

*Knox Recovery Court
Knoxville, Tennessee*



Policies & Procedures Manual

FOREWORD.....	3
MISSION.....	3
GOALS.....	3
TEN KEY COMPONENTS.....	4
ORGANIZATION.....	5
INTRODUCTION.....	5
ELIGIBILITY STANDARDS.....	7
REFERRAL PROCESS.....	9
TREATMENT SERVICES AVAILABLE.....	11
ANCILLARY SERVICES AVAILABLE.....	12
ADVICE TO BE GIVEN TO DEFENDANTS.....	12
FORMS TO BE SIGNED BY PARTICIPANTS.....	13
PHASES.....	14
LIMITED ENGLISH PROFICIENCY.....	14
MONITORING AND SUPERVISION.....	15
INCENTIVES AND SANCTIONS.....	20
COURT SESSIONS.....	22
PROGRAM DISCHARGE.....	23
ADVISORY COMMITTEE.....	23
EVALUATION PLAN.....	23
CONFIDENTIALITY.....	24
CORE COMPETENCIES OF RECOVERY COURT TEAM MEMBERS.....	24
PERSONNEL TRAINING.....	29
DRUG-FREE WORKPLACE.....	30
MEDICATION ASSISTED TREATMENT PROTOCOL AND PARTICIPANT AGREEMENT.....	30
COSTS/FEEES OF THE RECOVERY COURT PROGRAM:.....	32
ASSURANCE OF CODE OF CONDUCT, GRIEVANCES, TITLE VI.....	33
APPENDIX.....	42

KNOX RECOVERY COURT

Policies and Procedures Manual

FOREWORD

The purpose of this document is to provide a general description of: (a) the policies and procedures to be followed in the operation of the Knox Recovery Court (hereinafter “Recovery Court”) and (b) the core competencies of Recovery Court team members. The policies and procedures of Recovery Court were developed in accordance with the standards and guidelines, assistance, and technical advice of the following organizations:

- National Association of Drug Court Professionals
- Tennessee Department of Mental Health and Substance Abuse Services
- National Recovery Court Institute

MISSION

The mission of the Knox Recovery Court is to reduce substance abuse and drug related criminal activity by providing quality substance abuse treatment and case management services to its participants.

GOALS

The goals of Recovery Court are:

Goal # 1: Reduce recidivism and the number of chemically dependent offenders becoming incarcerated.

- A. Admit and serve at least 75 offenders to the Drug Court Program per year.
- B. 35% of offenders will successfully complete the Drug Court Program.
- C. 50% of the graduates will not receive new criminal charges for 2 years after graduating.
- D. Compare prison revocation rates of program participants with other probation revocation rates.
- E. Compare the TNRAS score at admission and program completion.

Goal # 2: Become compliant with program requirements, including a reduction in substance abuse related crimes and their impact on the community, families and offenders.

- A. Provide offenders with a substance abuse screening within 7 days of referral.

- B. Provide intensive supervision to program participants, including weekly contact with program staff, home visits, frequent alcohol/drug testing.
- C. Compare post program arrests for 2 years after completing the program with participant's arrests prior to placement.
- D. All graduates will complete substance use disorder treatment by graduation and be in, or ready for aftercare.
- E. Participants will show payments toward restitution to the victim or to the community as evidenced by payment receipts to the Clerks office for restitution (data entered in TN-WITS) and/or completed community service sheets.

Goal # 3: Achieve sustained lifestyle changes which create lasting, stable environments for offenders.

- A. Participants will maintain approved employment and/or educational program as monitored approved by the Recovery Court Case Manager.
- B. Participants will meet all monetary obligations as monitored by the Recovery Court Case Manager.

Goals for each phase are described in the handout in the appendix which is given to each participant during orientation.

TEN KEY COMPONENTS

These goals will be achieved, in part, by stringently following the 10 Key Components of Drug Courts

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Drug courts use a nonadversarial approach, promote public safety while protecting participants' due process rights
3. Drug courts identify eligible participants early and promptly place them in the drug court program
4. Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services
5. Drug courts monitor abstinence by frequent alcohol and other drug testing
6. Drug Courts use a coordinated strategy to govern responses to participants' compliance
7. Drug Courts use ongoing judicial intervention with each drug court participant as an essential component of the program
8. Drug Courts utilize monitoring and evaluation to measure the achievement of program goals and gauge effectiveness
9. Drug courts employ continuing interdisciplinary education to promote effective drug court planning, implementation, and operations

10. Drug courts forge partnerships among the court, public agencies, and community-based organizations to generate local support and enhance drug court effectiveness

More information about the 10 key components can be found at:
<https://www.ojp.gov/pdffiles1/bja/205621.pdf>

ORGANIZATION

Recovery Court will be advised by a steering committee composed of the Core Recovery Court Team; the Recovery Court Judge, the District Attorney designee, the Public Defender designee, Recovery Court Director, a representative of treatment, law enforcement, probation, and Case Manger. Other Team members who regularly attend Team Meeting are also welcome to attend and offer input. The committee will meet quarterly or as needed.

The day to day operation of Recovery Court will be managed by the Recovery Court Director, taking direction and guidance from the Recovery Court judge. Additional input can be provided by the prosecutor designee, and the assistant public defender.

INTRODUCTION

Recovery Court is specifically designed to facilitate the treatment and rehabilitation of non-violent offenders who meet the admission criteria established by the Recovery Court steering committee, are diagnosed with substance dependence or abuse, and show a willingness to change.

Successful operation of Recovery Court relies on the cooperation of the Team Members in the criminal justice process and treatment; however, each Team Member must adopt a role in Recovery Court different from his or her traditional one. The judge steps beyond the independent and objective arbiter role and develops new expertise. The judge is the leader of the Recovery Court Team that seeks to provide drug treatment and rehabilitation to its participants. This active, supervisory relationship is maintained throughout participation in the program and allows for early and frequent judicial intervention. The judge actively engages with the participants by encouraging and rewarding appropriate behavior and discouraging and penalizing inappropriate behavior. The judge is knowledgeable about treatment methods and their limitations. The Knox Recovery Court strives to adhere to best practices for drug courts. The Team has attended an operational tuneup which reviewed the Best Practices I and II; and these documents are offered to team members and given out to any team member requesting them. Or the Team members can access the Best Practices I and II through the following websites;

<https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice->

The roles of the designated Recovery Court prosecutor and the Recovery Court assistant public defender are also different. The prosecutor reviews the case and determines if the defendant is legally eligible for Recovery Court, participates in a coordinated strategy for responding to positive drug tests and other program violations, agrees that a positive drug test or open court admission of drug possession or use will not result in the filing of additional charges based on that admission, and makes recommendations regarding the participant's continued enrollment in the program based on performance in treatment and other aspects of the program rather than on legal aspects of the case, barring additional criminal behavior.

The assistant public defender reviews arrest, charging, and program documents, advises the defendant or coordinates with the defendant's defense counsel in advising as to the nature and purpose of Recovery Court, the rules governing participation, the consequences of abiding or failing to abide by the rules, and how participating or not participating in Recovery Court will affect his or her interests, explains all of the rights that the defendant will temporarily or permanently relinquish, gives advice on alternative courses of action, and discusses with the defendant the long-term benefits of sobriety and a drug-free life. The assistant public defender explains that criminal prosecution will not be invoked for admitting to alcohol or drug use in open court, encourages the defendant to be truthful with the Judge and with treatment staff, and informs the defendant that he/she will be expected to speak directly to the Judge, not through an attorney.

During the development of the Knox Recovery Court between 1997 and 1999, the prosecutor and defense counsel have participated in the design of screening, eligibility, and case-processing policies and procedures which guarantee that due process rights and public safety needs are served. They continue to play a role in on-going discussions with this process.

Recovery Court operates on the principles that:

- Substance use disorder is a long-term, damaging process that can only be repaired with long-term treatment.
- Substance use disorder can indicate that other serious problems often contribute to the debilitation of the individual as a functioning member of society; therefore, the underlying causes of drug abuse must be confronted and treated in order to maximize recovery.
- The crisis of arrest and incarceration makes individuals with substance use disorder their most amenable for intervention; therefore, it is important for

confrontation and intervention to occur immediately following arrest.

- Relapse and sporadic progress is to be expected; therefore, progressive sanctions and incentives must be an integral part of the Recovery Court program.
- Individuals in the program have various treatment and supervisory needs. Therefore interventions should vary based on needs.
- Communication among Recovery Court team members must be streamlined and fully utilized to ensure that the judge recognizes the proper incentives and sanctions for each participant and applies them at the appropriate time for maximum efficacy.

ELIGIBILITY STANDARDS

Persons must meet certain criteria to be eligible as candidates for Recovery Court. Those eligible are the "target population" for Recovery Court.

Eligible defendants are those who:

- A.1 have a current charge or have been recently convicted of non-violent charges decided on a case by case basis through a negotiated guilty plea; and
- A.2 voluntarily agree to participate in the program;

OR

B.1 are already on probation having previously been convicted of a non-violent crime; and

B.2 voluntarily agree to participate in the program

The person's nature and severity of substance use disorder is considered in determining type and level of services needed. However, Recovery Court targets those with a substance use disorder.

The Recovery Court excludes violent offenders from participating in the program as defined below:

TCA 16-22-103. (as amended on 4/18/12 by the State of Tennessee) Chapter definitions. —

As used in this chapter:

- (1) "Chemically dependent" means a maladaptive pattern of substance use leading to clinically significant impairment or distress as manifested by two (2) or more of the pre-determinate symptoms occurring at any time in the same twelve-month period;
- (2) "Drug court treatment program" means any drug court treatment program created within the state that follows the general principles referenced in § 16-22-104 and that is established by the judge of a court in this state exercising criminal jurisdiction or by the judge of a juvenile court. A "drug court treatment program" shall have the same powers as the court that created it;
- (3) "Non adversarial approach" means that the district attorney general and the defense attorney work together for the benefit of the drug court treatment program participants and the program. Any disagreements are to be resolved prior to court and not in front of the participants; and
- (4) "Violent offender" means a person who:
 - (A) Is convicted of an offense, during the course of which:
 - (i) The person carried, possessed or used a firearm or dangerous weapon;
 - (ii) There occurred the death of or serious bodily injury to any person; or
 - (iii) There occurred the use of force against the person of another; or
 - (B) Has one (1) 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.

(C) In determining whether a defendant is a "violent offender" under subdivision (A), it does not matter whether one (1) or more of the circumstances described in subdivision (4)(A)(i), (4)(A)(ii), or (4)(A)(iii) is or is not an element of the offense for which the person is convicted.

Some other factors may exclude certain individuals from being eligible for Recovery Court. These include:

1. Prior violent convictions;
2. Mental illness which would interfere with the participant's ability to meaningfully participate in treatment;
3. Having medical condition requiring potentially addictive medications or being too severe for the candidate to participate in the program.

No one shall on the grounds of race, culture, religion, gender, age, ethnicity, sexual orientation, color, national origin or disability be excluded from the participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated by the Knox Recovery Court. It is the intention of Recovery Court to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964, the Americans with Disabilities Act, and other statutory requirements.

The Knox County Sheriff's Pre-Release Coordinator, State probation officers, County probation officers, and Community Alternative to Prison regularly identifies, screens, and refers candidates to Recovery Court. Others, such as attorneys and family members can refer candidates to Recovery Court

REFERRAL PROCESS

Referrals to the Recovery Court Program are made through one of two methods:

New Arrests

The prosecutor and the assistant public defender or retained defense counsel agree to the Recovery Court Program as part of the defendant's negotiated plea. The District Attorney's Office informs the Recovery Court so that they may make arrangements with the defendant to have an assessment completed by a Recovery Court staff. If the assessment shows that the defendant is suitable for the program, the ADA will transfer the case to the Recovery Court Judge.

Probation Violations

During the probation violation process, the attorney, DA, Judge, or probation officer identifies a defendant who might be a suitable candidate for the program. The probation officer brings the information to the Recovery Court team to discuss the referral and the appropriateness of the defendant for Recovery Court. The probation officer provides the team with all information he or she has on the defendant. The prosecutor provides further information regarding the defendant's criminal history.

Upon incarceration, the Recovery Court staff will be notified and an interview will be conducted as soon as possible, preferably within two weeks. The staff is trained to screen eligible individuals for AOD problems and suitability for treatment. The interviewer will explain the program to the defendant, the structure of the program, and emphasize its requirements. Also during the interview, the defendant will be given the program incentives and sanctions list and have an opportunity to discuss it with the staff interviewer. The defendant will be asked if he/she has a substance abuse problem. If the defendant agrees to participate, the defendant then completes the initial screening. If the defendant denies a substance abuse problem, the interviewer will proceed with rejecting the defendant from the program. Upon admission the treatment team member(s) will conduct an in-depth assessment on each participant and provide a treatment recommendation to the Recovery Court team.

It is important that a defendant being considered for Recovery Court understands how they may benefit from participating in the program, what rights they give up by participating, what will be expected of them if they participate, and what sentence they are likely to receive if they choose not to participate or if they participate and fail to successfully complete the Recovery Court program. The defendant is given an Acknowledgment form and Participant Program Handbook to review and sign at the first opportunity which usually is the first time the Recovery Court staff meets with the defendant for the screening interview. The Acknowledgment form and Participant Program Handbook are included in the appendix of this manual and advises the defendant about the program requirements and the relative merits of participating.

If an attorney has been informed that the defendant may be eligible for the program, they shall advise the defendant while the defendant is considering legal options. The defendant, at this point, will formally accept or reject the offer. If the defendant refuses to participate in Recovery Court, the defendant will be placed on the regular probation revocation track. If the defendant chooses to participate in Recovery Court, the participant will complete the Recovery Court application, and be released from jail with instructions as to where he or she must go immediately upon release from the jail. The defendant will be expected to begin treatment within 7 days of release from jail.

The Tennessee Risk Assessment System (TN-RAS) will be completed before enrollment to determine criminogenic risk. The Tennessee Risk Assessment System

(TN-RAS) is a dynamic risk/needs assessment system to be used with adult offenders. It offers the ability to assess individuals at various decision points across the criminal justice system. The results of the assessment will guide Recovery Court in making recommendations for supervision level, program referral and placement, as well as treatment intervention. Recovery Court will utilize a portion of the TN-RAS, the Community Supervision Tool (CST), during the assessment process. The CST consists of 35 items across seven domains: Criminal History, Education, Employment, Financial Situation, Family and Social Support, Neighborhood Problems, Substance Use, Peer Associations, and Criminal Attitudes and Behavioral Patterns. Recovery Court staff will receive appropriate training to implement the TN-RAS and will use this evidence-based tool to determine which domains need to be addressed before release from jail, during treatment/supervision (after six (6) months in the program), and upon program completion. Recovery Court clinical staff will continue to make referrals, resource recommendations, and treatment adjustments as needed based on assessment outcomes. No unauthorized users will administer this assessment, only those with proper training and approval.

TREATMENT SERVICES AVAILABLE

Once admitted, the participant will go through orientation which explains the program in detail and gives the participant an opportunity to ask questions and meet the staff. During orientation the participant is also instructed where they will be receiving their treatment and are expected to begin treatment within 7 days. Upon admission into treatment, the treatment agency conducts an initial screening to ensure treatment services and individuals are suitably matched. Participants are placed in Outpatient AOD treatment, Intensive Outpatient treatment, Residential treatment or hospitalization by the treatment agency. Level of treatment is based on the treatment agency's and Recovery Court's assessment results. Agencies and Recovery Court use the American Society of Addiction Medicine Patient Placement Criteria for determining level of treatment. Treatment success is recorded for each participant to ensure the program's goal #2 is being met.

Participants are screened periodically thereafter by both Recovery Court staff and treatment personnel for this same purpose. This is accomplished through program compliance, drug screen results and reports from treatment, probation, and transitional house reports.

Treatment agencies will develop individualized treatment plans and treatment plan revisions as necessary. Services provided by partnering agencies include group counseling, individual and family counseling, relapse prevention, 12-step self-help groups, preventative and primary medical care, general health education, medical detoxification, domestic violence programs, anger management, treatment for long-term effects of childhood physical and sexual abuse services. Additionally there are services for co-occurring AOD problems and mental health disorders; and medication monitoring for participants with co-occurring disorders. Treatment services are

available to address the particular treatment issues of women and other special populations, and for detoxification, acute residential. Education, training, and ongoing clinical supervision are provided to treatment staff.

Helen Ross McNabb, Cherokee, and Ensemble facilities are can accommodate wheelchairs. McNabb and Cherokee have accommodations for participants who are not fluent in English. McNabb has GreatStarts which had childcare services. All three agencies have accommodations available for those with limited literacy and all are available by public transportation. All three agencies are licensed where required and use evidence-based services. Treatment agencies give the court accurate and timely information about a participant's progress on weekly/monthly bases; by written and verbal reports. Information exchanged complies with the provisions of 42 CFR, Part 2 (the Federal regulations governing confidentiality of AOD abuse patient records) and applicable State statutes. Treatment designs and delivery systems are sensitive and relevant to issues of race, culture, religion, gender, age, ethnicity, and sexual orientation.

ANCILLARY SERVICES AVAILABLE

Ancillary services available to participants include housing, Educational and vocational training, legal services, money management, cognitive-behavioral therapy to address criminal thinking patterns, anger management, transitional housing, social and athletic activities, and dedication or other techniques to promote relaxation and self-control. Case management services are available to provide on-going assessment of participant progress and needs, to coordinate referrals to services in addition to primary treatment, to provide structure and support for participants who typically have difficulty using services even when they are available, and to ensure communication between the court and various service providers.

ADVICE TO BE GIVEN TO DEFENDANTS

Attorneys should give their participants all the information and advice they think appropriate, but it should include the following:

A. What they will get out of the program.

1. They will be drug-free and will have learned how to stay that way by the time they complete the Recovery Court Program.

B. What will be expected of them

1. They must complete an intensive 15 to 18 months, five (5) phase program that will begin with counseling sessions. As they move through the phases, the attendance requirement will be relaxed.

2. They will have randomly scheduled drug screens several times per week.
3. They must appear weekly in court during Phase I and II for a judicial review of their progress. Appearances will be less frequent during later phases.
4. Program violations will result in sanctions that could range from admonishment by the judge to a period of incarceration.
5. Participants must be employed full-time unless the judge approves something less.
6. In lieu of bond, court costs, fines, and probation fees, participants must pay a Program fee of \$300 to the Clerk of Courts, in full or installments until the balance is paid in full. Accumulated payments equal to one-fourth of the fee will be mandatory in order to advance through each phase of the Recovery Court program.
 7. Participants must not drink alcohol in any form or use drugs.
 8. Participants must waive their 4th amendment rights.
9. If they are interested in being further considered for Recovery Court, they will be interviewed by someone who will question them about their drug use and other things. Their answers concerning drug usage will not be used to prosecute them, even if they admit drug use. It is very important that they be open and honest with the interviewer.

C. What will happen if they fail to complete the program

1. They will be served with a petition for termination of the Recovery Court contract. They are subject to arrest and incarceration upon service of that petition and upon the swearing of an affidavit detailing the lack of compliance.
2. Upon termination of the Recovery Court contract, their probation may be revoked up to the maximum time allowed by law, including adjudication and re-sentencing under the First Offender Act, if applicable.

FORMS TO BE SIGNED BY PARTICIPANTS

Candidates are given a participant handbook. The handbook includes the

program description, including length; fees; MAT guidelines; and grievance guidelines. Upon entry into the program the participant must sign certain documents. Samples of each form are found in the appendix.

- A. The Recovery Court contract informing them of program rules they commit to follow.
- B. The Consent Revocation and Rights Waiver detailing the terms of the revocation and the rights your participant is waiving by participating in the program.
- D. The Consent for the Release of Confidential Information permitting Recovery Court to get information about the defendant from government and private agencies that may be needed in the course of treatment.
- E. The POP allowing the participant to be released without bond costs during participation in the program.

PHASES

The program has 5 phases. All participants start on Phase 1 and must go through each phase before graduating. One exception is for participants entering or reentering the Knox Recovery Court from the Morgan County Residential Recovery Court. In those cases participants coming back from the MCRRC enter the Knox Recovery Court on Phase 1, then after observation for 30 days usually advance to Phase 4 unless there are issues. The phase requirements and requirements for advancing to the next phase are outlined in the handout in the appendix at the end of this manual. This handout is given to participants when they attend orientation. It is available to all participants in the Recovery Court waiting room.

Participants complete a phase up application, get signatures of approval from their probation officer and half way house manager. The application is then submitted to the Recovery Court Case Manager at least 2 working days before court. The Recovery Court Team reviews the application and the Director ensures that the participant has completed each item on the requirements sheet. The application is then taken to court where the team has an opportunity to discuss it with the Recovery Court Judge. The Judge then advances the participant in court.

LIMITED ENGLISH PROFICIENCY

The program will not exclude anyone strictly on the basis of limited proficiency in the use of the English language or hearing impairment. Interpretive services, including oral translations, written translations, and sign language, will be used to provide meaningful access to the program for persons requiring such services.

MONITORING AND SUPERVISION

Intensive monitoring and supervision of participants are integral parts of the program. Participants are monitored for the use of illegal drugs and alcohol by random urine drug screen tests and breathalyzers. The Recovery Court staff will perform these random screens using products which test for, *inter alia*, cocaine, marijuana, and opiates, and other drugs of choice commonly found in the area. Redwood and PharmChem Laboratories utilizing GC/MS or other scientifically validated technology is used for confirmation of non-negative urine screens or other drugs as indicated and for contested sample results.

All drug screen testing is done randomly using a random number generator. Participants are instructed to call an information phone message each day. Participants on Phases 1 and 2 will be required to submit to at least 3 random drug screens per week as designated on the info line. Phases 3, 4, and 5 will submit at least 2 drug screens per week. All participants must call the info line daily to check for their phase. If the info line indicates that their assigned phase is scheduled for a test, the participant must report to Recovery Court to provide a urine sample for testing. Failure to report to provide a urine sample for testing may result in jail sanctions being imposed. Participants may be selected to be drug screened by trained personnel at the time of their court review, specifically in cases where the participant shows a persistent lack of progress or demonstrates behavioral or cognitive indicators of use or relapse.

Drug Screen testing typically consists of 5 panel tests, 10 panel tests, 12 panel tests, single panel specialty drug tests, breathalyzer tests, or specific laboratory tests. This allows the drug screener a sufficiently broad range of detection methods. The Drug Screen sign-in sheet includes the participants drug of choice, allowing the testing to be tailored to each participant.

These monitoring systems allow for early detection of substance use, interrupt established behavior patterns, and serve as a strong deterrent to alcohol and controlled substance use. All samples are directly observed by a Recovery Court staff member or other trained staff and are tested onsite immediately or sent to a laboratory for testing. All samples are supervised during the entire time from sample collection to testing or until the sample is sealed and labeled using container, sealing, and labels provided by the laboratory, therefore ensuring chain of custody is not broken. Samples are measured for temperature using temperature strips or temperature gun

and creatinine levels are periodically checked to determine existence of water loading.

The test results are communicated to the participant within one work-week day. The Judge and team are notified at the next Recovery Court Team Meeting of any positive screens, missed screen, adulterated sample, or failure to produce a sample so that sanctions may be imposed quickly. Sanctions for missed screen, adulterated sample, or failure to produce a sample is address at the next recovery court team meeting and responses; whether a sanction, treatment, or both, are decided on an individual basis. If the positive screen is confirmed by the laboratory, the Judge may impose a more harsh sanction than if the participant was honest about his or her drug use.

Intensive supervision is accomplished by frequent contact with all participants (at least weekly initially). These contacts are made at group counseling sessions, individual counseling sessions, and weekly court appearances. Participants will also be subject to random home visits by the case manager during which drug and alcohol testing is administered. Reports of these home visits are prepared and delivered to treatment providers, the coordinator, and the judge. The reports include a brief description of the visit, whether the participant was at home and cooperative; whether any drug and alcohol tests were administered and the results of any such tests (i.e., positive or negative), and whether there were any drugs or alcohol visible in the home at the time of the visit. This intense level of supervision helps ensure that participants are working toward treatment goals, maintaining employment, adhering to their curfew, and generally making productive use of their time. This frequent contact with their peers helps the participants bond with the Recovery Court community and also helps establish a strong, sober support network.

Drug Screen suppliers include Medical Disposables, Redwood Toxicology, PharmChem, AlcoPro.

Instant tests (Dip/Cup tests, Oral Fluids tests, and breathalyzer tests) use the following form;

KRC/KCVTC		Tests of Psychoactive Chemical Presence					
				Oral Test Instant Test			
Participant's Signature		IDN	Probation Officer		Circle one if applicable		
Participant's Name		Collector's Name		Testing Date	Temp		
Urine specimen analyzed for the following class of drugs and their metabolites.							
Drug/Metabolite	Check if tested	Negative	Non-Negative	Drug/Metabolite	Check if tested	Negative	Non-Negative
Amphetamines (AMP)				Morphine (MOR)			
Barbiturates (BAR)				Neurontin			
Benzodiazepines (BZO)				Opiates (OPI)			
Buprenorphin (BUP)				Oxycodone (OXY)			
Cannabinoids (THC)				Phencyclidine (PCP)			
Cocaine (COC)				Propoxyphene (PPX)			
ETG				Tricyclics Anti Depresants (TRA)			
Fentanyl (FEN)				Breath Alcohol Analyzer			
Kratom (KRA)				Other _____			
MDMA (Ecstasy)				Other _____			
Methadone (MTD)				Glutaraldehyde (GL)			
Methamphetamine (mAMP)				Adulteration Strip Results			
If results were non-negative , have another staff member witness the test, write test results below, and sign. Did participant sign an acknowledgement of use form? YES NO Results witnessed:							
_____		_____		_____		_____	
Witness's Signature		Place in Drug Screens Section		Date			

Participants are asked to complete their portion at the top of the form and the drug screener completes the rest. The drug screener checks beside each drug being tested.

Oral Fluids Test

Drugs tested for on the Medical Disposables Oral Fluids tests are: 5 panel Marijuana, Cocaine, Opiates, Methamphetamine, Amphetamine. Once the participant and drug screener complete the Tests of Psychoactive Chemical Presence form, the drug screener ensures that the manufacturer instructions for the drug screen are followed. The participant places the oral fluids sponge in their mouth until the sponge is saturated, then the participant places the sponge in the testing container and closes the lid. After all the panels have completed the test as indicated by a control line, the drug screener reads the test and records the results on the form. Tests where there is a test line for each panel is recorded as negative. Panels where there is a control line but no test line are recorded as non-negative. The above steps are done in the presence of both the participant and drug screener. Incidences where there is a non-negative, the participant is asked to see a staff of same gender for further urinalysis laboratory testing. Participants are offered to sign an admission form if they admit to using. Instant oral fluids with non-negative results are never interpreted as definite proof of use thus the need for further laboratory testing.

Instant Dip/Cup Test

The Medical Disposables instant dip urine tests are: 5 panel Marijuana, Cocaine, Opiates, Amphetamine, Methamphetamine.

12 panel are Marijuana, Cocaine, Morphine, Amphetamine, Methamphetamine, Barbiturates, Benzodiazepines, PCP, Methadone, Oxycontin, Ecstasy/MDMA, Buprenorphine.

Single panel tests include ETG, Fentanyl, K2, Gabapentin

The participant and drug screener of the same gender both go into the restroom and complete their portions of the Tests of Psychoactive Chemical Presence form. The drug screener ensures that the manufacturer instructions for the drug screen are followed. The participant produces a urine sample in a cup while being observed by the drug screener. The sample temperature is measured by either a temperature strip or temperature laser gun and the temperature is recorded on the Tests of Psychoactive Chemical Presence form. Then the tip of the instant dip card test is submerged in the sample for the amount of time specified in the manufactures instructions. The dip card is then laid on the top of the specimen cup to wait for the test to be completed. After all the panels have completed the test as indicated by a control line, the drug screener reads the test and records the results on the form. Tests where there is a test line for each panel is recorded as negative. Panels where there is a control line but no test line are recorded as non-negative. The above steps are done in the presence of both the participant and drug screener. Testing with instant test cups are conducted in a similar way except the dips cards are built in the side of the test cup.

Incidences where there is a non-negative, the participant is asked to see a staff of same gender for further urinalysis laboratory testing. Participants are offered to sign an admission form if they admit to using. Instant oral fluids with non-negative results are never interpreted as definite proof of use thus the need for further laboratory testing.

After the test results are recorded, the drug screener asks the participant to dispose of the sample and drug testing cup and card.

Breathalyzer

Breathalyzers are completed with the AlcoPro breathalyzer III. The drug screener and participant completes their portions of the Tests of Psychoactive Chemical Presence form.

The participant and drug screener of the same gender both go into the restroom and complete their portions of the Tests of Psychoactive Chemical Presence form. The drug screener ensures that the AlcoPro instructions for the Breathalyzer III are followed. The participant unwraps a breathalyzer tube and places it on the machine. The participants blows into the tube when the drug screener gives the OK.

Once the breathalyzer results are read and recorded on the Tests of Psychoactive Chemical Presence form. The participant is asked to dispose of the tube. The above steps are done in the presence of both the participant and drug screener.

Redwood Laboratory Test

Redwood lab tests include a “9 panel” – Alcohol, Amphetamines, Barbiturate, Benzodiazepines, Cocaine, Opiates, Marijuana, it also measures Creatinine and Specific Gravity. Redwood also has a test for ETG, Tianeptine, fentanyl, and Gabapentin.

The participant and drug screener of the same gender both go into the restroom and complete their portions of the chain of custody form and security seal supplied by Redwood. The participant produces a urine sample in a Redwood cup while being observed by the drug screener. The sample temperature is measured by either a temperature strip or temperature laser gun and the temperature is recorded on the chain of custody form. The lid is secured on the cup, the security seal is fastened over the lead, and the chain of custody sticker is fastened to the side of the cup. The cup is placed in a Redwood bag and sealed. The sample is placed in a Redwood box to be sent to the Redwood Laboratory. The above steps are done in the presence of both the participant and drug screener.

PharmChem Laboratory Test

Knox Recovery Court uses the PharmChem patch Standard Panel which Includes: Methamphetamine, Amphetamine, Cocaine, Codeine, Morphine, Heroin, Marijuana, and PCP. The drug screener attaches the PharmChem patch and takes the patch off in accordance with PharmChem’s instructions. The drug screener and participant completes their portions of the chain of custody form. The drug screener cleans the area with alcohol pads on the participant where the patch is to be affixed and lets the alcohol dry for at least 2 minutes before placing the patch on the participants skin. The patch is placed on the participants skin. A patch overlay is typically used to help secure the patch. The chain of custody form is stored in the participants chart file cabinet where it is locked in a room accessible only to recovery court staff. After the patch is worn for about a week, the drug screener takes the patch off according to the manufacturer’s instructions ensuring there no signs of tamper. The patch absorbent material is placed in a PharmChem bag. The bag is sealed and the security seal and chain of custody sticker is placed on the bag. Both the participant and drug screener are present from the beginning of the removal process to after the bag is sealed and security seal and chain of custody sticker is placed on the bag.

INCENTIVES AND SANCTIONS

Recovery Court utilizes a system of evidence-based incentives and sanctions to shape participants' behaviors. Incentives and sanctions affect not only the participant receiving them, but also the other Recovery Court participants as well. Through a process of vicarious learning, other participants modify their behavior to earn incentives or avoid sanctions. Incentives and sanction responses vary in intensity depending upon the participants behavior, phase in the program, and number of times the behavior has been repeated.

Incentives are used as positive reinforcement designed to increase the likelihood that the participant will engage in the targeted behavior in the future. The program utilizes a graduated system of incentives which are awarded to participants as achievements and program goals are accomplished. Achievements such as maintaining one, two, or three years abstinent from drugs and alcohol, phase advancement, finding employment, achieving weekly honor roll or monthly honor roll, or earning a GED, may earn an incentive as outlined by the graduated incentive guidelines or as determined by the Recovery Court judge. The following may be types of incentives earned or awarded:

- (1) Praise and applause - Participant's continuous days of sobriety, demonstrated recovery skills, verbalized insights, or other accomplishments are awarded praise and applause from the Recovery Court judge and Recovery Court team.
- (2) Medallions - The Recovery Court judge may award participants advancing to the next phase or graduating the program.
- (3) Pee Bottle Awards - Participants who graduate with all negative drug screens receive a "Golden Pee Bottle Award". Participant with 1 to 5 positive screens receive a "Silver Pee Bottle Award". Participants with 6 to 10 positive screens upon graduating receive a "Bronze Pee Bottle Award" by the Recovery Court judge.
- (4) Token gift - The Recovery Court team may identify participants who exceed program requirements (Participant of the Week) each week and the Recovery Court judge will award token gift or POW award to the participants.
- (5) Token prizes - Participants who demonstrate outstanding achievements (i.e. completing GED, obtaining a job with benefits, overcoming a personal obstacle, etc.) may be awarded a token prize by the Recovery Court judge. Token prizes are generally items that can be purchased for one dollar or less.
- (6) Bus tickets - Participants may be awarded a bus ticket as an incentive at the discretion of the Recovery Court judge.
- (7) Passes - Participants may be granted a pass as an incentive by the Recovery Court judge.
- (8) Lunch - Participants that consistently exceed requirements of the program

(honor roll) for the month may be placed into a lottery to be a guest of the Recovery Court judge for lunch. (Maximum of four (4) participants each month.)

- (9) Certificates - Participants who graduate from the program are awarded a certificate by the Recovery Court Judge.
- (10) Reduced supervision, decreased frequency of court appearances with Phase Advancement.
- (11) Reduced fees and fines
- (12) Dismissal of criminal charges or reduction in the term of probation
- (13) Reduced or suspended incarceration
- (14) Graduation

Sanctions are imposed when a participant relapses, violates a rule of the program, or violates the law. Sanctions are used as punishment to reduce the likelihood that the participant will engage in the targeted behavior in the future. The program uses a graduated system of sanctions in which the sanctions increase in severity if the unwanted behavior continues. Sanctions will be linked to individual participant needs and interests and may include additional community service, jail, or termination from the program. The following may be part of an imposed sanction:

- (1) Intensified Treatment - The Recovery Court team will discuss the need for more intensive treatment when appropriate. Treatment intensity will not be viewed as a sanction. However intensified treatment may be a therapeutic response resulting from missed appointments, a series of positive drug screens, lack of participation or involvement, or other program violations.
- (2) Verbal warning by the Judge in open court
- (2) Increased Drug Screens and/or Court appearances- The Judge may require participants to submit to drug testing and/or appear in court more frequently.
- (3) Community Service - Participants may be required to complete additional community service hours as a sanction/consequence for their behavior. The participant will be instructed to contact his or her case manager in order to make arrangements for the community service.
- (4) Increased Reporting (Phase 1 Restriction) - Participants may be required to report more often to the treatment office or to the court if it is determined that they need to be monitored more intensively.
- (5) Incarceration - Incarceration will be used as a “shock” sanction for use or relapse with the amount of time increasing with each successive incident; however, generally, a participant will not be incarcerated for more than six (6) days. Participants who have had numerous relapses or have previously absconded or continuously fail to comply may be required to complete the jail’s substance abuse program before being released. Incarceration may be used as a transition for individuals who are awaiting space in a residential treatment facility if no other appropriate option is available. While incarcerated, participants have access to apply for treatment in the jail’s Intensive Treatment Program (ITP). The list of Incentives and incentives are posted in the

Recovery Court office in a common area and discussed periodically in meetings facilitated by staff before Wednesday court.

(6) Being addressed in court last

(7) Termination from the program and referral back to the referring court

COURT SESSIONS

(A) Staffing Session

The Recovery Court team consisting of the judge, the director, the prosecutor, the assistant public defender(s), the probation officer, law enforcement liaisons, the treatment staff, and other interested parties will meet weekly to discuss the progress of the participants and develop a strategy for addressing participants who are struggling. The treatment agencies, transitional houses and others prepare written reports and submit them to the Recovery Court office 2 working days before the Recovery Court Team meeting. The reports include but are not limited to compliance or non compliance of each participant being served. The Recovery Court staff then compiles these reports into one report outlining the progress of the each participant, including treatment progress, which includes the urine screen results and any other pertinent information regarding the participant's progress. This compiled report is submitted to the Judge, prosecutor, and assistant public defender. The Judge discusses with team members from each team members' field of expertise and makes final decisions on sanctions and incentives. Staffing sessions are generally held on each Wednesday at 3 PM in the Court Room.

In addition to the Staffing Sessions and written report, treatment providers, transitional houses, probation, and Recovery Court staff are in regular communication with one-another throughout the week; either by phone or fact to fact in meetings. (

(B) Court Sessions

Using the compiled report and information verbally discussed in the team meeting, the judge calls each participant before the bench to informally discuss goals and objectives, assess participant's progress, recognize successes, make suggestions for improvement, and/or impose sanctions. The Judge strives to interact with each participant for a minimum of three (3) minutes and responds to each participant positive efforts as well as to non compliant behavior.

Court sessions are generally held on Wednesdays at 4:00 PM.

PROGRAM DISCHARGE

(A) Successful Program Completion

The Recovery Court program typically lasts 15 to 18 months. A minimum of 120 days continuous clean time is required for a participant to be eligible to graduate from the program. Recovery Court graduations are held at Milestone Celebrations 4 times per year. Participants may complete all the Recovery Court requirements and graduate between Milestone Celebrations but his or her graduation ceremony is held at the next Milestone Celebration.

Upon successful completion of the Recovery Court Program, a graduation ceremony will be held and a certificate of completion, Pee Bottle Award, and graduation coin will be awarded to each graduate.

(B) Program Termination

If a program participant has failed all treatment options, continues to be non-compliant, and/or is consistently unable to meet program/treatment requirements, the Recovery Court team will discuss the possibility of termination from the program. The participant will appear at the next Recovery Court session or at a scheduled termination hearing for formal discharge by the judge. The participant may be incarcerated until a probation revocation hearing is held.

ADVISORY COMMITTEE

The Recovery Court Advisory Committee meets quarterly and consists of a minimum of the Recovery Court Judge, Representatives from Attorney General and Public Defender's offices, the Recovery Court Director, Representatives from Helen Ross McNabb, the Knox County Sheriff's office, and Community Supervision. The Committee operates through the Friends of the Knox County Recovery Court, a nonprofit corporation structure, and brings unique knowledge and skills which augment the knowledge and skills of the Recovery Court Director and staff in order to more effectively guide the program. The Advisory Committee does not have formal authority to govern the organization, that is, the Advisory Committee cannot issue directives which must be followed. Rather, the Advisory Committee serves to make recommendations and/or provide key information and materials to the Director and staff such as reviewing performance reports and policies and procedures, provides ideas about fundraising and acquiring resources. The Advisory Committee plays a pivotal role in forming linkages between community groups and the criminal justice system.

EVALUATION PLAN

The Recovery Court will use an on-going management information system/model for program review. This system will include the implementation of a management information system, a method of process evaluation, and a method of outcome evaluation. The Recovery Court will also enter data into the State of Tennessee's encrypted online TN-WITS database for tracking and evaluation purposes. TN-WITS, the Recovery Court MIS, JIMS, and paper records will be used as sources for periodic evaluation. Staff who have direct access to the data have been trained regarding confidentiality. Monitoring reports will be reviewed at the quarterly Advisory Committee. Included in the monitoring reports will include process evaluation for the Committees review and recommendations. Subsequent follow up reports are also provided to the Committee for review. Annually, the cost-benefit analysis will be studied using the State of Tennessee's cost-benefit analysis tool developed by contract evaluator Richard Grimm, Ph. D.

CONFIDENTIALITY

Each participant has the right to confidentiality. The treatment provider will assure that counseling services and information contained in their treatment records will be held in confidence. No information may be released by treatment staff without the written consent of the participant. Confidentiality is also essential in group therapy. No information pertaining to any participant should be discussed outside of the group.

Recovery Court staff will obtain a "Consent For Release of Information" form signed by participants to authorize exchange of information between participating individuals and/ or agencies.

CORE COMPETENCIES OF RECOVERY COURT TEAM MEMBERS

Recovery Court Judge

1. Participates fully as a Recovery Court team member, committing him or herself to the program mission, and goals, and works as a lead partner to ensure their success.
2. As part of the Recovery Court team, in appropriate non-court settings (i.e., staffing), advocates for effective incentives and sanctions for program compliance or lack thereof.
3. Is knowledgeable of addiction, alcoholism, and pharmacology generally, and applies that knowledge to respond to noncompliance in a therapeutically appropriate manner.

4. Is knowledgeable of gender, age, and cultural issues that may impact the offender's success.
5. Becomes a program advocate by utilizing his/her community leadership role to create interest and develop support for the program.
6. Effectively leads the team to develop all the protocols and procedures of the program
7. Is aware of the impact that substance abuse has on the court system, the lives of offenders and their families, and the community at large.
8. Develops a working relationship with the offender, monitors offender progress, and addresses personal and ancillary issues without losing the aura of judicial authority.
9. Leads the team to educate the community on program goals and standards and develops community resources to address participants' ancillary needs.

For consistency and stability in the early stages of the recovery court operations the judge is assigned to the recovery court for a sufficient period of time to build a sense of teamwork and to reinforce a non adversarial atmosphere.

Recovery Court Director

1. Participates fully as a Recovery Court team member, committing himself to the program mission and goals, and works as a full partner to ensure their success.
2. Is knowledgeable of addiction, alcoholism, and pharmacology generally, and applies that knowledge to suggest responses.
3. Is knowledgeable of gender, age, and cultural issues that may impact the offender's success.
4. Develops police and corrections linkage to improve supervision and agency coordination.
5. Educates referral sources and the community on eligibility standards and program goals. Encourages team members to educate in their fields and in the community. Develops team building activities and conducts staff replacement training.
6. Ensures that offenders referred for Recovery Court consideration are evaluated in a timely and competent manner.

7. Manages daily operations and filing systems.
8. Develops team resource strategy to acquire funding. Writes grant applications and manages the program's budget. Manages grants, including reporting pursuant to grantor's requirements. Creates opportunities to obtain funding and build linkages by supporting team in community outreach and lobbying activities.
9. Knowledgeable of program eligibility standards, operating procedures and rules.
10. Negotiates and monitors treatment and ancillary service contracts.

Recovery Court Prosecutor

1. Participates fully as Recovery Court member, committing him or herself to the program mission, and goals, and works as a full partner to ensure their success.
2. While in Recovery Court, participates as a team member, operating in a non-adversarial manner, promoting a sense of a unified team presence.
3. As part of the Recovery Court team in appropriate non-court settings (i.e., staffing), advocates for effective incentives and sanctions for program compliance or lack thereof.
4. Ensures community safety concerns by maintaining eligibility standards while participating in a non-adversarial environment which focuses on the benefits of therapeutic program outcomes.
5. Monitors offender progress to define parameters of behavior that allow continued program participation and suggest effective sanctions and incentives for program compliance.
6. Is knowledgeable about addiction, alcoholism, and pharmacology generally, and applies that knowledge to respond to compliance in a therapeutically appropriate manner.
7. Is knowledgeable of gender, age, and cultural issues that may impact the offender's success.
8. Contributes to the team's efforts in community education and local resource acquisition.
9. Contributes to education of peers, colleagues, and the judiciary in the efficacy

of Recovery Courts.

For consistency and stability in the early stages of the recovery court operations the prosecutor is assigned to the recovery court for a sufficient period of time to build a sense of teamwork and to reinforce a non adversarial atmosphere.

Recovery Court Defense Attorney

1. Participates fully as a Recovery Court team member, committing him or herself to the program mission and goals, and works as a full partner to ensure their success.
2. Evaluates the offender's legal situation and ensures that the offender's legal rights are protected.
3. While in Recovery Court, participates as a team member, operating in a non-adversarial manner, promoting a sense of a unified team presence.
4. Effectively advises the defendants on their legal rights, legal options, treatment options, program conditions, and sentencing outcomes, while developing a relationship with the offender that promotes the offender's long term best interest.
5. Monitors participant progress to support full participation and ensure the appropriate provision of treatment and other rehabilitative services.
6. As part of the Recovery Court team, in appropriate non-court settings (i.e., staffing), advocates for effective incentives and sanctions for program compliance or lack thereof.
7. Is knowledgeable of gender, age, and cultural issues that may impact the offender's success.
8. Is knowledgeable about addiction, alcoholism, and pharmacology generally, and applies that knowledge to respond to compliance in a therapeutically appropriate manner.
9. Contributes to the team's efforts in community education and local resource acquisition.
10. Contributes to education of peers, colleagues, and the judiciary in the efficacy of Recovery Courts.

For consistency and stability in the early stages of the recovery court operations the defense counsel is assigned to the recovery court for a sufficient period of time to build a sense of teamwork and to reinforce a non adversarial

atmosphere.

Probation Officer

1. Participates fully as a Recovery Court team member, committing him or herself to the program mission and goals, and works as full partner to ensure their success.
2. Provides information on potential candidates as referred by supervising officers after reviewing positive drug test forms and ensuring the candidate fits the basic criteria for participation in the Recovery Court program.
3. Facilitates the swift filing of probation warrants and petitions for adjudication on candidates accepted into the Recovery Court program, places those candidates on administrative supervision, and then relinquishes supervision to the Recovery Court.
4. Acts as a liaison to State Probation, providing education, information and training on the importance of the Recovery Court program to community safety and the benefits to probation in collaborating with the Recovery Court.
5. Is knowledgeable of addiction, alcoholism, and pharmacology generally, and applies that knowledge to respond to compliance in a therapeutically appropriate manner.
6. Is knowledgeable of gender, age, and cultural issues that may impact the offender's success.
7. Provides a monitoring function for the collection of the Recovery Court fees and disburses those fees on a monthly basis to the Recovery Court Coordinator for deposit into the Recovery Court account.
8. Provides assistance, information, and support to participants in the community encouraging them to succeed in the program.
9. Provides order containing clear language of status upon graduation.

Treatment Providers and Case Managers

1. Conducts participant evaluations in order to determine suitability for treatment and appropriate level of care.
2. Provides individual and group counseling/case management services for participants, including developing treatment plans that take into account the participants' needs and goals, as well as the program objectives.

3. Conducts administrative duties that support therapeutic activities, such as documentation of counseling sessions and urine drug screens.
4. Maintains the skills and knowledge necessary to provide quality patient care.
5. Creates and maintains a data collection system to monitor participant compliance, identify trends, and provide a basis for evaluation.
6. Creates inter-agency linkages to address participant's ancillary needs in the areas of culture, age and gender needs, medical and mental health provision, educational, vocational, skills training, and employment training and placement.
7. Develops effective measures for drug/alcohol testing and treatment progress reporting that provide the team with sufficient and timely information to implement incentives and sanctions.
8. Assists in providing advanced training in substance abuse, addiction, and treatment methodologies so as to provide the team with a meaningful basis to implement incentives and sanctions systems and design program protocols and procedures.
9. Coordinates the utilization of community-based services such as health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, job skills training and placement to provide a strong foundation for recovery.
10. Collects fees and loan repayments at the Recovery Court Treatment Center and utilizes the policies and procedures as outlined in the attached Accounting Policies and Procedures Manual.

PERSONNEL TRAINING

All team members are encouraged to attend the State Wide Annual Recovery Court Conference and National Drug Court Conference. All Team Members receive basic training on confidentiality and are encouraged to attend other trainings relating to drug court and addiction. All team members are given a copy of the recovery court operating procedures including goals which contain what the Recovery Court values. All team members are required to stay current with the training relating to their field.

Key personnel have attained a specific level of basic education, such as attending at least 1 State of Tennessee TARCP Annual Conference or NADCP National Conference. Team members are encouraged to obtain additional substance use disorder treatment and drug court-related training when possible. Team members are encouraged to, and responsible for, obtaining continuing professional

education, such as cultural competence training, when feasible. Recovery Court staff are required to attend training on the topics of confidentiality, ethics, and civil rights annually.

DRUG-FREE WORKPLACE

The Knox Recovery Court is a drug-free workplace and adheres to the Knox County Employee Handbook which states in part:

“The county government is committed to a safe working environment and to making adequate provisions for the safety and health of its employees at their place of employment. The county government regards its personnel as individuals as well as employees. Therefore, the county government believes that alcoholism and drug addiction are illnesses and should be treated as such. The county government further believes that employees who develop alcoholism or other drug addictions can be helped to recover and should be offered appropriate assistance. It is in the best interest of the employee and the county government that when alcoholism or drug addiction is present, it should be diagnosed and treated at the earliest possible date. Confidential treatment of the diagnosis and recovery process for alcoholism or drug addiction is essential.

The county government recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. The county government and its employees share a commitment to create and maintain a drug-free workplace.

The county government declares that the use of illegal drugs, the abuse of alcohol, and the misuse of prescription drugs are unacceptable.

Provisions of the Federal Anti-Drug Act, 41 U.S.C.A. § 702, require federal grant recipients to establish a drug-free workplace. Employees must be provided with a statement notifying them of the prohibitions pertaining to controlled substances, consequences of violations, and compliance with the drug-free policy as a condition of employment. Employers must inform employees of drug-free requirements through an awareness program.”

https://www.knoxcounty.org/hr/pdfs/employee_handbook.pdf

MEDICATION ASSISTED TREATMENT PROTOCOL AND PARTICIPANT AGREEMENT

Participants in the Knox Recovery Court are informed about medication assisted treatment and are asked to sign the contract which includes the description of the

requirements of medication assisted treatment. A copy of the Contract can be found in the appendix. Participants in the Knox Recovery Court and Knox County Veterans Treatment Court (KRC/KCVTC) may receive medication assisted treatment (MAT) under the following protocol after executing the Participant Contract. The Participant Contract is included in the Participant Handbook which is given to the participant during the screening interview. The Participant Contract is covered at orientation.

1. The Participant must be diagnosed as opiate dependent.
2. MAT must be consistent with the level of care determination reached by KRC/KCVTC staff following the administration of standardized, evidence based clinical assessment and screening tools.
3. The Participant must choose an MAT prescriber from a facility that is licensed by the Tennessee Department of Mental Health and Substance Abuse Services as a Non-Residential Substitution-Based Treatment Center for Opiate Addiction (OTP) or a Non-Residential Office Based Opioid Treatment Facility (OBOT). The prescriber must provide evidence of said licensure to the KRC/KCVTC Coordinator, together with a copy of the prescriber's Diversion Control Plan prepared pursuant to Tenn. Comp. R. & Regs. 0940-05-42-.19 or 0940-05-35-.15. The Participant may not choose an MAT prescriber who operates on a "cash-only" basis.
4. The participant must execute a release of information that permits mutual communication between the prescriber, KRC/KCVTC staff, and the Participant's alternative sentencing supervising agency (i.e. TDOC or ACCP).
5. The MAT prescriber must confirm in writing to the KRC/KCVTC Coordinator the prescriber's willingness to communicate with KRC/KCVTC staff regarding the participant's treatment and to abide by the terms of this protocol. The MAT prescriber should expect to provide weekly or bi-weekly updates to KRC/KCVTC staff as to the participant's progress and compliance with MAT treatment at the staff's discretion. If the MAT prescriber proves unwilling to communicate effectively with KRC/KCVTC staff or abide by other terms of this protocol, the participant may be instructed to find a new prescriber within a time frame to be determined by KRC/KCVTC staff.
6. The MAT prescriber must deliver to the KRC/KCVTC Coordinator a copy of the Participant's Comprehensive Assessment prepared pursuant to Tenn. Comp. R. & Regs. 0940-05-42-.06 or 0940-05-35-.06.
7. The MAT prescriber must deliver to the KRC/KCVTC Coordinator a copy of the Participant's Individual Program or Treatment Plan prepared pursuant to Tenn. Comp. R. & Regs. 0940-05-42-.11 or 0940-05-35-.09, together with any reviews, changes, or amendments to said plan. Additionally, the MAT prescriber must provide documentation of intensified services following any relapse.
8. At any time, and upon the request of KRC/KCVTC staff, the MAT prescriber must document compliance with any relevant federal or state statute or regulation, and more specifically with those rules and regulations enumerated in Tenn. Comp. R. & Regs. 0940-05-042 and 0940-05-35.

9. The participant may utilize only one MAT prescriber and one pharmacy unless specialized treatment is needed as confirmed in writing by the prescriber.

10. The prescription of any form of Benzodiazepines does not fall within this protocol, and like all other psychoactive drug prescriptions, participants must undergo an assessment to determine whether alternative medications can be appropriately prescribed prior to use while in KRC/KCVTC. If alternative medications are not appropriate, compliance management and the risk of diversion must be factored into the decision as to whether the Participant is appropriate to the KRC/KCVTC model. Decisions regarding continued participation in the KRC/KCVTC Program for those receiving such prescriptions will be made on a case by case basis.

11. In order to monitor compliance and to reduce the risk of diversion and/or overdose, all MAT medications should be prescribed in limited quantities, and all prescriptions for buprenorphine shall be in the form of a “blister pack” or sublingual film.

12. A copy of the Participant’s prescription for MAT medication must be on file with the KRC/KCVTC Coordinator. Any changes in the dosage must be documented by a new prescription filed with the KRC/KCVTC Coordinator.

13. A negative result from a toxicology test for MAT medication while still prescribed such medication may lead to reevaluation, sanction, or possible termination from the KRC/KCVTC Program.

14. If KRC/KCVTC staff have concerns about the appropriateness of the MAT prescription due to observed behaviors of the Participant or other information made known to them from whatever source, KRC/KCVTC staff will contact the Participant’s MAT prescriber to discuss those concerns.

15. Prior to graduation, KRC/KCVTC participants must document a trial of cessation of MAT under the supervision of the MAT prescriber, including the titration from medication that contains agonist properties while engaged in the KRC/KCVTC program. Following said attempt, if the MAT prescriber determines that the Participant is best served medically by remaining on a maintenance level of MAT medication, this determination must be communicated in writing to the KRC/KCVTC Coordinator. Prior to graduation from KRC/KCVTC, Participants utilizing MAT must have demonstrated sustained medication compliance, and in the event the MAT abstinence trial has proved ineffectual, the Participant and their prescriber must develop a sustainable recovery plan for ongoing pharmacotherapy and treatment aimed at relapse prevention.

16. Failure of a Participant to abide by this agreement may result in sanction, reevaluation, or termination from the KRC/KCVTC program.

COSTS/FEEES OF THE RECOVERY COURT PROGRAM:

Fee schedules are commensurate with an individual’s ability to pay. However, no one is turned away solely because of an inability to pay.

Recovery Court charges a flat \$300 program fee and monthly drug screen fees based on the phase

The applicant/participant is responsible for the payment of these costs/fees. The Recovery Court requires that each participant submit copies of receipts for Court fees, fines, restitution, including payment of program fees.

The costs/fees of the Recovery Court Program are the following:

1. Program Fee - \$300.00.
2. Phases 1 and 2 Drug Screen fee \$60.00 per month
1. Phase 3 Drug Screen fee \$50.00 per month
2. Phases 4 and 5 Drug Screen fee \$40.00 per month

ASSURANCE OF CODE OF CONDUCT, GRIEVANCES, TITLE VI

Participants are informed of the code of conduct, how grievances and complaints are handled, and their Title VI rights this is covered in the following documents;

As a participant of the Knox Recovery Court and Knox County Veterans Treatment Court you were entitled to certain rights that are extended to you under the law or by agency policy upon admission into the program you will be given a copy of the rights listed below you will be asked to sign that copy of your rights and it will be placed in your file.

As a resident of the Knox Recovery Court and Knox County Veterans Treatment Court you have the right,

1. To access the treatment that is impartial and without discrimination by race religion gender age ethnicity sexual orientation handicap or disability.
2. To know the rules and policies of the program.
3. To individualize treatment, including adequate and humane services.
4. To know the clinical staff responsible for your care, their professional background, and relationship to other staff members in this organization.
5. To treatment in the least restrictive environment in a setting that provides policy within the limits of your treatment plan.
6. To be free of: Physical abuse, psychological abuse, verbal abuse, exploitation, demeaning treatment, misuse of treatment, and neglect.
7. Since participation in the Knox Recovery Court and Knox County Veterans Treatment Court is a on a voluntary basis, you have the right to refuse any specific medication or procedure. If your refusal compromises what is believed to be beneficial treatment for

your case, the Knox recovery quarter Knox County Veterans Treatment Court may refuse services to you and may refer you to the referring Court.

8. To know that the Knox Recovery Court in Knox County Veteran Treatment Court has certain responsibilities in your treatment - one of which is that you refuse recommended treatment and if the clinical staff determines you are a clear danger to yourself or others, we are obligated to seek legal Alternatives or orders for your involuntary treatment.
9. To complain or initiated grievance without fear of reprisal, as described by the grievance procedure
10. To request and ethics review/ investigation of any staff member without fear of reprisal.
11. To know the nature of the care, procedures, and treatment you receive.
12. To request an in-house review of your individual treatment plan.
13. To know that identifiable photographs, videotape, films, etc. will not be made or used without your written and signed consent, nor will you be required to make public your gratitude to the Knox Recovery Court for Veteran's Treatment Court for services.
14. To be informed of risks and side effects of all medications and treatment procedures used.
15. To give your informed consent to your participation in any research project.
16. To refuse to participate in any research projects without compromising your access to the program services.
17. To request and receive information regarding alternative programs, methods of treatment and availability of outside consultation from another treatment professional.
18. To know the cost of services rendered to you
19. To request a change of your primary counselor or a healthcare provider. While a participant does not have the right to change counselors, any requests will be considered by the staff.
20. To know the proposed changes of clinical staff responsible for your care and to be informed of any transfer within the Knox Recovery Court in Knox County Veterans Treatment Court to another phase.
21. To participate in planning of your treatment and discharge.
22. To confidentiality. Confidentiality about your treatment is assured by federal regulations as published in the Federal Register, volume 40, number 27, title 42, Public Health regulations part 2: "confidentiality of alcohol and drug abuse Patient

records,” and later amendments you have already signed releases of information when you were admitted which were necessary for the counselors to release information necessary offering you the full range of treatment procedures. No other information will be requested or released without again obtaining your written permission please let your relatives and friends know that we will acknowledge your presents only to a person for whom we have a release that you have signed.

LIMITATIONS TO PARTICIPANT RIGHTS

If the clinical staff determines that you are a clear and immediate physical danger to yourself or others, we are obligated to notify the appropriate agencies or individuals. The threat or danger overrides your right to confidentiality.

PARTICIPANT NOTICE OF RIGHTS UNDER TITLE 6

No one shall on the grounds of race, color, national origin, sex, age or disability the excluded from the participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity operated by the Knox Recovery Court, Knox County Veterans Treatment Court. It is the intention of these agencies to fully comply with and abide by the spirit and intent of the Civil Rights Act of 1964, the Americans with Disabilities Act, and other statutory requirements.

Should you feel you have been discriminated against, or that your rights under title 6 have been violated in any way, you may file a grievance in accordance with the Knox Recovery Court and Knox County Veterans Treatment Court grievance policies. Attached to this notice is a description of the Knox Recovery Court in Knox County Veterans Treatment Court Title 6 complaint procedure.

By signing below, you are stating that you understand this notice and the Knox Recovery Court in Knox County Veterans Treatment Court title 6 complaint process attached hereto.

Participant’s Signature _____ date _____

Participant” Printed Name: _____

Witness _____ date _____

**KNOX RECOVERY COURT AND KNOX COUNTY VETERANS TREATMENT COURT
TITLE 6 COMPLAINT PROCESS**

If you feel you have been discriminated against, or have been treated differently, because of your race, color, national origin, page, or disability, then you have the right to make a complaint as follows:

1. You may submit a grievance to the program director. A grievance form is provided in your copy of the Knox Recovery Court in Knox County Veterans Treatment Court policies and rules.
2. The grievance must be filed within 180 days of the alleged occurrence or when the alleged discrimination became known to you.
3. Once a grievance has been made, the program director must log the complaint and notify the Tennessee Department of mental health and substance abuse services (TDMHSAS).
4. Each grievance must be investigated. If you claim that the program director participated in violating any of your rights, then the investigation will be conducted by another person designated by TDMHSAS.
5. Final action on your grievance must be stated in writing within 60 days of the grievance, with notice to TDMHSAS.
6. You must be provided with the written results of the investigative findings and the final action on your grievance, and you must be provided with appeal instructions.
7. If you're not satisfied with a final action on your grievance, you will have the right to have your grievance reviewed by one of the following agencies: TDMHSAS, Title 6 coordinator, Tennessee Human Rights Commission, or US Department of Health and Human Services (DHHS), Office of civil rights, region IV office

PARTICIPANT RIGHTS - WRITTEN PLAN

The written plan - ensures that all Recovery Court in Knox County Veterans Treatment Court participants receive safe and professional treatment.

Knox Recovery Court in Knox County Veterans Treatment Court shall maintain a written plan that supports and protects the fundamental human, civil, constitutional and statutory rights of each participant.

1. A written statement of participant rights is provided to participants and is included in the program handbook.
2. A written grievance procedure is presented to participants upon admission and is included in the program book.

PARTICIPANTS RIGHTS - GRIEVANCE PROCEDURE

The grievance procedure provides participants with a vehicle by which they can address or grieve any issues that they feel are detrimental to their treatment

The Knox Recovery Court in Knox County participants are free to voice a complaint or grievance, or request an ethics review, at any time without the fear of reprisal. All such actions shall be given prompt and careful attention in order to resolve such complaints through clarification, dialogue and/ or corrective action.

Depending on the nature of a grievance or complaint, any participant may report a complaint or grievance to their case manager or any other staff person who shall be responsible for initiating appropriate action.

KNOX RECOVERY COURT AND KNOX COUNTY VETERANS TREATMENT COURT GRIEVANCE PROCEDURE

1. Every effort should be made to resolve issues or conflicts within the community before a written grievance is filed.
2. Any participant May file a grievance on the form provided grievance forms are included in the participant handbook and also may be obtained from the mailboxes in the receptionist area of the office, or from a staff. A written grievance should be submitted to the case manager unless the grievance concerns the case manager, in which case it should be submitted to the Recovery Court or Veterans Treatment Court Director or designee, as appropriate. After the form is submitted, the grievance shall be reviewed by the following until it is resolved:
 - (1) Case Manager
 - (2) Director
 - (3) Other designee

If the complaint is directly related to a case manager, the process will begin with step two. If the complaint is directly related to the director the process will begin step 3

3. A meeting will be promptly held between the participant and the person to whom the grievance was submitted (the case manager, director, or designee) within five (5) days of submission of a grievance. The purpose of the meeting will be to provide the participant with assistance in the grievance process and to attempt to resolve the grievance to the satisfaction of the parties involved.
4. If the grievance is not resolved to the participants satisfaction, it will be reviewed by the case manager and then by the director. Any serious and substantiated grievance involving either the case manager or director will be submitted to the Knox Recovery Court or Knox County Veterans Treatment Court presiding judge.
5. Grievances alleging Title 6 violations will be submitted to the director and reported to the Department of Mental Health and Substance Abuse Services. In addition to the procedures set forth herein, the complaint process set forth for title 6 complaints or grievances will be followed.
6. Certain matters are grievable and certain matters are not example of grievable matters include the following:
 - a) Physical or verbal abuse of the participant by a staff member

- b) Sexual abuse or harassment of the participant
- c) A sexually, physically, or emotionally hostile environment.
- d) Failure of the staff to reasonably protect the participant from abusive treatment by other participants
- e) Abusive and distasteful language directed specifically at the participant and/or his or her family.
- f) Denial of the rights of the participant as enumerated by policy or mandated by law.
- g) Unreasonably exposing the resident to unsafe conditions.
- h) Denial of equal access to programs, or failure to properly accommodate any disabilities or special needs of the participant.
- i) Imposition of program goals and objectives not indicated in the Knox Recovery Court and Knox County Veterans Treatment Court agreement or in the participant's treatment plan.
- j) Staff conflicts of interest (such as a staff member receiving personal benefits from actions which he/ she directs of the participant).
- k) Unethical or illegal Behavior by a staff member.
- l) Violation of any of the participant's rights.

7. Examples of matters that are not grievable include the following:

- a) Court-ordered program rules, including but not limited to: curfew, restrictions regarding visitation and social passes and telephone privileges, reporting requirements, mandating certain persons/ places has off-limits to participants.
- b) Requirements provided by the Knox Recovery Court in Knox County Veterans Treatment Court policies and procedures or program rules or program policies.
- c) Warrants for revocation or termination from the Knox Recovery Court or Knox County Veterans Treatment Court program; provided, however, that in the revocation proceeding, the resident shall have the right to representation by counsel and a hearing in a court of Record.
- d) Program requirements such as reporting for individual psychological counseling or group sessions, community service, or matters that are relevant to the recovery needs of the participant as determined by the treatment staff.

8. The Director shall make the final decision on all grievances filed; provided, however, that in cases involving a serious and substantiated grievance against the director the Knox Recovery Court and Knox County Veterans Treatment Court presiding judge shall make the final decision.

9. Disposition of the grievance will be made within a reasonable time frame and explain to the participant.

KNOX RECOVERY COURT AND KNOX COUNTY VETERANS TREATMENT COURT GRIEVANCE REPORT

Name: _____ Date: _____

Detailed reason for grievance (use additional paper if needed):

Signed: _____ Date: _____

Case Manager Report:

Case Manager: _____ Date: _____

I wish to have my grievance initially reviewed by the Director.

Signed: _____ Date: _____

Received by the Director or designee:

Signed _____ Date _____

Reviewed and disposition of the Title 6 Coordinator:

Signed: _____ Date: _____

I agree/accept the resolution to this grievance.

Signature _____ Date _____

PARTICIPANTS RIGHTS - REPORTING AND INVESTIGATING PARTICIPANT ABUSE AND NEGLECT

Defining necessary procedures to report and investigate any abuse and neglect. The administrative and professional staff of the Knox Recovery Court and Knox County Veterans Treatment Court shall maintain definitions of abuse and neglect in regards to staff/ participant interactions and shall investigate and respond to any reported occurrence of abuse or neglect in a prompt and responsive manner.

Physical abuse - staff physically abusing a participant when the participant is an object of assault, sexual abuse, or corporal punishment: and/ or when so harmed by another person at the instigation of a staff person. Over-reaction in the name of self-defense or the improper use of defenses or holds to subdue a participant is considered to be a form of participant abuse.

Psychological abuse - mistreatment or harm that may occur and the course of interpersonal relationships or in response to detrimental socio-environmental surroundings. Psychological abuse may occur through acts of omission or Commission, or may take the form of humiliation through the loss of human dignity. A psychological assault to an individual's self-concept and sense of worth, or the creation of a sense of despair and hopelessness regarding the individual's plight and well-being.

Verbal abuse - the subjugation of the participant too harsh, profane, threatening, derogatory, ridiculing or harassing remarks that are void of any redeeming therapeutic value. Verbal abuse may be a matter of individual subjectivity and interpretation, particularly since it is possible to be verbally abusive without using conventionally vulgar or insulting words. A person's tone of voice, inference and manner can be psychologically abusive even though the choice of words is not. Staff is advised to exercise discretion in the use of pet names or nicknames since some may be objectionable or have offensive connotations to a participant.

Exploitation - occurs when a staff person for reasons of selfish gain uses a participant. Exploitation occurs when food, gifts, or personal belongings of a participant are unnecessarily

restricted, stolen for giving away. It is also exploitation to employ a participant, or to bribe a participant to engage in activities that are unrelated to his or her treatment.

Demeaning treatment - acts of commission or omission, which disregards pay participants rights, exert a dehumanizing influence, or diminish his or her dignity through coercion, ridicule, or insensitivity. A violation of deprivation of a participants rights could be considered to be demeaning treatment

Misuse of treatment - misapplication of bona fide treatment and services in ways that would undermine or defeat their therapeutic purpose. Examples of treatment misuse can be reflected in the purely arbitrary denial of treatment request made by a participant, or through failure to honor a contract. Another sensitive area of misuse involves the arbitrary establishment of rules, limit setting, and use of disciplinary measures within behavioral contracts. It is not considered an abuse to employer rulemaking, limit setting, and discipline if the methods and purposes are consistent with acceptable treatment procedures and are part of the treatment team's efforts to assist the participant into healthier functioning.

Neglect - to be remiss and providing reasonable care (care that a prudent and reasonable person would usually provide) to a participant, either intentionally or unintentionally through indifference or carelessness.

In the event of any alleged abuse or neglect, follow established Knox Recovery Court and Knox County Veterans Treatment Court grievance procedures.

APPENDIX

- a. Recovery Court Order
- b. Consent to participate in Recovery Court
- c. Authorization and Consent for Release of Information
- d. DA's Referral form and "Violent Offender" check
- e. Drug Free Workplace
- f. Incentive and Sanction Guidelines

STATE OF TENNESSEE vs. _____

Warrant/Docket Number(s) _____

IDN _____

- Criminal Court
- General Sessions Court
- Referred from another jurisdiction

SPECIALIZED COURT PARTICIPATION ORDER

1. I will sign all Release of Information forms suggested to me, so that KCSC may discuss my case and facilitate my individualized Case Management Plan.
2. I will follow my individualized Case Management Plan developed by the KCSC. I will comply with all directives of the KCSC, including but not limited to: residential and travel restrictions, employment requirements, and treatment requirements.
3. I will promptly inform my KCSC Case Manager of all my prescribed medications. I understand that using certain medication(s), even with a prescription, could exclude me from participation in, or trigger my discharge from, the KCSC. I understand that failing to take certain medication(s) as prescribed could exclude me from participation in, or trigger my discharge from, the KCSC.
4. I will refrain from the use of ALL alcohol, drugs, and illicit substances. This includes controlled substances as well as any mind and/or urine altering substances, including but not limited to, Cannabidiol (commonly known as CBD), Delta 8, Delta 9, Kratom, Spice, poppy seeds, energy drinks, and vitamins or supplements that are not preapproved.
5. I will not carry any type or form of weapon on my person while participating in a KCSC activity.
6. I will not engage in any form of romantic or sexual relationship with a KCSC participant.
7. I agree to pay all KCSC program fees unless otherwise waived by the court.
8. I will not engage in any criminal activity and will refrain from violence and threats of violence. I will report ALL new criminal charges filed against me, whether by summons, citation, or criminal warrant to my probation officer (if applicable) and the KCSC. I understand that any such violation could lead to sanction or removal from the Program.
9. I will submit to all alcohol and drug screens requested by my treatment provider(s), my probation officer (if applicable), and the KCSC.
10. I will allow my probation officer (if applicable) and KCSC Staff to visit me at my home or place of employment.
11. I understand that as a condition of participation in a KCSC my person, property, place of residence, car and personal effects may be searched at any time by the KCSC and the Specialized Court Staff.
12. I agree to appear on time and attend for the duration of all court sessions, treatment sessions, case management meetings, and all other mandated activities.
13. **I understand that if I fail to fully follow the rules of the Program, the Specialized Court Judge may impose sanctions which may include, but are not limited to, the following: ordering participation in extra counseling sessions, group sessions, and/or support group meetings, ordering more frequent drug and alcohol testing, ordering the use of electronic monitoring devices, ordering observance of Specialized Court proceedings for extended periods of time, ordering work on various community work programs, ordering a period of incarceration, and/or taking such other action as the Court determines appropriate for the particular violation.**
14. **I understand that if I do not report to the KCSC staff for a period of 30 days or more I will be considered to have absconded, the Specialized Court Judge may remove me from the Program without further hearing, and my case(s) may be sent back to the referring court for disposition.**

IDN: _____

Program Participant's Name: _____

- A Condition of Probation — Please indicate on warrant(s)/judgement(s)
- A Pre-Plea Bond Condition — Please indicate on warrant(s)
- Issued on a Pre-Plea basis and is not condition of bond or probation

- ⇒ My signature on this form means that I fully understand the rules for the Specialized Court Participation Order and I agree to comply with them as a requirement for acceptance into the Specialized Court Program.
- ⇒ I further understand that a violation of any of the rules may be used against me to revoke my participation in the Knox County Specialized Court Program and could result in my termination from the Program.
- ⇒ I understand that entry into the KCSC is voluntary; once I enter the KCSC, I must successfully complete it. I understand that I may choose to exit the Program at any time however, I must complete a Voluntary Program Withdrawal Form and request to be added to my referring judge's docket for review and approval.
- ⇒ I understand that my participation in the KCSC shall become an order of the Court.

SIGNATURES

I have read, or have had read to me, the above Specialized Court Participant Order. I will follow the rules of this Order and I voluntarily enter into the Specialized Court Program.

Participant's Signature

Date

Participant's Attorney's Signature

Date

APPROVED FOR ADMISSION, this _____ day of _____, 20__.

Judge Signature

Date

KNOX RECOVERY COURT ♦ KNOX COUNTY VETERANS TREATMENT COURT
KNOXVILLE, TENNESSEE

I, _____, IDN _____, agree to the following as part of my participation in the Knox Recovery Court ♦ Knox County Veterans Treatment Court (KRC/KCVTC) Program:

The KRC/KCVTC employees, staff, volunteers, governing body, contractors, and others directly or indirectly associated with the KRC/KCVTC will comply with state and federal regulations pertaining to confidentiality found at 42 CFR, Part 2. Federal law and regulations protect the confidentiality of information, including records regarding participants of this program. Generally, the program may not say to a person outside the program that a participant attends the program or disclose any information identifying a participant as an alcohol or drug abuser **unless**:

- | | |
|---|--|
| 1) The participant consents to this disclosure in writing; | 4) The disclosure is allowed by court order, or; |
| 2) The disclosure is made to medical personnel in a medical emergency, or; | 5) Where child abuse/neglect is reported, or; |
| 3) The participant threatens or indicates that he/she is going to harm him/herself, or; | 6) The participant threatens or indicates that he/she is going to harm someone else. |

Read and Initial Each Before Signing Below

	Initial After	Reading
Violation of Federal law and/or Federal regulations by a program participant or staff member is a crime. Any violation and/or suspected violations may be reported to appropriate authorities in accordance with federal regulations.		
Federal law and Federal regulations do not protect any information about a crime committed by a KRC/KCVTC participant at the program or against any person who works for the program.		
Federal law and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities.		
Participant confidentiality by staff will be maintained as specified in Tennessee State regulations and the federal alcohol and drug regulations (42 CFR, Part 2). Only designated KRC/KCVTC staff will have access to a participant's records. The designated staff will have a working knowledge of the confidentiality regulations and must agree in writing to follow the regulations.		
Participants are never required to perform at any public gatherings as a requirement of participation in the KRC/KCVTC.		
Consent For Random Drug And Alcohol Screens - I agree to submit to random drug tests and Breathalyzer tests when requested to do so by any representative of the KRC/KCVTC Program. I understand that I may be tested at least two (2) times per week while in the Program. Furthermore, I agree to pay the costs of the testing as part of my participation in the KRC/KCVTC Program. If I refuse to provide a specimen or undergo a sobriety test, I understand that I will be treated in the same manner as if I had tested positive. At this time, my case will be subject to clinical review to determine further action.		
Consent For Photo Identification - I agree to submit to having my picture taken for the purpose of KRC/KCVTC identification. I understand that this picture is protected under the Federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, and cannot be disclosed without my written consent unless otherwise provided for in the regulations. This picture will remain in your Court file and KRC/KCVTC Database. Identification photographs of the participants may be used only with the written and signed consent of the participant and the participant's counsel.		
Program Handbook Acknowledgement - I have received a KRC/KCVTC Program Handbook and will follow the regulations, guidelines, policies and procedures, and rules outlined in the Handbook upon my acceptance of admission. I also understand that it is my responsibility to understand the regulations, guidelines, policies, procedures, and rules. Therefore, if I have question about anything pertaining to my participation in the KRC/KCVTC, I will speak to my therapist or another KRC/KCVTC Staff member. Specifically, I understand the: <ul style="list-style-type: none"> • Confidentiality of information • My rights and responsibilities • The Consent to participate in a Spirituality Program • The Therapeutic Agreement 		
Home Visits and Drug-Free Environments - In keeping with the philosophy of the Program, maintaining a safe and drug-free living environment is an essential part of my recovery and continued participation in the Program. I understand that I am responsible for maintaining a safe and drug-free living environment. I also understand that during home visits by either the KRC/KCVTC Case Manager or my Probation Officer, or both, the Case Manager and Probation Officer can search my living environment and property.		
I also understand that I am expected to begin participation in the KRC/KCVTC Program immediately after my admission in KRC/KCVTC and will contact a KRC/KCVTC staff the day after KRC/KCVTC to arrange my first session.		
I agree to pay as part of my participation in KRC/KCVTC the following fees: <ol style="list-style-type: none"> 1) KRC/KCVTC Fee – This is a one-time fee of \$300.00. This can be paid during the time you are participating in KRC/KCVTC. BE AWARE that \$150.00 must be paid in order to advance to Phase II and the last \$150.00 must be paid before you can advance to Phase III. 2) Residential Housing Fee – if you are staying at a facility that charges a fee, you are responsible for that bill. This will be a weekly payment that should be kept paid. 3) Drug Screen Fee – you are responsible for paying a monthly fee to help cover the cost of the drug screens you take. The fees are as follows; Phases 1 & 2 = \$60.00 per month, Phase 3 = \$50.00 per month, Phases 4 & 5 = \$40.00 per month. Once you are employed, you will need to pay on your account every payday until you fee is paid in full. You should keep the balance below \$50.00. 		
I understand that the above fees are my responsibility and that payments are expected every payday unless prior arrangements are made with the KRC/KCVTC Director.		
I will obtain employment and pay all incurred fees before advancement through the program.		
I understand that the entire amount of fees must be paid in full before I will be allowed to graduate the program.		

_____	_____
Participant Signature	Date
_____	_____
Witness	Date

Place in Intake Section of chart

10/4/2016

Knox Recovery Court Knox County Veterans Treatment Court 900 E. Hill Ave., Suite 310, Knoxville, TN 37915	Consent for the Release of Confidential Information: Form # 2
<p>I, _____, IDN, _____, hereby consent to communication between:</p> <p>The Knox Recovery Court Program and its Recovery Court-related services,</p> <p>And: Name Address City State Zip Code Phone #</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>The purpose of and need for the disclosure is to inform the agency(ies)/Individual(s) listed above of my attendance and progress in treatment. (Check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dates of Admission and Discharge <input type="checkbox"/> Family Letter and Questionnaire <input type="checkbox"/> Participation in Treatment <input type="checkbox"/> Medical (admission) history and Physical exam, lab results <input type="checkbox"/> Progress notes <input type="checkbox"/> Medical charts and Nursing notes <input type="checkbox"/> Verbal exchange of information regarding my status in treatment and a referral to other forms of service (if any) <input type="checkbox"/> Discharge Summary <input type="checkbox"/> Aftercare planning and participation <input type="checkbox"/> Other (specify) <p>I understand that this consent will remain in effect and cannot be revoked by me until:</p> <p>_____ there has been a formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated into treatment, or</p> <p>_____ 30 days after rejection from program, or discharge</p> <p>_____ 60 days after rejection from program, or discharge</p> <p>_____ Other, (Specify) _____ (other time when consent can be revoked and/or expire)</p> <p>I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and that recipients of this information may re-disclose it only in connection with their official duties.</p>	
_____ Date	_____ Signature of defendant/participant
_____ Signature of Recovery Court Staff Member	

Place in Release Section

**THE KNOX RECOVERY COURT
REFERRAL**

DATA CONCERNING CANDIDATE

Candidate's Name:		TCA 16-22-103. (as amended on 4/18/12 by the State of Tennessee) Chapter definitions. —
IDN:		As used in this chapter:
Date of Referral:		(1) "Chemically dependant" means a maladaptive pattern of substance use leading to clinically significant impairment or distress as manifested by two (2) or more of the pre-determinate symptoms occurring at any time in the same twelve-month period;
Referral Source:		(2) "Drug court treatment program" means any drug court treatment program created within the state that follows the general principles referenced in § 16-22-104 and that is established by the judge of a court in this state exercising criminal jurisdiction or by the judge of a juvenile court. A "drug court treatment program" shall have the same powers as the court that created it;
Court	<input type="checkbox"/> Criminal <input type="checkbox"/> General Sessions DIV I DIV II DIV III DIV IV DIV V	(3) "Nonadversarial approach" means that the district attorney general and the defense attorney work together for the benefit of the drug court treatment program participants and the program. Any disagreements are to be resolved prior to court and not in front of the participants; and
Currently Incarcerated?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Check One)	(4) "Violent offender" means a person who:
Current Charges:		(A) Is convicted of an offense, during the course of which: (i) The person carried, possessed or used a firearm or dangerous weapon; (ii) There occurred the death of or serious bodily injury to any person; or (iii) There occurred the use of force against the person of another; or
Charges or probation in another Jurisdiction (Please give details)		(B) Has one (1) 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.
Probation/Parole/Pretial:		(C) In determining whether a defendant is a "violent offender" under subdivision (A), it does not matter whether one (1) or more of the circumstances described in subdivision (4)(A)(i), (4)(A)(ii), or (4)(A)(iii) is or is not an element of the offense for which the person is convicted.
Defense Attorney's Name:		
Defense Attorney's Phone:		
ADA Name:		
Legal (JIMS & NCIC) Background Check Results:	<input type="checkbox"/> Candidate is eligible according to TCA 16-22-103 (4) et.seq. and the DA's position is to approve admission <input type="checkbox"/> Candidate is not eligible according to TCA 16-22-103 (4) et. seq. <input type="checkbox"/> Candidate is eligible according to TCA 16-22-103 (4) et. seq. but the DA's position is to disapprove admission (Check One)	
Date the Legal Background Check was Completed:		

COMMENTS:

Assistant District Attorney Signature

Date

When complete, please fax the form to the Recovery Court/VTC Office, 522-0567

In the event that you have questions please feel free to contact a Recovery Court/VTC Staff at 329-0363 or 659-6352.

Place in Intake Section

05-06-16

Knox Recovery Court

1

Acute Stabilization

30 DAYS

- Engage in treatment
- Court weekly
- At least 3 random drug screens per week
- Comply with court order
- Comply with treatment plan
- Comply with service plan
- Comply with contract
- Remain honest
- Follow Participant Handbook
- 6 PM Curfew
- Engage with Case Manager
- Engage with mentor
- Start changing people, places and things
- Submit medical documents
- Submit Budget

2

Clinical Stabilization

60 DAYS

- Engage in treatment
- Court weekly
- At least 3 random drug screens per week
- Comply with court order
- Comply with treatment plan
- Comply with service plan
- Comply with contract
- Remain honest
- Follow Participant Handbook
- 6 PM Curfew
- Engage in support meeting
- Engage with Case Manager
- Start changing people, places and things
- Submit Revised Budget
- Maintain financial obligations

3

Pro-Social Habilitation

120 - 150 DAYS

- Engage in treatment
- Court 2 times per month
- Comply with court order
- Comply with treatment plan
- at least 2 random drug screens per week
- Comply with service plan
- Comply with contract
- Remain honest
- Follow Participant Handbook
- 9 PM Curfew
(or 9:30 if going to a support group meeting)
- Begin living skills groups
- Establish recovery network
- Establish pro-social activity
- Maintain financial obligations
- Encourage and support peers
- Submit Revised Budget

4

Adaptive Habilitation

120 - 150 DAYS

- Comply with treatment plan
- Court 1 time per month
- Engage in treatment
- Comply with court order
- At least 2 random drug screens per week
- Comply with service plan
- Comply with contract
- Remain honest
- Follow Participant Handbook
- 11 PM Curfew
- Continue living skills group
- Use recovery network
- Continue pro-social activity
- Maintain financial obligations
- Encourage and support peers
- Submit Revised Budget

5

Continuing Care

120 - 150 DAYS

- Comply with treatment plan
- Court 1 time per month
- Engage in treatment
- Comply with court order
- At least 2 random drug screens per week
- Comply with service plan
- Comply with contract
- Remain honest
- Follow Participant Handbook
- 11 PM Curfew
- Submit Revised Budget
- Mentor peers and co-lead groups
- Use recovery network
- Continue pro-social activity
- Maintain financial obligations
- Encourage and support peers
- Continue living skills groups

Phase Advancement Criteria

To Apply For:

Phase 2:

- Minimum of 30 days since opting in with contract
- Minimum of 14 days consecutive abstinence from drugs and alcohol
- Engage in Treatment
- Compliance with supervision
- Must remain honest
- Complete initial treatment plan in first week and master treatment plan in first month in individual sessions and have family session
- Get medical documentation in or show that you are in the process of getting the documents -(submit HIV, TB, and physical exam results)
- Submit a budget

Phase 3:

- Minimum of 60 days in Phase 2
- Engaged in treatment
- Compliance with supervision
- Engaged with Case Manager
- Remain honest
- Individual/family session as needed
- Encourage and support peers
- Social support group meetings
- Submit cost agreement for all cases and courts
- Maintain financial obligations for 30 consecutive days as listed in a KRC/KCVTC approved budget
- 30 days consecutive abstinence from drugs and alcohol to phase up

Phase 4:

- Minimum of 120 days in Phase 3
- Remain honest
- Individual/family session as needed
- Encourage and support peers, begin mentoring peers
- social support group meetings
- maintain financial obligations
- 45 days consecutive abstinence from drugs and alcohol to phase up

Phase 5:

- Minimum of 120 days in Phase 4
- Remain honest
- Individual/family session as needed
- Submit cost agreement for all cases and courts
- Encourage/support peers
- Social support group meetings
- Maintain financial obligations
- 60 days consecutive abstinence from drugs and alcohol to phase up

To Apply to Graduate

- Minimum of 120 days in Phase 5
- Remain honest
- Individual/family session as needed
- Submit cost agreement for all cases and courts
- Encourage and support peers, mentor peers, co-lead groups
- Social support group meetings
- Maintain financial obligations
- 90 days consecutive abstinence from drugs and alcohol to graduate

Knox Recovery Court 12/1/2022

The Referral form is intended to assist in communication between the District Attorney General's office and the Knox Recovery Court/VTC in the referral process of recovery court candidates. The form can be used in two ways:

1) DA REFERRING TO THE RECOVERY COURT/VETERANS TREATMENT COURT

Instructions to the Assistant District Attorney, please furnish the Recovery Court/VTC Office with the following:

- The candidate's name and IDN,
- Date of referral,
- Referral source (DA),
- The court (Criminal or General Session) the candidate is in,
- If the candidate is currently incarcerated,
- The Current Charges,
- The candidate's corrections officer's name is known (if applicable),
- The defense attorney's name and phone number,
- The ADA's official position with regards to the referral of the candidate. In the event that the candidate is legally eligible but not approved by your office for admission to recovery court, please furnish the exemption criteria in the comments section.
- The date that the JIMS and NCIC checks were completed,
- And the name of the ADA completing the form.

When complete, please fax the form to the Recovery Court/VTC Office, at 522-0567.
In the event that you have questions please feel free to contact a Recovery Court/VTC Staff at 329-0363.

2) REFERRAL SOURCES OTHER THAN THE DA; IN OBTAINING ADMISSION AUTHORIZATION FROM THE DA'S OFFICE ON PRE-PLEA CASES.

Instructions to the Recovery Court/VTC Office, please furnish the DA's office with the following:

- Candidate's Name and IDN,
- Referral date,
- Referral Source

When complete, please fax the form to the ADA assigned to this case, at 215-4253.

Instructions to the Assistant District Attorney, please furnish the Recovery Court/VTC Office with the following:

- The court (Criminal or General Session) the candidate is in,
- If the candidate is currently incarcerated,
- The Current Charges,
- The candidate's corrections officer's name is known (if applicable),
- The Defense attorney's name and phone number,
- The DA's official position with regards to the referral of the candidate. In the event that the candidate is legally eligible but not approved by your office for admission to recovery court, please furnish the exemption criteria in the comments section.
- The date that the JIMS and NCIC checks were completed,
- And the name of the ADA completing the form.

When complete, please fax the form to the Recovery Court/VTC Office 522-0567
In the event that you have questions please feel free to contact a Recovery Court Staff at 329-0363.

Garnishments and Levies

In the event that garnishment or similar proceedings are instituted against an employee, Knox County will deduct the required amount from the employee's paycheck.



If your wages are garnished, be sure that all correspondence to your employer are sent to:

**Knox County Payroll Department
Room 635 City-County Building
400 Main Street
Knoxville, TN 37902**

Alcohol and Drugs – Drug Free Workplace Policy

Knox County is committed to a safe working environment and to making adequate provisions for the safety and health of its employees at their place of employment.

The County regards its personnel as individuals as well as employees and believes that alcoholism and drug addictions are illnesses and should be treated as such.

Knox County further believes that if you develop alcoholism or other drug addictions you can be helped to recover and should be offered appropriate assistance. It is in the best interest of you and the County that when alcoholism or drug addiction is present it should be diagnosed and treated at the earliest possible date. Confidential treatment of the diagnosis and recovery process for alcoholism or drug addiction is essential.

Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. Knox County and its employees share a commitment to create and maintain a drug-free workplace.

The full Drug and Alcohol policy is available from the Human Resources Department.

Please call (865) 215-2321 if you would like a copy. This section offers a brief summary of that policy.

Pre-Employment Testing: All applicants considered for employment in safety-sensitive positions are required to submit to a urinalysis test for the detection of the illegal use of drugs, examples are:

- Lifeguard
- Laborer
- Light-equipment operator
- Heavy-equipment operator
- All positions requiring a commercial driver license (CDL)
- Equipment Operator
- Mechanic
- Medical Examiner
- Medical Legal Death Investigator
- Autopsy Technician

General Personnel Policies

Employees on Duty or on County Property: You must not manufacture, distribute, dispense, possess, or use illegal drugs or drug paraphernalia, nor may you be under the influence of such drugs. Furthermore, you must not be under any degree of intoxication or odor from alcohol, or possess open alcoholic beverage containers while on duty, or on County property or in attendance at County approved functions.

Use of Prescription Drugs: You must not use or take prescription drugs above the level recommended by your prescribing physician and must not use prescribed drugs for purposes other than those for which they are intended.

If you are authorized to drive a County vehicle or if you use your own vehicle for county purposes, you must notify your supervisor or director of any illness, physical condition or use of medication that may impair or affect your ability to safely drive a vehicle. Failure to notify your supervisor that you are taking medication that may affect driving may lead to disciplinary action up to and including termination (See *Fleet Safety Program §10(A)*, 2016).

Employees Convicted of a Criminal Drug Law: If you are convicted of any criminal drug law offenses (including alcohol, prescription drugs, or over-the-counter drugs), you must notify your supervisor or director no later than five days after the conviction. Within 30 days after receiving notice of a conviction, the County will take appropriate disciplinary action and/or refer the employee to an appropriate substance abuse rehabilitation program. Your failure to report the conviction within the time prescribed will lead to disciplinary action up to and including termination.



A consequence of violating Knox County's Alcohol and Drug Policy may include automatic dismissal, meaning that the usual progressive discipline process is bypassed.

Reasonable Suspicion of Drug or Alcohol Use: Whenever a department director, the Human Resource Director and/or someone authorized in his/her absence reasonably suspects that your work performance or on-the-job behavior may have been affected in any way by illegal drugs or alcohol or that you have otherwise violated the Knox County Drug-Free Workplace Substance Abuse Policy, you may be required to submit a breath and/or urine sample for drug and alcohol testing.

When a supervisor observes or is notified of behaviors or events that lead the supervisor to believe that an employee is in violation of the Drug-Free Workplace Substance Abuse Policy, the supervisor must notify the hiring authority or director.

Refusal to Submit to Required Testing: If you are required to submit to drug/alcohol testing based upon reasonable suspicion and refuse, you may be charged with insubordination and necessary procedures may be taken to terminate your employment.

Incentives and Sanctions



Knox Recovery Court * Knox County Veterans Treatment Court

The Knox Recovery's use of sanctions and incentives is designed to encourage prosocial, recovery behaviors and discourage illegal and drug use-related behavior.

The lists below do NOT include therapeutic responses or adjustments to participants' treatment regimens. Treatment adjustments should be based on participants' clinical needs as determined by qualified treatment professionals, and should not be used to reward desired behaviors or to punish undesired behaviors.

The Team targets lower magnitude rewards and offers relatively simpler (or proximal) achievements than for difficult (or distal) achievements. Deciding on the most appropriate magnitude of a response to a particular behavior is a team discussion on a case by case basis with recommendation given to the Recovery Court Judge.

The Recovery Court Judge offers verbal praise for routine accomplishments in Recovery Court, including being on time to treatment appointments and participation in treatment-related discussions and activities. He especially encourages participants in Phase 1 who tend to have a relatively harder time satisfying basic expectations.

Judge distributes formal and tangible incentives. All team members offer praise throughout the week as they witness and become aware of participants' accomplishments.

Incentives	
Event/Behavior	Response
Significant increments of days drug free <i>(such as getting a job, any length of being clean and sober)</i>	<ul style="list-style-type: none"> * Announcement in Recovery Court * Acknowledgement by Judge & applause * 2 Hours Community Service Credit * Leave Court Early
Secured Employment	<ul style="list-style-type: none"> * Announcement in Recovery Court * Acknowledgement by Judge & applause * 2 Hours Community Service Credit * Leave Court Early
Progress with recovery including negative drug screens	<ul style="list-style-type: none"> * Announcement in Recovery Court * Acknowledgement by Judge & applause * 2 Hours Community Service Credit * Leave Court Early
Participate in Wellness Activity	<ul style="list-style-type: none"> * Select from the Fish Bowl
Phase Up	<ul style="list-style-type: none"> * Fewer drug screens (phases 3, 4, & 5) * LEAD Mentor Group (phases 4, & 5) * Party/Celebration * Coin at celebration, & applause * Give speech to peers * Later Curfew * Longer passes * Can receive community service credits for leading mentoring groups
Participant of the week	<ul style="list-style-type: none"> * Recognition/Applause by Judge, Team and Peers * Open Court the next week * 1 week drug screen fee credit
Graduation	<ul style="list-style-type: none"> * Presentation of Pee Bottle Award * Party/Celebration * Coin at celebration, & applause * Final disposition of case * Give speech to peers

June 2018

Sanctions	
Event/Behavior	Response
Positive Drug/Alcohol Screen/Admission in first 30 days	Write paper on use of peer support/Encourage to continue to be honest
Positive Drug/Alcohol Screen/Admission after 30 days	1st - 24 to 48 hours incarceration 2nd - 48 hours incarceration 3rd+ 48-96 hours incarceration
Missed group/meeting/community service	* Write paper on importance of attending group/TX * 24/72 hours incarceration * 48-96 hours incarceration (repeated missed events) * Repeated lack of attendance - Discharge from program
Dishonest	* write paper on importance of Honesty * 24/72 hours incarceration * 48-96 hours incarceration (repeated Dishonesty * On-going lack of honesty - Discharge from program
Missed curfew	* Closer Supervision/reside at Transitional House * 24/72 hours incarceration * 48-96 hours incarceration
Collateral contact negative report	* Written Report * Admonishment by Judge * Earlier Curfew * Electronic Tracking Device (ankle bracelet)