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**IMPLEMENTING A DRUG COURT PROGRAM
IN THE 14TH JUDICIAL CIRCUIT COURT OF FLORIDA**

Institute for Court Management
Court Executive Development Program
Phase III Project
May 1996

Edna H. Johnson
Court Administrator
14th Judicial Circuit Court of Florida

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IMPLEMENTING A DRUG COURT PROGRAM

Edna H. Johnson

Trial Court Administration

Fourteenth Judicial Circuit Court of Florida

Running head: DRUG COURT PROGRAM

Acknowledgment

A special thanks to the Honorable Don T. Sirmons and the Honorable Judy Markham Pittman for having the vision of a drug court program in Panama City, Bay County, Florida.

Ms. Robyn Hatcher, Deputy Court Administrator/Juvenile Alternative Sanctions Coordinator, thank you for writing the Edward Byrne Memorial Grant to obtain funds for the program, conducting research on the implementing of the program, and for her training of the new Drug Court Coordinator, Linda Burd. My thanks to Ms. Burd for the literature she gave me and the encouragement to write this paper.

A special thank you to Mr. Jerry Riddle, Pretrial Release Director, for his assistance and expertise with computers and his knowledge of drug court programs.

A special thanks to the oversight committee and the team members who established the drug court program in Bay County, Fourteenth Judicial Circuit Court of Florida.

Without the nagging and encouragement of my daughter, Ms. Elizabeth Johnson, this paper would have never been written.

The drug court program is yet incomplete and in the months and years to come, the court will be evaluating what has occurred and looking for opportunities to improve the drug court program in Bay County.

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Abstract

The research proposes to examine how drug courts began, and if one can be established in Fourteenth Judicial Circuit Court of Florida in Bay County, Panama City. The Drug Court program is a partnership among the Courts, Pretrial Release Program, Office of the State Attorney, Public Defender's Office, Bay County Sheriff's Office, Florida Department of Corrections (DOC), Florida Department of Juvenile Justice (DJJ), Florida Department of Children and Families (DCF) and a provider of substance abuse treatment, Chemical Addictions Recovery Effort (C.A.R.E.).

The primary goal of Drug Court is to provide immediate and concerted treatment to the adult and juvenile drug offender with no significant criminal history and to adults involved in dependency (abused, abandoned, and neglected) matters. The court will take first offenders off drug use and put them in a rehabilitative program rather than in jail. This program will realize a reduced recidivism rate for those offenders who successfully complete the program. An objective of the program is to provide the offender the foundation on which to build in order to become a productive member of our community. This can be measured by the court keeping track of re-arrest rates after the offender has completed the program. If the offender is still on probation after one year in drug court,

the court can verify employment status through the probation office at DOC.

Drug Court started in Florida in 1989, and courts around the country have established or are planning over 200 programs. Other courts will be reviewed to examine their successes and failures. Continuing to educate the team which runs the drug court will be an ongoing process by evaluating the program as soon as possible and always looking at ways to improve the program.

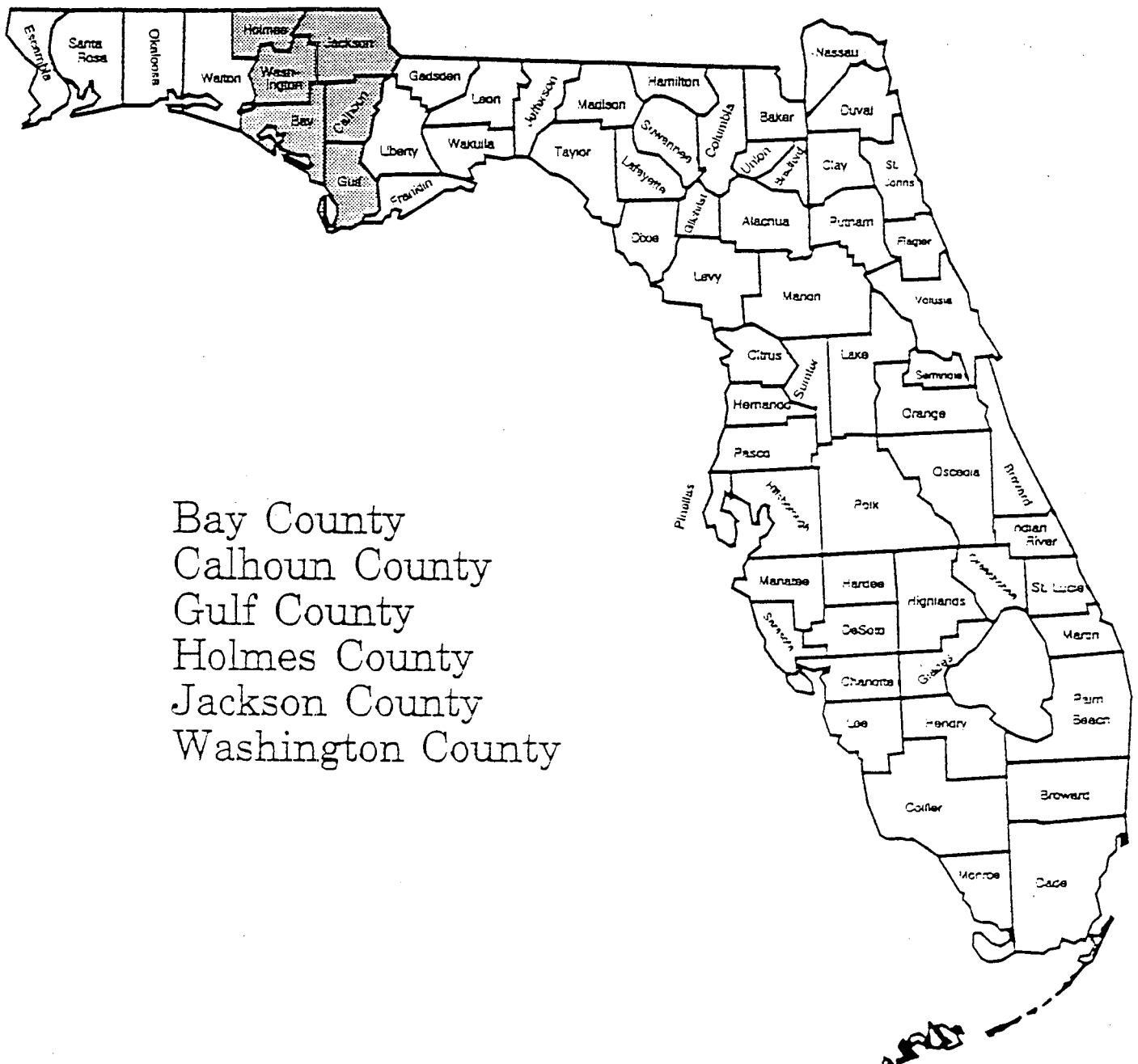
The program has only been in existence for three months, but has been doing very well. The team has been working as a unified element with determination for success. The goals and objectives are being met and expectations for success are high.

It is too early to make conclusions or recommendations, except to continue with the program and examine the results. One option would be to hire a professional consultant to study the program after one year to evaluate how the program is progressing and if it is meeting all its objectives and goals. Another option would be to recruit a volunteer to work with the Clerk's office and study all the drug offender cases including drug courts for 1997; this would be a very long process. Detailed information is being collected on the drug court participants, such as demographics, education, employment, criminal history, etc. The court

also monitors on paper their progress in treatment, such as the urinalysis results and the participant's cooperation in therapy. Time, funding, and people will tell the real story.

ILLUSTRATION A

Map of Florida showing Fourteenth Judicial Circuit



Background

Florida has come a long way in combating substance abuse. As the problem escalated in the 1980's, traditional approaches seemed ineffective at curbing the revolving door phenomenon. Our prisons were filling up fast. Our court dockets were becoming clogged with drug-related cases.

National statistics suggest that sixty to eighty-five percent of all criminal defendants are either arrested under the influence or charged with crimes that support their substance abuse. Florida's proximity to South American drug exporters, its 1,350 miles of coastline with numerous ports, and its ideal climate for growing domestic cannabis makes Florida especially vulnerable to the influence of drugs.

Between 1986 and 1989, filings of drug-related cases in the Florida State Courts System increased by ninety-eight percent while filings for all other felonies increased by only twenty-four percent. This volume of drug cases challenges not only our courts system but the national judicial system as well. Citizens look to the courts to punish and deter criminals. Citizens rely on the system to be fair and just. With the pressure of increasing case loads and the knowledge that substance abuse may be a root cause of crime, the courts have searched for creative solutions to this pressing problem.

The nature of substance abuse addiction presents unique problems for the criminal justice system. Many addicts commit crimes only to support their habit. Once brought into the criminal justice systems, drug abusers may serve only a short sentence or be placed on probation with little or no addiction treatment involved. In these cases,

addicts are typically back on the streets using drugs and committing crimes again.

Increased law enforcement and education of the public have apparently had a meager effect on the substance abuse problem. With little hope for additional resources, Florida's courts have devised a strategy aimed at curtailing the addict's dependence on illicit substances, thereby reducing the impact of substance abuse on the criminal justice system. This strategy is known as the treatment-based drug court or more broadly referred to as therapeutic jurisprudence.

The development of the treatment-based drug court began in the late 1980's. Dade County was under federal mandate to reduce the inmate population or suffer the loss of thousands of dollars of federal funds. Florida's Supreme Court recognized the severity of this situation and directed Judge Herbert Klein to research the problem.

Judge Klein found that a large majority of criminal inmates had been incarcerated because of drug charges. The data also showed that many of these offenders, shortly after their release, would return on additional drug charges. The profile of many such defendants did not indicate a violent criminal, but rather a person with a severe addiction problem. Judge Klein also knew that such persons were not "getting well" in jail and that they would most likely be back in the system soon after their sentence had expired.

With the knowledge of what the defendant "looked like," Judge Klein then researched what services were available within and outside the court system. He learned that many state and county services were available to help addicts kick their

habits. Missing was leadership and partnerships which could tie the services together so the criminal justice and treatment delivery systems presented a unified approach.

Judge Klein filled the initial role of leader, forged several partnerships with appropriate agencies in Dade County, and initiated the first treatment-based drug court in America. Dade County's drug court, under the gavel of Judge Stanley Goldstein, began operation in 1989. Since that time, drug court concept has spread to twenty-four states with Florida leading the nation with fourteen active treatment-based drug courts, at least five counties planning to develop drug courts, and five current drug courts (Escambia, Hillsborough, Monroe, Duval and Bay) already have active juvenile drug courts.

Florida Statutes authorize two kinds of drug courts: (1) pretrial intervention programs under Florida Statute §948.08 (1993); (2) probationary programs under Florida Statute §948.034 (1993). Defendants can be eligible for drug court under two different provisions of §948.08, while §948.034 lists numerous categories of eligible defendants (see appendix A).

The model for treatment-based drug courts typically includes the following components:

- A judicially-led criminal justice team which includes a designated judge, assistant state attorney, assistant public defender, treatment liaison, probation officer, and drug court coordinator.
- Intensive judicial supervision of the offender.

- A goal to restore defendants to productive, non-criminal members of society.
- Individualized, intensive, and structured treatment programs which rely on an outpatient approach and periodic drug testing, with residential support when necessary.
- The recognition of addiction as a disease, thereby acknowledging relapse as a stage in the recovery process. Team members respond to relapse and non-compliance with graduated and increasingly tougher sanctions.
- Educational, vocational, and after care services so that defendants receive every opportunity to modify destructive behaviors and reach the goal of becoming productive citizens.

Additional Florida circuits became interested in the Dade drug court and quickly moved to develop their own. Most of the early drug courts sprang up in large, metropolitan areas, but soon the question was raised whether the approach would work in suburban or rural areas. Could small cities and towns provide the necessary treatment interventions needed to assist addicts?

With that question in mind, the Office of the State Courts Administrator sought and received funding from the State Justice Institute to research the feasibility of the approach in different locales. Drug courts for Escambia and Okaloosa counties became operational in 1993. These courts paved the way for the smaller circuits to develop drug courts which fit their community needs and resources.

Moreover, the State Justice Institute (SJI) grant provided the financial support to develop a comprehensive reference manual on Florida's treatment-based drug courts. This how-to manual provides both information on treatment approaches and the nature of addiction, as well as recommendations on how to plan, develop, and implement a drug court.

Florida's research and development of this approach has not diminished. Several additional grants have been secured which are providing the necessary seed money to extend research and development projects. For example, the two drug courts in the First Circuit were evaluated by an inter-university team of researchers from the University of South Florida, the University of West Florida, and John Jay University in New York. The outcomes will help further fine-tune the courts.

Also, the Office of the State Courts Administrator (OSCA) has designed a training workshop for drug court teams. This training will go beyond the currently available training by focusing on hard issues and complex topics that our drug courts face. Teams were invited to attend a June 1996, training workshop, and costs for the training were covered by grant funding.

Research on the feasibility of the adult drug court concept to the juvenile court arena has also begun. Technical assistance reports have been issued by researchers from the University of South Florida and the University of West Florida on available and appropriate treatment approaches for dealing with a substance-abusing juvenile population. Plans are underway to recommend a treatment plan for juvenile drug

courts.

Several circuits have received grant funding from various United States Department of Justice agencies to enhance their current drug court programs. The First Circuit is expanding the drug court concept in Escambia County to include juveniles and civil contempt of mothers addicted to crack cocaine. The Sixteenth Circuit is developing a case management information system to link the drug courts in the upper, middle and lower keys and also to implement a juvenile drug court component. Also the Fifth and Twelfth circuits have received planning grants to research and plan drug courts.

Effective July 1, 1995, Florida set another first in the area of treatment-based drug courts. The OSCA received grant funding from the Drug control and Substance Abuse System Improvement Fund for a statewide initiative to demonstrate the effectiveness of the drug court coordinator position in four judicial circuits. These positions oversee and will expand the operational capacity of the drug courts in the First, Fourth, Tenth and Thirteenth circuits. These circuits will also test innovative programs associated with treatment-based drug courts, such as juvenile drug courts, special programs for pregnant women, links with domestic violence proceedings, and a court supervised treatment service. Furthermore, the OSCA will conduct semi-annual training symposiums for the four circuits, as well as other circuits in Florida involved in the treatment-based drug court concept.

What started as an experiment for a critical need in Dade County has developed

into a highly successful and widespread venture. Already, the courts and state agencies are realizing direct benefits from this approach, such as:

- Drug courts provide a deterrent to drug-related crime by mandating structured, supervised treatment under authority of the court.
- Drug courts are cost-effective. Currently, the average cost for treatment of one drug court defendant averages \$1,800 per year, as opposed to one year of incarceration in a non-treatment venue at \$26,000 per year.
- Drug courts, which are based on an interagency partnership, reduce or eliminate duplication of efforts. Agencies reallocated human resources to work together toward a common goal.
- Drug courts preliminary evaluations reveal they are reducing recidivism and time between future arrests. Both statistics directly reduce impact on the courts and the criminal justice system.

Despite progress, growth, and success, and even though drug courts have proven far more cost-effective than traditional approaches, adequate funding is still a challenge. The Office of the State Courts Administrator and Florida's State Courts System, however, will maintain efforts to develop and expand the treatment-based drug court concept. Treatment-based drug courts represent an exciting venture into intergovernmental partnership with courts leading the way.

Introduction

The Honorable Don T. Sirmons, Chief Judge of the Fourteenth Judicial Circuit Court in Florida, May 1994, requested technical assistance services to assess the Circuit's capability to implement a treatment-based drug court program in Bay County (Panama City) from the State Justice Institute's Courts Technical Assistance Project (CTAP) at the American University. Several specific issues of special concern were identified by Judge Sirmons:

- Are any changes required in the present drug case processing system in order to implement a drug court program;
- What cases are available and could be selected as eligible for the drug court program;
- What models for supervision and treatment of substance abusing offenders might be implemented in the event a drug court program would not be feasible;
- What is the recommended infrastructure for appropriate court intervention to best serve the circuit and the community; and
- What are the recommended strategies to develop positive interagency cooperation, support for the program, local criminal justice and treatment support agencies' understanding and accepting the treatment-based drug court concept.

American Technical Assistance Project (ATAP) staff in response to Judge

Sirmon's request discussed with the judge and court administrator current case processing procedures in Bay County, the characteristics of the drug caseload, and planning to date regarding the drug court program. Suggested approaches that might be feasible for Bay County officials to consider, plus background materials on various drug case management and court supervised treatment programs underway in other jurisdictions were also provided.

The staff at ATAP requested the Court, prior to planning the technical assistance site visit, to provide summary information on the nature of the drug cases being filed¹, the methods by which the cases were being disposed², the typical sanctions being imposed³ and the nature and outcome of any treatment services that were currently being provided to defendants. After several discussions, it was agreed that Bay County's most critical need relating to implementing the drug court program was to find an adequate treatment resource.

In 1994, Bay County had the second highest caseload per judge in the state. It is the largest of the six counties in the Fourteenth Judicial Circuit and has a population of 140,000. In 1993, approximately 2500 criminal felony cases were filed annually in the Circuit Court, with approximately 800 consisting of drug cases and 75 percent to 80

¹Charges, defendant backgrounds, etc.

²Trial, plea, nol prossed, etc.

³Prison, jail, probation, work program, etc.

percent considered drug or drug-related. Two judges handle the criminal docket⁴.

In the spring of 1994, the Court met with several court agencies to explore the concept of drug court. Subsequent to that meeting the public defender and the prosecutor modified criminal case processing procedure to create a "rocket docket" to expedite the case screening process and the point of court intervention in drug cases.

⁴Two Judges handle criminal cases in 1997 and drug cases are at the same percentage.

Table 1

FUNCTIONS OF ROCKET DOCKET

Day 1	Arrest
Day 5-6	Prosecutor gets paperwork from police
Day 6-40	Prosecutor investigates; determines charge and makes plea offer; prepares proposed information and plea proposal
Day 40	Arraignment; plea offer formally presented to defendant
Day 40-45	Defendant may accept plea offer (80 percent do)
Day 47	Second arraignment date if defendant wants more time to consider plea offer
Day 70	Pretrial conference of 20 percent cases remaining
Day 100	Trial

Consultants were assigned and a site visit was made in February, 1995. The consultants focussed primarily on two areas during the course of the meetings: (1) the interest and support of the local officials in implementing such a program; and (2) existing services and resources which might be integrated into a drug court program.

Multiple agencies need to be involved to support the drug court program. (See Appendix B). The treatment program and provider are very important to the success of the program. ATAP staff examined what treatment facility requirements such as space for the screening, assessment, and treatment services required would be beneficial.

Several factors to consider are: (1) maintaining the information needed by computer, (2) estimating and projecting caseload volume and characteristics, (3) integrating the drug court into the court's caseload procedures and identifying changes that may need to be made, (4) the logistical steps a participant needs to go through to enter the program voluntarily, such as plea arraignment, sentence, screening process, etc.

Additional tasks would be all parties buying into the concept of a drug court program in Bay County, and building a support team. Budgetary considerations are crucial to the program. The costs of the program can be offset against potential savings that can be accrued through the drug court, particularly in regard to savings in jail time and recidivism costs.

The principal findings and recommendations of ATAP were:

1. **Implementation decisions:** get all the players to agree, define the roles of each player, have a local official spear-head the development of the program, have a drug court committee, work with treatment provider, attend a court session in neighboring Escambia County, and analyze target population and cost of handling offenders in the program.
2. **Treatment:** look at providers facilities, client volume, staffing and services. The providers available at present will need to be more specialized to meet the needs and work with the Pretrial Release program for supervision.
3. **Case management:** is already in place with a "rocket docket", but development of intake procedures to capture defendants who bond out shortly after arrest and establish an early appearance and status hearing before the drug court judge. Prepare a flow chart of case process and procedures. Set criteria for identifying defendants who are eligible for the program. Current staff is limited in Court Administration to perform and coordinate the essential tasks for planning, implementing, and operating the drug court program.
4. **Transportation:** there is a lack of adequate public transportation in Bay County.

Development

In the summer of 1995, Judge Sirmons asked Judge Pittman, Juvenile Administrative Judge, and Robyn Hatcher, Juvenile Alternative Sanctions Coordinator, to visit Miami and observe their drug court and their treatment facility. Subsequently, Judges Sirmons and Pittman and a few court personnel also went to Pensacola to observe 'drug court' in the First Circuit. This visit was very enlightening and encouraged Judge Sirmons and Judge Pittman to move forward in implementing a program in Bay County. Miami and Pensacola had already solved problems that arose while implementing their programs. Bay county was able to take advantage of the experience of their courts. After observing these two drug courts, Judge Sirmons decided to appoint an oversight committee in November 1995, to plan what type of drug court program the Fourteenth Judicial Circuit would implement, and what they had to do to sell the idea to all the players in the system (see Appendix C). In December 1995, members of the oversight committee began meeting monthly.

The committee decided to establish a drug court and to target adults with a criminal case, adults with a dependency issue, and juveniles with a delinquency case. The program would be a twelve-month, three phase approach to substance abuse which would encompass vocational, educational, and spiritual components in conjunction with providing substance abuse treatment. The program would provide early intervention and serve as an alternative to incarceration for the defendants who can adequately function in the community with support.

The committee organized into subcommittees. A finance committee was established to work on sources of funding such as the Edward Byrne Grant for the program (see Appendix D). A screening committee was formed to decide what cases needed to be screened. Two criteria committees were formed to decide criteria for adults, juveniles and dependency cases. A transportation committee was formed to find ways to get drug court participants to treatment immediately from Drug Court; however, after looking into several solutions, the Sheriff subsequently volunteered to handle this problem.

In July 1996, OSCA held a state-wide workshop on drug courts regarding establishing or planning future programs in Florida. The Fourteenth Judicial Circuit was chosen to participate (three Judges, Court Administration, State Attorney, Public Defender, Pretrial Release, and Parole and Probation). A grant paid for them to attend. A great deal of knowledge was acquired at this workshop. There were participants from all over the country, and the group learned from their problem solving experiences. The group brought back many suggestions to the oversight committee.

Drug Court as a concept in Bay County was not a hard process to introduce or to market to all the participants. The advantage of the experience of other courts in the Florida panhandle with the same philosophy, strong judicial leadership, and the strength of a cohesive team made implementing a drug court in Bay County viable.

In March 1996, at the monthly Bay County Safety meeting, the members decided to recommend to the Bay County Board of County Commissioners (BCBCC) that the

Drug Court Program receive approximately \$145,000 of the allotted grant already directed to Bay County. The twenty-five percent match, \$48,000, was offered by the Department of Corrections (DOC) for the total project. A grant proposal for \$145,000 was written and presented to the BCBCC by Robyn Hatcher and Edna Johnson, Court Administrator. The BCBCC approved the grant and submitted it to the Department of Community Affairs for approval, (see Appendix E). The Department of Community Affairs approved the grant on May 29, 1996.

Another source of revenue was identified by the drug court committee, Ordinance No. 96-21 (see Appendix F). The ordinance was written by the drug court committee and is used to provide funds for drug court. The ordinance authorizes an additional assessment against any person found guilty of any criminal offense per Florida Statutes. The Clerk of the Court shall collect the assessments and deposit into the Bay County Drug Abuse Trust Fund. It is estimated that a thirty percent collection rate is feasible which should amount to approximately \$15,000. This amount can be used for match monies. A public hearing was held on the ordinance itself and was passed.

In January 1997, a decision was made to charge each participant a fee to supplement the grant money and the ordinance money. All defendants (adults, juveniles and dependency) are charged a participant fee of \$300 which can be paid at a minimum of \$25 a month. These funds are being deposited in Bay County drug abuse trust fund. The defendant pays the Clerk, as the Clerk collects all funds.

A Request for Proposal (RFP) committee was appointed to write an RFP for a treatment service provider (see Appendix G). The purpose of the RFP was to secure qualification statements from the agencies who had prior experience in the substance abuse treatment of those individuals involved in the judicial system. The treatment program is a twelve-month, three phase approach to substance abuse which will encompass vocational, education, and spiritual components in conjunction with providing substance abuse treatment. This program provides early intervention and serves as an alternative to incarceration for the defendant who can adequately function in the community with support.

The three phases of drug court are:

- Phase I: Four weeks of intensive outpatient treatment. It has at least three hours of group and/or individual sessions four nights a week. The defendant attends court once a week.
- Phase II: Two to four months depending on progress in treatment. It is a minimum of eight hours per week; at least four one and a half hour groups and one twelve-step support group. Urinalysis is once a week. The defendant attends court once every two weeks.
- Phase III: Eight to ten months depending on progress in treatment. Defendants meet two times a week with one and a half hours per meeting. Urinalysis is once a week. The defendant attends court once every three weeks.

The RFP committee obtained treatment provider RFP examples from several drug courts. After contacting the Bay County Purchasing Department regarding requirements for an RFP and after four hours of writing, the RFP was born. In October

1996, the RFP was advertised for one day in the News Herald newspaper in Panama City. The RFP was also mailed to all potential providers in Bay County. The oversight committee wanted everyone to get the same information. No questions were answered over the phone; they were answered in writing, and sent to everyone who had received a copy of the RFP. At the DOC a two hour workshop was held for providers to discuss the RFP. Four providers participated. At the workshop a few questions could not be answered, so the RFP committee went back to the oversight committee and got the answers and sent them to everyone.

All proposals on the RFP were sent to the Purchasing Department in Bay County. There were three proposals Unlimited Path, Rivendell, and Chemical Addictions Recovery Effort, Inc. (CARE). In October, the RFP committee had met to develop the evaluation criteria. CARE was chosen as the service provider for drug court (see Appendix H and I). Since 1986, CARE has been certified and serves all six counties of the Fourteenth Judicial Circuit. CARE's mission statement for the agency's personnel manual is as follows:

"The Chemical Addictions Recovery Effort (CARE), Inc., a drug-free workplace, is vitally concerned with substance abuse prevention, intervention, treatment, and recovery in our community. CARE has a belief in, and loyalty to, the philosophy that chemical addictions can be prevented and successfully treated. CARE is dedicated to providing all of its consumers with the most professional services available, ensuring that a proactive program of quality improvement is an ongoing process.

We, at CARE, believe that chemically-addicted individuals are involved in a disease process and are entitled to be treated with

dignity and respect, ensuring confidentiality guidelines are followed at all times. We, at CARE, also believe that family involvement is a vital element of recovery from chemical addictions.

By adhering to the above philosophy, CARE's mission of empowering all consumers and their families to live productive and healthy lifestyles, free from the negative influence of substance abuse and dependence, can be achieved."

In October 1996, the Drug Court Coordinator position was advertised. In November a committee, Judge Sirmons, Judge Hess, Judge Pittman, and the Court Administrator interviewed several applicants. Linda Burd was hired and came on board in December. Robyn Hatcher, Linda Burd, and Sandy Thorne, Contract Manager for Bay County, met with CARE and negotiated the contract. They also went to the BCBCC to get approval of the service provider. After going before the board twice, the board approved CARE on January 7, 1997, and drug court started on January 15, 1997.

An evaluation committee was formed in October 1996, to determine what data elements to collect to evaluate the program (see Appendix J). This committee is an ongoing one. They are presently looking for software to track the drug court program cases. Jerry Riddle, Pretrial Release Director and the Court's Computer Director, is working on the software project.

Having made all the critical planning decisions, the drug court program began operating on January 15, 1997.

Each key team committee member's role is:

- Linda Burd - coordinates daily operations, research funding opportunities.
- Judge Sirmons - reviews treatment progress and imposes sanctions for

lapses and reinforce positive behaviors with encouragement.

- Public Defender - reviews treatment progress and makes recommendations or sanctions and incentives.
- State Attorney - makes sure defendants are eligible for drug court. Screen prior history and score sheet, makes recommendations to Judge regarding sanctions and incentives.
- Juvenile Case Manager - reports to team about home life and checks on juvenile at home.
- State Probation Officer - reports to team on home life of the adult offenders.
- CARE - reports urinalysis results and treatment progress.
- DCF - reports on home life of dependency cases.
- Sheriff - makes recommendations at team meetings on sanctions and incentives; serves drug court capias and warrants immediately.

The oversight committee still meets as needed to monitor the progress of participants. Every Monday morning the Key Team Committee meets to discuss cases.

Conclusions and Recommendations

The drug court program has only been in existence for two months, and it is difficult to evaluate a program that has only been operating for two months. The Drug Court Coordinator should continue to collect detailed information on the Drug

Court participants, their participation in court and treatment services, their progress in treatment, and the follow-up results. This information will be used to evaluate the program and determine if the program has achieved its goals and objectives. The forms being used should be updated when needed, (see Appendix K). The software system should be purchased or developed as soon as possible. The Byrne Grant requires quarterly, annual, and final reports. The reports should be studied to determine if there are any changes needed to improve the program performance. One measure of success might be recidivism (rearrest rates). The court should also look at the accuracy of the data collected.

Other courts across the country should be contacted to see if their evaluations were successful. There is no one single model for an effective drug court. The program must be flexible to meet the ever changing needs of the participants.

It is recommended that funding be a top priority to keep this program running and to assist with the evaluation of the program. Potential sources of funding the evaluation should be sought through grants which range from local, state and federal resources. The Thirteenth Judicial Circuit Drug Court in Florida hired Linda G. Smith, Ph.D., Georgia State University, Department of Criminal Justice, Atlanta, Georgia, to do an evaluation of their drug court. This study was very expensive, but effective. The Fourteenth Circuit Drug Court could also hire Dr. Smith. Roger H. Peters, PH.D., University of South Florida, Florida Mental Health Institute, Department of Mental Health Law and Policy was hired to teach "Designing a Drug Court Evaluation and Data

System" at the conference of Gaining Momentum: Drug Courts in Florida. Dr. Peters could also be hired by the Fourteenth Judicial Circuit Drug Court.

The results of the evaluation should provide credible information to the court leadership and community about the status of drug court and whether drug court should be continued, revised, or expanded. Such information helps guide both the court and the community to decide whether drug court is a viable option to incarceration.

"The public currently perceives the drug war as a losing battle, and drug courts may prove to be a victory for the public, addicts, and law enforcement alike."

(Weinstein-Alpuche, 1996).

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APPENDICES

APPENDIX A

Florida Statutes Authorizing Drug Courts

Florida Statutes authorize two kinds of "drug courts": 1) pretrial intervention programs under Florida Statute §948.08 (1993); 2) probationary programs under Florida Statute §948.034 (1993). Defendants can be eligible for drug court under two different provisions of §948.08, while §948.034 lists numerous categories of eligible defendants.

Most drug courts currently operating in Florida were implemented under the criteria set forth in §948.08, which was significantly amended in 1993. The amendment was added to the existing statute, thereby creating two different sets of criteria for admission to and implementation of drug courts. The purpose of §948.08, which is to authorize the use of "counseling, education, supervision, and medical and psychological treatment" for persons believed to have drug problems and charged with a specified criminal offense, however, did not change with the amendment. Fla. Stat. §948.08(1)(1993). The two relevant provisions under §948.08 will be described separately.

Florida Statute Section 948.08(2)-(5)(1993)

Section 948.08(2) provides that, "Any person who is charged with any nonviolent felony of the third degree is eligible for release to the pretrial intervention program...." The phrase "nonviolent felony" is defined and subsections (2)-(5) include the following key points:

- o Consent for admission to the program must be obtained from the victim, state attorney, and judge who presided at the initial appearance.
- o Defendant must agree to enter the program and waive speedy trial.
- o Criminal charges against defendant are continued for 90 days initially and can be continued for an additional 90 days.
- o Criminal proceedings against defendant shall resume whenever the state attorney or program administrator determines that the defendant is not fulfilling the program obligations or the public interest so requires.
- o At the end of the intervention period, the administrator recommends that: 1) prosecution resume; 2) defendant continue in program; or 3) charges be dismissed without prejudice.
- o The state attorney makes final determination as to whether prosecution shall continue.

Florida Statute Section 948.08(6)(1993)

Under this subsection, which is the 1993 amendment referred to above, the criteria for admission to a pretrial diversion program are different from those in §948.08(2)-(5).

"Notwithstanding any provision in this section, a person who is charged with a felony of the second or third degree for purchase or possession of a controlled substance under Chapter 893 ... is eligible for admission into a pretrial substance abuse education and treatment intervention program" Fla. Stat. §948.08(6)(a)(1993).

Key components of Section 948.08(6) are as follows:

- o Defendant cannot have any felony conviction or previously have been in a pretrial program referred to in the section.
- o Program must be approved by the chief judge of the circuit.
- o Defendant is admitted to program for not less than one year.
- o Admission may be on court's own motion or on motion of either party.
- o State attorney can oppose admission and court shall deny admission if state attorney establishes at a preadmission hearing by a preponderance of the evidence that defendant was dealing in and selling controlled substances.
- o At the end of the pretrial intervention period, court shall determine whether defendant successfully completed the program after considering the administrator's and state attorney's recommendations.
- o The Court: 1) may order defendant to continue in program; 2) may order case referred to normal channels for prosecution; 3) shall dismiss charges if defendant successfully completes the program.

The primary difference between §948.08(2)-(5) and the 1993 amendment, §948.08(6), is the role of the state attorney and the court. In the former, the state attorney must consent to the defendant's admission and has the final authority to decide whether the defendant will be prosecuted after participating in the intervention program.

On the other hand, the 1993 amendment authorizes the chief judge of a court to approve a pretrial intervention program and a defendant may be admitted to the program on the court's own motion. In addition, the court must consider the state attorney's recommendation as to whether the defendant has

successfully completed the program, but the court determines whether or not the defendant will remain in the program. The 1993 amendment has provided more flexibility for Florida jurisdictions that are interested in implementing a pretrial intervention drug court program.

Florida Statute Section 948.034(1993)

This section authorizes the court to require defendants who violate Florida Statute §893.13(1)(a)1, (1)(d)1, (1)(a)2, or (1)(d)2, to complete a term of probation in lieu of serving a term of imprisonment. Section 893.13(1)() provides that "...it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance." The specific provisions cited above designate the severity of the controlled substance offense charged. The requirements that must be fulfilled by the defendant during the term of probation are specifically set forth according to whether the defendant committed a first, second, or third degree felony and whether he or she had previously been convicted of the same felonies enumerated in the statute. All defendants who are required to complete probation under this section may be ordered to receive substance abuse education and treatment, thereby rendering this statute a "drug court" alternative.

The first category of defendants who may be sentenced to probation under §948.034 are those who have violated Florida Statute §893.13(1)(a)1, a second degree felony, or Section 893.13(1)(d)1, a first degree felony. A person who has not previously been convicted of these offenses may be sentenced as follows:

Florida Statute Section 948.034(1)(a)(1993)-

- o Adjudication withheld.
- o Probation for not less than 18 months, as a condition of which the court shall require offender to reside at a community residential drug punishment center for 90 days.
- o Placement into center subject to budgetary considerations and availability of bed space.
- o If required to reside at center, court shall also require one or more of the following:
 - \$500 to \$10,000 fine
 - attendance in and completion of a substance abuse education or treatment program, as well as a substance abuse evaluation.

- 100 hours or more of public service
- drug testing
- participation in self-help group, such as Narcotics, Alcoholics, or Cocaine Anonymous.

A person who has been previously convicted of one felony violation of Section 893.13(1)(a)1 or (1)(d)1 may be sentenced as follows:

Florida Statute Section 948.034(1)(b)(1993)-

- o Adjudication may not be withheld.
- o Probation for not less than 24 months, with 180 days in a residential center.
- o Placement into center subject to budgetary and bed space limitation.
- o If required to reside at center, court shall also require one or more of the following:
 - \$1,000 - \$10,000 fine
 - substance abuse evaluation, education, treatment
 - 300 hours or more of community service
 - drug testing
 - participation in self-help group.

A person who has been previously convicted of two felony violations of Section 893.13(1)(a)1 or (1)(d)1 may be sentenced as follows:

Florida Statute Section 948.034(1)(c)(1993)-

- o Adjudication may not be withheld.
- o Probation for not less than 36 months, with 360 days in a residential center.
- o Placement into center subject to budget and space limitations.
- o If required to reside at center, court shall also require one or more of the following:
 - \$1,500 - \$10,000 fine
 - substance abuse evaluation, education, treatment

- 300 hours or more of community service
- drug testing
- participation in self help group.

The second category of defendants who may be sentenced to probation under §948.034 are those who have violated Florida Statute §893.13(1)(a)2, a third degree felony, or §893.13(1)(d)2, a second degree felony. The sanctions that may be imposed during the term of probation for these violations become more severe with each previous conviction, as with the sanctions under §948.034(1)(a), (b), and (c). The sanctions themselves are also very similar to those described above, so they are not set forth here. The full text of §948.034 is included at the end of the appendix. Please refer to §948.034(2)(a), (2)(b), (2)(c), (2)(d) and (2)(e).

It should be noted that the Florida legislature revised portions of §893.13 pursuant to the "Safe Streets Initiative of 1994," without revising §948.034 to make it conform to the changes in §893.13. Therefore, there are references in §948.034 to §893.13(1)(e)2, (1)(i)2, and (1)(f), which are no longer in §893.13 in the same form. Until the legislature addresses this discrepancy, there will be some uncertainty as to the applicability of revised portions of §893.13 to §948.034.

In addition to other statutes discussed here, Florida Statute §§948.001 and 948.04 are relevant to the probationary "drug court". Section 948.001(4) defines "Drug offender probation," while §948.001(6) defines "Community residential drug punishment center." The statute designates the Department of Corrections as the agency that will adopt rules as necessary to define and operate such centers. Section 948.04 indicates that defendants placed on probation pursuant to §948.034 are not restricted to a two-year term of probation, as are most other defendants.

APPENDIX B

APPENDIX B

Multiple agencies that need to be involved in drug court:

<u>AGENCY/OFFICIAL/FUNCTION</u>	<u>ROLE</u>
Booking	Identifies persons eligible for drug court program
Clerk	Provides caseload support
Court Administration	Provides program coordination
Drug Court Judge	Oversees Drug Court operation
Job Services Agencies	Provides job placement services
Judiciary	Develops system for uniform/consistent handling of drug case Assigns one judge for defendants eligible for the drug court
Pretrial Release	Assists in screening defendants for drug court edibility Supervises defendants on release until drug court program entry
Probation/PTI	Supervises drug court clients
Public Defender	Works with state attorney to define eligibility criteria for drug court participation; Explains drug court program/requirements to eligible defendants;
School Board	Provides training/GED programs
Social Service Agencies	Addresses other needs of drug court participants such as housing, etc.
State Attorney	Defines/agrees to eligibility criteria for drug court participation; uniform plea policy
Warrants Staff	Arrests defendants for whom capias are issued
Other County/State/ Private Agencies	Provide resources/guidelines for treatment services

APPENDIX C

OVERSIGHT
DRUG COURT COMMITTEE MEMBERS

Honorable Don T. Sirmons
P. O. Box 831
Panama City, FL 32402
747-5322

Honorable Dedee S. Costello
P. O. Box 2237
Panama City, FL 32402
747-5341

Honorable Judy M. Pittman
P. O. Box 27
Panama City, FL 32402
747-5320

Honorable Glenn L. Hess
P. O. Box 2237
Panama City, FL 32402
747-5650

Ms. Robyn Hatcher
Alternative Sanctions Coordinator
P. O. Box 2237
Panama City, FL 32402
747-5623/718-0026

Honorable Pam Smoak
P. O. Box 1040
Panama City, FL 32402
872-4473

Honorable Quentin Broxton
P. O. Box 1040
Panama City, FL 32402
872-4473

Honorable Brian Dusseault
P. O. Box 2526
Panama City, FL 32402
769-6139

Mr. Michael Chambers
221 East 23rd Street, Suite B
Panama City, FL 32405
872-7590

Mr. Ed Rankin
221 East 23rd Street, Suite B
Panama City, FL 32405
872-7590

Mr. Tommie Pitts
500 W. 11th Street
Panama City, FL 32401
872-7630

Honorable Nancy Jones
500 West 11th Street
Panama City, FL 32401
747-7670

Lt. Larry White
Bay County Sheriff's Office
3421 N. Highway 77
Panama City, FL 32405
747-4700

Mr. George Thorne
Panama City Police Department
1209 E. 15th Street
Panama City, FL 32405
872-3112

Mr. Jerry Riddle
Pretrial Release Program
P. O. Box 2269
Panama City, FL 32402
747-5183

Ms. Ellen Fitzgibbon
Program Analyst
HRS, Alcohol, Drug Abuse & Mental Health
500 W. 11th Street
Panama City, FL 32401
872-7644

Honorable Harold Bazzel
Clerk, Circuit Court
P. O. Box 2269
Panama City, FL 32402
747-5102

Honorable Jeannie Burgess
Assistant Public Defender
432 Magnolia Avenue
Panama City, FL 32401
784-6155

DRUG COURT SUB-COMMITTEES

1. FINANCE

Robyn Hatcher (Chairperson)
George Thorne
Jerry Riddle
Larry White
Mickey Chambers

2. CRITERIA FOR REFERRAL - CRIMINAL

Pam Smoak (Chairperson)
Quentin Broxton
Jeannie Burgess
Ed Rankin
Judge Glenn Hess
Judge Judy Pittman

3. INTAKE/SCREENING

Jerry Riddle, (Chairperson)
Tommie Pitts
Mickey Chambers

4. CRITERIA FOR REFERRAL - HRS ADULT DEPENDENCIES

Nancy Jones, (Chairperson)
Judge Don Sirmons
Judge Judy Pittman

5. TRANSPORTATION

Larry White (Chairperson)
Tommie Pitts
Johnny Johnson
Judge Don Sirmons
Bailiff Representative

APPENDIX D



BAY COUNTY DRUG COURT
FOURTEENTH JUDICIAL CIRCUIT OF FLORIDA

Bay County Courthouse Annex
301 McKenzie Avenue
Second Floor
Panama City, Florida 32401
(904) 873-7095
(904) 747-5717 (FAX)

LINDA J. BURD
Coordinator

MAILING ADDRESS:
Post Office Box 1089
Panama City, Florida 32402

1997 DRUG COURT TEAM MEMBERS

Honorable Don T. Sirmons. Circuit Judge	904-747-5322
Honorable Barbara Finch. Assistant State Attorney	904-872-4473
Honorable Nancy O'Connor. Assistant State Attorney	904-872-4473
Honorable Quentin Broxton. Assistant State Attorney	904-872-4473
Honorable Jeannie Burgess. Assistant Public Defender	904-784-6155
Honorable Matthew Meredith. Assistant Public Defender	904-784-6155
Honorable Nancy Jones, Department of Children and Families	904-763-3800
Patricia Reid. Protective Services, Department of Children And Families	904-872-7657
Linda Burd. Drug Court Coordinator	904-873-7095
Cathy Wise, Correctional Probation Senior Officer	904-872-4139
Tim Fell. Correctional Probation Officer	904-872-4139
Heather Girvin Hart. Delinquency Case Manager. Department of Juvenile Justice	904-872-7630
Michelle Hipkins. Human Services Counselor. Department of Juvenile Justice	904-872-7630
Kenneth Morris. Treatment Liason, C.A.R.E.	904-872-7676
Lt. Larry White, Bay County Sheriff's Dept.	904-747-4700

APPENDIX E

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

DCA Contract Number: 97-CJ-6J-01-13-01-020

Unique ID 96-020 PA 13D

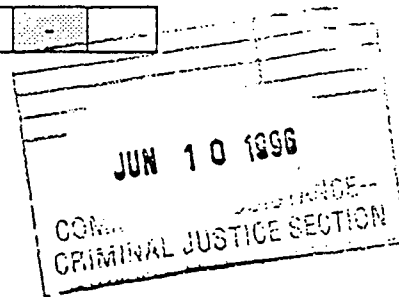
A. Names & Addresses

1. Continuation of *Previous* Subgrant? (Check One) Yes ☐ No ☒
2. *Previous* Subgrant, State Project ID Number (If Yes in 1. above).

96	-	CJ	-		-		-		-		-	
----	---	----	---	--	---	--	---	--	---	--	---	--

3. Subgrant Recipient.

Name of Chief Elected Official: Honorable Rick Hurst
Title: Chairman, Board of County Commissioners
Address: 310 W. 6th Street, Panama City, FL
Zip Code: 32401
Area Code and Telephone Number: (904) 784-4013
SUNCOM Number: 777-4013
Area Code and Fax Phone Number: (904) 784-4026



4. Chief Financial Officer.

Name of Chief Financial Officer: Mr. Joseph D. Rogers
Title: Chief Financial Officer
Address: 240 E. 4th Street, Panama City, FL
Zip Code: 32401
Area Code and Telephone Number: (904) 747-5215
SUNCOM Number: 777-5215
Area Code and Fax Phone Number: (904) 747-5215

5. Implementing Agency. (Government Agency Responsible for Project)

Name of Chief Executive Official: Honorable Don T. Sirmons
Title: Chief Judge, 14th Judicial Circuit Court
Address: 300 E. 4th Street, Panama City, FL
Zip Code: 32401
Area Code and Telephone Number: (904) 747-5322
SUNCOM Number: 777-5322
Area Code and Fax Phone Number: (904) 747-5159

6. Project Director. (Employee of Governmental Implementing Agency)

Name of Project Director: Ms. Robyn R. Hatcher
Title: Deputy Court Administrator
Address: 301 McKenzie Avenue, Panama City, FL
Zip Code: 32401
Area Code and Telephone Number: (904) 747-5623
SUNCOM Number: 777-5623
Area Code and Fax Phone Number: (904) 747-5717

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

B. Administrative Data

7. Project Title (Not to exceed 84 characters, including spaces).

Bay County Drug Court

8. For Period.

Period	Month	Day	Year
Beginning	10	1	1996
Ending	09	30	1997

9. Is the Subgrantee or the Implementing Agency a Member of a Local Criminal Justice Advisory Council or Substance Abuse Policy Advisory Board, Coalition, or Council?
(See the Program Announcement for a description of board responsibilities.)
(Check One.) Yes X No _____

C. Fiscal Data

10. (If other than the Chief Financial Officer) Remit Warrant to:
11. Vendor # (Enter Federal Employer Identification Number of Subgrantee):
59-6000512
12. SAMAS # (Enter if you are a state agency):
13. Will the Project earn Project Generated Income (PGI)?
(Check one.) Yes X No _____
(See Section H., Paragraph 14 for a definition of PGI.)
14. Will the applicant be requesting an advance of federal funds?
(Check one.) Yes X No _____
If Yes, a letter of request must be attached.

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

D. Program Data

Problem Identification. Briefly describe a specific problem to be addressed with subgrant funds. If you are seeking funds to continue existing project activities, your problem statement must also provide a short summary of your current program and describe any gaps between current and desired project results.

Program Description. Briefly describe how project activities will address the targeted problem. Describe who will do what, when, where and how.

SEE PAGE 2 OF INSTRUCTIONS ON ITEMS TO INCLUDE.

Start below and use continuation pages as necessary.

PROGRAM IDENTIFICATION:

The Bay County Drug Court is a partnership among the Courts, Pretrial Release Program, Office of the State Attorney, Public Defender's Office, Bay County Sheriff's Office, Florida Department of Corrections, Florida Department of Juvenile Justice (DJJ), Florida Department of Health and Rehabilitative Services (HRS), and a provider of substance abuse treatment. The problems being addressed by Drug Court are the recidivism of adult and juvenile drug offenders and the addiction of adults involved in dependency issues that may result in their children being removed from the home, as well as these parents "infecting" their children with the addiction.

The primary goal of Drug Court is to provide immediate and concerted treatment to drug offenders (adults and juveniles) and to adults involved in dependency matters. This effort is to prevent the drug offenders from re-offending and entering the system over and over, as well as to aid adults involved in dependency issues in becoming more responsible so they can keep or get back their child(ren). It is also a goal to help these adults lead a drug-free lifestyle so the pattern of addiction will not be passed on to their children.

This comprehensive program is a twelve month, three phase approach to substance abuse. It encompasses vocational, educational, and spiritual components in conjunction with providing substance abuse treatment. Phase I provides assessment and intensive outpatient treatment plus urinalysis exams. Phase II addresses the participants' receptiveness to substance abuse treatment in an outpatient setting, emphasizes a drug free lifestyle, and develops the mechanisms for coping with stressful situations. Phase III provides ongoing substance abuse support with a focus on the available community resources such as educational and vocational referrals.

Bay County Drug Court will target the following three groups of individuals: 1) adults - criminal; 2) adults - dependency issues (such as crack moms); and 3) juvenile delinquents. The target population will come from communities throughout Bay County, which is a predominately rural area located in northwest Florida, and the vast majority of the participants will be indigent. In addition, the projected target population will include the following characteristics:

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

- ▶ Juvenile offenders will range from ages 15 to 17, of which the majority will be male. This particular target group will include about the same number of African American and Caucasian individuals and possibly a few Asian or Hispanic individuals. Many of these juveniles will already have a criminal history (excluding violent offenses) as well as a drug addiction.
- ▶ Adult offenders will include individuals from 18 to 45 years old. These offenders will be predominantly male. This target group includes about the same number of African American and Caucasian individuals and possibly a few Asian or Hispanic individuals. Some of these offenders will not have a prior criminal record and can participate in Drug Court as a diversion program, while others may have a criminal history (excluding violent offenses) and enter the program as a condition of probation/community control. These individuals will also have a substance abuse problem.
- ▶ Adults involved in dependency issues could range from ages 18 to 45. The majority of these individuals will be female, with about the same number of African American and Caucasian individuals and possibly a few Asian or Hispanic individuals. Some of these people may have a criminal history (excluding violent offenses), while others will have no prior record. However, these individuals will also have a problem with drug addiction.

Currently, there are five treatment providers in the local area that could provide services for Drug Court: Chemical Addictions Recovery Effort (CARE); Crossroads, Life Management of Northwest Florida; Rivendell; and Unlimited Paths. Both CARE and Crossroads were profiled in a technical assistance report compiled by The American University for Bay County in June 1995.

According to the report, CARE is "... familiar with the criminal justice system and has considerable experience in dealing with criminal justice system-involved offenders". CARE also offers both inpatient and outpatient services.

Crossroads also has inpatient and outpatient services. stated in the above-referenced technical assistance report, Crossroads was "... not very familiar with the criminal justice system or the criminally-involved offender".

The following service providers were not profiled in the report but offer services within Bay County. Life Management of Northwest Florida has outpatient services and a few "crisis" beds for temporary residential treatment. Rivendell offers inpatient and outpatient services, and Unlimited Paths is currently under contract with the Florida Department of Corrections to provide outpatient services for individuals on probation/community control. A bid for treatment services will be conducted, and the treatment provider will be located in Bay County in a location other than the Courthouse.

This program provides early intervention and serves as a meaningful alternative to probation/community control without treatment so the offender can adequately function in the community with drug treatment support. It is the goal of this program to realize a reduced recidivism rate for those offenders who successfully complete the program. This, in turn, will provide the offender the foundation on which to build in order to become a productive member of our community.

Drug Control and System Improvement Formula Grant Program

(Edward Byrne Memorial State and Local Assistance Program)

PROGRAM DESCRIPTION:

Drug Court is designed to target individuals who have an addiction to drugs. Offenders (adult or juvenile) may be referred to the program by Judges, the State Attorney's Office, the Public Defender's Office, Probation and Parole (Department of Corrections), Pre-Trial, or the Department of Juvenile Justice. Adults involved in dependency issues may be referred into Drug Court by the judge or by the Department of Health and Rehabilitative Services.

Adults - Criminal: The initial screening of the offender will be conducted by the Pretrial Release staff. An initial interview will be conducted if the offender is charged with the prerequisite offense. The criminal history will be reviewed to determine whether the offender meets the criteria established for entry into Drug Court. If the criteria is met, the offender will be transported to the Bay County Courthouse for appearance in Drug Court. The following charges are criteria to determine eligibility into Drug Court:

- Possession of Controlled Substance
- Purchase of Controlled Substance
- Manufacture of Controlled Substance (e.g. growing cannabis) *rare
- Prescription Forgery
- Introduction of Contraband into the Jail

The following offenses may be considered for admission into Drug Court if it appears that the causal factor involved is a drug addiction and restitution is recoverable at some point in the foreseeable future. Wherever practical, victim approval for admission must be obtained:

- Thefts
- Forgeries
- Uttering Forgeries
- Worthless Checks
- Burglaries
- Dealing in Stolen Property

Please note that offenders charged with selling drugs are not eligible for Drug Court. This program is designed to target the addict, not the pusher.

Juveniles: The initial screening of the offender will be conducted by the Intake personnel at the Florida Department of Juvenile Justice. An initial interview will be conducted if the offender is charged with the prerequisite offense. The criminal history will be reviewed to determine whether the offender meets the criteria established for entry into Drug Court. If the criteria is met, the offender will be transported to or given a notice to appear at the Bay County Courthouse for appearance in Drug Court. (Criteria is listed above.)

Adults - Dependency Issues: These adults will be referred by the Court at a Shelter Care Hearing or at Arraignment. Referrals can also be made by the case worker from the Florida Department of Health and Rehabilitative Services.

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

Adults - Criminal: Defendants with no prior criminal record or very limited prior criminal record will be allowed admission to Drug Court either through Pre-Trial Intervention or entering a plea of guilty or no contest to the instant charges pursuant to the assigned assistant state attorney's assessment of the totality of the circumstances and approval by the Drug Court Judge. Those defendants charged with or have a history of violent offenses are not considered for admission to Drug Court. Those defendants with more extensive criminal records must enter a plea to the instant charge and gain approval by the Drug Court Judge to enter the program.

Juveniles: Juvenile defendants with no prior criminal record or very limited prior criminal record will be allowed admission to Drug Court either through a Pre-Trial Intervention program or by entering a plea of guilty to or no contest to the instant charges pursuant to the assigned assistant state attorney's assessment of the totality of the circumstances and approval by the Drug Court Judge. Those juveniles charged with or have a history of violent offenses are not considered for admission to Drug Court. Those juveniles with more extensive criminal records must enter a plea to the instant charge and gain approval by the Drug Court Judge to enter the program.

Adults - Dependency Issues: Adults with no prior criminal record or very limited prior criminal record will be allowed admission to Drug Court as a condition of maintaining parental rights. Those adults that have a history of violent offenses are not considered for admission to Drug Court.

Upon acceptance into Drug Court, clients will participate in an administrative intake process consisting of the collection of identifying data, determination of financial status, and signature of a consent for treatment. In addition, each client will participate in a clinical assessment consisting of the following: a psychosocial assessment, a psychiatric assessment where indicated, alcohol/drug use history, discussion of an initial treatment plan, a review of the program schedule, and completion of appropriate release of information forms as well as any legal requirements for documentation and follow-up. The client will also complete a medical history checklist which is then reviewed. If needed, a referral for a physical will be made.

A dedicated probation officer from the Florida Department of Corrections (adult offenders) and the Florida Department of Juvenile Justice (juvenile offenders) and a case worker from the Florida Department of Health and Rehabilitative Services (adults - dependency issues) will be assigned to the Drug Court to work in conjunction with the treatment agency and the offender. A home study will be conducted on a monthly basis and regular office visits will occur. The focus of the probation officer or case worker is on the vocational, educational, and employment component of treatment. The probation officer/case worker and the court liaison for treatment will serve as case managers for the offender and will have weekly contact with the offender.

After the initial intake, the client will attend the Drug Court treatment program. A provider will be determined based on its ability to utilize a multi-faceted, graduated intensity approach including professional counseling, peer support, community support systems, aftercare groups, and professional referrals. The provider will be located within Bay County at a site independent of the Courthouse. It will also be necessary for the provider to be licensed by the Florida Department of Health and Rehabilitative Services and have experience working with juvenile and adult offenders. An assessment of high risk behaviors will be part of the initial assessment at the time of intake. A referral system is needed for HIV related issues

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

such as education and counseling. Testing will be provided upon request of the client and through referral. A clinical chart will be developed for all clients and will include all documentation. Assessments, treatment plans, progress notes, urinalysis results, and discharge summaries will be maintained in the client chart.

The following services are to be provided by the treatment agency:

Phase I: Approximately four weeks of intensive outpatient treatment using a day-treatment model. Services include a minimum of four hours of daily programming (e.g. cognitive restructuring, Twelve-Step Program, and drug and alcohol education) at least four days per week. Services allow program participants to attend treatment sessions either during the day or in the evening to accommodate individuals who are working or going to school. Treatment further includes at least 1 ½ hours of group treatment three days per week and urinalysis testing twice weekly.

Phase II: Approximately 2 - 4 months (dependant upon individual's progress) of moderately intensive outpatient treatment. Services include a minimum of eight hours of programming per week. Treatment includes at least 1 ½ hours of group treatment twice weekly and urinalysis testing at least once a week or as needed.

Phase III: Approximately 8 - 10 months of less intensive outpatient treatment. Services include a minimum of three hours of programming per week, including at least 1 ½ hours of group treatment once weekly, and urinalysis testing once a week or as needed.

Short and long term residential beds are needed for both juvenile and adult clients determined to be unable to adequately function in Drug Court on an outpatient basis. This will provide the benefits of the Drug Court Program to those who otherwise would not be eligible for participation.

Throughout the year the individual will be given status call court dates for the Court to review the offender's treatment progress. The treatment provider will issue detailed status call reports for each client at every court appearance. Phase I clients will attend court once per week, Phase II once every two weeks, and Phase III once every three weeks. This will enable the judge to provide support to the clients as needed and to institute legal and clinical sanctions if recommended by treatment. It will further provide the client with a sense of continuity and identification within the programs. Rather than feeling "lost in the system", the client learns the judge knows of and has an interest in his/her situation. This aspect allows the courtroom to become a therapeutic environment for the participants. Drug Court sessions are scheduled to take place two times a week. Each session will be approximately 1 ½ hours in length.

Adults - Criminal: The Court will determine the satisfactory progress of the client. Consistent positive urinalysis and/or nonattendance of treatment sessions could result in the client's incarceration for a period of time to be determined by the Drug Court judge. If necessary, the offender may be placed back in a previous phase for more intensive counseling and supervision. Those who are determined to have "failed" the Drug Court program will serve out their jail sentence.

Juveniles: The Court will determine the satisfactory progress of the juvenile client. Consistent positive urinalysis and/or nonattendance of treatment sessions could result in the juvenile's placement in secure detention for contempt of court or violation of community control. If

Drug Control and System Improvement Formula Grant Program *(Edward Byrne Memorial State and Local Assistance Program)*

necessary, the juvenile offender may be placed back in a previous phase for more intensive counseling and supervision. Those who are determined to have "failed" the Drug Court program may be placed in a long-term juvenile commitment program or be waived to the adult system.

Adults - Dependency Issues: The Court will determine the satisfactory progress of the client. Consistent positive urinalysis and/or nonattendance of treatment sessions could result in the client's incarceration for contempt of court for a period of time to be determined by the Drug Court judge. If necessary, the client may be placed back in a previous phase for more intensive counseling and supervision. Those who are determined to have "failed" the Drug Court program will face incarceration for contempt of court (up to 180 days) and could lose custody of their child(ren).

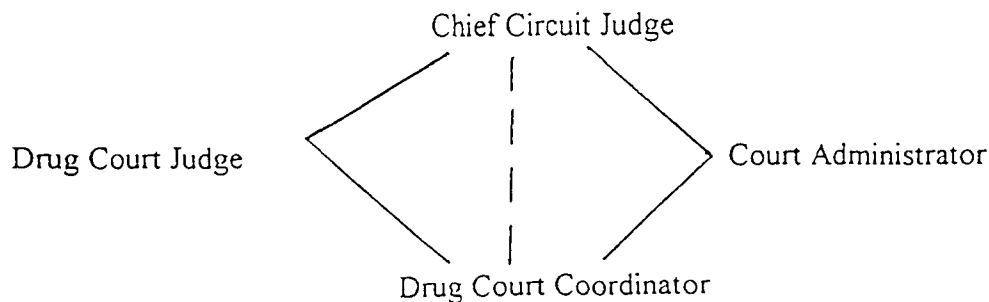
While a three-phase substance abuse treatment program is projected to be a year in length, it is expected that relapse will occur and some phases may require more time depending on the individual. However, the cost of the treatment program will remain the same with the understanding that for some individuals, the program may actually last longer than twelve months. Also, the Drug Court participants will be required to pay a portion of their treatment (\$300 each).

If it is determined by the judge that an individual has failed the Drug Court program based on information provided by the Drug Court team members, the adult offender could face up to a year in jail or a state prison sentence. A juvenile offender could be placed in a long-term juvenile commitment program or be waived to the adult system. For adults with dependency issues, those who fail to complete the Drug Court program could face incarceration in the county jail for contempt of court (up to 180 days) and could lose custody of their child(ren).

On the other hand, for those offenders (adult or juvenile) who successfully complete Drug Court, the results could be that some individuals will not have a record, while others will have successfully completed their probation/community control. For the adults involved in dependency issues, successful completion could serve as a means to keep their child(ren).

A Drug Court Coordinator is needed for Bay County to serve as key staff and liaison to state and community leaders who function as policy-makers relative to Bay County Drug Court. This position is also responsible for coordinating the daily operations of Drug Court, research funding opportunities, and prepare grants. The Coordinator will also evaluate the success of the program and recommend enhancements to the overall Drug Court program.

Organization Chart:



Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

D. Program Data (Continued)

Activities Implementation Schedule. Complete the Activities Implementation Schedule showing when activities in the Program Description will commence and how the project will progress. This chart benchmarks planned activities, both administrative and programmatic.

ACTIVITIES IMPLEMENTATION SCHEDULE												
		Subgrant Period										
		10-1-96		to		9-30-97		(Ending Date)				
		(Starting Date)										
ACTIVITY DESCRIPTION	O C T	N O V	D E C	J A N	F E B	M A R	A P R	M A Y	J U N	J U L	A U G	S E P
Advertise/Interview Drug Court Coordinator Position	X											
Hire/Train Drug Court Coordinator		X										
Purchase/Install PC Computer System	X											
Purchase Drug Court Office Furniture and Supplies		X										
Advertise RFP for Treatment Provider	X											
Review RFP/Select Treatment Provider		X										
Commence Drug Court				X	X	X	X	X	X	X	X	X
Submit Quarterly Performance Report			X			X			X			X
Submit Annual Project Performance Report												X

Drug Control and System Improvement Formula Grant Program (Edward Byrne Memorial State and Local Assistance Program)

D. Program Data (Continued)

Activities Implementation Schedule. Complete the Activities Implementation Schedule showing when activities in the Program Description will commence and how the project will progress. This chart benchmarks planned activities, both administrative and programmatic.

ACTIVITIES IMPLEMENTATION SCHEDULE												
ACTIVITY DESCRIPTION	Subgrant Period											
	10-1-96 (Starting Date)	to	9-30-97 (Ending Date)									
	O C T	N O V	D E C	J A N	F E B	M A R	A P R	M A Y	J U N	J U L	A U G	S E P
Advertise/Interview Drug Court Coordinator Position	X											
Hire/Train Drug Court Coordinator		X										
Purchase/Install PC Computer System	X											
Purchase Drug Court Office Furniture and Supplies		X										
Advertise RFP for Treatment Provider	X											
Review RFP/Select Treatment Provider		X										
Commence Drug Court				X	X	X	X	X	X	X	X	X
Submit Quarterly Performance Report			X			X			X			X
Submit Annual Project Performance Report												X

Drug Control and System Improvement Formula Grant Program

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<i>Submit Financial Claims</i>	X	X	X	X	X	X	X	X	X	X	X	X	X
<i>Submit Closeout Package</i>													X

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

E. Program Objectives and Performance Measures

Complete uniform program objectives and performance measures (found in Appendix VIII) for the federally authorized program area you want to implement. **Your application is not complete without them and an incomplete application will not be considered for subgrant funding.**

If a program area selected does not have uniform program objectives published in this document or if you cannot relate your objectives to those stated, contact Tom Bishop at 904/488-0090 for further instructions. **DO NOT** mix objectives from different Program Areas.

Start below and use continuation pages as necessary.

Program Area 13.B.
Offender Community Treatment - Local

13.B.3. Nonresidential Program - Local

- Program Objective 13.B.3.1.: To provide 100% (64) offenders with intake and screening services during the grant period.
- Program Objective 13.B.3.2.: To provide 100% (64) offenders with initial drug screening/urinalysis tests during the grant period.
- Program Objective 13.B.3.3.: To provide 100% (64) offenders with diagnostic services during the grant period.
- Program Objective 13.B.3.4.: To provide 100% (64) offenders with psychosocial assessments during the grant period.
- Program Objective 13.B.3.5.: To provide 100% (64) offenders with case management services during the grant period.
- Program Objective 13.B.3.6.: To provide 100% (64) offenders with treatment services during the grant period.
- Program Objective 13.B.3.7.: To provide 47% (30) offenders with rehabilitation services during the grant period.
- Program Objective 13.B.3.8.: To provide 100% (64) offenders with offender tracking and reporting services during the grant period.
- Program Objective 13.B.3.9.: To estimate that 5% (3) offenders will successfully complete this nonresidential program during the grant period.

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F. Project Budget Narrative

You must describe line items for *each* applicable Budget Category for which you are requesting subgrant funding. Provide sufficient detail to show cost relationships to project activities. In addition, describe specific sources of matching funds.

Start below and use continuation pages as necessary.

BUDGET NARRATIVE:

Salary and Benefits: Essential to the success of Drug Court is the position of Drug Court Coordinator who will serve as key staff and liaison to state and community leaders who function as policy-makers relative to Bay County Drug Court; will coordinate the daily operations of Drug Court, research funding opportunities and prepare grants; and will evaluate the success of the program and recommend enhancements to Bay County Drug Court. Since this position will be filled in November 1996, the salary and benefits will be for 11 months. In addition, Bay County employees will receive a merit increase in October, so benefits are figured on a combined total of salary plus merit increase.

Salary is \$25,667; Merit Increase (3%) is \$770; FICA (7.65%) is \$2,022; Retirement (17.75%) is \$4,693; Workers' Compensation is \$265; Group Health Insurance is \$4,730. **Total Salary and Benefits: \$38,147.** Of the total, \$28,610 will come from federal monies and \$9,537 will come from the match which is provided by the Florida Department of Corrections.

Contractual Services: Intensive, outpatient services to be contracted with a treatment provider (an RFP will be advertised) to provide substance abuse treatment services to Drug Court participants.

54 adults @ \$2,000/year is \$108,000; 11 juveniles @ \$3,000/year is \$33,000. **Total Contractual Services: \$141,000.** Of the total, \$105,750 will come from federal monies and \$35,250 will come from the match which is provided by the Florida Department of Corrections.

Expenses: Since this is the initial year of Drug Court and a Coordinator will be hired, there will be expenses for setting up an office and for providing travel and training for the Drug Court Coordinator and Drug Court Judge, as well as travel for the Court Liaison (treatment representative).

Chairs (2) are \$500 total; file cabinets (2) are \$500 total; one printer table at \$250; one bookcase at \$200; communications (monthly phone service and long distance calls for one year) are \$800; an answering machine at \$75; a calculator at \$75; printing of letterhead, envelopes, and business cards is \$375; postage for one year is \$400; general office supplies for the Drug Court Coordinator are \$1,578; repair/maintenance is \$200; dues/subscriptions to periodicals relevant to Drug Court and funding information is \$425; books/memberships relevant to the operation of Drug Court are \$400; training and tuition to Drug Court workshops/conferences for the Drug Court Coordinator and Drug Court Judge are \$1,000; travel to workshops and other Drug Courts

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for the Drug Court Coordinator and Drug Court Judge is \$1,200; local travel for the Drug Court Coordinator for one year is \$800; and travel for the Court Liaison is \$870. **Total Expenses:** \$9,648. Of the total, \$7,236 will come from federal monies and \$2,412 will come from the match which is provided by the Florida Department of Corrections.

Operating Capital Outlay: Office furniture and a computer workstation for the Drug Court Coordinator. This furniture expense is for the initial set up of an office, and the computer workstation will allow the Drug Court Coordinator to be networked with the judges and other departments within the court system and have the capability of tracking Drug Court participants. Also, Bay County (local policy) determines that Operating Capital Outlay are items over \$500.

One Desk at \$650; one computer workstation at \$5,066 that includes a COMPAQ 575 Model 630 computer, a COMPAQ 14" SVGA monitor; a COMPAQ NetFlex Controller; a Hewlett Packard LaserJet printer; an uninterrupted power supply; a Drug Court License upgrade; an additional WordPerfect License Upgrade; and cable installation. **Total Operating Capital Outlay:** \$5,716. Of the total, \$4,287 will come from federal monies and \$1,429 will come from the match which is provided by the Florida Department of Corrections.

**All purchase of equipment and/or services will conform with the Bay County Purchasing Guidelines which are enclosed in this application packet.

Total Federal Monies	\$145,883
Match (25%)	<u>48,628</u> (provided by the Florida Dept. of Corrections)
Total Project Cost	\$194,511

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

G. Project Budget Schedule

The Project Budget Schedule includes six Budget Categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay (OCO), Data Processing Services, and Indirect Costs) and Total Project Costs. Total Local Match must be a minimum of 25% of the Total Budget.

Type or Print Dollar Amounts Only in Applicable Categories and Leave Others Blank.

<i>Budget Category</i>	<i>Federal</i>	<i>Match</i>	<i>Total</i>
<i>Salaries And Benefits</i>	\$ 38,147.00		\$ 38,147.00
<i>Contractual Services</i>	\$92,372.00	\$ 48,628.00	\$141,000.00
<i>Expenses</i>	\$ 9,648.00		\$ 9,648.00
<i>Operating Capital Outlay</i>	\$ 5,716.00		\$ 5,716.00
<i>Data Processing</i>			
<i>Indirect Costs</i>			
<i>Totals</i>	\$145,883.00	\$ 48,628.00	\$194,511.00

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

G. Project Budget Schedule

The Project Budget Schedule includes six Budget Categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay (OCO), Data Processing Services, and Indirect Costs) and Total Project Costs. Total Local Match must be a minimum of 25% of the Total Budget.

Type or Print Dollar Amounts Only in Applicable Categories and Leave Others Blank.

<i>Budget Category</i>	<i>Federal</i>	<i>Match</i>	<i>Total</i>
<i>Salaries And Benefits</i>	<i>\$ 28,610.00</i>	<i>\$ 9,537.00</i>	<i>\$ 38,147.00</i>
<i>Contractual Services</i>	<i>\$105,750.00</i>	<i>\$ 35,250.00</i>	<i>\$141,000.00</i>
<i>Expenses</i>	<i>\$ 7,236.00</i>	<i>\$ 2,412.00</i>	<i>\$ 9,648.00</i>
<i>Operating Capital Outlay</i>	<i>\$ 4,287.00</i>	<i>\$ 1,429.00</i>	<i>\$ 5,716.00</i>
<i>Data Processing</i>			
<i>Indirect Costs</i>			
<i>Totals</i>	<i>\$145,883.00</i>	<i>\$ 48,628.00</i>	<i>\$194,511.00</i>

DRUG COURT COORDINATOR (BAY COUNTY)

Scope of Work

To serve as key staff and liaison to state and community leaders who function as policy-makers relative to the treatment-based drug court. Coordinate the daily operations of a treatment-based drug court. Research funding opportunities and prepare grant applications for continued funding. Evaluate the success of and recommend enhancements to the overall drug court program.

Essential Duties

- ▶ Oversight of treatment services, treatment protocol, and outcomes. Trouble-shooting problems that arise on a daily basis and ensuring that needed ancillary services are located and provided;
- ▶ Coordination of the detainment, screening, and safe transportation of defendants to the court room with law enforcement;
- ▶ Oversight of probation services activities. This includes coordinating the activities provided by the probation officer so that the objectives of the drug court are reached;
- ▶ Identification of educational and job opportunities for the defendants (when appropriate). This includes negotiation with the educational and business community.
- ▶ Collection and analysis of accurate and adequate data relative to the defendants and generating reports;
- ▶ Identification of ongoing training and coordination of meetings of the drug court team (judge, prosecutor, public defender, treatment liaison and counselors, probation officer, and other court room staff);
- ▶ Preparation of grant applications;
- ▶ Attendance at local and regional criminal justice planning councils and boards;
- ▶ Maintenance of the budget and administrative oversight of the program.
- ▶ Evaluation of overall program

Work Related Contacts

Judges; the State Attorney's Office; the Public Defender's Office; Pre-Trial Release; Trial Court Administrator; Clerk's Office; local law enforcement; bailiffs; private attorneys; local treatment providers; the Florida Departments of Corrections, Health and Rehabilitative Services, and Juvenile Justice; school board personnel; vocational and community college representatives; local business leaders; local civic and religious leaders; State Courts Administrator Office; local news media; and private industry.

DRUG COURT COORDINATOR

Page 2

Education and Training Guidelines

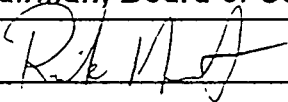
Graduation from an accredited four-year college or university with major course work in criminology, public administration, or a related social science; and three years of experience in a related field, one year of which was in a supervisory capacity. A master's degree in an area above may substitute for the nonsupervisory experience. Administrative experience in a related field may substitute for the educational requirement on a year-for-year basis.

Knowledge, Skill, and Abilities

Working knowledge of the Florida State Courts System and criminal justice system. Knowledge of substance abuse treatment. Ability to work independently. Ability to communicate effectively. Ability to establish work priorities. Ability to research, recommend, and implement improvements to court operations. Knowledge of community resources for substance abuse addicts. Ability to maintain confidentiality concerning sensitive issues before the court. Ability to write grants and prepare budgets. Ability to prepare and present comprehensive reports to a variety of individuals, including judges, state court system managers, elected county officials, and other law enforcement officials.

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

Automated Data Processing (ADP) Equipment Form

Authorized Official for Subgrant Recipient
Type Name: <i>Honorable Rick Hurst</i>
Type Title: <i>Chairman, Board of County Commissioners</i>
Signature: 
Telephone Number: (904) 784-4013
Date: July 26, 1996
<i>Information must be provided to adequately respond to all applicable issues listed below:</i>
<ol style="list-style-type: none">1. A description of the ADP hardware and/or software you plan to purchase, including:<ol style="list-style-type: none">A. Number of units and projected cost of each;B. Equipment specifications including disk drive storage space, amount of random access memory, microprocessor size and speed, and any other pertinent system specifications. If a network is purchased, specify the type of file server, hub/routers, network cards, network wiring and installation costs. If a printer is purchased, indicate the type of printer including brand, model, dot matrix, laser, type of print (black or color), additional memory, and font cartridges.C. A brief description of how the proposed equipment will be used to further grant objectives.2. Certify that ADP hardware and software procurement complies with existing federal, state, and local laws and regulations. Attach a copy of your current procurement procedures.3. If ADP hardware will be purchased, describe the results of your lease/purchase analysis and explain the advantage of purchase over lease.4. If ADP software will be developed, explain why already produced and available software will not meet the needs of this subgrant.5. If your purchase of ADP hardware, software or combination thereof will be from a sole source and is \$100,000 or more, complete a <u>Sole Source Justification Form</u> and attach it. (Appendix III).
<p>NOTE: <i>For all proposed ADP purchases, an ADP Equipment Form must be completed and submitted to the Department of Community Affairs for approval.</i></p>

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(Edward Byrne Memorial State and Local Assistance Program)

Workstation:

COMPAQ 575 Model 630 (223500-002)	\$1285.00
Pentium 75 MHz Processor	
630 MB Hard Drive	
8 MB RAM	
DOS/Windows	
Keyboard	
Mouse	
Three Year warranty (First Year On-Site)	
 COMPAQ 14" SVGA Monitor (.28dpi) (210506-601)	 262.00
 COMPAQ NetFlex ENET/ISA Controller (148916-001)	 100.00
 HEWLETT PACKARD LaserJet 5L Printer w/Cable	 495.00
 Uninterrupted Power Supply	 125.00
 Drug Court On-Line License Upgrade	 2500.00
 Additional WordPerfect License Upgrade	 199.00
 Cable Installation	 100.00
Cable Run	
Patch Cable	
Face Plate	
Wall Mount	
 Total	 \$5066.00

Drug Control and System Improvement Formula Grant Program
(Edward Byrne Memorial State and Local Assistance Program)

H. Acceptance and Agreement

All persons involved in or having administrative responsibility for the subgrant must read these "Acceptance and Agreement" conditions. This "Acceptance and Agreement" (Section H) must be returned as part of the completed application.

Note Condition No. 13: Only project costs incurred on or after the effective date of this agreement and on or prior to the termination date of a recipient's project are eligible for reimbursement.

Conditions of Agreement. Upon approval of this subgrant, the approved application and the following terms of conditions will become binding. **Non-compliance will result in project costs being disallowed.**

The term "department", unless otherwise stated, refers to the Department of Community Affairs. The term "Bureau", unless otherwise stated, refers to the Bureau of Community Assistance.

The term "subgrant recipient" refers to the governing body of a city or a county or an Indian Tribe which performs criminal justice functions as determined by the U.S. Secretary of the Interior, and includes an "implementing agency" which is a subordinate agency of a city, county or Indian Tribe, or an agency under the direction of an elected official (for example, Sheriff or Clerk of the Court).

1. Reports

A. Project Performance Reports:

The recipient shall submit department *Quarterly Project Performance Reports* to the bureau by February 1, May 1, August 1, and November 1 covering subgrant activities during the previous quarter.

The recipient shall submit an *Annual Project Performance Report*, for the "original" project period. This report shall be submitted to the bureau within thirty (30) days after the end of the original project period. The "original" project period is generally for twelve (12) months. The *last* quarterly report shall be submitted *with* the annual report.

In addition, if the subgrant award period is extended beyond the "original" project period, additional *Quarterly Project Performance Reports* shall be submitted as well as a *Final Project Performance Report*. The latter report shall cover the entire time frame of project activities and is due within thirty (30) days after the end of the extended period.

B. Financial Reports:

The recipient shall submit *Monthly Financial Claim Reports* [DCA-CJ Form-3(A-G) Revised 11/01/93] to the bureau. A final *Financial Claim Report* and a *Criminal Justice Contract (Financial) Closeout Package* (Revised 12/15/94) shall be submitted to the bureau within forty-five (45) days of the subgrant termination period. Such claim shall be distinctly identified as "final".

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Before the "final" claim will be processed, the recipient must submit to the department all *outstanding* project performance reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

The recipient shall submit department Quarterly Project Generated Income Reports (*Revised 12/30/93*) to the bureau by February 1, May 1, August 1, and November 1 covering subgrant project generated income and expenditures during the previous quarter. (See Paragraph 14. Program Income.)

C. Other Reports:

The recipient shall submit other reports as may be reasonably required by the bureau. All required reports, instructions, and forms shall be distributed with the subgrant award.

2. Fiscal Control and Fund Accounting Procedures

The recipient shall establish fiscal control and fund accounting procedures that assure proper disbursement and accounting of subgrant funds and required non-federal expenditures. All funds spent on this project shall be disbursed according to provisions of the project budget as approved by the bureau.

All expenditures and cost accounting of funds shall conform to Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice Common Rule for State and Local Governments)*, and in federal Office of Management and Budget's (OMB's) *Circulars A-21, A-87, and A-110*, in their entirety).

All funds not spent according to this agreement shall be subject to repayment by the recipient.

3. Compliance with "Consultant's Competitive Negotiation Act"

The recipient, when applicable, agrees to satisfy all requirements provided in *Section 287.055, Florida Statutes*, known as the "Consultant's Competitive Negotiation Act".

4. Approval of Consultant Contracts

The department shall review and approve in writing all consultant contracts prior to employment of a consultant. Approval shall be based upon the contract's compliance with requirements found in the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State and Local Governments)*, and in applicable state statutes. The department's approval of the recipient agreement does **not** constitute approval of consultant contracts.

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5. Allowable Costs

Allowance for costs incurred under the subgrant shall be determined according to "General Principles of Allowability and Standards for Selected Cost Items" set forth in the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State And Local Governments)* and federal OMB's *Circular No. A-87, "Cost Principles for State and Local Governments"*, or OMB's *Circular No. A-21, "Cost Principles for Educational Institutions"*.

All procedures employed in the use of federal funds to procure services, supplies or equipment, shall be according to U.S. Department of Justice's *Common Rule for State and Local Governments*, or Attachment "O" of OMB's *Circular No. A-110* and Florida Law to be eligible for reimbursement.

6. Travel

All travel reimbursement for out-of-state or out-of-grant-specified work area shall be based upon written approval of the department prior to commencement of actual travel.

The cost of all travel shall be reimbursed according to local regulations, but not in excess of provisions in *Section 112.061, Florida Statutes*.

All bills for any travel expenses shall be submitted according to provisions in *Section 112.061, Florida Statutes*.

7. Written Approval of Changes in this Approved Agreement

Recipients shall obtain approval from the department for major changes. These include, but are *not* limited to:

- A. Changes in project activities, designs or research plans set forth in the approved agreement;
- B. Budget deviations that do *not* meet the following criterion. That is, a recipient may transfer funds between budget categories as long as the total amount of transfer (increase or decrease) does *not* exceed ten (10) percent of the total approved budget category and the transfer is made to an approved budget line item; or,
- C. Transfers of funds above the ten (10) percent cap shall be made only if a revised budget is approved by the department.
- D. **Under no circumstances can transfers of funds increase the total budgeted award.** Transfers do not allow for increasing the quantitative number of items documented in any approved budget line item. (For example, equipment items in Operating Capital Outlay or Expense categories or staff positions in the Salaries and Benefits category.)

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(Edward Byrne Memorial State and Local Assistance Program)

8. Reimbursement Subject to Available Funds

The obligation of the State of Florida to reimburse recipients for incurred costs is subject to available federal Anti-Drug Abuse Act funds.

9. Advance Funding

Advance funding is authorized up to twenty-five (25) percent of the federal award for each project according to *Section 216.181(12)(B), Florida Statutes (1991)*; the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State and Local Governments)*. Advance funding shall be provided to a recipient upon a written request to the department justifying the need for such funds. This request, including the justification, shall be enclosed *with* the subgrant application.

10. Commencement of Project

If a project has not begun within *sixty (60) days* after acceptance of the subgrant award, the recipient shall send a letter to the bureau indicating steps to initiate the project, reasons for delay and request an expected project starting date.

If a project has not begun within *ninety (90) days* after acceptance of the subgrant award, the recipient shall send another letter to the bureau, again explaining reasons for delay and request another revised project starting date.

Upon receipt of the *ninety (90) day* letter, the department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and reobligate subgrant funds to other department approved projects. The department, where warranted by extenuating circumstances, may extend the starting date of the project past the *ninety (90) day* period, but only by *formal written amendment* to this agreement.

11. Extension of a Contract for Contractual Services

Extension of a contract for contractual services between the recipient and a contractor (which includes all project budget categories) shall be in writing for a period *not* to exceed *six (6) months* and is subject to the same terms and conditions set forth in the initial contract. Only one extension of the contract shall be acceptable, unless failure to complete the contract is due to events beyond the control of the contractor.

12. Excusable Delays

Except with respect to defaults of consultants, the recipient shall not be in default by reason of any failure in performance of this agreement according to its terms (including any failure by the recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the recipient. Such causes include but are not limited to acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case the failure to perform shall be beyond the control and without the fault or negligence of the recipient.

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If failure to perform is caused by failure of a consultant to perform or make progress, and if such failure arises out of causes beyond the control of recipient and consultant, and without fault or negligence of either of them, the recipient shall not be deemed in default, *unless*:

- A. Supplies or services to be furnished by the consultant were obtainable from other sources,
- B. The department ordered the recipient in writing to procure such supplies or services from other sources, and
- C. The recipient failed to reasonably comply with such order.

Upon request of the recipient, the department shall ascertain the facts and the extent of such failure, and if the department determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

13. Obligation of Recipient Funds

Recipient funds shall not under any circumstances be obligated prior to the effective date or subsequent to the termination date of the grant period. Only project costs incurred **on or after the effective date and on or prior to the termination date of the recipient's project are eligible for reimbursement.** A cost is incurred when the recipient's employee or consultant performs required services, or when the recipient receives goods, notwithstanding the date of order.

14. Program Income (also known as Project Generated Income)

Program income *means* the gross income earned by the recipient during the subgrant period, as a direct result of the subgrant award. Program income shall be handled according to the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State and Local Government. Reference: The Cash Management Improvement Act of 1990).*

15. Performance of Agreement Provisions

In the event of default, non-compliance or violation of any provision of this agreement by the recipient, the recipient's consultants and suppliers, or both, the department shall impose sanctions it deems appropriate including withholding payments and cancellation, termination or suspension of the agreement in whole or in part. In such event, the department shall notify the recipient of its decision *thirty (30) days* in advance of the effective date of such sanction. The recipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.

16. Access To Records

The Department of Community Affairs; the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; and, the Auditor General of the State of Florida, the U.S. Comptroller General or any of their duly authorized representatives, shall have

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access to books, documents, papers and records of the recipient, implementing agency and contractors for the purpose of audit and examination according to the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State and Local Government)*.

The department reserves the right to unilaterally terminate this agreement if the recipient, implementing agency or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of *Chapter 119, Florida Statutes*, and made or received by the recipient or its contractor in conjunction with this agreement.

17. Audit

- A. The recipient shall provide to the department one copy of an annual audit conducted in compliance with *The Single Audit Act of 1984, P.L. 98-502*. The audit shall be performed in accordance with the federal OMB's *Circular A-128* and other applicable federal law. The contract for this agreement shall be identified with the subject audit in *The Schedule of Federal Financial Assistance*. The contract shall be identified as federal funds passed-through the Florida Department of Community Affairs and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the recipient shall submit an annual financial audit which meets the requirements of Sections 11.45 and 216.349, Florida Statutes; and, Chapters 10.550 and 10.600, Rules of the Florida Auditor General.
- B. A complete audit report which covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than seven (7) months after the audit period. In order to be complete, the submitted report shall include any management letters issued separately and management's written response to *all* findings, both audit report and management letter findings. Incomplete audit reports will not be accepted by the department and will be returned to the recipient.
- C. The recipient shall have all audits completed by an independent public accountant (IPA). The IPA shall be either a Certified Public Accountant or a Licensed Public Accountant.
- D. The recipient shall take appropriate corrective action within six (6) months of the issue date of the audit report in instances of noncompliance with federal laws and regulations.
- E. The recipient shall ensure that audit working papers are made available to the department, or its designee, upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the department.
- F. If this agreement is closed out without an audit, the department reserves the right to recover any *disallowed costs* identified in an audit completed after such closeout.

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G. The completed audit reports should be sent to the following address:

<p>Department of Community Affairs Office of Audit Services 2740 Centerview Drive The Rhyne Building Tallahassee, Florida 32399-2100</p>
--

18. Procedures for Claim Reimbursement

All claims for reimbursement of recipient costs shall be submitted on *DCA-CJ Form 3(A-G) Revised 11/01/93*, prescribed and provided by the bureau. A recipient shall submit claims monthly in order to report current project costs.

All claims requesting reimbursement for Operating Capital Outlay (OCO) items having a unit cost of \$5,000 or more and a useful life of one (1) year or more shall be accompanied by a completed non-expendable property form signed by the recipient's property custodian. If local accounting procedures require OCO reporting at a lesser amount than \$5,000, local requirements shall be adhered to.

All claims for reimbursement shall be submitted in sufficient detail for proper pre-audit and post-audit.

All bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.

19. Retention of Records

The recipient shall maintain all records and documents for a minimum of three (3) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons.

20. Ownership of Data and Creative Material

Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D, U.S. Department of Justice's Common Rule for State and Local Government)* or the federal OMB's *Circular A-110, Attachment N, Paragraph Eight (8)*.

21. Property Accountability

The recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or request department disposition.

The recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the department or purchased pursuant to

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this agreement according to federal property management standards set forth in the Office of Justice Programs' *Financial and Administrative Guide for Grants (Guideline Manual 7100.1D)*, U.S. Department of Justice's *Common Rule for State and Local Government*) or the federal OMB's *Circular A-110, Attachment N*. This obligation continues as long as the recipient retains the property, notwithstanding expiration of this agreement.

22. Disputes and Appeals

The department shall make its decision in writing when responding to any disputes, disagreements or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The recipient shall proceed diligently with the performance of this agreement according to the department's decision.

If the recipient appeals the department's decision, it shall be made in writing within *twenty-one (21) calendar days* to the secretary of the department, whose decision is final.

If the recipient appeals the department's decision, it also shall be made in writing within *twenty-one (21) calendar days* to the department's clerk (agency clerk). The recipient's right to appeal the department's decision is contained in *Chapter 120, Florida Statutes*, and in procedures set forth in *Chapters 28-5 and 9-5, Florida Administrative Code*. Failure to appeal within this time frame constitutes a waiver of proceedings under *Chapter 120, Florida Statutes*.

23. Conferences and Inspection of Work

Conferences may be held at the request of any party to this agreement. At any time, a representative of the bureau, of the U.S. Department of Justice's Bureau of Justice Assistance or both have the privilege of visiting the project site to monitor, inspect and assess work performed under this agreement.

24. Publication or Printing of Reports

- A. Before publication or printing, a final draft of any report required under or pertaining to this agreement shall be sent to the bureau for its review and comment.
- B. Publications or printed reports covered under A. above shall include the following statements on the cover page:
 - 1. "This report was prepared for the Florida Department of Community Affairs, Linda Loomis Shelley, Secretary, in cooperation with the U.S. Department of Justice, Bureau of Justice Assistance." The next printed line shall identify the month and year the report was published.
 - 2. "This program was supported by grant # _____ awarded to the Department of Community Affairs, State of Florida, and by the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), U.S. Department of Justice. The BJA is a component of OJP which also includes the Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime."

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3. "Points of view, opinions, and conclusions expressed in this report are those of the recipient and do not necessarily represent the official position or policies of the State of Florida, Department of Community Affairs, the U.S. Department of Justice, Office of Justice Programs, or any other agency of the state or federal government.

25. Equal Employment Opportunity (EEO)

No person, on the grounds of race, creed, color or national origin shall be excluded from participation in, be refused benefits of, or otherwise subjected to discrimination under grants awarded pursuant to *Public Law 89-564, Non-Discrimination Requirements of the Anti-Drug Abuse Act of 1988; Title IV of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973 as amended; Title IX of the Education Amendments of 1972; The Age Discrimination Act of 1975; and, Department of Justice Non-Discrimination Regulations 28 CFR Part 42, Subparts C, D, E, F, G and H.*

The recipient and a criminal justice agency that is the implementing agency agree to certify that they either do or do not meet EEO program criteria as set forth in *Section 501 of The Federal Omnibus Crime Control and Safe Streets Act of 1968 as amended* and that they have or have not formulated, implemented and maintained a current EEO Program. Submission of this certification is a prerequisite to entering into this agreement. This certification is a material representation of fact upon which reliance was placed when this agreement was made. If the recipient or implementing agency meet Act criteria but have not formulated, implemented and maintained such a current written EEO Program, they have *120 days* after the date this agreement was made to comply with the Act or face loss of federal funds subject to the sanctions in the *Justice System Improvement Act of 1979, Pub. L. 96-157, 42 U.S.C. 3701, et seq. (Reference Section 803 (a) of the Act, 42 U.S.C. 3783 (a) and CFR Section 42.207 Compliance Information).*

Any state agency, county or city receiving \$500,000 or more in federal *Anti-Drug Abuse Act* funds shall submit their equal employment opportunity plan, and/or the most recent update, with their application, for submittal to the U.S. Department of Justice, Bureau of Justice Assistance for approval.

26. Americans with Disabilities Act 1990

Subgrantees must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).

27. Criminal Intelligence System

The purpose of the federal regulation published in *28 CFR Part 23 - Criminal Intelligence Systems Operating Policies* is to assure that recipients of federal funds for the principal purpose of operating a criminal intelligence system under the *Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, et seq., as amended (Pub. L. 90-351, as amended by Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, and Pub. L. 96-157)*, use those funds in conformance with the

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privacy and constitutional rights of individuals.

The recipient and a criminal justice agency that is the implementing agency agree to certify that they operate a criminal intelligence system in accordance with *Sections 802(a) and 818(c) of the Omnibus Crime Control and Safe Streets Act of 1968* as amended and comply with criteria as set forth in *28 CFR Part 23 - Criminal Intelligence Systems Operating Policies* and in the Bureau of Justice Assistance's *Formula Grant Program Guidance*. **Submission of this certification is a prerequisite to entering into this agreement.**

This certification is a material representation of fact upon which reliance was placed when this agreement was made. If the recipient or criminal justice agency operates a criminal intelligence system and *does not* meet Act and federal regulation criteria, they must indicate when they plan to come into compliance. Federal law requires a subgrant funded criminal intelligence system project to be in compliance with the Act and federal regulation *prior to* the award of federal funds. The recipient is responsible for the continued adherence to the regulation governing the operation of the system or faces the loss of federal funds. The department's approval of the recipient agreement does *not* constitute approval of the subgrant funded development or operation of a criminal intelligence system.

28. Non-Procurement, Debarment and Suspension

The recipient agrees to comply with *Executive Order 12549, Debarment and Suspension (34 CFR, Part 85, Section 85.510, Participant's Responsibilities)*. These procedures require the recipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the department.

29. Payment Contingent on Appropriation

The State of Florida's performance and obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature.

30. Federal Restrictions on Lobbying

The recipient agrees to comply with *Section 319 of Public Law 101-121* set forth in "*New Restrictions on Lobbying; Interim Final Rule*," published in the February 26, 1990, *Federal Register*.

Each person shall file the most current edition of this Certification And Disclosure Form, if applicable, with each submission that initiates agency consideration of such person for award of federal contract, grant, or cooperative agreement of \$100,000 or more; or federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this agreement was made. Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by *Section 1352, Title 31, United States Code*. Any person who fails to file the required certification is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure to file.

APPENDIX F

ORDINANCE NO. 96-21

AN ORDINANCE AUTHORIZING AN ADDITIONAL ASSESSMENT PURSUANT TO SECTION 893.16, FLORIDA STATUTES, FOR CRIMINAL OFFENSES UNDER PORTIONS OF CHAPTERS 316, 562, 567, 568, 856, OR 893; ESTABLISHING THE BAY COUNTY DRUG ABUSE TRUST FUND; PROVIDING FOR IMPLEMENTATION AND GUIDELINES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 893.16, Florida Statutes, authorizes an additional assessment against any person found guilty of any criminal offense under Chapter 893, Fla. Stat. or for any criminal violation of ss. 316.193, 856.011, 856.015, Fla. Stat. or Chapters 562, 567, or 568, Florida Statutes; and

WHEREAS, the funds collected through the additional assessment can be used to fund a Bay County Drug Abuse Trust Fund; and

WHEREAS, the Board of County Commissioners has found it is in the best interest of Bay County that such an assessment be made and a Bay County Drug Abuse Trust Fund be established;

WHEREAS, the Circuit Court of the Fourteenth Circuit, in conjunction with the Offices of the State Attorney and Public Defender and the Bay County Sheriff's Office, Panama City Police Department, the Department of Juvenile Justice, Department of Health and Rehabilitative Services, and Department of Corrections (Probation and Parole), have initiated the implementation of a Bay County Drug Court Program, and there is a need to provide funding for the Program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA;

Section 1. Pursuant to Section 893.16, Florida Statutes, in addition to any fine imposed by law for any criminal offense

under Chapter 893, Fla. Stat. or for any criminal violation of ss. 316.193, 856.011, 856.015, Fla. Stat. or Chapters 562, 567, or 568, Fla. Stat., the Court shall be authorized to impose an additional assessment of \$50.00 or an amount up to the amount of the fine authorized for the offense. Such additional assessment shall be deposited for the purpose of providing assistance grants to drug abuse treatment or education programs, as provided herein.

(A) Section 2. All additional assessments shall be collected by the Clerk of Court for deposit into the Bay County Drug Abuse Trust Fund. The Clerk of Court shall be the fiscal officer for the Bay County Drug Abuse Trust Fund.

Section 3. The Board of County Commissioners shall be responsible for the implementation, administration, supervision and evaluation of the Bay County Drug Abuse Trust Fund.

Section 4. The Bay County Drug Court Program shall be the chosen program recipient until or unless the Program is terminated. The Bay County Drug Court Program shall provide the Board of County Commissioners with detailed financial information on an annual basis.

Section 5. If the Bay County Drug Court Program is not the chosen program recipient, then and in that event, in order to receive assistance grants from the Bay County Drug Abuse Trust Fund, County drug abuse treatment or education programs shall be designated by the Board of County Commissioners as the chosen program recipient. Designation shall be made annually, based on success of the programs. A drug abuse treatment or education

program recipient shall, in seeking assistance grants from the Bay County Drug Abuse Trust Fund, provide the Board of County Commissioners with detailed financial information and request for expenditures.

Section 6. Funds should be used for alcohol and drug abuse treatment or prevention and education programs. Additionally, the Bay County Drug Court Program may use funds to offset operational costs.

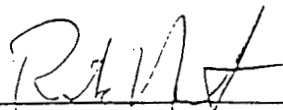
Section 7. If the Bay County Drug Court Program is not the chosen program recipient, funds should be allocated to public and/or private non-profit alcohol and drug abuse agencies licensed as providers under Chapters 396 and 397, Florida Statutes.

Section 8. If any provision of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

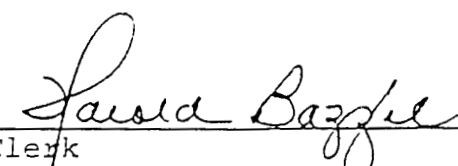
Section 9. This Ordinance shall become effective July 1, 1996.

DONE AND ADOPTED this 18th day of June, 1996.

BOARD OF COUNTY COMMISSIONERS
OF BAY COUNTY, FLORIDA

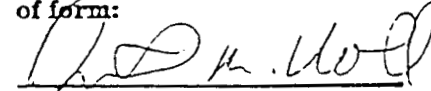

Chairman

ATTEST:


Clerk

X:\WPFF\LV8\ORD\drugcc.001

Approved as to correctness
of form:


Burke & Blue, P.A.
Attorneys for Bay County

APPENDIX G

ALTERNATIVE SANCTIONS

14th JUDICIAL CIRCUIT

STATE OF FLORIDA

BAY, CALHOUN, GULF, HOLMES, JACKSON AND WASHINGTON COUNTIES

PROGRAM COORDINATOR
ROBYN R. HATCHER

PHONE: (904) 747-5623
POST OFFICE BOX 2237
PANAMA CITY, FLORIDA 32402

RE: BAY COUNTY DRUG COURT - TREATMENT PROVIDER REQUEST FOR
PROPOSAL

- ▶ Would like to advertise RFP for one day (\$65)
- ▶ Contact person (additional RFP's can be picked up here)

Mailing address:
Jerry Riddle
P. O. Box 2237
Panama City, Florida 32402-2237

Telephone Number:
(904) 747-5183

Physical address:
Jerry Riddle
Bay County Courthouse Annex
301 McKenzie Avenue
Panama City, Florida

- ▶ Deadline to accept proposals is Wednesday, October 30, 1996 at 2:00 P.M.
Central Time

Panama City Office
P. O. Box 2237
Panama City, Florida 32402-2237
(904) 747-5623
(904) 747-5717 (Fax)

Marianna Office:
P. O. Box 957
Marianna, Florida 32447-0957
(904) 482-9656
(904) 482-9642 (Fax)

Pager: 1-800-241-4653
ID#: 272-0003

BAY COUNTY DRUG COURT

TREATMENT PROVIDER REQUEST FOR PROPOSALS

I. OVERVIEW

The "Requests for Proposals (RFP)" Committee of the Bay County Drug Court is requesting proposals to obtain substance abuse treatment for the Bay County Drug Court program. The RFP Committee will screen proposals and will recommend to the Bay County Drug Court Committee and the Bay County Board of County Commissioners the treatment provider which can provide requested services in the most cost effective manner. The treatment provider selected will be reimbursed on a per person basis for services provided.

The purpose of this Request for Proposals is to secure qualification statements from the agencies who have prior experience in the substance abuse treatment of those individuals involved in the judicial system.

The Bay County Drug Court will be a partnership among the Courts, Pretrial Release Program, Office of the State Attorney, Public Defender's Office, Bay County Sheriff's Office, Florida Department of Corrections, Florida Department of Juvenile Justice (DJJ), Florida Department of Health and Rehabilitative Services (HRS), and the provider of substance abuse treatment. The primary goal of the Drug Court is to provide immediate treatment to the adult and juvenile drug offender with no significant criminal history and to adults involved in dependency (abused, abandoned, and neglected) matters.

The program will be a twelve-month, three phase approach to substance abuse which will encompass the vocational, education, and spiritual components in conjunction with providing substance abuse treatment. (See Attachment 1 for brief summary of program purpose, target population, and treatment program.) This program provides early intervention and serves as a meaningful alternative to incarceration for the defendant who can adequately function in the community with support.

Experience in the criminal justice system and understanding of the Florida Courts and Corrections is preferred. Selection will be made considering the ability of professional personnel; past performance; willingness to meet time constraints and budget requirements; and recent, current, and projected workload of the proposers.

II. PROPOSAL SUBMISSION (PROPOSERS SHOULD SUBMIT THE FOLLOWING INFORMATION:)

- A. The provider shall be licensed by HRS for the site(s) where treatment services will be delivered prior to the contract date. If the provider is not licensed for the proposed services, an application for facility licensure shall be submitted to HRS on or before the execution of a contract for services. A copy of licensure and the most recent licensure site visit report from HRS shall be included in the proposal.
- B. The provider should include a description of organizational qualifications that describe the following:
 - 1. Mission statement
 - 2. When the agency was founded
 - 3. Target population served
 - 4. Geographic service area
 - 5. Social services provided
 - 6. Responsibilities, duties, and activities of the governing board
 - 7. Financial management procedures
 - 8. Total number of staff identified as either administrative or direct care/program staff
 - 9. Total number of facilities or units, their purpose, and total capacity
- C. The provider shall be in good standing with any State or Federal agency that has a contracting relationship with the provider.
- D. A list of current members of the provider's governing body and any advisory groups will be submitted with the RFP.
- E. A current organizational chart should be included which shows the lines of authority within the organization and parent organization, if applicable. Include the effective date on the chart. The proposed program should be clearly marked with proposed staff positions identified.
- F. A chart or matrix will be included with the RFP describing the number of chemically dependent persons the provider has served in the preceding year and the municipalities and counties in which services were provided.
- G. A brief description will be provided of current substance abuse programs and types of persons served by these programs.

- H. The provider will describe previous experience in working with adult criminal, juvenile delinquents, and dependency (abused, abandoned, and neglected) populations. Previous and current experience in working with the courts, criminal justice agencies, and social service agencies will also be described.
- I. The provider will describe chemical dependency treatment experience with women, ethnic minorities, and cocaine abusers.
- J. The provider shall have developed working relationships with referral sources and organizations that will address other ancillary needs (e.g. vocational, educational, housing, mental health, prenatal and child care) of the target population. Such working relationships shall be demonstrated through letters of agreement attached to the application submitted through this RFP.

III. **PROGRAM NARRATIVE** (THE NARRATIVE SHOULD ADDRESS THE FOLLOWING:)

- A. Program site(s): Description of the facility(ies), location, accessibility to bus routes/public transportation, hours of operation, and security.
- B. Admission/enrollment: Description of screening and assessment to be completed.
- C. Treatment: A service/activity schedule for program participants should be included for each direct service/activity. This description should include what the service consists of, who will provide it, when and how often it will be provided, the proposed duration for the typical program participant, and whether participation will be required or voluntary. The provider shall indicate how AIDS-related issues such as education and counseling, precautionary procedures, diagnostic testing, and risk assessments will be conducted. Program procedures for documenting services/activities should be described, and procedures for securing confidentiality of participant records should be explained.
- D. Court Liaison service: Description (qualifications and job description) of individual selected to serve as Drug Court Liaison between the treatment provider and the Courts.

Discharge and follow-up data: Criteria for program successful and unsuccessful discharge will be described. The provider will also describe methods for referring and placing program participants in follow-up treatment services, and for making referrals for other needed services. The provider's plan for monitoring of follow-up participation in services should also be described.

IV. **IMPLEMENTATION PLAN (AN IMPLEMENTATION PLAN DESCRIBING THE FOLLOWING ACTIVITIES SHALL BE INCLUDED:)**

- A. Personnel responsible for implementation of services. Attach job descriptions, whenever possible, for all proposed positions that define job duties; credentials; knowledge, skills, and abilities required to perform the duties; and examples of qualifying work experience, training, and education. Also, attach resumes for existing personnel who will perform substantive programmatic work, showing qualifications for providing the responsibilities and proposed services. Existing personnel should be reflective of, and culturally sensitive to the target population. Explain plans for recruitment, training, use, and supervision of volunteers. Describe the criteria for utilization of ex-offenders in the proposed program.
- B. Plans for start-up of treatment services. A timeline/GANTT chart shall accompany the implementation plan. Describe how the proposed activities and services will be implemented within the timeline contained in the application. (See Attachment 2.)
- C. Describe plans for evaluating the process and outcome of proposed services/activities and describe proposed data collection process.

V. **ADDITIONAL REQUIREMENTS**

- A. Bay County Risk Management Requirements. (See Attachment 3.)
- B. Bay County Purchasing Policy requires that a **PUR 7068 Crime Entity Statement** be completed, signed, and submitted with the proposal. (See Attachment 4.)
- C. Bay County Purchasing Policy requests that a **Drug Free Workplace** form be signed and submitted with the proposal. (See Attachment 5.) For purposes of tie bids/proposals.

- C. All proposals must be typewritten or computer-generated using a font no smaller than size 12. Proposals and supporting documents must be stapled together. **Do not use any folders, covers, or notebooks.**

VI. RFP CONTACT PERSON

- A. To ensure fair consideration for all proposals, communication to or with any member of the RFP Committee is prohibited during the submission and evaluation process unless such communication is initiated by the RFP Committee to obtain information or clarification needed to develop a proper, accurate evaluation of the proposal.
- B. For further information, contact Jerry Riddle at (904) 747-5183 or P. O. Box 2237, Panama City, Florida 32402-2237.

VII. QUESTIONS

- A. To assure that everyone receives the same information, all questions concerning the RFP must be submitted in writing and received **no later than 4:00 PM Central Time on Wednesday, October 23, 1996.** Subsequently, a copy of all submitted questions and the answers will be mailed to everyone on the RFP mailing list. Oral questions concerning the RFP will only be answered at the workshop (see below).
- B. Questions can be mailed, faxed, or hand delivered to the following:
(MAKE SURE YOUR CORRESPONDENCE IS REFERENCED "BAY COUNTY DRUG COURT - RFP QUESTIONS")

By Mail:

Mr. Jerry Riddle
Bay County Drug Court
P. O. Box 2237
Panama City, Florida 32402-2237

By Fax:

Mr. Jerry Riddle
Bay County Drug Court
Fax: (904) 747-5717

Hand Delivery:

Mr. Jerry Riddle
Bay County Drug Court
Bay County Courthouse Annex
301 McKenzie Avenue
Panama City, Florida

- C. An RFP Workshop is scheduled by members of the RFP Committee to explain the Request for Proposal and to answer questions. The workshop is scheduled for Thursday, October 10, 1996 from 9:00 A.M. to 11:00 A.M. The workshop will be held in the Conference Room of the Department of Corrections Probation and Parole Office located at 204 North Tyndall Parkway in Callaway (904/872-7375). Everyone submitting a proposal is encouraged to attend this workshop.

VIII. DEADLINE FOR SUBMISSION

- A. An **original and ten (10) copies** of the proposal must be submitted and received no later than **2:00 PM Central Time on Wednesday, October 30, 1996.**
- B. Proposals can be mailed or hand delivered to the following:
(MAKE SURE YOUR CORRESPONDENCE IS REFERENCED "BAY COUNTY DRUG COURT - TREATMENT PROVIDER PROPOSAL")

By Mail or Hand Delivery:

Bay County Purchasing Department
517 East 9th Street
Panama City, Florida 32401

BAY COUNTY DRUG COURT TREATMENT PROGRAM

A. TARGET POPULATION: Substance-involved adult and juvenile offenders with no significant criminal history and adults involved in dependency (abused, abandoned, and neglected) matters referred from the Bay County Drug Court. Projected population is approximately 54 adults and 11 juveniles for the duration of the contract.

1. Charged with a non-violent, drug-related felony or other non-violent offenses where the causal factor involved is a drug addiction.
2. Physically and mentally stable and volunteer for involvement in substance abuse treatment.
3. Not in need of extensive detoxification, emergency medical care, or hospitalization for medical and/or psychological conditions.

B. PURPOSE:

1. To assess the client's need for substance abuse treatment and support services;
2. To provide day and/or evening substance abuse treatment services for clients who can function independently and provide for their own welfare;
3. To assist the client in identifying substance abuse and related life problems;
4. To assist the client in achieving an alcohol and drug-free lifestyle after release from the program;
5. To expose the client to a wide range of therapeutic, experiential, educational, self-explorative, and supportive activities designed to prepare the client for treatment and support services; and
6. Diversion from the criminal justice system.

C. SERVICES TO BE PROVIDED INCLUDE A TREATMENT PROGRAM OF GRADUATED INTENSITY, INCLUDING:

- Phase I: Approximately 4 weeks of intensive outpatient treatment using a day-treatment model. Services should include a minimum of 3 hours of daily programming (e.g. cognitive restructuring, Twelve-Step Program, and drug and alcohol education) at least 4 days per week. Services should allow program participants to attend treatment sessions in the daytime or in the evening to accommodate individuals who are working or attending school. Treatment should include at least 1 ½ hours of group treatment three days per week and urinalysis testing twice weekly.
- Phase II: Approximately 2 - 4 months of moderately intensive outpatient treatment. Services should include a minimum of 8 hours of programming per week. Treatment should include at least 1 ½ hours of group treatment twice weekly and urinalysis testing at least once a week or as needed.
- Phase III: Approximately 8 - 10 months of less intensive outpatient treatment. Services should include a minimum of 3 hours of programming per week, including at least 1 ½ hours of group treatment once weekly, and urinalysis testing once a week or as needed.

The proposed plan of treatment services should also address the following:

1. Open-ended admissions to different phases of treatment.
2. Method for linking program participants with additional services (e.g. housing, vocational, and educational) as described in a service plan.
3. Description of how case management services would be provided.
4. Demonstration of how participant mental health care needs would be addressed.
5. Description of Court Liaison services.
6. Description of linkages with special probation officer(s) and case manager(s) assigned to the program in areas of treatment, planning, and case management.
7. Short-term detoxification when needed.

Attachment 2

BAY COUNTY DRUG COURT TREATMENT PROGRAM Activities Implementation Schedule October 1, 1996 to September 30, 1997												
ACTIVITY DESCRIPTION	O C T	N O V	D E C	J A N	F E B	M A R	A P R	M A Y	J U N	J U L	A U G	S E P
Advertise RFP for Treatment Provider	X											
Review RFP's/Select Treatment Provider		X										
Sign Contract with Selected Treatment Provider			X									
Incorporate Selected Treatment Provider into Bay County Drug Court Committee			X									
Work with Selected Treatment Provider to Establish Procedures for Drug Court			X									
Initiate Drug Court Proceedings				X								
Provide Treatment Services to Drug Court Participants				X	X	X	X	X	X	X	X	X
Selected Treatment Provider Will Provide Data on Drug Court Participants				X	X	X	X	X	X	X	X	X

**BAY COUNTY RISK MANAGEMENT REQUIREMENTS
FOR BAY COUNTY DRUG COURT - TREATMENT PROVIDER**

COUNTY DEFINED

The term County (wherever it may appear) is defined to mean the County itself, its Board of County Commissioners and Constitutional Officers, to the extent of their interests, officers, employees, volunteers, representatives and agents.

OTHER PARTY DEFINED

The term Other Party (wherever it may appear) means the other person or entity which is a party to this agreement or contract, any subsidiaries or affiliates, officers, employees, volunteers, representatives, agents, contractors and subcontractors.

HOLD HARMLESS

The County shall be held harmless against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting therefrom, arising out of the agreement, contract or lease, unless such claims are a result of the County's sole negligence.

PAYMENT ON BEHALF OF COUNTY

The Other Party agrees to pay on behalf of the County, and to pay the cost of the County's legal defense, for all claims described in the Hold Harmless paragraph.

Such payment on behalf of the County shall be in addition to any and all other legal remedies available to the County and shall not be considered to be the County's exclusive remedy.

INSURANCE - BASIC COVERAGES REQUIRED

The Other Party shall procure and maintain the following described insurance, except for coverages specifically waived by the County, on policies and with insurers acceptable to the County.

These insurance requirements shall not limit the liability of the Other Party. The County does not represent these types or amounts of insurance to be sufficient or adequate to protect the Other Party's interests or liabilities, but are merely minimums.

Except for workers' compensation and professional liability, the Other Party's insurance policies shall be endorsed to name the County as an additional insured to the extent of the County's interests arising from this agreement, contract, or lease.

Except for workers' compensation, the Other Party waives its right of recovery against the County, to the extent permitted by its insurance policies.

The Other Party's deductibles/self-insured retentions shall be disclosed to the County and may be disapproved by the County. They shall be reduced or eliminated at the option of the county. The Other Party is responsible for the amount of any deductible or self-insured retention.

Insurance required of the Other Party or any other insurance of the Other Party shall be considered primary, and insurance of the County shall be considered excess, as may be applicable to claims which arise out of the Hold Harmless, Payment on Behalf of the County, Insurance, Certificates of Insurance and any Additional Insurance provisions of this agreement, contract or lease.

WORKERS' COMPENSATION COVERAGE

The Other Party shall purchase and maintain workers' compensation insurance for all workers' compensation obligations imposed by state law and employers liability limits of a least \$100,000 each accident and \$100,000 each employee/\$500,000 policy limit for disease.

The Other Party shall also purchase any other coverages required by law for the benefit of employees.

The Other Party shall provide to the County an Affidavit stating that he meets all the requirements of Florida Statute 440.02 (13) (d).

GENERAL, AUTOMOBILE AND EXCESS OR UMBRELLA LIABILITY COVERAGE

The Other Party shall purchase and maintain coverage on forms no more restrictive than the latest editions of the Commercial or Comprehensive General Liability and Business Auto policies of the Insurance Services Office.

Minimum limits of \$1,000,000 per occurrence for all liability must be provided, with excess or umbrella insurance making up the difference, if any, between the policy limits of underlying policies (including employers liability required in the Workers' Compensation Coverage section) and the amount of coverage required.

GENERAL LIABILITY COVERAGE

Commercial General Liability - Occurrence Form Required

If Commercial General Coverage is provided:

Coverage A shall include premises, operations, products and completed operations, independent contractors, contractual liability covering this agreement contract or lease, and broad form property damage coverages.

Coverage B shall include personal injury.

Coverage C, medical payments, is not required.

Comprehensive General Liability

If Comprehensive General Liability coverage is provided it shall include at least:

Bodily injury and property damage liability for premises/operations, products/completed operations, independent contractors, and property damage resulting from explosion, collapse or underground (x,c,u) exposures.

Broad Form Comprehensive General Liability coverage, or its equivalent, with at least broad form contractual liability covering this agreement, contract or lease, personal injury liability and broad form property damage liability.

BUSINESS AUTO LIABILITY COVERAGE

Business Auto Liability coverage is to include bodily injury and property damage arising out of ownership, maintenance or use of any auto, including owned, non-owned and hired automobiles and employee non-ownership use.

EXCESS OR UMBRELLA LIABILITY COVERAGE

Umbrella Liability insurance is preferred, but an Excess liability equivalent may be allowed. Whichever type of coverage is provided, it shall not be more restrictive than the underlying insurance policy coverages.

CERTIFICATES OF INSURANCE

Required insurance shall be documented in Certificates of Insurance which provide that the County shall be notified at least 30 days in advance of cancellation, nonrenewal or adverse change.

New Certificates of Insurance are to be provided to the County at least 15 days prior to coverage renewals.

If requested by the County, the Other Party shall furnish complete copies of insurance policies, forms and endorsements.

For the Commercial General Liability coverage the Other Party shall, at the option of the County, provide an indication of the amount of claims payments or reserves chargeable to the aggregate amount of the liability coverage.

Receipt of certificates or other documentation of insurance or policies or copies of policies by the County, or by any of its representatives, which indicate less coverage than required does not constitute a waiver of the Other Party's obligation to fulfill the insurance requirements herein.

PROFESSIONAL LIABILITY, MALPRACTICE AND/OR ERRORS OR OMISSIONS

If checked below, the County requires the following terms and types of insurance for professional, malpractice, and errors or omissions liability.

XX Hold Harmless

The following replaces the previous Hold Harmless wording.

The County shall be held harmless against all claims for bodily injury, sickness, disease, death or personal injury or damage to property or loss of use resulting therefrom arising out of performance of the agreement or contract, unless such claims are a result of the County's own negligence.

The County Shall also be held harmless against all claims for financial loss with respect to the provision of or failure to provide professional or other services resulting in professional, malpractice, or errors or omissions liability arising out of performance of the agreement or contract, unless such claims are a result of the County's own negligence.

XX Professional Liability/Errors or Omissions Coverage

The Other Party shall purchase and maintain professional liability or malpractice or errors or omissions insurance with minimum limits of \$1,000,000 per occurrence.

If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts.

Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great duration as available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provide a retroactive date no later than the inception date of claims made coverage.

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to _____
[print name of the public entity]
by _____
[print individual's name and title]
for _____
[print name of entity submitting sworn statement]
whose business address is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

1. A predecessor or successor of a person convicted of a public entity crime; or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Indicate which statement applies.]

___ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity, has been charged with and convicted of, a public entity crime subsequent to July 1, 1989.

___ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

___ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. [Attach a copy of the final order.]

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

[signature]

Sworn to and subscribed before me this _____ day of _____, 19____.

Personally known _____
OR Produced identification _____

Notary Public - State of _____

(Type of identification)

My commission expires _____

(Printed, typed or stamped
commissioned name of notary public)

Bid or Contract No. _____

STATEMENT UNDER SECTION 287.087 FLORIDA STATUTES
PREFERENCE TO BUSINESSES WITH
DRUG-FREE WORKPLACE PROGRAMS

IDENTICAL TIE BIDS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given reference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state for a violation occurring in the workplace not later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

VENDOR'S SIGNATURE

COUNTY OF BAY
PURCHASING DEPARTMENT
517 E. 9TH ST.
PANAMA CITY, FL 32401

PURCHASE REQUISITION
(FOR MATERIALS, EQUIPMENT, SUPPLIES
AND SERVICES)

33501
DEPT. NO. 0155

DEPARTMENT: Circuit Ct. - Ct. Admin. DATE: 9/23/96

DELIVER TO: _____

PURPOSE FOR WHICH USED: _____

FUND: 001 ACCT.: 5101 DELIVERY DATE DESIRED: _____

Read Carefully

INSTRUCTIONS:

1. Fill out with typewriter or ball point pen.
2. Order only items of similar nature on one requisition.
3. Be specific with date needed. Allow time for routine delivery.
4. Do not give requisition to Vendor Representative. Forward Directly to Purchasing Department.
5. Request for Vehicle or equipment parts will show make, model, S.N., and part No.

ITEM NO.	QUANTITY AND UNIT	ITEM (GIVE DETAILED DESCRIPTION)	UNIT PRICE	TOTAL PRICE
1		Legal Ad - 1 day	65.00	
2		Bay Co. Drug Court Treatment Provider		
3		Request For Proposals		
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

DO NOT WRITE IN PRICING COLUMNS

DO NOT WRITE IN SPACES BELOW. FOR PURCHASING DEPARTMENT ONLY. I CERTIFY THAT THE ABOVE ITEMS AS LISTED ARE NECESSARY.

P. NO. _____

VENDOR: _____

DELIVERY DATE: _____


SIGNATURE - DEPARTMENT HEAD

FORWARD WHITE AND YELLOW COPIES TO PURCHASING
DEPARTMENT. RETAIN PINK COPY FOR YOUR RECORD.

REQUEST FOR BID
REQUEST FOR PROPOSAL
APPROVAL FORM

Level of Approval	Signature	Date
Internal Services Director	Mary R. Napton	9/25/96
Risk Manager	Ag Martin w/ changes as noted	9/25/96
Contract Monitor	Sandra Thorne	9/24/96
Purchasing Agent		MAD 9/25/96
Requesting Department: Bay Co. Drug Court	DD	9/24/96

This form must be completed in its entirety before the corresponding legal ad is to appear in the media.

JERRY

RECEIVED SEP 24 1996

**BOARD OF COUNTY COMMISSIONERS
BAY COUNTY, FLORIDA
NOTICE CALL FOR BID**

SEALED PROPOSALS for **THE BAY COUNTY DRUG COURT - TREATMENT PROVIDER** will be received by the **BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA** at the Purchasing Office, 517 E. 9th Street, Panama City, FL 32401, up until 2:00 p.m., local time, October 30, 1996. Bids will be publicly opened at 2:30 p.m.

Proposals shall be submitted in a sealed envelope, plainly marked with Bidders' Name, address, date and time of bid opening and bid number for **"BAY COUNTY DRUG COURT - TREATMENT PROVIDER"**.

DESCRIPTION OF WORK: Substance abuse treatment of substance-involved adult and juvenile offenders with no significant criminal history and adults involved in dependency (abused, abandoned, and neglected) matters referred from the Bay County Drug Court.

BID NO. 061-96

Copies of the specifications required for this proposal may be obtained from Jerry Riddle, Bay County Courthouse Annex, 301 McKenzie Avenue, Panama City, Florida.

County Commissioners reserves the right to accept or reject any and all bids in whole or in part, to waive informalities in the bidding or bidding documents, to obtain new bids, or to postpone the bid opening. Each bid shall be valid to BAY COUNTY for a period of sixty (60) days after the bid opening.

Bay County is an Equal Opportunity Employer.

This notice dated September 24, 1996.

Submitted by Mary L. Dayton, Internal Services Director.

NOTICE TO PUBLISHER: This legal ad to appear on October 1, 1996. Please forward the original "Proof of Publication" and the invoice to:

Bay County Finance Office
P. O. Box 2269
Panama City, Florida 32402

Purchase Order Number 33501 will be forwarded to you.

BAY COUNTY DRUG COURT

Treatment Provider Request for Proposal Mailing List

Gulf Coast Consulting

Attn.: Louis Alioto
1714 West 23rd Street, Suite A
Panama City, Florida 32405
(904) 785-3002

Rivendell of Bay County

Attn.: Buster Coleman
1940 Harrison Avenue
Panama City, Florida 32405
(904) 763-0017

Chemical Addictions Recovery Effort, Inc.

Attn.: Robert Wilford
4000 East 3rd Street
Panama City, Florida 32404
(904) 872-7676

CROSSROADS

Attn.: Tony Gilchrist
2121 Lisenby Avenue
Panama City, Florida 32405
(904) 784-0869

Life Management Center

Attn.: Pete Hampton
525 East 15th Street
Panama City, Florida 32405
(904) 769-9481

Keaton Industries

Attn.: Joanne White
2700 East 11th Street
Panama City, Florida 32401
(904) 872-1009

Wainwright Judicial Services

Attn.: Louie L. Wainwright
839 East Park Avenue, Suite A
Tallahassee, Florida 32301
(904) 222-4886

Oscar L. Zeitvogal, M.A.

5620 B Cherry Street
Panama City, Florida 32404
(904) 769-4400

Panama City Counseling Center

Attn.: Director
400 West 11th Street
Panama City, Florida 32401
(904) 785-1979

Unlimited Path of Central Florida

Attn.: Bert Randolph
882 West 11th Street
Panama City, Florida 32401
(904) 872-0222

APPENDIX H

Chemical Addictions Recovery Effort, inc.

Prevention • Intervention • Treatment • Recovery

ROBERT W. WILFORD, CAPP
Executive Director

For 872-8955
CAROLYN H. KITCHINGS
President

October 30, 1996

Bay County Purchasing Department
517 East 9th Street
Panama City, FL 32401

Re: Bid No: 061-96
Bay County Drug Court - Treatment Provider Proposal

To Whom It May Concern:

The Chemical Addictions Recovery Effort (CARE), Inc. is submitting the attached proposal in response to the Request for Proposals offered by the Bay Board of County Commissioners of Bay County, Florida as referenced above.

Your favorable consideration will be greatly appreciated.

Sincerely,


Gerri DeLong Goldman
Clinical Services Director

●○○○○ East 3rd Street
Panama City, FL 32404
(904) 872-7676

Serving Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties

BAY COUNTY DRUG COURT - TREATMENT PROVIDER PROPOSAL

I. Overview:

The Chemical Addictions Recovery Effort (CARE), Inc. proposes to contract with the Bay County Commission to provide substance abuse assessment and treatment services to the Bay County Drug Court.

The following proposal addresses the requirements of the request for proposal from the Bay County Board of County Commissioners, Bid No: 061-96, dated October 1, 1996.

CARE operates on the state fiscal year so all references to fiscal year refer to July 1, 1995 to June 30, 1996.

II. Proposal Submission:

A. HRS Licensure:

All components of CARE are licensed under Chapter 397, F.S., and 10E-16, Florida Administrative Code. CARE (and its predecessors prior to merger) has been licensed under HRS since 1986, when HRS began licensing alcohol and drug programs. Prior to that time, the programs were certified by HRS. Appendix A contains copies of the Bay County licenses and the HRS site visit report for FY 95/96.

B. Organizational Qualifications:

1. Mission statement - CARE's mission statement from the agency's personnel manual is as follows:

The Chemical Addictions Recovery Effort (CARE), Inc., a drug-free workplace, is vitally concerned with substance abuse prevention, intervention, treatment, and recovery in our community. CARE has a belief in, and loyalty to, the philosophy that chemical addictions can be prevented and successfully treated. CARE is dedicated to providing all of its consumers with the most professional services available, ensuring that a proactive program of quality improvement is an ongoing process.

We, at CARE, believe that chemically-addicted individuals are involved in a disease process and are entitled to be treated with dignity and respect, ensuring confidentiality guidelines are followed at all times. We, at CARE, also believe that family involvement is a vital element of recovery from chemical addictions.

By adhering to the above philosophy, CARE's mission of empowering all consumers and their families to live productive and healthy lifestyles, free from the negative influence of substance abuse and dependence, can be achieved.

2. Founding date - CARE was incorporated in the State of Florida on September 28, 1988, with the merger of the Panhandle Alcoholism Council (PAC), Inc. and the Northwest Florida Drug Council (NWFDC), Inc., both of which had been providing alcohol and drug rehabilitation services since 1972.

3. Target population - CARE's primary target population is the residents of the Department of Children & Families (C&F) (formerly the Department of Health and Rehabilitative Services [HRS]) District II -A who are experiencing substance abuse and related problems. More specifically targeted populations include pregnant and post-partum women, juvenile justice and adult criminal justice offenders and school-age children and their families.

4. Geographic service area - CARE's catchment area includes the counties of Bay, Calhoun, Gulf, Holmes, Jackson and Washington.

5. Social services provided - CARE provides a comprehensive range of addictions-related social services. These include outpatient and residential treatment; non-hospital medical detoxification; school and community-based prevention services; and school, juvenile and adult criminal justice and community-based outreach and intervention services. Case management and referrals to ancillary services are provided in all programs.

6. Governing board responsibilities, duties and activities - CARE's governing board is comprised of a maximum of 24 volunteers who reside in the 6-county catchment area. The board meets once each month (2nd Thurs. 6 pm), 12 months per year. The members represent each county of the catchment area and reflect a broad range of demographics including age, sex, race, and socioeconomic status. The board is responsible for setting policy for the agency which is then carried out by the staff under the direction of the Executive Director. The board has established a number of standing committees which are responsible for making recommendations to the full board for action. The committees are executive, finance, program planning & evaluation, personnel, review and evaluation, and nomination. In addition to serving on at least one working committee, board members serve as liaisons to the board for the various program components.

7. Financial management procedures - CARE maintains an extensive system of financial management procedures which operates under the guidelines established by state and federal authorities. CARE has successfully managed a wide variety of funding and accounting requirements including

those of HRS, and cost center accounting, DUI (under the Supreme Court and now the Department of Highway Safety and Motor Vehicles), and various federal, state and local contracts and grants.

A copy of CARE's Audit Report for FY 95/96 is included in Appendix B.

8. Staff composition - CARE has a total of 91 full-time and 24 part-time staff. Administrative staff account for 34.5 FTEs with 33 full-time and 3 part-time staff. Direct service staff account for 68.5 FTEs with 58 full time and 21 part-time staff. In the Bay County Outpatient (BOP) office which is the site for services for the Drug Court, there are 6 Outpatient (OP) counselors, one of whom provides women's intervention services, a supervisor and 2 secretarial staff. There are also several grant-funded positions which include 2 counselors who work entirely under the Criminal Justice Overlay Project as well as a part-time secretary, a Treatment Accountability for Safer Communities (TASC) position, and 3 part-time counselors for the school intervention program.

9. Faculties, purpose and capacities - CARE operates facilities in 5 of the 6 counties in the catchment area. Bay County houses the base of operations and all of the residential programs. The non-residential services are located in Bay, Calhoun, Gulf, Holmes and Jackson counties and include outreach, prevention, intervention and outpatient treatment services.

The detox facility provides non-hospital, medical detoxification services. There are 18 beds currently available (3 beds [2 males, 1 female] are grant-funded through March 1997, and will no longer be available after that time.) Ten (10) beds are for males 5 are for females and 3 are for short-stay observation.

There are 3 residential facilities - AWARE (A Woman's Addiction Recovery Effort), Reliance House, and SOS (Starting Over Straight). AWARE and Reliance House are adult facilities which provide intensive Level I residential services for up to 60 days. AWARE is the program for women and it has a capacity of 13. Two of these beds are reserved for women and their infants. It is located in a residential area in Hiland Park. Reliance House is the facility for men and it has a capacity of 18 at this time. RH has 2 grant-funded beds from the same source as those in detox and will lose them next year. It is located on 10 acres in Fountain in a home that was enlarged to accommodate the program. SOS is the adolescent program for ages 13-17 and is located on the Panama City campus. It has separate wings for males and females and has a capacity of 15, but no more than 9 of one sex can be accommodated. This is a Level II residential program that includes on-site schooling in addition to treatment. Level II programs by definition are 61 to 365 days in length. The target length of stay at SOS is 4 ½ months.

The 5 non-residential programs all provide prevention, outreach, intervention and treatment services. The office in Bay County is the largest and includes many specialty services in addition to the traditional outpatient. Each outpatient and intervention counselor maintains a caseload of 20-25 clients. In Bay County this equates to 100 clients served each month.

C. Contract Relationships:

CARE maintains positive relationships with all state & federal agencies with whom it contracts. This includes the Department of Children and Families, the Bay County Sheriff's Department, the Bay County School Board, the Panama City Housing Authority, and the Bay County Public Health Department. In the past, CARE also has contracted with both the State and Federal Department of Corrections for treatment services for probationers and has maintained positive working relationships with them.

D. Governing Body:

CARE is governed by a volunteer board of directors. A roster of the board members is contained in Appendix C.

E. Organizational Chart:

In Appendix D, please find a current organizational chart which shows the location of the drug court program and delineates the lines of authority. The proposed program will come under the supervision of the Bay Outpatient Supervisor. The proposed program's personnel will include the Drug Court Liaison position (which will provide counselor services as well), 2 counselor positions and 1 secretary.

F. Persons Served:

During FY 95/96, CARE provided services to 2109 people affected by chemical dependency. The following charts indicate county of residence for the catchment area and the breakdown by municipality for Bay County.

FY 95/96	
<u>County</u>	<u>Number of Persons Served</u>
Bay	1188
Calhoun	64
Gulf	62
Holmes	73
Jackson	216
Washington	307
Other	199
TOTAL	2109

FY 95/96

<u>Municipality</u>	<u>Number of Persons Served</u>
Fountain	18
Honeyville	1
Lynn Haven	55
Mexico Beach	5
Panama City	872
Panama City Beach	171
Southport	30
Tyndall AFB	4
Youngstown	32
TOTAL	1188

G. Current Substance Abuse Programs & Persons Served:

CARE's programs are available to serve all residents of the catchment area who have substance abuse-related problems. CARE's clients represent all socioeconomic, racial, age, gender, and educational backgrounds. In addition, many of the clients, both adults and adolescents, males and females, are involved in the criminal justice system. As described in # II B 9 above, some CARE programs have specific requirements for admission beyond that of having a substance abuse-related problem. For example, each of the residential programs services a specific segment of the community. AWARE is for females age 18 and above and the infants served are less than 1 year old. Reliance House is for males over the age of 18. Detox is primarily an adult program but serves adolescents as needed. Fortunately, we have not encountered many children under age 13 who need detox services. SOS serves only adolescents ages 13-17 who have not yet graduated from high school or obtained a GED.

The outpatient programs in each location are available to everyone for screening and assessment. Recommendations for additional services are then based on the specific needs of the person. Treatment recommendations begin with the least restrictive needed to address the person's identified needs. Many programs are available to specific populations based on contract or grant requirements such as those for school-based prevention and intervention services or the Criminal Justice Overlay Project (CJOP) which works with referrals from the courts and jails.

The outpatient program that will provide services for the drug court clients includes an assessment and treatment planning session which must be completed prior to the client beginning group. The program schedule includes Monday-Thursday evenings with services provided in hour and a half units, two units per evening. Evaluation/review and case management sessions are scheduled at least once per month. Urinalysis

testing is conducted at screening/assessment and randomly during treatment, according to the contract requirements. Group education sessions address living skills training in areas such as problem-solving, leisure activities, communications and conflict resolution. Relapse prevention involving family education and the development of sober support systems is another important focus of the program.

H. Previous Experience:

CARE has been working with adult criminal and juvenile justice clients since the 1970's, both as part of the general population and under contract with the Department of Corrections (both State & Federal), the Department of Health & Rehabilitative Services which is now the Department for Children & Families and the Department of Juvenile Justice. Currently, CARE has a contract with the Bay County Sheriff's Office which provides funding under the Edward Byrne Memorial State and Local Assistance Program for the Criminal Justice Overlay Program. This program works with criminal justice clients who have substance abuse-related problems and who are interested in addressing their addictions problems. The CJOP counselors screen the clients to identify the issues that need to be addressed to facilitate their return to a non-criminal justice, non-using lifestyle. While involved in the program, referrals are made for ancillary services; the offenders are tracked and referrals for treatment are made. This program is similar in some respects to the drug court program in terms of the case management focus on identifying and addressing all the issues of the clients. The familiarity with the court system and the community obtained from this program will facilitate the implementation of the drug court program should CARE be awarded the contract.

CARE is the primary agency involved with the involuntary treatment process via Chapter 397, Florida Statutes, known as the Marchman Act. As a result, counselors are in frequent contact with the court system.

CARE also works closely with the Department of Juvenile Justice (DJJ). Five (5) of SOS's beds are funded by DJJ although there are usually more than 5 juvenile justice clients in the program. The TASC program that CARE has provided since the mid-1980s, conducts assessments and referrals to treatment for DJJ referrals. These services are available to and provided in all catchment area counties.

Regarding CARE's experience working with the dependency population, there is a long history with both victims and perpetrators. Most of the women who develop substance abuse problems have a background of physical and sexual abuse. Many are referred to treatment in an effort to maintain custody of their children. CARE routinely provides assessment and treatment to women who are referred by Children & Families who are involved in dependency issues. In addition, many of the adolescents and children who are served through the intervention and treatment programs are victims of abuse, abandonment and/or neglect.

I. Treatment Experience with Women, Ethnic Minorities & Cocaine Abusers:

CARE does not discriminate against anyone who has a substance abuse-related problem and has extensive experience with all three of these target populations:

1. In 1978, AWARE was opened as one of 10 programs funded by the National Institute of Alcohol Abuse & Alcoholism to provide women's specific residential alcoholism treatment. Since that time, the focus on women's services has continued and is now tied directly to receipt of federal block grant funds. In 1988, CARE implemented women's intervention services to provide outreach, case management and intervention services to pregnant and post-partum women on a non-residential basis. During FY 96/97, the focus has been broadened to begin addressing adult prevention with this population.
2. Ethnic minorities have been served by CARE since its predecessors first incorporated in 1972. Economics are a common way to prohibit access to ethnic minorities but as the state-contracted provider, no one is refused services at CARE solely for the inability to pay. CARE also has provided several community-based outreach and prevention programs to areas with large minority populations. Currently, these services are available in several housing sites via contract with the Panama City Housing Authority.

It should be noted that CARE's staff and board of directors are sensitive to and well-represented by minorities. Cultural awareness training also is held on at least an annual basis.

3. Cocaine use has increased significantly in the past decade and CARE has been working with this problem from the beginning of its emergence in this catchment area. Detoxification, residential and outpatient treatment are available. Currently, Cocaine, alcohol and marijuana are the drugs most commonly abused by CARE's clientele.

J. Referral Sources & Organizations:

Substance abuse is a problem that overwhelms all aspects of a person's life. Unfortunately, it also is a problem that very few are willing to confront until the consequences have become significant. This usually means there have been many losses in the person's life, and in order to recover and return to a productive life, it is often necessary to address a variety of needs that are more than one program can provide. For that reason, it is essential that many resources be utilized and work together. Over the years, CARE has developed an extensive network of referral services to meet the ancillary needs of our clients. These include the areas of mental health assessment and treatment, housing, vocational assessment and training, education, job placement, prenatal and child care and medical care such as for communicable disease testing and treatment when needed. Appendix E contains

letters of agreement from a variety of these referral sources with whom CARE has established long-term working relationships..

III. Program Narrative:

A. Program site(s):

CARE is located at 4000 E 3rd Street (Hwy. 22) in Springfield. Specifically, it is located at the intersection of Highway 22 and Transmitter Road. The CARE complex consists of a large, 2-story facility which houses the administrative services for the entire program, the detox facility which serves the catchment area and the outpatient treatment, intervention and prevention services which specifically serve Bay County. The adolescent residential program, which will be utilized for some of the services for the adolescents who are referred from the Drug Court, is next door to the main building.

The CARE campus is located on the trolley route which is the only form of public transportation available in this area. The outpatient office currently is open from Monday-Thursday 8 am until 7:30 pm. This time will be changed to 9:15 pm and 9:45 pm if CARE is awarded the Drug Court contract, in order to accommodate the intensive phase of the program. On Friday, the OP office is open from 8 am - 1 pm. Detox, which is located in the same building, is a 24-hour facility with staff on duty at all times. SOS also is a 24-hour facility with staff always on duty.

Care is located less than 1 mile from the Springfield Police Department. The facility is well-lighted and has an electronic security system. The Springfield Police Department patrol the area often.

B. Admission/enrollment:

Referrals from the Drug Court will begin the intake and orientation process as soon as they arrive at the facility from the court. This includes completing the Intake Summary, the Initial Medical Summary, the Communicable Disease Risk Assessment and the Initial Treatment Plan. A urinalysis (UA) specimen will be obtained following chain of custody guidelines. The specimen will be obtained by a same sex staff member and will be submitted to the lab for a full 8-panel test. The person also will complete the demographic and administrative admissions documentation and will be oriented to program rules, abuse/neglect/exploitation and communicable disease reporting requirements and confidentiality regulations. The person then will be scheduled for the psychosocial assessment and individualized treatment planning session, usually for the same or next evening. During the assessment process both treatment related and ancillary needs will be identified and referrals made/coordinated as needed. After that, if the person continues to be appropriate for services, he/she immediately will begin the Phase I treatment schedule.

C. Treatment:

Appendix F contains the schedules and descriptions of groups and activities. A program manual for adults also is included and one for adolescents will be developed specifically for that program. This information about the program will be given to each client and thoroughly explained during the orientation process. The adult services are structured so that at least 3 hours of group and/or individual sessions are provided each evening, Monday and Wednesday from 6-9:15 pm and Tuesday and Thursday from 6-9:45 pm. The clients are scheduled to attend specific groups and individual sessions depending upon the phase of treatment they are in and their individual needs. Adolescents will be provided with similar services after school at the SOS and the Bay Outpatient facilities (which are next door to each other).

It is preferred that adults attend the evening sessions, especially at the beginning of the grant when client numbers will be lower. In addition to needing at least 5-6 clients for each group to make it cost effective to provide, there is a problem with the lack of NA and AA support groups in the mornings. Involvement in 12-step support groups is very important for recovery and is an integral component of the drug court program. This obstacle will make it very difficult to provide a complete program in the mornings. However, we are willing to be as flexible as possible in attempting to work out an acceptable schedule of treatment when the client is unable to attend in the evenings.

Each client will participate in 3 phases of treatment. The first phase is an intensive outpatient program that consists of 1½ hours of group therapy Monday- Thursday along with a 1½-hour support group on Tuesdays and Thursdays and a 1½-hour education/skill building group on Mondays and Wednesdays. CARE staff will provide transportation to and from the support group in an agency van. The travel time makes the Tuesday and Thursday programs approximately ½ hour longer than those on Monday and Wednesday. The weekly total is therefore 13 hours per week for this phase rather than the minimum 12. The advantage of this, however, is that participants will attend the meetings on a regular basis and not have to worry about transportation.

Participants are required to attend all sessions in Phase I which is expected to last for 4 weeks. Also required are urinalysis and breath tests. A full 8-panel UA is conducted at screening. This is followed by twice weekly single panel drug tests (usually for cocaine and marijuana). A 2nd full screen test will be done near the end of Phase I prior to movement into Phase II. Since all clients are required to remain alcohol and drug free during treatment, random breath tests also will be done during all phases of the program.

The full 8-panel drug tests that are conducted are chain of custody and are processed at the lab where gas chromatography is used to confirm any positive readings. When using the single drug tests, the testing is conducted on-site at CARE and verification is

available only if a sample is sent to the lab. When verification is requested by the client, it can be done, but will be at the expense of the client. The current cost to CARE clients is \$25.00 for chain-of-custody testing. This is the procedure used by the Escambia County Drug Court and is necessary to control costs.

The breath tests that are conducted are not intended to determine a specific level of intoxication but to verify that alcohol recently has been used. These tests are usually done only when there is a suspicion that the person has been drinking. There is no charge for these tests.

The schedules for Phases II & III are more flexible than in Phase I. The Phase II clients are required to attend at least four 1½ hour groups (at least 1 therapy and 1 education) and one 12-step support group to total a minimum of 8 hours per week for 2-4 months. There is a great deal of flexibility in the group schedule to accommodate the individual needs of the clients and all clients will be given a schedule of activities they are to attend. UAs will continue to be done using the single panel tests on a random basis once per week and breath tests will be done as needed. A full 8-panel drug screen will be done near the end of Phase II with negative results being a requirement for admission to Phase III.

Movement through the phases of the program will be determined by the drug court judge based on the evaluation of the client's progress and participation in the treatment activities and the recommendations of the client's counselor and the drug court probation officer. Clients who experience difficulties in complying with the program requirements such as not attending sessions on time, being disruptive to the program or relapsing into drug use will be sanctioned according to a schedule developed by the court and the drug program. For example, a unexcused absence from group would result in the client having to go before the judge before being allowed to resume participation in the program. A more serious rule violation could result in having to repeat a more intensive program phase.

State administrative rules require that treatment plans be evaluated monthly and be revised/updated each quarter, with supervisory approval. To accommodate this and to provide case management by monitoring the status of the client's ancillary needs and referrals, individual sessions will be scheduled monthly for 1½ hours during the client's regular schedule. This will take the place of one of the groups each month and will continue throughout all phases of the program.

All drug court services will be provided by addictions counselors under the supervision of the Bay Outpatient Supervisor who is a qualified professional under Chapter 397, Florida Statutes. The current program at BOP will be expanded to include the additional groups needed to meet the drug court requirements. The additional hours will be provided by the Drug Court positions. The Drug Court counselors will be assigned as the primary counselors for the Drug Court participants.

Ancillary service needs will be identified during the initial screening and assessment and during the monthly individual sessions. Referrals will be made based on these assessments and will be included in the client's treatment plan. Progress will be monitored via the monthly treatment plan reviews. The most frequently needed ancillary services are mental health evaluations, medical and dental services and job placement. The client is responsible for paying the cost for all ancillary services. As a result, it is often an additional challenge to find the funds to obtain these services.

Case management is the process of orchestrating client services so that as many obstacles to success as possible can be removed and ensuring that all players are working toward a common goal. The drug court counselors will be responsible for providing the case management functions for their assigned clients in addition to being their primary counselors.

AIDS/Communicable Disease risk assessments, education regarding protection and risk reduction, and referrals for testing and other ancillary needs are a regular component of all CARE programs. These services will be provided to drug court participants as they are to all CARE clients. These services often are provided by specialists from the Bay County Health Department who have been very effective in increasing awareness.

CARE closely follows the requirements of the federal confidentiality rules 42 CFR, Part 2. All client files are maintained in locked file cabinets in a locked room. CARE's confidentiality procedures are available for review upon request.

The treatment program is designed so that it can be accessed on any day, Monday-Thursday. In addition, transfer between phases is not restricted to any particular day - it can be accomplished as soon as it is approved by the court.

Detoxification services are available to all drug court clients. The cost of this service is the responsibility of the client. However, the costs are determined on a discounted fee schedule based on the person's income and number of dependents and reasonable payment plans can be arranged. If the need for detoxification becomes apparent while the client is at CARE, he/she will be escorted downstairs to the detox unit for a screening to determine if further medical intervention is needed. Admission is encourage if so indicated by the medical screening.

In addition to being part of the initial screening and assessment, ancillary service needs will be identified during the monthly individual sessions. Referrals will be made based on this information and will be included on the client's treatment plan. Progress will be monitored at the time of the monthly treatment plan reviews. The client will be responsible for paying the cost of all ancillary services.

D. Court Liaison service:

The Court Liaison position is a CARE position that will be responsible for working closely with the Drug Court to ensure the smooth and timely flow of information between the court and CARE. This person will attend all sessions of the court and will have up-to-date progress reports for each program participant, each week. This person will be the primary point of contact concerning the Drug Court treatment program. The qualifications for this position include familiarity with the local court and criminal justice system. Excellent communication skills also are required. The minimum educational requirement is a bachelor's degree in a related field from an accredited college or university. For further information, please refer to the job description for this position in Appendix G.

E. Discharge and follow-up data:

CARE's requirements regarding successful discharge from any program are based on progress made and successful completion of the individual's treatment plan goals or when the determination is made that the client has obtained maximum benefits from treatment at that time. Since the treatment plans are individualized, the client knows from the beginning of treatment what is expected and what has been agreed upon.

Unsuccessful discharge results if the client continues to make little to no progress toward his/her goals despite efforts to address the obstacles, if the client behaves in a manner that is disruptive to the program and interferes with the efforts of the other clients, if the client drops out of/refuses treatment and/or loses contact, or if the client dies. When possible, referrals to other programs which might better meet the needs of the client are made when the client is discharged. This case management activity is the responsibility of the primary counselor to recommend and staff with the judge and probation officer prior to action being taken.

Follow-up will be attempted at various intervals to monitor the progress of those who have been discharged from and/or have completed the program. Follow-up intervals will be determined in consultation with the Drug Court team.

F. IMPLEMENTATION PLAN:

A. Personnel - Currently, CARE has two Criminal Justice counselors on staff who will be transferred to the Drug Court program if CARE is awarded the contract. The detailed job descriptions for each position are contained in Appendix G. Resumes for the counselors are contained in Appendix H. Their work with the Criminal Justice Overlay Program has provided them with the skills necessary to expedite the implementation of the Drug Court program.

There will be one additional counseling position a full-time secretary position that will need to be filled. Upon signing of the contract, CARE will begin the process

of recruitment and training. The training will be greatly enhanced due to having the experience already on staff.

CARE does not use volunteers in most programs due to the complications involved with maintaining confidentiality. However, for the Drug Court Program, Phase III clients and graduates of the program will be utilized to help Phase I and II clients transition into the program. This peer support is expected to help build self-esteem and reinforce recovery while enhancing the commitment to the program needed to establish an initial recovery program.

B. Treatment services startup - It is expected that the treatment services will be operational as of January 1, 1997, or as soon as clients are available to begin. The structure for most of the program for both adults and adolescents is already in place. The transfer of the Criminal Justice counselors to the program will enable the rest of the program to be provided. The Drug Court Liaison position will be identified and will be able to meet with the Drug Court Committee during December to work out the details of implementation. In addition, data collection procedures already in place will begin providing drug court specific data as soon as clients enter the system.

The secretarial position will be advertised and hired in December to start on January 1, 1997. The second counselor position is not expected to be hired until April or May, after the client census has increased enough to support the position.

C. Program evaluation - The outcome evaluation procedures currently in place evaluate information at admission and compare it to discharge. This is collected on all intervention and treatment participants and will be collected and evaluated for Drug Court participants as well. More specific performance requirements for this program will be determined by the team after the program has been in operation long enough to gather baseline data.

CARE's State contact requires that:

1. At least 60 to 85% of adolescents receiving services will reduce the frequency of use of alcohol and other drugs,
2. At least 75 to 90% of adults receiving services will reduce the frequency of use of alcohol and other drugs,
3. There will be at least a 75 to 90% reduction in the number of clients with arrest during the 90 days after discharge as compared to 90 days prior to admission,
4. At least 60 to 75% of persons completing treatment will be employed upon discharge, that at least 85 to 100% of women pregnant during substance abuse treatment will give birth to substance-free newborns, and
5. CARE will achieve an average consumer satisfaction score on the Family

Center Behavioral Scale that is no more than 3 standard error of mean units below the mean for this population and preferable no more than 2 standard error of mean units below the mean.

Process evaluation for this program will focus on tracking various program specific information such as number of support groups attended, number of times before the judge, length of time in each phase, to determine their impact on program completion rates. Appendix J contains a sample data form from the Criminal Justice Overlay Program that will be revised to track the pertinent activities after consultation with the Drug Court team. It is expected that there will be a plethora of information tracked during the first year of operation before those that make a difference will begin to emerge.

V. ADDITIONAL REQUIREMENTS:

A. CARE is in compliance with and agrees to abide by all the Bay County Risk Management requirements addressed in Attachment 3 of the Drug Court Request for Proposals (RFP). These address the "Hold Harmless" provisions and insurance coverage requirements. Additional information is available at the Care business office when needed.

B. Appendix K contains the completed and signed Bay County Purchasing Policy PUR 7068 Crime Entity Statement (Attachment 4 from the RFP).

C. Appendix L contains the completed and signed DrugFree Workplace form (Attachment 5 from the RFP).

VI. BUDGET NARRATIVE:

The budget being submitted with this proposal is for 9 months, January 1 1997 - September 30, 1997. The total budget is \$141,000 which provides services for 57 adults at \$2,000 each and 12 adolescents at \$3,000 each, both of which are prorated for 9 months. The number of participants is more than that from the RFP, but due to the reduced contract period, more people can be served. The increase is not thought to be significant enough to be unattainable when compared to the original projections.

The services for this contract will be billed according to units of service provided. Each unit is equivalent to 1½ hours (except for the units for attendance at support groups which includes an additional half-hour for travel, but with no extra charge). All groups and individual sessions will be provided in 1½ hour units. The initial screening will be 1½ hours, the psychosocial assessment and individualized treatment planning session is 3 hours in duration or 2 units.

The price per unit was developed so that most of the cost is expensed during Phase I and decreases with each phase. The schedule for a 12-month program is as follows:

ADULT PROGRAM

<u>PHASE</u>	<u>DURATION</u>	<u>#UNITS</u>	<u>x</u>	<u>UNIT COST</u>	<u>+ UA COST</u>	<u>= TOTAL</u>
I	1 MO	32		\$30.00	\$ 69	\$1,029
II	3 MOs	48		\$10.00	\$ 81	\$ 561
III	8 MOs	64		\$ 5.00	\$ 90	\$ 420
TOTAL						\$2,000

ADOLESCENT PROGRAM

<u>PHASE</u>	<u>DURATION</u>	<u>#UNITS</u>	<u>x</u>	<u>UNIT COST</u>	<u>+ UA COST</u>	<u>= TOTAL</u>
I	1 MO	32		\$45.00	\$69	\$1,509
II	3 MOs	48		\$17.50	\$81	\$ 921
III	8 MOs	64		\$ 7.50	\$90	\$ 570
TOTAL						\$3,000

Salaries - The salaries indicated are adjusted to reflect the 9 month grant contract. The percentages of the Clinical Services Director's, the BOP Supervisor's and Grants Administrator's salaries reflect the amount of time spent supervising, training and performing administrative, fiscal and quality assurance activities.

Benefits - This reflects CARE's usual benefits for staff. Included are FICA, health insurance at \$155 per month per employee, retirement at 6% of each employee's salary, unemployment and workman's compensation.

Utilities - This expense is a prorated amount of the expense for utilities in the facility at which the program will be provided.

Professional fees - This is the cost of this grant's portion of CARE's annual audit conducted by CARE's contracted CPA.

Travel - The mileage reimbursement rate is \$.29 per mile. This item covers the cost of local travel for program activities for the three counselors at approximately 20 miles per week for each and the travel expenses for 2 conferences usually held in central Florida, room expenses (usually \$75 per night per room) and meal expenses (\$21 per day per person).

Conference and training - This covers the registration expenses which are usually in the \$200 range for conferences. Local training registration is included and ranges from \$15 to \$100, depending on the provider and the length of the training. All staff are required to have a minimum of 20 hours of training per year.

Medical supplies - This is the cost of the urinalysis (UA) tests for the 69 program participants. It includes chain-of-custody full screens conducted at screening/assessment, prior to transfer to the next treatment phase, prior to completion and 3 random throughout treatment. They cost \$25 each. The rest of the tests are single drug panels which cost \$1.55 each. The cost per participant for 9 months is estimated at \$205. The additional funds are to cover unanticipated UA expenses and possibly assist clients obtain needed medical tests, such as TB chest X-rays, when no other resources are available.

General insurance - This includes the prorated amount of the liability and other insurance needed to operate the agency and comply with all state and federal requirements.

Interest expense - This is a prorated amount of the interest on the building where the program will be provided.

Postage - This covers postage for client- and grant-related correspondence.

Vehicle costs - This item is to cover the cost of the gasoline for the agency van that will be used to transport clients to the 12-step support groups twice per week.

Office supplies - This includes supplies for normal office operations, counselor desks, chairs, file cabinets, and telephones.

Miscellaneous expenses - This includes the cost for conducting background checks on new employees, providing nutritious snacks for the adolescents, and other small unexpected expenses for the program that may arise.

Education supplies - This expense is for movies, tapes, workbooks, and books which will be used in the provision of the treatment and educational activities.

Capital outlay - This expense is for the purchase of 3 Packard Bell computers and 3 laser printer for the staff. The computer systems cost approximately \$2700 each including maintenance agreements, the Office Professional program and installation. In addition, a prorated amount of the cost of updating the telephone system is included at \$6100.

Drug Court Budget

Nine Months Budget: \$141,000

Salaries

Drug Court Liaison	\$18,750
Counselor	\$15,000
Counselor	\$15,000
Secretary	\$10,500
Clinical Services Director (20%)	\$6,017
BOP Supervisor (30%)	\$5,963
Grants Administrator (13%)	<u>\$2,020</u>
Subtotal	\$73,250

Employee Benefits

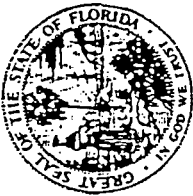
FICA	\$5,604
Health Insurance	\$7,440
Retirement	\$4,395
Unemployment	\$644
Workman's Comp	<u>\$375</u>
Subtotal	\$18,458

Expenses

Utilities (25% of BOP)	\$2,200
Professional Fees Audit	\$600
Travel	\$2,500
Conferences & Training	\$1,000
Medical Supplies (UA's)	\$15,000
General Insurance	\$1,775
Interest Expense (25% of BOP Regency)	\$3,225
Postage	\$242
Vehicle Costs	\$800
(Gasoline)	
Office Supplies	\$5,300
(Desks, Tables, Filing Cabinets, Computer Supplies, Telephone)	
Publicity, Promotions, & Recruiting	\$250
(Includes Positon Ads)	
Miscellaneous Expenses	\$1,000
(Includes Background Checks & Snacks for Adolescents)	
Educational Supplies	\$1,200
Capital Outlay (3 Computers & 3 Printers, Telephone System Update)	\$14,200
Subtotal	<u>\$49,292</u>
Grand Total	\$141,000

Appendices

- A - State License & FY 95/96 Site Visit Report
- B - FY 95/96 Audit Report
- C - Roster of Board of Directors
- D - Organizational Chart
- E - Letters of Agreement
- F - Program Schedules, Group Descriptions and Program Manual
- G - Job Descriptions
- H - Resumes
- I - Implementation Schedule
- J - Sample Data Collection Form
- K - PUR 7068 Crime Entity Statement
- L - Drug Free Workplace



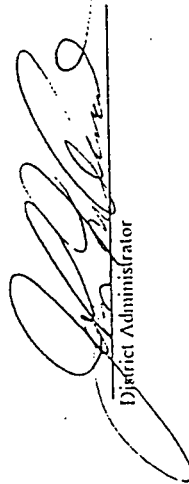
State of Florida


Department of Health & Rehabilitative Services

CERTIFIES

CHEMICAL ADDICTIONS RECOVERY EFFORT, INC.
4000 EAST THIRD STREET
PANAMA CITY, FLORIDA 32404

Is licensed in accordance with Florida Statutes to provide
Alcohol and Drug Abuse Services: Prevention Services, Outpatient Services,
Starting Over Straight: 15 Beds Detoxification Services, Residential Services:
Detox: 17 Beds Levels II and III
Intervention Services: Community, Treatment
Alternatives for Safer Communities (TASC)


District Administrator


District Alcohol, Drug Abuse &
Mental Health Program Supervisor

July 26, 1996

Date

REGULAR
Type of License

02-A-14-AD

License Number

July 26, 1997

Expiration Date

CHEMICAL ADDICTIONS RECOVERY EFFORT

Site Visit Report

Type of Current License: Regular
Expiration Date: July 26, 1996
Site Visit Date: June 10-12, July 1, 1996
Report By: CaraLee S. Starnes, Human Services
Program Specialist
John S. Harper, Human Services
Program Director
Report Date: July 2, 1996

I. Agency History and Current Licensing Recommendations

For the past ten years, the Chemical Addictions Recovery Effort, Inc. (CARE) has been licensed to provide a full continuum of alcohol and drug abuse services. The agency applied for relicensure was received and a site visit was conducted. During the site visit, it was found that policy and procedures and file maintenance were in overall compliance with Florida Administrative Code 10E-16.

In the last year, the agency has been in the process of renovating, building and relocating several of their programs. The downstairs portion of the Administration Building was renovated to accommodate the 15 bed detox unit. The new location has monitoring cameras throughout and includes separate day rooms for males and females and an area for juveniles. The agency also built a new facility next to the Administration Building for the S.O.S. Adolescent Residential program. The Reliance House, the adult male residential program, relocated to the former S.O.S. facility in Fountain, Florida. The men have been working to refurbish the house and have also planted a large vegetable garden.

At this time it is recommended that Chemical Addiction Recovery Effort, Inc. receive a regular license to provide alcohol and drug abuse services. Components to be licensed include: Detox, Residential: Level I and Level II, Nonresidential: Outpatient, Intervention: Community-Based and TASC and Prevention services. These licenses will expire July 26, 1997.

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II. Prior Citations

NONE

III. Prior Compliance Issues

- A. Individual treatment plans were found to be basic at some components. The goals should reflect needs identified in the psychosocial and the methods and objectives should be tailored towards a client's abilities.

Overall, the Psychosocial Assessments and progress notes were exceptional. However, issues specifically addressed in the assessment as areas to focus on during treatment were generally not expressed in a treatment plan goal. It should be noted that, for the most part, these issues were being addressed in therapy sessions as evidenced through the progress notes.

This issue was addressed. It was obvious that the agency has actively provided training and technical assistance to staff regarding individual treatment plans. In each facility reviewed, treatment plan goals were specific and contained well formed objectives.

- B. It is recommended that DETOX make a note either on the nurse's daily notes or on the discharge summary that indicates all consents and releases have been transferred to a different component in instances where a client is continuing treatment within the agency.

The agency recently adopted the procedure to transfer client consents and releases from Detox to the appropriate component instead of xeroxing copies. This definitely saves staff time and costs, however, it appears that consents/releases were not completed upon arrival to Detox.

This issue was addressed.

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IV. Current Citations

- A. Beds for sobering-up services shall be visually accessible to the nurses station. 10E-16.008(2)(a)1

As stated earlier, the agency renovated the Administrative Building to include the detox unit. There are two rooms for sobering-up services that are near the nurses station but are not visually accessible. The agency has already begun the process of installing cameras in each room so that the nurse on duty can observe the clients via television monitor. It is also recommended that the program develop a protocol for alternate monitoring when the nurse must be away from the station and there is a client(s) in the sobering-up room.

V. Current Compliance Issues

- A. At the Jackson County Outpatient facility, group progress notes were vague and inconsistent. The counselors utilize a generic group note that reflects attendance and participation for both educational groups and therapy groups, however therapy group notes should contain an entry for each individual regarding any progress or lack thereof during the group session. This was inconsistently done throughout the files reviewed.

VI. Summary

Overall, the Chemical Addiction Recovery Effort, Inc. continues to provide quality care as evidenced through the positive comments obtained during client interviews and the outstanding file documentation (psychosocial assessments and progress notes) found throughout the various programs.

NAME: Chemical Addictions Recovery Effort

ADDRESS: 4000 East Third Street

Panama City, FL 32404

TYPE LICENSE: Regular Alcohol and Drug Abuse

State law requires that every applicant for a license be given the following notice regardless of whether the license is approved or denied. The purpose of this notice is to inform each applicant that he or she has the right to appeal the decision to grant or deny the license if they choose to.

Any party whose substantial interests are affected by this determination has a right to request an administrative proceeding pursuant to Section 120.57, Florida Statutes, and rules promulgated pursuant thereto, within 30 days of receipt of this notice. Failure to timely request a hearing shall be deemed a waiver of any right to a Section 120.57, Florida Statutes, proceeding and this decision shall become final agency action.

Certificate of Services

I HEREBY CERTIFY that a copy of this notice was:

 x Sent to the above named people by US Mail on 7/23/96.

 Personally delivered to the above named people at
o'clock this day of , 19 .

And S. Rott
Signed

Copy of this notice to be sent to: Robert Powell
Department Clerk
Office of General Counsel
1317 Winewood Boulevard
Tallahassee, FL 32301

Adult

	Monday	Tuesday	Wednesday	Thursday
PM				
6:00	Therapy Group	Therapy Group	Therapy Group	Therapy Group
6:15				
6:30				
6:45				
7:00				
7:15				
7:30	Break	Travel Time	Break	Travel Time
7:45				
8:00	Education Group	NA meeting at Bakers Court	Education Group	AA meeting at Jenks Avenue
8:15				
8:30				
8:45				
9:00				
9:15		Travel		Travel
9:30				
9:45				
10:00				

Education Group Topics

Adults

1 & 8. HIV/AIDS-Related Issues (repeated every four weeks) - What HIV and AIDS are; how the virus is contracted and spread; precautions; how to get tested; how to access community services.

2. Family Addiction Process - The effects of addiction on family and friends; enabling; co-dependency issues; how the addict's *recovery* affects the family.

3. Domestic Violence - The cycle of family violence; the role of addiction in the cycle; how to access community resources.

4. Leisure/Recreation Activities - The effects of recreation on drinking and drug-using patterns; finding activities that do not lend themselves to using drugs; exploring what is available in the community.

5. Parenting Skills - Effective parenting; reward/discipline/consequences; recognizing parents' own triggers and limitations.

6. Conflict Resolution - Conflict need not lead to violence; means of settling disagreements without anger; recognizing danger signs; compromise.

7. Accessing Community Resources - What support systems are available in the area; locations; costs; services offered; eligibility criteria.

9. Employability Skills - Job-hunting techniques; responding to a lead; interviewing for a job; resume preparation; how to *keep* a job; on-the-job relationships.

10. Stress Reduction - Progressive deep muscle relaxation techniques; visualization; recognizing stress; the importance of rest, nutrition and exercise; identifying stress-reducing activities.

11. Drug Education I - Concepts of addiction, tolerance, dependence, withdrawal, recovery; Jellinek's progression chart; depressants.

12. Drug Education II - Review of DE I; stimulants; opiates; inhalants; psychedelics, marijuana.

14. Refusal Skills - Effective means of saying "No";
15. Stress Reduction - Progressive deep muscle relaxation techniques; visualization; recognizing stress; the importance of rest, nutrition and exercise; identifying stress-reducing activities.
16. Problem Solving - Identifying problems; determining options; selecting appropriate course of action.

Bay County Drug Court Program ManualPhase I

Description: The program meets four (4) times per week, three (3) hours per meeting. The schedule is available in the evenings between the hours of 6 and 9:15 pm on Mondays and Wednesdays and between the hours of 6 and 9:45 pm on Tuesdays and Thursdays. The duration of Phase I is one month; {16 sessions}. Transition into Phase II is contingent upon completing a minimum of 16 sessions, maintaining clean urine screens and maintaining a level of positive motivation and participation.

Goals: The general goals of Phase I are as follows:

1. Participate in all scheduled treatment sessions.
2. Initiate trend of negative drug screens (by second week of treatment).
3. Establish program of abstinence from all mood-altering substances, including alcohol and cannabis.
4. Identify personal issues related to substance use.
5. Identify strategy for acquiring substance free lifestyle.
6. Begin introduction to basics of the 12-Step program; with participation in community-based groups.
7. Identify initial case manager needs.
8. Initiate Contact with a 12-Step sponsor.
9. Complete short term goals designated for Phase I.

Methods:

1. Group Structure: Participants will be provided with substance abuse education in a didactic format during group sessions, two times per week. Lecture and active participation formats will be utilized, and participants will have opportunity to share personal issues related to presentation topics. Additional opportunities for personal growth will be available in the therapy groups which meet 4x per week. Peer group interactions will be utilized to confront issues in a controlled setting. Participants will work to develop individual goals for ongoing abstinence. Two times per week, the group will attend 12-step support groups. CARE will provide the transportation to and from the meetings.

DRUG COURT Manual (continued)
Page 2

2. Case Management: The assigned counselor, the Drug Court Liaison and the Special Probation Officer in charge will work in cooperation to meet the identified needs of the client. Clients will be supported in their own efforts to meet their various needs but will be provided guidance and referral upon request. The assigned counselor will be primarily responsible for all aspects of the participant's treatment and will advise the other members of the Drug Court team regarding the therapeutic needs of the client. Referrals for psychological or psychiatric intervention will be made by the primary counselor only, following established procedures. Input from other sources will be utilized.
3. Court Reports: The assigned counselor will complete the Drug Court Client Status Report upon request of the Drug Court Liaison who will be aware of any pending court appearances of participants in Phase I.
4. Urinalysis: Participants are required to provide a urine sample twice weekly for analysis. To ensure randomness, participants will be oriented to expect a request to provide a urine sample during any group session throughout Phase I.

Specimens will be screened by a same-sex counselor. The staff will test for the substances indicated on the tracking log the day of the collection. Urine results will be document on a log sheet and kept in the testing room.

Participants will be informed of positive urine results individually and encouraged to discuss the matter in group when they feel comfortable doing so.

Participants who contest urinalysis results may pay for a confirmation test by a certified lab for the cost of \$25.00.

Urinalysis results will be documented and made available to the court.

DRUG COURT MANUAL (Continued)

Page 3

Phase II

Description: The program meets two (2) times per week, three (3) hours per evening. The schedule is available during the day between the hours of 6 and 9:15pm, Mondays and Wednesdays and between 6 and 9:45, Tuesdays and Thursday, although attendance every day is not required. The duration of Phase II is between eight (8) and sixteen(16) weeks (16 to 32 sessions). Transition into Phase III is contingent upon meeting the goals of Phase II treatment, a consistent level of attendance and participation and ongoing negative urinalysis results.

Goals: The general goals of Phase II are as follows:

1. Ongoing negative urine results.
2. Attendance at all scheduled meetings.
3. Full participation in group activities.
4. Completion of STGs designed for Phase II.
5. Identification of long term goals.
6. Ongoing work with the 12-Step recovery model.
7. Ongoing contact with assigned counselor.
8. Preparation for transition into Phase III.

Methods:

1. Group Structure: Participants will be exposed to substance abuse education in a didactic format during group sessions, two (2) times per week. Lecture and active participation formats will be utilized, and participants will have opportunity to share personal issues related to presentation topics. Additional opportunities for personal growth will be available in the therapy groups which also meet 2x per week. Peer group interactions will be utilized to confront issues in a controlled setting. Participants will work to develop individual goals for ongoing abstinence.
2. Case Management: The assigned counselor, the Drug Court Liaison and the Special Probation Officer in charge will work in cooperation to meet the identified needs of the client. Clients will be supported in their own efforts to meet their various needs but will be provided guidance and referral upon request. The group counselor will be primarily responsible for all aspects of the participant's treatment and will advise the other members of the Drug Court team regarding the therapeutic needs of the client. Referrals for psychological or psychiatric

DRUG COURT MANUAL (Continued)

Page 4

intervention will be made by the assigned counselor only. Input from other sources will be utilized.

3. Court Reports: The assigned counselor will complete the Drug Court Client Status Report upon request of the Drug Court Liaison who will be aware of any pending court appearances of participants in Phase II.
4. Urinalysis: Participants are required to provide a urine sample weekly for analysis. To ensure randomness, participants will be oriented to expect a request to provide a urine sample during any group session throughout Phase II.

Specimens will be screened by a same-sex counselor. The staff will test for the substances indicated on the tracking log the day of the collection. Urine results will be documented on a log sheet and kept in the testing room.

Participants will be informed of positive urine results individually and encouraged to discuss the matter in group when they feel comfortable doing so.

Participants who contest urinalysis results may pay for a confirmation test by a certified lab for the cost of \$25.00.

Urinalysis results will be documented and made available to the court.

Phase III

Description: The program meets two (2) times per week, one and one-half (1½) hours per meeting. The schedule is available during the day between the hours of 9am and 10:30am, or in the evenings between 7 pm and 9:30pm. The duration of Phase III is between eight (8) and ten (10) months, and graduation is directly effected by client participation and any extenuating circumstances which affect participation. Transition into Phase III is contingent upon meeting the goals of Phase II treatment, a consistent level of attendance and participation and ongoing negative urinalysis results.

Goals: The general goals of Phase III are as follows:

1. Ongoing negative urine results.
2. Attendance at all scheduled meetings.
3. Full participation in group activities.
4. Completion of all short term goals
5. Identification of long term goals.
6. Ongoing work with the 12-Step recovery model.
7. Ongoing contact with primary counselor.
8. Full integration into community support groups.
9. Successful graduation from Drug Court Project.

Methods:

1. Group Structure: Participants will be exposed to substance abuse relapse and prevention education in an aftercare model during group sessions, two (2) times per week. Active participation will be expected of all participants, who will have the opportunity to share personal issues related to ongoing sobriety. Peer group interactions will be utilized to confront issues in a controlled setting. Participants will work on maintenance behaviors to sustain sobriety and accomplish the goal of successful graduation and long-term personal behavior change.

2. Case Management: Clients will be supported in their own efforts to meet their various needs but will be provided guidance and referral upon request.

The assigned counselor will be primarily responsible for all aspects of the participants treatment and will advise the other members of the Drug Court team regarding the therapeutic needs of the client. Referrals for vocational needs as well as help with personal living issues will be addressed as major focus during Phase III.

3. Court Reports: The assigned counselor will complete the Drug Court Client Status Report upon request of the Drug Court Liaison who will be aware of any pending court appearances of participants in Phase III.
4. Urinalysis: Participants are required to provide a urine sample weekly for analysis. To ensure randomness participants will be oriented to expect a request to provide a urine sample during any group session throughout Phase III.

DRUG COURT MANUAL (Continued)

Page 6

Specimens will be screened by a same-sex counselor. The staff will test for the substances indicated on the tracking log the day of the collection. Urine results will be documented on a log sheet and kept in the testing room.

Participants will be informed of positive urine results individually and encouraged to discuss the matter in group when they feel comfortable doing so.

Participants who contest urinalysis results may pay for a confirmation test by a certified lab for the cost of \$25.00.

Urinalysis results will be documented and made available to the court.

Successful completion: Participants who have remained in the program for one year (includes time spent in Phase I, II, III, or residential placements), have remained substance free, have completed all their short-term goals, and have developed a plan for ongoing recovery and relapse prevention will be successfully completed from the treatment portion of the Drug Court Program. Completion will be documented in the progress note and communicated to the court via the Drug Court Client Status Report form.

Phase I, II, & III Documentation: All Drug Court cases will be documented in the clinical record according to established CARE clinical procedures as described in the Clinical Procedures Manual.

DRUG COURT TREATMENT RESPONSIBILITIES

The purpose of these responsibilities is to provide a standard of personal responsibility for treatment issues and to establish procedures which promote the efficient use of time and resources with CARE.

1. It is your responsibility to be on time for all treatment sessions. Failure to do so will become a matter for inclusion in your status report.
2. You are required to remain in your classroom for the duration of the session. The only exception is for those individuals who are selected to participate in the random urinalysis drug screen. In that case, you will be notified and escorted by a staff member to the appropriate room.
3. You should make every effort to schedule outside personal appointments at times that will not conflict with scheduled treatment sessions. Any missed sessions will be added to the end of your treatment program.
4. If issues arise that prevent attendance at a scheduled session, you are REQUIRED to call CARE and provide an explanation of the situation.
5. You are responsible for keeping your assigned counselor informed of all your prescription medications and any changes to those prescriptions.
6. You are responsible for ensuring that any over-the-counter medications you use are non-addictive and contain no alcohol. Pharmacists can provide that type information if you have any doubts.
7. You are required to keep your assigned counselor informed of any changes of address, telephone number, job status (start or stop), or any issue which addresses a problem area on your treatment plan.
8. You are restricted to using the 2nd floor lobby, the bathrooms, classrooms and snack room. All other areas are "off limits". You are not to use the 2nd floor emergency doors unless there is an actual emergency. The fire alarm sounds. Smoking is done outside and to the right (away from the detox entrance).

Client Signature

Date

APPENDIX I

BAY COUNTY DRUG COURT TREATMENT PROVIDER SERVICE AGREEMENT

AGREEMENT dated December 17, 1996 between Bay County Board of County Commissioners, acting through the Bay County Drug Court, having its principal office at 301 McKenzie Avenue, Panama City, Florida, 32401 ("COUNTY") and Chemical Addictions Recovery Effort, Inc. (C.A.R.E.), having its principal office at 4000 East 3rd Street, Panama City, Florida, 32404 ("CONTRACTOR").

1. SCOPE OF WORK:

During the continuance of this Agreement, CONTRACTOR agrees to provide all staff, supervision, equipment, and facilities necessary to provide Professional Treatment Services for the Bay County Drug Court Program described in Bay County Request for Proposal numbered 061-96, attached hereto as Exhibit A; in accordance with the CONTRACTOR'S proposal dated October 30, 1996, attached hereto as Exhibit B; as modified by the provisions of the memorandum dated December 11, 1996, attached hereto as Exhibit C.

2. CONTRACTOR'S DUTIES AND STATUS:

CONTRACTOR agrees to furnish its best skill and judgment in the performance of its obligations and cooperate with the COUNTY and the Bay County Drug Court and appointed Judge with regard to all matters pertaining to and arising from this Agreement.

CONTRACTOR shall be an independent contractor with respect to all work performed hereunder and neither CONTRACTOR nor those employed by CONTRACTOR to perform such work shall be deemed the agents, representatives, employees or servants of the COUNTY in the performance of such work or any part thereof. The CONTRACTOR assumes full responsibility for supervising and directing its own employees.

3. COOPERATION:

CONTRACTOR agrees to perform each phase of the work at the scheduled time and in the scheduled sequence and otherwise to cooperate with the COUNTY as requested by the COUNTY or its representative, and to cooperate with inspection continuously or from time to time by such representative.

4. LAWS, RULES AND REGULATIONS:

CONTRACTOR shall give all notices required of it by law and shall comply with all Federal, State and local laws, ordinances, rules and regulations governing CONTRACTOR'S performance of this Agreement and the preservation of public health and safety, and shall, at the COUNTY'S request, secure documents evidencing compliance therewith.

5. INSURANCE-HOLD HARMLESS-CLAIMS:

During the term of this Agreement, Contractor shall maintain insurance as set forth in the risk management requirements included in the Request for Proposal numbered 061-96 attached as Exhibit A.

6. CONTRACTOR'S FEE:

The COUNTY shall pay CONTRACTOR for services covered under this contract based on CONTRACTOR'S proposal dated October 30, 1996, attached hereto as Exhibit B. CONTRACTOR shall use its best efforts to collect appropriate third party payment reimbursement for the cost of providing professional treatment services, in order to maximize the services provided hereunder.

7. ACCOUNTING:

CONTRACTOR shall keep in separate accounts a full, accurate and careful record of all labor employed on, about, or in connection with, the work to be performed hereunder and shall keep accurate and careful records of any materials and equipment furnished by CONTRACTOR.

The COUNTY shall retain the right of unilateral cancellation for refusal by CONTRACTOR to allow public access to all documents, papers, letter, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by CONTRACTOR in conjunction with this contract. [F.S. 287.058(1)(c)]

8. NOTICES:

Except as otherwise expressly provided, any notice to be given hereunder shall be in writing and shall be deemed to have been duly given if and when deposited in the United States registered mail, properly stamped and addressed to the party for whom intended at the address of such party hereinafter specified or when delivered personally to such party at such address:

BAY COUNTY

Board of County Commissioners
Attn: Chairman of the Board
310 West 6th Street
Panama City, FL 32401

CONTRACTOR

Chemical Addictions Recovery Effort, Inc.
Attn: Executive Director
4000 East 3rd Street
Panama City, FL 32404

The foregoing address of the COUNTY and CONTRACTOR may be changed for purposes hereof at any time and from time to time by notice to the other in the manner stated above, setting out such change of address.

9. ASSIGNMENT:

This Agreement shall not be assigned in whole or in part by CONTRACTOR and no part of the work provided for herein shall be sublet by CONTRACTOR except with the prior written consent of the COUNTY.

10. PRIOR AGREEMENTS:

All proposals, negotiations and representations with reference to the matters covered by this Agreement are merged in this instrument, and no amendment or modification hereof shall be valid unless evidenced in writing and signed on behalf of the parties hereto by their duly authorized officers.

11. TERM:

This Agreement shall commence on the date of execution by all parties and continue in effect until September 30, 1997. The County may, at its option, extend this contract for one additional one year term.

The COUNTY'S performance and obligation to pay under this agreement is contingent upon an annual appropriation of funds.

12. TERMINATION OF AGREEMENT:

It is agreed that the COUNTY may terminate this Agreement at any time for cause, and may also terminate this Agreement with or without cause by giving at least thirty (30) days' prior written notice to CONTRACTOR. CONTRACTOR may terminate this Agreement at any time by giving at least thirty (30) days' prior written notice to the COUNTY.

13. GOVERNING LAW:

This Agreement is governed by the law of the State of Florida.

"COUNTY"

BOARD OF COUNTY COMMISSIONERS
BAY COUNTY FLORIDA

By: 

ATTEST:

Harold Bazzel
Harold Bazzel, Clerk

"CONTRACTOR"

CHEMICAL ADDICTION RECOVERY EFFORT, INC.

By: Robert M. McLeod

WITNESS:

Approved as to correctness of form:

Hein Timmerman
Burke & Blue, P.A.
Attorneys for Bay County

Reviewed for budgetary implications:

Mary L. Clayton
Budget Officer

APPENDIX J

DRUG COURT
INFORMATION NEEDED FOR AN EVALUATION

NAME
SSN
DOB
AGE
GENDER
RACE
ETHNICITY
ADDRESS
WHO LIVES AT THE ADDRESS
MARITAL STATUS
PARENTAL STATUS (CUSTODY)
OF CHILDREN & AGES
MENTAL HEALTH HISTORY
MEDICAL HISTORY
EDUCATION
EMPLOYMENT - HOURS PER WEEK - HOW LONG
DATE OF ARREST
OFFENSE
SOURCE OF REFERRAL- PUBLIC DEFENDER, SAO, PTRP
DATE OF SENTENCE
PRETRIAL INTERVENTION OR SENTENCED
PRIOR CRIMINAL HISTORY - TYPE OF OFFENSES
ASSESSMENT DATE
DATE TREATMENT BEGAN
PRIOR TREATMENT
DRUG OF CHOICE - HOW LONG USING
OF TREATMENT CLASSES ATTENDED
TREATMENT SERVICES PROVIDED
TREATMENT PARTICIPATION RATING - EXCELLENT, GOOD, SATISFACTORY, POOR
OF INCIDENT REPORTS DURING TREATMENT
OF URINALYSIS - # NEGATIVE & # POSITIVE
HIV RISK BEHAVIORS
DURING TREATMENT - ENROLL IN EDUCATIONAL OR VOCATIONAL CLASSES?
AMOUNT OF INCARCERATION DURING TREATMENT
TERMINATION DATE FROM TREATMENT
REASON FOR TERMINATION
PROBATION SUPERVISION TO FOLLOW? TERMINATION DATE?
REARREST- TYPE OF OFFENSE

APPENDIX K

**DEPENDENCY
DRUG COURT REFERRAL NOTICE**

DATE: _____

TO: Nancy O'Connor, Assistant State Attorney and
Barbara Finch, Assistant State Attorney
Phone: 872-4473
Fax: 872-4680

FROM: _____
Phone:
Fax:

NAME OF PERSON BEING REFERRED _____

SSN _____

DATE OF BIRTH _____

CASE NO. _____

**PRESENT STATUS OF
CASE** _____

NEXT COURT DATE _____

cc: Linda Burd, Drug Court Coordinator

DRUG COURT REFERRAL NOTICE

DATE: _____

TO: Nancy O'Connor, Assistant State Attorney and
Barbara Finch, Assistant State Attorney
Phone: 872-4473
Fax: 872-4680

FROM: _____
Phone:
Fax:

NAME OF PERSON BEING REFERRED _____

SSN _____

DATE OF BIRTH _____

CASE NO. _____

CHARGE _____

DATE OF ARREST _____

**PRESENT STATUS OF
CASE** _____

NEXT COURT DATE _____

cc: Linda Burd, Drug Court Coordinator

Chemical Addictions Recovery Effort, inc.

DRUG COURT CONSENT FOR URINALYSIS AND CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

CLIENT NAME: _____ CLIENT NO: _____

I hereby acknowledge that I have given my informed consent to Chemical Addictions Recovery Effort, Inc., to randomly sample my urine for the detection of mood-altering chemicals, as a condition of my treatment.

I understand that a same-sex representative of CARE will be present during the collection of the samples in order to minimize falsification and to ensure positive control of the sample(s).

I authorize CARE to disclose my name to LabCorp Laboratories for the purpose of processing my urine sample(s). I further authorize CARE to disclose to and obtain from Judge, State Attornev. Public Defender, Probation and Parole, Department of Juvenile Justice, Drug Court Coordinator, and Department of Children and Families.

the results of my urinalysis, along with appropriate treatment recommendations, for the purpose of justifying my need for treatment and monitoring my progress in treatment. I understand that should a urinalysis return showing positive for prohibited chemical(s), results will be given to the appropriate agency for further action.

I understand that this consent cannot be revoked by me until there has been a formal and effective termination or revocation of all legal proceedings related to the drug court under which I was referred into treatment.

I also understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and that recipients of this information may redisclose it only in connection with their official duties.

I hereby release the Chemical Addictions Recovery Effort, Inc., from any liability which may arise as a result of the use of the information released from my file under this consent.

DATE

SIGNATURE OF CLIENT

SIGNATURE OF PARENT/GUARDIAN
AUTHORIZED REPRESENTATIVE,
WHEN REQUIRED

SIGNATURE OF CARE REPRESENTATIVE

Chemical Addictions Recovery Effort, inc.

DRUG COURT CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

CLIENT NAME: _____ CLIENT NO: _____

I hereby authorize the Chemical Addictions Recovery Effort, Inc., to disclose and obtain from: Judge, State Attorney, Public Defender, Probation and Parole, Department of Juvenile Justice, Drug Court Coordinator, Department of Children and Families all information regarding my evaluation and recommendations for treatment; any information regarding my treatment for chemical use/abuse/dependency, family history, treatment progress and recommendations.

The purpose of my disclosure is to apprise the court, and/or probation department, and/or other agency or organization of my attendance at, progress in, attitude toward my evaluation and treatment. Information to be disclosed includes my diagnosis, information about my attendance, prognosis, urinalysis, attitude, cooperation, participation, and discharge.

I understand that this consent cannot be revoked by me until there has been a formal and effective termination or revocation of all legal proceedings related to the drug court under which I was referred into treatment.

I also understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and that recipients of this information may redisclose it only in connection with their official duties.

I hereby release the Chemical Addictions Recovery Effort, Inc., from any liability which may arise as a result of the use of the information released from my file under this consent.

DATE

SIGNATURE OF CLIENT

SIGNATURE OF PARENT/GUARDIAN
AUTHORIZED REPRESENTATIVE,
WHEN REQUIRED

SIGNATURE OF CARE REPRESENTATIVE

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

STATE OF FLORIDA

CASE NO. _____

VS

WAIVER OF RIGHT TO ASSERT SPECIFIED GROUNDS AS A BASIS
FOR MOTION OF RECUSAL

COMES NOW the defendant by and through undersigned counsel and acknowledges that as consideration for acceptance and/or continued participation in the Bay County Drug Court that

1. The above styled case will be assigned to Division "X" in front of the Honorable Don T. Sirmons, Circuit Judge.

2. That should defendant fail to successfully complete the Bay County Drug Court Program and be ejected from said program that the above styled case will be assigned to either Division "B" or "C" before the Honorable Don T. Sirmons, Circuit Judge.

If defendant's failure to comply with the requirements of the Bay County Drug Court Program leads to such assignment defendant hereby waives his right to assert as a basis for a motion to recuse the sitting circuit judge on the basis of:

1. That judge's personal involvement with the defendant during the course of his treatment in the Bay County Drug Court.

2. That judge's knowledge, both personal and otherwise, of defendant's compliance or non-compliance with the requirements of the Bay County Drug Court.

3. That judge's decision to eject the defendant from the Bay County Drug Court Program on the basis of his or her failure to comply with such requirements.

Defendant hereby freely, voluntarily and knowingly waives the right to assert the foregoing as grounds for a motion to recuse and acknowledges that he does so after having consulted with counsel.

Dated this _____ day of _____, 1997, in open court, Bay County, Florida.

DEFENDANT

DEFENSE COUNSEL

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

STATE OF FLORIDA

CASE NO. _____

VS

PRETRIAL RELEASE ORDER

The Court being advised by and having reviewed the recommendation of the Bay County Pretrial Release Program and the Defendant having agreed to participate and successfully complete the Bay County Drug Court Program as a condition of release, and the Defendant having been advised of the requirements of the program including but not limited to: no new arrest; random urinalysis; remaining drug free; compliance with all phases of the treatment program including therapy and counseling sessions.

IT IS HEREBY CONSIDERED AND ORDERED that the Defendant herein is released in the custody of and under the supervision of the Pretrial Release Program and/or the Florida Department of Corrections upon admittance to the Bay County Drug Court Program.

DONE AND ORDERED at Bay County, Florida, this _____ day of _____, 19____.

Circuit Court Judge

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE ORDER AND AGREE TO COMPLY WITH THE INSTRUCTIONS. I FURTHER AGREE THAT THE PROCEEDINGS OF THIS CASE SHALL BE CONDUCTED IN THE SPECIAL DRUG COURT AND WAIVE ANY OBJECTION. I FURTHER AGREE TO COMPLY WITH ANY CONDITIONS THE COURT MAY ELECT TO IMPOSE AS SANCTIONS FOR MY VIOLATING ANY RULES OR CONDITIONS OF THE DRUG COURT PROGRAM. INCLUDING BUT NOT LIMITED TO INCARCERATION IN THE COUNTY JAIL.

COURT DATE: _____

DEFENDANT (SIGNATURE)

FAILURE TO APPEAR IS A CRIMINAL OFFENSE AND IF YOU FAIL TO APPEAR AFTER NOTICE HAS BEEN GIVEN TO YOU, A WARRANT SHALL BE ISSUED FOR YOUR ARREST.

**PRE-TRIAL INTERVENTION
14TH JUDICIAL CIRCUIT
DEFERRED PROSECUTION AGREEMENT
FOR DRUG COURT**

STATE OF FLORIDA

-vs-

IN THE CIRCUIT COURT OF

BAY COUNTY, FLORIDA

CASE NO. _____

Defendant

It being alleged that you have committed an offense against the State of Florida on or about the _____ day of _____, 19____, to wit _____

Florida Statute _____; it appears after an investigation into the offense and your background, that the interest of the State of Florida and your interest will best be served by the following procedure:

On the authority of Jim Appleman, State Attorney, in and for the Fourteenth Judicial Circuit, prosecution will be deferred for _____ days from this date, provided you abide by the following conditions:

1. You will live and remain at liberty without violating any laws.
 2. You will attend counseling sessions with your Pretrial Intervention Officer as directed.
 3. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your Pretrial Intervention Officer.
 4. You will work diligently at a lawful occupation and/or participate in other programs established for you and support any dependents to the best of your ability.
 5. You will truthfully answer all inquiries directed to you by your Pretrial Intervention Officer, allow the officer to visit your home, job site, or elsewhere, and comply with all instructions of the officer.
 6. You will pay to the State of Florida the amount of \$5.00 plus 4% Surcharge (\$5.20) per month toward the cost of your supervision unless otherwise waived in compliance with Florida Statutes.
 7. You will pay a \$300 Drug Court Participation Fee to be paid at a minimum of \$25 per month.
 8. You will submit to random urinalysis exams as directed by your Pretrial Intervention Officer, the Drug Court, and the treatment provider.
 9. You will obtain a drug and/or alcohol evaluation and counseling as directed by your Pretrial Intervention Officer, the Drug Court, and/or the treatment provider.
 10. You will stay away from Drug Areas.
 11. You will successfully complete Drug Court and the conditions imposed therein.
 12. You will be placed on pretrial release and will abide by all conditions. Defendant agrees that if he/she violates PTR he/she can be incarcerated in CCA.
- You will pay \$1.00 per month to First Step, Inc. of Bay County, plus the statutory 4% surcharge, as directed by your Pretrial Intervention Officer.
- You will pay restitution to _____ in the amount of _____, plus the statutory 4% surcharge, as directed by your Pretrial Intervention Officer.

___ You will complete _____ public service work hours as directed by your Pretrial Intervention Officer.

Or

___ You will complete _____ public service work hours with the Bay County Work Program as directed by your Pretrial Intervention Officer.

___ You will pay \$200 court costs plus the statutory 4% surcharge or perform (50) public service work hours as directed by your Pretrial Intervention Officer.

___ You will write a letter of apology to _____ as directed by your Pretrial Intervention Officer.

___ You will submit to _____, ASA within 90 days from the date Pretrial begins, a written essay of not less than 150 words which answers the following questions:

1. What were the reasons, both factually and emotionally, for your breaking the law as charged?
2. What did you think would happen to you if you were caught?
3. What would you tell someone about committing the crime for which you were charged in order to keep them from doing the same thing?

___ Other: _____

You are hereby placed on notice that the State Attorney may at any time modify any of the conditions of your Deferred Prosecution Agreement, or may extend the period of Deferred Prosecution Agreement not to exceed a total of 365 days; and that if you violate any of the above conditions you may be prosecuted for the above offense(s). If you comply with the above conditions during that period of Deferred Prosecution, the above named charge(s) will be dismissed.

Project Administrator

Date

State Attorney

Date

I, the defendant, by signing this Deferred Prosecution Agreement, withdraw and/or waive my right to a speedy trial under the Constitution and laws of Florida and the United States of America in the cause for which prosecution is being deferred.

I hereby state that the conditions of my deferred prosecution have been read and explained to me. I fully understand and will comply with them.

Defendant

Date

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

**DRUG COURT TREATMENT PROGRAM
PARTICIPATION AGREEMENT**

I agree to the following as conditions of my participation:

1. Following assignment by the Bay County Drug Court Judge to the Drug Court Program, I will report to Chemical Addictions Recovery Effort, Inc. (C.A.R.E.) for intake and assessment.
2. An assessment will be conducted to determine whether my participation in the Drug Court Treatment Program is clinically appropriate.
3. If treatment is indicated, I will begin attendance the following day or as instructed. Treatment will continue for approximately one (1) year.
4. Treatment will be in three (3) phases:

Phase I: Four (4) weeks intensive outpatient treatment; at least three (3) hours of group and/or individual sessions four (4) days per week.

Phase II: Two to four months depending on progress in treatment; minimum of eight (8) hours per week; at least four 1 ½ hour groups and one 12-step support group.

Phase III: Eight to ten months depending on progress in treatment; sessions two (2) times a week; 1 ½ hours per session.
5. I agree to provide a urine specimen to be tested for the presence of drugs as follows:

Phase I: Twice a week (minimum)
Phase II and III: Once per week (minimum)
When requested by the Court or Treatment
6. I agree to attend Drug Court as follows:

Phase I: once a week
Phase II: once every two weeks
Phase III: once every three weeks
7. I agree to sign an individualized plan for treatment with my case manager and to participate in the accomplishment of goals and objectives as designated.

Drug Court Agreement
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8. The following Bay County Drug Court Team Members will be informed of my attendance in counseling, results of urinalysis and progress in the program: Drug Court Judge, Public Defender, State Attorney, Probation Officer, Drug Court Coordinator, Sheriff.
9. I will pay a \$300.00 Drug Court Participation Fee at a minimum of \$25 per month to the Department of Corrections.
9. I have the money or the ability to pay the court costs and/or fees imposed or I will be able to pay these costs and/or fees over the period of probation or community control imposed by the Court.
10. Failure to attend counseling, remain drug and alcohol free or demonstrate progress in treatment will result in a review of my case by the Bay County Drug Court Judge to determine my continued participation in the Drug Court Program or the imposition of interim legal consequences including incarceration.
11. I understand and accept the contents and ramifications of this form which I have read or have had read to me.

Signature of Client

Date

Client's name printed

Case No.

Defense Counsel

Date

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

**DRUG COURT TREATMENT PROGRAM
PARTICIPATION AGREEMENT
FOR DEPENDENCY CASES**

I agree to the following as conditions of my participation:

1. Following assignment by the Bay County Drug Court Judge to the Drug Court Program, I will report to Chemical Addictions Recovery Effort, Inc. (C.A.R.E.) for intake and assessment.
2. An assessment will be conducted to determine whether my participation in the Drug Court Treatment Program is clinically appropriate.
3. If treatment is indicated, I will begin attendance the following day or as instructed. Treatment will continue for approximately one (1) year.
4. Treatment will be in three (3) phases:

Phase I: Four (4) weeks intensive outpatient treatment; at least three (3) hours of group and/or individual sessions four (4) days per week.

Phase II: Two to four months depending on progress in treatment; minimum of eight (8) hours per week; at least four 1 ½ hour groups and one 12-step support group.

Phase III: Eight to ten months depending on progress in treatment; sessions two (2) times a week; 1 ½ hours per session.
5. I agree to provide a urine specimen to be tested for the presence of drugs as follows:

Phase I: Twice a week (minimum)
Phase II and III: Once per week (minimum)
When requested by the Court or Treatment
6. I agree to attend Drug Court as follows:

Phase I: once a week
Phase II: once every two weeks
Phase III: once every three weeks
7. I agree to sign an individualized plan for treatment with my case manager and to participate in the accomplishment of goals and objectives as designated.

Dependency Drug Court Agreement
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8. The following Bay County Drug Court Team Members will be informed of my attendance in counseling, results of urinalysis and progress in the program: Drug Court Judge, Public Defender, State Attorney, Case Worker, Drug Court Coordinator, Sheriff.
9. I have the money or the ability to pay the \$300.00 Drug Court Participation fee imposed or I will be able to pay this fee at a minimum of \$25.00 per month to the Clerk of Circuit Court, Juvenile Division(must have correct change).
10. Failure to attend counseling, remain drug and alcohol free or demonstrate progress in treatment will result in a review of my case by the Bay County Drug Court Judge to determine my continued participation in the Drug Court Program or the imposition of interim legal consequences including incarceration under contempt powers of the Court.
11. I understand and accept the contents and ramifications of this form which I have read or have had read to me.

Signature of Participant

Date

Participant's name printed

Case No.

Witness

Date

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

IN THE INTEREST OF:

CASE NO. _____

CHILDREN

WAIVER OF RIGHT TO A RULE TO SHOW CAUSE

WHEREAS, the purpose of the Bay County Drug Court is to provide assistance to me in an effort to address my substance abuse problem and,

WHEREAS, a great deal of time, effort and money will be expended solely for my benefit and,

WHEREAS, the Bay County Drug Court is a treatment-based non-adversarial process designed to enhance efforts at rehabilitation and,

WHEREAS, I have been offered and have accepted the opportunity to participate in this innovative approach at treating substance abuse problems,

I HEREBY VOLUNTARILY AGREE TO THE FOLLOWING:

- A) That the Court may impose intermediate sanctions for non-compliance with the requirements of the program.
- B) That these intermediate sanctions **may** include incarceration in the county jail.
- C) **That I hereby waive the requirement of the filing of a Rule to Show Cause before the Court can impose any intermediate sanctions.**
- D) That as a condition of this waiver, the Court agrees that it shall not impose any intermediate sanctions in excess of that allowed by law for a contempt of Court sentence.
- E) That I have discussed this with my attorney and understand fully this waiver and freely and voluntarily agree to the terms contained herein.

CERTIFICATE

I HEREBY CERTIFY that I have read the above Waiver and agree to all its terms and conditions.

Date

Drug Court Participant

CERTIFICATE

I HEREBY CERTIFY that as Attorney representing the Defendant, I have explained the foregoing Waiver of Right to a Rule to Show Cause and other conditions of participation in the Bay County Drug Court and I believe that Participant's waiver is knowingly, voluntarily and intelligently made.

Date

Attorney of Record

IN THE CIRCUIT COURT, JUVENILE DIVISION
FOURTEENTH JUDICIAL CIRCUIT
BAY COUNTY, STATE OF FLORIDA

IN THE INTEREST OF:

_____ A CHILD CASE NO _____

ORDER OF ADJUDICATION AND PLACING CHILD IN A COMMUNITY CONTROL PROGRAM

Be it remembered that on the _____ day of _____, 19____, you, _____,
a child, domiciled, living or found within said County was on petition(s) of _____,
brought before me, the undersigned Circuit Judge, alleged to have committed a delinquent act to-wit: Said child
violated Florida Statutes Section: _____

And with all parties being present and the Court being fully advised in the premises finds:

1. That _____ entered a plea of _____ to the charge(s) of _____

on _____, 19____.

2. That _____ is found to have committed a delinquent act within the intent
and meaning of Chapter 39, Florida Statutes. It is therefore

ORDERED, ADJUDGED AND DECREED that _____ is hereby
adjudicated to have committed a delinquent act. It is further

ORDERED, ADJUDGED AND DECREED that _____ is hereby placed
in a Community Control Program with the Department of Juvenile Justice with the following conditions:

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF FLORIDA IN AND FOR BAY COUNTY

IN THE INTEREST OF:

CASE NO: _____

PARENT/GUARDIAN AGREEMENT

In recognition of the effort and expense that will be expended by the Bay County Juvenile Justice System for the sole benefit of my child/ward and in consideration of the opportunity my child/ward will be given to participate in the Bay County Juvenile Drug Court, I/We freely and voluntarily agree to the following:

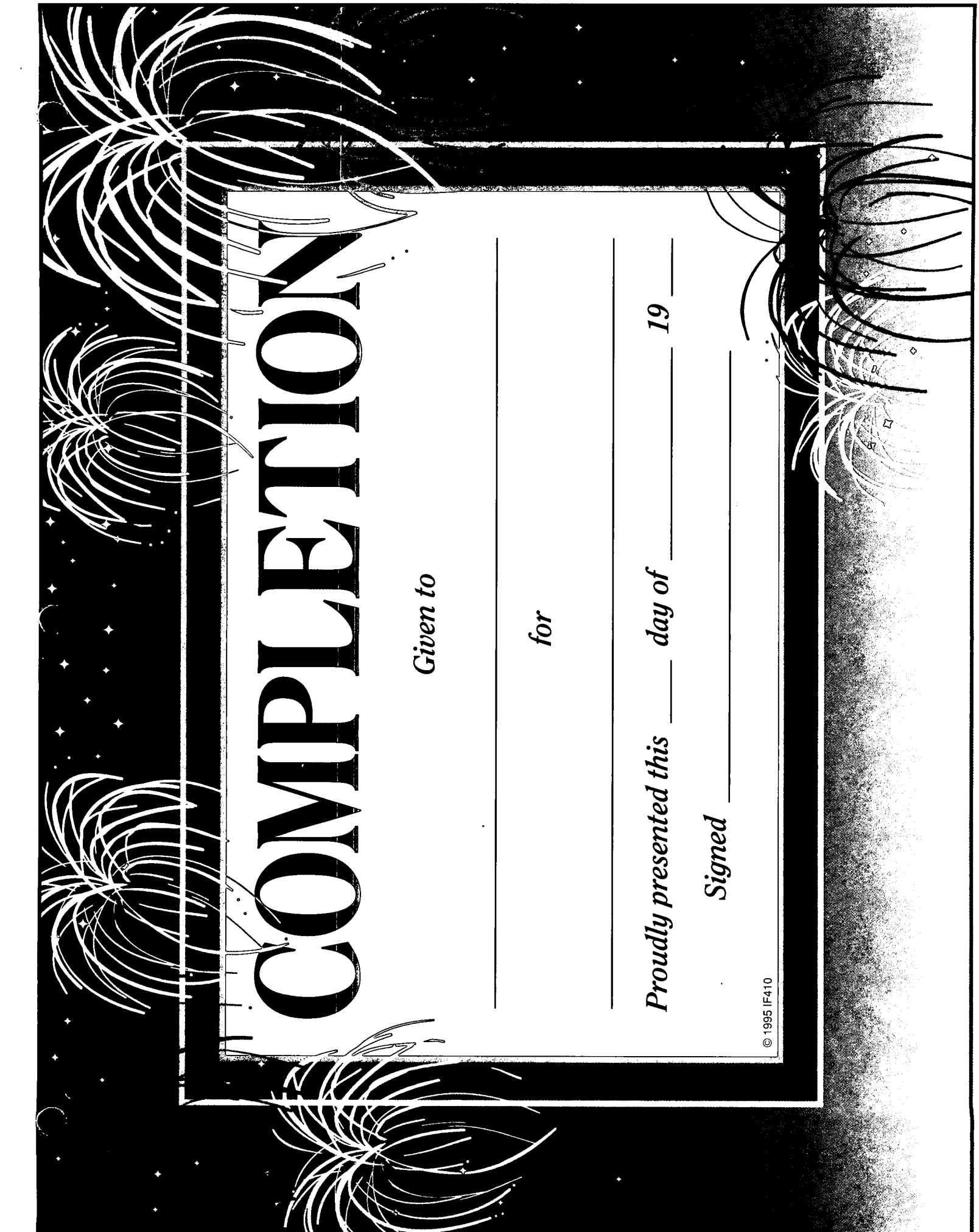
- 1) I/We will cooperate and actively participate in Family Counseling as required to assist in my child's rehabilitative effort.
- 2) I/We agree to allow the Case Manager to conduct counseling at my residence in order to avoid any inconvenience or expense.
- 3) I/We agree to inform the Court or Case Worker of any violations of the conditions of supervision that may be imposed upon my child by the Court or the Department of Juvenile Justice.
- 4) I/We agree to pay court costs and/or fees imposed by the court during the time my child/ward is in the Juvenile Drug Court Program.

CERTIFICATE

I HEREBY CERTIFY that I have read the above agreement and agree to all of its terms and conditions.

DATE

Parent/Guardian



COMPLETION

Given to

for

Proudly presented this _____ *day of* _____ *19* _____

Signed _____

Footnotes

¹Charges, defendant backgrounds, etc.

²Trial, plea, nol prossed, etc.

³Prison, jail, probation, work program, etc.

⁴Two Judges handle criminal cases in 1997 and drug cases are at the same percentage.