

# 17<sup>TH</sup> JUDICIAL DISTRICT ADAMS COUNTY DRUG COURT POLICIES AND PROCEDURES

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# ADVISORY COUNCIL

This council is comprised of executive level decision makers from local agencies to provide a collaborative structure for supporting the ongoing development of the Adams County Drug Court. The Advisory Council serves in an advisory capacity regarding systemic approaches for improving court practices related to drug court cases.

<b>Seventeenth Judicial District Problem Solving Court Advisory Council March 2023</b>		
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# DRUG COURT TREATMENT TEAM

This team is comprised of dedicated members representing the court, probation, treatment provider, defense attorney, district attorney, and law enforcement, etc. These individuals are committed to the multidisciplinary team approach working together to meet the treatment, accountability, and rehabilitation needs of the participant while ensuring public safety and promoting healthier families.

## Adult Drug Court Team Members:

Magistrate Shannon O'Connor	17 <sup>th</sup> Judicial District, Division DC
Tasha Sunshine	17 <sup>th</sup> Judicial District, Coordinator
Breanna Smith	17 <sup>th</sup> Judicial District, Probation
Benjamin Hayson	
Carissa Gonzales	
Will Atherton	17 <sup>th</sup> Judicial District, District Attorney's Office
Jennifer Ratkiewicz	
Mike Perez	
Steven Barnes / Leslee Barnicle	Defense Counsel
Senior Deputy Francisco Archuleta	Adams County Sheriff's Office
Melissa Schomer	HEART Counseling Center
Keegan Bowling	Creative Treatment Options

## **MISSION STATEMENT**

Adams County Drug Court (ACDC) is committed to an integrated and collaborative effort of treatment, accountability, and rehabilitation of drug dependent offenders which will ensure community safety and create healthy individuals and families while reducing costs and recidivism.

# GOALS & OBJECTIVES

**GOAL #1: TO IMPROVE THE SYSTEM'S RESPONSE TO OFFENDERS WITH SUBSTANCE AND DRUG ADDICTION ISSUES BY INTEGRATING JUDICIAL SUPERVISION WITH EVIDENCE BASED TREATMENT.**

**1. Objective**

Decrease the number of probation revocations being sentenced to DOC/Community Corrections through offering ACDC as a sentencing alternative.

**1.1. Outcome Measure**

All appropriate participants will be identified and referred for screening.

100% of eligible probation revocation offenders will be screened for ACDC.

30% of eligible and screened participants will be offered ACDC and participate in the program.

**2. Objective**

Improve treatment outcomes through application of evidenced-based treatment.

**2.1. Outcome Measure**

70% of participants will remain in treatment for at least 90 days as measured by provider reports.

70% of participants receiving program services will reduce the frequency of alcohol and drug use as measured by past reported drug use and current drug screens.

60 % of participants will successfully complete treatment as measured by provider reports.

100% of graduates of the program will display application of learned skills for long-term sobriety through a written relapse prevention plan to be presented to the court.

### **3. Objective**

Improve life skills of participants.

#### **3.1. Outcome Measure**

100% of participants will be offered medical and dental care as available and the probation officer will verify and document any use of these resources.

100% of participants will complete a mental health screening and those who are identified with mental health needs, will receive appropriate referral by the probation officer. The probation officer will verify and document these services.

100% of graduates will obtain sober, safe housing as measured by probation officer's verification.

100% of participants will receive educational or employment services as measured by probation officer's verification.

100% of graduates will obtain a legal means of support and plan for long-term self-sufficiency to provide for all of his/her basic needs as measured by probation officer's verification of employment or educational services.

100% of graduates will identify a positive social support system.

### **4. Objective**

Provide immediate and intensive court intervention.

#### **4.1. Outcome Measure**

100% of eligible participants will receive court intervention within two weeks of acceptance into ACDC.

100% of participants will receive intensive supervision including: regular status reviews and meetings with probation officer as determined by phase level, progress tracking through status updates and staffing, and progressive sanctions and incentives.

**GOAL #2: THE ADAMS COUNTY DRUG COURT WILL REDUCE RECIDIVISM THAT IS DRIVEN BY DRUG ADDICTION.**

**1. Objective**

70 % of participants, who maintain in the program over 90 days, will successfully complete the ACDC program.

**1.1. Outcome Measure**

80% of participants will have no new convictions while in the program.

70 % of participants, who maintain in the program over 90 days, will successfully graduate from ACDC.

**2. Objective**

Demonstrate cost effectiveness of ACDC to taxpayer.

**2.1. Outcome Measurement**

100% of ACDC participants will have reduced incarceration days in contrast to a comparison group.

Demonstrate cost savings by number of jail bed days prevented.

Demonstrate cost savings due to reduced recidivism and avoided future costs to criminal justice and social service systems.

**GOAL #3: THE ADAMS COUNTY DRUG COURT WILL ENHANCE PUBLIC SAFETY AND CREATE A SAFER COMMUNITY IN ADAMS COUNTY.**

**1. Objective**

Reduce incidents or occurrences of ACDC participants reoffending or having negative law enforcement or probation contact by 70% while in the program.

**1.1. Outcome Measures**

70% of participants will not have a probation revocation filed during program.

70% of participants will not have arrests with new charges during participation in program.

60% of graduates will not have any arrests one year post graduation.

60% of graduates will not have any felony criminal conviction 3 years post-graduation.



## MODEL AND TARGET POPULATION

The Adams County Drug Court program handles cases involving felony and misdemeanor convictions that are under probation revocation and/or community corrections revocation. A maximum of 30 participants were included in the pilot project; increasing to a maximum of 60 participants commencing July 1, 2016; reducing capacity to 45 participants in December 2021. Broomfield County cases were accepted commencing May 1, 2017. A screening tool is used by probation to identify high risk, high need offenders and a recommendation is made to the defense attorney, district attorney, and Adams County Drug Court (ACDC) judicial officer.

### **These guidelines will be used to identify appropriate candidates for the Adams County Drug Court Program ACDC:**

Level of Supervision Inventory (LSI) score of 29 or greater and an assessed treatment level of 4 or greater and display significant disruption in their life due to their moderate-severe diagnosed substance use disorder.

Voluntarily agrees to participate in ACDC and is in the contemplative/pre-contemplative stage to address and change chemical dependence issues.

Must have an Adams or Broomfield County case and either be a resident of Adams / Broomfield County or live in close enough proximity to be able to attend all court dates, probation appointments, and fulfill treatment requirements and has reliable transportation to do so.

Has the ability to begin the program immediately. A spot will not be reserved for someone who has new felony charges pending or other court actions (i.e. trial, holds, jail sentence) that prevent immediate release and involvement in the program (not to exceed 60 days, determined case-by-case).

Has an adult felony or misdemeanor probation violation where a revocation complaint is filed and non-compliance is driven by substance use. ACDC will consider revocations from Community Corrections (direct sentences and/or probation-to-community corrections cases) only if the basis for revocation is due to substance use and there are no new law violations.

Meets DSM-V established diagnostic criteria for moderate-severe chemical dependency (evaluation will occur upon acceptance).

Behavioral/Mental Health treatment issues (serious, persistent mental health issues that cannot be stabilized through mental health treatment and appropriate use of psychotropic medications) will receive careful consideration during the screening process. The ACDC program may not have treatment services adequate to meet such mental health treatment needs as determined on a case-by-case basis. If the client exhibits serious and persistent mental health symptoms, he/she will be referred for mental health and/or psychological evaluation.

Participant does not have a current or previous conviction or deferred sentence for crimes where the facts involve a sex-related criminal offense that is subject to C.R.S. 16-11.7-102 and is governed by SOMB mandates.

**The following cases may be evaluated on an individual basis. Each case involving these or related offenses will be evaluated by the entire ACDC team:**

- a) Drug manufacturing, sale, or distribution;
- b) Crimes involving serious bodily injury or death;
- c) Crimes involving use, possession or threatened use of a firearm or deadly weapon.

Participant is not on parole or interstate compact and is probation eligible.

Participants must be willing to abstain from the use of all illicit substances, alcohol, medical marijuana, psilocybin/psilocin, and non- ACDC approved medication. Participants already prescribed certain controlled medications may be required to work with their physicians to shift to a medication with a reduced potential for abuse.

## ENTRY PROCESS AND CONFIDENTIALITY

This is the process by which the Adams County Drug Court moves offenders from probation revocation to treatment and program entry.

The Adams County Drug Court will require the court, probation, attorneys, and treatment agencies that are responsible for providing legal and treatment services to dependent offenders to coordinate their efforts to ensure that services being provided to the offender are individually based and expedite the most effective outcomes possible.

The Adams County Drug Court will expect that all of the professionals involved in the program will be committed to the philosophy of a drug treatment court and will assist their clients to navigate through the court and service delivery system. The professionals are an integral component to the success of the drug treatment court, and the judicial officer and drug court coordinator will work closely with them to ensure that drug treatment court policies and procedures are followed.

### Typical Sequence for Entry into ACDC -

1. Probation identifies potential offenders who are in violation of probation where a revocation is being filed on the basis that such violation is caused by a dependency on alcohol or drugs. Revocation is staffed with supervisor to initiate pre-screen through ACDC probation supervisor.
2. Complaint is filed with the court and contains Adams County Drug Court option if offender is eligible for ACDC consideration.
3. Summons or warrant is issued.
4. Revocation advisement will occur in the originating division for the case. The District Attorney and defense attorney will review the complaint and recommendation to ACDC.
5. If the offender admits to the revocation and wants to participate in the Adams County Drug Court, the originating division will order a referral / screen and set matter for

sentencing six weeks out in their originating division only (no sentencing hearing in the drug court division). The original division's clerk will trigger the case for referral to the ACDC Probation Supervisor by entering EVDT and ASRO codes in JPOD. The offender should be instructed to contact probation department immediately (3<sup>rd</sup> floor justice center) to schedule ASR appointment.

6. The Defense attorney will notify the ACDC Defense attorney of the referral, and the DA will notify the ACDC District Attorney of the referral.
7. The ACDC Defense attorney will meet with offender prior to staffing to provide an overview of the drug treatment court program. If the offender is represented by ADC/private counsel, they will be permitted to submit relevant factors for the team's consideration by filing statements to the court via ICCS/JPOD.
8. ACDC team staffing will occur to determine if the offender is acceptable for the program. Acceptance by the team must be unanimous. The ACDC probation supervisor will file a notice in the case indicating to the original division whether the offender has been accepted or denied. If a defendant is denied by the ACDC team at staffing for any reason, they cannot be re-referred for ACDC screening under the same current revocation complaint. If ACDC is at capacity and there are new competing referrals, the acceptance process will be based on the accepted referral with the higher/highest LSI score; cases with felony convictions will be prioritized over misdemeanor convictions.
9. The original division will conduct sentencing as scheduled, with ACDC as a sentencing option (if they were found to be acceptable by the team).
10. If offender accepts court sentence to ACDC, the sentencing division will enter a minimum 18-month probation sentence to Drug Court (Terms & Conditions: "Comply with Drug Court program"). The case is then set for review on the very next ACDC docket date to execute the Client Contact and commence program.
11. Upon executing the Client Contract, the participant will be scheduled for treatment evaluation / intake to determine SUD diagnosis. If the participant does not meet the

moderate-severe diagnosis, ACDC will discharge participant as “Did Not Engage” and return participant to the original sentencing division for resentencing.

Alternative sequence, individuals in which pre-screen process had not yet been implemented.

1. Probation complaint is filed with court.
2. Warrant issued or summons.
3. Offender appears before assigned division. Once offender is found to have violated probation or admits, referral can be made to ACDC for screening and staffing.
4. Sentencing is set in the assigned originating division, pending staffing by the ACDC team and outcome of all other screens requested by the parties.
5. See steps 6, 7, 8, 9 and 10 above.

# PHASES

The Adams County Drug Court has five phases. Participants are sentenced to ACDC for 18 months and the program takes a minimum of 14-18 months to complete. We expect that participants may stay in any phase longer based on their recovery progress. Participants will be expected to meet the graduation criteria prior to successfully completing the program.

**Phase One - Orientation (30 days minimum).** After deciding to participate in the drug court program, participant shall meet with probation, treatment provider, and drug court team for an orientation. Participant is expected to:

- Attend court hearings every two weeks. Must remain in docket for the entire duration.
- Complete the drug and alcohol assessment and evaluation.
- Meet as required with probation (1x/week) and participate in any programs or groups as assigned by probation officer.
- Submit to random drug screens (2x/week urine screens, plus 1x/month oral swabs).
- Develop a comprehensive individualized treatment plan including steps for addressing relapse and attend treatment appointments as identified in the treatment plan.
- Attend ACDC graduation ceremonies (exceptions to be considered on an individual basis).
- This 30-day orientation phase begins on the date participant completes all necessary drug & mental health treatment intake appointments (or attends their 1st treatment appointment after starting ACDC if intake was completed prior). The participant must be compliant with Treatment Plan during this time.
- Additionally, throughout this entire 30-day duration, participant must be 100% compliant with attending all probation appointments, treatment sessions, and court appearances prior to transitioning to Phase II, or the 30 days start over. (Missed drug tests are not included)
- Sober days are calculated during the orientation phase but advancement from Phase I is not contingent upon accumulating sober days.

**Phase Two (60 days minimum):**

- Attend court hearings every two weeks. Permitted to leave docket early if 100% compliant.
- Attend probation meetings (1x/week).

- Attend treatment appointments as identified in the treatment plan. After 60 days in the program, participant is responsible for treatment co-payments. These may include:
  - Individual Therapy
  - Group Sessions
  - Family Group Sessions
  - Community Support Groups
  - Other Treatment
- Attend one career workshop with HEART Counseling Center (even if participant is employed).
- Participate in a recovery-focused sober community support group at least once per week and maintain an attendance log to be regularly submitted to the Probation Officer no later than midnight on the day before each scheduled docket appearance. The support group must be approved by the probation officer and treatment provider.
- Submit to random drug screens (2x/week urine screens, plus 1x/month oral swabs).
- Obtain a physical and address health issues.
- Explore issues pertaining to benefits, employment, housing.
- Must be employed for 2 or more weeks prior to transitioning to Phase III.
- Attend ACDC graduation ceremonies (exceptions to be considered on an individual basis).
- Maintain 60 days of continuous sobriety and be 100% compliant prior to transitioning to Phase III.

### **Phase Three (90 days minimum):**

- Attend court hearings every two weeks. Permitted to leave docket early if 100% compliant.
- Attend probation meetings (1x/week – meeting can occur at court appearance and/or at other frequency per individual case plan).
- Attend treatment appointments as identified in the treatment plan.
- Participate in a recovery-focused sober community support group at least once per week and maintain an attendance log to be regularly submitted to the Probation Officer no later than midnight on the day before each scheduled docket appearance.
- Submit to random drug screens (2x/week urine screens, plus 1x/month oral swabs).
- Maintain stable and sober housing and employment.
- Attend ACDC graduation ceremonies if not 100% compliant.

- Maintain 90 days of continuous sobriety and be 100% compliant prior to transitioning to Phase IV.

#### **Phase Four (90 days minimum)**

- Attend court hearings every two weeks (possible to attend monthly if excelling). Permitted to leave docket early if 100% compliant.
- Attend probation meetings as required in individual case/treatment plan.
- Attend treatment appointments as identified in the treatment plan.
- Participate in a recovery-focused sober community support group at least once per week and maintain an attendance log to be regularly submitted to the Probation Officer no later than midnight on the day before each scheduled docket appearance.
- Submit to random drug screens (2x/week urine screens, plus 1x/month oral swabs).
- Maintain stable and sober housing and employment.
- Attend ACDC graduation ceremonies if not 100% compliant.
- Maintain 90 days of continuous sobriety and be 100% compliant prior to transitioning to Phase V.
- Prepare proposal for Phase V Project and obtain approval of proposal from probation officer. Present Phase V Project proposal to courtroom at Ph.V advancement docket.

#### **Phase Five Graduation and Maintenance (180 days minimum)**

- Attend all scheduled court appearances (usually monthly). Permitted to leave docket early if 100% compliant.
- Mentor Phase I and II clients.
- Participate in a recovery-focused sober community support group at least once per week and maintain an attendance log to be regularly submitted to the Probation Officer no later than midnight on the day before each scheduled docket appearance.
- Attend aftercare treatment as contained in individual treatment plan.
- Attend regular probation meetings per treatment and case plan for six months.
- Submit to random drug screens (2x/week urine screens, plus 1x/month oral swabs).
- Complete paying or setting up payment agreement with collections for court costs, fines, and restitution.
- Attend ACDC graduation ceremonies if not 100% compliant.



- Complete Phase V Project and have completion verified by probation officer at least 2 weeks prior to graduation. Present recap of Phase V project to courtroom upon completion.
- Complete “Pre-Graduation Life Plan” with probation officer to be submitted to the ACDC team no later than 1 month prior to your anticipated graduation date.
- Maintain 180 days of continuous sobriety and be 100% compliant prior to graduation.

### **Graduation Criteria:**

Participant must have completed all required treatment and phases of the program.

Participant must have completed all the terms and conditions of probation.

Participant must be current and compliant with agreement with the collections department for payment of court costs, fines, and restitution.

Participant must be mentally and emotionally stable.

Participant must have a comprehensive Relapse Prevention Plan.

Participant must have demonstrated a significant and consistent period of sobriety as determined by the treatment team.

Participant must have obtained all medical, dental, community, and other support assistance.

Participant must have maintained a stable living situation and employment that supports sobriety.

Participant must have developed a support system that can help them maintain sobriety and assist them with any problems that arise.

Participant must have developed a long-term sobriety plan & Pre-Graduation Life Plan that has been approved by the Court.

Participant will verbally petition the court for graduation and include reasons as to why they are ready for graduation. Once accepted, the court will formally terminate probation (if eligible) and their graduation from ACDC will be celebrated.

## **Termination Criteria:**

The Adams County Drug Court team will assess unsuccessful termination criteria for participants on a case-by-case basis. The following will be considered:

- Participant is charged with an offense that disqualifies them from participation in the program, due to prolonged incarceration or disqualification under the original eligibility criteria.
- Participant fails to appear for court appearances other than those truly beyond their control after seeking assistance from the ACDC probation officer. A warrant will issue (bond is set) and if participant is not arrested and does not appear in the drug court division within 30 days, then they become “inactive” meaning their spot can be filled with a new participant. If participant is arrested and appears in the drug court division within 120 days from the date the warrant issues, then they can be reconsidered for remaining in the program if a spot is available. If a spot is no longer available or if participant is not arrested and does not appear in the drug court division within 120 days, then they will be terminated from ACDC and the case will be referred back to the original division for resentencing.
- Participant makes threats or engages in acts of violence toward treatment providers or others while in the program. Participant commits a criminal act against another participant in the program or against anyone associated with ACDC.
- If a probation revocation complaint is filed and ACDC is being reconsidered as a sentencing option, the ACDC team will re-staff the case but the formal re-screening process will not be conducted. The presiding judicial officer will conduct the revocation hearing, but resentencing will occur in an alternative/original judge’s division if the presiding judicial officer is a magistrate. Once a revocation complaint is filed, the court can/will continue to impose sanctions for current program violations committed by the participant.
- Participants may be assessed by the ACDC team in any phase for failure to progress in the program. If a participant is in Phase I for four (4) months without advancing, then a 30-day Performance Contract will be implemented. If the team determines that all available resources have been exhausted and no additional treatment options can be provided to the participant (by no fault of the program) then termination of the participant from ACDC may be considered.
- For purposes of evaluation, unsuccessful termination for non-compliance will be distinguished from termination for good cause.

## SANCTIONS AND INCENTIVES

Research has demonstrated that a drug treatment court that provides gradually escalating sanctions and incentives will improve outcomes for participants. The purpose of incentives is to provide reinforcement for positive behavior coupled with sanctions for illicit behavior. This system will promote the participant's rehabilitation and accountability. Incentives and sanctions will be awarded by the ACDC judicial officer. However, the ACDC team may make additional responses based on the participants' behavior and progress.

Incentives and sanctions will be geared towards each individual's behavior and will differ in type and timing based on the needs of the participant.

The Adams County Drug Court team will follow these principles for awarding incentives:

1. Participants that meet their treatment goals or that demonstrate target behaviors will be rewarded at drug court reviews.
2. Participants will be clearly informed of observable and measurable treatment goals and behaviors that are targeted for rewards. Re-enforcers will be consistently imposed when a target behavior occurs or a treatment goal is reached.
3. Rewards will be offered as soon as possible after a target behavior is reached or a treatment goal is met.
4. Participants will receive "benchmark" rewards upon completion of each drug court phase. These may include certificates, tokens, or ceremonies.

Due Process: The participant will have an opportunity to be heard regarding any alleged violation. The ACDC judicial officer will also inform them that if they dispute any or all of the allegations of non-compliance, they have a right to a hearing and the opportunity to have an attorney represent them if the possible sanction is jail. The participant can request that a different judicial officer hear the issue, but if not requested, the ACDC judicial officer will preside. If the participant chooses not to have a hearing, the jail or loss of liberty sanction will be imposed immediately. The ACDC team will utilize the due process Notice of Violation form and the due process Advisement form.

### **Adams County Drug Court Incentives requiring court approval**

- Gift Cards & 100% Tickets for quarterly \$25 gift card drawing
- ACDC Phase Certificates
- Fee Reduction
- Decreased reviews, probation appointments, treatment

### **Adams County Drug Court Sanctions requiring court approval**

- Electronic Home Monitoring
- Community / Useful Public Service (completion & verification due to Intervention & probation officer no later than Sunday prior to the next docket appearance).
- Jail
- 30-day Performance Contract
- Termination from ACDC
- Phase regression
- Required attendance at ACDC graduation ceremony
- Court Time
- Increased reviews, probation appointments, or drug testing

### **Adams County Drug Court Team Incentive and Sanction/Treatment Responses**

- |  |                      |
|--|----------------------|
| • Warning                                      | Daily Check-Ins      |
| • Homework/Essay                               | Report Cards         |
| • Self Help Programs/Self-Improvement projects |                      |
| • Detox  | Treatment/Counseling |
| • Travel Restrictions/Permissions              | Increased Contacts   |
| • Vouchers for Treatment/Drug Testing          |                      |
| • Dental/Medical Assistance                    |                      |
| • Transportation tokens/bus passes             |                      |
| • Graduation/Phase Completion Certificates     |                      |
| • Name on Graduation Plaque                    |                      |
| • Acknowledgment of Sober Time                 |                      |
| • Mentoring Opportunities                      |                      |
| • Reduced Supervision                          |                      |
| • Co-facilitate Treatment/Support Group        |                      |
| • Relapse Prevention Planning                  |                      |

# TREATMENT PROTOCOL

ACDC treatment agencies will integrate the participant's treatment goals with the probation officer's case plans. These integrated plans will be reviewed and updated by the therapist and probation officer every 90 days to assess progress.

A treatment session will only be excused if participant obtains approval from both the therapist and probation officer. In non-emergency situations, approval from both the therapist and probation officer must be received in advance of missing the appointment. If participant is suddenly ill, has an emergency or crisis situation and misses a treatment session, then it will only be excused if they provide ER/doctor's documentation of their condition. This medical documentation must be furnished to both the therapist and probation officer for verification as soon as possible. An unexcused individual treatment session can be rescheduled by the therapist if the therapist is able to accommodate rescheduling the appointment prior to the next docket date. If the therapist is unable or unwilling to accommodate rescheduling the individual treatment session prior to the next docket date, then it remains unexcused. Unexcused group therapy sessions cannot be made up. If the courthouse is closed for a full day due to inclement weather, then treatment will be excused for the same day (unless treatment is virtual by telehealth and the treatment agency does not cancel sessions due to weather). However, if the courthouse is on a delayed-start due to inclement weather then the participant is expected to attend treatment that same day as scheduled, if the treatment agency is open.

HEART Counseling Center supports the belief that there is never a single cause for the development of co-occurring substance abuse and mental health disorders. Rather, these are complex illnesses with biological, genetic, psychological, social and developmental roots. Effective treatment must target this entire range of factors. If mental health cannot be ethically assessed during the time of the initial evaluation, another evaluation will take place in Ph.II of ACDC. HEART provides a range of services that incorporate all five values in which the agency was created: Healing, Empowerment, Acceptance, Respect, and Transformation. HEART's goal is to be as supportive as possible to clients of all backgrounds and experiences. HEART focuses on the needs of each individual and treatment / resources are tailored to meet these needs. HEART collaborates as necessary to provide well-rounded care to all of their clients,

such as referring to psychiatric services as well as Medication Assisted Treatment (MAT services). HEART specializes in co-occurring modalities to focus on healing from addiction and mental health illnesses. Examples of offered services and treatment models include, but are not limited to:

- Mental Health and Substance Use Evaluations.
  - Traditional Outpatient services.
  - Intensive Outpatient services.
  - DUI Education and Therapy classes.
  - Four-plus DUI services.
  - Individual therapy sessions.
  - EMDR.
  - Gender-specific groups.
  - Restoration Services.
  - Anger Management.
  - Substance Abuse/Cognitive Restructuring groups.
  - Stress Reduction groups.
  - Budgeting and resume building workshops.
  - Communication skill-building workshops.
- Trauma treatment groups.
  - Acudetox (ear acupuncture).
  - Parenting classes.
  - DBT groups.

Creative Treatment Options (CTO) is a state-licensed, outpatient mental health and drug/alcohol abuse treatment agency with offices located in Commerce City, Arvada, and Lakewood. The agency meets all of the licensure and certification requirements as outlined by the Office of Behavioral Health (OBH) of the Colorado State Health Department. CTO provides evaluations and assessments, educational and therapeutic treatments, and community support services for referrals from various mental health sources, state judicial and municipal systems, county social service agencies, and community correctional settings. CTO utilizes an intra-disciplinary, integrated (holistic) treatment approach in offering services to clients identified with mental health issues, adult substance abusers, chemically dependent, codependent, or dually diagnosed. CTO offers evaluative assessments, differential diagnosis, and Level II alcohol education/therapy classes. CTO also offers a wide range of counseling services including family therapy, couples counseling, and individual counseling. CTO offers OBH-approved onsite

random, monitored urinalysis screening with 24-hour turnaround results as well as Antabuse and breathalyzer monitoring for clients who require such services (available 6 days a week). The staff utilizes a variety of measurement and assessment instruments to better help them evaluate and assess the clients' needs. These instruments are employed in conjunction with a complete written psychosocial/family of origin history and a face-to-face interview with each referral. These assessment findings are compared with collateral data received from the referring agency. The referral data, the diagnostic findings, and the interview are evaluated to assist the staff in determining the modality and therapeutic strategies that will best facilitate the client's goals. The treatment plan results from the staff's assessment of the individual's chemical use, abuse or dependence, and any underlying pathology. CTO reviews the client's family history, past and current employment/educational status, involvement in criminal activity, as well as the domains of social psychological, and physical functioning.

CTO also determines the client's status in terms of pre-treatment readiness, motivation, and their level of denial concerning the identified problem. The client's expectations of his/her involvement in treatment are explored on an ongoing basis and treatment plans are modified accordingly. CTO works with Martel Medical for medication management and consults with a number of medical specialists in the addiction community. CTO also has numerous affiliations with specialty therapists throughout the Denver and Front Range area. All CTO staff are dedicated to providing the best possible services to the clients and strive to obtain the most up-to-date information, clinical instruments, and therapeutic strategies that are available to treatment providers. Examples of offered services and treatment models include, but are not limited to:

- Court-ordered treatment.
- DWAI/DUI classes.
- Anger Management.
- Substance Use Disorder.
- Gender-specific therapy.
- Individual therapy.
- Medication Assisted Treatment (MAT).
- Evaluations.
- Monitored sobriety.
- Domestic Violence.
- Mental Health.
- Trauma therapy.
- Intensive Outpatient therapy.

# SUPERVISION PROTOCOL

## PROBATION SUPERVISION PROTOCOL

1. After the participant is thoroughly advised by defense counsel and agrees to ACDC sentencing, the probation officer will advise the participant of the Client Contract and all probation conditions. (See Adams County Drug Court Client Contract for specific conditions.)
2. The probation officer will meet with each participant based on contacts agreed to in the case/treatment plan or as outlined herein. The ACDC probation officer & treatment agencies will integrate the participants' case plans with the therapist's treatment plans. These integrated plans will be reviewed and updated by the probation officer and therapist every 90 days to assess progress.
3. Probation Officer duties are listed below but not limited to (see phases for specific contacts):
  - A. Meet with participant as designated by phase and/or participant's behavior. Visits may be conducted in the office, home, treatment, employment, or court appearance and may increase in any phase if necessary.
  - B. Conduct an initial home visit within the first 30-60 days after acceptance into the program, when living situation changes, and upon resuming the program after any period of absconding for more than 2 weeks. Home visits may be conducted more frequently if necessary.
  - C. Attend treatment staffings with the therapist/counselor a minimum of bi-weekly and review case/treatment plan with the treatment provider.
  - D. PO and Probation Supervisor will screen all revocation cases for initial acceptance into Drug Court.
  - E. Document all attendance, drug testing, and narratives in Eclipse/JPOD and will produce client review sheets for court appearances.
  - F. Submit reports or other summaries for each participant utilized for team staffings.



- G. Present on participant progress at each team staffing prior to court dockets.
- H. Contact team immediately if issues of major non-compliance arise and will respond accordingly to probation policy and procedure relating to complaints and warrants. A probation revocation complaint shall be filed with the court if a participant is on warrant status for more than two weeks. If a participant has an active warrant, the probation officer will advise them to surrender/turn themselves in at the Adams County Jail or downstairs to law enforcement at the Adams County Justice Center. If the participant appears for a drug court docket and has not resolved the warrant in the above manner, the courtroom deputy will take the participant into custody until they post bond or until the next scheduled drug court docket (they will be added once advised on the warrant).
- I. Local probation policy will be followed if a participant attends a probation appointment under the influence of drugs/alcohol.
- J. PO has ability to be on call 24 hours to monitor electronic home monitoring and curfew if necessary.
- K. Work in conjunction with counselors, law-enforcement, participants, vocational agencies, family member to promote positive and sustaining change for participant.
- L. PO can facilitate client groups and will provide any adjunct services to participants in addition to their treatment provider that may be needed. Examples are: Cognitive Restructuring, Relapse Prevention, employment group, Recognizing Opportunities for Lifestyle change and Employment (ROLE).
- M. Monitor and collaborate with other treatment providers or vocational/educational providers such as: Mental Health, Domestic Violence, DUI, Physicians, GED providers, Vocational Rehabilitation staff, etc. and provide summaries to ACDC team.

# TESTING PROTOCOL

## SUBSTANCE TESTING PROTOCOL

Substance testing will be conducted at RMOMS but can also be collected by probation officer at the probation department at any time. If substance testing is required on a holiday, then participants must submit their UA at ICCS at their own expense (probation vouchers do not apply at ICCS). Drug tests should be taken as early in the day as possible, but shall be submitted at least 1 hour prior to the testing agency's closing time and no later than 10:00 pm or it will be counted as a missed test if the testing agency is unable to accept samples beyond these times for whatever reason.

All results will be processed through Norchem-Sentry, entered into the Eclipse/JPOD's Drug Events screen, and shared at staffings with ACDC team. Necessary HIPAA releases will be signed by Adams County Drug Court participant for all team members.

Adams County Drug Court participants will be tested throughout the duration of the program (random schedule including weekends and holidays). The standard frequency and type of testing will be two urine screens per week, plus one oral swab per month. If determined by the ACDC team, frequency may increase in any phase and different types of testing may be added. A drug test that is contested by the participant and thought to be a false positive will be submitted for confirmation at probation's expense; however, if the drug test is indeed confirmed positive then the participant is responsible for requesting and paying for all subsequent confirmation tests.

A missed drug test will result in losing sober days, with the exception of Phase V as follows: If a participant misses a drug test in Ph. V, then the participant will lose 90 sober days in that phase toward graduation, meaning their calculated graduation date gets postponed by 90 days (or if in Phase V for less than 90 days, the sober days will restart on the date participant entered Phase V). A second and all subsequent missed drug tests in Ph. V will result in the loss

of all sober days and regress to the beginning of the phase. A drug test is considered missed including if a participant is taken into custody at ACDC docket as a sanction and they had failed to take the test prior to docket or if a participant is arrested for a new offense and had failed to take the test prior to being arrested. If the courthouse is closed for a full day due to inclement weather, then drug testing will be excused for the same day; however, if the courthouse is on a delayed-start due to inclement weather then participants are expected to test that same day (if required to test per the agency schedule).

Any sample determined by the testing facility to be a substitution or unsuitable for testing may be sanctioned as a tampered test.

Below are some types of drug testing that can be used but is not limited to:

1. Urine testing: Must be random and observed by same gender staff. Reputable lab with attention to chain of custody and validated testing measures must be used.

If a participant produces a UA with low creatinine level ( $<20$ ) and the specimen is too dilute to assure a valid negative result, the participant will receive a verbal warning from the court and not be considered 100% compliant but will not lose sober days for the first diluted UA in the program. A second diluted UA will result in the probation officer providing the participant with the "Dilute UA Warning/Instructions" form (dilute contract). The participant will also lose sober days for any and all subsequent diluted samples in Phases I-IV (unless a legitimate medical condition is diagnosed and documented vindicating the dilute urine).

If a participant produces a diluted UA in Phase V and it is not the participant's first ever in the program, then the participant will lose 30 sober days in that phase toward graduation, meaning their anticipated graduation date gets postponed by 30 days (and 30 days will be subtracted from their sober day tally). A second and all subsequent diluted UA samples in Phase V will result in the loss of all sober days (unless a legitimate medical condition is diagnosed and documented).

The only exception to the above dilute policy is if one year passes between dilutes, then it will be treated as a first dilute offense regardless of phase.

2. Electronic monitoring: SoberLink / breathalyzers / SCRAM / TAD / other electronic monitors (or skin patches) that detect alcohol or drugs through skin pores.

3. Oral Swabs: Must also be used in conjunction with urine testing. Not to be used as a sole method of testing but will be scheduled once per month for all participants.

**Narcotic agreement:**

Participants must agree to disclose all prescription medications they are given. They will bring in their prescriptions on a weekly basis to show their probation officer. Participants that have a history of narcotic or other prescription abuse or dependence will sign a non-narcotic agreement and agree to seek a non-narcotic alternative if medically approved. If for some reason they require a narcotic, they will agree to sign a Release of Information with their physician and use only one physician. Sober days will be suspended for the duration of time when a participant is ingesting prescription pain medication. If medical issues are beyond the scope of the ACDC team and will render the goal of abstinence from substances impossible, the participant may not be accepted into Adams County Drug Court.

Additionally, participant will authorize the medical provider(s) of ACDC's choosing to use and disclose the protected health information described below to the ACDC team in regard to the Colorado Prescription Drug Monitoring Program (C-PDMP). This authorization for release of information covers the period of time the participant is a client in ACDC. Participant shall authorize the release of their complete health record regarding the prescription of any medications or the solicitation of such as required by the Health Insurance Portability and Accountability Act (HIPAA 45 C.F.R. Parts 160 and 164).

Violation of this narcotic agreement may lead to termination from the ACDC program.

# EVALUATION PROTOCOL

Evaluation for process and program goals will be conducted by the Adams County Drug Court Oversight Coordinator in conjunction with the State Court Administrator's Office. The evaluation will be ongoing and will focus on a process evaluation and performance measurement. The evaluation steps will provide a measure of the Adams County Drug Court's compliance with the Mission Statement, goals, and objectives set forth in this Policy and Procedures Manual. The goals and objectives set forth in this manual were identified using available information about treatment and recidivism from current probation data for Adams County. Additionally, the evaluation will provide data and information to members of the Advisory Committee, ACDC Team, and other policy makers on the impact of the Adams County Drug Court on the justice system and community. The evaluation will encompass two evaluative components: process and outcomes.

## **Process Evaluation**

1. The process evaluation provides a descriptive "snapshot" of the program and its participants.
2. The process evaluation will assess:
  - a) The structural design
  - b) Measure the coverage
  - c) Describe participants of the recovery court
3. The process evaluation may include:
  - a) Measurement of the Adams County Drug Court's compliance with the 10 Key Components of Drug Courts created by the National Drug Court Institute.
  - b) Number of individuals eligible for the Adams County Drug Court.
  - c) Number of individuals screened for the Adams County Drug Court.
  - d) Number of individuals admitted to Adams County Drug Court.
  - e) Demographic, clinical, and criminal characteristics of participants.
  - f) Types of therapeutic services and rates of usage for participants.
  - g) Treatment attendance by participants.
  - h) Number of drug tests administered.
  - i) Frequency and types of incentives and sanctions.
  - j) Description of differences between successful and unsuccessful participants.
  - k) Description of lengths of stay in program and individual phases.
  - l) Percentage of participants who graduate from the program.

## **Outcome Evaluation**

1. The outcome evaluation will ask: Is the Adams County Drug Court more effective at lessening drug use and reducing recidivism than “business as usual” in the Adams County criminal courts?
2. The outcome evaluation will examine the effect of the Adams County Drug Court on:
  - a) Participants.
  - b) The criminal justice system.
  - c) The community.
3. The Outcome Evaluation may include:
  - a) Recidivism rates (new arrests, charges) of all ACDC participants in-program and post-program, measured at various intervals.
  - b) Recidivism rates (new arrests, charges) of dropouts versus graduates, measured at various intervals.
  - c) Pre-program, in-program, and post-program drug use (measured by drug testing and self-report).
  - d) Treatment completion rates.
  - e) Number of drug-free babies born to clients.
  - f) Jail bed days saved.
  - g) Elements (e.g. incentives, treatment sessions, court appearances) of program related to successful program completion.

Criteria	Target Population
Case Status	Adult Felony & Misdemeanor Probation Revocation (Adams/Broomfield County case). Will consider revocations from Community Corrections (direct sentences and/or probation-to-community corrections cases) only if the basis for revocation is due to substance use and there are no new law violations. Sentencing done by original division's judicial officer after drug court screen.
Criminal History / Current Conviction(s)	Does <u>not</u> have to be a drug conviction. <u>Exclude</u> : Sex offenses with SOMB requirements. (Drug manufacturing/sale/distribution, serious bodily injury/death & firearm/deadly weapon cases are decided case-by-case by team).
Criminogenic Risk	LSI 29+. Treatment Level 4+. High risk/High need.
Substance Use	Drug/alcohol use drives non-compliance; Meets DSM-V diagnosis for moderate-severe Substance Use Disorder (will be evaluated & diagnosed upon acceptance).
Voluntary Program	Must be willing to participate and abstain from substances; in pre-contemplative/contemplative stage of change.
Mental Health	Co-Occurring disorders are acceptable. Clinical diagnosis or prior treatment failures not required. MH needs cannot exceed capabilities of program.
Developmental Disabilities	Must have cognitive ability to comply with program requirements.
Residency	Not required to reside in Adams or Broomfield County, but must have ability to comply with program requirements (e.g. court appearances, treatment, probation, etc.).