

WELCOME

Welcome to the Ramsey County DWI Court. This handbook is designed to answer your questions and provide overall information about the DWI Court. As a participant in the DWI Court, you will be expected to follow the conditions set forth by the DWI Court team and the recommendations of your treatment plan. You are responsible for reading this handbook carefully and for asking questions about anything you do not understand. You are required to sign a consent form at the end of this document stating that you have read the document completely and stating that you understand the expectations outlined in this document. Any member of the DWI Court team is available to answer your questions. The current DWI Court team consists of:

Judge Mark Ireland
Judge Judith Tilsen
Jenna Hofflander, Conditional Release Agent
Heather Peterson, Probation Officer/Case Manager
Brian Fearing, Felony Probation Officer/Case Manager
Mike O'Hara, Surveillance Technician
Jessica McConaughy, Assistant City Attorney
Kim Bingham, Assistant County Attorney (Felonies)
Kate Courtney, Defense Counsel
Tanya Jones, Program Coordinator
Stephanie Goode, Treatment Representative
Dee Mack, Registered Nurse
Lisa Portinga, MET and Cognitive Facilitator
Mark Gangl, Cognitive Group Facilitator

You will not see all of the team members from week to week, but we want you to know that we are all available to answer your questions. DWI Court is unique because the team consists of many representatives from different agencies who work with you to assist in your decision to lead a life free from alcohol and other drug abuse and free from future drinking and driving episodes, or other criminal activity.

HELPFUL PHONE NUMBERS:

DWI Court Coordinator (Tanya Jones)	651-266-9277
Case Manager (Heather Peterson)	651-266-2358
CR Agent (Jenna Hofflander)	651-266-2984
Felony Case Manager (Brian Fearing)	651-266-1802
Surveillance Tech (Mike O'Hara)	651-266-8166
Patty Spitzmuelle – CD Assessor	651-266-2990
Ramsey County CD Assessments	651-266-4008
Project Remand-General Info	651-266-2992
Ramsey County Community Corrections General Info	651-266-2300
Sentence to Service (STS)	651-266-2346
Ramsey County Public Defender	651-757-1600
RS Eden-Drug Testing Color Code line	651-644-3017 651-209-6139
Ramsey County Workhouse Electronic Home Monitoring	651-266-1400 651-266-1436
Driver's License Information	651-296-6911
Twin Town Treatment Center CLUES AAFS ADAP Conceptual Counseling	651-645-3661 651-379-4200 651-642-0021 651-254-4804 651-221-0334
Legal Assistance-SMRLS Medical-Open Cities Health Center GED-Hubb Center Court Information	651-222-4731 651-290-9200 651-290-4822 651-266-8300

DWI COURT TEAM CONTACT INFORMATION

Honorable Mark Ireland 651-266-8211

Honorable Judith Tilsen 651-266-9215

Tanya Jones, Program Coordinator 651-266-9277

Tanya.Jones@courts.state.mn.us

Jessica McConaughey, Prosecutor 651-266-8450

Kim Bingham, Felony Prosecutor 651-266-3131

Kate Courtney, Defense Counsel 651-690-5529

Heather Peterson, Case Manager 651-266-2358

Brian Fearing, Felony Case Manager 651-266-1802

Jenna Hofflander, Conditional Release 651-266-2984

Mike O'Hara, Surveillance Technician 651-266-8166

Dee Mach, R. N. Ramsey County Mental Health
Court Clinic 651-266-7887 or 651-900-2563
(after hours crisis line 651-266-7900)

Lisa Portinga, MET and Cognitive Facilitator
651-266-8166

Stephanie Goode, Treatment Representative



OVERVIEW

The mission statement of the DWI Court is to enhance public safety through a court-supervised program designed to assist repeat DWI offenders and restore them as law-abiding members of our community. A collaborative and strength-based approach is used to support participants while holding them accountable.

DWI Court is designed to provide a highly structured program to interrupt the pattern of drinking and driving and to assist you in achieving abstinence from alcohol and other drugs.

DWI Court is a multi-phase program for adults who have had repeated alcohol related driving convictions and are having difficulty maintaining sobriety. The program is strictly abstinence based. The program combines regular court appearances, intensive case management, chemical dependency treatment, and random urine and breath testing. Random home visits are conducted through a partnership with the St. Paul Police Department and the Ramsey County Sheriff's Department and a Contracted Surveillance Technician.

Entrance into the DWI Court is voluntary. You make the choice about whether or not this court is for you. However, when you decide to participate in the court, the requirements become mandatory and you must follow the directives of the court.



DWI COURT RULES

You are required to sign a probation agreement as part of the conditions of your probation. The following are the general conditions of probation.

- 1). I will follow my probation officer's directions about personally reporting, and/or attending individual meetings, group reporting or group education.
- 2). I will be truthful with my probation officer in all matters, and will reply promptly to any communication from my probation officer.
- 3). I will obey all Federal, State and local laws, and any orders of the Court.
- 4). I will immediately report any arrest to my probation officer.
- 5). I will keep my probation officer informed of my residence and employment and will make no change in either without the knowledge and consent of my probation officer.
- 6). I will abide by my probation officer's instructions in the use of mood-altering substances, including alcohol.
- 7). I will not possess or use any other drugs without a doctor's prescription and I will submit to chemical assessment, drug testing and/or breathalyzer testing on demand.
- 8). I will not leave the State of Minnesota without the consent of my probation officer.

As a felony DWI, you must comply with long-term monitoring per M.S. 169A.277 for 30 days each year you are on probation.

PARTICIPANT FEE

You will be assessed a participant fee of \$500.00 to help off-set the costs associated with increased breath and urine testing. The fee also used to help support court incentives, medallions, bus passes, recovery materials, and pro-social activities. The payment schedule is as follows:

PHASE ONE: \$125.00 due before movement to phase two
PHASE TWO: \$125.00 due before movement to phase three
PHASE THREE: \$250.00 due before graduation from DWI Court
A court fine is also assessed at sentencing, this will need to be paid in full prior to graduation as well. Payments can be made in smaller increments during a phase if needed.

CONFIDENTIALITY

By electing to participate in DWI Court, you will be required to disclose information that may otherwise be confidential. You will be required to sign appropriate waivers and release forms.

CONCLUSION

The DWI Court has been developed to help you achieve total abstinence from alcohol, other drugs and all criminal activity. The court is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The court is voluntary and is your personal choice. The DWI Court team is present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to an alcohol and other drug free life.

We hope this handbook has been helpful to you and has answered most of your questions. If you have any additional questions or concerns about the DWI Court Program, please feel free to ask any member of the team.

Good luck to you!!

Phase Three:

This phase begins the day your application is accepted and a presentation is done in court. The minimum requirements of this phase are as follows:

- Attend 2 community support group meeting per week, unless in cognitive program.
- Comply with community support officer visits
- Submit to random urine and breath tests (minimum 8x per month)
- Contact with case manager, at least one face to face visit outside of court per month
- Have attended a MADD Panel
- Complete a “Pay It Forward” (see case manager for details)
- Complete phase three case plan goals
- Complete Wellness plan/Alumni goals
- 180 days of verified consecutive sobriety within Phase Three
- Must be on ignition interlock before graduation, and have at least three consecutive months with no infractions before graduating
- A minimum of 180 days in the Phase
- Comply with and follow all of the DWI Court program rules and directives
- Meet with team prior to graduation once application is submitted
- Court assessed fine and program fees must be paid in full before graduation



Graduation:

On the day you graduate from the court, there will be a celebration in honor of your accomplishment. We encourage you to bring family, friends, or any other people who have been supportive to you.

After your graduation from the program, you will remain on community supervision for the duration of your sentence. This supervision will include contact with your supervising agent, and random urine/breath testing as directed.

9). I understand that a person on probation for any felony offense may not own, possess, or use any firearm. Additionally, State and Federal laws prohibit the possession or use of firearms by persons with convictions for specific crimes.

10). I will comply strictly with any additional requirements that may be imposed by the Court or my probation officer, including the following special conditions: See DWI Court Client Contract on page 7 & 8.

As part of your probation, you are also required to sign “Probation Obligations and Responsibilities”, the following is an outline of those obligations and responsibilities.

1). My person, place and personal property may be subject to search by my probation officer or an agent of the probation office, if the officer or agent has reasonable suspicion that such a search would produce evidence that I have engaged in criminal activity or other violation of probation.

2). My probation officer has the authority to place me in custody at any time, and to begin revocation proceedings if I am alleged to be in violation of any probation conditions.

3). A person convicted of a felony loses the right to vote, hold office or serve on a jury until discharged from the sentence.

4). Persons with criminal convictions may be restricted from certain jobs, such as those licensed by the Department of Human Services. An apartment owner may refuse to rent to a person with a felony conviction.

5). An adult on probation for any felony offense, or who has been adjudicated delinquent as a juvenile, may not own, possess, or use any firearm (or tear gas). Additionally, State and Federal laws prohibit the possession or use of firearms by any person who has been:

- Convicted of a “crime of violence” which includes all crimes against person, and many other crimes.
- Convicted of using a firearm in an assault of a family or household member
- Convicted of harassing or stalking while using a firearm (pistols are prohibited; all firearms may be prohibited by court order)
- Hospitalized or committed for treatment of chemical dependency, unless the person has a certificate from medical doctor or other proof of two years’ free of chemical abuse.

A person convicted of a felony crime of violence is not restored to the right to possess, use, receive, ship, or transport firearms for life.

A person convicted of a non-felony crime of violence is not restored the right to possess, use, receive, ship, or transport firearms until three years from the date of conviction.



Phase Two

This phase begins the day your application is accepted in court. The minimum requirements of this phase are as follows:

- Attend court every other week
- Submit to random urine and breath testing (minimum 8x per month)
- Attend weekly support group meetings(2x per week when aftercare is completed and not in cognitive group)
- Complete aftercare
- Begin participation in a DWI Court run cognitive program (your case manager will discuss with you which program you should attend)
- Face to face contact with case manager as directed
- Update Level of Service Inventory assessment
- Comply with community support officer visits
- 60 days of verified consecutive sobriety within Phase Two
- Minimum of 90 days in the Phase
- Complete phase two case plan goals
- Work on obtaining a valid Drivers License and Ignition Interlock, you can work with your case manager
- Continue alcohol monitoring or Ignition Interlock
- Follow all of the DWI Court rules and directives

When you have successfully completed the requirements of phase two, you may speak to your case manager about applying for phase movement. Before moving to phase three you need to pay your program fee of \$125.00. This amount needs to be paid before phase moving, you may pay in increments leading up to the day you move phases.



Phase One

This phase begins the day that the judges acknowledges in court and you may do a small presentation in court. The minimum requirements of this phase are as follows:

- Attend court weekly
- Complete passports and turn them in at court
- Attend weekly support group meetings once treatment is completed
- Submit to random urine and breath testing (minimum 8x per month)
- Complete primary chemical dependency treatment and follow the recommendations for aftercare
- Comply with community support officer visits
- 45 days of verified consecutive sobriety within Phase One
- 90 days minimum in the Phase
- Weekly contact with case manager
- **No** out of state travel during the phase
- Complete phase one case plan goals
- Alcohol Monitoring for a minimum of 90 days (time on monitoring before sentencing does not count towards the 90 days).
- Follow all of the DWI Court rules and directives.

When you have successfully completed the requirements of phase one, you may speak to your case manager about applying for phase movement. Before moving to phase two you need to pay your program fee of \$125.00. This amount needs to be paid before phase moving, you may pay in increments leading up to the day you move phases.

As part of the DWI Court, you must sign the following client contract, which acknowledges your choice to participate in the court and outlines the conditions you are agreeing to.

- 1). **I agree to attend** all court sessions, office appointments with case manager and be on time; I agree to maintain contact with case manager as directed and sign all necessary releases of information.
- 2). **I will fully participate** in drug and/or alcohol chemical dependency treatment and/or education as directed by the court. I will comply with all other programming requests (sober housing, cognitive groups), weekly support meetings, pay restitution (if ordered) and all program fees.
- 3). **I agree to comply** with random home visits by my case manager or other team member and provide drug or breathalyzer tests as directed.
- 4). **I agree to random drug and breathalyzer testing** as directed by my case manager or other team member. I will report any use of drugs and/or alcohol to my case manager.
- 5). **I will not engage in behavior** to dilute, substitute or adulterate any urine sample I may provide
- 6). **I will not possess or consume** any mood-altering chemicals (illegal drugs, synthetic marijuana, alcohol or controlled substances). I must provide medical proof of any medications I am taking and make sure the medication will not result in a “false-positive” drug test.
- 7). **I will not use** any prescription drug (i.e. muscle relaxer, pain medication as example) or over-the counter medications **without prior verification and approval** from my case manager.

PHASES

8). I **understand it is my responsibility** to limit and avoid exposure to products that contain ethyl-alcohol, or any other mood-altering chemicals, read product labels and inspect them before I use them, and that use of the products detailed in the participant handbook but not limited to; containing alcohol, other substances, or medications not approved by the DWI Court team, will not be an excuse for a positive or “false-positive” EtG, EtS, or other “false-positive” drug test result.

9). I **agree to keep the court, treatment provider and case manager informed** of my current contact information (address and telephone number(s) to include work, cell and pager) and that changes in contact information will not occur without the knowledge and consent of my case manager.

10). **If on ignition interlock**, I understand I will need to report to drug testing within 24 hours of a lockout and contact my case manager immediately. I also understand if I have a test failure I must report it to my case manager immediately.

11). I **must obtain permission** from the court and/or my case manager **prior** to traveling outside the State of Minnesota

12). I **understand that I am to remain law-abiding** in all respects, obeying state, federal and local ordinances. I **must report any contact with law enforcement**, whether or not I receive a ticket or are arrested. This also applies if I am with other people who are stopped. When in doubt, I will communicate with my case manager.

13). I **understand that any breach** of this contract will result in a review of my case to determine my continued participation in DWI Court or the imposition of court ordered sanctions including incarceration or termination.

DWI Court consists of three phases. These phases are designed to structure your time in the court and to assist you in remaining chemically free and law-abiding. Movement through these phases is determined by you. When you have completed the requirements of each phase, you can apply for movement into the next phase. The application form can be obtained from your case manager. Once you have applied for phase movement, the team will review your application with you and you will be asked to present your application to the rest of the participants in DWI Court.

Orientation Phase

This phase begins the date that you enter your plea and are sentenced to DWI Court. The minimum requirements of this phase are as follows:

- Serve the ordered amount of jail time (statutory minimum 6 days)
- Attend court weekly
- Continue on Alcohol Monitoring
- Complete passports and turn them in at court
- Attend weekly support group meetings as directed by treatment.
- Submit to random urine and breath testing (minimum 8x per month)
- Complete primary chemical dependency treatment and follow the recommendations for aftercare
- Comply with community support officer visits
- 15 days of verified consecutive sobriety within Phase
- Minimum of 45 days in the Phase
- Weekly contact with case manager
- **No** out of state travel during the phase
- Follow all of the DWI Court rules and directives.

When you have successfully completed the requirements of orientation phase, you may speak to your case manager about phase movement.

Failure to abstain is a violation of your probation and can result in your termination from the program and having to serve your jail sentence. However, relapse is a part of recovery. The DWI Court team understands that there may be times when you are struggling in your recovery. The team may utilize other resources to help you through these times. We want you to know that it does not mean that you are “bad” or that you can not continue to progress through the program. The team is less likely to require jail time if you voluntarily report your use rather than attempt to hide it. Things that might be a court response to your relapse include, but are not limited to:

- Chemical Dependency evaluation
- Extended time in treatment
- Request for sober living (half-way house, sober house)
- Increased community support group attendance
- Request to obtain a sponsor
- SCRAM
- More frequent UA’s/BA’s
- Community Work Service
- Jail
- Termination from the program

Remember, if you have not self-reported a relapse and you come to a DWI Court sponsored activity or DWI Court hearing under the influence, you will be taken into custody. You will also be taken into custody if you are found to be intoxicated in the community, or in your home. This is intended to ensure your safety as well as the safety of the public.



COURTROOM RULES

- 1). Be on time.
- 2). Participants should be seated in the jury box, if the jury box is full, then you should be seated in the first one or two rows of the courtroom.
- 3). Cell phones should be turned off.
- 4). No food or beverage in the courtroom, unless provided by the program.
- 5). Be attentive and cooperative. The purpose of being in court is to gain and provide knowledge and support from your fellow participants. Please do not have side conversations; this is distracting and disrespectful to your fellow participants.
- 6). You must remain in the courtroom for the duration of the court hearing, unless the Judge or other team members give you permission to leave.
- 7). The Judge and courtroom environment deserves respect. Please wear appropriate clothing and remove hats while inside. See dress code below.
- 8). Using portable electronic equipment or sleeping is prohibited.
- 9). A purpose of the court session is to gain knowledge and offer support to your fellow participants. Please refrain from having random conversations. Continual, excessive talking is unacceptable.
- 10). No gum chewing





DRESS CODE



Participants must wear appropriate clothing while in the courtroom. You may be asked to change your clothes if staff notices you to be wearing inappropriate clothing.

- 1). Clothing should be clean and neat. Exception: if you arrive at court directly from your employment.
- 2). Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use are prohibited.
- 3). No gang colors or gang clothing.
- 4). No hats, caps or bandanas.
- 5). Sunglasses may not be worn inside the courtroom or to any court related meetings.
- 6). No tank tops, muscle shirts, crop-tops, tube tops, halter tops or bathing suit tops are allowed. No blouses that show excessive cleavage or are see through.
- 7). No mini-skirts or low-cut dresses.
- 8). No sagging pants (pants that hang below the waist)

Please consult with the DWI Court Coordinator or your case manager if you have questions concerning what clothing is appropriate to wear while participating in the program.

SANCTIONS AND INCENTIVES

As mentioned in the court supervision section, the DWI Court team utilizes incentives and sanctions to help motivate you and to hold you accountable for your actions.

Incentives are responses to positive progress in the program. The type of incentive will vary depending on the behavior that needs to be recognized and are determined by the team. Incentives include, but are not limited to:

- Verbal recognition and praise
- Medallions for sobriety benchmarks
- Special recognition for phase movement
- Early release from court
- Pro-social activities sponsored by the court
- Treats
- Bus cards
- Granting of special requests
- Gift cards
- Books

Sanctions are in response to noncompliance of program requirements or other infractions. Sanctions include, but are not limited to:

- Loss of sobriety date for missed, diluted or positive UA
- Verbal or written warnings
- Presentations for court
- Increased supervision or court appearances
- Community Work Service
- Sentence to Service
- SCRAM
- Jail
- Termination from the program
- Court imposed fees

COMMUNITY SUPPORT OFFICER VISITS

The DWI Court works with the Saint Paul Police Department and the Ramsey County Sheriff's Department to ensure intensive supervision while you are in the court. This means that officers may be conducting random field visits, which include discussions of your participation in the program and breath-analysis tests. If your breath test is positive, the police will be taking you into custody and you will be held until the next DWI Court hearing. These contacts will be reported back to the DWI Court team and discussed during staffing. If the officers have reason to believe that you are home and that you are not answering the door, they will also report this to the team and there will be sanctions imposed. These visits are an integral part of the program and are not voluntary.

COURT CLINIC

As a participant in the DWI Court, you may be referred to the Court Clinic. The clinic provides psychiatric services including comprehensive screening, case planning, medication management, and referrals to community-based mental health agencies. Any participant that is referred by their case manager, regardless of insurance status, is eligible to receive services if there is a belief that psychiatric intervention is necessary or would be beneficial. The Court Clinic is staffed by a psychiatrist and psychiatric nurse with intakes occurring on a weekly basis. Participants meet with the doctor and nurse for case review and medication checks. If you are participating in the Forensic Court Clinic, your progress will be discussed at staffing.

CHEMICAL DEPENDENCY TREATMENT

Upon your referral to DWI Court and being placed on conditional release, you will be required to complete a chemical dependency evaluation. This evaluation must be completed within the first week of being placed on conditional release. Your evaluation may be done by Rule 25 or by your insurance provider. It is your responsibility to make sure that your conditional release agent receives a copy of your evaluation. Your evaluation will include recommendations that you will be required to follow by the court. Upon receipt of your recommendations, you must immediately begin the intake process at the specified treatment facility. The recommendations are based on your individual circumstances, not all participants in the program will be required to attend the same type of treatment. You may be required to attend outpatient treatment, residential treatment, half-way housing, or some combination of programs. You must have completed your assessment and have a recommendation to treatment with a treatment start date in order to be accepted into DWI Court.

Your treatment provider will be made aware of your participation in the DWI Court. Your case manager and your treatment counselor will be in regular contact to discuss your progress in treatment and in court.

COGNITIVE GROUPS

Driving With Care is a cognitive program that is designed to help stop the pattern of drinking and driving behavior. You may be required to complete Driving With Care as part of your treatment program. If not, you will be required to complete Driving With Care, or Helping Women Recover, after you have completed primary treatment and aftercare.

COMMUNITY SUPPORT GROUPS

You are also required to attend community support group meetings. These meetings can be Alcoholics Anonymous, Women for Sobriety, Health Realization or other community based groups that support you in sobriety. You are required to attend at minimum 1 support meeting per week once treatment is completed. The DWI Court team will work with your treatment to determine how many support meetings per week. You must verify your attendance in these meetings at every court appearance. The meetings will be verified by a signature of the group leader and telephone number. The DWI Court team may call to verify your attendance at these meetings.



SUPERVISION

You will be required to meet with your case manager who will assess your treatment, housing, transportation, family, and general living needs and when appropriate, refer you to outside agencies for assistance. A case plan will be developed by you and your case manager which will help you set goals, select methods for meeting the goals, and develop target dates for achieving the goals. The plan will be reviewed on a regular basis and updated when necessary.

Meetings with your case manager will occur on a regular basis and are linked to your phase status. The frequency of those meetings may be decreased or increased, depending on your progress in the program. Contacts will occur during scheduled and random visits, as well as during court sessions.

COURT SUPERVISION

Prior to all DWI Court appearances, the DWI Court team reviews each individual case at staffing. Updates from your case manager, treatment provider and any other program you are involved in will be reviewed for progress. Based on your progress and compliance, the team will determine what action to take. The actions might include incentives or rewards for your positive attitude, your progress in treatment or your goals, your sobriety dates, or your participation in outside activities. The team may also decide to impose sanctions for missed appointments, urine tests, or noncompliance with program expectations. Your case plan or treatment plan could be modified in order to assist in your continued success.

During court sessions, the judge and team members will address your individual progress. The Judge may ask you specific questions and may ask you to discuss specific difficulties you may be having.

Court attendance is linked to your phase. As you progress through the phases, your court appearances decrease. You are always welcome to appear in court, even if it is not your scheduled day. The DWI Court is designed to be a support in your life.

