

**NAVARRO COUNTY
RECOVERY COURT PROGRAM**



PARTICIPANT HANDBOOK

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I. Introduction

Welcome to the Navarro County Recovery Court!

The purpose of the Navarro County Recovery Court is to help you avoid further involvement in the criminal justice system and future substance abuse issues by providing a coordinated, multidisciplinary and intensive regimen of counseling, treatment, support and supervision.

Recovery Court is a post-adjudication program intended to treat persons in the criminal justice system due to repeat DWI and drug possession offenses. However, persons who are already under supervision and violate the terms of their supervision due to substance abuse may also be admitted. Those persons who are accepted by the program will be court-ordered by a sentencing judge and participation in the program will become a condition of probation. Recovery Court personnel will provide intense supervision, treatment, evaluation, and frequent judicial review of participants. In order to promote successful completion of the program, sanctions will be imposed for violations and rewards will be given for progress. Participants should be honest about violations as relapse is common for individuals early on in treatment and honesty will be rewarded while dishonesty will result in an increased sanction. If a participant is discharged without successful completion, the case will be returned to the original court via a motion to revoke supervision or amended order.

This handbook is designed to answer your questions, provide information, and explain the expectations of the Recovery Court program. Please read this handbook carefully and become familiar with its contents. If you have additional questions or concerns, please contact your Probation Officer, the Recovery Court Coordinator, treatment provider or attorney. You are encouraged to share the information provided in the handbook to friends and family who support your recovery.

Any patient records maintained during the course of this program will remain confidential and the program will generally not disclose participation or any other identifying information to a third party outside of the program. (See Appendix A for Notice of Rights of Confidentiality).

Upon successful completion of the program, community service may be waived and fines may be probated. However, the most important benefit of the Recovery Court Program is that you will be on your way to living a drug-free life!

The information in this handbook is subject to change, without prior notice, and should not be considered a binding agreement.

II. Eligibility and Selection of Participants

1. Participants may be nominated by defense counsel representing the nominee in a pending criminal matter in Navarro County, by the District Attorney or by the Navarro County Community Supervision Department. The typical nominee will be an individual who, through the criminal justice system, has been identified as having a dependence on one or more controlled substances.

2. Nominees must meet the following eligibility requirements:
 - (a) Have a pending drug or drug related charge or be on community supervision for a drug or drug related charge or a pending charge of a second or subsequent offense involving the operation of a motor vehicle while intoxicated in Navarro County; (**see Tex. Govt. Code §123.005**)
 - (b) Be 17 years of age or older;
 - (c) Show evidence of a substance dependency problem;
 - a. Substance: alcohol, cannabis, hallucinogens, inhalants, opioids, sedatives, hypnotics, anxiolytics, stimulants, any controlled substance listed in the Texas Health and Safety Code, and other or unknown substances
 - b. Evidence of dependency problem: taking the substances in larger amounts than intended, wanting to cut down or stop but not managing to, spending a lot of time getting, using, and recovering from the substance use, cravings for the substance, struggling to accomplish tasks at work, home, or school due to substance, continuing to use despite consequences to relationship, using substances even when putting yourself in danger, giving up important activities, using even after use has caused or worsened a physical or psychological problem, withdrawal symptoms, developing a higher tolerance.
 - (d) Be a citizen or legal resident of the United States of America and a resident of Navarro County;
 - (e) Be motivated to work towards recovery and willing to commit to a minimum nine-month program, including residential treatment if recommended.

3. Persons with history of the following will **NOT be eligible** for participation:
 - (a) Unlawful distribution of marihuana or any controlled substance;
 - (b) Violent felony offenses;
 - (c) Any violence or threats of violence directed to:
 - (i) Court personnel
 - (ii) Community Supervision personnel
 - (iii) Law enforcement, fire or medical personnel
 - (iv) Personnel providing services in conjunction with the

Recovery Court curriculum

4. Persons with the following will be **disqualified** from participation in Recovery Court:
 - (a) Pending criminal charges in other jurisdictions, unless an agreement can be promptly reached with the District Attorney and Court in the other jurisdiction.
 - (b) Prior conviction or pending charge for:
 - (i) Murder
 - (ii) Capital Murder
 - (iii) Aggravated Kidnapping
 - (iv) Aggravated Robbery
 - (v) Any violent sexual offense
 - (vi) Trafficking of persons
 - (c) Any pending charge, including persons currently on community supervision for any offense involving:
 - (i) Carrying, possessing, or using a firearm or other dangerous weapon;
 - (ii) The use of force against the person of another; or
 - (iii) The death of or serious bodily injury to another.
 - (d) Persons unable or unwilling to terminate use of lawfully prescribed controlled substances or over-the-counter medications that affect the integrity or accuracy of drug screening;
 - (e) A pattern of violent offenses.
5. The following are **conditions** of Recovery Court:
 - a. Remain substance abuse free and submit to regular testing.
 - b. Attend all Recovery Court treatment and probation appointments and arrive on time.
 - c. Participate in treatment and follow your treatment plan.
 - d. No new law violations while participating.
 - e. Be respectful to members of the Court, treatment providers, and steering committee.
 - f. Follow and comply with any and all treatment requirements, sanctions, and Recovery Court processes.
 - g. Pay all program fees.
 - h. Dress appropriately for court and treatment sessions
 - i. E.g. Wear shoes at all times, wear belt with pants, avoid clothing bearing drug or alcohol related themes, do not wear sunglasses inside, etc.
 - i. Abide by travel restrictions.
6. No participant will be admitted into the Recovery Court program without prior approval of:
 - (a) Counsel representing the nominee;
 - (b) The District Attorney's Office;
 - (c) The Community Supervision Department; and
 - (d) The judge of the court having jurisdiction over any pending criminal charge.

III. Ten Key Components of Recovery Court

The Texas Association of Recovery Court Professionals defines Recovery Courts as having the following ten characteristics:

1. Integration of alcohol and other drug treatment services with justice system case processing;
2. Use of a non-adversarial approach, involving prosecution and defense counsel to promote public safety while protecting participants' due process rights;
3. Early identification and prompt placement of eligible participants into the Recovery Court program;
4. Access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;
5. Frequent alcohol and other drug testing to monitor abstinence;
6. A coordinated strategy to govern program responses to participants' compliance;
7. Ongoing judicial interaction with each Recovery Court participant;
8. Monitoring and evaluation of the program goals to gauge effectiveness;
9. Continuing interdisciplinary education to promote effective Recovery Court planning, implementation, and operations; and
10. Forging partnerships among other Recovery Courts, public agencies, and community organizations.

IV. Initial Assessment

1. After nomination but prior to admission to the program, nominees will complete the following:
 - a. A financial assessment administered by North Texas Behavioral Health Authority (NTBHA) to determine ability of the nominee to pay for treatment, to qualify for insurance benefits to pay for their treatment or qualification for funding of treatment by NTBHA; and
 - b. A substance abuse dependence assessment to be completed by Homeward Bound and submitted to defense counsel, the District Attorney, and the Community Supervision

Department. If a nominee cannot satisfactorily document that they are indigent, the nominee will be required to pay the fee for the initial assessment. (See Appendix A for Participant Agreement)

2. Based on the initial assessment a determination will be made regarding whether the nominee is in need of a detoxification program and/or a residential treatment program by the recovery court team. A proposed treatment plan will be drafted by the agency completing the assessment and delivered to defense counsel, District Attorney and Community Supervision.
3. If, after review of the initial assessment, the nominee, District Attorney and Community Supervision agree that the nominee should be admitted to Recovery Court, a plea setting will be requested in the appropriate court with successful completion of the Recovery Court program as a condition of community supervision. Nominees will be accepted into the Recovery Court Program only upon approval of the presiding court. After the plea, if necessary, the nominee's case will be transferred to the appropriate court.

V. Participation Agreement

Once the conditions of probation have been modified or the initial Recovery Court condition is imposed, the order/condition will be read, explained and signed by the participant. The participant will be advised of the first Recovery Court date and have Phase 1(A) and Phase 1 requirements explained. All rules and procedures will be explained and the participant will be asked to sign a participation agreement.

Participation by any nominee will be strictly voluntary. The success of the program will depend on having participants who are not only willing but motivated to actively participate in all phases of the program. Upon receipt of the treatment plan, a nominee will have twenty-one days to execute a written Participant Agreement. The Participant Agreement will be signed by the participant, defense counsel, an attorney for the State, and the Court. (*See Appendix A*)

VI. Curriculum

The curriculum will be divided into phases as follows:

PHASE I (A)-Detoxification and/or residential treatment program– if necessary

PHASE I – Stabilization & treatment plan (4 to 8 weeks)

- (a) Reports to Community Supervision - Weekly
- (b) Reports to the Court – bi-weekly
- (c) Drug testing – call in daily and follow color system. (*see Appendix B*)
- (d) Counseling –

- i. Individual counseling – twice per month
- ii. Group counseling – three times per week
- (e) Attend AA or NA meetings (in-person or online) two times per week.
- (f) Participate in Community Service per Community Supervision Order.
- (g) Obtain a sponsor.
- (h) Obtain a valid driver’s license. (regular or occupational, within 90 days)
- (i) Maintain a journal as directed by the Recovery Court team.
- (j) Submit proof of employment or job search. (if not full-time student)
- (k) **Duration** – 4 weeks with possible 4-week extension on case-by-case basis.
- (l) To graduate from Phase I a participant will, at a minimum:
 - i. Have no unexcused missed appointments with Community Supervision or counselling for a 30 day period.
 - ii. Have a minimum of two reports with the Court.
 - iii. Have no missed or failed drug tests for a period of 30 days.
 - iv. Complete 8 Matrix sessions and related assignments.
 - v. Complete a minimum of two hours of individual counseling.
 - vi. Complete a minimum of 12 hours of group counseling.
 - vii. Attend a minimum of eight AA, NA or peer support meetings.
 - viii. Complete 10 hours or 10% of community service required by participant’s Community Supervision Order, whichever is less.
 - ix. Be current or pay a minimum of \$200 toward court costs.

PHASE II – Supportive outpatient treatment (12 – 16 weeks)

- (a) Reports to Community Supervision – bi-weekly
 - i. Reports to the Court – bi-weekly
- (b) Drug testing – call in daily and follow the color system. (see Appendix B)
- (c) Counseling:
 - i. Individual Counseling – every other week
 - ii. Group Counseling – 2 per week
- (d) Community Service – participate in community service per the Community Supervision Order.
- (e) Attend two AA or NA meetings per week.
- (f) Document proof of job search or enrollment in school or GED program.
- (g) Maintain a journal.
- (h) Complete payment plan for all fines & fees if delinquent.
- (i) **Duration** – minimum 3 months in Phase II
- (j) To graduate from Phase II a participant will, at a minimum:

- i. Have no unexcused missed appointments with Community Supervision for a 60 day period.
- ii. Have no unexcused missed court settings for a 60 day period.
- iii. Have no missed or positive drug screens for a period of 90 days.
- iv. Complete 34 Matrix sessions and related assignments.
- v. Complete 30 hours of individual & group counseling.
- vi. Complete 60 hours or 75% of total community service requirement, whichever is less. (includes community service completed during Phase I)
- vii. Be current on fines & fees or payment plan.
- viii. Submit proof of H.S. diploma or equivalent or be enrolled and participating in an educational program.

PHASE III – Recovery Support (22 – 60 weeks)

- a. Reports to Community Supervision – twice per month
- b. Reports with Court – once per month
- c. Drug testing – call in daily and follow the color system. (See Appendix B)
- d. Counseling:
 - i. Individual Counseling – 1 per month
 - ii. Peer support or group counseling sessions – 1 per week
- e. Community Service – complete community service requirement per community supervision order.
- f. Maintain a journal.
- g. Provide proof of employment or job search (or school enrollment)
- h. **Duration** – Participants will be in the Recovery Court program for a minimum of 9 months. Participants who fail to complete all program requirements in 18 months will be terminated from the program.
- i. To graduate from Phase III a participant will, at a minimum:
 - i. Have no missed or positive drug screens for a period of 90 days.
 - ii. Have no unexcused missed court appearances for a period of 90 days.
 - iii. Have no unexcused missed counseling sessions for a period of 90 days.
 - iv. Complete GED if not a high school graduate. (if appropriate)
 - v. Submit a personal budget.
 - vi. Submit a negative hair follicle test.
 - vii. Be current on court-ordered financial obligations.
 - viii. Complete all required community service.

VII. Termination Criteria

The following will be grounds for termination from the program as determined by the Recovery Court Team:

1. Arrest for any new Class B or higher offense.
2. Providing inaccurate information or falsifying information to any member of the Recovery Court Team.
3. Repeated positive, diluted or missed drug screens.
4. Unsuccessful discharge from any residential treatment program.
5. Any act or threat of violence toward any other participant or member of the Recovery Court Team.
6. Failure to complete all requirements of Phases I – III within 18 months.

VIII. Incentives and Sanctions

Appropriate incentives and sanctions are a fundamental part of the process for changing behavior. (*see* Key Component #6) It is essential that the program provide incentives to reinforce positive behaviors and sanctions as immediate and direct consequences of program failures. It is essential to distinguish between treatment responses (i.e. additional counseling or writing assignment to explore the cause of the failure); and punitive sanctions (i.e. additional community service or jail time). Participants should perceive a difference between treatment responses and punitive sanctions to avoid negative associations with treatment. (*see* Appendix C: Sanctions Guideline)

Possible Violations:

- Missed or positive drug test
- Disrespect toward team member, treatment provider, or other participant
- Tampering with drug test
- Missed meeting or other treatment requirement
- Repeated missed court appearance
- New arrest

Possible Sanctions:

- Increased drug testing
- Community Service
- Jail time
- House arrest/curfew

- Increased frequency of court appearances
- Termination from recovery Court
- Revocation of probation
- Verbal Apology
- Writing Assignment

Possible Incentives/ Rewards:

- Less reporting
- Reduced Community Service

Consequences of Failing to Complete Recovery Court:

- A felony drug conviction can make renting an apartment or house more difficult
- A felony conviction can limit your employment opportunities
- You may lose parental rights
- You may be barred from acquiring certain licenses
- You will lose your right to apply for citizenship
- Conviction of a felony offense will prevent you from voting in elections

In Recovery Court you will be subject to jail sanctions for certain program violations. You have the right to a hearing if you do not admit to engaging in the specific behavior you are being sanctioned to jail for. You will have the right to be represented by counsel, the right to testify, and cross examine and call witnesses.