



Whitman County Community Court

Participant Handbook

Your Name:

To contact a representative of the WCCC, contact (509) 397-6265.

Handbook Overview

Table of Contents

<u>Welcome</u>	2
<u>Program Information</u>	4
<u>Introduction</u>	4
<u>Program Components</u>	7
<u>Confidentiality and Professionalism</u>	13
<u>Program and Policies</u>	14
<u>Eligibility Criteria</u>	14
<u>Whitman County Community Court Schedule</u>	16
<u>Case Staffing Meetings</u>	17
<u>Court Review Hearings</u>	17
<u>Incentives and Sanctions</u>	18
<u>Rules and Definitions of the Whitman County Community Court Program</u>	20
<u>Stage Requirements</u>	28
<u>Stages of the Whitman County Community Court</u>	28
<u>Phase I: Stabilization and Engagement</u>	30
<u>Phase II: Engagement and Maintenance</u>	32
<u>Phase III: Maintenance and Life Skills</u>	34
<u>Phase IV: Life Skills/Independence and Graduation</u>	36
<u>Acknowledgment and Agreement of Participant Handbook</u>	38
<u>Acknowledgment of WCCC Requirements</u>	39
<u>Whitman County Community Court Confidentiality Agreement</u>	40
<u>Whitman County Community Court Requirements for Drug Testing</u>	41
<u>Non-Exhaustive List of Agencies for Community Volunteer Hours</u>	42
<u>Community Service Hours</u>	43

Dear Participant,

Welcome to the Whitman County Community Court. You are about to enter a program that will benefit you and your future. As you progress through the program, you will be given the tools to establish and achieve long term stability through a continuum of care with the development and utilization of community resources. This handbook is designed to answer questions, address concerns and provide overall information about the program. As a participant, you will be expected to follow the instructions given by the Judge and comply with the recommended treatment plan. This handbook will provide a general description of what is expected of you.

Sincerely,

The Whitman County Community Court Team

PLEASE READ THIS BOOKLET VERY CAREFULLY.

**YOU ARE RESPONSIBLE FOR KNOWING AND
UNDERSTANDING ITS CONTENT.**

This handbook is designed to provide you with information regarding the Whitman County Community Court. These are guidelines so you can be informed about general policies and procedures. The Court reserves the right to change these guidelines and to decide any matter based upon individual facts and circumstances.

**POLICIES AND PROCEDURES ARE SUBJECT TO CHANGE UPON WRITTEN
ORDER OF THE COURT**

I. PROGRAM INFORMATION

A. INTRODUCTION

Welcome to the Whitman County Community Court! This handbook is written to answer your questions and provide overall information about the WCCC Program. Please refer to this handbook during your time in the WCCC. It will serve as a useful guide.

What is the Whitman County Community Court Program?

Whitman County Community Court (WCCC) is designed to help participants. Instead of a traditional sentence and probation, you will enter a supervised, structured, treatment-based program designed to help you learn how to manage your mental health diagnosis. You may also learn other essential life skills in order to live a healthy life. As a participant of this program, you are expected to attend all treatment sessions and counseling. You are also required to attend WCCC hearings with other program participants. Compliance is monitored by WCCC Team through regular appointments with case managers and/or probation officers and required drug and alcohol testing. Successful completion of WCCC results in dismissal of the criminal charges. Most importantly, graduating participants gain the necessary tools to achieve long-term stability and live a healthy lifestyle.

WCCC is designed to have both intense accountability and encouragement by a team made up of a Judge, case manager(s), program manager, prosecutor, defense attorney, probation officer(s) and treatment providers who specifically work with the WCCC participants. The team works collaboratively to monitor, supervise and guide each participant. Based on your participation, we may be able to provide assistance with stable, substance-free housing, education, employment, transportation, and mental health concerns—you will not be alone in your recovery efforts.

To successfully complete the program participants must work their way through the four program phases. The program phases are designed to slowly increase coping skills and healthy choices by first focusing on treatment, then life skills, emotional needs and finally long-term goals.

How does the WCCC work?

The WCCC is designed to address your mental health issues, substance use disorders (if applicable), social and family challenges, stable housing, and employment and educational needs. You will participate in a variety of activities, including group and/or individual therapy, random drug screens, and community-based self-help groups, when appropriate.

WCCC participants remain in the program for a minimum of 12 months and must complete program requirements within 24 months (exceptions may occur). There are four phases that must be completed. If you successfully complete these stages, pay all restitution, and meet all other WCCC financial obligations, you will graduate from the WCCC program. Upon graduation, the criminal charges that brought you to the WCCC will be dismissed. More importantly, you will gain the necessary tools to rebuild your life. However, if you consistently do not work toward treatment and stage goals, you may be terminated from the program.

The WCCC is a team approach towards helping you be successful. Everyone wants you to succeed and create a new, healthy, stable, and satisfying lifestyle. We believe a critical part of your success is your ability to become involved in community-based support systems during your treatment and to help you transition into a healthier lifestyle and maintain your new way of living even after completing the WCCC.

Who are the WCCC Team and what do they do?

The WCCC Team consists of the Judge, program manager, prosecuting attorney, public defender, case managers, probation officers, clerk, assistant and treatment providers. The WCCC Team meets before every mental health court hearing to discuss each participant's progress and treatment recommendations. These team meetings are regularly scheduled prior to each Court hearing.

What if I have a substance use disorder (SUD), aka: chemical dependency/addiction?

WCCC accepts participants who may have both mental health and SUD challenges. You will be expected to receive treatment for diagnoses related to your mental health and substance use.

Some applicants to the WCCC program will be required to obtain recent mental health and chemical dependency assessments.

We are willing to work collaboratively to assist in your SUD treatment; however, there may be some SUD situations that are too severe to allow for participation in the WCCC program.

What happens once I am in the WCCC Program?

You will regularly meet with the WCCC case managers and/or probation officers to develop goal plans. The goal plans are designed to improve your functioning in the critical areas of your life. New goal plans will be developed at each phase of the program. In the first phase, the focus will be on stabilization and treatment. The WCCC requires you to have ongoing contact with the WCCC case manager(s) and/or probation officer(s), individual and/or group therapy, medication management, court appearances, random drug testing, and community-based support groups (as appropriate).

B. PROGRAM COMPONENTS

Treatment Component

Participants will complete a mental health and/or substance use disorder (SUD) evaluation and engage in recommended treatment. In addition to the mandatory mental health/(SUD) treatment services, the WCCC Team may recommend additional required services based on the individual needs of the participant.

Treatment Services that Participants Must Participate in During WCCC

- Face-to-face sessions with WCCC case managers and/or probation officers
- Mental health counseling if part of the reason for entering WCCC
- Substance Use Disorder treatment if part of the reason for entering WCCC

Examples of Other Treatment Services the WCCC May Recommend for Participants

- Individual or family counseling
- Vocational Rehabilitation
- Community-based support groups
- EMDR or other specialized therapy
- Financial literacy counseling
- Domestic Violence Counseling and support

Case Management/Probation Component

The case manager and/or probation officers provide participant progress reports to the team during staffing before Court. The participant progress reports will include the following information:

- Dates of the one-on-one appointments
- Any missed one-on-one appointments (and whether they were excused)
- Any missed treatment sessions (and whether they were excused)
- Updates regarding participant's performance and progress in treatment (compliant or non-compliant)
- Drug and alcohol testing results
- Concerns/announcements/questions/requests that the participant or the treatment provider may have
- Whether the participant is compliant or non-compliant with all WCCC requirements
- Risk assessment information
- Gaps in services
- Updates regarding phase goals
- Any psychosocial, economic, and physical needs of the WCCC participant

Participants will meet with their assigned WCCC case manager and/or probation officer frequently. The case managers and probation officers ensure that the WCCC participants understand and comply with court orders. More importantly, the case managers and probation officers are responsible with assisting the participants to accomplish phase goals and their individualized treatment plans. The case managers and/or probation officers will review the risk/needs assessment for new participants and identify any gaps in services and make appropriate referrals to community agencies for needed resources. The case managers and/or probation officers will facilitate and link participants with needed services based on treatment needs, treatment plans, and community provider reports.

The case managers and/or probation officers provide care coordination services to WCCC participants including the coordination of housing, benefits, and basic needs for participants. They will assist with identifying, developing, organizing and supervising participants' community services and projects

Case managers and probation officers serve as liaisons between community providers and the Court. They work closely with community providers to monitor treatment plans along with addressing legal issues. Case managers and probation officers also assess and reassess participants' support systems, available community resources, and other factors. This requires case managers and probation officers to develop and implement case plans with intervention strategies to meet the participant's needs including treatment plans, residential placement, job training, socialization, medical/dental care, legal intervention, and financial assistance according to state and federal regulatory guidelines and budget limitations.

Case managers and probation officers will work closely together and with community agencies and law enforcement to collaborate and coordinate existing supports and encourage participation in treatment by WCCC participants.

Case managers and probation officers will also collaborate with jail staff and law enforcement to coordinate services upon release for any in-custody participant, and monitor WCCC participants as they re-enter the community, acting as a liaison between jail staff, community providers and the Court.

Court Component

Participants attend WCCC hearings with other participants as required. At the Court hearings, participants will report to the judge on their progress and setbacks on completion of program tasks and assignments. The WCCC Team attends hearings to offer support, encouragement, and accountability. The judge addresses accomplishments and violations and enters orders for each participant for the next WCCC period. Throughout the program, the team will support the participant with incentives for success and accomplishments.

When a participant is out of compliance with program requirements, the judge may impose sanctions. WCCC tailors its expectations of participants by phases. At each phase, the Court will explain to the participant what the expectations are for compliance and how compliance will be monitored. The Court issues sanctions for non-compliance and attempts to tailor sanctions to each participant's individual treatment plan. While sanctions may include jail time, the Court and team intend to use non-jail, progressive sanctions for most violations.

Team Member Component

The success of the WCCC is dependent upon the strength of the team. The team will meet to review the compliance of each participant.

Essential Whitman County Community Court Team Members

Judge: The judge presides over WCCC Hearings. The judge provides input and direction during WCCC Team meetings and issues incentives and sanctions for participants during WCCC Court hearings. The judge makes the final ruling on sanctions, incentives, and findings of facts.

Program Manager: The program manager performs administrative and supervisory work in overseeing program analysis, development, and implementation of the treatment support operations of the WCCC. The program manager manages the fiscal, personnel, and other administrative functions of the program and serves as a liaison to internal and external stakeholders and community agencies.

Prosecutor: The prosecutor represents Whitman County, the Executive Branch of Government. The Prosecutor will work with the public defender to identify eligible WCCC participants, attends all WCCC staff meetings and review hearings, dismisses charges upon graduation, and prosecutes upon participant's sanctions and/or termination from the WCCC program.

Public Defender: The public defender works with the prosecutor to identify and refer potentially eligible WCCC participants to the program. The public defender provides legal counsel to participants, reviews all program documents with the participant, and meets with the WCCC Team for staff meetings and all review hearings.

* In service as team members, BOTH the Prosecutor and Public Defender will adhere to their ethical, statutory and constitutional duties.

Case Managers: The case managers monitor program requirements while coordinating with treatment staff in the rehabilitation process. The case managers meet with participants regularly to provide case management. They submit compliance reports for WCCC staff meetings and attend all WCCC staff meetings and review hearings. Case managers are responsible for issuing non-compliance reports to the Court.

Probation Officers: The probation officer assists in coordinating efforts with collateral treatment service providers, provides probation reports, and treatment provider reports for each WCCC meeting for current participants. The probation officer is responsible for issuing treatment non-compliance reports to the Court.

Assistant: The WCCC assistant helps prospective participants and the referring party with the referral process. The assistant collects records and information for prospective participants and conducts risk assessment. The assistant helps the program manager with presenting this information to the WCCC Team. The assistant also compiles and distributes a weekly list of the participants on the docket each week.

Integral Collateral Professionals to Mental Health Court

Court Clerk: The court clerk attends court hearings, provides court support to the Judge, copies and delivers orders to participants and the team, schedules hearings, and prepares promises to appear. The court clerk is also responsible for a variety of administrative tasks to assist the WCCC judge. The judicial assistant prepares documents, handles records, and manages court files and completes clerical tasks. The court clerk also assists in maintaining decorum in the courtroom and assisting participants during court proceedings as needed.

Law Enforcement: WCCC may collaborate with one or more local law enforcement agencies for the purposes of identifying eligible WCCC participants and to assist with the program pursuant to availability and need.

C. CONFIDENTIALITY AND PROFESSIONALISM

WCCC is a unique model where traditional roles are blended to promote a unified interest in participants' recovery and success. The typical courtroom environment is put aside and team members collaborate openly with each other and the WCCC Judge has more direct involvement with participants and the WCCC Team.

The judge maintains the role of an impartial, independent decision-maker who is advised by professionals on participants' compliance and options to strengthen each participant's capacity to succeed in the program. To encourage this model and promote ethical and professional conduct, the team will:

- Limit their discussions at case staff meetings with the judge only to matters directly related to participants and will refrain from speaking about other cases, non-participants, and gossip in general.
- Hold information discussed during pretrial interviews, assessments, WCCC staff meetings, WCCC status hearings, and treatment sessions in confidence (except as required for mandated reporting of abuse or other laws or if required for a formal contested hearing).
- Not file new criminal charges against a participant on the basis of drug testing results or statements of drug use made by participants during WCCC proceedings or during the course of the WCCC program. NOTE: this does not stop a law enforcement agency from filing or referring charges to the prosecutor's office based on that or another agencies independent investigation. If you have had contact with law enforcement and new charges may result, WCCC is not a shield from that investigation.
- Be respectful to one another during case staff meetings. The collaborative approach to the WCCC program often means team members will have differing and equally valuable opinions.
- Support the wraparound efforts of the WCCC Team by encouraging participants to complete case plans, court goals, and treatment plans which the case manager(s), treatment provider, or probation officers has established for them.

II. PROGRAM AND POLICIES

A. ELIGIBILITY CRITERIA

Not all applicants are accepted into WCCC. Acceptance requires the Applicant possesses a strong desire to address and overcome their mental health and/or substance abuse disorder issues. Applicants simply pursuing a dismissal of the underlying charge will not be admitted. In order to be eligible for the WCCC program, the applicant must meet the conditions listed in RCW 2.30.030 and all of the following requirements:

1. Approval from the Prosecutor's Office;
2. Charged with an eligible misdemeanor or gross misdemeanor crime.

Ineligible offenses: sex offenses or any crime where sexual motivation is alleged, any crime charged under RCW Title 46, firearms related charges. No felony charge will qualify for admission to the Court.

On a case by case basis, assault in the 4th degree charges will be considered only with the consent of the victim and the Prosecuting Attorney's Office. Domestic Violence related charges will only be considered with the approval of the Prosecuting Attorney's Office. In such cases, the judge and the prosecutor would both have to agree to accept the defendant into therapeutic court before the defendant would be allowed into therapeutic court;

3. Be out of custody on current case or eligible for immediate release and have no other holds;
4. Not conduct any contested pre-trial motions other than pretrial release hearings;
5. Not have any other charged misdemeanor counts (or uncharged counts that will be filed) that cannot be handled in the Whitman County Community Court. There is a maximum of four misdemeanor charged counts allowed;
6. Not owe a total of over \$1,500 in restitution to all victims and be repaid in full in equal monthly installments within one year from entry into the Whitman County Community Court;

7. Have a treatment evaluation and treatment plan to prove that they have mental health and/or substance use disorder issues and are an appropriate candidate for, and amenable to the appropriate treatment; and
8. Demonstrate an ability to attend all treatment and court sessions without absence or tardiness and to work closely with the WCCC Coordinator.
9. A participant can't be admitted to Whitman County Community Court more than twice, whether they have successful completion or not.

No Withdrawal After Entry: Participants who have been accepted into the WCCC program and/or entered a plea may not later opt-out of the program. Graduation or termination are the only option once admitted.

B. WHITMAN COUNTY COMMUNITY COURT SCHEDULE

WCCC hearings in front of the judge occur every other week. Attendance in court is ABSOLUTELY mandatory on the dates you are ordered to appear by the judge. As you advance to higher phases in the program, the number of required court appearances may be decreased.

Courtroom Behavior: You are expected to maintain appropriate behavior at all times in the courtroom and courthouse. This includes:

- No talking while court is in session
- No cell phone use while court is in session
- Be respectful of others
- No food or beverage in courtroom
- No smoking
- No gum chewing
- No chewing tobacco
- No vaping
- If possible arrange for childcare and do not bring your children to court
- The judge should be addressed as “Judge” or “Your Honor”
- Be on time and do not leave during the hearing except to use the restroom
- **DRESS APPROPRIATELY!** Clothing bearing profanities, alcohol or drug related themes or promoting or advertising alcohol or drug use is considered inappropriate.

C. CASE STAFFING MEETINGS

Case staffing meetings take place prior to each WCCC hearing. In staffing meetings, the WCCC Team discusses each participant's case. Team members are required to attend these meetings. Each team member may recommend actions taken for individual cases. The WCCC Judge will consider these recommendations and also balance the participant's position on matters.

After taking recommendations into consideration, the judge makes a final determination for all WCCC orders and terminations and is not bound by the recommendations of the team.

D. COURT REVIEW HEARINGS

Whitman County Community Court hearings are open to the public. Friends, family, and guests of the participants are encouraged to attend and are permitted in the courtroom. Additionally, applicants considering joining Mental Health Court or other visitors are permitted in the courtroom. Visitors may not participate or comment on any of the proceedings during Mental Health Court hearings unless invited by the Judge or a participant.

The Mental Health Court Team and participants will meet every other week in Court at Mental Health Court hearings. Mental Health Court hearings will occur with all the participants and the team at the Whitman County District Court. Participants are required to attend all hearings based upon their current phase level.

E. INCENTIVES AND SANCTIONS

Incentives

Incentives will be used liberally throughout participation in the program to support and encourage all participants. Participant incentives may include:

- Encouragement and praise from the WCCC Judge
- Applause and praise by the WCCC Team at Court hearing
- Ceremonies and phase wristbands
- Certificates of progress
- Decreased frequency for Court appearances
- Modification of sanctions when authorized by the Judge
- Restoration of a lost privilege
- Reduction in Court fees
- Other incentives as determined by the team

Sanctions

Participants are subject to immediate sanction(s) for any failure to comply with program rules, requirements, and Court orders. Any sanction imposed must be completed by the deadline set by the Court. Behavior that may result in sanctions can include:

- Dishonesty
- Missed Court appearances
- Missed drug testing (considered a positive)
- Positive drug test (positive drug test/dilute)
- Adulterated/tampered drug test
- Missed treatment
- Inappropriate behaviors with treatment plan
- Noncompliance with treatment plan
- New criminal arrest/charge

- Failure to report law enforcement contact within 24 hours
- Failure to perform/complete sanction(s)
- Violation of Court order
- Missed sober support meetings
- Failure to follow-up/obtain housing
- Failure to update information with the Court
- Failure to submit paperwork as directed by the Court
- Failure to meet program goals
- Failure to take medication as prescribed

Sanctions that may result from above behavior may include:

- Warnings and admonishments by the WCCC Judge in open Court
- Increased frequency in Court appearances
- A written reflective or research essay
- Community service or project
- EHM or equivalent program
- A phase re-start or prior phase return
- Escalating periods of jail confinement
- Association restrictions that assist in rehabilitation needs (Court orders prohibiting a participant from having contact with certain individuals, etc....)
- Termination from the WCCC program
- Other sanctions as determined by the team

F. RULES AND DEFINITIONS OF THE WHITMAN COUNTY
COMMUNITY COURT PROGRAM

1. Be honest with yourself and the team at all times.
2. Maintain confidentiality of all other WCCC participants.
3. Do not violate any city, county, state or federal laws—a finding of probable cause may be sufficient for WCCC sanctions.
4. Any arrest or contact with law enforcement must be reported to the WCCC case manager(s) and/or probation officer(s) within 24 hours of contact.
5. Do not commit any acts of violence or threats of violence or engage in belligerent behavior.
6. Do not possess, use, sell, distribute or have under your control, alcohol beverages, paraphernalia or drugs except as prescribed by a licensed physician. It is the responsibility of participants to report use of prescription medications to the WCCC Team by providing prescription copies to the WCCC Program Manager, case manager and/or probation officer. Any positive test for prescription medication that is not authorized is considered a positive drug test, subjects the participants to sanctions, and changes the participant's sobriety date (effecting stage advancement eligibility). All participants must inform all health care providers that they are participants in the WCCC program.
7. Do not go to any place where drugs are illegally used or sold.
8. Report use of drugs or alcohol to assigned case manager and/or probation officer within 24 hours.
9. Do not carry or possess any weapon of any form, including firearms or knives, at any WCCC program activity.
10. Be respectful to each other, the team and the judge.
11. Comply with any reasonable program requirement.
12. Comply with the requirements, deadlines, or sanctions issued by the WCCC Judge.
13. Provide the WCCC with an updated and correct phone number and address. Any changes must be immediately reported to the participant's assigned WCCC case manager and/or probation officer.
14. Cooperate with all members of the WCCC Team at each level and strive to move forward through each level to the best of your ability.

Testing

WCCC participants may be required to submit randomly to alcohol and drug tests (including urine, saliva, breathe, and blood) and/or be hooked up on other equipment, to monitor your sobriety when requested by a WCCC Team member and/or treatment provider, including on weekends and evenings. Any positive urine screens, tampered samples, positive readings on the equipment or refusal to provide a sample may be grounds for a sanction(s).

A refusal to provide a sample, an inability to provide a sample, a diluted sample, or an abnormal or missed test will be considered a positive screen. Any attempt to adulterate or falsify a test will be considered a positive screen. If you are unable to provide a sample within the designated testing hours, it is will be considered a positive screen.

DEFINITIONS:

- **Refusal**: Refusing to test when asked.
- **Rejected**: Testing agency may reject a sample due to heavy sediment in urine, super clear urine or abnormal smell.
- **Dilute Test**: All urine samples that return from the lab with a creatinine level below 20 ng are considered dilute and are treated as a positive screen. A dilute screen is caused by consuming large amounts of excessive fluids, i.e., water, coffee, tea or sodas. This technique is an attempt to manipulate urinalysis results and will be considered a violation. Claiming that you did not know **will not** be an acceptable excuse.
- **Abnormal Test**: Urine creatinine that is either below 20 ng/dL or above 400 ng/dL is considered an abnormal urine sample.
- **Missed Test**: Failure to appear for a scheduled testing time
- **Adulterate or falsity**: The intentional tampering with a urine sample by the donor. Example: eating or drinking substances that may alter a test, adding substances directly to the urine to alter results, diluting or substituting specimen with someone else's drug or alcohol-free urine.
- **Unable to Provide (UTP)**: Participant is unable to provide a urine sample at the time of testing.

Participants are responsible for what they put in their body. A participant's claim that they did not know is not an acceptable excuse.

WARNING: DO NOT ingest non-alcoholic beer or wine, kombucha tea, poppy seeds in any form (i.e. muffins, bagels), flushing agents, “natural” or herbal remedies, over the counter medications such as Nyquil, mouthwash containing alcohol, Metabolife (or other over the counter diet aides), or any other substance containing alcohol. Supplements with creatinine are forbidden. **YOU are responsible for what you put in and on your body. Read ingredients listed on the labels of everything.** If you have any doubts, ask a pharmacist for assistance or contact your case manager or probation officer. **Once again, claiming that you did not know will not be an acceptable excuse.**

Frequency of testing is subject to change at the Court’s discretion at any time.

Attendance

1. Be on time for all scheduled appointments required in your WCCC order. If you are more than 15 minutes late to your appointment, you may be sanctioned for missing a scheduled Court- related appointment.
2. Do not miss any scheduled appointments with your assigned case manager or probation officer without prior approval.
3. Do not miss any scheduled substance abuse treatment groups or classes without prior approval by your counselor.
4. Do not miss any scheduled mental health counseling appointments without prior approval by the counselor.
5. Do not miss any other scheduled WCCC program or counseling appointments (such as medical, mental health, face to face meetings, etc.).
6. Be on time and do not miss any WCCC Court hearings without prior approval by the judge. If a participant fails to appear for a WCCC Court hearing (and has not been excused) a bench warrant may be issued immediately and, upon arrest, participants will be held in jail until they appear before the judge to explain why they missed their missed Court hearing.

Excused Absences

i. Excused Counseling and Case Manager/Probation Officer Appointments. All counseling/treatment, case management, and/or probation appointments are mandatory. It is at the discretion of the counselor/treatment provider, case manager, and/or probation officer to determine whether to excuse the absence and reschedule the appointment.

ii. Excused Absence from Mental Health Court Hearing. All WCCC hearings are mandatory. Calls on the day of Court will not be considered excused from Court. Unless otherwise permitted by the judge, the judge will determine whether to approve or deny the request.

iii. If you are not present in court on the required days, a bench warrant may be issued. It is then your responsibility to get the warrant quashed or turn yourself in. An occasional absence may be excused if a documented, reasonable excuse for the absence is provided. The court, when possible, will attempt to accommodate academic and employment schedules when an unexpected conflict arises. To make a request, participants should be in compliance with their court order and produce documentation of their academic and/or employment obligations to their assigned case managers and probation officers.

TERMINATION CRITERIA

The WCCC Team will endeavor to keep participants in the WCCC Program. However, there are some situations that will result in termination. If a participant is terminated from WCCC, all sanctions imposed by the Whitman County Community Court prior to formal termination shall be completed by the participant. No sanctions are waived as a result of termination.

Court Termination

Administrative Termination: Any participant who has been inactive for 60 days or longer in Mental Health Court, may be administratively terminated by the Court and the Court will issue an order directing that the participant be taken off the active list of WCCC participants. The participant's spot in the WCCC program may be given to another applicant if there is a waiting list.

Mandatory Grounds for Termination: A participant shall be set for termination if any of the following situations occur:

- a. Inability to Complete Program in 730 days.** If there is no feasible way for the participant to complete the WCCC program within 730 days (24 months) or within the calendar month for which the 730th day falls (excluding days in inpatient treatment), the WCCC Judge may extend this period for good cause at the termination hearing.
- b. A New Sex Offense/Violent Criminal Law Violation.** If any Court finds probable cause for a new charge against the participant that involves a sex offense or violent offense of any kind against another person, the WCCC team may decide to terminate the participant from the WCCC program. These terminations will be determined on a case-by-case basis.
- c. A New Delivery/Manufacture/Possession with Intent Criminal Law Violation.** If any Court finds probable cause for a new charge against the participant that involves the delivery, sale, manufacture, or possession with intent to sell illegal drugs.

Discretionary Grounds for Termination: The WCCC Team will consider the facts and circumstances and recommendation(s) will be made to the Court as to whether a participant should be terminated from WCCC if any of the following situations occur:

A. Exceeding Maximum Time in a Stage. If a participant is not able to advance within the maximum time for a stage, they may provide a written request to the WCCC asking to be allowed to continue and explaining how he or she is going to come into compliance. The team will review the request and make a recommendation regarding continuing participation in the program. The Court will consider the request and may grant a participant more time to complete a stage. The number of days for the extension will be clearly stated on the participant's Court order and may also require that the participant return to a prior level of treatment or impose other sanctions and remedies that may be appropriate. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.

B. A New Criminal Law Violation. Except for new sex offense/violent crimes, or Delivery/Manufacture/Possession with Intent crimes, a finding of probable cause by any Court for a new crime may be grounds for termination from the WCCC. The team will make a recommendation regarding continuing participation in the program. The Court will make a final decision after consideration of the team's recommendation and considering the point of view of the participant. The participant may incur sanctions for the violation. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.

C. Inactive for 30 Days. If a participant has been inactive for at least 30 days but less than 60 days, during the period of non-engagement, the participant will incur sanctions, up to and including jail time. The inactive participant may be subject to a warrant being issued. Upon arrest, the participant may provide a written request to the WCCC asking to be allowed to continue and explaining how they are going to come into compliance. The team will make a recommendation regarding continuing participation in the WCCC. The Court will consider the request and may grant a participant's request to remain in the program. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.

Procedure for Termination Hearing

Whenever a participant is subject to termination for any of the reasons set forth above, the following termination procedures apply:

1. When discretionary grounds for termination has occurred, any member of the WCCC Team may propose that a participant be terminated from the program. In this case, the assigned case manager or probation officer shall write a short, concise statement of fact (Notice of Termination) constituting the grounds for termination which will be delivered to the participant, case parties and filed with the Court.
2. When mandatory grounds for termination has occurred, the decision to terminate is mandatory. The assigned case manager or probation officer shall provide a short, concise statement of fact (Notice of Termination) constituting the grounds for termination which will be delivered to the participant, case parties, and filed with the Court.
3. If the participant wishes to contest the factual basis for termination, the WCCC Judge shall set a time for the termination hearing at least 14 days after the Notice of Termination is filed. The participant may inform the Court that (s)he does not wish to contest the factual grounds for termination and the Court will enter an Order of Termination and set the matter for resolution and/or sentencing.

III. STAGE REQUIREMENTS

A. STAGES OF THE WHITMAN COUNTY COMMUNITY COURT

The WCCC program is comprised of four phases. Each phase is designed to support participants in achieving and maintaining a life of sobriety and prosocial living. After requirements are met for each phase, the participant will be presented with a certificate of completion for that phase and advance to the next phase.

The program takes a minimum of approximately one year to complete and participation may not exceed 24 months unless the judge extends this time period for good cause. Days spent at an intensive inpatient treatment program are subtracted from the days required in each phase.

Minimum Phase Requirements

	PHASE I STABILIZATION ENGAGEMENT (90—120 DAYS)	PHASE II ENGAGEMENT MAINTENANCE (60—120 DAYS)	PHASE III MAINTENANCE INDEPENDENCE (60—120 DAYS)	PHASE IV INDEPENDENCE MASTERY (90 DAYS)
COURT APPEARANCES	EVERY OTHER WEEK	EVERY OTHER WEEK	EVERY 4 WEEKS	MINIMUM 1X OR AS DIRECTED
CASE MANAGEMENT/ PROBATION APPOINTMENTS	MINIMUM 1X WEEK FOR THE FIRST 30 DAYS	1X WEEK EVERY OTHER WEEK	1X PER MONTH	MINIMUM 1X OR AS DIRECTED
DRUG/ALCOHOL TESTING	COULD BE REQUIRED TO UAA MINIMUM OF ONCE PER WEEK	RANDOM	RANDOM	RANDOM
MENTAL HEALTH TREATMENT SESSIONS *	PER TREATMENT PLAN	PER TREATMENT PLAN	PER TREATMENT PLAN	PER TREATMENT PLAN
CD TREATMENT SESSIONS *	PER TREATMENT PLAN	PER TREATMENT PLAN	PER TREATMENT PLAN	PER TREATMENT PLAN

PHASE I STABILIZATION AND ENGAGEMENT

PHASE I: FOCUS ON STABILIZATION AND TREATMENT PLAN

TIME IN PHASE: 90 DAYS MIN. — 180 MAX.

Expectations for Phase I:

During the first 30 days you must:

- 1) Attend WCCC hearings every other week.
- 2) Attend WCCC case management/probation appointments every week.
- 3) Could be required to provide urinalysis tests a minimum of once per week.
- 4) Obtain a mental health evaluation from a certified mental health professional if mental health is an underlying issue or if the Court or Prosecutor require it for entry.
- 5) Obtain a Substance Use Disorder evaluation if substance use disorder is an underlying issue or if the Court or Prosecutor require it for entry.
- 6) Practice honesty with the WCCC Team members and all providers.
- 7) Attend all appointments.

During days 30—90 days you must:

- 1) Attend WCCC Court hearings every other week.
- 2) Attend WCCC case management/probation appointments minimum of every week.
- 3) Enroll in any recommended mental health treatment and follow treatment recommendations.
- 4) Some participants may be required to enroll in chemical dependency/alcohol treatment and follow treatment recommendations.
- 5) Obtain a medical assessment to determine the need for any prescribed medication.
- 6) Participate in case management and/or probation meetings in developing and creating a case plan and goals based on the risk/needs assessment, including but not limited to: psychosocial needs, economic and/or physical needs, such as clean and sober housing, long-term housing, job training, socialization, nursing/medical/dental services, education, etc.
- 7) Work with the WCCC case managers and/or probation officers and other support resources, if needed, to seek stable, clean and sober housing.

8) Work with the WCCC case managers and/or probation officers to develop peer and social support networks.

Requirement to Advance to Phase II:

- Attend WCCC hearings every other week.
- Attend WCCC case management and probation appointments as required;
- Complete a risk/needs assessment.
- Develop a case plan and goals based on the Risk/Needs Assessment, including but not limited to: psychosocial needs, economic and/or physical needs, such as clean and sober housing, long-term housing, job training, socialization, medical/dental services, educational, transportation, etc.
- Remain compliant with all UA testing for a minimum of (60) days.
- Remain drug and alcohol free for at least thirty (30) consecutive days prior to phase promotion.
- Continue to comply with mental health treatment plan.
- Continue to comply with Substance Use Disorder treatment plan, if applicable.
- Continue taking medication as prescribed for a minimum of sixty (60) days.
- Obtain or create a transportation plan (such as obtaining a license, personal vehicle, bus pass, etc.).
- Meet all established phase I goals.
- Meet with WCCC case manager and/ or probation officer and established phase II goals.
- Remain open and honest with WCCC Team.

PHASE II ENGAGEMENT AND MAINTENANCE

PHASE II: PARTICIPANTS CONTINUE MANY OF THE ACTIVITIES FROM PHASE I AND THE TREATMENT PLAN WILL BEGIN TO FOCUS ON THE UNDERLYING ISSUES THAT BROUGHT THEM TO THE WCCC.

TIME IN PHASE: 60 DAYS MIN.—120 DAYS MAX.

Expectations for Phase II:

- 1) Attend all WCCC hearings every other week.
- 2) Attend all regular mental health treatment as recommended.
- 3) Attend all Substance Use Disorder treatment, if applicable.
- 4) Comply with prescribed medication regimen.
- 5) Complete a minimum of ten (10) hours (at Court's discretion) of community engagement activities (this could include volunteering, job applications, DVR, treatment group participation, etc.) with prior approval of the WCCC Team.
- 6) Attend WCCC case management and/or probation officer appointments a minimum of one (1) time every two (2) weeks.
- 7) Address outstanding school issues (GED, vocational training, college enrollment) or job placement issues.
- 8) Comply with community service or engagement requirements.

Requirement to Advance to Phase III:

- Attend all Court hearings every other week.
- Remain alcohol and drug free for at least sixty (60) consecutive days prior to phase advancement.
- Demonstrate compliant behavior and consistent treatment attendance for a minimum of sixty (60) days prior to phase promotion.

- Attend WCCC case management appointments every two (2) weeks.
- Comply with mental health treatment if applicable.
- Comply with Substance Use Disorder treatment, if applicable.
- Comply with prescribed medication regimen.
- Complete a minimum of ten hours of community engagement activities as established with WCCC case manager and/or probation officer.
- Continue compliance with case plan/goals.
- Meet all established phase II goals.
- Meet with WCCC case manager and/or probation officer and established phase III goals.
- Remain open and honest with WCCC Team.

PHASE III MAINTENANCE AND LIFE SKILLS

PHASE III: REINFORCES SOBER AND PRO-SOCIAL LIVING AND BEGINS TO FOCUS ON REBUILDING THE PARTICIPANT'S LIFE. THIS MAY INCLUDE EDUCATION, JOB SKILL TRAINING AND LONG TERM GOAL SETTING. PARTICIPANTS WILL CONTINUE WITH MANY OF THE SAME REQUIREMENTS IN PRIOR STAGES AND BUILD UPON THEM.

TIME IN STAGE: 60 DAYS MIN.— 120 DAYS MAX.

Expectations for Phase III:

- 1) Attend all Court hearings every four (4) weeks or as directed.
- 2) Meet with WCCC case manager and/or probation officer a minimum of one (1) time per month.
- 3) Attend all regular mental health treatment as recommended, if applicable.
- 4) Attend all Substance Use Disorder treatment, if applicable.
- 5) Comply with prescribed medication regimen.
- 6) Make efforts to seek employment, education, or maintain work and education schedules.
- 7) Identify personal triggers and coping mechanisms.
- 8) Develop long-term goals with assigned WCCC case manager and/or probation officer.

Requirement to Advance to Phase III:

- Attend Court hearings every four (4) weeks.
- Attend WCCC case management and/or probation appointments a minimum of one (1) time per month.
- Identified personal triggers and coping mechanisms.
- Remain drug and alcohol free for at least sixty (60) consecutive days prior to phase advancement.

- Demonstrate compliant behavior and consistent treatment attendance for a minimum of sixty (60) days prior to phase promotion.
- Engage in active employment or enrolled in an accredited learning institution or vocational program at a minimum of twenty (20) hours per week; or otherwise documented as a homemaker in lieu of outside the home work or education; or documented proof of disability and disability benefits preventing the individual from work, education or volunteer opportunities.
- Comply with mental health treatment plan if applicable.
- Comply with Substance Use Disorder treatment plan if applicable.
- Comply with prescribed medication regimen.
- Meet conditions of restitution payment plan, if applicable.
- Meet all established phase III goals.
- Meet with WCCC case manager and/or probation officer to establish phase IV goals.
- Remain open and honest with the WCCC Team.

PHASE IV LIFE SKILLS/INDEPENDENCE AND GRADUATION

PHASE IV: HELPS PARTICIPANTS GAIN THE ABILITY TO MAKE HEALTHY, LONG TERM, UNSUPERVISED, LIFE CHOICES ABOUT THINGS SUCH AS EDUCATIONAL AND EMPLOYMENT PROGRESS, SOBRIETY, TRUST AND RELATIONSHIP SKILLS. PARTICIPANTS WILL CONTINUE WITH MANY OF THE SAME REQUIREMENTS IN PRIOR STAGES.

TIME IN STAGE: 60 DAYS MIN. — 120 DAYS MAX.

Expectations for Phase IV:

- 1) Attend all Court hearings as required.
- 2) Meet with WCCC case manager and/or probation officer a minimum of one (1) time to develop a wellness plan and complete an updated ORAS screening.
- 3) Draft a written wellness plan.
- 4) Resolve any outstanding criminal matters.
- 5) Maintain stable housing.
- 6) Attend all regular mental health treatment as recommended.
- 7) Attend aftercare outpatient treatment requirement as recommended.
- 8) Comply with prescribed medication regimen.
- 9) Be employed, in school, or provide documentation as a homemaker in lieu of outside the home work or education; or documented proof of disability and disability benefits preventing the individual from work, education or volunteer opportunities.
- 10) Pay restitution and complete any community service, volunteer hours or community engagement requirements.

Requirements to Graduate:

- Appear for Court as required.
- Meet with WCCC case manager and/or probation officer a minimum of one (1) time to develop a wellness plan and complete an updated ORAS screening.
- Draft a written wellness plan.
- Share written wellness plan with the WCCC Team the day of graduation.
- No new unaddressed arrests on record.
- Comply with treatment plan for mental health and substance use disorder.
- Maintain sobriety through duration of phase.
- Comply with prescribed medication regimen.
- Maintain stable housing.
- Participate in community-based support groups.
- Pay restitution.
- Complete community service, volunteer hours or community engagement requirements.
- Completed one urinalysis test between phase III and graduation. Test results must come back negative and participant must have at least 90 days of sobriety.

GRADUATION!!!

WE WELCOME YOUR PARTICIPATION IN THE WHITMAN COUNTY COMMUNITY COURT AND WE LOOK FORWARD TO SUPPORTING YOU AS YOU DEVELOP NEW SKILLS TOWARDS LIVING A HEALTHY AND SUPPORTIVE LIFE!

Acknowledgment and Agreement of Participant Handbook

I, _____ have read/have been read the Whitman County Community Court Participant Handbook and agree to the terms and conditions stated in the Handbook for acceptance and participation in the Whitman County Community Court Program. I understand that if I do not follow the Whitman County Community Court Program rules, I can be terminated from the program. I have received a copy of this agreement for my records.

Participant Signature

Date

Defense Counsel

Date

Prosecuting Attorney

Date

ACKNOWLEDGMENT OF WCCC REQUIREMENTS

I have chosen to voluntarily participate in the Whitman County Community Court Program and I agree to the following conditions:

- I agree to cooperate with all WCCC recommendations.
- I agree to follow my mental health treatment plan if applicable.
- I agree to follow my Substance Use Disorder treatment plan if applicable.
- I agree to attend all scheduled WCCC hearings.
- I must obtain permission if I am unable to attend a scheduled Court appearance from my probation officer or case manager.
- I agree to weekly or biweekly contact and to attend all scheduled appointments with the WCCC case manager or WCCC probation officer.
- I agree to sign all necessary releases of information.
- I agree to take all medications as prescribed and I agree to remain compliant with my medications.
- I agree to abstain from the use or abuse of illegal or non-prescribed drugs.
- I agree to keep the Court apprised of my current address and telephone number and report any changes.
- I agree to remain law-abiding.
- Other _____

I understand and agree to follow all of the above stated conditions of my WCCC treatment plan.

I understand that failure to comply with these conditions will result in a review of my case with the WCCC Team, to determine my continued participation or the imposition of Court ordered sanctions including incarceration or termination.

Participant Signature

Date

Program Staff Signature

Date

Whitman County Community Court Confidentiality Agreement

As a Whitman County Community Court Program participant, I agree and authorize the following:

- I agree and authorize the WCCC Judge to discuss my Court case and my treatment progress with my case manager and/or probation officer, my treatment providers, and the WCCC Team outside the courtroom and outside my presence.
- I authorize my treatment providers to exchange my treatment information with the Court and my assigned case manager and/or probation officer. I further allow the Court and case manager and/or probation officer to disclose that treatment-related information to the WCCC Team members and other medical, mental health, and/or treatment providers.
- I agree and acknowledge as part of the WCCC program I will not disclose to any other person, business, or organization any treatment information I hear regarding another participant during a Court session.
- I authorize the case manager, probation officer, and the Court to discuss my treatment progress and records during Court sessions. I authorize the case manager, probation officer and treatment provider to disclose the to the WCCC Judge the results of any urinalysis tests and to have those results discussed in Court.
- I authorize my judgment and sentence and/or Participation acknowledgement to be placed in the Court file which is open to the public.
- I understand that this consent will remain in effect and cannot be revoked by me unless there

has been a formal and effective termination or revocation of my release by me in writing. I agree I cannot participate in the WCCC unless all releases remain in effect. I further acknowledge that this release will expire upon my successful completion of the program.

Participant Signature

Date

Defense Counsel

Date

Prosecuting Attorney

Date

Whitman County Community Court Requirements for Drug Testing

If you are asked to take a urinalysis test (UA) while active with the WCCC Program, the Program will cover UA testing costs. You will be required to comply with testing as scheduled or directed. You may be required to go immediately after court to provide a urine sample immediately. If you are unable to produce a sample during a reasonable time frame, the test result will be reported to the Court as an “inability to provide.”

If you have questions about the UA, the UA slip, hours of operation or directions you will need to address these matters **PRIOR TO LEAVING** the Court room.

BUSINESS HOURS FOR UA TESTING

***Absolute Drug Testing Hours: for WCCC participants:**

Monday-Friday 8:00am-5:00pm

You will be expected to test as scheduled within these hours.

***Weekend/Holidays:**

8:00am-11:00am (They will not wait for you; you must be there before 11am).

- You are responsible for calling daily if random testing has been Court ordered.
- You are also required to be aware of the testing times listed above and have transportation if needed.

Non-Exhaustive List of Agencies for Community Volunteer Hours

Regional Theatre of the Palouse
509-334-0750

Friends of Gladish
509-332-8081

Whitman Co. Humane Society
509-332-3422

Community Child Care Center
509-332-7005

Council on Aging & Human Services
509-397-4305

Community Action Center
509-397-2205

Brelsford WSU Visitor Center
509-335-4636

YMCA of the Palouse
509-332-3524

Boost Collaborative
509-332-6561

Palouse Discovery Science Center
509-332-6869

Habitat for Humanity
208-882-5246

Salvation Army
208-746-6954

The Hope Center
208-882-4144

Humane Society of the Palouse
208-883-1166

Garfield Food Bank
509-432-5000

American Red Cross
509-535-0886

House of Charity
509-624-7821

St. James Episcopal Church
509-332-1742

Whitman County Library
509-397-4366

Union Gospel Mission
509-535-8510

Palouse Care
208-882-2370

Palouse Civic Theatre
509-332-8406

These sites are merely suggestions; it is your responsibility to contact the non-profit agencies to arrange your community service.

No hours are accepted through a fraternity, sorority or charity that you (or a family member) are affiliated with.

This is a list of contacts but does not cover all locations and agencies where community service/volunteer hours can be completed. Please call the WCCC office at (509) 397-6265 for more detailed information.

Community Service Hours

WCCC participants may be required to complete community service hours as part of the Court program.

These hours may be completed through community agencies and/or an independent source approved by your case manager, probation officer or the Court.

1. Hours to be completed by: _____

2. Hours expected to be completed: _____

3. You are expected to complete your community hours with assigned agency, remain free from drugs or alcohol, follow all agency rules and be courteous.

Participant Signature

Date

Location

Hours Completed

Community Service Supervisor Signature

Phone Number

Comments

Whitman County Community Court
400 North Main Street, Colfax, WA 99111
325 SE Paradise Street, Pullman, WA 99163
(509) 397-6265