

# Fourth Judicial Circuit of Florida

## Problem-Solving Courts



## Mental Health Court Participant Handbook Duval County

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### 1.1 Introduction

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You have found yourself in the criminal justice system. How did you get here? Do you want to be here? Chances are that you find you just cannot get anyone to understand what you are going through. Maybe you tried to get help before now. Maybe you haven't. But you are here now. You may be recently released from jail, out on bail, or already on probation. You may have been in the system before, or this may be your first time. Either way, you are being offered a chance to change, to recover, to grow, to get your life back. You are being offered a chance to complete Mental Health Court. This will be a tough journey. But you can do it!

**Read this manual. Share this manual with your friends and family. Follow the rules and great things will happen!**

The Duval County Mental Health Court program, further referred to in this manual as “MHC” was implemented in 2008 through a collaboration of the State Attorney’s Office, Public Defender’s Office, Court Administration, the Department of Corrections/Law Enforcement, Community Treatment Providers, and the Fourth Judicial Circuit. These partnerships have proven effective in providing an opportunity to effect change within the community by following established best practices and utilizing evidence-based treatment initiatives. Following a model of accountability, treatment, and supervision instead of jail or prison, MHC assists individuals by addressing chronic and persistent mental disorders or co-occurring mental and substance use disorders through regular court appearances before a designated judge, intensive individual or group therapy, or residential treatment, random observed drug and alcohol testing, regular attendance at community support meetings, and participation in pro-social events. To further promote success, MHC assists with obtaining educational and skills assessments, referrals for vocational training, educational programs, and/or job placement services, and transitional/halfway housing. MHC seeks to address the cause for the criminal behavior that brought you into the criminal justice system, whether due to noncompliance with medication, lack of accessibility to services, loss or lack of benefits, etc. The goal of MHC is for you to achieve stability with your mental health disorder, abstinence from illicit and illegal drugs, and abstinence from all criminal activity.

Our promise to you is simple. If you engage in treatment, come to court on a regular basis, open yourself up to your counselors, your case managers, your probation officer, your attorney, and your judge, we will put you in touch with what you need. MHC is unlike any court you have ever been in. We will celebrate you. We will reward you, both positively and negatively for good and bad performance. We will get to know you (and your family if you wish). We will share experiences with you. We will surround you with support. And, when all is said and done, you will move on with your life with no barriers for success blocking your way.

This handbook is designed to answer questions, address concerns, and provide overall information about MHC. You will be expected to follow the instructions given by the judge and comply with the treatment plan developed with you by your treatment team. This handbook will detail what is expected of you and what you can expect from MHC.

### 1.2 Program Description

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MHC is a court-supervised, comprehensive treatment program designed for individuals with chronic and persistent mental disorders or co-occurring mental and substance use disorders. MHC utilizes multiple interventions, including a collaborative approach to treatment and rehabilitation. This approach

includes intensive individual, group, and/or residential treatment, drug and alcohol testing, regular court appearances, and regular attendance at community support meetings. You will be assisted with obtaining social security benefits (if eligible), assistance with the assignment of a financial payee, educational and skills assessments, and will be provided with referrals for vocational training, educational program and/or job placement services as well as transitional/halfway housing or placement into an assisted living facility. That may seem like a lot, but your treatment plan will be tailored to your needs and may not include all of the above.

MHC will provide you with the opportunity to receive specialized treatment services and will provide community supervision, thus ensuring public safety and accountability. MHC takes place in a non-adversarial, therapeutic courtroom atmosphere with a dedicated multi-disciplinary team that works together toward the common goal of restoring lives. The MHC team consists of the presiding judge, state attorney, defense counsel, court coordinator “CC”, probation officer “PO”/law enforcement officers, case manager “CM”, and community treatment providers.

You will report for court status hearings frequently and will have an opportunity to speak directly to a judge that is dedicated to overseeing your progress in MHC. The program length, determined by your individual progress, will be no less than one year. However, the time may be extended if necessary for you to successfully complete and graduate from MHC.



**If you need additional help or services, tell your Counselor and your Case Manager.**

### 1.3 Getting Started “The Basics”

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Eligibility for acceptance into the program shall be made upon determination that you meet the established clinical, legal, and suitability requirements for MHC as determined by the MHC team. Once you have been approved to enter MHC, you will be instructed to report for your first MHC status hearing. Electing to enter MHC at this stage is of your choosing and is completely voluntary. The MHC program will have already been explained to you, and your Public Defender or your private legal counsel will advise you of your legal options before you sign the participation agreement. Once you sign the participation agreement you will be provided with a 14 day orientation phase and may elect to voluntarily withdraw during this time. After 14 days, all authority relating to your continued participation in MHC is held by the MHC Judge.

On your initial court date, you will sign your participation agreement, submit to a drug and alcohol test, be assigned to a CM, and will receive an appointment with your CM for Intake. You will receive an additional appointment to meet with the CC to complete MHC Orientation. At Orientation, you will complete a criminogenic risk assessment tool, and will be provided with your participant folder that includes this handbook, phase petitions, sober-support meeting information, travel forms, and several program related intake forms. The CC will review all materials in detail with you. You will execute a Release of Information, Release of Liability, Participant Information Form, Treatment Attendance Rules Form, Dress Code Agreement, Prohibited Substances Agreement, and a Participant Testing Policy. You will be provided a copy of all forms that you execute during this meeting.

**Read all documents and ask questions as “I didn’t know” will not be an acceptable excuse later.**

If the offense you were arrested for is a felony, you will be supervised by a felony PO through the Department of Corrections. This may be through what is known as pre-trial intervention supervision or may be formal probation because you were sentenced to complete MHC as a condition of probation. In either situation, you will be required to undergo additional reporting and supervision based on Department of Corrections policies.

If the offense you were arrested for is a misdemeanor or traffic offense, you will only be supervised by a PO if you were sentenced to complete MHC as a condition of misdemeanor probation. Otherwise, your supervision will be strictly through your CM.

Court appointed defense counsel will represent you throughout your participation in MHC. If you have entered the program with private counsel, court appointed counsel familiar with the program shall automatically represent you.

There are 5 phases in MHC, each with specific tasks that must be completed to move forward. You will be guided through each phase by your CM and Treatment Provider. Any questions you have regarding phase requirements or program rules should be directed to your CM. Your CM can communicate with your treatment provider and/or defense attorney as needed to ensure all of your needs are met. Advancing to the next phase is not just based on completing each item on the phase checklist. The judge decides if you are promoted and the judge bases that decision on your overall progress, not just checking the boxes on a form. You need to display change, not just document it.

## **1.4 Your Rights**

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### **1.4.1 Confidentiality**

Your identity and privacy will be protected consistent with Florida law. In response to these regulations, policies and procedures have been developed which guard your confidentiality. You will be asked to sign a Release of Information authorizing the transfer of information among all participating agencies as well as a Release of Liability. Additionally, an identification number will be assigned to you that will be used in all research and evaluation activities to safeguard your identity.

You are expected to respect and maintain the confidentiality of others and can be held accountable for breaching confidentiality. MHC will respect your privacy in return. Information relating to your specific statements made in treatment sessions will not be shared with MHC. Your level of participation, progress, and/or non-compliance is what is shared with MHC. The exception to this rule is statements relating to self-harm or harming others. That information must be shared with MHC. If there are family members that you wish MHC to speak with, make sure you indicate so on your release forms as “family” can refer to multiple people. Information shared with others outside of one-on-one clinical sessions with your treatment provider(s) are not protected. You should never discuss your pending criminal case(s) outside of these clinical sessions, with anyone other than your defense attorney.

You may be subject to employment verification. If you are concerned that you may be terminated if someone contacts your employer, tell your attorney, PO, and the judge. The judge may choose to enter a no-contact order on your behalf. This order would prevent your PO and MHC from contacting your employer for employment verification. However, in lieu of such contact, you will be required to provide regular pay stubs to your PO or MHC as a means of verifying your employment.

### **1.4.2 Waivers**

To enter MHC, you will waive some of your rights to usual court proceedings during your participation in MHC, such as questioning or disputing the legality of a search and seizure, a preliminary hearing, and a trial by jury or court. You will also acknowledge that admission, participation, graduation, and termination from MHC are entirely at the discretion of the MHC Judge and that you do not possess any right to participate in MHC. Entry into MHC is a privilege.

### **1.4.3 Equal Opportunity**

Every person will receive the same opportunity to be admitted into and succeed in MHC. MHC will not discriminate based on age, race, ethnicity, gender, sexual orientation, sexual identity, national origin, physical or mental disability, religion, or socio-economic status. If you have a disability, MHC will make accommodations for you in accordance with the Americans with Disabilities Act (ADA) and provide language access services to you if you have a limited understanding of English.

### **1.4.4 Safety**

Safety is everyone's responsibility. Safety rules are posted on bulletin boards at service provider locations and in the courthouse. You must obey all court orders and rules/regulations regarding weapons.

### **1.4.5 Grievances**

You are protected by due process rights through the services of a court appointed defense attorney. However, occasionally issues will arise that are not related to due process concerns and are therefore unable to be addressed by your attorney. Situations may occur where you believe that the fair and consistent application of a policy affecting you has not been followed. In most cases, MHC expects that you will be able to satisfactorily address such concerns within your treatment sessions and through ongoing communication with MHC team members. However, when a problem is not resolved MHC provides you with an alternative mechanism for doing so. A participant grievance policy is in place to ensure your rights to respectful treatment while in MHC. Ask your CM for information pertaining to the Grievance Policy if you should need to pursue such action. If your grievance relates to your CM, contact the PSC Director listed on the MHC Contacts page of this manual.

1. Discuss the issue with the person you feel has treated you unfairly or inappropriately.
2. If your concern is not resolved, you may file a formal grievance with the program.
3. To file a formal grievance, complete a Grievance Form (see the front desk receptionist) and submit to the PSC Director.
4. Complaints and grievances will be investigated, and you will be notified of the outcome within 10 business days.

### 2.1 Program Rules

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1. Follow the rules/instructions as they are given.
  - The rules in this handbook apply to all facilities, treatment providers, and/or housing programs. The rules of the treatment provider/housing programs apply as if they were issued by MHC.
  - Participation in MHC is a privilege. It is not a place to waste time and “fake it until you make it.” Doing so can result in receiving more jail time on program violation sanctions than you would have received on your underlying charge if not in MHC. If your case is returned to the criminal division for prosecution, you may not be entitled to credit for any jail time served while in MHC.
2. Sign all agreements, releases, and information forms necessary for entering and participating in MHC. Such forms include a Release of Information, Release of Liability, Participant Information Form, Prohibited Substances Agreement, Dress Code Agreement, Treatment Attendance Rules, and a Participant Testing Policy.
3. Attend MHC court sessions as required.
  - MHC status hearings are held on Tuesday afternoons in courtroom 212. You should expect to attend status hearings bi-weekly in the beginning of MHC, and monthly during the later phases of the program. You need to dress appropriately. If you do not know what is appropriate, ask your CM. You are required report to courtroom 212 by 2:00 p.m.
  - Court sessions begin when pre-court staffing is concluded. This may not be at 2:00 p.m., it may be later. You are required to stay and wait. If at any time you need to be seen early or excused from court, you must let your CM know in advance and not on the day of court.
  - You are required to turn in support meeting verification forms to the CC at each court appearance. You are also required to submit any previously ordered sanctions/assignments to the CC at each court appearance. If you need to get any documentation from your CM or the CC during court, you will have to remain present and wait until the end of the court session.
  - At each court appearance, the judge will be given a progress report prepared by the treatment provider, CM, CC, and PO, regarding your random drug and alcohol test results, attendance in all program services, and level of participation. The judge will ask you questions about your progress and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work toward success and will earn incentives such as applause and recognition, phase advancement, certificates, and gift cards.
  - If you are not doing well, the judge will discuss this with you and the treatment team to determine further action. If you commit program violations (e.g., positive, dilute, missed drug tests, failure to attend individual or group counseling sessions, failure to attend court or support meetings, failure to report to your CM or PO, failure to take required medications, etc.), MHC will impose sanctions. With repeated violations of program requirements, and a failure to progress satisfactorily, MHC may impose the ultimate sanction of termination from the program. Program violations and continued addict/unstable behavior will be responded to differently. If you are struggling with your sobriety/mental health stability and are honest with the MHC team, MHC will provide assistance through treatment responses. Treatment responses and sanctions are very different and are described further in this handbook.
  - Failure to appear in court on the date and time you are scheduled will likely result in a warrant for your arrest. If you cannot appear in court as scheduled, you must notify your CM as soon as possible to explain why you cannot appear. Claiming illness and/or transportation problems

*See the Program Responses section of this manual for more information regarding to how the program responds to your achievements and your struggles.*



without substantiating such claims will not automatically permit you to miss your scheduled court dates. MHC will assist you with bus passes and other transportation assistance as needed as long as you are otherwise compliant with the program.

- MHC understands that life goes on while you are participating in the program and that there may be times when you cannot appear on time for a program obligation. However, you must communicate with your CM and PO ahead of time so that you are not considered as a “no show” or an “absconder” from the MHC program.
4. Complete random drug/alcohol testing as required. You will be randomly tested for the presence of drugs and/or alcohol throughout participation in MHC. (Testing is also conducted to monitor compliance with recommended medications). The testing conducted in MHC is highly accurate, scientifically valid, and forensically defensible. Test results yielded from specimens you provide will be upheld and you will be held accountable. All specimen collections will be conducted on an observed basis meaning you will be closely visually monitored while providing a urine specimen. The MHC judge will have access to all drug and alcohol test results including any failures to test. Additionally, you may also be directed to test at any time during MHC participation by any MHC team member. A positive or “dirty” test will not automatically terminate you from MHC; however, sanctions may be imposed and will include automatic delays in phase progression. The judge will be reviewing your overall performance in the program when determining sanctions.
5. You will be assigned a drug testing color on the day you enter MHC (see below) and must report as required/requested. Your color may change during MHC at the discretion of the MHC Judge.

Primary Drug Testing Colors:		Additional Drug Testing Colors:	
Female Last Name A-M:	Black	1 time per week:	Pink
Male Last Name A-M:	Red	1 time per month:	Hunter
Female Last Name N-Z:	Orange	2 times per month:	Beige
Male Last Name N-Z:	Blue	3 times per month:	Purple

- You must contact the Drug Testing Color Line 7 days a week by calling (904) 255-1050.
  - It is your responsibility to listen to each message in its entirety and report as directed.
  - The Drug Testing Color Line is automatically updated each morning at 6:00 a.m. You must call the color line no later than 8:00 a.m. to find out if your color was called.
- WEEKDAY TESTING: If reporting Monday-Friday, you must report to the Duval County Courthouse, PSC Lobby, room 2321 (2nd floor) for testing when your color is called.
  - You must report between the hours of 8:00 a.m. - 4:00 p.m. unless otherwise instructed.
  - You must sign in, be seated, and be prepared to wait up to 30 minutes when reporting for testing. The more people present, the longer the wait. This is unavoidable.
- WEEKEND/HOLIDAY TESTING: Testing that occurs on weekends and/or holidays will have reduced hours for reporting and will take place at the outpatient group location for Gateway Community Services located at 4814 Lexington Avenue, Jacksonville, FL 32210. If reporting on a Saturday or Sunday, the reporting time will generally be between the hours of 8:00 a.m. - 12:00 p.m. You must pay attention to the recording on weekends/holidays to ensure that you report as required.
  - Calling the Drug Testing Color Line after the reporting time has ended on weekend/holidays will not be accepted as a reason for a missed test.
- MISSED TESTING: In the event of a missed test during the week or on a weekend/holiday, you are required to report for testing by 9:00 a.m. the next business day at the Duval County Courthouse, PSC Lobby, room 2321 (2nd floor).
  - Reporting as required when you miss a test will not excuse your missed test. However, adhering to this policy will likely lessen the severity of the sanction.




- You must provide a specimen within 3 hours of arrival at the specimen collection facility. If you fail to provide a specimen within 3 hours, you will be dismissed from the facility and reported as having failed to provide a specimen which correlates to a missed drug screen.
6. Provide valid specimens for drug/alcohol testing.
- All specimen collections will be conducted on an observed basis meaning you will be closely visually monitored while providing a urine specimen. The monitoring/observation process exists to ensure the collection of valid urine specimens. While in MHC, you will be subject to direct observation of your person during the urine specimen collection process. This process consists of washing hands, removing outer clothing like jackets and sweaters, lowering bottoms to the ankles, lifting shirts, and turning in a circle for a visual inspection, squatting (females), starting and stopping the urine flow, and lastly, having someone monitor the urine leaving your body to ensure the urine is actually coming from you. This process may feel awkward and invasive but is necessary. Failure or refusal to abide by this policy will result in sanctions including possible removal from MHC.
  - Before providing a specimen, you must verify the information on the specimen collection container as your own and then initial the specimen collection container to acknowledge it is labeled properly. If you leave the testing area without providing a specimen, your specimen collection container will be destroyed, and you will be provided with a new specimen collection container to verify upon your return.
  - When providing a urine specimen, you must provide a minimum amount of urine to be tested. This amount is indicated on the specimen collection container by a black temperature strip. Providing an insufficient volume of urine during the specimen collection process may be deemed as a program violation (if repetitive behavior) and sanctioned accordingly.
  - You should not consume excessive fluids prior to providing a urine specimen. You are responsible for what you consume and claiming that you had too much to drink prior to providing a urine specimen will not be accepted as a valid reason for a dilute specimen. It is recommended that you do not consume more than 1 cup of fluids in the hour leading up to providing a urine specimen. Also, you will not be permitted to consume more than 1 cup of fluids in the presence of staff prior to the urine specimen collection process.
  - You will be sanctioned for providing or attempting to provide a dilute, adulterated, or substituted urine specimen. Under such circumstances, you may receive multiple sanctions to address dishonesty and deception. Tampering with any drug/alcohol test will also be deemed a positive test which may result in a new arrest/criminal charge and may result in termination from the program (this includes flushing, diluting, using someone else's urine, etc.).
- Dilute specimens do not “just happen”. It doesn't matter where you work/how much you exercise. If you are dilute, you will be sanctioned for not providing a valid specimen.
7. Do not use or possess any unapproved drugs or alcohol.
- Sobriety and mental health stability are the primary goals of this program.
  - You are responsible for what you put into your body whether it is legal or illegal drugs or alcohol, prescription or over the counter medications, food, and/or drinks. There are substances as well as foods and drinks that may cross react with testing and cause false-positive test results. These items are included on the Prohibited Substances List. Claiming that consumption of these substances is the reason for testing positive will not be accepted and will be sanctioned.
  - You are prohibited from using or possessing any unapproved legal drugs as well as all illegal drugs and/or alcohol (in any form).
  - You are prohibited from purchasing, filling a prescription for, possessing, or using any prescribed and/or over the counter drugs/medications without obtaining approval from MHC prior to purchasing or ingesting. See the Prohibited Substances List for more information.
    - Contact your CM for permission before you buy or fill anything.

- You must maintain compliance with all approved medications.
  - Medication Assisted Treatment programs are permitted if deemed medically necessary and monitored pursuant to MHC policies.
  - If you are receiving mental health treatment only (no history of substance use) you may be permitted to maintain certain mental health medications that would otherwise be prohibited.
    - This issue will be considered on a case-by-case basis only.
    - Approval must be received from the MHC judge prior to continuing any medications.
    - You must maintain compliance with all approved medications.
  - You are strictly prohibited from using or possessing all “synthetic” or “designer drugs/stimulants”, including supplements, that can be purchased legally or illegally. This includes but is not limited to substances like synthetic marijuana, bath salts, kratom, tianeptine, and phenibut. All “smoking mixtures” (other than products specifically designated to contain only tobacco) are also strictly prohibited. All products sold or marketed under false pretenses with the warning “not for human consumption” are also strictly prohibited.
    - Violation of this rule may result in immediate termination from MHC.
  - Over-the-counter drug use “OTC” can become a serious problem for people recovering from drug and/or alcohol use. Improper use of over-the-counter medications can lead to relapse, health problems, and even death. A wide variety of the over-the-counter medications can be misused—from attempts to treat real illness, to self-medicate and, of course, for recreational purposes. All over-the-counter medications have a legitimate medical purpose; however, when used improperly (taking higher than recommended doses, or using more frequently than directed), these drugs can produce a range of potentially damaging effects, including relapse. OTC medications containing alcohol and those that can be used for mind-altering purposes are prohibited. You should carefully read medication labels to look for potential intoxicating ingredients.
    - If you must sign anything to get a product from the pharmacy, it is a prohibited substance.
  - Once you have determined an OTC drug that will work best for you, you will also need to get permission from MHC before purchasing or ingesting/using the medication. Contact your CM. You are responsible for the substances you consume and how they affect a urinalysis and if you fail to get permission for something that impacts your random testing, you will be held accountable.
8. Tell your doctors you are in treatment.
- If you must seek medical attention, you are required to inform the physician that you are in a treatment program and cannot be prescribed narcotic/addictive medications as take-home medications. Medications provided by physicians in an inpatient/supervised setting (ER visit, hospital stay, office administered) are at the discretion of the physician.
    - You must submit copies of all medical documentation to your CM within 24 hours of release.
    - If short-term take-home narcotic/addictive medications are determined to be medically necessary for your recovery, MHC will monitor your usage of such medications for the expected duration of use and will suspend all MHC participation/progress during such time.
9. You must take medication as prescribed.
- It is your responsibility to maintain compliance with the medication regimen that has been approved for you in MHC. If there are any questions or concerns regarding the medication (e.g., the dosage, the frequency, and/or any side effects), they need to be addressed with your prescribing physician. Your CM will assist you with calling your prescribing psychiatrist and/or primary care physician to schedule an appointment to have your medication reviewed.

Always tell your doctor that you are in a treatment program. They will not prescribe addictive take-home medications if they know you shouldn't be taking them.

- If you are not taking medication as prescribed, you will be considered non-compliant. You will receive a 30-day supply of medication unless otherwise determined appropriate by staff. All medication history should be listed on your Medication Log.
    - The purpose of this document is to assist you with keeping track of prescriptions and with being more educated as to your individual mental health needs. You are to take all prescription medication with you to medication management appointments. This will ensure that the psychiatrist/ARNP is aware of all current medications and can assist in the prevention of any medication interactions.
10. **(Felony Offenders Only)** Report to a PO as directed.
- You must report to a PO during the first week of each month. You must be prepared to provide a urine sample at each visit. Failure to report as required to a PO or failing to attend a schedule appointment/visit may result in sanctions and/or fines. If you have any problem making an appointment, you are to call your PO at (904) 380-0348 or (904) 563-5982.
    - You must provide 24-hour notice of any cancelled probation appointment.
    - You must leave a voicemail or send an email/text message if you cannot reach your PO.
    - You must inform your PO of any change of address prior to changing locations.
    - You must inform your PO when you gain and/or change employment.
    - You must receive permission from a PO or your CM to leave Duval County.
      - Day trips with no overnight stays may be approved by a PO or your CM.
      - Overnight travel requires submission of a Travel Request and approval from the judge.
11. Participate in random searches.
- You are subject to a search of your person, possessions, residence, and/or vehicle by any member of the MHC team.
    - MHC conducts random searches and planned searches. Searches can take place at any time and any location. This includes review of cell phone communications and social media. If you refuse to submit to search procedures, you are in violation of MHC.
    - Items and/or information obtained from your property (physical items, written, or electronic records) relating to direct or possible criminal activity involvement, discussions of other MHC/PSC participants and their program status, participant/courtroom/treatment session photos, or other unapproved dissemination of MHC/PSC materials is a violation of MHC.
12. Leaving the County/Travel Requests.
- You are required to remain in the county in which you reside. Day trips for medical/mental health appointments outside of your county of residence are permitted. Just let your CM or your PO know that you have an appointment. Otherwise, do not leave the county without approval.
  - If you endeavor to travel overnight to a location outside of your county of residence, you must submit a Travel Request to MHC and receive written approval.
    - The Travel Request is included in your participant folder and is available at the PSC Main Office. This form is also available via email from your CM.
    - The Travel Request must be completed in its entirety and submitted via email or in person to your CM for processing.
    - The Travel Request must be submitted at least 5 business days prior to your requested travel timeframe. Exceptions to this rule will be made for emergency travel requests only. All other requests not submitted as required will be denied.
    - All approved overnight travel requires submission of a drug and alcohol test prior to leaving the county and immediately upon return.
    - Day travel requests (not overnight) are to be submitted via email, text, or in person to your CM (travel form not required) and may be submitted the day prior to the requested travel only if not known of in advance.

- MHC is a privilege, not a right, and offers you an opportunity to receive help, not plan vacations. At no time will travel outside of the United States or its territories be authorized, without special authorization from the judge.
13. Avoid inappropriate places including without limitation and by way of example only, bars or restaurants with a primary purpose of serving alcohol, adult entertainment venues, co-defendants' homes or places of work, and other Problem-Solving Court participants' homes or places of work.
- You may not work or visit places where alcohol or illegal drugs is the primary item being dispensed, sold, or marketed.
14. Avoid inappropriate people.
- You will be subject to associational limits as determined by the MHC team. Active users, known felons, and individuals on probation shall be discussed with your CM and PO, prior to associating with such individuals. If you are on felony probation, this contact is prohibited whether you are in MHC or not. If you are not on probation, it will be up to MHC to permit or limit contact. You are expected to avoid affiliation with non-law-abiding individuals, violence prone individuals, or individuals who are actively using drugs or alcohol. This is in your best interest. Additionally, MHC may specifically prohibit associations with any individual deemed non-conducive to a life of recovery. You will learn more about People, Places, and Things and how important being aware of your associations is as you progress in treatment.
  - Relationships with a spouse, significant other, or partner, and even friends and family are an important aspect of recovery. The important people in your life can be a source of support for a clean, sober, and stable lifestyle. However, these people may also prevent you from reaching your goals. If the important people in your life use/abuse mood-altering substances, or are not stable with their own mental health, you may have to avoid them for the sake of your recovery, and this may have to be accomplished through a court order limiting or prohibiting contact between you and that person.
15. Intimate relationships with any other participants are not allowed.
- This includes romantic involvement as well as living with other participants.
    - “Other participants” includes participants of all 4th Circuit PSC programs.
  - Violating this section is grounds for automatic termination from MHC.
16. Attend all services/appointments. Be on time.
- If you are late for court sessions, 12-Step/sober-support meetings, medical or mental health appointments, educational sessions, and/or group/individual treatment sessions, you may not be allowed to attend and will be considered non-compliant.
    - You must contact your CM if there is a possibility you will be late or have an emergency that will cause you to miss your court appearance.
    - You must contact your physician/treatment counselor or if there is a possibility you may be late or have an emergency that will cause you to miss your group/individual treatment session.
    - You must leave a voicemail or send an email/text message in the event you cannot reach your CM or provider/counselor.
    - Claiming illness and/or transportation problems without substantiating such claim will not automatically permit you to miss your scheduled appointments. It is your responsibility to be present and to be on time.



Going to old places, to see old people, and do old things will lead to old behaviors. The “friends” you used to spend time with may not be healthy for you and you may have to stay away from them.

- MHC understands that life goes on while you are participating in the program and that there may be times when you cannot appear on time for a program obligation/service. You must communicate ahead of time so that you are not considered as a “no show” or an “absconder” from the MHC program. Additionally, other participants may need the same service and could potentially be rescheduled into your appointment slot. Be courteous of the time of others.
- Failure to attend treatment or missing scheduled appointments will result in sanctions, fines, or may result in termination from MHC. All the sessions are scheduled in advance so that you will be able to make arrangements with your employer and/or arrange for childcare.

17. Dress appropriately.

- When appearing for court, you must wear a button down or collared shirt (tucked in), blouse, pants, dress, or skirt. Shoes are always required. While you may be permitted to dress comfortably and casually for treatment sessions, you are not to wear t-shirts, shorts, tank-tops, flip-flops, hats, or clothing that is revealing, including drug or alcohol related themes or that promotes/advertises alcohol or drug use when appearing for court or treatment sessions. Sunglasses are not to be worn inside court or at treatment centers unless medically approved. When appearing for random drug and alcohol testing, you must dress appropriately. You are not to wear low hanging pants, midriff baring shirts, short shorts or skirts, tank tops, flip-flops, or hats. Speak with your CM if assistance with clothing is needed.

18. Do not make threats toward other participants or staff or behave in a violent or inappropriate manner.

- Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This will result in termination from MHC.

19. Do not possess any weapons.

- You may not possess any firearms or weapons on your person, in your home, or in your vehicle.

20. Maintain appropriate behavior.

- While in court, you are to wait for your case to be called, sit quietly, and listen to the proceedings. Disruptive behavior will not be tolerated. Upon addressing the MHC Judge, you are to be respectful and use the terms “Your Honor,” “Judge,” “Sir,” or “Ma’am.” In the absence of the judge, the courtroom security officers oversee the courtroom. You must follow their instructions.
- For your benefit as well as the benefit of all participants, proper behavior is expected to be followed by everyone; both in court and at treatment centers. All cell phones and/or electronic devices must be turned off in the courtroom and at treatment sessions. If found in use, these devices will be removed from your possession.
- Disruptive behavior will not be tolerated in treatment sessions. You will be removed from treatment sessions if not behaving in an acceptable manner. Such behavior shall be documented and reported to the MHC team and considered as a missed treatment session.
- When appearing for random drug/alcohol testing, you are to sign-in, sit quietly, and wait for your name to be called to begin the specimen collection process. All cell phones and/or electronic devices must be turned off when waiting in the lobby/waiting to be tested. Violations of this policy may result in removal from the courthouse by security personnel and will result in MHC sanctions.

21. Do not engage in and/or commit any new criminal offenses.

- Warrants and/or new arrests could result in termination from MHC. This includes traffic related offenses. If you do not have a valid driver’s license, do not drive! If you would like to obtain and/or regain a driver’s license you must let your CM and defense attorney know and MHC will see what assistance can be provided as you progress in MHC.

22. Maintain contact with your CM.

- You will be assigned to a specially trained CM. CMs can be advocates and allies but are also required to hold you responsible for your actions. You must initiate weekly contact with your CM, verbally by phone, and/or through in-person visits. Text messages do not count. CMs will request things from you such as self-reports of how you believe you are progressing in MHC, schedules, meeting attendance verification forms, community service verification forms, proof of written assignments, completion and submission of programmatic forms, medical documentation, medication documentation/submission of medications for pill counts, and/or paystubs. CMs will question you about program non-compliance and will try to work with you to rectify situations that are causing you to struggle. CMs will receive updates from your treatment providers as to your attendance and progress in services and will ask you about them. Be honest with your CM.
- Some participants may require a higher level of supervision than other participants. This “extra attention” is sometimes required and may be short-term or long-term, depending on individual progress. You should not measure your needs and services against others. CMs are not “picking on you” and are not “out to get you” but are doing what is expected of them by the program. You are an individual, and individual needs will differ.

23. **(Substance Use Participants Only)** Attend Sober Support Meetings as required.

- You will be required to attend 12-Step/sober-support meetings such as Alcoholics Anonymous, Narcotics Anonymous, Smart Recovery, Rational Recovery, or other sober-support meetings throughout MHC. The minimum attendance requirement for each phase is below:
  - Phase 1: Daily (1 per day) Sober Support meetings are required during this phase.
  - Phase 2: 2 Sober Support meetings are required per week during this phase.
  - Phase 3: 3 Sober Support meetings are required per week during this phase.
  - Phase 4: 4 Sober Support meetings are required per week during this phase.
  - Phase 5: 4 Sober Support meetings are required per week during this phase.
- Attending these meetings is an important part of your recovery. Additional meeting attendance may be added to your list of requirements based on your individual progress. It will help familiarize you with recovery philosophies, help you develop levels of trust and help you create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of 12-step/sober-support meetings and will also direct you to special interest and recovery events in the community. MHC will not force attendance of spiritually based support meetings. You will be provided with the option of attending secular meetings that are recognized as sober-support meetings if you request such alternative.
- You must provide proof of having attended the required number of meetings at each court appearance. You will be required to submit Sober-Support Meeting Attendance Forms containing information about all sober-support meetings attended. This form must be signed by the meeting CHAIRPERSON at each meeting you attended. You may be required to include summaries of each meeting attended and if required must include a three-sentence summary of each meeting attended. Virtual/Zoom meetings are acceptable if approved by the CM but must be validated via the web site or a three-sentence summary of the zoom meeting must be turned in to the CM. DO NOT attempt to submit falsified ‘fake’ meeting attendance slips to the court as you will be sanctioned and may be terminated from MHC.

24. Complete Community Service.

- As an MHC participant, you will be required to participate in and complete certain community service obligations. These obligations are over and above any court ordered community service you are required to complete as a sanction for program non-compliance. As opportunities arise, MHC believes it is important to give back to the community. You will be provided with details in advance of any required event so that you are able to adjust your schedule accordingly. Additionally, you will be encouraged to attend and participate in other community service events



that are not required by the MHC program and may be able to request such participation be considered as your program community service project that is described in the next paragraph.

- You will be required to complete a Community Service Project prior to successfully completing MHC. This project is over and above any court ordered community service you are required to complete as a sanction for program non-compliance and is over and above any required community service obligations issued by the MHC Judge. Community service projects must meet the following requirements: comprised of at least 8 hours, provable/verifiable through photos and letters, no personal or monetary gain, and not connected to your friends or family.
- Once you have determined what you wish to do for your community service project, you must submit your plan in writing to your CM. Planning your project should take place during phase 4 of MHC and your project should be completed during phase 5. Your CM will submit your written plan to the MHC Judge and the MHC Judge will issue approval or denial of your community service project request. Once you have completed your community service project, you must prepare a photo board/presentation board of photos and/or letters or documentation which reflects what was accomplished. This photo board/presentation board shall be submitted to your CM, and you may be required to present it in court.

25. Satisfy program related fees and costs prior to MHC completion.

- You are responsible for a \$50.00 Public Defender application fee if you are represented by or receive the services of the PD while enrolled in MHC. This is a fee established on all criminal cases and may already be assessed on your case prior to MHC. An additional fee will not be assessed. Payments can be made to the Clerk's Office at <https://www2.duvalclerk.com/>.
  - Payment of this fee is to be made to the Clerk of Court prior to completion of MHC.
- You are also responsible for victim restitution if your victim suffered monetary damages. Restitution must be paid in accordance with the terms agreed upon in the MHC Participant Agreement and must be paid in full prior to successful completion of MHC, unless otherwise approved by the MHC judge.

26. Attend Yoga 4 Change.

- The Yoga 4 Change program is a program designed to help MHC participants increase impulse control, decrease stress and anxiety, and increase post-traumatic growth. This is a research-based program that has been added to the mandatory MHC requirements.
- Yoga 4 Change is mandatory for all MHC participants. You must complete a total of 4 yoga classes during phases 1 and 2 to complete the Yoga 4 Change program before phasing up to Phase 3. You must also complete a yoga survey prior to the first class and another after the 4<sup>th</sup> session. You may notice the Judge and other MHC staff and team members participating as well.
- If you feel you have a medical condition that would prevent you from participating, you must inform your CM. The MHC Judge will consider such conditions in determining your specific requirement.
- To complete the program, you must participate in 4 sessions, 1 session per week. You may do more per week, but you'll only get credit for 1 session per week. Each session will take an hour and is offered via the ZOOM virtual platform. All you need is a smart phone or computer.
- The classes will be offered virtually at the following times/dates:
  - Thursdays at 7:30 p.m.
  - Saturdays at 10:00 a.m.
- To register for these free classes, simply visit the link below. Yoga 4 Change staff will take attendance every class and notify your CM when you have completed four (4) weeks of attendance. Registration: <https://zoom.us/meeting/register/tJEud-6srDMiHNPhXvHG1mYReevmGvyjC0hX>



## **2.2 Additional Services/Programs (as required)**

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### **2.2.1 Mental Health Support Meetings**

Attending educational and supportive meetings that are focused on your mental health needs may be required throughout participation in MHC. These meetings may focus on peer support, PTSD, depression/anxiety, MST, and/or other trauma. If attendance of these types of meetings is identified as a need for you, you will be required to attend these meetings. The frequency of attendance requirement varies based on your individual needs. The minimum attendance requirement is no less than one meeting per week.

### **2.2.2 Job Fairs**

If you are employable, you may be required to complete job searches, and/or attend job fairs. These events may be targeted at employing veterans or may be general community events. If required to attend, you must attend and submit proof of attendance to your CM.

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*WHEN IN DOUBT ABOUT ANY RULE OR POLICY...  
ASK THE COURT COORDINATOR OR YOUR  
CASE MANAGER.*

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### 3.1 Treatment Procedures

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The main purpose of the MHC is to provide you with treatment and other services to address the underlying reasons you entered the criminal justice system. If you were able to manage on your own, you wouldn't have committed a crime and put your freedom/life in jeopardy. Treatment services provided in MHC will generally include 6 to 10 hours of services, weekly, during the initial phases of treatment and approximately 200 hours of services over the course of MHC participation. However, MHC allows for flexibility to accommodate your individual differences in your response to treatment. The frequency of attendance will be based on your individualized treatment plan created with your treatment provider/providers. These providers will assess what level of treatment will best meet your needs and recommend to MHC what services you should receive. You will start MHC in phase 1.

If you are admitted to a residential treatment program, your treatment plan will include the requirements of that program. You may be maintained in a residential treatment facility for as little as 30 days or as many as 180 days. It depends on your individual needs and progress.

Upon release from any residential treatment program, you will routinely be placed in phase 2 of the MHC program, regardless of what phase you were in prior to entering residential treatment. If you were in phases 3-5 prior to entering residential treatment, future phase advancement from phase 2 will take place at the discretion of the Judge based on your progress and may not follow the same phase timelines that are listed on your phase petitions. If you were in phase 1 or 2 when you entered residential treatment, you will be placed in phase 2 when you complete residential treatment and all normal phase timelines will apply. When you complete residential treatment, you will enter outpatient treatment services and will remain in, at minimum, outpatient treatment services until you complete MHC.

If you are not admitted into a residential treatment program, a multi-component outpatient program will be developed for you that you must fully complete to be successful in MHC. Outpatient treatment may take place during the day or in the evening, may take place multiple times per week, and may continue throughout your participation in MHC. Your schedule pertaining to employment and/or childcare will be taken into consideration when possible but will not take priority. MHC must be your priority.

#### 3.1.1 Treatment Plans

An "initial" treatment plan will be developed by you and your treatment team following an overall assessment of your problems and needs. The plan will act as a guide for your initial treatment experience and within it, you will set goals, select methods for meeting those goals, and develop target dates for achieving those goals. The plan will be maintained by your treatment provider and will be updated as you progress through the program. You will attend and participate in monthly treatment plan review meetings with your individual counselor. This is in addition to any other services your treatment provider has outlined for you in your treatment plan. You should request and receive a copy of your treatment plan and refer to it often.

If, at any time, you feel that you are not receiving the services outlined on your treatment plan or are not meeting the goals you have identified in your treatment plan, reach out to your counselor, CM, and the CC for assistance.

#### 3.1.2 Counseling Sessions

Mental disorder, trauma, and/or substance use counseling is comprised of two separate formats: individual and group. As part of your treatment plan, you will be required to participate in both types of

counseling at various times. Together they are designed to help you develop self-awareness, realize your self-worth, and develop the strength to practice self-discipline. The individual and group counseling sessions will include problem identification and alternative solutions. Your counselors may utilize multiple treatment modalities/approaches to assist you in reaching your goals. Some examples of the treatment modalities/approaches used are: Cognitive Processing Therapy, Motivational Interviewing, Living-In-Balance, The Matrix Model, Relapse Prevention Therapy, Moral Reconciliation Therapy, Dialectical Behavioral Therapy, Eye Movement Desensitization and Reprocessing Therapy, Cognitive Behavioral Therapy, 12-Step Facilitation, Relapse Prevention Therapy, Seeking Safety, Life Skills, Anger Management, and Criminal Thinking. All of these approaches are evidence-based practices and are chosen specifically because of their relevance to your issues.

Your attendance and participation level in counseling sessions will be reported to the MHC team as part of your overall progress report. Your personal discussions in these sessions are confidential and will not be discussed with MHC. Only your attendance history, participation level, compliance/behavioral issues, and statements relating to self-harm/harm of others will be shared. If you wish to share information from your counseling sessions with your CM or attorney, you may; but you may only share your personal information. You may not share what any other participant has discussed.

### **3.1.3 Dual Diagnosis Services**

If it was determined during your assessment that you have a co-occurring disorder (substance use and mental injury/disorder), your treatment plan will be developed to include services and goals to address to all of your needs. If medication is required to adequately treat your condition, your physician will need to consult with MHC so that you are provided with approved medication. If you were previously engaged with a physician not associated with MHC and wish to continue seeing that physician for medication needs, your physician will need to communicate with MHC pertaining to your treatment. You must obtain permission from your CM to take any medication before you fill any prescriptions.

### **3.1.4 Medication Assisted Treatment**

If it has been determined by your clinician that you would benefit from the use of Medication Assisted Treatment for opioid or alcohol abuse, you will be encouraged to engage in the recommended treatment. Medication assisted treatment and medications for a mental health disorder differ. MHC will not mandate use of medication assisted treatment to remain in MHC. MHC will mandate compliance with mental health medications for a mental health disorder to remain in MHC.

### 4.1 Program Phases

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MHC consists of 5 phases. Each phase consists of specified objectives, therapeutic and rehabilitative activities, and specific requirements for advancement into the next phase. The components and requirements for advancement from each phase are described below.

You are responsible for completing ALL phase requirements before advancement can occur. This includes completion of any additional assignments or sanctions that were ordered for you to complete by the MHC Judge. You may not request phase advancement with any unmet obligations unless the Judge approves for you to do so. You may submit a petition to move to the next phase only after you have completed each task listed on the applicable phase-up petition.

You must submit phase advancement petitions 7 days prior to your next MHC court appearance session. It is important to remember that even if you can check off every task on the phase-up petition that you still might not be approved to phase up if you are not fully compliant with the program. Promotion or demotion between phases is subject to the order of the MHC Judge. Graduation petitions must be submitted at least 30 days prior to the projected graduation date.

Promotion eligibility and phase advancements are not automatic and are always based upon individual assessment. The MHC team may determine that it is not conducive to promote you even if you have met all promotion criteria. In addition to the individual phase requirements there are overall requirements that apply to each phase of MHC.

It is your responsibility to track your progress and know when you should be eligible to phase up. However, do not expect to be approved to phase up or graduate if you:

- Are not compliant with your treatment provider (attendance and participation).
- Are receiving a sanction on the day you would otherwise be eligible to phase up or graduate.
- Have not completed a sanction that was ordered during your current phase.
- Have not been communicating or participating in services with your CM.
- Have not paid required fees or completed approved community service in lieu of such fees.
- Are disrespectful toward MHC and/or MHC staff.
- Are requesting to phase up or graduate on a day that MHC court hearings are not being held.
  - Phase-ups and graduations will take place at the next available court date.

#### **4.1.1 Phase 1: Intake, Assessment, and Orientation** **Length: 2 weeks (14 days) (minimum)**

Phase 1 provides you with an opportunity to voluntarily withdraw from MHC without consequences. Phase 1 is a minimum of 14 days. During that timeframe, you may request discharge from MHC without consequence from MHC. After 14 days or once you petition to phase up to phase 2, you are electing to remain in MHC. Once you enter phase 2, you may not withdraw from MHC without consequences.

In Phase 1, you will be assigned to a CM and a PO (Felony only). Your problems and needs will be assessed by a treatment provider and a treatment plan will begin to be developed based on your self-reported needs and goals. Your full treatment plan will be developed in phase 2. You will complete an orientation/overview of the MHC program and have an opportunity to ask questions before moving forward with your treatment obligations. To complete phase 1, you must (next page):

- Sign formal agreement to enter MHC.
- Attend new participant orientation with CC.
- Review and sign new participant forms including a release of information, waiver of liability, prohibited substances agreement, and drug testing rules and procedures.
- Receive participant folder.
- Receive drug testing color.
- Call drug testing color line daily.
- Appear for drug testing as required/requested.
- Attend daily sober-support meetings- 1 per day. (Substance use participants only)
- Complete treatment intake to determine appropriate level of care.
- Complete initial report to PO (Felonies only).
- Attend MHC court sessions bi-weekly on Tuesdays.
  - Bring your participant folder to court.
- Complete a 2-page essay on “What’s My Story”.
- Complete a 2-page essay on “Creatinine Measurements in Drug Testing”.
- Achieve a minimum of 5 consecutive days of documented abstinence from drugs/alcohol.
  - Including no missed, diluted, altered, or otherwise positive tests.
- Complete and submit a petition for phase advancement after all requirements met. Submit at least 7 days prior to next court date.

**4.1.2 Phase 2: Treatment and Personal Goals**  
**Length: 6 weeks (42 days) (minimum)**

In Phase 2, your formal treatment plan will be developed by you and your counselor after you have started attending services and as you reveal more about yourself. Group treatment sessions and individual treatment sessions will help you learn about your triggers and how to appropriately respond to them. Focus will be placed on medication compliance and ensuring you have what you need to be successful. In Phase 2, you will be expected to have a firm grasp on the rules and expectations of MHC. To complete phase 2, you must:

- Receive and sign your formal treatment plan.
- Attend and participate in group and/or individual treatment services as outlined by your treatment provider and treatment plan.
- Complete all treatment assignments in a timely manner.
- Follow directives of the court, CC, CM, treatment counselors, and PO.
- Attend sober support meetings - 2 per week. (Substance use participants only)
- Report to a PO as instructed. (Felonies only)
- Call drug testing color line daily.
- Appear for drug testing as required/requested.
- Attend MHC court sessions bi-weekly on Tuesdays.
  - Bring your participant folder to court.
- Complete a 2-page essay on “How My Mental Health Disorder Has Impacted My Life”.
- Complete Yoga 4 Change.
- Achieve a minimum of 15 consecutive days of documented abstinence from drugs/alcohol.
  - This includes no missed, diluted, altered, or otherwise positive tests.
- Complete and submit a petition for phase advancement after all requirements met. Submit at least 7 days prior to next court date.

**4.1.3 Phase 3: Ongoing Treatment and Life Skills**  
**Length: 8 Weeks (56 days) (minimum)**

In Phase 3, your treatment plan will be updated by you and your counselor to identify and monitor your treatment goals and objectives. Counseling and meetings will begin to focus on managing triggers and responses, relapse prevention, and stability and will help you identify ways of coping with stressful situations. To complete phase 3, you must (next page):

- Review your treatment plan with your counselor.
- Attend and participate in group and individual treatment services as outlined by your treatment provider and treatment plan.
- Complete all treatment assignments in a timely manner.
- Follow directives of the court, CC, CM, treatment counselors, and PO.
- Attend sober support meetings - 3 per week. (Substance use participants only)
- Obtain a sponsor (5 or more years of sobriety) (Substance use participants only)
- Report to a PO as instructed. (Felonies only)
- Call drug testing color line daily.
- Appear for drug testing as required/requested.
- Apply for disability, search for/obtain employment or engage in pursuit of vocational/educational goals.
  - Begin working toward obtaining GED (as applicable)
- Attend MHC court sessions on Tuesdays, as instructed
  - Bring your participant folder to court.
- Complete a 2-page essay on “What I Want to Get Out of MHC”.
- Prepare a list of personal goals that you wish to achieve over the next 12 months.
- Achieve a minimum of 30 consecutive days of documented abstinence from drugs/alcohol.
  - This includes no missed, diluted, altered, or otherwise positive tests.
- Complete and submit a petition for phase advancement after all requirements met. Submit at least 7 days prior to next court date.

**4.1.4 Phase 4: Relapse Prevention**  
**Length: 12 Weeks (84 days) (minimum)**

Phase 4 will continue focus on relapse prevention/identifying ways of coping with stress. To complete phase 4, you must:

- Review your treatment plan with your counselor.
- Attend and participate in group and individual treatment services as outlined by your treatment provider and treatment plan.
- Complete all treatment assignments in a timely manner.
- Follow directives of the court, CC, CM, treatment counselors, and PO.
- Attend sober support meetings - 4 per week. (Substance use participants only)
- Maintain sponsor. (5 or more years of sobriety) (Substance use participants only)
- Report to a PO as instructed. (Felonies only)
- Call drug testing color line daily.
- Appear for drug testing as required/requested.
- Attend MHC court sessions on Tuesdays, as instructed.
- Continue to search for/obtain employment or engage in pursuit of vocational/educational goals.
  - Continue working toward completion of GED (as applicable)
- If not employed or receiving disability, create a resume, and provide it to your CM.
- Update CM on progress toward personal goals identified in phase 3.
- Submit a 2-page essay “Saying Goodbye to My Drugs”. (Substance use participants only)
- Submit a written idea/plan for a community service project that shall be completed at least 30 days prior to the end of phase 5.
- Achieve a minimum of 45 consecutive days of documented abstinence from drugs/alcohol.
  - This includes no missed, diluted, altered, or otherwise positive tests.
- Complete and submit a petition for phase advancement after all requirements met. Submit at least 7 days prior to next court date.

#### 4.1.5 Phase 5: Aftercare and Alumni

##### Length: Up to 24 Weeks (168 days)

(Under 12 months in MHC, participation will be until 12 months is reached and will be no less than 8 weeks (56 days). Over 12 months in MHC, 8 weeks (56 days) minimum participation required.)

Phase 5 will address your ongoing recovery needs to maintain abstinence from drugs and alcohol. An increased focus will be placed on daily living skills. This phase will assist you in your adjustment of returning to the community as a productive, successful person able to care for yourself and others. To complete phase 5, you must:

- Complete your treatment plan/make a plan for ongoing services.
- Follow directives of the court, CC, CM, treatment counselors, and PO.
- Attend sober support meetings- 4 per week. (Substance use participants only)
- Maintain sponsor. (5 or more years of sobriety) (Substance use participants only)
- Report to a PO as instructed. (Felonies only)
- Call drug testing color line daily.
- Appear for drug testing as required/requested.
- Attend MHC court sessions on Tuesdays, as instructed.
- Achieve financial stability, obtain employment, apply for disability, or be engaged in a vocational/educational program.
  - Complete/Obtain GED prior to completion of this phase (as applicable)
- Submit proof of completing the community service project approved in phase 4.
- Submit a two (2) page essay “How I Have Changed My Life Through MHC”
- Achieve a minimum of 90 consecutive days of documented abstinence from drugs/alcohol.
  - This includes no missed, diluted, altered, or otherwise positive tests.
- Pay \$50.00 to the Clerk of Court for the Public Defender application fee (if not paid prior to entering MHC).
- Pay full probation balance, restitution balance, and/or any remaining fine balance.
- Complete and submit a petition for graduation after all requirements met. Submit at least 30 days prior to next court date.

*Phase up and Graduation petitions cannot be submitted until all items are completed and all timelines are met.*

*Petitions for phases 2-5 are to be submitted at least 7 days before your next scheduled court date. Graduation petitions are to be submitted at least 30 days prior to your expected graduation date.*

*The time you spend in MHC will not be impacted by following this submission policy.*



## 5.1 Program Responses

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An effective system of program responses promotes your ability to account for your actions. Program responses must be appropriate for your developmental level and graduated as you progress through the program. To motivate you, program responses will be applied in a way that is immediate, predictable, and consistent. Program responses will be tailored to your individual progress/needs. Program responses will also align with your specific capabilities. The MHC team will ascertain whether you are capable of meeting a certain goal at the current time. The MHC team will ascertain whether you are capable of adhering to a certain rule/policy at the current time. You will not be held liable for not meeting a goal or adhering to a rule/policy that you are deemed to not be capable of following at the current time, e.g., abstinence, improvement in attitude, active participation in services. Your goals will be based on proximal and distal expectations: proximal for those that can and should be expected immediately and distal for those that can and should be expected as you progress in services.

### 5.1.1 Incentives

MHC recognizes the effort that it takes in attempting to improve behaviors, choices, and ultimately lifestyles. Incentives compel compliance and success in case outcomes. Incentives spotlight desired compliance and help to build trust between you and the MHC team. With that in mind, MHC recognizes all markers of success even if in a small way. Examples of behaviors/accomplishments that lead to incentives are included below.

<b>Behaviors/Accomplishments</b>		<b>Possible Incentives/Responses</b>	
• 1 day clean/sober	• Multi-day clean/sober	• Applause	• Fishbowl drawings
• 30 days medication stability	• Obtaining driver's license	• Books	• Gift Certificate
• Assisting others	• Obtaining employment	• Candy	• Praise from judge
• Increased contact with child	• Obtaining GED/degree	• Coffee/Lunch with the MHC team	• Recognition certificate
• Infraction/Violation free for 60+ days	• Obtaining housing	• Curfew extension/removal	• Recommendation letter for job
• Maintaining employment	• Outstanding accomplishment	• Decreased court appearances	• Reduction of community service hours
• Monthly report of being clean/sober	• Perfect attendance	• Early dismissal from court	• Reduction of supervision
• Mental health stability	• Phase completion/advancement	• Early phase advancement	• Sobriety tokens
	• Recognition of investment in program		• Standing Ovation
			• Travel privileges

### 5.1.2 Monitoring Devices

As a result of MHC non-compliance or as a method of additional monitoring for specific circumstances, you may be required by court order to wear a monitoring device. Such device may be a GPS ankle monitor, a SCRAM alcohol monitoring device, a remote breath alcohol monitor, or a drug testing patch. MHC has established policies and procedures pertaining to the application and removal of such devices as indicted below.

If you are required to wear a monitoring device, you may be required to do so at your own expense or at the expense of MHC. At times, the expense of the device may be split between you and MHC. This process depends on the reason for the application of the device. If you are otherwise compliant but struggling and may benefit from a form of additional monitoring, you will not be required to absorb the

cost of the device. If you are not in compliance with MHC or have had a recent incident, you will be required to absorb the cost of any such device or may have the cost of such device split with MHC. This decision shall be at the discretion of the MHC judge.

If you are required to absorb the cost of such devices, you will be required to maintain current payments with any providers or be subject to additional sanctions by MHC. If, at any point you are unable to pay balances on the monitoring device and this inability to pay is due to a legitimate, verified difficulty, MHC may elect to assume the cost of such device by leveraging community service hours against you in lieu of such fees. Additionally, if you are required to wear a monitoring device, you will likely wear the device for at least ninety (90) days.

### 5.1.3 Sanctions

If you fail to comply with MHC, the judge may order one or more of the following sanctions. Sanctions are graduated and individualized. Sanctions are not negotiable and are imposed in an effort to modify your behavior. Sanctions are not intended to be fun and will, at most times, consist of hard work such as manual labor.

Punitive sanctions and treatment responses are very different. “Sanctions” that increase the level of treatment are considered treatment responses and are imposed to help and not punish you. Other sanctions are imposed in an effort to modify behavior so that you learn to make better choices. While sanctions may be viewed as punishment, the intention is to teach or inspire changes in your behavior. Sanctions are not imposed arbitrarily and are imposed after a detailed discussion among the team and, between you and the judge occurs.

Sanctions will not be convenient and may cause you to miss work. This is part of the punitive nature of sanctions. Follow the rules and avoid sanctions!

Sanctions are imposed on an individual basis. Other participants in similar circumstances may receive different sanctions to what appear to you to be the same infraction. This is not unusual nor is it inappropriate. You are viewed as an individual and thus, your individual progress, attendance, and history is taken into account at each occurrence. Do not argue with the judge because you disagree with a response. Ask your attorney to assist you and handle your questions/concerns properly.

Examples of infractions that lead to sanctions and of possible sanctions that may be imposed are listed below. This is not a complete list and only represents possible sanctions that may be imposed. As needs arise and different situations occur, new sanctions may be developed and added to this list.

#### Examples of Typical Infractions/Violations

- Behavioral issues (poor attitude and/or being disruptive)
- Failing to abide by curfew
- Failing to attend scheduled events
- Failing to complete community service hours
- Failing to bring participant folder to court appearances
- Failing to engage in services
- Failing to follow court, Counselor, CC, CM, or PO instruction
- Failing to maintain contact with CM, and/or PO
- Failing to submit AA/NA meeting slips
- Filling prescribed medication without authorization
- Lying or deliberately omitting information to/from the court
- Missing a drug test
- Missing treatment appointments
- Missing mental health appointments
- Missing probation check-in
- Missing treatment group sessions
- Non-compliance with approved medications
- Positive drug test
- Providing a dilute/altered drug test
- Tardiness to and/or absence from court
- Tardiness to and/or absence from treatment group sessions
- Use of drugs and/or alcohol
- Use of prohibited substances
- Use and/or Possession of synthetic and/or designer drugs

**Examples of Serious Infractions/Violations  
(may result in immediate removal from MHC)**

- Engaging in romantic/sexual relationship with any PSC participant
- New criminal arrest/offense
- Possession and/or Use of synthetic and/or replacement drugs
- Tampering/Falsifying drug test
- Threats of violence or violent behavior
- Submitting falsified documents

**Examples of Possible Sanctions/Responses**

1<sup>st</sup> Occurrence:

- 4-24 hours of community service
- Admonishment from judge
- Book reports
- Curfew
- Educational books/workbooks
- Essay on topic related to infraction
- Fines
- Increased AA/NA meetings
- Increased drug testing
- Keeping a calendar
- Phase extension
- Sit in jury box
- Stay to the end of court
- Verbal and/or written apology

2<sup>nd</sup> Occurrence:

- 10-40 hours of community service
- Admonishment from judge
- Alcohol monitor
- Book reports
- Court observation days
- Curfew
- Educational books/workbooks
- Essay on topic related to infraction
- Fines
- Incarceration
- Increased court appearances
- Increased drug testing
- Increased supervision
- Phase extension
- Remote breath device
- Removal of privileges
- Return to lower phase
- Round table with MHC team

3<sup>rd</sup> and/or Multiple Occurrences:

- 50-100 hours of community service
- Admonishment from judge
- Alcohol monitor
- Ankle monitor
- Educational books/workbooks
- Fines
- Incarceration
- Increased court appearances
- Increased drug testing
- Increased supervision
- Peer review
- Phase extension
- Program removal
- Remote breath device
- Re-start of the MHC program
- Return to lower phase

**Automatic Sanctions/Responses to Certain Behaviors**

Missed/Positive drug test

- Automatic extension in phase regardless of progress (# of days is based on phase)

Missed court hearing

- Capias “warrant” issued for arrest

*This page provides a list as an example only. The judge has final determination of all sanctions based on individual history/previous progress.*

**5.1.4 Therapeutic Adjustments/Treatment Responses**

**Honesty = Help. Dishonesty = Sanctions.**

If you are honest about any substance use or fail to follow rules and/or expectations which you may not be fully capable of following, you will be responded to with therapeutic adjustments referred to as “treatment responses”. If you are experiencing instability with your mental health or are not responding to treatment interventions, but are otherwise compliant with treatment and supervision requirements, punitive sanctions will not be imposed. Treatment responses that increase your level of treatment are not sanctions. They are imposed to help you learn from your choices and to not repeat them and are designed to improve the overall effectiveness and response to the treatment episode.

Treatment-oriented responses for substance use or mental health instability while in MHC are based on the recommendation of treatment providers. Input from other team members will be permitted for thorough discussion with the ultimate recommendation being made by the treating providers. Examples of behaviors that lead to treatment responses are listed on the next page. This is not a complete list and only represents possible treatment responses that may be recommended. Remember, the goal of MHC is treatment, not punishment.

## Examples of Typical Behaviors That Lead to Treatment Responses

### Examples of Behaviors

- Admitted use of drugs and/or alcohol
- Admitted struggling/dealing with issues
- Failing to meet treatment plan goals
- Known use of drugs and/or alcohol
- Mental health decompensation
- Positive drug test
- Unresponsive to treatment services being provided (despite actively participating)

### Examples of Treatment Responses

- Book reports
- Educational books/workbooks
- Essay on topic related to infraction
- Increased sober-support meetings
- Increased contact with treatment
- Increased level of treatment
- Increased drug testing
- Increased mental health support meetings
- Residential treatment
- Return to lower phase in MHC
- Secure “in-jail” residential treatment

### 5.1.5 Violation of Probation

If you are enrolled into MHC as a condition of probation, you are subject to Violation of Probation procedures/proceedings as a result of certain infractions and/or non-compliance. Given the formal nature of violations of probation and the required actions that must be taken to file and dispose of such violations, this handbook outlines the procedure that MHC will follow with regard to violations of probation.

Florida law requires that if you are in MHC and are subject to the filing of a violation of probation that you have such violation of probation heard and disposed of within the MHC division. This rule applies unless the violation of the program rules results in rejection from MHC prior to the filing of the violation of probation. In this instance, the violation of probation would then be filed in the original criminal division. If you are not immediately rejected from MHC as a result of the program violation, the PO shall file the violation of probation in the MHC division, shall serve you with a copy of the violation of probation, and shall have a hearing pertaining to the violation of probation set and heard by the MHC judge.

## 5.2 Program Progress/Graduation/Termination

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### 5.2.1 Program Progress

Once you have successfully completed the criteria for each phase, you will advance to the next level and eventually be a candidate to graduate from MHC. This will not happen in less than 12 months. Prior to each phase promotion you will be required to submit a phase advancement petition that includes a list of the tasks you were required to complete that you will initial acknowledging completion. You will also be required to submit a short essay on each phase petition outlining what you have accomplished, what goals you have met, and why you believe you are eligible to advance to the next phase.

### 5.2.2 Graduation

Approval for graduation from the program shall be determined by the MHC judge with input from the MHC team. Simply completing each phase of the MHC program does not guarantee graduation. It will be necessary to discuss your progress toward the goals you initially set when entering MHC and why you believe you have met the graduation criteria when the time comes for you to petition for graduation. Your graduation petition must include an essay outlining all of your progress and accomplishments during your MHC participation, including progress on all of the goals you set for yourself. You need to have demonstrated that you have learned from the structure and support you have received before the MHC team will agree to allow you to graduate. Your family will be invited to join you in court as the judge congratulates you on successfully completing MHC and achieving your goal to establish a stable life.

If you entered MHC under a pre-trial intervention program/prosecution diversion basis, upon graduation your case will be dropped by the State Attorney's Office. Your record relating to the arrest that resulted in your participation in MHC may be eligible to be sealed or expunged. After graduation, you will be provided with the necessary paperwork to apply for such relief. If you lose this packet, you can request a packet from the Clerk of Courts to proceed on your own behalf or retain an attorney to represent you.

If you were sentenced as a condition of probation to enter and complete MHC you will have met that requirement of your sentence and could potentially have your probation terminated early. Your record will not likely be eligible to be sealed or expunged as your case will not have been dropped. However, you may consult with an attorney to pursue such dismissal through further proceedings within the criminal division that your case was originally assigned.

### **5.2.3 Termination**

Termination from MHC is evaluated on an individual basis. A decision to terminate participation will be made by the MHC Team. The decision to terminate may be made for any of the following reasons:

- Abandonment of treatment program
- Available treatment options have been exhausted
- Evidence that you are involved in any threatening, abusive, or violent verbal or physical behavior towards anyone
- Evidence that you are involved with drug dealing or driving while under the influence
- Failure to attend MHC hearings (repeatedly)
- Failure to make satisfactory progress
- Inability to pass required drug/alcohol screening tests for any reason (repeatedly)
- New criminal charge/Concern for public safety
- Tampering with drug/alcohol screening tests
- Threat to the integrity of the program
- Use of synthetic substances/designer stimulants unable to be detected through normal screening
- Violating MHC rules (repeatedly)

### 6.1 Conclusion

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The MHC Program has been developed to help you achieve mental health stability and total abstinence from illicit and illegal drugs and all criminal activity that is associated with your substance use and/or mental health disorder. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The judge, court staff, and the treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and be committed to a drug free/mentally stable life. If you are unable or unwilling to complete the program, you will not remain in the program very long. However, it is not your choice to simply withdraw from the program. Only the MHC judge can determine if you are to be terminated from the program and if terminated as a result of your noncompliance, you will likely be taken into custody upon termination from the program.

Honesty is always the best policy, especially when it comes to how the MHC program will respond to your actions/behavior. When you are honest with MHC, you are rewarded with credibility and trust. When you are dishonest with MHC, you lose that credibility and trust which will have a direct impact in how the MHC program responds to you. MHC is a tough, strict program and is not for those that do not want to change/improve their lives. If you want the help and are willing to let us help, we are here for you and will walk with you on your path to recovery. If, after learning about this program and completing an orientation meeting with the CC, you decide that you do not want to participate in MHC, please speak with your attorney about your options before you complete phase 1 of the MHC program.

Remember, the rules outlined in this handbook apply in the courtroom as issued by the MHC judge but also apply as though they were issued directly by the MHC judge at each facility, treatment provider, and/or housing program. Upon completion of the MHC program, someone from the MHC team will contact you after you leave the program. The purpose of this follow-up is to get an idea of how people in MHC do after they leave and to measure how well the MHC program is doing. For this to occur, we ask that you provide your contact information upon program completion and that you update the MHC program if that information changes. You will not be identified individually or sanctioned in any way for your answers.

We hope this Handbook has been helpful to you and answered most of your questions. Important MHC telephone numbers are listed on the next page. **Good luck to you!**

## 6.2 Contacts

### MENTAL HEALTH COURT CONTACT INFORMATION DRUG SCREEN COLOR LINE (7 days a week): (904) 255-1050

Phone line opens at 6:00 am. Lab Hours are 8am-4pm, unless otherwise noted

#### Problem-Solving Court Office

501 W. Adams St., # 2321  
Jacksonville, FL 32202  
Phone: (904) 255-1040  
Fax: (904) 255-1051

Teri Hamlyn, Director  
Phone: (904) 255-1046  
Cell: (904) 412-5808  
[thamlyn@coj.net](mailto:thamlyn@coj.net)

Stacey D. Smiley, Court Coordinator  
Mental Health Court  
Phone: (904) 255-1044  
Cell: (904) 591-8579  
[ssmiley@coj.net](mailto:ssmiley@coj.net)

#### Florida Department of Corrections

Pamela Gibson, Probation Officer  
908 N Jefferson Street, Bldg F  
Jacksonville, FL 32209  
Phone: (904) 380-0348  
Cell: (904) 563-5982  
[pamela.gibson@fdc.myflorida.com](mailto:pamela.gibson@fdc.myflorida.com)

#### Mental Health Resource Center

3333 20<sup>th</sup> Street  
Jacksonville, FL 32254  
(904) 695-9145

11820 Beach Blvd  
Jacksonville, FL 32216  
(904) 642-9100

4427 Emerson St.  
Bldg. 5  
Jacksonville, FL 32207

Alison Boehnke, Case Management  
Program Manager  
Phone: (904) 745-0042 x20100  
[a Boehnke@mhrctflorida.com](mailto:a Boehnke@mhrctflorida.com)

Mendi Varnado, Associate Director of  
Forensic Services  
Phone: (904) 745-0042 x 20101  
[mvarnado@mhrctflorida.com](mailto:mvarnado@mhrctflorida.com)

#### State Attorney's Office

311 West Monroe Street  
Jacksonville, FL 32202

Ann Marie Johnson,  
Assistant State Attorney  
Phone: (904) 255-2667  
[amjohnson@coj.net](mailto:amjohnson@coj.net)

#### Public Defender's Office

407 N. Laura St.  
Jacksonville, FL 32202

Melina Buncome,  
Assistant Public Defender  
PSC Director- Public Defender's  
Office  
Phone: (904) 255-4614  
[mbw@pd4.coj.net](mailto:mbw@pd4.coj.net)

Jeanine Sasser  
Assistance Public Defender  
Phone: (904) 255-4826  
[jsasser@pd4.coj.net](mailto:jsasser@pd4.coj.net)

#### Florida Counseling & Evaluation

6251 Philips Highway  
Jacksonville, FL 32216  
Phone: (904) 239-3677

### ANVILLARY SERVICES/COMMUNITY RESOURCES

#### Trinity Rescue Mission

622 W. Union St.  
Jacksonville, FL 32202  
Phone: (904) 355-1205, 356-4033  
[www.trinityrescue.org](http://www.trinityrescue.org)

#### Sulzbacher Center

611 E. Adams St.  
Jacksonville, FL 32202  
Phone: (904) 359-0457  
[www.sulzbachercenter.org](http://www.sulzbachercenter.org)

#### Alumni House

900 Bridier St.  
Jacksonville, FL 32206  
Phone: (904) 354-0835

#### NAMI Jacksonville Florida, Inc.

P O Box 16404  
Jacksonville, FL 32241-4783  
Phone: (904) 724-7782  
[www.namijacksonville.org](http://www.namijacksonville.org)

#### Alcoholic Service Center

20 West 4th St.  
Jacksonville, FL 32206  
Phone: (904) 355-6947

#### Alco House, Halfway House

1120 Hubbard St.  
Jacksonville, FL 32206  
Phone: (904) 355-1334

#### Operation New Hope/Ready4work

1830 N. Main St.  
Jacksonville, FL 32206  
[www.operationnewhope.com](http://www.operationnewhope.com)

#### Second Harvest Food Bank

1502 Jessie Street  
Jacksonville, FL 32206  
Phone: (904) 353-3663

#### Volunteers In Medicine

41 E. Duval St.  
Jacksonville, FL 32202  
Phone: (904) 399-2766  
[www.wim-jax.org](http://www.wim-jax.org)

#### N.E. Florida Intergroup (A.A.)

3128 Beach Blvd.  
Jacksonville, FL 32207  
Phone: (904) 399-8535  
[www.neflaa.org](http://www.neflaa.org)

#### City House

1704 N. Pearl Street  
Jacksonville, FL 32206  
Phone: (904) 359-9375  
[www.cityhouses.org](http://www.cityhouses.org)

The Matrix Program (in-jail treatment)  
Lt. Katina Bryant  
[Katina.Bryant@jaxsheriff.org](mailto:Katina.Bryant@jaxsheriff.org)