



# **Cobb County Intermediate Drug Court**

## **Participant Handbook**

This handbook belongs to:

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**Drug Screen phone:**

**(678) 261-5869**

or

<https://doi.testday.com> pin number: 6241

**Cobb County Drug Court**

**32 Waddell Street**

**Marietta, GA 30090**

**Intermediate Drug Court Judge:**

**Honorable Kimberly A. Childs**

**Court Case Manager:**

**Kayla Tomes: (770) 528-1959**

**Brooke Comley: (770) 528-8115**

**Coordinator:**

**Porsha Middlebrook: (770) 528-1933**

**Fax: (770) 528-8588**

**Sponsor Contact line: (678) 331-8281**

## **Welcome to the Cobb County Intermediate Drug Court**

Welcome to the Cobb County Intermediate Drug Treatment Court (IDTC). This handbook is designed to answer your questions about what is expected of you as a Drug Court participant. In addition to abiding by the court requirements in the admission paperwork and this handbook, you must also follow the instructions and orders given to you by the judge and any team members.

If you still have questions after reading this handbook, please contact your Court Case Manager or Court Coordinator.

### **Introduction**

The Cobb IDTC is based on proven national research and program models. The Court is based on the belief that addiction is a chronic and potentially fatal disease creating one of the most serious health and legal problems in the United States today. The Court is designed to improve the health of our participants, not only by addressing the immediate symptoms of their addiction but also by orienting participants to a new way of healthier living which can be continued for the rest of their life. The Court is a partnership between the Judge, District Attorney, Defense Counsel, Probation, Law Enforcement, Treatment, the community, and you. You will be expected to complete and participate in numerous Court and treatment-oriented activities. These may include, but are not limited to community support meetings, group and/or individual therapy, case management meetings, weekly court appearances, probation appointments (if applicable), and urine/breath/chemical drug testing.

### **Our Mission Statement**

The mission of the Cobb County Drug Treatment Court is to enhance public safety by targeting certain high-risk drug offenders for placement in an intensive program of treatment, judicial supervision, and individual accountability. The goal of the court is to

reduce participant recidivism and enable participants to contribute to and function within the community.

## **Guiding Principles**

We believe that if you follow these three guiding principles, you will succeed in this program:

**BE HONEST.** This is often the most difficult rule to follow. The Drug Court Team expects you to be honest in all areas of your life; you owe it to *yourself* to be honest in all areas of your life. Do not attempt to falsify records, conceal alcohol/drug use, or tamper with or dilute your urine. Eventually, you will get caught.

**SHOW UP.** Be on time for treatment, 12-step meetings, and Drug Court sessions. Show up mentally as well as physically; you will get out of DC what you put into it.

**DON'T WHINE!** You must understand that this is not an easy path. Over the next eighteen months to two years, you will have a lot of hard work to do, both to fulfill the Drug Court Contract and to address your substance abuse issues. To be fully engaged in your recovery and successfully complete DC, you will have to make sacrifices.

## **Important Documents**

You are bound by your sentence, any exhibits attached to the sentence, any orders that were entered as part of your sentence, the Drug Treatment Court Participant Contract, all paperwork you completed as part of your application for Drug Treatment Court, this handbook, and any memos or other documents you are given by the Drug Court Team. Keep all your paperwork together in this folder and keep it where you can access it at any time. Most answers to your questions will be found in your handbook or your paperwork from the Court. Please refer to these before you ask a question. You are responsible for your participation. You will attend all events independently, unless it is a family event. You are responsible for completing all assignments.

## **Roles of the DTC Team members**

### **Judge's Role:**

In the courtroom, the Judge develops a personal, working relationship with each participant while monitoring the participant's progress. The Judge has many responsibilities beyond Drug Court; therefore, his/her time is limited. Direct contact with the Judge and his/her office is **prohibited** beyond the courtroom setting. The Judge is not your case manager, personal attorney, or your legal advisor. The Judge attends non-court settings such as staffing to discuss possible candidates for the program and to determine appropriate steps to foster program compliance.

Before each court session, the Judge will be given a progress report. The progress report will discuss your drug testing results, attendance, participation and cooperation in the treatment program, employment, or other requirements that may have been imposed. The Judge may ask questions about your progress and discuss any problems you may be having. The Judge will acknowledge your accomplishments. The Judge will also discuss areas where you are not doing well. The Judge will grant incentives or give sanctions based upon your behavior. You are in charge of how you do in the Court.

**Drug Court Coordinator:** The Coordinator acts as the primary contact person, attends staffing and court sessions, maintains participant records, and provides oversight for treatment and court services;

**Court Case Manager:** The CCM attends staffing and court sessions, provides the team with your case progress as outlined in your individual case plan, coordinates services, and recommends appropriate sanctions and incentives;

**Drug Court Prosecutor:** The Prosecutor attends staffing sessions, identifies potential candidates for the court, and participates in incentives and sanctions recommendations. The Prosecutor or his/her representative also attends court sessions. The Prosecutor cannot give you legal advice nor meet with you outside the courtroom. Should you need assistance with legal concerns/questions/comments, please contact the Court Coordinator for direction;

**Defense Attorney:** The Defense Attorney attends staffing sessions to evaluate your progress through the court and to recommend appropriate sanctions and incentives.

Once you enter the court, the obligations of your former attorney end, and it is the Drug Court Defense Attorney who speaks on your behalf at court staffing sessions; however, this person does *not* represent you in the traditional sense;

**Sheriff's designated Drug Court Deputy:** The DC Deputy provides accountability for your participation in the court, conducts unannounced field visits to your home and job; participates in staffing and attends court sessions;

**Drug Court Probation Officer:** The Probation Officer provides reports on compliance matters to the team; and attends court sessions; all participants under community supervision are required to comply with all required special and general sentence conditions in addition to DTC requirements;

## **Participant Responsibilities**

Once accepted into Drug Court, you need to follow **all** program guidelines. Each Phase and each individual will have specific requirements. The general guidelines are as follows:

- Refrain from using alcohol and/or drugs;
- Attend all Court appearances, Dr.'s appointments, treatment sessions, and any other appointments as assigned;
- Be on time for all appointments, treatment sessions, and court appearances;
- Abstain from using unapproved medications;
- Complete all random alcohol and drug screens;
- Attend community-based support group meetings as assigned;
- Obtain a community-based support group sponsor of the same gender; Sponsors must be willing to verify contact with a phone call weekly. If your sponsor is unwilling to do this, you need a new sponsor. Instructions for sponsor contact will be given to you. Sponsors must call weekly by Wednesday at 9 p.m.
- Comply with all education and employment requirements;
- Bring all assigned treatment materials to each group session;
- No alcohol, drugs, weapons, or pocketknives will be brought to any facility.
- Groups will begin on time. You must be punctual, as tardiness will result in

sanctions. You must attend and participate in the full session to receive credit.

- Confidentiality is a must. What is said in group stays in group! You can tell anyone what **you** say or do in group, but not what **others** say or do. There will be **significant consequences** to any violation to this rule.
- Do not enter any business whose primary function is the sale of alcohol;
- Do not associate with people who use or possess drugs;
- Immediately report any contact you have with any form of law enforcement (includes moving violations);
- Do not possess any weapons while in Drug Court, and do not carry any weapons on your person or in your vehicle (includes pocketknives).
- Inform all medical persons that you encounter that you are a participant in a Drug Court. Take the “Medical Form” with you each time you must see a doctor outside of DTC;
- Free expression of your thoughts and feelings are encouraged; however, violence, threats, or intimidation will not be tolerated. Extreme use of profanity is not acceptable;
- Leave group only in an emergency **after** notifying a treatment staff member
- Keep the staff informed of your current address, phone number, and schedule;
- If you exhibit behaviors of harm to yourself or others, confidentiality will not apply, the proper authorities and next of kin will be notified.
- Cell phones must be left in the car before entering the treatment facility. They will be confiscated if they ring or beep.
- No visitors allowed at the treatment facility unless attending a scheduled session.
- Smoking is not permitted outside the courthouse entrance or at treatment. Cigarettes need to be left in your car with your cell phones.
- No littering in parking lot or buildings.
- Destroying or defacing property will lead to sanctions and criminal charges.

All DTC-related activities and locations are an extension of DTC. Your behavior will always reflect this understanding. This includes the treatment facility and parking lot,

all other treatment locations, community service sites, special events, and any other function associated with a DC activity. Violations of Court rules will result in sanctions and/or new criminal charges.

## **Dress Code**

All participants are required to dress appropriately for Court and treatment sessions. This includes all virtual services as well.

Appropriate dress means:

- No shorts to court or treatment sessions (even during summer);
- No torn or ripped jeans;
- No short dresses- no shorter than 2" above the knee;
- No swimwear;
- Underwear should never be visible during court or treatment;
- No tight pants or leggings;
- No hats, caps, or bandanas;
- No sunglasses inside;
- No gang attire of any kind;
- No sagging pants that hang below the waist; if you must be told to pull up your pants, you will be sanctioned;
- No tank tops, muscle shirts, or crop-tops;
- No tight, short or lowcut at the bust clothing
- All shirts must have a sleeve (Including females). For court, all males' shirts must have a collar;
- No clothing advertising tobacco or alcohol products or attire with obscene words or pictures;
- Shirt tails must be tucked in anytime you are in the Courthouse complex;
- No facial or tongue piercing of any kind in court;
- No open toe shoes
- No flip flop or "thong" footwear in Court.

Violation of the Dress Code Policy will result in participant not being allowed into group/Court. Violation will be sanctioned as a missed event.

## **Face to Face Courtroom Behavior and Rules**

Attend all scheduled Court appearances on time and immediately be seated in the courtroom;

- Do not talk in the courtroom or during court proceedings;
- Do not bring food or drink into the courtroom;
- Do not chew gum or eat candy in the courtroom;
- When addressing the Judge, answer with a "yes" sir/ma'am or "no" sir/ma'am and speak clearly so the Judge and other Team Members can hear you;
- Keep your hands out of your pockets;
- Remain in the courtroom until excused by the Judge. Do not leave the courtroom for **any** reason (including the bathroom), without permission;
- No phones in Court or treatment;
- Tattoos should be covered unless impossible to do so; and
- No tight, short or low cut at the bust clothing.

## **Virtual Courtroom and Virtual Treatment Behavior and Rules**

Due to COVID19, many services are currently being offered virtually through zoom. All login information will be sent to you and it is your responsibility to keep up with it. Below are the detailed rules for all virtual services. If any of the below rules are not being followed, you will be removed from the meeting, placed in the waiting room, and not receive credit for the meeting;

- Find a quiet and confidential place away from others and children/pets.
- Sign into the meeting 10 minutes early. This helps to work out any technical issues you may have. You will not be permitted into the meeting late.
- Enter your first and last name when signing in. You will not be admitted into the session without your first and last name being displayed.
- Please mute yourself when entering the meeting and unmute yourself when spoken to by the Judge or staff.
- Make sure that your full face is **always** showing on camera and the lighting in your room is appropriate. You must **always** show your full face during the session in

order to get credit. If you turn your camera off, staff will assume that you have left the session and will remove you from the meeting.

- You must follow ALL dress code requirements for all virtual sessions.
- No artificial backgrounds
- No food, candy or drink during sessions;
- Do not drive or walk around while in session.
- When addressing the Judge, answer with a "yes" sir/ma'am or "no" sir/ma'am and speak clearly so the Judge and other Team Members can hear you;
- Remain in the session until excused by the Judge or staff. Do not leave the session or turn your camera off for **any** reason, without permission.
- Bring all treatment materials/books to group every session. The counselor can place you in the waiting room if not prepared for group and credit will not be given.
- Tattoos should be covered unless impossible to do so;
- No tight, short or low cut at the bust clothing.

## **Treatment**

Each participant who is accepted into Drug Treatment Court will be required to attend treatment sessions. The treatment component of Drug Court is designed to provide a continuum of care during your recovery, rehabilitation, and reintegration into the community. Each participant will receive a personalized structure (treatment plan), based upon their needs and issues. These treatment plans will be updated Monthly, either based upon phase move, inability to maintain, or other circumstances where it is necessary to change the structure. To aid you in your treatment, each Phase of the Intermediate Drug Court provides varying degrees of court supervision and alcohol and drug screening. You will be required to attend treatment groups, individual counseling sessions, doctor's appointments, community-based support groups (12-step meetings), and case management meetings. As you successfully move through the Intermediate Drug Treatment Court, the intensity of these requirements will lessen and expectations for increased personal accountability in everyday life will increase.

## **Group Materials**

You are expected to bring your group materials to each group. You are financially responsible for the replacement of any lost materials and will be sanctioned for anything that you do not have in group. Treatment is a vital part of IDTC and it is difficult to complete assignments without the proper materials. Destruction of group materials will be sanctioned, and you will be responsible for the cost of replacements.

## **Court Phases**

### **Phase 1 Requirements:**

**(13 weeks)**

### **Curriculum: Matrix Model for Criminal Justice, and Drug Education**

1. Stay clean and sober; Do not drink alcohol or use drugs.
2. Attend on time and actively participate in **3** groups each week.
3. Attend monthly court sessions
4. Meet with your case manager weekly
5. Attend and document a minimum of three (3) community-based self-help group meetings each week. Attend daily meetings until a sponsor is found or if you are without a sponsor for any reason.
6. Provide urine samples as required for drug screens. This will occur at random, at least 2 times per week.
7. See doctor to determine if medication is necessary. If yes, take all medication as prescribed, do not change or stop taking medications without notifying your doctor and case manager. Report any and all side effects immediately.
8. Obtain a temporary or permanent same gender sponsor and meet face-to-face at least once weekly. In the case of identifiable homosexual participants, the sponsor can be of the opposite gender.
9. Provide documentation of a minimum of 32 hours per week of employment and keep regular attendance at work. If you are a fulltime student (minimum of 12 credits per semester/quarter) you must document continued enrollment and

passing grades.

10. Must provide proof of GED or High School completion or take the TABE test for GED placement.
11. Have a minimum of 4 weeks without a jail sanction.
12. Request a Phase up Challenge one (1) week prior to your phase update.

## **Phase 2 Requirements**

**(13 weeks)**

### **Curriculum: Matrix Model for Criminal Justice**

1. Stay clean and sober; Do not drink alcohol or use drugs.
2. Attend on time and actively participate in **2** groups each week.
3. Attend monthly court sessions
4. Meet with your case manager weekly
5. Attend and document a minimum of three (3) community-based self-help groups a week.
6. Provide urine samples as required for drug screens. This will occur at random, at least 2 times per week.
7. Provide documentation of a minimum of 32 hours per week of employment and keep regular attendance at work. If you are a fulltime student (minimum of 12 credits per semester/quarter) you must document continued enrollment and passing grades.
8. If GED is needed, enroll in classes and start tutoring within 1 month of entering phase 2.
9. Complete 1 section of the GED.
10. Participate in a minimum of 1 Monthly individual sessions with assigned counselor.
11. Have a minimum of 4 weeks without a jail sanction.

## **Phase 3 Requirements**

**(13 weeks)**

### **Curriculum: Matrix Model for Criminal Justice**

1. Stay clean and sober; **Do not drink alcohol or use drugs.**
2. Attend on time and actively participate in **2** groups each week.
3. Attend monthly court sessions.
4. Meet with your case manager weekly
5. Attend and document a minimum of three (3) 12 community-based self- help groups each week.
6. Provide urine samples as required for drug screens. This will occur at random, at least 2 times per week.
7. Provide documentation of a minimum of 32 hours per week of employment and keep regular attendance at work. If you are a fulltime student (minimum of 12 credits per semester/quarter) you must document continued enrollment and passing grades.
8. Successfully complete 2 sections of the GED if necessary.
9. Participate in a minimum of 1 monthly individual sessions with assigned counselor.
10. Have a minimum of 4 weeks without a jail sanction.

## **Phase 4 Requirements**

**(13 weeks)**

### **Curriculum: Matrix Model for Criminal Justice**

1. Stay clean and sober; **Do not drink alcohol or use drugs.**
2. Attend on time and actively participate in all groups 2 days a week
3. Attend monthly court sessions.
4. Meet with your case manager weekly
5. Attend and document a minimum of three (3) community-based self-help groups each week.
6. Provide urine samples as required for drug screens. This will occur at random,

at least 2 times per week.

7. Provide documentation of a minimum of 32 hours per week of employment and keep regular attendance at work. If you are a fulltime student (minimum of 12 credits per semester/quarter) you must document continued enrollment and passing grades.
8. Must complete last section of the GED if necessary.
9. Participate in a minimum of 1 monthly individual sessions with assigned
10. Have a minimum of 4 weeks without a jail sanction.

## **Graduation Criteria**

One month before completion of Phase IV, the participant will complete an application for graduation and turn it into the Court Case Manager for it to be reviewed and approved by the Drug Treatment Court Team. An exit interview will be scheduled, and the participant will go before the entire Drug Treatment Court Team for their approval of graduation.

When participants successfully meet all Intermediate Drug Treatment Court obligations, formal graduation ceremonies are conducted. Successful completion of the Intermediate Drug Treatment Court Program consists of the following conditions:

- Pay all program fees
- Completion of all treatment requirements
- Complete all require community self-help meetings
- Write a letter to arresting officer
- Be crime free
- 3 months of sobriety and negative drug screens
- Full time employment or student (Judge can make case by case exception)
- Report for and pass his/her last drug test 30 minutes before actual graduation ceremonies begin

Graduation recognizes the participant's accomplishments. The Intermediate Drug Treatment Court Team, all Intermediate Drug Treatment Court interveners, and even the arresting officers are invited to the graduation. This ceremony is an excellent example of what cooperation between criminal justice agencies can achieve. Graduates are presented with a certificate of achievement and a token of congratulations.

While graduates no longer need to appear in court, they will be encouraged to be involved with aftercare, and occasionally update the Judge and Intermediate Drug Treatment Court Team of their success in the community.

## **Incentives and Sanctions**

Intermediate Drug Treatment Court is based on a system of incentives and sanctions. Incentives for compliance and sanctions for non-compliance.

### **Incentives**

All Court participants have the opportunity to receive incentives for court participation. Possible incentives are:

- Recognition in court
- Reduced court appearances
- Certificates of completion
- Gift cards
- Curfew extension

### **Sanctions**

Intermediate Drug Treatment Court embodies an incentive-sanction approach to promote a drug and alcohol, free environment. Sanctions are given when the participant fails to comply with the requirements of the Drug Treatment Court Program. Sanctions will be discussed at staffing, among the Drug Treatment Court Team, and the appropriate sanction will be imposed based on the behavior and individual participant. Sanctions for noncompliance with program requirements become more severe as the frequency and severity of transgressions occur.

Sanctions can include jail time. If jail time is required for your IDTC violation, **you must make sure that your children, if you have any, will be supervised while**

**you are in custody.** Child neglect will not be tolerated, and the Drug Court Team will involve the Department of Family and Children Services when necessary. If you know you will be going into custody, be sure to bring your properly labeled prescription medications with you when you appear in Court. Also, if you drove to Court before being taken into custody, you need to plan to have your vehicle retrieved. Do not leave your vehicle unattended while you are in jail.

Treatment will not be used as a sanction; however, it is possible that your violation of IDTC rules indicates that your treatment will need adjusting. Examples of treatment adjustments include, but are not limited to:

- Increased case management with your treatment clinician;
- Increased treatment attendance and/or individual sessions;
- Placement in a recovery residence or in-patient treatment facility.

### **Alcohol and Drug Testing**

### **Courthouse Collection Hours**

#### **Monday – Friday**

**8:30 a.m. – 4:30 p.m.**

**(closed 11:30 a.m. to 1:00 p.m.)**

#### **Saturday & Sunday testing**

**8:00 a.m.-9:30 a.m.**

You will be alcohol and drug tested randomly throughout every phase of IDTC. All testing is completed at the courthouse. A drug test can be requested of you by any Team member. The drug test line is available beginning at 5:00 a.m. The Drug Testing Line number is 678.261.5869. You are required to call the Drug Test Line Monday- Friday and on Saturdays and Sundays. You can also access the Drug Test Line information online. [HTTPS://DOI.TESTDAY.com](https://DOI.TESTDAY.com) Enter the check in pin number: 6241. Enter your ID number and information about your testing status will appear. You will get a confirmation number both through the online and by calling. It is suggested that you

make note of the confirmation number as proof of your drug test line contact. Failure to take a drug test if ordered, will result in a sanction. If you have permission to have early screens during the week, you must report to the Drug Lab no later than 8:30 a.m. Do not expect to be taken any earlier. Early screens are a privilege and may be revoked at any time.

Notice: The lab may adjust hours due to training or holiday schedules. Please read any and all posted notices and adjust your schedule accordingly.

Methods of testing will include portable alcohol detection devices (such as a Breathalyzer) and urine analysis. When giving a urine sample, you will be observed by someone of the same sex to ensure you are providing the sample and to prevent tampering.

- If you have a positive test in any phase, the Judge, based on recommendations from the Intermediate Drug Court Team, will apply immediate sanctions, including, but not limited to, jail time to help you refrain from alcohol or drug use.
- All diluted samples with a creatinine of 19 ng or below will be counted as a positive.
- If you miss a test, it will count as a positive (dirty) test.
- Failure to submit a specimen within 20 minutes of testing will count as a positive test.
- You must be punctual and be prepared to submit a specimen when requested.  
**Tampering with or diluting an alcohol/drug screen will be grounds for termination from Drug Court.**
- Only one participant is allowed in the testing area at a time. A staff member must always accompany you during alcohol/drug testing.
- You are responsible to make sure that both your name and date are on the specimen bottle.
- You are required to admit or deny alcohol/drug use on the testing form.
- You are not allowed to leave the testing area or to drink excessive fluids until a sample is provided.
- You are not allowed to bring anything into the testing area with you.
- You are required to lift your shirt to waist level and pants/underwear should be

pulled to the knees before the sample is produced.

- The test cup/bottle must be filled at least 1/2 for testing. If you do not produce enough urine, there may not be enough urine to test. Failing to produce enough urine is a violation of court rules.
- Make sure that the specimen bottle is closed properly. If a sample is not sealed properly and leaks, the specimen is not testable and will be counted as a missed test.

**Honesty is a crucial component for recovery and for participation in Intermediate Drug Treatment Court. Admitting that you have used drugs and/or alcohol will be considered by the Court when sanctions are imposed.**

If you have a positive UDS, you may request a confirmation test. The cost of the confirmation test, \$50.00 must be paid within 24 hours of the request for confirmation. Dilute drug screens cannot be contested. The sample will be sent to a reference lab. If the positive is confirmed, your sanction will be doubled. If the positive lab result is not confirmed by the reference lab, no action will be taken, and the cost of the confirmation will be refunded. **A dilute test result is a IDTC violation.**

### **Dilute Drug Screens**

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

Everyone is encouraged to drink appropriate amounts of water each day to maintain a healthy body system. 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 unless the donor has severe kidney disease.

Creatinine is a by-product of protein metabolism and breakdown; any unused creatinine is dissolved in the urine as waste. It is easily measured in 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 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 have a "normal" value range.

**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.**

Maintaining normal liquid consumption will not produce a dilute urine sample. Tea, coffee and carbonated drinks are diuretics so monitor your intake of all to ensure normal urine samples. Diuretics cause 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 DC. If you have any questions or concerns, please discuss them with the court coordinator/case manager and your physician.

## **Alcohol Testing**

Advances in the science of alcohol detection in urine have increased the ability to detect even minor amounts of alcohol consumption. In addition, these tests are capable of detecting alcohol ingestion for longer periods of time after drinking. Because these tests are sensitive, in rare circumstances, exposure to non-beverage alcohol sources can result in detectable levels of alcohol. In order to preserve the integrity of the testing program, it has become necessary for us to restrict and/or advise participants regarding the use of certain alcohol-containing products.

It is **YOUR** responsibility to limit your exposure to products and substances that contain

ethyl alcohol. It is **YOUR** responsibility to read product labels, to know what is contained in the products you use and/or consume. It is your responsibility to inspect all products **BEFORE** you use them. ***Use of the products detailed below in violation of this contract will NOT be allowed as an excuse for a positive test result. When in doubt do not consume Cough syrups and other liquid medications.***

Participants are prohibited from using cough/cold syrups, such as Nyquil® that contain alcohol. Other cough syrup brands and numerous other liquid medications contain ethyl alcohol and may test positive on a drug test. Drug Court participants are required to read product labels carefully to determine if they contain ethyl alcohol (ethanol).

All prescription and over-the-counter medications are to be reviewed with your case manager **before use**. Information on the composition of prescription medications should be available from your pharmacist. Non-alcohol containing cough and cold remedies are readily available at most pharmacies and major retail stores.

**Non-Alcoholic Beer and Wine:** Although legally considered non-alcoholic, NA beers (e.g. O'Douls®, Sharps®) do contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed. Drug Court participants are **not** permitted to ingest NA beer or NA wine.

**Food and Other Ingestible Products:** There are numerous other consumable products that contain ethyl alcohol that could result in a positive test for alcohol. Flavoring extracts, such as vanilla or almond extract, and liquid herbal extracts (such as Gingko Biloba), could result in a positive screen for alcohol or its breakdown products. Communion wine, food cooked with wine, and flambé dishes (alcohol poured over a food and ignited such as cherries jubilee, baked Alaska) must be avoided. Read carefully the labels on any liquid herbal or homeopathic remedy and do not ingest without approval from your case manager.

**Mouthwash and Breath Strips:** Most mouthwashes (Listermint®, Cepacol®, etc.) and other breath cleansing products contain ethyl alcohol. The use of mouthwashes containing ethyl alcohol can produce a positive test result. Drug Court participants are required to read product labels and educate themselves as to whether a mouthwash

product contains ethyl alcohol. Use of ethyl alcohol-containing mouthwashes and breath strips by Drug Court participants is not permitted. Non-alcohol mouthwashes are available. If you have questions about a product bring it in to discuss with your case manager.

**Hand Sanitizers:** Hand sanitizers (e.g. Purell®, Germex®, etc.) and other antiseptic gels and foams used to disinfect hands contain up to 70% ethyl alcohol. Excessive, unnecessary or repeated use of these products could result in a positive urine test. Hand washing with soap and water are just as effective for killing germs.

**Hygiene Products:** Aftershaves and colognes, hair sprays and mousse, astringents, insecticides (bug sprays such as Off®) and some body washes contain ethyl alcohol. It is unlikely that limited use of these products would result in a positive test for alcohol. Excessive, unnecessary or repeated use of these products could affect test results. Just as the court requires Drug Court participants to regulate their fluid intake to avoid dilute urine samples, it is the participants' responsibility to limit their use of topically applied (on the skin) products containing ethyl alcohol.

**Solvents and Lacquers.** Many solvents, lacquers and surface preparation products used in industry, construction, and the home, contain ethyl alcohol. As with the products noted above, Drug Court participants must educate themselves as to the ingredients in the products they are using. There are alternatives to nearly any item containing ethyl alcohol. A positive test result will not be excused because of using these types of products.

If you are in employment where contact with such products cannot be avoided, *you need to discuss this with your Case Manager.* Do not wait for a positive test result to do so.

## **Specialty Drug Tests**

During all phases of your participation in Intermediate Drug Court, you will be routinely tested for the presence of several specific drugs in your system. Occasionally you will also be tested (either on a random basis or because there is some specific cause for concern)

for the presence of less-common specialty drugs, designer drugs, or mood-altering substances, herbs, or supplements. Use of such substances is often an indication of dishonesty or criminal thinking, rather a sign of relapse. As such, the use of any substance that is banned by program rules, but that is not routinely tested for, may result in an increased sanction or a greater likelihood of termination from the program.

**Remember! When in doubt, don't use, consume, or apply.**

## **MEDICATION GUIDELINES**

It is likely that most chemically dependent people will need medications, both prescription and over the counter, at some point in their recovery process. When this becomes necessary, any medication will only be taken as prescribed. Medication is to be prescribed by your primary care physician or medical personnel through COPS (Cobb Outpatient Services). IDTC participants are not allowed to take narcotics, amphetamines, benzodiazepines, opiates, or consume alcohol. If you have concerns about medications and over-the-counter products that are not listed in the guide, please consult the Court Case Manager.

Please follow these guidelines:

- Obtain a copy of "letter to my doctor". Take a copy of the "letter to my doctor" each time you see a doctor outside of IDTC. Have them sign the form and return a copy to the Court CM. **This is important each time you see a new doctor and emergency situations.**

**NO DRUG, MEDICATION, OR HERBAL OF ANY KIND IS TO BE TAKEN WITHOUT PRIOR APPROVAL FROM THE COURT STAFF.**

- In case of an emergency, when court staff cannot be reached (for example overnight or weekends), medications given by an emergency professional may be taken. Proof of the medical treatment (discharge summary) any medications, and other prescriptions are to be presented to Court Case

Manager by 9:00 a.m. on the next weekday.

- Do not take herbal supplements and teas, diet aids, muscle building substances, power drinks, etc. while enrolled in IDTC. **These sometimes contain chemicals that will cause a positive test on a drug screen for certain individuals. Anyone taking these substances who tests positive will be sanctioned accordingly.**
- Many foods, sauces, desserts, and soups contain alcohol or sugar alcohol. Some over-the-counter products, cold/allergy and cough medications also contain alcohol and/or pseudo-ephedrine products and dextromethorphan (DM). **All these products are prohibited and may result in a positive drug test. Anyone taking these products who tests positive will be sanctioned accordingly.**
- 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 prescribed alternative medication.
- Most antidepressant medications may be taken without resulting in a positive drug screen. **WELLBUTRIN**, a common antidepressant medication, may cause a positive test result for some individuals and therefore, **MUST BE APPROVED PRIOR TO TAKING**. Ask your doctor to prescribe an alternative medication.
- **MOST PRESCRIPTION PAIN MEDICATIONS ARE NOT APPROVED FOR ROUTINE USE.** Ask your doctor about using Motrin 800 mg (NSAIDs, non-steroidal anti-inflammatory drugs). Motrin 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 APROVED**.
  - Short-term use of **CAMPRAL**, for cravings, is 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.

- Most beauty products, sprays, lotions, hand sanitizers, mouth washes, sore throat sprays, and tinctures contain alcohol or sugar alcohol. Use only alcohol-free products during DTC.
- Numbing injections given at a dental office are approved.

**Anyone using these products without Court approval, who tests positive on a drug screen will be sanctioned accordingly.**

There may be an occasion where your doctor says that you need to take one of the unapproved medications. If this is the case, speak with the Court Case Manager before filling the prescription and taking the medication. Failure to have special clearance for unapproved medications will result in a sanction.

Please remember that these are guidelines to follow during IDTC. There is an addendum to this handbook with a list of approved medications. **NO DRUG OF ANY KIND IS TO BE TAKEN WITHOUT PRIOR APPROVAL FROM THE COURT STAFF.**

## **Schedule**

The Intermediate Drug Court Team meets for staffing on court days at 1:00 p.m. in order to prepare for Court. Drug Court convenes at 2:00 p.m. and lasts until 3:30 p.m. You should plan to arrive no later than 1:45 p.m. Please keep in mind that Intermediate Drug Court sessions are open to the public, but staffing is not.

Intermediate Drug Court will convene at 2:30 p.m. on graduation days. **Everyone is expected to be in court on time, no excuses.**

## **Attendance**

As a participant in Intermediate Drug Court, you are required to attend all assigned Court sessions and all assigned treatment sessions (group, individual, and/or family). Failure

to attend as required will result in progressive sanctions including, but not limited to, a warrant being issued for your arrest.

There are 4 phases to the program with varying degrees of supervision and drug screening. A group schedule is as follows:

PHASE	COURT SCHEDULE
1	MONTHLY
2	MONTHLY
3	MONTHLY
4	MONTHLY

Each participant will be required to attend at least 3 12 step or community-based self-help meetings, in addition to the treatment sessions.

Phase 1 (minimum of 13 weeks) Phase 2 (minimum of 13 weeks)

Phase 3 (minimum of 13 weeks) Phase 4 (minimum of 13 weeks)

Attend court sessions each month, treatment sessions will be on a schedule, and obtain at least 2 drug/alcohol screens per week.

Phase	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	5:00—6:00 p	5:00—6:00p	5:00—6:00p			
2		6:00-7:00p	6:00-7:00p			
3		6:00-7:00p	6:00-7:00p			
4				6:00-7:00p		

### **Phase up Request Process**

Participants will complete phase up challenge and have counselor sign off on phase up

request. Once counselor has signed off, the PARTICIPANT will bring the phase up request to the DTC office and meet with either the coordinator or the case manager. If all items are complete, and fees or payment plans are current, then the court staff will sign off and present the request to the Team at staffing of the next court date.

Please note that requests must be submitted **no later than** Thursday at 2 p.m. to be considered for the following week.

### **Special Requests**

**Special requests to be excused from Intermediate Drug Court sessions and/or treatment sessions must be approved in advance by the Intermediate Drug Court Judge and Team.**

All special requests are to be turned in to the DTC office. Special Requests may be hand delivered or emailed to the Coordinator or the Case Manager. All Special Requests must be submitted in advance to be excused from Court and/or treatment sessions.

How to submit a special request:

- All requests are to be submitted in writing (in person or email) by Thursday at 2:00 p.m. to be considered the following week. It is the participant's responsibility to submit the request in a timely manner to have it considered.
- The Team will consider requests and notify the participant of the decision. The Team may include specific instructions (attend treatment before/return to treatment after appointments). It is the participant's responsibility to know and follow any instructions related to the request.
- Doctors' appointments are not a valid reason to miss any IDTC activities. All effort should be made to schedule doctor's appointments outside of treatment/court sessions. If a participant is unable to schedule outside of treatment/court sessions, a special request should be submitted explaining the reason why the appointment cannot be outside of IDTC time.

Only legitimate excuses will be considered. Birthdays, anniversaries, vacations, and concerts are not considered legitimate reasons for missing Court or treatment. In the event of a sudden life-threatening illness and/or death in the immediate family, submit an emergency request and IDTC will notify you as soon as a decision is made. (“Immediate family” includes your spouse, children, siblings, parents, and grandparents only.) You are responsible for providing proof of the emergency to the Court Case Manager or Coordinator the next business day following your return.

**No special requests for vacation, weekend passes, or staying away from your confirmed home address will be considered until Phase 3.**

### **Case Management Sessions**

It is required for participants to have a scheduled case management session weekly for the first 12 months of the program. Once the participant has passed the 12-month mark; the case manager will determine if biweekly meetings are beneficial for the participant. If a participant continues to miss their scheduled case management sessions, sanctions could result in incarceration; respect awards are not an appropriate sanction for the missed meeting any longer.

### **Staff Contact**

If a Team member calls you, there is a reason they need to speak with you, so you need to answer the phone. If you cannot, you are required to return the call within 3 hours. Failure to do so will result in a sanction.

### **Residency**

You are required to live in Cobb County during the duration of your time in Intermediate Drug Treatment Court. Before moving to a different address within the county, you must complete a change of residence request form **and** get approval for such change from the Intermediate Drug Court Team.

### **Sober Living**

From time to time, participants will live in a sober living facility. This living situation

may be court ordered or voluntary. Participants will be allowed to live in the same sober living facility as another accountability court participant if that facility is accredited.

## **Family**

Support is an integral part of the recovery process. There will be activities/events in which family will be asked to attend. Other than those events, family (including spouse, parent, children, and partners) are not included in DC activities. You are the individual who agreed to abide by and enter IDTC. Your relationships will change as you change. Speak to your clinician if you need assistance in this area.

## **Curfew**

While you are in Intermediate Drug Treatment Court, you will be placed under a curfew. Unless you are specifically told otherwise by the Judge, your curfew is 10:00 pm to 5:00 a.m. During the hours of your curfew, you will be expected to be at your primary residence. Violating curfew will result in sanctions. Requests to be out after curfew, whether for work or other purposes, must be submitted as a special request and approved by the Intermediate Drug Court Team. Be sure you comply with any probation terms as well as IDTC requirements.

## **Home Checks**

The deputy assigned to IDTC (and/or others) is responsible for conducting home/work/school checks. Please prepare your family/roommates/employers that a deputy will come to visit you. You are required to meet with the deputy on each visit. If you do not answer the door, the deputy will call you. You must response to the deputy. Failure to do so will result in a sanction.

## **Ancillary Services**

Oftentimes, participants need services not offered by IDTC. When participants need additional services, referrals will be made to outside agencies to assist participants. IDTC partners with Work Source Cobb (WSC) and they provide assistance with educational and employment assistance. Services provided through WSC include

assistance with the TABE test and all sections of the GED as well as job training, resume assistance and interviewing skills. The coordinator or case manager will make a referral to WSC when those services are requested. WSC will contact the participant to set up the initial appointment.

Participants in need of MAT (medically assisted treatment) will be referred to the treatment coordinator. The Treatment Coordinator will then assist the participant in finding a doctor or program best suited for their situation. If a participant needs mental health counseling or an outside evaluation is needed, the participant can speak with their counselor who will assist them with that referral. The Court Case Manager will also assist with housing, transportation and medical/dental referrals.

### **Employment/School**

You are required to maintain approved employment or be enrolled in school full-time throughout DTC. Only jobs with reportable income will be approved. That means that your employer must take taxes out on you and "cash only" jobs will NOT be approved. If you are in business for yourself, you must turn in copies of quarterly paid taxes for proof. You are required to work in Cobb County during the duration of your time in DTC unless prior approval has been granted by the DTC team. No participant will be allowed to work at a vape or head shop while in DTC. Participants cannot work in an establishment whose primary business is serving alcohol. However, we will consider allowing participants to serve alcohol in a restaurant on a case by case basis if they can obtain a permit to serve alcohol.

Failure to have and maintain a job will result in sanctions. If you enter DTC without a job, you will be given 1 week to look for employment before ordered to "daily report". During this time, you must provide the Drug Court Office with sufficient proof that you are actively searching for a job.

#### **Daily reporting consists of the following:**

Report to the DTC office at Tuesday through Friday at 8:30 a.m.;

BE ON TIME;

Be dressed and ready for interviews;

Obtain a Job Seeking Form and make 8 contacts daily;

Your form must be completely filled out and returned to the Drug Court office the next day.

### **Work Verification**

Work verification is due the first Monday of the month that we have court. The only acceptable form of work verification is paycheck stubs. If check stubs are not turned in by the first Monday of the month by 2:00 pm, the team will sanction as appropriate. Participants must **NOT** quit a job without a two-week notice; also, participants must **NOT** quit a job until a new job is **approved** by the IDTC team.

**If the Team does not approve your employment, you cannot work there.**

### **GED/High School Diploma**

Participants in IDTC are required to complete all GED requirements if not a high school graduate. GED participation begins with taking the TABE (placement) test as a condition of Phase 1. One section of the GED will be completed in Phase 2, two sections will be completed in Phase 3 and the remaining section will be completed in Phase 4. The Court requires a copy of your completion of the GED before graduating from IDTC. No online programs will be accepted unless the test is taken in person at a court approved testing site.

### **Smoking**

Smoking is not allowed on Cobb County Courthouse Property. No participant will be allowed to use e-cigarettes, hookah or vaping devices while in IDTC.

### **Community Support**

You will be required to attend community-based support (Recovery, 12 step) meetings. You must provide proof of your required meetings each week. Meetings are to be turned in to your counselor no later than Wednesday. Failure to submit weekly meeting sheets on time will result in a sanction. Turning in fake/falsified meeting sheets will be grounds for termination from DC.

## **Intermediate Drug Treatment Court Fees**

As a condition of participation in Intermediate Drug Treatment Court, you are required to pay DTC fees. Accepted forms of payment are cash, money orders, cashier's check and credit cards (2.5% transaction charge). If you would like to pre-pay your IDTC fees, you are free to do so. Fees are paid to the Cobb County Superior Court Clerk's Office.

Prior to making your first payment, you will be given a fee card that shows your name and case number. To ensure that your payment is properly credited towards your DTC fee (as opposed to your fines), you must present the fee card to the clerk when making your weekly payment. There will be a \$5 charge for a lost fee card.

## **Late Participant Fees**

If fees are not at a \$0 balance; participant cannot transition to the next phase. When fees are \$120 past due, participant will complete a budget with CM and create a payment plan. When fees are \$180 past due, participant will have 8 hours of community service

All Intermediate Drug Treatment Court fees must be paid in full in order to be eligible for Phase transition, vacation, and graduation the following week.

## **Community Service**

It is your responsibility to check the Community Service Log weekly to see if you are on it. It is your responsibility to find a suitable place to complete your community service within Cobb County. You cannot complete community service at your place of work. Proof of community service must be documented on the company letterhead and turned in by 10:00 a.m. on the following Monday. Anything turned in (or dropped in the box) will not be excepted and your original hours will double.

## **Not Completing Community Service**

Community Service will be doubled until completed; CS hours will cap at 48 hours. If 48 hours are not completed, participant must make a plan with CM to complete the hours. If plan is not followed, incarceration as appropriate.

## **Supervision**

The Intermediate Drug Court Deputy will monitor the participant's progress in many ways. The Intermediate Drug Court Deputy will randomly visit participant's school and place of business to monitor compliance. The deputy will be in an unmarked car and dressed in plain clothes during job/school verifications as to not disrupt the participant's activities. It may be necessary for the deputy to speak with a participant's teacher or employer only if identified that the said participant is not in compliance.

The Intermediate Drug Court Deputy will randomly visit participant's home for curfew checks and has the right to search the home or vehicle at any time. The participant has waived their fourth amendment rights at admission into DTC.

## **AWOL Participants**

If a participant elects to go AWOL from IDTC, he/she will self-terminate on day 31 after going AWOL. After they are incarcerated, there will be no discussion as to whether a participant will remain in the program and they will then be sentenced.

## **FRATERNIZATION POLICY**

As a participant in IDTC, participants acknowledge an understanding of the fraternization rules for DC. Participants are required to agree to the following:

1. "Drug Court participant", includes all IDTC participants, regardless of phase, and also includes any other person with whom a IDTC participant comes into contact as a result of any court/ treatment activity. This includes, but is not limited to, clients, providers, staff, and family members of any such people.
2. Social contact with any Intermediate Drug Court participant, or group of participants, of the opposite sex or same sexual orientation outside of treatment, court, or court-ordered activities is prohibited unless approved by a staff member or by the Court. This includes personal contact (one-on-one or in a group setting), phone contact, electronic or internet contact, written contact, and any other form of communication.
3. Any sexual involvement with any Accountability Court participant is prohibited under any circumstances.
4. Intermediate Drug Court participants may not be employed by the same employer or work together, whether paid or unpaid, without court approval.
5. Intermediate Drug Court participants may not provide transportation to any IDTC participant unless approved by a staff member or by the Court.

6. Intermediate Drug Court participants may not loan one another money, clothing or other personal items.
7. Intermediate Drug Court participants may not perform work-related services for any other participant or staff member.
8. Intermediate Drug Court participants may not sell/buy anything from one another. No money may change hands between participants.

### **Sponsoring/Peer Specialist/Support of Others**

Your participation in Intermediate Drug Treatment Court is an opportunity to focus on your needs. You will receive the support and benefit associated with your participation. Sponsoring others, training to become a Peer Specialist, being a House Parent/Supervisor in sober living, or acting in an advocacy role for others is not permitted in Phases 1-3. You will have the opportunity to pursue those interests once you are farther along in IDTC. You must seek specific permission to pursue any work/volunteer opportunities in the recovery field. Please see the Court Coordinator if you have questions about this.

### **Social Media**

Social media is a great communication tool. It can also be detrimental to your recovery. As a participant, you are required to provide access to all social media accounts. This includes Facebook, Twitter, Snapchat, Instagram, and/or any others you participate on. This information will be collected during your court intake.

### **Community Supervision**

If you are placed in IDTC as a condition of probation (Community Supervision), you will have additional requirements, such as keeping your probation officer informed of your location and seeking permission to travel- in addition to your IDTC requirements. It is your responsibility to know EXACTLY what your conditions are. Violation of probation terms will be a violation of your DTC participation and may result in sanctions.

### **Emergencies**

Participants may experience emergencies from time to time. When such happens, the participant will be required to call the CCM as soon as possible and bring in official documentation of such emergency if the participant misses scheduled sessions. Such

emergencies might include medical hospitalization, automobile accident, or a sudden death in the family.

## **Vacation**

Vacation days from IDTC are very similar to job policies and must be earned. No vacation request will be approved until phase 3. All job-related requests will be treated as vacation requests. Much like the job world, you only get so much vacation and need to budget them accordingly. You may be ordered to obtain an out of town drug test at your expense and or to attend local drug court and/or CBSG meetings. Vacation requests must be submitted in writing and must be approved in advance by the entire team.

After Phase 3, you will be awarded 5 vacation days for the length of time you are in IDTC. The Court Case Manager will inform you whether your request has been granted. You must have a zero balance to travel. If you are under Community Supervision, you must follow those rules and get approval to travel. If IDTC approves, but Community Supervision denied, you cannot go. You must have approval from both to travel.

## **Sick Policy**

If you are unable to attend court or group due to sickness, you must have a doctor's note. The doctor's excuse must be obtained **before** your group/court time is scheduled to begin. You must always present the "letter to the physician" to any medical personnel prior to medical treatment. If you fail to do so, you will be sanctioned.

## **Transportation to Court**

Parking near the courthouse complex is always a challenge. Please make sure that you pay attention to where you are parking because most lots are reserved with a hefty violation fine. Please also note that it is common to have train delays on or near the court complex. Please also allow time for challenges as this will **NOT** be a valid excuse to be late. If you are using public transportation, be sure you have sufficient time for transfers/delays. Being late because of these issues will not be a valid excuse.

## **Inclement Weather**

During the winter months, ice/snow conditions may interfere with the ability to get to court/group/meetings. Our main goal is the safety of all participants in IDTC. Participants should listen to radio/TV to determine whether the courts will be closed that day. If the courts are closed, then participants are excused from attending scheduled court or group sessions that day.

## **Tattoo's, Piercings & Hair Color**

No bodily alterations can be made during the first 3 phases of the program. In phase 4, a participant may submit a request to have a tattoo approved if they are complying and have a \$0 fee balance. The tattoo must be approved by the team prior to the participant having work done. No hair color is allowed in drug court that is not naturally occurring in nature. No facial jewelry may be worn in court or during group. If you have such piercings, they must be removed prior to attending court or group.

## **COVID 19**

If you have a fever of (100.4°F) or higher, cough, shortness of breath, or other symptoms of COVID19, you need to seek medical advice immediately. Make sure to take the “Letter to Medical Professionals” with you if you go to the doctor to be tested. If you are tested for COVID19 and told by a medical doctor to quarantine, you must contact your case manager or coordinator immediately and also; You will need to provide ALL pages of your medical paperwork. You will be required to quarantine for 7 days after the onset of symptoms OR 3 days after the end of your symptoms, whichever is longer, or as directed by medical professional or revised by the CDC. While in quarantine, you are only excused from in person services and urine drug testing but will be required to attend all virtual court and counseling sessions.

If you are denied access to the courthouse building due to a failed temperature check, you must contact your case manager or coordinator immediately. You will then be required to schedule a COVID19 test within 24 hours of denied building access. Once your test has been scheduled, you must provide proof of the appointment to your case manager immediately. You must report your COVID19 testing results to your case manager

immediately upon notification. COVID19 is a serious health risk. Please check on your results daily.

### **Policy Changes/Handbook Revisions**

From time to time, this handbook will be revised, and policies will change. In between handbook revisions, you will receive memos updating you regarding such changes. 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.