

FAYETTE COUNTY DUI COURT PARTICIPANT HANDBOOK



STATE COURT OF FAYETTE COUNTY POLICY AND PROCEDURES MANUAL

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Introduction

What is the Fayette County DUI Court?

This Court was originally designed and implemented in January 06, 2016 in the State Court of Fayette County under the direction of Judge Jason B. Thompson. In May 2015, the program's operational components were enhanced as a result of additional funding from the Georgia Governor's Office of Highway Safety. In 2015, the DUI Court was designated as the first "DUI Court" in Fayette County.

The DUI Court is a team involving Judge(s), the Solicitor-General, law enforcement, the Defense Attorney's Office, a DUI Court Coordinator, probation officers and licensed substance abuse treatment professionals. The team works together to support each participant in addressing and combating the substance abuse issues that brought them into the criminal justice system. The Team meets every two weeks in a meeting called "Staffing" to review the progress of every participant. Also, every two weeks participants attend a court session called a "Status Conference" to meet with the Team and receive an update on their progress.

What is the Mission of the DUI Court?

Identify and educate those with addictions through accountability and treatment to strengthen our community in a collaborative court setting.

Supervision, Counseling, and Treatment

Once the Solicitor-General clears the legal requirements for the participant to be considered for DUI Court, the participant will meet with the DUI Court Coordinator to be referred to a counselor at. The participant will be assessed to determine eligibility and the level of care needed. Orientation is then conducted with the DUI Court Coordinator and a probation office will supervise, monitor and collect the fines and fees established by the court, the drug/alcohol testing, as well as compliance with probation. The treatment portion of the DUI Court program averages about fourteen (14) months depending on the individual and consists of an orientation and three phases:

Orientation	Evaluation, Sentencing, Intake, Orientation
Phase 1	Relapse Prevention, MRT, and Prime Solutions
Phase 2	Relapse Prevention II and Prime Solutions
Phase 3	Relapse Prevention II and Process

Treatment Table

ORIENTATION	Phase I 4/5 Months*	Phase II 4/5 Months*	Phase III 4/5 Months*
Orientation	Two 2-Hour Group session per week Wednesday and Thursday 6PM	One 2-Hour Group session per week Wednesday 6PM	One 2-Hour Group session 2 times per month or as instructed by treatment
Level of Care screening by individual therapist	Relapse Prevention /MRT and Prime Solutions/Process	Relapse Prevention II Prime Solutions/Process	Relapse Prevention II and Process
Evaluation and Review Baseline drug screen	Minimum 2 individual counseling session per month	Minimum 2 individual counseling session per month	Minimum 1 individual counseling session per month
Initial meeting with probation	3 NA/AA Weekly	3 NA/AA Weekly	3 NA/AA Weekly
Initiate Treatment plan Treatment Plan updates every 60 days	Court 2X per month	Court 2X per month	Court 1X per month

Each phase encompasses vocational and educational components in conjunction with substance abuse treatment with judicial oversight. Participants entering the DUI Court program will be expected to follow all guidelines in this handbook and are required to sign a form indicating that they have read and understand the rules outlined in the handbook.

PHASES OF THE DUI COURT PROGRAM

Intake and Orientation

- Referral and team review
- Substance Abuse Evaluation/Level of Care Clinical Assessment/Counselor assignment
- Intake, NEEDS survey
- Initial meeting with DUI Court Coordinator to review DUI Court Contract and Handbook
- Plea scheduled
- Sentencing/Confinement
- Initial meeting with Probation Officer
- Upon release from confinement, the participant must report to his/her Probation Officer and contact the Treatment Provider within 24 hours of release.
- Baseline alcohol/drug screen

Phase 1 – Relapse Prevention, MRT & Prime Solutions/Process

- Every other week: Status Conference at the Courthouse
- Two, 3-hour group sessions per week
- **Minimum** of three NA/AA meetings per week or as designated by the Treatment Plan
- **Minimum** of two individual meetings per month with Counselor
- Random alcohol/drug screens
- Must have full time employment or be in school full time (40 hours per week).
- Fees must be current or an established payment plan with the Probation Officer.
- No pending petitions or sanctions for violations (must have a minimum of 3 consecutive clean drug/alcohol screens in no less than the 2 weeks prior to phase-up request)
- Participant must be clinically appropriate for phase progression

Phase 2 – Relapse Prevention II, Prime Solutions/Process

- Every other week: Status Conference at the Courthouse
- One 2-hour group session per week
- **Minimum** of three NA/AA meetings per week
- **Minimum** of two individual counseling sessions per month
- Random alcohol/drug screens
- Fees must be current or an established payment plan with the Probation Officer must be in effect before moving from Phase 2
- **Minimum** of 60 days without a Court sanction
- Participant must be clinically appropriate for phase progression

Phase 3 - Relapse Prevention II and Process

- Status Conference at the Courthouse once per month
- One 2-Hour group session twice a month
- **Minimum** of three NA/AA meetings per week
- **Minimum** of one individual counseling session per month
- Random alcohol/drug screens
- Fees must be current or an established payment plan with the Probation Officer
- **Minimum** of 60 days without a Court sanction
- Participant must be clinically appropriate for phase progression

Phase Progression or Phase Regression

For any phase progression, participants must be clinically appropriate and have met clinical obligations to change phases.

The participant's level of treatment will be determined based upon the level of need. Should a participant need increased treatment (Halfway House or Recovery Residency), a counselor and the rest of the team will coordinate placement at such a facility. Seeking alternative treatment outside of the DUI Court is not allowed without prior approval.

At any time during the program, a participant may be moved back to a previous phase based upon the level of care/intervention needed. If a participant is not meeting the requirements for their current phase, they may be phased back.

Graduation

In order to reach the "Ready to Graduate" status in the program, a participant must meet all previous phase requirements, including completion of all treatment obligations, remaining current with all DUI Court and probation fees, attending all required appointments with the probation officer, and appearing for all call-in drug screens.

A major goal of the DUI Court Team is to support each participant as he or she progresses through the phases toward graduation from the DUI Court program. Graduation is an important milestone, providing the participant and the DUI Court team an opportunity to reflect on the personal journey each participant has experienced during the program. Participants are encouraged to maintain his or her relationship with the court after graduation as alumni or mentors to other participants.

Court Room Standards and Procedures

In the Courtroom

Attendance in Status Conference is mandatory. Court sessions are held every two weeks. (Participants will be notified of any schedule or date changes in a timely manner.) It is the responsibility of the participant to know the dates of Court sessions.

Punctuality is required. Court begins at 4:00 p.m. At 4:03, a person is considered **LATE** and will be petitioned by the Probation Officer.

Appropriate casual dress is acceptable and typically includes khakis, jeans, dress or skirt knee-length or below, polo shirt, or blouse, etc. It is important to remember that you are in a court room setting and a professional environment. It is not appropriate to wear hats, sunglasses, clothes displaying offensive language or advertising drugs or alcohol in the courtroom. Loud and disruptive behavior is unacceptable. Participants are required to remain attentive and should not read or sleep in the courtroom. No food or drinks are allowed in the Courtroom. All phones should be turned off before entering the Courtroom. Guests are not allowed in a court session unless they have permission from the DUI Court Team to attend.

When addressed by the Judge, one should respond by speaking clearly and directly. All participants should remain until dismissed. The Court will appropriately address violations of Courtroom behavior.

Substance Abuse Treatment Standards and Procedures

No alcohol, drugs, or weapons are to be brought to Turning Point Treatment Facility.

1. Do not come to group, check in, or individual appointments under the influence of alcohol or drugs. Coming to TURNING POINT under the influence of alcohol or drugs will result in sanctions by the Court.
2. Groups begin on time. Attendance and participation in the whole group session is required to receive credit for group. Being late to group will be reported to the DUI Court team and sanctions may result.
3. Confidentiality in group is required since it ensures the opportunity for open discussions and sharing. What is said in group stays in group. Please maintain the confidentiality of everyone in the group.
4. Free expression of thoughts and feelings is encouraged in group; however, violence, threats or intimidation are not allowed. Please be respectful and attentive to peers. Speak one at a time and listen when peers are sharing. Please avoid cross talking or side conversations.
5. Try to provide a urine drug screen before or after group. If you need to use the restroom during group, simply ask your counselor.
6. If an emergency or illness should arise, let the counselor know you may need to leave early or miss a group. Discuss any situation with the counselor to get approval before leaving, not attending group, check-in or appointment.
7. Dress code: No skimpy tank tops, short shorts or short skirts. Clothing must cover all undergarments. Clothing with obscene language or advertising alcohol/drugs is not permitted. If a participant comes to group dressed inappropriately, they may be asked to leave. Any missed group will be reported to the team and may result in sanctions.
8. Cell phones, laptops, or any electronic devices should be turned off during group and individual appointments.
9. Visitors are not allowed at group or check-in. If it is necessary that a participant bring a child to check-in, or wishes to introduce a friend to a counselor, ask your counselor about this in advance.
10. Smoking is permitted outside only (on the porch). Please put cigarette butts in appropriate receptacles (not on the porch floor or the ground).
11. No littering in the parking lot or in the building. Please help us keep the facility clean by putting trash in trash cans, etc.
12. Destroying or defacing property at TURNING POINT may result in sanctions or arrest.
13. When arriving at TURNING POINT for an individual appointment with a counselor, participants should check-in with the secretary in the main front office. Counselors will come get participants when they are ready. Participants should not come upstairs or wander in the halls looking for a counselor. On Saturdays or any time when the secretary is out, participants should enter through the side door and wait in the downstairs waiting room. For check-in or groups, participants should enter through the side door and come directly upstairs (or to the group room).
14. Please be considerate of other clients and Family Counseling Service staff. When upstairs for an individual appointment, Check-in, random drug/alcohol screen call-in, or group, participants are expected to keep the noise level to a minimum. (Other counselors may be having individual sessions in the building).

Meeting attendance, place of residence and leave requests

A participant is required to attend all meetings as assigned and on time. Failure to attend will result in progressive sanctions. Special requests to be excused from meetings will be discussed during staffing and must be approved by the DUI Court Team. Requests to miss any DUI Court check-in, Status Conference, group meeting, or to leave the jurisdiction of the Court (Fayette County) or stay at a residence other than your primary residence of record must meet the following requirements:

- A. All requests are to be submitted in writing **a minimum of two weeks in advance to your counselor**. Leave Request Forms are available from your counselor, probation officer or DUI Court Coordinator. The form **must be completed and returned** before the two-week deadline prior to the requested date of leave.
- B. All requests must have verified documentation attached. Examples include the following: a note from a doctor, school or work explaining the situation and signed by a person in authority. The documentation must include a phone number where you can be reached.
- C. Factors the team will consider when evaluating a leave request include but are not limited to:
 - 1) Compliance with Treatment Plan;
 - 2) Compliance with probation requirements;
 - 3) Recent drug and alcohol screen results; and
 - 4) Compliance with financial responsibilities and any payment plans.

Only **legitimate** requests will be considered. If a request is granted, a participant must report to their probation officer for a drug test the day following the end of the leave. In the event of a sudden illness and/or death of an immediate family member, contact your counselor and your probation officer for possible leave without the leave request paperwork. (For the purposes of this manual, "immediate family" includes spouse, children, siblings, parents, and grandparents only).

A participant is required by the DUI Court to stay at their primary residence on record every night unless permission has been obtained to be away from that residence for an overnight. **Leaving the jurisdiction of the Court (Fayette County) over night for any reason requires prior notice and approval by the probation officer.**

A participant is required to be accessible by phone by any member of the DUI Court Team at all times. Failure to respond to a message in a reasonable period of time (2 hours) may result in sanctions by the Court. If a cell phone is lost or disconnected, and/or the participant is unreachable for any reason, they are required to notify their probation officer immediately.

A firm appointment with a counselor must be kept. If a cancellation of the appointment is required, at least 24 hours advance notice must be given. Failure to notify Turning Point of cancellation of the appointment at least 24 hours in advance may result in a sanction.

Honesty

Honesty is a core component of the Fayette County DUI Court. Dishonesty will only impede recovery and hold back progression through the Program. **It is the responsibility of the participant to disclose any violation of the terms of this Court to their counselor, probation officer and the DUI Court Team.** Dishonesty of any form such as lying, tampering with drug screens, presenting fraudulent documents, etc. will not be tolerated and will subject a participant to substantial sanctions. Defrauding or lying may lead to a participant's termination from the DUI Court and/or substantial confinement time. Honesty is essential to successful participation in the Fayette County DUI Court.

Participant Enrollment

As a condition of participation in the DUI Court, each person is responsible for a portion of the cost of treatment, drug/alcohol testing and supervision. **Therefore, seeking and maintaining employment is a condition of continued participation.** Participants who are employed are less likely to use alcohol and/or other drugs when they are working, and it is known that those who work have a higher degree of self-esteem due to being productive. A documented disability limiting or preventing employment will be addressed on a case-by-case basis.

Prior to sentencing, the program requires that the applicant complete the level of care assessment with treatment. The cost of this evaluation is \$125.00. Each participant is responsible for payment of \$206.00 a month. The \$206.00 fee covers all group counseling, individual counseling, check-ins, drug-screens and DUI Court enrollment fee until graduation or expiration of probation, whichever comes first. Charges accrue on the 1st of each month. **Please keep in mind, this DUI Court Participation fee does not include any fines imposed by the court or probation costs.**

If a participant cannot meet their financial obligations, it is his/her responsibility to discuss the situation with their probation officer and the DUI Court Coordinator to develop a solution. If a person should, at any time, accrue an overdue amount of \$300.00 or more, they will be placed on a weekly payment plan. Please note that any overdue amounts or failure to make payments as directed by a payment plan will subject a participant to appropriate sanctions by the Court.

Medication

A participant is responsible for all substances they put in their body.

Do not use **internal or external** products containing alcohol such as cough/cold syrup, hair tonic, perfume, medicinal alcohol, after-shave lotion, mouthwash and flavoring extracts (lemon, vanilla, etc). It is the participant's responsibility to read the labels on products and avoid the consumption of alcohol in any form. Do not eat items that contain poppy seeds.

It is the participant's responsibility to inform any medical professionals of his or her status in the DUI Court program and what substances are not allowed for consumption. Participants should take the Medical Form (available from the DUI Court Coordinator or your counselor) to any visit to a doctor's office. Once the form has been completed by the doctor, the form and a copy of any

prescriptions should be turned into your Counselor. **All written prescriptions must be shown to the participant's counselor before filling. No prescription drug of any kind is to be taken without prior notice to your counselor & Choice Labs. No prescription drug is to be taken without the approval and prescription of a physician.** Failure to follow these requirements will result in a petition from the court.

At the end of this handbook are a list of prohibited substances and a list of medications that can be taken without prior approval. These lists are only a guide and not meant to be all-inclusive. If a participant has any concerns, they should contact their Counselor before taking medications of any kind.

Drug/Alcohol Testing Policy and Procedures

It is the expectation of this Program that each participant will remain abstinent from all mood-altering substances throughout the course of their involvement with the DUI Court, including post-graduation if the probation term has not expired. Frequent and random drug testing is used to monitor a participant's compliance. Often, a person may not be able to stop using drugs and alcohol immediately, and recovery will not occur overnight; however, any use of illegal drugs will result in sanctions. **All participants will be held accountable for everything they put in their body.** This is not intended as punishment, but serves to encourage abstinence and accountability. The ultimate goal of drug testing is to provide accountability and confirmation of the progress towards recovery. Admitting use prior to the drug screen may be taken into account in the sanctioning process. Conversely, not admitting to, and/or denying new use after a positive result on a drug screen may result in a more severe sanction.

A participant may be asked to submit a sample at any time by any member of the DUI Court Team. They must be prepared to submit a single specimen at the time of the request to whomever asks, be it a counselor, a probation officer or the DUI Court Coordinator. **Failure to appear for a drug/alcohol test or the refusal to provide a sample for a scheduled and /or random test will be grounds for the issuance of a petition to revoke probation. Tampering with or diluting a drug screen may result in the issuance of a petition for the revocation of probation and may be grounds for termination from the Fayette County DUI Court.**

All participants in DUI Court are subject to random screens. For most of these screens, the person will be instructed to appear before their probation officer or by someone from the DUI Court office. Failure to appear for a random test by the time specified is a violation of probation and will be addressed by the Court as a sanctionable offense. If a random drug screen is missed and no prior consent had been obtained, a participant is required to report to their Probation Officer between 9 a.m. and noon the following day.

Participants must provide a testable sample, meaning one that is not "dilute" or "tampered with." "Dilute" urine tests are classified as those tests having a reading indicating a urine creatinine level of less than 20 mg/dL and a specific gravity of less than 1.003. (Creatinine is the substance in urine resulting from muscle breakdown. Specific Gravity is the concentration of dissolved materials relative to the amount of liquid.) In a diluted urine sample, it is possible that drugs may still be present in the urine, but be below the cut-off level of the drug assay. A "tampered" sample is one in which the urine is in a condition that is not testable due to intentional interference or other chemical reaction. Presenting a sample that is either dilute or tampered with is a sanctionable offense.

Upon the request of a drug screen:

- A participant indicates either an admission to or a denial of alcohol and/or drug use. **Honesty is a crucial component for recovery and participation in the Fayette County DUI Court. The Court may favorably consider self-disclosure-of-use a mitigating circumstance when sanctions are imposed.**
- The only people allowed in the testing area at the time of administration of the test are the participant and the individual overseeing the collection of the sample.
- A sample is to be submitted within one (1) hour of request. Failure to produce a sample will result in a petition for revocation.
- Only one sample will be collected when requested.
- Purses, coats, bags, etc. are not allowed in the testing area.
- Shirtsleeves should be rolled up to the elbow and removal of any additional clothing item may be made to ensure the validity of a specimen.
- The test cup must be filled to a minimum 1/3 level to be adequate for testing.
- Collection of urine sample will be observed. In the event a drug screen cannot be observed, a temperature strip will be used to ensure sample integrity. If a urine sample does not provide an acceptable reading on the temperature strip, the participant will be required to provide a valid sample before leaving the collection site.
- Use of an artificial device or substance of any type to alter the test will result in significant sanctions which may include termination from the program.
- **Failure to comply with any of the above guidelines or refusing to provide a urine sample is considered a sanctionable offense.**

The EtG (ethyl glucuronide) Test can detect the ingestion of alcohol for a considerable time period after consumption. This technology is used to monitor participants' compliance. **Any test with an EtG level 500 ng/mL or above will be considered a "positive" drug screen for the purpose of petitioning a participant for a revocation or sanctions.** Any value between zero and 500 ng/mL is consistent with the conclusion that alcohol was present in the participant, and could result in increased testing or use of other testing methods. While a participant may not be petitioned for a positive EtG level below 500 ng/ml, the DUI Court Team may consider it positive and evidence of the consumption of alcohol in regards to treatment plans and phase progression.

Incentives and Rewards

The Fayette County DUI Court Team recognizes compliance and good behavior as a critical factor to a successful recovery. Participants are provided incentives and receive rewards for active participation, consistent attendance and successful compliance with Program conditions.

Incentives are given for completion of DUI School, ignition interlock installation, clinical evaluation completion, attending Victim Impact Panel, license reinstatement and phase progression. Rewards for participation can include, but are not limited to credit for community service hours, goods provided by sponsors and individual recognition by a Judge and other Team members. Community service credit is given in accordance with the following guidelines:

1. Alcohol Risk Reduction/DUI School

If a participant is required to complete the Alcohol Risk Reduction/DUI School he/she will receive credit for 50 hours of community service with submission of the certificate to the participant's counselor. Alcohol Risk Reduction/DUI School completed prior to Phase 2, will qualify for a financial incentive. Alcohol Risk Reduction/DUI School is required to be completed prior to Phase 3.

2. Phase Movement

Community service credit will also be awarded for completion of each Phase of the DUI Court, as follows:

Phase 1 – 40 hours

Phase 2 – 40 hours

Phase 3 – 40 hours

3. Victim Impact Panel

If a participant is required to complete the Victim Impact Panel, they will receive 10 hours credit for community service upon completion of the Panel.

4. Ignition Interlock Installation

50 hours of community service credit are awarded upon the completed installation of the Ignition Interlock Device and proof of that installation has been shown to the DUI Court.

5. Full License Reinstatement

Once the six (6) month temporary Interlock permit expires and a participant receives full license privileges from the Department of Driver's Services, he/she must bring a copy of their driver's license and documentation of interlock removal to the DUI Court Office. Upon receipt of all documentation, 50 hours of community service credit will be awarded.

**See Incentive Grid in the back of handbook*

Certificates of Eligibility for Ignition Interlock

If a DUI Court participant's license was suspended as a result of a 2nd conviction for DUI in a 5 year period, the license suspension would have been for a 12 month period without eligibility for a permit before the participant is required to obtain ignition interlock for 6 additional months. A participant may be eligible to obtain a limited permit with ignition interlock after serving 4 months of the suspension if the participant is meeting the requirements of the program. In order to qualify for obtaining a permit after 4 months, the participant must meet the following criteria:

1. Completed Phase 1;
2. Completed 120 days with no positive drug/alcohol screens and no dilute screens;
3. Had no sanctions within the most recent 120 days
4. Current with 12-step meetings
5. Current with all payments or current with a payment plan; and
6. Does not have any pending charges in other cases that are traffic related.

A participant should contact the DUI Court Coordinator to see if they are eligible for a certificate of eligibility.

Driver's License Reinstatement

Once a participant is a candidate for license reinstatement, the DUI Court Coordinator will provide the necessary assistance to help them meet the requirements as set forth by the Georgia Department of Driver's Services. A participant may:

1. Request that the DUI Court Coordinator obtain a copy of their driving history. The DUI Court Coordinator will review the history and provide a written statement about the status of the license and how to obtain reinstatement.

2. Any participant completing DUI School should give a copy of this certificate to the DUI Court Coordinator
3. All DUI Court fees must be current or a payment plan that has been approved by the Probation Officer must be in place.
4. If needed, counselors will provide a Treatment Completion Certificate to participants in compliance with their Treatment Plan. Requests should be made two weeks in advance. Treatment Completion Certificate issuance is based on:
 - a. progression to Phase 3
 - b. no use of alcohol/drugs in violation of DUI Court rules for a minimum of 120 days prior to issuance
 - c. compliance with current Treatment Plan
 - d. no sanctions within the last 90 days
 - e. receipt of driving history letter from the DUI Court Coordinator

COMPLIANCE AND VIOLATIONS

Probation

If a participant is on probation in another county, they must disclose their probation officer's name and contact information, as well as the charges that lead to that probation sentence. The Fayette County DUI Court will keep in touch with the other probation officer throughout the person's participation in the Fayette County DUI Court.

Participation in the Fayette County DUI Court is a condition of a probationary sentence. If conditions of a sentence or any conditions of the DUI Court Participant Agreement (or any rules outlined in the Handbook) are violated, a petition for revocation will be submitted resulting in the participant appearing before a Judge for the probation violation allegations. A participant has the right to admit or deny the violation. If they admit, the Court will act on the petition for revocation at that time. If they deny, a hearing will be held. The DUI Court Team will make a recommendation to the Court regarding sanctions for violations (see below). In determining the recommendation, the DUI Court Team may take into consideration whether the participant took responsibility by admitting the violation. The Court is not bound by this recommendation and can increase/decrease the sanction or designate an entirely different sanction. The Judge does not participate or have any input into the recommendation to be made by the Team at the hearing. The Judge considers each case individually.

Depending upon the nature of the allegation, a petition for revocation of probation may or may not be accompanied by a warrant for arrest. The determination for whether an arrest warrant is issued is based on the seriousness of the violation, community safety, prior history of sanctions and appropriateness based upon participant's compliance. The issuance of a probation warrant is in the sole discretion of the Court.

Sanctions

All conditions of the DUI Court Participant Agreement that are signed on the day of orientation and all rules in this handbook are conditions of a probationary sentence. Failure to comply with those conditions may subject a person to probation revocation. Sanctionable offenses include but are not limited to:

- Dilute urine sample

- Tampered-with urine sample
- Positive drug screen on urine sample
- Missed random drug screen
- Attempt to falsify drug screen
- Missed group meeting
- Missed appointment
- Missed status conference
- Failure to notify cancellation of appointment with a counselor at least 24 hours in advance.
- Late for group meeting
- Late for status conference
- Failing to document 12-step meeting
- Failing to report as directed
- Traffic citation
- Arrest for a new offense
- Leaving the jurisdiction of court without permission
- Moving residence without permission
- Absconding
- Failure to pay as directed
- Incorrect contact information

The Judge will impose appropriate sanctions if there are violations of the DUI Court guidelines. Sanctions can include, but are not limited to:

- a verbal or written reprimand
- additional community service hours
- increased reporting to probation and/or the DUI Court office
- loss of driving privileges
- home confinement
- curfew
- increased testing – at participant’s expense
- electronic monitoring – at participant’s expense
- jail time
- removal from DUI Court program

The goal in administering sanctions is to encourage compliance and accountability with the conditions of the Program and to assist a participant in progressing to their recovery. As part of this goal, if a sanction is imposed, a counselor may increase or alter a participant’s accountability, structure, and/or counseling by submitting a Revised Treatment Plan. This plan will be presented to the participant at the time of their hearing. A Revised Treatment Plan may include additional drug/alcohol screens (at participant’s expense), an increase in individual counseling, increased 12-Step meetings, phase regression, and/or residing at a recovery residence or being referred to a higher level of treatment.

Removal from DUI Court Program

The Fayette County DUI Court is committed to providing each person an opportunity to maintain a sober and drug free lifestyle in an environment conducive to achieving this goal. **The Fayette County DUI Court wants each participant to succeed, and considers removal only as a last resort.** The goal is to help a participant help themselves. Continued inclusion in this Program is contingent on compliance with the guidelines and regulations. Nevertheless, not everyone who enters the Fayette County DUI Court is committed to maintaining sobriety and compliance with Program conditions. The Team may determine that removal of a participant for non-compliance is the most appropriate action for the success of all other participants. Serious violations or continuous violations will subject a participant to being terminated from the Program.

Following are a few examples of non-compliance that could result in removal:

- Threats of, or violence towards, peers, Counselors or DUI Court staff
- Committing a new criminal offense
- Altering or tampering with a drug screen
- An accumulation of violations and continuance of non-compliance with Program guidelines
- An inability or unwillingness to remain clean and sober

Absconding

If a participant absconds (quits; runs away; flees) for any reason, they will be subject to serious sanctions. There is zero tolerance for such disregard of responsibilities to the Fayette County DUI Court. Instead of running when a problem arises, the participant should bring the problem to the attention of a member of the DUI Court Team who will work with them in an attempt to find a solution. Absconding only complicates the situation and may lead to removal from this Program and the possible revocation of the balance of probation.

Employment in retail alcohol sales and service industry

Program participants shall not enter nor frequent bars or any other business whose primary purpose in sales is alcoholic beverages; however, employment in restaurants and bars may be permitted, provided participant maintains sobriety and program compliance. Failure to maintain sobriety and program compliance will result in a Court ordered removal from the work site.

ROLES OF THE DUI TEAM MEMBERS

The Judge

The DUI Court Judge is aware of the significant impact of substance abuse on the court system, the lives of participants and their families, victims of criminal behavior, and the entire community. The Judge is committed to the overall DUI Court concept and program goals and work as the Team leaders to encourage participant success. One of the roles of the DUI Court Judge is to work with the Team in developing protocols and procedures for participant success. During Status Conferences in the Courtroom, the Judge will personally address and interact with each participant while monitoring their progress and accountability with program requirements.

The Judge has many other daily responsibilities which require judicial attention. Direct contact with the Judge or his office staff is not permitted. **The Judge cannot give legal advice. Information from the participant or a family member or friend must go through a counselor, probation officer or the DUI Court Coordinator.** The Judge attends non-Court meetings with other Team members not only to review and evaluate participant progress, but also to evaluate appropriate alternatives. In addition, the Judge is an advocate for the Program by creating community interest and identifying community resources of value to participants to enable them to achieve their goal of improving the quality of their life.

The Solicitor-General

The Solicitor-General's Office determines each person's eligibility for the DUI Court, and without their cooperation, consent and agreement a person is not afforded the opportunity to participate in the DUI Court. This office, along with the person involved and their attorney must agree that the DUI Court is a suitable component for any negotiated plea agreement accepted as a part of the sentence imposed by the Judge. The Solicitor-General attends Team sessions (Staffing) to monitor participant progress through the Program and to recommend appropriate sanctions, incentives and rewards for participants.

During participation in this Program, it is not appropriate to seek advice or legal counsel from the Solicitor-General's office. In the event of a probation revocation hearing, the Solicitor-General's office will advocate the State's position which may be adverse to the participant's position. The Solicitor-General will make recommendations to the Court regarding any sanctions that may be imposed and/or to the person's continued participation in the Program.

The Defense Attorney

The role of the Defense Attorney is to evaluate the participant's legal situation and protect his/her legal rights and to ensure that the program meets all due process requirements. Additionally, the Defense Attorney should provide advice to assist in determining legal options, treatment options, program conditions and potential sentencing outcomes.

When a person agrees to enter the DUI Court at the time of their sentencing, they have the right to legal counsel and to assist with such. If, for any reason, a person is brought before the Court for violating the terms of the DUI Court Participant Agreement or the court sentence, they will be informed of the right to legal counsel and a hearing. Like the Solicitor-General, the Defense Attorney also contributes by informing clients, peers, colleagues and other members of the legal community about the multiple benefits attributable to the DUI Court.

The DUI Court Coordinator

The DUI Court Coordinator is the administrator of the Fayette County DUI Court, and reviews each case with the Solicitor-General's Office to determine who is eligible for the DUI Court. The Coordinator also facilitates the communication and contact between all members of the DUI Court Team. The Coordinator will meet with a participant when necessary involving any aspect of their DUI Court participation. The Coordinator attends bi-weekly team staffing's and all DUI Court hearings along with the DUI Court Team. The Coordinator also keeps the Judge informed on the most updated information regarding each participant. In addition, the Coordinator's role is to inform, update and educate the public about the Fayette County DUI Court.

The Probation Officer

The probation officer's primary responsibility is supervising and monitoring a participant's accountability in the DUI Court. Each participant is required to report with the Probation officer weekly and provide alcohol/drug screens as requested and within policy guidelines. The probation officer is responsible for collecting supervision fees, participant fees, fines, and restitution as mandated by the Court. If warranted, the probation officer can at any time increase the frequency of report. The probation officer attends Staffing to inform the Judges and other Team members of the person's progress in the Program.

Surveillance Officer

The DUI Court would not be possible without the support of law enforcement surveillance officer. The officer accepts the concept of accountability courts as being the best alternative to reducing repeat DUI and drug offenses. Participant supervision and monitored compliance with program conditions is essential to continued law enforcement support. As a condition of participation in the DUI Court, the officer has the authority to visit a participant anytime, day or night, at home, at school or at work. During these visits, that person may be subject to a random search of person, place of residence, or any other property under his/her control, as well as drug and alcohol tests. Law enforcement may be utilized to provide surveillance to ensure participant accountability with Program conditions. A designated law enforcement officer attends Staffing.

Counselors

Prior to sentencing, the potential participant meets with a counselor to complete a clinical assessment. An individualized and comprehensive treatment plan will be developed within ninety days. The counselor will review any medications, health issues, or concerns with the participant and help them to understand the requirements of the program. The assigned counselor is responsible for recommending Treatment Plan modifications as needed. The counselor reports necessary information to the DUI Court Team during staffing to keep everyone on the team informed of each client's progress in the program (participation in group, attitude, up to date on 12-step meetings, etc.)

Choice Lab, Inc.

Choice Lab, Inc. is the alcohol/drug testing center for the participants. The participants are required to call in every day. You may not call in before 5AM. If warranted, the participant may be required to increase the frequency of report. Choice Lab, Inc. personnel reports necessary information to the DUI Court Team during staffing to keep everyone on the team informed of each participant reporting results.

COMMUNITY RESOURCES

Fayette County is very fortunate to have a strong recovery community. The following is a list of local resources. For current telephone numbers, e-mail or addresses consult the telephone book or internet. See your Treatment Provider or the Court Coordinator for complete listings.

DUI COURT CONTACT INFORMATION

DUI Court Coordinator	770-716-4328
Judicial Correction Services, Inc. (Probation)	770-716-0434
Turning Point, New Directions For Families, Inc.	770-683-9375
Choice Lab, Inc.	770-716-1529

SUBSTANCE ABUSE

Alcoholics Anonymous of Georgia	404-525-3178
Cocaine Anonymous	404-255-7787
Drug Helpline	1-800-378-4435
Alcohol AA Treatment Center 24-Hour Helpline	1-800-950-7226
Narcotics Anonymous Atlanta	404-362-8484

Alcoholics Anonymous Central Office

Provides referrals for those in need of AA assistance
127 Peachtree St. Suite 1310
Atlanta, GA 30303
(404) 525-3178
(404) 525-0047 fax
<http://www.alcoholics-anonymous.org/index.cfm>

BASIC NEEDS

Adult Education (GED/ESL/Literacy)	770-515-7601
Dept. of Drivers Services	1-866-754-3687

Housing and Supplemental Services

Promise Place (Domestic Violence Shelter)	770-460-1604
Income Based Housing	www.lowincomehousing.us/cty/ga-Fayette
St Vincent De Paul (Temporary Assistance with Bills)	770-477-2388
HSD Helping the Needy (Georgia)	www.homelessshelterdirectory.org
Real Life Center	770-631-9334

Health

Fayette County Health Department	770-305-5416
Fayette Care Clinic	770-719-4620
Peachtree City Physicians Group	770-632-8909

Employment

Georgia Department of Labor	www.dol.georgia.gov
A Better Way	770-631-6202
Chase Staffing	770-731-1115

MEDICATIONS TO AVOID (Do not take these medications)

**THIS LIST IS NOT INTENDED TO BE ALL INCLUSIVE.
ALL MEDICATIONS MUST BE CLEARED THROUGH YOUR COUNSELOR &
CHOICE LABS PRIOR TO TAKING.**

Note: Drug Name[®] = Brand Name

A

Actiq[®] (fentanyl)

Adipex-P[®] (phentermine)

Adderall[®] (dextroamphetamine + amphetamine)

alcohol (ethanol, ethyl alcohol) or anything containing ethyl alcohol including

“Alcohol-Free” beer. Many over-the-counter liquid preparations such as cough syrups, cold medications, mouthwash, body washes or gels, etc. may contain alcohol and may produce a positive EtG (alcohol) urine drug screen. It is **YOUR** responsibility to read the labels on these preparations, or ask a pharmacist to make sure the products you use do not contain alcohol.

alprazolam (Xanax[®])

Ambien[®] (zolpidem)

amphetamine or any product containing amphetamine or any of its derivatives, such as dextroamphetamine (Dexedrine[®]), benzphetamine (Didrex[®]), methamphetamine (Desoxyn[®], speed, meth, ice, crystal, etc.), DOM, de- or di-methoxyamphetamine and others.

Ativan[®] (lorazepam)

atropine or any product containing atropine

AtroPen[®] or any other product containing atropine

B

barbiturates, including but not limited to butabarbital (Butisol[®]), butalbital (Fiorinal[®] and others), mephobarbital (Mebaral[®]), phenobarbital (Nembutal[®], yellow jackets, Donnatal[®]), secobarbital (Seconal[®], red devils, Xmas trees, rainbows), thiopental (Pentothal[®]) and any other barbiturate.

Bontrill[®] or Prelu-2[®] (phendimetrazine tartrate)

bufotenin (dimethylserotonin)

buprenorphine (Suboxone[®], Zubsolv[®])

bupirone

Butisol[®] (butabarbital)

C

carbamazepine (Carbatrol[®])

Carbatrol[®] (carbamazepine)

carisoprodol (Soma[®])

chloral hydrate

chlorazepate (Tranxene®)
chlordiazepoxide (Limbitrol®, Librax®)
chlorzoxazone (Parafon Forte®)
clonazepam (Klonopin®)
cocaine
codeine or any medication containing codeine, such as cough syrups (Robitussin A-C®,
Tussin A-C®, and others.)

D

Demerol® (meperidine)
Desoxyn® speed, meth, ice, crystal, etc. (methamphetamine)
Dexedrine® (dexies or hearts; dextroamphetamine, or any product containing
dextroamphetamine
DET (diethyltryptamine, and all other tryptamine derivatives, such as DMT
dimethyltryptamine and others)
dextromethorphan (DM) and any product containing this substance
diazepam (Valium®)
Didrex® (benzphetamine)
diethylpropion
Dilaudid® (hydromorphone)
diphenoxylate (Lomotil®)
DMT (dimethyltryptamine)
Dolophine® (methadone)
Donnatal® (phenobarbital + atropine + hyoscyamine + scopolamine)
droperidol (Inapsine®)
Duragesic® (fentanyl)
Duramorph® (morphine)

E

Empirin® with any amount of codeine
Empracet® with any amount of codeine
ephedrine and any product containing this substance, including ephedra products
Equagesic® (meprobamate + aspirin)
eszopiclone (Lunestra®)

F

fentanyl (Sublimaze®, Actiq®, Durogesic®, Duragesic®, Fentora®, Onsolis®, Instanyl®
and others)
Fentora® (fentanyl)
Fiorinal® (butalbital, aspirin, caffeine) and any with codeine.
flurazepam

G

GHB (gammahydroxybutyric acid)

H

Halcion® (triazolam)
hashish or hashies
heroin (diacetyl morphine, E, horse, dope, smack, junk)
hydrocodone and any products containing hydrocodone (Vicodin®, Lorcet®, Lortab®,
Tussionex®, Zydone® as examples, and many others)

hydromorphone (Dilaudid)

hydroxyzine (Vistaril®)

hyoscine

I

ibogaine

Inapsine® (droperidol)

inhalants, such as paint, glue, Freon, or any substance under pressure not for medicinal use.

Instanyl® (fentanyl)

Ionamin® (phentermine)

K

Ketalar® (ketamine)

ketamine (Ketalar®)

Klonopin® (clonazepam)

L

laudanum (tincture of opium)

levorphanol

Librax® (chlordiazepoxide + clidinium)

Limbitrol® (chlordiazepoxide + amitriptyline)

Lomotil® (diphenoxylate + atropine)

Lorazepam (Ativan®)

Lorcet®, Lortab® (hydrocodone + acetaminophen)

LSD (lysergic acid diethylamide, "acid")

Lunesta® (eszopiclone)

M

marijuana (pot, grass, Mary Jane, etc.)

Mebaral® (mephobarbital)

Melfiat® (phendimetrazine)

meperidine and any other drug products containing meperidine

meprobamate (Miltown®, Pathibamate®, Equagesic®, Equanil® and others)

methadone (Dolophine®, Methadose®)

Methadose® (methadone)

methocarbamol (Robaxin®, Robaxisal®)

methylphenidate (Ritalin®)

midazolam (Versed®)

Miltown® (meprobamate)

mescaline

MDMA (methylenedioxymethamphetamine)

morphine and any other drug products containing morphine or its derivatives and combinations (Duramorph®, Roxanol® and others)

N

naloxone (Suboxone)

nalbuphine (Nubain®)

Nembutal® (pentobarbital, yellow jackets)

Norflex® (orphenadrine)

Nubain® (nalbuphine)

O

Onsolis[®] (fentanyl)
Opana ER[®] (oxycodone)
opium or any of its constituents
orphenadrine (Norflex[®])
oxazepam
oxycodone (Oxycontin[®] and other products containing oxycodone such Percobarb[®],
Percocet[®], Percodan[®])
Oxycontin[®] (oxycodone and other products containing oxycodone)
oxycodone (Opana ER[®])

P

Parafon Forte[®] (chlorzoxazone)
Pathibamate[®] (Meprobamate)
PCP (phencyclidine)
pentazocine (Talwin[®])
Pentothal[®] (thiopental)
Percobarb[®], Percocet[®], Percodan[®] (oxycodone)
peyote
phendimetrazine (Bontril[®], Melfiat[®], Prelu-2[®], Plegine[®])
Phenergan[®] (promethazine)
Plegine[®] (phendimetrazine)
Prelu-2[®] (phendimetrazine)
paregoric (camphorated tincture of opium)
propantheline
prochlorperazine
promethazine (Phenergan[®])
psilocybin, psilocin
pseudoephedrine (Sudafed[®])

R

Restoril[®] (Temazepam)
Ritalin[®] (methylphenidate)
Robaxin[®], Robaxisal[®] (methocarbamol)
Robitussin A-C[®], Tussin A-C[®] or any cough syrup containing codeine
Roxanol[®] (morphine)
Roxicet[®] (oxycodone + acetaminophen)
Roxicodone[®] (oxycodone)
Ryzolt[®] (tramadol)

S

Seconal[®] (secobarbital, red devils, XMAS trees, rainbow)
scopolamine
Sonata[®] (zalepon)
Soma[®] (carisoprodol)
Stadol[®] (butorphanol)
Sublimaze[®] (fentanyl)
Suboxone[®] (buprenorphine + naloxone)

T

Talwin® (pentazocine)
temazepam (Restoril®)
tramadol (Ryzolt®, Ultram®)
trazadone (Desyrel®)
triazolam (Halcion®)
Tranxene® (chlorazepate)
Trazadone® (desyrel)
Tussionex® (hydrocodone)
Tylox® (oxycodone)

U

Ultram® (tramadol)

V

Valium® (diazepam)
Versed® (midazolam)
Vicodin®, Vicoprofen® (hydrocodone)
Vistaril® (hydroxyzine)

X

Xanax® (alprazolam)

Z

zalepon (Sonata®)
zolpidem (Ambien®)
Zubsolv® (buprenorphine + naloxone)
Zydone® (hydrocodone)

Also prohibited is any product labeled “not intended for human consumption,” intended to be smoked, ingested or injected for the purposes of “getting high.” Spice and K2 are examples of these products. There are different kinds of Spice such as K2 Summit, K2 Ultra, and K2 Blonde and others. There are even newer versions of Spice named K2 Sky Herb, K2 Orisha, and K2 Thai. These products contain herbal mixtures with cannabinomimetic compounds added to the mixture.

Products known as ‘Bath salts’, not intended for bathing, are prohibited. Such products contain chemicals similar to amphetamines. They are often called “bath salts” but are also sold under names such as Ivory Wave, Purple Wave, Red Dove, White Dove, Blue Silk, and Zoom. Some have also been labeled as plant food.

All of these products are prohibited from human use by DUI Court participants and are classified by DEA and GBND as class I, not for human use. These products are found in head shops, gas stations, smoke shops and other convenience stores.

Also included: any controlled substance listed in the official code of Georgia annotated § 16-13-25 SCHEDULE I, § 16-13-26 SCHEDULE II, § 16-13-27 SCHEDULE III, and § 16-13-28 SCHEDULE IV.

In addition, possession of any dangerous drug in § 16-13-71(b) is prohibited unless authorized by a valid prescription written by a licensed medical practitioner.

MEDICATIONS THAT MAY BE TAKEN

OVER-THE-COUNTER (OTC) MEDICATIONS THAT MAY BE TAKEN TO RELIEVE PAIN:

acetylsalicylic acid (Aspirin[®], Ecotrin[®], Bufferin[®])
acetaminophen (Tylenol[®])
ibuprofen (Motrin[®], Advil[®], Medipren[®])
naproxen (Aleve[®])

There are many other products that contain combinations of the above ingredients, and some of those combinations contain ingredients that you are not allowed to take. You must read the ingredient list of all drugs that you may take to be sure that you are not taking a drug that is not allowed. If in doubt, ask your counselor or a pharmacist.

OTC MEDICATIONS THAT MAY BE TAKEN TO RELIEVE ALLERGY SYMPTOMS:

cetirizine (Zyrtec[®])
chlorpheniramine (Chlor-Trimeton[®])
clemastine (Tavist[®])
diphenhydramine (Benadryl[®])
fexofenadine (Allegra[®])
loratidine (Claritin[®])

These drugs are also available in many combinations with other drugs, some of which should not be taken. You must read the ingredient list of all drugs that you may take to be sure that you are not taking a drug that is not allowed.

INGREDIENTS IN OTC DRUGS THAT MUST BE AVOIDED:

dextromethorphan, (DM)
pseudoephedrine
ephedrine

Abuse of any drug, that is, taking a drug in higher quantities or more often than listed on the dosing information supplied with the drug, is strictly prohibited.

Other medications may be appropriate to take, but you must check with your Counselor and Martha Hall prior to taking them. **You must notify your Counselor & Martha Hall of all medications taken and a copy of all prescriptions must be provided to your Counselor & Martha Hall before they are filled.**

ANY MEDICATION USED MUST BE TAKEN ONLY ACCORDING TO THE DIRECTIONS GIVEN IN THE DRUG PACKAGE INSERT OR BY A PHYSICIAN'S WRITTEN ORDER.

Fayette County DUI Court
1 Center Drive
Fayetteville, GA 30214
770-716-4328

Jason B. Thompson
State Court Judge

Martha A. Hall
DUI Coordinator

Notice to Medical Professionals

RE: _____

Dear Medical Professional,

The referenced patient is a Participant in the Fayette County DUI Court Program Admission to this program is based on a current diagnosis of Substance Abuse/or Dependence, as defined in the DSM-IV. Participants are required to inform all medical professionals, from whom they may receive treatment, of their involvement in DUI Court Treatment Program. Our protocol also requires Participants to disclose past drug and/or alcohol abuse patterns and provide documentation verifying this notice was provided to medical professionals. We request our Participant's sensitivity to drugs and/or alcohol and their abuse be considered when you prescribe medications or injections in their treatment. We ask you to consider these additional factors:

1. Potential increased tolerance to pain killer medications, due to the Participants past drug and/or alcohol abuse;
2. Use of non-narcotic pain relievers;
3. Participant should provide pre-op information to the court from their doctor advising the procedure to be performed and recommended after-care;
4. Limiting the quantity of narcotic pain relievers prescribed to the minimum necessary;
5. Limiting the number of refills available (none); and
6. Recommending non medicinal coping strategies for anxiety/ sleep issues in lieu of prescribing Xanax, Valium, Ativan, Halcion, Deseryl, Ambien, etc.

While it is not the intent of our program to have our Participants needlessly suffer pain, we feel close communication between them and their medical provider is key component in their achievement of stabilized recovery. We appreciate your consideration and cooperation in this matter. Please contact me if you have any further questions.

Sincerely,

Martha A. Hall
Program Coordinator, 770-716-4328

I have read the above Notice to Medical Professionals. This letter was presented to me (Circle One): Before treatment was given After treatment was given

Physician's signature

Date

CONTACT INFORMATION

<p>DUI Court Coordinator</p> <p><u>Martha Hall</u></p> <p>Phone: (770) 716.4328 Fax: (770) 716.4859</p> <p>Fayette County State Court 1 Center Drive Fayetteville, GA 30214</p> <p><u>mhall@fayettecountyga.gov</u></p>	<p>Judicial Correction Services, Inc.</p> <p><u>Demian Combs</u></p> <p>Office: (770) 716-0434 Fax: (770) 716-0436</p> <p>195 Bradford Sq Fayetteville, GA 30215</p>
<p>Health Connect America: Turning Point, New Directions For Families, Inc. Counseling Services</p> <p><u>Genna Murphy, MS, NCC</u></p> <p>Phone: (770) 683-9375 Fax: (678) 868-2354</p> <p>100 Glendalough Court, Suite E Tyrone, GA 30290</p>	<p>Defense Attorney</p> <p><u>Michael Granims</u> (404) 590-1555 2011 Commerce Drive North, Suite 3405 Peachtree City, GA 30269</p> <p><u>Henry Adeleye</u> 770-716-4340 hadeleye@fayettecountyga.gov 1 Center Drive Fayetteville, GA 30214</p>
<p>Testing</p> <p><u>Choice Lab, Inc.</u> 770-716-1529</p> <p>500 W. Lanier Ave, #412 Fayetteville, GA 30215</p>	<p>Surveillance-</p> <p>Fayette County Sheriff's Deputy <u>Chris Stapleton</u>-678-898-2514 <u>Thomas Mindar</u>- 678-897-1194</p>

THE DUI Court Team:

Judge: Jason B. Thompson, Fayette County State Court Judge

Fayette County Solicitor General: Jamie Inagawa

Fayette County Assistant Solicitor General: Joseph Meyers

DUI Court Coordinator: Martha Hall

Defense Attorneys: Michael Gramins, Henry Adeleye

Probation Officer: Demian Combs

Testing: Michele Gable

Fayette County Sheriff's: Deputy Chris Stapleton, Thomas Mindar

Community Liaison: Teresa Hampton, Cindi Polo

Health Connect America: Turning Point, New Directions for Families, Inc.:

Genna Potrekus, MS, NCC

Notes:

Understanding and Agreement

I HAVE READ, UNDERSTAND AND AGREE TO ALL THE CONDITIONS SET FORTH
IN THIS MANUAL.

Name (Printed)

Signature

Date

DUI Court Team Member

Date