.

A. LAW ENFORCEMENT

1. Track each Drug Court client's participation in the Drug Court program. This includes, but is not limited to, entering the clients vital statistics in the Records Management System flagging program, conducting portable urinalysis testing in court or in the field and serving arrest warrants issued by the respective drug courts.
2. Conduct random house visits for participating Drug Court clients. The house check ensures the residence is a safe, drug-free place for the client and other individuals living there.
3. Verify addresses given by new and existing Drug Court clients to ensure safe and appropriate housing for continued participation in the program.
4. Investigate violations of the Drug Court agreement or other matters affecting the integrity of the Drug Court program.
5. Monitor and supervise any client who is required to be supervised through the ankle monitoring program. (See ankle monitor policy #14.)
6. Ensure all Drug Court clients are not residing with person(s) who have felony charges, convictions, or plea-in-abeyance while in Drug Court, and are not residing in any unapproved housing.

B. CASE MANAGEMENT

1. Demonstrate that participants are complying, progressing in the program, and meeting treatment goals through communication with treatment professionals. Ensure that all recent client activity has been documented.
2. Review Drug Court compliance and follow-up with appropriate action to ensure client's timely completion of conditions within each phase of the program.
3. Coordinate referrals to appropriate ancillary service providers. Ensure that written monthly updates are received from outside treatment providers or other social service agencies.
4. Provide critical insight and input to the Drug Court team. Upon receipt of each court calendar, Case Managers will review client progress in the program, review/obtain treatment updates, and come to staffing prepared to make recommendations for court.
5. Monitor sanctions and incentives.
6. Monitor drug test results.

Hold at least one structured meeting monthly to review case plan and identified need areas, based on a risk/needs assessment.

PURPOSE

To clarify the standards of drug testing in the program and expectations of the clients.

POLICY

All drug tests will be reported to Criminal Justice Services (CJS) by the contracted vendor through established protocols. CJS will communicate test results to the Drug Court team.

A. CLIENT EXPECTATIONS

1. Clients will submit to random drug testing while in Drug Court.
2. Clients must test at the contracted CJS vendor site unless otherwise approved by the Drug Court team.
3. Clients are responsible to be aware of drug testing procedures, including the hours of operation; especially, week-end and holiday testing hours. Clients shall also avoid substances that will compromise the drug testing results, e.g., poppy seeds, nutritional supplements, over the counter medications, etc.

B. TESTING FEES

1. Clients are expected to pay for all drug testing fees and associated costs for re-tests, contested results, etc.
2. Clients in need of financial assistance with testing fees may apply for assistance through their Case Manager.

C. MISSED TESTS, DILUTES, AND TAMPERING

1. Missed tests, for any reason, may subject the client to sanctions.
2. Dilute urine samples may subject the client to sanctions.
3. Tampering with, or the adulteration of, drug tests may result in an Order to Show Cause leading to possible termination from Drug Court.
4. Drug tests from assigned drug testing agencies, i.e., TASC, in court collection, Drug Court Law Enforcement will only be accepted as an official urine analysis sample.

D. EXCUSING TESTS

Drug tests may be excused and therefore not counted as a missed test with approval of the Case Manager or Judge. Clients should obtain prior approval, whenever possible. Tests may be excused under the following circumstances:

1. *Hospitalization:* Clients must provide documentation to their Case Manager verifying the reason for the hospitalization, admission days, medication received, and other related information.
2. *Death of an immediate family member:* Death of an immediate family member is to be defined as; Mother, Father, Sibling(s), and Grandparent(s). Clients are expected to provide documentation of the funeral to their Case Manager.
3. *Vacation:* With prior approval from the Case Manager, clients may take vacation twice while in the program – once in Phase 3 and once in Phase 4. If clients have demonstrated good performance in Phase 3 (for a period of three consecutive months) they may be considered for a vacation leave of up to three (3) days missing no more than three (3) drug tests. Vacation requests outside of this policy must be approved by the judge.
4. *Unusual and extraordinary circumstances:* All other excusals will be reviewed and approved by the Drug Court team on a case-by-case basis.

PURPOSE

To establish protocol for medical/dental treatment and prescription use in Drug Court.

POLICY

A. MEDICALLY ASSISTED TREATMENT (MAT)

1. Certain medically assisted treatments have been proven to improve addicted offender's retention in counseling and reduce illicit substance use.
2. The decision on whether or not to allow the use of MAT is based on an assessment of the needs of the participant.
3. In cases where the participant, legal counsel, treatment team or a medical expert has requested the use of MAT, the court will articulate the rationale for allowing or disallowing the use of addiction medication.
4. When allowed, time on addiction medication will count towards graduation.

A. MEDICAL/ DENTAL/MENTAL HEALTH TREATMENT

1. When medications are being administered and/or prescribed, clients must inform their medical/dental/mental health care provider and/or emergency room personnel that they are undergoing treatment for substance abuse. This information must be documented on the Medical Prescription Disclosure form provided to all clients.
2. When possible, clients will notify their Case Manager prior to attending medical/dental/mental health appointments. This information will be forwarded to the Drug Court team for review.
3. Clients must provide documentation to their Case Manager verifying the reason for a medical/dental/mental health treatment/procedure, medication(s) received, and other related information, and allow therapists and case managers to be allowed to collaborate with medical provider, and participate in the treatment planning.

4. Clients are required to sign a release of information for all medical/dental/mental health care providers.
5. Clients will request non-narcotic medications when medically appropriate.
6. If emergent care is required clients must inform case manager, detective or treatment team member within 48 hours of the emergency room visit.

B. OTHER PRESCRIPTION USE IN DRUG COURT

1. Clients may take prescription medication while in the program. However, there are some medications that are not appropriate for Drug Court. Clients may be asked to discuss other treatment options with their physician or may be prohibited from participation in the program. A list of medications not allowed by Drug Court will be provided during orientation.
2. Clients are required to provide prescription verification to their Case Manager upon admission to Drug Court.
3. Medications must be taken as prescribed (dose and period of time). Clients must notify the Case Manager when they have completed taking the medication.
4. Clients may be required to obtain all prescriptions from one physician.
5. Time spent on prohibited medications will not count towards graduation, unless the participant has been approved for addiction medication by the drug court team.
6. All prescription medications must be maintained in the bottle provided by the pharmacy. All prescriptions are subject to a pill count by Drug Court Detectives.

C. TAPERING OFF MEDICATION

1. Clients may be required to taper off medications after admittance into the program.
2. The Drug Court Team, in conjunction with the client's physician, will determine a taper schedule.
3. Time in Drug Court does not begin until the taper is complete.

D. NEW PRESCRIPTIONS

1. All new medications must be reported to the Case Manager within 24 hours. Whenever medically practical, the Case Manager must be notified before the prescription(s) are filled. This information will be forwarded to the Drug Court team for review.
2. Clients are required to provide prescription verification to the Case Manager.

E. PRESCRIPTION DISPOSAL

1. Unused medication must be disposed of properly by Law Enforcement in accordance with the Salt Lake County Sheriff's Office policy.
2. Clients are to bring unused medication to court for the Drug Court Detectives to collect and dispose of.
3. No other team members are allowed to accept or destroy prescription medications except the Drug Court Detectives.

PURPOSE

To clarify client responsibilities relating to new charges and police contact.

POLICY

- A. Misdemeanor cases will be handled in the court of original jurisdiction.
- B. Felony cases based on conduct occurring after entry of a plea in Drug Court may be accepted into Drug Court if approved by the Prosecutor pursuant to Policy #1 (Eligibility).
- C. Clients shall report to their Case Manager any police contact or new arrests/charges within 48 hours.
- D. Case Managers and Treatment Staff are expected, upon knowledge of the incident/charges, to report to the Drug Court Team.
- E. Any charge that does not result in removal from the program may result in a six (6) month extension from the date of adjudication.

PURPOSE

To establish the issuance and consistent treatment of bench warrants in Felony Drug Court and to establish the grounds for which a defendant may be removed from the program.

POLICY

A. Bench warrants may be issued to clients while in the program.

The term “bench warrant” as used in this policy refers only to bench warrants issued on the case(s) in Drug Court.

1. Any pre-plea bench warrant may be grounds for removal of the program. Any Pre-plea bench warrant outstanding over three (3) months may result in removal from the program.
2. Two (2) post-plea bench warrants will be tolerated. Upon issuance of the third warrant, the court may issue an Order to Show Cause as to why the defendant should not be removed from Drug Court and sentenced.
 - i) Upon completion of six (6) months with no drug court violations, a defendant will have one post-plea bench warrant excused.
 - ii) A defendant may only have one warrant excused under this section.
3. If any post-plea bench warrant is outstanding over six (6) months, the court may issue an Order to Show Cause as to why the defendant should not be removed from Drug Court and sentenced.

B. Any new conduct committed by the defendant that would constitute a criminal violation may be grounds for an Order to Show Cause as to why the defendant should not be removed from Drug Court and sentenced, if the new criminal violation would be:

1. A misdemeanor that would be grounds for exclusion from the Drug Court program under Policy #1 (Eligibility); or
2. A DUI or lesser included offense; or
3. A felony.

C. Tampering with urinalysis testing may result in an Order –To- Show Cause and removal from the program.

D. When a client has utilized all treatment resources and continues to be non-compliant with the guidelines of the program, a formal recommendation can be requested for an order to show cause to be executed.

E. Opting out?

PURPOSE

To clarify the process when transferring a case from one District's Drug Court to another.

POLICY

Drug Court is able to accept transfers from other District Courts in Utah for felony cases that meet program eligibility criteria. Transfers should not be attempted unless a defendant does or will reside in the receiving District.

PROCEDURE FOR TRANSFERRING CASES TO OTHER JURISDICTIONS

- A. The assigned prosecutor in the sending jurisdiction must approve the transfer of any drug court case to another jurisdiction.
- B. Once a transfer is approved by the sending jurisdiction, Defendant must comply with all screening requirements and be accepted by the receiving jurisdiction's drug court.
- C. Prior to any transfer, the defendant must be informed of and agree to comply with all rules and requirements of the accepting jurisdiction's drug court..
- D. If accepted, the defendant makes a Motion for Change of Jurisdiction which may then be stipulated to by the sending Prosecutor and signed by the sending Judge.
- E. The plea bargain is determined by the sending jurisdiction and the plea is entered prior to the transfer. The Court Clerk of the sending jurisdiction obtains a date for the defendant to appear in the receiving jurisdiction and gives the defendant notice of that date when he/she pleads.
- F. The court file is transferred from the sending to the receiving jurisdiction. The receiving jurisdiction then has jurisdiction over and is responsible for all proceedings in the case from that point forward, including any orders to show cause, terminations from probation, sentencings, dismissals, and/or graduation from Drug Court.

PROCEDURE FOR ACCEPTING CASES FROM OTHER JURISDICTIONS

- A. The defendant must meet all eligibility requirements for the Salt Lake County Felony Drug Court program.
- B. The prosecutors in both the sending and receiving jurisdictions must both agree to the transfer.

- C. The defendant must be informed of and agree to comply with all rules and requirements of the Salt Lake County Felony Drug Court program.
- D. Once the court file is received from the transferred from the sending jurisdiction, the receiving jurisdiction then has jurisdiction over and is responsible for all proceedings in the case from that point forward, including any orders to show cause, terminations from probation, sentencings, dismissals, and/or graduation from Drug Court.
- E. When accepting a transfer from other counties or states, a mental health professional must assess the client for the appropriate level of care according ASAM, and attend Salt Lake's Drug Court Orientation before starting the program.

PURPOSE

Drug Court graduations provide a venue for dismissal/reduction of the criminal charges as well as an opportunity to recognize the graduating participants and their families.

POLICY

Potential graduates must meet all program requirements and receive approval from the Drug Court team, in order to qualify for graduation.

A. GRADUATION REQUIREMENTS

Prior to being approved for graduation, participants must comply with all conditions listed. Exceptions may be granted on a case-by-case basis in the interest of justice.

1. Complete a minimum of 52 weeks in the program.
2. Complete requirements in each phase and move into Phase 4.
3. Remain drug/alcohol-free with no violations of the drug testing policy for the last six (6) months of the program.
4. Client's overall progress in treatment must be satisfactory for the last six (6) months prior to graduation. If clients are required to complete the CATS program, they will not be eligible for graduation from Drug Court until six (6) months after completion of CATS, unless otherwise approved by the court.
5. Clients cannot graduate with outstanding warrants. All criminal matters resulting from conduct occurring after the entry of the plea into Drug Court must be adjudicated.
6. Schedule and complete the graduation review and be approved for graduation by the Drug Court Team, and Judge.
7. Pay program fees in full.
8. Restitution must be paid in full by the time probation is terminated. If a client has been making consistent payments and reaches (36) months in the program and has not paid

restitution in full. The Drug Court team may consider a pre-authorized alternate payment plan as sufficient to qualify for graduation.

PURPOSE

To educate new and seasoned Drug Court team members on the skills specific to working in an operational drug court program.

POLICY

All members of the Drug Court team will receive ongoing training on evidence-based practices, therapeutic issues, and all other issues relevant to drug court.

- A. Drug Court will ensure that each team member has training requirements/opportunities and completes a minimum of eight (8) hours annual training specific to drug court.
- B. Drug Court Team members are encouraged to attend annual statewide conferences and national conferences as resources allow.

PURPOSE

To ensure that clients of Salt Lake County Felony Drug Court provide beneficial services to our community while maintaining the safety and the integrity of all parties involved.

ELIGIBILITY CRITERIA

In order to be a community services partner with Salt Lake County Felony Drug Court, each organization must demonstrate the following:

- A. Be a Government entity, licensed social service provider or a non-profit organization, recognized by the IRS.
- B. Provide a benefit to the overall community of Salt Lake County.
- C. Maintain Workers Compensation insurance or utilize an adequate liability waiver.
- D. Provide verification to CJS drug court staff of all services carried out by clients of CJS. Verification must be provided on organization letterhead or on a CJS Community Service form.
- E. Community service provided by clients of CJS shall not include activities that could allow for the possibility of victimization of vulnerable populations. For example, one-on-one time spent with youth or the elderly.
- F. A list of approved community service opportunities will be given at intake from their case managers.

PURPOSE

To establish the rules governing client behavior while being supervised on ASAP Court Electronic Monitors.

POLICY

- A. While in Drug Court, the team may recommend and the Judge may order that a client shall be given an electronic monitor and supervised by a Drug Court Detective.
- B. While on electronic monitor, the client will be required to be at his or her approved residence by a 7:00 p.m. curfew and remain at home until 6:00 a.m. the following day. Exceptions must be pre-approved and will only be granted for work.
- C. If a client's work schedule changes, he or she must provide a copy of the work schedule to the supervising detective in advance.
- D. A log of the client's daily activities may be required by the supervising detective.
- E. While on electronic monitor, the client is responsible to ensure that the monitor is properly charged at all times. Letting the monitor run out of power may result in a sanction, including incarceration.
- F. While on electronic monitor, the client is required to respond to calls or text messages from the supervising detective as quickly as possible.
- G. Tampering with any part of the electronic monitor, including the strap, will result in a significant sanction, which may include a substantial period of incarceration, and the client will be required to pay for the costs of repairing or replacing the monitor before he or she is allowed to graduate.