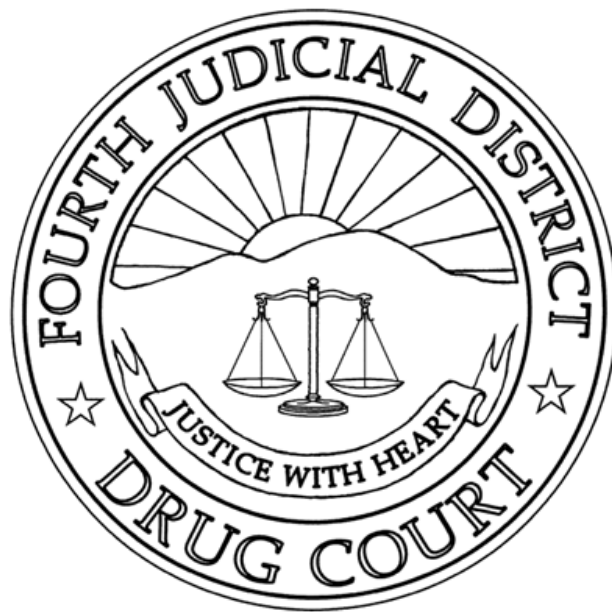


Fourth Judicial District RECOVERY COURT



Participant Handbook/ Contract

Colorado Springs, Colorado

Revised: October 2017



Welcome!

Welcome to the Fourth Judicial District Recovery Court program.

This packet is designed to answer questions, address concerns and provide overall information about Recovery Court. As a participant, you will be expected to follow the instructions given to you by the Judge, Treatment Providers or Probation Officers and comply with the rules of the Program and any additional court orders.

This packet describes what is expected of you and information needed to be successful in this program.

Eligibility

Recovery Court is looking for the high risk defendant who has a drug addiction that is a primary cause of their criminal behavior. Our participants have many types of felony convictions, ranging from wobbler-eligible DF4s to other non-violent felonies which are drug-related and/or drug-motivated. Recovery Court has two tracks, ACDC (Adult Criminal Drug Court) and HEALS (Healthy Engaged And Living Sober), which utilize intensive probation supervision and multiple levels of treatment. Recovery Court team professionals decide which track is most appropriate for each defendant based on numerous evidence-based factors. Screening occurs after plea and prior to sentencing, or upon facing revocation of probation. Recovery Court is a sentencing option for the District Court.

- **Minimum Qualifications:**

- Defendant must recognize that he/she has a drug addiction
- Defendant's charges and criminal history must be related to drug addiction
- Defendant must reside in 4th Judicial District
- Eligible for probation or facing probation revocation

- **Ineligible Defendants:**

- Defendant is on a medically necessary narcotic medication regimen
- Mental Health needs beyond the capacity of treatment team
- Formerly participated in another criminal problem solving court, whether successful or unsuccessful
- Supplying Minors
- Crimes of Violence conviction(s)
- High Level Dealing or Manufacturing (no DF1, DF2 or DF3 Distribution)
- Sex Offender
- Charges or prior convictions involving death
- Charges involving serious bodily injury or high levels of violence
- Defendants involved in high level theft or fraud operations
- 1st or 2nd degree assault charges
- DV charges with allegations of strangulation, stalking, or killing or injuring a pet or animal

Screening:

- Orientation Screening: Held the first and third Wednesday of each month at 1:30PM.
- Treatment Screening: By appointment with a treatment provider.

Overview

Recovery Court is comprised of a five-phase intervention program designed to be completed within 24 months. It is a collaborative effort between professionals in the Magistrate's Office, District Attorney's office, Probation Department, Public Defender's Office and Community Treatment Providers to support and help you maintain a substance-free life.

Recovery Court involves frequent court appearances, frequent drug testing, frequent meetings with your Probation Officer, group therapy, and community service hours. You could also be required to complete an in-patient treatment program, or live in a sober home. The Court uses incentives for positive behavior and sanctions for negative behavior. Participants who do not comply with the rules may be sanctioned. Sanctions include but are not limited to: research and writing a paper, additional public service hours, electronic home monitoring (EHM), requirements for involvement with community partners (like AA, NA, or Phoenix Multi-Sport), and/or jail time. All members of the Recovery Court Team will help you understand what is expected of you. The Recovery Court Team strives for fairness and consistency while balancing the needs and circumstances of each individual. The Magistrate has discretion and makes final decisions regarding Phase movements, sanctions and other requirements as deemed necessary.

Why Recovery Court?

- Drug and/or alcohol problems have led to serious disruptions in your life and are a main reason why you committed a crime. You want help with your addiction.
- If you have certain DF4 charges, the statute states that you must successfully complete a community based treatment program as deemed appropriate by the court in order for the DF4 felony conviction to convert to a misdemeanor. Successful completion of Recovery Court ensures that you will qualify for this reduction in charge at the end of your probation.



Recovery Court Team

Members of the Recovery Court team review and make decisions on each case weekly.

The team members are:

Judge/Magistrate

District Attorney

Public Defender/Defense Attorney

Probation Officers

Treatment Providers

Problem Solving Court Coordinator

Court Judicial Assistant

El Paso County Sheriff Deputies



General Rules and Requirements



1) Show Up On Time

- a) Be on time for all hearings, counseling sessions, probation appointments and any other court ordered activity.
- b) Missed/late appointments may result in a warrant for your arrest and/or an interim sanction. Plan ahead for transportation and child care issues.
- c) Follow all court orders including curfews, additional U/A's and other reporting requirements.

2) Urinalysis (U/A) Testing

- a) Call the testing agency every day, 7 days a week including weekends and holidays.
- b) If the recording states you are required to test, you must provide a sample on that day during the open business hours of the testing agency. You may be ordered to take a test directly from a Probation appointment, counseling session or Court appearance.
- c) Dilute U/As are caused by consuming excessive quantities of liquid and result in a creatinine level below 20 mg/dL. This is the industry standard also used by professional athletic teams. Dilute U/As are treated as positive tests, and will be sanctioned as such.
- d) If you are pregnant, become pregnant or are breastfeeding while in the Recovery Court program, you will be required to have U/A tests on Monday, Wednesday, and Friday of every week.

3) Alcohol and Medications are Restricted

- a) You must stay drug and alcohol free. Medical marijuana or marijuana products of any kind are not allowed.
- b) It is YOUR responsibility to inform the team in advance of any restricted medications being taken whether due to a medical emergency or prescribed by a Physician.
- c) It is YOUR responsibility to tell any physician, dentist or other health care professional that you are involved in a substance abuse treatment program so they can prescribe treatment appropriately.
- d) Forbidden Medications in Drug Court: Any controlled substance, Ambien, Lunesta, Ultram, Soma, Tramadol, Flexeril, Adderall, medical marijuana, or any synthetic mood altering product like Spice, K2, bath salts or any other product whether controlled or not. You must talk with your probation officer for any emergency use or other prescription of restricted medications, or provide proof that you tried, but could not contact them, no exceptions.
- e) It is YOUR responsibility to limit your exposure to products and substances that contain ethyl alcohol. It is YOUR responsibility to read product labels, to know what is contained in the products you use and consume, and to stop and inspect products BEFORE you use them. Use of products containing ethyl alcohol will NOT be allowed as an excuse for a positive test result. **When in doubt, don't use, consume or apply.** Examples of items that may result in positive tests include but are not limited to: poppy seeds; cold, cough & other liquid medicines; non-alcoholic beer/wine; cooking with alcohol, mouthwash/breath strips; hand sanitizers; hygiene products/toiletries; solvents and lacquers.

4) Employment and Education

- a) Participants must be employed at least 29 hours per week. Education may fulfill this requirement with the approval of your Probation Officer.
- b) GED encouraged. Participants entering the Recovery Court Program without a High School diploma or GED will be encouraged to pursue this degree before they graduate from the program. Completing this requirement can earn you incentives.

5) Travel

- a) Travel is typically not permitted out of the county in the Initiation Phase or Phase 1.
- b) Travel permits are required to leave the State of Colorado. See your Probation Officer well in advance of your travel plans. Participants are required to inform their Probation Officer of any extended travel out of the Fourth Judicial District to adjust testing and monitoring.

6) Court Costs

- a) Monthly payment plans will help you pay the costs of Recovery Court. You must be making a good faith effort to pay your costs throughout the program and cannot graduate without paying your fees. The court will take into account verified indigence in determining court costs.
- b) ***\$50/month for Group Counseling and \$40/month for Urinalysis testing are MANDATORY payments every month. Counseling fees decrease to \$20/month in Phase IV. You will not be able to move Phases in the program if these fees are past due.***

Graduation

- a) Attendance at Graduation Ceremonies is mandatory for graduates as well as all current participants in Recovery Court unless excused by the Court. Graduation from Recovery Court is recognized as a very important event. Your loved ones will be invited to join you at a special graduation ceremony.
- b) Upon successful completion of all phases and requirements of ACDC, including payment of all costs, you will be eligible to graduate with a recommendation to reduce your felony to a misdemeanor.
- c) Allowable outstanding payments will be referred to a collection agency and are subject to additional fees, and can result in an extension of probation term.



Sealing Your Record

The law for Sealing your Record is dependent on your charges, and you should ask an attorney about whether this is an option for you. When your record is sealed, background checks for employment or other reasons will receive the message that *no records are found under your name*.

Track 1: ADULT CRIMINAL DRUG COURT (ACDC)

ACDC is made up of 5-phases designed to be completed within 24 months. We use Incentives and Sanctions as tools to motivate behavior changes.

- Incentives that reward positive behaviors can include: applause, rocket docket, community service credit, and occasional tangible rewards.
 - Examples of rewarded behavior include being consistently on time, extended sobriety, phase advancement, paying all costs on time, and active participation in therapy.
- Sanctions for negative behaviors can include but are not limited to: writing an essay/journal, additional public service hours, day reporting, electronic home monitoring bracelet or jail time.
 - Examples of punishable behavior include missed appointments or UAs, dilute UAs, positive UAs, and disobedience of court orders.
 - The team uses a range of consequences which can be modified based upon effort, compliance, honesty and circumstances.
 - You may be sentenced to up to 90 days in jail as a condition of probation, or may be asked to voluntarily submit yourself to longer jail time while waiting for an available bed in an in-patient treatment facility.
- Your treatment plan can be revised to meet your needs at any time if appropriate, to include being required to live in a sober-living home, and attending more intensive therapy, whether in-patient or out-patient.

Initiation Phase: (8 weeks minimum)

- Initiation Phase begins upon signing into the program, and is a minimum of 8 weeks from the date of your first two back to back clean UAs.
- 5 Strikes
- On 6th Strike, Motion to Revoke your probation is filed with the court.
- Each strike will have a graduated consequence, which can include any of the sanctions discussed above, to include jail time.

Requirements to move to Phase I:

- Successful completion of Initiation treatment program (IOP, EOP, in-patient program if required)
- 30 days strike free
- Pay initial \$25 to Front Range
- ACDC Team approval
- No fees past due for treatment or UAs

Phase I: (4 months minimum)

- 4 Strikes
- On 5th Strike, Motion to Revoke your probation is filed with the court.
- Each strike will have a graduated consequence, which can include any of the sanctions discussed above, to include jail time.

Expectations of Phase I:

- Appear in Court every two weeks
- Meet with Probation Officer twice per month or as required by PO
- Random UAs
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Obtain and keep a job or be involved in Job Club, or enrolled in full-time education program

Requirements to move to Phase II:

- Minimum of 4 months in Phase I
- 30 days strike free
- ACDC Team approval
- Participant has approved employment or is enrolled in full-time education program
- No fees past due for treatment or UAs
- Set up payment plan for court costs/fines
- Complete 25% of required community service

Phase II: (4 months minimum)

- 3 Strikes
- On 4th Strike, Motion to Revoke your probation is filed with the court.
- Each strike will have a graduated consequence, which can include any of the sanctions discussed above, to include jail time.

Expectations of Phase II:

- Appear in Court once per month
- Meet with Probation Officer once per month or as required by PO
- Random UAs
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Continue to work on community service hours
- Maintain employment or education program

Requirements to move to Phase III:

- Minimum of 4 months in Phase II
- Complete 75% of required community service
- 30 days strike free
- Maintaining employment/education program
- ACDC Team approval
- No fees past due for treatment or UAs
- Compliance with payment plan for court costs/fines

Phase III: (4 months minimum)

- 2 Strikes
- On 3rd Strike, Motion to Revoke your probation is filed with the court.

- Each strike will have a graduated consequence, which can include any of the sanctions discussed above, to include jail time.

Expectations of Phase III:

- Appear in Court once per month
- Meet with Probation Officer once per month or as required by PO
- Random UAs
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Continue to work on community service hours
- Maintaining employment/education program

Requirements to move to Phase IV:

- 90 days of demonstrated sobriety
- 30 days strike free
- Minimum of 4 months in Phase III
- Minimum of 14 months in ACDC
- Maintaining employment/full-time education program
- Full payment of court costs and fees, or compliance with payment plan as set up by a Collections Investigator and approved by probation and Drug Court Team
- Written Transition Plan
- ACDC Team approval
- 100% of required community service completed

Phase IV: (10 months minimum)

Violation of Phase IV requirements will result in a consequence, which can include any of the sanctions discussed above, to include jail time, or a Motion to Revoke probation. Any violations at this point in the program can result in a loss of the ability to have the felony convert to a misdemeanor.

- Appear in Court once every 2 months or as otherwise required
- Meet with probation as requested
- Random UAs
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Maintaining employment/education program

Requirements for Graduation

- Minimum of 24 months in Recovery Court
- 6 months of continuous demonstrated sobriety
- ACDC Team approval
- Participant has continued with approved employment or is enrolled in full-time education program
- No fees past due for treatment or UAs
- All court costs/fees/fines paid in full unless otherwise arranged with Team
- All probation requirements completed
- Written life plan

Track 2: HEALTHY, ENGAGED, AND LIVING SOBER (HEALS)

HEALS is made up of 5-phases designed to be completed within 24 months. We use Incentives and Sanctions as tools to motivate behavior changes.

- Incentives that reward positive behaviors can include: applause, rocket docket, community service credit, and occasional tangible rewards.
 - Examples of rewarded behavior include being consistently on time, extended sobriety, phase advancement, and active participation in therapy.
- Sanctions for negative behaviors can include but are not limited to: writing an essay/journal, additional public service hours, day reporting, electronic home monitoring bracelet or jail time.
 - Examples of punishable behavior include missed appointments or UAs, dilute UAs, positive UAs, and disobedience of court orders.
 - The team uses a range of consequences which can be modified based upon effort, compliance, honesty and circumstances.
 - You may be sentenced to up to 90 days in jail as a condition of probation, or may be asked to voluntarily submit yourself to longer jail time while waiting for an available bed in an in-patient treatment facility.
- Your treatment plan can be revised to meet your needs at any time if appropriate, to include being required to live in a sober-living home, and attending more intensive therapy, whether in-patient or out-patient.

Initiation Phase: (8 weeks minimum)

Expectations:

- Initiation Phase begins upon signing into the program, and is a minimum of 8 weeks from the date of your first two back to back clean UAs.
- Weekly Court appearances
- Probation appointments at least 3 times per month
- Daily call-ins
- Nightly curfew and call-ins
- Random UAs
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.

Requirements to move to Phase I:

- Successful completion of Initiation treatment program (IOP, EOP, in-patient program if required)
- Minimum 30 days sobriety and sanction free
- Pay initial \$25 to Front Range
- HEALS Team approval
- No fees past due for treatment or UAs

Phase I: (4 months minimum)

Expectations:

- Court appearances every 2 weeks
- Probation appointments at least 2 times per month

- Daily call-ins
- Nightly curfew and call-ins
- Random UAs
- Obtain or continue with approved employment, or be involved in Job Club, or enrolled in full-time education program
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Community Service hours

Requirements to move to Phase II:

- Minimum of 4 months in Phase I
- 60 days of continuous demonstrated sobriety; 60 days sanction-free
- HEALS Team approval
- Participant has secured approved employment, or is enrolled in full-time education program
- No fees past due for treatment or UAs
- Set up payment plan for court costs/fines
- Complete 25% of required community service

Phase II: (4 months minimum)

Expectations:

- Court appearances every 2 weeks
- Probation appointments at least 2 times per month
- Daily call-ins at Team discretion
- Nightly curfew and call-ins at Team discretion
- Random UAs
- Maintain employment, or be enrolled in full-time education program
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.
- Continue to work on community service hours

Requirements to move to Phase III:

- Minimum of 4 months in Phase II
- 60 days of continuous demonstrated sobriety; 60 days sanction-free
- HEALS Team approval
- Participant has approved employment, or is enrolled in full-time education program
- No fees past due for treatment or UAs
- Compliance with payment plan for court costs/fines
- Complete 75% of required community service

Phase III: (4 months minimum)

Expectations:

- Court appearances every month unless directed by Court or Probation
- Probation appointments at least 2 times per month
- Random UAs

- Maintain employment, or be enrolled in full-time education program
- Full participation in treatment service plan (minimum weekly 2 hour group sessions), to include mental health therapy and medications if needed.

Requirements to move to Phase IV:

- Minimum of 4 months in Phase III
- Minimum of 14 months in Recovery Court
- 90 days of continuous demonstrated sobriety; 90 days sanction-free
- HEALS Team approval
- Participant has approved employment, or is enrolled in full-time education program
- No fees past due for treatment or UAs
- Compliance with payment plan for court costs/fines
- 100% of required community service completed

Phase IV: (10 months minimum)

Violation of Phase IV requirements will result in a consequence, which can include any of the sanctions discussed above, to include jail time, or a Motion to Revoke probation.

- Appear in Court once every 2 months or as otherwise required
- Meet with probation as requested
- Random UAs
- Full participation in treatment service plan (minimum monthly 2 hour group sessions), to include mental health therapy and medications if needed.
- Maintaining employment/education program

Requirements for Graduation

- Minimum of 24 months in Recovery Court
- 6 months of continuous demonstrated sobriety
- HEALS Team approval
- Participant has approved employment, or is enrolled in full-time education program
- No fees past due for treatment or UAs
- All court costs/fees/fines paid in full unless otherwise arranged with Team
- 100% of required community service completed
- Written Life Plan

Important Phone Numbers

Recovery Court

270 South Tejon, S270 Colorado Springs, CO 80903

- Vickey Solano – Clerk - 719-452-5210
- Robert Burrs – Program Coordinator - 719-452-5209

Probation Officers

270 South Tejon, W200 Colorado Springs, CO 80903

- Michael Hernandez (ACDC & HEALS) – 719-452-5762
- Traci Kinsey (ACDC) – 719-452-5779
- Lisa Gonzales-Corral (HEALS) – 719-452-5731

Therapists

2804 Janitell Road Colorado Springs, CO 80906

- Gregory Ortega – 719-633-4764
- Laura Fetters – 719-636-9126

Good Luck! You have been offered a chance to get your life back, but expect to work and meet high expectations from the Recovery Court Team. We know you are capable of great things and ***you can do this!*** We have heard from successful graduates that if you don't fight the program and work with what is presented to you, you will have an easier time and be successful in the program and the rest of your life. It's up to you.



I, _____, agree to the following: (initial on lines below)
(print name)

_____ I have been provided a copy of the Recovery Court Participant Contract.

_____ I have read and had the opportunity to speak with my attorney about this Contract. All of my questions have been heard and answered.

_____ I understand the different Phases of Recovery Court _____ Track, including the sanctions and incentives.

_____ I agree to abide by the Recovery Court Participant Contract.

Date: _____

Signature of Participant: _____