

Program Handbook

Cabell County Drug Court



What is Drug Court?



West Virginia's Cabell County Drug Court is a collaborative effort of legal, mental health, education and social service professionals who provide comprehensive treatment and rehabilitative services for non-violent drug and alcohol abusing offenders. Drug Court provides intensive treatment, supervision, drug testing and monitoring to achieve successful treatment outcomes.

The mission of the Drug Court Program is to protect and improve the community by reducing repeat criminal activities related to substance abuse and addiction through use of an intensive treatment process for each participant in the program, thereby reducing the costs of incarceration and economic loss to the community, freeing resources for more productive uses, and returning useful members to our local community. People who successfully complete the Drug Court Program will avoid all or a part of incarceration in a secure facility.

When a person enters the Drug Court Program, an individual case plan for treatment is developed by the participant, the Drug Court Coordinator, and the Drug Court Team. The Drug Court Program consists of four (3) phases of treatment. Each phase of treatment has different requirements and the length of time spent in the phases will depend on the progress of the participant. The entire treatment program will take at least one (1) year to complete. Although, if a person has difficulty completing the requirements of the program, the treatment program will take more time to complete.



Who is Eligible for Drug Court?

Participants in Drug Court are referred by a prosecuting attorney, judge, magistrate, defense attorney, or law enforcement officer. Drug Court does not take referrals from family members or the general public. After reviewing a case referral, the prosecuting attorney has discretion on who is admitted to the program.

To be eligible for referral, a person must be an adult charged with a non-violent felony offense and have a drug or alcohol problem. All participants must submit to substance abuse evaluations to determine if they are appropriate for the program.

If an offender has a prior felony conviction in which he/she used force against another person with intent to cause serious bodily harm or death, or if an offender is currently charged with a sexual offense, or an offense involving a child victim, or an offense involving the illegal use of a firearm or other dangerous weapon, she/he is not eligible for Drug Court. If death or serious bodily injury occurred to any person during an offender's crime or if an offender used force against another person during the crime, he/she is not eligible for Drug Court.

To participate in the Cabell County Drug Court Program, an offender must live in or near Cabell County West Virginia.

*This program follows the federal definition of "violent offenders" as defined in 42 U.S.C.A. 3797u-2.

What Will I Be Required to Do in Drug Court?

Participants in Drug Court are required to do the following:

- Engage in substance abuse counseling and treatment
- Meet with the Drug Court Coordinator at least once a week
- Attend Drug Court sessions at least once a week
- Submit to urinalysis screenings
- Refrain from using alcohol and drugs
- Attend support group meetings
- Submit to extensive supervision from Drug Court staff, Day Report Center and/or Probation Officers
- Perform community service
- Obtain employment or attend school
- Obtain a high school diploma or a G.E.D.
- Pay restitution to victims



- Pay a program fee of \$800
- Meet other requirements as determined by the Drug Court staff or Drug Court Judge

What Are the Sanctions for Non-Compliance?

The Drug Court Program has strict requirements. It is important for people participating in the program to abide by the program requirements. Failing to comply with these requirements WILL result in Court-imposed sanctions. The Drug Court Team will determine what sanction to impose in each case.

Sanctions for non-compliance may include but are not limited to the following:

- Verbal warning by the Drug Court Judge
- Lengthy essay assignments
- Additional community service performance
- Additional treatment or counseling sessions
- Additional support group sessions
- Increased court appearances
- Increased contact with Drug Court staff
- Demotion to a previous phase of the program
- Confinement in the jury box
- Home confinement
- Jail time
- Termination from the program



What Happens When I Complete the Program?

All persons who complete the requirements of the program will participate in a graduation ceremony. Once the program is completed, the offender's case will be retired from the Court's docket and he/she will be released from further supervision unless otherwise stated in the plea agreement that was reached when the program was begun.



More importantly, when an offender graduates from the program, he/she should be prepared to live a productive life free from alcohol, drugs and crime.

*This program was made possible by a grant to the West Virginia Supreme Court of Appeals from the Department of Justice, Bureau of Justice Assistance.

CABELL COUNTY ADULT DRUG COURT PROGRAM OVERVIEW

Target Population

- Adult Offender
- Non-violent felony offender
- Resident of Cabell County area
- Addict or serious drug abuser
- No previous/current sex offenses or crimes against a child
- No drug dealers

The Drug Court Program is structured as a three phase program that each participant will complete. *Phase III includes graduation from Drug Court.*

- Phase I: Minimum of 2 months
- Phase II: Minimum of 4 months
- Phase III: Minimum of 6 months

*** The length of the program should be a minimum of 12 months.**

Phase I

- Drug Testing – Three per wk, minimum
- Meet with Drug Court Probation Officer – Twice per week minimum, excluding Court appearances
- Court Appearance – Once a week
- Follow treatment rules & regulations, and attend all required sessions
- No job (if not already working)

Advancement Criteria

- Minimum of 2 **consecutive** weeks clean time
- No new crimes
- Completed a minimum of 2 months in the phase
- Met treatment goals

Phase II

- Drug Testing – two per week, minimum
- Meeting with Drug Court Probation Officer – one per week minimum, excluding Court appearances
- Court Appearance – Once a week
- Follow treatment rules & regulations, and attend all required sessions

Advancement Criteria

- Minimum of 45 days **consecutive** clean time
- No new crimes
- Completed minimum of 3 months in the phase
- Enrolled in a job readiness program and/or providing Community Service if not working or in school.
- Paid required portion of Drug Court program fee- Total payments equal to \$200
- Met treatment goals

Phase III

- Drug Testing – Once a week minimum
- Meeting with Drug Court Probation Officer – Every other week minimum, alternating weeks with court appearances
- Court Appearance – Once every other week
- Follow treatment rules & regulations, and attend all required sessions

Advancement Criteria

- Minimum of 4 months **consecutive** clean time
- No new crimes
- Completed minimum of 6 months in the phase
- Paid required portion of Drug Court program fee- Total payments equal to \$600
- Obtain full-time employment *Community Service may be substituted for a portion of the 40 hrs
- Crime and drug-free housing
- No new crimes
- Counselor must recommend graduation
- Arrangements made for after care

