



Recovery Through Justice

Policy & Procedures

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INTRODUCTION

The Brooklyn Treatment Court opened in Kings County Supreme Court on June 6, 1996 and is grounded on the premise that an arrest is a significant triggering event, which provides an opportunity to influence a person with a substance use disorder. The Court relies on early assessment and drug testing to identify and treat defendants with substance use disorders and break the damaging cycle of drug addiction and crime.

Case managers at the Brooklyn Treatment Court evaluate each eligible defendant's need for treatment, determine the appropriate treatment modality (e.g., outpatient or residential), and find a suitable community-based treatment provider. When indicated, case managers can requisition medical tests or a psychological evaluation. Case managers can also assist defendants in obtaining insurance coverage for their treatment. The evaluation and referral process is streamlined by the presence of clinical staff inside the courthouse.

The development of the Brooklyn Treatment Court was made possible through collaboration with the New York City Criminal Justice Coordinator, the Fund for the City of New York, the Brooklyn District Attorney's Office, the Legal Aid Society of New York, and the New York City Department of Corrections.

MISSION STATEMENT

The Brooklyn Treatment Court offers treatment as an alternative to incarceration for individuals with a substance use disorder, arrested in Brooklyn and charged with a nonviolent felony and/or misdemeanor offense. The Brooklyn Treatment Court emerged out of the realization that criminal behavior among individuals with a substance use disorder often results from having to support a substance use disorder, not from deep-seated criminality. By offering court-monitored treatment, the Brooklyn Treatment Court aims to break the damaging and costly cycle of addiction, crime, and incarceration. The Brooklyn Treatment Court thereby aims to improve the lives of its participants and decrease the prevalence of substance abuse and drug-related crime in Brooklyn, New York. Over the years, the Brooklyn Treatment Court has expanded its services to help specialized populations through dedicated tracks within the Court such as the Veterans Treatment, Driving While Intoxicated (DWI) Treatment, and the Enhanced Treatment Track for individuals with co-occurring disorders.

The Brooklyn Treatment Court aims to accomplish its mission by:

- Mandating individuals with substance use disorders to judicially supervised treatment as an alternative to incarceration;
- Educating participants about the consequences of substance use;
- Providing rigorous case management to ensure that each participant complies with the treatment mandate;
- Curbing substance abuse and helping all participants maintain long-term recovery and sobriety;
- Reducing high risk behaviors, identifying and treating health problems by providing health education and treatment referrals;
- Assisting participants with their vocational, educational or employment needs.

TEN KEY COMPONENTS

The Brooklyn Treatment Court is based on principles developed by the Bureau of Justice Assistance as set forth in its study *Defining Drug Courts: The Key Components* and follows BJA and National Institute of Justice recommended policies and procedures to maximize outcomes.

#1 Drug courts integrate alcohol and other drug treatment services with justice system case processing. The Brooklyn Treatment Court model follows a team approach to decision making. The team is made up of the Judge, BTC Clinical Staff, Prosecutor, Defense Counsel, Treatment Providers and Law Enforcement. Each team member brings a unique perspective and together provides the most comprehensive treatment experience for each participant. This team approach allows for ongoing communication which ensures all clinical needs are being met and an appropriate legal response is executed.

#2 Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights. The Brooklyn Treatment Court has an assigned dedicated prosecutor and defense counsel who are familiar with the mission of the Court. Both the Prosecutor and Defense Counsel focus on the recovery process and law-abiding behavior of the participants. Working together Defense Counsel and Prosecution help determine eligibility of participants as well as actions taken during the course of an individual's participation in the treatment court.

#3 Eligible participants are identified early and promptly placed in the drug court program. The Brooklyn Treatment Court recognizes the importance of immediately connecting participants to treatment services, as promptly admitting an individual into treatment plays an essential role in their success. Once legal eligibility is established the clinical assessment process is initiated and clinical needs are identified. Whenever possible a plea is taken the same day as the assessment. Participants are then immediately referred to treatment. If further evaluation is necessary, the case is adjourned for the next possible date.

#4: Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services. BTC, in conjunction with community based treatment providers delivers evidence-based substance abuse treatment services to all BTC participants. A continuum of care is available to meet the unique needs of every participant. In addition to substance abuse treatment BTC also provides mental health treatment, anger management, medication assisted treatment, and a variety of other evidence based interventions. Participants' needs may change during their time in treatment court and BTC provides a diverse continuum of care that includes short and long term residential options as well as intensive outpatient and aftercare.

#5 Abstinence is monitored by frequent alcohol and other drug testing. The Brooklyn Treatment Court utilizes an on onsite lab to test for drugs of abuse. Participants are tested every time they enter the BTC treatment center and at least twice per week at their community based treatment program. In addition to urine toxicology testing BTC also utilizes SCRAM alcohol monitoring devices and Breathalyzer testing when appropriate.

#6: A coordinated strategy governs drug court responses to participants' compliance. The BTC clinical staff participates in regular case conferences with treatment providers to exchange information that will benefit case management and participant progress. In line with other court processes, incentives are used to reinforce participants' accomplishments. Alternatively, BTC uses a full range of graduated sanctions to address noncompliance.

#7: Ongoing judicial interaction with each drug court participant is essential. To encourage and reinforce participants' efforts, the Brooklyn Treatment Court Judge will follow up with each participant during status hearings that occur approximately every four weeks. The Judge engages each participant in a conversation about their progress and discusses any challenges they may be facing. The Judge encourages participants to remain motivated in their recovery process and addresses any changes that need to be made.

#8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness. The Brooklyn Treatment Court understands the importance of monitoring and evaluating the outcomes of the treatment court program. Output and outcome measurements are continually collected for evaluation purposes, these include: participant utilization of services, status over time, and reduction of substance abuse as documented in urine toxicology screening. The BTC Project Director reviews monthly reports for quality assurance purposes and develops a corrective action plan as needed.

#9: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations. Continuing education and training is essential to the successful operation of Brooklyn Treatment Court. Regular training is provided to BTC staff to enhance skills and improve proficiency. In addition, staff attends state and national drug court training conferences annually.

#10: Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness. Brooklyn Treatment Court has strong partnerships with a large network of community-based treatment providers. BTC continues to create new relationships with local primary care providers, mental health providers and the recovery community to expand the range of services available to all participants.

In addition to being aligned with the Drug Court Key Components the Brooklyn Treatment Court strongly reflects the goals and recommendations put forth in the New York State Office of Alcoholism and Substance Abuse Services (OASAS) Statewide Comprehensive Plan (2013-2017) to eliminate substance abuse and related criminal behavior. Priorities of this plan include providing services to persons involved in the criminal justice system, training court staff on mental illness and substance use disorders, and providing treatment as an alternative to incarceration. In addition, the Mayor's Task Force on Behavioral Health and the Criminal Justice System's 2014 Action Plan (NYCBHTF, 2014) specifically endorses an expansion of substance use disorder treatment among those involved in the criminal justice system.

ELIGIBILITY STANDARDS

Minimum Eligibility Criteria:

1. The defendant must be arrested in Kings County.
2. The defendant must be charged with one of the following felony offenses:
 - ◆ Any felony as defined in Penal Law Articles 220 and 221 with the exception of all A-I or A-II felonies.
 - ◆ A felony as defined by Vehicle and Traffic Law § 1192 (consent of the District Attorney's Office is required)
3. Any defendant with pending charges or prior convictions for a violent felony offense as that term is defined by Penal Law § 70.02 is ineligible, absent the consent of the District Attorney's office.
4. The defendant must have a substance use disorder based upon an assessment performed by the Brooklyn Treatment Court staff.
5. The defendant must be at least 19 years of age at the time of arrest.

Clinical Eligibility:

Participants must meet the criteria for a substance use disorder as defined by the current Diagnostic and Statistical Manual of Mental Disorders (DSM-5).

Other Eligibility Factors:

Male predicate offenders (i.e. 2nd felony offenders) are screened in a different Court part for eligibility for Drug Treatment Alternative to Prison (DTAP). Female predicate offenders are screened in BTC part for eligibility for DTAP and/or participation in the Treatment Court. Individuals charged with non-violent felonies outside of Penal Law Articles 220 and 221, are screened in the STEP part for eligibility, though BTC may accept this category of cases.

TEAM MEMBERS

Judge

The Presiding Judge of the Brooklyn Treatment Court heads a collaborative treatment team composed of the prosecutor, the defense attorney, and the clinical staff. In this capacity, the Judge regularly reviews case status reports detailing each participant's compliance with the treatment mandate, drug test results, cooperation with the treatment provider, and progress toward abstinence and law-abiding behavior. During regular court appearances (approximately one per month), the Judge administers a system of graduated sanctions and rewards to increase each participant's accountability and to enhance the likelihood of recovery.

Project Director

The Project Director supervises and manages all aspects of the Brooklyn Treatment Court operations. The Project Director is responsible for all administrative functions such as long-range planning, managing budgets, establishing policies and procedures and program development. In addition, the Project Director oversees day to day operations of the court and provides clinical supervision to all treatment staff, interfaces with governmental agencies, criminal justice agencies, and community-based organization. The Project Director is responsible for securing funding for special projects to enhance the treatment court through government grant program.

Courtroom Resource Coordinator

The Courtroom Resource Coordinator serves as the primary liaison between the courtroom and the clinical staff. In this capacity, the Resource Coordinator oversees the communication of treatment-related information to the Court, and ensures the flow of cases during court proceedings. The Courtroom Resource Coordinator also acts as the clinical staff representative during collaborative decision-making in the courtroom.

Certified Lab Technician

The Certified Lab Technician is responsible for the overall operation of the urinalysis-testing component of the Treatment Court. This responsibility includes not only the operation of the testing instruments, but also escorting and observing participants as they provide toxicology samples. The Lab Technician is also responsible for keeping an inventory of urinalysis testing equipment and ordering all testing supplies as needed. Lastly, the Lab Technician coordinates technical assistance with testing vendors.

Intake Coordinator

The Intake Coordinator is responsible for managing the flow of new cases through the Brooklyn Treatment Court waiting area. The Intake Coordinator monitors new cases, conducts an orientation, and observes participants as they provide toxicology samples. The Intake Coordinator also provides administrative assistance to the treatment staff.

Case Manager

The Case Management staff at Brooklyn Treatment Court are responsible for conducting all of the clinical assessments to determine if participants present with a substance use disorder as defined by the DSM-5 and therefore clinically eligible to participate. The Case Management staff make treatment recommendations to the Court based on their assessments and then refer participants to appropriate treatment. Once admitted into treatment Case Managers will provide supervision for the Court and meet with participants regularly to help ensure compliance and provide updates to the Court. Case Managers also provide ongoing support to participants, run on-site therapeutic groups and workshops and develop partnerships with treatment providers.

Defense Attorney

The defense attorney represents and counsels the defendant in all court proceedings. While the protection of all defendants' constitutional rights is always the primary concern, the defense attorney is also interested in promoting their client's health and well-being. Balancing these two fundamental concerns, the defense attorney protects the client's legal interest while counseling the client in regard to treatment, rehabilitation, and integration back into the community.

Assistant District Attorney

The Brooklyn Treatment Court has an assigned and dedicated prosecutor who reviews all new cases, and determines which participants may be legally eligible to participate in treatment court. The prosecutor makes treatment offers to eligible participants, participates in all status hearings and attend meetings to discuss client progress. As part of a collaborative team with the Judge, defense attorney, and clinical staff, the prosecutor investigates any new arrests and assesses the appropriateness of continued participation.

Educational and Vocational Resource Coordinator

The Educational and Vocational Resource Coordinator at the Brooklyn Treatment Court develops and implements comprehensive educational and vocational services for all BTC participants. The Educational and Vocational Resource Coordinator conducts educational and vocational assessments on all clients, refers clients to appropriate programming and provides guidance and support during the process.

Recovery Coaches

Peer Support and Recovery Coaching are evidence-based practices in which former consumers provide professional support and encouragement to participants. Recovery Coaches offer their own life experiences, training, and development of problem solving strategies and self-advocacy skills to assist participants in their own recovery. Recovery Coaches offer a living example of recovery and successful community reintegration. They conduct home and community visits, escort participants to treatment, assist in the advancement into treatment phases, and help with the discharge planning of participants leaving residential programs.

Treatment Providers

The Brooklyn Treatment Court works with an extensive network of community-based substance abuse and mental health treatment providers. Their services include hospital-based detoxification, short-term (30-day) residential treatment, long-term residential treatment, outpatient treatment, and intensive outpatient treatment. BTC staff refers participants to specific programs based on their clinical need, the program's ability to comply with the Court's reporting requirements, and the program's capacity to meet any special needs that may exist (i.e., mental/physical health, language barriers, etc.). Also, in the case of outpatient services, the clinical staff will attempt to refer participants to a provider located near their community.

SCHEDULING CONCERNS FOR THE DEFENSE PRACTITIONER

The Brooklyn Treatment Court is aware that its non-traditional form of case processing may present scheduling concerns for defense attorneys.

Because of the unique nature of treatment court, the calendar is not called based on an attorney sign in sheet. Incarcerated participants who have beds available and are eligible for release are prioritized. Consideration also must be given to, and time afforded for, pending toxicology results, case management intervention, and unforeseen but critical case conferences.

Nevertheless, Brooklyn Treatment Court is cognizant of the pressures attorneys with heavy caseloads must bear.

Therefore, every effort will be made to hear ready cases in an expeditious way.

CASE PROCESSING

Initially, all cases are screened in Criminal Court prior to arraignment to determine whether a defendant's record and the current charges against them indicate preliminary eligibility for Brooklyn Treatment Court. If so, the case is adjourned to the Brooklyn Treatment Court for the next business day.

The first-time defendants appear in the Brooklyn Treatment Court, the Court and the prosecutor review their cases and determine whether they are legally eligible to participate (see Eligibility Standards, supra). Cases deemed ineligible will be called in the morning and adjourned back to Criminal Court.

Those defendants who are determined to be legally eligible will have a psycho-social assessment performed by an on-site Case Manager from the Brooklyn Treatment Court clinical staff. Those defendants who have no discernible substance use disorder will have their cases adjourned back to a traditional part. If the results of the assessment indicate that a defendant does have a substance use disorder, a treatment recommendation will be made to the Court based on the severity of addiction, treatment needs, the defendant's community ties, and the defendant's criminal justice history. The Court's staff will find an appropriate treatment provider and help the defendant obtain any necessary identification and entitlements. Those defendants who decline to be interviewed by the clinical staff or refuse the recommended treatment retain the option, up until the point of hearing or trial, to accept treatment.

Eligible defendants are offered the opportunity to plead guilty with the promise that the sentence will be deferred to allow them to participate in treatment. Those defendants who comply with the Court-Mandated treatment will have their guilty pleas vacated and the charges against them dismissed.¹ Those defendants who fail to comply with the court mandate will receive a sentence of incarceration. At the time of the plea, the Judge and the defendant sign a contract affirming this agreement.

PARTICIPATION

Participation in Brooklyn Treatment Court is voluntary and the participant must be willing to engage in community-based treatment. The participant must also be willing to sign a release of information for details pertaining to his or her medical history, mental health treatment history, substance use, and legal status to be shared with the clinical staff and treatment providers. Participants must also comply with all community and home visit requests.

DEFENDANTS WHO AGREE TO TREATMENT

Defendants who agree to treatment will report back to the Court at regularly scheduled intervals for progress reports. Depending on their progress, the Court will reward or sanction them accordingly. One of the goals of the Brooklyn Treatment Court is to treat substance use disorders realistically. Thus, rewards and sanctions are progressive and it is understood that relapses are frequently a part of the recovery process.

¹ Certain exceptions may apply to this general rule. Those participants in the Brooklyn Treatment Court DWI track will plead guilty to a felony and a misdemeanor DWI charge. Upon successful completion of the Brooklyn Treatment court mandate, the felony will be dismissed, but the misdemeanor with a non-jail sentence will remain on the participant's record. Additionally, those dispositions taken over the District Attorney's objection will result in a non-jail sentence but may not include a dismissal of all counts.

CONFIDENTIALITY

The Brooklyn Treatment Court is governed by federal laws of confidentiality, which are very protective of patients' rights. Disclosure of information received in the Court is strictly prohibited. Specifically, the psycho-social assessment, which is conducted upon referral of the case to the Treatment Court, falls within the scope of the federal statute as will any information obtained from the client during the course of treatment.

As part of their participation in the Brooklyn Treatment Court, defendants authorize the disclosure and the flow of information between the Court and the client's defense attorney, prosecutors employed by the Kings County District Attorney's office, and all treatment providers with whom the participant is enrolled with.² Additionally, if the participant is under a doctor or health provider's care, an authorization to release information may be required in furtherance of the Brooklyn Treatment Court therapeutic process. Such information may include, but is not limited to, "diagnosis, attendance, scope of treatment, treatment progress, quality of participation, dates and results of toxicology testing, and termination or completion of treatment. In essence, participants are required to authorize the release of information related to their compliance with the treatment mandate as a condition of participation in the Brooklyn Treatment Court.

² Consent for additional disclosure may be required depending on the participant's individual circumstances.

PLEA CONTRACT

Dkt/SCI/Ind. No. _____ Date:

Defendant: By entering this plea of guilty, I understand and agree to the following:

1. I acknowledge that I have a substance abuse problem and recognize that I need help to treat this disease.
2. I have reviewed the Brooklyn Treatment Court's Handbook and will follow the rules and procedures set forth therein.
3. I will enter and remain in a drug treatment program designated by the Court and will lead a law-abiding life until the successful completion of my Treatment court mandate.
4. I understand that failure to comply with the rules of the Court and treatment program will result in the imposition of sanctions by the Court, which may include incarceration and a change in my treatment plan.
5. I understand that if I fail to complete my court mandate I will be sentenced to a term of imprisonment of.
6. I understand that any new arrest may result in the immediate termination of my participation in the Brooklyn Treatment Court and the imposition of a prison sentence.

Brooklyn Treatment Court Client

Judge: By accepting your plea of guilty and your promise to enter a drug treatment program, the Brooklyn Treatment Court agrees to the following:

1. The Brooklyn Treatment Court will assist you in overcoming your addiction.
2. A Case Manager will assess your treatment needs, refer you to an appropriate provider, and meet with you regularly to discuss your recovery.
3. The Clinical Staff will provide mental and physical health services at the Court's on-site clinic.
4. The Brooklyn Treatment Court will hold you accountable for your actions. Sanctions, including jail time, will be imposed for failure to comply with the Court's rules and directions as outlined in the Brooklyn Treatment Court's Handbook. Achievements in recovery will be rewarded and acknowledged throughout the different phases of treatment.
5. The Court will impose the agreed upon sentence of imprisonment if you fail to complete the mandate.
6. The Brooklyn Treatment Court will dismiss or reduce these charges and you will not be incarcerated upon your successful completion of the court mandate.

PROCEDURE FOR PRE-PLACEMENT

After a plea of guilty has been entered and a BTC contract executed, all efforts will be made to place the client in a suitable program as expeditiously as possible. Placement, however, may be delayed for a variety of reasons including, finding a suitable placement to address the participant's needs, and securing necessary benefits.

It cannot be understated, however, that engagement, particularly within the first 30 days impacts participant retention in treatment and ultimately contributes to successful completion of the court mandate. To engage participants early in the process, they are required to attend onsite pre-placement sessions. The goals of these sessions are to introduce participants to substance abuse treatment and to familiarize them with the rules, regulations, and expectations of the program.

These sessions may include a program orientation, safety assessment, overdose awareness training, vocational/educational assessments, and interactive skill building workshops. Brooklyn Treatment Court clinical staff facilitate these sessions Monday through Friday.

Participants who are in the assessment process or have been mandated to treatment by the Court, but have not yet entered a treatment program in the community will be required to appear at all scheduled appointments with clinical staff and must do the following:

- > Appear in Court at least **every two weeks**
- > Appear in the BTC Treatment Center (Room 14.85) for Case Management and Toxicology Testing **2-5 times per week depending on clinical need determined by BTC staff.**

Any missed appointments or failure to bring in documentation for scheduled BTC appointments may possibly result in a sanction by the Court.

Clients who are in jail may be video conferenced by BTC staff to arrange evaluation, referral, placement, and follow-up

PROGRAM REQUIREMENTS

Participants are assigned a dedicated Case Manager who will develop appropriate individualized treatment plans and monitor treatment compliance. Treatment plans are flexible and adjusted based on a participant's individual needs and goals, taking into account the participant's baseline functioning, individual capabilities, and holistic needs including physical, mental and spiritual interests. Treatment plans are modified and adapted to reflect participant progress and can include mental health counseling, substance use counseling, medication for addiction treatment, the need for other prescribed medication, and educational/vocational training. Evidence based screening and assessment measures are used to help Case Managers develop clinically appropriate treatment plans.

General BTC requirements include the following:

- Adherence to treatment for substance use and mental health.
- Adherence to taking prescribed medication.
- Participate in residential treatment as directed.
- Compliance with drug and alcohol testing.
- Acquisition of benefits (Medicaid, and public assistance if appropriate).
- Obtain secure housing.
- Attendance at weekly meetings with BTC Case Manager.
- Attendance at regular Court appearances.
- Demonstrate productive use of time (attend educational/vocational training, self-help meetings, etc.)
- Participate in community service if appropriate.
- Comply with Recovery Coach home visits and appointments.

Participants are required to refrain from further violation of the law. Additional offenses may result in being terminated from BTC. Participants must report any re-arrest to their Defense Attorney and Case Manager immediately. This includes arrests for any mind or mood-altering substances.

Driving and Travel Restrictions

While participating in BTC, driving is strictly prohibited. Participants may regain driving privileges, if eligible, once the legal mandate is completed.

If participants need to travel during their participation with BTC, they must request permission from the Court. No travel arrangements should be made without prior approval from the Judge.

Participants are not permitted to leave the 5 boroughs of New York City without permission of the Court.

TREATMENT BANDS

Treatment Bands are the primary mechanism by which participants in Brooklyn Treatment Court are mandated to and monitored in treatment. All participants are designated to a "band" of "treatment supervision" based upon the severity of their addiction and their criminal history. Consideration is also given to a participant's community ties and supports. The Treatment Bands, which are increased or decreased according to the participant's performance, indicate the frequency with which the participant must:

- Submit to Toxicology Testing
- Attend a Treatment Program
- Meet with their BTC Case Manager
- Appear before the Brooklyn Treatment Court Judge (during the first thirty days of participation, all clients, regardless of their Band designation, will appear in Court at least every two weeks. After thirty days, the frequency of court appearances will be based upon the participant's Band assignment unless more frequent appearances are deemed necessary.)

BAND 6 (RESIDENTIAL)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|-----------------------|-------------------|-------------------|--------------|
| Random/upon suspicion | 7x/week | 1x/month | 1x/month |

BAND 5 (DAY TREATMENT)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|--------------------|-------------------|-------------------|--------------|
| 2x/week | 5x/week | 1-2x/month | 1x week |

BAND 4 (OUTPATIENT 3)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|--------------------|-------------------|-------------------|--------------|
| 2x/week | 3x/week | 1x/month | 1x/2 weeks |

BAND 3 (OUTPATIENT 2)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|--------------------|-------------------|-------------------|--------------|
| 2x/week | 2x/week | 1x/month | 1x/2 weeks |

BAND 2 (OUTPATIENT 1)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|--------------------|-------------------|-------------------|--------------|
| 1x/week | 1x/week | 1x/month | 1x/month |

BAND 1 (OUTPATIENT)

| Toxicology Testing | Treatment Program | Court Appearances | Case Manager |
|--------------------|-------------------|-------------------|--------------|
| Random | 1x/week | 1x/6 weeks | 1x/ month |

*Bands 4 & 5 may include Intensive Outpatient Services (IOS) when clinically appropriate.

Requirements for Advancement to Phase III:

All participants must demonstrate mastery of the skills identified in Phase II and submit a written application for advancement. The application must identify achievements in Phase II and goals for Phase III.

Misdemeanors: Phase I + 2 consecutive drug-free & sanction-free months

Single Felony: Phase I + 4 consecutive drug-free & sanction-free months

Predicate/Multiple Felonies: Phase I + 8 consecutive drug free & sanction-free months

PHASE III

CHALLENGE

- The focus of this phase is to help participants rise to the Challenge of recovery as a way of life and take responsibility for their actions.
- Specific objectives include: maintained abstinence, internalization of recovery tools, continued development of coping skills, and progress toward educational/vocational goals.

All Phase III participants are expected to meet the highest standard. Relapse will be treated in a stricter manner.

- One positive toxicology test in a 30-Day period will result in a Court imposed sanction.
- Failure or refusal to submit one scheduled toxicology sample in a 30-Day period will result in a Court imposed sanction.

Any relapse in Phase III will result in the phase starting over once sobriety is obtained. Additionally, the phase will be extended for a period of time to be determined by the Judge.

Once all of the necessary requirements are completed/achieved in Phase III participants may be eligible for graduation from the Brooklyn Treatment Court. All participants are required to submit a written application to be considered for graduation.

Requirements for Advancement:

Misdemeanors: Phase II + 2 consecutive drug & sanction-free months + 6 hrs. community service event.

Single Felony: Phase II + 4 consecutive drug & sanction-free months + 6 hrs. community service event.

Predicate/Multiple Felonies: Phase II + 6 consecutive drug & sanction-free months + 6 hrs. community service event.

Overview of GRADUATION REQUIREMENTS

| MISDEMEANORS | SINGLE FELONY | MULTIPLE FELONIES PREDICATES |
|--|---|---|
| <ul style="list-style-type: none"> • 8 total months of drug-free and sanction-free participation (Completion of Phases I, II, and III) • Graduation from Treatment Program or program's approval for BTC graduation • Participation in 1 community service events • Significant progress towards independent drug-free living, including HS Diploma or GED and/or employment • Community Service Event with a written essay • Submission of graduation application | <ul style="list-style-type: none"> • 12 total months of drug-free and sanction-free participation (Completion of Phases I, II, and III) • Graduation from Treatment Program or program's approval for BTC graduation • Participation in 1 community service events • Significant progress towards independent drug-free living, including HS Diploma or GED and/or employment • Community Service event with written essay • Submission of graduation application | <ul style="list-style-type: none"> • 18 total months of drug-free and sanction-free participation (Completion of Phases I, II, and III) • Graduation from Treatment Program or program's approval for BTC graduation • Participation in 1 community service events • Significant progress towards independent drug-free living, including HS Diploma or GED and/or employment • Community Service event with written essay • Submission of graduation application |

IMPOSITION OF A JAIL/PRISON SENTENCE

The following circumstances will result in a participant's failure of the Brooklyn Treatment Court mandate:

- > Being arrested for any violent offense, including Robbery, Assault, or Criminal Possession of a Weapon
- > Being arrested for a new felony that the District Attorney deems ineligible for continued treatment participation
- > Refusing to enter and remain in the court mandated treatment program

Upon a participant's failure, the Court will impose the alternative jail/prison sentence.

*Note: After being returned once to court by the police to vacate a warrant or being sanctioned to jail twice, participants will be given one additional opportunity to be successful in treatment. Should they fail again, the alternative jail prison sentence may be imposed.

MOVING BETWEEN BANDS AND PHASES

Sanctions and incentives are used by the Court to motivate each participant's compliance with the recommended treatment plan. If the participant is not compliant, sanctions may be imposed. Sanctions can include a reprimand and can increase to periods of incarceration. If compliant, the participant receives encouragement and incentives for continuing to do well.

If the treatment plan is inadequate to meet the client's needs (e.g. the client exhibits symptoms of psychosis, suicidal ideation, self-injuring behavior, or continues to use drugs), the Court may request a re-assessment and the level of treatment will be increased. The client may move from a community setting into a residential treatment program. The Court may order a psychiatric examination, a medical evaluation by an Addiction Medicine physician, more drug testing, or more intensive monitoring including home visits.

Infractions and Graduated Sanctions

Sanctions are used to assist the client in achieving treatment goals. At any time, with or without a sanction, a client may be assessed for a higher level of treatment, hospitalization, additional support meetings, or more intensive case management. The Judge imposes sanctions after hearing from the client, counsel, and the BTC clinical team. The Court will respond on two levels to problems in treatment: case management/program level responses and Court imposed sanctions. However, once participants commit three lower-level infractions in a thirty-day period, they become subject to a Court sanction, which results in the loss of accumulated Phase time. Examples of sanctions include:

- Admonishment or reprimand from the Court
- Assignments/written essays
- Community Service
- Jury Box Attendance
- Increased frequency of court appearances
- Period of incarceration
- Termination of BTC participation

If more serious infractions occur, such as a new arrest, return on a warrant, or drug test tampering, participants may immediately be subject to a jail sanction.

*****The following tables are a framework for the imposition of sanctions, not a formula. The Judge maintains complete discretion in the imposition of all sanctions***

SANCTION FRAMEWORK

| Infraction | Court Imposed | Action |
|---|--|--|
| New Arrest | JAIL Number of Days at Judge's Discretion Possible Termination from Program | Full Treatment Plan Review Loss of Current Phase: At Judge's Discretion |
| Infraction | Court Imposed Sanction | Action |
| The following infractions will immediately result in a Court Imposed Sanction: <ul style="list-style-type: none"> Abscond or Termination from Program with Involuntary Return to Court. | 1st Sanction: 1-14 Days Jail 2nd Sanction: 15-28 Days Jail 3rd Occurrence: Jail Sentence Termination from Participation | At Every Sanction: Full Treatment Plan Review. Return to the beginning of current Phase |
| The following infractions will immediately result in a Court Imposed Sanction: <ul style="list-style-type: none"> Abscond or Termination from Program, with Voluntary Return to Court Substituted or Tampered Urine Pattern of Lateness Three of the following infractions within a 30-day period will result in a Court Imposed Sanction: <ul style="list-style-type: none"> Positive or Missed Urine Missed Appointment Rule Breaking at Program (not resulting in Termination) | 1st Sanction: 2 Day Penalty Box Journal/Essay Writing Detox/Rehab Workshop Attendance Increased Case Management Visits Court Frequency Increased 1-7 Days Jail 2nd Sanction: 1-14 Days Jail 3rd Sanction: 8-14 Days Jail 4th Sanction: 15-28 Days Jail 5th Occurrence: Jail sentence Termination from participation | At Every Sanction: Full Treatment Plan Review Return to the beginning of current Phase. |

ACHIEVEMENTS AND REWARDS

Rewards can be recommended by BTC clinical staff and are granted at the Judge's discretion for particular accomplishments in treatment. The reward system is intrinsic to the Court operation. Whenever the opportunity arises, the Court will seek to support treatment through positive reinforcement. Some methods are built into the process and are not event driven (i.e. in Court acknowledgement, early calendaring, etc.). Other more specific "rewards" are given less frequently when a participant has reached a treatment milestone.

Positive Reinforcements (at every opportunity)

- In Court acknowledgement and encouragement
- Early calendaring
- Band reduction
- Certificates of achievement
- Reduced frequency of court appearances
- Accomplishment coins
- Applause in the courtroom
- Congratulatory cards
- Special Recognition
- Less restrictive treatment
- Achievement bands

ACHIEVEMENTS AND REWARDS

| ACHIEVEMENT | REWARDS | MANDATORY ACTIONS |
|---|---|---------------------------------------|
| -Keeping all appointments at the treatment program and -Getting accepted into treatment -Establishing a connection with treatment program -4 consecutive months drug-free and sanction-free | -Phase advancement certificate -Court Recognition/Applause -Band change if clinically appropriate | Advancement to Phase II |
| Phase II plus: | -Phase advancement certificate -Court Recognition/Applause -Band change if clinically appropriate | Advancement to Phase III |
| Misdemeanors <ul style="list-style-type: none"> • 2 more consecutive drug-free and sanction-free months Single Felony <ul style="list-style-type: none"> • 4 more consecutive drug-free and sanction-free months Multiple Felonies/Predicates <ul style="list-style-type: none"> • 6 more consecutive drug-free and sanction-free months | -Phase advancement certificate -Court Recognition/Applause -Band change if clinically appropriate | |
| Phase III plus: | -Graduation -Certificate of completion -Court Recognition/Applause | Dismissal Reduction of charges |
| Misdemeanors <ul style="list-style-type: none"> • 2 more consecutive drug-free and sanction-free months Single Felony <ul style="list-style-type: none"> • 4 more consecutive drug-free and sanction-free months Multiple Felonies/Predicates <ul style="list-style-type: none"> • 6 more consecutive drug-free and sanction-free months | -Graduation -Certificate of completion -Court Recognition/Applause | |

MOVING OUT OF RESIDENTIAL PROGRAM

Brooklyn Treatment Court participants assigned to a residential program are expected to remain in the program until they have successfully completed their court mandate. If the court mandate is satisfied before the residential program has been completed, participants are encouraged to remain in the residential facility until they have successfully met the requirements to graduate from the treatment program.

The Court will consider a participant's request to move out of a residential program prior to the successful completion of the court mandate when a participant reaches Phase III, has been sufficiently compliant with the treatment plan, and has met the following requirements:

- Secured a stable place to live verified by clinical staff
- Obtained employment and/or is participating in a vocational or educational program
- Attends a community-based substance abuse treatment program

The Court will neither consider nor approve a participant's request to move out until the BTC clinical team and the Counselor at the residential program conference the matter. If a participant's request to move out is denied by the Court, he/she is expected to remain at the residential treatment program until it is successfully completed. Once the individual is ready to move out of the residential program, a case conference with the BTC clinical team and treatment provider will occur in order to discuss discharge planning.

MEDICATION FOR ADDICTION TREATMENT (MAT) POLICY

Brooklyn Treatment Court accepts participants who, with professional medical advice, voluntarily elect Medication for Addiction Treatment (MAT) as part of their treatment protocol. BTC is staffed by team members who possess advanced knowledge of MAT issues and therapy techniques. Participants interested in the use of MAT are evaluated by a multidisciplinary team to determine eligibility. Random drug testing is utilized to ensure medication compliance.

Medication prescribed for the treatment of substance use disorders have various levels of risk for abuse which creates a recovery issue that requires Court oversight. BTC does not provide direct medical treatment, however, the Court expects participants who select MAT as part of their treatment plan to adhere to the following protocols:

- Select a court-approved credentialed addiction specialist, medical professional recognized by the American Society of Addiction Medicine, American Board of Addiction Medicine or the Substance Abuse and Mental Health Services Administration, or physician with advanced knowledge of recovery issues.

- Complete a medical assessment by the selected court-approved MAT medical professional to determine which medication would be the safest and most effective and adhere to the prescribing and dosing guidelines established.

- If medications are abused or diverted after the participant and drug court team have made reasonable efforts to increase compliance, participants must be re-evaluated by the treatment team and medical doctor to determine if continued medication is appropriate.

- If participants choose to discontinue the use of medication they must discuss their desire with both the drug court team and prescribing doctor to establish a safe and clinically responsible treatment protocol to terminate use.

- Participants must demonstrate adequate engagement in the treatment process and adhere to program rules while utilizing MAT.

PREScription MEDICATION

For some BTC participants, medications will be essential for managing symptoms and living successfully in the community. Participants must report any prescribed medications to BTC case management staff and provide appropriate documentation. BTC compliance requires that all participants prescribed medications take them as directed by the prescribing physician. All concerns about medications must be reported immediately to BTC clinical staff and the prescribing physician. Medications will be adjusted and/or discontinued when appropriate and under proper medical supervision. Failure to take prescribed medications will result in a clinical intervention by the BTC clinical team. Continued refusal to take prescribed medication may result in termination from the program.

Brooklyn Treatment Court prohibits the use of narcotic or other prescribed medications with the potential for abuse without prior approval from the Court, even when prescribed by a physician. During BTC participation it is expected that all individuals abstain from narcotic medication. If participants are prescribed narcotic medications while participating in BTC they are expected to:

- Immediately notify BTC staff of the prescription prior to any use of the medication.
- Provide BTC staff with copies of the prescription along with documentation regarding the reason the medication was prescribed.
- Sign a HIPPA consent form allowing for the release of information between the prescribing physician and BTC clinical staff.
- Inform their doctor of their history of substance abuse and their current treatment involvement.
- Request non-narcotic medication or alternative forms of treatment that does not involve controlled substances.

Controlled Surrender

Participants who fill prescriptions for narcotic medications will be required to bring the medication to the BTC treatment center. Following a case conference with the Project Director the participant will place their medication in a sealed envelope. The participant will be escorted by a BTC Recovery Coach to a New York State Medication Drop Box identified by the New York State Department of Environmental Conservation. The participant will then surrender their medication under the supervision of the Recovery Coach.

TESTING FOR DRUGS OF ABUSE

Brooklyn Treatment Court participants are expected to be drug and alcohol free. The Court monitors compliance with the mandate through case management visits, toxicology testing, breathalyzer, and court appearances. Case Managers and a toxicology-testing laboratory are located in the Treatment Center, Room 14.85 of the Kings County Supreme Court Building at 320 Jay Street.

Why Test for Drugs of Abuse?

Testing for drugs of abuse allows clinical staff to determine which substances participants have recently used. This information helps Case Managers develop an appropriate treatment plan for each individual participant based upon their substance use history.

Testing for drugs of abuse also allows clinical staff to identify when someone has obtained and maintained sobriety. By detecting the presence of drugs, toxicology testing reveals the effectiveness of a particular course of treatment and can alert clinical staff to the need for a more structured level of care.

Frequency and Manner of Testing

BTC participants are tested prior to each court appearance, each time they visit their Case Manager, and during visits to their treatment provider. Ideally, toxicology tests should be random to avoid a participant's planning of substance use around the testing schedule. However, frequent testing can substitute for the inability to test randomly. The collection of toxicology samples must be supervised by a staff member in order to ensure that the donor is not attempting to substitute or adulterate the specimen. The BTC Band System details how often a participant is required to be tested. Reducing the frequency of testing can be a valuable reward.

Refusal or Failure to Report for Testing

Whenever a BTC participant enters the Treatment Center, for any reason, he or she is required to submit to a toxicology test and/or breathalyzer. Each person is expected to be ready to submit a toxicology sample for testing within 90 minutes of arrival. Anytime a BTC participant refuses to be tested or cannot give a toxicology sample during a case management visit, it is considered to be a positive test result. Participants must provide a toxicology sample prior to their court appearance. If a sample is not submitted, it is considered to be a positive test result. A participant who tests positive, provides a diluted sample or fails to submit a sample for testing must return to BTC the next day for a new test.

Drug Retention Times

To understand how recently a participant used drugs, it is necessary to know a drug's retention time. The retention time, or length of time a drug is in an individual's system and able to be detected varies based on the drug used, the individual's metabolism and physical condition, the frequency of drug use, and the amount of drug consumed. Following is a list of the retention times of the most commonly used drugs.

- Cocaine, Heroin (opiates), Benzodiazepine are generally excreted within 3 days or 72 hours after ingestion (A positive test for heroin or cocaine two days in a row counts as single positive test).
- Amphetamines are generally excreted within 2 days or 48 hours after ingestion.
- Ethyl Alcohol (Alcohol) is detectable in urine 1 to 72 hours after consumption.
- Marijuana (THC/Cannabinoids) excretion times vary depending on many factors, such as metabolic rate, physical condition, frequency of urination, fluid intake, as well as frequency and duration of prior use. Variations occur exclusively with marijuana and not other drugs because the body stores THC in adipose (fat) tissue and slowly releases it back into the bloodstream. It is possible to test negative one day and positive a day or two later without having used the substance. All participants who test positive for THC at their assessment are initially allowed a one-time 30-day period to completely excrete the THC. The average amount of time a person may test positive after the cessation of marijuana use is as follows:

| | |
|---|--------------|
| Occasional smoker (1x week) | 3 - 5 days |
| Moderate smoker (4x a week) | 5 - 10 days |
| Heavy smoker (daily) | 10 - 15 days |
| Chronic (daily use over several months) | 20 - 25 days |

Testing Technology

BTC tests toxicology samples with the Siemens V-Twin Drug Testing System utilizing "EMIT" technology. Using the V-Twin Analyzer BTC conducts screening tests to detect the presence of a drug, not the amount of drug present. A positive test is simply an indication that the drug (or its by-product) is present in the urine sample. To test for the presence of drugs, immunoassays use antibodies that specifically bind to drugs and their metabolites (the chemical compounds that result after the body has metabolized a drug) in urine and other fluids.

The instrument is set at specific cutoff levels, which are quantitative values regarding the amount of drug present in a specimen, above which the test reads positive and the particular drug is presumed present. Cutoff concentration values have been developed by professionals in forensic toxicology. The cutoff value for workplace testing is usually different from that for testing of defendants for criminal justice. BTC also tests for creatinine, pH balance, and nitrates in the urine to insure the validity of the samples collected. If a urine sample tests positive, the sample is tested again to confirm the results.

Legal Authority

The highest court of the State of New York has held that positive EMIT test results, when confirmed by a second EMIT test or its equivalent, are sufficiently reliable to constitute substantial evidence to support a determination of drug use, *Matter of Lahey v. Kelly*, 71 NY2d 135 (1987).

Breathalyzer Technology

Brooklyn Treatment Court utilizes a breath alcohol test instrument that is safe and hygienic with a special disposable mouthpiece. The optimized electrochemical (fuel cell) sensor of the hand-held device reacts specially to alcohol and has quick response time and the device ensures quick measurement results. The results are displayed on a graphic LED and audible signals. BAC (blood alcohol concentration) weight of ethanol is volume of blood is measured numerically accompanied by the selected unit of measure by the hand-held breathalyzer. BAC range levels 0.000 % to > 0.100 % with measurement accuracy reproducibility and a certified alcohol standard ± 0.005 %.

Reliability

The reliability of drug tests is in large part a function of the integrity and accuracy of the testing procedures. All breathalyzer and toxicology samples are taken under the observation of a staff member, which significantly reduces the opportunity for tampering. Additionally, the testing machine is calibrated daily and all maintenance protocols are followed.

Challenges to Accuracy of Test Results

Under no circumstance will a participant be allowed to submit a "new" specimen on a claim of lab error. If a participant wishes to challenge the accuracy of the toxicology test result, the challenge must be made within 24 hours of the submission of the sample. All positive samples are maintained in the BTC laboratory for a period of 24 hours, after which they are discarded. Participants must immediately contact their attorneys to discuss a challenge to the test results.

Participants who decide to challenge a toxicology test must appear before the Judge and state their decision to have the toxicology sample sent out for confirmation testing. Participants will be required to sign chain of custody paperwork allowing the sample to be sent to an independent laboratory for confirmation testing. Samples will be tested using gas chromatography/mass spectrometry (GC/MS) to determine the chemical make-up of the sample. GC/MS Confirmation tests provide qualitative results of drugs and/or drug metabolites present in the sample and are able to distinguish between illicit, prescription medicines or over the counter medication.

When a participant challenges a toxicology result and the GC/MS test confirms the original positive result, a jail sanction may be imposed by the Court.

Cross Reactivity

Some medications with similar chemical structures may produce positive results for various drugs of abuse. Siemens has provided a cross reactivity guide and 24-hour technical assistance. If a client provides a prescription or verifiable proof of a medical treatment involving medication that has the potential to produce a positive result, the test will be recorded as compliant.

Second Hand Smoke

A positive test result due to the passive inhalation of second-hand marijuana smoke is not feasible given the conditions necessary to produce the 50 ng/ml level at which the BTC tests. In various studies on passive inhalation, positive results have occurred where individuals were exposed to the smoke of 4 to 16 marijuana cigarettes in an extremely small, sealed, unventilated area for one hour a day over the course of several days. The conditions were extremely uncomfortable, causing watering of the eyes and irritation to the mucous membrane of nose and throat. The few positive results were detected at the 20 ng/ml level, which is the most sensitive testing level. The only study where results were detectable at the 50 or 100 ng/ml level were a product of hour long exposure in the above sealed conditions to 16 cigarettes over 6 consecutive days. According to most studies, all positive test results are the result of extreme situations. It is highly unlikely that the extreme conditions necessary to produce ANY positive test (even at the lowest testing cutoff level of 20 ng/ml) could be encountered in a real-life situation without, at least, the tacit consent of the person. Accordingly, in the unlikely event that such extreme circumstances could occur, it is the participant's responsibility to remove him or herself from that situation.

Poppy Seeds

It is possible to test positive for opiates after having consumed poppy seeds. Poppy seeds contain trace amount of opium, which like heroin, is derived from the poppy plant. Research measuring the amount of seeds necessary to produce a positive result is varied. To resolve the issue, participants must avoid consuming poppy seeds. All positive results claimed to be attributed to poppy seeds will remain positive for opiates.

Additional Mood/Mind Altering Substances

Participants **are *prohibited* from** using any mind or mood-altering substances including synthetic marijuana (i.e. spice, K2, fake weed, Skunk, Moon Rock, etc.).

Over the Counter Medications

Extreme caution must be used when taking over-the-counter (OTC) medications. It is the responsibility of the participant to read labels and consult with their Case Manager before taking any OTC product. There are some over-the-counter medications that are not permitted in BTC. For instance, cough, cold and flu medicines with any alcohol content will produce a positive result. It is the participants' responsibility to find alternative medications that will not produce a positive test result. Participants are responsible for reading all labels or consulting with the pharmacist or doctor and Case Manager before taking any medication.

Additionally, while participating in BTC, participants are prohibited from taking any vitamin or dietary supplements not approved by the Food & Drug Administration (FDA).

To be clear, the consumption of alcohol in any form is prohibited, without exception, including but not limited to folk remedies, during the course of a religious service or ceremony, or contained in fermented teas like kombucha.

Secured Continuous Remote Alcohol Monitor (SCRAM)

Individuals participating in the Brooklyn Treatment Court DWI track will be required to wear a Secure Continuous Remote Alcohol Monitoring (SCRAM) bracelet for the first 90 days of the treatment mandate. The SCRAM device uses transdermal alcohol monitoring technology to detect and measure the presence of alcohol. Based upon compliance, the Court may require participants to wear the SCRAM bracelet for an additional length of time beyond the initial 90 days. The Judge has the discretion to have the SCRAM device reinstalled at any time during Court participation based upon compliance. Participants are responsible for the daily monitoring fee and are expected to pay weekly.

Participants wearing the SCRAM device will be required to report to the Treatment Center once per week for the information on the SCRAM bracelet to be analyzed. Failure to appear for the scheduled appointment may result in a Court imposed sanction. Participants are prohibited from tampering with the device or attempting to interfere with its functioning. Confirmed attempts to do so will result in a Court imposed jail sanction.

Tampering: Substitution, Dilution, Adulteration

- A "substituted" specimen is when something other than the participant's urine has been submitted as the collected sample or a liquid is added to the collected specimen.
- A "diluted" specimen is when an individual has intentionally ingested large quantities of liquid in order to decrease the concentration and make it difficult for the lab to identify any drugs that may be present. This process is referred to as "water-loading."
- An "adulterated" specimen is when an individual has introduced a foreign substance into the collected sample to intentionally disguise the presence of drugs in the urine.

The collection of urine toxicology samples at the Brooklyn Treatment Court are carefully observed by a staff member of the same gender in order to reduce the possibility of tampering. Tampering is detectable by observing the color and odor of the sample, and by measuring its temperature, pH balance, specific gravity, and creatinine.

If the given sample is of a viscous consistency that is unable to be tested in the machine the client will be required to go immediately to the doctor for a full physical examination and provide documentation regarding the results of the exam. If there is no medical condition (i.e. infection) that caused the abnormal sample, the sample will be considered adulterated and will result in the loss of current phase time and a possible jail sanction.

If a participant is caught tampering with the test by substituting something for the sample or adulterating the sample, he or she will be required to report immediately to the courtroom to see the Judge. Tampering with a drug test is a sanctionable offense and could result in a jail sanction. If a participant is believed to have diluted the sample by water-loading, a one-time warning will be given to avoid drinking excessive quantities of water prior to reporting to BTC. The participant will be required to return the next day for a new test. Any subsequent dilutions will be deemed tampering and treated as a sanctionable offense.

TOXICOLOGY PROTOCOL

Every participant is required to wash his or her hands before providing a toxicology sample. This practice will eliminate the potential for objects to be hidden under fingernails that could contaminate the toxicology sample. Coats, backpacks, purses and/or other bags will not be allowed in the testing room while the sample is being collected.

To ensure that the treatment staff is able to observe participants without distraction as they provide toxicology samples, they will be taken into a bathroom one at a time. There will be no talking while toxicology collection is in progress.

Observing Males — Males will be observed in full view by a male BTC staff member.

Observing Females — Females will be observed in full view by a female BTC staff member.

Those participants in the process of gender transitioning will be observed by a BTC staff member of their biological sex until transition is complete. Special accommodations will be made on a case by case basis with the approval of the Director.

METROCARD POLICY

Brooklyn Treatment Court does not regularly provide metrocards for clients to appear in Court, the Treatment Center, or to attend a community-based treatment program.

Metrocards are only provided when a client has been incarcerated overnight and has been mandated to treatment through the Brooklyn Treatment Court.

Case Managers record the name of the client, treatment case ID number, and metrocard value on a log. Clients receiving metrocards must sign the log and the Case Manager must initial it.

PERSONAL PROPERTY POLICY

Participant personal property is the sole responsibility of the participant. BTC will not be responsible for any personal property and the BTC staff will not hold on to participants' possessions when sanctioned to jail or at any other time.

PARTICIPANT HANDBOOK

New BTC participants are given a participant handbook for treatment and are responsible for reading and understanding the contents of the handbook. The contents of the handbook are reviewed with participants during the BTC orientation.

TECHNOLOGY

Comprehensive Computer Management System

BTC utilizes a comprehensive computer management system to track participants' progress. This specialized application enables the Judge, Resource Coordinator, Assistant District Attorney, and Defense Attorneys to view comprehensive information about all defendants in treatment. This application contains Case Manager assessments, attendance records, all urinalysis and progress reports, a log of all infractions and achievements, and the corresponding response of the Court.

Video Conference

Through collaboration with the New York City Department of Corrections and the New York State Office of Court Administration, the Brooklyn Treatment Court has the ability to conduct video conferences. Video Conferencing allows the Brooklyn Treatment Court staff and treatment providers at the courthouse to conduct face-to-face interviews with defendants who are incarcerated at Rikers Island. Thus, Case Managers can assess the defendant's treatment status and plan a discharge and referral strategy without requiring the defendant's production in court. Similarly, treatment providers within the Brooklyn Treatment Court's network can also use the video conference to decide the suitability for placement of incarcerated defendants.