

Disqualifying Prior Convictions or Adjudications Withheld:

- Violent felony offenses as defined in FS 776.08 as a “forcible felony”.
- Trafficking, sales, manufacturing or cultivation (except for small quantities of marijuana) within the past five years.

Other Disqualifiers:

Pending charges in other jurisdictions.
Previously adjudged incompetent or insane.
Suffers from significant mental health problems beyond the program’s ability to serve.
In violation of conditions of controlled release or parole.

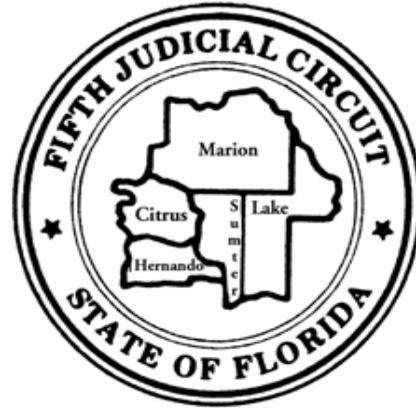
Other considerations:

- This program is not designed for drug dealers or profiteers.
- Findings that result from substance use screening or assessment.
- Entirety of candidate’s criminal history.
- Candidate’s motivation or potential for success.
- Arrests resulting without convictions or adjudications withheld will not be used to deny entry into the program.

The Marion County Drug Courts do not discriminate against applicants on the basis of race, color, religion, gender, age, national origin, marital status, disability or veteran status or as otherwise prohibited by federal, state or local law.

If you are a person with a disability who needs any accommodation in order to participate in this program, you are entitled, at no cost to you, to the provision of certain assistance, please contact the ADA Coordinator at the Office of the Trial Court Administrator, Marion County Judicial Center, 110 NW 1st Avenue, Ocala, Florida 34475, Telephone (352)401-6710. If you are hearing or voice impaired, call 711.

MARION COUNTY Post-Adjudicatory Prison Diversion Drug Court Program



HON. GARY SANDERS Felony Drug Court Judge

**Adult Post-Adjudicatory
Prison Diversion Drug Court Program
Marion County Judicial Center
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Ocala, FL 34475**

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Adult Post-Adjudicatory PRISON DIVERSION Drug Court Program Summary

The Marion County Adult Post- Adjudicatory Prison Diversion Drug Court Program is a court supervised highly structured program consisting of both substance use treatment and case management supervision for **non-violent prison bound offenders**. This program includes, but is not limited to, frequent court appearances, random drug screens, substance use treatment; frequent community or peer support meeting attendance while on a Department of Correction supervised probation. The length of this four phase program is a minimum of 13 months, but may take longer depending on progress throughout the program.

The target population for this program is non-violent, adult felony offenders with a substance use disorder, residing in Marion County **who would otherwise go to prison**. This includes those in Violation of Probation (VOP) or Violation of Community Control (VOCC) statutes.

Entry into this program is voluntary and based upon the sentencing court’s assessment of the defendant’s criminal history, substance use screening outcome, risk and needs assessment, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant’s agreement to enter the program. (FS 397.334 (3) (a))

Applications for the **Marion County Adult Post-Adjudicatory Prison Diversion Drug Court Program** are forwarded to The Office of The State Attorney for review. If your application has been approved, it at the discretion of the sentencing judge to order you into the drug court program, wherein the completion of the program will be made part of your conditions of probation. Your case will then be placed on the drug court docket.

Entrance criteria:

1. If not for entering the drug court program, this defendant may have been sentenced to prison.
2. Sentencing points must equal 30-60
3. Eligible pending felony charge(s) to include VOP or VOCC statutes.
4. No disqualifying prior convictions or adjudications withheld such as violent offenses or sales.
5. Substance use screening or assessment indicates that substance use treatment is therapeutically appropriate.
6. Candidate agrees to maintain residence in Marion County until successfully completing program.
7. Defendant must be:
 - (a) fully advised about the program
 - (b) amenable to participating and
 - (c) agree to enter and successfully complete drug court as a condition of probation or community control.

Eligible Pending Felony Charges - Instant Offense(s):

- Non-violent felony offenses to include VOP/VOCC - FS 948.20 states “the term “nonviolent felony” means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08” - Burglary of a structure or conveyance might be a non-violent felony offense.

Disqualifying Pending Charges – Instant Offense(s):

- Violent offenses as defined in FS 776.08 – “Forcible felony” means treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony involving the use or threat of physical force or violence against any individual.
- Drug trafficking, sales, manufacturing or cultivation (except for small quantities of marijuana).
- Having misdemeanor charges alone; without being attached to a felony charge.

PHASE I*
(Minimum of 3 months)

1. Intake and orientation to the program.
2. Assessment by treatment provider and introduction to treatment.
3. Develop an Individual Treatment Plan.
4. No alcohol or drug use.
5. Daily call to the "color line".
6. Random drug screens.
7. Court Appearances twice per month or as instructed by the court.
8. Attend regular meetings with case manager/coordinator.
9. Obtain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
10. Attend at least five (5) Community/Peer Support meetings per week with verification of attendance.
11. Make all scheduled drug court payments as instructed by the Judge or drug court staff.
12. Follow all Drug Court Rules and Regulations.
13. Follow all conditions of your probation or community control.

Incentives, Therapeutic Adjustments, & Sanctions:

This program includes incentives to address progress and goals met; therapeutic adjustments to support/enhance treatment; sanctions to address lack of program adherence.

PHASE II*
(Minimum of 4 months)

1. Show progress towards treatment objectives and goals. Follow all treatment recommendations.
2. No alcohol or drug use.
3. Daily call to the "color line".
4. Random drug screens.
5. Court Appearances twice per month or as instructed by the court or drug court staff.
6. Demonstrate the development of a support network in your life.
7. Attend regular meetings with case manager/coordinator.
8. Maintain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
9. Attend at least four (4) Community/Peer Support meetings per week with verification of attendance.
10. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
11. Follow all Drug Court Rules and Regulations.
12. Follow all conditions of your probation or community control.

Program Fees:

Each participant is required to pay a \$35.00 application fee; \$25.00 per month fees payable over the program's length in pre-arranged payments. This does not include cost of treatment, other program/court related (including restitution) or sanction fees, if applicable.

PHASE III*
(Minimum of 4 months)

1. Continue to show progress towards treatment objectives and goals. Follow all treatment recommendations.
2. Demonstrate an alcohol or drug free lifestyle.
3. Development of a relapse prevention plan.
4. Daily call to the "color line".
5. Random drug screens.
6. Court Appearances twice per month or as instructed by the court or drug court staff.
7. Attend regular meetings with case manager/coordinator.
8. Demonstrate an active support network in your life.
9. Maintain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
10. Attend at least three (3) Community/Peer Support meetings per week with verification of attendance.
11. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
12. Follow all Drug Court Rules and Regulations.
13. Follow all conditions of your probation or community control.

All program fees are to be paid in the form of money orders made payable to **Marion County BOCC**; or with a credit or debit card.

Restitution must be paid to the victim(s), in full, before you are eligible for successful completion of drug court.

PHASE IV*
(Minimum of 8 to 20 weeks)

1. Continue to show progress towards treatment objectives and goals. Follow all treatment recommendations.
2. Demonstrate an alcohol or drug free lifestyle, including an acceptable amount of sobriety.
3. Development of a post drug court aftercare plan.
4. Daily call to the "color line".
5. Random drug screens.
6. Court Appearances twice per month or as instructed by the court or drug court staff.
7. Attend regular meetings with case manager/coordinator.
8. Demonstrate an active support network in your life.
9. Maintain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
10. Attend at least two (2) Community/Peer Support meetings per week with verification of attendance.
11. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
12. Follow all Drug Court Rules and Regulations.
13. Follow all conditions of your probation or community control.

Phase Advancement*:

Is contingent on participants meeting requirements of each phase and all financial obligations.

*Any variation or changes of the requirements within each phase (including financial) may be made at the discretion of the Judge, the Drug Court Team or as required by statute/guidelines.