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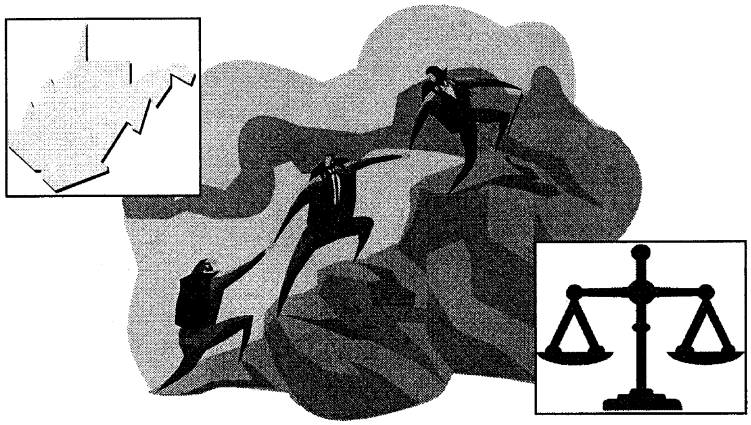
Program Handbook

West Virginia's Southern Region Drug Court*



*A West Virginia Treatment Court Diversion Program beginning in <u>Mercer County</u>

What is Drug Court?

West Virginia's Southern Region Drug Court, beginning in Mercer County, is a collaborative effort of legal, mental health, educational 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 activity 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 have their charges reduced or dismissed, and may avoid all or a part of a prison or jail sentence.

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 three (3) phases of treatment. Each phase of treatment has different requirements and will take at least four (4) months to complete. The entire treatment program will take at least one (1) year to complete. The actual time spent in the program may be more than a year. If a person is charged with a felony or has difficulty completing the requirements of the program, the treatment program will take more than one (1) year to complete.

Who is Eligible for Drug Court?

Participants in Drug Court are referred by the 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 and the Drug Court Judge or Drug Court Magistrate have 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 or misdemeanor offense and have a drug or alcohol problem. All participants must submit to a substance abuse evaluation to determine if they are appropriate for the program.

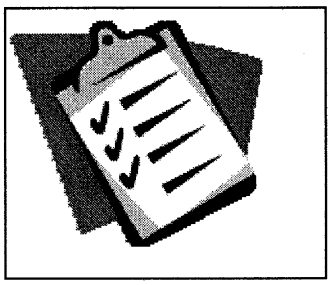
If you have a prior felony conviction in which you used force against another person with intent to cause serious bodily harm or death, or if you are currently charged with a sexual offense, an offense involving a child victim, or an offense involving the illegal use of a firearm or other dangerous weapon,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

To participate in the Mercer County division of the Southern Region Program, you must live in West Virginia within 50 miles of Princeton.

*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 screening
- Refrain from using alcohol and drugs
- Attend support group meetings
- Submit to extensive supervision from Drug Court staff, Day Report Center staff, and/or Probation Officers
- Perform community service
- Obtain employment or attend school

- Obtain a high school diploma or a G.E.D.
- Pay court costs
- Pay restitution to victims
- Pay program fee of $300
- Other requirements as determined by the Drug Court staff or the Drug Court Judge or Magistrate

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 Judge or Magistrate will determine what sanction to impose in each case.

Sanctions for non-compliance may include the following:

- Verbal warning by the Drug Court Judge or Magistrate
- Writing essays
- Perform additional community service
- Attend additional treatment or counseling sessions
- Attend 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 charges against you will be dropped or reduced, your sentence discharged or reduced, or you may be placed on probation, depending upon the plea agreement that you reached when you entered the program.

More importantly, when you graduate from the program you should be prepared to live a productive life free from alcohol, drugs and crime.

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*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

Acknowledgment of Receipt of Program Handbook For the Southern Region Drug Court

I, _____,
[Print Name]

received this Handbook on the _____ day of _____, 20___.

_____
Signature of Participant

Witness:

_____
Drug Court Coordinator

[Remove this page and insert in the Drug Court file.]