Brevard County Pretrial Intervention
Drug Court Program
Eighteenth Judicial Circuit of Florida

Participant Handbook

Office Location:
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Additional Forms and Agreements: (signature needed)

1. Physician's Form
2. Handbook Acknowledgement Form
3. Drug Testing Policies
4. Prohibited Substances Agreement

Welcome to the Brevard County Drug Court Program! As a participant in the Pretrial Intervention (PTI) Drug Court Program, you have been offered an opportunity to move in a new direction with your life and to avoid more serious consequences which will result from your continued drug use. This handbook is designed to give you an overview of the program, program requirements and answer any questions you may have. As a participant in the Drug Court Program, you will be expected to comply with conditions of supervision that the Court has ordered, all program requirements and any treatment recommendations.

This handbook details what is expected of you as a Brevard County PTI Drug Court participant and reviews the general guidelines for the program. Our goal is to provide close supervision and quality treatment services to assist you in developing and maintaining a drug-free lifestyle.

Your goals in the PTI Drug Court Program are to remain sober and successfully complete all program and contract requirements which will result in your felony charges being dismissed.

**Please read this manual carefully and completely. If you have any questions or concerns, please discuss them with your attorney or the Drug Court Team*.

Mission Statement

In partnership with the community, the PTI Drug Court Program is a cost-effective, holistic approach to reduce recidivism by providing participants with substance use disorders, the necessary tools to lead a productive drug-free and crime-free life.

What is Drug Court?

The Brevard County Pretrial Intervention (PTI) Drug Court program is a voluntary, judicially supervised, treatment program for those people charged with a felony crime. You have been selected for this program because you have no prior felony convictions, but you now have a drug related charge filed against you. *(Note: if your case also includes a DUI charge, that charge is NOT eligible for PTI diversion, and it must be disposed of prior to your signing of a PTI contract. However, it is possible for DUI probation to run concurrently with PTI Drug Court supervision. You should also note that while this felony diversion program may include other criminal traffic charges such as DWLS/R, the contract does not resolve traffic tickets which are civil matters).*

The PTI Drug Court program is approximately 12 months in length and designed to address your drug, alcohol and/or mental health needs. There is a possibility of early termination, however it can also be extended past the 12 months due to non-compliance, positive drug/alcohol tests, or completion of treatment.

The PTI Drug Court program is divided into four (4) phases. Each phase is designed to help you work through your drug, alcohol and/or mental health issues and includes services to help you with other problematic aspects of your life.

As a Drug Court participant, you will be required to pay for your treatment, drug testing, and other requirements. You will be supervised by the Department of Corrections until you graduate. If you fail to comply, your Drug Court contract will be revoked, and your case will be sent back to the trial court.

Our goal is to help you address the substance abuse and/or mental health issues that led to your contact with the criminal justice system. The program requires a commitment to remain clean and sober as well as leading a law-abiding life. Additionally, upon successful completion of the program your felony charge(s) will be dismissed.

Drug Court Hearings

You will be required to attend all court hearings in Phase 1. Upon successful completion of Phase 1, you will not be required to attend court unless you are in non-compliance such as missed treatment sessions, missed drug tests, positive drug tests, violation of program rules etc. If you have a non-compliance and receive a sanction, you must appear at the next Drug Court hearing for a Status Hearing for sanction compliance. Alternatively, you may be required to attend court to receive an incentive for doing well, a status check-in, or for your graduation from drug court.

Drug Court hearings are held in a regular courtroom setting with the judge, Drug Court team, Drug Court participants and other court personnel. Since PTI Drug Court is a voluntary program, your defense attorney is not required to be present unless you ask them to be present. This means that you speak for yourself directly to the Judge, and everything you say will be heard by other participants, as well as Drug Court team members, Court Deputies and Clerks present in the courtroom.

You should feel comfortable speaking freely with the Judge; however, if you have any reservations or want to speak more privately, let your attorney, the Drug Court Manager, treatment counselor, DOC officer, or Judge know about your concerns.

REMEMBER: Attendance at Drug Court hearings are ***MANDATORY***. Failing to appear for court, may result in receiving (8) hours on the Brevard County Sheriff's work farm and/or a warrant issued for your arrest.

Drug Court Program Rules

As a Drug Court participant, you will be required to abide by the following rules:

1. **Do not use or possess any drugs or alcohol.** Sobriety is the primary focus of this program.
   - You must notify your treatment team if you are taking any prescription, over-the-counter medications or any supplements or alternatives typically found in health food stores.
   - You may not take medications prescribed to others.
   - You may not enter any establishments whose primary purpose is to sell or serve alcoholic beverages.
   - You must disclose to any doctor, **prior** to them prescribing medication, that you are a participant in Drug Court. You may not take any narcotic without a doctor's note stating that it is medically necessary, **and** no non-narcotic alternative is available. Prolonged use of narcotic medication may result in a dismissal from Drug Court.

2. **Drug test when required.** Expect to take random and on-demand drug tests. Do not tamper, substitute urine, dilute, or chemically alter your test. Failure to provide an observed urine specimen will be treated as a positive result.

3. **Attend all required treatment sessions.** This includes individual and group counseling, educational sessions, and self-help meetings. If you are unable to attend a scheduled session, you must contact your treatment provider **prior** to the missed session. Although notifying your provider will not necessarily excuse your tardiness or absence, it will allow the provider to consider any special circumstances that might be involved.

4. **Report to your Probation Officer (PO) as directed.** Everyone in Drug Court is supervised by a Florida Department of Corrections Probation Officer. As such, you must comply with their directives. You must notify your PO prior to any change in residence or employment. You must also receive permission from your probation officer if you would like to travel outside the county.

5. **Drug Test Reporting.** You will be required to test according to the drug test line. You must follow the drug test line instructions and call every day **before** 7:00 am, *including* weekends.

6. **Be on time for all appointments including court appearances.** If you are late for a counseling session, you may not be allowed to attend that session, and you will be considered non-compliant and receive a sanction. Contact your treatment provider if there is a possibility you may be late. If you are late for court, you may receive a sanction, or the Judge may issue a bench warrant for your arrest.

7. **Do not make threats toward other participants or staff or behave in a violent or threatening manner.** This may result in termination from the Drug Court program. Additionally, you may **not** possess any firearms or ammunition while in Drug Court.

8. **Dress appropriately.** All participants must wear court appropriate attire and shoes. Attire must not be revealing, torn, reasonable size/length, no drug/alcohol/gang themed clothing. *Speak with your treatment provider or DOC officer if you need assistance with obtaining suitable clothing*.

9. **Appropriate courtroom behavior.** Turn off all cell phones and do not text message. Gum chewing or food consumption is not allowed in the courtroom.

10. **Have a good, positive attitude.**

PTI Drug Court Team Roles and Responsibilities

The Drug Court Team meets twice (2) a month to review the progress of each participant.

The Drug Court Judge oversees the entire program and the progress and compliance of each participant. The Judge may also reward participants for their achievements or impose sanctions for program violations. The Judge speaks directly to individual participants at each hearing.

The Drug Court Manager is responsible for managing the program, the Drug Court team and coordination of your rehabilitation process and services. The Drug Court Manager is a core team member and meets with the Judge, along with other members, to discuss your progress and make program recommendations.

PTI Probation Officers are responsible for enforcing your PTI Drug Court contract, making sure you follow all the rules and laws, and treatment requirements. PTI Drug Court Officers are core team members and meet with the Judge to discuss your contract compliance and to make recommendations.

Peace Club is the primary treatment provider responsible for seeing that you receive the best treatment services available. The primary treatment counselor is a core team member who meets with the Judge to report treatment progress and make treatment recommendations.

The Assistant State Attorney (ASA) screens every case for eligibility and statutory requirements. Additionally, they represent the interests of the State of Florida. The ASA is not a core member but will appear in Drug Court for hearings related to revocations, application rejections, or re-applications.

Your Attorney may be an Assistant Public Defender (APD**),** or a private attorney who you hired. Your attorney submits your application and case information to the State Attorney's Office to start the process. Your Attorney is not a core member, but he/she may call or meet with any core member and may attend staffing or court anytime. Your attorney is not required to appear in Drug Court, unless notified by you or the court to attend a hearing.

Confidentiality

Your identity and privacy will be protected consistent with Federal Regulations and Florida law and cannot be disclosed to anyone without your consent. You will be asked to sign a waiver authorizing the transfer of information among the Drug Court team, treatment provider and all participating agencies. Additionally, you must also respect and maintain the confidentiality of others that are participating in the program. Your consent is revocable; however, if we are unable to share your information, you would not be able to continue in the PTI Drug Court Program and would be referred back to the trial court.

Confidentiality in Therapy

Confidentiality also takes place between you and your counselor. In other words, what you share in groups or individuals is not disclosed. Additionally, you must maintain the confidentially of others in your group counseling.

The main points that the counselor shares with the Court and Team are:

- Your attendance
- Your participation or lack of participation
- Your progress

There are some other things that your counselor will need to disclose to us:

- If you need medical treatment or are having thoughts of suicide.
- If you commit a crime against a staff member, or another participant, or a crime on the provider's property.
- If you are being threatened by another participant, or if you are threatening another participant.
- If you are being disruptive in group or individual sessions.
- If you are continuing to commit crimes or otherwise violate your contract
- Drug screen results.
- Any child abuse or child neglect allegations.

If you have questions about confidentiality, ask your **attorney**, the **Drug Court manager**, or the **judge**.

Code of Ethics

- We cannot and will not discriminate against you because of race, color, gender, religion, national origin, sexual orientation, or disability.

- We cannot be personally involved with you or your family, nor have any sort of financial or business relationship with you, your immediate family, or close friends. This also means that we cannot ask you to do personal favors for us, nor can we do them for you.

- We cannot give you personal gifts, or accept personal gifts from you, or your family, or your close friends.

Treatment Phases

Each phase consists of specific requirements that you must complete successfully to advance to the next phase. These requirements are only guidelines and may be modified as necessary for individual participants' needs.

Phase 1: Orientation, Assessment and Drug Education (approximately 30 – 45 days)

- Complete orientation and intake with your PTI DOC officer
- Complete treatment intake and substance abuse evaluation.
- Attend 1 drug education group session per week.
- Attend individual sessions as instructed (no less than one per month).
- Attend self-help sessions as instructed by your treatment provider.
- Submit to random drug testing 2-3 times per week.
- Attend all court hearings.
- Must be in compliance, clean drug tests and the above completed to move to Phase 2.

Phase 2: Stabilization/Intensive Treatment (minimum of 12 weeks)

- Attend 2 group therapy sessions per week.
- Attend one 1 individual session per month or as directed.
- Attend self-help or NA/AA programs in accordance with treatment plan (NA=Narcotics Anonymous, AA= Alcoholics Anonymous).
- Attend court hearings as directed.
- Complete HIV, four-hour anger management and 4-hour parenting classes.
- Submit to random drug testing 2-3 times per week.
- Attend monthly meetings with PTI DOC officer.
- Must be in compliance, above requirements completed and 90 days clean to move to Phase 3.

Phase 3: Relapse Prevention (minimum 12 weeks)

- Attend 1 group therapy session per week.
- Attend 1 individual session per month or as directed.
- Submit to random drug testing 2-3 times per week.
- Attend court hearings as directed.
- Attend meetings with PTI DOC officer.
- Attend self-help or NA/AA programs in accordance with treatment plan (NA=Narcotics Anonymous, AA= Alcoholics Anonymous).
- Must be in compliance, above requirements completed and 90 days clean to move to Phase 4.

Phase 4: Maintenance and Community Transition (minimum of 8 weeks)

- Attend 1 group therapy session bi-weekly.
- Attend 1 individual session per month or as directed.
- Complete the MAXX life skills course.
- Co-facilitate 1 group therapy session.
- Submit to random drug testing 2-3 times per week.
- Prepare your aftercare plan.
- Demonstrate an appropriate understanding of recovery principles.
- Attend self-help or NA/AA programs in accordance with your aftercare plan.
- Identify and obtain a mentor or sponsor.
- Complete your exit packet and personal journey essay.
- Must be in compliance, all requirements completed, all fees and fines paid in full, and at least 90 consecutive days clean to apply for graduation.

Additional Requirements/Classes

Community Service:

Every participant in the Drug Court program is required to perform 50 hours of community service. You will be required to complete approximately 8 hours per month with all 50 hours being completed thirty (30) days prior to your termination date. You will be provided with a list of approved community service work sites and a log sheet from your DOC Officer.

**Additional community services hours may be imposed/required as a sanction if you fail to comply with the rules of the program.*

Drug Education Classes:

Every participant is required to attend and complete the following courses as part of your drug education curriculum.

- HIV Awareness & Prevention
- Parenting
- Anger management
- Maxx Content life skills course
- Adult education or GED classes, if necessary

Incentives

Incentives can be recommended by the Drug Court team and granted at the Drug Court judge's discretion to support treatment through positive reinforcement of program accomplishments.

- ❖ Recognition by the judge
- ❖ In court applause and praise
- ❖ Certificates of recognition and/or completion
- ❖ Recreational activities
- ❖ Advancement to the next program phase
- ❖ Called first and released early from court
- ❖ Approval of travel privileges
- ❖ Fishbowl drawings for prizes
- ❖ Gift cards
- ❖ Snacks given during court session

PTI Sanction Schedule

Positive drug tests:

- Loss of clean time, increased treatment *and* may include:
  - Residential treatment
  - Extension in the program
  - Revocation

Missing/failing to show drug test:

- All missed tests are presumed a positive result.
- **First time**: warning
- **Second time**: 8 hours on the Brevard County Sheriff's Work Farm
- **Third time**: 16 hours on the Brevard County Sheriff's Work Farm.
- **Fourth time**: 24 hours on the Brevard County Sheriff's Work Farm, possible increased treatment and/or extension in the program or as determined by the drug court team.

Refusing or failure to test or provide a urine sample:

- Presumed a positive result and loss of clean time.
- Brevard County Sheriff's Work Farm *or* Jail
- Revocation from the program

Tampering/altering/using devices:

- Brevard County Sheriff's Work Farm or jail.
- Revocation from the program and/or possible new criminal charge

Providing a dilute urine sample:

- **First time**: verbal warning
- **Second time**: Loss of clean time.
- **Third time**: Loss of clean time and 8 hours on the Brevard County Sheriff's work farm *or* other sanction as determined by the drug court team.
- **Fourth time**: Loss of clean time and 16 hours on the Brevard County Sheriff's work farm *or* other sanction as determined by the drug court team.
- **Numerous/continued**: Staff for possible revocation from the program.

Failure to Pay Fees:

- Extension in the program
- Community service
- Possible revocation from the program.

Failure to complete community service:

- Extension in the program
- Brevard County Sheriff's work farm in lieu of community service
- Possible revocation from the program

Failure to attend, refusal or falsifying self-help meetings:

- Extension in the program
- Brevard County Sheriff's work farm
- Jail time
- Possible revocation from the program

Unexcused Absences:

- Warning
- Brevard County Sheriff's work farm
- Jail time
- Extension in the program or possible revocation.

Disruptive /Rude Behavior: (depends on severity and situation or frequency)

- Public apology and essay on your behavior/conduct presented to the group and/or court
- Brevard County Sheriff's work farm.
- Jail time
- Revocation from the program

New Arrests/Criminal Behavior:

- Brevard County Sheriff's Work Farm
- Inpatient treatment
- Jail time
- New case not eligible for diversion
- Revocation

** When appropriate, essays or projects may be used in lieu of a PTI Sanction listed above. Topic and completion of the essay must be approved by the Drug Court team.*

SANCTIONS ARE PROGRESSIVE AND REFUSAL OF ANY SANCTION WILL RESULT IN REVOCATION

Drug Testing Procedures

Drug Screening: Throughout your participation in the PTI Drug Court Program, you are required to participate in the random drug testing system. Additionally, you may also be subject to an on-demand or DOC directed test.

You are required to call the message line **800-494-1250** *or* login to https://www.drugtestcheck.com/ and input your Personal Identification Number (PIN) **every day**, **including weekends and holidays**, to find out if you are required to test that day.

- **Testing Site(s):**
  1. **Peace Club (Cocoa Beach)** - 1811 S. Orlando Ave. Cocoa Beach, FL 32931.
     - *Testing starts at 8:00 am and your sample must be completed by 12:00 pm.*
  2. **Peace Club (Melbourne)** – 1916 Dairy Road, Melbourne, FL 32904.
     - Testing starts 1:00 pm and your sample must be completed by 5:00 pm.

     *** Weekends and holiday hours testing are the same at both locations.**

Missed drug test: will be presumed positive and result in a sanction. If you are called and you are on a 'farm day', you ***will not*** be excused and will still need to report for testing. If you have an emergency, sick or other extenuating circumstances you must call your treatment provider to advise of the situation and provide verification.

Urine Specimen: You are expected to provide a fresh, clean, unadulterated, undiluted urine specimen of at least 1 oz (30 ml). Additionally, your urine specimen must have a temperature reading between 90 -100 degrees. Failure to provide an adequate specimen will be considered a failure to comply with program requirements and will result in a sanction or termination from the program.

Tampering/Adulteration: Putting anything other than your own urine in the collection cup. Additionally, trying to avoid or obstruct the observer's view, failing to follow the observer's directions, or carrying or concealing anything else in your hands, or on your body, such as a balloon, a tube, a bottle, hose, device or anything else, other than the collection cup. Any participant caught tampering or adulterating their urine specimen will be revoked from the program and possible new criminal charges.

Diluting: Consuming excess fluids, using cleansing agents or adulterants to avoid detection of drug usage. Each sample is tested for a naturally produced chemical, creatinine, which must be above 20 mg/dL (the same cutoff used in federally regulated programs). The first dilute sample will result in a warning and a subsequent diluted sample will result in loss of clean time, as well as, a sanction. Continued dilution will result in a revocation from the program.

Medications

All medications (prescribed, over the counter, alternative and herbal) need to be approved **prior** to taking them**.**

Prescribed Medication: You are responsible for informing your doctor(s) that you are participating in a drug treatment program which prohibits the use of any prescription medications that are considered addictive, mood altering or cause tolerance. No one expects you to delay or avoid medical treatment when you are sick or injured, however we do expect you to be responsible and follow the rules (see prohibited substance and drug testing agreements).

Over-the-counter (OTC): You may not use any OTC product for cold, cough etc. that contains alcohol, opiates or amphetamines (see prohibited substance agreement).

Physician Form: Any time you seek treatment, you are required to present the Physician Form, located in your Drug Court folder, to the doctor. Your doctor will need to sign and scan this form to the Drug Court office, sent only by the doctor's office.

Travel Permits

If you wish to leave Brevard County overnight, you must have a pre-approved travel permit. Travel permit forms may be obtained from your DOC officer. You must complete the form with all the required information, and have the permit approved and signed by your DOC officer. If you have tested positive for drugs, or if you are in any other non-compliance status, or if you have been non-compliant within the last thirty (30) days, a permit will not be issued.

If you wish to leave Brevard County for the day, you will not need a written permit, however you **must** first call your DOC officer. You will need to tell your DOC officer where you are going, for what reason, and when you will return. As with overnight permits, you will not be approved to go out of county if you have tested positive ***or*** are in a non-compliance status ***or*** have been within the last thirty (30) days.

During any approved travel, you are not excused from drug testing. You must call the drug testing line from wherever you are, and you must be tested at your own expense at a certified testing facility. The drug test results must be sent by email to the Drug Court manager's office at jean.bandish@flcourts18.org .

Remember -- travel permits are a privilege, not a right.

Drug Court Fee Schedule

Cost of Prosecution one time per case fee through DOC: $100.00

Cost of Supervision (COS) fee through DOC: $0 to $25.00 per month

Cost of Investigation (COI): varies case by case

One-time fee for DOC Drug Testing Account: $30.00

MRT Workbook: $27.00

Clients are required to pay a $200.00 per month fee towards treatment cost.

**Funding resources (if available) for treatment, when available, will be reviewed for every client.*

*Please note: this fee schedule does NOT include your Public Defender fees or restitution.

IMPORTANT: Drug Court requires that all fees are paid in full 30 days prior to your supervision termination date---ask your DOC officer if you are not sure of the date. Failure to comply could result in your contract being extended, extra sanctions, or worse---your contract could be revoked.

GETTING TO THE FINISH LINE

Tips for Success

- ✓ Remember, it is a PRIVILEGE to be in this program, not a right!
- ✓ Work hard, keep a good attitude and you will be successful!
- ✓ Stay clean, do everything and you will move ahead!
- ✓ Learn as much as you can. If you are struggling, please ask for help. We are here to help you!
- ✓ Change your lifestyle! Keep away from destructive people, relationships, and old habits!
- ✓ Check around your home and discard all paraphernalia, liquor bottles, and anything associated with your old lifestyle!
- ✓ Avoid environments that fuel your addiction!
- ✓ Be open and honest! Let your DOC officer, counselor or Drug Court Manager know everything that is going on with you!
- ✓ Avoid blaming and being resentful and angry!
- ✓ Take advantage of the help and services that are being offered to you!

Important Phone Numbers

Honorable Judge Robert Segal		(321) 637-5641
Jean Bandish, Drug Court Manager jean.bandish@flcourts18.org	Direct Line Fax	(321) 617-7375 (321) 637-5570
Random Drug Test Line	Phone Web check-in https://www.drugtestcheck.com/	(800) 494-1250
Randy Bookhart, DOC Officer Randy.Bookhart@fdc.myflorida.com	Office Cell Phone	(321) 634-3570 (321) 794-1255
Peace Club Office	Cocoa Beach	(321) 423-1212
Tyna Baugess, Peace Club Manager Community Partnerships tyna@peace.club	After Hours	(321) 372-9803
State Attorney's Office, Criminal Division		(321) 617-7510
Public Defender's Office, Criminal Division		(321) 617-7373
Clerk of Courts		(321) 637-5413
Brevard County Detention Center (Jail)		(321) 690-1500
Department of Children & Families		(321) 690-3870
AA		(321) 633-0052 (321) 724-2247
NA		(321) 631-4357
Twin Oaks Detox		(321) 722-5322
Abuse Hotline		1-800-962-2873
Speak Out Hotline		1-800-226-7733
Suicide Prevention		1-800-273-8255
Help Line		211