

**WELLBRIETY COURT PROGRAM
FOR
THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA
2025 GORDON COOPER DRIVE SHAWNEE, OKLAHOMA 74801**

OBJECTIVE OF PROGRAM

The main objective of the Wellbriety Court is to see our Clients succeed in obtaining sobriety, to have a sober thought process, to permanently stop using drugs/alcohol, and have crime-free lives. When Wellbriety Clients succeed in making verified progress toward these objectives, they will receive incentives such as reduced fines and/or less time on probation. Successful completion of the required program phases will result in rewards such as reduced sentences and dismissal of criminal cases. If a Client fails to follow the rules and requirements of the Wellbriety Court, there will be greater consequences including jail time and fines, longer sentences, or additional charges. The ultimate goal of the Wellbriety Court program is to enable Clients to work together as a team with the Wellbriety Drug Court Coordinator and other service providers to get sober and lead a sober life.

- I. Components of Wellbriety Court
 1. Integrate alcohol and drug treatment services with justice system case management. A team approach must be taken to stop substance abuse and related criminal activity. This team approach will include the active and regular participation of the Client, the Wellbriety Coordinator, and other appropriate service providers identified in the Client's Drug and Alcohol Assessment.
 2. Identify eligible participants early in the criminal justice process for immediate referral to the program.
 3. Provide access to a continuum of treatment and rehabilitation services. Work on secondary issues such as healthcare, housing, parenting, unemployment, and education.
 4. Calibrate court and treatment program responses to participants' compliance or lack of compliance, including contingency contracts that involve participants in their own sanctions and incentives. Utilize graduated sanctions and rewards based on verified compliance and progress.
 5. Require ongoing judicial interaction with Wellbriety Court participation.
 6. Monitor and evaluate achievement of program goals and program effectiveness.
 7. Promote effective Wellbriety Court planning through interdisciplinary education and planning teams.

- II. Payment Schedule for Wellbriety Court
 1. Wellbriety Court will consist of up to 15 months of intense therapy and drug/alcohol intervention programs.
 2. During their participation period, Clients will pay \$25.00 a week.
 3. If the Client was previously to be paying fines for criminal charges, this \$25.00 weekly fee will take the place of those fines.
 4. If the Client successfully completes the entire Wellbriety Court program, then all criminal charge fines that were previously assessed will be dismissed.

5. Wellbriety Court fees will be waived if the Client is *indigent, and has been deemed indigent by the Court*. Until the Client has obtained employment, and has received the first two paychecks from that employment, then the Client will not owe any fees. Indigent Clients will be required to fill out job search forms, diligently look for employment weekly, and provide a weekly employment search report to the Wellbriety Coordinator. Once the Client's third employment paycheck is received, the Client will be expected to make the \$25.00 weekly fee payment to maintain enrollment in the Wellbriety program.

III. Eligibility for Wellbriety Court

1. Must have an open case with the Absentee Shawnee Tribal Criminal Court.
2. Must have a history and current issue with drugs and/or alcohol, and a determination by the Court that these issues are a primary factor in the Client's unlawful activity.
3. Prior to making an eligibility determination for Wellbriety Court, the reviewing judge will seek a recommendation from the Tribe's Attorney General for the case.
4. Must enter a plea of Nolo Contendere or Guilty to the criminal charges, after which sentencing will be deferred pending the outcome of the Client's Wellbriety Court participation.
5. To maintain eligibility for continued participation in the Wellbriety Court program, Clients must work and demonstrate progress toward fulfilling the treatment plan prepared by and agreed upon with the Wellbriety Coordinator.

IV. Treatment Plans

Track A.

****Please Note: All Clients of Wellbriety Court are required to complete a Drug and Alcohol Assessment at an Indian Health Service approved facility.****

- Phase I.

These requirements can be adjusted at the Court's discretion based on the needs of the Client.

- Daily check in by 9am with Wellbriety Coordinator
- Up to 4 UAs per week (depending on what is ordered by the Court)
- 30 days continuous sobriety
- Complete 10 hours of public service
- Have job or attending school, or be actively applying
- Have Sponsor or Home Group
- Be current on Wellbriety Court Fees
- Request to advance to Phase 2

To attend: (depending on Drug & Alcohol Needs Assessment)
Inpatient Detox if needed through an Indian Health Service approved facility
Begin required treatment specified in Drug & Alcohol Needs Assessment
Not less than 2 hours of Individual Counseling per month.
Not less than 16 hours of Group Counseling per month.
No less than 3 AA Meetings/Self Help Meetings
Wellbriety Court check-in every other week

- **Phase II.**

These requirements can be adjusted due to the need of the participant.

- Daily check in
by 9am Up to 2
UA per week
- 90 days continuous sobriety
- Complete 30 hours of public service
- Have job or attending school, or be actively applying
- Have Sponsor or Home Group
- Be current on Wellbriety Court fees
- Request to advance to Phase 3

To attend: (depending on Drug & Alcohol Needs Assessment and Court orders)
Anger Management – 26 weeks (Reid Professional Center, Shawnee, OK)
Domestic Violence Counseling - 52 weeks (Reid Professional Center)
Not less than 4 hours of Individual Counseling per month.
Not less than 16 hours of Group Counseling per month.
No less than 6 AA Meetings/Self Help Meetings
Wellbriety Court check-in every other week.

- **Phase III.**

These requirements can be adjusted due to the need of the participant.

- Daily check in
by 9am Up to
1 UA per week
- 150 days continuous sobriety
- 50 Hours public service total
- Have job or attending school, or be actively applying
- Have Sponsor or Home Group
- Be current on Wellbriety Court fees
- Complete Anger Management if assigned.
- Request to advance to Phase 4.

To attend: (depending on Drug & Alcohol Needs Assessment and Court orders)
Anger Management training
Domestic Violence counseling
Not less than 4 hours of Individual Counseling per month.
Not less than 16 hours of Group Counseling per month.
No less than 8 AA Meetings/Self Help Meetings
Wellbriety Court check-in every other week.

- **Phase IV.**

These requirements can be adjusted due to the need of the participant.

- Daily check in by 9am
- Up to 1 random UA every other week
- 210 days continuous sobriety
- 70 Hours public service total
- Have job or attending school, or be actively applying
- Have Sponsor or Home Group
- Current on Wellbriety Court fees
- Complete Parenting Classes if assigned.
- Request to advance to Phase 5.

To attend: (depending on Drug & Alcohol Needs Assessment and Court orders)
Parenting Classes at an Indian Health Service Approved Facility.
Domestic Violence Counseling
Not less than 4 hours of Individual Counseling per month.
Not less than 16 hours of Group Counseling per month.
No less than 10 AA Meetings/Self Help Meetings
Wellbriety Court check-in every other week.

- **Phase V.**

These requirements can be adjusted due to the need of the participants

- Daily check in by 9am
- 2 + UA randomly monthly as needed 365 days continuous sobriety
- 100 Hours public service total
- Have job or attending school or be actively applying
- Have Sponsor or Home Group
- Current on Wellbriety Court Fees
- Complete Domestic Violence Counseling if assigned
- Complete Individual Counseling
- Request to advance to Graduate

To attend: (depending on Drug & Alcohol Needs Assessment and Court orders)

Domestic Violence Counseling

Not less than 4 hours of Individual Counseling per month.

Not less than 16 hours of Group Counseling per month.

No less than 12 AA Meetings/Self Help Meetings

Wellbriety Court check-in every other week.

Treatment Plan Track B

1. Eligibility for Wellbriety Court Track B

- At the Court's discretion, the Track B program can be used for Clients with criminal charges involving alcohol or drugs within the Absentee Shawnee Tribal jurisdiction, and is designed for first-time, non-violent offenders. Clients may enter the Track B program at different levels as determined by the Wellbriety Coordinator based on the Client's Drug and Alcohol Assessment.

2. Levels of Wellbriety (Track B) Court

• **Level I.**

Daily check in by 9am with Wellbriety Coordinator

Up to 4 UAs per week (depending on what is ordered)

30 days continuous sobriety

10 hours of public service

Have job or attending school or be actively applying

Current on Wellbriety Court fees

To attend: (depending on Drug & Alcohol Needs Assessment)

Inpatient Detox if needed through an Indian Health Service approved facility

Begin plan from Drug & Alcohol Needs Assessment

Wellbriety Court check-in every other week.

• **Level II.**

These requirements can be adjusted due to the need of the participant.

- Daily check in
by 9am Up to 2

UA per week

- 90 days continuous sobriety

- 30 hours of public service

- Have job or attending school or be actively applying

- Current on Wellbriety Court Fees

To attend: (depending on Drug & Alcohol Needs Assessment)

• **Level III.**

These requirements can be adjusted due to the need of the participant.

- Daily check in by 9am Up to 1 UA per week
- 150 days continuous sobriety
- 50 hours public service total
- Have job or attending school or be actively applying
- Current on Wellbriety Court Fees

To attend: (depending on Drug & Alcohol Needs Assessment)

- **Level IV.**
These requirements can be adjusted due to the need of the participant.

- Daily check in by 9am
- Up to 1 random UA every other week
- 210 days continuous sobriety
- 70 hours public service total
- Have job or attending school or be actively applying
- Current on Wellbriety Court fees
- Complete Parenting Classes if assigned
- Request to advance to Level V.

To attend: (depending on Drug & Alcohol Needs Assessment)
Wellbriety Court check-in every other week.

- **Level V.**
These requirements can be adjusted due to the need of the participants

- Daily check in by 9am
- Up to 2 + UA randomly monthly
- 365 days continuous sobriety
- 100 Hours public service total
- Have job or attending school or be actively applying
- Current on Wellbriety Court Fees

To attend: (depending on Drug & Alcohol Needs Assessment)
Wellbriety Court check-in every other week.

V. Incentives

Pass all Drug Tests, and not miss any appointments or meetings for 1 month	Free missed call-in certificate or reduced public service hours
Helping other Clients in the program (verified by Court)	Free missed call-in certificate or reduced public service hours
Completing a phase	Fee Waiver up to \$25.00
Completion of at least 90 days and in good standing with Wellbriety Court	Fee Waiver of \$50.00 and missed call-in Certificate
Full compliance in current phase	Early and/or late docket options
Positive progress/Compliance as determined by Court	Praise from Judge, Wellbriety Court t-shirts, bi-weekly court appearance Waivers
Completing Domestic Violence Counseling	Fee waiver up to \$25.00
Completing Drug and Alcohol Counseling	Fee waiver up to \$25.00
Completing Anger Management	Fee waiver up to \$25.00
Completing Parenting Class	Recommendation letter from Court Clerk
Completing GED	Wellbriety Coordinator will assist in directing to programs for incentives or tuition reimbursement
Attending regular Doctor Appointments	Fee Waivers up to \$25.00
Graduation	Certificate of completion, ceremony and dismissal of remainder of charges and fines.

VI. Violations and Sanctions

Morning Check-ins	<ul style="list-style-type: none"> - First no call/late call in — warning - Each no call/late call thereafter -2 hours additional public service - Continued no calls/late calls — increased sanctions will be considered by Court
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<p style="text-align: center;">Drug and Alcohol testing</p>	<ul style="list-style-type: none"> - Diluted specimen – warning (1st) - 2 or more diluted specimens without a medical explanation – 2 days in jail - Late submit or late arrangement for test – 25 hours public service, 30 days reduction in sobriety time credit in current phase. - Failure to Submit (administrative positive) – 5 days jail (deferred if participant engaged in treatment) loss of all sobriety days, will be required to submit to more testing. - Failure to Abstain – 3 days jail (deferred if participant engaged in treatment), loss of all sobriety days, therapeutic adjustments to treatment plan, required to submit to more testing - Admitted use – 2 days jail (deferred if participant engaged in treatment), loss of
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	<p>all sobriety days, therapeutic adjustments made to treatment plan, required to submit to more testing</p> <ul style="list-style-type: none"> - Positive drug screen with denial – sent to lab for confirmation - If test is confirmed positive – 3 days jail for the positive test, 5 days jail for deception, loss of all sobriety days, and charged cost of the test.
<p>Lying/ Deception</p>	<ul style="list-style-type: none"> - 5 days jail per incident - Possible termination from Wellbriety Court program
<p>Treatment/ Missed DC check-ins</p>	<ul style="list-style-type: none"> - Missed group – 10 public service hours per missed group - Missed individual - \$50.00 fine - Missed support meeting (1st) - 2-page written report, 10 hours public service per meeting after that - Missed Wellbriety Court Check-in - \$50.00 fine - Missed Wellbriety Court Check – in and drug screens were administered at the time of check-in-administrative positive, 5 days in jail, loss of sobriety days, \$50.00 fine.

<p>Out of County without permission/or not calling in when returning from out of County or curfew extension</p>	<ul style="list-style-type: none"> - 30 days of GPS monitoring at participant's expense - Forgetting to call when leaving /returning to or from county – 50 hours public service (if self-reported, hours are subject to reduction) - Traveling outside of authorized request- 20 public service hours
<p>Failure to Obey the Law (with OR without an arrest)</p>	<ul style="list-style-type: none"> - Depending on the nature of the incident, ranging from public service hours to termination from the program
<p>Cussing in court Cell phone going off in court/ Talking Late to court Caught gambling and/or in a casino</p>	<ul style="list-style-type: none"> - \$5 per word or jail time for contempt of court - \$5 per incident - \$5 per incident - 1st –warning, 10 hours public service after first warning - GPS Monitor, therapeutic adjustment to treatment plan (Gambling assessment)
<p>Possession of legal substances that are prohibited in Wellbriety Court (alcohol, medical marijuana, opiates, synthetics, paraphernalia, firearms, etc.)</p>	<ul style="list-style-type: none"> - Therapeutic adjustments to treatment plan - Depending on the nature of the incident, ranging from public service to jail time.

The above sanctions can be modified by the Court on a case by case basis. During participation in the Wellbriety Court, should the Client fail to comply with the terms of the program agreement, at the Court's discretion the Client may be sanctioned to serve a term of confinement for six (6) months in an intermediate revocation facility operated by Pottawatomie County and client will be responsible for the cost.

VII. Client goals for Wellbriety Court

1. To deal effectively with substance abuse problems and bring them under control.
2. To recognize personal reasons and triggers for using drugs and/or alcohol and learn from past experiences.
3. To heal spiritually and physically by utilizing all the Wellbriety Court resources.

4. To become a better person, parent, and community member.
5. To be a friendly mentor to the new members of Wellbriety Court.
6. Learn to enjoy life without the use of drugs and alcohol.
7. Always be honest with counselors, family, the Wellbriety Team, and self.

VIII. Drug Testing

1. Drug Testing will be completed onsite with a 12-panel drug/alcohol test. The test will be performed by the Wellbriety Coordinator.
 - These will be performed with a 2-way video monitor, so the Wellbriety Coordinator can see that Clients are not tampering with the test.
 - The Client will bring the test back to the Wellbriety Coordinator to verify the results.
 - The Wellbriety Coordinator will record the results as negative or positive.
 - If the test results are positive, the Wellbriety Coordinator will immediately send the client to Convergence Solutions for an expanded laboratory drug test. If the Client fails to go test immediately as directed, the Client will be recorded as having a "Failure to Submit" and automatically will spend 5 days in jail.

WELLBRIETY COURT 2019 SERVICE PLAN AND BUDGET

The Wellbriety Court Service Plan for 2019 is based upon the BIA Carryover funding allocated to the program by the Executive Committee, and the District Court's expected volume of drug/alcohol-related criminal cases for the upcoming year. In fiscal year 2018, the District Court had eight (8) cases involving defendants who would have been eligible to participate in the Wellbriety Court program. The 2019 Wellbriety Court Budget is structured for 8 people to go through the main Wellbriety Court program Track A. This is the more intense program of the two tracks. The Budget also provides for an additional 8 people to go through the Wellbriety Court program Track B. This is the less intense program for lesser offenses and/or first-time offenders. To account for a potentially larger volume of Wellbriety Court participants, the Budget allocates funding for drug/alcohol-related services for up to 20 people total. In addition to drug/alcohol-related services, there is also a funding allocation for up to twelve (12) people from either Track A or Track B to participate in Anger Management training, and for up to eight (8) people to participate in Domestic Violence counseling. For sustainability purposes, the Wellbriety Court staff will pursue annual grants from federal, state, and private sources that provide funding for drug/alcohol judicial programs and related services.