

**16th Judicial District
Recovery Court/DUI Program
Policies and Procedures Manual**

Revised February 2015

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INTRODUCTION

The Sixteenth Judicial District of Tennessee serves the counties of Rutherford and Cannon with a population of approximately 300,000. The 1998 annual combined alcohol/drug related arrests total approximately 3,207. An estimated 65-85% of those charged are repeat offenders. In Rutherford County there were 34 fatal alcohol related crashes in 2005; in 2006 this rose to 37. Also in 2006, in General Sessions Court, there were approximately 1,058 filings for DUI 1 and 2's, 58 for DUI 3's, 33 for DUI 4's, and 11 for DUI 5's. Rutherford and Cannon Counties are obviously experiencing a trend where convicted DUI offenders are being released, only to re-offend with another DUI.

The DUI Court Program targets non-violent offenders at high risk for re-offending that meet the criteria established for admission into the DUI Court Program. These offenders may be pre-adjudication or post- adjudication.

Those clients accepted into the DUI Court Program receive an intensive and nationally recognized and accepted comprehensive array of treatment services, frequent alcohol/drug testing, and case management supervision. This is coupled with active judicial supervision, a system of immediate and graduated intermediate sanctions for program violations, and recognition/reward for compliance and progress within the program.

MISSION

The mission of the Sixteenth Judicial District DUI Court Program is to reduce the length and use of incarceration, fatalities, injuries, and related economic losses resulting from alcohol related traffic crashes, reduce the recidivism rate of crimes related to alcohol abuse, and improve the safety and quality of life in our community by utilizing a nationally recognized and accepted innovative, efficient, integrated model of services, with the key emphasis on enforcement, adjudication, education, and treatment.

GOALS AND OBJECTIVES

The goal of the Sixteenth Judicial District DUI Court Program is to promote public safety, reduce recidivism/re-arrest, and incarceration rates for adults who, are arrested with a DUI offense, it is evidenced that alcohol involvement is a significant contributing factor in traffic accidents.

The objectives of the program are:

1. To provide an integrated continuum of judicial supervision, treatment services, case management services, supervision, and drug testing meeting the standards established within the 10 Principles of DUI Court.

2. To demonstrate the cost effectiveness of a comprehensive 'DUI court' approach in addressing primary alcohol offenders as compared to approaches currently being utilized.
3. Participants will be compliant with program requirements
 - a. Participants will attend 90% of required self-help meetings
 - b. Participants will attend all of their counseling and case management sessions.
4. Participants will reduce their criminal behavior.
 - a. Participants will have an overall arrest rate for DUIs of less than 30% while they are in the program.
 - b. Recidivism after one year from graduation and two years from graduation will be 30% or less with no fatal crashes.
5. Participants will reduce their alcohol and drug use as evidenced by negative drug screens.
6. Participants will participate in treatment as evidenced by attending all of their required counseling sessions.
7. Participants will make restitution to the victim or to the community, and pay off their court costs and fees.
 - a. Participants will bring in receipts from the clerk's office showing that they are paying their restitution.
 - b. Participants will bring in receipts from the clerk's office showing that they are paying their court costs and fines.

ABOUT US

The Recovery Court Office is located at 303 North Church Street in Murfreesboro, Tennessee. Our phone number is (615) 217-7124. Our office hours of operation are from 8:00 am to 4:30 pm, Monday through Friday. Classes/Group may occur after normal hours of operation and weekend and holiday drug screens are conducted each morning from 8:30 am till 9:00 am. Our Recovery Court Staff consists of the Director, Assistant Director, two Case Managers/Monitors and an LADC Therapist. We are an outpatient treatment facility and do not have residential services. Some groups/classes may be scheduled outside of the regular business hours of operation. In addition to our Recovery Court Programs, we also offer a DUI School (See Attachment 13).

The Prime for Life curriculum will be used for the DUI school. Staff for this service are trained/certified as Prime for Life instructors. The DUI School will be held a minimum of every 3-4 months at the Rutherford County Work Center or the Recovery Court Office. Inmates or members of the DUI Court or Drug Court programs who have been convicted of a DUI and have previously registered and

paid for the class are eligible to attend. At the conclusion of the required hours of education, they will be given a certificate of completion.

REFERRAL PROCESS

The presiding judge, district attorney and/or public defender's office, the candidate's lawyer, sheriff's department, probation officers, treatment professionals, and the candidate himself may refer candidates for the Recovery Court/DUI Program. These candidates may enter the program under certain pre-adjudication or post-adjudication conditions, but sentencing is often postponed until completion of the program:

Pre-adjudication:

- *Conditional Guilty Plea.* An offender is allowed to plead guilty to an offense, with the stipulation that as a condition of the plea, he/she must comply fully with the Recovery Court Program, or plea offer is withdrawn for program failure.
- *Diversion.* An offender pleads guilty and the judge reserves decision on whether to accept the plea of guilt. If the offender graduates from the Recovery Court, then the court will not accept the plea and charges are dismissed. If the offender fails in the program, then the plea is accepted and the court will proceed to sentencing.
- *Plea accepted – Sentencing delayed.* Court accepts an offender's plea of guilt and court delays sentencing. If the offender graduates from the Recovery Court, then a favorable sentence is given. Program failure usually results in incarceration by the sentencing judge.

Post-adjudication:

- *Conditional Discharge.* The offender is sentenced to comply fully with the Recovery Court Program, without the additional imposition of imprisonment or probation supervision.
- *Probation.* The offender is sentenced to probation supervision and as a condition of probation; the offender is required to fully comply with the Recovery Court Program.
- *Split Sentence (Jail and Recovery Court).* The offender is sentenced to serve a jail term and after completion of his/her jail term, the offender must serve a conditional or probationary sentence. As a condition of this phase of the sentence, the offender is required to fully comply with the Recovery Court Program. Failure in Recovery Court can result in a re-sentence of the offender to the balance of the incarceration term by the sentencing judge.
- *Re-sentence (Violation of Conditional Sentence or Probation).* An offender having been found to have violated a conditional sentence or probationary sentence is re-sentenced by the court to the Recovery Court Program.

SCREENING AND ELIGIBILITY

Upon referral, the candidate will be given a Participant Handbook (See Attachment 1) to read, and if still interested in our program, will fill out an application form (See Attachment 2). If the candidate meets the initial screening criteria, we will submit a request to the District Attorney's office for an NCIC criminal background check on the candidate. When the background check comes back, we check for violent offenses, such as Vehicular Assault or Vehicular Homicide. If there are no concerns, a clinical assessment utilizing the (ASI) **Addiction Severity Index** (See Attachment 3) is completed. A **CESI** survey (See Attachment 4) is also conducted to determine the participant's readiness towards change and current criminal thinking. Following completion of the assessment, the screening and assessment information is submitted to the DUI Court Review Team to determine if the candidate is appropriate for the program.

There is a priority preference for admission and, if necessary, placement on the waiting list to treatment programs following the admission. Priority preference is as follows: First Priority: Pregnant injecting drug abuser; Second Priority: Pregnant substance abuser; Third Priority: Injecting drug user; Fourth Priority: Medically Monitored Crisis Detoxification admissions; Fifth Priority: Probation and Parole; Sixth Priority: All others.

The initial screening criteria include the following:

- ❖ Must be a non-violent offender – No Motor Vehicle Assault or Motor Vehicle Homicide.
- ❖ Must have a primary diagnosis of alcohol dependency.
- ❖ Must be a resident of Rutherford or Cannon County.
- ❖ Must be 2nd or 3rd DUI Offense or a 4th DUI Offense on a case by case basis.
- ❖ Offender must voluntarily agree to participate.
- ❖ Must have a potential agreement among sentencing judge, District Attorney's Office and Counsel for the accused that DUI Court would be an appropriate option.
- ❖ Cannot have a hold or pending criminal charge from another jurisdiction.
- ❖ Cannot be acutely mentally ill or suicidal.
- ❖ Must not be chronically or terminally ill with a physically debilitating illness or receiving dialysis on a regular basis.
- ❖ Must be willing to discontinue any medication that can be detected on a drug screen within 30 days of entering the program.
- ❖ Must be able to obtain legal transportation to all Recovery Court activities.

ENTRANCE INTO THE DUI COURT PROGRAM

The Recovery/DUI Court Review Team consisting of the Recovery Court Judge, Recovery Court Coordinator, DUI Court Case Managers/Monitors, DUI Court Therapist, DUI Court Officer, Assistant District Attorney, and Public Defender, review the candidate's case. By majority vote, the candidate is either found to be appropriate for the program, or denied. Their attorney, and/or the candidate is notified of their appropriateness or denial. If they are appropriate for the program, they will be asked to come to the next scheduled DUI Court. The referring Court will write an **Order of Transfer** or a **Furlough Court Order** (See Attachment 5) to Recovery/ DUI Court.

When the candidate appears at their first Recovery/DUI Court, they will be scheduled for Orientation and an **Intake Packet** (See Attachment 6) will be completed with them and an appointment will be made with the DUI Court Therapist.

Recovery/DUI Court Participants must also get a physical within 30 days of coming into the program. They must receive a TB test and agree to be tested for HIV and sexually transmitted diseases. A form filled out by the doctor is given to the Case Manager to determine if any follow-up is necessary and needs to become part of their Individual Program Plan (See Attachment 7).

THE RECOVERY/ DUI COURT PROGRAM

DUI Court Program Rules:

All participants of the Recovery/DUI Court Program will comply with the following rules:

- You will receive an assessment and an ongoing evaluation with regard to your alcohol treatment program.
- You will follow the phases of the program to the satisfaction of the Court
- You will not use, possess, or **be in the presence of** any illegal drugs, including marijuana, or drug paraphernalia. This includes, but is not limited to, weapons or any other items that the DUI Court deems illegal. You will not use **or be in the presence of** alcohol at all. This includes mouth wash, cough medicine, non-alcohol beer or wine, cooking with any alcohol-based products, using alcohol-based after shave, cologne, oral treatments, alcohol-based hand sanitizers, paints or household cleaners.
- You agree to be drug and alcohol tested at any time. You will not alter, or try in any way to change your bodily fluids given for drug tests. Anyone living in your home agrees to abide by the same rules, as stated above.
- A participant may go to eat at a restaurant that serves alcohol, but may not sit at the bar section at any time. When at a table in the eating section, no alcohol is allowed at the table at any time.
- A participant may not associate with others consuming alcohol under any circumstances, even if family members or a significant other.

- A set curfew and rules may be imposed at any time defining when you are to be at home, where you can go and whom you may associate with.
- You agree to be searched for alcohol or drugs by any police officer or Case Manager or Monitor with or without a search warrant, warrant of arrest, or reasonable cause, day or night.
- You will not engage in any criminal activity. You will not agree to be an informant for the police while in this You must upon acceptance to the DUI Program or successful completion of a in-patient treatment program acquire a sponsor and give that information to the Case Monitor or Case Manager, name phone number etc, with the understanding that the information will be verified.
- You will keep or look for a job or go to school as approved by the Court
- You agree to keep the Court advised as to any changes in your address or employment. You will participate in any other treatment deemed appropriate and sign authorizations as necessary.
- You will not leave the state of Tennessee or Rutherford County over night without permission of the Court.
- The participant is not allowed to be in an establishment whose primary focus is on alcohol. You must upon acceptance to the DUI Program or successful completion of an in-patient treatment program acquire a sponsor and give that information to the Case Monitor or Case Manager; name, phone number, etc. with the understanding that the information will be verified.
- You agree to a change in your court appearance date with 24-hour notice.
- You agree to tell any police officer that you come in contact with that you are in the Recovery/DUI Court Program.
- You give up any rights to contest changes in your treatment program.
- You agree to pay a monthly fee for your program services. This must be paid in full before you can graduate from the program
- You agree that the Recovery/DUI Court staff can talk to your treatment provider about your progress without you being present.
- You agree to have your case heard without the State's Attorney or your attorney present, unless the Judge is considering terminating you from the program.

TREATMENT

Based on the ASI (See Attachment 3), the participant will be placed in the appropriate level of care. The DUI Court Therapist or the DUI Court Case Manager/Monitor will make the arrangements for any residential or in-patient care. However, the DUI Court Therapist will provide Level I care. Level I is less than nine hours of outpatient therapy per week.

The treatment component of the DUI program focuses on alcohol and drug education and addressing issues that could interfere with the recovery process. During Phase I, participants attend Early Recovery Group (focused on understanding addictive disease and identifying personal triggers for use), Relapse Prevention Group (developing coping and relapse prevention skills) and Steps Group (personalizing spirituality and the recovery process).

Phase II includes Relapse Prevention and MRT (Moral Reconciliation Therapy) which is designed to elevate the participant's moral reasoning and promote positive behavioral growth.

In Phase III, participants attend the Emotions Group which focuses on understanding the eight core emotions and learning to express those emotions in healthier ways.

Throughout the program, participants are required to attend recovery support meetings such as AA, NA, Celebrate Recovery, etc. in order to develop a strong support system for on-going sobriety. Family members are encouraged to participate in group and/or individual sessions. The primary goals of the DUI Court Program are to help restore the participant to a healthy, more productive life and to protect the community by reducing the potential for impaired driving.

Our staff does not use any form of restraint or therapeutic holds during sessions. If a participant becomes disruptive during group or session, staff would first try to verbally de-escalate the situation. If the participant does not calm down they would be asked to leave the premises and if the situation continues, law-enforcement would be called to assist.

Referrals are made to medical detoxification and residential treatment as needed (most clients have detoxed while serving time in jail). Whether the participant is appropriate for these levels of treatment is up to the treatment provider at these facilities. If the participant is not appropriate, the Team determines what services need to be available to the participant. If it is determined by the DUI Court Therapist that a mental health evaluation needs to be done, the participant is sent to The Guidance Center or Mental Health Co-op. If the participant has insurance, they may choose their own provider. If the participant is put on medication, this becomes part of their Individual Program Plan and is monitored by both the Recovery/DUI Court Therapist and Case Manager/Monitor, but the staff will not manage or administer any of their prescribed medications. A release is also signed by the participant to have communication with the psychiatrist. Adjustments are made in the participant's treatment plan if he/she is found to have a co-occurring disorder based on his/her individual needs.

The Recovery/DUI Court staff assesses program compliance for each participant attending court weekly during Review Team Meetings. They assess treatment monthly for every participant at "Roundtable" which is a clinical staffing; and complete/update their IPP (See Attachment 8) or complete their discharge plan (See Attachment 9). Staff agrees upon any treatment changes and the Recovery Court Team is notified of these changes during weekly Review Team meetings. The participant is notified of any changes to their treatment by the Recovery/ DUI Court Therapist, the Case Manager/Monitor, or during court proceedings by the Judge.

All participants receiving treatment from the Recovery/DUI Court Program are protected under Title VI Legislation. (See Attachment 10) Our facility is ADA compliant. Rutherford County is required to take reasonable steps to ensure meaningful access to our programs and activities by persons with LEP (Limited English Proficiency). Any complaints regarding Title VI can be filed with paperwork found in our lobby. We accomplish this by utilizing interpreters, posting signs in Spanish or utilizing the Language Line phone service. Unfortunately, we are unable to provide childcare, except for Family Night.

Participants who are illiterate, or need literacy help, are teamed up with another participant to help them with their work, go over their work with their Case Manager/Monitor, and are offered literacy classes through the Adult Literacy Program.

This Agency/Program is a recipient of taxpayer funding. Anyone observing an agency director or employee engaging in any activity which is considered to be illegal, improper, or wasteful should call the State of Tennessee Comptroller's toll free hotline at: 1-800-232-5454 (Poster in front lobby).

The Recovery Court Program is located downtown, two blocks from the court house and is accessible by the city-run **Rover** system, and in the county, the **Relax and Ride** system.

PHASES OF THE PROGRAM

There are three phases of the Recovery/DUI Court Program, which all participants will follow. This is specific to those clients engaged in outpatient treatment services.

Phase One lasts approximately four months and includes:

- Meet with DUI Court Case Manager/Monitor every other week in the home, at work, or in the office.
- Random urine screen minimum of two times a week.
- Outpatient group therapy weekly.
- Obtain a Self-help sponsor (within the first two weeks of admission to the program or discharge from a treatment facility).
- Attend Family Session weekly.
- Self-help support meetings two times a week.
- Appear before the Judge weekly.
- Submit a weekly journal entry to the court.

To successfully complete Phase One, participants must have a minimum of four consecutive negative urine screens. Participants must have attended all individual and group sessions, and 90% of the self-help support meetings.

Phase Two lasts approximately four months and includes:

- Meet with DUI Court Case Manager/Monitor every other week in the home, at work, or in the office.
- Random urine screen minimum of once a week.
- Group therapy weekly.
- MRT session weekly.
- Self-help support meetings two times a week.
- Appear before the Judge every other week.
- Submit a weekly journal entry to the court.
- Mandatory payment of program fees, court costs and court fines.

To successfully complete Phase Two, participants must have a minimum of six consecutive negative urine screens. Participants must have attended all individual and group sessions, and 90% of the self-help support groups.

Phase Three lasts approximately four months and includes:

- Meet with DUI Court Case Manager/Monitor as needed or required, in the home, at work, or in the office.
- Random urine screen minimum of once a week.
- Group therapy weekly.
- Self-help support meetings one time a week.
- Appear before the Judge a minimum of once every four weeks.
- Submit a weekly journal entry to the court upon appearance.
- Mandatory payment of program fees, court costs and court fines.
- Develop a Discharge Plan with your DUI Court Case Manager.

To successfully complete Phase Three, the following must be completed:

- A minimum of the last five months of urine screens must be clean.
- Successful enrollment in an educational program, a job training program, or be employed at least part-time.
- Adequate housing and appropriate support system.
- Completion of Discharge Plan to the Court's satisfaction.
- Attendance of all group sessions and 90% of self-help support meetings.

Graduating From DUI Court

When Phase Three is completed, the participant will be presented to the Judge to graduate from the program. At that time, the participant is given a **Graduation Questionnaire** (See Attachment 11). The participant will complete the Graduation Questionnaire and return this to the Case Manager. The Recovery/DUI Court Team will then set a date for the participant to appear before the Graduation Review Panel. The Graduation Review Panel will determine if the participant is ready to graduate. If the participant is appropriate for graduation, he/she will graduate at the next Graduation Ceremony. If the participant must meet additional recommendations made by the Graduation

review Panel, he/she will complete these recommendations and then re-appear before the Graduation Review Panel until he/she is appropriate for graduation.

The participant will be encouraged to participate in the group graduation, but will not be required to make any public statements regarding the program or the facility. The participant will not be required to perform in public gatherings, nor will photographs be used without consent of the participant.

Successful completion of the Recovery/DUI Court program may result in a participant having his/her court costs and fines reduced, dismissal of criminal charges, or a reduction in the terms of his/her probation period. This decision is dependent upon the sentencing judge.

CONTINUING CARE

The approximate time in our program is typically one year. However, all participants may not be able to complete the program in one year. So the entire program may actually last up to 18 months.

Continuing Care is encouraged for all participants for six months after successfully completing Phase Three and leaving the program. Continuing Care consists of a weekly group that lasts for one and a half hours. All participants will continue to have access to all services provided by the DUI Court Therapist as needed.

Participants who have completed the program and are attending the Continuing Care Group will also be encouraged to be involved in the Alumni Group. The Alumni Group provides support to current participants through sponsorship, planning social activities, or other events determined by the group.

DRUG SCREENING PROTOCOL

The Rutherford County Recovery Court presently utilizes Redwood Toxicology Laboratory for our urine screens. We test for alcohol, opiates, benzodiazepines, cocaine, THC, amphetamines, oxycodone, methadone, and propoxyphene. We may also request an additional test for somas, tramadol, designer stimulants and synthetic cannabinoids. Additionally, we get a creatinine level and a THC level and a THC/Creatinine ratio (when testing positive for THC).

All participants are assigned a color when they enter the Recovery Court program. Each morning, Monday through Sunday and all holidays, by 6:00 a.m., a message is placed on the "Drug Screen Line" on our phone system that states what color has been chosen to be drug screened that day. We sometimes call drug screens by the different phases the participants are in, or by the participant's name. The beginning time and the ending time that the drug screens will be collected is also stated on the message.

An observed screen is one in which the participant is directly observed by staff actually observing urination. Clients are only observed by same sex staff; if no male staff is available, men may be given an oral instant screen or if no female staff is available, females may be given an oral instant screen. Staff shall exercise universal precautions (gloves) when handling urine specimens.

Prior to any specimen collection procedure, secure the collection facility and, if necessary, perform a thorough search for hidden adulterants or substitute urine specimens. Also place bluing agent in the toilet bowl or tank, remove or secure all chemicals (soaps, cleaning supplies, etc.) and secure or eliminate all water supplies.

Ask the participant to remove any unnecessary outer clothing. All personal belongings should be placed in a secure location outside the stall or partitioned area. The participant empties his/her pockets and displays the items to ensure that no items are present that could be used to adulterate the specimen. The participant also washes his/her hands in plain water prior to the test. Provide the participant with a clean, unused urine specimen collection container and instruct them to fill the container at least half full.

There may be extenuating medical and psychological conditions that may preclude the giving of a sample. In such cases, the participant must provide written evidence from a doctor indicating such a condition. Participants are responsible for informing the staff if they are taking any medication. Staff shall verify the use of medically approved prescribed medication that would cause a positive test result. However, most medication of that type is not allowed to be taken and participants are encouraged by staff to work with their doctor to find alternative medications.

Staff shall place the following information on the bottle label: Participant's identification number, date of collection, collector's initials, and indicate which test screen is to be performed.

Upon receipt of the specimen from the participant, staff should immediately apply the temperature strip to the outside of the bottle to determine the temperature of the specimen. If the temperature is outside the range of 90 to 100 degrees, the specimen needs to be recollected.

With the participant watching, tightly seal the container lid and place the tamper resistant tape over the lid and down the sides of the container. Have the participant sign his/her initials to the tamper resistant tape. Peel the participant I.D. label and place around the specimen bottle being certain to cover each end of the tamper seal. Have the participant read and sign the Donor Certificate section of the Drug Screen Test Request form certifying the urine is the participant's and the specimen has been sealed and labeled properly. The participant also needs to print his/her name in the designated area of the form under Donor Certification.

While keeping the urine specimen in view of staff and the participant at all times, staff reads and signs the Collector Verification section of the Drug Screen Test Request Form and prints their name in the designated area. The telephone number of the collection site should also be recorded on the form. Tear off the top copy of the Test Request Form (marked Lab Copy) and send it with the sample to Redwood Toxicology Laboratory.

All positive urine specimens are analyzed and confirmed through gas chromatography mass spectrometry at Redwood.

If using instant urine screens or oral screens, staff shall immediately dispose of negative specimens and containers after testing has been completed. Urine is to be emptied in the toilet receptacle. Plastic specimen containers will be disposed of in a lined trash receptacle or a trash bag. The collection area shall be cleaned thoroughly when all testing is complete. Staff shall wash their hands with soap and water after handling urine specimens.

Positive and Missed Drug Screen Procedures

Test results are available from Redwood, via email, within two days of the screen. In the event of a positive/missed drug screen, the results are immediately reported to the participant's Case Manager or Monitor. The Case Manager or Monitor is responsible for addressing the results with the client within 24 hours of reported results. In addition to the client, the team is notified and if necessary, immediate action is taken. Furthermore, the results are reported to the court within five (5) business days, and the judge will assess and enforce the consequences.

If an instant drug screen is administered and shows a positive result, it is addressed with the client immediately by the first available team member. Again, if it is determined to be a positive screen, the result of that screen will be reported to the court within five (5) business days, and the judge will assess and enforce the consequences.

SANCTIONS AND INCENTIVES

Sanctions and incentives are discussed with the DUI Court Review Team prior to court using the **Sanction Guidelines** (See Attachment 12). The judge ultimately makes these decisions, and prefers to be creative and have flexibility when making these decisions. Therefore, the following are guidelines only and not set in concrete.

Sanctions typically begin with increased treatment, supervision, set curfews, urine screens or self-help meetings. Sanctions may include adding community service hours. If a participant continues to exhibit irresponsibility by having dirty urine screens, being tardy or a missing appointment without calling, the

participant may spend 24-48 hours or more in jail. Note: because of the danger of drinking and driving, DUI participants may face immediate jail sanctions if discovered drinking either by urine or Breathalyzer.

Incentives may range from verbal praise and applause in court, to letters of recommendation for housing and job interviews. Additionally, as participant's progress through each phase, they are rewarded with fewer court appearances and drug/alcohol screens. Participants may also be rewarded for their good work with gift certificates or vouchers from local businesses (when available). As an added incentive a graduate from DUI Court, may be eligible to have their DUI conviction dropped one level, i.e., from a DUI 3 to a DUI 2.

TERMINATION FROM THE PROGRAM

The participant may voluntarily terminate their participation in the program. The participant should tell the Judge that this is their decision during DUI Court and the Judge will refer them back to their sentencing judge for disposition. This may result in the participant serving the remainder of their sentence in jail.

The Judge may also terminate a participant from the program. This occurs when the participant has consistently been in non-compliance with treatment recommendations, chronically failed drug/alcohol screens, difficulty with their attitude, or breaking program rules. The participant will then be sent back to their sentencing judge for disposition, which could result in the participant serving the remainder of their sentence in jail.

If the participant voluntarily leaves the program without notifying the Judge, he/she will be considered absent without leave. At this time the Judge will issue a warrant for their arrest. Upon being arrested, the participant goes back to the sentencing judge for disposition of their case. This may result in the participant serving the remainder of their sentence in jail.

RECOVERY/DUI COURT CASE MANAGERS/MONITORS

Recovery/DUI Court Case Managers/Monitors are an important part of our program. They visit each participant in the office, their home and /or work initially once a week as needed. As participants progress through our program, the visits will decrease. They are directed to provide whatever ancillary service the participant may need to help in his/her recovery program and prevent relapses.

The following is a list of services provided to each client by their Case Manager:

1. **Assessment-** Assess what the client needs, wants, their challenges and what their strengths are. Initially this is done at the time of intake and maintained throughout the program.
2. **Planning-** Goal setting for both short and long term. Review life skills including money management. Chart progress throughout the program.
3. **Linkage & Referral-** Assisting clients with community resources. This may include, but is not limited to housing (long term and transitional), educational assistance, job training, legal services, medical assistance and linking with other local agencies.
4. **Support-** Encourage, guide, and help keep clients focused on their recovery. Assist with crisis intervention. Facilitate groups such as Relapse Prevention, MRT, self help support groups and Circle.
5. **Monitoring-** Monitor compliance with program requirements as well as paying their fees, fines, court costs, restitution and submitting any documentation requested by the Court to their case managers. Collecting, recording and reporting data to all necessary officials, such as the courts, the treatment team and probation officers.
6. **Advocacy-** Speaking on the client's behalf at the Recovery Court team meeting, at local agencies and assisting with the legal system. Also, if a client is unable to pay their program fees, advocate with the team to reduce or discontinue this payment. The Case Manager/Monitor may also write a letter to the sentencing judge to advocate for a reduction in fines and court costs.

PROGRAM EVALUATION

The Rutherford County Recovery/DUI Court Program utilizes an Access-based MIS that is adapted from the Buffalo MIS program called Citrix. The County's Office of Information Technology maintains this system. The actual database is on the county server, and is only accessible to OIT and the Recovery Court staff through the use of user IDs and passwords. Additionally the path to the database is only available to Recovery/DUI Court staff.

Recovery/DUI Court staff consistently updates the database with the following information:

- Numbers and general demographics of individuals screened for eligibility.
- Extent and nature of AOD problems among those assessed for possible participation in the program.
- Attendance records for those accepted into the program.
- Progress reports for those accepted into the program.
- Drug test results for those accepted into the program.
- Incidence of criminality for those accepted in the program.
- Program graduates.
- Program terminations, including those individuals who were referred to, but did not appear for treatment.
- Individuals who were not referred for Recovery Court services.

The Recovery/DUI Court Program has numerous guidelines for protecting our participants against unauthorized disclosure of sensitive personal information. First of all, all employees sign an "Understanding of Federal Confidentiality Regulations". Secondly, all applications for Recovery Court include an area for the applicant to give us permission to speak to another person about their application. The participant signs this "Consent for Disclosure" (part of Intake Packet) again when they enter our program. Additionally, the database is set up to provide data without any identifying information.

Initially, the Recovery Court Program was able to contract with an independent evaluator from Middle Tennessee State University. At this time, she was able to adapt the Buffalo system to our needs, and make it user friendly. She also completed a Process Evaluation in 2002 and an Outcome Evaluation in 2003. In 2010, we were able to hire an outside evaluator, RKC Group, to complete an outcome evaluation of our program. We have not had the funds or ability to complete an outcome evaluation since that time.

We have in the past been able to utilize a student intern, as one of their class projects, to design, implement and analyze a Participant Satisfaction Survey. This evaluation gave the participants an opportunity to confidentially state their satisfaction or lack of satisfaction with various aspects of the program and the staff. Once this information was compiled, each staff member and the Judge received a copy of this and it was discussed thoroughly at staff meetings. This evaluation process also allowed each staff member to evaluate their performance and make changes individually.

The staff also participated in compiling data for the State Annual Report for OCJP through 2012. Recovery Courts are now under the jurisdiction of the Department of Mental Health and Substance Abuse Services. At this time, we are not required to submit the information in the State Report to them.

PERFORMANCE MEASURES

The Recovery/DUI Court Program regularly tracks the standardized Tennessee performance measures required by legislation. The Recovery Court's monitoring and management information system is able to provide data to make comparisons among the following groups:

- Program graduates
- Program terminations
- Individuals who were referred to, but did not appear for, treatment
- Individuals who were not accepted for Recovery Court services

However, DMHSAS has asked us to start putting data into the TN WITS system, so we now collect this information in our own database and in TN WITS.

BOARD OF DIRECTORS

The Board of Directors consists of members from the community who can offer direction and support to the Recovery/ DUI Court Program through the Recovery Support Foundation of Rutherford County, Inc. The Support Foundation currently has 501 (c) 3 status. The Board meets monthly, with committees possibly meeting more often.

The mission of the Support Foundation is to financially support the Rutherford/Cannon County Recovery Court Programs and provide community education about addiction, as well as identifying community resources that will enhance the Recovery Court participants' ability to succeed in their recovery program.

The vision of the Support Foundation is to see Rutherford and Cannon Counties reduce the length and use of incarceration, reduce the recidivism rate of crimes related to substance abuse and improve the safety and quality of life in our community.

The Support Foundation holds an annual fundraiser to raise money for Recovery Court. The Rally for Recovery 5K Run is now called the Breakthrough 10K/5K Race and is held every September during National Recovery Month. This event has raised awareness of recovery in our community, as well as demonstrating to our participants how much support they actually have.

RECOVERY/DUI COURT COORDINATOR

The Recovery/DUI Court Coordinator is responsible for administrative and supervisory work in coordinating the activities of the DUI Court Program. This work involves planning, organizing, coordinating and monitoring the activities of the DUI Court as well as overseeing the operational day-to-day activities of the Office of the Recovery/DUI Court Coordinator. Responsibilities include development of policies and procedures, training, conferences, and grant writing.

The Coordinator provides professional administrative assistance to the DUI Court Judge and keeps him informed of all aspects of the program. The Coordinator monitors the treatment services to ensure that they are meeting all requirements of the program. The Coordinator is the liaison with the Sheriff's Department, the District Attorney and Public Defender's office.

The Coordinator works closely with the Board of Directors and keeps them informed of all aspects of the Recovery/DUI Court Program. The Coordinator follows through with directives from the Board of Directors.

As a Rutherford County employee, the Drug/DUI Court Coordinator reports directly to the Rutherford County Mayor and also to the Rutherford County Commission. The Recovery/DUI Court Coordinator reports monthly to the Public

Safety Committee. All budgets and budget changes go through this committee, then the Budget and Finance Committee, and finally the full Commission.

RECOVERY COURT TEAM MEMBER TRANSITION PROCEDURE

When the Recovery/DUI Court Review Team has a new member, this person will initially meet with the Recovery/DUI Court Coordinator. The Coordinator will give the new member the videotape "Cracking the Habit: Drug Courts in Action" and a copy of the most current Policy and Procedure Manual. The Coordinator will meet with the new member after they have watched the videotape and read the manual to answer any questions or explain any of our procedures. The new member should have a clear idea of what is expected of him/her and what his/her role is on the team.

At the first Recovery/DUI Court Review Team that the new member attends, this person will introduce himself, including some professional background experience. Each member of the team will introduce themselves with a brief description of what their role is on the team. The Recovery/DUI Court Coordinator will emphasize the importance of teamwork and the non-adversarial philosophy of the Recovery/DUI Court Program.

MEDIA POLICY

If the media contacts any member of the team, the media should be referred to the Recovery/DUI Court Coordinator. The team member should not make any statement to the media without obtaining permission first. Remember, federal confidentiality laws cover Recovery/DUI Court participants. Any information that could identify a participant, without their permission, is a breach of federal confidentiality laws.

The participant will be encouraged to participate in the group graduation, but will not be required to make any public statements regarding the program or the facility. The participant will not be required to perform in public gatherings, nor will photographs be used without consent of the participant.

The Recovery/DUI Court Coordinator will discuss any media contact with the DUI Court Judge. At that time a statement will be given to the media based on the criteria used in the **NADCP Crisis Preparedness Manual** (See Attachment 12).

CRISIS POLICY

In the event of a crisis concerning Recovery/ DUI Court or one of its participants, all requests for information should be referred to the Recovery/DUI Court Coordinator. Absolutely, no information should be given out by a DUI Court Team member. The Coordinator will discuss any statements with the DUI Court Judge, and they will determine the next step.

If this crisis results in the death of a Recovery/DUI Court participant, or a death is caused by the actions of a Recovery/ DUI Court participant, all requests for information must be referred to the Recovery/DUI Court Coordinator. The information will be discussed with the DUI Court Judge and they will determine the next step. It is a possible that a statement will be released similar to sample draft statement in the **NADCP Crisis Preparedness Manual** (See Attachment 12). As part of the **Rutherford County** government, we also report to our Safety Management Department (Dan Goode) and to TOSHA any safety concerns involving the facility, staff or service recipient. Kelly Lane, the Administrative Support Specialist is the appointed Safety Coordinator for the Recovery Court Office (forms and instructions are kept in the office).

BACKGROUND CHECKS FOR NEW EMPLOYEES

Rutherford County does require that new employees get background checks and to be drug screened. Rutherford County is committed to a Drug Free Workplace and all employees are subject to random drug screens through HR. In addition, individual departments may develop policies for their department as needed and approved by the Rutherford County Commission.

The Recovery/DUI Court Department also completes the following background checks on new employees: (maintained in the employee's file with Rutherford County Human Resources Office)

1. Valid driver's license
2. Proof of Liability Insurance
3. Meth Registry
4. Sex Offenders Registry
5. Felony Registry
6. Proof of education/licensure/certification
7. At least three references
8. TB testing / training
9. Infection Control Training (Blood borne Pathogens)

TRAINING POLICY FOR NEW EMPLOYEES

Rutherford County does not have a policy regarding training for new employees. However, the Human Resources Department does provide a new employee orientation. Additionally, individual departments may develop policies for their departments as needed and approved by the County Commission.

The Recovery/DUI Court Department wants all of its employees to be trained on the newest research and procedures available to the Recovery Court field. Based on the financial resources available to the department, training for the Recovery Court staff is provided at the annual National Association of Recovery Court Professionals Conference. DMHSAS and the Tennessee Association of

Recovery Court Professionals also conduct trainings and workshops annually. Rutherford County Recovery Court staff is always encouraged to attend these and other local and statewide trainings which include TAADAS (Tennessee Association Alcohol, Drug & other Addiction Services). The Recovery Court Team is always invited and encouraged to participate in trainings as well.

All employees have at least a bachelor degree and/or LADAC in a social science field, with the therapists requiring a master's degree and/or LADAC in a social science field. Certain licensures from the Tennessee Board of Health require a minimum amount of training annually.

DRAFT

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ATTACHMENTS

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