RISE

Reentry Independence through Sustainable Efforts Drug Court Program - District of Utah

Revised November 2010



Purpose

The purpose of the RISE Drug Court Program is to promote Reentry Independence through Sustainable Efforts that increase public safety by supporting sobriety and law-abiding behavior through reducing relapse and recidivism for moderate and high risk individuals. These sustainable efforts by the participant and the RISE Team support personal responsibility, alternatives to incarceration, and recovery from alcohol and/or drug addiction, all of which result in significant cost-savings to taxpayers.

Administration and Collaborative Management

The RISE Drug Court Program has been approved and supported by the U.S. District and Magistrate Court Judges. Once accepted for participation, cases are referred by the Judges to the U.S. Magistrate Judge that presides over the RISE Program.

Under the direction of the presiding U.S. Magistrate Judge, the RISE Drug Court Program is an interdisciplinary and collaborative effort by a team of partner and cooperating agencies. Partner agencies include the:

- Clerk of the Court (Clerk's Office)
- U.S. Attorney's Office (USAO)
- ► Federal Defender's Office (FDO)
- ► U.S. Probation Office (USPO)
- ► U.S. Marshals Service (USMS)
- Federal Bureau of Prisons (BOP)

¹ Relapse is a return to using alcohol or other drugs after a period of abstinence by a person who has a history of alcohol/drug addiction.

² Recidivism is defined as new criminal behavior or formal revocation of supervision.

³ In 2010, the daily costs of supervision and community corrections center placement are listed as \$10.43 and \$67.83, respectively, as compared to \$74.66, the daily cost of incarceration in a BOP facility.

Each partner agency has a specific role and responsibilities (Appendix A). Also, as familiarity with drug court theory and principles is essential to the effective operation of the RISE Drug Court Program, each team member is required to complete the following training within 60 days of participation in the program:

- a. review the written training materials associated with his/her discipline;
- b. review and complete the online web course offered by the National Drug Court Institute located at http://www.ndci.org/trainings/2010;
- c. review and complete the discipline specific web course.

Additionally, each team member must actively seek to attend and complete the discipline specific training series offered by the National Drug Court Institute, or other similar training opportunities, within one year of participation in the RISE Drug Court Program. As drug courts follow evidence based practices, the RISE Drug Court and its staff's goal is to adhere to the best, scientifically supported practices. Ongoing training is a prerequisite to that goal, and each team member should seek to further their knowledge and training of drug courts on a regular basis and pursue intensive training on an annual basis.

Contract treatment providers, social service and community corrections agencies, as well as non-profit and faith-based organizations cooperate and collaborate with partner agencies to provide evidence based therapy and other support services. Ideas and feedback are solicited regularly from participants and family members and when appropriate, incorporated into the program.

Structure and Philosophy

The RISE Drug Court Program is structured with the 10 Key Components⁴ of drug court models identified by the National Drug Court Institute as well as supervision policies and court-ordered conditions that support evidence based practices in recovery, personal accountability, alternatives to incarceration, and public safety. Participants are required to comply with the Participant Rules (Appendix B) and sign a Waiver of Confidentiality and Agreement (Appendix C) after consulting with legal counsel.

⁴ Key Components include: 1) integrating treatment services with justice system case processing; 2) using a non-adversarial approach; 3) facilitating early identification and prompt placement; 4) providing a continuum of treatment and rehabilitation services; 5) using frequent alcohol/drug testing; 6) employing a coordinated strategy that governs responses to compliance; 7) ensuring ongoing judicial interaction with participants; 8) monitoring and evaluation of program process and goals; 9) including interdisciplinary education for staff; and 10) forging partnerships in the community.

Honesty by participants is expected. The Judge and the RISE Team determine the honesty of the participant based on actions not just words. Dishonesty leads to relapse and new criminal conduct, both of which put the participant and the public at risk. Dishonesty, including tampering/interfering with or attempting to beat alcohol/drug testing, will result in enhanced sanctions.

The RISE Team members are willing to work as hard as the participant, and believe that with joint, sustainable efforts, participants who apply the program, can and will succeed. Participants who successfully complete the RISE Drug Court Program will be honored at a formal graduation ceremony and be eligible for early termination of their term of supervision for up to one year.

The following examples of alternatives to incarceration are intensive interventions that promote personal responsibility, monitor risk factors, and assist participants to develop and maintain independence⁵ as well as a sober and law-abiding lifestyle:

- Frequent court appearances
- ► Incentives and sanctions
- Risk/Strengths/Needs assessment
- Assessment for mental illness
- Intensive outpatient substance abuse and mental health therapy
- Pharmacology treatment
- Referrals to residential treatment
- Frequent alcohol and drug testing
- ► Relapse prevention and transition plans
- Referrals to community resources

- ► Intensive supervision/case management
- Location monitoring
- Residential Reentry Center placement
- ► Independent living skills development
- Relationship skills development
- ► Literacy/Vocational skills development
- Workforce development
- Community service
- ► Alumni group and peer support
- Funding for emergency and transitional services (Second Chance Act)

Participants address addictive behaviors, emotional distress, and criminal thinking in structured, intensive treatment of evidence based cognitive behavioral therapy. Participants also develop healthy coping and relationship skills with viable relapse prevention and transition plans to support their sobriety and independence.

⁵ Independence means being personally responsible for maintaining the primary areas of daily living such as: housing, food, utilities, clothing, employment (if physically/medically able), a recovery-oriented social support network, sober leisure activities, and obeying laws.

⁶ Contract and accredited non-contract vendors are used by the U.S. Probation Office to provide treatment services. Treatment standards are monitored by the contracting agency. Also, drug/alcohol testing services are provided by contract vendors and monitored by the U.S. Probation Office.

Measurable progress toward SMART Goals⁷ for sustained recovery and independence⁸ is required through the completion of Phases (Appendix D) and documented by participants on Phase Tracking Sheets (Appendix E). Incentives, Rewards, and Sanctions (Appendix F) are used to support constructive behavior change.

Probation officers document intensive supervision and case management efforts on Progress Reports (Appendix G) for scheduled court hearings. The RISE Team members discuss the progress of each participant in a review meeting before weekly court hearings to determine appropriate case management, incentives, rewards, and sanctions.

As noted above, participants meet with defense counsel to understand the modification of attorney-client privilege and traditional due process. Participants agree by a signed Wavier of Confidentiality and Agreement (Appendix C) to permit the presiding RISE Judge to impose sanctions for technical violations and understand that the following violations most likely will result in removal from the RISE Program:

- 1. Failing to appear for the first RISE Drug Court hearing following release;
- 2. Engaging in new serious criminal conduct (whether or not arrested or charged) that would constitute a Grade A or B under U.S.S.G. § 7B1.1;
- 3. Absconding supervision;
- 4. Aggressive or threatening behavior toward RISE staff or other participants; and/or
- 5. Repeatedly failing to comply with program rules or supervision conditions.

Eligibility Criteria

Candidates *must* meet all of the following minimum eligibility criteria *prior to* referral to the RISE Drug Court Program:

- 1. Be serving a term of post-conviction supervision with at least 18 months remaining;
- 2. Reside within Salt Lake County;
- 3. Be physically and medically able to participate in court/treatment/testing weekly;

⁷ SMART Goals are short term goals that are Specific, Measurable, Attainable, Realistic, and Timely.

⁸ Sustained recovery and independence is a period of at least 6 months.

- 4. Be identified as moderate or high risk by the Risk Prediction Index (RPI) or Post Conviction Risk Assessment (PCRA) Completed by USPO;
- 5. Be assessed as having an alcohol or substance dependence (not only abuse) by the Texas Christian University Drug Screen Version II or a clinical assessment;
- 6. Have any pending criminal charges resolved;
- 7. Submit a written statement of his or her motivation for participation; and
- 8. Review/sign the Participant Rules reflecting willingness to comply if selected.

Individuals with a history of violence, which may include resisting arrest and/or escape/fleeing from law enforcement, will be considered on a case-by-case basis. Not all individuals referred who meet the minimum eligibility criteria will be accepted. The number of individuals accepted in the RISE Program will be contingent upon the amount of resources allotted annually and the number of program vacancies.

Referrals

Individuals who meet the above criteria and are interested in participating in the RISE Drug Court Program are encouraged to attend at least one drug court hearing to observe the process prior to the referral. If the defendant is in custody, the attorney will need to motion the court to have the individual transported. The representative from the referring agency will interview the candidate to complete, and have the candidate complete, the following documents:

- 1. Referral Form (Appendix H) 3. Statement of Motivation (as an Attachment)
- 2. TCU Drug Screen (Appendix I) 4. Review/Sign Participant Rules (Appendix B)

Screening and Placement

- 1. The RISE Program Coordinator will facilitate the screening of the referral upon receipt of a complete referral packet (usually within 10 working days).
- 2. The Screening Committee will discuss the referral, and either deny or conditionally accept the individual for participation (final approval needed by the District Judge).
- 3. The RISE Program Court Clerk will make a minute entry of the Screening Committee's decision on the case docket and facilitate completion of the appropriate court orders.

- 4. If approved and a formal violation is pending, the representative from the referring agency will schedule the disposition hearing before the District Judge. Otherwise, if all parties agree, the conditions of supervision may be modified by a motion or petition with a signed waiver that the defendant shall successfully complete the RISE Program.
- 5. If the District Judge agrees and orders the RISE Drug Court Program as a condition of supervision, the participant will contact the RISE USPO immediately upon release.
- 6. The participant appears at his or her first RISE Drug Court hearing, usually within 7 days of release.
- 7. The participant meets with the RISE USPO to review and sign the RISE Drug Court Program Agreement (Appendix J), releases of information, and treatment referrals.
- 8. The participant begins the Orientation Phase and meets with the AFD to review and sign the RISE Program Wavier of Confidentiality and Agreement (Appendix C).

Graduation and Alumni Group

Participants that successfully complete all phases of the RISE Program will be recognized at a formal graduation ceremony and be eligible for a reduction in the length of their supervision term for up to one year. Graduates will have the opportunity to support their sustained recovery, act as mentors for other RISE Program participants, and contribute to the ongoing success of the RISE Program through their involvement in the Alumni Group.

Program Evaluation

Research and data on participant progress, recidivism, and program structure will be gathered and evaluated to determine program fidelity and efficacy, as well as used to facilitate program modifications and stewardship of resources.

RISE DRUG COURT PROGRAM TEAM ROLES¹

The Judge

The Judge presides over the RISE Drug Court and participates in the collaborative evaluation of the program. The Judge receives updates and recommendations regarding each participant's progress during case staffing meetings with the RISE Team. The Judge reviews the weekly progress with each participant appearing in Court. When participants are in compliance with the program and conditions of supervision, the Judge provides praise encouragement and grants rewards/incentives. When participants are in violation, the Judge imposes various sanctions which may include, removal from the program, or an order that the participant serve a term of custody.

United States Attorney's Office

The U.S. Attorney's Office (USAO) provides an Assistant United States Attorney (AUSA) and other staff and resources to represent the government. Due to the non-adversarial structure of the program, the AUSA also considers the participant's interests. The AUSA serves on the screening committee. The AUSA and associated staff participate in the collaborative evaluation of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

Federal Defenders Office

The Federal Defenders Office (FDO) provides an Assistant Federal Defender (AFD) and associated staff to represent and assist participants throughout the program. Due to the non-adversarial structure of the program, the attorney/client relationship involves non-traditional approaches to representation, including a waiver of confidentiality. The AFD serves on the screening committee and explains the modified attorney/client relationship with the participant. The AFD and associated staff participate in the collaborative evaluation of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

¹ The specific duties of each RISE Team member are subject to the directives of the respective executives and budgetary resources of each partner agency.

The United States Probation Office

U.S. Probation Officers

The U.S. Probation Officer (USPO) provides supervision and case management services to encourage the participant's compliance with the RISE Program and conditions of supervision. The USPO makes treatment referrals based on the needs of the participant, provides weekly progress reports to the Court, and works with respective counsels to respond quickly to serious violations. The USPO participates in the collaborative evaluation of the program.

<u>Management</u>

A supervising probation officer and/or senior manager serves on the screening committee and participates in the management of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

Treatment Service Providers

The supervising probation officer and/or senior manager work with the contracting officer to facilitate contract treatment services. Contract treatment providers are required to provide evidence based therapy and case management services to participants as well as progress reports. In addition, non-contract treatment providers who provide similar services are utilized when available. The USPO works with each treatment provider to ensure effective communication, which may include the providers' participation in case staffing meetings, court hearings, and program evaluation meetings.

Program Coordinator

The Coordinator directs and coordinates the dynamic work flow of the RISE Program in collaboration with partner agencies to support evidence based practices that reduce recidivism. The Coordinator participates in training, conferences, meetings, and committees as well as facilitates outreach efforts, develops community resources, and maintains cooperative relationships with partner agencies, treatment providers, government agencies, and community organizations. The Coordinator plans, implements, administers, coordinates, and monitors the work of the RISE Program in collaboration with partner agencies, including referral screening, program evaluation meetings, case staffing meetings, and dissemination of program and educational information. The Coordinator works closely with the program evaluator and RISE Team to facilitate data collection, evaluation, and process improvement of the program.

United States Clerk of the Court

The Clerk of the Court assigns court clerks to provide case docketing, tracking, and scheduling of court appearances. The clerks also take minutes at meetings. The clerks participate in the collaborative evaluation of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

United States Marshals Service

The United States Marshals Service (USMS) provides security services for members and employees of the judiciary as well as visitors to the U.S. Courthouse. The USMS works closely with the Judge and partner agencies to carry out court orders if a sanction or a term of custody is ordered. The USMS may assist with field visits and searches at the request of the USPO. If an arrest/bench warrant is issued, the USMS will actively pursue and arrest the named defendant. If a participant is remanded to USMS custody, the USMS will provide secure transportation to the detention facility. A RISE Deputy U.S. Marshal serves on the screening committee and participates in the collaborative evaluation of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

Federal Bureau of Prisons

The Federal Bureau of Prisons (BOP) contracts for residential services with the residential reentry center (RRC) and facilitates the review and approval of referrals for those participants considered for placement at the RRC. In addition, they coordinate services for the reentry of inmates who are on prerelease status at the RRC. The BOP participates in the collaborative evaluation of the program including case staffing meetings, court hearings, program evaluation meetings, and related program tasks/projects.

Participant Rules RISE Drug Court Program

- 1. You must come to court when you are scheduled to be there and be truthful in your comments and answers. If you do not come to court, a bench warrant most likely will be issued. If you do not come to court regularly, you can be removed from the program.
- 2. If you ever have a question about whether or not you need to come to court call your probation officer.
- 3. You must wear court appropriate clothing to court. (No tank tops, clothing that is ripped, dirty or has inappropriate messages or pictures on it, no clothing that is too immodest).
- 4. You must contact your probation officer to provide updates at least once a week, or as often as your probation officer tells you to, and be truthful in your comments and answers.
- 5. You must follow the directions of your probation officer, all of the conditions of your supervision, and orders of the Court.
- 6. To graduate from the program you must complete all the requirements of each phase and work 40 hours of community service.
- 7. You must go to treatment, work in treatment, and make progress in treatment. You must also pay co-payments for treatment if ordered to do so.
- 8. You cannot use illegal drugs or alcohol while you are in the program. You must submit to tests for drugs and alcohol whenever your probation officer orders you to do so. You must also pay co-payments for drug and alcohol tests if you are ordered to do so.
- 9. If you do not submit to drug/alcohol testing when your probation officer orders you to do so, you will be given a sanction unless the probation officer excused you from testing before you miss it.
- 10. If you use any kind of device or try to beat a drug or alcohol test in any way, you will get a serious sanction and could be removed from the program.

- 11. If you commit new criminal conduct (even if not arrested or charged) or if you get arrested or charged with new felony or misdemeanor crimes, you may be removed from the program. Even if you are not convicted of the new crime, you may still be removed from the program.
- 12. You can be removed from the program for any threats or violence even if you do not get charged with a crime.
- 13. If you abscond from the program (fail to come to court and/or stop having contact with your probation officer) for more than 30 combined days you will be removed from the program.
- 14. After you have been accepted into the program, if you fail to appear to RISE court for your first court appearance you can be removed from the program.
- 15. To graduate from the program, you must follow all employment and/or educational/vocational requirements, unless you have been excused for a medical condition or disability by a doctor.
- 16. Tell your probation officer about any illness or condition that you are seeing a doctor about. Any medicines prescribed for you must be shown to your probation officer. You must tell your doctor that you have been addicted to drugs/alcohol in the past.
- 17. We want you to bring family members or supportive friends to court, but if you choose to bring small children to court you must also bring another adult who can watch the kids while you are talking to the Judge. This adult must also be responsible to take the children home and care for them if necessary.

having my case screened for eligibility. I ag RISE Drug Court Program.	d the Rules of the RISE Drug Court Program and consent to
	gree to comply with the above Rules if accepted into the
Participant (Print Name & Sign)	Date
Witness (Print Name & Sign)	Date

RISE PROGRAM WAIVER OF CONFIDENTIALITY AND AGREEMENT

I hereby certify that I understand I have been accepted into the RISE Program under the following conditions:

1. I understand I have been accepted into the RISE Program as a condition of Probation or Supervised Release. I further understand that if I successfully complete the RISE Program and I am in compliance with the other conditions of my supervision, I will be eligible for early discharge from supervision.

I also understand that if I fail to satisfactorily complete the RISE Program, the Court will remove me from the program, revoke my Probation or Supervised Release, and sentence me in accordance with the applicable provisions of the law.

- 2. I understand that satisfactory completion of the RISE Program requires a minimum commitment of 52 Weeks. I further understand that the length of time to complete the RISE Program can potentially be extended indefinitely, depending upon my compliance with the terms and conditions of the program.
- 3. I understand that the RISE Program is a special program which relies on drug testing and recommendations of treatment personnel, who will impose treatment conditions and/or sanctions for violating RISE Program rules, policies, or requirements. Drug tests may not be challenged without my payment for any additional verification, and then only with the prior permission of the treatment staff. The Court is not bound to wait for the results of a verification test before sanctions may be imposed.
- the treatment staff. The Court is not bound to wait for the results of a verification test before sanctions may be imposed.

 4. _____ I hereby waive all federal and state requirements of confidentiality between treatment staff, courts, and other probation agencies I may be assigned to. Confidentiality between therapists, case workers, probation officers, and the Court will be waived for the duration of my participation in the RISE Program.

 5. _____ I hereby waive all federal and state requirements of confidentiality regarding obtaining prescription drugs.

 6. _____ I understand that I have the right to be represented by an attorney and as a participant in the RISE Program an attorney will be assigned to represent me. Because success in the RISE Program is entirely dependent upon the participant's honesty and forthrightness with the Court, treatment providers, probation officers, and counsel, a participant in the RISE Program is presumed to be acting in good faith. That presumption gives rise to a

duty of candor to the Court by both myself and my counsel. To that end, I give

permission for my attorney to freely discuss the details of my case with therapists, case workers, probation officers and the Court, up to and including notifying the

		Court if my attorney becomes aw with any Court order, or violatin agreed to execute and abide by as that by doing so, I am, in effect, we my participation in the RISE Prog	g any of the duties and/or obliga a participant in the RISE Prograving the attorney/client privilego	ntions I have ram. <i>I understand</i>
		I also understand that I may, at any attorney/client privilege, but that in Program. My attorney's representate traditional attorney/client privilege out of the RISE Program will be pri	doing so, I must opt out of participation from that point forward will be and anything I say to my attorney a	pation in the RISE subject to the after I elect to opt
		Further, I understand that if I decide taken into account by the Court and subsequently imposed by the Court.	could be a factor that may affect t	•
7.	_	to keep the treatment provider, the G s at all times during the RISE Progra	<u>-</u>	d of my current
8.	_	to sign all releases of information are ctory completion of the RISE Progra		entry into and
9.	in com	estand further that in the event there is pliance with the polices, rules or requestanctions, which may include, but a ons, administrative sanctions, comm	uirements of the RISE Program, the not limited to, modification of	ne Court may treatment
cond	itions of tement wit	e above statement of my rights and he the RISE Program as provided above the United States District Court for	e. I hereby voluntarily agree to en	ter into this
			Defendant's name	Date
			Defendant's name (printed)	Date
			Attorney for Defendant	Date

RISE DRUG COURT PROGRAM PHASES

To successfully complete the RISE Program, a participant will need to complete all requirements of each Phase before advancing to the next one. Drug or alcohol use and/or non-compliance with program rules may result in the return to a lower phase. Each Phase has a Primary Goal with specific Achievement Steps to reach that Goal.

Orientation Phase - Gain Understanding (30 Days) Primary Goals: Choose Recovery - Agree to Participate

Achievement Steps

Meet with defense counsel and/or AFD within 7 days to sign waiver and complete orientation; Meet with probation officer to sign agreement, releases, and conditions of supervision; Set up and attend appointments with treatment, vocational rehabilitation, and/or DOWD;

Participate in therapy as specified in treatment plan;

Begin journal workbook (Cognitive Behavioral Therapy (CBT));

Write life story;

Identify relapse triggers;

Identify sober support network; and

Maintain 7 consecutive days of sobriety (negative drug and alcohol tests)

Advance to Phase I

Phase I - Stabilization and Adjustment (60 Days) Primary Goals: Attend Court Hearings - Engage in Treatment

Achievement Steps

Weekly court attendance;

Minimum of 2 alcohol and drug tests per week (scheduled and random);

Minimum of 2 support network meetings per week;

Meet with probation officer every week, in person and follow directives;

Establish relapse prevention plan;

Participate in therapy as specified in treatment plan;

At least 2 unscheduled and/or unannounced home visits each month; and

Maintain 30 consecutive days of sobriety (negative drug and alcohol tests)

Advance to Phase II

Phase II - Foundational Efforts (90 Days) Primary Goals: Apply Relapse Prevention Plan - Engage in Vocational Planning

Achievement Steps

Bi-weekly court attendance;

Minimum of 2 alcohol and drug tests per week (scheduled and random);

Minimum of 2 support network meetings per week;

Meet with probation officer bi-weekly, in person and follow directives;

Participate in therapy as specified in treatment plan;

Begin work search/vocational rehabilitation/educational pursuits;

Complete DOWD Program, if unemployed following work search;

Complete 10 hours of community service;

Identify healthy leisure activities with sober support group;

At least 2 unscheduled and/or unannounced home visits each month; and

Maintain 45 consecutive days of sobriety (negative drug and alcohol tests)

Advance to Phase III

Phase III - Sustainable Recovery (90 Days) Primary Goals: Sustain Abstinence, Maintain Employment, Enjoy Healthy Leisure

Achievement Steps

Tri-weekly court attendance;

Minimum of 2 alcohol and drug tests per week (scheduled and random);

Minimum of 2 support network meetings per week;

Meet with probation officer bi-weekly, in person and follow directives;

Participate in therapy or aftercare as specified in treatment plan;

Secure and maintain employment or pursue vocational/educational program;

Complete 10 hours of community service;

Engage in healthy leisure activities with sober support group monthly;

At least 2 unscheduled and/or unannounced home visits each month; and

Maintain 60 consecutive days of sobriety (negative drug and alcohol tests)

Advance to Phase IV

Phase IV - Establishing Independence (90 Days) Primary Goals: Maintain Sober Lifestyle - Demonstrate Personal Responsibility

Achievement Steps

Monthly court attendance;

Minimum of 2 alcohol and drug tests per week (scheduled and random);

Minimum of 2 support network meetings per week;

Meet with probation officer bi-weekly, in person and follow directives;

Participate in therapy or aftercare as specified in treatment plan;

Maintain employment/vocational rehabilitation/educational pursuits;

Complete 10 community service hours;

Engage in healthy leisure activities with sober support group bi-weekly;

At least 2 unscheduled and/or unannounced home visits each month;

Maintain 90 consecutive days of sobriety (negative drug and alcohol tests); and

Participate in Alumni Group (last 30 days)

GRADUATION

Graduation and Alumni Group - Achievement and Giving Back

Participants who successfully complete all phases of the RISE Program, demonstrate sustained recovery, personal responsibility, and reduced public risk will be recognized at a formal graduation ceremony and eligible for a reduction in the length of their supervision term for up to one year.

Graduates will have the opportunity to support their sustained recovery, act as mentors for other RISE Program participants, and contribute to the ongoing success of the RISE Program through their involvement in the Alumni Group.

RISE Phase Tracking - Orientation

Participant	Date _	
•		
USPO	Therapist	

Orientation Phase (30 Days) Primary Goal: Choose Recovery - Agree to Participate

Achievement Steps	Date Completed	Approval Signature	'
Meet with defense counsel and/or AFD within 7 days to sign waiver and complete orientation			
Meet with USPO to sign agreement, releases of information, and supervision conditions			
Set up and attend appointments with treatment, vocational rehabilitation, and/or DOWD			
Participate in therapy as specified in treatment plan			
Begin CBT journal workbook			
Write life story			
Identify relapse triggers			
1. 2. 3. 4.			
Identify sober support network			
1. 2. 3.			
Maintain 7 consecutive days of sobriety			
ADVANCE TO PHASE I			

RISE Phase Tracking - Phase I

Participant	Date	
USPO	Therapist	

Phase I - Stabilization and Adjustment (60 Days) Primary Goals: Attend Court Hearings - Engage in Treatment

Timary Gouls. Attend Court Hearings Engage in Treatment			
Achievement Steps	Date Completed	Approval Signature	✓
Weekly court attendance			
Minimum of 2 alcohol and drug tests per week (scheduled and random)			
Minimum of 2 support network meetings per week			
Meet with probation officer every week, in person and follow directives			
Establish relapse prevention plan 1. 2. 3. 4. 5.			
Participate in therapy as specified in treatment plan			
At least 2 unscheduled and/or unannounced home visits each month			
Maintain 30 consecutive days of sobriety (negative drug and alcohol tests)			
ADVANCE TO PHASE II			

RISE Phase Tracking - Phase II

Participant	Date _	
•		
USPO	Therapist	

Phase II - Foundational Efforts (90 Days) Primary Goals: Apply Relapse Prevention Plan - Engage in Vocational Planning

Achievement Steps	Date Completed	Approval Signature	V
Bi-Weekly court attendance	Date Completed	rippi ovai signature	
Minimum of 2 alcohol and drug tests per week (scheduled and random)			
Minimum of 2 support network meetings per week			
Meet with probation officer every week, in person and follow directives			
Participate in therapy as specified in treatment plan			
Begin work search/vocational rehabilitation/educational pursuits			
Complete DOWD Program, if unemployed following work search			
Complete 10 hours of community service			
Identify healthy leisure activities with sober support group			
At least 2 unscheduled and/or unannounced home visits each month			
Maintain 45 consecutive days of sobriety (negative drug and alcohol tests)			
ADVANCE TO PHASE III			

RISE Phase Tracking - Phase III

Participant	Date	
•		
USPO	Therapist	

Phase III - Sustainable Recovery (90 Days) <u>Primary Goals: Sustain Abstinence, Maintain Employment, Enjoy Healthy Leisure</u>

Achievement Steps	Date Completed	Approval Signature	~
Tri-Weekly court attendance			
Minimum of 2 alcohol and drug tests per week (scheduled and random)			
Minimum of 2 support network meetings per week			
Meet with probation officer bi-weekly, in person and follow directives			
Participate in therapy or aftercare as specified in treatment plan			
Secure and maintain employment or pursue vocational/educational program			
Complete 10 hours of community service			
Engage in healthy leisure activities with sober support group monthly			
At least 2 unscheduled and/or unannounced home visits each month			
Maintain 60 consecutive days of sobriety (negative drug and alcohol tests)			
ADVANCE TO PHASE IV			

RISE Phase Tracking - Phase IV

Participant	Date _	
•		
USPO	Therapist	

Phase IV - Establishing Independence (90 Days) Primary Goals: Maintain Sober Lifestyle - Demonstrate Personal Responsibility

Achievement Steps	Date Completed	Approval Signature	~
Monthly court attendance			
Minimum of 2 alcohol and drug tests per week (scheduled and random)			
Minimum of 2 support network meetings per week			
Meet with probation officer bi-weekly, in person and follow directives			
Participate in therapy or aftercare as specified in treatment plan			
Secure and maintain employment or pursue vocational/educational program			
Complete 10 hours of community service			
Engage in healthy leisure activities with sober support group bi-weekly			
At least 2 unscheduled and/or unannounced home visits each month			
Maintain 90 consecutive days of sobriety (negative drug and alcohol tests)			
Participate in Alumni Group (last 30 days)			
GRADUATION			

RISE Incentives, Rewards, and Sanctions

Incentives and Rewards: There are many incentives and rewards for participants who demonstrate positive progress in the RISE Drug Court Program, including:

- 1. Up to one year reduction in term of supervision;
- 2. Certificates/photos for Phase completion/advancement;
- 3. Graduation ceremony and certificate;
- 4. Living a drug free and crime free lifestyle;
- 5. Developing self respect and receiving respect and emotional support from others;
- 6. Increased self-control, improved self-worth, and positive self-esteem to deal with challenges in life;
- 7. Increased knowledge, skills, and abilities to obtain and maintain meaningful employment; to support interests and self-sufficiency;
- 8. A sense of accomplishment when reaching goals;
- 9. Reestablishing positive relationships with family and friends;
- 10. Establishing a recovery-oriented and law-abiding support network;
- 11. A sense of group belonging and comradery;
- 12. Participation in sober leisure activities and social events; and
- 13. Other incentives and rewards as determined by the Court (see list below)

Sanctions

Sanctions for non-compliance with the rules of the RISE Drug Court Program and/or conditions of supervision will be imposed by the RISE Judge, who has authority over the case as designated by the referring Judge.

- 1. Administrative sanctions given by supervising probation officer;
- 2. Writing assignment to describe and understand the events leading to the violation;
- 3. Formal presentation of writing assignment to RISE Team and Participants in Court;
- 4. Community service;
- 5. Increased telephone and/or in-person reporting to USPO;
- 6. Increased appearances in Court;
- 7. Increased alcohol/drug testing;
- 8. Use of alternative method of alcohol/drug testing (i.e., sobrietor);
- 9. Curfew and/or location monitoring (various electronic devices including GPS);
- 10. Placement in a Residential Reentry Center (RRC);
- 11. Repeat of an earlier Phase;
- 12. Removal from the RISE Program and referral to District Court for formal violation; and
- 13. Other sanctions as determined by the Court (see list below)

Custody

Serving a specified period of time in official custody (up to 30 days) may be ordered by the Judge for some violations.

Examples of Incentives, Rewards, and Sanctions (and others as determined)

Sanctions <u>Incentives and Rewards</u>

Removal from the program

Residential Reentry Center placement

Location monitoring

Admonishment from the Judge/Team/Peers

Role reversal of self imposed sanctions

Curfews

Writing assignments

Journaling
Day in jury box

Day in U.S. Marshals cell

Observe other court proceedings Team round-table with client

Tourist tubic with on

Increased time in phase

Take away driving privileges Pick up trash on roadside

Sweep gymnasium Cleaning graveyard

Cleaning animal shelter

Work on habitat for humanity house

Unpaid clean-up detail

Geographical/travel restrictions

Peer review

Peer-imposed sanction

Increased frequency of home visits

Increased frequency of drug/alcohol testing

Weekly one-on-ones with USPO

Reading books or articles Limitation of privileges

Suspension of privileges

Keep calendar of daily activities

Certificates (Phase completion/Graduation)
Praise, compliments from Judge/Team/Peers

Praise, compliments from family/friends

Applause/special recognition Handshakes and/or hugs

Rocket Docket (100% compliance)

Candy (alcohol/drug free since last court)

Prize drawings Food cards

Video rental coupons Fish bowl drawings Grocery store donations Resume writing assistance

Clothing donations

Dental assistance/vouchers
Medical assistance/vouchers

Haircuts/vouchers
Make over vouchers
Grocery vouchers

Restaurant gift certificates

Plaque Flowers

Autographs (coaches/musicians/actors)

Concert tickets
Picnics/parties

Invite community leaders to graduation

Less court appearances

Movie Passes Bookmarks Coffee Cups

Incentives and Rewards

Watches Gift Cards Birthday Cards Cookies /Cake

Pizza

Gift certificates

Turkeys Books

Sober Dances

Grant or increase travel privileges

Gifts to children

Tickets to sporting/entertainment events

Passes for special events

Bus passes

Home improvement assistance or gift

Recovery Olympic games Coed softball games Sobriety tokens Bowling tournament

Key chains

Incentives and Rewards

Calling cards Lift curfew

Less PO contact

Excused absence in treatment group

Standing ovation Savings bond

Community education classes

Acupuncture certificate Reserved parking spot

Earned chips

Visitation with child Amusement parks

Pictures that document progress Recognize former graduates Reduction in jail sentence Removal/reduction of curfew Decreased court appearances Decreased probation contacts

Removal/reduction of location monitoring

Early graduation

UNITED STATES DISTRICT COURT DISTRICT OF UTAH RISE DRUG COURT PROGRESS REPORT

Participant * Date Entry * RPI Score * Category * Sentence * Phase	USPO <u>*</u> Drug(s) of Choice * Dual Supervision? <u>*</u> Offense(s) of Conviction * □ III □ IV □ 3-4 □ 2-3 □ 1-2	Date * Pacts * DOB/AGE * Termination Date * V		
Medication Mental Health: Medication: Absconded: Missed treatment: Positive drug tests: Admissions: Missed tests: New Charges: RRC: Location Monitors: Employment:	Type: * Type: *	Duration: * Duration: * Duration: *		
Violations: * CURRENT HEARING APPEAL #1 Positive: *	Sanction: * RANCE	Completed: *		
#2 Positive: * #3 Positive: *. #4 Positive: * #1 Negative: * USPO Summary: *				
USPO Recommended Incentive/Reward: USPO Recommended Sanction: Number of Days Clean and Sober (based on drug tests): *				
Next Phase Advancement Target D	-			

Court Questions:

- 1. How many days have you been clean and sober?
- 2. What Achievement Steps have you completed on your Phase Tracking Sheet?
- 3. Do you have anything to turn in or to read today? (homework, employment logs, community service)
- 4. What Achievement Steps will you work on this week?

UNITED STATES PROBATION OFFICE DISTRICT OF UTAH

RISE DRUG COURT PROGRAM REFERRAL FORM



Name:		Date: Referral source, phone, email:		
PACTS#: USPO:		Keierrar source,	рионе, сшан.	
TCU Score (Appendix I):		Risk Level (RPI	or PCRA from USPO):	
Address:		Names/Contact Ph	none #s of family/friends with whom residing:	
If homeless, how long?:				
Telephone:		DOB:		
Marital status:		Children/Dependents:		
Sex: Male Female		Childcare/Child su	upport responsibilities:	
Employment status: (employed/unemployed/d Employer:	lisability/retired)	Monthly income:		
CO	URT INVOLVEMI	ENT INFORMAT	ION	
Federal Court Status: Probation:	Supervised	l Release:		
Other:	Please explain:			
Case #:	ates of Probation and	d/or TSR:	Termination Date:/	
Original Offense:				
Judge:				
Original sentence: Months BOP Custody Months Pr		robation M	Ionths Term of Supervised Release	
Violation sentence/dates:				
Other court involvement and contact(s): Yes No If yes, explain:				
History of violent offenses?: Yes No If yes, explain:				
Prior substance-abuse-related violations:				

SUBSTANCE-ABUSE TREATMENT INFORMATION				
Current and history of substance abuse and dependence:				
Drugs of choice:	First:	Second:	Third:	
Last Use:		I.V. drug use HX:		
Current/recent (within last 6-12 months) s	ubstance-abuse treatm	ent:		
Provider contact:		Telephone #:		
Prior detoxification services:				
Prior outpatient treatment:				
Program Name D	ate <u>Γ</u>	<u>Ouration</u>	Type of Discharge	
Prior inpatient/residential treatment:				
Program Name D	ate <u>Γ</u>	<u>Ouration</u>	Type of Discharge	
Longest period of recovery:				
When: How:				
Complete and at	tach a conv of th	ha TCU Dwg C	ereen (Annandiy I)	

MENTAL HEALTH/MEDICAL/INSURANCE INFORMATION			
Mental health issues?: Yes No	Diagnosis:		
History of mental health issues and medications:			
Provider contact:	Telephone:		
Current mental health status:			
HX suicidal/homicidal ideation/attempts?: Yes No I	f yes, explain:		
Medical issues?: Yes No If yes, explain:			
Describe physical limitations:			
Current medications (type and dosage):			
Prescribing physician: Telephone #:	Primary care physician: Telephone #:		
Health Insurance?: Yes No	Insurance Provider: ID Number:		
Veteran?: Yes No	ID Number:		
OTHER			
Cultural & family issues:			

Required - Description of client's motivation for interest in RISE and willingness to comply with requirements of intensive supervision and treatment (may attach on separate sheet):		
D. L. C. C. C. L. L.		
Probation Officer's recommendation:		
Referral Packet Checklis	···	
✓ Complete Referral Fo		
✓ Complete TCU Drug ✓ Complete Statement of	f Motivation (included above or as a separate sheet)	
✓ Complete Review/Sig	nature of Participant Rules (Appendix B)	
-	xet and email to the RISE Program Coordinator at v or fax to (801) 526-1120. Questions? Call Karan at 801-535-2752	
ixaran Taccayatp.uscourts.go	v of fax to (001) 320 1120. Questions: Can Rafan at 001 333 2732	
	Selection Committee Decision	
Approved: Do	nied: Date:	
Scheduled or Tentative Entry	Date:	
Probation Officer:	RISE Probation Officer:	
RISE AUSA:	RISE AFD:	

TCU Drug Screen II

Instruction Page

The following questions ask about your drug use (including alcohol) in the past 12 months. Please answer them by marking only one circle for each question. If you do not feel comfortable giving an answer to a particular question, you may skip it and move on to the next question.

If you are an inmate, please refer to the 12-month period immediately before you were locked up; that is, the last time you were in the "free world."

Also, alcohol is a drug. Your answers to questions about drug use need to include alcohol use, such as drinking beer.

The example below shows how to mark the circles -

	Yes	No
1. I like ice cream	0	•
Person Screened		
Date of Screening		
Person Performing Screening		

TCU Score:

TCU DRUG SCREEN II

During the <u>last 12 months</u> (before being locked up, if applicable) —

		Yes	No
1.	Did you use <u>larger amounts of drugs</u> or use them <u>for a longer time</u> than you had planned or intended?	0	0
2.	Did you try to cut down on your drug use but were unable to do it?	0	0
3.	Did you spend a lot of time getting drugs, using them, or recovering from their use?	0	0
4.	Did you get so high or sick from drugs that it —		
	a. <u>kept you from</u> doing work, going to school, or caring for children?	0	0
	b. <u>caused an accident</u> or put you or others in danger?	0	0
5.	Did you spend less time at work, school, or with friends so that you could use drugs?	0	0
6.	Did your drug use <u>cause</u> —		
	a. <u>emotional or psychological problems?</u>	0	0
	b. problems with <u>family</u> , <u>friends</u> , <u>work</u> , <u>or police</u> ?	0	0
	c. <u>physical health or medical</u> problems?	0	0
7.	Did you <u>increase the amount</u> of a drug you were taking so that you could get the same effects as before?	0	0
8.	Did you ever keep taking a drug to <u>avoid withdrawal</u> or keep from <u>getting sick</u> ?	0	0
9.	Did you get sick or have withdrawal when you quit or missed taking a drug?	0	0
10.	Which <u>drugs</u> caused you the <u>MOST serious problems</u> ? [SEE LIST BELOW]		
Wor	1	Cocaine/Crack Benzodiazepines	
Next	1	Cocaine/Crack Benzodiazepines	
Next	1	Cocaine/Crack Benzodiazepines	

TCU FORMS/TCUDS/TCUDS2-V2 (9/02) - Note: The drugs listed in Question 10 of this instrument were modified to mesh with the drug categories captured by the federal probation and pretrial services system.
© Copyright 2002 TCU Institute of Behavioral Research, Fort Worth, Texas. All rights reserved.

11. How often did you use each type of drug		DRUG USE IN LAST 12 MONTHS				
during the <u>last 12 months</u> ?		ONLY AFEW	1-3 TIMES A	1-5 TIMES A	ABOUT EVERY	
	NEVER	TIMES	MONTH	WEEK	DAY	
a. Alcohol	0	0	0	0	0	
b. Marijuana/Hashish	0	0	0	0	0	
c. <u>Hallucinogens</u> /LSD/Psychedelics/PCP/ Mushrooms/Peyote	0	0	0	0	0	
d <u>Crack</u> /Freebase	0	0	0	0	0	
e. <u>Heroin and Cocaine</u> (mixed together as speedball)	0	0	0	0	0	
f. Cocaine (by itself)	0	0	0	0	0	
g. Heroin (by itself)	0	0	0	0	0	
h. Street Methadone (non-prescription)	0	0	0	0	0	
i. Other Opiates/Opium/Morphine/Demerol	0	0	0	0	0	
j. <u>Methamphetamine</u> /Speed/Ice (Uppers)	0	0	0	0	0	
k <u>Tranquilizers</u> /Barbiturates/Sedatives (Downers)	0	0	0	0	0	
1. Other (specify)	0	0	0	0	0	
12. During the <u>last 12 months</u> , how often did you <u>inject drugs</u> with a needle?						
 Never Only a 1-3 times few times per month 		1-5 times per week		o Daily		
13. How serious do <u>you</u> think your <u>drug problems</u> are?						
○ Not at all	ely	o Consid	derably	\circ Ex	tremely	
14. How many times <u>before now</u> have you ever been in a <u>drug treatment program</u> ? [DO NOT INCLUDE AA/NA/CA MEETINGS]						
○ Never ○ 1 time ○ 2 times	0 3 tim	es	0 4 or m	ore times		
15. How important is it for you to get drug treatment now?						
○ Not at all	ely	o Consid	derably	$\circ Ex$	tremely	

Scoring for the TCU Drug Screen II

Page 1 of the TCU Drug Screen is scored as follows:

- 1. Give 1-point to each "yes" response to 1-9 (Questions 4 and 6 are worth one point each if a respondent answers "yes" to any portion).
- 2. The total score can range from 0 to 9; score values of 3 or greater indicate relatively severe drug-related problems, and correspond approximately to DSM drug dependence diagnosis.
- 3. Responses to Question 10 indicate which drug (or drugs) the respondent feels is primarily responsible for his or her drug-related problems.

The TCU Drug Screen II was developed as part of NIJ Grant 1999-MU-MU-K008, *Assessment of a Drug Screening Instrument*.

The TCU Drug Screen II may be used for personal, educational, research, and/or information purposes. Permission is hereby granted to reproduce and distribute copies of the form for nonprofit educational and nonprofit library purposes, provided that copies are distributed at or below costs and that credit for author, source, and copyright are included on each copy. No material may be copied, downloaded, stored in a retrieval system, or redistributed for any commercial purpose without the express written permission of Texas Christian University.

For more information on the TCU Drug Screen II, please contact:

Institute of Behavioral Research Texas Christian University TCU Box 298740 Fort Worth, TX 76129 (817) 257-7226

(817) 257-7290 FAX Email: ibr@tcu.edu

Web site: www.ibr.tcu.edu

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH RENTRY INDEPENDENCE Through SUSTAINABLE EFFORTS (RISE) RISE DRUG COURT PROGRAM AGREEMENT



Name:	Date:
PACTS No.:	Sentence Expiration Date:

INTRODUCTION

Congratulations! You have been selected to participate in the RISE Program because we believe you can succeed in sustaining sobriety, independence, and a law-abiding lifestyle. Participation is voluntary. If you successfully complete the RISE Program, your term of supervision will be reduced by up to one year.

THE RISE PROGRAM

The program will last at least 52 weeks and you will be under the supervision of a U.S. Probation Officer (USPO). Participants who struggle in treatment, but remain dedicated to recovery, may be given extensions in the program to complete it.

You agree to comply with the RISE Participant Rules, complete the requirements of each Phase, and the standard and special conditions of supervision ordered by the Court. You agree to complete a drug and alcohol and/or mental health evaluation, participate in treatment (including taking medications as prescribed), and submit to drug/alcohol testing as directed.

Honesty by participants is expected. The Judge and the RISE Team determine your honesty based on your actions not just words. Dishonesty leads to relapse and new criminal conduct, both of which put you and the public at risk. Dishonesty, including tampering/interfering with or attempting to beat alcohol/drug testing, will result in enhanced sanctions.

You will be represented by an Assistant Federal Defender (AFD), who will explain your waiver of confidentiality and modified rights to attorney-client privilege. An Assistant U.S. Attorney (AUSA) is also assigned to the RISE Program. Both the AFD and the AUSA will work with the USPO to support you in sustaining your sobriety and law-abiding lifestyle.

COURT APPEARANCES

You will be required to appear before the Judge throughout the program to evaluate your progress. Court hearings are more frequent (weekly) in the early phases. Efforts will be made to ensure the time of the appearance does not conflict with your employment or treatment program. The USPO, AFD, and AUSA will be present. Progress reports from your USPO and your treatment provider will be provided to the Court and attorneys. These reports will describe both the successes and problems you have experienced on supervision and in treatment.

PROGRESS & INCENTIVES

The Judge, RISE Team, and other Participants will encourage, acknowledge, and reward you for your honesty, sobriety, personal responsibility, compliance with supervision conditions, positive progress in treatment, completion of phase achievement steps, phase advancement, and other behavior that contributes to your recovery and independence. These incentives and rewards are in recognition of your ongoing efforts and commitment to sustaining a sober and law-abiding lifestyle.

VIOLATIONS & SANCTIONS

Supervision violations and sanctions will be most likely handled during the RISE Court Calendar. The Court, however, can schedule an appearance at any time. Additionally, sanctions and modifications regarding treatment and supervision may be handled on an expedited basis, with the consent of the participating agencies.

If a progress report contains an allegation of non-compliance, you may choose to agree that the allegation is true and waive the traditional protections and procedures afforded to those on supervision when they are accused of a violation. The RISE Judge will decide which sanction is appropriate. Non-compliance also can be handled outside the presence of the Judge if all parties agree.

The range of possible sanctions has been drafted broadly to assure that some level of sanction is available for every violation. Factors which will influence the type of sanction employed include the seriousness of the violation, the number of violations, and the amount of time you have complied with program requirements. In addition, an important factor will be whether you voluntarily disclose the violation.

If you wish to contest the sanction allegation, you may do so. The only permissible contested sanction hearing in Court, however, is a claim of actual innocence of the alleged violation. If you wish to have a contested hearing, the AFD will assist you in contesting the allegations. The Judge will ultimately decide whether the allegation is true. The USPO does not need to wait until your scheduled Court appearance to address problems in supervision.

REMOVAL FROM THE RISE PROGRAM

You may be removed from the program if you fail to participate in treatment and comply with supervision conditions and program requirements, including repeated technical violations of general conditions of supervision, failure to make your scheduled Court appearances, or a new law violation. If you are removed, you will return to regular supervision status, and most likely will face a violation hearing.

If the participating agencies choose to pursue a formal violation charge, it will be the practice of the probation office not to allege as a formal violation conduct that occurred during your involvement in the program and had been previously addressed. However, the Court presiding over the violation hearing will be advised of all positive and negative conduct that has taken place during supervision and the sanctions imposed during your involvement in the RISE Program. If you are removed from the program, the USPO will not recommend that you be considered for early termination of supervision.

GRADUATION & UP TO ONE YEAR REDUCTION IN SUPERVISION TERM

Upon successful completion of the RISE Program, your total term of supervision will be reduced by up to one year. After completing the RISE Program, some participants will have an additional amount of time to spend on traditional supervision. If this applies to you, you will be required to continue to comply with all conditions of supervision.

Graduates will have the opportunity to support their sustained recovery, act as mentors for other RISE Program participants, and contribute to the ongoing success of the RISE Program through their involvement in the Alumni Group.

Participant

RISE DRUG COURT PROGRAM ACKNOWLEDGMENT



	have read or have had read to me, Phases of the RISE Program. I voluntarily agree to fully can revoke my voluntary participation at any time and
Signature	Date
Judge	
The Presiding U.S. Magistrate Judge accepts th	e above-named Participant into the RISE Program.
Signature	Date
Representative of the United States Attorney's The RISE Assistant United States Attorney accounts Output Description:	Office epts the above-named Participant into the RISE Program
Signature	Date
Representative of the Federal Defenders Office The RISE Assistant Federal Defender accepts the	e ne above-named Participant into the RISE Program.
Signature	Date
Representative of the United States Probation The RISE Probation Officer accepts the above-	
Signature	Date