

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

BRIDGE Program

Mission Statement & Policies



I. MISSION STATEMENT

The 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 problems 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 and sanction alternatives.

II. INTRODUCTION

The District of South Carolina's BRIDGE Program is South Carolina's federal drug court. It is a voluntary program of at least one year that is designed for criminal defendants who suffer from substance abuse or addiction. All participants must be able and willing to 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 may be admitted to the program after they have pleaded guilty to federal charges, but before they are sentenced on those charges.

Pretrial defendants who successfully complete the BRIDGE Program can expect the United States Attorney's Office to, in its own discretion, 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.

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

This program is strictly voluntary; however, participants agree to abide by the program's rules, including its termination procedures. These termination procedures are discussed in further detail below.

The BRIDGE Program strives to incorporate the ten key components for successful drug courts identified by the National Association of Drug Court Professionals:

- Drug courts integrate alcohol and other drug treatment services with justice system case processing.
- Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are identified early and promptly placed in the program.
- Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and drug testing.
- A coordinated strategy governs drug court responses to participants' compliance.
- Ongoing judicial interaction with each program participant is essential.
- Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- Continuing interdisciplinary education promotes effective program planning, implementation, and operations.
- Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

III. TEAM MEMBERS

The BRIDGE Program Team consists of the presiding judge, court staff, a treatment provider, defense counsel, and representatives from the U.S. Attorney's Office, the Federal Public Defender's Office, and the U.S. Probation Office. 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. His or her active involvement with program participants is essential to the BRIDGE Program's success. He or she provides encouragement and rewards participants when they are performing well in the program. When participants fail to comply with program rules or otherwise engage in misconduct, the presiding judge, with input from the BRIDGE Program Team, imposes appropriate sanctions. While other members of the BRIDGE Program Team provide input, the presiding judge makes all final decisions regarding sanctions and terminations from the program. He or she presides over all team meetings and court hearings, including status conferences held for individual participants.

Supervising Probation Officer: The supervising probation officer assigned to the BRIDGE Program works with other BRIDGE Program Team members to achieve program goals. The supervising probation officer supervises all BRIDGE Program participants. He or she is charged with making appropriate treatment referrals with contract and non-contract agencies based on the needs of each participant. The supervising probation officer works with treatment agencies to ensure effective communication between the treatment providers and the BRIDGE Program Team. He or she attends all team meetings and court hearings, including all status conferences held for individual participants. The supervising probation officer regularly reports on BRIDGE participants' progress. The supervising probation officer makes recommendations regarding sanctions, including termination, and participates in all program planning decisions.

When problems arise with individual participants, the supervising probation officer works with other members of the BRIDGE Program Team to intervene as needed. The supervising probation officer promptly reports to the BRIDGE Program Team regarding all such interventions.

The supervising probation officer maintains files for each BRIDGE participant. These files contain all relevant BRIDGE Program documents, including a fully executed copy of the participant agreement, progress reports, treatment records, and drug testing results.

Assistant U.S. Attorney: The assistant U.S. attorney assigned to the BRIDGE Program works with other BRIDGE Program Team members to achieve program goals. 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, including all status conferences held to address issues with individual participants. The assistant U.S. attorney makes recommendations regarding sanctions, including termination, and participates in all program planning decisions.

Assistant Federal Public Defender: The assistant federal public defender assigned to the BRIDGE Program works with other BRIDGE Program Team members to achieve program goals. 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, all drug court hearings, and any status conferences held for his or her clients. The assistant federal public defender makes recommendations regarding sanctions, including termination, and participates in all program planning decisions.

Defense Counsel: While the assistant federal public defender is often appointed to represent BRIDGE Program participants for the purposes of drug court only, some participants choose to be represented in drug court by their privately-retained or court-appointed defense attorneys. Defense counsel work with other BRIDGE Program Team members to achieve program goals. Defense counsel may refer defendants to the program; report or comment on their clients' progress; and advocate on behalf of their clients. They attend all status conferences held for their

clients, and frequently attend team meetings and drug court hearings. Defense counsel make recommendations regarding sanctions, including termination, for their clients.

Treatment Provider: The treatment provider works with other BRIDGE Program Team members to achieve program goals. 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.

Court Staff: Members of the courthouse staff support the BRIDGE Program in a number of ways. Court staff work with the supervising probation officer to prepare reports to the entire BRIDGE Program Team; prepare the presiding judge for drug court hearings and status conferences; record minutes for each drug court hearing; and provide assistance in all other aspects of the program as necessary. Court staff make recommendations regarding sanctions, including termination, and participate in all program planning decisions.

IV. PROGRAM ELIGIBILITY

When considering criminal defendants for admission to the BRIDGE Program, the following eligibility criteria are considered:

- Verified evidence or history of current substance abuse and/or addiction;
- Unrelated pending criminal cases, active warrants, or active capias;
- Mental health comorbidities and their severity;
- Desire to enter the program as well as willingness and ability to comply with requirements;
- Nature of pending charge, criminal history, and danger posed to the community;
- History of sex offense convictions or charges; and
- Reliable transportation for all required program events.

Criminal defendants with a history of violent crime, sex offenses, or severe mental health conditions are not eligible for the BRIDGE Program. Juvenile defendants are not eligible for the BRIDGE Program. For additional guidance, please see *Appendix 1, Expanded Eligibility Criteria*.

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. The referrer completes and submits the initial referral form found on the U.S. Probation Office's website. Please see *Appendix 2, Initial Referral Form*. Members of the BRIDGE Program Team meet periodically, at the discretion of the presiding judge, to review referrals.

After a criminal defendant has been referred to the program, the supervising U.S. probation officer then screens the defendant's criminal record, substance abuse and/or mental health history, willingness and ability to participate in the program, as well as other relevant factors to determine suitability for the program. As part of this screening process, the supervising probation officer usually interviews the criminal defendant and discusses the program's requirements.

If the supervising probation officer determines that the criminal defendant would be an appropriate candidate for the BRIDGE Program, he or she presents that candidate to the presiding judge for his or her approval. When considering candidates for the BRIDGE Program, both the supervising probation officer and presiding judge review the eligibility criteria described above and in the expanded eligibility criteria. If the presiding judge agrees to accept the criminal defendant into the BRIDGE program, the supervising probation officer also seeks approval from both the assistant U.S. attorney and district judge assigned to the case.

If the criminal defendant is not already in substance abuse treatment, the supervising probation officer will then refer him or her for a thorough substance abuse evaluation. If viewed by the treatment provider as an appropriate candidate, the defendant will be accepted into the program.

VI. PROGRAM ENROLLMENT

All criminal defendants admitted to the BRIDGE Program must review the participant overview 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 3, BRIDGE Program Participant Agreement*, and *Appendix 4, BRIDGE Program Participant Overview*, for more details.

Participants are generally expected to complete the program in twelve to eighteen months. The length of the program depends, in great part, on each participant's ability to succeed in the program. Individuals who struggle in treatment but remain dedicated to recovery may be given an extension of time to complete the program.

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 substance abuse or dependence 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 sober support system. 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;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend all BRIDGE Program court hearings, which occur semimonthly;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by the supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Develop a plan to comply with any court-ordered restitution and, if possible, begin making payments;
- 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 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:

- Abstain from use of all mood- or mind-altering drugs or alcohol, even if those substances are legally available;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend all BRIDGE Program court hearings, which occur semimonthly;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Seek and secure full-time employment/community service or enroll in and attend a full-time educational or vocational program;
- If offered and deemed necessary, participate in an available life-skills (Moral Reconciliation Therapy) or comparable program, as directed by U.S. Probation Office.
- If offered and deemed necessary, participate in an available personal finance or comparable program, as directed by U.S. Probation Office.
- Identify personal wellness activity and begin weekly participation;
- Begin or continue making payments towards any court-ordered restitution;
- 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:

- Abstain from use of all mood- or mind-altering drugs or alcohol, even if those substances are legally available;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend BRIDGE Program court hearings once per month;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Maintain full-time employment or community service commitments or full-time student status;
- Continue weekly personal wellness activity;
- Complete any court-ordered restitution;
- Complete and submit for approval a relapse-prevention plan which includes continued recovery goals; and
- Maintain sobriety for at least five consecutive months prior to moving graduating from the BRIDGE Program.

VIII. DRUG COURT HEARINGS

In advance of the regularly-scheduled drug court hearings, the supervising probation officer and court staff prepare and distribute progress reports to the BRIDGE Program Team. These reports describe both successes and problems experienced on supervision, which may be treatment related, or otherwise. At staff meetings held 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.

Participants and the BRIDGE Program Team assemble at the regularly-scheduled drug court hearings. Participants report on their progress and team members comment on the participants' successes or failures. Any BRIDGE Program, bond, or supervised release violations are addressed by the presiding judge. The presiding judge rewards or sanctions participants as appropriate.

IX. INCENTIVES AND REWARDS

Participation in the BRIDGE Program offers many rewards. Most importantly, participants receive substance abuse treatment and regain hope for a sober and crime-free life. Pretrial defendants who successfully complete the BRIDGE Program can expect the United States Attorney's Office to, in its own discretion, 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. Post-conviction defendants who successfully complete the BRIDGE Program can expect to have their supervised release or probation terms reduced by one year.

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

- Applause and verbal praise;
- Written recognition or certificates of achievement;
- Reduced frequency of court appearances;
- Reduced drug testing;
- Elimination of curfew, home detention, or location monitoring;
- Token gifts such as neckties and snacks;
- Vouchers or 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 with progressive severity. Misconduct and resulting sanctions may be addressed in the regularly-scheduled drug court hearings or at separate status conferences held by the presiding judge.

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;
- New arrest; and
- Failure to comply with court-ordered restitution.

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

Expanded Eligibility Criteria

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
BRIDGE Program
Expanded Eligibility Criteria

This document provides expanded guidance regarding the eligibility criteria included in the BRIDGE Program's *Mission Statement & Policies*. The following criteria are considered by the BRIDGE Program Team when determining whether to admit an individual to the program. No single consideration is necessarily dispositive. No combination or quantity of favorable and unfavorable factors will be determinative.

Criminal defendants with a history of violent crime, sex offenses, or severe mental health conditions are not eligible for the program. Juveniles are not eligible for the program.

PROGRAM ELIGIBILITY CRITERIA

Verified evidence or history of current substance abuse and/or addiction: The team may consider whether or not the pending federal offense was motivated by the defendant's substance abuse and/or addiction.

Unrelated pending criminal cases, active warrants, or active capias: The presence of such other pending federal, state, or local cases or warrants may disqualify a candidate from participation in the program.

Mental health comorbidities and their severity: The team may consider the severity of condition or disorder as well as any relevant treatment and medicinal demands.

Desire to enter the program as well as willingness and ability to comply with requirements:

The team may consider:

- Whether or not the defendant is a citizen of the United States or is otherwise lawfully present here;
- Whether the defendant is an adult or a juvenile;
- Any prior substance abuse treatment failures; and
- Whether the defendant can otherwise fully participate in and comply with the requirements of the program.

Nature of pending charge, criminal history, and danger posed to the community: The team may consider:

- The drug quantity involved in the offense that is the subject of the pending federal charge;
- Whether the pending federal charge involved death or bodily injury to another person;
- Whether the defendant used violence or credible threats of violence or possessed a firearm, dangerous weapon, or body armor (or induced another to do so) in connection with the offense that is the subject of the pending federal charge;
- Whether the defendant engaged in obstruction of justice, intimidation or retaliation against a potential witness in the context of the pending federal offense;
- The nature and kind of the defendant's involvement in any alleged conspiracy;
- Whether or not the defendant was an organizer, leader, manager, or supervisor of others in the offense that is the subject of the pending federal charge;
- The degree of sentencing exposure;
- The presence of prior convictions for a serious violent offense, including but not limited to, any offense that has as an element the use, attempted use, or threatened use of physical force against another person;
- Whether the defendant is a member of a criminal street gang; and
- Whether the defendant is a member of any group espousing violence against the United States.

History of sex offense convictions or charges: The team may consider relevant pending or prior convictions, including but not limited to convictions for:

- Stalking;
- Child pornography; and
- Any offense involving any conduct codified in 18 U.S.C. §§ 109A, 109B, 110, and 110A.

Reliable transportation: The team may consider whether the defendant has the ability to attend the program's many required events, including court hearings, self-help meetings, appointments with treatment providers, and drug testing.

Appendix 2

Initial Referral Form

BRIDGE Program

Initial Referral Form

Date:

To:

Officer:

From:

E-mail:

E-mail:

Office:

Phone:

Fax:

Fax:

Subject: **BRIDGE Program Referral**

I hereby refer the following defendant to the BRIDGE Program:

Name:

Phone:

Docket Number:

Defense Attorney:

Phone:

AUSA:

Phone:

Charges and Potential Penalties:

BASIS FOR REFERRAL:

Please include any pertinent information that will assist in determining if this individual is a suitable BRIDGE Program referral, including: (1) whether he or she has reliable transportation for regular treatment appointments, court hearings, and self-help meetings; (2) any prior or current treatment for substance abuse; and (3) his or her commitment to drug treatment and the program's strict demands.

Appendix 3

Participant Agreement

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

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.

_____ 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 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 and understand the District of South Carolina's Bridge Program Drug Testing Participant Contract (see addendum).

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.

Bruce H. Hendricks
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

Bridge Program Drug Testing Participant Contract

----- Fact Sheet Regarding Creatinine

Urine specimens below 90° F, above 100° F, or that have a creatinine level below 20 mg/dL will be presumed to be diluted or fraudulent.

- a) Normal human creatinine levels will vary during the day based upon fluid intake—healthy individuals will rarely produce urine samples with creatinines of less than 20 mg/dL
- b) Incidence of creatinines less than 20 mg/dL in a “normal” population is approximately 1%
- c) Urine with less than 20 mg/dL of creatinines are considered “dilute” and often do not reflect an accurate picture of recent drug use
- d) Continued diluted drug tests will be treated as a compliance/dishonesty issue, but not a positive drug test. Dishonesty is the most severe misconduct and will be addressed significantly and appropriately. Participants that produce repeated diluted tests may be required to undergo testing with a nephrologist or other relevant physician at the participant’s expense.

Sanctions: Sanctions listed below are in no particular order and may include, but are not limited to:

- Verbal warning
- Community service
- Write thinking report
- Increased meetings with supervising probation officer and/or treatment provider
- Increased drug testing
- Loss of privileges
- Jail time
- Termination from the program

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Bridge Program
Drug Testing Participant Contract

- 1) Drug and alcohol testing will be performed frequently and on a random basis throughout your enrollment in the Drug Court. You will be placed on the United States Probation Office color code system. You will be required to call in daily to determine if you are to report to a specific location for testing. Additional testing will be conducted by the United States Probation Office and your substance abuse treatment provider as deemed appropriate.
- 2) I understand that it is my responsibility to report to the assigned location at the time given for the test.
- 3) Drug and alcohol testing may be performed on weekends and holidays.
- 4) Additional drug and alcohol testing will be performed by a laboratory or program approved by the Drug Court.
- 5) Because cannabinoids (a byproduct of marijuana) may persist in the body for several days, marijuana users have a two-week grace period following enrollment during which no sanctions will be given for positive cannabinoid test results. However, after two weeks positive cannabinoid tests will be presumed to reflect new marijuana use. Participants bear the burden of establishing a convincing alternative explanation for such results. After you have had two consecutive cannabinoid-negative urine specimens, the Drug Court will presume that subsequent positive cannabinoid results reflect new use.
- 6) Failure to provide a test specimen or providing an insufficient volume of urine for analysis is an infraction of the rules of the program and will be sanctioned accordingly. You will be given a sufficient time (up to one hour) to deliver a urine specimen and allowed to drink up to 8 ounces of water in the presence of staff.
- 7) I have been informed that the ingestion of excessive amounts of fluids can result in a diluted urine sample, and I understand that my urine sample will be tested to ensure the sample is not diluted.

- 8) You have the right to challenge the results of a screening test and to request proof that an adequate chain of custody was established for your specimen. The Drug Court will rely on the results of an instrumented or laboratory-based test in confirming whether substance use has occurred. You may be charged the cost of the confirmation test if a screening test is confirmed.

- 9) You will be sanctioned for providing diluted, adulterated, or substituted test specimens. Urine specimens below 90° F, above 100° F, or that have a creatinine level below 20 mg/dL will be presumed to be diluted or fraudulent.
 - a) Normal human creatinine levels will vary during the day based upon fluid intake—healthy individuals will rarely produce urine samples with creatinines of less than 20 mg/dL
 - b) Incidence of creatinines less than 20 mg/dL in a “normal” population is approximately 1%
 - c) Urine with less than 20 mg/dL of creatinines are considered “dilute” and often do not reflect an accurate picture of recent drug use
 - d) Continued diluted drug tests will be treated as a compliance/dishonesty issue, but not a positive drug test. Dishonesty is the most severe misconduct and will be addressed significantly and appropriately. Participants that produce repeated diluted tests may be required to undergo testing with a nephrologist or other relevant physician at the participant’s expense.

Sanctions: Sanctions listed below are in no particular order and may include, but are not limited to:

- Verbal warning
 - Community service
 - Write thinking report
 - Increased meetings with supervising probation officer and/or treatment provider
 - Increased drug testing
 - Loss of privileges
 - Jail time
 - Termination from the program
- 10) You will be sanctioned for associating with other people who are engaged in substance use or for exposing yourself to passive inhalation or secondhand smoke.

 - 11) I understand that substituting, altering or attempting to substitute/alter my specimen for the purpose of changing drug testing result will be considered noncompliance. Such conduct may result in sanctioning and may be grounds for immediate termination from drug court.

I have read the Drug Testing Participant Contract and the Fact Sheet Regarding Creatinine, 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 and this Drug Testing Participant Contract.

I understand and agree that it is my responsibility to produce a valid sample upon every request for testing. Failure to do so will be treated as an offense for possible sanction.

Participant

Date

U.S. Probation Officer, District of South Carolina

Appendix 4

Participant Overview

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

BRIDGE Program

Participant Overview



I. INTRODUCTION

As members of the BRIDGE Program Team, we would like to congratulate you on your selection for participation in the BRIDGE Program, South Carolina's federal drug court. The recommendation process is not an easy one and your very referral to the program speaks to our belief in your ability to successfully complete it. This packet is designed to help you decide whether or not you would like to accept the referral and, if so, what you should expect while a participant in the program.

The BRIDGE Program is difficult. It will often be inconvenient and will demand discipline and sacrifice. Changing old habits is never simple or pain free. Regaining control of your life, in body and mind, is worth your hard work and sacrifice. That we can promise. And your path through the program will be supported by people who not only care about your future but have the expertise to help you change it.

You should know that the BRIDGE Program is completely voluntary. You can accept or decline participation in it. However, if you agree enter the program, you must abide by its rules, including its termination procedures. As will be explained, the BRIDGE Program both helps you change your lifestyle provides an opportunity to lessen the consequences you may otherwise face as a result of your criminal charges. Declining or quitting the program makes it more likely that you will have to face those consequences in the context of a criminal prosecution.

Lastly, the BRIDGE Program is built on trust and credibility. Your success in the program is tied directly to your commitment to candor and honesty. We expect that you will make mistakes during your time in the BRIDGE Program. However, even when you make mistakes, you always can control your own truthfulness. The presiding judge's harshest sanctions are often reserved for those times when participants fail to tell the truth. Accepting responsibility for your mistakes *is* changing your life; hiding your mistakes will only hold you back.

We hope you choose to join the BRIDGE Program.

II. TEAM MEMBERS

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

Presiding Judge: The presiding judge's job is to encourage you in your progress through the BRIDGE Program. You will appear before him or her on a regular basis to discuss your efforts in the Program. The presiding judge will give you encouragement and reward when you have made good choices, and will advise and sanction you when you make mistakes.

Supervising Probation Officer: The supervising probation officer is an important part of the BRIDGE Program team. He or she will coordinate and manage your participation in various

rehabilitation and treatment programs and will be responsible for reporting to the presiding judge and the team about your progress. The supervising probation officer will meet with you at both regularly scheduled and unscheduled times during your time in the program. He or she is your greatest resource. As with the presiding judge, if you are honest with the supervising probation officer, you have a great chance of making a change in your life for the better.

Assistant U.S. Attorney: The assistant U.S. attorney assigned to the BRIDGE Program plays an active part of your rehabilitation. He or she believes that you can be successful. As part of the team, he or she will offer insight into ways the program can work best for you.

Assistant Federal Public Defender or Defense Counsel: Many participants who join the BRIDGE Program opt to be represented by the assistant federal public defender for purposes of drug court only. If you choose this option, the assistant federal public defender assigned to the BRIDGE Program will represent you in drug court, while your current attorney will continue to represent you in all matters relating to your criminal case. Whether you are represented by the assistant federal public defender or by your current attorney, you will have an attorney who looks out for you best legal and personal interests. He or she works closely with the rest of the BRIDGE Program Team to ensure that you receive the help that you need.

Treatment Providers: During the BRIDGE Program, you may be required to attend counseling sessions, substance abuse programs, job training, self-help meetings, personal money management programs, community service activities, and more. The treatment providers who staff these activities are experts in providing the help you need and are trained to help you make better choices.

Court Staff: Members of the courthouse staff support the BRIDGE Program in a number of ways. They work closely with the rest of the BRIDGE Program Team to ensure that you receive the help that you need.

III. PROGRAM OVERVIEW

The BRIDGE Program is designed to last at least one year. Participants who struggle in treatment, but remain dedicated to recovery, may be given extensions to complete their term of treatment. Prior to being accepted into the BRIDGE Program, applicants must attend a BRIDGE Program hearing, participate in an interview with the supervising probation officer, and undergo a substance abuse assessment. Once accepted into the BRIDGE Program, participants are under the supervision of the United States Probation Officer assigned to the BRIDGE Program. Participants take part in all recommended treatment. Participants set goals for themselves and strive to achieve these individualized goals. Participants also submit to drug testing as directed by the supervising probation officer or the presiding judge. In addition to actively engaging in treatment, participants must comply with the general conditions of supervision.

The BRIDGE Program is made up of 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 substance abuse or dependence 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 sober support system. 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;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend all BRIDGE Program court hearings, which occur semimonthly;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by the supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Develop a plan to comply with any court-ordered restitution and, if possible, begin making payments;
- 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 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:

- Abstain from use of all mood- or mind-altering drugs or alcohol, even if those substances are legally available;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend all BRIDGE Program court hearings, which occur semimonthly;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Seek and secure full-time employment/community service or enroll in and attend a full-time educational or vocational program;
- If offered and deemed necessary, participate in the U.S. Probation Office's Makin' It Work Program;
- If offered and deemed necessary, participate in the U.S. Probation Office's Money Smart Program;
- Identify personal wellness activity and begin weekly participation;
- Begin or continue making payments towards any court-ordered restitution;
- 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:

- Abstain from use of all mood- or mind-altering drugs or alcohol, even if those substances are legally available;
- Do not commit any crimes or acquire any criminal charges;
- Comply with all bond or supervised release conditions;
- Attend BRIDGE Program court hearings once per month;
- Participate in substance abuse treatment as directed;
- Attend at least three self-help meetings weekly and submit verification;
- Submit to drug and alcohol testing as ordered by the presiding judge or as deemed appropriate by supervising probation officer;
- Submit to community and/or home visits as deemed appropriate by the supervising probation officer;
- Maintain full-time employment or community service commitments or full-time student status;
- Continue weekly personal wellness activity;
- Complete any court-ordered restitution;
- Complete and submit for approval a relapse-prevention plan which includes continued recovery goals; and
- Maintain sobriety for at least five consecutive months prior to moving graduating from the BRIDGE Program.

IV. PROGRAM GOALS

Your primary goal and your motivation for participation in the BRIDGE Program should be your personal sobriety. It is the reason you were selected for the program, and no other meaningful change can happen in your life until you get your addiction to drugs and alcohol under control. We will work very hard in the early phases of the program to ensure effective sobriety before advancing you to the next phase. Once you are living sober, important things like a job, education, and health will be more realistic goals.

V. DRUG COURT HEARINGS

Participants regularly appear before the presiding judge to evaluate their progress. Every effort is made to ensure that the time of the appearance does not conflict with employment or treatment. At BRIDGE Program hearings, both the supervising probation officer and other team members report on the participant's progress. These reports describe both successes and problems experienced on supervision, which may be treatment related or otherwise.

VI. INCENTIVES AND REWARDS

Participation in the BRIDGE Program offers many rewards. Most importantly, participants receive substance abuse treatment and regain hope for a sober and crime-free life. Pretrial defendants who successfully complete the BRIDGE Program can expect the United States Attorney's Office to, in its own discretion, 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. Post-conviction defendants who successfully complete the BRIDGE Program can expect to have their supervised release or probation terms reduced by one year.

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

- Applause and verbal praise;
- Written recognition or certificates of achievement;
- Reduced frequency of court appearances;
- Reduced drug testing;
- Elimination of curfew, home detention, or location monitoring;
- Token gifts such as neckties and snacks;
- Vouchers or gift cards;
- Promotion to next phase;
- Recovery materials; and
- A graduation certificate upon program completion.

VII. VIOLATIONS AND SANCTIONS

Misconduct by participants results in sanctions. Violations and sanctions will ordinarily be handled at the regularly scheduled BRIDGE Program hearing. Additionally, the sanctions and modifications regarding treatment may be handled on an expedited basis. Factors which will influence the type of sanction imposed include the participant's honesty about the misconduct, the seriousness of the violation, and the participant's history of good or bad conduct throughout

the course of the program. In addition, an important factor will be whether participants voluntarily disclose the violation. Any dishonesty may result in enhanced sanctions, including termination from the program. The following is a non-exclusive list of 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;
- New arrest; and
- Failure to comply with court-ordered restitution.

The following is a non-exhaustive list of sanctions that may be imposed by the presiding judge:

- 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.

VIII. 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. As noted above, pretrial defendants who successfully complete the BRIDGE Program can expect the United States Attorney's Office to, in its own discretion, 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. Post-conviction defendants who successfully complete the BRIDGE Program can expect to have their supervised release or probation terms reduced by one year.

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 will be 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.