

ROSS COUNTY DRUG COURT PARTICIPANT HANDBOOK

ROSS COUNTY COMMON PLEAS COURT
JUDGE MICHAEL M. ATER
2 North Paint Street
Chillicothe, Ohio 45601

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 clean and 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 abuse 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 is 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 Scott W. Nusbaum

- Coordinator/Probation Officer, other court staff and RCDC Team members,
- All medical, dental, and mental healthcare treatment providers,
- The counselor conducting their initial and/or subsequent evaluations, and
- Treatment agency 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 hearing;
- 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;
- Engage in a sober support community (A.A., N.A.); 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 and/or ILC eligible property or child support offense, whom has a prior history of substance abuse 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 offender admission to the program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status, or any disability.

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 offender is charged with an offense for which a prison term is mandatory;

- The offender is actively working as a police informant;
- The offender is mentally incompetent and/or has a mental health disorder, which would prevent or interfere with successful completion of the program;
- The offender is an integral part of a distribution or manufacturing network or actively engaged in crimes to benefit a gang;
- The offender resides outside of Ross County or outside of a county adjoining Ross County; and/or
- The offender does 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 the coordinator will make a referral to Friel & Associates or other approved treatment agency within five (5) business days for completion of a screening. The screening will be conducted within seven (7) to fifteen (15) business days of receipt. If the results of the screening indicate a need for a drug and alcohol assessment (clinical assessment), then the clinical assessment will be ordered and completed within seven (7) to fifteen (15) business days of the screening.

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

An applicant who is screened and determined to meet initial legal eligibility requirements for participation in the RCDC Program must cooperate with the clinical assessment process when a clinical assessment has not been conducted in the past twelve-months by an appropriately licensed professional. The Program Coordinator or Probation Officer will make a referral to Friel & Associates for completion of a clinical assessment to be conducted at 46 E. Water St., Chillicothe, Ohio, or a location as designated by another approved treatment agency, or at the Ross County Jail if the applicant is incarcerated. In most cases the clinical assessment will be completed within seven (7) to fifteen (15) business days from completion of screening.

If a referral for a drug and alcohol assessment has already been submitted, or if a drug and alcohol assessment has been completed within the past twelve months, a copy of the referral or assessment, along with a completed participant screening application form and any other documents related to the case, such as a presentence investigation, motion for revocation, etc., shall be submitted to the Program Coordinator/Probation Officer.

Upon completion of a drug and alcohol assessment and with a diagnosis/screening impression of chemical dependence, the Program Coordinator/Probation Officer will meet with the applicant to review the Participant Application Screening Form, the Participant Handbook and the applicant must sign a release of information when a valid release of information is not on file. This meeting will occur within one-week of receipt of the Participant Screening Application form and completed clinical assessment.

Potential candidates are required to sign a release of information form to provide confidential communications about the clinical assessment, diagnosis and recommended treatments plan, as well as ongoing participation and progress in treatment and compliance with program requirements.

It is the applicant's responsibility to cooperate with the clinical assessment process. Those individuals not incarcerated are expected to contact Friel & Associates immediately at 740-851-4432 or other approved treatment agency to schedule the clinical assessment on the earliest available appointment date. 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 offender'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 offenders are considered for inclusion;
- 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 offered admission. 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 and have their 12-step meeting verification sheet and planner available at all times. 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 any and 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.), and amphetamines (Adderall, Ritalin, Cylert, etc.), 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 at all 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.

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.

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.

Staying Out of Bars

Participants may not to enter into any establishment where the primary source of income is the sale of alcoholic beverages, such as bars and taverns.

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 in order 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, 12-step meetings, 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, or illegal activity;
- 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, any and all personal telephone number(s), as well as all information regarding their place of employment and/or school status.

Proof of Attendance at 12-Step Meetings

Participants are required to provide proof of attendance for any 12-step recovery meetings they attend, and verification of this attendance must be presented to the RCDC Judge whenever they appear in court for RCDC Program Status Review Hearings.

Such verification must consist of a valid RCDC Program-issued attendance sheet bearing the signature of the secretary or chairperson of each meeting, as well as the date, time, name and location of that meeting.

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 III, except for

those who are verifiably disabled.

Further, a participant if required to pay restitution, must create a payment plan with the Coordinator/Probation Officer and comply with it. They also must pay any fines, court

costs, and court-ordered child support obligations in any and all jurisdictions.

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. Participants will be expected to attend and provide verification of their attendance at all classes.

Curfew

RCDC participants are subject to the following curfews requiring them to be at home unless they are working or at a verifiable recovery event.

Phase I: 9:00 p.m. to 6:00 a.m.

Phase II: 10:00 p.m. to 6:00 a.m.

Phase III: 11:00 p.m. to 6:00 a.m.

Phase IV: 12:00 a.m. 6:00 a.m.

Summary of treatment requirements

The RCDC Program is a specialized docket (drug court) established to assist chemically dependent offenders 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; and
- Case management

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:

RCDC Judge

- Leader of the treatment team;
- Decision-maker especially concerning incentives, sanctions, phase advancement; and successful completion or terminations; and
- Discusses progress with the participant at status review hearings.

Coordinator/Probation Officer

- Maintains the daily operations of the RCDC Program;
- Meets with any potential participant upon referral;
- Gathers progress reports from treatment and service providers to present to the treatment team;
- Monitors compliance with supervision plan;
- Coordinates and conducts random alcohol and drug screens;
- Monitors compliance with sanctions
- Visits the participant at home, school, or other locations;
- Attends treatment team meetings and status review hearings;
- During treatment team meetings, provides progress reports and recommendation to the treatment team; and

- Participates in discussions about incentives, sanctions, phase advancement, graduation and terminations.

Treatment Provider

(Friel & Associates or other approved treatment agency)

- The participant’s therapist or counselor;
- Conducts assessment to evaluate needed services;
- Develops an individualized service plan;
- During treatment team meetings, provides treatment updates and makes recommendations regarding treatment needs;
- Participates in discussions regarding incentives, sanctions, phase advancement, graduation and termination; and
- Attends status review hearings.

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 at 1:30 p.m. 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: Monthly

Phase IV: Monthly

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 at 12-step meetings;
- To meet other participants in the same or different phases of the program;
- To receive certificates and public recognition for achievements;
- 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.

Phases

The RCDC Program is comprised of Four (IV) 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.

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

Phase I (Compliance Phase) – 16-week minimum

Tasks the participant is expected to complete include:

- Attend *bi-weekly* Status Review Hearing before the RCDC Judge;
- Attend appointments with Coordinator/Probation Officer as instructed;
- Attend a minimum of three (3) 12-step meetings per week (1 of which must be on a weekend);
- Attend treatment sessions and activities;
- Submit to alcohol and drug testing (minimum of two (2) times per week);
- Copy of substance abuse agency's treatment plan submitted to RCDC Treatment Team;
- Cooperate with random home visits by RCDC Coordinator or other Adult Court Services staff assigned;
- Abide by the RCDC program rules, probation, and the laws;
- Copy of pay stub/employer verification letter (if employed) and/or copy of school enrollment/GED class enrollment (when applicable) submitted to my probation officer;
- No positive drug test for 6-weeks prior to advancement to next phase; and

- No sanctions for 6-weeks prior to advancement to next phase

Phase II (Program Engagement) – 14-week minimum

Tasks the participant is expected to complete include:

- Attend *bi-weekly* Status Review Hearings before the RCDC Judge;
- Continue to attend meetings with Coordinator/Probation officer as instructed;
- Continue to attend a minimum of three (3) Twelve-Step meetings per week;
- 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 attend treatment sessions and activities;
- 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;
- Copy of pay stub/employer verification letter submitted to my RCDC Coordinator/Probation Officer, and/or;
- Copy of school grade report/GED report submitted to my RCDC Coordinator/Probation Officer;
- Obtain a sponsor;
- Proof of participation in three (3) non-using related leisure activities;
- No positive drug/alcohol tests for 6-weeks prior to advancement; and
- No sanctions for 6-weeks prior to advancement to next phase.

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

Tasks the participant is expected to complete include:

- Attend *monthly* 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 attend a minimum of two (2) Twelve-Step meetings per week;
- Continue to submit and provide negative results to alcohol and drug testing. A minimum of two (2) random urine/breath tests per month;
- 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 Stable Housing;
- Proof of participation in five (5) sober leisure activities;
- Continue to abide by the RCDC Program rules, probation and the laws;
- Petition to Phase and RCDC Treatment Team Review;
- No Positive drug/alcohol tests for 8-weeks prior to advancement; and
- No sanctions for 8-weeks prior to advancement to final phase.

Phase IV (Maintenance Phase) – 12-week minimum

Phase IV is the final phase. When a participant reaches Phase IV, they have successfully and faithfully adhered to treatment and RCDC Program requirements. When a participant moves to Phase IV, they are preparing for graduation.

Tasks the participant is expected to complete include:

- *Monthly* review hearing before RCDC Judge;
- Random substance abuse testing (no less than one time per month);
- Continue to attend treatment programming sessions and activities;
- 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 to participate in sober support community (minimum two (2) 12-step meetings weekly);
- Obtain and/or maintain employment or consistently participate in other vocational activities;
- Individual interview with RCDC Judge;
- 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 graduation.

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
- Attended sober support group meetings;
- Active member in a sober support group and helps others obtain sponsors;
- Displays a change in thinking, attitudes and beliefs;
- Successfully completed treatment or programming;
- Maintained consistent employment;
- 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;
- Completion of educational/vocational plan;
- 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 changes participants are making in their lives. Incentives are provided on a case-by-case basis.

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;
- Increasing or expanding privileges;
- Tangible items;
- Advancement to next phase in program;
- Curfew time extended;
- Graduation from the RCDC Program;
- Community Control term reduced; and
- Dismissal of case after successful completion.

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.

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.

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;
- Increased group and/or meeting attendance;
- Verbal admonishment by the judge;
- Written essay reports;
- Community service hours;
- Refusing specific requests, such as permission to travel;
- Denying additional or expanded privileges or rescinding privileges previously granted;
- Imposition of financial sanctions;
- One or more days seated in the courtroom observing various hearings;
- Electronically Monitored House Arrest (EMHA);
- Revocation of limited driving privileges;
- Escalating periods of jail or out of home placement;
- Returning to previous phase of the program;
- Termination from the RCDC program;
- Revocation of community control status and imposition of prison term; and
- Finding of guilt.

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, if he or she cannot be located within 24 hours.

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.

Note: A conviction for a felony offense of violence, firearm-related offense, or sexually oriented offense, will result in termination from the RCDC 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 abuse testing;
- Improper use of prescribed medication/use of disallowed substance without doctor's verification;

- Falsified Twelve-step meeting sheet;
- Missed twelve-step meetings;
- Failure to improve troublesome behavior;
- 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 Twelve-step meeting 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.

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 probation violation or series of probation violations.

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

- A motion to revoke their community control may be filed and they will proceed through the revocation process;
- The participant may be subject to the imposition of other penalties or incarceration; and
- 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.

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.

Substance Abuse Monitoring

A participant must submit to random, frequent and observed drug and alcohol testing, while participating in the RCDC Program. Substance abuse monitoring is individualized based on the participant's drug of choice and phase placement. *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 abuse 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 Substance Abuse Monitoring (S.A.M.) Program and complete the S.A.M. Program agreement. The S.A.M. Program ensures all alcohol and drug testing is truly random. The terms of participation include the following:

- Daily telephone call to the automated call center to determine if a participant is selected for drug/alcohol testing;
- All calls 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;
- 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 will be considered a positive test for drugs/alcohol and sanctions will 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 Phase I and Phase II, two (2) times per month in Phase III, and one (1) time per month in Phase IV.

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 insure 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 they 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.