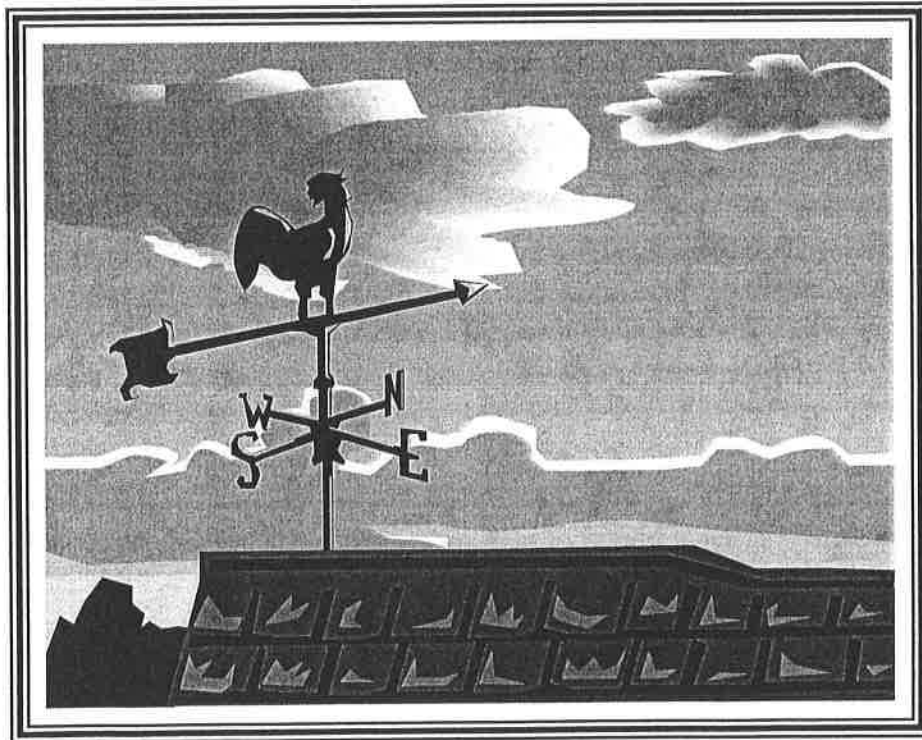


# DISP Participant Handbook





KATHLEEN M. DAILEY  
Supervising DISP Judge  
JUDITH H. MATARAZZO  
DISP Judge

CIRCUIT COURT OF THE STATE OF OREGON  
FOURTH JUDICIAL DISTRICT  
MULTNOMAH COUNTY COURTHOUSE  
1021 SW. FOURTH AVENUE  
PORTLAND, OR 97204-1123

### DUII Intensive Supervision Program (DISP)

Dear Participant,

The purpose of the DUII Intensive Supervision Program (DISP) is to help you establish and maintain a life free of alcohol and drug abuse for the duration of your probation and beyond. We believe that taking these steps will greatly improve the quality of your life, as well as the safety and security of our community.

Everything that DISP requires you to do, and not do, contributes to your success at remaining drug and alcohol free. Everyone who contributes their work and effort to DISP - the court and its staff, attorneys, case managers, law enforcement and treatment providers- have your success as their goal and will do all they can do to support your positive efforts. But ultimately it will be your hard work, your determination, and your willingness to honestly confront your past that will determine whether you will be successful in making a better future.

This handbook has been created to give you a full explanation of DISP, so that you can make an informed decision about whether to enter this program and also to prepare you to comply fully with DISP probation conditions. Once you enter the program, your case manager will be available to answer your questions as they arise, and to help you deal successfully with the situations and challenges you will face in complying with your DISP probation.

The restoration and renewal process you are about to begin will benefit you, your loved ones and your community. We look forward to working with you toward the worthy goal of a life that is happier, healthier, and free of alcohol, drugs and criminal activity.

Good luck in your program.

Sincerely,  
Judge Kathleen M. Dailey

## **DISP Introduction**

The DUII Intensive Supervision Program aims to protect the community and help people improve their lives. The program works by assisting you to get clean and sober so that you can be a responsible, content, law-abiding citizen.

As the name suggests, this program is intensive. **You should plan to do something for this program every day for the entire program.** This could be as simple as calling the UA call-in line or as complex as submitting a UA, seeing a case manager and going to treatment all in one day. DISP demands a lot. However, if you successfully complete this program you will have greatly reduced the likelihood of reoffending and should have the skills to live a clean and sober life. DISP probation is usually three years. If you are doing extraordinarily well, there are times when probation can terminate up to six months early. Probation can also be extended by the judge. You will be required to pay for all treatment, electronic monitoring, random UAs and other drug tests.

### **The first step to being successful in DISP is HONESTY!**

DISP judges and staff recognize that a person who is not honest cannot be in recovery and may soon relapse. Thus, total honesty is the most important requirement of this program. If you violate probation the best thing to do is to immediately report it to a case manager. Attempting to hide violations will only cause more violations and greater sanctions when the behavior is found out.

- **If you commit a violation and self report** before you are caught by DISP staff, the court or any member of law enforcement, the sanction will NOT be jail time. The sanction could be additional conditions and discussion regarding what it will take to stop substance use or other violations.
- **If you are caught violating your probation or if you are dishonest about violations**, the sanction could include significant jail time.
- **If you repeatedly violate your probation, probation may be revoked;** you could be sentenced up to one year in jail for each misdemeanor count and any fines or fees that were suspended will be reinstated.

### **Tips for success:**

- Read this handbook.
- Read all of your court orders.
- Talk to your case manager if you do not understand this handbook, court orders or anything else DISP related.
- Be ready to quit using alcohol and drugs for the entire term of probation.
- Be ready to not drive for the entire term of probation (and possibly longer).
- Be ready to be completely honest with the court, treatment, case managers and all other DISP community partners.

## DISP Case Managers

You will have a case manager assigned by the DISP Director. The case manager is integral to your experience and success in DISP.

You will meet with your case manager frequently. The case manager's job is to assess if you are complying with probation conditions and engaged in treatment and recovery. When you report for a meeting with a case manager you should bring any required documentation to show compliance with the program. This usually includes a self help meeting (AA or similar) attendance slip, pay stub, prescriptions and any other documentation you are ordered or directed to provide. The case manager will go over the documentation and may assign new tasks to be accomplished. The participant should read over the paperwork provided at the end of the meeting. It will contain important instructions and your next appointment date and time.

The case manager is the first person to talk with if you have a question about any aspect of DISP. If you are having trouble complying with an order or obligation, you should speak to your case manager. Any request that must be approved by the judge should first be discussed with a case manager. The case manager will communicate with the DISP judge about your request. If you want to have a hearing to speak with the judge you must schedule this with your case manager.

You need to maintain good communication with your case manager. Similarly, the case manager needs to be able to contact you at any time. You are required to maintain a working phone line so that you can be contacted easily. If for some reason you do not have a phone for some time, you must make arrangements with your case manager to maintain contact. If your case manager calls you, it is imperative that you call back as soon as possible. Case managers are required to request a warrant for people who are out of touch and do not maintain contact for too long. If you need to contact a case manager you should call, email or report in person. Your case manager will reply as soon as possible.

# **Phases of DISP**

## **Phase I - EM and Treatment- Obtain Sobriety**

Phase I is the period when you begin DISP probation. You will be on electronic monitoring, enroll and engage in treatment and enroll in the random UA program. You will be meeting with your case manager frequently and providing documentation for all of your required activities. You will be having frequent UAs to assist in developing a period of sobriety. You should have a good understanding of probation conditions and what is expected of you. You should understand that honesty and your long term sobriety are the goals of the program and hopefully yourself. Your case manager may give you a writing assignment.

### **Steps to be completed before moving to Phase II \***

- 1) At least 90 days in DISP
- 2) No use of alcohol or drugs
- 3) At least 90 days clean UAs (no dilutes, invalids or misses)
- 4) No SCRAM violations
- 5) Actively engaged in treatment
- 6) Enrolled in the random UA program
- 7) Vehicles sold or dealt with per sentencing order
- 8) Participant aware of financial obligations.
- 9) Meet with judge to determine eligibility for Phase II

## **Phase II-Learn to Maintain Sobriety**

Phase II is the period that begins when you have completed the close supervision of electronic monitoring and biweekly meetings with your case manager. You will enter Phase II after successfully completing electronic monitoring, most likely at your further proceeding hearing, which is set for 90 days after your sentencing date. Your sobriety is more in your hands now. Active participation in treatment and self-help groups are a major focus during this important time in your life. You may now meet with your case manager monthly if you, the judge and case manager all agree that this is in your best interest.

### **Steps to be completed before moving to Phase III \***

- 1) At least one year in DISP
- 2) Demonstrated "sobriety" through behavior
- 3) No major violations within the last six months
- 4) ADES evaluation completed
- 5) Financial obligations to treatment agency and EM provider current
- 6) Recommendation of PO and/or case manager
- 7) If Restitution is owed, you are making payments and have a payment plan
- 8) Developed a home group, sponsor and engaged in community support group

## **Phase III – Practice Sobriety- Quality of life**

Phase III is the period when you concentrate on extended recovery and on improving your overall quality of life. You will be invited to a phase ceremony to receive your completion certificate for Phase II. During this phase you may complete your treatment requirement. You will participate in a social activity in the community. Your case manager may also give you written assignments.

### **Steps to be completed before moving to Phase IV \***

- 1) At least one year in Phase III
- 2) One year of continuous sobriety and probation compliance
- 3) All financial obligations must be current
- 4) Approved Volunteer/Social activity
- 5) Recommendation of DISP Staff and the judge.
- 6) Complete written assignments

### **Phase IV – Reduced Supervision- On Your Way**

Phase IV is reserved for those participants who demonstrate full compliance with DISP conditions and have earned their way to less intensive supervision. All probation conditions still apply including random UA's and reporting to court when directed. Your case manager may give you written assignments to complete.

Benefits of Phase IV

- 1) Report to court only once every 2 months.
- 2) Reduced requirements to document activities
- 3) Possible early termination of probation

**\*In some cases and any felony cases, all steps may not apply exactly as explained or additional steps and conditions may be required. Felony cases are required to have more frequent meetings with a DISP case manager.**

## **Alcohol and Other Drugs**

You may not consume any alcohol or use any drugs at any time for any reason during your probation. You may not use any product that contains alcohol. You may not consume non-alcoholic beer, non-alcoholic wine, kvass or kombucha as they are fermented and contain some alcohol. You may not drink, eat or consume cough syrup containing alcohol, mouthwash containing alcohol or food prepared with alcohol. Do not use any medications, tinctures or homemade remedies prepared with alcohol. You may not use alcohol-based hand sanitizers. You may be surprised at how many products contain alcohol; be sure to read labels. If you eat out or at other people's homes you should ask if sauces, salad dressings, fondues or marinades contain alcohol. Medical Marijuana is not allowed. You are not allowed to use synthetic cannabinoids, inhalants, nitrous oxide or other legal intoxicants. You are not allowed to consume poppy seeds. You will be held responsible for all positive alcohol / drug tests regardless of the product that may or may not be responsible for the positive test result.

## **Prescription Drugs / Acknowledgment of Physician**

If you take any kind of prescription medication, you must inform your case manager before you fill the prescriptions, except in a medical emergency. If you are given prescription medications or pain medications in a medical emergency, you must report that to your case manager on the next business day. You must provide copies of the prescription or the prescription bottle to your case manager every month. You cannot take any other people's prescription drugs. You cannot take your own expired or outdated prescription drugs.

If you are prescribed any narcotic pain medications or other drugs with strong side effects, you may be required to sign a medical release and have your prescribing physician acknowledge that you are enrolled in a substance abuse program. You must demonstrate a good faith effort to manage chronic pain through alternative means, without narcotic pain medication. Again, Medical Marijuana is not allowed.

## **Treatment**

Oregon law requires that every person convicted of Driving Under the Influence of Intoxicants (DUII) must attend, complete and pay for substance abuse treatment. DISP considers treatment to be more than a legal requirement. Treatment helps you to be free from alcohol and drugs and to enhance your quality of life. DISP focuses on making sure that you receive the quality and quantity of treatment that is necessary to achieve long-term sobriety. DISP works with several preferred treatment providers in the area. The judge may order additional treatment if you engage in treatment at a different treatment provider. If treatment at another provider is approved, you will be required to ensure that your treatment provider sends monthly status reports to the DISP office.

### **Treatment Policies**

- You must enroll in treatment within seven (7) days of being sentenced.
- You will be required to engage in treatment for at least one year.
- Treatment providers will determine the frequency of sessions.
- The judge may order additional treatment if it is deemed necessary.
- You may not miss, cancel or reschedule treatment without prior permission from the court.
- You must continue treatment until the treatment provider and the court approve treatment completion.

If you are interested in entering DISP, you can request a list of preferred providers and contact them to inquire about their fees and to see which insurances they accept.

## **Community Support Groups**

DISP participants are required to attend at least two (2) community self-help groups every week. Many people choose to attend Alcoholics Anonymous, but there are other groups that fit this requirement. Examples of approved groups are Alcoholics Anonymous (AA), Narcotics Anonymous (NA), SMART, Celebrate Recovery and Women For Sobriety. Other programs, such as church based groups may be considered and approved by the judge, if appropriate.

Community self-help groups benefit you in a variety of ways. They offer experience, strength and hope to others so that they can solve a common problem. They provide social networks, and opportunities for recovering persons to form friendships with other clean and sober folks. They provide clean and sober social activities. Eventually everyone completes treatment and probation, but community support groups are always available to help you with the ongoing process of recovery after probation is completed.

You will attend community support groups for the full term of probation and should find a “home group” where you feel comfortable and accepted. There is a meeting for everyone. Some meetings are restricted by gender, sexual orientation, language,

smoking or non-smoking and other characteristics. You should try a variety of meetings to find the ones that fit you best.

You must attend meetings on different days of the week and the required number every single week. It is not acceptable to wait until the end of the month and attempt to catch up on support groups. You prove that you have attended meetings with a slip, signed by the secretary or leader of the meeting. DISP case managers will provide attendance slips. You should only write your name on the slip. The meeting name, date and signature should be written in by the person signing the slip. Every time you come to the courthouse, either for a court hearing or case manager meeting, you should bring your meeting attendance slip. If you are having a hard time finding community support groups, you should talk to your case manager or treatment provider. Two good resources are the AA and NA websites – [pdxaa.com](http://pdxaa.com) and [portlandna.com](http://portlandna.com).

## Driving

**You may not drive any Motor Vehicle for any reason without the court's permission!** Oregon law (ORS 801.360) defines "Motor Vehicle" as any vehicle that is self-propelled or designed for self-propulsion. This includes golf carts, boats, off road recreational vehicles, dune buggies, dirt bikes, snowmobiles, motorized scooters, jet skis, airplanes, or any other vehicle that is propelled by a motor, gas, diesel or electric.

**You may not drive any motor vehicle, on any public road, street or premises open to the public.** "Premises open to the Public" includes parking lots, car lots and all other places that are accessible to vehicles and not barricaded. This even includes your own driveway. The only exceptions are riding lawn mowers, forklifts and other work equipment on private property, and you must receive written permission from your case manager before you are allowed to drive these.

If you have two or less DUII convictions, you may at some point become eligible for some type of driver's license. You will need to talk to your case manager to complete this process. **You may not get a license or hardship permit until the court gives you written permission**, even if DMV notifies you that you are eligible to get a license. **You must both fulfill requirements of DMV and have permission from the Court before you can have your license reinstated.** If you drive without the Court's permission you are in violation of your probation.

## Employment

### FULL TIME EMPLOYMENT IS REQUIRED

- Full time employment is between 35 and 60 hours per week. You may work two jobs simultaneously to satisfy the full-time employment requirement.
- You must provide payroll stubs showing employer's name, address, phone number, gross wages, withholdings, and/or W2 forms as verification of employment.
- You may not enroll in full time education or a trade school without the permission of the court.



- If you are a full-time student, you must show proof of income and school schedule. The court will require copies of grade slips. Being a student does not relieve you from any financial responsibilities for monitoring, UA, supervision, or treatment fees.
- If self-employed, you must show proof of quarterly tax filing, including cancelled checks to the IRS.
- If you are unemployed, you will be required to document your job search.

#### DISABILITY

- You must present copies of SSI or SSD classification and benefit description.
- If you are disabled you may be required to participate in appropriate volunteer work.

#### FINANCIALLY INDEPENDENT OR RETIRED

- If you are financially independent or retired, you must receive permission from the Court to waive the employment requirement. The Court may require additional volunteer activity in place of employment.
- You may be required to show the last two years tax returns to verify income.

#### CARE GIVERS

- If you care for small children at home, the court will determine whether it is reasonable for you to secure full-time employment. Care giving for adults may not be allowed without additional employment.

## **Electronic Monitoring**

Electronic Monitoring (EM) is Alcohol Monitoring using the SCRAM alcohol monitoring bracelet. SCRAM stands for Secure Continuous Remote Alcohol Monitoring. All new participants are required to enroll in SCRAM for a period of time to be determined by the judge. SCRAM is administered by Vigilnet Northwest which is located in downtown Portland.

You will be required to pay Vigilnet for your monitoring supervision. Violations of your Electronic Monitoring Agreement will be treated as probation violations and may result in jail time or other sanctions. Electronic monitoring is charged on a sliding scale based on your income.

There are prohibitions on the use of alcohol containing products while you are on Electronic Monitoring. You are required to follow the instructions of Vigilnet staff.

## **Random Urinalysis Program**

You will participate in the random urinalysis program for the full term of probation. You must pay for all urine tests. Tests are given at random based on the frequency of tests set by treatment, the judge and your case manager. Alcohol use, drug use, dilute samples and other high risk behavior may result in a higher frequency of testing. Treatment Services Northwest administers this program at three offices in the Portland area. Missing a UA due to inability to pay is a probation violation.

## Travel Policy

If you wish to travel outside the Portland Metropolitan area, you must fill out a travel request form and request permission from your case manager and/or the judge. Participants requesting a travel pass **must be in compliance** with all probation conditions at the time of the request.

- Travel outside of the State of Oregon requires permission from the court. A travel request must be filled out and approved by the judge for all out of state trips for any reason.
- You may be required to provide travel itinerary, plane tickets, hotel reservations, and contact numbers at the destination.
- If you are away from your residence for more than 48 hours, you must receive permission from the court, even if you are staying in the State of Oregon. We need to know where you can be reached at all times.

**All DISP probation conditions are in effect while you are traveling.**

## Police Contact

**You must report all police contact to your case manager or Probation Officer within 48 hours of contact.** Police contact includes any situation in which police officers have asked you for your name. It includes new arrests and citations. It also includes situations in which you may be a witness to an accident or a crime or occasions in which you have called the police. If a police officer asks your name, then your name will be run through a computer and we will be notified that an officer had contact with you. Police contact is not forbidden. If you need the police, please contact them. However, you must report all contact to DISP.

Police contact also includes instances where the police would want to talk to you, even if you fled the scene or were otherwise unavailable to speak with police. If you learn that you have a warrant in another jurisdiction outside of Multnomah County, or if you are the subject of an investigation, or if you are sought as a witness, you must report that to your case manager.

If you receive a subpoena or a restraining order, you must report that to your case manager. If you are a party to a lawsuit or a bankruptcy, you must report that to your case manager.

When reporting police contact to your case manager, you must provide all the relevant details, especially if the police contact results in a new citation or arrest for criminal activity. Half truths and omissions will be treated as probation violations. Remember, honesty is the most important aspect of DISP.

## **Changes in Residence/Roommates/Job**

Notice of any change in residence must be made before moving. You must get permission from the court before you move to a new address or change your phone number.

You must notify your case manager immediately if you get a new job, quit, get laid off or fired.

When someone moves in with you or stays with you for more than three days in one week you must notify your case manager. Also, if you consistently spend the night at a different residence, you must notify your case manager and provide the address where you are staying.

Any person who is staying, living, or rooming with you must sign the no alcohol/drugs form and the driving notice. You have copies of both of these in your handbook; if you need new copies contact your case manager. These forms must be signed the first week the person is with you and returned to the court within the first week.

## **Possession and Use of Weapons**

The Federal Firearms Act, Title 18 USC, Section 1202, and other provisions of law, prohibits any convicted felon from receiving or possessing any firearm or explosive. Oregon Law (ORS 166.270) also forbids any convicted felon from owning or possessing any firearm. A felon convicted of this charge is guilty of Ex-Convict in possession of a Firearm. If you have been previously convicted of a felony, you are subject to these laws and may not possess a firearm at any time.

If you are convicted of a misdemeanor and have no previous felony convictions you are prohibited from possessing, "weapons, firearms or dangerous animals," during the term of probation, subject to the provisions of ORS 137.540. This means you must remove all firearms from your residence and you cannot go hunting or otherwise handle a firearm during your probation. You must remove all other weapons from your residence and vehicle as well. You cannot ride in a vehicle where firearms or other weapons are present.

## FINES, ASSESSMENTS AND OTHER FEES

DUII fines are imposed and suspended at time of sentencing. **You will not have a DUII fine if you successfully complete probation.** You will not be absolved or reimbursed for previously paid fees or fines from transferred cases.

You will pay to the State the following fees and assessments: These fees will vary based on the amount of your DUII fine and the nature and number of convictions. All of these are subject to change.

Bench Probation Fee \$100

DUII Conviction Fee \$255

Restitution (If ordered)

Court Appointed Attorney Fees that are assessed when an attorney is appointed will be added to the amount that you pay to the State and may not be suspended.

ADES Evaluation \$75

**All fees, assessments, and restitution are due 30 days before probation is set to terminate.** If you do not pay all within 30 days of sentencing additional fees will be applied. If probation is successfully completed, the fine will not be imposed. You must pay supervision fees and all other fees and assessments, even though the fine is suspended. If your probation is revoked you must pay all fines, fees and assessments. These other fees and assessments are added to your money judgment by the clerk's office in room 106 shortly after sentencing.

You will pay \$15 per month to Multnomah County Enhanced Bench Probation (EBP) for their monthly police contact monitoring. Multnomah County will bill you for this. If you are on formal probation for a felony charge the fee will be higher.

Restitution for damages or injury related to your criminal conviction will be considered and assessed on a case by case basis. Restitution will be converted to a Compensatory Fine and will not be suspended. If imposed, payments must begin immediately and a payment schedule adhered to at all times.

## Contact Information

DISP Director	John Dieter	503-988-4221
Case Managers	Shelley Bailey	503-988-3391
	Tiffany Ellis	503-988-4069
	Rachel McCarthy	503-988-4398

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