



CRAIGHEAD COUNTY STAR COURT POLICIES AND PROCEDURES MANUAL

SEPTEMBER 2023

FOREWORD

The purpose of this document is to provide a general standards and practices for the DWI court located in Craighead County, Arkansas. Although this document is written primarily for the benefit of STAR Court team members, it will be beneficial to anyone who is interested in the operation of the program. This manual addresses elements essential to STAR Court's operation but is not an exhaustive reference. It will be considered fluid and will undergo review and modification periodically.

This manual is designed to:

- Concisely inform the reader concerning the establishment of STAR Court.
- Establish and clarify roles, duties, and procedures for STAR Court team members.
- Assist STAR Court team members' communication with one another, with participants, and with members of the community.
- Outline the steps through which STAR Court participants must proceed to complete the program.

PROGRAM HISTORY

The Craighead County STAR Court began in 2010 to address a need to provide an alternative to incarceration for persons with a substance use disorder who have received a second or third DWI with the goal of reducing recidivism in these high risk individuals. The founders of the program had seen the success of drug courts in Arkansas and sought to provide that same opportunity to this DWI population.

Craighead County is a primarily rural community with a population of 112,218 and the largest municipality being Jonesboro with a population of 81,969. Although Craighead County has been voted "dry" by the citizens, meaning alcohol cannot be sold inside the county unless it is in a private club, liquor sales in those private clubs is prevalent. Craighead County averaged 267 arrests per year from 2019-2023 and Arkansas rates among the top 10 states for driving while intoxicated.

MISSION STATEMENT

The purpose of Craighead County STAR Court is to identify, develop, and implement alternatives to incarceration for offenders with alcohol- and drug-related driving offenses in order to reduce episodes of impaired driving. STAR Court concentrates not only on the offense, but attempts to ascertain and address the root causes of the offender's behavior through the integration of intensive supervision, substance abuse treatment, mental health services, alcohol and drug testing, and case management services with criminal justice processing. STAR Court seeks to create a higher level of safety in the community and to reduce the rate at which offenders repeat criminal behavioral patterns and who would otherwise pose a danger to the community.

STAR Court will identify eligible offenders, offer them assistance, assess their needs, manage their care, and help them solve their problems. This will be accomplished through appropriately matched evidence-based treatment, along with educational, vocational, medical, mental health, and other appropriate services to help establish and support long-term, pro-social behaviors. STAR Court seeks to meet the need for community safety by partnering the participant's need for treatment with their need for supervision and accountability. STAR Court will accomplish this mission by following the National Center for DWI Courts Ten Guiding Principles and by ensuring that the Ten Key Components of DWI Courts remain in place.

THE TEN KEY COMPONENTS OF DWI COURTS

KEY COMPONENT #1: *DWI courts integrate alcohol and other drug treatment services with justice system case processing.*

Craighead County STAR Court promotes sobriety, recovery, and stability through a coordinated response to participants' dependency on alcohol (and drugs, if applicable) and management of ancillary, co-occurring issues. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in treatment courts.

KEY COMPONENT #2: *Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.*

To facilitate the participant's progress, the prosecutor and public defender shed their traditional adversarial courtroom relationship to work together as a team. Once a participant is accepted into STAR Court, the team's focus is the participant's recovery and law-abiding behavior—not the merits of the underlying case.

KEY COMPONENT #3: *Eligible participants are identified early and promptly placed in the DWI court program.*

Early identification of participants is a vital part of the intervention and treatment process. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior, making denial by the participant of the need for treatment more difficult.

KEY COMPONENT #4: *DWI courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.*

While primarily concerned with criminal activity and substance use, the STAR Court team also considers other ancillary issues, such as mental health, medical problems and health care, homelessness, basic educational deficits, unemployment and poor job preparation, spousal and family problems (especially domestic violence), and the ongoing effects of trauma.

KEY COMPONENT #5: *Abstinence is monitored by frequent alcohol and other drug testing.*

Frequent court-ordered substance use testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

KEY COMPONENT #6: *A coordinated strategy governs DWI court responses to participants' compliance.*

A participant's progress through the STAR Court program is measured by his/her compliance with the treatment regimen. STAR Court rewards cooperation and responds to noncompliance. STAR Court employs a coordinated strategy, including a continuum of graduated responses, to continuing substance use and other noncompliant behavior.

KEY COMPONENT #7: *Ongoing judicial interaction with each DWI court participant is essential.*

The Judge is the leader of the STAR Court team. This active, supervisory relationship is maintained throughout treatment, increases the likelihood that the participant will remain in treatment, and improves the chances for long-term recovery and law-abiding behavior. Ongoing judicial supervision also communicates to participants that someone in authority cares about them and has a vested interest in their success.

COMPONENT #8: *Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.*

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring allows for oversight and periodic measurement of the program’s performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal studies may be used to modify the program.

KEY COMPONENT #9: *Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.*

All STAR Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to treatment issues and vice versa. It also develops shared understandings of the values, goals, and operating procedures of both the treatment and justice system components. Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationship among team members, and promote a spirit of commitment and collaboration.

KEY COMPONENT #10: *Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.*

STAR Court integrates substance use treatment with criminal justice case processing and promotes public safety while addressing the participants’ need for treatment and ancillary services. To achieve this goal, STAR Court seeks out and forges partnerships with local business, agencies, and service providers to address the varying needs of participants. In addition, STAR Court maintains a steering committee to identify potential community partnerships and to direct outreach efforts and support.

FUNDING

Prior to 2020, STAR Court operated on very limited funding and existed primarily on the basis of a yearly grant from the Arkansas State Police, a partnership with Arisa Health, and volunteers. In 2020, the Arkansas General Assembly passed legislation to allow sobriety courts to retain a portion of their program fees for operations expenses to enhance sustainability, and STAR Court began retaining fees for this purpose. Also in 2020, STAR Court was awarded a \$500,000.00 grant from the Bureau of Justice Administration to expand the court and its programs.

STEERING COMMITTEE

In an effort to meet long-term goals and enhance the services available to participants, STAR Court has established a Steering Committee composed of stakeholders from across Craighead County who are committed to addressing substance abuse issues and reducing driving while intoxicated offenses in our community. Steering Committee members will meet at least quarterly and will, among other things, provide strategic input on the policy, progress, and needs of the court; assist in outreach to promote the court, expand its services, and acquire and distribute resources; evaluate data; and offer expertise, guidance, and support in efforts to adhere to evidence-based practices. The Steering Committee is currently in the process of establishing a 501(c)(3) for the court.

GOALS AND OBJECTIVES

The ultimate goal of STAR Court is to protect public safety by addressing the root causes of impaired driving—substance use disorder and criminal thinking—through long-term treatment and individual supervision and case management. Tangible objectives for participants in STAR Court include achieving and maintaining sobriety; participation in treatment and therapy; achieving and maintaining stable housing, transportation, and employment/school; developing and participating in pro-social activities; and developing a continuing care plan to maintain recovery once STAR Court participation ends.

STAR Court will improve the criminal justice processing of targeted offenders and assist them to become sober, productive, law-abiding citizens. Every community stakeholder will be invited to unite in an effort to address substance abuse and mental health issues among DWI offenders. The following goals are used to guide this mission:

1. STAR Court will foster communication and collaboration among criminal justice entities, substance abuse treatment providers, education officials, social services, and interested community stakeholders.
2. STAR Court will construct a complete case-processing plan from program entry to graduation.
3. Eligible offenders referred to STAR Court will receive substance abuse evaluations within 14 days of screening.
4. 100% of STAR Court participants will receive intensive court supervision, including regular hearings, tracking of progress, and progressive sanctions for failures.
5. Participants receiving program services will reduce the frequency of alcohol and other substance use as measured by urinalysis testing results.
6. 75% of participants will complete the program successfully.
7. 100% of participants who graduate will have a long term relapse prevention plan.
8. Participants will spend 16 months in the program and 90% of participants will be retained for at least 13 months.
9. 90% of participants will successfully complete inpatient or outpatient substance abuse treatment.
10. Participants who complete the program will be employed or in school upon graduation. The exception will be those who are 100% disabled.
11. Graduates with less than a high school degree will earn a GED.
12. 80% of participants who complete the program will participate in an aftercare program for up to 6 months post-graduation.
13. 90% of participants who graduate from the program will be arrest-free during the year following graduation.
14. STAR Court will increase savings to the taxpayer by reducing costs to the criminal justice system.
15. The number of days in jail for STAR Court participants will be reduced by 20% compared to the control group.

By employing the services of an independent researcher to provide process and outcome evaluations, STAR Court will determine if predicted goals have been achieved.

TARGET POPULATION

STAR Court participants should qualify as high risk/high need pursuant to a validated screening tool. Currently, STAR Court utilizes the Risk And Needs Triage (RANT) toolkit to screen potential participants. Risk/needs assessments are conducted by the STAR Court coordinator. Deviation from the high risk/high need qualification standard is allowed upon the recommendation of the treatment provider after clinical assessment and the agreement of a majority of the STAR Court team.

DISPARATE IMPACT STATEMENT

No individual shall be excluded on the basis of sex, race, color, socioeconomic status, religion, creed, age, national origin, ancestry, sexual orientation or identity, pregnancy, marital or parental status. Individuals who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status shall receive the same opportunities to participate and succeed as other individuals.

ELIGIBILITY AND DISQUALIFICATION CRITERIA

STAR Court is a viable and appropriate alternative to incarceration for certain criminal offenders. Transfer decisions will be made objectively and balanced with the mission to keep the community safe. STAR Court has established eligibility requirements based on the target population and in accordance with current statutory law.

STAR Court targets male and female offenders with alcohol- and drug-related driving offenses. Offenders may apply to STAR Court personally or may be referred by law enforcement or court personnel. Acceptance into STAR Court will be decided on a case-by-case basis, taking into consideration all pertinent facts, evidence, law, and offender circumstances.

1. **Eligible Offenses:** The underlying offense must be a DWI 2 or greater, or, in certain circumstances, if the underlying offense is a DWI 1 with a BAC of .15 or higher.
2. **Mandatory Criteria:** The opportunity to participate in STAR Court will be limited to individuals who meet the following criteria:
 - a. The offender must be at least 18 years old.
 - b. The offender must be a resident of Craighead County, Arkansas.
 - c. The offender cannot have a violent criminal history or prior convictions for sexual offenses.
 - d. The offender must qualify as high risk/high need pursuant to a validated substance use disorder screening tool (STAR Court uses the RANT – Risk And Needs Triage) or be recommended for participation by the treatment provider based on other factors.
 - e. The offender must have a need for substance abuse treatment, mental health treatment, and/or ancillary services/case management and be amenable to such treatment and services.
3. **Disqualifying Factors:** Cases will be reviewed on a case-by-case basis to determine the extent and circumstances surrounding the disqualification factors versus the need to participate in the program. Those cases declined for acceptance into the STAR Court program will be retained by the original Judge. Notice will be given to the prosecution and the defense regarding the determination.

Offenders with significant criminal histories will be reviewed individually to ascertain the offender's situation and the circumstances of the record.

Disqualification considerations include:

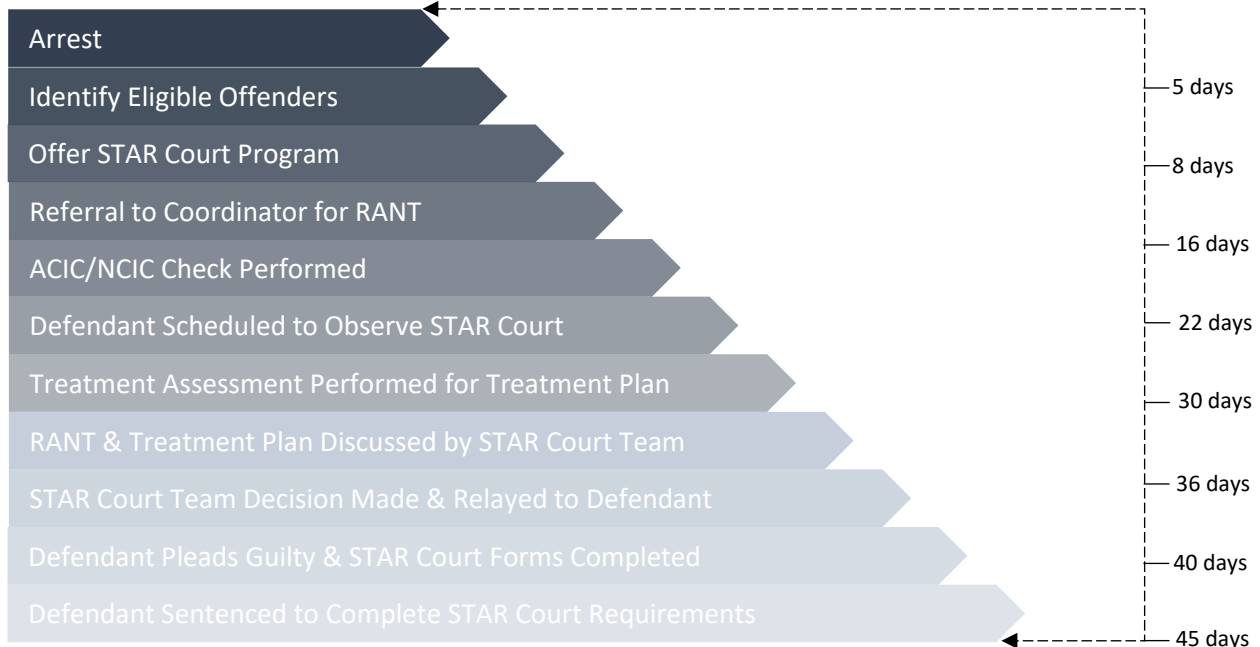
- Violent criminal history
- Gang affiliation
- Prior or current enrollment in drug court
- Sex offenses
- Significant drug-related charges, including distribution and manufacturing
- Highly resistant to changing behavior
- Severe criminal thinking

- Lack of transportation
- Significant mental illness that would prevent the offender from being able to engage in treatment.

REFERRAL/ENTRY PROCESS

Referrals to STAR Court are made by Judges, Law Enforcement, Prosecuting or Defense Attorneys, other STAR Court staff, or by the offender him/herself.

The following is a brief, general outline of the process by which STAR Court moves offenders into the program:



COURTROOM STANDARDS

Participant Substance Use: STAR Court team members have agreed to limit the use of positive PBT and urinalysis results and participant admissions to substance use to agreed-upon treatment responses and consequences within the STAR Court program. Positive tests and admissions cannot be the impetus for new legal violations. The intent is to change the participant’s substance abuse behavior instead of burying the participant with additional charges. This simply recognizes the fact that addicted people relapse. Use of illegal substances is in no way condoned by the program. The contrary is true. Continued substance abuse is an acceptable reason for the participant to be terminated from the program. Nonetheless, the intent of STAR Court is to keep the participant in substance abuse treatment.

Dress Code: STAR Court participants are expected to dress appropriately in the courtroom. Men must wear pants of appropriate length and fit, a shirt, and shoes. Women must wear pants or skirts of appropriate length, a modest top, and shoes. Tight and/or low-riding pants, see-through blouses, mini-skirts, crop tops, tube tops, bathing suit tops, and halter tops are examples of unacceptable attire. Clothing bearing drug- or alcohol-related themes or promoting or advertising alcohol or drug use are not allowed. No gang colors or gang clothing shall be worn in court. No sunglasses, bandanas, or hats are to be worn inside the courtroom. The intent of this dress code is to promote participants to respect themselves and the Court. The program’s focus should not be how a participant dresses as much as it should concentrate on the participant’s progress

toward meeting goals that involve a law-abiding, substance-free lifestyle. Team members are held to a higher standard than participants.

Cell Phones, Pagers, and Law Enforcement: While in the courtroom, participants will turn their cell phones/pagers off and will refrain from using them. Similarly, team members will be required to turn their cell phones to silent. Law enforcement will be present in the courtroom to maintain order and control. It will be law enforcement's responsibility to inform all participants and spectators that cell phones and pagers must be turned off.

Participant Behavior: While in court, participants are expected to remain seated and quiet until called upon. The Judge will be addressed with respect. Unless approval to leave is granted, participants will remain for the entire proceeding. No children are allowed in the courtroom without prior approval from the court coordinator. Congratulations, support, and cheering are encouraged in the courtroom in recognition of participant successes.

Confidentiality: All treatment-related documents, in accordance with federal, state, and local law, will be maintained to ensure that the privacy and the identity (for research purposes) of the individual STAR Court participants are protected. All STAR Court participants will be asked to sign a Consent to Release Information form in accordance with confidentiality regulations. An identification number will be assigned to each participant for use in conducting research and evaluations. Visitors are required to sign confidentiality agreements prior to visiting the court.

Maintaining Files & Dockets: The Court Coordinator is responsible for maintaining participant files. These files are kept in a locked filing cabinet that the Court Coordinator has sole access to. The Court Coordinator is also in charge of maintaining STAR Court dockets which are kept for the minimum amount required by the Administrative Office of the Courts.

Arkansas SCALES (Specialty Court Application & Legal Exchange System): SCALES is the statewide data management system to enhance tracking, compiling, and disseminating specialty court information while expanding specialty court services and collaboration statewide. Specialty court team members will have the ability to refer pending criminal cases for consideration, determine preliminary program eligibility, collect required demographic information, complete a validated risk/need assessment, known as RANT/DWI-RANT, and manage a history of denied defendants. For accepted participants, team members will have the ability to maintain ongoing case management details such as substance test results, supervision notes, treatment progress, sanctions, incentives, phase progression, program status and more to facilitate team collaboration. Dashboards within the application will allow teams to complete program reporting and analysis for their program(s).

COURT FEES

All STAR Court participants are required to pay a minimum program fee. All program fees must be paid in full to fulfill the requirements for graduation unless otherwise ordered by the Judge. If participants are unable to afford the program fees, the court coordinator will assist the participant in arranging community service in lieu of the program fee.

REWARDS AND SANCTIONS

STAR Court utilizes rewards and sanctions to encourage positive change and adherence to program requirements. Rewards and incentives are available for compliance, positive progress, and pro-social behavior during the program. Conversely, sanctions may be imposed when participants fail to follow the rules, fail to achieve progress, or are otherwise non-compliant during the program. Sanctions are to be imposed as immediately as possible. Sanctions are administered after team consideration and discussion of the participant's risk and need level, current phase, circumstances surrounding any infraction, and whether

the behavior sought is a proximal or distal goal. The team utilizes a matrix of possible responses but each participant is evaluated individually.

Possible Rewards: Verbal praise and encouragement, decreased court appearances, reduction in supervision requirements, community activities, phase advancement, certificates, travel approvals, spinning the wheel for gift certificates and other prizes, STARbucks which go toward quarterly drawings for larger prizes, and graduation from the program.

Possible Sanctions: Admonishment from Judge, increased drug/alcohol testing, increased court appearances, earlier curfew, electronic monitoring, reading/writing assignments, additional home visits, public service work, fines, incarceration, and expulsion from the program.

INCREASED TREATMENT RESPONSES ARE NOT SANCTIONS.

Additional treatment requirements or other therapeutic responses may be required based upon the recommendation of the treatment provider. The team does not recommend treatment responses for punitive reasons.

TREATMENT STANDARDS

**Treatment Provider: ARISA Health
2707 Browns Lane, Jonesboro, AR 72401**

The treatment provider will determine which level of care would best suit the requirements of the participant and will make a recommendation to the court. ASAM Criteria are used to determine the treatment modality. If residential treatment is required as part of a participant's program, their treatment plan will include the program's requirements. Residential treatment will be offered for a minimum of 30-40 days at MILLS, an Arisa Health, Inc. affiliate located at 3204 E. Moore Avenue, Searcy, Arkansas 72145.

The treatment provider may also refer participants to other care providers, such as ARCare/Methodist Family Health, located at 2002 S. Fillmore St., Little Rock, AR 72204. ARCare offers Specialized Women's Services, for pregnant or parenting women who require residential treatment.

Participants who require medical detox prior to residential treatment are referred to White River Health - White River Medical Center, which is located at 1710 Harrison St, Batesville, AR.

Participants will continue to engage in the program as directed by the Court and the treatment provider, typically completing 36 sessions of Partial Day treatment attending a minimum of 2 days a week up to 4 days a week and demonstrating maintenance of sobriety before they are able to transition to lower frequency of services of Substance Use Disorder 1-hour group. Partial Day is offered Monday through Friday from 9 a.m. to 1 p.m., with lunch provided between 11:30 a.m. and 12:00 p.m. It is held at 2709 Browns Lane, Jonesboro, AR 72401.

Participants will take part in a multi-component outpatient program developed by Arisa Health, which includes treatment planning, weekly-bimonthly counseling, Partial Day, group therapy, Moral Reconciliation Therapy, and peer support. Attempts are made to connect participants with recovery support services and groups such as Alcoholics Anonymous, Narcotics Anonymous, and Celebrate Recovery. If specific criteria are met, a case management plan will be devised alongside the treatment plan.

Treatment services currently offered to participants include individual and group substance use counseling, Seeking Safety, Motivational Interviewing (MI), Moral Reconciliation Therapy (MRT), Cognitive Behavioral Therapy (CBT), Matrix and Relapse Prevention Therapy, Partial Day (Intensive Outpatient) Substance Abuse treatment, Residential Substance use treatment, Peer Support Services, and ACT services.

MRT, Relapse Prevention Therapy, and Seeking Safety are all CBT approaches that can be successfully used to treat SUD. Individuals diagnosed with both an SUD and a co-occurring mental health disorder can also benefit from these treatments. Integrated dual diagnosis treatments have been found to be effective for adult populations. The goal of MRT (named evidence-based practice by SAMHSA) is to decrease recidivism by making improvements in moral reasoning and decision making. It can increase moral reasoning in those suffering from substance abuse disorders.

MRT & SUD Groups are held for 1 hour weekly, at an established time, at 2707 Browns Lane, Jonesboro, AR 72401. Individual Therapy is provided to each participant based on ASAM criteria and their current treatment plan. It is held at 2701 Browns Lane, Jonesboro, AR 72401.

Participants can also receive Medication Assisted Treatment (MAT) services. Participants who are dependent on alcohol or who have stopped drinking but are experiencing problems such as cravings or relapses, as well as those who have physiologic dependence or cravings and have not improved in response to psychosocial approaches alone, are considered for medication assisted treatment. Medication is part of a comprehensive treatment strategy that includes counseling, other psychosocial treatment, and social supports. Participants receive oral naltrexone and/or extended-release injectable naltrexone, also known as Vivitrol.

TEAM MEMBERS

The core members of the STAR Court team are the Judge, the Prosecutor, the Defense Counsel, the Treatment Provider, the Court Coordinator, the Case Manager, Law Enforcement, Supervision, and the Program Evaluator. Each member shall work together to hold the participant accountable, to promote a sense of unified team presence, to protect internal and external program integrity, and to protect public safety. Most team members have attended both local and national training related to treatment courts offered by the National Association of Drug Court Professionals and the National Center for DWI Courts. For a complete list of team members' roles and ethical responsibilities, see the STAR Court Team Memorandum of Understanding, which is incorporated by reference as if fully stated herein. All team members are required to attend weekly staffing and court sessions every Friday beginning at 10:00 a.m. unless an alternate time is announced by the Judge.

STAFFING

During staffing all team members are encouraged to speak openly and advocate for participants when needed. All ideas are considered and team members are to be respectful of each other's comments. The team may recommend actions, but the ultimate decision maker is the Judge. During court and in discussions with participants outside of court, the team shall present a united front on all decisions.

NEW TEAM MEMBER TRAINING

All new team members added to the Court are introduced by the Judge to the existing team. All new team members are provided a copy of the Policy and Procedure Manual and the Participant Manual to review and become familiar with the court and how it operates, and to educate themselves on the phase structure and what is required of participants in the program. New team members are instructed on Best Practices and where to find them so that they may become familiar with them and have them as a reference when needed in the future. In addition, new team members are shown online courses specific to their role on the team that they are required to participate in that role specific online training. New team members are taken to regional or national trainings as soon as those become available. All new team members are required to sign an acknowledgement that they have read and understand these procedures. Said forms are to be kept by the Court Coordinator.

PROGRAM STRUCTURE

STAR Court is a post-adjudication program pursuant to which graduates can avoid statutory mandatory jail sentences, as well as fines and costs, upon successful completion. Underlying DWI offenses are not dismissed. STAR Court is treatment-focused, and the program is divided into five phases. Successful completion of the requirements of all five phases is necessary for graduation from the program.

Treatment Procedure: The court coordinator will interview potential participants to verify eligibility as it relates to the offense(s) charged, jurisdiction, and criminal history. The case manager will then conduct an initial assessment with a validated risk assessment tool to establish the offender's level of addiction and to verify program appropriateness. Participants will be referred to the treatment provider for a substance abuse treatment assessment, and for mental health evaluation if needed, and will complete a case management inventory with the case manager to determine need for case management intervention and ancillary services.

The defense counsel will meet with each participant to advise them of the legal ramifications and guidelines of entering STAR Court. The defense counsel will review all the terms and conditions of the treatment court contract with the participant. Simultaneously, the prosecuting attorney will review the case file to determine State's position on allowing the offender to enter the treatment court program. If the offender qualifies for and chooses to enter STAR Court, the Court will require successful completion of the program as part of any sentence imposed following a plea of guilty to the offense charged. Once accepted into the program, the participant will meet with the court coordinator to receive and review program materials and will meet with case management to establish the participant's living and employment status.

The treatment provider will assess what level of treatment will best meet the participant's needs and will make a recommendation to the Judge. If residential treatment is a needed component of a participant's program, their treatment plan will include the requirements of that program. Upon release from a residential program, participants will continue participation in the program as directed by the Court and the treatment provider. If not admitted into a residential treatment program, participants will participate in a multi-component, outpatient program developed through Arisa Health, which includes development of a treatment plan, drug/alcohol testing, counseling, recovery support services, recovery support meetings, and other ancillary services as needed. A case management strategy will also be developed in conjunction with the treatment plan.

Counseling: Substance use disorder counseling is comprised of two separate formats: individual and group. As part of a treatment plan, participants will be required to participate in both types of counseling if it is appropriate. Together they are designed to develop self-awareness, self-discipline, and coping mechanisms necessary to achieve and maintain sobriety. Additional treatment regarding such topics as anger management, domestic violence, criminal thinking, parenting, and any other topic the treatment provider recognizes is needed may also be required. Attendance at both individual and group counseling sessions will be reported to the Judge for ongoing monitoring of progress. Prior permission must be obtained from a counselor to be excused from any counseling sessions.

Phase System: The STAR Court program is 16 months long, divided into 5 phases of varying lengths, which can be extended to 18 months if necessary to complete the program. Each phase consists of different participant responsibilities and requirements. Typically, the first phase is the most intensive and focuses on detoxification, intensive outpatient treatment, and stabilization. The second phase focuses on maintenance of sobriety, ancillary needs, and treatment issues. The third phase focuses on aftercare and pro-social activities. The fourth phase focuses on relapse prevention, and the fifth phase focuses on recovery and sobriety maintenance. Each participant's level of care is based on the initial substance abuse and mental health findings.

Participants advance through each phase by maintaining sobriety and completing specific program requirements. Participants will complete various weekly steps or tasks such as participating in required treatment, maintaining employment, and paying fees. As part of the program requirements, participants may also complete traffic school, credit counseling, volunteer hours, parenting classes, and any other class, course, or therapy deemed necessary by the Treatment Provider, Judge, or team.

PHASE STRUCTURES
Phase 1: minimum of 60 days in phase with a minimum of 14 documented days of sobriety.
Phase 2: minimum of 90 days in phase with a minimum of 30 documented days of sobriety.
Phase 3: minimum of 90 days in phase with a minimum of 45 documented days of sobriety.
Phase 4: minimum of 100 days in phase with a minimum of 60 documented days of sobriety.
Phase 5: minimum of 140 days in phase with a minimum of 70 documented days of sobriety.

Recovery Support Activities: Beginning in Phase Three, participants are required to attend recovery support activities. The frequency of required attendance is determined by risk/needs assessment, progress in the program, and phase level. Attendance is an important part of the recovery process. Recovery support activities familiarize the participant with support philosophies and help to create social bonds with other individuals in recovery. Proof of attendance must be provided at review hearings.

Recovery support activities may or may not be faith-based recovery meetings, but must be activities that support mental, emotional, physical, and social recovery from substance use disorders and mental health issues. Examples include, but are not limited to, Alcoholics Anonymous (AA), Narcotics Anonymous (NA), grief groups, and bible study groups. A list of approved groups is maintained by STAR Court and will be provided to participants; however, participants can request approval from the team for groups and activities not listed.

Drug/Alcohol Screening: Drug and alcohol screening will be conducted via breath testing and via urine testing at random times throughout the entire treatment process. Participants are required to wear a SCRAM monitor to test for alcohol for the first 90 days that they are in the program. There is no cost to the participant for this monitor. Participants will be tested a minimum of two times weekly. Participants use the Corrisoft program which is an app on their phone that notifies them randomly if they have been selected to come in for testing on any given day. The Judge will have access to all drug test results, including any failures to test, and may order a drug/alcohol screening at any time. Relapse may occur in recovery; however, a positive, diluted, or missed test will result in a court-imposed sanction. The Judge will review a participant’s overall performance in the program, and repeated offenses may result in progressively severe sanctions.

Participants who have a positive drug or alcohol screening and contest the results of the screening may request a confirmation test at their own expense. If a confirmation test is being conducted, the team member observing and collecting the sample will seal and label the sample with the participant present. The sample is then logged into the secured refrigerator in the supervision office until it is sent for testing. The supervision supervisor will remove the sample from the secured refrigerator and keep it in their possession until it is placed in the mail to the testing facility. At no time from the point of collection of the sample until the sample is placed in the mail to the confirmation testing agency is the sample left unattended.

Staffing: STAR Court staffing meetings are held each Friday from 10:00A-11:00A in the Craighead County District Courtroom. All team members are expected to attend and to participate in staffing. Staffing meetings are confidential and closed to the public, and participants have no right to attend.

Status Hearings: STAR Court status hearings are held each Friday from 11:30A-1:00P in the Craighead County District Courtroom. Participant attendance is required based on the following schedule: Phase 1 –

Weekly, Phase 2 – Every 2 weeks, Phase 3 – Every 3 weeks, Phases 4 and 5 – Every 4 weeks. Additional attendance may be ordered as needed to ensure compliance with program requirements. All team members are required to attend the Status Hearings.

Evaluation: STAR Court will monitor its success with an independent evaluator who will conduct regular assessments of the program. STAR Court evaluation includes two aspects: (1) an ongoing process evaluation to determine if the program is meeting its goals and objectives and (2) an outcome evaluation gathered by administering pre- and post-tests to measure specific variables of each STAR Court participant. Written reports will be provided to the team on an annual basis.

Using the data collected by the evaluator and the reports generated from that data, the STAR Court team will adapt its practices as needed to better meet the needs of the participants and to enhance the Court's underlying goal of enhancing public safety. The policies and procedures manual, as well as the Court's strategic plan, will be modified in accordance with the evaluator's recommendations.

SUPERVISION PROTOCOL

Participants' progress and compliance with program requirements will be primarily supervised by the court coordinator, case manager, law enforcement, and Court Services (supervision). The court coordinator is the initial point of contact for participants. The coordinator and case manager will monitor treatment compliance and progress and will work with other team members and partner agencies to obtain timely assistance for other needs which may arise and impact the participants' progress. Participants will meet with their case manager at least once per month and speak by telephone weekly. Supervision/law enforcement will conduct drug/alcohol screening and monitor the activities of participants to ensure compliance with program requirements and court-ordered conditions of participation.

Court Coordinator: Jennie Baker (870)604-0878 - 410 W. Washington Ave., Jonesboro, AR 72401

Case Managers: Julia Huey (870)316-0977 - 410 W. Washington Ave., Jonesboro, AR 72401

Supervision: Michelle Odom (870)336-7230 - 410 W. Washington Ave., Jonesboro, AR 72401

Law Enforcement: Sgt. George Martin (870)243-5278 - 410 W. Washington Ave., Jonesboro, AR 72401

Law Enforcement: Cpl. Jon Wood - 410 W. Washington Ave. Jonesboro, AR 72401

CASE PLANNING

The STAR Court Case Manager will meet with each participant upon pleading into the STAR Court program. The Case Manager will complete an initial intake questionnaire with the participant and will use this form throughout the entirety of the participant's program. This questionnaire will assist the Case Manager with referrals for ancillary services, peer recovery, and treatment recommendations. The participant will have a meeting with every "phase up" the participant completes. This will ensure the program has assisted the participant with program goals as well as personal goals. This includes obtaining a restricted license, GED, health care, sober living situations, etc.

GRADUATION AND TERMINATION

- A. Graduation:** A program participant will be eligible to graduate upon the approval of the Judge, who will base his/her decision on input from the team. Graduation from the program requires successful completion of the five phases, payment of all fees, development of a relapse prevention or continuing care plan that is presented to the team, and a minimum of 70 consecutive days of documented sobriety.
- B. Termination:** Participants may be terminated from STAR Court if they do not comply with the requirements of the program. Although a relapse is not absolute grounds for termination, a

continual inability to meet treatment goals will result in expulsion. There are a variety of grounds for possible termination, including, but not limited to:

- Petitioning the Court for **voluntary termination**;
- Failing to engage in the recommended treatment program;
- Exhibiting violent behavior, or threats of violent behavior, toward him/herself or others;
- Displaying inappropriate, disruptive, or non-compliant behavior;
- Possessing alcohol or illegal drugs or paraphernalia at his/her residence, in his/her car, or on his/her person;
- Refusing to satisfactorily participate in program requirements;
- Being charged with another criminal offense;
- Repeated failure to appear or repeated failure to be timely for review hearings, treatment appointments, or supervision reports;
- Repeated violation of programs rules;
- Repeated diluted, missed, or positive drug/alcohol tests;
- Corrupting or negatively influencing another STAR Court participant; and
- Repetitive dishonesty.

If the decision is made to terminate participation in STAR Court, a show cause hearing will be offered to the participant and scheduled as soon as possible. Participants who are terminated may incur further legal consequences from the court holding jurisdiction, including but not limited to fines/fees, public service work, probation, and/or jail. Likewise, a participant who chooses to voluntarily leave the program prior to completion will be offered a hearing. In case of both termination and voluntary opt-out, all STAR Court fees that have been collected are forfeited to the Court. After a hearing where termination is the result, participants will be subject to imposition of the sentence which was suspended when they pled into STAR Court. If a hearing is waived, sentencing will be imposed by the Judge. Participants who have been terminated either voluntarily or otherwise, are not prohibited from future application to the STAR Court program.

DRUG/ALCOHOL SCREENING POLICY

Purpose: STAR Court participants are addressing substance use disorders. Drug/alcohol screening is necessary to determine the effectiveness of treatment plans as determined by the presence/absence of drugs/alcohol. Screening is also used as one measure to gauge risk posed to the community. Screening assists participants in remaining drug- and alcohol-free.

Policy:

1. Positive breath test results indicate the use of alcohol. Positive urinalysis test results indicate the use of a prohibited substance.
2. Providing breath and urinalysis samples upon request is a requirement of STAR Court. The giving of samples is required to be observed by supervision and law enforcement.
3. Program personnel will remain in direct, visible contact with the urinalysis samples until the drug/alcohol screen is administered or until the sample is secured in laboratory shipping materials.
4. An initial hair follicle drug/alcohol screen will be administered immediately following induction into STAR Court. A full panel drug screen will be performed to establish baseline use.
5. Urinalysis samples may be shipped for confirmation testing if the sample is positive for a substance.

6. Screening will be administered even if the participant admits to substance use prior to testing.
7. If an analysis is positive, the participant has the right to a second test to confirm the results at his/her own expense. The cost of a confirmation test is \$130. If the results of the confirmation test are negative, the court will be responsible for the fee. If the results are positive, the fee will be added to the participant's program fees and will not be eligible for community service application.
8. A positive PBT or urinalysis may result in a sanction from the Court. In addition, a positive screen may result in a treatment response.
9. Failing to submit to a drug/alcohol screen upon request is considered a positive test.
10. Tampering with, using adulterants, and smuggling in another person's urine are considered positive tests, and extra sanctions may be imposed for such conduct.
11. In the case of positive samples, levels will be monitored until the participant has a negative sample.
12. Participants will not be informed of the exact number of drug/alcohol screens they will be required to perform.
13. Random drug/alcohol screens will occur throughout participation in accordance with best practice guidelines using a Corrisoft app installed on the participant's phone which randomly selects who is to appear and provide a sample each day.
14. Participants are required to wear a SCRAM monitor to detect alcohol use for the first 90 days of the program.

ALCOHOL AND MEDICATION POLICY

Purpose: STAR Court understands that most people have a need to take prescription and over-the-counter medications at some point in their life. However, the introduction of alcohol and other drugs into the body can result in severe physiological, psychological, and legal consequences, and participants in STAR Court are addressing substance use disorders. As a result, STAR Court has developed the following policy for participants.

Policy:

1. **Alcohol:** No program participant is permitted to consume alcohol while in the program. Furthermore, participants may not enter any location where alcohol is sold or served without prior permission from the court.
2. **Over-the-Counter Medication:** Participants are encouraged to resolve ailments through alternatives other than medication. Prior to using any over-the-counter medication, participants are required to discuss use with the treatment provider and with supervision. **Participants CANNOT take medications that contain ephedrine, pseudoephedrine, phenylpropanolamine, or alcohol.** Examples of these medications include, but are not limited to Sudafed, Nyquil, Contac, Sine-Off, and Allerest. Participants are encouraged to read labels and ask pharmacists for medications that do not contain the afore-mentioned substances. Some over-the-counter medications that do not contain these substances are aspirin, ibuprofen, and acetaminophen. Anyone taking over-the-counter medications must follow the directions for use on the label.

3. **Physicians:** Participants are encouraged to receive medical treatment from a qualified medical doctor as needed. Participants are required to disclose their substance abuse history to their physician so the physician can best address the participant's needs. "Doctor shopping," or using multiple physicians to obtain prohibited medications, is a violation of program rules.
4. **Prescription Medications:** Program participants must register any prescription medication with the treatment provider and with supervision prior to taking the medication except in a life-threatening situation. If a life-threatening situation occurs, the participant is required to notify the treatment provider and supervision of medication use as soon as possible. If participants are prescribed medications by a physician, medication must be taken as prescribed. **Medical marijuana use is prohibited.** Participants cannot ingest or consume any prescription medication that will result in a positive drug screen and/or alcohol test without prior court approval, and each participant is issued a prescription notice that must be shown to physicians.

If a participant must take a prescription medication for a limited period of time that will result in a positive drug screen, the participant's clean day count will be suspended while they are taking the medication. Such an event should occur infrequently. Maintaining sobriety is most difficult for an addict when they must take mood-altering medications, even for a short period of time. Pain medication is particularly problematic. There are many prescription medications that are effective, not mood-altering, and will not result in a positive drug screen. Such medications should be used when possible.

5. **Tobacco & Caffeine:** Participants are encouraged not to use either tobacco or caffeine; however, participants are not barred from consuming these products.

CONFIDENTIALITY

The confidentiality of participants' alcohol and drug treatment records are protected under Federal Regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. STAR Court team members will comply with all confidentiality requirements.

All participants sign a Release of Information upon completing the initial plea in documents. This is sent to the treatment facility the participant is receiving treatment from. This is kept in their file in the Court Coordinators' possession. This is destroyed upon completion of the program.

GRIEVANCE PROCEDURE

Every effort should be made to resolve issues within STAR Court before a written grievance is filed. All active participants may file a grievance with the Court Coordinator to be reviewed by the Judge. If the grievance involves the Court Coordinator, the grievance may be filed with the District Court Clerk, Bridgett Clift by leaving the written grievance with her at the District Court Clerk's Office and she will ensure it is given promptly to the Judge for review.

Once the grievance has been reviewed a meeting will be held with the participant, the Judge, the Prosecutor, and the Defense Attorney to review the allegations of the grievance. If the grievance is alleging misconduct of one of those parties, they will be replaced in the meeting with the Court Coordinator.

Certain matters are subject to grievance by a participant and certain matters are not. The following ARE examples of matters that are appropriate for filing a grievance:

- Abusive/distasteful language directed specifically at the participant and/or his/her family.
- Physical/sexual abuse or harassment.

- Conflicts of interest, such as the STAR Court staff receiving personal benefit from actions which he/she directs of the participants.

The following are examples of matters that ARE NOT accepted for grievance:

- STAR Court Policies and Procedures, rules and regulations.

PARTICIPANTS MUST FILE GRIEVANCE WITHIN 45 DAYS OF THE ALLEGED INCIDENT, OTHERWISE THE GRIEVANCE WILL NOT BE CONSIDERED.

THE GUIDING PRINCIPLES OF DWI COURTS

GUIDING PRINCIPLE #1: DETERMINE THE POPULATION

Targeting is the process of identifying a subset of the DWI offender population for inclusion in the DWI court program. This is a complex task given that DWI courts, in comparison to traditional drug court programs, accept only one type of offender: the hardcore impaired driver. The DWI court target population, therefore, must be clearly defined, with eligibility criteria clearly documented.

GUIDING PRINCIPLE #2: PERFORM A CLINICAL ASSESSMENT

A clinically competent and objective assessment of the impaired-driving offender must address a number of bio-psychosocial domains including alcohol use severity and drug involvement, the level of needed care, medical and mental health status, extent of social support systems, and individual motivation to change. Without clearly identifying a client's needs, strengths, and resources along each of these important bio-psychosocial domains, the clinician will have considerable difficulty in developing a clinically sound treatment plan.

GUIDING PRINCIPLE #3: DEVELOP THE TREATMENT PLAN

Substance dependence is a chronic, relapsing condition that can be effectively treated with the right type and length of treatment regimen. In addition to having a substance abuse problem, a significant portion of the DWI population also suffers from a variety of co-occurring mental health disorders. Therefore, DWI courts must carefully select and implement treatment strategies demonstrated through research to be effective with the hardcore impaired driver to ensure long-term success.

GUIDING PRINCIPLE #4: SUPERVISE THE OFFENDER

Driving while impaired presents a significant danger to the public. Increased supervision and monitoring by the court, probation department, and treatment provider must occur as part of a coordinated strategy to intervene with hardcore DWI offenders and to protect against future impaired driving.

GUIDING PRINCIPLE #5: FORGE AGENCY, ORGANIZATION, & COMMUNITY PARTNERSHIPS

Partnerships are an essential component of the DWI court model as they enhance credibility, bolster support, and broaden available resources. Because the DWI court model is built on and dependent upon a strong team approach, both within the court and beyond, the court should solicit the cooperation of other agencies, as well as community organizations to form a partnership in support of the goals of the DWI court program.

GUIDING PRINCIPLE #6: TAKE A JUDICIAL LEADERSHIP ROLE

Judges are a vital part of the DWI court team. As leader of this team, the Judge's role is paramount to the success of the DWI court program. The Judge must be committed to the sobriety of program participants, possess exceptional knowledge and skill in behavioral science, and own recognizable leadership skills, as well as have the capability to motivate team members and elicit buy-in from various stakeholders. The selection of the Judge to lead the DWI court team, therefore, is of utmost importance.

GUIDING PRINCIPLE #7: DEVELOP CASE MANAGEMENT STRATEGIES

Case management, the series of inter-related functions that provides for a coordinated team strategy and seamless collaboration across the treatment and justice systems, is essential for an integrated and effective DWI court program.

GUIDING PRINCIPLE #8: ADDRESS TRANSPORTATION ISSUES

Though nearly every state revokes or suspends a person's driver's license upon conviction for an impaired driving offense, the loss of driving privileges poses a significant issue for those individuals involved in a DWI court program. In many cases, the participant solves the transportation problem created by the loss of their driver's license by driving anyway and taking a chance that he or she will not be caught. With this knowledge, the court must caution the participant against taking such chances in the future and to alter their attitude about driving without a license.

GUIDING PRINCIPLE #9: EVALUATE THE PROGRAM

To convince stakeholders about the power and efficacy of DWI court, program planners must design a DWI court evaluation model capable of documenting behavioral change and linking that change to the program's existence. A credible evaluation is the only mechanism for mapping the road to program success or failure. To prove whether a program is efficient and effective requires the assistance of a competent evaluator, an understanding and control over all relevant variables that can systematically contribute to behavioral change, and a commitment from the DWI court team to rigorously abide by the rules of the evaluation design.

GUIDING PRINCIPLE #10: ENSURE SUSTAINABILITY

The foundation for sustainability is laid, to a considerable degree, by careful and strategic planning. Such planning includes considerations of structure and scale, organization and participation and, of course, funding. Becoming an integral and proven approach to the DWI problem in the community, however, is the ultimate key to sustainability.