

Monterey County Superior Court
DRUG TREATMENT COURT INFORMATION SHEET

Program Description

A voluntary, comprehensive, court-supervised treatment program for non-violentⁱ drug offenders identified with an addiction willing to work toward recovery and adhere to program requirements. Program requirements are individually identified following a full assessment and will typically include regular court appearances, formal probation, treatment (inpatient or outpatient), drug testing, self-help peer group, counseling, vocational training, education, and/or job placement. Program duration is a minimum of eighteen months and a maximum of three years.

Eligible applicants may have a secondary mental health diagnosis such as an anxiety disorder, post-traumatic stress disorder, depression, bi-polar, or other major anxiety disorder. Mental health issues cannot be the primary presenting problem or presenting diagnostic issue. Alternatively, referral may be made to the Creating New Choices program.

Target Population

Addicted non-violent drug offenders not eligible or suitable for Pretrial Diversion or Prop. 36 meeting all other drug treatment court eligibility criteria. Typically, while not necessarily all-inclusive, program participants are referred based on charges involving drug and/or paraphernalia possession, trespassing, traffic offenses, and some felony theft and property crimes where an addiction exists.

Ideal capacity is 30-40 clients, based on resources currently allocated to program.

Eligibility Criteria

- Must be 18 years old or older and a resident of Monterey County
- Must be willing to participate in drug treatment and be drug and alcohol free
- Must be able/available to actively participate in the program and access treatment and other necessary services
- No current participation in any other program such as DUI, VTC, Pretrial, or Prop. 36
- Prior referrals or participation after 5 years may be considered on an individual basis subject to DTC team review and recommendation
- No current, pending or prior within 10 yearsⁱⁱ gang affiliation or enhancement charges
- No personal circumstances which restrict the ability of the court to impose sanctions (informants)
- No current, pending or prior convictions within 10 years for drug trafficking, sales, or possession for sales. Current, pending or prior convictions of transportation for personal use shall be eligible if all other criteria are met
- No current, pending or prior felony convictions within 10 years or misdemeanor with 5 years involving a firearm, violence, or deadly/dangerous weapon and/or the use of force against another person
- No current, pending, or prior felony or misdemeanor sex offense convictions including PC 314.1, PC 647.6, PC 1192.7, or PC 667.5(c) felony convictions
- No parole holds, in-custody INS holds, or outstanding warrants
- No current felony probation or supervised parole
- No mental health issue that would interfere with the ability to comply with program requirements (Alternatively, referral may be made to the Creating New Choices program)

ⁱ The United States Department of Justice and Office of Justice Programs define a "violent offender" as a person who either:

- A. Is charged with or convicted of an offense during the course of which 1) The person carried, possessed, or used a firearm or other dangerous weapon; 2) There occurred the use of force against the person of another; or 3) There occurred the death of, or seriously bodily injury to any person without regard to whether any of the circumstances described above was an element of the offense or conduct of which or for which the person was charged or convicted; or
- B. Has one or more prior convictions of a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

ⁱⁱ Exceptions with compelling circumstances may be considered on an individual basis subject to review and recommendation by the District Attorney and sole discretion of the court.