PREFACE

The Virginia Drug Treatment Court Act (Code of Virginia §18.2-254.1) directs the Office of the Executive Secretary of the Supreme Court of Virginia (OES), in consultation with the state drug treatment court advisory committee, to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. The Act further directs the OES to provide the General Assembly with a report of these evaluations each year. This report is disseminated to the 2007 General Assembly to fulfill this reporting mandate.
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EXECUTIVE SUMMARY

Designed in response to increasing numbers of drug-related court cases, the drug treatment court model is primarily used as an alternative to probation and short-term incarceration for drug-involved offenders. Drug treatment courts represent the coordinated efforts of the judge, prosecutor, defense counsel, probation officer, law enforcement officer, treatment provider, mental health clinician, and social services staff to actively intervene and break the cycle of addiction and crime. The merging of these systems allows drug treatment court participants to undergo substance abuse and mental health treatment, case management, drug testing, and probation supervision while appearing before a member of the judiciary for regular and frequent status hearings.

Virginia’s first drug treatment court program, located in Roanoke, was developed in 1995 as a response to escalating numbers of adult drug offenders on court dockets. During the late 1990s, the number of Virginia drug treatment court programs increased and ultimately prompted legislative action. By citing statistics which suggested the continuing prevalence of drug-driven crime in Virginia, two primary legislative efforts spearheaded development of the Virginia Drug Treatment Court program. In 1999, the Virginia General Assembly adopted Senate Joint Resolution 399 (SJR 399) which culminated in recommendations to guide the appropriate sequence of federal and state funding requests, funding policies for new and continuing programs, and funding implications for forthcoming evaluation information. The Drug Treatment Court Act subsequently passed in 2004, and directed the Supreme Court of Virginia (SCV) to provide administrative oversight for the state’s drug treatment court programs, including distribution of funds, technical assistance to local courts, training, and program evaluation.

To date, Virginia has implemented 29 drug treatment courts utilizing four different models, specifically, the adult model, the juvenile model, the family model, and the Driving While Intoxicated/Driving Under the Influence (DWI/DUI) model. As summarized below, this report reviews referral processes and primary characteristics for Virginia’s locally-implemented programs.

Adult drug treatment courts handle misdemeanor or felony cases involving drug-using offenders. In serving this population, the programs utilize a blend of court-ordered supervision, drug testing, treatment services, court appearances, and behavioral sanctions and incentives. Overarching goals of the adult model are to reduce recidivism and substance use among participants. Sixteen adult drug treatment court programs are currently operational in Virginia, with program capacities ranging from about 5 to 100 cases. All of the adult drug treatment courts require a minimum of 12 months of participation for program completion, with one requiring as much as 36 months. Each program also requires a minimum consecutive period of sobriety prior to graduation, ranging from a low of 30 days to a high of about one year.

Similar in design to the adult model, the juvenile drug treatment courts strive to reduce recidivism and substance use by processing delinquency and status offenses of substance-abusing juveniles. The juvenile model incorporates probation supervision, drug testing, treatment, court appearances, and behavioral sanctions and incentives. Such programs also strive...
to address issues which are unique to the juvenile population (e.g., school attendance, parenting skills) and the families of these juveniles play a very important role in the drug treatment court process. Eight juvenile drug treatment court programs are currently operational in Virginia. Program capacities range from 12 to 30 participants. The minimum amount of time offenders must participate in the program prior to graduation varies from about 4.5 months to 12 months in several localities. Almost all juvenile drug treatment courts require a minimum consecutive period of sobriety prior to graduation, ranging from a total of 30 days to 6 months.

Family drug treatment court programs deal with addicted parents or caretakers who are brought before the court with child abuse and/or neglect petitions. Unlike criminal court models, family drug treatment court programs work towards the primary goal of providing safe and permanent homes for children. A supplementary goal is reducing substance use in parents or caretakers who participate in the program. Family drug treatment courts integrate treatment, drug testing, social services, court appearances, and behavioral sanctions and incentives. Four family drug treatment court programs are currently operational in Virginia, with program capacities ranging from 15-20 families. For each of these programs, the minimum participation time is 12 months. Three of the four family drug treatment court programs require a minimum consecutive period of sobriety prior to graduation, ranging from 3 to 6 months.

The DUI (Driving Under the Influence) drug treatment court is a distinctive court model that provides intensive judicial oversight, community supervision and long-term treatment services for alcohol/drug dependent offenders convicted of DUI. The primary goals of the DUI drug treatment court are to protect public safety and reduce alcohol/drug use by these offenders. The Fredericksburg Regional DUI Drug Treatment Court, established in 1999, is currently the only approved DUI drug treatment court in Virginia. This program requires a minimum participation period of 12 months, including a minimum of 4-6 months of active treatment and an additional monitoring period of at least 8 months. There is no specified length of time in which participants must remain sober before they are released from the program.

Drawing upon prior research which suggests promising results for at least some drug treatment court models, this report additionally provides a foundational research plan to evaluate each of the four types of drug treatment court programs in Virginia. Virginia’s evaluation research model for adult drug treatment courts is founded on the strategy outlined in the National Drug Court Institute’s (NDCI) guidance document (Heck, 2006). The NDCI evaluation model provides an exceptional foundation for conducting research on adult drug treatment court programs; however, similar models for juvenile, family and DUI drug treatment courts have not yet been endorsed. To this end, this study creates customized evaluation methodologies for each of these models as well. The Virginia evaluation plans are further grounded in the creation and utilization of a statewide drug treatment court database which will be highly useful for evaluation purposes. This research effort is intended to contribute to both decision-making regarding Virginia’s drug treatment courts, as well as the larger scope of research literature in this field.
I. INTRODUCTION TO DRUG TREATMENT COURTS

From a national perspective, the movement to create a drug treatment court model was initiated in the late 1980s as a response to increasing numbers of drug-related court cases (U.S. Department of Justice, 1995). Several communities began experimenting with this approach in an attempt to manage low-level drug offenses that impacted the processing system (Drug Courts Program Office, 2000a). The Violent Crime Control and Law Enforcement Act of 1994 further encouraged the effort through federal funding for planning, implementation and enhancement of drug treatment courts for nonviolent drug offenders (National Criminal Justice Reference Service, 2005). At the close of 2004, 1621 drug treatment courts were operational nationwide (Huddleston, Freeman-Wilson, Marlowe, and Roussell, 2005).

Drug Treatment Courts Defined

Drug treatment courts represent the coordinated efforts of the judge, prosecutor, defense counsel, probation officer, law enforcement officer, treatment provider, mental health clinician and social services staff to actively intervene and break the cycle of addiction and crime. Designed as an alternative to probation and short-term incarceration, the merging of these systems allows drug treatment court participants to undergo substance abuse and mental health treatment, case management, drug testing, and probation supervision while appearing before a member of the judiciary for regular and frequent status hearings. A large percentage of defendants who are ultimately served by the drug treatment courts are arrested and brought before the court on drug or drug-related criminal offenses. According to the United States Department of Justice, drug treatment courts are defined as follows:

Drug treatment courts are specialized court calendars or dockets specifically designed to take advantage of the court’s influence over ensuring the positive development in offender behavior. The outcome and goal of this special docket is the reduction in recidivism and substance abuse among nonviolent, substance abusing offenders by increasing their likelihood for successful rehabilitation through expedited, continuous, and intense judicially supervised treatment; mandatory periodic testing; and the use of graduated sanctions and other rehabilitation services (Drug Courts Program Office, 2000b).

Drug Treatment Court Models

Drug treatment court programs generally have taken two approaches to processing cases, in particular, deferred prosecution (diversion) and post-adjudication. In the diversion model, the courts defer prosecution dependent on the offender’s agreement to participate in the drug treatment court program, with no requirement for the defendant to plead guilty. Defendants who complete the treatment program are not prosecuted further or their charges are dismissed while failure to complete the program results in prosecution for the original offense. In contrast, offenders participating in a post-adjudication drug treatment court program plead guilty to the charge(s) and their sentences are suspended or deferred. Upon successful completion of the program, sentences are waived and in many cases, records are expunged. This approach provides an incentive for the defendant to rehabilitate because sentencing is contingent on successful progress through the drug treatment court program.
II. PRIOR RESEARCH ON DRUG TREATMENT COURT EFFECTIVENESS

The U.S. Government Accountability Office (GAO) recently conducted an extensive review of existing adult drug treatment court evaluations, with specific emphasis on only those evaluations meeting rigorous scientific standards (GAO, 2005). GAO researchers identified 117 evaluations of adult drug treatment court programs in the United States that were published between May 1997 and January 2004 and reported recidivism, substance use relapse, or program completion outcomes. Of these, 27 evaluations of 39 adult drug treatment court programs, meeting rigorous scientific criteria for methodological soundness, were included in their final review. Specific findings from this synthesis with respect to participant completion of program requirements, recidivism, substance abuse relapse, and cost effectiveness are reviewed below.

A total of 16 adult drug treatment courts in the GAO study assessed completion rates, defined as the number of individuals successfully completing a drug treatment court program as a percentage of the total number admitted. In the programs reviewed, completion rates ranged from 27 to 66 percent, and were generally associated with participants’ compliance with program requirements, including attending treatment sessions, engaging in treatment early in the program, and appearing at status hearings. Several characteristics of the drug court program participants themselves were also associated with an increased likelihood of program completion, including lower levels of prior involvement in the criminal justice system and age, as older participants were more likely to complete drug treatment court programs than younger ones.

GAO researchers concluded that, in most evaluations reviewed, adult drug treatment court programs led to recidivism reductions during periods of time when offenders were participating in the program. These recidivism reductions were observed for any felony offense and for drug offenses (regardless of whether they were felonies or misdemeanors). The researchers were unable to find conclusive evidence that specific drug treatment court components, such as the behavior of the judge, the amount of treatment received, the level of supervision provided, or the type of sanctions given for not complying with program requirements, affected participants’ within-program recidivism. Additionally, in 13 of 17 drug treatment court programs able to provide post-program data, drug treatment court program participants had lower rearrest or reconviction rates than comparison group offenders.

Only seven evaluations in the GAO synthesis provided sufficient cost and benefit data to estimate net benefits. Although the cost of six of these programs was greater than the costs to provide criminal justice services to the comparison group, all seven programs yielded positive net benefits, primarily from reductions in recidivism affecting court system costs and avoided costs to potential victims. Estimated net benefits ranged from about $1,000 to about $15,000 per participant in the seven programs.

While the majority of research studies have focused on adult drug treatment court programs, more evaluations are being completed on other drug treatment court models. In general, evaluators have not yet been able to complete studies showing the long-term outcomes necessary to firmly demonstrate effectiveness for other drug treatment court models, including juvenile drug treatment courts, family drug treatment courts, and DUI drug treatment courts, all of which are relatively new to the landscape.
Emerging Research Needs

Despite a growing body of evidence suggesting that drug treatment court programs are successful, particularly during program duration, critics are quick to point out that many flaws exist in the methods used to evaluate these programs. The vast majority of drug treatment courts are not collecting the data elements necessary to document their services or short and long-term outcomes (Marlowe, 2004). In addition, if meaningful impact evaluations are to be done, oversight agencies, such as the U.S. Department of Justice, the U.S. Department of Health and Human Services, and state and local governments, must encourage the continued collection and utilization of data on factors affecting program operations and outcomes. Several researchers have acknowledged that little is known about the structural and process characteristics of drug treatment courts and how those characteristics relate to successful outcomes, despite awareness that, when combined with empirical evaluations, information obtained about court processes provides great insight into the drug-treatment-court dynamic (Sanford and Arrigo, 2005).

Perhaps the most significant barrier to determining whether drug treatment court programs are effective at reducing recidivism and substance use is the lack of scientific rigor in conducting evaluations. In their evaluation synthesis, GAO researchers focused extensively on evaluations using designs in which all drug treatment court program participants were compared with an appropriate group of similar offenders who did not participate in the drug treatment court program, who were either matched to the program group as closely as possible on a number of characteristics or that used statistical models to control for preexisting differences between the two groups (GAO, 2005). In their analysis, the number of evaluations meeting these rigorous criteria was quite limited. Without such controlled experimental research, there is no way to be confident in the effectiveness of drug treatment court programs as compared to more traditional criminal justice mechanisms. Even the very best studies to date have not been able to control for the possibility that drug treatment court participants are simply more motivated to change than their control group counterparts. Because these programs are voluntary, this possibility is very challenging to investigate and affects the ability to draw strong conclusions from existing evaluation results.

Positive findings from relatively rigorous evaluations in relation to recidivism, coupled with other positive net benefit results (including cost savings), suggest that drug treatment court programs may be an effective alternative for processing some offenders. At this juncture, scientifically robust evaluations which capture both short-term and long-term program and participant outcomes are critical to help us learn more about the drug treatment court process and its potential effectiveness in achieving stated objectives. Toward this end, this report provides a foundational research plan to evaluate each of the four types of Virginia’s drug treatment court programs, as well as summarized program information on all operational drug treatment courts in Virginia. The program of research is intended to contribute to both decision-making regarding Virginia’s drug treatment courts, as well as the larger scope of research literature in this field.
III. OVERVIEW OF THE VIRGINIA DRUG TREATMENT COURT PROGRAM

Statistics suggest that the prevalence of drug-related crime in Virginia has increased notably for adult offenders in recent years.\(^1\) For example, total adult drug possession arrests grew from 18,394 in 2000 to 22,218 in 2005, yielding an increase of just over 15%. Within that same timeframe, new Department of Corrections incarcerations for drug possessions increased over 28% (Virginia Department of Corrections, 2000; 2006). In general terms, similar data for juvenile offenders suggest that the overall trend of juvenile drug arrests has remained relatively steady over the past decade.

In light of such trends, Virginia’s drug treatment courts may be beneficial in multiple ways. First, drug treatment courts may help ease the overcrowded court dockets that result from the high prevalence of drug and drug-related offenses. More importantly, drug treatment courts are a viable remedy for the rising number of offenders who are incarcerated repeatedly for drug use or other technical violations that do not include a new conviction. Many of these offenders violate the condition of release by using or possessing drugs. Drug treatment courts may be seen as a viable alternative to incarceration in jail, the Department of Corrections or the Department of Juvenile Justice.

**Virginia Drug Treatment Court Legislative History**

Two primary legislative efforts have guided development of the Virginia Drug Treatment Court program: Senate Joint Resolution 399 and the 2004 Drug Treatment Court Act. The primary results of these developments are shown in Table 1 below.

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Year</th>
<th>Development</th>
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<tr>
<td>Senate Joint Resolution 399 (SJR 399)</td>
<td>1999</td>
<td>Directed the Department of Criminal Justice Services (DCJS) and the Supreme Court of Virginia (SCV) to study Virginia’s drug treatment court programs. Study team provided culminating recommendations to address funding, establishment, and administrative oversight of Virginia’s drug treatment courts.</td>
</tr>
<tr>
<td></td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>Drug Treatment Court Act (House Bill 1430 and Senate Bill 636)</td>
<td>2004</td>
<td>Passed with substantial support. The Act: • Directs the SCV to provide administrative oversight for the state’s drug treatment court programs and implement a state advisory committee. • Directs the formation of local drug treatment court advisory committees. • Outlines five specific goals for Virginia’s drug treatment courts.</td>
</tr>
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The five specific goals that the Act outlines for Virginia’s drug treatment courts:

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\(^1\) Source: Virginia Department of Criminal Justice Services, Criminal Justice Research Center, 2006.
1. Reducing drug addiction and drug dependency among offenders;
2. Reducing recidivism;
3. Reducing drug-related court workloads;
4. Increasing personal, familial and societal accountability among offenders; and
5. Promoting effective planning and use of resources among criminal justice system and community agencies.

**Drug Treatment Court Advisory Committee Activities**

The Supreme Court of Virginia (SCV) used administrative funds to conduct the first meeting of the Statewide Drug Treatment Court Advisory Committee in January 2005. The Drug Treatment Court Advisory Committee has established three standing committees: the Operations Committee (formerly the Standards Committee), the Planning and Development Committee, and the Evaluation Committee. The SCV staffs the meetings of these committees and provides supplementary support, as needed.

Over the course of the remainder of 2005, several full committee and subcommittee meetings, as well as conference calls, were held to accomplish the following tasks:

- the Drug Treatment Court Administrator was hired,
- created and adopted Adult Drug Treatment Court Standards and an Application for Permission to Establish a Drug Treatment Court,
- created and adopted Juvenile Drug Treatment Court Standards,
- created and adopted DUI Drug Treatment Court Standards,
- decided that DUI drug treatment court programs and family drug treatment court programs will be included under the Drug Treatment Court Act,
- unanimously approved an application for permission to establish the family drug treatment court program in Newport News,
- began consideration of an application for permission to establish a DUI drug treatment court in Chesterfield County,
- discussed the Governor’s budget for drug treatment court programs,
- reviewed the voluntary status for juvenile drug court participants, and
- considered a sustainability plan to educate the community about Virginia drug treatment courts.

The Drug Treatment Court Advisory Committee and relevant subcommittees have also received reports on several initiatives, including:

- activity of the subcommittees;
- informational bulletins to the field planned quarterly;
- drug treatment court coordinators’ meetings;
- progress on the new drug treatment court MIS project, which is being developed to ease use and enhance utility of data;
- the drug treatment court web page on the Virginia Judicial System website; and
- the ongoing statewide program evaluation of drug treatment court programs, including a crosswalk between the National Ten Key Components and the Virginia Drug Treatment Court Standards, evaluation plans for the adult, juvenile, DUI and family models, and evaluation reports.
Activities of the Statewide Drug Treatment Court Advisory Committee, as well as descriptions of staff support provided by the SCV, are also shared with the Virginia Drug Treatment Court Coordinators’ meeting.

**Types of Drug Treatment Courts in Virginia**

Virginia has implemented four types of drug treatment court programs to date: adult, juvenile, family and DUI. A list of all drug treatment courts that became operational in Virginia from September 1995 through July 2006 is provided in Table 2.

<table>
<thead>
<tr>
<th>Locality</th>
<th>Court</th>
<th>Drug Court Type</th>
<th>Operational Date</th>
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<tr>
<td>Roanoke City</td>
<td>Circuit</td>
<td>Adult felony (1)</td>
<td>September 1995</td>
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<tr>
<td>Salem City</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Roanoke County</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Charlottesville Albemarle County</td>
<td>Circuit</td>
<td>Adult felony (2) Family (3)</td>
<td>July 1997 July 2002</td>
</tr>
<tr>
<td>Rappahannock Regional Programs: Fredericksburg Stafford County Spotsylvania County King George County</td>
<td>Circuit, J&amp;DR</td>
<td>Adult felony (7) Juvenile (8)</td>
<td>October 1998 November 1998</td>
</tr>
<tr>
<td>Norfolk</td>
<td>Circuit</td>
<td>Adult felony (9)</td>
<td>November 1998</td>
</tr>
<tr>
<td>Fredericksburg Regional DUI: Fredericksburg Stafford County Spotsylvania County</td>
<td>Gen. District</td>
<td>DUI (13)</td>
<td>May 1999</td>
</tr>
<tr>
<td>Portsmouth</td>
<td>Circuit</td>
<td>Adult felony (16)</td>
<td>January 2001</td>
</tr>
<tr>
<td>Alexandria</td>
<td>J&amp;DR</td>
<td>Family (17)</td>
<td>September 2001</td>
</tr>
<tr>
<td>Staunton</td>
<td>Circuit</td>
<td>Adult felony (18)</td>
<td>July 2002</td>
</tr>
<tr>
<td>Hopewell, Prince George County</td>
<td>Circuit</td>
<td>Adult felony (19)</td>
<td>September 2002</td>
</tr>
<tr>
<td>Lee/Scott/Wise County</td>
<td>J&amp;DR</td>
<td>Juvenile (20)</td>
<td>September 2002</td>
</tr>
<tr>
<td>Henrico County</td>
<td>Circuit</td>
<td>Adult felony (21)</td>
<td>January 2003</td>
</tr>
<tr>
<td>Hampton</td>
<td>Circuit</td>
<td>Adult felony (22)</td>
<td>February 2003</td>
</tr>
<tr>
<td>Hanover County</td>
<td>J&amp;DR</td>
<td>Juvenile (23)</td>
<td>May 2003</td>
</tr>
<tr>
<td>Fairfax County</td>
<td>J&amp;DR</td>
<td>Juvenile (24)</td>
<td>May 2003</td>
</tr>
<tr>
<td>Suffolk</td>
<td>Circuit</td>
<td>Adult felony (25)</td>
<td>May 2004</td>
</tr>
<tr>
<td>Prince William County</td>
<td>J&amp;DR</td>
<td>Juvenile (26)</td>
<td>May 2004</td>
</tr>
<tr>
<td>Loudoun County</td>
<td>Circuit</td>
<td>Adult felony (27)</td>
<td>May 2004</td>
</tr>
<tr>
<td>Tazewell County (pilot)</td>
<td>Circuit</td>
<td>Adult felony (28)</td>
<td>February 2005</td>
</tr>
<tr>
<td>Chesapeake</td>
<td>Circuit</td>
<td>Adult felony (29)</td>
<td>August 2005</td>
</tr>
</tbody>
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A map of all operational drug treatment courts in Virginia is provided in Figure 1.
Figure 1
Map of Virginia Drug Treatment Court (DTC) Programs

LEGEND

- ADULT DRUG TREATMENT COURT
- JUVENILE DRUG TREATMENT COURT
- ADULT & JUVENILE DRUG COURTS
- FAMILY DRUG TREATMENT COURT
- DUI DRUG TREATMENT COURT
IV. PLAN FOR EVALUATION OF VIRGINIA’S DRUG TREATMENT COURTS

This section outlines a foundational research design to evaluate Virginia’s adult drug treatment court system, comparisons of this research approach to the national adult drug treatment court evaluation model, and descriptions of how the described research methodologies will be modified to evaluate Virginia’s juvenile, family and DUI drug treatment court models. This approach should be considered as overall guidance for the research effort, as detailed methodological adjustments may be required as the project continues.

Evaluation Purposes

A multi-year statewide evaluation of the adult drug treatment court program, including both process and outcome evaluation components, will serve several purposes:
(1) to provide descriptions of local program structures, models, funding sources, and activities;
(2) to describe the characteristics (e.g., demographics, offense history, substance abuse history) of adults who are referred to drug treatment court programs statewide, including appropriateness of and ability to serve the target population;
(3) to examine program admission procedures and policies, including timelines;
(4) to develop anonymous case studies which articulate the stories of representative drug treatment court participants;
(5) to review program capacities, as well as participation and graduation rates;
(6) to review alignment of local program design with science-based principles of reinforcement and punishment;
(7) to assess professional reactions to the drug treatment court programs, including implementation obstacles, successful practices, and developmental and legislative recommendations;
(8) to examine client compliance with court and program requirements;
(9) to examine treatment services provided by programs, including alignment with treatment needs and length of retention in treatment;
(10) to analyze the procedures for conducting drug testing;
(11) to examine characteristics of adults who successfully and unsuccessfully complete drug treatment court programs;
(12) to examine re-offense patterns for adults during drug treatment court participation and after graduation;
(13) to examine recovery progress (e.g., length of sobriety) for adults during drug treatment court participation and after graduation;
(14) to assess program impact on key outcomes measures (e.g., reduced recidivism) as compared to similar offenders that do not receive drug treatment court services;
(15) to collect feedback from offenders about their experiences as drug treatment court participants;
(16) to assess the degree to which programs have achieved program and legislative goals;
(17) to assess collaboration, cooperation and communication of the drug treatment court team; and
(18) to examine community response to the drug treatment court program.

To accomplish these goals, the evaluation will incorporate qualitative and quantitative data from a number of different sources, as described below.
Research Methods

**Background Interviews and Observations.** Interviews are being conducted with the Statewide Drug Treatment Court Coordinator, key state agency stakeholders, and coordinators of sixteen local adult drug treatment court programs. Evaluators will also request permission to observe drug treatment court staffings and hearings in each locality.

**Review of Client-Specific Drug Treatment Court Program Data.** Client-specific data will be reviewed to support both the process and outcomes evaluation phases, utilizing the drug treatment court Management Information System (MIS) system as the primary data source. Categories of data for analysis from the MIS system will include, but are not limited to:
- adult demographics and personal factors,
- criminal and substance abuse history,
- progress towards goals and movement through phases, and
- drug screen results.

Additional client-specific information, such as follow-up reports on re-offending, will be requested from alternative data sources (e.g., the Virginia State Police). Research reviews of client-specific data will be conducted in alignment with human subjects’ considerations which are required by federal law. The evaluation team will consult with and review the research design with an appropriate Institutional Review Board, as needed.

**Program Status and Service Utilization Data.** Program status and service utilization data will also be obtained from the MIS system, such as:
- numbers of clients served;
- participation levels (e.g., attendance and compliance with program requirements);
- final program status (e.g., successful or unsuccessful terminations); and
- length of retention in treatment, total time in program, and time to achieve graduation.

**Surveys of Participants.** Participants involved in adult drug treatment court programs will be surveyed during the 2007 calendar year. Survey questions will assess: (1) how well participants understand the requirements of the program, (2) perceptions of changes in the participants’ attitudes and behaviors during and after program participation, and (3) whether respondents would or would not recommend the program to others.

**Surveys and Interviews of Adult Criminal Justice Professionals.** Interviews with adult drug treatment court judges and surveys of other relevant drug treatment court professionals (e.g., probation officers, Commonwealth’s Attorneys, clinicians) will be conducted to obtain professional feedback on issues such as:
- knowledge of eligibility criteria for adult drug treatment court programs;
- the appropriateness of eligibility criteria for adult drug treatment court programs;
- the effect of the drug treatment court program on work activities and efficiency, if relevant; and
- suggestions for improving programs.
**Review of Existing Drug Court Literature.** Researchers will also continue literature reviews of adult drug treatment court research, including results from prior program evaluations. The ten science-based principles of changing behavior through the use of reinforcement and punishment, as compiled by the National Drug Court Institute (NDCI), will also be used to develop a portion of the process evaluation site interview, allowing a comparison of local practices to strategies which have been shown to be effective or ineffective.

**Comparison of Virginia’s Evaluation Plan to National Evaluation Model for Drug Treatment Courts**

Virginia’s evaluation research model for adult drug treatment courts is founded on the strategy outlined in the National Drug Court Institute’s guidance document (Heck, 2006). Virginia’s plan proposes to encompass all components included in NDCI’s adult model, with a few methodological enhancements. Virginia will conduct participant surveys to collect feedback on the program and will also create a strategy to assess implementation of NDCI’s recommended principles of behavior change. Additionally, the Virginia evaluation plan is grounded in creation and utilization of a statewide drug treatment court database which will be highly useful for evaluation purposes. Evaluators are involved in the ongoing development of the system to ensure the use of standardized definitions statewide.

The NDCI evaluation model provides an exceptional foundation for conducting research on adult drug treatment court programs; however, similar models for juvenile, family and DUI drug treatment courts have not yet been endorsed. To this end, Virginia is creating customized evaluation methodologies for each of these models as well.

**Special Methodology Considerations for Alternative Models**

Evaluation of the juvenile drug treatment courts will be very similar to examination of the adult model in many ways; however, several customizations will be incorporated to be suitable for this population. Specifically, evaluation of the juvenile drug treatment court model will:

- Examine the role of parents/guardians and other family members in the drug treatment court process;
- Assess how program delivery occurs with participants who are enrolled in the school system;
- Potentially interview cooperating agencies that may not be relevant to the adult program, such as schools and juvenile detention staff;
- Use supplemental data sources to obtain re-offense data; and
- Include parents/guardians as sources of program feedback information.

One DUI drug treatment court operates in the Fredericksburg area. Again, for research purposes the basic model of inquiry is similar to those in the adult and juvenile drug treatment court models; however, some differences exist which require a customized examination. In implementing a research model for the DUI drug treatment court, evaluators will:

- Assess how program delivery occurs with this non-voluntary model;
- Interview Alcohol Safety Action Program (ASAP) staff and examine the role of this agency in the DUI drug treatment court model; and
- Potentially use supplemental data sources to obtain relevant data, such as Virginia Alcohol Safety Action Program’s (VASAP) Inferno management information system.
Evaluation of the family drug treatment court model will vary from the criminal models in several significant ways. The overarching goal of the family drug treatment court model is quite different, as it attempts to enhance permanency for the children of parents served by the court rather than reduce recidivism. While the basic premise of the evaluation plan is similar (process and outcome evaluations based on interviews, observations, surveys and case-specific data collection), both the involved parties and specific data elements needed to assess this program are quite different from the adult and juvenile models. Key differences include:

- Implementation of the drug treatment court process within the civil court system;
- Consideration of circumstances under which Children in Need of Supervision or Services (CHINS) petitions are transferred to the family drug treatment court;
- Collection of outcomes data regarding child protective services complaints and child placement decisions; and
- Key interviews with social services staff and related cooperating agencies (e.g., Court Appointed Special Advocate - CASA), as well as City/County Attorneys and Guardians Ad Litem (GALs).
V. VIRGINIA’S ADULT DRUG TREATMENT COURT PROGRAMS

Sixteen adult drug treatment court programs are currently operational in Virginia. (The Tazewell Adult Drug Treatment Court Program remains in the pilot phase until it completes the application process as adopted by the statewide drug treatment court advisory committee, pursuant to the statute.) This section reviews both general and program-specific information for these programs. Locality-specific program profiles and referral flow charts for each of the adult drug treatment court programs are provided, in alphabetical order, in Appendix C.

Referral Flow and General Characteristics

Although there are many local variations, drug treatment court participation usually begins with a drug charge, property charge, or a violation of probation charge by a non-violent offender with substance abuse issues. These offenders are identified and referred to drug treatment court programs mainly through judges, probation officers, defense attorneys or Commonwealth’s Attorneys. In addition to meeting basic program eligibility criteria, such as specific residential requirements or a non-violent criminal history, most programs also require that certain substance abuse treatment criteria are met as well. Those offenders who do not meet these criteria remain in the traditional criminal justice system. Offenders who are deemed eligible and who indicate willingness to participate in a drug treatment court program must plead guilty to the original charge. An offender who successfully completes a drug treatment court program typically receives one of the following benefits, depending on the agreement made before the offender entered the program: reduction or dismissal of original charge, suspended sentence, or release from probation. Defendants who do not complete program requirements may return to the regular court docket for adjudication and/or sentencing on the original charge. Alternatively, some defendants who fail to complete drug treatment court programs may receive jail or prison time imposed by the drug treatment court judge. Appendix B, Figure 1-B displays the case processing flow for adult drug treatment court programs.

Table 3 shows the general program characteristics for the 16 adult drug treatment court programs currently in operation. Program capacity ranges from 5-7 participants in Chesapeake to 75-100 participants in Richmond City. All of the adult drug treatment court programs require at least 12 months of participation for completion. The Newport News Drug Treatment Court has the longest participation requirement, specifically, a minimum of 12 months of treatment, 12 months of aftercare and 12 months of administrative probation. Each program also requires a minimum consecutive period of sobriety prior to graduation, ranging from a low of 30 days in Chesapeake to a high of about one year in Charlottesville/Albemarle and Staunton. For programs with available records, the number of offenders served since program inception ranges from 8 cases in Chesapeake to about 857 cases in Roanoke.

Eligibility Criteria

Nine of the sixteen adult drug treatment courts specifically require a diagnosis of substance abuse or dependence for admission into the program, based on criteria in the Diagnostic & Statistical Manual of Mental Disorders – Edition IV (DSM-IV). The remaining programs simply require an identified substance abuse problem. All of the adult drug treatment courts must deem participants appropriate for substance abuse treatment, as indicated by a substance abuse assessment.
Table 3
General Characteristics of Virginia’s Adult Drug Treatment Courts

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Date Established</th>
<th>Total Program Capacity</th>
<th>Program Length</th>
<th>Required Length of Sobriety (^2)</th>
<th>Total Admissions from Inception to March 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlottesville/Albemarle</td>
<td>July 1997</td>
<td>50-60</td>
<td>12 month minimum</td>
<td>No minimum clean days required to advance phases&lt;br&gt;Consecutive Days Clean Required to Graduate = 12 months</td>
<td>363</td>
</tr>
<tr>
<td>Chesapeake</td>
<td>August 2005</td>
<td>5-7</td>
<td>12 months minimum</td>
<td>Phase I – 30 days&lt;br&gt;Phase II – 30 days&lt;br&gt;Phase III – 30 days&lt;br&gt;Phase IV – 30 days&lt;br&gt;Consecutive Days Clean Required to Graduate = 30 days</td>
<td>8</td>
</tr>
<tr>
<td>Chesterfield County</td>
<td>September 2000</td>
<td>65</td>
<td>13 month minimum</td>
<td>Phase I – 45 days&lt;br&gt;Phase II – 90 days&lt;br&gt;Phase III – 90 days&lt;br&gt;Phase IV – 120 days&lt;br&gt;Consecutive Days Clean Required to Graduate = 120 days</td>
<td>295</td>
</tr>
<tr>
<td>Hampton</td>
<td>February 2003</td>
<td>60</td>
<td>30 month minimum (includes 6 months aftercare and 12 months admin. probation); graduation occurs prior to aftercare</td>
<td>Phase I – 30 days&lt;br&gt;Phase II – 60 days&lt;br&gt;Phase III – 90 days&lt;br&gt;Phase IV – 6 months&lt;br&gt;Consecutive Days Clean Required to Graduate = 6 months</td>
<td>77</td>
</tr>
<tr>
<td>Henrico County</td>
<td>January 2003</td>
<td>No maximum capacity</td>
<td>12 month minimum</td>
<td>Phase I- 30 days&lt;br&gt;Phase II- 60 days&lt;br&gt;Phase III- 90 days&lt;br&gt;Phase IV- 100 days&lt;br&gt;Consecutive Days Clean Required to Graduate = 100 days</td>
<td>94</td>
</tr>
</tbody>
</table>

\(^2\) Depending on the locality, phase-specific sobriety lengths may represent either (1) total consecutive days clean which may be counted across multiple program phases or (2) consecutive days clean that are only counted from time within the designated phase. “Consecutive days clean required to graduate” always represents the total number of consecutive clean days that are required immediately prior to program graduation.
Table 3
General Characteristics of Virginia’s Adult Drug Treatment Courts

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Date Established</th>
<th>Total Program Capacity</th>
<th>Program Length</th>
<th>Required Length of Sobriety 2</th>
<th>Total Admissions from Inception to March 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hopewell/Prince George County</td>
<td>September 2002</td>
<td>15-20</td>
<td>12 months minimum</td>
<td>Phase I – 60 days</td>
<td>Unavailable</td>
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<td></td>
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<td>Phase II – 120 days</td>
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<td>Phase III – 150 days</td>
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<td>Phase IV – 180 days</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 180 days</strong></td>
<td></td>
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<tr>
<td>Loudoun County</td>
<td>June 2004</td>
<td>10</td>
<td>12 month minimum</td>
<td>Phase I– 60 days</td>
<td>20</td>
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<td>Phase II– 90 days</td>
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<td>Phase III– 120 days</td>
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<td>Phase IV– 6 months</td>
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<td><strong>Consecutive Days Clean Required to Graduate = 6 months</strong></td>
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<tr>
<td>Newport News</td>
<td>November 1998</td>
<td>55</td>
<td>3 year minimum</td>
<td>Phase I – 30 days</td>
<td>232</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(includes 12 months aftercare and 12 months admin. probation); graduation occurs prior to aftercare</td>
<td>Phase II – 60 days</td>
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<td>Phase III – 90 days</td>
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<td>Phase IV – 120 days</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 6 months</strong></td>
<td></td>
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<tr>
<td>Norfolk</td>
<td>November 1998</td>
<td>50</td>
<td>18 month minimum</td>
<td>Phase I- 30 days</td>
<td>Unavailable</td>
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<td></td>
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<td></td>
<td>(including aftercare)</td>
<td>Phase II- 90 days</td>
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<td>Phase III- 90 days</td>
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<td>Phase IV- 120 days</td>
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<td>Aftercare- 6 months</td>
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<td><strong>Consecutive Days Clean Required to Graduate = 6 months</strong></td>
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<tr>
<td>Portsmouth</td>
<td>January 2001</td>
<td>75</td>
<td>12 month minimum</td>
<td>Phase I- 8 weeks</td>
<td>205</td>
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<td>Phase II- 5 months</td>
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<td>Phase III- 4 months</td>
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<td>Phase IV- 8 weeks</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 120 days</strong></td>
<td></td>
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<tr>
<td>Program Name</td>
<td>Date Established</td>
<td>Total Program Capacity</td>
<td>Program Length</td>
<td>Required Length of Sobriety</td>
<td>Total Admissions from Inception to March 2006</td>
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<tr>
<td>Rappahannock Regional</td>
<td>October 1998</td>
<td>60</td>
<td>12 month minimum</td>
<td>Phase I- 4 weeks</td>
<td>277</td>
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<td></td>
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<td>Phase II- 8 weeks</td>
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<td>Phase III- 4 months</td>
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<td><strong>Consecutive Days Clean Required to Graduate = 4 months</strong></td>
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<tr>
<td>Richmond City</td>
<td>March 1998</td>
<td>75-100</td>
<td>16 month minimum³</td>
<td>Phase I- 17 weeks</td>
<td>339</td>
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<td>Phase II- 17 weeks</td>
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<td>Phase III- 17 weeks</td>
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<td>Phase IV- 6 months</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 6 months</strong></td>
<td></td>
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<tr>
<td>Roanoke City/Salem City/Roanoke County</td>
<td>September 1995</td>
<td>80</td>
<td>12 month minimum</td>
<td>No minimum clean days required to advance phases</td>
<td>857</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 6 months</strong></td>
<td></td>
</tr>
<tr>
<td>Staunton</td>
<td>July 2002</td>
<td>20</td>
<td>12 month minimum</td>
<td>Phase I- 60 days</td>
<td>26</td>
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<td>Phase II- 150 days</td>
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<td>Phase III- 240 days</td>
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<td>Phase IV- 360 days</td>
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<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 360 days</strong></td>
<td></td>
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<tr>
<td>Suffolk</td>
<td>April 2004</td>
<td>40</td>
<td>12 month minimum</td>
<td>Phase I- 60 days</td>
<td>20</td>
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<td>Phase II- 90 days</td>
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<td>Phase III- 180 days</td>
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<td></td>
<td></td>
<td><strong>Consecutive Days Clean Required to Graduate =180 days</strong></td>
<td></td>
</tr>
<tr>
<td>Tazewell County (pilot)</td>
<td>February 2005</td>
<td>15</td>
<td>12 month minimum</td>
<td>Phase I- 30 days</td>
<td>11</td>
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<td></td>
<td>Phase II- 90 days</td>
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<td>Phase III- 24 weeks</td>
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<td></td>
<td></td>
<td><strong>Consecutive Days Clean Required to Graduate = 180 days</strong></td>
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</tr>
</tbody>
</table>

³ The 16 month minimum program length applies only to participants who complete the program with no infractions. Standard phase lengths are reduced for such participants.
The types of precipitating offenses which are eligible for the program vary; however, there are some common offenses that are considered eligible for most of the drug treatment courts: simple possession or attempt to possess a Schedule I or II controlled substance, prescription fraud offenses, and non-violent property offenses, including, but not limited to, grand larceny, forgery, uttering, felony bad checks, and felony shoplifting. While several courts accept offenders with either new charges or probation violations, Loudoun County, Henrico County, and Chesapeake courts only accept probation violators into their programs. All sixteen adult drug treatment courts exclude participants with prior convictions of a violent offense. The majority of the courts exclude offenders with prior convictions involving the use of a weapon or firearm, prior convictions for distribution or possession with intent to distribute (for purposes other than to support the individual’s own habit), and individuals who are not mentally and/or physically capable of completing the program.

**Program Progression**

All sixteen adult drug treatment court programs are divided into three to six phases, depending on the locality. While the requirements of each phase vary greatly depending on the court, there are some common aspects of programming, including urine drug screens, frequent court appearances, attendance and participation in Alcoholics Anonymous/Narcotics Anonymous (AA/NA) meetings, and stable employment or educational training. All of the adult drug treatment courts require group participation throughout the phases. Some of the programs focus primarily on support groups and substance abuse education, while others offer a wider variety of groups, such as domestic violence support, anger management, gender-specific issues, relapse prevention, moral recognition, and meditation.

Graduation from the adult drug treatment court programs most commonly requires the successful completion of all phases, a specified number of clean days, stable employment, and payment in full or ongoing payment of all costs and fees. Two adult drug treatment courts, Hampton and Newport News, include two required program phases that occur after graduation. Five of the adult courts require participants to complete a written plan for relapse prevention and aftercare as a condition of graduation. In addition, the Staunton Adult Drug Treatment Court reports that it further requires participants to write and present an essay to the drug treatment court treatment team on why they are ready to graduate from the program.

**Drug Testing**

Half (8) of the operational adult drug treatment courts conduct drug testing solely on a random basis, while the remaining eight courts perform a combination of both scheduled and random drug testing.

**Fees**

All adult drug treatment court programs impose either program fees or treatment fees, and some require both types of fees. Adult drug treatment court program fees range from $60 annually to $1,200 annually for programs that impose them, with an average fee of $485. In most of the adult drug treatment courts, participants are responsible for any court costs or restitution that they may have; however, community service hours may be used to help pay for some of these costs.
VI. VIRGINIA’S JUVENILE DRUG TREATMENT COURT PROGRAMS

Eight juvenile drug treatment court programs are currently operational in Virginia. This section reviews both general and program-specific information for these programs. Locality-specific program profiles and referral flow charts for each of the juvenile drug treatment court programs are provided, in alphabetical order, in Appendix D.

Referral Flow and General Characteristics

Similar to adult drug treatment courts, juvenile drug treatment court participation usually begins with a drug charge, property charge, or a violation of probation charge by a non-violent juvenile offender with substance abuse issues. These juveniles are identified and referred for a drug treatment court evaluation primarily through Court Service Unit (CSU) staff, judges, probation officers, defense attorneys or Commonwealth’s Attorneys. Basic program eligibility criteria must be met before a juvenile can be accepted into a program. Juveniles who do not meet local criteria remain in the traditional Juvenile & Domestic Relations (J&DR) court system. Juveniles who are deemed eligible for participation and who choose to participate in a drug treatment court program must plead guilty to the original charge. A juvenile who successfully completes a drug treatment court program typically receives one of the following benefits, depending on the agreement prior to program participation: a reduced or dismissed charge, a suspended sentence or release from probation. Juveniles who do not complete program requirements may return to the regular J&DR court docket for adjudication and/or sentencing on the original charge. Alternatively, they may be sentenced to Department ofJuvenile Justice (DJJ) or jail (depending on age) by the drug treatment court judge. Appendix B, Figure 2-B displays the case processing flow for juvenile drug treatment court programs.

Table 4 shows the general program characteristics for the eight juvenile drug treatment court programs currently in operation. Program capacity ranges from a low of 12 in both Fairfax County and Prince William County to a high of 30 in the Lee/Scott/Wise program. The minimum amount of time offenders must participate in the program prior to graduation varies from about 4.5 months in Richmond City to 12 months in Chesterfield County, Rappahannock Regional, Hanover County, and Newport News. Each of the juvenile drug treatment courts requires a minimum consecutive period of sobriety prior to graduation, ranging from a total of 30 days in Newport News to 6 months in Fairfax County. For programs with available records, the number of offenders since program inception ranges from about 30 cases in both Chesterfield County and Prince William County to 91 cases in Lee/Scott/Wise.

Eligibility Criteria

The eligibility requirements for each juvenile drug treatment court vary depending on the individual needs of the community; however, some common criteria are shared across programs. All juveniles, regardless of locality, must be deemed appropriate for substance abuse treatment as indicated by a clinical assessment. In addition, the general age requirements for juveniles in all programs ranges from 12 to 18 at the time of program entry; however, some local courts have established more limited age eligibility requirements within this range.
<table>
<thead>
<tr>
<th>Program Name</th>
<th>Date Established</th>
<th>Total Program Capacity</th>
<th>Program Length</th>
<th>Required Length of Sobriety(^4)</th>
<th>Total Admissions from Inception to March 2006</th>
</tr>
</thead>
</table>
| Chesterfield County | January 2003     | 25                     | 12 months minimum       | Phase I – 15 days
Phase II – 30 days
Phase III – 60 days
Phase IV – 120 days
**Consecutive Days Clean Required to Graduate = 120 days** | 30   |
| Fairfax County    | May 2003         | 12                     | 9 month minimum         | Phase I- 30 days
Phase II- 60 days
Phase III- 90 days
**Consecutive Days Clean Required to Graduate = 6 months** | Unavailable |
| Hanover County    | May 2003         | 15                     | 12 month minimum        | Phase I – 14 days
Phase II – 8 weeks
Phase III – 10 weeks
Phase IV – 15 weeks
**Consecutive Days Clean Required to Graduate = 15 weeks** | 38   |
| Newport News      | March 2002       | 25                     | 12 month minimum        | Phase I – 30 days
Phase II – 30 days
Phase III – 30 days
Phase IV – 30 days
**Consecutive Days Clean Required to Graduate = 30 days** | Unavailable |

\(^4\) Depending on the locality, phase-specific sobriety lengths may represent either (1) total consecutive days clean which may be counted across multiple program phases or (2) consecutive days clean that are only counted from time within the designated phase. “Consecutive days clean required to graduate” always represents the total number of consecutive clean days that are required immediately prior to program graduation.
<table>
<thead>
<tr>
<th>Program Name</th>
<th>Date Established</th>
<th>Total Program Capacity</th>
<th>Program Length</th>
<th>Required Length of Sobriety[^4]</th>
<th>Total Admissions from Inception to March 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prince William County</td>
<td>February 2004</td>
<td>12</td>
<td>9.5 month minimum</td>
<td>No minimum clean days required to advance phases, but phase extensions imposed for positive screens</td>
<td></td>
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<td></td>
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<td></td>
<td><strong>Consecutive Days Clean</strong>  &lt;br&gt; <strong>Required to Graduate = 60 days</strong></td>
<td></td>
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<tr>
<td>Rappahannock Regional</td>
<td>October 1998</td>
<td>20</td>
<td>12 month minimum</td>
<td>Phase I- 30 days  &lt;br&gt; Phase II- 8 weeks  &lt;br&gt; Phase III- 12 weeks  &lt;br&gt; <strong>Consecutive Days Clean</strong>  &lt;br&gt; <strong>Required to Graduate = 12 weeks</strong></td>
<td></td>
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<tr>
<td>Richmond City</td>
<td>July 1999</td>
<td>16</td>
<td>4.5 month minimum</td>
<td>Phase I- 30 days  &lt;br&gt; Phase II- 45 days  &lt;br&gt; Phase III- 60 days  &lt;br&gt; <strong>Consecutive Days Clean</strong>  &lt;br&gt; <strong>Required to Graduate = 60 days</strong></td>
<td></td>
</tr>
<tr>
<td>30th District (Lee, Scott &amp; Wise Counties)</td>
<td>April 2002</td>
<td>Approx. 30; no formal capacity</td>
<td>9 month minimum</td>
<td>Approx. 2-3 months to enter Ph. II  &lt;br&gt; Approx. 4-6 months to enter Ph. III  &lt;br&gt; <strong>Consecutive Days Clean</strong>  &lt;br&gt; <strong>Required to Graduate = None specified</strong></td>
<td>91</td>
</tr>
</tbody>
</table>
All of the juvenile drug treatment court participants must be eligible for a detainable offense or probation/parole, including felony or misdemeanor drug-related cases and/or delinquency or status offenses. In addition, all eight courts restrict juveniles who are considered violent offenders and five of the juvenile drug treatment courts restrict juveniles with a distribution or possession with intent to distribute charge.

**Program Progression**

Similar to the adult programs, Virginia’s juvenile drug treatment court programs are divided into segments, with each defining either three or four distinct program phases. All eight of the juvenile drug treatment courts place emphasis on either family therapy specifically, or pro-social interactions within the family more generally. In comparison to the adult offender approach, the family’s involvement is more prevalent in the juvenile model. In addition, 6 of the 8 courts specifically require individual therapy sessions throughout the program. All of the juvenile drug treatment court programs require court appearances, with the frequency dependent upon the phase, as well as drug screening, attendance at group meetings, and daily school or work attendance, based on an individual’s treatment/service plan.

Graduation requirements from the juvenile drug treatment courts vary by locality, but generally include a specified number of days clean, no new charges or major violations, successful completion of all phases of the program, and compliance with all aspects of treatment, to include family therapy as directed. Both the Chesterfield County and Prince William County juvenile programs report that participants are also required to complete some level of community service in order to complete the graduation requirements.

**Drug Testing**

Six of the eight juvenile drug treatment court programs use random drug screens only, whereas two programs utilize a combination of both random and scheduled drug screens.

**Fees**

While some juvenile programs do require program and treatment fees, five of the eight juvenile drug treatment courts do not impose drug treatment court fees on their participants. Two courts allow participants to perform community service in exchange for court costs and/or restitution/fees.
VII. VIRGINIA’S FAMILY DRUG TREATMENT COURT PROGRAMS

Four family drug treatment court programs are currently operational in Virginia, located in Alexandria, Charlottesville/Albemarle, Newport News, and Richmond City. This section reviews both general and program-specific information for these programs. Locality-specific program profiles and referral flow charts for each of the family drug treatment court programs are provided, in alphabetical order, in Appendix E.

Referral Flow and General Characteristics

Participants for family drug treatment court programs are typically parents or caretakers (e.g., legal guardians or other caretakers) with substance abuse issues who are identified by judges, Department of Social Services (DSS) staff, and defense attorneys through abuse/neglect petitions, CHINS petitions, or protective orders. In addition to basic program eligibility criteria, potential participants are also given substance abuse evaluations to ensure they meet certain treatment criteria. The decision to accept a participant is usually based on those professionals who comprise the drug treatment court team, including judges, drug treatment court coordinators, Community Services Board (CSB) staff, and CASA case managers. In some instances, participants who complete all program requirements may be removed from J&DR court supervision. Appendix B, Figure 3-B displays the case processing flow for family drug treatment court programs.

Table 5 shows the general program characteristics for Virginia’s family drug treatment court programs. Program capacity ranges from 15 families in both the Charlottesville/Albemarle County and Alexandria programs to 20 families in the Richmond City program. For all of the family drug treatment court programs, the minimum amount of time offenders must participate in the program prior to graduation is 12 months. With the exception of the Charlottesville/ Albemarle program, each of the family drug treatment court programs requires a minimum consecutive period of sobriety prior to graduation, ranging from 3 months in Alexandria City to 6 months in Newport News. As of March 2006, the Richmond City family drug court program reported a total admission figure of 22 cases since program inception. The Newport News program has not yet accepted a case and program utilization data was unavailable for the two remaining family drug treatment courts.

Eligibility Criteria

Each of the four operational family drug treatment court programs requires that the parent or custodian be deemed appropriate for substance abuse treatment through assessment procedures. Three of the four courts specifically use the Addiction Severity Index (ASI) as their assessment tool. In addition, the Richmond City program requires a formal DSM-IV diagnosis of substance dependence.

All four courts require that the parent or caretaker be court-involved, either through an abuse/neglect petition, a CHINS petition, or a protective order. Two of the four courts require that the child(ren) be at risk of removal or have already been removed from the home. The Charlottesville/Albemarle and Richmond City programs require that the goal for the case is to return the child to the home or work towards reunification of the family. Each of Virginia’s family drug treatment courts will accept parents who have given birth to a drug-exposed infant or an infant that has been prenatally exposed to drugs.
<table>
<thead>
<tr>
<th>Program Name</th>
<th>Date Established</th>
<th>Total Program Capacity</th>
<th>Program Length</th>
<th>Required Length of Sobriety</th>
<th>Total Admissions from Inception to March 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlottesville/ Albemarle</td>
<td>July 2002</td>
<td>15</td>
<td>12 month minimum</td>
<td>No minimum clean days required to advance phases</td>
<td>Unavailable</td>
</tr>
<tr>
<td>Alexandria</td>
<td>September 2001</td>
<td>15</td>
<td>12 months minimum</td>
<td>Phase I- 6 weeks</td>
<td>Unavailable</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Phase II- 8 weeks</td>
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<td>Phase III- 12 weeks</td>
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<td>Phase IV- 10 weeks</td>
<td>Phase V- 12 weeks</td>
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<td></td>
<td><strong>Consecutive Days Clean</strong></td>
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<td></td>
<td></td>
<td><strong>Required to Graduate = 12 weeks</strong></td>
</tr>
<tr>
<td>Newport News</td>
<td>July 2006</td>
<td>20</td>
<td>12 month minimum</td>
<td>Phase I – 12 days</td>
<td>0</td>
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<td>Phase II – 12 days</td>
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<td>Phase III – 12 days</td>
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<td>Phase IV – 12 days</td>
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<td></td>
<td><strong>Consecutive Days Clean</strong></td>
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<td></td>
<td></td>
<td></td>
<td><strong>Required to Graduate = 6 months</strong></td>
</tr>
<tr>
<td>Richmond City</td>
<td>September 2002</td>
<td>20 families</td>
<td>12 months</td>
<td>Phase I – 30 days</td>
<td>22</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Phase II – 30 days</td>
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<td></td>
<td></td>
<td>Phase – 60 days</td>
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<td></td>
<td></td>
<td></td>
<td><strong>Consecutive Days Clean</strong></td>
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<td></td>
<td></td>
<td><strong>Required to Graduate = 4 months</strong></td>
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</tbody>
</table>

5 Depending on the locality, phase-specific sobriety lengths may represent either (1) total consecutive days clean which may be counted across multiple program phases or (2) consecutive days clean that are only counted from time within the designated phase. “Consecutive days clean required to graduate” always represents the total number of consecutive clean days that are required immediately prior to program graduation.
There are several factors which may exclude parents or caretakers from participating in the family drug treatment court program. The Charlottesville/Albemarle and Richmond City courts disqualify parents or caretakers who have significant mental health illnesses that would inhibit effective participation in the program. In addition, the Newport News court disqualifies parents or caretakers who have any criminal conviction that meets the definition of violent offender.

**Program Progression**

Each family drug treatment court divides its program into three to five phases. The requirements for each phase vary greatly depending on the court; however, some consistent aspects of programming include random drug screens, court appearances, the development and follow-through of an individualized treatment plan, and participation in a self-help group/12-step program. Other aspects of treatment include employment/vocational programming, parenting skills groups, and contact with support agencies, including DSS, clinicians, CASA, and GALs.

Graduation from the family drug treatment courts requires the successful completion of all phases, a specified number of clean days (with the exception of the Charlottesville/Albemarle program), participation in a permanency plan if needed, and the ability to provide a safe, stable environment for the family.

**Drug Testing**

All four of Virginia’s family drug treatment courts conduct participant drug screens solely on a random basis.

**Fees**

None of the four operational family drug treatment courts require the payment of drug treatment court fees to participate in the program; however, treatment fees may be imposed based on a sliding scale.
VIII. VIRGINIA'S DUI DRUG TREATMENT COURT PROGRAM

The Fredericksburg Regional DUI Drug Treatment Court, established in 1999, is currently the only approved DUI drug treatment court in Virginia. As of November 2005, 922 individuals had been admitted into the program since its inception. A program profile and referral flow chart for the Fredericksburg Regional DUI Drug Treatment Court is provided in Appendix E.

Referral Flow and General Characteristics

All offenders with DUI convictions are ordered into the DUI drug treatment court program as a condition of the Rappahannock Area Alcohol Safety Action Program. Those offenders who are identified as needing education are dismissed from the DUI drug treatment court docket, while those who are classified as needing treatment continue in the DUI drug treatment court program. Offenders who successfully complete the program may have their driver’s licenses returned to them. However, DUI charges are not dismissed. The DUI drug treatment court program has no established maximum program capacity, but presently serves over 350 individuals. Appendix B, Figure 4-B displays the case processing flow for the DUI drug treatment court program.

Eligibility Criteria

In order to be eligible for the Fredericksburg Regional DUI Drug Treatment Court, participants must have a misdemeanor DUI conviction and reside (or work) in the eligible jurisdictions (Stafford County, Spotsylvania County, or the City of Fredericksburg). They must also be deemed appropriate for substance abuse treatment.

Program Progression

This program requires a minimum participation period of 12 months, including a minimum of 4-6 months of active treatment and an additional monitoring period of at least 8 months. Some of the active treatment phase activities include drug education groups, support groups, treatment sessions with a licensed therapist, drug screenings, and monthly DUI drug treatment court review sessions. The monitoring phase includes attendance at community resources groups, face-to-face reviews, DUI drug treatment court monitoring sessions, and alcohol and drug screenings. There is no specified length of time in which participants must remain sober before they are released from the program.

Drug Testing

The Fredericksburg Regional DUI Drug Treatment Court program performs both random and scheduled drug testing.

Fees

Participants in the Fredericksburg Regional DUI Drug Treatment Court program are responsible for the following fees: treatment fees (average of $15-$25 per group); $100 DUI education fee; and $300 Virginia Alcohol Safety Action (VASAP) fee.
IX. ONGOING EVALUATION TASKS

In 2007, statewide process evaluations will be conducted for all four drug treatment court program models, incorporating customized methodologies as appropriate. This report concludes with a general work plan for continued evaluation of Virginia’s drug treatment court programs, including a proposed timeline for the intensive process evaluation phase as shown in Table 6 below.

<table>
<thead>
<tr>
<th>Proposed Timeline</th>
<th>Winter 06-07</th>
<th>Spring 07</th>
<th>Summer 07</th>
<th>Fall 07</th>
<th>Winter 07-08</th>
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<tr>
<td>Milestones</td>
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<tr>
<td>1. Process Evaluation</td>
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<tr>
<td>Methodology Refined</td>
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<tr>
<td>2. Process Evaluation Tools</td>
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<td>Developed</td>
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<td>3. Intensive Site Interviews</td>
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<tr>
<td>Conducted</td>
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<td>4. Professional Surveys/</td>
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<td>Interviews Administered</td>
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<tr>
<td>5. Participant Surveys</td>
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<tr>
<td>Administered</td>
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<tr>
<td>6. Review of MIS Data –</td>
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<td>Process Variables</td>
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<tr>
<td>7. Court Observations</td>
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<td>8. External Data Sources</td>
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<td>Reviewed</td>
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<td>9. Data Analysis and</td>
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<tr>
<td>Interpretation – Process</td>
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<tr>
<td>Variables</td>
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<tr>
<td>10. Develop Process Evaluation</td>
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<tr>
<td>Report</td>
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<td>11. Develop Process Evaluation</td>
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<td>Recommendations</td>
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<td>12. Refined Outcome Evaluation</td>
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<td>Methodology Drafted</td>
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<tr>
<td>13. Continue Next Phase of</td>
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<tr>
<td>Project</td>
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Appendix A

The Virginia Drug Treatment Court Act
§ 18.2-254.1. Drug Treatment Court Act.

A. This section shall be known and may be cited as the "Drug Treatment Court Act."

B. The General Assembly recognizes that there is a critical need in the Commonwealth for effective treatment programs that reduce the incidence of drug use, drug addiction, family separation due to parental substance abuse, and drug-related crimes. It is the intent of the General Assembly by this section to enhance public safety by facilitating the creation of drug treatment courts as means by which to accomplish this purpose.

C. The goals of drug treatment courts include: (i) reducing drug addiction and drug dependency among offenders; (ii) reducing recidivism; (iii) reducing drug-related court workloads; (iv) increasing personal, familial and societal accountability among offenders; and, (v) promoting effective planning and use of resources among the criminal justice system and community agencies.

D. Drug treatment courts are specialized court dockets within the existing structure of Virginia's court system offering judicial monitoring of intensive treatment and strict supervision of addicts in drug and drug-related cases. Local officials must complete a recognized planning process before establishing a drug treatment court program.

E. Administrative oversight for implementation of the Drug Treatment Court Act shall be conducted by the Supreme Court of Virginia. The Supreme Court of Virginia shall be responsible for (i) providing oversight for the distribution of funds for drug treatment courts; (ii) providing technical assistance to drug treatment courts; (iii) providing training for judges who preside over drug treatment courts; (iv) providing training to the providers of administrative, case management, and treatment services to drug treatment courts; and (v) monitoring the completion of evaluations of the effectiveness and efficiency of drug treatment courts in the Commonwealth.

F. A state drug treatment court advisory committee shall be established to (i) evaluate and recommend standards for the planning and implementation of drug treatment courts; (ii) assist in the evaluation of their effectiveness and efficiency; and (iii) encourage and enhance cooperation among agencies that participate in their planning and implementation. The committee shall be chaired by the Chief Justice of the Supreme Court of Virginia or his designee and shall include a member of the Judicial Conference of Virginia who presides over a drug treatment court; a district court judge; the Executive Secretary or his designee; the directors of the following executive branch agencies: Department of Corrections, Department of Criminal Justice Services, Department of Juvenile Justice, Department of Mental Health, Mental Retardation and Substance Abuse Services, Department of Social Services; a representative of the following entities: community corrections/pretrial services programs, the Commonwealth's Attorney's Association, the Public Defender Commission, the Circuit Court Clerk's Association, the Virginia Sheriff's Association, the Virginia Association of Chiefs of Police, the Commission on VASAP, and two representatives designated by the Virginia Drug Court Association.
G. Each jurisdiction or combination of jurisdictions that intend to establish a drug treatment court or continue the operation of an existing one shall establish a local drug treatment court advisory committee. Jurisdictions that establish separate adult and juvenile drug treatment courts may establish an advisory committee for each such court. Each advisory committee shall ensure quality, efficiency, and fairness in the planning, implementation, and operation of the drug treatment court or courts that serve the jurisdiction or combination of jurisdictions. Advisory committee membership shall include, but shall not be limited to the following people or their designees: (i) the drug treatment court judge; (ii) the attorney for the Commonwealth, or, where applicable, the city or county attorney who has responsibility for the prosecution of misdemeanor offenses; (iii) the public defender or a member of the local criminal defense bar in jurisdictions in which there is no public defender; (iv) the clerk of the court in which the drug treatment court is located; (v) a representative of the Virginia Department of Corrections, or the Department of Juvenile Justice, or both, from the local office which serves the jurisdiction or combination of jurisdictions; (vi) a representative of community corrections/pretrial services; (vii) a local law-enforcement officer; (viii) a representative of the Department of Mental Health, Mental Retardation, and Substance Abuse Services or a representative of local drug treatment providers; (ix) the drug court administrator; (x) a representative of the Department of Social Services; (xi) county administrator or city manager; and (xii) any other people selected by the drug treatment court advisory committee.

H. Each local drug treatment court advisory committee shall establish criteria for the eligibility and participation of offenders who have been determined to be addicted to or dependent upon drugs. Subject to the provisions of this section, neither the establishment of a drug treatment court nor anything herein shall be construed as limiting the discretion of the attorney for the Commonwealth to prosecute any criminal case arising therein which he deems advisable to prosecute, except to the extent the participating attorney for the Commonwealth agrees to do so. As defined in § 17.1-805 or 19.2-297.1, adult offenders who have been convicted of a violent criminal offense within the preceding 10 years, or juvenile offenders who previously have been adjudicated not innocent of any such offense within the preceding 10 years, shall not be eligible for participation in any drug treatment court established or continued in operation pursuant to this section.

I. Each drug treatment court advisory committee shall establish policies and procedures for the operation of the court to attain the following goals: (i) effective integration of drug and alcohol treatment services with criminal justice system case processing; (ii) enhanced public safety through intensive offender supervision and drug treatment; (iii) prompt identification and placement of eligible participants; (iv) efficient access to a continuum of alcohol, drug, and related treatment and rehabilitation services; (v) verified participant abstinence through frequent alcohol and other drug testing; (vi) prompt response to participants' noncompliance with program requirements through a coordinated strategy; (vii) ongoing judicial interaction with each drug court participant; (viii) ongoing monitoring and evaluation of program effectiveness and efficiency; (ix) ongoing interdisciplinary education and training in support of program effectiveness and efficiency; and (x) ongoing collaboration among drug treatment courts, public agencies, and community-based organizations to enhance program effectiveness and efficiency.
J. Participation by an offender in a drug treatment court shall be voluntary and made pursuant only to a written agreement entered into by and between the offender and the Commonwealth with the concurrence of the court.

K. Nothing in this section shall preclude the establishment of substance abuse treatment programs pursuant to the deferred judgment provisions of § 18.2-251.

L. Each offender shall contribute to the cost of the substance abuse treatment he receives while participating in a drug treatment court pursuant to guidelines developed by the drug treatment court advisory committee.

M. Nothing contained in this section shall confer a right or an expectation of a right to treatment for an offender or be construed as requiring a local drug treatment court advisory committee to accept for participation every offender.

N. The Office of the Executive Secretary shall, with the assistance of the state drug treatment court advisory committee, develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. A report of these evaluations shall be submitted to the General Assembly by December 1 of each year. Each local drug treatment court advisory committee shall submit evaluative reports to the Office of the Executive Secretary as requested.

O. Notwithstanding any other provision of this section, no drug treatment court shall be established subsequent to March 1, 2004, unless the jurisdiction or jurisdictions intending or proposing to establish such court have been specifically granted permission under the Code of Virginia to establish such court. The provisions of this subsection shall not apply to any drug treatment court established on or before March 1, 2004, and operational as of July 1, 2004.

P. Subject to the requirements and conditions established by the state Drug Treatment Court Advisory Committee, there shall be established a drug treatment court in the following jurisdictions: the City of Chesapeake and the City of Newport News.

(2004, c. 1004; 2005, cc. 519, 602; 2006, cc. 175, 341.)
Appendix B

Referral Flow Charts for Virginia’s Drug Treatment Court Models
Figure 1-B
Typical Processing of Adult Drug Treatment Court Participants

STEP 1: Drug charge, property charge, or violation of probation charge by non-violent offender with substance abuse issues

STEP 2: Drug court referral by judge, probation officer, defense attorney, or Commonwealth’s Attorney

Defendants who do not meet eligibility criteria remain in the traditional criminal justice system

STEP 3: Substance abuse evaluation by Community Services Board, drug court staff or other substance abuse professionals

Defendants who are deemed ineligible for the drug court program based on substance abuse evaluation remain in the traditional criminal justice system

STEP 4: Defendants who are deemed eligible for the program and who agree to participate in the program must plead guilty to the original charge

Defendants who do not complete the program may be returned to the regular court docket for adjudication and sentencing or they may be sentenced to jail or prison by the drug court judge

STEP 5: Successful completion of program requirements may result in dismissal of original charges, a reduction of original charges, a suspended sentence or release from probation
**Figure 2-B**

Typical Processing of Juvenile Drug Treatment Court Participants

**STEP 1:**
Drug charge, property charge, or violation of probation charge by non-violent juvenile offender with substance abuse issues

**STEP 2:**
Drug court referral by CSU, judge, probation officer, defense attorney, or Commonwealth's Attorney

Juveniles who do not meet eligibility criteria remain in the traditional J&DR court system

**STEP 3:**
Substance abuse evaluation by CSB, drug court staff or other substance abuse professionals

Juveniles who are deemed ineligible for the drug court program based on substance abuse evaluation remain in the traditional J&DR court system

**STEP 4:**
Juveniles who are deemed eligible for the program and who agree to participate in the program must plead guilty to the original charge

Juveniles who do not complete the program return to the traditional J&DR court system for final disposition and sentencing

**STEP 5:**
Successful completion of program requirements may result in dismissal of original charges, a reduction of original charges, a suspended sentence or release from probation
Figure 3-B
Typical Processing of Family Drug Treatment Court Participants

STEP 1:
Parents and caretakers with allegations of substance abuse from abuse/neglect petitions, CHINS petitions, and protective orders are identified by defense attorney, DSS staff or J&DR court judge.

STEP 2:
Substance abuse evaluation by CSB, drug court staff or other substance abuse professionals.

STEP 3:
Drug Court Team (judge, coordinator, social worker, court clerk, CSB staff and CASA case manager) discuss assessment and determine whether or not case will be accepted.

If case is not accepted, it will continue to be processed in the traditional juvenile and domestic relations court system.

Cases that do not meet all drug court requirements are terminated from the program and remain under J&DR Court supervision.

STEP 4:
Cases that are accepted into the program must participate in treatment and formulate a permanency plan for all involved children.

STEP 5:
Cases that meet all drug court requirements graduate from the program and may be removed from J&DR Court supervision.
Figure 4-B
Fredericksburg Regional DUI Drug Treatment Court
Referral and Admission Process

STEP 1:
DUI conviction in General District Court

STEP 2:
Ordered into DUI drug treatment court, which is a condition of their successful completion of Rappahannock Area Alcohol Safety Action Program (RAASAP)

STEP 3:
RAASAP conducts intake screening and classifies offenders for basic or intensive education or treatment

STEP 4:
Offenders classified as needing treatment continue in the drug court program

STEP 5:
Offenders may receive their driver’s license back after successful completion of RAASAP; DUI charges are not dropped.

Offenders classified for basic or intensive education are dismissed from the drug court at the first review hearing

Offenders who do not complete program requirements do not receive their driver’s license back
Appendix C

Locality-Specific Profiles and Referral Flow Charts for Virginia’s Adult Drug Treatment Court Programs
Charlottesville/Albemarle Adult Drug Treatment Court

The Charlottesville/Albemarle Adult Drug Treatment Court became operational in July 1997 and has the capacity to serve 50-60 offenders. This program is a collaborative effort between the City of Charlottesville and County of Albemarle circuit courts, the City of Charlottesville and the County of Albemarle Commonwealth’s Attorney’s Office, and Region 10. A general description of this program is presented below.

Charlottesville/Albemarle Adult Drug Treatment Court Profile

Eligibility Requirements
Participants must have the following characteristics:

- meet DSM-IV criteria for dependence;
- reside or work in Charlottesville or Albemarle; and
- one of the following offenses: simple possession or attempt to possess a Schedule I or II controlled substance; distribution of, or possession with intent to distribute a schedule I or II controlled substance; felony distribution of marijuana or possession with intent to distribute (not more than 2 ounces); prescription forgery/fraud cases; probation violation- any probation violation on a drug case or a probation violation on a non-drug/non-violent felony property offense (as defined below) if the violation is based on use or possession of a controlled substance; and pursuant to a pilot program started Feb 15, 2006, larceny and fraud felony offenses where the offenses are directly related to the offenders’ drug addiction.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a substance abuse evaluation by treatment professionals.

Disqualifying factors include:

- any prior conviction for any violent offense or felony offense involving use of a weapons;
- any prior conviction for distribution or possession with intent to distribute more than 1.0 grams of crack/rock cocaine (cocaine base) or more than ten standard street sale units of any other schedule I or II controlled substance;
- more than one prior conviction for distribution or possession with intent to distribute crack (rock) cocaine or other schedule I or II controlled substance, regardless of the quantity; or
- more than two prior convictions for possession of cocaine or other schedule I or II controlled substance, of any quantity (only one of which may have occurred after the advent of the Charlottesville-Albemarle drug treatment court program- July 1997).

Program Requirements

Phase I: (minimum = 2 months)

- urine screens 5 times a week for the first 2 weeks;
- urine screens three times a week thereafter;
- weekly drug treatment court appearances;
- minimum twice a week AA/NA meetings or other approved support group, beginning first week of program;
- 60 consecutive days drug and alcohol free;
- employment, school or actively seeking employment while dong community service; and
- treatment fees must be paid to within 2 months billing of a zero balance prior to advancement.

Phase II: (minimum = 3 months)

- any additional classes that the team feels to be appropriate (i.e., domestic violence support, anger management, etc.);
- three times a week urine screens;
- drug treatment court appearance every 2 weeks;
- mandatory attendance at graduation, held the last Thursday of each month;
- minimum of 2 AA/NA meetings, or other approved support group, per week;
- must have recovery sponsor and home group to graduate from this phase (alternatives to this must have team approval.);
- must meet staff goals concerning employment and/or school;
treatment fees must be paid to within one month’s billing of a zero balance; and
must have at least 90 consecutive days drug and alcohol free in Phase II to graduate to next phase.

**Phase III: (minimum = 3 months)**
- any additional classes that the team feels to be appropriate (i.e., domestic violence support, anger management, etc.);
- two times a week urine screens;
- drug treatment court appearance every 3 weeks;
- mandatory attendance at graduation, held the last Thursday of each month;
- minimum of 2 AA/NA meetings, or other approved support group, per week;
- must meet staff goals concerning employment and/or school;
- treatment fees must be paid to within one month’s billing of a zero balance;
- must begin 12 Step work if appropriate; and
- must have at least 90 consecutive days drug and alcohol free in Phase II to graduate to next phase.

**Phase IV: (minimum = 4 months)**
- minimum of 2 AA/NA meetings, or other approved support group, per week (must report to judge in court on the location and topic of meeting);
- urine screens twice a week or random screens at discretion of staff;
- drug treatment court attendance every 4 weeks;
- mandatory attendance at graduation, held the last Thursday of each month;
- treatment fees must be paid in full 2 weeks previous to graduation;
- continuing 12 Step work if appropriate;
- must develop Recovery Maintenance Plan with the treatment staff; and
- must have at least 360 consecutive days drug and alcohol free to graduate from this phase.

**Graduation criteria:**
- completes all of the requirements of the treatment program to the satisfaction of the Court, case managers and treatment personnel;
- 12 consecutive months with no positive drug test or other indication of drug use;
- employment (or job training completion and actively seeking of employment);
- school attendance or obtaining GED;
- payment of all costs and fees; and
- completion of community service hours.

**Drug Testing Schedule**
The Charlottesville/Albemarle Adult Drug Treatment Court program performs random and scheduled drug testing.

**Participant Fees**
The Charlottesville/Albemarle Adult DTC program imposes the following fees on program participants:
- minimum weekly treatment fee = $15.
STEP 1: One of the following offenses: simple possession or attempted possession of cocaine or other Schedule I or II controlled substance; distribution or possession with intent to distribute schedule I or II controlled substance; distribution of (or possession with intent to distribute) imitation cocaine or other imitation schedule I or II controlled substance; felony distribution of marijuana or possession with intent to distribute (not more than 2 ounces); prescription forgery/fraud cases; probation violation (on a drug case or non-drug case if violation is based on use or possession of a controlled substance); and larceny and fraud felony cases directly related to offenders’ drug addiction.

STEP 2: Offender Aid and Restoration performs eligibility interview and provides information on drug treatment court program to potential offenders.

STEP 3: The arresting officer in charge forwards completed offense report to the Commonwealth's Attorney along with a recommendation for or against a drug court referral.

STEP 4: Eligible offenders who wish to participate in the drug treatment court program report to Region 10 for a substance abuse evaluation.

Cases that are determined to be ineligible based on substance abuse evaluation remain in the traditional criminal justice system.

STEP 5: Defendants who are found to be eligible based on substance abuse evaluation and who agree to participate in the program must plead guilty and complete all program requirements.

Defendants who do not successfully complete the drug treatment court program will return to the Court of Record of the referring jurisdiction and will be convicted and/or sentenced on original charge.

STEP 6: The range of dispositions after successful completion includes the following: dismissal of the original charge, reduction of the original charge, a conviction on the original charge with a suspended sentence.
Chesapeake Adult Drug Treatment Court

The Chesapeake Adult Drug Treatment Court became operational in August 2005 and has the capacity to serve 5 offenders currently with the potential for increasing capacity to 12. The Chesapeake Adult Drug Treatment Court is a collaborative effort between the Department of Justice, Commonwealth’s Attorney’s Office, the Private Bar, Probation and Parole and the Community Services Board. A general description of this program is presented below.

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• on probation in circuit court;</td>
</tr>
<tr>
<td>• age 18 or older;</td>
</tr>
<tr>
<td>• lack of response to supervision which is attributed primarily to substance abuse problems;</td>
</tr>
<tr>
<td>• must be a Chesapeake residents;</td>
</tr>
<tr>
<td>• not responsive to traditional treatment; and</td>
</tr>
<tr>
<td>• multiple probation violations (temporarily suspended until review is completed).</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment as indicated by assessment including drug and substance abuse history and clinical interview.

Disqualifying factors include:
• conviction for felony sex offense, felony act of violent or distribution of illegal drugs;
• acts of violence as defined in section 17.1-805 and 19.2-297.1 (Code of Virginia), including juvenile convictions; and
• witness protection cases.

<table>
<thead>
<tr>
<th>Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Phase I: (minimum = 12 weeks)</strong></td>
</tr>
<tr>
<td>• drug screens three times per week;</td>
</tr>
<tr>
<td>• attend AA/NA three times per week;</td>
</tr>
<tr>
<td>• completion of Intensive Outpatient Program or Women’s Intensive Outpatient Program, Intermediate level IOP, and other requirements in the service/treatment plan;</td>
</tr>
<tr>
<td>• weekly court appearances at the discretion of the judge;</td>
</tr>
<tr>
<td>• no positive urine drug screens or breathalyzer screenings for 30 days;</td>
</tr>
<tr>
<td>• no unexcused absences from scheduled services for 30 treatment (business) days; and</td>
</tr>
<tr>
<td>• employed or enrolled in approved training or educational program.</td>
</tr>
</tbody>
</table>

| **Phase II: (minimum = 12 weeks)** |
| • attend AA/NA twice per week; |
| • drug screens three times per week; |
| • individual or group counseling as designated in the treatment/service plan; |
| • completion with other services as designated in the treatment/service plan; |
| • development of a relapse prevention plan approved by the treatment team; |
| • court appearances as determined by treatment team; |
| • no positive urine drug screens or breathalyzer screenings for 30 days; |
| • no unexcused absences from scheduled services for 30 treatment (business) days; and |
| • employed or enrolled in approved training or educational program. |

| **Phase III: (minimum = 12 weeks)** |
| • attend AA/NA twice per week; |
| • drug screens twice per week; |
| • individual or group counseling as designated in the treatment/service plan; |
| • compliance with other services as designated in the treatment/service plan; |
- no positive urine drug screens or breathalyzer screenings for 30 days;
- court appearances as determined by treatment team;
- no unexcused absences from scheduled services for 30 treatment (business) days;
- employed or enrolled in approved training or educational program; and
- stable living arrangements, preferably independent living arrangements.

**Phase IV: (minimum = 12 weeks)**
- attend AA/NA twice per week;
- drug screens twice per week;
- individual or group counseling as designated in the treatment/service plan;
- compliance with other services as designated in the treatment/service plan;
- development of a Life Care Plan outlining steps for continued recovery and contribution to family and community to be approved by Treatment Team;
- no positive urine drug screens or breathalyzer screenings for 30 days;
- court appearances as determined by treatment team;
- no unexcused absences from scheduled services for 30 treatment (business) days;
- employed or enrolled in approved training or educational program; and
- stable living arrangements, preferably independent.

**Graduation criteria:**
- completion of all four phases;
- payment of all court fees and treatment fees; and
- 30 consecutive clean days.

**Drug Testing Schedule**
The Chesapeake Adult Drug Treatment Court performs random drug testing.

**Participant Fees**
Participants in the Chesapeake Adult DTC program are responsible for the following fees:
- treatment fee based on a sliding scale.
Chesapeake Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Violation of a probation charge

If there is no request for a referral to the drug treatment court, the case remains in the traditional criminal justice system.

**STEP 2:**
Typically defense attorneys may request a referral to drug treatment court by sending a letter to the probation officer, but the CA or Judge can deny any such request.

If the Judge or CA determines the case is not appropriate for drug treatment court, then the case remains in the traditional criminal justice system.

**STEP 3:**
Probation officer presents referral at the drug treatment court treatment team for review, and may, after screening, recommend the case to the judge for review.

Defendants who do not meet criteria for treatment (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system.

**STEP 4:**
Defendants who are accepted into the program must plead guilty to violation of probation charge in exchange for a deferred sentence.

Defendants who do not complete the program are re-sentenced by drug treatment court judge.

**STEP 5:**
Defendant may be removed from probation upon successful completion of the drug treatment court program.
The Chesterfield/Colonial Heights Adult Drug Treatment Court became operational in September 2000 and has the capacity to serve 65 offenders. This program is a collaborative effort among the Chesterfield Circuit Court, the Chesterfield Commonwealth’s Attorney’s Office, the Colonial Heights Commonwealth’s Attorney’s Office, the local Community Services Board, the Chesterfield Police Department, and the Chesterfield/Colonial Heights Community Corrections Service. A general description of this program is presented below.

Chesterfield/Colonial Heights Adult Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• 18 years or older at the time of arrest;</td>
</tr>
<tr>
<td>• represented by an attorney at the time of program entry;</td>
</tr>
<tr>
<td>• mentally and physically capable of completing the drug treatment court program and charged with one of the following offenses: possession or attempted possession of a Schedule I or II drug (18.2-250); possession with intent to distribute a Schedule I or II drug (18.2-248) (subject to approval by the Commonwealth’s Attorney); obtaining drugs by fraud (18.2-258.1); grand larceny (18.2-95); felony petit larceny (18.2-104); credit card theft, fraud or forgery; or forging and uttering.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by results of the ASI, Beck Depression Inventory, Jesness Personality Inventory, and clinical interview, as well as a diagnosis of “dependent” on the DSM IV.

Disqualifying factors include:
• any of the following charges: distribution or manufacturing of any drug (18.2-248), including marijuana (18.2-248.1); use or possession of a weapon (18.2-308.4) during commission of the offense or at the time of arrest; theft of a firearm (rifle, pistol, shotgun or any other weapon defined as a “firearm” in the Code of Virginia). (Possession of any other type of “weapon” may be grounds for disqualification at the discretion of the drug treatment court Prosecutor.);
• acts of physical violence during the commission of the offense or at the time of arrest (subject to review by the Commonwealth’s Attorney);
• other pending charges at the time of arrest for the drug treatment court eligible offense (subject to review by the Commonwealth's Attorney);
• currently on state supervised probation (unless the conviction for which the defendant is currently on probation was had in the 12th Judicial Circuit, then it is subject to review by the Commonwealth's Attorney and the approval of the Judge who handed out the sentence for which probation is in place);
• a parole violation;
• participation in the Chesterfield/Colonial Heights drug treatment court for any previous offense;
• an immediate family member in the drug treatment court program or involvement (currently or in the past) in an intimate relationship with a current drug treatment court participant;
• a chronic medical condition that would require him or her to remain on potentially addictive medication for an indefinite period of time; or
• actively working as an informant for any police department at the time he or she pleads into drug treatment court.

Program Requirements

<table>
<thead>
<tr>
<th>Phase I: (minimum = 3 1/2 months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• employment of at least 30 hours per week;</td>
</tr>
<tr>
<td>• attendance at a minimum of 2 AA/NA meetings per week;</td>
</tr>
<tr>
<td>• obtain an AA or NA sponsor;</td>
</tr>
<tr>
<td>• weekly attendance at drug treatment court;</td>
</tr>
<tr>
<td>• drug testing 3 times per week plus color code (random) check;</td>
</tr>
</tbody>
</table>
• attendance at individual therapy for 6 weeks; and
• attendance at a minimum of three 3-hour groups per week (gender specific, recovery skills, and moral recognition therapy) after individual therapy is completed.

Phase II: (minimum = 3 1/2 months)
• employment of at least 30 hours per week;
• attendance at a minimum of 2 AA/NA meetings per week;
• attendance at drug treatment court every other week;
• drug testing 2 times per week plus color code (random) check;
• continued attendance at a minimum of three 3-hour groups per week;
• in-home family services by a family service worker once per week for 4 months; and
• continued attendance at individual therapy (if needed).

Phase III: (minimum = 3 1/2 months)
• employment of at least 30 hours per week;
• attendance at a minimum of 2 AA/NA meetings per week;
• attendance at drug treatment court every other week;
• drug testing once per week plus color code (random) check;
• continued attendance at a minimum of three 3-hour groups per week;
• in-home family services by a family service worker once per week for 4 months; and
• continued attendance at individual therapy (if needed).

Phase IV: (minimum = 3 1/2 months)
• employment of at least 30 hours per week;
• attendance at a minimum of 2 AA/NA meetings per week;
• attendance at drug treatment court every third week;
• drug testing at random; and
• continued attendance at a minimum of three 3-hour groups.

Graduation criteria:
• 120 consecutive days of sobriety;
• have been in the program a minimum of 12 months, and in phase IV for a minimum of 3 months;
• employed at least 30 hours per week or in school full-time for the last 4 weeks;
• have not received a consequence that resulted in jail time for the last 90 days;
• obtained a sponsor;
• attended all required AA/NA meeting for the past 14 days, and turned in all slips on time for the past 14 days;
• completed the total number of group sessions as outlined in the treatment contract;
• up to date on all fees;
• completed all community service and assignments;
• complied with all curfews and not currently on electronic monitoring; and
• paid all restitution if required.

Drug Testing Schedule
The Chesterfield Adult Drug Treatment Court program performs both scheduled and random drug testing.

Participant Fees
Participants in the Chesterfield Adult DTC program are responsible for the following fees:
• $75 per month drug treatment court fee.
Chesterfield/Colonial Heights Adult Drug Treatment Court
Referral and Admission Process: Chart 1

Chesterfield County (defendants with new charges)

**STEP 1:**
Commonwealth's Attorney (CA) reviews all felony drug arrests and felony property arrests to determine whether the case meets legal criteria for drug treatment court participation.

**STEP 2:**
Defense attorney requests evaluation prior to preliminary hearing.

**STEP 3:**
Defendants previously determined by CA to be legally eligible for drug treatment court will receive full substance abuse evaluation by probation officer. Defendants who do not meet criteria or who refuse participation in the drug treatment court program remain in the traditional criminal justice system.

**STEP 4:**
If defendant agrees to participate, he must plead guilty and the preliminary hearing is waived (no finding is made). Defense attorney does not request evaluation prior to preliminary hearing and case remains in the traditional criminal justice system. The drug treatment court judge may impose 6 months to 10 years confinement in DOC for each charge on defendants who do not complete the drug treatment court program.

**STEP 5:**
Charge is dismissed upon successful completion of the drug treatment court program.
**Chesterfield/Colonial Heights Adult Drug Treatment Court**

**Referral and Admission Process: Chart 2**

**Colonial Heights (defendants with new charges)**

**STEP 1:**
Felony drug arrest or felony property arrest

**STEP 2:**
Defense attorney requests review by Commonwealth's Attorney (CA) to determine if case is legally eligible for drug treatment court participation

- CA determines case is not legally eligible for drug treatment court and case remains in the traditional criminal justice system

- Defendants who do not meet criteria or who refuse participation in the drug treatment court program remain in the traditional criminal justice system

**STEP 3:**
CA determines case is legally eligible for drug treatment court and defendant receives full substance abuse evaluation by probation officer

**STEP 4:**
If defendant does meet criteria and agrees to participate, he must plead guilty and the preliminary hearing is waived (no finding is made)

- The drug treatment court judge may impose 6 months to 10 years confinement in DOC for each charge on defendants who do not complete the drug treatment court program

**STEP 5:**
Charge is dismissed upon successful completion of the drug treatment court program

Defense attorney does not request review by Commonwealth's Attorney to determine if case is legally eligible for drug treatment court participation and case remains in the traditional criminal justice system
STEP 1: Violation of Probation Charge

STEP 2: Defense attorney requests review by Commonwealth’s Attorney (CA) at show cause hearing to determine if case is legally eligible for drug treatment court participation.

CA determines case is not legally eligible for drug treatment court and case remains in the traditional criminal justice system.

STEP 3: CA determines case is legally eligible for drug treatment court and defendant receives full substance abuse evaluation by probation officer.

Defendants who do not meet criteria or who refuse participation in the drug treatment court program remain in the traditional criminal justice system.

STEP 4: If defendant does meet criteria and agrees to participate, he is reassigned to the drug treatment court judge and placed on the drug treatment court docket.

Defendants who do not successfully complete the drug treatment court program are sentenced by the drug treatment court judge in accordance with the plea agreement.

STEP 5: Upon successful completion of the drug treatment court program, participants are removed from probation.
Hampton Adult Drug Treatment Court

The Hampton Adult Drug Treatment Court became operational in February 2003 and has the capacity to serve 60 offenders. This program is a collaborative effort between the Department of Corrections, the Hampton-Newport News Community Services Board, the Commonwealth Attorney’s Office, and the Circuit Court. A general description of this program is presented below.

<table>
<thead>
<tr>
<th>Hampton Adult Drug Treatment Court Profile</th>
</tr>
</thead>
</table>

**Eligibility Requirements**

Participants must have the following characteristics:
- must meet DSM-IV criteria for substance abuse or dependence;
- resident of Hampton or Newport News;
- must be felony drug possession or probation violator;
- no possession with Intent to distribute or manufacturing/sales charges or convictions;
- no parole obligations; and
- 18 years old or older.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI.

Disqualifying factors include:
- present charges or prior convictions for a violent offender as defined by Title I, Subchapter XII-J of the Omnibus Crime Control and Safe Streets Act;
- has one or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm; or
- present charge or prior conviction for Murder, Rape, Robbery, Maiming, Malicious Wounding, Unlawful Wounding, Arson, Aggravated Assault, Sex Offense, Possession of Firearm, Aggravated Burglary or any other violent felony.

**Program Requirements**

**Phase I: (minimum = 12 weeks)**
- appear before the Court every week to review progress;
- report to the drug treatment court program daily, Monday through Friday;
- submit to random drug and alcohol urine/breath tests as directed;
- attend NA/AA meetings and find a sponsor or temporary sponsor and begin to utilize my sponsor;
- obtain employment;
- open savings account with first paycheck – deposit 5% of my net earnings each pay period;
- complete all assignments;
- develop a written plan to pay for court costs;
- make progress in treatment;
- obtain a recommendation from treatment team; and
- earn 30 days clean.

**Phase II: (minimum = 20 weeks)**
- appear before court every other week;
- report to Drug Treatment Court program as directed;
- obtain a home group;
- have regular contact with sponsor;
- complete all assignments;
- report to probation officer as directed;
- submit to urine/breath tests as directed;
- remain employed;
- pay all court costs in accordance with the payment plan;
- continue saving 5% of net earnings;
- make progress in treatment;
• obtain a recommendation from treatment team; and
• earn 60 days clean.

Phase III: (minimum = 14 weeks)
• appear before court monthly;
• report to Drug Treatment Court program as directed;
• maintain a home group;
• have regular contact with sponsor;
• complete all assignments;
• report to probation officer as directed;
• submit to urine/breath tests as directed;
• remain employed;
• pay all court costs in accordance with the payment plan;
• continue saving 5% of net earnings;
• make progress in treatment;
• develop a written aftercare plan and relapse prevention plan
• obtain a recommendation from treatment team; and
• earn 90 days clean.

Phase IV: (minimum = 12 weeks)
• substance abuse portion consists of classes and groups in areas such as acupuncture or meditation support groups, support groups, peer support, community integration and relapse prevention;
• appear before court monthly;
• develop a written aftercare plan;
• regular contact with sponsor and home group;
• report to probation officer as directed;
• submit to urine/breath tests as directed;
• remain employed;
• pay all court costs in accordance with the payment plan;
• continue saving 5% of net earnings;
• make progress in treatment;
• have a written budget plan;
• live a clean and sober lifestyle for 6 months;
• demonstrate stable housing, job, social life; and
• obtain a recommendation from treatment team.

Graduation criteria:
• complete at least 4 weeks of phase 4 and is showing progress;
• must have a minimum of 6 months drug and alcohol free; and
• must be in compliance with all probation and drug treatment court requirements.

Aftercare criteria:
• minimum of 6 months;
• weekly groups for the first 2 months; bi-weekly for for the next 2 months; and monthly for the last 2 months;
• weekly random drug testing;
• maintain AA/NA sponsor, home group and attendance at 12-step meetings;
• month meetings with probation officer;
• case management services as needed; and
• attend court every other month.

Administrative probation – Participants remain on administrative probation for one year after they complete aftercare. They meet monthly throughout this year.

Drug Testing Schedule
The Hampton Adult Drug Treatment Court performs both random and scheduled drug testing.

Participant Fees
Participants in the Hampton Adult DTC program are responsible for the following fees:
• $520 Drug Treatment Court fee; based on a $10 weekly fee for a 52-week program.
STEP 1: Nonviolent drug offense, nonviolent property offense, or violation of probation charge

If there is no request for a referral to the drug treatment court, the case remains in the traditional criminal justice system

STEP 2: Pretrial services, probation, or the Commonwealth's Attorney may request a referral to drug treatment court, but the CA or Judge can deny any such request

If the Judge or CA determines the case is not appropriate for drug treatment court, then the case remains in the traditional criminal justice system

STEP 3: Judge refers the case to drug treatment court and defendant receives substance abuse evaluation by a clinician from the drug treatment court

Defendants who do not meet criteria for treatment (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system

STEP 4: Defendants who are accepted into the program must enter an Alford plea prior to entering the program

Defendants who do not complete the program are re-sentenced by the drug treatment court judge

STEP 5: Upon successful completion of the drug treatment court program, charges may be reduced or dismissed
Henrico County Adult Drug Treatment Court

The Henrico County Adult Drug Treatment Court became operational in January 2003 and has the capacity to serve 50 offenders. The Henrico County Adult Drug Treatment Court is a collaborative effort among the Henrico Police Department, the Sheriff, the Community Corrections program, the Commonwealth’s Attorney’s office, the County Manager’s Office, the Virginia Department of Corrections (Probation), the Criminal Defense Bar, the Community Services Board (Henrico Mental Health) and Judges of the Circuit and District Courts. A general description of this program is presented below.

<table>
<thead>
<tr>
<th>Henrico County Adult Drug Treatment Court Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eligibility Requirements</strong></td>
</tr>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• must be currently before the Circuit Court for a Show Cause proceeding;</td>
</tr>
<tr>
<td>• must be approved by the Commonwealth Attorney;</td>
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<tr>
<td>• must exhibit stable mental health in order to tolerate stressful situations and confrontation to complete the program;</td>
</tr>
<tr>
<td>• suitable transportation to complete program requirements;</td>
</tr>
<tr>
<td>• must reside in the Richmond area; and</td>
</tr>
<tr>
<td>• must have a suspended sentence of at least 12 months of incarceration.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a biopsychosocial assessment, the Henrico Mental Health Clinical Assessment for Adult Substance Abuse Services, and the Henrico Mental Health Diagnosis and Assessment Form.

Disqualifying factors include:

- any convictions for violent offenses as specified in Virginia Code 18.2-254.1 (a violent offense is an offense defined in 17.1-805 or 19.2-297.1), except that 18.2-89, -90, or -91 is not a disqualifying offense if it was committed more than 10 years before entry into Drug Treatment Court;
- conviction for a predatory sex crime or any felony with a child as the victim;
- a conviction of drug distribution or possession with intent to distribute within the past 10 years;
- any pending charges, felonies or misdemeanors, except traffic infractions;
- be on parole, or have active supervision obligations from any other court;
- currently taking any prescribed medications that may affect required drug tests; or
- serving as an informant for police while participating in Drug Treatment Court.

<table>
<thead>
<tr>
<th>Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Phase I: (minimum = 90 days)</strong></td>
</tr>
<tr>
<td>• brief individual progress session;</td>
</tr>
<tr>
<td>• group three times per week;</td>
</tr>
<tr>
<td>• participation in at least 3 self help (AA, NA, CA) meetings per week;</td>
</tr>
<tr>
<td>• develop individual treatment plan;</td>
</tr>
<tr>
<td>• weekly court appearance;</td>
</tr>
<tr>
<td>• pay drug treatment court fee of $25 per month;</td>
</tr>
<tr>
<td>• supervision meeting at least once per week;</td>
</tr>
<tr>
<td>• home visits twice per month or more; and</td>
</tr>
<tr>
<td>• urine drug screening three times per week minimum, plus random (color code).</td>
</tr>
</tbody>
</table>

| **Phase II: (minimum = 90 days)** |
| • group 2 times per week; |
| • court appearance every other week; |
| • supervision meeting once per week; |
| • home visits once per month, and as needed; |
- urine drug screening at least two times per week, plus random (color code) at least twice per month;
- participation in at least three self help meetings per week;
- identify a NA/AA home group;
- obtain a sponsor and develop 12 step work plan;
- obtain employment or be in school (or GED program);
- establish payment plan for all court-ordered financial obligations and begin regular payments; and
- pay drug treatment court fee of $25 per month.

**Phase III: (minimum = 90 days)**
- individual progress as needed;
- group two times per week;
- participation in at least 3 self help meetings per week;
- court appearance every three weeks;
- supervision meetings every other week;
- Urine drug screening at least 2 times per week, plus random at least twice per month;
- home contacts as needed;
- maintain stable employment or education;
- stay current on court payment plan for fines, costs, restitution; and
- pay drug treatment court fee of $25 per month.

**Phase IV: (minimum = 90 days)**
- individual counseling as needed;
- family sessions and groups as needed;
- participation in at least 2 self help meetings per week;
- court appearance once per month;
- supervision meetings once per month;
- random urine drug screening at least three times per month;
- maintain employment or education program;
- stay current on court payment plan;
- pay drug treatment court fee of $25 per month; and
- family attends Al-Anon on Nar-Anon (12 Step meetings for family members of alcoholics & addicts).

**Graduation criteria:**
- demonstrate abstinence from all mood-altering substances for 100 consecutive days;
- complete an appropriate continuing care plan;
- successfully complete all treatment phases;
- attend at least 3 community support groups per week with no missed groups for 30 days prior to commencement;
- pass GED exam, if applicable;
- be employed or in school at least 30 hours per week;
- pay any Drug Treatment Court fees in full; and
- have at least 2 approved community support persons (only one can be a family member).

**Drug Testing Schedule**
The Henrico County Adult Drug Treatment Court performs random drug testing.

**Participant Fees**
Participants in the Henrico County Adult DTC program are responsible for the following fees:
- $25 per month Drug Treatment Court fee.
Henrico Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Violation of probation charge

If there is no request for a referral to the drug treatment court, the case remains in the traditional criminal justice system.

**STEP 2:**
Defense attorneys, Judges, probation officers and Commonwealth’s Attorneys (CA) may request a referral to drug treatment court.

If the Judge determines the case is not appropriate for drug treatment court, then the case remains in the traditional criminal justice system.

**STEP 3:**
Defendants who are accepted into the program must plead guilty to violation of probation charge.

Defendants who do not successfully complete the program are re-sentenced by drug treatment court judge.

**STEP 4:**
Judge refers the case to the drug treatment court; defendant then receives a substance abuse evaluation by a clinician from the drug treatment court, and files are reviewed by the PO.

Defendants who do not meet criteria for the program, or are not acceptable per the CA’s office, or who refuse participation in the drug treatment court program, remain in the traditional criminal justice system.

**STEP 5:**
Defendant is released from probation upon successful completion of drug treatment court program.
Hopewell/Prince George/Surry Adult Drug Treatment Court

The Hopewell/Prince George/Surry Adult Drug Treatment Court became operational in September 2002 and has the capacity to serve 15-20 offenders. This program is a collaborative effort between the Riverside Criminal Justice Agency, Pretrial and Probation, Commonwealth’s Attorney’s Office, District 19 Community Service Board, Center for Therapeutic Justice, Prince George Sheriff’s Department, and the Hopewell Police Department. A general description of this program is presented below.

<table>
<thead>
<tr>
<th>Hopewell/Prince George/Surry Adult Drug Treatment Court Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eligibility Requirements</strong></td>
</tr>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• must be charged with one of the following offenses: possession or attempted possession of a schedule I or II drug; prescription fraud; forgery, uttering, or credit card fraud; grand larceny or multiple petit larceny including felony Petit Larceny; unauthorized use of vehicle; domestic or simple assault subject to review by the commonwealth’s attorney for the respective locality in which the defendant stands charged; or show cause or revocation hearing involving any of the above;</td>
</tr>
<tr>
<td>• must satisfy the DSM IV criteria for substance abuse or dependence;</td>
</tr>
<tr>
<td>• defendant must be 18 years or older at the time of offense;</td>
</tr>
<tr>
<td>• the defendant must reside in Hopewell, Prince George, or Surry, or in a jurisdiction that would not preclude defendant participation in the drug treatment court requirements;</td>
</tr>
<tr>
<td>• the defendant must be represented by an attorney at the time of program entry; and</td>
</tr>
<tr>
<td>• the defendant’s participation must be approved by the Commonwealth’s Attorney of the locality wherein jurisdiction lies for prosecution of the underlying or triggering event.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a clinical interview, Patient Placement Instrument and the SSI.

Disqualifying factors include:
• current offense must not involve: distribution or manufacturing of any drug, including marijuana; breaking and entering; a felony act of violence as defined by Virginia State Code acts of physical violence during the commission of the offense or at the time of arrest; |
• must not have prior convictions for any offense involving a firearm or felony acts of violence or a felony DUI within a five year period following release from incarceration on that offense or with Drug Treatment Court Team approval; |
• more than two convictions for misdemeanor assault/battery or domestic assault within the five years preceding the instant offense or more than two prior convictions for possession of a schedule I or II drug within a ten year period following release from incarceration on that offense; |
• more than three prior convictions for any felony; |
• the defendant must not have participated in the Hopewell, Prince George, Surry Drug Treatment Court or a similar type Drug Treatment Court program; |
• the defendant must not be an immediate family member of a current drug treatment court participant or be involved currently, or in the past, in an intimate relationship with a current drug treatment court participant; |
• the defendant must be mentally and physically capable of completing the drug treatment court program; |
• for individuals with a history of prescription addiction only, the defendant must not have a chronic medical condition that would require him or her to remain on potentially addictive medication for an indefinite period of time; and |
• the defendant must not have a history of maladjustment to supervised probation and must not pose a danger to the community. |

<table>
<thead>
<tr>
<th>Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase I: (minimum = 3 months)</td>
</tr>
<tr>
<td>• attend 6 hours of treatment per week;</td>
</tr>
<tr>
<td>• drug testing up to 3 times per week;</td>
</tr>
</tbody>
</table>
- attend 2 community support groups per week (NA/AA);
- attend drug treatment court weekly;
- 9:00pm curfew;
- 60 consecutive clean days; and
- employed by the end of Phase I.

**Phase II: (minimum = 3 months)**
- attend 4 hours of treatment per week;
- drug testing up to 2 times per week;
- attend two community support groups per week;
- attend drug treatment court every week;
- comply with curfew restrictions;
- 120 consecutive clean days; and
- 45 days of continuous employment.

**Phase III: (minimum = 3 months)**
- attend 2 hours of treatment per week;
- drug testing up to once per week;
- attend 3 community support groups per week;
- attend drug treatment court every other week;
- comply with curfew restrictions;
- 150 consecutive clean days; and
- 60 days of consecutive employment.

**Phase IV: (minimum = 3 months)**
- attend one hour of treatment per week;
- random drug testing;
- 180 days of clean days;
- attend three community support groups per week;
- attend drug treatment court every third week; and
- comply with curfew restrictions.

**Graduation criteria:**
- complete a minimum of 12 months in the program;
- remain abstinent for 180 consecutive days;
- no major violations where the participant is sanctioned at least 90 days prior to graduation;
- pay all drug treatment court program fees in full;
- comply with all treatment recommendations;
- demonstrate 60 days of consecutive employment;
- complete all community service and assignments required by drug treatment court staff;
- complete an approved specialized/community group as assigned;
- successfully complete the Phase 4 behavioral assessment;
- complete Recovery Life Style Analysis; and
- present final, revised aftercare plan to drug treatment court.

**Drug Testing Schedule**
The Hopewell/Prince George/Surry Adult Drug Treatment Court performs both random and scheduled drug testing.

**Program Fees**
Participants in the Hopewell/Prince George/Surry Adult DTC program are responsible for the following fees:
- $100.00 assessment fee; and
- $100.00 per month for Drug Treatment costs.
STEP 1: Charged with possession or attempted possession of a schedule I or II drug; prescription fraud; forgery, uttering, or credit card fraud; grand larceny or multiple petit larceny including felony Petit Larceny; unauthorized use of vehicle; domestic or simple assault subject to review by the commonwealth’s attorney for the respective locality in which the defendant stands charged; show cause or revocation hearing involving any of the above

STEP 2: Referrals are made by the CA, defense attorney, and the police department through the defense attorney

STEP 3: Pretrial services conducts an initial criminal screening

STEP 4: Once a candidate is identified, and the CA agrees, then the drug treatment court team conducts assessment

STEP 5: Defendants who are accepted into the program must plead guilty to one of the offenses

STEP 6: Defendant may be removed from probation upon successful completion of drug treatment court program

If the Judge or CA determines the case is not appropriate for drug treatment court, then the case remains in the traditional criminal justice system

Defendants who do not meet criteria for the program (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system

Defendants who do not meet criteria for treatment (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system

Defendants who do not complete the program are sent back to original judge for sentencing
The Loudoun County Adult Drug Treatment Court became operational in June 2004 and has the capacity to serve 10 offenders. This program is a collaborative effort among the Commonwealth’s Attorney’s Office, Loudoun County Sheriff’s Office, Community Corrections Program, Department of Mental Health, Mental Retardation and Substance Abuse Services, Circuit Court, Office of the Public Defender and State Probation and Parole. A general description of this program is presented below.

### Loudoun County Adult Drug Treatment Court Profile

#### Eligibility Requirements

Participants must have the following characteristics:
- reside in Loudoun County;
- be alcohol or drug dependent;
- be on supervised probation for a felony conviction;
- have a pending probation violation that is due to their alcohol or drug dependency; have no prior convictions for violent felonies or weapons offenses (as defined by Federal law 42 USC 3797(U) and Virginia Code Sections 17.1-805 and 19.2-297.1); and
- have no other pending charges, which have potential for a jail sentence.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a substance abuse assessment.

Disqualifying factors include:
- violent offenders;
- confidential informants; and
- current probation supervision for a felony DUI, be on parole or post release supervision or on probation for a jurisdiction other than Loudoun County.

#### Program Requirements

**Phase I: (minimum = 90 days)**
- court appearances every week - remain for the entire session;
- urine screens 3 times per week and randomly;
- appointment with Probation Officer twice per week;
- full time employment/education (at least 30 hours per week);
- work to obtain stable housing;
- home contacts at least twice per month;
- group at least 3 times per week;
- attend self-help meetings (AA/NA) every day for the first 30 days and at least 4 times per week thereafter to include 1 meeting on Saturday and 1 meeting on Sunday;
- obtain AA/NA sponsor;
- initiate a plan for payment of all costs/fines/restitution/fees; and graduation to Phase Two will require 60 consecutive days of abstinence.

**Phase II: (minimum = 90 days)**
- court appearances every other week - remain for the entire session;
- urine screens 2 times per week and randomly;
- appointment with probation officer once per week;
- full time employment/education (at least 30 hours per week);
- maintain stable housing;
- home contacts at least once per month;
- group at least 3 times per week;
- attend self-help meetings (AA/NA) at least 4 times per week to include 1 meeting on Saturday and 1 meeting on Sunday;
• maintain weekly contact with AA/NA sponsor;
• make progress towards completion of established plan for payment of all costs/fines/restitution/fees; and
• graduation to Phase Three will require 90 consecutive days of abstinence.

Phase III: (minimum = 90 days)
• court appearances every three weeks - remain for the entire session;
• urine screens 1 time per week and randomly;
• appointment with Probation Officer every other week;
• full time employment/education (at least 30 hours per week);
• maintain stable housing;
• home contacts at least once per month;
• group at least 2 times per week;
• attend self-help meetings (AA/NA) at least 4 times per week to include 1 meeting on Saturday and 1 meeting on Sunday;
• maintain weekly contact with AA/NA sponsor;
• make progress towards completion of established plan for payment of all costs/fines/restitution/fees; and
• graduation to Phase Four will require 120 consecutive days of abstinence.

Phase IV: (minimum = 90 days)
• court appearances every three weeks - will be called first at each session;
• urine screens randomly at least three times per month;
• appointment with Probation Officer twice per month;
• full time employment/education (at least 30 hours per week);
• maintain stable housing;
• home contacts at least once per month;
• group at least 1 time per week;
• attend self-help meetings (AA/NA) at least 4 times per week to include 1 meeting on Saturday and 1 meeting on Sunday;
• maintain weekly contact with AA/NA sponsor;
• develop an aftercare plan;
• full payment of all costs/fines/restitution/fees; and
• complete all requirements for graduation.

Graduation criteria
• complete all four phases of the program;
• successful completion of the requirements of each phase;
• abstinence from drugs and alcohol for at least 6 months;
• positive treatment summary;
• no new felony arrests and no new Class 1 or 2 misdemeanor arrests;
• agree to participate in an follow-up interviews for up to 12 months after graduation; and
• recommendation of the Drug Treatment Court Team.

Drug Testing Schedule
The Loudoun County Adult Drug Treatment Court performs scheduled and random drug testing.

Program Fees
Participants in the Loudoun Adult DTC program are responsible for the following fees:
• $100.00 drug treatment court fee; $25.00 to be paid at admission, and the balance to be paid prior to advancing to Phase II; and
• treatment fees are assessed based on a sliding scale.
Loudoun Adult Drug Treatment Court
Referral and Admission Process

STEP 1:
Allegation of Violation of Probation charge

STEP 2:
Probation officer completes drug treatment court pre-screening form

STEP 3:
Defendants who meet pre-screening criteria are referred to the drug treatment court administrator, and placed on the drug treatment court docket

STEP 4:
Defendants are found guilty of the probation violation and are assessed by the Department of Mental Health and Substance Abuse Services

STEP 5:
Upon successful completion of program requirements, the defendant may continue on supervised probation

Defendants who do not meet pre-screening criteria remain in the traditional criminal justice system

Defendants who do not complete the program are returned to the regular court docket for probation revocation proceedings
Newport News Adult Drug Treatment Court

The Newport News Adult Drug Treatment Court became operational in November 1998 and has the capacity to serve 55 offenders. This program is a collaborative effort among the Newport News Circuit and General District Courts, the Newport News Commonwealth Attorney’s Office, the City of Newport News, The Newport News Delegation to the General Assembly, Hampton-Newport News Community Services Board, Virginia Department of Corrections, Hampton-Newport News Criminal Justice Agency, the Newport News Sheriff’s Department, the Newport News Police Department, the Newport News Defense Bar, and the Virginia Supreme Court. A general description of this program is presented below.

Newport News Adult Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• current offense must be felony drug possession or drug driven offense;</td>
</tr>
<tr>
<td>• individual on active probation who incur a new felony drug possession or drug driven charge;</td>
</tr>
<tr>
<td>• must be 18 years old or older;</td>
</tr>
<tr>
<td>• must be clinically assessed with a substance abuse disorder according to DSM IV criteria (dependent or abuse);</td>
</tr>
<tr>
<td>• must be a Newport News resident or Hampton resident who was charged in Newport News.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment as indicated by the SSI, substance abuse evaluation, ASI, and Alcohol and Drug Form created by the Community Services Board.

Disqualifying factors include:
• violent offenders as defined by Virginia Code;
• has one or more prior convictions for any felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm, or any other violent felony;
• current distribution charge or previous conviction for distribution;
• current possession with intent to distribute or previous convictions for possession with intent to distribute;
• actively psychotic individuals;
• currently on methadone;
• parole obligation; and
• homeless participants.

Program Requirements

Phase 1: (minimum = 12 weeks)
• report to the Drug Treatment Court Program daily as scheduled, Monday through Friday;
• appear before the Court weekly to review their progress, unless directed otherwise;
• submit to mandatory and random drug and alcohol (urine/breath) screens as directed;
• have a minimum of 30 clean days;
• attend three NA/AA meetings weekly, find a sponsor or temporary sponsor, and begin to utilize my sponsor within the first 30 days;
• obtain employment;
• open a savings account with their first paycheck; and
• have a written plan to pay court costs.

Phase 2: (minimum = 20 weeks)
• appear before the Court every other week to review progress unless directed otherwise;
• report to the Drug Treatment Court Program as directed;
• have a NA or AA home support group;
• have regular contact with NA or AA sponsor;
• have all phase assignments completed and turned in;
• report to PO as directed;
• submit to mandatory and random drug and alcohol urine/breath tests as directed;
• have at least 60 days clean time;
• maintain employment;
• pay on court costs in accordance with payment plan; and
• continue saving 5% of my net earnings.

Phase 3: (minimum = 16 weeks)
• appear before the Court monthly to review progress;
• report to the Drug Treatment Court program as directed;
• maintain NA or AA home support group;
• continue to have regular contact with NA or AA sponsor;
• report to PO as directed;
• have all phase assignments completed and turned in;
• submit to mandatory and random drug and alcohol urine/breath tests as directed;
• have at least 90 days clean time;
• maintain stable employment;
• regular payments on court costs in accordance with payment plan; and
• continue to save 5% of net earnings.

Phase 4: (minimum = 12 weeks)
• appear before the Court monthly to review progress;
• report to Drug Treatment Court as directed;
• develop a written aftercare plan and have all assignments completed and turned in;
• have regular contact with sponsor and home group;
• report to PO as directed;
• submit to mandatory and random drug and alcohol urine/breath tests as directed;
• have at least 180 days clean time;
• continue to maintain stable employment;
• continue to save 5% of net earnings;
• continue to pay off court costs in accordance with payment plan;
• continue to make progress in treatment;
• have a written budget plan;
• maintain a clean and sober life-style;
• have a minimum 6 months (180 days) clean time; and
• demonstrate stability in housing, job, and social life.

Graduation criteria:
• complete a minimum of 12-months of substance abuse treatment;
• drug free for a minimum of 6 months;
• maintain stable employment and stable housing;
• have a sponsor and a home group;
• paying off court fines, restitution and child support (on a payment plan);
• performed community service; and
• attended GED classes if appropriate.

Aftercare criteria:
• minimum of 12 months;
• weekly aftercare groups;
• weekly random drug screens;
• maintain AA/NA sponsor, home group and attendance at 12-step meetings;
• meet with probation officer monthly;
• meet with case manager as needed; and
• attend court every other month.

Administrative Probation – Those in this phase have completed all treatment requirements and are now on unsupervised probation for one year. Participants must submit monthly reports to the drug treatment court probation officer, to include information on court costs payments, employment, drug use, arrest, traffic violations and
social/family concerns or needs. Participants may be called in at any time for random drug screens.

**Drug Testing Schedule**
The Newport News Drug Court performs both random and scheduled drug testing.

**Participant Fees**
Participants in the Newport News DTC program are responsible for the following fees:
- $520 per year based on $10 per week for 52 weeks.
Newport News Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Current offense must be felony drug possession or drug driven offense, including individuals on active probation who incur a new felony drug possession or drug driven charge.

If there is no request for a review by the Commonwealth’s Attorney to determine if case is legally eligible for drug treatment court participation, the case remains in the traditional criminal justice system.

**STEP 2:**
A referral is made to drug treatment court by a judge, attorney, pretrial services, the Commonwealth’s Attorney, private attorney, probation officer, self, or a family member and pretrial services conducts a criminal background check.

Pretrial determines case is not legally eligible for drug treatment court and case remains in the traditional criminal justice system.

**STEP 3:**
A face to face comprehensive substance abuse evaluation with the referred client is conducted using the ASI and clinical evaluation/assessment summary.

Defendants who do not meet criteria for treatment and supervision (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system.

**STEP 4:**
Defendants who meet criteria for treatment and supervision are accepted into the program.

Defendants who commit a violation or who do not complete the program may be terminated from the program and are referred back to the traditional criminal justice system.

**STEP 5:**
After successful completion of the drug treatment court program, participants are placed on one year administrative probation. Upon successful completion of that year, participants are released from the program.
Norfolk Adult Drug Treatment Court

The Norfolk Adult Drug Treatment Court became operational in November 1998 and has the capacity to serve 50 offenders. This program is a collaborative effort among the Norfolk Circuit Court, the Norfolk Commonwealth’s Attorney’s Office, the local Community Services Board, Adult Probation and Parole, the City of Norfolk, and the Norfolk Sherriff’s Office Pretrial Services. A general description of this program is presented below.

Norfolk Adult Drug Treatment Court Profile

Eligibility Requirements

Participants must have the following characteristics:

- resident of Portsmouth, Norfolk or Virginia Beach, (but the qualifying charge must occur in Norfolk);
- one of the following qualifying charges: felony possession of drugs; felony possession of drugs with intent to distribute when the amount is less than 2 grams of cocaine or 1 gram of heroin or ¼ pound of marijuana or any other drug in any amount within the discretion of the prosecutor and the defendant is selling to support habit; or non-violent felony property crimes (but not burglaries); and
- plead guilty to the offense.

In addition, participants must be deemed appropriate for substance abuse treatment as indicated by the DSM-IV and other screening tools used by the CSB.

Disqualifying factors include:

- eligibility for treatment as a First Offender (Code 18.2-251);
- one of the following charges: violent crimes, possession or concealment of a firearm or deadly weapon or a second or subsequent possession with intent to distribute;
- charges pending in another jurisdiction that may result in incarceration; and/or
- any prior felony conviction for possession with intent to distribute.

Program Requirements

**Phase I: (minimum = 2 months)**

- attend intensive outpatient counseling at the Norfolk Day Reporting Center (NDRC) 3 times per week;
- attend a minimum of one individual counseling session per month;
- meet with Probation Officer a minimum of twice per week (daily if not employed);
- attend four AA/NA meetings per week (or 7 meetings if not employed);
- report to the NDRC every morning (Monday through Friday) to conduct a documented job search, if unemployed;
- random drug screens a minimum of 2 times per week;
- attend drug treatment court once per week;
- a minimum of 30 days of clean drug screens;
- employment;
- payment of all fees; and
- the vote of their peers, counselor and probation officer. (The Judge has the final approval).

**Phase II: (minimum = 3 months)**

- attend intensive outpatient counseling at the Norfolk Day Reporting Center (NDRC) 3 times per week;
- attend a minimum of one individual counseling session per month;
- meet with probation officer a minimum of twice per week (daily if not employed);
- random drug screens a minimum of 2 times per week;
- attend drug treatment court every other week;
- report to the NDRC every morning (Monday through Friday) to conduct a documented job search, if unemployed;
- establish a monthly payment schedule to meet court costs and drug treatment court fee payments ($50 per month), if employed;
• attend three AA/NA meetings per week (or 7 meetings if not employed);
• a minimum of 90 days of clean drug screens;
• employment (or training program);
• payment of all fees; and
• the vote of their peers, counselor and probation officer. (The Judge has the final approval).

Phase III: (minimum = 3 months)
• maintain full-time employment;
• continue monthly payment schedule to meet court costs ($40 per month) and drug treatment court fee payments ($50 per month);
• attend all drug treatment court program appointments;
• attend intensive outpatient counseling at the Norfolk Day Reporting Center (NDRC) 2 times per week;
• attend a minimum of one individual counseling session per month;
• meet with Probation Officer a minimum of twice per week;
• random drug screens a minimum of 2 times per week;
• attend drug treatment court once per month;
• attend three AA/NA meetings per week;
• a minimum of 90 days of clean drug screens;
• maintain employment;
• payment of all fees; and
• the vote of their peers, counselor and probation officer. (The Judge has the final approval.)

Phase IV: (minimum = 4 months)
• maintain full-time employment;
• continue monthly payment schedule to meet court costs and drug treatment court fee payments;
• attend all drug treatment court program appointments;
• attend intensive outpatient counseling at the Norfolk Day Reporting Center (NDRC) once per week;
• attend a minimum of one individual counseling session per month;
• meet with probation officer a minimum of twice per week;
• random drug screens a minimum of 2 times per week;
• attend drug treatment court once per month;
• attend three AA/NA meetings per week;
• a minimum of 120 days of clean drug screens; and
• the vote of their peers, counselor and probation officer. (The Judge has the final approval.)

Phase V: (minimum = 6 months)
• supervised probation for a minimum of months;
• random drug screens a minimum of 2 times per week; and
• attend aftercare group for a minimum of 12 weeks.

Drug Testing Schedule
The Norfolk Adult Drug Treatment Court program performs random drug testing.

Participant Fees
Participants in the Norfolk Adult DTC program are responsible for the following fees:
• court costs ($40 per month); and
• drug treatment court fee payments ($50 per month).
**Norfolk Adult Drug Treatment Court**

**Referral and Admission Process**

**STEP 1:**
Must plead guilty to one of the following offenses: felony possession of drugs, felony possession of drugs with intent to distribute (if only selling to support own drug habit), non-violent felony property crimes (not burglaries), or violate probation.

If there is no request for a review by the Commonwealth’s Attorney to determine if the case is legally eligible for drug treatment court participation, the case remains in the traditional criminal justice system.

**STEP 2:**
Anyone, including a defense attorney, Judge, client, or probation officer, may request a review by the Commonwealth’s Attorney (CA) to determine if case is legally eligible for drug treatment court participation.

CA determines case is not legally eligible for drug treatment court and case remains in the traditional criminal justice system.

**STEP 3:**
CA determines case is legally eligible for drug treatment court and defendant receives full substance abuse evaluation by a CSB counselor as well as a supervision assessment.

Defendants who do not meet criteria for treatment and supervision (or who refuse participation in the drug treatment court program) remain in the traditional criminal justice system.

**STEP 4:**
Defendants who meet criteria for treatment and supervision are accepted into the program.

Defendants who commit a violation or who do not complete the program may be terminated from the program and committed to DOC by the drug treatment court judge.

**STEP 5:**
After successful completion of the drug treatment court program, participants are released from probation.
Portsmouth Adult Drug Treatment Court

The Portsmouth Adult Drug Treatment Court became operational in January 2001 and has the capacity to serve 75 offenders. This program is a collaborative effort among Probation and Parole, the Portsmouth Department of Correctional Education, the Department of Behavioral Healthcare Services, the Portsmouth Public Schools, and the Portsmouth Circuit Court System. A general description of this program is presented below.

Portsmouth Adult Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• must be 18 years of age;</td>
</tr>
<tr>
<td>• must reside in the City of Portsmouth;</td>
</tr>
<tr>
<td>• must be identified as a substance abuser; and</td>
</tr>
<tr>
<td>• must be charged with a felony possession of drugs and/or prescription fraud; non-violent felony property crimes which are drug driven/substance abuse related. Burglaries are ineligible, pursuant to federal guidelines.</td>
</tr>
<tr>
<td>In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the SSI and ASI, and must be diagnosed as DSM-IV substance dependent.</td>
</tr>
<tr>
<td>Disqualifying factors include:</td>
</tr>
<tr>
<td>• convictions of any narcotic offense enumerated in 18.2-248 or felony offense of 18.2-248.1 of the Code of Virginia;</td>
</tr>
<tr>
<td>• pending probation violations;</td>
</tr>
<tr>
<td>• previous convictions of possession, carrying or using a firearm or other dangerous/deadly weapon;</td>
</tr>
<tr>
<td>• be presently or previously convicted, as an adult or juvenile, an act of violence as enumerate in 19.2-297.1 of the Code of Virginia (i.e., Murder, Carjacking, Voluntary Manslaughter, Abduction, Malicious Wounding, Robbery, Sexual Assault, Arson and Conspiracy to commit any of the listed offenses); and/or</td>
</tr>
<tr>
<td>• any pending criminal charges or probation violations outside of the City of Portsmouth.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Phase I: (minimum = 8 weeks)</strong></td>
</tr>
<tr>
<td>• a minimum of three urine screens weekly;</td>
</tr>
<tr>
<td>• the participant will be assessed during this phase and referred to ancillary programs if necessary;</td>
</tr>
<tr>
<td>• must report daily to the Drug Treatment Court Administrative Office;</td>
</tr>
<tr>
<td>• must attend drug treatment court weekly;</td>
</tr>
<tr>
<td>• NA/AA home group;</td>
</tr>
<tr>
<td>• obtain employment;</td>
</tr>
<tr>
<td>• develop a written plan to pay for court costs; and</td>
</tr>
<tr>
<td>consists of classes and groups in such areas as acupuncture or meditation, barriers to treatment, effects of substance involvement upon myself, support groups, and planning for recovery.</td>
</tr>
<tr>
<td><strong>Phase II: (minimum = 5 months)</strong></td>
</tr>
<tr>
<td>• a minimum of three urine screens weekly;</td>
</tr>
<tr>
<td>• reassessment of participant during this phase;</td>
</tr>
<tr>
<td>• must report four days weekly;</td>
</tr>
<tr>
<td>• must attend drug treatment court bi-weekly;</td>
</tr>
<tr>
<td>• securing NA/AA sponsor;</td>
</tr>
<tr>
<td>• reports to probation officer as directed;</td>
</tr>
<tr>
<td>• remains employed;</td>
</tr>
</tbody>
</table>
• pay court costs according to payment plan;
• open a savings account including 5% of net earning;
• have a plan for healthier living; and
• attend classes and groups in areas such as acupuncture or meditation, support groups, men’s or women’s issues, family/support systems, and relationships.

Phase III: (minimum = 4 months)
• a minimum of two urine screens weekly;
• must report three days weekly;
• must attend drug treatment court monthly;
• maintain a home group;
• maintain a sponsor;
• report to Probation Officer as directed;
• remain employed, saving 5% of earnings;
• pay court costs according to payment plan;
• implement the written plan for healthier living; and
• attend classes and groups in areas such as acupuncture or meditation, support groups, family/support systems, and peer support.

Phase IV: (minimum = 8 weeks)
• must report at least once weekly to submit to urinalysis;
• must attend drug treatment court monthly;
• develop a written aftercare plan;
• maintain a home group;
• report to Probation Officer as directed;
• remain employed, saving 5% of earnings;
• pay off court costs in accordance with plan;
• implement written plan for healthier living;
• develop a written budget plan; and
• attend of classes and groups such as acupuncture or meditation, support groups, peer support, community integration, and aftercare.

Graduation criteria:
• successful completion of the requirements of each phase;
• abstinence from drugs and alcohol for at least 120; consecutive days;
• current on fines or payment plan; and
• stable employment.

Drug Testing Schedule
The Portsmouth Adult Drug Treatment Court performs random drug testing.

Program Fees
Participants in the Portsmouth Adult DTC program are responsible for the following fees:
• no Drug Treatment Court costs;
• treatment fees are assessed based on a sliding scale; and
• must pay all court costs/restitution.
Portsmouth Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
One of the following offenses: felony possession of drugs, prescription fraud, or non-violent felony property crimes which are drug-driven or substance abuse related.

**STEP 2:**
Defense attorneys, Judges, and probation officers may request that cases be sent to Pretrial Services for a drug treatment court evaluation.

**STEP 3:**
If Pretrial Services determines case is not eligible for drug treatment court, it remains in the traditional criminal justice system.

**STEP 3:**
If Pretrial Services determines case is eligible for drug treatment court, the participant is sent drug treatment court orientation and given a substance abuse evaluation by the pretrial officer.

**STEP 4:**
If there is no referral for a drug treatment court evaluation, the case remains in the traditional criminal justice system.

**STEP 4:**
Defendants who meet criteria for treatment must plead guilty and they are formally accepted into the program by the Judge.

**STEP 5:**
Successful completion of the drug treatment court program; however, charges are not dismissed.

**STEP 5:**
Defendants who do not complete the program are terminated and must return to circuit court for sentencing.

Although Judges do have the authority to order ineligible offenders into the program, defendants who do not meet treatment criteria (or who refuse participation in the drug treatment court program) typically return to circuit court.

If Pretrial Services determines case is not eligible for drug treatment court, it remains in the traditional criminal justice system.
Rappahannock Regional Adult Drug Treatment Court

The Rappahannock Regional Adult Drug Treatment Court became operational in October 1998 and has the capacity to serve 60 offenders. This program is a collaborative effort among the Fredericksburg Circuit Court, the Fredericksburg Commonwealth’s Attorney’s Office, the Office of the Public Defender, the Rappahannock Area Community Services Board, Adult Probation and Parole (District 21), and the Rappahannock Regional Jail. A general description of this program is presented below.

Rappahannock Regional Adult Drug Treatment Court Profile

Eligibility Requirements

Participants must have the following characteristics:
- resident of Fredericksburg, Stafford, King George, or Spotsylvania; and
- one of the following charges: felony drug possession or attempt to possess, possession with intent to distribute (subject to Commonwealth Attorney review), prescription fraud, or non-violent felony property (including grand larceny, forgery, uttering, felony bad checks, and felony shoplifting).

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by an assessment that the treatment provider completes to include a diagnosis of substance dependence.

Disqualifying factors include:
- all distribution offenses (including imitation cocaine, marijuana etc.);
- other felony charges pending;
- parole violation;
- two or more violent misdemeanor in any five-year period;
- prior violent felony offenses regardless of age;
- prior acts of violence involving any weapons (this would include concealed weapon offenses); or
- prior distribution or possession with intent to distribute convictions, unless the offense is more than twenty years old.

Program Requirements

Phase I: (minimum = 4 to 12 weeks)
- group therapy at least 3 times per week for 1 hour and 30 minute sessions;
- urine drug screens and alcohol breathalyzer tests a minimum of 3 times per week and on a random basis;
- attendance at a minimum of two 12-step meetings (AA/NA) per week or an alternative support group;
- attendance at drug treatment court once per week;
- a minimum of 4 weeks of abstinence;
- attendance at all scheduled treatment sessions;
- a 12-step program sponsor;
- a minimum of 30 hours per week of employment (or enrollment in an education/training program);
- completion of MRT steps 1-4; and
- all court costs, restitution and drug treatment court fees paid up to date.

Phase II: (minimum = 4 to 6 months)
- group therapy at least 2 times per week for 1 hour and 30 minute sessions;
- attendance at a minimum of three 12-step meetings (AA/NA) or alternative support group per week and contact with AA/NA sponsor;
- urine drug screens and breathalyzer tests a minimum of 2 times per week and on a random basis;
- bimonthly attendance in drug treatment court;
- meeting treatment goals;
- participants should be working (or in an educational or training program);
- remained abstinent for at least eight weeks;
- completion of MRT steps 5-10; and
- all court costs, restitution and drug treatment court fees paid up to date.
Phase III: (minimum = 4 to 6 months)
- group therapy once per week for a 2-hour session;
- attendance at 12-step meetings or alternative support group a minimum of three times per week and weekly contact with AA/NA sponsor;
- urine drug screens and breathalyzer tests a minimum of once per week and on a random basis; and
- monthly attendance in drug treatment court.

Graduation criteria:
- minimum of 12 months of treatment;
- the ability to recognize personal relapse triggers;
- a personal relapse plan;
- a personal plan for continued recovery to include work with a sponsor;
- employment or enrollment in school;
- a minimum of 4 months of abstinence; and
- payment of all fees.

### Drug Testing Schedule
The Rappahannock Regional Adult Drug Treatment Court performs random drug testing.

### Participant Fees
Participants in the Rappahannock Regional Adult DTC program are responsible for the following fees:
- $20 per month treatment fee up to a maximum of $240; and
- $15 per day fee for Electronic Monitoring (if required as a court-ordered sanction).
Rappahannock Regional Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
One of the following offenses: felony possession of drugs, felony possession of drugs with intent to distribute (based on review by C.A.), prescription fraud, non-violent felony property offenses, any non-violent drug-driven charges.

**STEP 2:**
Pretrial Services conducts initial eligibility screening and decision tree with legal check.

**STEP 3:**
The CA and defense counsel determine overall suitability of defendants for referral to drug treatment court.

**STEP 4:**
Clinical assessment is conducted by the treatment supervisor.

**STEP 5:**
Defendants who agree to participate enter into a plea agreement. Imposition of the sentence is deferred; the offender is ordered into drug treatment court and placed on supervised probation.

**STEP 6:**
Charges are dismissed upon successful completion of the drug treatment court program and participants will not receive an active or suspended jail sentence.

- Defendants found to be unsuitable for participation in the drug treatment court program by the C.A. and defense counsel (or who choose not to participate) remain in the traditional criminal justice system.

- Defendants found to be ineligible based on the clinical assessment remain in the traditional criminal justice system.

- Unsuccessful termination from the program will not result in a dismissal or reduction of the original charge. Participants may receive an active and/or suspended jail sentence.
Richmond Adult Drug Treatment Court

The Richmond Adult Drug Treatment Court became operational in March 1998 and has the capacity to serve 75-100 offenders. This program is a collaborative effort among the Richmond Commonwealth’s Attorney’s Office, Public Defender’s Office, Circuit Court Judge, and Richmond Department of Corrections. A general description of this program is presented below.

Richmond Adult Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• non-violent criminal histories;</td>
</tr>
<tr>
<td>• have been convicted of a felony or misdemeanor or have a pending felony or misdemeanor case;</td>
</tr>
<tr>
<td>• are addicted to illegal drugs or alcohol;</td>
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<tr>
<td>• have not been convicted of a sex offense, or any sexual assault;</td>
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<tr>
<td>• are not drug distributors;</td>
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<tr>
<td>• have no significant mental health problems;</td>
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<tr>
<td>• volunteer for the program; and</td>
</tr>
<tr>
<td>• are approved by the Commonwealth’s Attorney.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI and a clinical interview.

<table>
<thead>
<tr>
<th>Disqualifying factors include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• history of possession with intent to distribute; and/or</td>
</tr>
<tr>
<td>• significant mental health issues.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Program Requirements</th>
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</thead>
<tbody>
<tr>
<td><strong>Phase 1: (minimum = 17 weeks)</strong></td>
</tr>
<tr>
<td>• gainful employment or enrollment in school;</td>
</tr>
<tr>
<td>• secure a home group and an AA, NA, or CA sponsor;</td>
</tr>
<tr>
<td>• written and/or oral presentation of an acceptable first step;</td>
</tr>
<tr>
<td>• attendance at two twelve step groups per week;</td>
</tr>
<tr>
<td>• attendance at a minimum of 51 group sessions with satisfactory group participation;</td>
</tr>
<tr>
<td>• attendance at all scheduled group and individual sessions, 12 step meetings and drug screens;</td>
</tr>
<tr>
<td>• submit to drug screens;</td>
</tr>
<tr>
<td>• participate in recreation and fellowship activities;</td>
</tr>
<tr>
<td>• appearance in court a minimum of twice per month;</td>
</tr>
<tr>
<td>• completion of 15 hours of community service;</td>
</tr>
<tr>
<td>• timely payment of Drug Treatment Court fees; and</td>
</tr>
<tr>
<td>• must complete the above in a minimum of 60 days.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Phase 2: (minimum = 17 weeks)</strong></th>
</tr>
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<tbody>
<tr>
<td>• remain employed or in school;</td>
</tr>
<tr>
<td>• become active in a home group;</td>
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<tr>
<td>• active participation in the group sessions;</td>
</tr>
<tr>
<td>• completion of a 2nd step workbook and discuss with group;</td>
</tr>
<tr>
<td>• attendance at two twelve step groups weekly;</td>
</tr>
<tr>
<td>• attendance at a minimum of 34 group sessions;</td>
</tr>
<tr>
<td>• attendance at all individual sessions with the clinician;</td>
</tr>
<tr>
<td>• submit to drug screens;</td>
</tr>
<tr>
<td>• attendance at all scheduled group and individual sessions;</td>
</tr>
<tr>
<td>• participation in recreation and fellowship activities;</td>
</tr>
<tr>
<td>• completion of 15 hours of community service; and</td>
</tr>
</tbody>
</table>
• timely payment of drug treatment court fees.

**Phase 3: (minimum = 17 weeks)**
• remain employed or in school;
• acting as a mentor for a new participant;
• completion of 15 hours of community service;
• exhibiting a leadership role in group;
• attendance at two 12 step group meetings;
• attendance at a minimum of seventeen group sessions;
• completion of 3rd step workbook and presentation of an acceptable relapse prevention plan;
• submitting to drug screens as directed by the staff;
• attendance at all scheduled group and individual sessions;
• attendance at one monthly meeting of the Drug Treatment Court Alumni Association; and
• timely payment of drug treatment court fees.

**Aftercare: (minimum = 6 months)**
• attend 2 drug treatment court group sessions each month for the first two months, one group session for the next two months, and none for the final two months;
• attend one individual session monthly with the clinicians;
• one Drug Treatment Court Alumni meeting monthly;
• submit a minimum of two NA/AA meeting slips weekly;
• complete a post-graduation interview with staff; and
• submit drug screens as directed.

**Graduation criteria:**
• a minimum of 300 continuous, sober/clean days, not including any in-patient treatment time;
• complete all 119 scheduled group sessions, in addition to Aftercare;
• complete required 12 step meetings (2 per week);
• complete all class work and homework assignments;
• secure a 12 step sponsor;
• secure a NA/AA home group;
• remain crime free;
• paid all drug treatment court fees; and
• complete a pre-graduation interview with staff.

Note: The number of sober/clean days required for graduation is accurate if the participant does not use substances in aftercare; however, if the participant uses in aftercare, they have to begin the Aftercare phase over, and complete only 180 days of sober/clean days.

**Drug Testing Schedule**
The Richmond Adult Drug Treatment Court performs both random and scheduled drug testing.

**Program Fees**
Participants in the Richmond Adult DTC program are responsible for the following fees:
• drug treatment court Fee is $5.00 per month; and
• community service component to help cover court costs.
Richmond Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Nonviolent drug offense, nonviolent property offense, or violation of probation charge

If there is no referral for a drug treatment court evaluation, the case remains in the traditional criminal justice system

**STEP 2:**
Anyone, including Commonwealth’s Attorneys, defense attorneys, Judges, probation officers, and defendants themselves, may request a drug treatment court referral

If the Commonwealth’s Attorney vetoes a referral, the case remains in the traditional criminal justice system

**STEP 3:**
Drug treatment court staff reviews the case for eligibility

Cases that do not meet eligibility criteria remain in the traditional criminal justice system

**STEP 4:**
Defendants who meet eligibility criteria are accepted into program for a probationary period and receive a substance abuse evaluation by Richmond Behavioral Health Authority or a private contractor

Defendants who do not meet treatment criteria (or who choose not to participate in the program) are terminated and must return to circuit court for sentencing

**STEP 5:**
Participants who successfully complete the program may receive alternative sentencing
Roanoke Adult Drug Treatment Court

The Roanoke Adult Drug Treatment Court became operational in September 1995 and has the capacity to serve 80 offenders. This program serves the 23rd judicial circuit within the County of Roanoke, City of Roanoke, City of Salem, and Town of Vinton, and is a collaborative effort among the Probation and Parole District 15 Office, Regional Community Criminal Justice Board, Blue Ridge Behavioral Health Care, and the 23rd Judicial Circuit Court. A general description of this program is presented below.

Roanoke Adult Drug Treatment Court Profile

Eligibility Requirements

Participants must have the following characteristics:
- a drug offense that did not involve violence or the use of a weapon; and
- commission of a crime that was a result of a drug dependency or addiction;

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI and the SASSI.

Disqualifying factors include:
- prior history of violence; and/or
- no pending charges, physical or mental condition, that would interfere with the successful completion of the conditions of diversion.

Program Requirements

Phase 1: (minimum = 2 weeks)
- report as directed by DRP staff;
- submit to random drug screens;
- keep all appointments for substance abuse treatment, education, and evaluations;
- report any changes in residence or employment within one hour of the change to DRP staff;
- perform community service, if required;
- abide by curfew (Sunday-Thursday, 9:00pm; Friday and Saturday 11:00pm);
- employment or employment search will be required if physically able;
- sanctions may be imposed for improper conduct or violation of the rules;
- complete a daily itinerary; and
- begin GED studies if offender does not have diploma or GED.

Phase 2: (minimum = 3 – 4 months)
- report to DRP as directed;
- submit to random drug screens;
- keep all appointments for substance abuse treatment, education, and evaluations;
- participate in all required treatment and educational classes according to an individualized program;
- perform community service if required;
- report any changes in residence or employment within one hour of the change to DRP staff;
- employment or employment search will be required if physically able;
- sanctions may be imposed for improper conduct or violation of the rules;
- continue to obey curfew; and
- continue GED work (if applicable).

Phase 3: (minimum = 7 – 9 months)
- report to DRP as directed;
- submit to random drug screens;
- begin transition from DRC treatment/education groups to community groups;
- maintain regular employment or continue ongoing job search;
- report any changes in residence or employment within one hour of the change to staff;
- continue to obey the curfew;
- complete re-entry group;
- be assigned a personal color; and
- continue GED work (if applicable).

Graduation Criteria:
- full time employment;
- total months clean to graduate is 6 months;
- all fees and restitution are paid in full;
- court cost should be paid in full or participants is making sufficient progress towards payment;
- must finish all groups; and
- participants complete a reentry project when going into Phase III.

<table>
<thead>
<tr>
<th><strong>Drug Testing Schedule</strong></th>
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</thead>
<tbody>
<tr>
<td>The Roanoke Adult Drug Treatment Court performs random drug testing.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Participant Fees</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants in the Roanoke Adult DTC program are responsible for the following fees:</td>
</tr>
<tr>
<td>- $450 treatment fee; and</td>
</tr>
<tr>
<td>- responsible for any court fees/restitution/fines.</td>
</tr>
</tbody>
</table>
Roanoke Adult Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Non-violent drug offense or other offense that occurred as a result of drug dependency or addiction

If there is no referral to drug treatment court, the case remains in the traditional criminal justice system

**STEP 2:**
Day Reporting Center determines eligibility for the drug treatment court program

**STEP 3:**
Defendants are informed of their initial eligibility for drug treatment court at arraignment

Offenders who decline the referral remain in the traditional criminal justice system

**STEP 4:**
If defendant wishes to be considered for the drug treatment court program, a comprehensive substance abuse screening is performed by a Day Reporting Program Probation and Parole Officer

If case is denied, the offender remains in the traditional criminal justice system

**STEP 5:**
If case is accepted, the offender pleads guilty and is ordered into the program under the court-ordered conditions of probation

 Defendants who are unsuccessful terminated from the program return to circuit court for disposition and sentencing

**STEP 6:**
Successful completion of the program may result in reduced or dismissed charges, depending on prior agreement between CA, defense attorney and drug treatment court judge
Staunton Adult Drug Treatment Court

The Staunton Adult Drug Treatment Court became operational in July 2002 and has the capacity to serve 20 offenders. This program is a collaborative effort among the Staunton Circuit Court, City of Staunton Commonwealth’s Attorney’s Office, Valley Community Services Board, Public Defender’s Office, City of Staunton Sheriff’s Office, Blue Ridge Community College, and Blue Ridge Court Services. A general description of this program is presented below.

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• non-violent offenders;</td>
</tr>
<tr>
<td>• demonstrable addiction or drug dependent;</td>
</tr>
<tr>
<td>• charged with the following offenses: simple possession of a schedule I or II controlled substance, attempt to Possess a Schedule I or II controlled substance, distribution or possession with intent to distribute a schedule I or II controlled substance, felony Distribution of marijuana with intent to distribute not more than two ounces, prescription forgery/fraud cases, driving Under the Influence – 3\textsuperscript{rd} Offense (Felony), probation violation – any probation violation on a drug case or a probation violation on a non-drug/non-violent felony offense if the violation is based on the use or possession of a controlled substance;</td>
</tr>
<tr>
<td>• drug dependency is verified by an alcohol and drug treatment professional;</td>
</tr>
<tr>
<td>• any distribution or possession with intent to distribute charge, there must be clear and credible independent evidence that the sale is for the purpose of financing the seller’s own addiction;</td>
</tr>
<tr>
<td>• residents of the Cities of Staunton or Waynesboro or Augusta County; and</td>
</tr>
<tr>
<td>• crimes are committed in the City of Staunton.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by clinical interview.

Disqualifying factors include:
• any prior conviction or pending charge for any violent offense or felony offense involving the use of a weapon;
• more than one prior conviction for distribution or possession with intent to distribute schedule I or II controlled substance, regardless of quantity;
• more than two prior convictions for possession of schedule I or II controlled substance, of any quantity within the last five years; and
• more than two prior probation violation convictions (within the preceding ten years) for a felony where there was penitentiary time imposed but suspended on the original felony conviction within the last five years.

<table>
<thead>
<tr>
<th>Program Requirements</th>
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<tbody>
<tr>
<td><strong>Phase 1: (minimum = 8 weeks)</strong></td>
</tr>
<tr>
<td>• start recommended treatment;</td>
</tr>
<tr>
<td>• urine screens five times a week for the first two weeks;</td>
</tr>
<tr>
<td>• urine screens three times a week thereafter;</td>
</tr>
<tr>
<td>• weekly Drug Treatment Court sessions;</td>
</tr>
<tr>
<td>• must stay for the entire Drug Treatment Court for the first four weeks;</td>
</tr>
<tr>
<td>• minimum once a week AA/NA meetings beginning the 3\textsuperscript{rd} week in the program;</td>
</tr>
<tr>
<td>• must report to the Judge in court on the location and topic of the meeting;</td>
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<tr>
<td>• 60 days clean;</td>
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<tr>
<td>• employment;</td>
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<tr>
<td>• school or actively seeking employment while doing community service; and</td>
</tr>
<tr>
<td>• treatment fees paid in full.</td>
</tr>
</tbody>
</table>

| **Phase 2: (minimum = 12 weeks)** |
| • must attend CSB treatment two hours per day, three days per week; |
| • must attend any additional classes that the drug team feels to be appropriate; |
• BRCS office visits per week;
• must provide BDCS urine drug screens three times per week;
• subject to BRCS random home visits from probation officer;
• must attend all Drug Treatment Court sessions;
• mandatory attendance at graduation;
• minimum of two AA/NA meetings per week;
• must provide documentation to judge regarding AA/NA meetings in court;
• must have AA/NA sponsor and home group to graduate from this phase;
• must meet staff goals concerning employment and/or school;
• must be employed by week six of phase 2;
• all treatment fees and BRCS fees must be paid in full; and
• must have 150 consecutive days clean;

Phase 3: (minimum = 16 weeks)
• any additional classes that the team feels to be appropriate;
• must provide BRCS with urine drug screens 2 to 3 times per week;
• must attend BRCS office visits twice per week;
• subject to BRCS random home visits from probation officer;
• must attend all drug treatment court sessions;
• mandatory attendance at graduation;
• must attend a minimum of four AA/NA meetings per week;
• must meet staff goals concerning employment and/or school; and
• all treatment fees and BRCS fees must be paid in full.

Phase 4: (minimum = 16 weeks)
• must attend Valley CSB treatment one and one half hours per day, one day per week;
• must attend BRCS office visits once per week;
• subject to BRCS random home visits from probation officer;
• must attend a minimum of four AA/NA meetings;
• must provide BRCS drug urine screens once a week or random screenings;
• must attend Drug Treatment Court once a month;
• mandatory attendance at graduation;
• all treatment fees paid in full;
• must make a one hour presentation to CSB treatment group; and
• must have 360 days clean.

Graduation criteria:
• successful completion of all phases;
• total days clean to graduate is 360; and
• a 200-word essay entitled “Why I am ready to graduate from the program” and presentation before the Drug Treatment Court Treatment Team.

Drug Testing Schedule
The Staunton Adult Drug Treatment Court performs random drug testing.

Program Fees
Participants in the Staunton Adult DTC program are responsible for the following fees:
• treatment fees are on a sliding scale; and
• drug Screen Fees based on month: Month One – No charge; Month Two - $5.00 per week; Month Three - $5.00 per week; Month Four – Twelve - $30.00 per month.
**Staunton Adult Drug Treatment Court**

**Referral and Admission Process**

**STEP 1:**
One of the following offenses:
- simple possession or attempted possession of a schedule 1 or 2 controlled substance;
- distribution with intent to distribute a schedule 1 or 2 controlled substance for personal use;
- felony distribution of marijuana with intent to distribute not more than 2 ounces;
- prescription forgery/fraud;
- DUI (3rd offense);
- and probation violation on a drug case (or non-drug case if violation is based on use or possession of a controlled substance).

**STEP 2:**
Drug testing and eligibility interview by Blue Ridge Court Services Pretrial Program

**STEP 3:**
Eligible offenders receive substance abuse evaluation by CSB

Ineligible offenders (and those offenders who refuse participation in the drug treatment court program) remain in the traditional criminal justice system.

**STEP 4:**
Cases are reviewed by the Staunton Drug Force Narcotics Unit to ensure that offenders have not been involved in any ongoing enterprise of selling drugs

Cases that are determined to be ineligible based on substance abuse evaluation remain in the traditional criminal justice system.

**STEP 5:**
Offenders who are deemed eligible by the CSB, Commonwealth's Attorney and Judge must waive their rights to a preliminary hearing and plead guilty to the charge before entering the program

Cases that are determined to be ineligible based on the Drug Force Narcotics evaluation remain in the traditional criminal justice system.

**STEP 6:**
Upon successful completion of program requirements, offenders may have the original charge dismissed (or reduced) or they may receive a suspended sentence, depending on the seriousness of the original charge

Defendants who do not successfully complete the drug treatment court program must return to Circuit Court for further prosecution and final sentencing.
Suffolk Adult Drug Treatment Court

The Suffolk Adult Drug Treatment Court became operational in May 2004 and has the capacity to serve 40 offenders. This program is a collaborative effort among the Judge, the Commonwealth’s Attorney, the Public Defender or other Defense Counsel, the Drug Treatment Court Probation Officer, and the Western Tidewater Community Services Board. A general description of this program is presented below.

Suffolk Adult Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>To be eligible for the Drug Treatment Court Program an offender must:</td>
</tr>
<tr>
<td>• commit an eligible offense;</td>
</tr>
<tr>
<td>• be alcohol or drug dependent;</td>
</tr>
<tr>
<td>• be a resident of the City of Suffolk;</td>
</tr>
<tr>
<td>• be willing and able to attend all mandated drug treatment court sessions, treatment sessions, and activities;</td>
</tr>
<tr>
<td>• have no prior convictions for a violent or weapons offense or a predatory sexual offense;</td>
</tr>
<tr>
<td>• have no history of violent mental illness;</td>
</tr>
<tr>
<td>• have no other charges pending;</td>
</tr>
<tr>
<td>• plead guilty before participation in the Drug Treatment Court program; and</td>
</tr>
<tr>
<td>• eligible offenses include possession of a Schedule I or II controlled substance, third offense larceny, felony driving after habitual offender adjudication, forgery and/or uttering, larceny by check, prescription fraud.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the SSI and a clinical interview.

Disqualifying factors include:
• violent offenders as defined by Federal Law, or
• one or more prior convictions for a felony crime or violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

<table>
<thead>
<tr>
<th>Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase I: (minimum = 120 days)</td>
</tr>
<tr>
<td>• appear before the drug treatment court judge each week;</td>
</tr>
<tr>
<td>• complete orientation with Western Tidewater Community Services Board;</td>
</tr>
<tr>
<td>• make 2 contacts with the drug treatment court probation officer;</td>
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<tr>
<td>• complete all required drug treatment court paperwork;</td>
</tr>
<tr>
<td>• submit participation fee;</td>
</tr>
<tr>
<td>• appear before the drug treatment court judge each week;</td>
</tr>
<tr>
<td>• attend a minimum of 3 group counseling sessions each week;</td>
</tr>
<tr>
<td>• attend 1 individual or family counseling sessions each week;</td>
</tr>
<tr>
<td>• attend 4 AA or NA meetings each week;</td>
</tr>
<tr>
<td>• successfully adopt an AA or NA sponsor;</td>
</tr>
<tr>
<td>• maintain weekly contact with AA/NA sponsor;</td>
</tr>
<tr>
<td>• submit to 3 random drug screenings per week;</td>
</tr>
<tr>
<td>• arrange for and initiate payment of all fines, fees, and other costs;</td>
</tr>
<tr>
<td>• if unemployed, actively seek employment unless enrolled in an educational training program; and</td>
</tr>
<tr>
<td>• maintain a minimum of 60 days without a positive drug screen to advance to the next phase.</td>
</tr>
</tbody>
</table>

| Phase II: (minimum = 120 days) |
| • appear before the drug treatment court judge every 1\textsuperscript{st} and 3\textsuperscript{rd} or 2\textsuperscript{nd} and 4\textsuperscript{th} Thursday of each month as assigned by the drug treatment court judge; |
| • attend a minimum of 2 group counseling sessions each week; |
| • attend a minimum of 1 individual or family counseling session each week; |
• attend a minimum of 3 AA or NA meetings each week;
• maintain weekly contact with AA/NA sponsor;
• submit to 2 random drug screenings per week;
• make acceptable progress towards payment of all fines, fees, and court costs;
• maintain employment or participation in educational training program (as appropriate); if unemployed, actively seek employment;
• successfully complete any assigned community service work;
• meet with drug treatment court probation officer weekly;
• maintain a minimum of 90 days without a positive drug screen to advance to next phase; and
• have no new arrests or criminal charges.

Phase III: (minimum = 120 days)
• appear before the drug treatment court judge monthly;
• attend a minimum of 1 groups counseling session each week;
• attended individual or family counseling as needed;
• attend 2 AA or NA meetings each week;
• maintain weekly contact with AA/NA sponsor;
• submit to 2 random drug screenings each month;
• make acceptable progress towards payment of all fines, fees, and court costs;
• maintain employment or participation in educational training program (as appropriate);
• successfully complete any assigned community service work;
• maintain a stable residence;
• maintain a minimum of 180 days without a positive drug screen to advance to the next phase;
• meet with probation officer every other week (twice monthly);
• have no new arrests or criminal charges; and
• successfully complete all requirements for graduation from the drug treatment court program.

Although fewer appearances by participants before the drug treatment court judge are required in Phases 2 and 3, participants are encouraged to voluntarily continue to appear in drug treatment court as an example of success and to provide encouragement and support for Phase 1 participants.

Graduation criteria:
When an individual successfully completes the requirements of the drug treatment court program, they will graduate from the program. Graduation from the program may be followed by a period of unsupervised probation/good behavior. Additionally, each graduate is required to meet with the drug treatment court program director for an exit interview twelve months after graduation.
• successful completion of the criteria for each phase of the drug treatment court program;
• 6 months without a positive drug screen;
• payment in full of program fees, fines, and court costs;
• gainful employment and/or participation in an education or training program;
• consistent, stable residence;
• favorable treatment summary;
• written aftercare plan;
• completion of specialized probation terms;
• no new felony or misdemeanor charges; and
• no new arrests.

Drug Testing Schedule
The Suffolk Adult Drug Treatment Court performs both random and scheduled drug testing.

Program Fees
Participants in the Suffolk Adult DTC program are responsible for the following fees:
• $50.00 participation fee; paid in full within 30 days of the first Drug Treatment Court session; and
• $25.00 treatment cost/weekly for the duration of treatment.
STEP 1: One of the following offenses: possession of a schedule I or II controlled substance, third offense larceny, felony driving after habitual offender adjudication, forgery and/or uttering, larceny by check, or prescription fraud, or a violation of probation.

STEP 2: Defense attorneys, jail staff, and probation officers may refer cases for a drug treatment court evaluation.


STEP 4: A clinical therapist at Western Tidewater CSB performs a substance abuse evaluation for all eligible cases.

STEP 5: Defendants who are found to be eligible and who agree to participate in the program must plead guilty and complete all program requirements.

STEP 6: Charge may be dismissed or reduced upon successful completion of drug treatment court program.

If there is no referral for a drug treatment court evaluation, the case remains in the traditional criminal justice system.

Ineligible offenders (and those offenders who refuse participation in the drug treatment court program) remain in the traditional criminal justice system.

Cases that are determined to be ineligible based on substance abuse evaluation remain in the traditional criminal justice system.

Defendants who do not successfully complete the drug treatment court program must return to circuit court for sentencing.
The Tazewell Adult Drug Treatment Court became operational in February 2005 and has the capacity to serve 15 offenders. This program is a collaborative effort among the Tazewell County Circuit Court, Tazewell County District Court, Tazewell County Commonwealth Attorney’s Office, Tazewell County Sheriff’s Department, 43rd District Adult Probation and Parole, and Cumberland Mountain Community Services. A general description of this program is presented below. Tazewell Adult Drug Treatment Court Program remains in the pilot phase until it completes the application process as adopted by the statewide drug treatment court advisory committee as statute requires.

### Tazewell Adult Drug Treatment Court Profile (pilot)

**Eligibility Requirements**

Participants must have the following characteristics:

- voluntary;
- a resident of Tazewell County;
- may have a brief history of misdemeanor assault;
- age 18 or over at the time of sentencing or adjudicated as an adult;
- clinically evaluated to meet the DSM IV criteria for either a Substance Abuse or Substance Dependence/Addiction Diagnosis;
- offenders with a co-occurring diagnosis of mental illness are reviewed for enrollment on an individual basis (excluding unsuccessfully managed psychotic disorders); and
- one of the following drug-driven charges: DUI 3rd offense, possession, forgery and uttering, larceny, embezzlement, most property crimes, fraud, and accommodation.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a clinical interview and a psychosocial assessment.

Disqualifying factors include:

- violent offender history;
- prior distributor;
- prior weapons offender;
- prior sex offender;
- offenders with unsuccessfully managed psychotic disorders;
- offenders with chronic medical problems being treated with addictive medications;
- offenders with medical problems that would preclude them from actively and regularly participating in all parts of the Tazewell County Adult Drug Treatment Court program; or
- one of the following charges: misdemeanors, distribution, conspiracy to sell drugs, violent offenses, weapons, burglary of an occupied dwelling, sex offenses, offenses considered Category I and II offenses as defined by the Virginia Criminal Sentencing Commission.
### Program Requirements

**Phase I: (minimum = 12 weeks)**
- four (4) days per week of intensive outpatient orientation/assessment/psycho-education;
- includes orientation, assessment, the initial thirty (30) days of substance abuse psycho-education, 12 Step or other community support groups, individual counseling and/or group counseling;
- test of Adult Basic Ed and Career Assessment Battery for vocational/educational screenings and referral;
- referral to ancillary services as appropriate;
- possible referral to detox/residential services, a criminal justice half-way house (SECOR), or the Appalachian Detention Center;
- weekly drug treatment court review;
- thirty (30) consecutive days of abstinence verified by drug screens;
- choose and initiate consistent participation in 12 Step or other community support groups;
- verified attendance in 12 Step or other community support groups; and
- satisfactory progress towards treatment plan goals.

**Phase II: (minimum = 16 weeks)**
- implement strategies for addressing financial accountability for outstanding debts and fines;
- weekly or bi-weekly drug treatment court reviews;
- three to four days per week of intensive outpatient treatment with progression to two days a week towards the end of phase II;
- ninety (90) days of consecutive abstinence verified by drug screens;
- verified attendance in 12 Step or other community support groups;
- participation in job training or academic enhancement programs or in obtaining and maintaining employment;
- maintaining a stable residence;
- establishing a written plan to meet any outstanding financial obligations; and
- compliance with any community service requirements.

**Phase III: (minimum = 24 weeks)**
- mentoring new phase I participants;
- monthly drug treatment court reviews;
- implemented strategies for addressing financial accountability for outstanding debts and fines; and
- one day per week of treatment.

**Graduation criteria:**
- one hundred and eighty (180) days of consecutive abstinence verified by drug screens;
- consistent participation in 12 Step or other community support groups;
- verified attendance in 12 Step or other community support groups;
- satisfactory progress in job training or academic enhancement programs or in maintaining employment;
- maintaining a stable residence;
- documented payment of outstanding financial obligations, i.e., fines, restitution, treatment costs;
- absence of any pending criminal charges as described in the disqualification criteria; and
- completion of any community service requirements.

### Drug Testing Schedule

The Tazewell Adult Drug Treatment Court performs random drug testing.

### Program Fees

Participants in the Tazewell Adult DTC program are responsible for the following fees:
- no drug treatment court fee;
- treatment fees are on a sliding scale; and
- community service component
- 2 days per week to contribute towards court costs.
STEP 1: One of the following offenses: DUI (3rd offense), drug possession, forgery and uttering, larceny, embezzlement, most property crimes, fraud, and accommodation

If there is no referral for a drug treatment court evaluation, the case remains in the traditional criminal justice system

STEP 2: Commonwealth’s Attorneys and defense attorneys identify cases for a drug treatment court evaluation

STEP 3: Commonwealth’s Attorneys and probation officers (for probation violators) determine eligibility for drug treatment court

Ineligible offenders (and those offenders who refuse participation in the drug treatment court program) remain in the traditional criminal justice system

STEP 4: The CSB performs a substance abuse evaluation for all eligible cases

Cases that are determined to be ineligible based on substance abuse evaluation remain in the traditional criminal justice system

STEP 5: Defendants who are found to be eligible based on substance abuse evaluation and who agree to participate in the program must plead guilty and complete all program requirements

Defendants who do not successfully complete the drug treatment court program must return to circuit court for final disposition and sentencing

STEP 6: The range of dispositions after successful completion includes the following: dismissal of the original charge, reduction of the original charge to a misdemeanor, no incarceration for the original charge or a holding of findings
Appendix D

Locality-Specific Profiles and Referral Flow Charts for Virginia’s Juvenile Drug Treatment Court Programs
Chesterfield/Colonial Heights Juvenile Drug Treatment Court

The Chesterfield/Colonial Heights Juvenile Drug Treatment Court began as a pilot program in January 2003 and became fully operational in March 2004. This program has the capacity to serve 25 offenders currently with the potential for increasing capacity by 12. This program is a collaborative effort between the judiciary, Commonwealth’s Attorney’s office, police department, public school system, juvenile probation, mental health, and the private bar. A general description of this program is presented below.

Chesterfield/Colonial Heights Juvenile Drug Treatment Court Profile

Eligibility Requirements

Participants must have the following characteristics:
- must be eligible for commitment to the Department of Juvenile Justice;
- must be 14 – 17.5 years of age;
- must reside in Chesterfield County or the City of Colonial Heights;
- will accept multiple charges stemming from the same incident; and
- youth should acknowledge guilt and recognize the negative impact drugs have had on their lifestyle.

In addition, participants must be deemed appropriate for substance abuse treatment as indicated by a Risk Inventory, SASSI II, PADDI, and a clinical and intake interview.

Disqualifying factors include:
- an offense that is an automatic transfer offense;
- a firearms charge;
- youth with drug distribution charges but no drug use; or
- any violent present or past history as defined by code, including sex offenses.

Program Requirements

Phase I: (minimum = 2 months)
- weekly court appearances;
- drug screens a minimum of three times per week;
- 6:00pm curfew
- intensive case management;
- must be employed or in school/GED program/alternative program;
- attends required AA/NA meetings;
- completes community services as required;
- individual therapy once per week;
- family therapy once per week; and
- 15 days minimum clean time.

Phase II: (minimum = 4 months)
- weekly court appearances;
- drug screens a minimum of three times per week;
- 7:00pm curfew;
- intensive case management;
- must be employed or in school/GED program/alternative program;
- attends required AA/NA meetings;
- completes community service as required;
- police and PO visits in home/school/office, etc.
- primary care group with youth and parent;
- individual and family therapy; and
- 30 days minimum clean time.
Phase III: (minimum = 3 months)

- biweekly court appearances;
- drug screens at least twice per week;
- 8:00pm curfew – weeknights and 9:00pm curfew on weekends;
- must be employed or in school/GED program/alternative program;
- attends required AA/NA meetings;
- completes community service as required;
- police and PO visits in home/school/office, etc.
- transitional skills group;
- individual and family counseling as needed; and
- 60 days minimum clean time.

Phase IV: (minimum = 3 months)

- monthly court appearances;
- drug screens at least weekly;
- 9:00pm curfew – weeknights and 10:00pm curfew on weekends;
- police and PO visits in home/school/office, etc.
- life skills group;
- individual and family contact as needed; and
- 120 days minimum clean time.

Graduation criteria:

- program participation for a minimum of 12 months;
- no major violations for the past 120 days;
- must be employed or in school/GED program/alternative program;
- abstinent for 120 days;
- attended all required AA/NA meetings for the past 60 days;
- made up all absences from treatment;
- paid all program costs/fees;
- completed all community service assignments;
- complied with curfew for the past 60 days;
- current on restitution payments;
- has not been in detention for the past 120 days; and
- not currently on electronic monitoring.

Drug Testing Schedule

The Chesterfield/Colonial Heights Juvenile Drug Treatment Court performs both random and scheduled drug testing.

Participant Fees

Participants in the Chesterfield/Colonial Heights Juvenile DTC program are responsible for the following fees:

- treatment fees based on CSB’s scale.
**Chesterfield/Colonial Heights Juvenile Drug Treatment Court**

**Referral and Admission Process**

**STEP 1:**
Juveniles with new charges or probation violation charges for an eligible offense

If there is no request for a review by the juvenile drug treatment court community supervision officer, the case remains in the traditional criminal justice system

**STEP 2:**
Referrals made by probation officers, parole officers, intake, and the judges to the Juvenile Drug Treatment Court Community (JDC) Supervision Officer

**STEP 3:**
The JDC Community Supervision Officer will review the youth’s criminal history to determine eligibility and confer with the Commonwealth’s Attorney to determine appropriateness for assessment

Defendants who do not meet criteria are returned to the referral source

**STEP 4:**
If the juvenile and parents agree to the referral and remain interested in the program, the judge will order an assessment

If the juvenile and parents deny the program, the case remains in the J&DR court system

**STEP 5:**
JDC Supervision Officer will confer with mental health clinician to conduct substance abuse evaluation and clinical interview

If the juvenile is deemed ineligible for drug treatment court, the case remains in the J&DR court system

**STEP 6:**
If accepted, the drug treatment court judge orders the juvenile to successfully complete the drug treatment court program and the juvenile enters a guilty plea

Unsuccessful termination from the program results in commitment to either jail or DJJ, depending on age

**STEP 7:**
Successful completion of the program results in dismissed charges and the avoidance of a commitment to DJJ/jail
Fairfax County Juvenile Drug Treatment Court

The Fairfax County Juvenile Drug Treatment Court became operational in May 2003 and has the capacity to serve 12 offenders. This program is a collaborative effort among the Fairfax County J&DR Court, the Fairfax County Commonwealth’s Attorney, the Fairfax County Office of the Public Defender, the Fairfax-Falls Church Community Services Board, the Fairfax County School System, the Fairfax County CSU, and the Fairfax County Department of Family Services. A general description of this program is presented below.

Fairfax County Juvenile Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• resident of Fairfax County at the time of entry into the program;</td>
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<tr>
<td>• age 15 to 17 at the time of entry into the program;</td>
</tr>
<tr>
<td>• has been or is eligible for or currently on probation or parole for a detainable offense;</td>
</tr>
<tr>
<td>• has had previous substance abuse education/treatment services; and</td>
</tr>
<tr>
<td>• a willingness to accept responsibility for his or her actions and a willingness to make a change.</td>
</tr>
</tbody>
</table>

In addition, participants must also be deemed appropriate for substance abuse treatment, as indicated by the ASAM, the DSM IV, the SASSI-II and other in-house screening tools.

Disqualifying factors include:
• classification as a “violent offender” as defined by previous federal statute;
• prior or current sex, arson, drug distribution (except as an accommodation), or possession with intent to distribute (except as an accommodation) conviction; or
• severe mental illness or mental retardation that would interfere with treatment.

Program Requirements

Phase I: (minimum = 90 days)
• attendance at weekly court status hearings;
• weekly face-to-face meetings with Probation Officer;
• random urine drug screens a minimum of 2 times per week and random breathalyzer tests a minimum of once per week;
• attendance at individual, family and group substance abuse therapy and other group activities as required by the treatment plan;
• attendance at individual, family and group mental health therapy sessions as required by the treatment plan;
• daily attendance at school or vocational training/employment as required;
• completion of assigned reading and writing tasks;
• attendance at other drug treatment court events as directed;
• parent or guardian progress report on juvenile’s progress during weekly contact with probation officer;
• juvenile and family participation in a minimum of one home visit per month from probation officer;
• a minimum of 30 consecutive days of abstinence;
• no unexcused absences from all scheduled status hearings, treatment, probation meetings, school or vocational training/employment;
• completion of any assigned tasks;
• demonstration of work toward meeting goals; and
• an application for advancement in which the juvenile demonstrates why he/she is ready to advance to the next level.

Phase II: (minimum = 90 days)
• attendance at weekly court status hearings;
• weekly face-to-face meetings with probation officer;
• random urine drug screens a minimum of once per week and random breathalyzer tests a minimum of once per week;
• attendance at individual, family and group substance abuse therapy and other group activities as required by the treatment plan;
• attendance at individual, family and group mental health therapy sessions as required by the treatment plan;
• daily attendance at school or vocational training/employment as required;
• developing a support network;
• attendance at other drug treatment court events as directed;
• parent or guardian progress report on juvenile’s progress during weekly contact with probation officer;
• juvenile and family participation in a minimum of one home visit per month from probation officer;
• a minimum of 60 consecutive days of abstinence;
• no unexcused absences from all scheduled status hearings, treatment, probation meetings, school or vocational training/employment;
• established support network;
• demonstrated understanding of relapse prevention plan;
• completion of any assigned tasks; and
• an application for advancement in which the juvenile demonstrates why he/she is ready to advance to the next level.

Phase III: (minimum = 90 days)
• attendance at court status hearings every two weeks;
• bi-weekly face-to-face meetings with probation officer;
• random urine drug screens a minimum of once every 2 weeks and random breathalyzer tests a minimum of once per week;
• attendance at individual, family and group substance abuse therapy and other group activities as required by the treatment plan;
• attendance at individual, family and group mental health therapy sessions as required by the treatment plan;
• daily attendance at school or vocational training/employment as required;
• continuing to implement relapse prevention plan;
• developing a support network;
• attendance at other drug treatment court events as directed;
• parent or guardian progress report on juvenile’s progress during weekly contact with probation officer;
• juvenile and family participation in a home visit from probation officer as needed;
• a minimum of 90 consecutive days of abstinence;
• no unexcused absences from all scheduled status hearings, treatment, probation meetings, school or vocational training/employment; and
• an application for advancement in which the juvenile demonstrates why he/she is ready to graduate from the program.

Graduation criteria:
• participation in the program for a minimum of 12 months;
• satisfactory completion of all drug treatment court phases, including aftercare;
• remained drug free continuously for the last 6 consecutive months;
• completion of all court sanctions;
• compliance with ADS/MH treatment requirements;
• regular attendance at juvenile drug treatment court sessions; and
• no new violations of the law.

Drug Testing Schedule
The Fairfax Juvenile Drug Treatment Court program performs random drug testing.

Participant Fees
The Fairfax Juvenile DTC program does not impose participant fees, but fines may be imposed for violating the dress code, smoking, being late, not looking for a job, or not attending treatment.
STEP 1:
Juveniles who have been (or are eligible for or currently on) probation or parole for a detainable delinquent offense; new charges

If there is no request for a review by the drug treatment court coordinator, the case remains in the traditional criminal justice system

STEP 2:
Referrals to the drug treatment court coordinator may come from parents, Commonwealth’s Attorneys, court staff, school staff, substance abuse counselors or any other system representative

STEP 3:
Substance abuse assessments are conducted by counselors from either a private provider or a member of the Alcohol and Drug Services Forensics Team

Defendants who do not meet criteria for treatment remain in the J&DR court system

STEP 4:
For juveniles who are found to be eligible, the defense attorney contacts the CA to discuss the disposition of the case if and after the juvenile successfully completes the program

Juveniles who decline the referral remain in the J&DR court system

STEP 5:
If the juvenile and parents agree to the referral, the juvenile drug treatment court team reviews the case for final acceptance

If denied, the Coordinator advises the juvenile and parents of the denial and the case remains in the J&DR court system

STEP 6:
If accepted, the trial judge orders the juvenile to successfully complete the drug treatment court program

Unsuccessful termination from the program results in a violation of probation charge and a new hearing before the judge who ordered the juvenile into the program

STEP 7:
Successful completion of the program may result in a reduced sentence, dismissed charges, or the avoidance of a commitment to DJJ, depending on prior agreement between CA, defense attorney, and drug court team
Hanover County Juvenile Drug Treatment Court

The Hanover County Juvenile Drug Treatment Court became operational in May 2003 and has the capacity to serve 15 offenders. The Hanover County Juvenile Drug Treatment Court is a collaborative effort among Hanover Community Services (HCS), Hanover Public Schools (HPS), Hanover Commonwealth Attorney’s Office (CA), Hanover Juvenile and Domestic Relations Court (J&DR), and Hanover Court Service Unit (CSU). A general description of this program is presented below.

Hanover County Juvenile Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
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<tbody>
<tr>
<td>Participants must meet the following criteria:</td>
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<tr>
<td>• 13 - 17 years of age at time of entry into the program;</td>
</tr>
<tr>
<td>• misdemeanor charges with substance abuse as an associated factor or felony drug/alcohol related crime except drug distribution;</td>
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<tr>
<td>• no previous/current violent convictions as defined in the Code of Virginia, section 17.1-805;</td>
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<tr>
<td>• no diagnosis of serious mental illness which would interfere in substance abuse treatment;</td>
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<tr>
<td>• identifiable substance abuse diagnosis;</td>
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<tr>
<td>• the juvenile and parent/guardian are willing to participate;</td>
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<tr>
<td>• participation in the program does not present a legal or safety issue for the community; and</td>
</tr>
<tr>
<td>• resident of Hanover County.</td>
</tr>
</tbody>
</table>

The Commonwealth Attorney has the authority to prosecute any criminal case arising therein which he deems advisable to prosecute, expect to the extent the participating attorney for the Commonwealth agrees to do so. In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a clinical assessment, a family interview, the Global Appraisal of Individual Needs (GAIN), and may administer an adult SASSI.

Disqualifying factors include:
• previous violent conviction as defined in the Code of Virginia, section 17.1-805; and
• diagnosis of serious mental illness which would interfere in substance abuse treatment.

<table>
<thead>
<tr>
<th>Program Requirements</th>
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<tbody>
<tr>
<td><strong>Level I: (minimum = 6-8 weeks)</strong></td>
</tr>
<tr>
<td>• attendance at all groups;</td>
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<tr>
<td>• completion of initial GAIN assessment;</td>
</tr>
<tr>
<td>• appropriate participation in group therapy;</td>
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<tr>
<td>• current in payment on treatment fees;</td>
</tr>
<tr>
<td>• attendance at judicial status reviews, board reviews and graduation;</td>
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<tr>
<td>• 14 days of clean drug screens/breathalyzer test;</td>
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<tr>
<td>• completion of all homework assignments;</td>
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<tr>
<td>• substance abuse history presented in group and court;</td>
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<tr>
<td>• completion of treatment plan objectives for Level 1;</td>
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<tr>
<td>• overall progress in education and employment functioning, psychological improvement;</td>
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<tr>
<td>• positive group and family interactions; and</td>
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<tr>
<td>• following all probation and family rules.</td>
</tr>
</tbody>
</table>

**Level II: (minimum = 15-25 weeks)**
• attendance at all group sessions;
• completion of all 90 day GAIN assessments, as determined by length in program;
• current in payment on treatment fees;
• attendance at judicial status reviews, board reviews and graduation;
• provide 8 consecutive weeks of clean drug screens/breathalyzer test;
• successfully implemented new interest and appropriately reported progress to the team;
• completion of all homework assignments;
• present Life Story in group and court;
• completion of treatment plan objectives for level 2;
• overall progress in education and employment functioning; psychological improvement;
• positive group and family interactions; and
• following all probation and family rules.

**Level III: (minimum = 15-20 weeks)**
• attendance at all group sessions;
• completion of all 90 day GAIN assessments, as determined by your length in program;
• current in payment on treatment fees;
• attendance at judicial status reviews, board reviews and graduations;
• provide 10 consecutive weeks of clean drug screens/breathalyzer test;
• successfully implemented new interest and appropriately reported progress to the team;
• participated in 2 family activities per month;
• completion of all homework assignments;
• develop and present Community Service Work Project proposal to Board;
• present completed Community Service Work Project report to Board;
• present Relapse Prevention plan in group and court;
• completion of treatment plan objectives for level 3;
• overall progress in education and employment functioning; psychological improvement;
• positive group and family interactions; and
• following all probation and family rules.

**Level IV: (minimum = 15-24 weeks)**
• attendance at all group sessions;
• completion of all 90 day GAIN assessments, as determined by your length in program;
• current in payment on treatment fees;
• attendance at judicial status reviews, board reviews and graduations;
• provide 15 consecutive weeks of clean drug screens/breathalyzer tests;
• successfully implemented new interest and appropriately reported progress to the team;
• plan family activity for the program;
• participated in 2 family activities per month;
• completion of all homework assignments;
• mentor other participants;
• completion of treatment plan objectives for level 4;
• overall progress in education and employment functioning; psychological improvement;
• positive group and family interactions; and
• following all probation and family rules.

**Graduation criteria:**
• attendance at all group sessions and current in payment on treatment fees;
• attendance at judicial status reviews, board reviews, and graduations;
• provide 15 consecutive weeks of clean drug screens;
• attendance at two 12 step meetings per week for 15 consecutive weeks;
• maintain and demonstrate a relationship with a 12 step sponsor; and
• completion of all homework assignments.

**Drug Testing Schedule**
The Hanover County Juvenile Drug Treatment Court performs random drug testing.

**Participant Fees**
Participants in the Hanover County Juvenile DTC program are responsible for the following fees:
• entry into Drug Treatment Court - $100; Level 1 - $100 per month; Level 2 - $100 per month; Level 3 - $100 per month; Level 4 - no cost; and
• counseling and psychiatric services : 3rd party insurance and monthly maximum fees assessed at HCS. VJCCA, CSA as appropriate.
**Hanover Juvenile Drug Treatment Court**

**Referral and Admission Process**

**STEP 1:**
Referrals come from one of the following sources: 1) CSB staff identify juveniles in substance abuse education program who may be appropriate for the program; 2) misdemeanor charge with substance abuse as an associated factor or felony drug/alcohol related charge (not including drug distribution); or 3) probation officers identify juveniles with violation of probation charges who may be appropriate for the program. (Referrals may also come from schools, defense attorneys, and Commonwealth’s Attorneys.)

**STEP 2:**
Commonwealth’s Attorney (CA) approves case for drug treatment court participation if juvenile has been charged with an offense. If CA determines case is not appropriate for drug treatment court or defendant does not wish to participate in the program, the case remains in the J&DR court system.

**STEP 3:**
Drug Treatment Court coordinator interviews family, conducts substance abuse assessment, and performs criminal history screening to determine eligibility. If the drug treatment court coordinator determines juvenile is not eligible for the program, the case remains in the J&DR system.

**STEP 4:**
For juveniles who are found to be eligible, dispositions are deferred until program completion. Juveniles who do not complete the program return to the J&DR court system for final disposition.

**STEP 5:**
Successful completion of the program may result in a reduced sentence or dismissed charges.
Newport News Juvenile Drug Treatment Court

The Newport News Juvenile Drug Treatment Court became operational in March 2002 and has the capacity to serve 25 offenders. This program is a collaborative effort between the Newport News Juvenile and Domestic Relations District Court, the Commonwealth Attorney’s office, the Public Defender’s Office, the school system, probation, and treatment professionals. A general description of this program is presented below.

Newport News Juvenile Drug Treatment Court Profile

Eligibility Requirements
Participants must have the following characteristics:

- 12 – 17 years of age;
- resident of Newport News;
- post-adjudicated and dispositional;
- identified or history of alcohol and/or other drugs beyond an experimental stage; and
- charge with delinquency and/or status offenses.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated SASSI-II, BERS, BASC, and a biopsychosocial assessment.

Disqualifying factors include:
- drug dealers;
- gang-related offenders;
- weapon charged offenders;
- sexual offenders; and/or
- violent offenders.

Program Requirements

Phase I: (minimum = 30 days)
- attend drug treatment court weekly;
- family and individual therapy as directed by treatment coordinator;
- random UDS/breathalyzer minimum three times a week;
- journal entries as assigned;
- attend and demonstrate effort in school/GED program;
- other programs as needed; and
- remain drug and alcohol free.

Phase II: (minimum = 3 months)
- in order to complete this phase, you must complete pro-social activities (such as helping out at home, church, or the community);
- attend drug treatment court biweekly;
- random UDS/breathalyzer minimum 2 times per week;
- group, family and/or individual therapy as directed by treatment coordinator;
- identified mentor;
- journal entries as assigned;
- complete job skills;
- other programs as needed;
- attend and demonstrate effort in school/GED; and
- remain drug and alcohol free.

Phase III: (minimum = 3 months)
- attend Drug Treatment Court every three weeks;
- group therapy as directed by treatment coordinator;
- random UDS/breathalyzer upon request by the drug treatment court team (minimum once per week);
• attend and demonstrate effort in school/GED/work;
• monthly individual/group therapy sessions;
• family therapy monthly;
• other programs as needed;
• remain drug and alcohol free;
• socializes with a network of positive peers during recreational time; and
• acts as a positive role model for other drug treatment court participants.

Phase IV: (minimum = 3 months)
• attend drug treatment court every four weeks;
• random urine screens upon request by the drug treatment court team;
• attend and demonstrate effort in school/GED/work;
• other programs as needed;
• finalize relapse plan;
• transitions linkage; and
• remain drug and alcohol free.

Graduation criteria:
• $20 drug treatment court fee paid in full or 20 hours of community service; and
• continually engaged in work or school/GED/alternative program.

**Drug Testing Schedule**
The Newport News Juvenile Drug Treatment Court performs random drug testing.

**Participant Fees**
Participants in the Newport News Juvenile DTC program are responsible for the following fees:
• $20 Drug Treatment Court fee per year, or 20 hours of community service.
Newport News Juvenile Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Charged with delinquency and/or status offenses and have an identified or history of alcohol and/or other drugs beyond an experimental stage, with a guilty plea/stipulation or adjudication that evidence is sufficient

If no referral is made by the court, the case remains in the J&DR system

**STEP 2:**
A referral is made from the J&DR court, police department, parents/guardians, citizens, schools systems, and the court services unit

Defendants who do not meet criteria for treatment and supervision (or who refuse participation in the drug treatment court program) remain in the J&DR system

**STEP 3:**
Full legal and clinical assessment is completed prior to being referred to the judge; Commonwealth’s Attorney must approve eligibility

Defendants who commit a violation or who do not complete the program may be terminated from the program and are referred back to the J&DR system

**STEP 4:**
Defendants who meet criteria for treatment and supervision are accepted into the program

Defendants who do not meet criteria for treatment and supervision (or who refuse participation in the drug treatment court program) remain in the J&DR system

**STEP 5:**
After successful completion of the drug treatment court program, participants are released from probation, and/or charges may be dismissed or reduced

If no referral is made by the court, the case remains in the J&DR system
Prince William Juvenile Drug Treatment Court

The Prince William Juvenile Drug Treatment Court became operational in February 2004 and has the capacity to serve 12 offenders. This program is a collaborative effort among the Prince William County Juvenile Court Judge, Assistant Commonwealth’s Attorney, Defense Attorney, Probation Officers, Education/School Representatives, Treatment Professionals, Police Officers, and Analysts/Evaluators, Clerk of the Court, other agencies and community resources. A general description of this program is presented below.

Prince William Juvenile Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
</tr>
<tr>
<td>• between the ages of 13 and 18;</td>
</tr>
<tr>
<td>• a pending legal matter before the court, including new charges and probation violations;</td>
</tr>
<tr>
<td>• a history of alcohol or other drug use;</td>
</tr>
<tr>
<td>• charges do not specifically have to be drug charges, but should be related to drug seeking behavior, for example, a Grand Larceny charge which is the result of theft for the purchase of drugs;</td>
</tr>
<tr>
<td>• substance abuse screening indicates a need for treatment;</td>
</tr>
<tr>
<td>• potential for success/willingness to participate;</td>
</tr>
<tr>
<td>• resident of Manassas City, Manassas Park, or Prince William County; and</td>
</tr>
<tr>
<td>• non-violent offender (see note below).</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a clinical interview.

Disqualifying factors include:
A Violent Offender for the purposes of this program is defined as a person who has been convicted of or adjudicated delinquent for an offense that:
1. Has as an element, the use, attempted use, or threatened use of physical force against the person or property of another or the possession or use of a firearm.
2. By its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing an offense.
3. Has previously been convicted of a felony crime of violence.

These cases will be evaluated on a case-by-case basis.

Program Requirements

<table>
<thead>
<tr>
<th>Phase I: (minimum = 12 weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• compliance with all treatment program and drug treatment court requirements, including all probation requirements;</td>
</tr>
<tr>
<td>• attendance at a minimum of 3 substance abuse treatment group meetings;</td>
</tr>
<tr>
<td>• participation in family groups once a week;</td>
</tr>
<tr>
<td>• compliance with home based services including in-home counseling when appropriate;</td>
</tr>
<tr>
<td>• attendance at community based support activities, eg. AA/NA;</td>
</tr>
<tr>
<td>• compliance with probation requirements;</td>
</tr>
<tr>
<td>• bi-weekly attendance at judicial reviews;</td>
</tr>
<tr>
<td>• daily school and/or work attendance; and</td>
</tr>
<tr>
<td>• attendance at weekly judicial reviews.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phase II: (minimum = 12 weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• attendance at bi-weekly judicial reviews.</td>
</tr>
<tr>
<td>• compliance with all treatment program and drug treatment court requirements, including all probation</td>
</tr>
</tbody>
</table>
requirements;
• attendance at substance abuse treatment group meetings;
• participation in family groups once a week;
• compliance with probation requirements;
• compliance with home based services including in-home counseling when appropriate;
• attendance at community based support activities, eg. AA/NA;
• daily school and/or work attendance; and
• prepare relapse prevention plan.

Phase III: (minimum = 10 weeks)
• attendance at bi-weekly judicial reviews.
• compliance with all treatment program and drug treatment court requirements, including all probation requirements;
• attendance at substance abuse treatment group meetings;
• participation in family groups once a week;
• compliance with probation requests;
• compliance with home based services including in-home counseling when appropriate;
• attendance at community based support activities, eg. AA/NA;
• daily school and/or work attendance;
• utilize and expand positive support network, and
• completion of relapse prevention plan for review and approval.

Phase IV: (minimum = 4 weeks)
• compliance with all treatment program and drug treatment court probation requirements;
• utilize, review and assess relapse prevention plan;
• utilize, review and assess support network;
• completion of juvenile drug treatment court team pre-graduation interview; and
• final disposition of charges.

Graduation criteria
• completion of Phase IV Aftercare;
• negative tests for alcohol and other drugs for a minimum of 60 days;
• compliance and completion of all treatment and probation tasks and assignments;
• appropriate use of positive support network;
• successful pursuit of academic, employment and or vocational goals;
• completion of all court sanctions;
• payment of all fines, fees and restitution; and
• successful completion of interviews with juvenile drug treatment court judge and juvenile drug treatment court team.

Drug Testing Schedule
The Prince William Juvenile Drug Treatment Court performs random drug testing.

Program Fees
Participants in the Prince William Juvenile DTC program are responsible for the following fees:
• no drug treatment court fees; and
• 50 hours of Community Service prior to entering Phase IV.
Prince William Juvenile Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Any non-violent offense (including violation of probation) where there is evidence of a substance abuse problem

If there is no referral to the Commonwealth’s Attorney, the case remains in the J&DR system

**STEP 2:**
Anyone, including defense attorneys, judges, probation officers, and families of defendants, may submit a referral to the Commonwealth’s Attorney (CA) and to the drug treatment court coordinator for a review of the case based on legal criteria and eligibility criteria

If the CA determines the defendant is not suitable for drug treatment court based on a legal analysis of the case, the case remains in the J&DR system

**STEP 3:**
If the CA determines the case may be suitable for drug treatment court and the defendant wishes to participate, the case is referred to an approved vendor for a substance abuse evaluation

Defendants who do not meet substance abuse treatment criteria (or who choose not to participate in the program) remain in the J&DR system

**STEP 4:**
Defendants who meet both legal criteria and treatment criteria must waive their right to appeal before entering the program

Defendants who do not complete the program are terminated and must return to the original J&DR court judge for final disposition

**STEP 5:**
Defendants who complete the drug treatment court program may have charges reduced or dismissed

If there is no referral to the Commonwealth’s Attorney, the case remains in the J&DR system

Defendants who do not complete the program are terminated and must return to the original J&DR court judge for final disposition
Rappahannock Regional Juvenile Drug Treatment Court

The Rappahannock Regional Juvenile Drug Treatment Court became operational in October 1998 and has the capacity to serve 20 offenders. This program is a collaborative effort among the Fredericksburg Juvenile and Domestic Court, the Fredericksburg Commonwealth’s Attorney’s Office, the Office of the Public Defender, the 15th District of the Court Services Unit, the Rappahannock Area Community Services Board, Adult Probation and Parole (District 21), and the Rappahannock Regional Jail. A general description of this program is presented below.

Rappahannock Regional Juvenile Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants with the following characteristics are eligible for this program:</td>
</tr>
<tr>
<td>• all drug-related cases;</td>
</tr>
<tr>
<td>• any non-violent crime;</td>
</tr>
<tr>
<td>• both felony and misdemeanor offenses;</td>
</tr>
<tr>
<td>• violations of probation; and</td>
</tr>
<tr>
<td>• resident of Fredericksburg, Stafford, King George, or Spotsylvania.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a non-standardized clinical assessment.

Disqualifying factors include:
| prior or current violent felony crimes; |
| prior or current weapons offenses; or |
| juvenile previously committed to the Department of Juvenile Justice. |

Program Requirements

<table>
<thead>
<tr>
<th>Phase I: (minimum = 4 – 12 weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• drug screens a minimum of three times a week;</td>
</tr>
<tr>
<td>• active participation in individual and family counseling once per week;</td>
</tr>
<tr>
<td>• four weeks without significant infractions;</td>
</tr>
<tr>
<td>• active and positive participation in group two times per week;</td>
</tr>
<tr>
<td>• completion of homework assignments;</td>
</tr>
<tr>
<td>• daily school/work attendance as directed;</td>
</tr>
<tr>
<td>• acceptance and understanding of drug use and the impact on self, family, and the community;</td>
</tr>
<tr>
<td>• completion of CYT steps;</td>
</tr>
<tr>
<td>• negative alcohol and drug screens for 30 days;</td>
</tr>
<tr>
<td>• completion of phase one projects (poster and letter to addiction);</td>
</tr>
<tr>
<td>• turn in letter of request; and</td>
</tr>
<tr>
<td>• all drug treatment court fees and any restitution must be paid up to date prior to promotion consideration.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phase II: (minimum = 12 – 16 weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• drug screens a minimum of two times per week;</td>
</tr>
<tr>
<td>• active participation in individual and family counseling once per week;</td>
</tr>
<tr>
<td>• four weeks without significant infractions;</td>
</tr>
<tr>
<td>• active and positive participation in group two times per week;</td>
</tr>
<tr>
<td>• completion of homework assignments;</td>
</tr>
<tr>
<td>• daily school or work attendance as directed;</td>
</tr>
<tr>
<td>• acceptance and understanding of drug use and the impact on self, family, and the community;</td>
</tr>
<tr>
<td>• negative alcohol and drug screens for 60 days;</td>
</tr>
<tr>
<td>• completion of MRT steps 1-10; and</td>
</tr>
</tbody>
</table>
all drug treatment court fees and any restitution must be paid up to date.

**Phase III: (minimum = 12 – 16 weeks)**
- 1 individual family session per week;
- meet twice weekly for group sessions;
- random drug screens;
- daily school or work attendance;
- completion of plans for recovery and future goals;
- formation of a support network to assist with enforcing a substance free lifestyle; and
- all drug treatment court fees and any restitution must be paid in full.

**Graduation criteria**
- completion of a minimum of 10 weeks of phase 3 group sessions;
- negative alcohol and drug screens for 90 days;
- participation in individual and family counseling as directed;
- daily school or work attendance;
- completion of future goals;
- formation of a support network to assist with enforcing a substance free lifestyle; and
- all fees must be paid in full.

**Drug Testing Schedule**
The Rappahannock Regional Juvenile Drug Treatment Court performs both random and scheduled drug testing.

**Program Fees**
Participants in the Rappahannock Regional Juvenile DTC are responsible for the following fees:
- $20.00 per month drug treatment court fee; not to exceed $240.00.
Rappahannock Regional Juvenile Drug Treatment Court
Referral and Admission Process

STEP 1:
The CSU conducts initial eligibility screening on individuals charged with one of the following offenses: felony possession of drugs, felony possession of drugs with intent to distribute, prescription fraud, and any other non-violent offense with drug related aspects, violations of probation.

STEP 2:
Commonwealth’s Attorney and defense attorney determine suitably for the drug treatment court program.

STEP 3:
Community Services Board (CSB) conducts substance abuse assessment.

Defendants found to be unsuitable for participation in the drug treatment court program by the C.A. and defense attorney (or who choose not to participate) remain in the J&DR system.

Defendants found to be ineligible based on the substance abuse assessment remain in the J&DR system.

Unsuccessful termination from the program results in a referral back to the original J&DR court judge for sentencing on the original charge.

STEP 4:
Defendants who agree to participate enter a guilty plea, but a finding is deferred pending the successful completion of the program (or, in some instances, courts choose to enter a disposition of a suspended commitment.)

STEP 5:
Successful completion of program may results in dismissal of charges or a suspended sentence.
Richmond Juvenile Drug Treatment Court

The Richmond Juvenile Drug Treatment Court became operational in July 1999 and has the capacity to serve 16 offenders. This program is a collaborative effort among the Richmond Juvenile and Domestic Relations Court, Probation and Parole, Defense Attorney’s Office, Commonwealth’s Attorney’s Office, and the Court Service Unit. A general description of this program is presented below.

Richmond Juvenile Drug Treatment Court Profile

Eligibility Requirements
To be eligible for the Drug Treatment Court Program an offender must have the following characteristics:
• between the ages of 12 and 17.5;
• a resident of Richmond;
• before the court on delinquent charges or commitment eligible;
• a substance abuse or dependency disorder;
• not currently charged with or convicted of a violent felony or weapon offense (as defined by Federal law 28 C.F.R. Section 93.3);
• a DSM-IV diagnosis of “dependent” or “abusive”; and
• no psychiatric needs that would be a barrier to handling the structure and intensity of the drug treatment court.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by clinical interviews, the SSI, the CAFAS, the PADDI, and the DRAPER assessments.

Program Requirements

Phase I: (minimum = 30 days)
• no behavior warranting placement on the monitor or in secure detention for 21 days;
• attendance at all scheduled sessions/activities or has completed their assignments for 30 consecutive days;
• clean screens for 30 consecutive days;
• compliance with educational or vocational plan for 30 consecutive days;
• shows the initiative to contact staff and following through on what is expected of them;
• participation in one pro-social activity with family;
• demonstrates motivation towards changing their delinquent and drug/alcohol use behaviors;
• complete and submit an advancement to Phase 2 application for JDTC Team review and approval; and
• starts a treatment plan with identified stressors and triggers for alcohol and drug use, vision of what success would look like, list things they enjoy, two goals for next phase, and a place they would like to volunteer their time.

Phase II: (minimum = 45 days)
• substantial compliance with basic program rules for 45 consecutive days;
• no behavior warranting placement on the monitor or in secure detention for 30 days;
• clean screens for 45 consecutive days;
• participation in school or work has improved over phase 2 baseline;
• attendance to all scheduled sessions/activities or has completed their assignments for 45 consecutive days;
• shows initiative to contact staff and following through on what is expected of them;
• completion of 8 hours of volunteer time with one organization;
• use of stress management skills when experiencing the urge to use alcohol or drugs;
• family helps with school or work attendance;
• meets one of the goals set in Phase 1;
• presentation on how past drug use and delinquent behavior has affected them and their family;
• complete and submit an advancement to Phase 3 application for drug treatment court team review and approval; and
• a treatment plan with completed relapse signs and symptom document and three goals for the next phase.
Phase III: (minimum = 60 days)

- substantial compliance with basic program rules for 60 consecutive days;
- no behavior warranting placement on the monitor or in secure detention for 45 days;
- clean screens for 60 consecutive days;
- 90% attendance at school, vocational training or work;
- payment of all court fines and/or made restitution;
- completion of 12 hours of volunteer time with one community organization (total of 20 hours);
- matched with a community mentor for at least 30 days prior to graduation;
- all three phases of treatment must be completed;
- routine pro-social family outings;
- preparation of essay on the impact of drug use on your life and what you have learned about yourself while in the program;
- written relapse prevention plan shared with the team;
- complete and submit a Graduation application for review and approval by the JDTC Team; and
- active preparation for graduation at least 30 days prior to the date to include: a guest list, guest speaker, graduation gift, and prepared remarks for ceremony.

Graduation criteria
The participant must have successfully completed the requirements of all three phases of the program. Additional requirements for graduation:
- successful completion of the requirements of each phase;
- abstinence from drugs and alcohol;
- positive treatment summary;
- no new charges; and
- recommendation of the drug treatment court team.

Drug Testing Schedule
The Richmond Juvenile Drug Treatment Court performs random drug testing.

Program Fees
Participants in the Richmond Juvenile DTC program are responsible for the following fees:
- no drug treatment court fee;
- $1.00 Treatment fee; and
- can participant in community service to pay for court costs and/or restitution.
Richmond Juvenile Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Any non-violent delinquent or commitment eligible offense (including violation of probation) where there is evidence of a substance abuse problem

If there is no court-ordered assessment for drug treatment court, the case remains in the J&DR system

**STEP 2:**
Judges typically order drug treatment court assessments based on recommendations of defense attorneys, probation officers, CSU staff or Virginia Health Center staff

If the Judge does not order a drug treatment court assessment based on recommendations from the team, the case remains in the J&DR system

**STEP 3:**
The referral is sent to drug treatment court staff for a clinical review, substance abuse assessment, and a home, school, and community assessment, as well as the Commonwealth’s Attorney for a legal review

Defendants who do not meet criteria based on clinical or legal criteria (or who choose not to participate in the program) remain in the J&DR system

**STEP 4:**
If both the CA and drug treatment court staff determine the case is suitable for the drug treatment court program and the defendant wishes to participate, participants are found “not innocent” or plead “not innocent” and the case is court-ordered to the drug treatment court docket

Defendants who do not complete the program are terminated and must return to the original J&DR court judge for final disposition

**STEP 5:**
Defendants who complete the drug treatment court program may have charges dismissed

If there is no court-ordered assessment for drug treatment court, the case remains in the J&DR system
30th District Juvenile Drug Treatment Court

The 30th District Juvenile Drug Treatment Court became operational in September 2002 and has the capacity to serve at least 20 offenders, with no formal capacity. This program serves the counties of Lee, Scott, Wise, and the City of Norton and is a collaborative effort among the Department of Social Services, the Community Services Board, the Office of Probation and Parole, Appalachian Juvenile Commission, and the Juvenile and Domestic Relations Court. A general description of this program is presented below.

30th District Juvenile Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must meet the following criteria:</td>
</tr>
<tr>
<td>• the juvenile (12-16 years &amp; 11 months) must plead guilty to a non-violent offense;</td>
</tr>
<tr>
<td>• the youth and their parents must also express a desire for treatment and supervision; and</td>
</tr>
</tbody>
</table>

plea of guilt to one of the following offenses: a drug offense (can not be a distribution charge), a probation violation involving drugs, driving under the influence of alcohol or other self-administered intoxicants, a non-drug offense, where considerable evidence is present indicating the offender has a serious drug problem, or an alcohol charge where considerable evidence is present that the offender has a serious alcohol problem.

First offenders can and will be eligible for the program if their substance abuse assessment indicate there being a high probability for substance abuse or substance dependence disorder. In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by an assessment including drug and substance abuse history, a psychosocial assessment, and the SASSI-A2.

Disqualifying factors include:
• distribution offenses; and/or
• violent offenders as defined by federal regulations.

Program Requirements

Phase I: (minimum = 3 months)
• have a minimal of one drug screen a week;
• have weekly contact with his/her probation officer or the substance abuse specialist;
• have weekly counseling or therapy sessions;
• appear before the supervising judge at least one time per month; and
• abstinence for approximately two or three months.

Phase II: (minimum = 3 months)
• have a minimal of one drug screen every two weeks;
• have contact with his/her probation officer or the substance abuse specialist at least one time every two weeks;
• have counseling or therapy sessions at least one time every two weeks;
• appear before the supervising Judge, at least one time per month; and
• abstinence for approximately four to six months.

Phase III: (minimum = 3 – 6 months)
• have a minimal of one drug screen per month;
• have at least one contact with his/her probation officer or the substance abuse specialist per month;
• have at least one counseling or therapy session per month; and
• appear before the supervising Judge on a schedule determined by the court.
Graduation criteria:
- payment of all fines, fee, and restitution in full;
- successful completion of all phases;
- consistent attendance at school, work, or educational/vocational program; and
- improvement in grades, if applicable.

## Drug Testing Schedule

The 30th District Juvenile Drug Treatment Court performs random drug testing.

## Participant Fees

Participants in the 30th District Juvenile DTC program are responsible for the following fees:
- no drug treatment court fees; and
- sliding scale fees for treatment
30th District (Lee/Scott/Wise) Juvenile Drug Treatment Court
Referral and Admission Process

**STEP 1:**
Drug/alcohol offense or other offense (including violation of probation) where there is considerable evidence of a serious substance abuse problem

If there is no request for a referral to drug treatment court, the case remains in the J&DR system

**STEP 2:**
Anyone, including Commonwealth’s Attorneys, defense attorneys, probation officers, and families of defendants, may request that the judge make a drug treatment court referral

If the Judge determines the case is not suitable for drug treatment court, the case remains in the J&DR system

**STEP 3:**
If the judge determines the case may be suitable for drug treatment court, the case is referred to the substance abuse specialist and probation officer for an initial screening and assessment

Cases that do not meet legal criteria or treatment criteria (or who choose not to participate in the program) remain in the J&DR system

**STEP 4:**
Defendants who meet both legal criteria and treatment criteria must plead guilty before entering the program

Defendants who do not complete the program are terminated and must return to the original J&DR court judge for disposition

**STEP 5:**
Defendants who complete the drug treatment court program are released from probation
Appendix E

Locality-Specific Profiles and Referral Flow Charts for Virginia’s Family Drug Treatment Court Programs
Alexandria Family Drug Treatment Court

The Alexandria Family Drug Treatment Court became operational in September 2001 and has the capacity to serve 15 offenders. This program is a collaborative effort among the Alexandria Juvenile and Domestic Relations District Court, Alexandria Community Services Board, Alexandria Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Department of Social Services. A general description of this program is presented below.

### Alexandria Family Drug Treatment Court Profile

<table>
<thead>
<tr>
<th><strong>Eligibility Requirements</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must have the following characteristics:</td>
<td></td>
</tr>
<tr>
<td>• the parent or custodian must have a substance abuse problem, although it is not required that a formal diagnosis be made;</td>
<td></td>
</tr>
<tr>
<td>• the parent or custodian must be court involved and the child(ren) be at risk of removal or have already been removed from the home for a period not to exceed 15 months;</td>
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<tr>
<td>• parents with active DSS cases may voluntarily apply for admission into the Drug Treatment Court program if they are subsequently Court ordered; and/or</td>
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<tr>
<td>• parent or custodian must be a resident of the City of Alexandria when the initial order to enter the program occurs. After the initial Court order, the participant is not required to live in Alexandria.</td>
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</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by a face to face interview that includes a drug screen, psychosocial evaluation, and substance abuse screening.

<table>
<thead>
<tr>
<th><strong>Program Requirements</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Phase I: (minimum = 6 weeks)</strong></td>
<td></td>
</tr>
<tr>
<td>• random drug screens;</td>
<td></td>
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<tr>
<td>• may include detox, residential, day support, outpatient counseling, and case management;</td>
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<tr>
<td>• bi-weekly court attendance;</td>
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<tr>
<td>• individual treatment plans;</td>
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<tr>
<td>• one self-help meeting per week;</td>
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<tr>
<td>• identify sponsor candidates;</td>
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<tr>
<td>• refer to Job Link for education/employment; and</td>
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</tr>
<tr>
<td>• advancement criteria includes alcohol/drug history to court, sobriety as confirmed by negative drug/alcohol screens and self-report for a duration of at least 6 continuous weeks, phase application.</td>
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</tr>
</tbody>
</table>

| **Phase II: (minimum = 8 weeks)** |  |
| • bi-weekly court attendance; |  |
| • individual treatment plans; |  |
| • two self-help meetings per week; |  |
| • secure sponsorship; begin step work; |  |
| • job/training/volunteer program identified; |  |
| • advancement criteria includes sponsor, sobriety as confirmed by negative drug/alcohol screens and self report; and |  |
| • phase application. |  |

| **Phase III: (minimum = 12 weeks)** |  |
| • bi-weekly court attendance; |  |
| • individual treatment plan; |  |
• three self-help meetings per week;
• ongoing contact with sponsorship;
• advancement criteria includes relapse prevention plan, sobriety as confirmed by negative drug/alcohol screens and self-report for a duration of at least 12 weeks;
• completion of parenting skills instruction; and
• phase application.

**Phase IV: (minimum = 10 weeks)**
• monthly court attendance;
• individual treatment plan;
• 4 self help meetings per week;
• increase sober support network;
• continued employment/education;
• advancement criteria includes: sober support network, sobriety as determined by negative drug/alcohol screens and self-report; and
• phase application.

**Phase V: (minimum = 12 weeks)**
• monthly court attendance;
• individual treatment plan;
• 5 self-help meetings each week;
• maintain sober support network;
• job/training program maintained;
• advancement criteria includes: final drug/alcohol history, sobriety as confirmed by negative drug/alcohol screens and self report; and
• graduation application.

**Graduation criteria**
• complete all five phases of the drug treatment court program;
• complete a graduation application and present to the drug treatment court team for review;
• complete final drug history and present at the time of graduation;
• have stable employment or enrolled in an educational program; and
• stable, adequate housing.

**Drug Testing Schedule**
The Alexandria Family Drug Treatment Court performs random drug testing.

**Program Fees**
Participants in the Alexandria Family Drug Treatment Court program are responsible for the following fees:
• no drug treatment court fee;
• no court costs; and
• treatment costs are based on a sliding fee scale.
Alexandria Family Drug Treatment Court
Referral and Admission Process

**STEP 1:**
A sustained petition of abuse/neglect; a CHINS order or an Emergency Removal Order and indication of substance abuse

Guardians and caretakers with abuse/neglect petitions and indications of substance abuse who are not referred to the drug treatment court program by the J&DR Court Judge remain in the traditional J&DR court system

**STEP 2:**
Department of Social Services completes the family drug treatment court referral form

If the drug treatment court team does not accept the case, the parent will be referred out to other services

**STEP 3:**
Coordinator performs a comprehensive psychosocial and substance abuse evaluation

If accepted into the family drug treatment court program, parents must comply with all recommendations and program components, as stated in the protective order

Cases that do not meet all drug treatment court requirements or that do not implement a permanency plan are terminated from the program and will continue to have an active DSS case, and may have children have removed from the home

**STEP 4:**
If accepted into the family drug treatment court program, parents must comply with all recommendations and program components, as stated in the protective order

**STEP 5:**
Cases that meet all drug treatment court requirements, including implementation of a permanency plan, graduate from the program and are removed from J&DR Court supervision at the next review hearing; case may remain active in DSS under the protective order until a hearing is held
Charlottesville/Albemarle Family Drug Treatment Court

The Charlottesville/Albemarle Family Drug Treatment Court became operational in July 2002 and has the capacity to serve 15 offenders. This program is a collaborative effort among the Charlottesville/Albemarle Juvenile & Domestic Relations Court, the Region Ten Community Services Board, Albemarle County Department of Social Services, and the Charlottesville Department of Social Services. A general description of this program is presented below.

Charlottesville/Albemarle Family Drug Treatment Court Profile

<table>
<thead>
<tr>
<th>Eligibility Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants must be residents of Charlottesville, Albemarle County, Green County Fluvanna County, or Louisa County and have one of the following characteristics:</td>
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<tr>
<td>• a parent who has given birth to a drug exposed infant or an infant that has been prenatally exposed to drugs; or</td>
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<tr>
<td>• a primary guardian or caretaker subject to an abuse/neglect petition where his/her child is at risk of removal or has been removed from the home and the goal is to return the child home and there are allegations of substance abuse; or</td>
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<tr>
<td>• a primary guardian or caretaker of a child subject to a CHINS petition, there are allegations of substance abuse, protective order, domestic violence*, abuse/neglect, CHINS, foster care, and a special request has been made to the court for consideration. (*violence, either physical or verbal, between mother and dad (or caretakers) in the home. The level of disruption to the home is such that the family suffers regular and/or reoccurring from such actions of the caretakers); or</td>
</tr>
<tr>
<td>• a primary caretaker for a child who is subject to protective order.</td>
</tr>
</tbody>
</table>

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI and other assessment tools used in the screening process.

Disqualifying factors include:
• under the age of 18 years;
• conviction on an offense which constitutes felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury where the victim of the offense was a child of the individual or a child who resided with the individual or another family member who resided with the individual at the time of the offense;
• conviction on an offense which constitutes sexual assault where the victim of the offense was a child of the individual or a child who resided with the individual or another family member who resided with the individual at the time of the offense;
• conviction on an offense which constitutes murder or voluntary manslaughter, or a felony attempt, conspiracy, or solicitation to commit any such offense where the victim of the offense was a child of the individual or a child who resided with the individual or another family member who resided with the individual at the time of the offense;
• incompetency or a demonstrated failure to follow a medical regime of treatment for a mental disorder;
• emotional, functional or cognitive impairments that would inhibit effective participation in the program;
• advanced terminal illness; and/or
• a current treatment provider does not think the parent is appropriate for the program.

Program Requirements

Phase I: (minimum = 3-4 months)
• documented participation in formal support networks, such as 12 step meetings, organized religious groups, or meditation groups;
• develop treatment goals and treatment plan with Project LINK case manager;
• attendance at 60 sessions of the Women’s (or Men’s) Intensive Outpatient Program if inpatient treatment is not required;
• submit to random, witnessed urine screens 3 times per week; and
• attendance at weekly family treatment court;
Phase II: (minimum = 3 – 4 months)
- documented participation in formal support networks, such as 12 step meetings, organized religious groups, or meditation groups;
- submit to random, witnessed urine screens;
- attendance at family treatment court every other week; and
- continued work towards treatment goals.

Phase III: (minimum = 3 – 4 months)
- documented participation in formal support networks, such as 12 step meetings, organized religious groups, or meditation groups;
- submit to random, witnessed urine screens;
- attendance at family treatment court once per month; and
- continued work towards treatment goals.

Graduation criteria:
Participant requirements for graduation include completion of all treatment requirements as well as a permanency plan for all involved children.

Drug Testing Schedule
The Charlottesville/Albemarle Family Drug Treatment Court program performs random drug testing.

Participant Fees
The Charlottesville/Albemarle Family Drug Treatment Court program does not impose fees on program participants.
Charlottesville/Albemarle Family Drug Treatment Court
Referral and Admission Process

STEP 1:
The Department of Social Services identifies guardians and caretakers with allegations of substance abuse from abuse/neglect petitions, CHINS petitions, protective orders, and cases of drug exposed infants

STEP 2:
Substance abuse assessment at CSB

STEP 3:
Drug treatment court team (Judge, coordinator, social worker, court clerk, CSB staff and CASA case manager) discusses assessment and determines whether or not case will be accepted

If case is not accepted, it will continue to be processed in the J&DR system

STEP 4:
Cases that are accepted into the program must participate in treatment and formulate a permanency plan for all involved children

Cases that do not meet all drug treatment court requirements or that do not implement a permanency plan are terminated from the program and remain under J&DR Court supervision

STEP 5:
Cases that meet all drug treatment court requirements, including implementation of a permanency plan, graduate from the program
Newport News Family Drug Treatment Court

The Newport News Family Drug Treatment Court became operational in July 2006 and has the capacity to serve 20 offenders. This program is a collaborative effort among the Newport News Juvenile and Domestic Relations District Court, Court Appointed Special Advocates (CASA), members of the Newport News Bar Association, and the Newport News Department of Social Services and its counsel, Newport News City Attorney’s Office. A general description of this program is presented below.

Newport News Family Drug Treatment Court Profile

Eligibility Requirements

Participants must meet the following criteria:
- offenders who have been determined to be addicted to or dependent upon drugs;
- other substance abusing parents who are before the court on the basis of abuse and/or neglect of their child(ren);
- parents of Substance Exposed Newborn babies;
- must be at least 18 years old; and
- must be residents of Newport News.

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI and a clinical assessment.

Disqualifying factors:
- any criminal conviction that meets the definition of Violent Offender as defined by Section 17.1-805 or Section 19.2-297.1, Code of Virginia, or the definition of Violent Offender as defined by federal statute.

Program Requirements

Phase I: (minimum = 1 – 3 months)
- 100% attendance at weekly court hearings;
- submit to at least 2 observed random urine drug screenings and/or breathalyzer testing weekly;
- consistent participation and compliance with the individual and family treatment plan which will include mental health treatment if applicable;
- participation in the substance abuse treatment groups as required;
- cooperation with all identified treatment providers for the parent and the children;
- identification of a drug and alcohol free support network;
- cooperation and assistance in the development, review and updating of individual and family treatment plans including the child safety plan if the child(ren) remain in the home or the foster care service plan if the child(ren) are in NNDSS custody;
- participation in a monthly case review with all involved parties;
- begin following through with community referrals after the first 30 days; and
- 12 consecutive clean screens prior to advancement to phase II.

Phase II: (minimum = 3 – 4 months)
- 100 % attendance at weekly court hearings;
- submit to at least 2 observed random urine drug screenings (UDS) and/or breathalyzer testing weekly;
- consistent participation and compliance with the individual and family treatment plan which will include mental health treatment if applicable;
- participation in the substance abuse treatment group, as well as the parent’s substance abuse support group;
- cooperation with all identified treatment providers for the parent and the children;
- identification of a drug and alcohol free support network;
- cooperation and assistance in the development, review and updating of individual and family treatment plans including the child safety plan if the child(ren) remain in the home or the foster care service plan if the child(ren) are in NNDSS custody;
- participation in a monthly case review with all involved parties;
- completion of a parenting skills program; and
- 12 consecutive clean screens prior to moving to phase III.
Phase III: (minimum = 3 – 4 months)
• 100 % attendance at weekly court hearings;
• submit to at least 2 observed random urine drug screenings (UDS) and/or breathalyzer testing weekly;
• consistent participation and compliance with the individual and family treatment plan which will include mental health treatment if applicable;
• participation in the substance abuse treatment group, as well as the parent’s substance abuse support group;
• cooperation with all identified treatment providers for the parent and the children;
• identification of a drug and alcohol free support network;
• cooperation and assistance in the development, review and updating of individual and family treatment plans including the child safety plan if the child(ren) remain in the home or the foster care service plan if the child(ren) are in NNDSS custody;
• participation in a monthly case review with all involved parties;
• completion of a parenting skills program; and
• 12 consecutive clean urine screens prior to moving to Phase IV.

Phase IV: (minimum = 3 – 4 months)
• 100 % attendance at monthly court hearings;
• submit to at least twice a month random drug screens;
• demonstrate consistent participation and compliance with the individual substance abuse treatment plan, and if applicable, mental health treatment;
• formalize her/his relapse prevention plan;
• continued participation in the participant’s substance abuse support group;
• continued involvement with the participant’s drug and alcohol free support network;
• demonstrate continued progress in meeting treatment goals and CPS/foster care goals and listed responsibilities and services; and
• present the participant’s relapse prevention plan to court.

Graduation criteria:
• maintain sobriety for 6 months;
• documentation that the needs of the participant’s child(ren) have also been consistently met for at least the previous 6 months;
• demonstration of the parenting knowledge and skills;
• documentation and presentation to the court of a relapse prevention plan that includes the participant’s alcohol and drug free support network;
• not incurring any criminal charge for which the parent is found guilty;
• documentation that the participant’s identified needs and responsibilities in regard to employment, education, and life skills have been met;
• documentation, if the child is in foster care, that the participant’s other identified needs and responsibilities as listed in the foster care service plan have also been met; and
• approved by the court.

Drug Testing Schedule
The Newport News Family Drug Treatment Court program performs random drug testing.

Participant Fees
The Newport News Family Drug Treatment Court program imposes the following fees on program participants:
• treatment fees based on a sliding scale.
Newport News Family Drug Treatment Court
Referral and Admission Process

STEP 1: CPS involvement at hospital after mother/baby tests positive for drugs; or petition/protection for abuse/neglect is filed to the court

STEP 2: Potential candidates are prescreened for eligibility

STEP 3: CPS initiates a police clearance if parent voices interest in the program

If case is not accepted, it will continue to be processed in the J&DR system

STEP 4: Cases that are accepted into the program must sign all documents and participate in all aspects of the court

Cases that do not meet all drug treatment court requirements successfully are terminated from the program and remain under J&DR Court supervision

STEP 5: Cases that meet all drug treatment court requirements graduate from the program

Guardians and caretakers with allegations of substance abuse who are not identified by the Department of Social Services for participation in the drug treatment court program remain in the J&DR system
Richmond Family Drug Treatment Court

The Richmond Family Drug Treatment Court became operational in September 2002 and has the capacity to serve 20 families. This program is a collaborative effort among the Richmond Juvenile and Domestic Relations Court, Richmond Department of Social Services, Richmond Behavioral Health Authority, Richmond Office of the City Attorney, Richmond Court Appointed Special Advocates, Greater Richmond SCAN (Stop Child Abuse Now), Greater Richmond Juvenile Bar Association, and the VCU Health System. A general description of this program is presented below.

Richmond Family Drug Treatment Court Profile

Eligibility Requirements
Participants must have the following characteristics:

- a sustained petition of child abuse/neglect;
- a resident of the City of Richmond;
- working towards family reunification; and
- diagnosis of substance dependency by DSM IV

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the ASI.

Disqualifying factors include:
- significant mental illness.

Program Requirements

Phase I: (minimum = 6 – 12 weeks)

- weekly court appearances;
- submitting to twice weekly random drug screens;
- developing treatment plan/service plan goals;
- participating in recommended treatment program;
- participation in recommended visitation with children;
- maintaining weekly contact with RDSS social worker, RBHA clinician, and CASA worker; and
- minimum of 30 days consecutive clean drug screens.

Phase II: (minimum = 3 – 4 months)

- biweekly court appearances;
- submitting to weekly random drug screens;
- continued progress in treatment plan/service plan goals;
- continued participation in recommended treatment program;
- participation in recommended visitation with children;
- maintaining weekly contact with RDSS social worker; RBHA clinician; and CASA worker; and
- minimum of 30 days consecutive clean drug screens.

Phase III: (minimum = 3 – 4 months)

- make court appearances once every three weeks;
- submitting to biweekly random drug screens;
- continued progress in treatment plan/service plan goals;
- continued participation in recommended treatment program/aftercare program;
- participation in recommended visitation with children;
- maintaining bi-weekly contact with RDSS social worker, RBHA clinician, and CASA worker;
- educational/vocational training; and
- minimum of 60 days consecutive clean drug screens.
Phase IV: (minimum = 3 – 4 months)
- monthly court appearances;
- submitting to monthly random drug screens;
- continued progress in treatment plan/service plan goals;
- continued participation in recommended treatment program/aftercare program;
- participating in recommended visitation with children;
- maintaining bi-weekly contact with RDSS social worker, RBHA clinician, and CASA worker; and
- minimum of 4 consecutive months clean drug screens.

Graduation criteria:
- completion of the four phases of the RFDTC;
- development of an ongoing recovery plan;
- clean drug screens for at least 4 months;
- evidence of ongoing participation with treatment plan/service plan;
- ability to provide a safe, stable environment for the family, as determined by the RDSS social worker; and
- completion of parenting skills training.

Drug Testing Schedule
The Richmond Family Drug Treatment Court performs random drug testing.

Participant Fees
Participants in the Richmond Family Drug Treatment Court program are responsible for the following fees:
- no drug treatment court fees; and
- possibility of fees if there is a need for methadone treatment or outpatient/external treatment.
Richmond Family Drug Treatment Court
Referral and Admission Process

**STEP 1:**
A sustained petition of abuse/neglect and indication of substance abuse

Guardians and caretakers with abuse/neglect petitions and indications of substance abuse who are not referred to the drug treatment court program by the J&DR Court Judge remain in the J&DR court system

**STEP 2:**
J&DR Court Judge makes a referral to drug treatment court (usually based on request by Department of Social Services staff or counsel for the parent)

**STEP 3:**
Richmond Behavioral Health Authority (CSB) completes a family drug treatment court assessment/substance abuse assessment

If the drug treatment court team does not accept the case, it will continue to be processed in the J&DR court system

**STEP 4:**
If the drug treatment court team accepts the case, the participant returns to J&DR Court to receive the actual order into the drug treatment court program

If the drug treatment court team does not accept the case, it will continue to be processed in the J&DR court system

**STEP 5:**
Parents ordered into the program must participate in treatment and work toward reunification with involved children

Parents who fail to comply with program requirements are terminated and referred back to court for processing through traditional abuse/neglect case processes

**STEP 6:**
Parents that meet all drug treatment court requirements, including working towards reunification with their children, graduate from the drug treatment court program
Appendix F

Locality-Specific Profile and Referral Flow Chart for Virginia’s DUI Drug Treatment Court Program
Fredericksburg Regional DUI Treatment Court

The Fredericksburg Driving Under the Influence (DUI) Treatment Court is a post-adjudicatory court that became operational in May 1999 and has the capacity to at least over 300 offenders. There is no formal limit on capacity; the program currently serves 358 offenders in the counties of Stafford, Spotsylvania, and Fredericksburg. DUI Drug Treatment Court is mandatory and charges will not be reduced or dismissed upon the successful completion of the DUI Court Program. The Fredericksburg Regional DUI Drug Treatment Court is a collaborative effort among the Courts, the Commonwealth’s Attorney’s Office, the Office of the Public Defender, the Rappahannock Area Alcohol Safety Action Program, and local licensed Substance Abuse Treatment providers. A general description of this program and the referral/admission process is presented below.

Fredericksburg Regional DUI Treatment Court Profile

Eligibility Requirements

Participants must have the following characteristics:
• convicted of a misdemeanor DUI; and
• residing or working with the Rappahannock Area jurisdiction (Stafford, Spotsylvania, and Fredericksburg).

In addition, participants must be deemed appropriate for substance abuse treatment, as indicated by the SSI or MAST or both, a drug questionnaire, a clinical interview, and an alcohol and drug screen analysis.

Program Requirements

Phase I: (minimum = 4 – 6 months)
• 12 hours of RAASAP DUI/drug education groups;
• attend and document a minimum of two weekly abstinence based community support groups (i.e., AA/SMART, etc.);
• attend substance abuse treatment weekly with a licensed therapist;
• screened for alcohol and drug use at each group/individual session and on a random basis;
• remain abstinent from all alcohol and drug use for the duration of probation;
• obtain a sobriety support sponsor through the self-help abstinence program within 90 days;
• monthly DUI court review sessions;
• identify and address psychosocial problems with the aid of the DUI case manager; and
• payment of the VASAP fee and court fines.

Phase II: (up to 12 months, including phase one)
• attend community resource groups on a weekly basis with written documentation of attendance;
• face to face case reviews are held about every 60 days to assess compliance;
• continue to address psychosocial issues and address each with the aid of the DUI court case manager;
• DUI court monitoring sessions will be held every 60 days;
• random alcohol and drug screening; and
• maintain a sobriety sponsor relationship.

Drug Testing Schedule

The Rappahannock DUI Drug Treatment Court performs both random and scheduled drug testing.

Participant Fees

Participants in the Rappahannock DUI Drug Treatment Court program are responsible for the following fees:
• treatment fees are paid as they go, and the amount depends on the provider; average $15-$25 per group;
• DUI education fee is $100; and
• VASAP fee is $300 for the first year.
Fredericksburg Regional DUI Drug Treatment Court
Referral and Admission Process

**STEP 1:**
DUI conviction in General District Court

**STEP 2:**
Ordered into DUI court, which is a condition of their successful completion of Virginia Alcohol Safety Action Program (VASAP)

**STEP 3:**
VASAP conducts intake screening and classifies offenders for basic or intensive education or treatment

**STEP 4:**
Offenders classified as needing treatment continue in the drug treatment court program

**STEP 5:**
Offenders may receive their driver’s license back after successful completion of VASAP; (DUI charges are not dropped.)

Offenders classified for basic or intensive education are dismissed from the drug treatment court at the first review hearing.

Offenders who do not complete program requirements do not receive their driver’s license back.