



# BUNCOMBE COUNTY SOBRIETY COURT

## PARTICIPANT HANDBOOK

**BUNCOMBE COUNTY JUDICIAL COMPLEX**  
60 Court Plaza  
Asheville, NC 28801  
Phone: 828.250.4463

<https://www.buncombecounty.org/governing/depts/justice-services/programs-services/treatment-courts.aspx>

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# **Introduction to the Buncombe County Sobriety Court**

## **What is the Sobriety Court of Buncombe County and when did it begin?**

The Buncombe County Sobriety Court was the first DWI Court in Western North Carolina. This Court was originally designed and implemented in February 2014 as part of the State Court of North Carolina under the direction of Judge Julie M. Kepple. At its inception and for the next 5 years the court was entirely funded by the North Carolina Governor's Office of Highway Safety. In 2017, the North Carolina Governor's Office of Highway Safety awarded Judge Kepple, "Partner of the Year" for the State of North Carolina. In 2023 The Buncombe County Sobriety Court is being recognized by the National Center for DWI Courts (NCDC) as an Academy Court. NCDC's Academy Court Network identifies exemplary DWI courts to host foundational trainings, receive staff from other jurisdictions for site visits, play a significant role in participating in research and media, and serve as a national model for DWI courts. The designation honors a culmination of years of training and implementing changes and ideas from past Sobriety Court Teams over the past nine years to develop policies and procedures that adhere to the National Association of Drug Court Professionals (NADCP) Best Practice Standards for Treatment Courts. The Buncombe County Sobriety Court has had crucial support from Buncombe County Government, Buncombe County Sheriff's Office, local sober living establishments, as well as many local treatment providers and facilities.

Sobriety Court operates on a TEAM (Together Each Achieves More) concept. The Team is composed of Judge, district attorney's office, law enforcement, the public defender's office, a court coordinator/case manager, probation officers and licensed substance abuse treatment professionals. All Team members work together to support each participant in addressing and combating the substance abuse issues that brought them into the criminal justice system. The Team meets twice monthly in a meeting called pre-court status conference to review the progress of each participant. Also twice monthly, participants attend a court session called a status hearing session to meet with the Team and to give an update on their progress. The Team follows and complies with all national and state standards and best practices for treatment courts<sup>1</sup>.

## **What is the primary mission of the Buncombe County Sobriety Court?**

The primary mission of Sobriety Court of Buncombe County is to increase public safety and save lives by reducing recidivism of persons with alcohol and drug use disorders. Sobriety Court seeks to accomplish this by facilitating substance use treatment and rehabilitation, providing increased supervision, and requiring participant accountability. The Court strives to return to the community individuals who have addressed substance use issues and have become better equipped to maintain their sobriety, which will provide them a better quality of life, have a positive impact and improve the community as a whole, and increase public safety.

## **Are DWI Courts effective?**

DWI Courts provide an opportunity for early treatment intervention. A study by the National Highway Traffic Safety Administration (NHTSA) found that: (1) repeat DWI offenders who graduated from a DWI Court were up to 65% less likely to be rearrested for a new DWI offense; and (2) all DWI Court participants had a recidivism (relapse) rate of only 15%, whether or not they graduated or were terminated. Similar offenders who did not attend a DWI Court had a recidivism rate of up to 35%.<sup>2</sup> through enhanced supervision, counseling, and treatment, the goal of this Court is to improve the quality of each participant's life and reduce repeat offenses to improve community safety. Graduates will have a solid foundation to build upon for a sober, healthy and productive future.

\*\*\*Sobriety Court complies with: North Carolina DWI/Drug Court Standards, promulgated by the North Carolina Administrative Office of the Courts; the Adult Drug Court Best Practice Standards, Volume I & II, published by the National Association of Drug Court Professionals (NADCP); Defining Drug Courts: The Key Components, published by the NADCP; and the Ten Guiding Principles of DWI Courts, published by the National Center for DWI Courts (NCDC). <sup>2</sup>An Evaluation of the Three Georgia DWI Courts, U.S. Dept. of Transportation, NHTSA DOT HS 811 450, March 2011.

## **Sobriety Court Team Members:**

Judge Julie Kepple	28 <sup>th</sup> Judicial District Court Judge
Brannon Wilson	Chief Probation Officer/ Department of Corrections
Andrew Gutierrez	Lead Probation Officer / Department of Corrections
Josh Harold	Assistant District Attorney/ Buncombe County District Attorney's Office
Sam Sneed	Public Defender/ Buncombe County Public Defender's Office
Madeline Watson	Social Work Coordinator/ Buncombe County Public Defender's Office
Pam Sexton	Corporal Deputy Sheriff / Buncombe County Sherriff's Office
Kendra Queen	Division Services Supervisor and Justice Services Liaison/ Buncombe County Justice Services
Hannah Calloway	Justice Resources Case Manager/ Buncombe County Justice Services
Jason Hughes	Corporal Deputy Sheriff/ Buncombe County Sheriff's Office
Hunter Welborn	Patrol Sergeant / Asheville Police Department
Tiffany Graaff	Sobriety Court Coordinator/ Buncombe County Justice Services



# Phases of Sobriety Court

## Buncombe County Sobriety Court Phase Step Sheet

### PHASE 1

60 day  
Minimum  
Extended  
Assessment

Move from  
Contemplation to  
Preparation Stage

-----  
-Comply with  
probation

\*9pm curfew with GPS

**WELCOME TO THE  
TEAM!**

-Initial intake with  
Probation and  
Coordinator  
Baseline Drug Screen

-Court 2x/ month

-Call UA line  
daily/submit UAs

-Coordinator 1x week

-Complete TX  
assessment with in  
first 2 weeks and  
participate in TX as  
prescribed

-Enroll in CAM 90 or  
120 days

- 2 community  
recovery meetings/  
week bring completed  
sheets to court

-Secure primary care  
Dr. and meds if  
required

-Complete Phase Up  
Project

-Maintain sobriety for  
final 14 days

### PHASE 2

90 day  
Minimum  
Active Treatment

Move from  
Preparation to  
Action Stage

-----  
-Comply with  
probation

\*GPS comes off/ no  
curfew

\*Create repayment plan  
for fines/fees

-Court 2x/ month

-Call UA line  
daily/submit UAs

-Coordinator 2x month

-Participate in  
recommended TX

-Obtain DWI/ 508  
assessment and work  
towards satisfying  
state/DMV  
requirements

-2 community recovery  
meetings/ week bring  
completed sheets to  
court.

-Maintain health  
management

-Complete Phase Up  
Project

-Maintain sobriety for  
final 30 days

### PHASE 3

90 day  
Minimum  
Relapse Prevention

Move from Action  
to  
Maintenance Stage

-----  
-Comply with  
probation

-Court 2x/ month

-Call UA line  
daily/submit UAs

-Coordinator 2x month

-Participate in  
recommended TX

- 2 community recovery  
meetings/ week  
1 prosocial sub bring  
completed sheets to  
court

-Screen for and  
complete JRC  
recommended group

-Obtain employment/  
enrollment in an  
educational program

-Maintain health  
management

-Complete Phase Up  
Project

-Maintain sobriety for  
final 45 days

### PHASE 4

90 day  
Minimum  
Sustained Recovery

Maintenance Stage

-----  
-Comply with  
probation

-Court 1x/ month  
leave early

-Call UA line  
daily/submit UAs

-Coordinator 2x month

-Participate in  
recommended TX

- 3 community recovery  
meetings/ week  
2 prosocial sub bring  
completed sheets to  
court

-Complete JRC  
recommended group

-Maintain  
employment/education

-Maintain health  
management

-Complete Phase Up  
Project

-Maintain sobriety for  
final 60 days



### PHASE 5

90 day  
Minimum  
Maintenance  
Stage/  
Recovery

-----  
-Comply with  
probation

-Excused from  
Court

-Call UA line  
daily/submit UAs

-Coordinator 1x  
month

- 4 community  
recovery  
meetings/ week 3  
prosocial sub

-Complete court  
payments

-Complete  
graduation project

-Maintain sobriety  
for entire Phase

**GRADUATE**  
**CONGRATULATIONS!**

## **Screening, Intake and Orientation**

Upon receiving an application for entry into the Sobriety Court program, the applicant is screened by the district attorney to confirm there are no legal conflicts. The court coordinator also meets with the applicant to conduct a standardized Risk/Needs assessment. The results of the assessment will be shared with the applicant through the applicant's attorney.

Upon acceptance into program, the applicant will plead guilty to their DWI charge and serve the mandatory minimum sentence for that charge/level of DWI per the legal statutes of North Carolina sentencing guidelines. Credit for time previously served and/or participation in an approved inpatient rehabilitation program, may be applied to reduce the mandatory minimum sentence, however this must be completed prior to pleading into Sobriety Court. It is solely within the discretion of the sentencing judge whether the credit is applied to the minimum sentence.

**\*\*It is the responsibility of the applicant's attorney to request pretrial confinement credit. The applicant must fully understand the associated mandatory minimum sentencing for their specific offense so that they can make an informed decision to join the Sobriety Court program.**

After pleading, or amending a current supervised case, into the Sobriety Court program and the completion of the applicant's mandatory minimum sentence, an applicant starts the program with an intake and orientation with the court coordinator and the program's probation officer directly upon sentencing or release.

During the initial intake and orientation, the following will occur:

- Explanation of the participant's conditions of probation to include fines and fees, initial phase one curfew, PREA advisory, and communication expectations
- Detailed coordinator orientation with assignment to Reconnect drug/alcohol randomized testing system, program documentation and releases of information
- Application of state mandated CAM (Continuous Alcohol Monitor) ankle unit
- Application of probation GPS monitoring ankle unit
- Substance Abuse/Level of Care Clinical Assessment/Counselor assignment
- Baseline drug/ alcohol test

After the initial orientation is complete the participant will have all necessary information to be successful in the Sobriety Court program. The program is structured to move participants through the phases as they gain knowledge and skill to work towards sobriety and long-term recovery. Each participant is unique and will need to continuously communicate their progress and needs. A participant can be the agent of their own change.

### **Phase 1 - Extended Assessment**

**(Move from Pre-Contemplation to Contemplation Stage of Change)**

#### **Goals:**

- Participant will be able to identify their own behavior related to substance use and how that aligns with various models of addiction. Participant will begin to explore their personal relationship with drugs and/or alcohol and where he or she falls in the spectrum of substance use disorders.
- Participant will actively demonstrate readiness to change by internalizing personal problems related to substance use, using positive change talk and "I" statements in group process.
- Participant will demonstrate stability with the structure, schedule and accountability of both treatment and supervision within the Court.
- Participant will develop a Relapse Prevention Plan that: a) supports their definition of both Recovery and Relapse, b) includes "warning signs" to patterns associated with relapse, and c) develops strategies to effectively manage the challenges and change a participant will encounter.

### **Sobriety Court Program Requirements:**

- Complete jail sentence
- Attend bi-monthly court session and remain for entire session
- Comply with regular conditions of probation
- Submit to randomized Reconnect drug screening
- Weekly meetings with coordinator
- Complete an initial substance abuse/mental health assessment within two weeks
- Attend and participate in all treatment sessions as clinically recommended
- Attend a minimum of 2 community recovery meetings per week
- Secure primary care physician and secure meds if required
- Enroll in Continuous Alcohol Monitoring per judgment
- Abide by 9 pm curfew; electronic monitor
- Address any physical, mental or recovery health issues (including Medication Assisted Therapy (MAT), if needed. It is the participant's responsibility to maintain these health elements throughout the program. "Self-medicating" with prohibited substances is not an option.
- Complete a Phase up Project / Self-Assessment
- Remain substance free for final 14 days of Phase

**In order to complete this phase, the participant must understand and verbalize the risks and problems associated with their personal relationship with substance use**

## **Phase 2 – Active Treatment and Early Recovery** **(Move from Preparation to Action Stage of Change)**

### **Goals:**

- Participant will be able to recognize/verbalize changes they need to make in any high-risk patterns and/or behaviors associated with their substance use.
- Participant will be able to recognize their personal motives for use, situations that trigger the desire to use and verbalize coping skills to avoid use.
- Participant will develop a personal narrative around their current abstinence that supports their desire to make positive changes in their substance use patterns and behaviors.
- Demonstrate continued stability within the structure of the program and maintain abstinence for a minimum of 30 consecutive days.

### **Sobriety Court Program Requirements:**

- Attend bi-monthly court session and remain for entire session
- Comply with regular conditions of probation
- Submit to randomized Reconnect drug screening
- Attend bi weekly meetings with coordinator as directed
- Attend and participate in all treatment sessions as clinically recommended
- Attend a minimum of 2 community recovery meetings per week
- Obtain DWI assessment
- Complete a Phase up Project / Self-Assessment
- Remain substance free for final 30 days of Phase

**In order to complete this phase, the participant must be able to identify/verbalize changes he/she needs to make in their personal relationship with substance use.**

## **Phase 3 - Relapse Prevention** (Move from Action to Maintenance Stage of Change)

### **Goals:**

- Participant will be able to verbalize the meaning of relapse in terms of patterns and behaviors associated with their relationship with substance use.
- Participant will be able to demonstrate continued stability within the structure of the program and maintain abstinence for a minimum of 45 consecutive days.
- Participant will complete an assessment for an individualized class at the Justice Resource Center (JRC). If screened appropriate the successful completion of the class is mandatory.

### **Sobriety Court Program Requirements:**

- Attend bi-monthly court session and remain for entire session
- Comply with regular conditions of probation
- Submit to randomized Reconnect drug screening
- Biweekly office visits with coordinator as directed
- Attend and participate in all treatment sessions as clinically recommended
- Attend a minimum of 2 community recovery meetings per week
- Obtain employment or enroll in education program
- Complete a Phase up Project / Self-Assessment
- Remain substance free for final 45 days of Phase

**In order to complete this phase, the participant must be able to identify/verbalize and utilize supports to sustain changes in their personal relationship with substance use.**

## **Phase 4- Recovery Management** (Sustaining Change and Recovery Skills)

### **Goals:**

- Participant will effectively demonstrate the coping skills necessary to remain abstinent from substance use with decreased structure and support from a formal treatment setting.
- Participant will actively engage in a process of self-evaluation to identify past problem behaviors and be able to verbalize changes to others.
- Participant will be able to utilize “action plans” to support changes, model positive coping skills and use assertive communication skills in all aspects of their life.

### **Sobriety Court Program Requirements:**

- Attend monthly court session and may leave after check-in with Judge
- Comply with regular conditions of probation
- Submit to randomized Reconnect drug screening
- Biweekly office visits with coordinator as directed
- Attend and participate in all treatment sessions as clinically recommended
- Attend a minimum of 3 community recovery meetings per week
- Complete a Phase up Project / Self-Assessment
- Remain substance free for final 60 days of Phase

**In order to complete this phase, the participant must be able to verbalize, “What’s different about my personal relationship with substance use and how I maintain a healthy lifestyle”.**



## **Phase 5- Sustaining Recovery** **(Sustaining Change and Recovery Skills)**

### **Goals:**

- Participant will effectively demonstrate the coping skills necessary to remain abstinent from substance use with decreased structure and support from a formal treatment setting.
- Participant will actively engage in a process of self-evaluation to identify past problem behaviors and be able to verbalize changes to others.
- Participant will be able to utilize “action plans” to support changes, model positive coping skills and use assertive communication skills in all aspects of their life.

### **Sobriety Court Program Requirements:**

- Excused from all court sessions unless directed to attend
- Comply with regular conditions of probation
- Submit to randomized Reconnect drug screening
- Monthly office visits with coordinator as directed
- Complete JRC class prior to graduation
- Attend a minimum of 4 community recovery meetings per week
- Complete court cost payments
- Complete all graduation projects
- Remain substance free for entire 90 day phase
- GRADUATE

## **Phase Progression**

For any phase progression, participants must have time in their respective phase and completed all the phase requirements. In addition, participants must show appropriate progress towards the goals of positive change and recovery. The coordinator will evaluate projects, participation in treatment, time in current phase, drug and alcohol test results and the participant’s individualized progress to determine a participant’s readiness to move to the next phase.

## **Graduation**

In order to be eligible to graduate the program, a participant must meet all previous phase requirements, including completion of all treatment obligations, remaining current with all court and probation fees, attending all required appointments with the Probation officer, and appearing for all call-in drug screens. Participant must also have no positive alcohol/drug screens, elevated tests, dilute tests, or suspect tests for the entire phase five.

A major goal of the Sobriety Court Team is to support each participant as they progress through the phases toward graduation from the Sobriety Court. Graduation is an important milestone, providing the participant, the Sobriety Court team and the community, an opportunity to reflect on the personal journey each participant has experienced during the program. Participants are encouraged to maintain his or her relationship with the court after graduation as alumni or mentor to other participants.

# Appropriate Behavior While in Sobriety Court

## Show Up, Be Honest and Try!

Proximal goals are objectives that are attainable in a fairly short time. For example, showing up to court, speaking the truth, and giving your best effort take no special education or training. Distal goals are objectives that take longer to attain. For example, creating a solid support system of prosocial friends, is a distal goal. It is the expectation of the court the participant will “Show Up, Be Honest and Try”. It is the responsibility of the participant to disclose any violation of the terms of probation to their Clinician, Probation officer, and the Sobriety Court Coordinator. Honesty is a core component of Sobriety Court. Dishonesty will only impede recovery and hold back progression through the phases. Dishonesty of any form such as lying, tampering with or adulterating drug screens or presenting fraudulent documents will not be tolerated and will subject a participant to substantial sanctions, often more serious than just the underlying offense. Defrauding or lying may lead to dismissal from Sobriety Court and/or substantial confinement time. Honesty is essential to successful participation in the Sobriety Court.

## In the Courtroom

Attendance at status conference session is mandatory. Court sessions occur bi-monthly. Schedules of Sobriety Court status conference session dates are provided by the coordinator on a regular basis and posted in the office. (Participants are notified of any schedule or date changes in a timely manner). It is the responsibility of the participant to know the dates of court sessions.

**Punctuality is required. Court begins at 3:00pm, for our first session for those participants who identify as female and/or nonbinary and 3:30pm, for our second session for those participants who identify as male and/or nonbinary.** At one minute past, a person is **LATE** and may be subjected to sanction.

It is not appropriate to wear hats, sunglasses, clothes displaying offensive language or advertising drugs or alcohol in the courtroom. Loud and disruptive behavior is unacceptable. Participants are required to remain attentive and not read or sleep in the courtroom. No food or drinks are allowed in the courtroom (except for staff that cannot attend to lunch on that date). All phones should be turned off before entering the courtroom. Guests are not allowed in a court session unless they have permission from the Sobriety Court Team to attend. **NO CHILDREN WILL BE ALLOWED TO ATTEND SOBRIETY COURT.**

When addressed by the Judge, one should respond by speaking clearly and directly. All participants should remain until dismissed unless they are phase appropriate to leave early. The Court will appropriately address violations of courtroom behavior.

## Determination of Level of Treatment, Increase & Outsourcing

As a therapeutic court, treatment is a main pillar of the Sobriety Court program. A participant must expect to be participate in some form of clinical treatment, like of cognitive behavioral therapy, for the majority, if not the entirety of the program.

The Sobriety Court Team does not assess for any level of treatment. Only a licensed clinician will determine the participant’s needed level of treatment. This will be based upon the results of a standardized clinical assessment performed between the participant and the clinician. Should a clinician determine a participant needs an increased level of care and treatment, including intensive outpatient/inpatient treatment, or medical detox a clinician and the Sobriety Court Team will coordinate placement at such a facility. Seeking alternative treatment outside of Sobriety Court is not permitted without prior approval of the clinician and Team.

## **Buncombe County Treatment Providers- universal procedures that generally apply to each local treatment provider**

- Do not come to group or individual appointments under the influence of alcohol or drugs.
- Groups begin on time. Attendance and participation in the whole group session is required to receive credit. Tardiness is reported to the Sobriety Court Team and sanctions may result.
- Confidentiality in group is required to ensure open discussions and sharing. What is said in group stays in group. Please maintain the confidentiality of everyone in the group.
- Free expression of thoughts and feelings is encouraged in group; however, violence, threats or intimidation are not allowed. Be respectful and attentive to peers. Speak one at a time and listen when peers are sharing. Avoid cross-talking or side conversations.
- Notify the clinician if an emergency or illness arises that might necessitate leaving group early or missing a group. Discuss any situation with the clinician to get approval before leaving or not attending a group or individual appointment.
- Dress code: No skimpy tank tops, short shorts or skirts. Clothing must cover all undergarments. Clothing with obscene language or advertising alcohol/drugs is not permitted. If a participant comes to group dressed inappropriately, they may be asked to leave. Any missed group are reported to the Team and may result in sanctions.
- Cell phones, laptops, or any electronic devices should be turned off during group and individual appointments.
- It is the responsibility of the Sobriety Court participant to find out what the policy and procedures are for each treatment provider.

### **Community Meeting Attendance and Prosocial Activities**

A participant is required to attend all community meetings as assigned. Community meetings are defined as organized substance abuse meetings conducted for the purpose of peer support and recovery relationship building. Commonly known groups include: alcoholics anonymous, narcotics anonymous, gambling anonymous and so on. These meetings can be attended in person or online. Proof of attendance will be submitted to the coordinator at the beginning of each court session. Failure to attend will result in progressive sanctions.

A Prosocial Activity in Sobriety Court is an activity that #1) promotes a sober/healthy lifestyle and #2) Is done with other people who are also engaged in a healthy activity. Usually prosocial activities include: helping, sharing, consoling, comforting, cooperating, or protecting someone from potential harm. Examples of prosocial activities in Sobriety Court include, but are not limited to: church, gym, coaching, exercise class, community meetings, joining a sports league, participating in hobby clubs/ meetings, volunteering, taking a class, going.

### **Leave Requests, Place of Residence and Missed Appointments**

Requests to miss any Sobriety Court status conference session, group meeting, leave the jurisdiction of the Court (Buncombe County) or stay at a residence other than your primary residence of record must meet the following requirements:

All requests are to be submitted in writing a minimum of two weeks in advance to your probation officer and Sobriety Court Coordinator. Leave Request Forms are available from your probation officer. The form must be completed and returned before the two-week deadline prior to the requested date of leave.

Factors the team will consider when evaluating a leave request include but are not limited to:

- Compliance with Treatment Plan.
- Compliance with probation requirements
- Recent negative drug and alcohol screen results
- Compliance with financial responsibilities and any payment plans

If a request is granted, a participant must report to their probation officer for a drug test the day following the end of the leave or as directed by their probation officer. In the event of a sudden illness and/or death of an immediate family member, contact the Sobriety Court Coordinator and your Probation officer for possible leave without the leave request paperwork. (For the purposes of this manual, “immediate family” includes spouse, children, siblings, parents, and grandparents only.) Note: If you are more than \$500 in arrears on your payments, a Leave Request may be denied.

If a community recovery meeting, drug screen, or appointment is missed and no prior consent had been obtained, a participant is required to report to their probation officer by 9 a.m. the following day or as directed by their probation officer. If an appointment is missed during the weekend, reporting in the following Monday by 9 a.m. is required or as directed by their probation officer. All unexcused absences are subject to sanctions to be determined by the Sobriety Court Team.

A participant is required by Sobriety Court to stay at their primary residence on record every night unless permission has been obtained to be away from that residence for an overnight. Leaving the jurisdiction of the Court (Buncombe County area) for any reason requires prior notice and approval by the Probation officer.

A participant is required to be accessible by phone by any member of the Sobriety Court Team at all times. Failure to respond to a message in a reasonable period of time (2 hours) may result in sanctions by the Court. If a cell phone is lost or disconnected, and/or the participant is unreachable for any reason, the participant should immediately notify the Probation officer.

A firm appointment with a clinician, Probation officer and Coordinator must be kept. If a cancellation of the appointment is required, at least 24 hours advance notice must be given. Failure to notify treatment providers, Probation officers and the Sobriety Court Coordinator of cancellation of the appointment at least 24 hours in advance may result in a sanction.

## **Inclement Weather**

In the case of inclement weather, please check WLOS.com for information as to whether the Buncombe County Court House is open.

### **BUNCOMBE COUNTY COURTHOUSE:**

If the courthouse is closed, any scheduled status conference hearings, Probation or Coordinator appointments, or other matters taking place in the courthouse will be rescheduled.

The current contact information is:

Tiffany Graaff  
Buncombe County Sobriety  
Court Coordinator  
Justice Services  
Office- (828) 250-4463  
Fax (828) 250-6427  
60 Court Plaza 10<sup>th</sup> Floor - Asheville,  
NC 28801  
[tiffany.graaff@buncombecounty.org](mailto:tiffany.graaff@buncombecounty.org)

Probation officer Andrew Gutierrez  
Buncombe County Sobriety Court  
NC Department of Public Safety  
Office-828.255.6415 / Cell-828.255-  
6458/  
Fax-828.251.6477  
60 Court Plaza, 11<sup>th</sup> Floor  
Buncombe County Courthouse  
Asheville, NC 28801  
[andrew.gutierrez@dac.nc.gov](mailto:andrew.gutierrez@dac.nc.gov)

Chief Probation ofc. Brannon Wilson  
Buncombe County Sobriety Court  
NC Department of Public Safety  
Phone: (828)255-  
6454/Cell: (828)707-7580/  
Fax: (828)251-6477  
60 Court Plaza, 11<sup>th</sup> Floor  
Buncombe County Courthouse  
Asheville, NC 28801  
[brannon.wilson@dac.nc.gov](mailto:brannon.wilson@dac.nc.gov)

## **Finances**

As a condition of participation in Sobriety Court, each person is responsible for the cost of treatment and supervision. Seeking and maintaining employment is a condition of continued participation. Participants who are employed are less likely to use alcohol and/or other drugs when they are working, and studies have shown that those who work have a higher degree of self-esteem due to being productive. If a participant has a documented disability that limits or prevents employment, the Sobriety Court Team will address it on a case-by-case basis.

There are no entrance fees for Sobriety Court. Sobriety Court participants are not required to pay for Continuous Alcohol Monitoring (CAM), as it is paid for by the Sobriety Court. Each participant must pay for probation and court costs assessed in their individual cases, and these costs range depending on the participant's court case. Treatment providers will work with participants on their costs for their programs and participants are required to stay current with their treatment providers and sober living homes if applicable.

Self-advocacy is a goal in Sobriety Court. If a participant is unable to meet their financial obligations, it is their responsibility to discuss the situation with the Coordinator and Probation officer to develop a solution. If a person should, at any time, accrue an overdue amount of \$500.00 or more, they will be placed on a weekly payment plan. Please note that any overdue amounts or failure to make payments as directed will subject a participant to appropriate sanctions by the Court.

Note: If you are more than \$500 in arrears on your payments, any Leave Requests may be denied.

## **Medication**

**A participant is responsible for any substances put into their body.**

Do not use internal or external products containing alcohol such as cough/cold syrup, hair tonic, perfume, medicinal alcohol, after-shave lotion, mouthwash and flavoring extracts (lemon, vanilla, etc.). Do not eat items that contain poppy seeds. It is the participant's responsibility to read the labels on products and avoid the consumption of alcohol, or other prohibited substances in any form.

It is the participant's responsibility to inform any medical professionals of his or her status in Sobriety Court and what substances are prohibited. Participants should take the Medical Form (available from the Sobriety Court Coordinator) to any visit to a doctor's office. Once the doctor has completed the form, the form and a copy of any prescriptions should be turned in to the coordinator. No prescription drug is to be taken without the approval and prescription of a physician. Failure to follow these requirements will result in a sanction and a possible probation violation from the court.

**Psychiatric medications:** Medications required to treat mental health are allowed and encouraged, if needed, for participant's stability in the Court. To take these medications the participant must have completed a psychiatric assessment/evaluation by a qualified physician such as a psychologist or psychiatrist within the past six months and provide a copy of this evaluation and explanation of diagnosis to the Sobriety Court coordinator and have a valid prescription. For participants that are already in the program and need to be evaluated for psychiatric medications, the standard procedure for obtaining prescription medications applies. All participants are required to provide a signed release of information form to the coordinator for the prescribing physician to coordinate care and services.

At the end of this handbook are a list of prohibited substances and a list of medications that can be taken without prior approval. These lists are only a guide and not meant to be all-inclusive. If a participant has any concerns, they should contact the coordinator before taking medications of any kind.

## **Drug Testing (Policies and Procedures)**

It is the expectation of this Court that each participant will remain abstinent from all mood- altering substances throughout the course of their involvement with the Sobriety Court, including post-graduation if the probation term has not expired. Frequent and random drug testing is used to monitor a participant's compliance. Often a person may not be able to stop using drugs and alcohol immediately, and recovery will not occur overnight; however, any use of illegal drugs will result in a sanction or therapeutic response. All participants will be held accountable for everything they put in their body. This is not intended as punishment but serves to encourage abstinence and accountability. The goal of drug testing is to provide accountability and confirmation of the progress towards recovery. Honestly admitting use prior to the drug screen will be considered in the sanctioning process. Conversely, not admitting to, and/or denying new use after a positive result on a drug screen may result in a more severe response.

A participant may be asked to submit a sample at any time by any member of the Sobriety Court Team. They must be prepared to submit the specimen at the time of the request to whomever asks, be it a clinician, a probation officer or the coordinator. Failure to appear for a drug test, refusal to provide a sample or submit to a random test will be grounds for a sanction and a possible probation violation. Tampering with or diluting a drug screen may result in the issuance of a severe sanction and/or a probation violation and may be grounds for dismissal from the Buncombe County Sobriety Court.

**Reconnect:** All Participants are required to participate in the Reconnect random drug testing system. Participants must have access to a phone capable of mandatory daily calls to the Reconnect system. Written instructions are provided by the Sobriety Court Coordinator during the orientation meeting. Appearance for random drug screens is mandatory. Failure to appear for a random test by the time specified is a violation of probation and will be addressed by the Court as a sanctionable offense. If a random call-in drug screen is missed and no prior consent had been obtained, a participant is required to report to their probation officer by 8:30a.m. the following business day or as directed by their probation officer.

Participants must provide a testable sample\*, one that is not "dilute" or "tampered with." "Dilute" urine tests are classified as those tests having a reading indicating a urine creatinine level of less than 20 mg/dL (Creatinine is the substance in urine resulting from muscle breakdown). A sample with a Creatinine level more than 400 mg/dL will be considered abnormal with a "high creatinine level." In a diluted urine sample, it is possible that drugs will still be present in the urine but be below the cut-off level of the drug assay. A "tampered" sample is one where the urine is in a condition that is not testable due to intentional interference or other chemical reaction. Presenting a sample that is either dilute, tampered, or with a high creatinine level is a sanctionable offense. Any attempt to provide urine that is not the participant's urine is a serious offense that may result in significant sanctions or dismissal from the program.

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\*Definition of an elevated, diluted, and suspect test: An Elevated test is a test that shows the presence of EtG between 200 and 499 ng/ml (500 or greater is a positive). A Dilute test is a test where creatinine is below 20 ng/ml. A Suspect test is a test showing the presence of EtG between 100 and 199 ng/ml and significant evidence of attempted dilution.

## **How can participants take measures to avoid diluted screens?**

A “Dilute” urine test is classified as having a reading indicating a urine creatinine level of less than 20 mg/dL (Creatinine is the substance in urine resulting from muscle breakdown). \*\* Healthy people rarely produce specimens with creatinine levels below 20mg/dL. **In one study of over 22,000 people, less than 1% had dilute specimens. The average creatinine level was 130mg/dL.**

- Call in and test early in the morning- urine is most concentrated first thing in the morning, so dilution is less likely to occur if the participant tests early. Once testing is completed for the day, a participant may resume normal fluid consumption.
- Work on developing a healthier diet. Consume protein rich foods to elevate creatinine levels. According to Quest Diagnostics, a diet that is too low in protein can cause lowered levels to show in urine testing.
- If possible, exercise regularly to increase lean muscle mass.
- If concerned, request urinary tract infection testing from a physician. Urinary tract infections lower creatinine levels by causing the bladder to become inflamed, blocking proper urine output.
- Consult physician regarding any medications being taken.

### **Upon the request for a drug screen:**

- A participant indicates either a denial or admission to alcohol and/or drug use. Honesty is a crucial component for recovery and participation in Sobriety Court. The Court may favorably consider self-disclosure-of- use a mitigating circumstance when sanctions are imposed.
- The only people allowed in the testing area at the time of administration of the test are the participant and the individual overseeing the collection of the sample.
- A sample is to be submitted within two (2) hours of request. Failure to produce a sample will likely result in a sanction.
- Purses, coats, bags, etc. are not allowed in the testing area.
- Shirtsleeves should be rolled up to the elbow and removal of any additional clothing item may be made to ensure the validity of a specimen.
- The test cup must be filled to a minimum 1/3 level to be adequate for testing.
- Collection of urine sample will be observed. In the event a drug screen cannot be observed, a temperature strip will be used to ensure sample integrity. If a urine sample does not provide an acceptable reading on the temperature strip, the participant will be required to provide a valid sample before leaving the collection site.
- Use of an artificial device or substance of any type to alter the test will result in significant sanctions, which may include probation violation, termination from the program and criminal charges.
- Failure to comply with any of the above guidelines, probation policy and procedures or refusing to provide a urine sample is considered a sanctionable offense.

If a participant provides a sample that tests positive or dilute, a participant may request the sample to be sent to an independent lab for a confirmation test. If the independent lab confirms the positive or dilute result, the cost of the confirmation may be added to the participant’s probation fees as well as a sanction for dishonesty.

The EtG (Ethyl Glucuronide) Test can detect the ingestion of alcohol for a considerable time period after consumption. This technology is used to monitor participants’ compliance. Any test with an EtG level 500 ng/mL or above is a “positive” drug screen and subject to sanction.

**Positive and confirmed, elevated, or diluted tests will delay eligibility for phase progression or graduation.**

\*\* Selected Drug Testing Issues for Court-Mandated Testing- Paul L. Cary

# **COMPLIANCE AND VIOLATIONS**

## **Probation**

Participation in the Buncombe County Sobriety Court is a condition of a court ordered probationary sentence. An active jail sentence is suspended for a participant to comply with probation and the sobriety court program. If conditions of a sentence or any conditions of Sobriety Court Agreement (or any rules outlined in the Handbook and Program Manual) are violated, a probation violation report may be filed, resulting in the participant appearing before a Judge for the probation violation. A participant will receive written notice of any probation/ Sobriety Court violation that could impose active jail time. A participant has the right to admit or deny the violation. If they admit, the Court will act on the violation at that time. With a denial, a hearing will be scheduled on a future Court date. The Sobriety Court Team may make a recommendation to the presiding probation violation Judge regarding sanctions (see below). In determining the recommendation, the Sobriety Court Team may take into consideration whether the participant took responsibility by admitting the violation. The Probation Court is not bound by this recommendation and can increase/decrease the sanction or designate an entirely different sanction. The Sobriety Court Judge does not participate or have any input into the recommendation to be made by the Team at the hearing. The Judge considers each case individually and affords the participant an opportunity to be heard. In accordance with best practices the presiding Probation Court Judge will not be the presiding Sobriety Court Judge.

Depending on the nature of the allegation, a petition for revocation of probation may or may not be accompanied by a warrant for arrest. The determination for whether an arrest warrant is issued is based on the seriousness of the violation, community safety, prior history of sanctions and appropriateness based upon participant's compliance. The issuance of a probation warrant is in the sole discretion of the Probation officer with input from the Sobriety Court Team , and in accordance with probation and parole standards and policy requirements.

## **Incentives and Rewards**

The Buncombe County Sobriety Court Team recognizes compliance and good behavior as a critical factor to a successful recovery. Participants are provided incentives and receive rewards for active participation, consistent attendance, and successful compliance with Court conditions. Incentives can include, but are not limited to:

- Clapping and verbal praise
- Fishbowl Gifts
- Spinning the wheel
- Kepple Cash
- Gift Cards
- Phase certificates
- Team recognition
- Privileges such as leaving early or going first
- Random gifts

## **Sanctions and Responses**

All conditions of the Sobriety Court Participant Agreement that are signed on the day of orientation and all rules in this handbook are conditions of a probationary court order. Failure to comply with those conditions may subject a person to probation revocation. Sanctionable offenses include but are not limited to:

- Dilute urine sample
- Tampered-with urine sample
- Positive drug screen on urine sample
- Missed appointment
- Missed random drug screen
- Failing to document 12-step meeting
- Failing to report as directed
- Arrest for a new offense
- Moving residence without permission
- Absconding
- Missed court session
- Failure to make payments as directed
- Leaving the jurisdiction of court without permission



The Judge will impose appropriate sanctions if there are violations of the Sobriety Court guidelines. Sanctions can include but are not limited to:

- A verbal or written reprimand from the Judge
- Increased reporting to Probation and/or the Sobriety Court Coordinator
- Court attendance with Presiding Sobriety Court Judge
- Community service hours
- Book reports and papers
- Curfew
- Increased testing
- Jail time
- Dismissal from Sobriety Court program

The goal in administering sanctions is to encourage compliance and accountability with the conditions of the Court and to assist a participant in progressing in their recovery. As part of this goal, if a sanction is imposed, a clinician may increase or alter a participant's accountability, structure, and/or counseling by submitting a revised treatment plan. This approach to behavior modification and Team input is in adherence to best practices.

## **Dismissal from Sobriety Court**

The Buncombe County Sobriety Court is committed to providing each participant an opportunity to maintain a sober and drug free lifestyle in an environment conducive to achieving this goal. Sobriety Court wants each participant to succeed and considers dismissal only as a last resort. The goal is to help participants discover their own ability to change and support the changes they choose to make. Participation in Sobriety Court is contingent on compliance with the guidelines and regulations. Not all who enter Sobriety Court will be committed to maintaining recovery and compliance with Court conditions. The Team may determine that dismissal for non-compliance is the most appropriate action for the success of all other participants and to maintain the integrity of the court. Serious violations or continuous violations will subject a participant to dismissal from the Court.

Following are a few examples of non-compliance that could result in dismissal:

- Committing a new criminal offense
- An accumulation of violations and continuance of non-compliance with Court guidelines
- Threats of or violence towards, peers, probation officers, clinicians, or Sobriety Court Team
- Unlicensed driving
- Altering or tampering with a drug screen
- Victimizing other participants in the program

## **Absconding**

If a participant absconds, (quits; runs away; flees; or stops reporting as required) for any reason, the participant will be subject to serious sanctions. Instead of running when a problem arises, the participant should bring the problem to the attention of a member of the Sobriety Court Team who will work with them to find a solution. Absconding only complicates the situation and may lead to dismissal from the Court and the possible revocation, which could end probation and activate the jail sentence.

## **Employment: Retail Alcohol Sales and Service Industry**

Sobriety Court participants shall not enter nor frequent bars or any other business whose primary purpose in sales is alcoholic beverages; however, employment in restaurants and bars may be permitted, provided a participant maintains recovery and program compliance. Failure to maintain recovery and program compliance will result in the Court prohibiting employment at that location.

## **Team Member Roles/Responsibilities**

### **Sobriety Court Judge**

The Sobriety Court judge provides supervision for the program and leads the Sobriety Court Team. The judge shall maintain a current knowledge of the law and research on best practices in treatment courts. The judge shall attend all pre-court status conferences and court sessions. The judge shall interact frequently and respectfully with all participants. The judge shall work closely with Team members. The judges shall give due consideration to input from all members of the Team. The judge must always maintain judicial independence.

### **District Attorney**

The district attorney's office screens applicants for eligibility, serves on the Sobriety Court Team, attends Sobriety Court sessions, calls the calendar at Sobriety Court sessions and is actively involved in ongoing development of the Sobriety Court. In addition, the district attorney is responsible for recommending or not recommending consideration for participation in the program.

In addition, the district attorney's office represents the state and makes recommendations after consultation with the probation officer and Team at any hearings where a participant is alleged to have violated the terms or conditions of the program.

### **Public Defender**

The public defender representative attends Sobriety Court status conferences and court sessions, serves on the Sobriety Court Team, and is actively involved in ongoing development of the Sobriety Court. The public defender representative will represent participants in the program in a Sobriety Court proceeding and will help to facilitate legal representation of a participant when needed due to conflicts at probation violation hearings.

### **Probation Officer**

Sobriety Court is a post-conviction supervision program. The probation officers are primarily responsible for participant supervision and accountability within the Sobriety Court including but not limited to: verification of employment, attendance of community support meetings, participation in treatment, payment of financial obligations, suitable housing that includes housing that is free from any controlled substance and alcoholic beverages, and prohibited substances as described in the Sobriety Court manual.

The probation officers will work closely with the Sobriety Court Team to provide ongoing communication concerning each participant's progress in treatment, and any obstacles that may influence success. Updates are due to the Sobriety Court Coordinator within 48 hours of the bi-weekly pre-court staffing. Additionally, the probation officers will assist the Sobriety Court Coordinator during the eligibility screening process by investigating the candidates criminal record, and providing pertinent information related to the candidates overall eligibility for the Sobriety Court.

The probation officers, in conjunction with the sobriety court coordinator, may make additional referrals to address participants individual needs beyond treatment as part of a case management plan developed through the Probation Officer's department's Risk Needs Assessment. Needs may include housing, employment, education, medication and medical treatment, and transportation.

Participants are required to report to the probation office as directed by the supervising probation officers. The probation officer may ask that the participant submit to drug screens and Alco-Sensor testing at these visits. The probation officers will ensure overall supervision policies are being carried out as mandate by community supervision.

Frequent and random field visits to participants' homes and job sites are a required part of supervision, and the probation officers will conduct warrantless searches. Additionally, the probation officers will work with local law enforcement agencies as needed to ensure participant compliance.

If a Sobriety Court participant receives a probation violation while in the program the participant will be advised of the violation and their right to counsel. Each violation will be reviewed on a case-by-case basis. The attendance of the participant is required at all probation violation court settings and in accordance with best practices the presiding Sobriety Court judge will not preside over the violation hearing. If a participant appeals a sanction, a violation report will be filed by the participant's probation officer for a hearing in compliance with state laws and the conditions of probation on the participant's judgement.

A probation officer's duty to follow the officer's own department's policy and procedures shall not be impeded and the officer's discretion and authority to arrest are not altered for infringed by any of the policies of the Sobriety Court. It is the request of the Sobriety Court Team that the probation officer consult with the Team prior to filing violation reports and taking punitive actions with participants, however, the Sobriety Court recognizes an officer's duty with regards to public safety concerns.

## **Treatment Providers**

Sobriety Court utilizes more than one community treatment provider for Sobriety Court participants. Each treatment provider is responsible for providing a link between the criminal justice system and the treatment system. Treatment providers will submit bi-monthly treatment progress reports to the sobriety court coordinator and act as a court of information regarding treatment protocol and guidelines. Common treatment approaches may include a combination of cognitive behavioral therapy, motivational interactive therapy and relapse prevention.

These various treatment providers assess treatment needs and offer treatment based on the participant's individual needs. Clinicians with these various treatment providers remain in constant contact with the sobriety court coordinator providing pertinent treatment information regarding Sobriety Court participants. Each treatment provider meets with participants on a regular basis based on needs from assessments. The treatment providers are also responsible for facilitating evaluations, making treatment referrals, preparing treatment plans, and providing clinical treatment.

## **Court Coordinator and Case Management**

The sobriety court coordinator is a member of the Sobriety Court Team. On the Sobriety Court Team, the coordinator also serves the dual role as case manager. The coordinator participates in the

development and maintenance of eligibility standards, operating procedures, and rules for the Sobriety Court. The coordinator develops strategies to maintain funding for the program; reviews service contracts, and monitors program certification and operating procedures. The coordinator shall be responsible for data collection to monitor participant compliance and to provide a basis for evaluation of the Sobriety Court.

The sobriety court coordinator coordinates a clinical assessment of the participant to develop an individualized comprehensive treatment plan with any of the various treatment providers. This treatment provider manages the treatment during the time that the individual is a participant in the Sobriety Court. Each treatment provider reports to the sobriety court coordinator prior to staffing to keep the Team informed of each participant's progress through treatment.

The sobriety court coordinator also works closely with the probation officers. The coordinator is responsible for obtaining information from probation in a timely manner and relaying that information to the Team for status conferences.

### **Law Enforcement Officers**

Law enforcement officers from the Buncombe County Sheriff Department and the Asheville Police Department are the main liaison between the Sobriety Court and their respective law enforcement agencies. Representatives from each department are members of the Sobriety Court Team and are present at all status conferences and court sessions. The officers may also aid in the supervision of the participants, particularly during the evening hours and in the field.

### **Justice Resource Center Liaison**

The Buncombe County Sobriety Court works in tandem with the Buncombe County Justice Resource Center (JRC). The JRC serves individuals who are justice involved; directly and indirectly by offering assertive case management and seamless linkage to care. The goal of the JRC is to increase public safety and reduce recidivism. The JRC helps to bridge gaps in the existing community resource by creating seamless linkages with systems that people navigate – including health care, housing, education, workforce, family services, law enforcement and the courts. The JRC offers classes and programs, like Moral Reconciliation Therapy (MRT) and Prime for Life, that benefit the Sobriety Court program.

A representative of the JRC acts as a liaison to the Team and provides updates on participant's progress as they navigate case ancillary management services like: housing, employment, basic needs, and program enrollment.

### **Public Defender Social Work Coordinator**

The Public Defender Social Work Coordinator (PDSWC) plays an important role by wearing many hats and being a bridge between participants and the many services and resources Buncombe County has to offer. The PDSWC initiates and pursues opportunities for participant advocacy and outreach by maintaining ongoing channels of communication and information sharing.

The PDSWC participates in collaborative community initiatives outside of court and maintains individual relationships with providers and court partners in order to facilitate connections between participants, the criminal justice system, and resources in the community. Contacts for coordination

of services include: medical, mental health and SUD treatment, housing, transportation, food, financial assistance, employment and educational resources, crisis/emergency intervention services, specialized evaluation and assessment providers, and educational/corrective programs.

As a licensed clinical professional, the PDSWC is also responsible for providing consultive support to all Buncombe County Treatment Courts, including Adult Drug Treatment Court and Veterans Court, to advise on appropriate supports, guiding individualized response to participant needs. This cross participation is intended to ensure adherence to evidence-based practices and improve efficiency and outcomes by increasing consistency and collaboration across all programs.

### **The Court Evaluator**

The court evaluator reports on the Team's progress on meeting best practices or program goals and makes recommendations on ways to modify policy and practices to align with those standards or goals. The evaluator attends staffing and observes team decision-making to provide recommendations. The evaluator also provides the Team with reports based on historical data regarding key program metrics such as referrals, acceptances, completions, and terminations. The evaluator may hold focus groups with participants and interview key stakeholders to the extent possible. The evaluator helps the court collect information on policy and practices from mentor courts and from best practice standards. The evaluator also collaborates with team members to write policy that is included in the participant handbook and standard operating procedure manual.

### **Coordinated Care Liaison**

The coordinated care liaison ensures participants have access to a full range of psycho-social supports by providing referrals and case management. The care liaison also has a role in coordinating services for indigent and state funded healthcare.

### **COMMUNITY RESOURCES**

Buncombe County is very fortunate to have a strong recovery community. Local resources are forever changing. See your treatment clinician or the Court coordinator for complete listing.

# **MEDICATIONS/ SUBSTANCES TO AVOID**

## **(Do not take these medications without valid prescription)**

THIS LIST IS NOT INTENDED TO BE ALL INCLUSIVE.

ALL MEDICATIONS MUST BE CLEARED THROUGH YOUR COORDINATOR OR PROBATION OFFICER PRIOR TO TAKING.

Note: Drug Name® = Brand Name

### **A**

Actiq® (fentanyl)

Adipex-P® (phentermine)

Adderall® (dextroamphetamine + amphetamine)

alcohol (ethanol, ethyl alcohol) or anything containing ethyl alcohol including

“Alcohol-Free” beer. Many over-the-counter liquid preparations such as cough syrups, cold medications, mouthwash, body washes or gels, etc. may contain alcohol and may produce a positive EtG (alcohol) urine drug screen. It is YOUR responsibility to read the labels on these preparations, or ask a pharmacist to make sure the products you use do not contain alcohol.

alprazolam (Xanax®) Ambien® (zolpidem)

amphetamine or any product containing amphetamine or any of its derivatives such as dextroamphetamine (Dexedrine®), benzphetamine (Didrex®), methamphetamine (Desoxyn®, speed, meth, ice, crystal, etc.), DOM, de- or di-methoxyamphetamine and others.

Ativan® (lorazepam)

atropine or any product containing atropine AtroPen® or any other product containing atropine

### **B**

barbiturates, including but not limited to butabarbital (Butisol®), butalbital (Fiorinal® and others), mephobarbital (Mebaral®), phenobarbital (Nembutal®, yellow jackets, (Donnatal®), secobarbital (Seconal®, red devils, Xmas trees, rainbows), thiopental (Pentothal®) and any other barbiturate.

Bontrill® or Prelu-2® (phendimetrazine tartrate)

bufotenin (dimethylserotonin)

buprenorphine (Suboxone®, Zubsolv®) buspirone

Butisol® (butabarbital)

### **C**

carbamazepine (Carbatrol®) Carbatrol® (carbamazepine) carisoprodol (Soma®) chloral hydrate chlorazepate (Tranxene®) CBD

chlordiazepoxide (Limbitrol®, Librax®) chlorzoxazone (Parafon Forte®) clonazepam (Klonopin®)

cocaine

codeine or any medication containing codeine, such as cough syrups (Robitussin A-C®, Tussin A-C®, and others.)

Creatine supplements

### **D**

Demerol® (meperidine)

Desoxyn® speed, meth, ice, crystal, etc. (methamphetamine)

Dexedrine® (dexies or hearts; dextroamphetamine, or any product containing dextroamphetamine

DET (diethyltryptamine, and all other tryptamine derivatives, such as DMT dimethyltryptamine and others)

dextromethorphan (DM) and any product containing this substance diazepam (Valium®)

Didrex® (benzphetamine) diethylpropion

Dilaudid® (hydromorphone) diphenoxylate (Lomotil®) DMT (dimethyltryptamine) Dolophine® (methadone)

Donnatal® (phenobarbital + atropine + hyoscyamine +scopolamine) droperidol (Inapsine®)

Duragesic® (fentanyl) Duramorph® (morphine)

**E**

Empirin® with any amount of codeine Empracet® with any amount of codeine  
ephedrine and any product containing this substance, including ephedra products Equagesic® (meprobamate +  
aspirin)  
eszopiclone (Lunestra®)

**F**

fentanyl (Sublimaze®, Actiq®, Durogesic®, Duragesic®, Fentora®, Onsolis®, Instanyl® and others)  
Fentora® (fentanyl)  
Fiorinal® (butalbital, aspirin, caffeine) and any with codeine. flurazepam

**G**

GHB (gammahydroxybutyric acid)

**H**

Halcion® (triazolam) hashish or hashies  
heroin (diacetyl morphine, E, horse, dope, smack, junk)  
hydrocodone and any products containing hydrocodone (Vicodin® , Lorcet®, Lortab®, Tussionex® , Zydone®  
as examples, and many others)  
hydromorphone (Dilaudid) hydroxyzine (Vistaril®) hyoscine

**I**

ibogaine  
Inapsine® (droperidol)  
inhalants, such as paint, glue, Freon, or any substance under pressure not for medicinal use.  
Instanyl® (fentanyl) Ionamin® (phentermine)

**K**

Ketalar® (ketamine) ketamine (Ketalar®) Klonopin® (clonazepam)

**L**

laudanum (tincture of opium) levorphanol  
Librax® (chlordiazepoxide + clidinium) Limbitrol® (chlordiazepoxide + amitriptyline) Lomotil®  
(diphenoxylate + atropine) Lorazepam (Ativan®)  
Lorcet®, Lortab® (hydrocodone + acetaminophen) LSD (lysergic acid diethylamide, “acid”)  
Lunesta® (eszopiclone)

**M**

marijuana (pot, grass, Mary Jane, etc.) Mebaral® (mephobarbital)  
Melfiat® (phendimetrazine)  
meperidine and any other drug products containing meperidine meprobamate (Miltown®, Pathibamate®,  
Equagesic® , Equanil® and others ) methadone (Dolophine®, Methadose®)  
Methadose®(methadone) methocarbamol (Robaxin®, Robaxisal®) methylphenidate (Ritalin®)  
midazolam (Versed®) Miltown® (meprobamate) mescaline  
MDMA (methylenedioxyamphetamine)  
morphine and any other drug products containing morphine or its derivatives and  
combinations (Duramorph®, Roxanol® and others)

**N**

naloxone (Suboxone nalbuphine (Nubain®)  
Nembutal® (pentobarbital, yellow jackets) Norflex® (orphenadrine)  
Nubain® (nalbuphine)

**O**

Onsolis® (fentanyl)

Opana ER® (oxymorphone) opium or any of its constituents orphenadrine ( Norflex®) oxazepam  
oxycodone (Oxycontin® and other products containing oxycodone such Percobarb®, Percocet®, Percodan®)  
Oxycontin® (oxycodone and other products containing oxycodone) oxymorphone (Opana ER®)

## **P**

Parafon Forte® (chlorzoxazone) Pathibamate®) (Meprobamate) PCP (phencyclidine) pentazocine (Talwin® )  
Pentothal® (thiopental)  
Percobarb®, Percocet®, Percodan® (oxycodone) peyote  
phendimetrazine (Bontril®, Melfiat®, Prelu-2® , Plegine®) Phenergan® (promethazine)  
Plegine® (phendimetrazine) Prelu-2® (phendimetrazine)  
paregoric (camphorated tincture of opium) propantheline  
prochlorperazine promethazine (Phenergan®) psilocybin, psilocin pseudoephedrine (Sudafed®)

## **R**

Restoril® (Temazepam) Ritalin® (methylphenidate)  
Robaxin®, Robaxisal® (methocarbamol)  
Robitussin A-C®, Tussin A-C® or any cough syrup containing codeine Roxanol® (morphine)  
Roxicet® (oxycodone + acetaminophen) Roxicodone® (oxycodone)  
Ryzolt® (tramadol)

## **S**

Seconal® (secobarbital, red devils, XMAS trees, rainbow) scopolamine  
Sonata® (zalepon) Soma® (carisoprodol) Stadol® (butorphanol) Sublimaze® (fentanyl)  
Suboxone® (buprenorphine + naloxone)

## **T**

Talwin® (pentazocine) temazepam (Restoril®) tramadol (Ryzolt®, Ultram®) trazadone (Desyrel®) triazolam  
(Halcion®) Tranxene® (chlorazepate) Trazadone® (desyrel) Tussionex® (hydrocodone) Tylox® (oxycodone)

## **U**

Ultram® (tramadol)

## **V**

Valium® (diazepam) Versed® (midazolam)  
Vicodin®, Vicoprofen® (hydrocodone) Vistaril® (hydroxyzine)

## **X**

Xanax® (alprazolam)

## **Z**

zalepon (Sonata®) zolpidem (Ambien®)  
Zubsolv® (buprenorphine + naloxone) Zydone® (hydrocodone)

Also prohibited is any product labeled “not intended for human consumption,” intended to be smoked, ingested or injected for the purposes of “getting high.” Kratom, Delta 8 and it’s derivitave, Spice and K2 are examples of these products. There are different kinds of Spice such as K2 Summit, K2 Ultra, and K2 Blonde and others. There are even newer versions of Spice named K2 Sky Herb, K2 Orisha, and K2 Thai. These products contain herbal mixtures with cannabinomimetic compounds added to the mixture.

Another group of products known as ‘Bath salts’, but not intended for bathing, is also prohibited. Such products contain chemicals similar to amphetamines. They are often called “bath salts” but are also sold under names such as Ivory Wave, Purple Wave, Red Dove, White Dove, Blue Silk, and Zoom. Some have also been labeled as plant food.



All of these products are prohibited from human use by Sobriety Court participants and are classified by DEA and GBND as class I, not for human use. These products are often found in head shops, gas stations, smoke shops and other convenience stores.

The use of any product that attempts to simulate the effect or activity of any illegal or controlled substance is also prohibited for use by a participant in this program.

THIS LIST IS NOT INTENDED TO BE ALL INCLUSIVE.

ALL MEDICATIONS/ SUBSTANCES MUST BE CLEARED THROUGH YOUR COORDINATOR OR PROBATION OFFICER PRIOR TO TAKING.

## **MEDICATIONS THAT MAY BE TAKEN**

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ALL MEDICATIONS/ SUBSTANCES MUST BE CLEARED THROUGH YOUR COORDINATOR OR PROBATION OFFICER PRIOR TO TAKING.

### **OVER-THE-COUNTER (OTC) MEDICATIONS THAT MAY BE TAKEN TO RELIEVE PAIN:**

acetylsalicylic acid (Aspirin®), Ecotrin®, Bufferin®)  
acetaminophen (Tylenol®)  
ibuprofen (Motrin®, Advil®, Medipren®)  
naproxen (Aleve®)

There are many other products that contain combinations of the above ingredients, and some of those combinations contain ingredients that you are not allowed to take. You must read the ingredient list of all drugs that you may take to be sure that you are not taking a drug that is not allowed. If in doubt, ask your counselor or a pharmacist.

### **OTC MEDICATIONS THAT MAY BE TAKEN TO RELIEVE ALLERGY SYMPTOMS:**

cetirizine (Zyrtec®)  
chlorpheniramine (Chlor-Trimeton®)  
clemastine (Tavist®)  
diphenhydramine (Benadryl®)  
fexofenadine (Allegra®)  
loratidine (Claritin®)

These drugs are also available in many combinations with other drugs, some of which should not be taken. You must read the ingredient list of all drugs that you may take to be sure that you are not taking a drug that is not allowed.

### **COMMON INGREDIENTS IN OTC DRUGS THAT MUST BE AVOIDED:**

Dextromethorphan, (DM)  
Pseudoephedrine  
Ephedrine

Abuse of any drug, that is, taking a drug in higher quantities or more often than listed on the dosing information supplied with the drug, is strictly prohibited.

Other medications may be appropriate to take, but you must check with your Counselor prior to taking them. You must notify your Counselor of all medications taken and a copy of all prescriptions must be provided to your Counselor before they are filled.

**THIS LIST IS NOT INTENDED TO BE ALL INCLUSIVE.  
ALL MEDICATIONS/ SUBSTANCES MUST BE CLEARED THROUGH YOUR COORDINATOR OR PROBATION OFFICER PRIOR TO TAKING.**

ANY MEDICATION USED MUST BE TAKEN ONLY ACCORDING TO THE DIRECTIONS GIVEN IN THE DRUG PACKAGE INSERT OR BY A PHYSICIAN'S WRITTEN ORDER

**Notes:**

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I HAVE READ, UNDERSTAND AND AGREE TO ALL THE CONDITIONS SET FORTH IN THIS MANUAL

\_\_\_\_\_  
**Name (Printed)**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

**A written test of this information will be submitted by \_\_\_\_\_.**