

HOW DIVERSION DRUG COURT WORKS

At the time of arrest, the Community Supervision and Corrections Department and the District or County Attorney's Office will work to identify offenders eligible to participate in the program.

Once identified as meeting the strict eligibility requirements, the Drug Court Coordinator or Case-Manager will meet with the offender in person to explain the program and to ascertain the offender's interest in the program. If the offender wishes to volunteer for Drug Court Diversion Program, the offender will be asked to report to the Drug Court office for a substance abuse screening and will be invited to observe Court hearing.

After the initial appearance in Court, the offender will participate in Program Orientation, be advised of legal options and instructed to report for drug testing, and for referrals to treatment services.

Once an active participate in the program, offenders maintain weekly contact with the program staff and are subject to random and frequent drug testing and must participate in regular therapy and counseling sessions.

Offenders must move successfully through all three/four Phases of the program to be eligible for graduation approximately after one year in the program. Upon graduation, felony or misdemeanor charges initiating the referral are dismissed. Failure to complete or unsuccessful dismissal from the program will result in formal prosecution of the original charge(s).

THE DIFFERENCE ABOUT DIVERSION DRUG COURT

Offenders are diverted from normal felony or misdemeanor case processing before/after the offenders is formally indicted with the underlying offenses. The charges are abated/dismissed once the offender satisfies all the requirements of the Diversion Drug Court Program, including bi-weekly Court appearances, substance abuse treatment therapy and abstinence from drugs.

Comprehensive substance abuse evaluations are completed before offenders are accepted into the program and treatment is then tailored to individual needs.

The Diversion Drug Court is a zero tolerance court where inappropriate choices bring immediate consequences in the form of sanctions, such as additional drug testing, community service, weekend custody and workforce obligations, periods in jail, and/or program termination.

ELIGIBILITY STANDARDS

Consideration for the Diversion Drug Court Program is limited to those offenders who:

1. Felony Offenses: Are charged with a State Jail or 3rd Degree Felony DWI and/or other felony offenses in which a "High Probability" of having a Substance Abuse Dependency Disorder is determined through assessment as a contributing factor to the offense.
Misdemeanor Offenses: 1st and 2nd DWI and/or other offenses, such as, possession of marijuana/controlled substance.
2. Have no holds from other jurisdictions, and are otherwise eligible for bond release, and available for treatment.
3. No evidence of drug selling/dealing with Low Probability of substance dependency disorder.
4. Have no history of a violent offense.
5. Have no other Felony charges pending.

TREATMENT PHASE SUMMARY:

PHASE ONE: Intensive Out-Patient (IOP)

Orientation, Stabilization, and Intensive Treatment Planning

No positive drug tests for 30 consecutive days;
No unexcused absences from scheduled services/office appointments/drug testing for 30 consecutive days;
Full-Time employment or working on educational goals;
Bi-Weekly Court appearances;
Two (2) treatment sessions per week (completion of 45 hours treatment); and two (2) 12-Step meeting weekly
Weekly office meetings with Drug Court Case-Manager;
Random Drug Testing
Curfew (10:00 p.m. – 5:00 a.m.).
Average completion period: 12- 16 weeks

PHASE TWO – Relapse Prevention Program (RP)

No positive drug tests for 90 consecutive days;
No unexcused absences from scheduled services/office appointments/drug testing for 90 consecutive days;
Full-Time employed or noted continual educational goals progress;
Demonstrated positive and pro-active attitude to treatment;
Bi-Weekly Court appearances;
14 weeks Relapse Prevention Program (grp./idv. sessions);
Three (3) Twelve (12) Step AA/NA/Support meetings per week;
Bi-Weekly office visits with Drug Court Case-Manager;
Random Drug Testing ;
Sponsor;
Curfew (10:00 p.m. – 5:00 a.m.).
Average completion period: 12-16 weeks

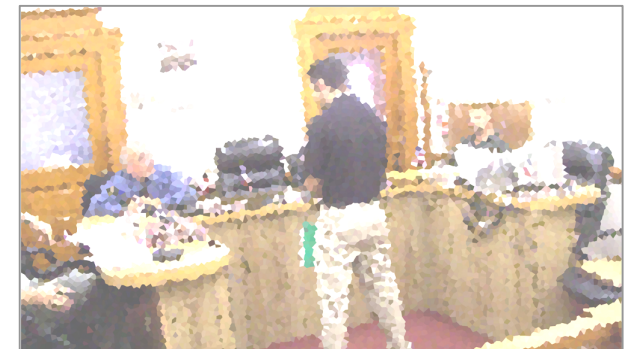
PHASE THREE – Transition Phase (Misdemeanor)

No positive drug tests for 120 consecutive days;
No unexcused absences from scheduled services/office appointments/drug testing for 120 days;
Random Drug Testing;
Employed or noted continual educational goals progress;
Bi-Weekly Aftercare Treatment Groups (total of six (6) sessions.
Bi-Weekly appointment with DACDP Case-Manager;
Three (3) 12-Step meetings per week;
No Curfew Lifted but can be reimposed
Average completion period: 12- 16 weeks

PHASE FOUR – Aftercare Phase (Felony)

No positive drug tests for 150 consecutive days;
Random Drug Testing;
Drug Court every two weeks
Employed and/or noted progress on educational goals;
Monthly appointment with DACDP Case-Manager;
Three (3) 12-Step meetings per week;

GRADUATION & DISMISSAL OF ALL CRIMINAL CHARGES (Misdemeanors 9 months) (Felony 12 months)





79th District Judge Richard C. Terrell

Brooks County Drug Court
P.O. Box 354, 217 E. Miller St.
Falfurrias, Texas 78355
(361) 325-1013

Jim Well County Drug Court
610 E. Second St.
Alice, Texas 78332
(361) 664-9199



Brooks County Judge Raul M. Ramirez



Diversion Court Team

Participating Agencies

- 79th District Courts Brooks/Jim Wells
- 79th District Attorney's Office
- Brooks County Court
- Brooks County Attorney's Office
- Jim Wells County Court
- Jim Wells County Attorney's Office
- 79th District Community Supervision & Corrections
Department
- Coastal Plains Community MHMR
- Alice Counseling Center
- Liberty Lodge Inc.



Luis R. Soliz, Jr., Justice of the Peace #1

BROOKS COUNTY & JIM WELLS COUNTY

