



**Cobb County
Pretrial Diversion
Program
Participant Handbook**

Cobb County District Attorney's Office
70 Haynes Street, Third Floor
Marietta, GA 30090
Administration Phone: (770) 528-3080

Maurice Brown/Bailey Rogers
Assistant District Attorney
Diversion Coordinator
(770) 528-3025
Email: pretrialdiversion@cobbcounty.org
Fax: (770) 528-3035

Drug Lab: (770) 528-1520

Welcome to the Cobb County

Pretrial Diversion Program

Welcome to the Cobb County Pretrial Diversion Program. This Handbook is designed to answer your questions about what is expected of you as a diversion participant. In addition to abiding by the program requirements laid out in the admission paperwork and this handbook, you must also abide by any special conditions explained during program orientation.

If you still have questions after reading this handbook, please contact the Diversion Coordinator.

Introduction

The Pretrial Diversion Program was created pursuant to O.C.G.A. § 15-18-80 as an alternative to the prosecution of certain offenders in the criminal justice system. The program is designed for first offenders who have committed crimes that did not result in injury to a victim and are otherwise non-violent and non-aggressive in nature, or for certain other offenders who have committed crimes involving domestic violence.

Each individual accepted to participate in the Pretrial Diversion Program will be required to enter into a contractual agreement, and will be subject to an individualized program of supervision, which may include counseling, education, drug screening, and community service work, for a specified period of time in lieu of traditional prosecution.

The decision to request to participate in the Pretrial Diversion Program must be made freely and voluntarily and should be made with the advice of counsel. Participation will occur prior to adjudication, and successful completion of the program will result in a dismissal or Nolle Prosequi of the charges. The program is designed to benefit the individual participant as well as the overall criminal justice system for Cobb County.

Participant Responsibilities

Once accepted into the Pretrial Diversion Program, you will be required to follow **all** program guidelines.

- ◇ Attend all Court appearances unless you have been excused by the Judge. Please do not ask the Diversion Coordinator whether you have to go to an upcoming court date. *No one affiliated with the District Attorney's Office has the authority to allow you to miss court.*
- ◇ Attend program orientation as scheduled.
- ◇ You must abstain from using any illegal drugs, alcohol or unapproved medications.
- ◇ Comply with all drug screen procedures.
- ◇ Comply with all special conditions explained at program orientation, which may include community service work, counseling, or other conditions specific to your individual case.
- ◇ Do not associate with people who engage in illegal activities.
- ◇ Immediately report any contact you have with any form of law enforcement.
- ◇ Do not possess any weapons while in this program, and do not carry any weapons on your person or in your vehicle.
- ◇ Maintain gainful employment or school participation.

Drug Testing

Lab hours

Monday—Friday

8:30-4:30 (closed 11:30-1:00)

You will be alcohol and drug tested randomly throughout the program. When giving a urine sample you will be observed by someone of the same gender to ensure freedom from errors or tampering.

- If you have a positive test you will be terminated from this program and your case will be returned to the assigned judge for traditional prosecution.
- If you submit a diluted sample (with a creatinine of 19 ng or below) or if you miss a test, you may be subject to increased screening, extended time in the program, or termination from the program.

You must be punctual and be prepared to submit a specimen when requested. **Tampering with or diluting a drug screen will be grounds for termination from the program.**

- Only one participant is allowed in the testing area at a time. A staff member must accompany you at all times during drug testing.
- You must make sure that both your name and date are on the specimen bottle.
- You will not be allowed to leave the testing area or to drink excessive fluids until a specimen is rendered.
- You may not carry purses, coats, bags, etc. into the testing area.

- Shirt sleeves should be rolled up to the elbow, and you may be asked to remove additional clothing to ensure the validity of a specimen. You should lift your shirt to waist level and pants/underwear should be pulled to the knees before the specimen is obtained.
- The test cup must contain a minimum 1/3 level to be adequate for testing.
- You must make sure that the specimen bottle is closed properly. If a sample is not sealed properly then it is not testable.

Your drug screens will include tests for alcohol, and no positive alcohol screen will be tolerated.

There is no “grace period” for the use of marijuana. If you test positive at any time during the program, even immediately after your orientation, it shows that you have committed a crime either while in the program or during the application process.

Any positive screen, indicating the use of any illegal drug or alcohol, at any time during your participation in the program will result in immediate termination from the program.

Dilute Drug Screens

Dilute drug screens occur when an individual drinks too much fluid / liquid of any kind in a short period of time, usually in an effort to flush their system of alcohol and drugs.

Your body will maintain homeostasis, an equilibrium, in which you take in fluids and excrete waste fluids in the urine according to your body's needs. This occurs normally in the absence of kidney disease.

Creatinine is a by-product of protein metabolism; any unused creatinine is dissolved in the urine as a waste product. It is easily measured in relationship to the amount of fluid in which it is dissolved. For drug screening purposes, there is no other reason to measure creatinine other than to be able to tell whether or not a person is trying to dilute their urine. The more fluid in urine, the less creatinine can be measured. The less fluid in urine, the more creatinine can be measured.

The normal level of creatinine in urine ranges from 60 mg/dl to 300 mg/dl. A dilute urine sample means that the creatinine level is equal to or below 19mg/dl. The creatinine levels can change daily, but most people will have a "normal" value range for themselves most of the time.

Eating extra protein, exercising, and running have no significant effect on the creatinine level measured in urine due to the body's built-in equalizer, homeostasis. The only thing that affects a dilute sample is the amount of fluid taken in within a short period of time prior to providing the urine

sample. If you are seeing results that show you are getting close to a dilute sample, try to stop drinking any fluids 2-4 hours prior to providing

the sample. Then resume your normal fluid intake. You should not "hold" your urine for a long time before giving a sample. This is not good for your bladder and will not have a significant effect on urine dilution. Try to avoid more than 1-2 cups of tea per day since tea is a diuretic. In other words, it causes your body to make extra urine and may throw off your normal body balance if taken in excessive amounts. This can lead to a dilute urine sample. Avoid products that claim to "beat a drug test". These usually are nothing but a diuretic in disguise.

If you have a medically diagnosed kidney disease, you will need to bring proper documentation from your physician that states specifically why you might test with dilute urine specimens. This should be done prior to admission into the program and may be a reason to exclude you from participation in the program.

MEDICATION GUIDELINES

Participants must take medication only as prescribed, and may not take any medication (even if lawfully prescribed) which will result in a positive result on a drug screen. If you have concerns about medications and over-the-counter products that are not listed in the guide, please consult your doctor or drug lab personnel. In case of an emergency, when the Diversion Coordinator can not be reached (for example over night or on a weekend), medications given by an emergency professional may be taken, but within 24 hours, you must notify the Diversion Coordinator of the situation and medication taken. Bring proof of medical treatment and a copy of any prescription given or the actual bottle of medication to the drug lab when screening.

Do not eat poppy seeds. Do not take herbal supplements and teas, diet aids, muscle building substances, power drinks, etc. while enrolled in the program. **These sometimes contain chemicals that will cause a positive test on a drug screen for certain individuals.** Some over-the-counter products, cold/allergy and cough medications, also contain pseudo-ephedrine products and detromethorphan (DM). **All of these products are prohibited and may result in a positive drug test. Anyone taking these products who tests positive will be terminated from this program.**

Most antibiotic medications may be taken without resulting in a positive drug screen. **LEVAQUIN**, a strong antibiotic medication, may cause a positive test result for some individuals and is, therefore, **NOT APPROVED** to take. Ask your doctor to prescribe an alternative medication.

MOST PRESCRIPTION PAIN MEDICATIONS ARE NOT APPROVED FOR ROUTINE USE. Ask your doctor about using NSAIDs, non-steroidal anti-inflammatory drugs. Motrin 800 mg is suggested for moderate to severe pain. All NSAIDs may cause gastrointestinal problems and should be taken only with approval from your doctor. Use of **SUBOXONE**, for pain management, **IS NOT APPROVED**. Use of **Soma IS NOT APPROVED**. Routine use of **ULTRAM**, for pain management, **IS NOT APPROVED**. **ZANTAC**, commonly used for stomach problems, may cause a positive drug test for some individuals and is, therefore, **NOT APPROVED**. Ask your doctor to prescribe an alternative medication. **Do NOT take Medications containing Phe-**

nylephirine, Pseudoephedrine, or Dextromethorphan (DM).

Numbing injections given at a dental office are approved. Please remember that these are guidelines to follow during the program. If you or your doctor have questions at any time, make sure you ask **BEFORE** using a product or taking medications .

The following medications should NOT cause a positive screen result and are therefore AP-PROVED for use during this program

Pain/Headaches

Ansaid (flurbiprofen)
misoprostol)

Cataflam (diclofenac)

Clinoril (sulindac)

Dolobid (diflunisal)

Indocin/Indocin LA (indomethacin)

Mobic (meloxicam)

Naprosyn/Anaprox/Naprelan (naproxen)

Ponstel (mefanamic acid)

Tolectin/Tolectin DS (tolmetin)

Voltaren (diclofenac)

Arthrotec (diclofenac/

Celebrex (celecoxib)

Daypro (oxaprozin)

Feldene (piroxicam)

Lodine (etodolac)

Motrin (ibuprofen)

Orudis/Oruvail
(ketoprofen)

Relafen (nabumetone)

Toradol (ketorolac)

Migraine

Amerge (naratriptan)

Frova (frovatriptan)

Maxalt (rizatriptan)

Axert (almotriptan)

Imitrex (sumatriptan)

Relpax (eletriptan)

Pain Medications

Actron	ActivOn
Advil	Advil LiquiGels
Advil Migraine	Aleve
Aleve Arthritis	Aleve Liquid Gels
Anacin	Anacin Aspirin Free
Anacin-3	Aspirin
Bayer Aspirin	BC Arthritis Strength
BC Headache Powder	Bufferin
Doan's Backache	
Ecotrin	Excedrin
Excedrin Migraine	Excedrin Tension Headache
HeadOn	Motrin IB
Orudis KT	Tylenol 8 Hour
Tylenol Arthritis Pain	Tylenol Extra Strength
Tylenol Go Tabs	Tylenol Menstrual Relief
Tylenol Rapid Release	Tylenol Regular Strength

Allergies/Cough/Cold/Flu

Cough & Cold

Airborne	Cepacol Sore Throat Lozenges
Cepacol Sore Throat Spray	Chloraseptic Daily Defense
Chloraseptic Lozenges	Chloraseptic Spray
Cold Eze Zinc Lozenges	Fisherman's Friend Cough Drops
Halls Cough Drops	Mucinex

N'ICE

Ayr Nasal Spray (saline mist)
Robitussin Chest Congestion (alcohol free)
Robitussin Honey Cough Drops
Sucrets Defense
Tylenol Chest Congestion (alcohol free)

Vicks 44 Sore Throat Spray
Vicks Cough Drops
Zicam
Amantadine
Rimantadine
Valtrex (valacyclovir)

Allergy - Over the Counter

Claritin (loratadine)
Alavert (loratadine)

Allergy - Prescription Only

Allegra (fexofedadine)

Clarinex (desloratadine)
Nasacort/Nasacort AQ (triamcinolone)
Nasonex (mometasone)

Ocean Nasal Spray
(saline mist)
Ricola Cough Drops
Robitussin Cough Drops
Sucrets Cough Drops
TheraFlu Chest Congestion
Vicks 44 Sore Throat
Lozenges
Vicks Casero
Vicks VapoRub
Antivirals
Famvir (famciclovir)
Tamiflu (oseltamivir)
Zovirax (acyclovir)

Tavist-1 (clemastine
fumarate)
Zyrtec (cetirizine)

Beconase/Beconase AQ
Vancenase/Vancenase AQ
(beclomethasone)
Flonase (fluticasone)
Nasarel (flunisolide)
Rhinocort (budesonide)

Stomach Problems/Nausea/Dizziness

Diarrhea/Upset Stomach/Heartburn/Constipation

Alka Seltzer	Beano
Colace	Correctol
Daisorb	Donnagel
Dulcolax	Ex-Lax
Fiber Con	Gas-X
Imodium AD	Imodium Advanced
Lactinex	Maalox
Mylanta	Mylanta Gas
Pepcid AC	Pepcid Complete
Pepto-Bismol	Phazyme
Prilosec OTC	Rolaids
Tagamet HB	TUMS
Zomig (zolmitriptan)	

Nausea/Vertigo

Emetrol	Nauzene
Pepto-Bismol	

Sedatives/Anxiety Agents

Melatonin	L-Tryptophan
-----------	--------------

Residency

You are required to maintain residency in the state of Georgia during the duration of your time in this program. You must be willing and able to

travel to the drug lab whenever instructed to do, within the time allotted. If your residence is too far away to allow such travel, you will not be able to participate in this program.

Community Service Work

You will be required to complete community service hours as a condition of this program. Most participants can expect to complete 80 hours, and the community service must be completed at a charitable, non-profit, or government organization which has been approved by the Diversion Coordinator. Some examples of approved organizations are MUST Ministries, Right In The Community, Cobb County Animal Control and Cobb County Parks and Recreation. Private businesses are not acceptable.

A list of approved locations will be provided at the program orientation.

Identification

In order to complete your drug screening, you must maintain a valid, current, state-issued form of identification. If you do not have a driver's license, information on how to obtain a State ID card can be found at www.dds.ga.gov.

Superior Courthouse and Drug Lab

The District Attorney's Office is located on the third floor of the Superior Courthouse at 70 Haynes Street, Marietta, GA 30090. You will come to this office, or any other location designated by the Diversion Coor-

dinator, for program orientation and for any meetings that are necessary with the Diversion Coordinator. The drug lab is located in the basement of Building “D”, 30 Waddell Street, Marietta, GA 30090. The Superior Courthouse and Building D are situated across the street from one another and are connected by covered walkways.

Other resources

Visit www.cobbda.com and click on the link entitled “Accountability Courts/Pretrial Diversion” to view or download:

Therapist/Counselor Certification Form
Program Guidelines

Policy Changes/Handbook Revisions

From time to time, this handbook will be revised and policies will change. Please feel free to ask questions if you are ever unsure about a rule or policy. It is always best to err on the side of caution instead of guessing and later finding out the hard way that you were wrong.

Revised Sept 2019

