



DENTON COUNTY
ADOLESCENT SUBSTANCE ABUSE PROGRAM

The Denton County District Attorney
Juvenile Division



ADOLESCENT SUBSTANCE ABUSE PROGRAM

Primary Mission and Purpose

To address substance abuse issues with juvenile offenders via a program that will enhance public safety, reduce crime, hold offenders accountable, increase sobriety among drug offenders, and reduce costs to our community. The individuals in the Adolescent Substance Abuse Program are first time offenders who would be considered a "self-correctors."

Eligibility

In order to be considered for the Adolescent Substance Abuse Program (ASAP) an applicant must be detained or have a petition filed for a drug offense.

The following offenses may be eligible for the Adolescent Substance Abuse Program:

1. Possession of a Controlled Substance, Under 1 gram,
2. Possession of a Controlled Substance, 1-4 grams
3. Possession of a Controlled Substance, 4-400 grams (only if that Substance is in Penalty Group 2)
4. Possession of a Controlled Substance under 28 grams, PG 3 and 4
5. Possession of Marijuana 2 ounces or less
6. Possession of Marijuana 2-4 ounces

This list includes the above offenses committed in DFZ's

An applicant must be approved by the Criminal District Attorney's Office.

Criteria that Prevent Admission into the Program

1.) An applicant cannot have been adjudicated, have a past community supervision or deferred, be on a current community supervision or deferred probation for any criminal offense other than Class C misdemeanors. Likewise, the applicant cannot have any current petitions filed or pending arrests/detentions (other than Class C misdemeanors) that did not arise out of the same transaction as the drug offense for which the applicant is seeking admission.

2.) No companion cases arising out of the same transaction, unless it is a drug case. Example, you cannot be in the program if you have a drug case and an evading arrest arising out of the same transaction.

Entry Process

Step 1: A Respondent speaks with his/her attorney or the attorney speaks with the client about participating in the Adolescent Substance Abuse Program.

Step 2: Respondent's attorney requests consideration by emailing the Assistant District Attorney assigned to the case requesting consideration.

Step 3: The Assistant Criminal District Attorney approves or denies Respondent for the Adolescent Substance Abuse Program and notifies the attorney of record.

Step 4: If approved, Respondent's attorney is notified and requested to set a date with the Court to enter into the ASAP program

Step 5: The Court will notify all parties of the selected court date.

Step 6: The required ASAP documents are as follows:

- A.) Judicial Confession
- B.) ASAP Supplemental Plea Admonishments
- C.) Waiver of Lab Report
- D.) Explanation of Rights Packet

Step 7: The parties will arrive at the set time of the admission to the program and sign all required paperwork for entry into the program. The Respondent will go to the Denton County Juvenile Probation Front Desk at 210 Woodrow Lane, Denton, Texas, 76205, to pay the \$575 fee for the program. The Respondent and Defense Counsel will go to the Denton County (Juvenile) Clerk's Office to sign the documents to enter the Respondent into the program. The Respondent will then contact the Probation Officer that same day at 972-434-4800 to set up an intake into the program.

Primary Program Requirements

The Adolescent Substance Abuse Program is designed to be rehabilitative and minimalistic. There are no progressive sanctions. Any violation of the programs requirements will result in automatic removal. Individuals removed from the program will not be allowed back into the program. No

consumption of unapproved controlled substances, alcohol or CBD products is allowed while in the program.

- 1.) The length of the program is 180 days.
- 2.) The Respondent will sign all necessary plea paperwork. Once the plea paperwork has been signed and filed with the Clerks office, the Respondent will enter the ASAP program.
- 3.) Upon successful completion of the program, the State will file a non-suit in the case.
- 4.) If the Respondent is unsuccessfully discharged from the program, the case will be set for a disposition proceeding on the docket. The disposition can be a plea bargain agreement with the State or a contested disposition in front of the Judge of the Juvenile Court
- 5.) There will be terms and conditions of ASAP which will be specific to the program.
- 5.) The cost of the program is \$575.00, which includes testing done at Denton County Juvenile Probation.

The \$575.00 must be paid the day of the plea, prior to the plea.

Program Cost (Program fee covers cost of all testing done through Denton County Juvenile Probation Department)

\$575.00	Paid prior to entry into the program Pays for the 180-day program Pays for the 16-18 Random Urinalysis over the 180 days
\$15.00	Pays for the Juvenile Probation Supervision fee
\$150.00	Lab fee

INDIGENCY –If the Respondent or Respondent’s attorney has indigence concerns, please have your client contact Probation Officer Lenita England to fill out indigence documents. Probation will then utilize a sliding scale based on information received to determine the fee, if any, to be paid for the ASAP program. This must be done prior to the plea.

BY ENTERING INTO THIS CONTRACTUAL AGREEMENT WITH THE DISTRICT ATTORNEY'S OFFICE, RESPONDENT AND HIS OR HER ATTORNEY ARE WAIVING ANY RIGHT TO REQUEST DEFERRED DISPOSITION FROM THE COURT

If the respondent violates any terms or conditions of the program, a discharge letter is completed by Denton County Juvenile Probation and sent to the Assistant District Attorney, Attorney of Record assigned to the case, and the Court Administrator. The Court Administrator will notify the Assistant Criminal District Attorney and Attorney of Record of the next court setting.

If the respondent successfully completes the program, the Assistant Criminal District Attorney will non-suit the case. The Judge does not see the respondent for dismissal if he or she successfully completes the program.

ANY VIOLATION OF PROGRAM CONDITIONS OR FAILURE TO MEET THE REQUIREMENTS WILL RESULT IN AUTOMATIC REMOVAL FROM THE PROGRAM. PARTICIPANTS REMOVED FROM THE PROGRAM WILL NOT BE ALLOWED BACK INTO THE PROGRAM. AUTOMATIC REMOVAL IS NOT SUBJECT TO JUDICIAL REVIEW. ANY FEE'S OR COST'S OF THE PROGRAM ARE NON-REFUNDABLE UPON AN UNSUCCESSFUL DISCHARGE FROM THE ASAP PROGRAM.

ASAP Probation Expectations

An orientation/Intake meeting will be scheduled as soon as participants have paid fees and contacted their probation officer. Weekly office visits/contacts with the probation officer will be expected and adolescents will be given frequent U.A.s at the probation officer's discretion. Participants are expected to follow the probation guidelines which includes attending the substance abuse counseling program.

ASAP Probation Guidelines

1. Obey the laws and ordinances of this state, of any governmental sub-division of this state, of any other state, or of the United States.
2. Report to the Probation Officer as directed.
3. Follow the curfew as set by your Probation Officer. Unless you are with a parent pre-approved by your PO or another adult approved by your PO, curfew is as follows: Sundays – Thursdays 7pm-7am and Fridays and Saturdays 9pm-7am. Do not remove yourself from your State of residence for any overnight stay without approval of the Juvenile Probation Officer.
4. You may seek work or work before or after curfew hours if your parent, guardian, or custodian approves and gives prior notification to your PO of the name of the business, the business's address, and phone number of where you are seeking work or working, as applicable. If/when you are working, you must provide your PO a copy of your work schedule as soon as you receive it from your employer.
5. Attend and complete Denton County Juvenile Probation Department - Adolescence Substance Abuse Program (ASAP). Comply with all probation and counseling expectations.
6. Inform your Probation Officer of any change in school, address, phone number, employment, or marital status before making the change.
7. Unless the person is your parent, guardian, custodian or sibling, do not associate or have contact--directly or indirectly, personally or through another person(s)--with persons on probation or parole; persons who violate the law; persons who use, sell, or possess any illegal drugs, controlled substance, or marijuana; persons associated with criminal gangs; persons involved in sniffing paint or glue; any minor persons possessing or drinking alcoholic beverages or using or possessing a tobacco product; or the victim or the victim's family.
8. Do not inhale, ingest, consume or possess any intoxicating substance, any substance prohibited by federal law, or any nicotine. Do not inhale, sniff or in any way ingest paint, glue, or any volatile chemical or harmful substance. Do not inhale, ingest, consume or possess any cannabidiol (CBD), any products derived from CBD, or any ingestible hemp products. You may take medications that are prescribed to you in the manner in which they are prescribed to you. Do not possess an electronic cigarette or electronic pipe or vaporizer or related paraphernalia.
9. Submit to and maintain negative urinalysis (UA) drug testing as directed by the Probation Officer.
10. . Pay \$15 per month in probation fees. Fees are due on the 15th day of the month.

ASAP Counseling Program and Expectations

A counseling intake will be scheduled after you meet with your probation officer. The counseling will be weekly substance abuse groups that include the parents and the adolescent. It will be once a week in the evening for an hour, for 6 months. Groups will be held at either the Denton or Lewisville Juvenile Probation building. Participants may not miss more than two sessions or they will be unsuccessfully discharged. If participants choose not to follow the group rules they may be asked to leave group and will be counted absent.

Group Rules

- Respect others physically and verbally
- Speak only to the group as a whole
- Stay for the entire group, every group
- Only one person speaking at a time
- Sit up straight and be attentive
- No use of cell phones, headphones, or electronic devices during group, unless cleared by group leader ahead of time
- Support positive behaviors of peers
- Laugh when appropriate, not to make fun
- Show respect and accept group members without judgement
- Do not glorify or justify negative behaviors-past or present
- Be open
- Respect group confidentiality
- Make eye contact with person speaking
- Listen respectfully to feedback and give everyone a chance to share honestly
- No visitors/guests-only teen and parent/guardian are allowed to attend to protect confidentiality
- Group members cannot participate in-group under the influence of alcohol or other drugs.
- Wear appropriate and non-distracting clothing. This includes clothing with profanity, drug/alcohol logos, low-cut shirts or short skirts/short, midriffs, or clothing with images deemed inappropriate or distracting by group leader.
- Make sure comments and topics are appropriate and do not use offensive language
- Participate actively and willingly in all groups
- Follow all instructions given by the Group Facilitator