

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Columbia BRIDGE Program

Mission Statement & Policies



I. MISSION STATEMENT

The Columbia BRIDGE Program, a cooperative effort between South Carolina's U.S. District Court, U.S. Probation Office, Federal Public Defender's Office and U.S. Attorney's Office, provides rehabilitative services to individuals with substance abuse addictions who are involved in the federal criminal justice system. The program's purpose is to promote community safety, reduce recidivism and assist with offender rehabilitation by implementing a blend of treatment as well as swift and certain sanctions.

II. INTRODUCTION

The District of South Carolina's Columbia BRIDGE Program is a behavioral modification program that is designed for criminal defendants who suffer from addiction. All participants must volunteer for participation in the program with the understanding that the duration of the program is at least one year. All participants must abide by all of the program's rules as well as any additional instructions or orders issued by the presiding judge or by the supervising probation officer. Participants engage in varying levels of treatment in order to address issues of substance abuse. The BRIDGE program holds regularly scheduled, semimonthly court hearings to assess participant progress. Each participant's involvement in the program is approved and confirmed through a written agreement that outlines the program's obligations. This agreement is signed by the participant, his or her attorney, and the BRIDGE Program's supervising U.S. Probation Officer before it is approved by the program's presiding judge.

Participants may enter the BRIDGE Program as either pretrial or post-conviction defendants. Pretrial defendants will only be admitted to the program after they have entered into a Pretrial Diversion Agreement or have pled guilty, but before they are sentenced on those charges.

The United States Attorney's Office, in its own discretion, may move for downward departure, reduce the charges to a lesser offense, recommend a non-guideline sentence, refer the participant to Pretrial Diversion or dismiss the charges entirely for the Pretrial defendants who successfully complete the BRIDGE Program.

Post-conviction defendants may be admitted to the program after they have been charged with a violation of their supervised release or probation but before they have been sentenced on that violation. Post-conviction defendants who successfully complete the BRIDGE Program may receive a reduction in their term of supervision.

III. TEAM MEMBERS

The Columbia BRIDGE Program Team consists of the presiding judge(s), treatment provider, defense counsel, and representatives from the U.S. Attorney's Office, the Federal Public Defender's Office, the U.S. Probation Office and the Mentor Program Administrator. All team members play important roles, as outlined below.

Presiding Judge: The presiding judge leads the BRIDGE Program Team and works with other team members to achieve program goals. The presiding judge approves or denies the applications of all BRIDGE Program applicants. She provides encouragement and rewards participants when they are performing well in the program and imposes appropriate sanctions when program rules are not followed. The presiding judge makes all final decisions regarding sanctions and terminations from the program, after considering input from the BRIDGE Program Team. She presides over all team meetings and court hearings.

Supervising Probation Officer: The supervising probation officer supervises all BRIDGE Program participants. She conducts a prognostic evaluation and refers participants for a diagnostic evaluation to determine their risk level and treatment needs. She is charged with making appropriate treatment referrals based on the aforementioned information. The supervising probation officer works with treatment agencies to ensure effective communication between the treatment providers and the BRIDGE Program Team. She attends all team meetings and court hearings. The supervising probation officer regularly reports on BRIDGE participants' progress and provides input regarding sanctions, including termination from the program.

The supervising probation officer promptly reports to the BRIDGE Program Team, regarding all interventions, in order to swiftly address any violations.

The supervising probation officer maintains files on behalf of the Court for each BRIDGE participant.

Assistant U.S. Attorney: The assistant U.S. attorney may refer defendants to the program; reports or comments on the participants' progress; and advocates on behalf of the government. He or she attends all team meetings and court hearings. The assistant U.S. attorney provides input regarding sanctions, including termination, and participates in all program planning decisions.

Assistant Federal Public Defender: The assistant federal public defender is, wherever possible, appointed to represent BRIDGE participants for purposes of drug court only. The assistant federal public defender may refer defendants to the program; reports or comments on the participants' progress during court hearings and team meetings; and advocates on behalf of his or her clients. He or she attends all team meetings and all drug court hearings. The assistant federal public defender provides input regarding sanctions, including termination, and participates in all program planning decisions.

Treatment Provider: The treatment provider assesses each participant, determines the appropriate level of substance abuse treatment, and provides said treatment. The treatment provider provides regular progress reports to the BRIDGE Program Team. He or she attends all team meetings and all drug court hearings. The treatment provider makes recommendations regarding sanctions, including termination, and participates in all program planning decisions.

Mentor Program Administrator: The mentor program administrator will solicit volunteers, in the community, who exhibit pro-social life styles and who will be able to spend adequate time, as needed, with the BRIDGE participate.

IV. PROGRAM ELIGIBILITY

The following are a few examples of cases which could prevent participation, but are not necessarily determinative:

- Career Offender/Armed Career Offender or Instant Offense is a Crime of Violence
- Pattern of violent behavior and danger posed to the community
- Sex Offenders
- Individuals with serious mental health issues
- Unrelated pending criminal cases and active warrants
- Individuals facing mandatory minimums e.g., Life sentence
- No reliable transportation
- Assigned Judge does not agree to client's participation
- Judges Childs and Lewis do not agree to client's participation

V. THE REFERRAL PROCESS

Judges, defense attorneys, probation officers, assistant U.S. attorneys, and members of the BRIDGE Program Team may refer criminal defendants to the program. Referrals for the Columbia BRIDGE Program can be emailed to U.S. Probation Officer Gina Earle at gina_earle@scp.uscourts.gov or by phone at 803-253-3278.

- I. Receive referral
 - Pull pretrial services report- review
 - o If there is evidence of drug addiction then conduct interview.

- If referral is not from defendant counsel, contact counsel to seek permission of counsel of record to obtain permission.
-Email attorney to request permission and cc: Kathy Evatt & AUSA
 - Also email AUSA and request summary of prosecution case.
- II. Probation officer to conduct drug court assessment interview to include:
 - PCRA
 - Debrief drug history and mental health history, include prescription medications to be conducted in person, over the phone, or at the detention center
 - III. If assessment by PO indicates drug addiction then contact assigned judge for permission to proceed with assessment process
 - Refer individual to contract provider of drug assessment.
 - Staff referral with Mary Elizabeth Windham and/or Robbie Carroll
 - IV. Prepare summary of probation officer's evaluation including: facts of the case as provided by AUSA and defense counsel; PCRA score; contract provider's assessment noting what type of treatment is needed.
 - Have SUSPO review packet of information
 - V. Submit packet to Judge Childs and Judge Lewis to include: summary of probation officer's evaluation, referral facts, treatment provider's assessment, assigned Judge's approval for participation; and program agreement.

VI. PROGRAM ENROLLMENT

All criminal defendants admitted to the BRIDGE Program must review and sign the participant agreement before they begin participating in the program. The participant agreement outlines the BRIDGE Program's rules and expectations. It must be signed by the participant and his or her attorney, the supervising probation officer, and the presiding judge. When completing the participant agreement, the criminal defendant also acknowledges whether he or she consents to the appointment of the assistant federal public defender as his or her attorney solely for the purposes of the BRIDGE Program. Please see *Appendix 1, BRIDGE Program Participant Agreement*.

VII. PROGRAM PHASES

The BRIDGE Program comprises three phases. The phases are designed to allow each participant to establish a sober and law-abiding lifestyle. The phases encourage participants to develop an understanding of their addiction by recognizing patterns of use, factors that influence use, and the impact of use on themselves, their families, and their communities. While each phase has a specific purpose with distinct and achievable goals, the participants work throughout toward the development of a community-based support system i.e., Alcoholics Anonymous,

Narcotics Anonymous. Each participant must successfully complete all levels in order to graduate from the program.

Phase One – Early Recovery

Phase Length: Approximately four months

Goals: Participants abstain from drug and alcohol use, engage in treatment and stabilize in the appropriate level of treatment services. Participants develop an understanding of addiction, patterns of use, and factors that influence use. Participants establish early recovery tools and a foundation of support for recovery.

Expectations for Participants:

- Abstain from use of all mood- or mind-altering drugs or alcohol, even if those substances are legally available;
- Comply with all bond or supervised release conditions;
- Attend all BRIDGE Program court hearings as directed;
- Participate in substance abuse treatment as directed;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by the supervising probation officer;
- Submit phase report that reflects the progress in the program and set goals for the next phase; and
- Maintain sobriety for at least two consecutive months prior to moving into Phase Two.

Phase Two – Primary Treatment & Continued Care

Phase Length: Approximately five months

Goals: Participants begin to identify and understand adverse consequences of drug/alcohol use and take responsibility for same. Participants continue abstinence and continue to build a sober support network in the community.

Expectations for Participants:

- See expectations for Phase I;
- Attend self-help meetings weekly as recommended by treatment provider and provided verification of attendance;

- Seek and secure full-time employment/community service or enroll in and attend a full-time educational or vocational program;
- Complete and submit, for approval, a phase report that reflects on progress in the program and sets goals for the next phase; and
- Maintain sobriety for at least three consecutive months prior to moving to Phase Three.

Phase Three – Relapse Prevention Planning

Phase Length: Approximately three months

Goals: Participants secure long-term recovery needs and develop and finalize a relapse prevention plan.

Expectations for Participants:

- See expectations for Phase II;
- Complete and submit, for approval, a relapse-prevention plan which includes continued recovery goals; and
- Maintain sobriety for at least five consecutive months in order to graduate from the BRIDGE Program.

VIII. DRUG COURT HEARINGS

Before each drug court hearing, the BRIDGE Program Team reviews the progress reports for each participant and discusses each participant’s progress. The entire team provides recommendations to the presiding judge as to how the participants’ problems and successes should be addressed.

IX. INCENTIVES AND REWARDS

As participants advance through the program, they may receive rewards during the drug court hearings. These rewards may include, but are not limited to:

- Verbal praise;
- Written recognition or certificates of achievement;
- Reduced frequency of court appearances;
- Reduced drug testing;
- Elimination of curfew, home detention, or location monitoring;

- Gift cards;
- Promotion to next phase;
- Recovery materials; and
- A graduation certificate upon program completion.

X. VIOLATIONS AND SANCTIONS

Sanctions are imposed on participants who engage in misconduct as a way of deterring future misconduct. Sanctions are imposed swiftly and with progressive severity. Individuals who participate in the BRIDGE Program agree that sanctions will be implemented with their consent and without a formal court hearing. Misconduct and resulting sanctions will be addressed in the regularly-scheduled drug court hearings.

The following is a non-exhaustive list of behavior that the BRIDGE Program Team considers to be sanctionable misconduct:

- Dishonesty with members of the BRIDGE Program Team, including the presiding judge, supervising probation officer, and treatment provider;
- Unexcused absence from court hearings, meetings with the supervising probation officer, or meetings with the treatment provider;
- Positive alcohol or drug test results;
- Missed alcohol or drug test or refusal to submit to urinalysis testing;
- Submission or attempted submission of an adulterated urine sample;
- Failure to maintain employment, community service, or student status as directed;
- Failure to comply with conditions of bond or supervised release;

The following is a non-exhaustive list of sanctions that the presiding judge may impose in response to sanctionable misconduct:

- Verbal or written reprimands;
- Increased frequency of attendance at drug court hearings;
- Increased meetings with supervising probation officer and/or treatment provider;
- Increased drug and alcohol testing;
- Increased length of phase;
- Community service hours;
- Curfew or home confinement with or without location monitoring;

- Transdermal alcohol monitoring;
- Placement in a residential re-entry center, halfway house, or sober house;
- Placement in an in-patient or out-patient addiction treatment program;
- Days spent in custody of the U.S. Marshal's Service;
- Incarceration of varying length, generally no more than seven days;
- Revocation of bond; and
- Termination from the program.

XI. TERMINATION

There are four different ways in which participants are terminated from the BRIDGE Program.

Successful Termination: Successful termination occurs when a participant completes the program successfully. Successful termination is marked with a graduation ceremony.

Unsuccessful Termination With Return to Regular Supervision: This type of unsuccessful termination occurs when the participant has not committed a serious violation of program rules, but is not succeeding in the program. The participant may also have become a threat to public safety or program integrity. The participant is transferred back to supervision without a violation.

Unsuccessful Termination With a Formal Violation: This type of unsuccessful termination occurs when the participant has committed a serious violation of the program rules and the presiding judge determines that participation in the BRIDGE Program is no longer possible. The participant may also have become a threat to public safety or program integrity. The participant is returned to traditional supervision and generally faces a violation hearing before a magistrate judge or district judge.

The following is a non-exhaustive list of the types of misconduct that may result in unsuccessful termination with a formal violation:

- Criminal conduct;
- Repeated drug use;
- Repeated failure to cooperate with the supervising probation officer;
- Repeated failure to cooperate with the treatment provider;
- Failure to comply with sanctions ordered by the presiding judge; and
- Repeated failure to comply with the program's rules, orders from the presiding judge, and/or directions given by the supervising probation officer.

It is the policy of the U.S. Probation Office not to allege as a formal violation for conduct that has already been addressed within the BRIDGE Program. After the criminal defendant has been terminated from the program with a formal violation, however, the U.S. Probation Office will advise the judge presiding over the violation hearing of all conduct that has taken place during the period of supervision, including successes, failures, and sanctions that occurred while the defendant participated in the BRIDGE Program.

Administrative Discharge: Administrative discharge occurs when participation in the BRIDGE Program is no longer practical for reasons such as long-term illness. This type of termination is considered neither successful nor unsuccessful. Participants are returned to their traditional supervision, but may be permitted to return to the program at a later date.

Appendix 1

Participant Agreement

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Columbia BRIDGE Program

Participant Agreement

I, _____, wish to participate in the District of South Carolina's BRIDGE Program, a federal drug court. I understand that if I am accepted into the Bridge Program, I must fully comply with all program requirements, all other court orders, and any orders that govern the conditions of my bond or supervised release. I understand that failure to comply with the terms of this agreement, other Bridge Program requirements, or court orders may result in the imposition of sanctions or, ultimately, in my termination from the Bridge Program. I also understand that any misconduct I may commit while I am a Bridge Program participant could result in the revocation of my bond, probation, or supervised release.

_____ I agree that I will not violate any federal, state, or local laws, and I acknowledge that I may be immediately terminated from the Bridge Program if I am charged with any such violations.

_____ I agree that I will not use any mood- or mind-altering drugs or alcohol, even if those substances are legally available, without a valid prescription from a physician.

_____ If I am placed on bond before or during my participation in the Bridge Program, I agree that participation in the Bridge Program is a condition of my bond.

_____ If I am placed on supervised release before or during my participation in the Bridge Program, I agree that participation in the Bridge Program is a condition of my supervision.

_____ I agree that I will be honest and candid with the Bridge Program's presiding judge, my supervising U.S. Probation Officer(s), and other members of the Bridge Program Team.

_____ I agree for the Mentor Program Administrator to give necessary personal information to my appointed mentor.

_____ I agree to obey all instructions and orders given to me by the Bridge Program's presiding judge and by my supervising U.S. Probation Officer(s).

_____ I agree to report to my supervising U.S. Probation Officer(s), as soon as possible but in no event later than 24 hours, every contact I have with law enforcement personnel, including arrests, questioning, or traffic stops.

- _____ I agree to notify my supervising U.S. Probation Officer(s), as soon as possible but in no event later than 24 hours, of changes in any of the following: my home address; my phone number(s); my employment; and my educational pursuits.
- _____ I agree to notify my supervising U.S. Probation Officer(s), as soon as possible but in no event later than 24 hours, if I lose my mobile telephone.
- _____ I agree to submit to drug testing as directed by the Bridge Program's presiding judge or my supervising U.S. Probation Officer(s).
- _____ I agree to immediately enroll in a substance abuse treatment program as directed by the Bridge Program's presiding judge or my supervising U.S. Probation Officer(s). I further agree to abide by the rules and regulations of that program until I am discharged from that program.
- _____ I agree that I will participate in Alcoholics Anonymous, Narcotics Anonymous, or another court-approved self-help program as directed by the Bridge Program's presiding judge or my supervising U.S. Probation Officer(s).
- _____ I agree to execute release forms that allow my supervising U.S. Probation Officer(s) to access any and all of my financial records, including but not limited to records maintained by banks, credit unions, credit reporting services, and the Social Security Administration.
- _____ I agree to allow my supervising U.S. Probation Officer(s) to access and monitor any and all of my social networking accounts, including but not limited to Facebook, My Space, Twitter, and Instagram.
- _____ I agree to allow my supervising U.S. Probation Officer(s) to access and monitor my educational records, including any online accounts that allow me to check my interim and final grades.
- _____ I agree to execute release forms that allow my supervising U.S. Probation Officer(s) to access any and all of my health records, including but not limited to records held by physicians, nurses, hospitals, emergency rooms, urgent care providers and pharmacies.
- _____ I agree to notify all health care providers, including but not limited to, physicians, nurses, hospitals, emergency rooms and urgent care providers, of the specifics of my substance abuse addiction, particularly before those health care providers prescribe any medication to me.
- _____ I agree to report to my supervising U.S. Probation Officer(s), as soon as possible but in no event later than 24 hours, every contact I have with health care providers, including but not limited to visits with physicians, nurses, hospitals, emergency rooms, and urgent care providers.

_____ I agree to report to my supervising U.S. Probation Officer(s), as soon as possible but in no event later than 24 hours, any and all medication that has been prescribed to me.

_____ I agree that I will use prescription medication only in the manner in which it has been prescribed to me. I agree that I will use over-the-counter medication only in keeping with that medication's directions. If my health care provider prescribes alternate instructions for using over-the-counter medication, I will report those directions to my supervising U.S. Probation Officer(s) as soon as possible, but in no event later than 24 hours.

_____ I agree to undergo record checks for up to three (3) years following the termination of my term of supervision only for purposes of the Bridge program evaluation.

_____ I will not associate with any Bridge Program participants outside of the status hearings, drug treatment sessions, and self-help meetings, unless my supervising U.S. Probation Officer(s) expressly permits me to do so.

_____ I will not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless my supervising U.S. Probation Officer(s) expressly permits me to do so.

_____ I understand that information provided during Bridge Program hearings may not be protected by any privilege, and could be used against me in future court proceedings.

_____ I understand that should I fail to appear for any of the Bridge Program's status hearings, a warrant may be issued for my arrest only for purposes of the Bridge program evaluation.

_____ I understand that the United States Attorney's Office may petition – at any time – for my termination from the Bridge Program. I understand that the decision regarding termination rests in the sole discretion of the Bridge Program's presiding judge.

_____ I have not been promised any particular outcome with regards to the resolution of the federal charges or supervised release violation that I am currently facing. I understand that if I successfully complete the Bridge Program, the U.S. Attorney's Office – in its sole discretion – may move for downward departure regarding my sentence, reduce or dismiss my charges, recommend a non-guideline sentence, refer me to Pretrial Diversion, or move for reduction in the term of my supervised release or probation.

_____ I understand that, upon my successful completion of the Bridge Program, the program's presiding judge may recommend that I attend up to twelve bi-monthly counseling sessions as part of an after-care program for Bridge graduates. I agree that the district judge presiding over my sentencing, bond hearing, or supervision hearing may, in his or her sole discretion, order me to attend these counseling

sessions. These counseling sessions, if required, will be provided at no or low cost to me.

_____ I understand that, upon my successful completion of the Bridge Program, the district judge presiding over my sentencing, bond hearing, or supervision hearing may, in his or her sole discretion, order me to perform a specified amount of community service, and/or attend a specified number of self-help meetings, and/or be present for a specified number of BRIDGE hearings.

I have read the Participant Overview and the Participant Agreement, or they have been read to me, and I understand the terms and conditions of my participation in the Bridge Program. I agree to fully comply with these terms and conditions. By agreeing to participate in the Bridge Program, I consent to the disclosure of my confidential information to Bridge Program team members; I also consent to the disclosure of confidential information during Bridge Program hearings as appropriate. I understand that this is a voluntary program. By agreeing to participate in the Bridge Program, I agree that I will abide by all of the program's rules.

Participant

Date

I have advised my client of all of the Bridge Program's terms and conditions. I believe that my client fully understands those terms and conditions, and that he or she knowingly and voluntarily seeks permission to participate in the Bridge Program.

Attorney for Participant

Date

I recommend the above-named individual for participation in the Bridge Program.

U.S. Probation Officer, District of South Carolina

Date

I approve the above-named individual for participation in the Bridge Program.

J. Michelle Childs/Mary Geiger Lewis
United States District Judge, District of South Carolina

Date

I further understand that the Federal Public Defender may be appointed to represent me for the purposes of the BRIDGE Program only.

- I consent to the appointment of the Federal Public Defender to represent me for the purposes of the BRIDGE Program only. I understand that my defense attorney of record will continue to represent me in all matters arising in my underlying criminal case.
- I do not consent to the appointment of the Federal Public Defender to represent me for the purposes of the BRIDGE Program. I understand that my defense attorney of record will represent me for the purposes of the BRIDGE Program as well as in all matters arising in my underlying criminal case.
- The Federal Public Defender has previously been appointed to represent me in my criminal case and will also represent me for purposes of the BRIDGE Program.

Participant

Date

Attorney for Participant

Date

Assistant Federal Public Defender

Date

