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Pinellas Drug Court's Prison Diversion Program Resumes Acceptance of Applications From Qualified Felons

CLEARWATER – With newly allocated funding by the Florida Legislature becoming available on July 1, Pinellas Adult Drug Court has re-started its diversion program that allows some felons to choose treatment over time in Florida's prison system.

Defendants with substance abuse issues who score no more than 60 points on state's sentencing guidelines can apply for admission to program. Until 2012, the threshold had been 52 points, eliminating many likely candidates.

The program – formally known as Circuit Court Division Z – is for convicted felons facing 12 to 17 months in a Florida Department of Corrections prison. The voluntary participation opens post-adjudicatory drug court jurisdiction to third degree non-violent felony offenders, including those charged with third degree burglary, as well as some select non-violent offenders convicted of second degree felonies.

In the spring, the Legislature budgeted for continuation of the program that began in 2009 after the State Courts System was awarded Edward Byrne Memorial Justice Assistance Grant under the American Recovery and Reinvestment Act of 2009 to fund this pilot in nine Florida Counties, including Pinellas.

The Legislature funding goes to Pinellas County, which is expected to designate approximately \$916,000 for treatment and ancillary services for approximately 120 defendants.

Pinellas, one of eight counties targeted by the Legislature's approval for another year of the pilot, had stopped accepting new defendants in December when it was uncertain if treatment dollars would be available at the end of this month. The pilot, operated by the State Courts System in collaboration with the State Attorneys Offices, the Public Defenders Offices, and the Department of Corrections (DOC), aims to reduce future prison admissions, thereby saving state tax dollars.

Adult Drug Court is a voluntary program that features court-supervised, comprehensive substance abuse treatment with frequent appearances before a drug court judge. Frequent hearings enable the Court to closely monitor a participant's progress in treatment and the results of drug testing. The drug court judge may reward progress or sanction non-compliance.

Since its beginning, 86 persons have completed the local program, and approximately 60 more are still involved in the treatment and accompanying supervision. Successful completion prevents a prison sentence and may result in a withhold of adjudication and/or a reduced length of probation.

The program is only open to defendants who score no more than 60 points in sentencing guidelines. Additionally, entry is based on the sentencing court's assessment of the offender's criminal history – no current or previous convictions of a forcible felony as defined in Florida Statute 776.08 -- substance abuse screening outcome, amenability to treatment services, the recommendation of the State Attorney's Office and the victim (if any), and the offender's agreement to enter the program. For defendants entering on a violation of probation, the violation must have been for a failed or suspect substance abuse test, and the points for the violation will be counted in determining eligibility of overall sentence score.

After adjudication, defendants are sentenced to 24 months of probation and transferred to Division "Z," part of Adult Drug Court presided over by Circuit Judge Dee Anna Farnell. Defendants then are required to complete a designated level of drug treatment, appear frequently for judicial review hearings (at least monthly), abstain from alcohol use, have 180-days of clean drug screens, satisfy court costs, complete any required aftercare, and obtain a GED if needed. Successful defendants can apply for early termination of probation after half of the term is completed.

Three different outpatient treatment options and two residential program types are used, and transitional housing with reentry services is available when appropriate.

For more information regarding admittance to the Division "Z" Drug Court, contact Pinellas Drug Court Director Nicholas Bridenback at 727-453-7401.