

TARRANT COUNTY
PUBLIC SAFETY EMPLOYEES TREATMENT COURT
POLICY AND PROCEDURE MANUAL



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I. INTRODUCTION AND OVERVIEW

A "drug court" as defined by the National Association of Drug Court Professionals is "a special court given the responsibility to handle cases involving drug-addicted offenders through an extensive supervision and treatment program." Drug courts represent a non-traditional approach to prosecution of offenders who are addicted to drugs. Rather than focusing only on the crimes they commit and the punishments they receive, drug court also attempts to solve some of their underlying problems.

Drug courts are built upon a partnership between the criminal justice system and the treatment community. This collaboration results in a drug court team that structures treatment, supervision, and intervention to break the cycle of drug abuse and associated criminal activity. Drug court participants undergo long-term treatment and counseling, sanctions, incentives, and frequent court appearances. Although drug courts vary somewhat from one jurisdiction to another in terms of structure, scope, and target populations, but they all usually share three primary goals: (1) to reduce recidivism, (2) to reduce substance abuse among participants, and (3) to rehabilitate participants

In 2017 the 85th Legislature, House Bill 3391 was passed authorizing the creation of specialty courts for Public Safety Employees in Texas. In 2017, Tarrant County created the Tarrant County Public Safety Employees Court (PSETC), which is designed to keep justice involved Public Safety Employees (PSEs) specifically for public safety employees such as police officers, firefighters, detention officers, dispatchers, and emergency medical personnel.

The PSETC is an alternative to incarceration to divert non-violent offenders who are current or former PSEs from prosecution to treatment. The program offers PSE offenders an intensive treatment option that is judicially supervised. The target population is adult male and female Public Safety Employees who have been arrested for or charged with a misdemeanor or felony offense and who have been determined to be eligible for participation by the attorney for the state. The court must verify that the defendant is a current or former public safety employee who suffers from a clinical diagnosis of a brain injury, mental illness or mental disorder, including post-traumatic stress disorder, that occurred during or resulted from the defendant's duties as a public safety employee and affected the defendant's criminal conduct at issue in this case. The PSETC also considers a defendant's participation in a PSETC, considering the circumstances of the defendant's conduct, personal and social background, and criminal history, is likely to achieve the objective of ensuring public safety through rehabilitation of the Public Safety Employee in the manner provided by Section 1.02(1) of the Texas Penal Code. If the PSE is determined to meet the criteria, in lieu of prosecution and a criminal record, they are allowed to complete the 8–24-month court supervised treatment program.

Eligible defendants are identified immediately after booking at the Tarrant County jail and are referred to PSETC for screening. Once the PSE has been screened, assessed, and approved for participation in the program, he/she promptly begins a treatment regimen that is specific to the individual's needs. The mission of the program is to successfully rehabilitate the PSE by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle. The 8-24-month commitment to the program

requires meetings with the court's management team, random urinalysis screening, drug and alcohol monitoring, regular appearances in court before a designated judge, weekly individual and/or group counseling, weekly 12-step meetings, life skills development, general education development, health education, AA/NA sponsorship, and appropriate sanctions deemed necessary for non-compliance.

A. Mission Statement

The Mission of the Tarrant County Public Safety Employees Treatment Court (PSETC) is to successfully habilitate Justice Involved Public Safety Employees (PSEs); by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle while improving mental health recovery and successful re-entry into the community.

B. Goals

The goal of the PSETC is to find PSEs, assess their needs, offer assistance, manage their care, and provide them with successful treatment options ultimately leading to community reintegration, and resolution of their criminal case(s).

C. Methods For Achieving Goals

Goal 1 - Reduce drug use and related criminal activity

- Mandate intensive substance abuse treatment and close judicial supervision and mentoring of all participants, with appropriate sanctions and rewards based on performance. Close judicial supervision is premised upon a stable and consistent relationship between the participant and the designated Drug Court Judge.

Goal 2 - Reduce recidivism rates

- Follow recognized methods and procedures, which have been empirically shown to reduce recidivism.

Goal 3 - Hold drug-dependent offenders accountable

- Mandate bi-weekly court appearances and at least weekly contact with case manager.
- Impose immediate sanctions for non-compliance, including minor violations.
- Terminate and immediately convict and sentence participants who commit serious violations or repeatedly commit minor violations.

Goal 4 - Provide real and effective rehabilitation for criminal offenders

- Mandate intensive and comprehensive treatments.
- Provide referrals and collaborate with other social service agency.
- Require job training and employment before graduation if medically cleared.

II. PSETC TEAM PHILOSOPHY AND STATEMENT OF VALUES

The Mission of the Tarrant County Public Safety Employees Treatment Court (PSETC) is to successfully habilitate Justice Involved Public Safety Employees (PSEs); by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle while improving mental health recovery and successful re-entry into the community.

A. Core Values

Our team is successful and effective in that we have:

1. Mutual respect and respect for each other's roles, ethical concerns, boundaries, ideas, and perspectives.
2. Shared expectations for programs and understanding for each other's roles.
3. A high level of commitment from all team members.

The community benefits from the work of our team because of:

1. Reduced societal costs through reduced crime.
2. Increased awareness of drug and alcohol issues in the community as well as increased communication and increased collaboration between services.
3. Providing skills to drug court participants that may prevent future drug use.
4. Providing better access to services for drug court participants and their families.
5. Providing holistic resources for drug court participants and their families.

The work of our team contributes to community needs.

The PSETC helps improve family stability and identifies and addresses a range of underlying needs. The team contributes a framework for addressing these needs and providing access to necessary services.

Community values are reflected in our team's decisions.

The PSETC team operates with values congruent to our community, such as accountability, promoting individual dignity, using treatment rather than incarceration whenever appropriate and decreasing costs of criminal justice.

B. Orienting New Members New team member orientation.

We will orient new team members by providing our policy and procedures manual and encouraging new team members to participate in the process alongside the outgoing team members if possible. As previously stated, each team member will be encouraged to respect the roles, ethical concerns, boundaries, ideas, and perspectives of other team members, including a new team member. Each team member will have opportunities to attend drug court trainings to learn skills and network with other jurisdictions and Drug Court professionals.

New team members have input and ownership in the Public Safety Employees Court Team plans and operations.

Team members are required to attend pre-docket meetings and provide information and input about program participants and program policies and procedures. New team members are encouraged to ask questions, obtain information, and provide input as a professional member of the drug court team.

III. PSETC ORGANIZATION

A. Team Members and Roles

1. *The Judge:* The Judge is considered to serve the most central role. He/she can impose sanctions, terminate a participant from the program, or order a participant to enter a variety of treatment programs. The judge usually provides public praise for completion of program goals or provides certificates as another form of recognition. Diversion courts are usually not one chance programs. The judge is familiar with the issues participants may face and gives participants room to succeed.
2. *Program Manager:* Full time employee with a master's in social work is responsible for the evaluation of potential participants, assessments, and making sure all applicants meet Public Safety Employees Court criteria set forth in S.B. No. 1940. The program manager is also responsible for the daily operations of the program.
3. *Case Manager/Probation Officer:* Full time employee who is required to hold a bachelor's degree and is responsible for providing supervision to PSEs, monitoring program compliance and drug screenings, verifying attendance to outside treatment, and reporting progress to the judge at scheduled court sessions.
4. *Administrative Assistant:* Full-time employee is responsible for providing information to potential program participants, assisting the program manager and case managers with the daily operation of the office, answering the phones, scheduling appointments for participants, and other duties as needed.
5. *Defense Attorney:* PSEs retain their attorney while participating in the PSETC. The defense attorney acts as an advocate for the PSE during participation in the program. The defense attorney provides legal advice and acts more as a mentor or coach.
6. *Assistant District Attorney* (ADA): House Bill 3391 describes Public Safety Employees Treatment Courts as programs that make use of a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants. The ADA approves participants for the program and makes recommendations on sanctioning and promotion of participants during court

sessions.

B. PSETC Facilities and Operations

The PSETC dockets will be held on the 1st and 3rd Thursday in Tarrant County's County Criminal Court 8 of the Tim Curry Justice Center. Prior to each court hearing, at which all team members and participants must be present, the Public Safety Employees Court Team will "staff" all cases that will appear before the presiding judge. "Staffing" cases include review of each participant's progress and compliance and making recommendations and decisions regarding any actions that should be taken on each case. Administrative support and management will be provided by the PSETC Program Manager.

The PSETC office is located at:

300 W. Belknap 4th Floor

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IV. ENTRY AND ASSESSMENT

A. Capacity

The PSETC will have an initial capacity of 50 participants. Once the capacity has been reached, the program manager will admit new participants based on program staff availability and other resources. New participants may be admitted into the PSETC as participants graduate or are terminated from the program.

B. Eligibility

Participation in PSETC shall be permitted in the exclusive discretion of the Prosecuting Attorney's Office, upon request of a charged defendant. A defendant who otherwise may be eligible for participation may be denied access to the PSETC by the prosecutor based upon other factors, including, but not limited to a significant felony or non-felony criminal history; significant number of counts in current cases; evidence that the defendant is not amenable to treatment; whether defendant has adequate social support structures to make success likely. The prosecutor will give great weight to the wishes of victims and consider input from law enforcement.

- I. To be **eligible** for the PSETC, defendants must meet the following requirements:
 - A. Defendant must be a current or former police officer, firefighter, detention officer, dispatcher, or emergency medical personnel, who;
 1. Have a pending eligible misdemeanor or felony offense in Tarrant County; **and**
 2. Be a legal resident or citizen of the United States of America; **and**
 3. Have a mental illness or disorder, including post-traumatic stress disorder, traumatic brain injury, depressive,

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- anxiety and psychotic disorders, and/or substance use disorder, that is related to the criminal offense; **or**
 - 4. Defendants whose participation in the PSETC is likely to achieve the objective of ensuring public safety through rehabilitation may also be eligible for the PSETC
 - B. The defendant must submit to a clinical evaluation to confirm the pending or underlying offense was a result of a mental illness or substance abuse
 - C. The defendant must complete a pre-plea orientation and sign all required PSETC forms
 - D. The Criminal District Attorney has final approval for eligibility
 - E. The defendant must enter a plea prior to entry into the program
- II. Although House Bill 3391 does not list any exclusions, the Tarrant County CDA's office has listed the offenses below on the their exclusion list:
- A. Has a pending charge for
 - 1. Felony DWI (3 or more previous DWI convictions)
 - 2. 3 G offense other than aggravated assault; or
 - 3. delivery of a controlled substance; or
 - 4. sex offense including but not limited to those offenses enumerated in Article 42.12 Sec. 13B(b) of the Texas Code of Criminal Procedure. An offense under Section 21.08 will be considered on a case-by-case basis
 - B. Has a prior conviction or deferred adjudication for
 - 1. 3 G offense other than aggravated assault; or
 - 2. sex offense including but not limited to those offenses enumerated in Article 42.12 Sec. 13B(b) of the Texas Code of Criminal Procedure
 - C. Probationers with pending Revocations
 - D. Parolees
 - E. Lives outside the state of Texas
 - F. Is seriously and persistently mentally ill and cannot participate in the structure of the PSETC
 - G. Has previously participated in any Specialty Court Program and is arrested for a new eligible misdemeanor or felony charge
- III. To be **eligible for COURTESY SUPERVISION** in the Tarrant County PSETC, defendants must meet the following requirements:
- A. Must meet Tarrant County eligibility criteria listed above, and:
 - 1. Work or reside in Tarrant County
 - 2. Have a pending eligible misdemeanor or felony offense
 - 3. Provide notice from transferring county prosecuting attorney agreeing to dismiss criminal case(s) upon successful completion
 - B. Defendant must agree to abide by all rules, requirements, and instructions of the PSETC program

C. Referral and Application Process

1st Step: Ordinarily, the defendant or his/her attorney submit an application to the PSETC.

2nd Step: With the defendant's attorney permission, the PSETC staff will screen defendant for eligibility. The PSETC staff will refer the case to the PSETC Prosecutor, who will determine whether the defendant is eligible and not otherwise disqualified to participate in PSETC. This determination will be considered a Preliminary Approval. During this step, the prosecutor will determine if the nature of the crime or the defendant's history makes the defendant a poor candidate for PSETC. Factors that the prosecutor shall consider include:

- Proof that defendant is a current or former police officer, firefighter, detention officer, dispatcher, or emergency medical personnel.
- Proof that defendant has a job-related mental health diagnosis
- Number of counts in current cases
- Input from the victim(s) and law enforcement liaison
- Amount of restitution likely to be ordered

3rd Step: The PSETC staff will notify the defense attorney and Court of Origin of prosecutor's denials. If the prosecutor gives preliminary approval, the PSETC will contact defendant to set up an appointment to complete 1st orientation and an assessment with the PSETC program manager. Factors that the program manager shall consider include:

- Ability and Motivation to comply to the PSETC terms and conditions
- Severity of Mental Illness
- Whether defendant has adequate social support and resources to adhere to the PSETC terms and conditions
- Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses

4th Step: If approved by the PSETC program manager, the defendant will be referred to an agency for a Mental Health Evaluation by a contracted licensed clinician. Factors that the evaluator shall consider include:

- Severity of Mental Illness
- Program Appropriateness
- Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
- Risk and Need Level
- Treatment Needs and Recommendations

5th Step: The PSETC program manager will send a final report to the PSETC prosecutor with a recommendation for final approval. Factors that the prosecutor shall consider include:

- Proof that defendant is a current or former police officer, firefighter, detention officer, dispatcher, or emergency medical personnel.
- Proof that defendant has a job-related mental health diagnosis
- Input from the victim(s) and law enforcement liaison

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- Severity of Mental Illness
 - Program Appropriateness
 - Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
 - Risk and Need Level
 - Treatment Needs and Recommendations
 - Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
 - Evaluator's recommendations
 - PSETC program manager's Summary and Recommendation

The PSETC staff will notify the defense attorney and Court of Origin of prosecutor's denials. If the prosecutor determines that the defendant is eligible and approved for admission into the PSETC, the PSETC will notify defendant, defense attorney and Court of Origin of admission date.

6th Step: The PSETC program manager will schedule an appointment with the defendant to assist in creation of the PSETC Individualized Treatment Plan. PSEs will be required to review and sign Individualized Treatment Plans prior to being admitted into the PSETC. The service plan will include treatment goals as well as other conditions the defendant must complete prior to graduating from the PSETC.

D. Program entry

The defendant and defense attorney will be required to appear at the PSETC docket as scheduled by the PSETC program manager. At the PSETC docket, the prosecutor will complete the Plea Agreement which sets forth the parties' legal rights and obligations. The defendant's defense attorney will review Plea Agreement with defendant prior to the defendant entering a plea of guilty and being admitted into the PSETC.

The participant will pay a \$500 PSETC Program Fee. Any participants unable to pay entire Program Fee will be placed on a Payment Plan and required to sign a promise to pay the balance before, and as a condition of, graduation.

V. PROGRAM COMPONENTS

A. Treatment Phases

The PSETC will last approximately 8-24 months, depending on the treatment needs and participant progress. It is divided into three phases. A participant must successfully complete each phase before moving into the next phase. Each phase has a key concept or focus.

PHASE ONE

Key Concept: ASSESSMENT/ CRISIS STABILIZATION/INTERVENTION & EARLY RECOVERY

- Goals to Advance to Next Phase: Follow all PSETC Requirements

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- Psychiatric evaluation Treatment plan established
 - Dual Diagnosis Treatment/Therapy
 - Participant is stabilized on medication
 - PSETC Staff formulates participant case management plan
 - SPN is assigned and appointments are scheduled No new arrests or probation violations
 - At least 60 consecutive days clean from alcohol and illegal drugs
 - Continue identifying strengths and barriers. Coordinate special needs (SSI; Housing; Medical; Clothing etc.)

These clients will demonstrate an ability to remain in treatment and maintain medication compliance within the community. It is anticipated this phase will last 60-90 days.

PHASE TWO

Key Concept: RE-INTEGRATION/ ACTIVE RECOVERY & RELAPSE PREVENTION

Goals to Advance to Next Phase:

- Regular attendance at PSETC
- Completion of all required programs and special conditions as directed by PSETC staff Follow all PSETC requirements
- Random drug testing
- Excellent attendance at dual/support groups
- At least 60 consecutive days clean from alcohol and illegal drugs
- At least 16 weeks of medication compliance
- Safe and stable housing
- No new arrests or probation violations
- No new MH hospitalization unless extraordinary circumstances
- Improved personal hygiene

These clients will demonstrate an increased ability to remain in treatment and maintain stability within the community. It is anticipated this phase will last 60-90 days, and clients will report weekly/bi-weekly to the PSETC.

PHASE THREE

Key Concept: CONTINUING CARE

Requirements:

- Follow all PSETC requirements
- Continue reporting to PSETC Case Manager or Treatment Provider
- 120 consecutive days clean from alcohol and illegal drugs
- 6 months of medication compliance
- Safe & stable housing maintained
- No new arrests or probation violations

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- No new MH hospitalization unless extraordinary circumstances
 - Continuing source of income and medical insurance
 - Client has engaged in on-going treatment/vocational, or volunteer activities
 - Include Wellness practices into daily life and further define life goals

These clients will be stable and responsible for their own treatment and vocational activities. They will no longer be required to report to the PSETC Court weekly but will report to a Treatment Provider in the community who will continue to monitor treatment compliance. This phase will last 4-6 months, and successful completion will make the client a good candidate for early release from PSETC.

Treatment may deviate from outlined schedule based on participant's progress and PSETC team mandates.

Graduation from the PSETC will be determined when all treatment plan goals and legal requirements are met.

B. Required Acts

PSETC participants must comply with all the following conditions, which are set forth in the "PARTICIPANT AGREEMENT AND PERFORMANCE CONTRACT":

- The participant will appear in court on all scheduled dates, on time and dressed appropriately.
- The participant must attend all required meetings and appointments.
- The participant must tell the truth.
- The participant will agree to complete any diagnostic evaluation required and submit to any rehabilitative, medical, or psychological program required by the PSETC team.
- The participant will contact his/her case manager as directed.
- The participant will follow the treatment plan as developed by his/her treatment provider.
- The participant will tell the case manager or the Court before he/she changes address, changes, or disconnects his/her telephone number, or changes his/her employment.
- The participant will submit urine samples for testing upon request by the Court, case manager, or drug court coordinator as directed. If the participant misses a test or refuses to submit a urine sample, it will count as a positive test.
- The participant understands that he/she must be employed or in school as required by the PSETC team.
- The participant will attend self-help meetings such as Narcotics Anonymous (NA) or Alcoholics Anonymous (AA) as directed.
- The participant will pay restitution.
- The participant will agree to sign all releases necessary to monitor his/her progress in the PSETC.

C. Prohibited Acts

PSETC participants will refrain from committing any of the following acts, which are set forth in the "PARTICIPANT AGREEMENT AND PERFORMANCE CONTRACT":

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- The participant will not possess, use, distribute, sell, or have under his or her control any drug or drug paraphernalia, except as authorized by a lawful prescription.
 - The participant will not possess or consume alcohol.
 - The participant will not knowingly associate with people using or possessing controlled substances except in the context of treatment.
 - The participant will not live with a convicted felon, unless approved by the PSETC program manager.
 - The participant will not violate any law and understands that if he/she engages in any criminal act, he/she may be prosecuted for any new charge, and the new charge may be the basis for his/her exclusion or expulsion from the PSETC.
 - The participant must not, and will not, possess any weapon of any kind, including firearms and knives, while attending any required activity or program.
 - The participant understands, and agree, to notify treatment provider and PSETC Case Manager **before** taking any medications or drugs, including **over-the-counter** drugs or drugs prescribed by physician or psychiatrist.

D. Sanctions and

Incentives SANCTIONS

Sanctions are both punitive and therapeutic in nature. The PSETC employs judicial sanctions, sanctions related to supervision, and therapeutic sanctions.

Examples of Judicial Sanctions

1. Increased contact with the Judge
2. Court admonishment
3. Jail Time

Examples of Supervision Sanctions

1. Zero tolerance
2. Reprimand
3. Community service hours
4. Increased contact with Officer
5. Move back in phase

Examples of Therapeutic Sanctions

1. Essay assignment
2. Address Judge/Peers in court
3. Increased 12 step meetings
4. Extension of time in phase
5. Increased individual counseling

INCENTIVES

Incentives are given to participants who are deserving of special recognition for achievements and/or progress while in the PSETC. Any member of the PSETC team will make recommendations for incentives.

Examples of Incentives

1. Judicial recognition
2. Reduced court appearances
3. Reduced reporting to PSETC Case Manager or Treatment Provider
4. Praise/Applause
5. Excused from court early
6. Framed graduation certificates
7. Ease curfew restrictions

E. Drug Screening

PSETC participants are randomly tested for drugs/alcohol as directed by the PSETC staff. There are several different drug testing instruments utilized by the PSETC. Drug testing instruments include, but are not limited to Urinalysis Screenings, Mouth Swabs, Hair Follicles, SCRAM, Blood, Fingernail, Soberlink, Drug Patch and Interlock. The PSETC staff does not perform any drug testing. Drug testing is performed by multiple individuals and agencies, including the Tarrant County Community Supervision and Corrections Department and the Department of Public Safety Employees Affairs. All drug test results are submitted to the PSETC with proper

1. Notice of Random Collection

Random Urinalysis Drug Testing is required of all participants and facilitated by a toll-free telephone procedure. Participants will be provided with their PIN number and toll-free phone number. Participants must call in daily to see if their "PIN" is selected for drug testing. If their PIN is selected, participants must present to specified location for an observed Urinalysis testing between 8 a.m. and 5 p.m. Breathalyzer tests will be administered in conjunction with drug screens. Testing of family members is not allowed per the PSETC program manager.

The PSETC program manager will establish a mechanism such that the determination of each PIN is selected randomly, and not predictable by the participants. The schedule shall be set up such that each participant is screened for banned substances per program rules.

2. Screening Test Results

Urinalysis results and results of other monitoring techniques will be documented and provided to the PSETC Team. Any positive urine screens, tampered samples, or refusal to provide a sample can be grounds for sanctions.

Participants will be warned that certain substances can give "false positive" tests. A warning substantially in the following form will be given to all participants during orientation.

Participants will be instructed not to ingest the following:

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1. Alcohol (could be in cold medicine like Nyquil, barbecue sauce etc.)
 2. Poppy seeds in **any** form (muffins, bagels, bread, salad dressing etc.)
 3. "Natural" or herbal remedies, or supplements
 4. Over the counter or prescription medicines such as Aleve, Pseudoephedrine without prior approval of your treatment provider.
 5. Medications from Canada not sold over the counter in USA
 6. Alcohol Substitutes (Near Beer etc.), contain some alcohol.

3. Prescription Medications

Participants in the PSETC are expected to be drug free, including the use of mood-altering, potentially addictive, prescription medications. Participants with chronic pain requiring repeated use of prescription pain medication (opiate, narcotic or benzodiazepine medications) are not good candidates for the program. Participants must discontinue all addictive medications unless determined medically necessary by treating physicians.

Participants who have opted into PSETC and have an acute pain episode must have approval from the PSETC program manager before they take any pain medication. The program manager will require participant to provide the doctor's name, medication prescribed, amount prescribed (including refills), reason for prescription, duration of treatment, and acknowledgement by the physician that you revealed that you are a substance abuser, and the physician feels this is the best course of treatment. This form, with copies of the prescriptions, must be provided to your treatment counselor immediately.

F. Case Management

The PSETC case manager/probation officer is responsible for providing primary case management. Case management is a coordinated, collaborative effort to provide linkages between the court system and service providers and/or agencies to assist the participant and/or family with their needs and complete the program.

The PSETC case manager provides:

- Meet with participants as directed by PSETC program manager.
- Monitoring and reporting progress of the participant regarding treatment and other program mandates to the court.
- Planning for intervention services and the fulfillment of criminal justice obligations.
- Brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion.
- Assisting the participant in identifying and working through barriers to successful participation in treatment.
- Supporting the participant by advocating for the participant with court, treatment, social service, medical and mental health systems.

G. Docket and Pre-docket Staffing

1. Docket

Dockets will be held on the 1st and 3rd Thursday in Tarrant County's County Criminal Court 8 of the Tim Curry Justice Center. The docket will begin promptly at 2:00 p.m. Participants who are being admitted into the PSETC will be called before the PSETC judge at the very beginning of docket. Participants making phase transitions and/or graduating are called up at the end of the docket. Clients are individually called and are expected to discuss their progress with the judge. The judge administers appropriate sanctions and rewards and provides encouragement and support. Unexcused failure to appear at court hearings may result in the issuance of a bench warrant.

2. Pre-Docket Staffing

The PSETC team meets prior to each docket to review progress of each participant, outside the presence of the participants. Pre-docket staffing meetings will begin at 1:00 p.m.

The case manager and program manager will provide the team progress reports on each participant who will be present at that week's docket. The progress report informs the team of the participants' overall compliance since the last docket. Based on this report and any additional information brought to the meeting, team members assess a participant's progress and discuss potential treatment or programmatic interventions. It is during these meetings that team members discuss, debate, and potentially disagree with the direction of intervention and team decisions but during the court session the team presents a unified position. Team discussions will be conducted with a goal of reaching consensus on action to be taken for each participant. If consensus of all team members cannot be achieved, the PSETC judge has discretion to determine what action will be taken.

H. Fees

The Participant will pay a \$500 non-refundable program fee for participation in the PSETC. Any participants unable to pay entire Program Fee will be placed on a Payment Plan and required to sign a promise to pay the balance before, and as a condition of, graduation. Failure to pay may result in termination or other sanctions unless arrangements can be made with the PSETC judge that may result in a finding of financial hardship. In any case, the finding by the PSETC judge of financial hardship will not be determined unless the participant or the PSETC case manager/probation officer brings the matter to the PSETC program manager.

I. Graduation Requirements

To graduate, the PSETC Team must authorize the participant's graduation, and the participant must have met each of the following criteria:

1. The participant will have been in the program for a minimum of eight (8) months.
2. The participants must have completed all his or her alcohol and drug treatment and have a current support-group mentor.

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3. The participant will have had no violations for the three (3) months prior to his or her scheduled graduation date.
 4. The participants must be in Phase III and have maintained abstinence from all drugs and alcohol for a minimum of six (6) consecutive months prior to graduation.
 5. The participants must have completed all sanctions involving affirmative conduct from previous violations.
 6. The participant must complete a detailed written plan of his or her strategies to remain clean and sober following the outline provided.
 7. The participants must be employed and have all program fees and any restitution paid in full.

Upon graduation, the prosecutor representing the state will enter an order dismissing the pending charges.

J. Early Termination Procedures

1. Voluntary Termination/ Opt Out

A participant can voluntarily choose to opt out of the PSETC at any time before or during admission into the program. Below are the procedures for opting out of the PSETC:

1. If a participant wishes to be discharged from the PSETC, the treatment team encourages participant to discuss desire with lawyer, family members and/or friends. Participants should carefully weigh all the reasons he/she wants to leave the program.
2. If participant wishes to be discharged from the PSETC, the treatment team encourages participant to discuss decision and any pertinent issues regarding a discharge with primary case manager. Participant may also ask for a referral to speak to a court officer or PSETC Defense Attorney to discuss any legal concerns he/she may have about a discharge from the program.
3. Once participant has decided to ask for a discharge from the PSETC, he/she must appear before the court and ask the presiding judge for a formal discharge from the program. To ensure that participant is making his/her request for discharge knowingly and willingly, the presiding judge will review all the reasons he/she is asking to be discharged from the program.
4. If participant is discharged from the PSETC, he/she understands he/she must pay any outstanding balances that are owed to the PSETC, treatment provider or other agency that he/she received services.

2. Expulsion

Expulsion results when the program can no longer serve the needs of the client. Due to many factors, there are instances when continuation is unproductive for the client, the program, or both as indicated below:

1. A participant may be involuntarily removed from the drug court program if he/she repeatedly violates the drug court orders, including positive drug tests.
2. A participant may be involuntarily removed from the drug court program if there is probable cause to believe he or she has committed any felony offense.

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3. A participant may be removed from the drug court program if he/she commits a new offense of any kind, and if, under the circumstances, it appears to the drug court team that the participant would not benefit from the services of the drug court program.
 4. Termination decisions are based on many factors including, but not limited to current situation/violation, length of time in program, number and level of treatment episodes, living situations, attitude etc. If terminated, the participant may immediately be tried on stipulated evidence and sentenced. Any program fees paid are forfeited and not credited towards any legal financial obligations imposed by the conviction.

3. Termination Hearing Procedures

The PSETC judge shall conduct a termination hearing at the earliest possible PSETC docket following a decision to terminate a participant. The stipulated trial and sentencing determination shall be conducted at the beginning of the PSETC docket, in front of all other participants present for that day's hearing.

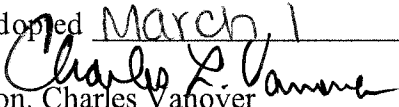
VI. REPORTING

The PSETC program manager will be responsible for providing monthly reports to the PSETC team and Criminal Court Administration Office. The report should include PSETC statistics, and a report on recidivism of all current and former PSETC participants.

VII. MODIFICATION OF POLICIES AND PROCEDURES

The PSETC team shall convene from time to time, and at least annually, to review the operation of the PSETC, and revise policies and procedures as deemed necessary by the team.

We, the undersigned, hereby adopt and approve of this Tarrant County Public Safety Employees Treatment Court Policy and Procedure Manual as the incorporating and controlling document of the Tarrant County Public Safety Employees Treatment Court.

Adopted March 1, 2022

Hon. Charles Vanover
Presiding TCPSETC Judge


Courtney Young
TCPSETC Program Manager