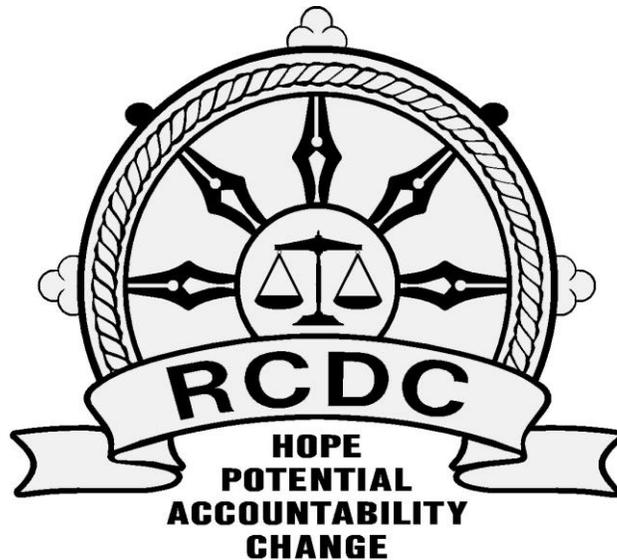


ROSS COUNTY DRUG COURT PARTICIPANT HANDBOOK



**ROSS COUNTY COMMON PLEAS COURT
JUDGE MICHAEL M. ATER**

**2 North Paint Street | Chillicothe, Ohio | 45601
Updated 5/22**

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INTRODUCTION

In what direction is your life currently headed?

Get back on the right path with the Ross County Drug Court (RCDC) Program, and let it help you on your journey to long-term sobriety.

You can chart a new course, which includes:

- A sober lifestyle;
- A family life with close relationships;
- Friends who care about *you*...not what you can do for them;
- A job, so you can take care of yourself and your family;
- An education, to present you with better employment opportunities;
- An overall healthier lifestyle; and
- Resources to help you reach and discover your full potential.

What resource does the RCDC Program Provide?

- Substance use treatment designed specifically for you;
- Referral to medical, mental health, and social service providers;
- Assistance in obtaining your GED;
- Relationships with people who care about you, including the judge, the program coordinator/probation officer, your treatment team members, your boss and many others, and they all work with you to get the most out of treatment and life; and
- Incentives to recognize your accomplishments and hard work.

If you want a future that **YOU** choose, the first step is to commit yourself to changing for the better. The RCDC offers you this opportunity.

You do the work, and we offer the resources to help you do it!

What is the RCDC Program?

The RCDC Program is offered to up to 40 (forty) persons who qualify for specialized drug treatment programming while on community control supervision. Persons eligible for community control who qualify for the RCDC Program will be supervised by RCDC Judge Michael M. Ater and will meet with the Judge on a frequent basis, along with other program participants, to discuss and evaluate their progress, participation, and achievements.

Why does the Court have the RCDC Program?

The Court understands substance use plays a large role in many crimes and impacts many lives. The Court wants to deal with the underlying cause of some of the crimes committed in this county by connecting persons who have committed crimes directly or indirectly related to their substance use with needed treatment and other life services. In doing this, the Court hopes to help people make a permanent and positive change in their lives to prevent further criminal activity and court involvement.

How is the RCDC Program different from regular community control or probation?

The RCDC Program offers a participant a way to have a different kind of life, a life of freedom from drugs and/or alcohol and a life with the prospect of hope and promise.

Potential participants are urged to consult with their attorney, family members, and other supportive persons in their lives before they commit to the program.

The primary differences in the RCDC Program and regular community control supervision are the amount of contact between the participant and probation and treatment staff, as well as the ongoing, one-on-one interaction with the RCDC Judge at regularly scheduled review hearings.

All RCDC participants are evaluated for drug, alcohol and any mental health condition that might interfere with a person's ability to participate in the program. The results of these and other evaluations are taken into account when determining what conditions of supervision will be required and how the participant will be supervised.

Basic Requirements

A participant is required to sign a release of information/waiver of confidentiality to permit the following persons to exchange information regarding their attendance, progress, participation, and prognosis in the RCDC Program and associated treatment activities:

- Ross County Common Pleas Judges Michael M. Ater and the other Ross County General Division Judge

- Coordinator/Probation Officer, other court staff and RCDC Treatment Team members,
- All medical, dental, and mental healthcare treatment providers,
- Paint Valley ADAMH Board and associated partners of the Addiction Treatment Program funding source;
- The counselor conducting their initial and/or subsequent evaluations, and
- Treatment agency counselor(s) and case manager(s).

A participant may revoke any release of information; however, it will result in their immediate termination from the RCDC Program with subsequent legal consequences.

A participant is expected to adhere to the following:

- Abstain from alcohol and drug use;
- Attend status review hearings;
- Attend appointments with treatment providers and/or case managers;
- Attend appointments with coordinator/probation officer;
- Comply with the program requirements;
- Submit to frequent, random and observed alcohol and drug screens;
- Comply with sanctions for infractions;
- Obtain/maintain employment;
- Obtain GED if applicable;
- Secure stable housing;
- Not to engage in romantic relationship with fellow Drug Court participants;
- Engage in prosocial and/or sober support activities; and
- No further violations of the law.

Eligibility

Individuals charged with an offense directly or indirectly related to substance use, who are chemically dependent and who are eligible for Community Control and/or Intervention in Lieu of Conviction (ILC) status, may apply for the RCDC Program.

Additionally, any person charged with a Community Control Violation and/or ILC eligible property or child support offense, whom has a prior history of substance use issues associated with his or her criminal behavior and has been diagnosed chemically dependent, may apply for the RCDC Program.

Admission to the program is **VOLUNTARY** and **POST-PLEA** only.

The RCDC Program will not deny an applicant admission to the program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status, any disability, or their ability to pay fines, costs, and fees.

The applicant understands even if they are legally and clinically eligible, they do not have a **RIGHT** to participate in the RCDC Program. The RCDC Judge has the discretion to decide the admission into and termination from the RCDC Program in accordance with the written criteria for the specialized docket.

Potential participants are ineligible if any of the following exist:

- The applicant is charged with an offense for which a prison term is mandatory;
- The applicant is actively working as a police informant;
- The applicant is mentally incompetent and/or has a mental health disorder, which would prevent or interfere with successful completion of the program;
- The applicant is an integral part of a distribution or manufacturing network or actively engaged in crimes to benefit a gang;
- The applicant resides outside of Ross County or outside of a county adjoining Ross County; and/or
- If the applicant is pre-conviction, and they do not meet the statutory requirements for Intervention in Lieu of Conviction.

Program Entry

REFERRAL AND SCREENING

A probation officer or the Judge assigned to their case may refer an individual to the RCDC Program. A representing defense attorney can make a referral in cases involving Judicial Release **only**. Once a referral has been received the RCDC Coordinator/Probation Officer or defense attorney will provide the applicant with a participant handbook and participant screening application form. The participant screening application form must be completed in its entirety and returned to the RCDC coordinator. Upon receipt of the application the case will be screened to establish legal eligibility requirements are met. As part of the initial screening process the following will be reviewed:

- An applicant's criminal history;
- Supervision history;
- Residency information;
- Education;
- Employment;
- Family history;
- Medical/ mental health history; and
- Risk/Needs Assessment.

Once an applicant has been screened and meets the legal eligibility requirements to be considered for the RCDC Program, an AOD and any additional assessments will be completed by a licensed treatment provider.

In the event an applicant is engaged in services through another approved treatment provider, the Coordinator/ Probation Officer will request a copy of the necessary clinical assessment and treatment plan.

CLINICAL ASSESSMENT

Potential candidates who agree to participate in the Program will complete an alcohol and drug assessment with a licensed treatment provider. Programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession shall provide all screenings and assessments for treatment determinations. The clinical assessment will include treatment recommendations based on the appropriate level of care and in most cases will be completed within fifteen-business days from receipt of referral.

Potential candidates are required to sign a release of information form (*Appendix E*) to provide confidential communications about participation and progress in treatment and compliance with the provisions of relevant law, including the “Health Insurance Portability and Accountability Act of 1996,” 42U.S.C. 300gg-42, as amended, and sections 2151.421 and 2152.99 of the Revised Code.

All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure accuracy of the assessment. The treatment team will consider but is not obligated to follow the clinical assessment or treatment recommendations.

The Ross County Drug Court Judge has the discretion to decide the admission into the Program in accordance with the written criteria. If the participant does not meet the written criteria, the Adult Court Services Chief Probation Officer will assign the case to the appropriate staff to proceed through the court in the traditional manner.

The candidate and/or defense attorney in cases involving judicial release will be notified by the RCDC Officer/Coordinator of the treatment team’s decision regarding eligibility or ineligibility within five business days via written and/or oral correspondence.

It is the applicant’s responsibility to cooperate with the clinical assessment process. If there are issues with completing the clinical assessment it is the applicant’s responsibility to contact the RCDC Coordinator/Probation Officer at 740-775-0333 to notify of the specific issue(s). Failure to cooperate and complete the clinical assessment in a timely manner may result in postponement or denial of the applicant for entry in the RCDC Program.

ACCEPTANCE INTO DOCKET

The RCDC Treatment Team will collectively review the applicant’s eligibility for admission utilizing the following data:

- Application Screening Form;
- Presentence Investigation report;
- Chemical, mental health and/or other related programming assessments;
- Institutional Summary Report (Judicial Release);
- High risk or repeat defendants are considered for inclusion;

- All treatment and programming requirements are individualized and will be based on risk and need
- Mitigating and aggravating circumstances of current or prior court involvement are evaluated;
- A careful examination of the circumstances of prior juvenile adjudications and the age of the participant are considered; and
- The age of prior potential disqualifying offenses

A forensic assessment will be completed to determine if the individual is legally competent to participate in the specialized docket if competency is in question.

The RCDC Judge has the discretion and is the final decision maker regarding acceptance into the RCDC program. Even if the applicant is eligible, they may not be admitted. No applicant has a **RIGHT** to participate. If the applicant is not offered participation in the RCDC Program, the Ross County Chief Probation Officer will assign the case to the appropriate staff to proceed through the court in the traditional manner.

If the applicant is chosen to participate in the RCDC Program they will be provided with the date for the next scheduled status review hearing and will appear before the RCDC Judge. At this time the RCDC Judge will advise the participants of their rights, the rights they are giving up, the requirements of participating in the program and possible consequences of failing to abide by RCDC Program rules. The participant will sign a participant agreement and will officially enter the RCDC Program.

SUPERVISION REQUIREMENTS

RCDC participants agree to abide by the following RCDC supervision requirements:

Attend Probation/Coordinator Appointments

The RCDC Coordinator/Probation Officer will supervise all participants in the RCDC Program. Each participant is required to report to the Coordinator/Probation Officer as instructed. In the initial compliance phase of the program participants will meet with the Coordinator/Probation Officer more frequently and as participants advance through the phases, Coordinator/Probation Officer contact will be reduced. In instances where participants are found to be non-compliant with program rules, the Coordinator/Probation Officer contact may be increased.

Random Home Visits

RCDC participants should expect random home visits during their participation in the RCDC Program and understand they are subject to a search of their person, place of residence, motor vehicle, personal property and real property conducted in a reasonable manner at a reasonable time by the RCDC Coordinator/Probation Officer or Adult Court Services staff to ensure compliance with community control sanctions and the RCDC

Program rules. At the request of the Coordinator/Probation Officer, a law enforcement officer may accompany them on any such search.

No Alcohol or Illegal/Mood Altering Substances

A participant may not consume any alcohol and/or use any mood-altering substance, including non-prescribed medication, federally controlled substances, illegal drugs, and the abuse of otherwise legal household or industrial items, such as paint, solvents, or aerosol spray products.

Physician Prescribed Medications

Participants must report all prescribed medications to their treatment provider and coordinator/probation officer. They must agree to provide verification of any prescription from their doctor, including signing a release for RCDC personnel to contact their doctor.

Medications that RCDC participants are generally NOT permitted to take include benzodiazepines (Valium, Ativan, Xanax, Librium, etc.), opiates (Lortab, Vicodin, Oxycontin or Oxycodone, Tylenol 3, Percocet, Darvon, Darvocet, etc.), amphetamines (Adderall, Ritalin, Cylert, etc.), Gabapentin, and medical marijuana or the generic equivalents of any of these drugs.

When seeking any type of medical treatment, it is the responsibility of each participant to inform the caregiver of his or her chemical dependency issues and request non-narcotic and/or non-alcoholic medication is prescribed, if possible.

If, because of a medical necessity, a doctor prescribes medication that could yield a positive drug screen result, the participant must submit a letter, from the physician to the Court, stating he/she is aware of the participant's status as a recovering person, and that the need for this medication outweighs the possible risks to the participant.

Further, this letter must state the physician has been made aware of his/her patient's participation in the RCDC Program, and that the patient is subject to drug screen testing. The patient will sign a general release of information allowing the Drug Court treatment team to view all medical records.

If a participant tests positive for a controlled substance and do not have such a letter from their doctor, they shall be sanctioned immediately. A participant must take all prescribed medications strictly as directed.

Over The Counter (OTC) Medication

Participants must also inform the RCDC Coordinator/Probation Officer and counselor of any "over-the-counter" (OTC) medications he or she may be using.

Further, prior to the use of any over-the-counter medication, the participant is responsible for conferring with a pharmacist or other medical professional to ensure that medication

is not mood altering or addictive and contains no alcohol or any other controlled substance.

Inappropriate use of any medication, irrespective of whether it was prescribed or purchased over the counter, could result in termination from the Drug Court Docket.

Avoidance of Establishments Selling Open Containers

Participants may not to enter into any establishment where the sale of open containers of alcohol occurs.

Participants must obtain prior approval from the RCDC Coordinator/Probation Officer to enter into any other establishment that serves alcohol beverages, such as a restaurant, sporting event, or concert venue.

Following Recommendations of Treatment Provider

Participants must follow all recommendations of their treatment provider and understand failure to abide by those recommendations may result in a RCDC Program sanction. Further, they are expected to actively participate in treatment sessions, and not merely physically attend such sessions.

Attendance and Punctuality to Treatment Sessions

If a participant will be late or unable to attend a treatment session, they must call their assigned counselor, and they may be asked to provide documentation to obtain an excused absence. Any missed sessions due to illness may require a written note from a physician. Additionally, participants must immediately inform the RCDC Coordinator/Probation Officer of any absences/tardiness from treatment sessions.

Attendance for Probation/Coordinator Appointments

Participants are expected to attend all scheduled appointments with the RCDC Coordinator/Probation Officer. It is the participant's responsibility to be prompt and conduct their selves appropriately and answer truthfully all questioned asked by the RCDC Coordinator/Probation Officer.

Failure to Appear at Status Review Hearings

Participants are expected to attend status review hearing before the RCDC Judge as scheduled. An unexcused absence from status review hearings is unacceptable, and failure to appear in court as scheduled without a valid/verifiable excuse will result in a warrant being issued for their arrest.

Agreement to Conduct Myself Appropriately

Participants agree to conduct themselves in an appropriate manner when attending any RCDC related activity, including review hearings with the Drug Court Judge, meetings with the RCDC Coordinator/Probation Officer, counseling and treatment sessions, prosocial activities, and other required appointments.

Such conduct includes, but is not limited to, freedom from impairment caused by the use of mood-altering substances; arriving on time and prepared for reporting to court, Coordinator/Probation Officer, treatment sessions and other appointments; dressing appropriately; speaking in a respectful and courteous manner while in court and/or during appointments with the coordinator/probation officer, and all treatment staff; and maintaining an open and honest attitude.

For Status Review hearings, participants shall be neatly groomed and dressed in clean clothing. Any non-compliance with the dress code may result in the participant being asked to leave, as well as the possible imposition of sanctions.

Therefore, the following courtroom dress code requirements shall be adhered to:

- No clothing containing references to drugs, alcohol, illegal activity, or vulgarity and profane language;
- No low cut, revealing tops/shirts or belly shirts;
- No short shorts or mini-skirts.

Current Contact Information

Participants must provide the Coordinator/Probation Officer, and other treatment providers/court staff with their current residential and/or mailing address, all personal telephone number(s), as well as all information regarding their place of employment and/or school status.

Proof of Attendance to Prosocial/Sober Support Community Activities

Participants are required to provide proof of attendance to sober support community activities (i.e. church attendance, 12-step recovery meetings, and community service) to the RCDC Coordinator/Probation Officer as instructed. If the participant attends sober support activities, they must obtain the signature of the chairperson of each meeting, as well as the location, date and time of that meeting. If the participant chooses to do community service work at a prior authorized agency, then they must obtain the signature of their supervisor at that agency, along with the times and dates they worked. Such verification must be collected and turned in on a valid RCDC Program-issued attendance and/or log sheet.

Obtaining and Maintaining Employment

Participants shall obtain/maintain verifiable full-time employment, or part-time employment, if enrolled in an educational program. Employment must be consistent and legitimate. Employment will be required prior to advancement to Phase IV, except for those who are verifiably disabled. Any exception must be authorized by the RCDC Judge and/or Coordinator/Probation Officer.

Further, if a participant is required to pay restitution, they must create a payment plan with the Coordinator/Probation Officer and comply with the plan. The restitution must be paid in full prior to completion of the program. Upon successful completion of the program, the RCDC Judge may waive the payment of all court costs incurred in the case that placed them in drug court originally. Participants must comply with all other financial obligations ordered by any other court and/or agency while they enrolled the RCDC. Participants will not be eligible to graduate from the RCDC unless all of these monetary obligations have been paid in accordance with that payment plan.

Obtaining a GED

If a participant does not have a high school diploma or General Equivalency Diploma (GED), they must obtain their GED prior to graduation from the RCDC Program, unless they have a verified learning disability that prevents them from doing so and/or they obtain permission from the Drug Court Judge. Participants will be expected to attend and provide verification of their attendance at all classes.

Summary of treatment requirements

The RCDC Program is a specialized docket (drug court) established to assist chemically dependent individuals on their road to recovery, by providing services and programming to address their specific needs. For this reason, it is mandatory all participants are actively engaged in the treatment process and cooperate with their individual case plan. Services and programming may include participation in the following:

- Residential treatment;
- Intensive outpatient treatment;
- Individual treatment sessions;
- Gender specific programming;
- Family therapy;
- Medication;
- Medication monitoring;
- On-going mental health treatment;
- Case management;
- Cognitive Behavioral Therapy (CBT) interventions; and
- Medically Assisted Treatment (M.A.T.)

Ancillary Services

In addition to the treatment requirements each RCDC participant is required to comply with referrals for ancillary services when applicable. These services may include:

- Education;
- Vocational Training;
- Employment;
- Transportation;
- Anger Management;
- Criminal Thinking;
- Housing;
- Parenting classes;
- Domestic violence programming; and
- Physical, mental and dental health.

Treatment Team

The treatment team is actively involved in the selection process and supervision of the RCDC participants. Treatment Team meetings will be held every other Monday at 1:00 p.m. prior to the status review hearings or as otherwise notified in advance by the Court. This meeting provides the opportunity for the Treatment Team to discuss and review participant conduct, compliance, achievements, screen new applicants and make decisions regarding phase advancements, sanctions and terminations. *A participant has the right to request the attendance of defense counsel during the portion of the RCDC treatment team meeting concerning the participant.* Members of the treatment team have specific roles and responsibilities as outlined below:

Judge

- Discretion to decide the admission into or termination from the Drug Court in accordance with the written legal and clinical criteria for the RCDC Program;
- Knowledgeable about treatment and programming methods and limitations;
- Leader of the treatment team;
- Decision-maker especially concerning incentives, sanctions, phase advancement, and successful completion or termination;
- Final decision-maker and resolves conflicts among treatment team members;
- Attends all treatment team meetings, monitors treatment progress, enters court orders at status review hearings, issues incentives and sanctions, grants phase advancement, and approves participant's successful completion or unsuccessful termination from the Drug Court Program; and
- Discusses progress with the participant at status review hearings.

The judge assigned to the Ross County Drug Court docket is Judge Michael M. Ater.

Coordinator/Probation Officer

- Conducts the legal eligibility screening;
- Maintains the daily operations of the specialized docket;
- Collects and maintains statistical information and other confidential records concerning participants, collects data from service providers, and creates reports for review and submission to funding sources;
- Gathers progress reports from treatment and service providers to present to the treatment team;
- Ensures that treatment team members follow program policies and procedures;
- Monitors service provider agreements and contracts and monitors the services to participants;
- Plans and facilitates advisory committee meetings; Meets with the participant on a regular basis;
- Visits the participant at home, school, or other locations;
- Meets with participants regularly to discuss individualized program goals and progress while the participant is in the Drug Court Program;
- Attends treatment team meetings and status review hearings;
- Monitors compliance with supervision plan;
- Conducts or coordinates random alcohol and drug tests, and reports the results of tests to the treatment team;
- Monitors sanctions;
- Informs the treatment team whether treatment plan, supervision plan, and court orders are followed;
- Advises of any Program violations;
- During treatment team meetings, provides progress reports (*Appendix H*) and recommendations to the treatment team; and
- Participates in discussions about incentives, sanctions, phase advancement, successful completion, and termination.

Licensed Treatment Providers

- Anyone providing treatment for the RCDC Program must be appropriately licensed and trained to deliver services;
- Treatment providers whenever possible will maintain separate tracks for participants, if adhering to the Recommended Practices;
- Conducts diagnostic assessments, provides the clinical diagnosis, and develops the treatment plan;
- Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests;
- Conducts random alcohol and drug tests and reports the results of tests to the treatment team;
- Attends treatment team meetings and status review hearings;

- During treatment team meetings, gives treatment updates and makes recommendations regarding treatment needs; and
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.

Program Evaluator

- Collects, evaluates, prepares performance and participant information for reporting to any necessary stakeholders;
- Attends treatment team meetings and status review hearings;
- Collects, evaluates, and analyzes statistical information and other confidential records concerning participants, collects data from service providers, and creates reports for review and submission to funding sources;
- Develops and prepares reports based on follow-up data for the evaluation of the performance of the drug court program & relative success of participants;

Ross County Prosecutor

- Provide an Assistant Prosecuting Attorney committed to the rehabilitative goals of the program, on a part-time basis;
- Determine criminal justice eligibility at the complaint filing level;
- Participate as part of planning and oversight committee in the program;
- Provide data and information regarding the target population.

State Public Defender

- Staff program with an attorney, advising clients of the options available, and encouraging their participation;
- Participate as part of the planning and oversight committee to the program;
- Provide data and information regarding the target population

Ross County Sheriff's Department

- Assist in enforcing graduated sanctions by giving priority status to the Drug Court participants needing jail space;
- Attend treatment team meetings;
- Assist in determining relevant cost data related to the Sheriff data system;
- Participate as part of planning and oversight committee in the Program;
- Provide data and information regarding the target population

Chief Probation Officer

- Supervises RCDC Coordinator;
- Attends Treatment Team meetings;
- Participates in discussions about incentives, sanctions, phase advancement

At-Large Community Member(s) (Optional)

- Attends Treatment Team meetings;
- Available for consultation with treatment team when needed;
- Has knowledge/training in addiction and recovery;
- Supports the purpose, goals, and functions of the treatment team;
- Participates in discussions about incentives, sanctions, phase advancement

Status Review Hearings

The RCDC Program understands the need for ongoing judicial interaction with the participants to ensure compliance with the RCDC Program rules. Status review hearings also provide an opportunity to recognize each participant's progress/achievements, address setbacks and/or impose sanctions. RCDC participants are required to attend status review hearings held every other Monday as scheduled or as notified in advance by the Court during the initial phase of the program. Hearings are held at the Ross County Common Pleas Court, Courtroom #1, 2 North Paint St., Chillicothe, Ohio 4560. Status review hearing frequency is determined by phase placement and is outlined below:

Phase I: Every two-weeks

Phase II: Every two-weeks

Phase III: Every two-weeks

Phase IV: Monthly

Phase V: Monthly

Phase VI: Every 6 weeks

When attending a Status Review Hearing a participant can expect:

- To sign a waiver and consent form to discuss progress in open court;
- To have direct interaction with the RCDC Judge regarding progress;
- To be asked to provide verification of attendance to sober support meetings;
- To meet other participants in the same or different phases of the program;
- To receive certificates and other incentives for achievements and phase advancement;
- To receive sanctions when a violation(s) exist; and
- To have a warrant issued for failure to attend a Status Review Hearing unless the Judge prior to the scheduled hearing date excuses the participant.

Family, Friends, Sponsor May Attend RCDC Review Hearings

I understand my family and friends, sponsor, etc. are welcome to attend RCDC Program Review Hearings with me, as emotional and moral support are very important for my successful recovery. However, children are not permitted at Drug Court Status Hearings with the exception of graduation.

Phases

The RCDC Program is comprised of Six (VI) phases. Phases are the steps in which a participant's performance and progress through the specialized docket are monitored. Important information regarding phases is as follows:

- The structure of the phases may be changed to meet the participant's individual needs.
- Participants will not advance through phases based on preset timelines.
- Advancement through the phases is from the most restrictive to the least restrictive.
- Phase advancement is based on individual performance with their treatment plan and as recommended by the treatment team with approval of the judge; and
- Specific time between status review hearings will be increased or decreased based upon compliance with program requirements and observed progress.

Phases have common elements that include:

- Begin treatment as soon as possible and thereafter attend as required;
- Submit to random urine screens;
- Attend sober support group meetings;
- Comply with on-going treatment services;
- Report for status review hearings; and
- Comply with supervision requirements as identified by the court.
- A certain period of sobriety prior to phase advancement

The RCDC Program Treatment Team will monitor participant's performance throughout the six (VI) phases of the program. Participants will be required to comply with the elements of each phase as outlined below:

Phase I (Acute Stabilization Phase): 4 week minimum

During Phase 1 is the time period in which the participant is expected to reach and maintain initial sobriety.

- Attend a minimum of three (3) sober support and/or prosocial activities per week (1 of which must be on a weekend);
- Submit to alcohol and drug testing (minimum of two (2) times per week);
- Comply with treatment and treatment plan;
- Develop case-plan with RCDC Coordinator/Probation Officer
- Address any housing needs if needed
- Obtain medical and mental health assessment if needed
- Comply with RCDC program rules, probation, and the laws;
- Begin to change people, places, and things;
- MAT treatment started (if needed)
- Attend *bi-weekly* Status Review Hearing before the RCDC Judge;
- Attend appointments with Coordinator/Probation Officer as instructed;
- Cooperate with random home visits by RCDC Coordinator or other Adult Court Services staff assigned;

In order to advance to Phase II, the participant must:

- Have a minimum of 14 consecutive sober days,
- Maintain compliance in all other treatment and supervision requirements; and
- Approval of the RCDC Judge & Treatment Team.

Phase II (Compliance Phase): 12-week minimum

Along with maintaining sobriety, tasks the participant is expected to complete include:

- Continue to attend a minimum of three (3) sober support and/or prosocial activities per week (1 of which must be on a weekend);
- Continue to attend and comply with treatment sessions and activities;
- Continue with MAT if needed;
- Attend *bi-weekly* Status Review Hearings before the RCDC Judge;
- Continue to attend meetings with Coordinator/Probation officer as instructed;
- Continue to submit and provide negative results on alcohol and drug testing. A minimum of two (2) random urine/breath tests per week;
- Continue to cooperate with random home visits by the Coordinator or Adult Court Services staff assigned;
- Continue to abide by the RCDC Program rules, probation, and the laws;
- Engage with housing, educational, vocational, and employment service agencies;

In order to advance to Phase III, the participant is expected:

- To have a minimum of 30 consecutive days sober;
- To have no sanctions for at least 4 consecutive weeks;
- To have a sober, stable living environment;

- Maintain compliance in all other treatment and supervision requirements; and
- Approval by RCDC Judge & Treatment Team

Phase III (Program Engagement) – 14-week minimum

Along with maintaining sobriety, tasks the participant is expected to complete include:

- Continue to attend a minimum of three (3) sober support and/or prosocial activities per week;
- Continue to attend and comply with treatment sessions and activities;
- Continue MAT if needed;
- Attend *bi-weekly* Status Review Hearing before RCDC Judge;
- Continue to attend treatment or programming sessions and activities;
- Continue to attend meetings with Coordinator/Probation Officer as instructed;
- Continue to submit and provide negative results to alcohol and drug testing. A minimum of two (2) random urine/breath tests per week;
- Verifiable employment and/or documented school/GED classes submitted to Coordinator/Probation officer;
- Good faith effort to consistently pay financial sanctions and restitution;
- Continue to cooperate with random home visits by RCDC Coordinator or other Adult Court Services staff assigned;
- Obtain/maintain Stable Housing;

In order to advance to Phase IV, the participant is expected:

- Verifiable employment and/or documented school/GED classes submitted to Coordinator/Probation officer;
- No positive drug/alcohol tests for at least 6 weeks prior to advancement; and
- No sanctions for at least 6 weeks prior to advancement to next phase;
- Maintain compliance in all other treatment and supervision requirements; and
- Approval by RCDC Judge & Treatment Team

Phase IV (Growth and Development) – 12-week minimum

- Continue to submit and provide negative results to alcohol and drug testing. A minimum of two (2) random urine/breath tests per week;
- Continue to work on housing, if necessary or maintain current stable housing;
- *Monthly* review hearing before RCDC Judge;
- Continue to attend treatment programming sessions and activities;
- Continue to attend a minimum of two (2) sober support and/or prosocial activities per week;
- Continue to cooperate with random home visits by RCDC Coordinator and/or Adult Court Services staff assigned;
- Continue to abide by rules of the RCDC Program, probation, and the laws;
- Continue contact with RCDC Coordinator/ Probation Officer as instructed;

- Good faith effort to pay regularly on financial sanctions/restitution
- Petition for graduation and RCDC Treatment Team Review

In order to advance to Phase V, the participant is expected:

- Maintain verifiable employment and/or documented school/GED classes submitted to Coordinator/Probation officer;
- No positive drug/alcohol tests for at least 8 weeks prior to advancement;
- No sanctions for at least 8 weeks prior to advancement to next phase; and
- Maintain compliance in all other treatment and supervision requirements; and
- Approval by RCDC Judge & Treatment Team

Phase V (Maintenance Phase) – 12-week minimum

Tasks the participant is expected to complete include:

- *Monthly* review hearing before RCDC Judge;
- Random substance use testing (no less than twice per week);
- Continue to attend treatment, programming sessions and activities;
- Continue to attend a minimum of two (2) sober support and/or prosocial activities per week;
- Continue to cooperate with random home visits by RCDC Coordinator and/or Adult Court Services staff assigned;
- Continue to abide by rules of the RCDC Program, probation, and the laws;
- Obtain and/or maintain employment or consistently participate in other vocational activities;
- Continue contact with RCDC Coordinator/ Probation Officer as instructed;
- Good faith effort to pay regularly on financial sanctions/restitution
- GED if applicable;
- Obtain and/or maintain stable housing;
- Petition for graduation and RCDC Treatment Team Review; and
- No sanctions for 10-weeks prior to advancement.

In order to advance to Phase VI, the participant is expected to:

- Maintain verifiable employment and/or documented school/GED classes submitted to Coordinator/Probation officer;
- No positive drug/alcohol tests for at least 10 weeks prior to graduation;
- No sanctions for at least 10 weeks prior to graduation; and
- Maintain compliance in all other treatment and supervision requirements; and
- Approval by RCDC Judge & Treatment Team

Phase VI (Aftercare Phase)– 24 week minimum

During the final phase of the program, participants will be supervised for a period of no less than six months and are subject to fewer requirements. Participants must successfully

complete all phases in order to graduate the program and have their cases dismissed and/or expunged (as determined by their legal eligibility). Failure to comply with requirements during this portion may result in a therapeutic adjustment. Tasks the participant is expected to complete during aftercare include:

- Abstain from the use of all mood altering and/or controlled substances;
- Attend a review hearing before RCDC Judge at least once every 6 weeks;
- Subject to random substance use testing, but no less than once every month;
- Will report as directed to the RCDC Coordinator/Officer no less than every month;
- Continued compliance with any ordered and/or recommended treatment;
- Continue to cooperate with random home visits by RCDC Coordinator and/or Adult Court Services staff assigned;
- Continue to abide by rules of the RCDC Program, probation, and the laws;
- No new arrests or criminal charges;
- Obtain and/or maintain employment or consistently participate in other vocational activities;
- GED if applicable;
- Good faith effort to pay regularly on financial sanctions/restitution
- Obtain and/or maintain stable housing;
- Petition for graduation and RCDC Treatment Team Review

Upon successful completion of Drug Court, a hearing will be scheduled that will include the dismissal and/or expungement of charges as legal eligibility allows at no cost to the participant, and the Court will waive all court costs incurred associated with this case.

In order to graduate Drug Court, the participant is expected to:

- Submit a two page essay on the role drug court has played in their life;
- Complete exit survey;
- Maintain compliance in all other treatment and supervision requirements;
- No positive drug/alcohol tests for at least 12 weeks;
- No sanctions for at least 12 weeks;
- Have had a re-assessment conducted, and
- Approval by RCDC Judge & Treatment Team

In addition to the standard tasks listed above a participant may have additional tasks to complete prior to graduation as outlined below:

Compliant behavior may include:

- Completed community service hours;
- Demonstrated a period of abstinence from alcohol and drugs;
- Evidenced by submitting negative drug/alcohol screens, a minimum of 90-days prior to completion
- Active member in sober activities in the community;
- Displays a change in thinking, attitudes and beliefs;
- Successfully completed treatment or programming;

- Maintained consistent employment or obtained GED;
- Demonstrated ability to identify and eliminate criminal thinking patterns; and
- Good faith effort to pay off financial sanctions and/or restitution (if applicable), and treatment costs.

Accomplishments may include:

- Relapse prevention plan established;
- Displayed responsibility for his or her behavior;
- Demonstrated stability in the community; and
- The participant petitions for successful completion.

Note: The RCDC Judge determines when a participant has complied with the program requirements and successfully completed the program.

Incentives

The RCDC Program utilizes rewards and incentives as an important component for success in making lasting changes in behavior. Such incentives and rewards recognize the participant's compliance with the RCDC Program rules and demonstrate acknowledgement of the difficult change's participants are making in their lives. Incentives are provided on a case-by-case basis and will vary based on whether the behavior is related to a proximal or distal goal.

Examples of incentives include but are not limited to:

- Recognition from the bench;
- Announcement to other participants/recognition;
- Certificate of achievement;
- Certificate of completion;
- Reduction of community service hours;
- Decreasing frequency of court appearances;
- Tangible items (candy, bracelets, mugs, etc);
- Advancement to next phase in program;
- Graduation from the RCDC Program;
- Community Control term reduced; and
- Dismissal of case after successful completion, if eligible.

Incentives are awarded according to the participant's progress in the phases of the program and are designed to encourage and reward positive behavior.

Sanctions

The RCDC Program uses immediate and graduated sanctions to help a participant conform behavior to program requirements. Entry into the RCDC Program requires more of a participant than if he or she were on regular probation and is not an easy way out of

one's legal problems.

All participants are subject to the imposition of sanctions by the Court, as a result of non-compliance or rule violations by the participant. Sanctions range in severity, depending on the seriousness of the participant's non-compliance or rule violation and will vary based on whether the behavior is related to a proximal or distal goal.

The imposition of sanctions is at the sole discretion of the RCDC Judge, and sanctions may be modified based upon the facts of the individual situation and/or the recommendation of the RCDC Treatment Team. Judgment on any sanctionable behavior is guided by an overriding consideration of whether the participant should continue in the program.

Examples of rule violations, which may result in a sanction, include, but are not limited to the following:

- New arrest or indictment;
- Missed status review hearing with Judge – Unexcused;
- Missed treatment session – Unexcused;
- Missed appointment with Coordinator/Probation Officer;
- Missed or positive substance use testing or failure to abide by substance use agreement;
- Improper use of prescribed medication/use of disallowed substance without doctor's verification;
- Falsified sober support verification sheet;
- Failure to improve troublesome behavior and/or criminal attitudes;
- Failure to meet employment or vocational goals as determined by the treatment team
- Failure to Notify RCDC Program and/or Probation Officer of current place of residence, employment/source of income, or violation of conditions of supervision not specifically addressed by RCDC Program requirements;
- Failure to attend case management session or referral meeting;
- Failure to provide verification of sober support attendance and planner upon request of RCDC Team Member;
- Late to RCDC Program hearing or meeting with RCDC Program Team Member; and
- Failure to comply with counselor's treatment recommendations.
- Failure to comply with any other conditions of supervision.

Sanctions may include, but are not limited to:

- More frequent review hearings before the Court;
- More frequent office visits with the Adult Court Services Department;
- Increased testing of breath, blood, or urine for drugs or alcohol;
- Verbal admonishment by the judge;
- Written essay reports;
- Written assignments and/or completion of facilitated assignments;
- Community service hours;
- Refusing specific requests, such as permission to travel;

- Denying additional or expanded privileges or rescinding privileges previously granted;
- One or more days seated in the courtroom observing various hearings;
- Electronically Monitored House Arrest (EMHA), SCRAM;
- Revocation of limited driving privileges;
- Escalating periods of jail or out of home placement;
- Extension of stay in phase if they fail to meet all requirements;
- Termination from the RCDC program and return to court for imposition of sentence from original charge.

The failure of the participant to attend any scheduled court appearance, treatment related appointment, or scheduled office visit with his or her probation officer may result in the issuance of a warrant for the participant's arrest.

In the event a participant is sanctioned or sentenced to the Ross County Jail, he or she will actively participate in any and all behavioral programming offered.

Any therapeutic adjustments in treatment services, as well as participation in community-based mutual support meetings, will be based upon the clinically informed needs of the participant.

Note: A conviction for a felony offense of violence, firearm-related offense, or sexually oriented offense, will result in immediate termination from the RCDC Program.

Termination

If a participant does not successfully graduate from the RCDC Program, they are subject to being terminated. A participant can be terminated, receive a neutral discharge or be placed on inactive or suspension status.

Unsuccessful termination

Participants of the RCDC Program may be terminated if they meet any of the following criteria:

- Ongoing non-compliance with treatment or resistance to treatment;
- New serious criminal conviction;
- Any serious specialized docket infraction or series of infractions; and
- A serious community control violation or series of community control violations.

If a participant is being unsuccessfully terminated from the RCDC program they are subject to the following actions:

- A notice of intent to terminate is provided to the participant, and a Drug Court Revocation Hearing will be scheduled. The participant will be afforded legal representation for this process.
- If the Court finds that the participant is in violation of the of the RCPD program rules, then they will be terminated unsuccessfully from program.

- The Court then will accept the participant's originally entered plea of guilt and will impose sanctions/penalties that could include incarceration.
- They will be ineligible to participate in the RCDC program for a period of five-years.

Neutral Discharge

Participants of the RCDC program may receive a neutral discharge if they meet one or all of the following criteria:

- Diagnosed with a serious medical condition, which will prohibit them from participating in the RCDC program;
- Diagnosed with a serious mental health condition and/or mental deficit, which prevents them from effectively participating in the program;
- The participant relocates to other jurisdiction; or
- Other factors that may keep the participant from meeting the requirements for successful completion.

If a participant receives a neutral discharge for the RCDC program, they are subject to the following actions:

- Chief Probation Officer will assign the case to the appropriate probation officer to continue with standard community control supervision; and
- If the participant relocates their community control will be transferred to the supervising authority in the appropriate jurisdiction if it is possible and/or if the court allows.

Inactive or Suspension Status

If any of the following criteria apply the participant may be placed on inactive or suspension status:

- Placed in a residential facility and cannot be transported for status review hearings;
- In need of further assessment or evaluations to determine if the RCDC program is beneficial to the participant and the program; and
- Has an outstanding warrant for non-compliance from the RCDC Program and the issue has not been resolved.
- Medical concerns/issues

Substance Use Monitoring

A participant must submit to random, frequent, and observed drug and alcohol testing, while participating in the RCDC Program. Substance use monitoring is individualized based on the participant's drug of choice and phase placement. If the participant is honest about alcohol/drug use, a positive test at intake will not result in a sanction, and the participant will be allowed an acceptable amount of time to produce a negative drug screen. The RCDC Judge will sanction a participant who relapses or returns to use; which may include but is not limited to incarceration, increase in frequency of testing, electronic monitoring and/or termination from the RCDC Program. Additionally, their

treatment provider will be notified immediately to allow for updating or changes to their treatment plan.

If a participant desires to leave Ross County or a county adjoining Ross County for any length of time, they must obtain permission from the Coordinator/Probation Officer, and they may be expected to make arrangements for ongoing substance use testing in whatever location to which they are traveling.

If a participant tests positive for alcohol and/or drug use, they may request a confirmation test be conducted at the cost of the participant. The participant will be assessed additional court costs equivalent to the cost of the confirmation test if the confirmation test also is positive for alcohol and/or drug use. Additionally, if the confirmation test is positive, the participant may receive a more severe court sanction than if they admitted to using drugs and/or alcohol.

The participant is required to participate in the designated call in and drug testing program. This program will ensure all alcohol and drug testing is truly random. The terms of participation include the following:

- Daily telephone call, or online check-in, to the automated call center to determine if a participant is selected for drug/alcohol testing;
- All calls or check-ins must be made within the designated call window assigned to each participation;
- When selected for drug/alcohol testing, the participant must report to the Ross County Adult Probation office (or other test location as instructed) within the designated test window and provide a sample within the test window timeframe unless otherwise instructed by the Drug Court Coordinator;
- All drug tests will be direct observation collections using a same sex collector; and
- If a participant is late for a test, misses a test, is unable or refuses to provide a urine sample, does not provide a sample in a sufficient amount for testing, provides an adulterated sample, submits the sample of another individual or dilutes samples, it will be considered a positive test for drugs/alcohol, and they will be subject to sanction(s), including possible incarceration and/or termination from the RCDC Program.

The participant must provide a urine sample that is negative for all drugs, or they will be immediately sanctioned. Urine sample will also be analyzed for temperature, specific gravity, Creatinine and other chemical markers to ensure a valid urine specimen. The participant must not drink excessive amounts of fluids such as water as it can result in a diluted urine sample. A participant will be allowed to provide only one (1) urine sample for analysis.

If a participant is unable to provide a test sample within one (1) hour of signing in at the test location, it may be considered a positive test for drugs/alcohol and a sanction may be imposed. The Treatment Team and Judge will be informed of all test results. The Judge will enforce the sanctions.

At a minimum participants will be tested: two (2) times per week in all phases. During Aftercare Supervision, participants will be tested upon reasonable suspicion of use or at the request of the Coordinator/Officer.

Participants can be searched prior to conducting specimen collection. Items to be searched include, but are not limited to: purses/handbags, overcoats, sweatshirts, baggy jean/sweatpants, waistline, and any other applicable clothing or accessories. Each participant will be observed during sample collection to ensure that the sample is a true sample provided by the participant. While the test is being conducted, the Participant shall remain in the designated waiting area for notice of the test results.

Drug Court participants must report any and all prescribed medications to their treatment provider and coordinator/probation officer. Participants must agree to abide by the RCDC Court's Policy on Prescription Medication. Participants are required to provide verification of any prescription from their doctor, including signing a release for Drug Court personnel to conduct their doctor. When seeking any type of medical treatment, it is the responsibility of each participant to inform the caregiver of their chemical dependency issues, and request non-narcotic and/or non-alcoholic medication is prescribed, if at all possible. If because of a medical necessity, a doctor prescribed medication that could yield a positive drug screen result, the participant must submit a letter from the physician to the Court stating that he/she is aware of the participant's status as a recovering person and that the need for this medication outweighs the possible risks to the participant. Further, this letter must state that the physician has been made aware of the patient's participation in the RCDC Program and that the patient is subject to drug screen testing. If a participant tests positive for a controlled substance and does not have such a letter from their doctor, they shall be immediately sanctioned.

A participant must take all prescribed medications strictly as directed. Participants must also inform the Drug Court coordinator/probation office and counsel of any "over-the-counter" (OTC) medications they may be using. Prior to use of any over-the-counter medication, the participant is responsible for conferring with a pharmacist or other medical professional to ensure that medication is not mood altering or addictive and contains no alcohol. Inappropriate use of any medication, irrespective of whether it was prescribed or purchased over the counter, could result in termination from the Drug Court Program.

Confidentiality

Due to the nature of the information that will be shared by participants within group counseling setting and the Drug Court sessions, it is imperative that participants maintain confidentiality of the information shared by other participants. You are also required to comply with confidentiality rules established by your treatment provider. Generally, this means you are not to discuss any information acquired during a group counseling or Drug Court session with other persons. Failing to abide by the confidentiality requirements could result in a participant's termination from Drug Court.