

STOP Court

Client Guide

Multnomah County, Oregon

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NOTE: This booklet will not cover every situation.
If you have a legal question, ask your lawyer.

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What is STOP Court?

STOP is a “drug treatment court.” STOP helps people with drug charges live sober, crime-free lives. It cuts the crime rate and saves taxpayers money.

There are lots of good reasons to complete STOP Court (see below). But if you don’t enter STOP Court, you will be convicted and sentenced. The same is true if you enter STOP Court but don’t complete the program.

Why Do I Qualify for STOP Court?

You have been charged with a felony drug offense. Usually, this means you were caught with illegal drugs or a forged prescription.

How Long Do I Have to Decide if I Want to Enter STOP?

You have about two weeks from your first hearing in STOP Court. This allows you to try it out, to see if it’s right for you. During this time, you’re expected to go to all treatment appointments, and turn in UAs (drug tests). Pick up a new charge, and the D.A. may not let you stay in STOP Court.

At the end of your two weeks, you will return to STOP Court. You will need to tell the judge whether or not you want to stay in the program. If you decide not to enter STOP, your decision will be

final – for this charge. Make sure you talk to your lawyer, though, before you make a final decision.

What Do I Have to Do to Enter?

- Talk with your lawyer.
 - Give up your right to an indictment and/or trial.
 - Go to court and plead guilty or “no contest.”
 - Sign the necessary paperwork.
 - Attend STOP Court on scheduled dates for at least a year. STOP Court is held Monday through Thursday, every week. Hearings start at 1:30 pm, and can go until after 5pm.
- If you do well, you’ll get to leave your hearings early, and you won’t have to return for another 4-6 weeks. If you don’t do well, you will have to stay longer at each hearing and come back to court more often. You may also spend time in jail. You can be required to appear at any time by the court.
- Go to the InAct treatment center. Meet with your counselors. You will be treated based on your needs. You’ll also be given a physical.
 - Attend treatment and support groups. These may take up most of your spare time.

- Submit clean drug tests. You will be given regular, random drug tests (UAs).
- Pay your fees. Fees depend on your income.

How Will STOP Court Help Me?

In STOP Court, you will learn how to:

- make changes in your life and learn to ask others for help and support
- deal with the problems in your life without using drugs and alcohol
- have fewer problems in the community
- use your time in ways that are healthy and fun

If you complete STOP Court, you will:

- Avoid getting a felony charge on your record
- Learn to live a healthier life
- Help make up for any harm you may have done

If all that sounds too good to be true, consider this:

- Not on probation now? You might avoid probation and jail time if you do well in STOP Court. And if you don’t join STOP Court, chances are that you’ll be put on probation. And you’ll *still* have to go to treatment!

- Already on probation? Your new drug charge means you’ve committed a crime while on probation. Usually, there would be a consequence for this. There may not be one, however, if you enter STOP. And there’ll be lots of support to help you make positive changes in your life.

Either way, finishing STOP is a good thing for you. Why? Because this felony won’t end up on your record. That’s a good thing, because:

- It could be hard to get a job with a felony on your record.
- People might avoid you or be afraid of you if they found out you were a “convicted felon.”
- You’d have to submit your DNA to the government, to be kept on file – forever.
- Employers and landlords would be allowed to turn you away because you’d been convicted.
- Your ability to serve in the military would be limited.
- You might not be able to receive food stamps or other federal aid.
- You might not be allowed to enter other countries, including Canada.

- Not a U.S. citizen? You could be deported. You might not be able to become a citizen.
- You might not be allowed to serve as a juror.
- Some jobs require you to get a license, or to keep it in good standing. A felony might prevent you from getting or holding a license in any of the following areas:
 - Real estate (including appraisal and escrow)
 - Liquor or pharmaceuticals
 - Psychology, therapy, treatment or medicine
 - Stocks, bonds, securities, or commodities
 - Security
 - Any other career that involves a licensing bond may be affected
 - You could not be a notary or personal representative, sheriff, or lottery commissioner. (That may sound funny to you now, but you never know.)

Is it Hard to Be in STOP Court?

That depends on you. It will mean:

- You’ll have lots of people in your business. They’ll ask you lots of questions about the choices you make and your behavior.
- You’ll have to go to a lot of court hearings and treatment meetings that will be scheduled for you. You’ll have to change your personal schedule to go. It will be your responsibility to arrive on time.
- You’ll get feedback, both positive and negative. And you’ll be expected to accept consequences when you make poor choices. Those consequences could include sitting in court all afternoon, or spending time in jail.
- You’ll have to submit random UAs. You’ll be held responsible for the results.
- You’ll have to talk about personal information in open court and in treatment groups. You might be in new situations where you feel out of place.
- The goal is to stay clean and be crime-free. We know that treatment takes time, so using drugs or alcohol won’t usually get you kicked out of the program. New crimes might.

How Do I Graduate?

To be considered for graduation, you have to be doing well in treatment. Usually, this means that:

1. You’ve been in treatment for at least a year.
2. You are currently attending all of your treatment meetings (except for excused absences).
3. Your drug tests are consistently clean.
4. You show up on time for all your court hearings.
5. You pay your treatment fees.

Your counselor will decide when you’re almost ready to graduate. To be eligible, you must:

- Be attending treatment (and your court hearings). Days you spend in jail don’t count.
- Finish treatment. Your counselor will help you set goals.
- Pay all your treatment fees.
- Submit clean drug tests for six weeks in a row, just before graduation.
- Show up for an exit interview with the judge. The D. A. will be there, along with your lawyer and a treatment counselor. If the group decides you’re ready, you will be scheduled to graduate the same week.
- Attend the graduation ceremony in court. To graduate, you must show up on time and give a speech to people in the courtroom.

Graduating from STOP Court is something to be proud of. You’re welcome to invite family or close friends.

UAs – Random Drug Tests

You will be tested randomly for drug use – and alcohol use. Drug tests help you stay sober.

At your first appointment at InAct, you will be given a UA (urine test) code. You will also be given a special telephone number. You will need to call that number every day to see if your code has been chosen. If it has, you must go to InAct to give a UA the very same day. Every time you give your UA, someone will watch you.

If you don’t receive treatment at InAct, you will still need to turn in UAs (urine tests). Follow the instructions your treatment provider gives you.

All of your UA results will be shared with the STOP Court team, including the judge.

If you miss a UA, it will be counted as dirty. If you show up and can’t “go,” or there’s not enough urine to test, your UA will be counted as dirty.

Treatment Fees

You will need to pay for your treatment. Fees are set depending on your income. To show your income, you will need to provide pay stubs. If you are not working, you will need to call or go to the Employment Department for proof. Without proof of income, you will be charged the highest rate on the scale.

Fees are due every month, and should be paid on time. If you miss the due date, you will have a 7-day grace period in which to pay. If you do not pay, you will be put on “Do Not Admit” (DNA) status. DNA status means that you will need to attend STOP court every day until you pay your fees. However, you will still need to attend support groups and turn in UAs. If you are being treated at InAct, you will not be allowed to attend treatment until your fees are paid.

Getting treatment in another county? You’ll need to pay InAct a monthly fee to report on your progress to STOP Court. You will be put on DNA status if you don’t pay this fee.

What Do I Have to Do to Stay in Treatment?

To stay in treatment, go to the meetings set for you by your counselors. Go to outside support groups. Appear on time for UA tests. Pay your treatment fees on time. Be respectful to treatment staff and other people in treatment.

How Do I Get Kicked Out of Treatment?

The STOP Court team wants you to succeed. But here are four things that could get you kicked out of treatment:

1. Showing Up Loaded. No one is allowed inside InAct while under the influence. Show up high or drunk, and you’ll be asked to return when you’re sober. Do this several times, and you could be kicked out of treatment.
2. Being Late or Absent. You’re not allowed to be late to a treatment activity. Nor can you skip one without permission. If you break these rules over and over, you’re out.
3. Theft. Steal anything from InAct or its staff, and you’ll be kicked out. All thefts will be investigated and reported to the STOP Court. Theft may also be reported to the police and charges pressed.
4. Violence, Threats, or Weapons. You will be kicked out of treatment if you do any of these things:
 - threaten anyone
 - bring a weapon of any kind onto InAct’s property
 - attack anyone

NOTE: If you get kicked out of treatment, you may or may not be kicked out of STOP Court. You may be sent to treatment somewhere else.

What Will Treatment Be Like?

What treatment will be like for you will depend on what you need to get clean.

Most people in STOP Court will go to treatment at InAct. InAct is located at 727 NE 24th Avenue, in Portland. It can be reached on Tri-Met via the #12 bus.

Treatment at InAct is usually made up of three separate phases. You’ll start out in Phase I, going to a lot of group meetings. You’ll also meet one-on-one with your own counselor. As you make progress, you’ll move on to Phases II and III. Over time, you’ll be allowed more free time. However, you’ll need to turn in random UAs the whole time you’re in STOP Court.

You will also need to go to outside support groups like AA or NA. If you don’t want to go to a 12 Step group, SMART may be for you. Structured church groups like Alcoholics Victorious or Celebrate Recovery are also acceptable. (Being counseled by your pastor won’t count. Nor will other activities at your place of worship. But you should do these things if they’re helpful to you.)

Not everyone will receive treatment at InAct. Some people will need residential care. Some people need methadone. If you’re one of them, your treatment program might work a little differently. You will still need to: show up for treatment, turn in clean UAs, pay your fees, and show up in court.

What Happens in STOP Court?

How often do I have to go to court?

While you’re in the STOP Court program, you’ll have to go to court a lot. The better you do, the less often you have to go to court.

- Doing well? You might only have to see the judge every 4-6 weeks.
- Not showing up for treatment? Turning in dirty UAs week after week? Skipping court? Then you’ll have to go back to STOP Court more often. You might have to go back every week – or even daily.

In court, you will be told when you need to return to court. It’s very important to show up on time. Show up late, and you’ll have to stay longer to have your case heard. It’s always a good idea to arrive early.

Where is court held?

STOP Court is held in the Multnomah County Courthouse at 1021 SW 4th Ave. It’s held Monday through Thursday. STOP Court starts at 1:30 pm. It finishes around 5 pm, but may run later. Sometimes

there are lines to get in the building, so show up early.

What do I do in court?

Mostly, you’ll wait. Your case will be heard along with the cases of about 40 others. The judge will work through each of the cases, one by one. Each usually takes about five minutes. Pay attention – you can learn a lot from the other people in court.

When your name is called, you’ll talk briefly with the judge about your case. He’ll have a report from your treatment counselor in front of him. He’ll talk to you about how you’re doing in treatment. He might ask you about your UAs or your job. If you missed a treatment meeting, he’ll want to know why. When you’re done, you may leave court for the day (unless you’re going to jail).

Your talk with the judge will not be private. Other people will be there, like the D.A., and your lawyer. Other people in the STOP Court program will also be there, waiting their turns.

The judge will ask three other people to tell him what they think about how you’re doing. He will ask your lawyer, the D.A., and a representative from InAct.

If you’re doing well, the judge will praise you. If you’re not doing well, you could be sanctioned. The judge might make you sit in court for a full day. Or he might send you to jail for a few days.

NOTE: The judge will always ask you when your “clean date” is. That date will be different for everyone. Your clean date is the day *after* you last used drugs or alcohol. (You don’t have to worry about the drugs your doctor prescribes for you.) For example, if October 23rd was the last time you got high, then October 24th is your clean date. You will be expected to track your clean date, although the judge will do this also.

Your lawyer will always be there in court to protect your rights. However, if you break the rules of the program, you may spend time in jail.

Why should I show up for roll call?

Every STOP Court hearing begins at 1:30 pm with roll call. Be sure to be there when your name is called. If you’re late, you’ll have to wait longer before your case is heard. But if you’re on time, your name is put in a hat. If your name is drawn, you’ll win a gift certificate. You could win a meal at a restaurant, movie passes, or admission to OMSI. (However, gift certificates are not always available. The court doesn’t always have money to pay for them.)

What happens if I do well in STOP Court?

If you’re doing well in STOP Court, you will be praised in court.

If you do well on a regular basis, your name will be put on the “Quick List.” This means that you will be

among the first to have your case heard in court that day – and you can leave early. Also, you may not have to come back to court for another three to six weeks.

Your treatment counselor will put you on the Quick List. To qualify, you must:

- turn in clean UAs
- show up for court
- show up for all your treatment sessions
- keep your treatment fees paid up

If you do really well for six months, you may qualify for another gift certificate. Keep it up, and you can graduate from STOP Court after 12 months.

What happens if I don’t do well in STOP Court?

The choices you make have consequences. If you choose to miss court appearances, skip treatment, or keep using, you won’t do well in STOP Court.

If you don’t do well:

- You’ll spend more time in court, waiting for your name to be called.
- You’ll have to come back to court more often.
- It could take you longer to finish STOP Court. Why get out in 18 months when you could be done in 12?

- You might have to sit in court – even on days when your case isn’t on the docket.
- You might have to spend time in jail. If you keep making bad choices, the judge could send you to jail many times.
- You may not make any positive changes in your life.

However, the STOP Court team knows that getting clean isn’t easy. So in your first month in STOP, the judge will usually go easy on you, as long as you show up in court. After four weeks, though, it’s a different story. There will be consequences when you slip up.

As a rule, the judge will start out by going easy on you. For example, if you keep turning in dirty UAs, the judge might make you sit in court for an extra day or two. This is called a “sit sanction.” When you are “sit sanctioned,” you’ll have to write out your answer to a question about your progress. The judge will discuss your answer with you when it’s time to hear your case. But your case will be one of the last ones heard that day.

The judge can make you do sit sanctions as often as necessary. But if your behavior doesn’t change, you might do jail time instead. Jail sentences often last 2 days, but “frequent flyers” may serve for 5 or 10 days.

The first few times the judge gives you a sit sanction or jail, you might not have to do it. That’s

because the judge may “impose and suspend” the sentence. (The judge will tell you when this happens.) In other words, you won’t have to serve the sit sanction or go to jail immediately – *if you follow the program rules*. (That means showing up for court, for treatment, and turning in clean UAs.) If you don’t follow the rules, then you’ll have to serve the sentence. And if you do follow the rules, then the judge will withdraw the sentence, as a reward.

If you miss a STOP Court hearing, a warrant will be issued for your arrest. If this happens, call your lawyer, and then report back to STOP Court. If it’s your first warrant and you come to court, you probably won’t spend any time in jail. Pick up a second warrant though, and you *will* spend days in jail.

NOTE: you probably won’t be allowed back in to STOP Court at all if 90 days go by before you come back. (Of course, if you were in the hospital or in jail the whole time, the judge might let you back in.)

What is “Last Chance” Status?

The judge might put you on “Last Chance” status if your behavior doesn’t change over time. You’re very likely to be put on “Last Chance” if you miss a lot of court dates.

The main requirement of “Last Chance” is that you must not miss any more court dates. Miss one, and you’re out of the STOP program. (If you have a good reason to miss court, you won’t be kicked out. “Good reason” means something you didn’t have control over. For example, you were in the hospital. Whatever your excuse, the judge will need proof.)

Once you’re on “Last Chance,” you stay on it. It only ends when you’re kicked out or you graduate.

Will I Have to Go to Detox?

Maybe. Using drugs can be harmful to your health. The STOP Court team really wants you to stay healthy. So if you keep turning in dirty UAs, you’ll have to go to a detox agency like Hooper. If you don’t go, you will be sent to jail for 10 days to detox.

You may also have to go to detox if you’ve been out on a warrant a long time.

Frequently-Asked Questions (FAQ)

How long do I have to be in STOP Court?

At least one year. On average, people get through STOP in 14 months. Some take less time – but some take longer. The longest anybody has been in STOP Court was over five years.

The judge issued a warrant for my arrest. What do I do?

Call your lawyer, and then turn yourself in. Your lawyer will talk with you about what will happen next. The judge will look on you more favorably if you turn yourself in. If you have a warrant because you missed a court date, and you had a very good reason, tell your lawyer.

I have a medical marijuana card. That means I can use marijuana, right?

No. You may not use marijuana while in the program. Period.

What happens if I admit I used drugs while in STOP Court? Won't I be charged with possession?

Nope. But if you're arrested again – for possession or any other crime – you will be charged.

I'm graduating from STOP Court. Can I invite my sister to watch?

You're welcome to invite family or close friends to graduation. It's something to be proud of.

I tried to give a UA and I just couldn't go. That means I have to wait a day to give another UA, right?

Nope. Your UA has to be turned in the day your UA code comes up on the telephone. But sometimes people get nervous. If that's the case, we'll try to work with you.

However, if you can't go at all, your UA will be coded as NSP. "NSP" means "No Sample Produced." That's usually treated the same way as a dirty UA.

I lost my job. I can't pay my treatment fees. What do I do?

Talk to your treatment counselor. You will need to submit a request to have your fees reduced. In most cases, your fee will be lowered temporarily.

Do I have to go to outside support groups?

Yes. Your counselor will help you find ones that are right for you.

When is my Clean Date?

The day *after* you last used drugs or alcohol.

Can I get my charges wiped from my record?

Maybe. Talk to your lawyer.

I don't live in Multnomah County. What do I do?

Talk to your lawyer. In most cases, you will go to treatment near where you live. If there's a drug

court in your home county, you will join it and follow its rules. The rules of the other drug court may be different from STOP.

No drug court in your home county? You’ll have to travel back to Portland when you have a court hearing.

Can I leave town for a few days?

Maybe. The court has to give you the “okay.”

You’ll have to tell the court *exactly* where you’re going, when you’ll be back, and whom you’ll be with. If possible, you will have to give random UAs at your destination.

The court might require you to turn in a UA:

- the day you leave (or the day before); and
- the day you get back (or the day after).

If you’re allowed to go, you will be excused from all treatment and court appearances while you’re gone.

Break the rules for a trip, though, and the court may make you serve time in jail.

Am I Going to Be OK?

STOP Court has a lot of rules. You’ll have to do a lot to keep the judge happy. But if you’re serious about trying to get clean, you’ll do fine. You might not get out of STOP Court in 12 months, but that’s

okay. Getting clean is tough. You don’t want to rush it.

At first, it may seem like the D.A. or the judge is out to get you, but they aren’t. Everyone on the STOP Court team wants you to get clean and stay that way. Screw up, and there will be consequences. But if you straighten up, the same people will be the first to give you a pat on the back. They really do want you to succeed.

STOP Court is a golden opportunity. Take it. It’s a chance to get your life back on track.

A Few Definitions

STOP Court can be a confusing place. We use lots of words that may not mean anything to you. To help you out, here’s a few you may run across:

14-Day Period – See “Trial Period,” below.

Bench Warrant – see “Warrant,” below. “Bench warrants” are issued by the judge.

D.A. – District Attorney. The D.A.’s job is to hold you accountable for the crime you’ve been charged with.

Declaration Day – The second time you go to STOP Court. It’s when your trial period is over. (See “Trial Period,” below.) On this day, you must

tell the judge if you want to stay in STOP Court. Your decision will be final (on this set of charges).

Decline STOP Court – If you tell the judge you don’t want to enter STOP Court, you “decline” it. You have two chances to do this. The first time is on “petition day” (see below). The second time is on your “declaration day” (see above). If you decline to enter STOP, your decision is final. (If you’re arrested on new charges, you might have another chance to get in.)

InAct – Most people in STOP are treated at InAct. InAct is an outpatient substance abuse treatment center. It’s a program of Volunteers of America.

Last Chance – If you’re failing STOP, you will be given a “Last Chance.” This means you cannot miss another court date until you graduate from STOP. Otherwise, you will be kicked out of STOP Court.

Petition Day – The day you first appeared in STOP Court. It’s the start of your “trial period.” (See “Trial Period,” below.) Roughly 14 days later, you will go back to court for “declaration day.” (See “Declaration Day,” above.)

Quick List – A list you want to be on. People on the Quick List get to have their cases heard sooner than everyone else. So they get out of court early, and they don’t have to come back as often. To learn more, see the section called, “What Happens if I Do

Well in STOP Court?” Or, talk to your treatment counselor.

Sit Sanction – When you have to “sit” in court for a day or two because you skipped treatment or turned in another dirty UA.

Termination – If you fail STOP Court, you will be kicked out of the program. This is called “termination.”

Treatment Court Liaison – A person from InAct. This person sits in court when you talk about your case. He or she tells the judge how you’re doing in treatment.

Trial Period – A period of roughly 14 days when you first start STOP Court. This is when you get to try out the program to see if it works for you. Your trial period starts the day you first show up in STOP Court. (See “petition day,” above.) It ends on your “declaration day” (see above).

U.A. – Did you get high recently? That’ll show up in the urine tests you submit to STOP. The tests are called “urinalysis.” “U.A.” is short for “urinalysis.” These tests are usually given at InAct. You are watched when you give your sample.

Warrant – A warrant is a court order. It tells the police to arrest someone and bring that person to court. Got an active warrant? If you’re stopped by the police for any reason, you will be arrested.

Contacts You May Need

Here’s the address and phone number of two agencies you might need to get hold of:

InAct, a program of Volunteers of America Oregon

727 NE 24th Ave,

Portland, OR 97232

(503) 228-9229

Multnomah Public Defenders (MPD)

630 SW Fifth Avenue, Suite 500

Portland, OR 97204

503-225-9100

*Note: MPD represents most STOP Court clients. Your lawyer may come from a different firm.