

West Central  
Regional  
Drug Court

Policy &  
Procedures Manual

## INTRODUCTION

Based on an innovative program that was first developed in Miami, Florida in 1989, the Drug Court concept has received widespread attention as an effective treatment strategy for drug involved criminal offenders. Drug Courts represent a very non-traditional approach to criminal offenders who are addicted to drugs.

Rather than focusing only on the crimes they commit and the punishments they receive, Drug Court also attempts to solve some of their underlying problems. Drug Courts are built upon a unique partnership between the criminal justice system and drug treatment community, one which structures treatment intervention around the authority and personal involvement of a Drug Court Judge. Drug Courts are also dependent upon the creation of a non-adversarial courtroom atmosphere where a judge and a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of drug abuse and criminal behavior.

The West Central Regional Drug Court started operations in January 2007. It is the third Drug Court Program to open in West Virginia. The funding for the Drug Court Program was obtained by the West Virginia Supreme Court of Appeals through a grant from the Bureau of Justice Assistance, United States Department of Justice.

# WEST CENTRAL REGIONAL DRUG COURT POLICIES AND PROCEDURES MANUAL

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## I. STEERING COMMITTEE

The Steering Committee consists of members of the Wood County Community Corrections board along with other prominent professionals within the local community serves as the Steering Committee for the Drug Court. The Wood County Community Corrections Board is authorized by West Virginia Code ' 62-11C-1, *et seq.* The Wood County Community Corrections Board provides oversight and budgetary control for all of the local Community Corrections programs including the Wood County Day Report Center and the West Central Regional Drug Court. The Board consists of the following people:

Holly Maynard or JoAnn Powell  
Westbrook Health Services

Dee Prince  
Director/ Amity Treatment Center

Dr. John David Smith  
Concord University

Commissioner Bob Tebay  
Wood County Commission

Ginny Conley  
Wood County Prosecuting Attorney

Joe Troisi  
Wood County Defense Attorney

Wood County Board of Education

Diana Williams

Victims= Advocate, Wood County Prosecuting Attorney=s Office

Pat Radcliff, Attorney

Chief Board

City of Parkersburg Police Chief

J.J. Dyke

Parkersburg Police Department

*(ex officio)*

Coordinator, Southern Regional Drug Court

Candice Null *(ex officio)*

Executive Director, Wood County Day Report Center

Jeff Knuckles *(ex officio)*

Chief Probation Officer

Kathrine Trippel *(ex officio)*

Probation Officer

Magistrate Donna Jackson *(ex officio)*

Wood County Magistrate

Honorable Jeffrey Reed *(ex officio)*

Judge, Circuit Court of Wood County

## II. TREATMENT TEAM

The West Central Regional Drug Court Treatment Team guides the daily operations of the Drug Court Program. It meets weekly with the Drug Court Judge to inform the Judge of the progress of each individual Drug Court participant. It also directs the treatment of the participants and advises the Drug Court Judge as to appropriate actions to be taken by the Court.

Summarized written progress reports are provided the court prior to each hearing, and more detailed written progress reports are provided the court as requested by the court. The Drug Court Coordinator is responsible for the court receiving report information.

The Drug Court Treatment Team's leader is Judge Reed. The Drug Court Coordinator provides updated information to the Court on substance abuse treatment status through information received from the case manages. The Treatment Team consists of the following people:

Honorable Judge Reed  
Judge, Circuit Court of Wood County

Honorable Donna Jackson  
Magistrate, Wood County Magistrate Court

Holly Maynard  
Westbrook Mental Health Center

Candice Null  
Wood County Day Report Center

Jason Wharton  
Wood County Prosecuting Attorney

Scott Ash  
Wood County Defense Attorney

West Virginia State Police

Lt. Joy/Sgt. Rader  
Wood County Home Confinement

Coordinator, West Central Regional Drug Court

Jeff Knuckles  
Chief Probation Officer

Kat Trippel  
Probation Officer

Psychologist

Case Managers  
Adult Probation Officers  
Wood County Day Report Center Case Manager

West Virginia Department of Health and Human Resources  
Economic Services Representative  
Child Protective Services Representative

### **III. MISSION STATEMENT**

The mission of the West Central Regional Drug Court Program is to reduce recidivism of substance abusing offenders and increase availability in jails and prisons to incarcerate violent offenders by offering a judicially supervised program that will enhance treatment options for offenders, expedite the disposition of criminal cases more efficiently and improve the quality of life for the community as a whole.

## **IV. GOALS, OBJECTIVES, MEASURES & OUTCOMES**

### **GOAL 1: To reduce recidivism of crimes involving substance abuse and improve treatment**

#### **Objective #1:**

100% of the Drug Court participants will be prescreened and ensure those who qualify will receive intensive court supervision including regular hearings, tracking of progress, and progressive sanctions for failures.

#### **Output Measures:**

- ❖ Increase number of participants receiving intensive court supervision.
- ❖ Increase the number of defendants who receive merits and progress through each stage with a lower amount of sanctions

#### **Objective #2:**

70% of the eligible participants will complete the program successfully.

#### **Output Measures:**

- ❖ Increase % of defendants who are employed
- ❖ Increase % of defendants' education level
- ❖ Number of offenders completing the program.

**Objective #3:**

100% of the participants who successfully graduate will have continuing care and a long term sobriety plan.

**Output Measures:**

- ❖ Number of long-term sobriety plans that are completed.

**Objective #4:**

No more than 10% of the participants who graduate from the program will be rearrested within one year post graduation.

**Output Measures:**

- ❖ Number of persons who re-arrest within one year post graduation.

**GOAL 2: To provide an improved and integrated program of drug treatment and rehabilitation services.**

**Objective #1:**

100% of the participants referred will receive inpatient or intensive outpatient substance abuse treatment.

**Output Measures:**

- ❖ Number of defendants referred who qualify for treatment.
- ❖ Number of participants participating in treatment.

**Objective #2:**

At least 85% of participants receiving program services will reduce the frequency of alcohol and other drug use as measured by urinalysis testing results.

**Output Measures:**

- ❖ Number of drug tests conducted.
- ❖ Number of positive urinalysis tests.

**Objective #3:**

85% of the participants who complete the program will be employed upon graduation as measured by case management.

**Output Measures:**

- ❖ Number of participants employed.
- ❖ Number of participants unemployed

**GOAL 3: Expedite cases more efficiently and in a timely manner in order to create availability in the jails for “real criminals”**

**Objective #1:**

85% of the inmates at the North Central Regional Jail will be offenders who have no alternative sentencing for the crimes they have committed.

**Output Measures:**

- ❖ Number of inmates at the regional jail who have committed violent crimes

**Objective #2:**

The time frame on final disposition of cases involving drug addicts will be less than 6 months.

**GOAL 4: Divert money from incarceration to treatment**

**Objective #1:**

Reduce the jail bill by 10% thus allowing those savings to be used on treatment expenses.

**Output Measures:**

- ❖ Compare figures on the jail bill for both pre and post regional drug court after 1 year of operation.

## **V. STRUCTURE/MODEL**

The West Central Regional Drug Court functions as a post-plea drug court program. This means that individuals may be accepted after the case has been disposed of by either a plea of guilty or adjudication of guilt.

A dual tribunal Drug Court Program will be used, staffed by: (1) a trained Magistrate in Wood County for participants charged with misdemeanor violations, and (2) a trained Circuit Court Judge for offenders whose cases fall outside magistrate court jurisdiction, such as those charged with felony offenses, or for other reasons should be handled at the Circuit Court level.

## **VI. TARGET POPULATION**

Offenders targeted by the West Central Regional Drug Court are adult offenders who reside in Wood, Wirt, Ritchie, Pleasants and Doddridge Counties who have committed non-violent crimes and who have been motivated to commit those crimes due to a substance abuse addiction.

## **VII. ELIGIBILITY CRITERIA**

The West Central Regional Drug Court Program is available to adult individuals who are charged with nonviolent offenses. Participants in the program must have a substance addiction diagnosis and must have committed a drug/alcohol motivated crime. Program participants must be residents of West Virginia who have received prior treatment (?). Participants must volunteer for the Program. In addition to a substance abuse assessment, participants must also undergo a risk assessment.

The West Central Regional Drug Court Program is not available to individuals who are charged with the following offenses: (1) a violent crime committed against a person; (2) a crime involving the use of a firearm or other dangerous weapon or (3) trafficking.

## **VIII. DISQUALIFICATION CRITERIA**

Individuals are disqualified from the West Central Regional Drug Court Program if they have a severe mental illness, are MR/DD, have a prior felony conviction for a violent offense committed against a person or a prior felony conviction for an offense involving the use of a firearm or other dangerous weapon.

## **IX. ENTRY PROCESS**

After an arrest is made and an arraignment is completed, potential candidates for the Drug Court Program may be identified and referred to the Drug Court Coordinator (DCC) by any contacting prosecutor, defense counsel, or judicial officer, including the arraigning Magistrate. A pre-screen is then conducted within 2-3 days of the referral being made. Next, the legal screen will be conducted by the judicial officer. The goal is early identification at least by the time of arraignment by a magistrate, although later referrals will not be disqualified. Appearance before an arraigning magistrate occurs within 24 hours of arrest, who can direct the case to drug court. A brief substance abuse, risk assessment and mental health screening will be conducted by the DRC. For candidates that have a substance abuse indicator, the DRC will alert counsel for the defendant and prosecutor of potential drug court candidacy, seek their agreement, meet with the candidate to obtain the necessary signed forms for entry into the program, and schedule the candidate for assessment. Substance abuse assessment will be arranged as soon as possible within three days of notification to the DRC, and appearance before the Drug Court Magistrate or Circuit Judge for treatment planning will occur within 7 days.

The Wood County Day Report Center, which contracts with a licensed psychologist and has a licensed social worker on staff, will be responsible for risk and substance abuse assessment; whereas, candidates with potential mental illness disorders may also be referred to Westbrook mental health facility for mental health assessment. The criteria for assessment to occur are approval of prosecutor and defense counsel for participation, signing of necessary consent, intent, and waiver documents, and meeting of

legal criteria for eligibility. The DRC schedules assessments for offender candidates.

The process by which the Drug Court Program typically moves offenders from arrest to treatment/program entry is illustrated in the following Entry Process Chart.

### IMPROVED ENTRY PROCESS

1. Arrest
2. Arraigned/bond
3. Referral
4. Pre-screen
5. Legal screen
6. Defense meeting
7. Clinical screen
8. Arraignment or plea
9. Begin Drug Court

### Phases

The phases involved with the drug court are mandated by the drug court team. Those phases are as follows:

#### COURT REQUIREMENTS

| <i>WHO (Phase)</i> | <i>WHAT</i>       | <i>WHERE</i> |
|--------------------|-------------------|--------------|
| <b>Phase I</b>     | 1 x per week      | Court        |
|                    | Treatment- 3/ wk  |              |
|                    | 1 x per week      | Probation    |
|                    | Self-help- 3 / wk | Community    |
|                    | Daily call-in     |              |
|                    | 60 days clean     |              |

**Phase II**

|  |           |
|--|-----------|
| Every other week                         | Court     |
| Treatment- 2/ wk                         |           |
| Every other week                         | Probation |
| GED/ Vocational training                 |           |
| Daily call-in                            |           |
| Self-Help 3/ wk                          | Community |
| Comm. Serv./employment                   |           |
| Housing                                  |           |
| 6 months consecutive clean               |           |
| Begin paying fees, fines and restitution |           |

**Phase III**

|                                    |           |
|------------------------------------|-----------|
| 1 x/ month                         | Court     |
| 2 x/month                          | Probation |
| Treatment 1x/ week                 |           |
| Daily call-in                      |           |
| Self-help 3 x/week                 | Community |
| Employed if able                   |           |
| Ongoing educ./ vocational training |           |
| Home visits                        |           |
| Approved housing                   |           |
| Restitution/ Court costs           |           |
| 4 months clean                     |           |

**Continue Care**

|                                 |           |
|---------------------------------|-----------|
| Daily call-in                   |           |
| 1 x/month                       | Court     |
| 1 x/month                       | Probation |
| Treatment 2 x/month             |           |
| Self-help 3 x/ week/            |           |
| Employed if able                |           |
| Ongoing educ./home visits       |           |
| Approve housing                 |           |
| Restitution/ Court costs        |           |
| 6 months clean/ 18 months total |           |

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## Incentives and Sanctions

### Treatment Protocol

The treatment protocol was designed by the drug court team and structured in a manner that the offender will be completely supervised and involved in an organized curriculum. The treatment protocol is listed in the table below:

| <i>WHAT</i>         | <i>SERVICES PROVIDED</i>                | <i>WHO</i>                   |
|---------------------|---|------------------------------|
| Detox               | 3-5 days inpatient                      | Amity/ Westbrook Crisis Unit |
| IOP                 | 3 days/ 3 hrs per day/ 6 weeks          | DRC/ Westbrook/ Worthington  |
| Relapse Prevention  | 1 day per week/ 1 hr./ 6 weeks          | DRC/ Westbrook               |
| Individual          | As needed                               | DRC/ Westbrook/ Worthington  |
| Intermediate        | 2 hrs per day/ 2 days per week/ 6 weeks | DRC                          |
| Inpatient           | 16-28 days                              | Amity                        |
| AA/NA               | Daily or as needed                      | AA/ NA Community             |
| Jail                | Detox                                   | RJA                          |
| Suboxone/ Methadone | Detox-Symptom Suppression               | Clinic/ local Doctor         |

# Supervision Protocol

## CASE MANAGEMENT

| WHO                            | WHAT                              | WHEN                     |
|--------------------------------|-----------------------------------|--------------------------|
| <b>I. Prob/Case management</b> | <b>Home visits</b>                | <b>All every 3 weeks</b> |
| <b>Case management</b>         | <b>Home visits/ office visits</b> | <b>Weekly</b>            |
| <b>Law enforcement</b>         | <b>Sweeps</b>                     | <b>monthly</b>           |
| <b>II. Probation</b>           | <b>Home visits/ job sites</b>     | <b>1 x/ month</b>        |
| <b>Law enforcement</b>         | <b>Sweeps</b>                     | <b>monthly</b>           |
| <b>Case management</b>         | <b>Home visits/ office visits</b> | <b>2 x/ month</b>        |
| <b>III. Probation</b>          | <b>Home visits</b>                | <b>Random/ as needed</b> |
| <b>Case management</b>         | <b>Home visits</b>                | <b>Random/ as needed</b> |
| <b>Law enforcement</b>         | <b>Office visits</b>              | <b>1 x/month</b>         |
|                                | <b>Sweeps</b>                     | <b>Monthly</b>           |
| <b>Continue Care</b>           | <b>Home visits</b>                | <b>Random</b>            |
|                                | <b>Office visits</b>              | <b>Bi-monthly</b>        |
|                                | <b>Sweeps</b>                     | <b>Random</b>            |

## DRUG TESTING

| <i>PHASE</i>           | <i>FREQUENCY</i>             | <i>BY WHOM:</i>                   |
|------------------------|------------------------------|-----------------------------------|
| <i>I</i>               | <b>3 x/week</b>              | <b>Treatment/ case management</b> |
|                        | <b>1 x/week</b>              | <b>Probation</b>                  |
|                        | <b>In-home tests</b>         |                                   |
| <i>II</i>              | <b>2 x/week</b>              | <b>Treatment/ case management</b> |
|                        | <b>In-home tests</b>         | <b>Probation</b>                  |
|                        | <b>Once every other week</b> |                                   |
| <i>III</i>             | <b>1 x/ week min.</b>        | <b>Treatment/case management</b>  |
|                        | <b>In-home tests</b>         | <b>Probation</b>                  |
|                        | <b>Randomly</b>              |                                   |
| <i>Continuing Care</i> | <b>Twice per month</b>       | <b>Treatment</b>                  |

# **Evaluation Design**

## **Memorandums of Understanding**

## **Ethics and Confidentiality Statement**