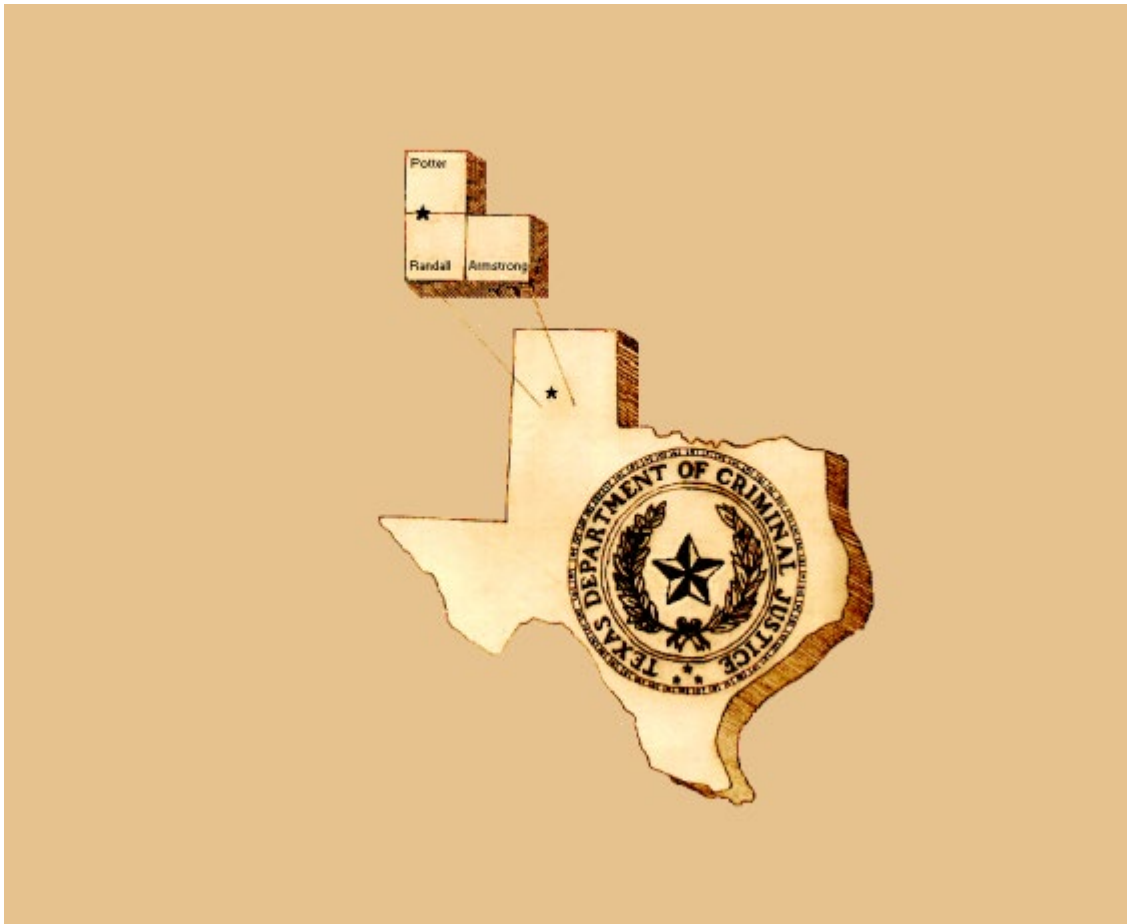


Potter, Randall, & Armstrong Counties Drug Court

Policy and Procedures Manual



Revised December 20, 2022

Contents

OUR MISSION, VISION AND VALUES

THE POTTER, RANDALL, & ARMSTRONG COUNTIES DRUG COURT TEAM

INTRODUCTION/GOALS

PROGRAM STRUCTURE

TARGET POPULATION

ELIGIBILITY CRITERIA

DISQUALIFYING CRITERIA

RECONSIDERATION BY DRUG COURT STAFFING TEAM

DRUG COURT PROCESS

ADDITIONAL DRUG COURT CONDITIONS

TEAM MEMBER ROLES/ETHICAL CONSIDERATIONS

- A. DRUG COURT JUDGE
- B. DRUG COURT PROGRAM COORDINATOR/GRANT WRITER
- C. DRUG COURT PROSECUTORS
- D. DRUG COURT COORDINATOR
- E. DRUG COURT DEFENSE ATTORNEY
- F. DRUG COURT COMMUNITY SUPERVISION OFFICER
- G. TREATMENT PROVIDERS (SUBSTANCE ABUSE AND MENTAL HEALTH)
- H. PROGRAM EVALUATOR
- I. DRUG COURT LAW ENFORCEMENT REPRESENTATIVE

PHASE STRUCTURE AND COMMENCEMENT CRITERIA

- A. PHASE I: ORIENTATION/SOBRIETY/STABILIZATION
- B. PHASE II: TREATMENT/RECOVERY/GROWTH
- C. PHASE III: SUSTAINED STABILITY/FUTURE GOALS

GRADUATION CRITERIA

TERMINATION CRITERIA

ATTENDANCE AND ABSENCE POLICY

INCENTIVES/TREATMENT INTERVENTIONS/SANCTIONS

- A. INCENTIVES
- B. SANCTIONS AND TREATMENT INTERVENTIONS

TREATMENT PROTOCOL

SUPERVISION PROTOCOL

DRUG AND ALCOHOL TESTING PROTOCOL

STAFFING

DRUG COURT STATUS HEARINGS

COMMUNITY SERVICE RESTITUTION GUIDELINES

- A. CONDITIONS:
- B. REDUCTION IN CSR:

C. REDUCTION IN FEES:

D. SEE APPENDIX 12 FOR A LIST OF APPROVED AGENCIES AND APPENDIX 13 FOR THE CSR MATRIX.

CONFIDENTIALITY

DISPARATE IMPACT STATEMENT

FILING A GRIEVANCE

DATA REPORTING

MONITORING AND EVALUATION

MEMORANDUMS OF UNDERSTANDING

INFECTION CONTROL POLICY

[Appendix 1: Drug Court Referral Form](#)

[Appendix 2: Substance Use Screening Form](#)

[Appendix 3: Consent for Disclosure Form](#)

[Appendix 4: Drug Court Eligibility Form](#)

[Appendix 5: Agreement of Participation](#)

[Appendix 6: Drug Court Supplemental Order](#)

[Appendix 7: Request for Movement to Phase II](#)

[Appendix 8: Request for Movement to Phase III](#)

[Appendix 9: Request for Graduation](#)

[Appendix 10: Sanction Form](#)

[Appendix 11: Drug Court Observation Confidentiality Form](#)

[Appendix 12: Drug Court Community Service Agencies](#)

[Appendix 13: CSR Matrix](#)

[Appendix 14: Grievance Procedure: Incident Reporting/Written Appeal](#)

[Appendix 15: Specialty Court Ombudsman Pilot Program](#)

This is the policy Manual of the Potter, Randall, & Armstrong Counties Drug Court.
It has been reviewed and discussed.

I approve this manual and it will be used as the guidelines of this Court.

Judge John Board

Date

Our Mission, Vision and Values

Mission



The mission of the Potter, Randall, and Armstrong Counties Drug Court is to increase public safety, save tax dollars, break the cycle of re-arrest, and hold alcohol/drug dependent individuals accountable, using judicially supervised treatment so they can become sober, productive, law-abiding citizens.

Vision

Improving Lives for a Safer Community



Values

- **RESPECT and DIGNITY:** We treat every individual with respect and dignity.
- **INTEGRITY and TRUST:** We have high ethical principles creating an atmosphere of integrity and trust.
- **CONTRIBUTION and PERFORMANCE:** We believe that contribution of everyone is valued, and everyone has the opportunity to perform at their highest level.
- **ACCOUNTABILITY:** We are accountable to our courts, our community, our clients, and our team.
- **ABILITY TO CHANGE:** We believe that all people have the ability to change regardless of their past.
- **COLLABORATION:** We are committed to collaboration with other community resources to address our clients' needs and achieve positive results.
- **EVIDENCE-BASED PRACTICES:** Evidence-based practices and policies are utilized to insure our best efforts are leading to desired outcomes.
- **EXCELLENCE:** We seek excellence in everything that we do and continuously strive for improvement.
- **KNOWLEDGE:** We are dedicated to creating an environment that encourages learning and professional growth.

The Potter, Randall, & Armstrong Counties Drug Court Team

Judge John Board, Senior District Judge, Drug Court Judge

Adrian Castillo, Potter County Assistant District Attorney
Amanda Weatherford, LMSW, Substance Abuse Counselor, CSCD
Cathy Miller, Defense Attorney
Christina Silva, Supervisor, CSCD
Daniel Marin, Case Manager, Texas Panhandle Centers
Frances Arzaga, Court Coordinator, CSCD
Mollee Vogler, Community Supervision Officer, CSCD
Natalie White, Program Coordinator, Director, CSCD
Richard Gore, Randall County Assistant District Attorney
Steve Davis, Law Enforcement

Introduction/Goals

The Potter, Randall, and Armstrong Counties Drug Court is an initiative supporting the 47th, 108th, 181st, 251st, and 320th Judicial District Courts, County Courts at Law No. 1 and 2 of both Potter and Randall Counties, and County Court of Armstrong County. Drug Court is a twelve to twenty-four month program that integrates local criminal justice resources, case management, and substance abuse treatment to rehabilitate in lieu of incarceration. The Drug Court Team consists of an assigned judge, prosecutors from the District and/or County Attorney's Offices, a defense attorney, representatives of the Community Supervision and Corrections Department, a licensed peace officer, and treatment providers.

The primary goal of the Potter, Randall, & Armstrong Counties Drug Court is to enhance public safety by helping individuals recover from substance dependency and develop stable and pro-social lifestyles while reducing criminal recidivism. We accomplish program goals by effectively utilizing the ten Adult Drug Court Best Practice Standards and essential characteristics identified in Chapter 123 of the Texas Government Code.

Since 2010, the Potter, Randall, and Armstrong Counties Drug Court has been a successful alternative to incarceration for individuals who are in jeopardy of having their community supervision revoked due to ongoing substance use. The goals of the Potter, Randall, and Armstrong Counties Drug Court are to enhance public safety by:

- Providing substance abuse counseling which addresses a participant's individual and unique needs
- Providing a level of services needed to gain participant's compliance with court-ordered conditions
- Eliminating substance use amongst participants and maintaining abstinence/sobriety
- Developing and maintaining daily living skills and behaviors which promote lifelong abstinence/sobriety and pro-social attitudes

Program Structure

The Drug Court is a post-adjudication program serving individuals whose supervision is in jeopardy due to ongoing substance use. Participants who meet criteria for Drug Court may also be ordered to participate in Drug Court as an initial condition of supervision at sentencing.

Target Population

Target Population is all High Risk/High Needs individuals currently placed on community supervision who are in jeopardy of revocation due to ongoing substance use.

Eligibility Criteria

- Must be at least 17 years of age
- Must be currently serving a term of community supervision in Potter, Randall, or Armstrong County or eligible for placement on community supervision
- Must reside in Potter, Randall, or Armstrong County unless approved through a reciprocal agreement
- Must be physically and mentally capable of participating in the program and meeting program requirements. This requirement will not disqualify participation by most dually-diagnosed participants, rather, those conditions will be accommodated as long as the participant can participate in the program requirements
- Must have eighteen months remaining on community supervision or must be eligible for an extension so that at least eighteen months will remain upon placement into the program
- The Drug Court strives to serve participants with High Risk/High Needs and active severe substance use who have been unsuccessful in less restrictive programs due to substance use

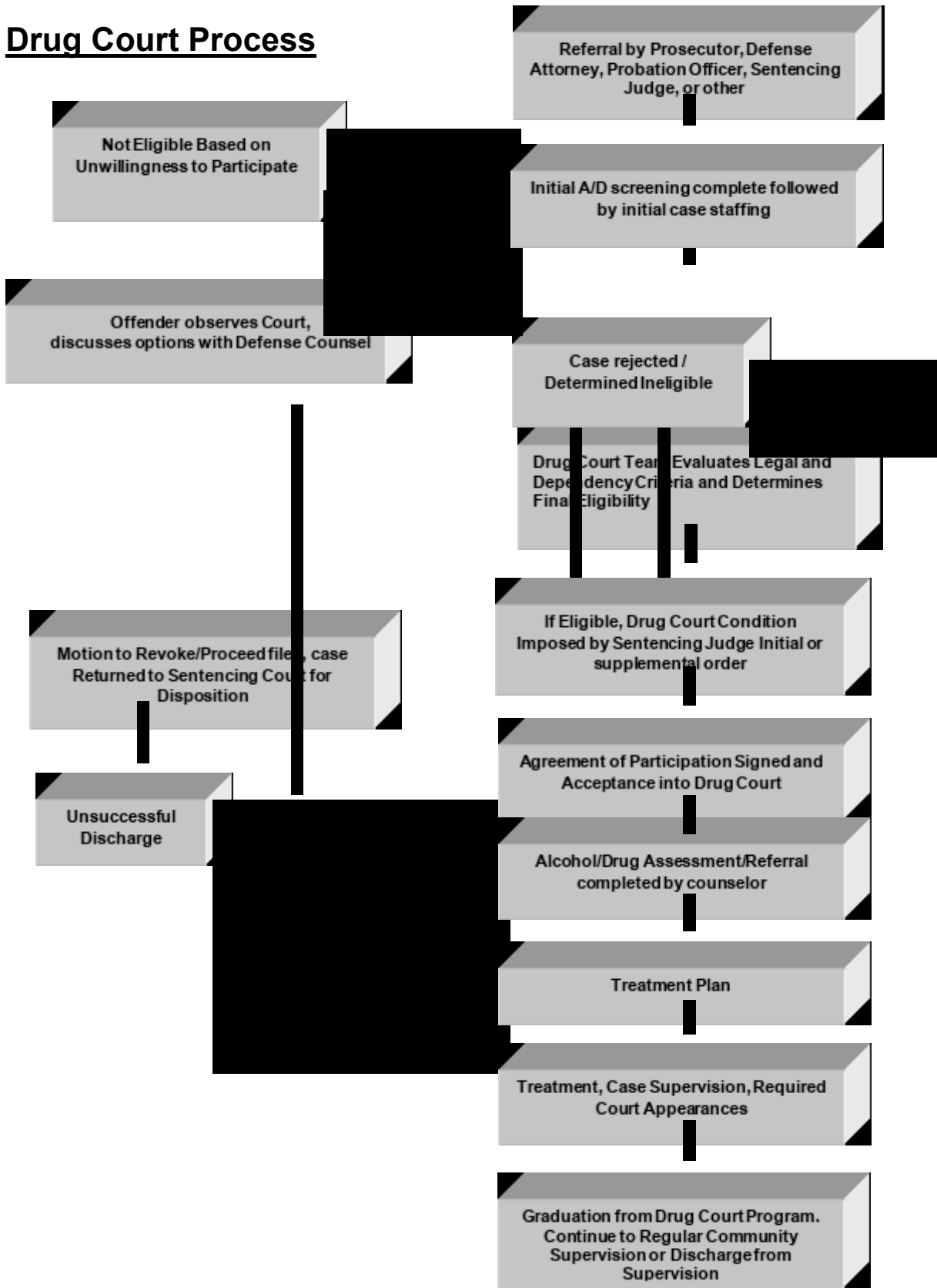
Disqualifying Criteria

- Potential candidates who have committed sexually-based offenses, whether overtly violent or not
- Potential candidates with prior history of stalking or violation of protective order charge
- Potential candidates will not be considered if they have a hold from the Immigration and Customs Enforcement
- Potential candidates will not be considered if seriously and persistently mentally ill and unable to participate

Reconsideration by Drug Court Staffing Team

- If a relevant party of the case (attorney, judge, treatment provider, police officer, etc.) believes the Drug Court staffing team failed to consider a particularly important factor, he/she may request for the case to be reconsidered and submit it to the Drug Court Coordinator.
- The request must include supportive reasoning for reconsideration; this is defined as mitigating circumstances pertaining to the crime, psychiatric/psychological reports that may not have been available for initial consideration, or any other relevant information that can be placed in written format.

Drug Court Process



Drug Court Process:

- Potential participant is identified for referral to the program by anyone who believes that a person may be eligible for the program. Referral is made to Drug Court CSO.
- Drug Court CSO and Counselor conduct TRAS and ASI to ensure that the potential candidate meets Risk/Needs and substance dependence eligibility criteria. Drug Court CSO evaluates eligibility criteria and completes Drug Court Referral Form (see [Appendix 1](#) for Drug Court Referral Form). Drug Court Counselor completes Substance Use Screening Form (see [Appendix 2](#) for Substance Use Screening Form)
- CSCD conducts informal case staffing to ensure that all eligibility criteria is met
- Potential participant is invited to observe a Drug Court status hearing. Following the hearing, the potential participant meets with the Drug Court defense attorney where the program is explained in detail and questions are answered. If the potential participant volunteers to be considered for entry, they are instructed to return to court the following week. A Consent for Disclosure is signed by the potential participant (see [Appendix 3](#) for Consent for Disclosure)
- Prosecutors complete Drug Court Eligibility Form (see [Appendix 4](#) for Drug Court Eligibility Form)
- Case is staffed with the team and final eligibility is determined
- If eligible and willing to participate, participant attends Drug Court, Drug Court conditions are imposed and Agreement of Participation is reviewed and signed. (See [Appendix 5](#) for Agreement of Participation)
- Substance Abuse Counselor insures that assessments are completed and treatment plan is developed
- Participant actively participates in Drug Court until either successful completion or unsuccessful discharge

Additional Drug Court Conditions

The standard conditions of supervision remain in effect upon acceptance into Drug Court. Conditions may be modified to include those deemed appropriate and necessary by the Drug Court Judge. The following conditions, if not already imposed, may be requested by the sentencing judge (see [Appendix 6](#) for standard Drug Court Supplemental Order):

- Submit to testing as requested by the community supervision officer for the presence of controlled substances, illegal drugs, alcohol or any substance capable of causing intoxication. While in Drug Court a payment of \$5.00 is required within 30 days of a sample being submitted. Upon successful/unsuccessful discharge from Drug Court a payment of \$10.00 shall be required within 30 days of a sample being submitted. Should confirmation be required on preliminary positive result an additional payment of \$15.00 shall be required within 30 days from the date each positive confirmation
- Participate in and comply with conditions of the Potter, Randall, and Armstrong Counties Drug Court.
- The Court finds: (1) this defendant has been placed on community supervision under this Article; (2) the defendant is charged with or convicted of a felony other than a felony under Sec. 21.11, 22.011, or 22.021 of the Penal Code; and (3) the Court affirmatively finds that (a) drugs or alcohol abuse significantly contributed to the commission of the crime or violation of community supervision; and (b) the defendant is a suitable candidate for treatment, as determined by the suitability criteria established by the Texas Board of Criminal Justice under Section 493.009(b) of the Government Code.
 - a. The defendant is required to serve a term of confinement and treatment in a substance abuse treatment facility under this section abiding by all rules and regulations of said program for a term of not less than 90 days or more than 1 year.
 - b. Immediately upon release from SAFPF, the defendant shall submit to custodial supervision at the Amarillo Transitional Treatment Center (TTC) aka Plainview Serenity in Amarillo, Texas or any other TTC licensed and funded by the Texas Commission of Alcohol and Drug Abuse for the purpose of residential substance abuse continuum of care program. The defendant shall cooperate fully with all treatment program requirements and obey all rules and regulations of the TTC. The defendant shall remain in said residential treatment until released by the staff of the TTC with the endorsement of the Potter, Randall, and Armstrong Counties SAFPF Coordinator. Immediately upon release from the TTC the defendant shall serve a period of up to twelve months in outpatient services provided by an approved aftercare facility as part of the SAFPF continuum of care program.

Or

 - c. The defendant is required to serve a term of confinement and treatment in a State of Texas contracted Intermediate Sanctions Facility for a period of not less than 45 days and no more than 120 days and the defendant shall cooperate with and complete all sanctions facility program requirements and abide with all rules and regulations of said facility. It is the Court's Order that said defendant may be released in a manner and on a date determined jointly by the intermediate sanction facility director and the Director of the Community Supervision and Corrections Department or their designees. (Substance Abuse and/or Cognitive Track).
- Based on the results of risk assessment the offender is to submit to drug and alcohol evaluation and successfully complete any treatment as recommended. If required to complete the department's SATP program, a fee of \$100.00 will be due within 30 days of placement.

- May be placed on electronic monitoring for a period not to exceed ____ days. During this term you will be required to remain in your home between the hours of _____ a.m./p.m. and _____ a.m./p.m., except as authorized to participate in community programs. Further, you will be required to maintain telephone service to your home and comply with all rules, regulations, and procedures of electronic monitoring;
- Abstain from the use or possession of alcoholic beverages in any form, and do not go on any premises where alcoholic beverages are served;
- Submit to a psychiatric/psychological/substance abuse evaluation, screening, and/or treatment at the direction of your supervision officer; participate in and pay the costs of the above, and do not attempt to terminate said treatment without the written consent of the treatment team in charge of your case. The community supervision officer is authorized to share the contents of the pre-sentence report in this case with the service provider;
- Within 30 days of the date of this order submit to an educational/vocational evaluation as directed by your supervision officer, and participate in any program recommended by that evaluation. This includes any adult learning program, a program teaching persons to speak and/or read the English language, adult basic education, GED classes and certificate acquisition, parenting classes, drug education, vocational programs, and/or job search skills classes. Do not terminate any such program without the consent of the Court or the service provider in charge of your case; and,
- Unless stated otherwise be subject to a curfew as designated by the Court between the hours of _____ p.m. and _____ a.m.

Team Member Roles/Ethical Considerations

The Potter, Randall, and Armstrong Counties Drug Court team is comprised of members representing the collaborative agencies. Sharing information between the team members is vital to the Drug Court program. The team will meet on weekly basis to discuss issues and resolutions. In creating this partnership and uniting in the common goal of addressing our community, the team pledges to enhance communication between the courts, law enforcement, treatment providers, community supervision and corrections, and community resources.

A. Drug Court Judge

- Stays abreast of current law and research on best practices in Drug Courts
- Participates regularly in team staffing
- Interacts frequently and respectfully with participants
- Collaborates regularly with the Drug Court team and gives due consideration to the input of other team members
- Presides over weekly court sessions, motivates and monitors participants, and insures that all participants benefit by observation of others as they progress or fail to progress in treatment
- Makes final decisions regarding participant admission, sanctions and incentives
- Maintains a therapeutic relationship and fosters a non-adversarial atmosphere with program participants
- Develops resources to support the function of the Drug Court
- Attends training that focuses on the concept of addiction, recovery process, relapse prevention, family system and the acquisition and maintenance of life skills requisite to sustain sobriety.
- Provides training to other Drug Court partners
- Serves as a program advocate and represents the program in the community

B. Drug Court Program Coordinator/Grant Writer

- Maintains accurate and timely records and documentation for the program
- Oversees fiscal and contractual obligations
- Facilitates communication between team members and partner agencies
- Ensures policies and procedures are followed
- Oversees collection of performance and outcome data
- Schedules court sessions and staff meetings
- Provides orientation for new hires
- Attends weekly team staffing and Drug Court hearings
- Attends training that focuses on the concept of addiction, recovery process, relapse prevention, family system and the acquisition and maintenance of life skills requisite to sustain sobriety
- Coordinates ongoing training among the disciplines represented on the Drug Court Team as well as in the community with other stakeholders, referral sources, and interested community members

C. Drug Court Prosecutors

- Advocates on behalf of public safety, victim interests, and holds participants accountable for meeting their obligations while in the program
- Conducts initial Drug Court screening to determine if the candidate meets the legal criteria for participation in the Drug Court program
- Attends weekly team staffing and Drug Court hearings
- Attends training that focuses on the concept of addiction, recovery process, relapse prevention, family system and the acquisition and maintenance of life skills requisite to sustain sobriety.

- Serves as a program advocate to the community and peers, and provides training as needed

D. Drug Court Coordinator

- Attends weekly team staffing and Drug Court hearings
- Organizes Drug Court team meetings/staffing and other events
- Serves as primary liaison for accessing community services
- Conducts referral and follow-up activities
- Coordinates dissemination of Drug Court information
- Prepares all court documents (including but not limited to court orders, referrals forms, and consent forms)
- Assists in docket preparation as needed
- Distributes compliance information
- Attends training that focuses on the concept of addiction, recovery process, relapse prevention, family system and the acquisition and maintenance of life skills requisite to sustain sobriety
- Provides training to other Drug Court partners and ensures compliance with best practices

E. Drug Court Defense Attorney

- Ensures that participants' constitutional rights are protected and advocates for participants' stated legal interests
- Represents Drug Court participants during team meetings and status hearings
- Meets with individual participants slated for admission into the program to discuss admission paperwork, answer legal questions, explain the program in depth, and review participant responsibilities to the Court
- Reviews all documents with individual participants brought before the Court subsequent to admission into the program, ensuring that due process is served and the rights of the participant are protected
- Advocates for participants in a non-adversarial manner
- Attends training that focuses on the concept of addiction, recovery process, relapse prevention, family system and the acquisition and maintenance of life skills requisite to sustain sobriety
- Serves as a program advocate to the community and peers

F. Drug Court Community Supervision Officer

- Identifies and refers potential participants
- Ensures that the proper procedures are followed in screening and assessing appropriateness of the potential participant for program placement
- Supervises Drug Court caseload in accordance with department standards and grant conditions
- Attends weekly team staffing and status hearings, providing detailed information regarding each participant
- Ensures that evidence-based risk/needs assessment is conducted prior to placement or within 30 days of placement in Drug Court
- Monitors compliance with court ordered conditions
- Conducts random alcohol and drug screens with the frequency being based on the participants' needs and the level of recovery
- Collaborates with treatment providers to monitor recovery and relapse issues and promptly presents information to the Drug Court team
- Collaborates with providers in the community and makes referrals to any services needed
- Conducts regular collateral contacts

- Collaborates with all treatment providers and prepares docket sheets for team staffing
- Reinforces cognitive behavioral techniques learned in treatment, and cognitive training
- Obtains professional skill-based training as required by TDCJ-CJAD and the Community Supervision and Corrections Department each year or biennium
- Attends training that focuses on substance use and dependency issues and education dealing with the concept of addiction, the recovery process, relapse prevention, family systems, and the acquisition and maintenance of life skills requisite to sustain sobriety
- Provides training to other Drug Court partners

G. Treatment Providers (substance abuse and mental health)

- Provides evidence-based assessment and appropriate referrals
- Provides treatment services along a continuum of care as determined through the development of individualized treatment plan
- Attends all team staffing and status hearings
- Maintains (for each treatment client) confidential case management documentation including, but not limited to: initial assessment and treatment plan, progress notes, services provided, attendance records, and drug test results
- Submits individualized written progress reports each week
- Ensures that the continuum of treatment employed by the program complies with TDCJ-CJAD Substance Abuse Standards
- Identifying time frames for assessment and reassessment of individual participant treatment plans.
- Provides team training related to treatment and mental health
- Administers individual therapy and facilitates group interventions
- Serves as an advocate for continuum of care beyond the treatment continuum to include other community-based services
- Maintains agency licensure and individual counselor certification by the State of Texas

H. Program Evaluator

- Performs program and outcome evaluation
- Participates in team meetings as needed to ensure that Drug Court components are being properly measured and quantified
- Provides feedback and training to other team members on progress toward goals and trends in response to data requests

I. Drug Court Law Enforcement Representative

- Serves as a liaison between the Drug Court and the police department, sheriff's departments, jail, and correctional system

Phase Structure and Commencement Criteria

A. Phase I: Orientation/Sobriety/Stabilization

Phase I focuses on orientation to the Drug Court process and achieving stability in court attendance, treatment compliance, development of a support system, and sobriety. This phase focuses on stabilization which begins with identifying and developing a positive support system within the community. The Drug Court Team will make referrals for appropriate levels of treatment, support groups, stable housing options, employment opportunities, and any other services that are needed. The Drug Court officer will have frequent contact with the participant throughout this phase. Participants will attend weekly court hearings. [Appendix 7](#) is the form used by the community supervision officer to document completion of Phase I and request movement to Phase II. After review of the participant's progress and collaboration with the Drug Court team, the Drug Court Judge determines whether movement is granted. Expectations for Phase I are listed below:

- Complete orientation, sign required release, orders, and participation forms
- Provide input and agree to/comply with treatment plan
- Comply with conditions of supervision
- Maintain sobriety
- Attend Drug Court weekly
- Attend a minimum of one office visit weekly as directed
- Attend support meetings and obtain a sponsor per treatment plan
- Abide by court ordered curfew; random curfew checks may be performed
- Submit to testing for drug/alcohol use two to four times weekly, and report for random drug/alcohol screens as directed
- Attend treatment as directed. Treatment may consist of detoxification if needed (average 3 – 5 days), residential if needed (30 – 90 days), day treatment (average 8 weeks, 25-30 hours per week), outpatient treatment (average 3 hours per week), and individual counseling sessions with the Drug Court substance abuse counselor.
- Cooperate with efforts to address issues regarding health, housing, employment, and related problem areas
- Obtain employment
- Begin regular payments on court-ordered obligations
- Abstinence from alcohol/drug for 90 days prior to promotion to Phase II

B. Phase II: Treatment/Recovery/Growth

Phase II will focus on treatment and recovery, relationships, sustained stability, and growth. During Phase II, the treatment plan will be re-evaluated. Participants will complete supportive outpatient treatment and/or a cognitive treatment program. Participants will maintain sobriety, stabilizing relationships, obtain employment, identify educational goals, and continued substance abuse treatment. [Appendix 8](#) is the form used by the community supervision officer to document completion of Phase II and request movement to Phase III. After review of the participant's progress and in collaboration with the Drug Court team, the Drug Court Judge determines whether movement is granted. Phase II expectations are listed below:

- Comply with the conditions of supervision
- Attend Drug Court every other week
- Attend office visits as directed but a minimum of twice each month
- Maintain sobriety

- Submit to testing for drug/alcohol use as directed; report for random substance abuse screening as directed. Random testing will increase during Phase II
- Provide input and agree to/comply with revised treatment plan
- Treatment will consist of continued intensive outpatient treatment (average 3 hours per week) and/or a cognitive skills program
- Attend family sessions and individual counseling as determined by treatment plan
- Cooperate with efforts to address issues regarding health, housing, employment, and related problem areas
- Attend support meetings per the treatment plan, and continue to work with sponsor
- Stabilize family/other relationships
- Stabilize employment and/or set goals for vocational/educational pursuits
- Continue with regular payments on court-ordered obligations
- Abide by court order curfew
- Abstain from alcohol/drug use for 90 days prior to promotion to Phase III

C. Phase III: Sustained Stability/Future Goals

Phase III will focus on maintenance, independence, self-accountability, leadership, and pursuit of long-term goals. During Phase III, the treatment plan will be re-evaluated. Participants will set both short-term and long-term goals, maintain sobriety, develop leadership skills, maintain stable employment, continue educational pursuits, and continue relapse prevention work. Phase III usually lasts 3 months, but this may vary based on individual needs. [Appendix 9](#) is the form used by the community supervision officer to document completion of Phase III and request for graduation. After review of the participant's progress and in collaboration with the Drug Court team, the Drug Court Judge determines whether approval for graduation is granted. Phase III expectations are listed below:

- Compliance with the conditions of supervision
- Continued sobriety
- Office visits a minimum of monthly
- Submit to testing for drug/alcohol use as directed; report for random drug and alcohol screening as directed
- Provide input and agree to/comply with revised treatment plan and relapse prevention or discharge plan
- Individualized treatment will be specific to the needs of each participant
- Maintain connections with the appropriate service providers and/or have stabilized health, housing, employment, etc
- Attend Drug Court a minimum of once per month while in compliance
- Attend support meetings per the treatment plan, and continue work with a sponsor
- Maintain stability in family / other relationships
- Maintain stability in employment and/or be working toward goals for vocational/educational pursuits
- Continue regular payments on court-ordered obligations
- Abide by court ordered curfew
- Demonstrate leadership in Drug Court and in the community

Graduation Criteria

The Potter, Randall, and Armstrong Counties Drug Court goal is for all participants to successfully complete and graduate from the program. A participant is considered ready for graduation after they have successfully

completed all phases, met all treatment and program requirements, and have demonstrated a plan for continued progress after graduation. The Judge, in collaboration with the team, makes the final decision regarding the request for graduation. Graduations are scheduled in advance so that all participants can attend. The Graduation Ceremony is a time to celebrate the individual achievements and successes of each graduate. This ceremony allows participants in earlier phases to become encouraged and motivated by participating in celebrating the success of their peers.

Termination Criteria

The goal of the Potter, Randall, and Armstrong Counties Drug Court is to have all participants that are accepted into the program successfully complete Drug Court. However, this goal is not always possible.

- Entry into this program is voluntary. The Judge requires that participants meet with their Drug Court Defense Counsel to ensure that they understand their legal options and potential consequences of making the choice to refuse this opportunity. Participants are advised that their failure to successfully complete Drug Court can be used as the basis of a Motion to Proceed (deferred adjudication cases) or a Motion to Revoke (straight probation cases). They are encouraged to discuss any questions about this with the Drug Court defense attorney or the attorney of their choosing.
- This is a phased treatment program. The Judge will use incentives, sanctions, inpatient treatment, and extension in the program to help the participant successfully graduate. If the participant is unable to be compliant with the treatment options due to mental health, cognitive, or emotional reasons, does not maintain sobriety, is unable to move forward to the next phase due to noncompliance, or continues to regress despite being extended in the program, the Judge may have no other option but to discharge the participant back to a regular probation case load, the standard court system or to SAFPF, CRTTC, or ISF with the option to restart the program upon completion of SAFPF, CRTTC, or ISF. In the event that the participant is discharged back to their original court, that judge will have the ability to consider the full range of punishment available for the participant's particular charge(s)—if they are on deferred adjudication probation; or, the judge will have the ability to consider up to the term of punishment imposed—if they are on straight probation. Participants are advised to discuss this with the defense attorney if they have any questions.

Attendance and Absence Policy

- Participants will attend office visits with CSO and Counselor as scheduled. If a participant is going to be late or need to reschedule, this needs to be communicated with CSO/Counselor as soon as possible
- Drug Court Substance Abuse Treatment Program group will be held at 5:30pm on Tuesday and Thursday evenings. Participants should arrive at group by 5:15pm. Those arriving late will not be admitted into the group, and an absence will be noted
- Drug Court sessions are held Friday Mornings at 10:45 am at the Randall County Annex Building (4320 S Western). Participants should arrive at 10:30 am to submit to a drug test before the court session begins. If a participant is late for court, they may be denied entry into the court room and it will be considered an absence. If a participant is unable to attend court due to sickness or other emergency, this should be communicated with the Drug Court CSO as soon as possible

- If Amarillo Independent School District (AISD) cancels school for weather, probation and court will be closed as well. Drug Court and The Probation Department follow AISD in regard to weather closings

Incentives/Treatment Interventions/Sanctions

A. Incentives

One way the court will support the participant is by providing a series of rewards (incentives) to encourage and reinforce progress. Incentives may be received for excellent participation, clean time, employment, meeting educational goals, driver's license reinstatement, etc. Incentives are given to recognize the personal and therapeutic successes the participant has achieved in the program. Below are some examples of incentives:

- Verbal recognition/praise by the Judge
- Round of applause in Court
- Travel privileges
- Token, upon obtaining 4 tokens with no sanctions, CSR or court ordered financial obligations may be reduced
- Upon obtaining 6 weeks of negative drug/alcohol tests, CSR or court ordered financial obligations may be reduced
- Gift Card
- Permission to remove or decrease use of monitoring device
- Elimination of curfew
- Phase promotion
- Plaque or certificate
- Reduction in court hearing frequency
- Reduction in reporting requirements
- Early termination from community supervision

B. Sanctions and Treatment Interventions

If the participant violates the Drug Court program rules and requirements or fails to achieve phase requirements, they will be held accountable using the sanction form [Appendix 10](#). Sanctioning a participant for failing to follow the expectations that they have agreed to meet will help them remember their responsibility and accountability to themselves and to the Drug Court. It also gives other participants the opportunity to learn from mistakes that their peers have made. Examples of violations include but are not limited to the following:

- Unexcused absences-All expected absences from appointments, classes, and treatment, require notification of CSO and/or treatment provider prior to the absence
- Dishonesty/Behavior not conducive to recovery
- Alcohol/drug use
- Positive, missed, delayed, substituted, and or tampered alcohol/drug screens
- Non-compliance with treatment and/or support meeting attendance
- Failure to present journal during office visits, groups and/or court proceedings
- Failure to present tokens during court proceedings
- Non-compliance with community service and/or other class attendance

- Violations of court ordered conditions
- Absconding
- Commission of new offenses
- Failure to obtain/maintain employment and/or pursue educational or vocational goals
- Driving without a valid driver's license, required insurance, etc.

While the goal is for each participant to maintain sobriety while in Drug Court, this is not always the case, especially early in the program. Honesty is rewarded as court responses are reduced for honest admissions of violations, while they are increased for dishonesty. To the extent possible, the sanction response to relapse will be an increased treatment intervention. Treatment Interventions and sanctions may include but are not limited to the following:

- Increased treatment requirements
- Thinking error reports
- Increased support meetings
- Psychiatric/psychological evaluation
- Referral to individual counseling, anger management, or trauma counseling
- Referral to cognitive treatment program such as Rational Behavior Training, Thinking for a Change, or other cognitive program
- Referral to an Intermediate Sanctions Facility
- Referral to Court Residential Treatment Center (CRTC)
- Referral to a halfway house
- Referral to SAFPF
- Essay regarding the negative behavior and proposed plan of action to correct negative behavior. (Modified verbal sanction if participant cannot read and write)
- Forfeiture of tokens
- Explanation of behavior to group and plan of action to correct behavior
- Increased drug/alcohol screening
- Bringing newspaper or magazine articles to court on the effects of substance use on behavior, such as articles on driving while intoxicated accidents, medical information, burglaries related to substance use, and similar items
- Verbal admonishment by the Judge
- Increased reporting
- Addition of Curfew
- Additional community service assignments
- Jail time in increments set by the Court
- Move back to previous Phase (I or II) for repetition of and/or additional treatment
- Placement on Secure Continuous Remote Alcohol Monitoring (SCRAM)
- Placement Global Positioning System (GPS) in increments set by the Court
- Program termination

Treatment Protocol

The Potter, Randall, and Armstrong Counties Drug Court is a focused treatment court. Each participant will have a treatment plan that is specific to their individualized needs. Each participant will have a copy of his/her treatment plan. The Drug Court counselor will keep the treatment plan easily accessible, so the participant can request a copy if needed.

The Drug Court counselor will refer each participant to the appropriate level of treatment. The Drug Court has partnered with community resources in order to provide detoxification, inpatient substance abuse treatment, day treatment, halfway house placement, intensive outpatient treatment, mental health treatment, and other services as needed. Treatment will be focused on evidence-based treatment protocols. If required by treatment plan to attend detoxification, inpatient treatment, halfway house placement, or any other treatment recommendation, you will be required to follow all rules and requirements of that program.

While in the Drug Court program, participants may participate in the outpatient Substance Abuse Treatment Program as directed by the individualized treatment plan. This program utilizes evidence-based Cognitive Behavioral Intervention-Substance Use curriculum developed by The University of Cincinnati. This program consists of 47 sessions over a period of 24 weeks and requires completing homework assignments on a regular basis.

The Community Supervision and Corrections Department provides each participant the opportunity to attend individual counseling to address trauma, anger management, or cognitive behavioral issues at no cost to the participant.

Supervision Protocol

The Potter, Randall, and Armstrong Counties Community Supervision and Corrections Department (CSCD) will provide a community supervision officer (CSO) to monitor the court compliance requirements of all Drug Court participants. Unless otherwise instructed, participants are still required to follow any previous or subsequent terms and conditions of probation which were imposed as a result of their plea.

- Participants are not to leave the designated Potter, Randall, Armstrong County areas without a travel request from the CSO
- Participants will inform the CSO of their address, phone number, and email for easy contact when needed. If contact information changes, the participant will immediately notify the CSO
- Participants will maintain a respectful relationship with the CSO
- The CSO will ensure that random drug and alcohol screens are performed as needed
- The CSO will monitor housing, financial status, and other Drug Court requirements
- The CSO will prepare progress reports weekly prior to Drug Court staffing

Drug and Alcohol Testing Protocol

- CSO and treatment providers administer frequent and random alcohol/drug tests to all participants throughout time in Drug Court. The frequency of testing is relevant to the participant's current program phase
- Drug and alcohol tests are conducted at each office visit and each court session as well as randomly throughout the week
- Urinalysis and Oral Swabs will be used to test for marijuana, cocaine, opiates, benzodiazepines, methamphetamines, and amphetamines, as well as other drugs such as but not limited to: LSD, synthetic drugs, PCP, and ecstasy on an as-needed basis. Results are immediate
- Urinalysis, breath tests, and SCRAM monitors will be used to test for alcohol
- Because cannabinoids (a byproduct of marijuana) may persist in the body for several days, marijuana users have a two-week grace period following enrollment during which no sanctions will be given for positive cannabinoid test results. However, after two weeks positive cannabinoid tests will be

presumed to reflect new marijuana use. Participants bear the burden of establishing a convincing alternative explanation for such results. After you have had two consecutive cannabinoid-negative urine specimens, the Drug Court will presume that subsequent positive cannabinoid results reflect new use

- The Drug Court team is notified of any positive drug/alcohol test during the weekly staffing in order to apply an appropriate and timely treatment and court response
- Should a participant contest a drug test result, the participant will be required to pay for the confirmation test, and if the test confirms use of the drug alleged, sanctions will be increased
- All participants will be assigned a color and will be required to call the color line for random testing on weekends and holidays. If participant's color is called, they must submit for a random drug and/or alcohol test as directed
- An experienced trained CSO or UA technician administers and witnesses all submissions. The person will be the same gender as the participant unless the participant, the participant's defense attorney, or the participant's therapist request otherwise
- Urine specimens are tested for temperature creatinine and specific gravity. Participant will be sanctioned for providing diluted, adulterated, or substituted test specimens. Participants bear the burden of establishing a convincing alternative explanation for such results. Under such circumstances, you may receive two sanctions, one for the substance use and one for the effort at deception
- Chain of custody procedures are strictly followed when a specimen must be sent to the lab.
- Participants will be sanctioned for associating with other people who are engaged in substance use or for exposing yourself to passive inhalation or secondhand smoke

Staffing

- The Drug Court Team meets every Friday at 9:00 a.m. in the courtroom of the Randall County Annex (located at 4320 S Western Street, Amarillo, TX 79110) to staff the progress of participants enrolled in Drug Court
- Progress reports are prepared weekly noting information such as phase entry date, sobriety date, last UA date and results, employment, and comments/recommendations
- Progress reports are distributed to each team member via email on Thursday afternoon so that members have time to review notes prior to the staffing. Copies of progress reports are also provided on Friday morning at the staffing and are used by the team to discuss the status and progress of each participant
- The CSO provides insight on compliance issues as well as family/home life, employment, and participants' personal issues. The treatment provider provides insight on each participant's progress in counseling, with emphasis on how the participant is responding to treatment and any issues that may have surfaced during the preceding week
- Relapses or other compliance issues and possible sanctions/treatment responses are recommended for the upcoming hearing. Special recognition for participants who successfully achieve program milestones or other accomplishments is discussed, and appropriate positive reinforcement incentives are recommended for the upcoming hearing
- The Judge will lead the team and will be the final arbiter on all issues
- The Drug Court Team will also discuss upcoming graduations, and any administrative business such as changes in policy or handbook, grant proposals or status, community outreach and funding opportunities, or training opportunities, etc
- The Court Coordinator will keep the Drug Court team informed of any staffing and/or scheduling changes such as time, place, Judge, etc

- The Drug Court participants will attend status hearings based on their phases. Phase I participants will attend every Friday. Phase II participants will attend every other Friday. Phase III participants will attend one Friday per month as directed. If a violation occurs, the participant will report to court the week of the violation so that it can be promptly addressed by the Judge
- Any changes of court dates due to holidays or other issues will be announced at court or participants will be notified in advance. The Program Coordinator, Court Coordinator, or Drug Court CSO can be called for any questions about court dates

Drug Court Status Hearings

- Drug Court hearings are held every Friday at 10:45 a.m. (unless otherwise instructed by the Court) with attendance required 1-4 times per month, depending upon Drug Court phase and compliance
- If a hearing is being held by Zoom, the participants will be notified by their CSO and will be provided a Zoom link
- ***Participants are required to stay for the entire court hearing (unless dismissed by the Judge)***
- The Judge engages in the dispensation of sanctions and rewards
- Drug Court Team members are present at status hearings
- A bailiff, who is also a licensed peace officer, is generally present to keep order in the courtroom and to make arrests if necessary
- Each participant is called before the bench for several minutes, where the Judge visits with them individually to discuss progress in the program, offers praise or admonishment, asks pertinent questions about relevant issues, and if necessary orders immediate sanctions. The other participants observe each conversation at the bench between the Judge and the summoned participant
- When the hearing is adjourned, the participants leave the courtroom, or may linger to ask questions of individual team members
- Although the dignity befitting any court hearing is maintained, the Drug Court atmosphere is somewhat more relaxed than a regular hearing, and the Judge may encourage applause from those seated as positive reinforcement, when appropriate
- All individuals that observe the court hearing sign a Drug Court Observation Confidentiality Form (see [Appendix 11](#) for Drug Court Observation Confidentiality Form)

Community Service Restitution Guidelines

A. Conditions:

- CSR Hours for the week must be worked by Wednesday evening at one of the Drug Court agencies designated
- Hours are collected on Thursday mornings and reported to Drug Court supervision officer and Judge in preparation for Court session on Fridays
- Donations are not acceptable for community service hours in Drug Court
- If one agency does not have work available, it is participant's responsibility to go to another designated agency to work CSR
- SPECIAL INSTRUCTIONS: CLIENTS MUST SIGN IN AND OUT ON THE APPROPRIATE ADULT PROBATION TIME SHEET

B. Reduction in CSR:

- 4 hours CSR credit = Successful completion of Drug Court SATP

- 4 hours CSR credit = Successfully obtained GED while in Drug Court
- 4 hours CSR credit = Successfully completed Cognitive Treatment Program
- 4 hours CSR credit = Successfully completed Anger Management counseling
- 4 hours CSR credit = Successfully completed Domestic Violence counseling
- 4 hours CSR credit = 6 negative UA's in a row (without sanctions)
- 4 hours CSR credit = Receiving 4 Tokens in a row without a violation or incentive given

C. Reduction in fees:

- For participants with no CSR, ordered fees will be waived as follows
 1. UA fees
 2. Probation Fees
- An hour of CSR is equal to \$10

D. See [Appendix 12](#) for a list of approved agencies and [Appendix 13](#) for the CSR Matrix.

If a participant completes the Drug Court program and returns to said program upon violations of conditions of probation, additional CSR maybe added to address compliance problems.

Confidentiality

All Drug Court participant records are protected by federal and state laws regarding confidentiality. The Drug Court cannot release written or verbal information without the participants' written, signed consent. However, a participant cannot participate in Drug Court without a “Release of Information” which allows the Drug Court Team to discuss the case and progress. Team members sign confidentiality statements and are bound by such. Persons outside the Drug Court Team will not be provided information about the participant or their progress without a release of information unless there is an emergency or legal circumstance that requires release of information, such as:

- The disclosure is allowed by a court order or for an audit
- The disclosure is made to medical personnel in a medical emergency
- The participant commits or threatens to commit a crime
- The participant is suspected of child abuse or elder abus
- The participant is threatening suicide or homicide

Anything a participant says concerning their prior or current drug use while in the Drug Court will not be used against them in subsequent revocation proceedings that might occur. However, their statements and information about their treatment will be shared with the Drug Court Team. This information may be used to evaluate their current compliance with the program and to determine appropriate treatment or other actions.

The Drug Court may use data for research purposes that will not contain any personally identifiable information so that grants, donations, and other funds can be requested and obtained to continue this court and for other statistical needs.

The Drug Court honors the confidentiality of all participants and will require all staff members, participants, guests, and any other member in the courtroom during staffing to sign a one-time agreement of confidentiality that will be maintained for two years after the individual leaves or by signed date for one time guests. Court Coordinator will maintain this information.

Disparate Impact Statement

The Potter, Randall, and Armstrong Counties Drug Court believes in treating all participants equitably and fairly. We do not discriminate on the basis of race, color, religion, sex or gender, sexual orientation, gender identity, national origin, disability, age, veteran status, genetic information or any other classification protected by law.

Filing a Grievance

Complaints and grievances can be filed without fear of negative repercussions and will be responded to in a timely manner. All grievances shall be initiated with the Program Coordinator, Natalie White, within 10 calendar days of the incident. Should the grievance involve the Program Coordinator, please report to Betty Martinez, CSCD HR Manager (see [Appendix 14](#) for the Grievance Incident Reporting Forms).

Natalie White—Program Coordinator: whiten@pottercscd.org, 806-378-3740

Betty Martinez—CSCD HR Manager: martinezb@pottercscd.org, 806-378-3829

All participants are also given contact information to notify the Specialty Courts Ombudsman Pilot Program of complaints and concerns (see [Appendix 15](#) for Specialty Courts Ombudsman Pilot Program Form).

Data Reporting

All data requests will go through the Program Coordinator. The Program Coordinator will maintain all data, data requests, and reports for at least five years for historical reference.

Monitoring and Evaluation

The Drug Court team will meet annually to discuss the following:

- Need for the program: Impact that the program is having on the community and why others continue to support it
- Best practices updates to policy manual and participant handbook
- In-program outcomes such as retention, sobriety, recidivism, units of service, and length of stay: Look at benchmark numbers as a team
- Statistics on historically discriminated against groups to ensure that all potential participants receive the same opportunities as other individuals to participate and succeed in Drug Court: What are we doing to ensure equity and inclusion? Do we need to make any changes?
- Program impact and outcomes: Demonstrate financial impact (number of participants who graduate with a full time job rather than being incarcerated), specific outcomes such as graduations, discharges, collaboration in the community
- Program efficiency: Demonstrate that program's activities are being produced with appropriate use of resources (money and time)

Memorandums of Understanding

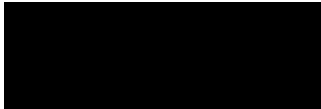
The team has an MOU explaining each team member's role and signed by each team member. The Drug Court Judge will sign all other MOUs on behalf of the Drug Court.

Infection Control Policy

The program staff exercise universal precautions and are obligated to report instances of infectious disease that pose a threat to the general public to the local health department. In instances of an infectious disease outbreak that poses a threat to the general public, the program staff follows guidelines set forth by the Centers for Disease Control and the Local Health Department.

Appendix 1: Drug Court Referral Form

Drug Court Referral Form



Defendant: <!NAME!> Cause #: <!CAUSE!>

Offense: <!LDO2!> Misdemeanor Felony

- 1. Does the defendant admit to or appear to have an alcohol/drug abuse problem...
2. At present is there a pending MTP/MTR based on violations including but not limited to alleged alcohol/drug usage?
3. Is the defendant currently in custody?
4. Has the Defendant had a court date set on the pending MTTP/MTR?
5. Is the current offense base on a crime of violence against a person and/or are there any convictions for violent offenses in criminal history?
6. Is the current offense based on a crime of violence against a person and/or are there any convictions for violent offenses in criminal history?
7. Does the defendant have any other pending felony cases, charges, or holds (including INS)?
8. Does the defendant live and work in Potter, Randall, and Armstrong Counties?
9. Does the defendant live in an outlying area of the county?
10. Transportation available?
11. Does the defendant consent to screening for alcohol and or drug dependency eligibility?
12. Is the defendant capable of understanding the requirements of drug court?

Comments: [Empty box]

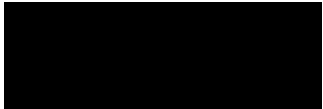
CSO: _____

Date: _____

Completed form to be forwarded to the Drug Court CSO

Appendix 2: Substance Use Screening Form

Drug Court Substance Use Screening Form



DEFENDANT: _____ DOB: _____ SID _____

OFFENSE: Misdemeanor / Felony Degree of Felony or Class of Misdemeanor _____

Currently on community supervision? YES NO If yes, CSO Name: _____

Substance Abuse History

| Type of Drug (Circle drug or drugs of choice) | Used (X if yes – blank if no) | Method of Use | Frequency / Amount | Age 1 st Use | Date of Last Use |
|---|-------------------------------|----------------------|--------------------|-------------------------|------------------|
| Alcohol | | Oral | | | |
| Marijuana | | Oral/Smoke | | | |
| Cocaine | | Oral/Smoke/Inj/Snort | | | |
| Crack Cocaine | | Oral/Smoke/Inj/Snort | | | |
| Methamphetamine | | Oral/Smoke/Inj/Snort | | | |
| Heroin | | Oral/Smoke/Inj/Snort | | | |
| LSD | | Oral/Smoke/Inj/Snort | | | |
| Mushrooms | | Oral/Smoke/Inj/Snort | | | |
| Ecstasy | | Oral/Smoke/Inj/Snort | | | |
| Prescription Drugs | | Oral/Smoke/Inj/Snort | | | |
| Inhalants | | Inhaled | | | |
| PCP | | Oral/Smoke/Inj/Snort | | | |
| Other : | | Oral/Smoke/Inj/Snort | | | |

Family history of substance abuse/addiction? YES NO If "yes", who? _____

Number of alcohol/drug related arrests, including public intoxication and possession of drug paraphernalia. _____

Prior substance abuse education/counseling/treatment attended (include DWI, DOEP, AA/NA/CA): _____

Diagnosed with or received counseling for any psychological/psychiatric problems? YES NO If "yes", describe problem and from whom and when counseling/ treatment was received _____

Additional information: _____

Substance abuse screening instrument used: SAQ: _____ SASSI: _____ ASI: _____ Results: _____

Recommended / not recommended for follow-up evaluation on _____

Drug Court Coordinator _____ Date: _____

Appendix 3: Consent for Disclosure Form

**DRUG COURT CONSENT FORM
FOR DISCLOSURE, COMMUNICATION,
AND RELEASE OF INFORMATION**



I, _____, hereby consent to communicate between the listed treatment provider(s), the Judge, Potter, Randall, and Armstrong Counties District Attorneys, the Drug Court Defense Attorney, and the Potter, Randall, and Armstrong Counties CSCD Drug Court. This will also give consent to speak with the program evaluators, and any additional persons, such as family members and employers and/or agencies listed which may require information regarding my treatment for substance abuse while enrolled in Potter, Randall, and Armstrong Counties Drug Court Program.

The form is a disclosure to inform the Drug Court Staff and others previously mentioned above, of my eligibility and/or acceptability for substance abuse treatment services/programs. The Drug Court Staff will have information of all treatment attendance, prognosis, compliance, and progress. I understand this information is discussed in the courtroom, and everyone in attendance will hear this information.

I understand the consent will remain in effect while I am in the Drug Court program. I cannot revoke this consent unless there has been a formal and effective termination of my involvement with the Potter, Randall, and Armstrong Counties CSCD.

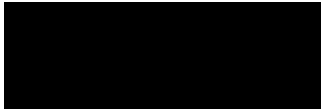
I understand that any disclosure is bound by (Part 2 of Title 42), the Code of Federal Regulations. The confidentiality of substance abuse patient (or client) records, and that the recipients of this information may disclose it only in connection with their official duties.

Signature of Offender _____ Date: _____

Witness: _____ Date: _____

Appendix 4: Drug Court Eligibility Form

Drug Court Eligibility Form



DEFENDANT: _____ DOB: _____ SSN: _____

OFFENSE (Circle): Misdemeanor / Felony Degree of Felony or Class of Misdemeanor: _____

Check all that apply:
[] Currently on community supervision
[] Released on bond
[] In jail

1. Does NCIC/TCIC criminal history indicate any previous offenses? [] YES [] NO

If "yes", mark appropriate choices below:

- [] Possession of drug paraphernalia or other misdemeanor drug offenses, such as POM
[] Possession of controlled substance. Substance and amount:
[] Felony POM
[] Prescription fraud
[] Minor in possession offenses
[] Misdemeanor DWI

2. Is the use or possession of alcohol or drugs suspected to have contributed significantly to the commission of this or any prior offense? [] YES [] NO If yes, specify substance and relation to offense:

3. Did defendant admit to drug use or possession in the instant offense? [] YES [] NO If yes, specify drug and quantity/frequency used

4. Does NCIC/TCIC indicate any of the previous offenses: [] YES [] NO If "yes", mark appropriate choices below:

- [] Assault arrests/convictions (F or M)
[] Terroristic threat
[] Stalking
[] UCW/Prohibited weapons offenses
[] Violation of protective order
[] Two or more DWI convictions
[] Any 1st or 2nd degree felony convictions
[] Multiple burglary of a habitation offenses.
[] Manufacture/delivery of controlled substance.

Substance and amount: _____

5. If the offender is currently on community supervision, is restitution required? [] YES [] NO
If so, is the offender making a reasonable effort to pay the restitution? [] YES [] NO

CASE DOES / DOES NOT MEET CRITERIA FOR DRUG COURT REFERRAL

Reason: _____

Assistant District/County Attorney: _____ Date: _____

Appendix 5: Agreement of Participation

Potter, Randall, and Armstrong Counties Drug Court Agreement of Participation

NAME: _____ DOB: _____ SSN: _____

If accepted for enrollment into the Potter, Randall, and Armstrong Counties Drug Court Program, I hereby agree to the following conditions:

1. **Honesty:** I agree to be honest with the Drug Court Team. I also understand that information I disclose while in Drug Court, will not be used against me in future prosecutions, motions to revoke or proceed with adjudication. I understand the program lasts from 12 to 24 months, and consists of three phases, in which, I agree to complete/graduate the program before being discharge successfully.
2. **Substance Abuse Treatment and Counseling:** I agree to attend, participate in, and complete the substance abuse treatment and counseling required by Drug Court. This may include, but not be limited to detoxification, residential, inpatient, intensive outpatient, supportive outpatient, and relapse prevention counseling, twelve step program attendance, cognitive behavioral classes, and any supplementary treatment, counseling, or education considered essential as part of my rehabilitation process. I understand that depending upon my income, I may be responsible for some or all treatment costs.
3. **Abstinence from Alcohol and Drugs:** I will not possess and/or use alcohol, illegal drugs, controlled substances, or abusable synthetic substances. Abusable synthetic substance is a substance that is intended to mimic an illegal drug or controlled substance and, when introduced into a person's body, produces an effect similar to the effect of an illegal drug or controlled substance. Examples of effects include intoxication, hallucination, euphoria, elation, or changes, distortions, or disturbances to the user's eyesight, thinking process, balance, or coordination. Common abusable synthetic substances include "Bath Salts," "K2," "Kratom," and "Spice." I have been advised that these substances are often sold over the counter in retail stores and I agree that I will not possess or use them, regardless of how they are obtained. If I have any doubt whether a substance is prohibited, I will ask my community supervision officer before using it.

I will use prescription medication only as prescribed for me by a physician. I further agree to inform any treating physician or dentist of my substance dependency, and that I prefer to not take narcotic or addictive medications or drugs and would instead prefer to be treated with a non-addictive, non-intoxicating, and medically safe alternative if available. If a treating physician wishes to treat me with narcotic or addictive medications, I must disclose this to my treatment provider and Drug Court. Before taking medication or any kind, I will check with the pharmacist to determine whether it is non-narcotic, non-addictive and contains no alcohol. I will use over the counter medications only as directed by the medication's packaging or by a physician. I will provide a list of all over the counter medications, prescription medication, and the names of all treatment providers to my community supervision officer. I will inform the community supervision officer of medications prior to submitting to any drug or alcohol screens. I further agree to submit to frequent and random testing for the presence of alcohol and drugs as directed by my community supervision officer, and to pay any required fee for testing.

Please see your "Participant Handbook" for specific information relating to the Drug Court drug and alcohol testing protocol.

4. **Disputing positive test results:** I understand that I may dispute positive test results and that I am responsible for payment in advance of confirmation costs. If the drug test results confirm to be positive, then a sanction will be more stringent than if I was honest about having used.
5. **Commit No New Offenses:** I will not violate any laws, and understand that any violation and/or arrests will be reported to my community supervision officer within 48 hours.

6. **Make All Scheduled Appearances:** I will appear/report as scheduled to all Drug Court hearings, treatment, counseling sessions, and meetings with my community supervision officer. I will arrange for my own transportation, and understand that lack of transportation is not an excuse for missing any scheduled event.
7. **Maintain Employment and/or Education:** I will maintain appropriate full time employment and/or full time student status. I will attend any education or job training programs I am required to attend or referred too. I will report any change of status to my community supervision officer within 48 hours.
8. **Housing and Curfew:** I will maintain stable housing considered suitable and appropriate by the Drug Court Judge for my recovery. I will also abide by the house curfew rules as ordered by the Court, and understand that as I progress through the phases, the curfew will become less strict.
9. **Payment of Fees:** I agree to pay Court-ordered financial obligations.
10. **Field Visits:** I understand the Drug Court team members can and will conduct field visits to my residence, place of employment, and other areas I may inhabit or frequent.
11. **Appropriate Behavior:** I agree to respect the opinions and feelings of other program participants. I also understand that verbal, physical threats or any kind of abuse is not be tolerated while in the program and could result in sanctions.

I agree not to engage in any romantic and/or sexual relationships with any of the other Drug Court participants while actively involved in the program.

12. **Respect for the Court:** I will address the judge by saying, "Yes, your Honor," and "No, your Honor," and will refrain from using any inappropriate language or slang words while in court. I will not lean on the bench when addressing the judge. I will not bring food, drinks, gum, tobacco, or recording devices into court
13. **Cellular Telephones and Pagers:** I agree not to bring cellular telephones or pagers to court or to any meetings required by the program.
14. **Dress Code:** I agree to dress appropriately for court and for any meetings required for the program. I understand that appropriate apparel does not include torn or dirty clothing, tank tops or halter-tops, "short" shorts or dresses, flip-flops, hats, and any clothing considered drug-related, sexually explicit or gang-related.
15. **Disclosure of Program Information for Review or Analysis:** I understand that confidential information could be obtain and disclosed for purposes of study or review of this program to some third parties, but that this statistical data will not include my name, address, or other personal identifying information.
16. **Confidentiality of Drug Court Participation:** I understand that enrollment in the Drug Court Program, as a condition of community supervision, will be a matter of public record. The Drug Court hearings are open to the public, and the rules of confidentiality do not apply there. I understand that the Drug Court Team and possibly other treatment providers will make reports to the Judge, concerning my progress in treatment, and that the counselor-patient/psychologist-patient privileges shall not apply. I agree to release information and permit communication with outside agencies to assist in fulfilling my requirements of this program. I understand that by attending Drug Court and treatment sessions, I will learn information about other participants. I agree to maintain their confidentiality, and I will not disclose information regarding any Drug Court and/or treatment participant.
17. **Drug Court Participant Handbook:** I have received a copy of the Drug Court Participant Handbook and I acknowledge that it is my responsibility to read it and familiarize myself with its contents.

I understand that I must abide by the Potter, Randall, and Armstrong Counties CSCD supervision and Drug Court conditions. The conditions require any and all treatment plans, and if I failure to abide by the conditions, the results will require sanctions to include, but not limited to, admonishment, verbal reports, written reports, increased drug / alcohol testing, increased treatment requirements, movement back into previous phases, increased community service, jail time, and/or involuntary termination from the program.

Participant: _____ Date: _____

Witness: _____ Date: _____

Appendix 6: Drug Court Supplemental Order

NO.

THE STATE OF TEXAS

§ IN THE DISTRICT COURT

VS

§ IN AND FOR

§ COUNTY, TEXAS

SUPPLEMENTAL ORDER AMENDING CONDITIONS OF PROBATION

The conditions of probation set out on _____ are hereby amended to include the following:

- ___ Submit to testing as requested by the community supervision officer for the presence of controlled substances, illegal drugs, alcohol or any substance capable of causing intoxication. While in Drug Court a payment of \$5.00 is required within 30 days of a sample being submitted. Upon successful/unsuccessful discharge from Drug Court a payment of \$10.00 shall be required within 30 days of a sample being submitted. Should confirmation be required on preliminary positive result an additional payment of \$15.00 shall be required within 30 days from the date each positive confirmation

- ___ Participate and comply with conditions of the Potter, Randall, and Armstrong Counties Drug Court.

After a hearing under Art. 42.12 C. C. P., Section 21, the Court finds that the defendant has violated one or more terms of community supervision.

The Court finds: (1) this defendant has been placed on community supervision under this Article; (2) the defendant is charged with or convicted of a felony other than a felony under Sec. 21.11, 22.011, or 22.021 of the Penal Code; and (3) the Court affirmatively finds that (a) drugs or alcohol abuse significantly contributed to the commission of the crime or violation of community supervision; and (b) the defendant is a suitable candidate for treatment, as determined by the suitability criteria established by the Texas Board of Criminal Justice under Section 493.009(b) of the Government Code.

- d. The defendant is required to serve a term of confinement and treatment in a substance abuse treatment facility under this section abiding by all rules and regulations of said program for a term of not less than 90 days or more than 1 year.

- e. Immediately upon release from SAFPF, the defendant shall submit to custodial supervision at the Amarillo Transitional Treatment Center (TTC) aka Plainview Serenity in Amarillo, Texas or any other TTC licensed and funded by the Texas Commission of Alcohol and Drug Abuse for the purpose of residential substance abuse continuum of care program. The defendant shall cooperate fully with all treatment program requirements and obey all rules and regulations of the TTC. The defendant shall remain in said residential treatment until released by the staff of the TTC with the endorsement of the Potter, Randall, and Armstrong Counties SAFPF Coordinator. Immediately upon release from the TTC the defendant shall serve a period of up to twelve months in outpatient services provided by an approved aftercare facility as part of the SAFPF continuum of care program.

Or

f. The defendant is required to serve a term of confinement and treatment in a State of Texas contracted Intermediate Sanctions Facility for a period of not less than 45 days and no more than 120 days and the defendant shall cooperate with and complete all sanctions facility program requirements and abide with all rules and regulations of said facility. It is the Court's Order that said defendant may be released in a manner and on a date determined jointly by the intermediate sanction facility director and the Director of the Community Supervision and Corrections Department or their designees. (Substance Abuse and/or Cognitive Track).

___ . Based on the results of risk assessment the offender is to submit to drug and alcohol evaluation and successfully complete any treatment as recommended. If required to complete the department's SATP program, a fee of \$100.00 will be due within 30 days of placement.

All court ordered payments waived while participating in the in-patient portion of the SAFPF or ISF program.

SIGNED AND ENTERED THIS DATE _____

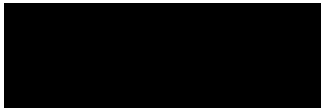
JUDGE

Probationer

Supervision Officer

Appendix 7: Request for Movement to Phase II

Drug Court Request for Movement to Phase II



Participant: _____ Cause Number: _____

1. Has submitted clean drug/alcohol screens for 90 days;
2. Has submitted to screening for drug/alcohol use as required;
3. Provided input and agreed to treatment plan;
4. Treatment requirements were met;
5. Cooperated with efforts to address issues regarding health, housing, employment, and related problem areas;
6. Attended court as required;
7. Attended support meetings per the treatment plan and obtain a sponsor; and,
8. Three consecutive months without a major sanction as defined in policy manual.

Specific progress: _____

The participant has completed the above requirements, and it is respectfully recommended that movement to Phase II be granted.

Community Supervision Officer: _____ Date: _____

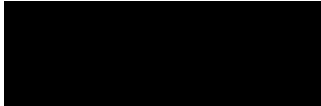
Approved

Denied

Drug Court Judge: _____ Date: _____

Appendix 8: Request for Movement to Phase III

Drug Court Request for Movement to Phase III



Participant: _____ Cause Number: _____

1. Has submitted clean drug/alcohol screens for 90 days and has submitted to screens as required;
2. Provided input and agreed to revised treatment plan;
3. Treatment requirements were met;
4. Cooperated with efforts to address issues regarding health, housing, employment, and related problem areas;
5. Attended court as required;
6. Attended support meetings per the treatment plan, and continue to work with a sponsor;
7. Worked to stabilize family / other relationships;
8. Stabilized employment and/or set goals for vocational / educational pursuits;
9. Made regular payments on court-ordered obligations; and,
10. Three consecutive months without a major sanction as defined in policy manual.

Specific progress: _____

The participant has completed the above requirements, and it is respectfully recommended that movement to Phase III be granted.

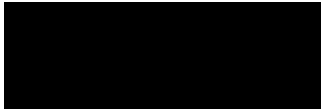
Community Supervision Officer: _____ Date: _____

Approved Denied

Drug Court Judge: _____ Date: _____

Appendix 9: Request for Graduation

Drug Court Request for Graduation



Participant: _____ Cause Number: _____

1. Has submitted clean drug/alcohol screens as required;
2. Provided input and agreed to revised treatment plan;
3. Treatment requirements were met;
4. Is connected with the appropriate service providers and/or has stabilized health, housing, employment, and related problem areas;
5. Attended court as required;
6. Attended support per the treatment plan, and continued work with a sponsor;
7. Continued to stabilize family / other relationships;
8. Continued with stable employment and/or continued with vocational / educational pursuits;
9. Made regular payments on court-ordered obligations; and,
10. Three consecutive months without a major sanction as defined in policy manual.

Specific progress: _____

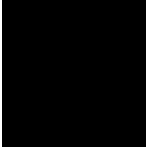
The participant has completed the above requirements, and it is respectfully recommended that graduation occur.

Community Supervision Officer: _____ Date: _____

Approved Denied

Drug Court Judge: _____ Date: _____

Appendix 10: Sanction Form



*Potter, Randall, & Armstrong Counties
Drug Court Sanction Order*

DATE _____

NAME _____ CAUSE# _____

Violation of Agreement and Order of the Court:

Court Sanction:

To be filled out if sanction was modified while court was in session:

Participant

ORDERED this _____ day of _____, 20____

Presiding Judge

Appendix 11: Drug Court Observation Confidentiality Form



ADULT DRUG COURT

**Potter, Randall, and Armstrong Counties
900 S Polk, Suite 900
Amarillo, Texas 79101-3412
Phone (806) 378-3700**

**Hon. John Board
Presiding Judge**

Drug Court Observation Confidentiality Form

DATE OBSERVED: _____

I, _____ have been allowed to observe the Drug Court staffing session and/or court session on the date noted above. I understand that matters discussed in these meetings are confidential and protected under 42 USC 290dd and 42 CFR Part 2 (HIPPA) and may not be disclosed outside of this setting.

Appendix 12: Drug Court Community Service Agencies

Drug Court Community Service Agencies

CSR hours must be worked by Wednesday evening at one of the Drug Court agencies Listed below:

- Hours are collected on Thursday mornings for Drug Court on Fridays
- **Donations** are **NOT** acceptable for community service hours in Drug Court
- *If an agency does not have work available, it is your responsibility to go to another designated agency to work CSR*
- **SPECIAL INSTRUCTIONS:** CLIENTS MUST SIGN IN AND OUT ON THE ADULT PROBATION TIME SHEET; HOURS WILL BE CHECKED ON THURSDAY
- **DO NOT WAIT TILL THE LAST MINUTE TO WORK YOUR HOURS**

CITY CHURCH MINISTRIES/ WORK ONLY/ NO DONATIONS

ADDRESS: 205 S. POLK ST.
AGENCY CONTACT: DAWNETT LUSK AGENCY PHONE NUMBER: 371-0089
HOURS AVAILABLE: MONDAY – FRIDAY 9:00AM – 5:00PM

CORNERSTONE OUTREACH CENTER

ADDRESS: 1111 N. BUCHANAN
AGENCY CONTACT: KAYE CROSS AGENCY PHONE NUMBER: 381-2131
HOURS AVAILABLE: TUESDAY-FRIDAY 9:00 AM-4:00 PM (CLOSED FROM 12-1 FOR LUNCH)

DOWNTOWN WOMEN'S CENTER (THRIFT CITY)

ADDRESS: 814 SW 10th (corner of 10th and Adams)
AGENCY CONTACT: Sandra AGENCY PHONE NUMBER: 372-8564
HOURS AVAILABLE: MONDAY- FRIDAY 10:00am - 6:00 PM
SATURDAYS 10:00 AM - 5:00 PM

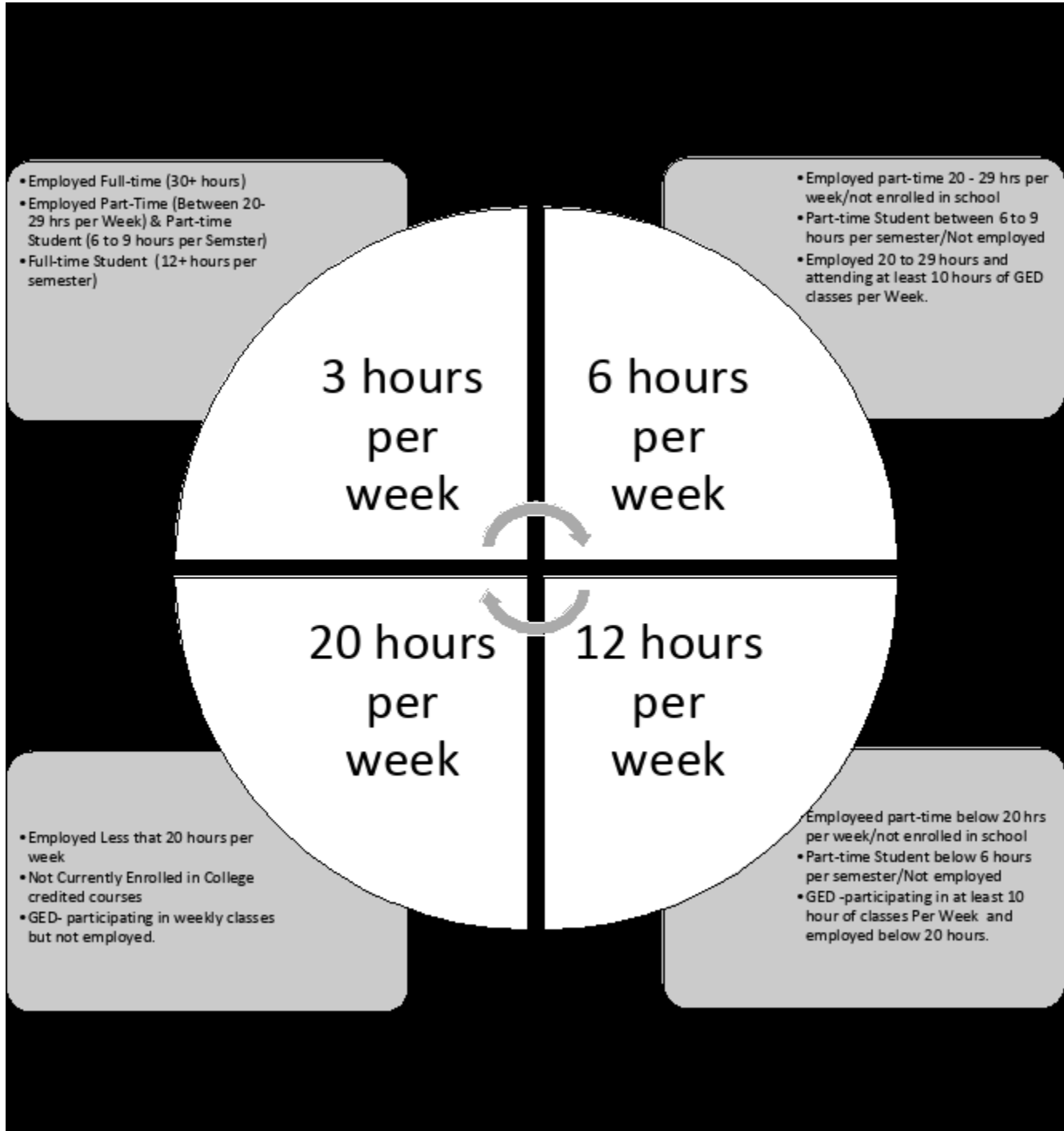
HIGH PLAINS FOOD BANK

ADDRESS: 815 ROSS ST
AGENCY CONTACT: HAIDER ISMAEL
AGENCY PHONE NUMBER: 374-8562
AGENCY HOURS: 8:00AM – 12:00PM 1:00PM – 4:00PM MONDAY – FRIDAY
EVENING HOURS: 6:00PM – 8:00PM MONDAY - THURSDAY

AMARILLO BOTANICAL GARDENS

ADDRESS: 1400 STREIT DR
AGENCY CONTACT: LAURA AVILA / GREG LUSK AGENCY PHONE NUMBER: 352-6513
HOURS AVAILABLE: MONDAY – FRIDAY 9:00AM TO 5:00PM
CLIENTS MUST WORK 2 HOURS MINIMAL
No Pregnant Women

Appendix 13: CSR Matrix



Grievance Procedure: Written Appeal

Potter, Randall, & Armstrong
Counties Drug Court
900 S. Polk St., Amarillo, TX 79101

Complainant's Name: _____ Phone Number: _____
Address: _____ Email: _____

Written Appeals are available for those Participants who feel the incident in question has not fully been resolved by previous efforts. Written Appeals must be submitted within 30 business days of the prior investigation. Written Appeals (along with any prior documentation) will be presented to the appropriate supervisor in charge for further investigation and attempt at a resolution.

Date of Incident _____ Team member involved in incident: _____

Prior Attempt at Resolution:

Reason prior resolution attempt was unsuccessful:

Requested Next Steps:

Participant Signature: _____ *Date Submitted:* _____

For Team Use: Date Received: _____ Date of Attempted Resolution: _____

Actions Taken: _____

Notice of Appeal Decision Due Date (7 business days): _____

Appendix 15: Specialty Court Ombudsman Pilot Program



Potter, Randall, & Armstrong Counties Drug Court
900 S. Polk Street Suite 900, Amarillo, Texas 79101

Natalie White, Program Coordinator

Tel: 806-378-3700

Specialty Courts Ombudsman Pilot Program *In partnership with* The Office of Court Administration

What is the Specialty Courts Ombudsman Program?

The Specialty Courts Advisory Council has requested that the Office of Court Administration pilot a Specialty Courts Ombudsman Program. The purpose of the Ombudsman will be to serve as a central point of contact for any complaints or concerns regarding specialty court programs in Texas.

If you have a problem or complaint about a specialty court, we encourage you to first discuss it with the person, program, or office involved. Often times, they can explain a specific policy or correct the problem immediately.

What does the Ombudsman do?

The Ombudsman will:

- Be available to receive complaints or concerns regarding specialty court programs in Texas;
- Gather information about received complaints or concerns and notify the specialty court program;
- Serve as a resource to specialty court program staff regarding possible resolution of a complaint or concern and assist with information regarding best practices;
- Track the volume and nature for each call or email; and
- Report the number and nature of the calls and emails to the Specialty Courts Advisory Council on a quarterly basis.

How to contact the Ombudsman?

If the agency's normal complaint process cannot or does not satisfactorily resolve the issue, **there are three (3) ways to send a question or file a complaint:**

The Ombudsman is located at the Office of Court Administration. Contact information: By

phone: 512-936-0288

By fax: 512-463-1648

By email: Anissa.Johnson@txcourts.gov

The Ombudsman is an additional resource for specialty court participants and staff to use to resolve an issue or concern when the matter cannot be resolved by the normal program process or other avenues.

Covered entities as that term is defined by HIPAA and Texas Health & Safety Code § 181.001 must obtain a signed authorization from the individual or the individual's legally authorized representative to electronically disclose that individual's protected health information. An authorization of protected health information may be required for the disclosure of information to the ombudsman regarding your participation in their program.

Additional Information may be obtained by contacting GOV.TEXAS.GOV/CJD, PO BOX 12428 AUSTIN, TEXAS 78711, or 512-463-1919

**Form updated Fall 2021*