



TABLE OF CONTENTS

Introduction.....	1
Drug Diversion Court Program Description.....	1
Getting Started in Drug Court.....	1
Keys to Success: Advice from Peers & Graduates.....	2
Health & Safety	2
Drug Diversion Court Phases and Requirements	3
Minimum Requirements for the Phases	3
Phase 1: Show Up (pre-opt-in).....	3
Phase 2: Stop Using.....	4
Phase 3: Manage Recovery	4
Phase 4: Build Community	5
Phase 5: Work Your Program.....	5
Graduation Requirements.....	6
RANT.....	6
Fix-it Tickets	6
Therapeutic Interventions (TIs).....	7
Sober Support.....	7
Completing Sober Support Slips	8
Verifying Sober Support Slips	8
Healthy social activities (HSA).....	8
Empowerment Class.....	8
Empowerment Plan.....	8
Community Service Hours (CSH)	9
Restitution	9
Urinalysis (UA) Testing	10
Out-of-Range UA.....	10
Dilute/Fake/Adulterated/Substituted UA Tests	11
Request for Confirmation Tests.....	11
Other Drug and Alcohol Testing.....	11
Confidentiality.....	11
Incentives	11
Sanctions.....	12
Treatment Reports	12
Court Attendance and Bench Warrants	12
Rapid Response Calendar	13
To Be Determined (TBD) Hearings.....	13
Excluded Period	13
Drug Diversion Court Waiver and Agreement.....	13

Sober Birth Date.....	14
Inpatient Treatment.....	14
Inpatient & Long-Term Inpatient Credit.....	14
Hearings & Courtroom Behavior.....	15
Travel.....	15
Other Drug Court Rules.....	15
Prescription Medications.....	16
In Custody Services.....	16
Termination.....	16
Graduation.....	17
Drug Diversion Court Contacts.....	18

LANGUAGE & OTHER NEEDS

If you would like to receive communication in any language other than English, interpreters are available for all court hearings as well as meetings and phone calls with drug court case managers and staff.

If you have difficulty reading, visual impairment, or any other challenges, please let drug court staff know so we can problem-solve with you and try to remove potential barriers. We want you to be successful in drug court.

The latest version of the Handbook will be available for download at:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-drugcourt/drug-court/participants-families>

INTRODUCTION

Welcome to the King County Drug Diversion Court (DDC) Program.

DDC is different than other court experiences. Our goal is to support you in your recovery. We believe you can complete this program. You are able to try-out Drug Court (including full access to treatment and other resources) before making a decision about joining.

This handbook provides information about the Drug Court program and what is expected of you as a participant.

Please read this handbook carefully.

It is your responsibility to be familiar with its contents. Once you decide to formally join the program (“opt in”), you will be sanctioned if you do not abide by the rules and requirements contained in this handbook and the King County Drug Court Policy and Procedures manual and appendices.¹

The King County Drug Diversion Court Policy and Procedures Manual is available upon request in courtrooms in Seattle and Kent or at the King County Drug Diversion Court website:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-drugcourt/drug-court>

DRUG DIVERSION COURT PROGRAM DESCRIPTION

DDC is a voluntary program for individuals charged with felony property crimes and other eligible drug-related crimes in King County. DDC will strive to help you reclaim your future. DDC provides treatment, resources, accountability, and support to assist you in completing the program, getting your felonies dismissed, and accomplishing your goals.

DDC provides a daily structure and expectations that support recovery. If you join the program, you will earn rewards to recognize your achievements. When requirements are not met, you will be held accountable to program requirements through a range of court-ordered sanctions. We know recovery is a process. The court and case managers will provide supervision and monitoring to help you stay on track. As a participant, you will receive support and resources to help you succeed - outpatient treatment, inpatient treatment and/or medications for opioid use disorder as needed, housing, transportation, peer support, employment and educational support, and family counseling if needed.

DDC is comprised of 5 program phases with specific milestones that must be accomplished in each phase prior to advancing to the next phase. After opting-in, DDC takes at least 10 months to complete. If you successfully complete the requirements of DDC, you graduate from the program and your DDC charge(s) will be dismissed. Most participants who opt in to DDC successfully graduate. (If you still owe restitution at graduation, please see the Restitution section on page 8 for an explanation about the special status of your case.)

GETTING STARTED IN DRUG COURT

We strongly encourage you to consider giving Drug Court a try. You don't have to make a decision right away. You can enroll in treatment and have full access to resources during Phase 1 in order to make an informed decision about whether to formally join the DDC program (referred to as "opting-in").

¹ This handbook for King County Adult Diversion Drug Court is designed to structure, but not to eliminate, decision making for all those individuals who seek to join the program as well as those who participate in it. The court reserves the right, in each individual case, to make discretionary decisions consistent with the law and public policy.

Phase 1 is an opportunity for you and the court to decide whether DDC will be a good fit for you. If you do not opt into DDC, your case will be sent to regular criminal court (“mainstream”) instead. You should talk with your attorney before making a final decision about joining DDC.

If you want to be accepted into DDC you must, at a minimum, undergo a treatment assessment and a urinalysis (UA) drug and alcohol test, and attend other activities as directed during this try-out period. Even if you can’t stop using drugs and alcohol during Phase 1, it is important that you show up for court, UAs, and other treatment obligations, and that you are honest with the court.

When you enter DDC, you will be assessed to determine your individual needs. Treatment and program requirements will vary based upon those needs.

DDC contracts with geographically diverse, community-based treatment agencies - including culturally-specific agencies - that provide outpatient treatment, inpatient treatment, and medications for opioid use disorder (such as methadone and buprenorphine/suboxone).

DDC case managers will do their best, within available resources, to send you to the treatment program that best suits your needs. Under certain circumstances, with DDC approval, you may obtain treatment at a non-DDC agency if you find an alternative funding source.

KEYS TO SUCCESS: ADVICE FROM GRADUATES & PEERS

- Be honest and up front. It does not matter how bad things might appear to be, tell someone and they will find a way to help you. This is an important lesson I learned while I was in the program, and it led to me receiving the appropriate services I needed.
- Take advantage of the support that is offered don't be afraid to ask for help.
- Communicate, communicate, communicate! Have your case manager and counselor on speed dial.
- Set an alarm to call the UA line (even on Sundays just to get in the habit)
- Utilize the Drug Court planners- write down all your appointments (IOP, MRT, meetings, etc)- get a routine down
- Know the resources available to you and if you're not sure, ask! Chances are, Drug Court can help.
- Trust. In our addiction we have learned not to trust anyone. Everyone is here for you but this does not work unless you are able to trust. Trust the process, trust those of us that are here for you and trust that you are able to make healthy choices when given the right tools.

HEALTH & SAFETY

Narcan: Your safety is our highest priority. All DDC participants will be provided Narcan nasal spray for opioid overdose reversal. With fentanyl increasingly mixed into various drugs, using any type of drug may put you at risk for opioid overdose. Narcan saves lives. It is important that you let your family and friends know that you have Narcan and make sure they know how to use it should an emergency occur.

Illness: If you are experiencing any symptoms of illness, make sure to alert your DDC case manager immediately and follow their instructions. You may be instructed to seek medical attention or provide medical verification. Unless otherwise instructed, if you are ill, do not appear in person at the drug court office, courtroom, or at your treatment provider. If you are prescribed methadone, your treatment provider will have a procedure to safely provide your methadone dose in isolation during your illness as needed.

Drug Diversion Court Phases and Requirements

DDC divides a participant's progress into phases. These are not the same as treatment phases used by your treatment agency. You will be advanced to the next phase of DDC based on your compliance, attendance at your treatment sessions, sober support meetings, and healthy social activities, and your completion of other phase requirements. You are expected to remain in full compliance with your treatment agency conditions including taking additional urinalysis (UA) drug and alcohol tests as directed. DDC may require additional attendance at sober support meetings, additional UAs, or other additional requirements. The Judge will make the final determination as to your readiness to advance to the next phase of DDC.

For an explanation of the following terms located in the phase descriptions, please see the sections with the same titles:

- Risk and Needs Triage (RANT) Screening Tool (page 6)
- Fix-It Tickets (page 6)
- Therapeutic Interventions (TIs) (page 7)
- Sober Support (page 7)
- Healthy Social Activities (page 8)
- Empowerment Class (page 8)
- Empowerment Plan (page 8)
- Community Service Hours (page 9)
- Restitution (page 9)

Minimum Requirements for the Phases

Phase 1: Show Up (pre-opt-in)

Phase 1, or the pre-opt-in phase, is expected to last no more than 30 days.

Minimum Requirements to Opt-In:

- Attend Hearings.
- Attend weekly Thursday Check Ins.
- Attend Legal Question & Answer (Q&A) session.
- Contact your Attorney.
- Attend Orientation & Intake (O&I) and complete RANT screening.
- Attend Treatment Intake and take a Urinalysis (UA) drug and alcohol test.
- Read Participant Handbook.
- Apply for Medicaid / Washington Apple Healthcare if eligible.
- Attend Alcohol & Drug Information School (ADIS) *only if required*.

Other Requirements:

- Attend ongoing treatment sessions – group and individual counseling.
- Minimum of 2 random, observed UAs per week.
- Sober Support Meetings / Healthy Social Activity attendance –
 - High Needs participants: 3 Sober Support meetings per week.

- Low Needs participants: Develop plan with drug court case manager (DCCM) for 3 Healthy Social Activities per week beginning in Phase 2.

Phase 1 is a time for you, in consultation with your attorney, to consider your particular legal situation, and whether or not you should opt into drug court or take your case through the regular mainstream criminal legal system instead.

Phase 2: Stop Using

Phase 2 is a minimum of 60 days.

- Attend Hearings –
 - Submit Sober Support slips / Healthy Social Activity logs.
- Attend all Treatment Sessions.
- Minimum of 2 random, observed UAs per week.
- Sober Support Meetings / Healthy Social Activity attendance –
 - High Needs participants: 3 Sober Support meetings per week.
 - Low Needs participants: 3 Healthy Social Activities (approved by DCCM) per week.
- 60 consecutive days sanction-free (immediately prior to promotion to Phase 3).
- 30 consecutive days of abstinence (immediately prior to promotion to Phase 3).

Fix-It Tickets available (for missed appointments) = 2 per reporting period (the time between hearings).

No restitution owed for promotion to next phase.

No community service hours owed.

Phase 3: Manage Recovery

Phase 3 is a minimum of 60 days.

- Attend Hearings -
 - Submit Sober Support slips / Healthy Social Activity logs.
- Attend all Treatment Sessions.
- Minimum 2 random, observed UAs per week.
- Sober Support Meetings / Healthy Social Activity attendance -
 - High Needs participants: 1 Sober Support & 2 Healthy Social Activities (approved by DCCM) per week.
 - Low Needs participants: 3 Healthy Social Activities (approved by DCCM) per week.
- Attend Empowerment Class within 30 days after promotion to Phase 3.
- Meet with Resource Specialist to create Empowerment Plan with own goals. Present Empowerment Plan to the court. Must include plan for 20 hours per week of Productive Activity (such as employment, vocational training, school, parenting activities, or volunteering) to begin by the first day of Phase 5.
- Attend a Graduation Ceremony (in person).
- Complete 4 Community Service Hours.

- Pay 20% of Total Restitution Owed (unless you have been advised there are funds available in the Drug Court Restitution Fund to cover your payment).
- 60 consecutive days sanction free (immediately prior to promotion to Phase 4).
- 60 consecutive days of abstinence (immediately prior to promotion to Phase 4).

Fix-It Tickets available (for missed appointments) = 1 per reporting period (the time between hearings).

Phase 4: Build Community

Phase 4 is a minimum of 90 days.

- Attend Hearings -
 - Submit Sober Support slips / Healthy Social Activity logs.
- Attend all Treatment Sessions.
- Complete Moral Reconciliation Therapy (MRT) – as required.
- Minimum 2 random, observed UAs per week.
- Sober Support Meetings / Healthy Social Activity attendance -
 - High Needs participants: 1 Sober Support & 2 Healthy Social Activities (approved by DCCM) per week.
 - Low Needs participants: 3 Healthy Social Activities (approved by DCCM) per week.
- Complete 12 additional Community Service Hours.
- Pay 50% of Total Restitution Owed (unless you have been advised there are funds available in the Drug Court Restitution Fund to cover your payment).
- Must be ready to begin 20 hours per week of Productive Activity (such as employment, vocational training, school, parenting activities, or volunteering) on the first day of Phase 5.
- 90 consecutive days sanction-free (immediately prior to promotion to Phase 5).
- 90 consecutive days of abstinence (immediately prior to promotion to Phase 5).

Fix-It Tickets available (for missed appointments) = 1 during the entire Phase 4.

Phase 5: Work Your Program

Phase 5 is a minimum of 90 days.

- Attend Hearings -
 - Submit Sober Support slips / Healthy Social Activity logs.
- Attend all Treatment Sessions. Full-time employment MAY be able to replace groups and individual treatment sessions with DCCM recommendation and court approval.
- Minimum 2 random, observed UAs per week.
- 2 Healthy Social Activities (approved by DCCM) per week.
- Prove 20 hours per week engagement in Productive Activity (such as employment, vocational training, school, parenting activities, or volunteering) as identified within Empowerment Plan.
- Complete Grad 101 (contact your case manager) and the graduation packet. **Must be completed at least 30 days prior to scheduled graduation date.**

- Complete 8 additional Community Service Hours. **Must be completed at least 30 days prior to scheduled graduation date.**
- Pay 100% of Total Restitution Owed (If more than \$2000 is owed, must pay a minimum of \$2000 unless you have been advised there are funds available in the Drug Court Restitution Fund to cover your payment). **You must complete graduation requirements (including Grad 101 and all community service hours) by 30 days prior to your scheduled graduation to be eligible to access the Restitution Fund.**
- 90 days consecutive sanction-free (immediately prior to graduation).
- 90 days of consecutive abstinence (immediately prior to graduation). However, following a recurrence of use that was not pre-disclosed/self-reported, the presumption is that 6 months of abstinence will be required prior to graduation. When approved by the judge, after 90 days of abstinence, participants may petition the court to graduate with 90 days of abstinence.
- Attend own graduation ceremony (in person).

No Fix-It Tickets available.

Graduation Requirements

- Generally, you must be abstinent from drugs and alcohol for a minimum of 6 months immediately prior to graduation.
- Prove 20 hours per week of engagement in Productive Activity (such as employment, vocational training, school, parenting activities, or volunteering) as identified within Empowerment Plan.
- Pay restitution in full unless over \$2000 and the deferred misdemeanor option is being utilized. See Restitution section on page 9 for more information.
- Complete 24 hours of community service. **Hours must be completed by 30 days prior to your scheduled graduation date.**
- Attend a graduation ceremony (in person).
- Complete Grad 101 and graduation packet. You will receive a graduation packet when you promote to Phase 4. As soon as you receive the packet, contact your case manager to complete Grad 101. **Grad 101 and the graduation packet must be completed by 30 days prior to your scheduled graduation date.**

RANT

The Risk and Needs Triage (RANT) is an evidence-based 19-question screening tool designed to match you with the most effective level of supervision and clinical services. You will be assessed for risk (the likelihood that more intensive supervision and treatment services are needed) and need (the level of substance use, mental health and other daily needs). Participants are screened into one of four quadrants: 1) high risk / high needs 2) high risk / low needs 3) low risk / high needs 4) low risk / low needs. Drug court program requirements may differ depending on your risk / needs quadrant. RANT screenings are completed at the start of the program and may be revisited as more information becomes available.

FIX-IT TICKETS

A Fix-It Ticket lets you avoid a sanction in two situations: 1) arriving late to an appointment or 2) missing an appointment due to a last minute, unplanned situation. Fix-It Tickets can NOT be used for missed UAs or behavior issues.

If you are running late and you are afraid you might miss your appointment, call your treatment counselor and/or drug court case manager ahead. If you arrive late, wait calmly to talk with your counselor.

If you miss an appointment due to circumstances beyond your control, call your drug court case manager and **your** treatment counselor (and leave a voicemail if they are unavailable) to report that you missed an appointment. Make the call no later than midnight on the date of the missed appointment. Your drug court case manager will give you a time sensitive assignment that you can complete to “fix” the missed appointment and get back into compliance. It is your responsibility to follow-up with your drug court case manager to get a fix-it ticket assignment as soon as possible.

The number of available Fix-It Tickets varies by phase as follows:

- Phase 1 = none.
- Phase 2 = 2 per reporting period (the time between hearings).
- Phase 3 = 1 per reporting period (the time between hearings).
- Phase 4 = 1 during the entire Phase 4.
- Phase 5 = none.

Failure to complete the assignments associated with a Fix-It Ticket will result in a sanction.

Note that you will typically be able to reschedule treatment appointments for good cause (such as a conflicting social security or medical appointment) without having to use a Fix-It Ticket if you call significantly in advance and provide proper documentation.

Fix-It Tickets are intended to cover appointments missed for reasons that could not be anticipated. They are not intended to be used for intentionally sleeping in or choosing to skip appointments. Fix-It Tickets are up to the discretion of the court and are subject to suspension if they are used repetitively or inappropriately.

Therapeutic Interventions (TIs)

Honesty is essential to your recovery and to your success in DDC. TIs are intended to encourage and reward upfront honesty that supports sobriety.

You can utilize TIs to avoid a sanction for substance use by pre-disclosing use. Pre-disclosing use means notifying staff of the substance use in one of the following ways: 1) in writing on the UA form or 2) in person or via phone to your treatment counselor, drug court case manager or attorney (as long as the attorney immediately relays info to the team) The disclosure must occur by midnight on the day of the scheduled UA. If you are unable to reach your counselor, drug court case manager or attorney, you can leave a voicemail by midnight on the day of the scheduled UA to qualify for a TI. A sanction is avoided but the abstinence clock still restarts when use is pre-disclosed. TIs will be available on every phase, subject to suspension with ongoing use.

Sober Support

The majority of DDC participants are required to attend sober support (SS) meetings in Phases 1 through 4 of DDC, with the required number of meetings varying by phase. There are a wide range of sober support meetings available in the community and drug court staff can help you find meetings that are a good fit for you.

If you attend court in Seattle, the sober support week will be counted Monday to Sunday. If you attend court in Kent, the sober support week will be counted Friday to Friday. You will receive credit for a maximum of one sober support meeting per day regardless of the number of sober support meetings attended that day.

Completing Sober Support Slips

Blank sober support slips are provided by DDC. The information on your signed slip must be accurate and complete. The secretary's name and phone number are required - meeting hall numbers are not acceptable. If a secretary will not give you a phone number, that meeting cannot count towards your DDC requirement. Phone numbers are used to prove your attendance at a meeting.

You are encouraged to photograph your slips as a back-up. In rare instances, the court may agree to accept a photographic image in place of a lost slip.

If you are behind in SS meetings or you lose a slip, do not attempt to recreate or falsify your slip – instead, contact your drug court case manager to discuss. A forged SS slip is an act of dishonesty and will result in a high magnitude sanction, which may include termination from the program.

Verifying Sober Support Slips

It is your responsibility to get your sober support slips verified prior to your hearing. To verify SS, provide your SS slips to your case manager by 12pm on the day prior to your court hearing. You must provide your case manager with SS slips that cover the time period from the week of your last hearing through until today. Failure to provide verification may result in a sanction.

Virtual Sober Support Meetings

Drug Court will allow virtual sober support attendance if it can be verified. If you are planning to attend virtual sober support, please ensure it can be verified and check in with your drug court case manager about your plan for verification. You will not receive credit if verification is not available.

HEALTHY SOCIAL ACTIVITIES (HSA)

Healthy Social Activities are activities that are positive, prosocial, and meaningful to you. This could be art classes, exercise, yoga, spiritual, cultural or religious activities, recovery support, book clubs, etc. Your choice of HSA must always be pre-approved by your drug court case manager.

If you were assessed as “High Needs” on the RANT: Beginning in Phase 3, you will have the option to substitute 2 HSA for 2 of the 3 required sober support meetings per week. You must still attend a minimum of 1 sober support meeting per week during Phase 3 and Phase 4. On Phase 5, you will only be required to do 2 HSA per week and will not be required to attend sober support meetings.

If you were assessed as “Low Needs” on the RANT: You will be required to do 3 HSA per week during Phase 2, 3 & 4. You will be required to do 2 HSA per week during Phase 5.

You are required to submit HSA Logs to your case manager by 12pm on the day prior to your hearing.

EMPOWERMENT CLASS

In Phase 3, within 30 days after promotion to the phase, you will attend an Empowerment Class.

EMPOWERMENT PLAN

After attending the Empowerment Class, you will develop an Empowerment Plan with the Drug Court Resource Specialist as soon as possible. The Empowerment Plan will focus on vocational and healthy social activities and other life and recovery goals, specifically: Recovery, Community/Family Supports, Employment/Benefits, Housing, Education/Training, Health and Wellbeing. Your Empowerment Plan

goals will help to set you up for long-term success after your drug court graduation. You will bring your Empowerment Plan to each hearing and discuss with the Judge, who will encourage your progress and next steps.

The Empowerment Plan must also include a plan for 20 hours per week of Productive Activity (such as employment, vocational training, school, parenting activities, or volunteering) to begin by the first day of Phase 5.

COMMUNITY SERVICE HOURS (CSH)

Before graduating from the program, you are required to perform 24 hours of community service at a non-profit organization. You must provide proof of completion on letterhead stationery from the organization where you completed the hours. The letter should specify the number of hours and the date(s) completed.

The hours may be completed in advance during your DDC participation and can be “banked” for phase promotion and graduation. Completed hours are due 30 days before your scheduled graduation date.

Community Service Hours completed for a required DDC sanction or as your chosen Healthy Social Activity cannot be double counted as hours towards your phase promotion and graduation requirements.

The hours must be completed as follows:

Community Service Hours	# Hours To Be Completed	Total Hours Completed
In order to move to Phase 4	4	4
In order to move to Phase 5	12	16
In order to graduate – due 30 days prior to graduation	8	24

RESTITUTION

If you owe \$2,000 or less in restitution at the time of opt-in on your drug court case(s), you must pay as follows:

To promote from Phase 3 to Phase 4	Payment of 20% of the total restitution owed
To promote from Phase 4 to Phase 5	Payment of 50% of the total restitution owed
To graduate from Drug Diversion Court	Payment of 100% of the total restitution owed

If you owe more than \$2,000 in restitution at the time of opt-in, you are required you to pay a minimum of \$2,000 according to the schedule above prior to graduating. If you are unable to pay the remaining balance, prior to graduation you have an option to plead guilty to a gross misdemeanor with an agreed two-year deferred sentence where the only condition is to pay the outstanding balance of the restitution order and have no contact with the victim if applicable.

Beginning in 2023, you may be eligible to access to a Drug Court Restitution Fund to pay up to \$7500 of your restitution as long as funds are available. **Graduation requirements (including Grad 101 and completion of community service hours) must be turned in 30 days prior to scheduled graduation date in order to access the Restitution Fund.** If Drug Court Restitution Funds are not available, participants will still be responsible for paying restitution as outlined above. See your attorney or case manager for more information about the Restitution Fund.

URINALYSIS (UA) TESTING

The observed collection and scientific testing of your urine for drugs, alcohol, and other mood-altering substances is an important part of DDC. DDC uses the results of these tests to determine whether or not you are using drugs, alcohol, or other mood-altering substances which are prohibited while in DDC.

Positive UAs are taken seriously by the court. If you continue to have positive UAs, DDC will explore ways to provide you more support around stopping use, including options for a higher level of care such as residential treatment or medications for opioid use disorder. Positive UAs may result in you receiving a sanction or being terminated from the program, especially when use is not honestly disclosed. Your “abstinence clock” (the consecutive days of abstinence required to promote to the next phase) will restart when you have a positive UA. However, in some instances, you may avoid a sanction for a positive UA by quickly disclosing use - see the section on “Therapeutic Interventions (TIs)” for more information.

After providing a urine sample, it is important that you tighten the lid on the collection cup properly so that it does not spill during transit. Any specimen that is unable to be tested due to leaking in transit will be considered an abnormal UA result and an act of dishonesty.

You are responsible to make sure you are tested as often as is required by your phase in DDC and by your treatment agency. Even if you have already completed the weekly minimum number of UAs required on your phase, you must continue to call the UA line every day as you may be required to take additional UAs.

You may also be directed to provide a UA at any time by a drug court case manager.

A missed UA will result in a sanction and will typically lengthen your time in the program. You should contact your drug court case manager immediately after missing a UA and ask to be scheduled for a UA the next morning. The UA the next morning will not excuse/replace the missed UA.

You must be very careful not to ingest or absorb any substance that can produce a positive UA such as:

- Close contact with individuals who are using that could cause secondhand exposure;
- Consuming or sharing beverages or vape pens with unknown contents;
- Alcohol or any food or products containing alcohol;
- Kratom, marijuana or other cannabis products;
- Poppy seeds in any form (no poppy seed cake, bread, muffins, salad dressing, mustard, etc.);
- Any mood-altering substances;
- Any prescription medication without medical verification;
- Any over-the-counter medications, such as Nyquil or Sudafed, without prior approval from your drug court case manager; or
- “Natural” or “herbal” remedies or supplements or substances such as those commonly sold in health food stores or smoke shops.

If you receive a positive UA result because you ingested or absorbed a substance producing a positive UA without prior approval, you will receive a sanction and/or may be terminated from the program.

Out-of-Range UA

Drug Court UAs measure your fluid intake (how much liquid you drink) as well as the presence of drugs/alcohol in your urine. Excessive fluid intake prior to a UA could lead to an out-of-range (OOR) urine sample, which interferes with the validity of the test. DDC generally recommends that you limit your fluid

intake for two hours prior to a UA. Your first OOR UA will result in a formal OOR warning; any additional OOR UA(s) will be treated as a positive UA and will result in a sanction.

Dilute/Fake/Adulterated/Substituted UA Tests

A dilute UA is one that meets a federal standard for dilution which is understood to be purposeful overhydration. An adulterated UA is one where a foreign substance is added to the urine sample. A dilute or adulterated UA is viewed as an attempt to avoid the Court's detection of substance use and as an act of dishonesty. After opt-in, acts of dishonesty, including dilute or adulterated UAs, will result in a high magnitude sanction that may include up to 6 days jail and/or termination from the program.

Request for Confirmation Tests

DDC UAs are generally screening tests which, on rare occasions, may result in false positive results. If you have received a positive UA result which you believe is in error, you may ask the court to re-test your urine using a more sensitive "confirmation test" that will be able to determine an accurate result. However, if you ask for a re-test and the original positive result is confirmed, it is considered an act of dishonesty and a higher magnitude sanction will be imposed.

OTHER DRUG AND ALCOHOL TESTING

In addition to urinalysis testing, DDC will sometimes require other drug and alcohol testing including oral fluid tests, breathalyzer tests, and alcohol monitoring bracelets.

CONFIDENTIALITY

As a condition of your participation in drug court, you will be required to sign a release of information (ROI) which gives your treatment provider and Drug Diversion Court Services (DDCS) permission to exchange relevant information regarding your progress in treatment and in the program. The release authorizes DDCS to re-disclose and share relevant information with your attorney, the DDC judge, prosecuting attorney, law enforcement, probation, other members of the DDC team and other service providers as appropriate. This information shall be used only to monitor compliance and coordinate services related to your DDC case and for no other purpose.

DDC staff will make every effort to protect your identity by not using your name in research or evaluation activities without your permission.

DDCS staff are legally mandated to report suspected instances of abuse or neglect of a child or vulnerable adult.

INCENTIVES

You will be rewarded and encouraged by the Court through incentives when you are an "Express" in Court (in full compliance with DDC requirements).

Incentives include:

- verbal praise;
- a chance to spin the wheel in the courtroom and receive tangible rewards, such as gift cards or credit towards drug court requirements.
- promotion to the next DDC phase;
- placement in a special "express" group whose cases are heard earlier on the calendar; and

- dismissal of your felony case(s) at graduation.

You will also be eligible to receive incentives directly from your treatment agency and your drug court case manager for completing phase requirements on time. Please see your case manager for a list of current incentives.

SANCTIONS

If you fail to follow DDC requirements or if you behave in a manner contrary to the rules of DDC, you will receive a consequence or assignment from the court called a “sanction”. Sanction responses are individualized within certain parameters and are intended to be therapeutic, holding you accountable to DDC expectations in order to support you in changing behavior, stopping use and ultimately, not returning to the criminal legal system.

Sanctions include, but are not limited to:

- in-court “jury box observation”;
- community service hours;
- Electronic Home Monitoring or other alternatives to incarceration;
- other: homework assignment, attendance at a court-sponsored class, essay writing, increased attendance at sober support meetings; and
- jail.

Your response to a situation helps determine if the sanction will be a high or low magnitude sanction. Honesty, communication and accepting responsibility for your behavior are taken into account when assigning sanctions.

If you unintentionally miss treatment or arrive late, a sanction can often be avoided through quick communication with your case manager and completion of a fix-it ticket assignment. See the section on “Fix-It Tickets” for more information.

In some instances, sanctions can also be avoided for substance use if you quickly disclose – see the section on “Therapeutic Interventions (TIs)” for more information.

All sanctions will result in a reset of the phase compliance clock (the minimum consecutive days sanction-free that you must have in order to advance to the next program phase).

You must submit any sanction assignments to your case manager by 12pm on the day prior to your court hearing unless otherwise directed. If you fail to complete a sanction on time, you will receive an additional sanction.

In addition to receiving a sanction, you may also be terminated from DDC if you behave in a manner contrary to the rules and regulations of DDC.

TREATMENT REPORTS

Your attendance at treatment sessions, sober support groups, the results of your UAs, and your level of participation in treatment are monitored by the court. Prior to each hearing, your treatment counselor provides a written report to the court on your compliance in all areas.

COURT ATTENDANCE AND BENCH WARRANTS

While in Phases 1 and 2, you will be expected to report to court at least every two weeks (in person). When you advance to Phases 3, 4 and 5, you will typically be expected to report to court every two to four weeks and may have an opportunity to appear virtually if you are in compliance. The court may require

more or less frequent court appearances. At each hearing, you will be notified in writing of your next court hearing. This is the only notice you will receive. **If you lose your hearing notice, call Drug Diversion Court Services at 206-477-0788 to determine your next hearing date.**

If you have a scheduling conflict with a court hearing or are ill, you must call your attorney and/or case manager before the day of the hearing and ask permission to reschedule the hearing or appear virtually. **A bench warrant may be issued if you do not appear for court.** Calls made the day of the hearing will not excuse your absence, unless you have a verifiable emergency or medical condition.

If the court orders a bench warrant be issued in your case, it is your responsibility to address it.

If you are on warrant status, it is important to contact your attorney.

If you and your attorney wish to ask the Court to address a bench warrant, you and your attorney must request a bench warrant quash hearing and will be expected to appear in-person at the hearing. The Court may or may not quash the warrant depending on the circumstances, but it is always more likely the warrant will be quashed if you appear voluntarily instead of waiting to be arrested on the warrant.

If you are arrested on the warrant, you will remain in custody until the next “in-custody” calendar. You are less likely to spend time in jail if you voluntarily appear in court to address your warrant.

If you leave inpatient treatment against program advice, contact your attorney and case manager immediately. If you leave inpatient treatment and do not report to drug court (in person), a warrant for your arrest may be issued.

RAPID RESPONSE CALENDAR

It is important to address compliance issues as soon as they arise. Your case manager, treatment counselor, or you yourself, may request to have your hearing accelerated to discuss your compliance with the Court. If you are notified of an accelerated hearing date, you must appear for the hearing. A failure to appear for an accelerated hearing may result in the Court issuing a warrant for your arrest.

TO BE DETERMINED (TBD) HEARINGS

After you opt into drug court, your hearings will generally have a result of “express” (full compliance) or “sanction” (a consequence or assignment given by the court to address non-compliance). Occasionally the court will agree to a “to be determined” (TBD) finding at your hearing and will allow the result to be decided at the next hearing instead. For example, you may receive a TBD if you forget to bring your sober support slips to court or if circumstances beyond your control have prevented you from completing a sanction, TI or Fix-It Ticket by the hearing date. When a TBD finding occurs, you are expected to complete the assignment by the next hearing **and be in full compliance** in order to avoid a higher magnitude sanction. The court will not typically allow more than one TBD hearing in a row.

EXCLUDED PERIOD

If you experience temporary medical or other issues (including travel) that impact your ability to attend treatment sessions, take UAs, or meet other drug court requirements, the court may place you on a temporary “excluded period”. Time during the excluded period will not count towards the consecutive days of compliance needed to promote to the next phase or complete the DDC program.

DRUG DIVERSION COURT WAIVER AND AGREEMENT

If you request to move to Phase 2 (opt into the program) and the Court grants your request, you do not plead guilty. However, you will be required to sign the DDC Waiver and Agreement. By signing the Waiver

and Agreement, you give up certain rights, including the right to resolve your case mainstream, as well as the right to have a trial or present evidence regarding your guilt or innocence on the underlying charge. Failure to abide by all of the terms in the DDC Waiver and Agreement and in this handbook may result in termination from the program. By opting in and signing the Waiver and Agreement, you agree that your case will be resolved in DDC and you cannot take your case mainstream.

SOBER BIRTH DATE

You are expected to keep track of your drug court sober birthdate because it is an important part of your DDC program and recovery. For DDC purposes, your sober birth date is the day following the last time you used or unintentionally ingested alcohol or any unauthorized drugs. Each time you come to court, you must report your sober birth date. When you attend court in person, you do this by filling out an information update form in the courtroom and giving the completed form to your attorney who will provide the form to the judge. When you attend court virtually, you will be asked about your sober birth date by the judge. Reporting a false sober birth date may result in a high magnitude sanction, including jail.

INPATIENT TREATMENT

When therapeutically appropriate, DDC participants may be required to attend inpatient treatment (also known as residential treatment). If you enter inpatient treatment ordered by DDC, you must complete the treatment as directed by the treatment center. If you leave treatment against the advice of the treatment center, contact your attorney and case manager immediately. If you leave inpatient treatment and do not report to drug court (in person), a warrant could be issued. If you leave inpatient treatment against program advice, you will typically be sanctioned to a minimum of six (6) days in jail and/or terminated from the DDC program.

INPATIENT & LONG-TERM INPATIENT CREDIT

Inpatient Credit

If you successfully complete an inpatient treatment program (28 to 90 days in length, you may be eligible for day-to-day credit upon successful transition back into the community (as defined by the court).

In order to qualify, you must at a minimum:

- Successfully complete the inpatient treatment program.
- Resume or begin outpatient substance use disorder treatment in the community upon completion of the inpatient program.
- Provide a negative UA.
- Attend sober support meetings and/or healthy social activities.
- Comply with other court-ordered conditions.

Long-Term Inpatient Credit (aka “Accelerated Model”)

If you successfully complete a long-term inpatient treatment program (typically six months), you may be eligible for an accelerated drug court model upon successful transition back into the community (as defined below).

In order to qualify for the accelerated model, you must at a minimum:

- Successfully complete the long-term inpatient treatment program;
- Resume or begin outpatient substance use disorder treatment or other recommended treatment upon completion of the long-term inpatient program.
- Provide a negative UA.
- Attend sober support meetings and/or healthy social activities.

- Comply with other court-ordered conditions.

To maintain your accelerated model status, you must:

- Maintain 100% compliance for a period of **four consecutive months**. The accelerated drug court model is as follows:
 - Upon successful completion of long-term inpatient (and if outpatient attendance conditions are met), you will begin at Phase 4.
 - Phase 4 is 60 consecutive days of full compliance.
 - Phase 5 is 60 consecutive days of full compliance.
 - Graduation occurs on the next available graduation day after 60 days on Phase 5.
 - Full participation and compliance is expected through to graduation.

A sanction at any point eliminates the accelerated model as an option and you will return to the traditional drug court model. If you are moved from the accelerated model to the traditional model, you will be placed at the beginning of whichever phase you are currently on.

Regardless of the phase you were on when you entered long-term inpatient, you must still complete a minimum of four consecutive, sanction-free months after long-term inpatient prior to being eligible to graduate.

HEARINGS & COURTROOM BEHAVIOR

Your hearings will be scheduled on a morning or afternoon calendar, depending on your treatment schedule. If your court hearing is scheduled at the same time as your treatment session, please notify your attorney or drug court case manager in advance so your hearing can be rescheduled.

On the day of your hearing, you are required to be physically present in the courtroom (or for a virtual hearing, signed in online) at the beginning of the calendar. You will be expected to remain in the courtroom or on the video call and maintain appropriate behavior at all times (including no smoking, vaping or driving) until your hearing is complete.

TRAVEL

You cannot leave the state without first obtaining permission from the court. Contact your attorney or case manager to request out-of-state travel permission from the court.

For travel within Washington, you will only need permission from the court to travel if the travel might cause you to miss treatment or court requirements (including possible Saturday UAs).

If you reside in drug court housing, you must receive approval from your housing provider for any overnights away (even if already approved by the court) in order to avoid placing your housing at risk.

OTHER DRUG COURT RULES

- Possession of firearms is prohibited.
- You cannot reside where a firearm is present.
- No threatening, harassing, assaultive, disrespectful, or disruptive behavior of any kind in DDC, at treatment, or in the community at large.
- You must not knowingly associate with any person possessing or using illegal or non-prescribed drugs.

PREScription MEDICATIONS

As a general rule, you are expected to be drug and alcohol free, including the use of mood-altering prescription medications. However, DDC fully supports medications for opioid use disorder such as methadone, buprenorphine (suboxone) or naltrexone (Vivitrol) that are prescribed by a doctor and used as prescribed as a part of your drug court treatment plan.

DDC participants with chronic pain or other conditions requiring repeated use of other prescription medication which is opioid, amphetamine, benzodiazepine or marijuana/cannabis based may not be able to participate in the DDC program.

If you opt into DDC and then experience an episode of acute pain or other condition requiring a prescription medication, you must have the Drug Court prescription form completed by your medical provider. The medical provider will be asked to indicate on the form that he or she is aware that you are in DDC and that you are expected to remain drug-free except in extreme instances.

You will also be required to complete a release of information (ROI) allowing your drug court case manager to talk to your medical provider. A new prescription form and a new ROI will be required each time you obtain a new prescription or have a prescription filled by a new medical provider.

Prescription forms are available through the court, drug court staff, or the drug court website. Completed forms should be provided to your treatment provider at your next appointment and shown to the court at your next hearing.

The Court has the discretion to rule that a participant's legally prescribed medication is inconsistent with the court's ability to monitor program compliance.

Use of prescription drugs, other than psychotropics and antibiotics, may impact your abstinence clock and your progress in DDC.

IN CUSTODY SERVICES

In some instances, DDC may require participants to complete an in-custody level of care assessment or participate in treatment (groups or individual counseling sessions) in custody.

Drug use is unacceptable in custody and UAs may be performed.

Disruptive behavior or failure to follow rules (including drug use) may result in permanent or temporary removal from in custody treatment services.

All missed treatment due to behavior issues or substance use must be made up (if you are permitted to remain in the program).

The DDC Team will work together with jail health services, treatment providers, and housing providers to plan for an appropriate discharge.

Temporary releases from custody will not be authorized unless there is a verified emergency.

TERMINATION

There may be instances when your continuation in the DDC program is unproductive for you, the program, or both. In making the decision regarding whether to terminate you from DDC, the court will consider your past efforts regarding compliance and progress in the program.

Examples of violations, which may result in termination:

- Dishonesty to the court.
- Missing UAs or treatment sessions.

- Failure to abide by the terms of the DDC agreement or rules in the handbook.
- Threatening, harassing or assaultive behavior of any nature at treatment or in the community at large.
- Charged with a new offense of any kind.
- Inability to regularly participate in required treatment, including UA testing, treatment sessions, sober support meetings, healthy social activities and/or review hearings with the court.

Termination from DDC may be voluntary or involuntary. A voluntary termination occurs when you decide to terminate from the program. You may do this at any time once you have opted in to Drug Court. If you choose to terminate, you do not have the option of sending your case back mainstream. Instead, the Judge will read the police report to make sure that there is a factual basis to find you guilty of the case(s) you opted in on, and then the Judge would sentence you.

An involuntary termination occurs when the State moves to terminate you for failing to comply with the program's rules. You have the right to contest this termination at a hearing with your attorney. At a termination hearing, you do not have the right to argue the facts of your underlying case, only the allegations of non-compliance. If you win a contested hearing, then you can remain in the program, though the Judge or prosecutor may ask for termination again in the future. If you lose, then the result is the same as a voluntary termination: the Judge reviews the police report to make sure there is a factual basis to find you guilty and sentences you.

GRADUATION

When you have successfully completed the DDC Program, you will graduate, and the case(s) you brought into DDC will be dismissed. The DDC Judge will determine the time frame for your graduation, consistent with written policies and procedures.

Your family, friends, counselors, and supporters, are invited to attend your graduation ceremony to honor your successful completion of the DDC Program, achievement of a healthy lifestyle, and dismissal of your DDC felony case(s).

Successfully graduating from DDC does not make your case(s) disappear from public view. A dismissed case will still show up on most background checks that are used by employers and landlords. If the dismissal shows up on a background check, you may be asked about the case and your successful graduation of drug court by a potential employer or landlord.

DRUG DIVERSION COURT CONTACTS

Drug Diversion Court Services

516 Third Avenue, Room E-917
Seattle, WA 98104

Phone: (206) 477-0788

Fax: (206) 296-7885

Hours of Operation: Mon to Fri

8:30am-11:30am & 1:30pm-4:30pm

Seattle Courtroom

King County Courthouse

516 Third Avenue. Room E-912

Seattle, WA 98104

Kent Courtroom

Maleng Regional Justice Center

401 Fourth Avenue N.

Kent, WA 98032-4429

Department of Public Defense

DPD Financial Screening Line: (206) 477-9727 DPDScreening@kingcounty.gov

Drug Court Public Defense: SCRAP Division (Society of Counsel Representing Accused Persons)

- Seattle: 710 2nd Ave. Suite 1050. Seattle, WA 98104. 206-477-9300
- Kent: 420 West Harrison. Suite 101. Kent, WA 98032. 206-477-9200.

Drug Court Prosecuting Attorney

516 3rd Avenue, Room W554

Seattle, WA 98104

(206) 296-9000

PEER Kent

216 West Gowe St. Suite 300.

Kent, WA 98032

253-277-4942

Open daily.

www.peerkent.org

Contracted Treatment Providers

Asian Counseling and Referral Service

3639 Martin Luther King Jr. Way. Seattle, WA 98144

(206) 695-7600

Consejo Counseling and Referral Service

723 SW 10th St. Renton, WA 98057

(206) 461-4880

Cowlitz Tribal Treatment

15455 65th Ave S. Tukwila, WA 98188

(206) 466-5122

Therapeutic Health Services (THS)

THS - Eastside Branch

Rockwood Office Park
1412 140th Place NE. Bellevue, WA 98007
(425) 747-7892

THS - Kent Branch

24823 Pacific Hwy. S., Suite 103. Kent, WA 98032
(253) 681-0010

THS - Summit / Seneca Branch (Seattle)

1116 Summit Avenue. Seattle, WA 98101
(206) 323-0930

THS - Shoreline Branch

16715 Aurora Ave N Suite 102. Shoreline, WA 98133
(206) 546-9766

Help Lines

King County Crisis Line (24-Hour)

For individuals, families, and friends of people in emotional crisis.
(866) 427-4747 or 1-866-4CRISIS
www.crisisconnections.org

Washington Recovery Helpline (24-Hour)

Help for substance use, problem gambling and mental health.
1-866-789-1511
www.warecoveryhelpline.org

King County 211

Housing/Shelter & Other Resources
Dial 211 or 1-800-621-4636
<https://wa211.org/>

Other

Department of Social & Health Services (DSHS)

(800) 737-0617
www.dshs.wa.gov

King County Public Health (CHAP)

1-800-756-5437
Health insurance (including Medicaid) enrollment, ORCA LIFT (discount transportation), food and utility assistance, and other resources.

This material is provided in alternative formats and languages upon request by calling 206-477-0788.