

**HANCOCK COUNTY COMMON PLEAS**  
**GENERAL DIVISION**

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***DRUG COURT***

**Participant Handbook**

In collaboration with Century Health, Inc.

**Adult Probation Department**

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***Adopted: 3/15***

***Revisions: 7/15, 8/15***

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## **CHAPTER 1: WELCOME AND PROGRAM INTRODUCTION**

This handbook will provide an overview of the Hancock County Common Pleas Drug Court and detail the participants' rights and responsibilities in the program. The Drug Court is a voluntary program focused on providing treatment oriented options for drug dependent offenders. The Drug Court Program is designed to be approximately twelve (12) to eighteen (18) months in duration, yet due to the individualized nature of needs-based programming, the term of participation may be longer or shorter in duration. A participant may be extended past this guideline if there are violations of rules and conditions, failure to complete or participate in treatment activities, or general non-compliance with the treatment and case plans. There are many potential benefits, resources, and requirements of program participation:

The BENEFITS of Drug Court participation are:

- Learning how to enjoy a clean and sober lifestyle;
- Improved personal relationships;
- Reduce negative interactions with peers and the criminal justice system;
- Potential reduction in time on supervision (probation); and
- Overall healthier lifestyle.

The RESOURCES the Drug Court offers participants are:

- Access to a range of alcohol and drug treatment services;
- Access to cognitive behavioral interventions;
- Case management services to assist with linkages to local services, such as employment, educational or vocational opportunities, housing assistance, and transportation assistance;
- Incentives for compliance; and
- Relationships with the Drug Court team members, including the judge, probation officer, and treatment partners.

The following is a list of basic REQUIREMENTS of Drug Court participants:

- Refrain from alcohol and drug use
- Attend status review hearings
- Attend appointments with treatment providers, case managers, and drug court coordinator
- Attend appointments with your probation officer
- Follow all treatment recommendations
- Comply with program requirements, conditions and treatment plans
- Submit to frequent and random observed alcohol and drug screens
- Comply with sanctions for infractions
- Obtain/maintain employment.
- Obtain/ work towards GED if applicable
- Engage in a sober support community
- Apply for/maintain healthcare coverage
- No further violations of the law

The following is a list of Participant Rights:

- The right to have your attorney present at treatment team meetings or status review hearings, concerning your progress, potentially at your own expense.
- The right to a detailed, written participation agreement and participant handbook outlining the requirements and process.

## **Program History and Overview**

The Hancock County Common Pleas Drug Court was established in December of 2014. The Drug Court program was developed and continues to evolve through a collaborative and non-adversarial process focused on meeting the needs of the offender, courts, and the community. The Hancock County Drug Court program is based on evidenced-based practices to include integration of all ten core drug court components set forth by the Drug Courts Program Office (DCPO) of the Office of Justice Programs (OJP).

Essential program features include individualized screening and assessment that guides program placement, and intensity of services received. The Hancock County Drug Court has been designed to target the nonviolent, moderate to high RISK and moderate to high NEED drug and/or alcohol dependent offender. Risk level is based on risk relative to core criminogenic needs and likelihood of recidivism and incarceration as identified through the formal screening and assessment process.

This is a voluntary program and requires participants sign a Program Participation Agreement. The participation agreement outlines core program elements, participant's rights and rights to be waived regarding formal hearing and immediacy of sanctions. It is important to note that one's legal and clinical eligibility does not constitute or create a right to participate in the Drug Court. The Drug Court Judge has the ultimate discretion to determine admission into the program. The overarching goal of the Drug Court Program is to reduce the likelihood of recidivism through intensive treatment, supervision and personal accountability.

The confidentiality of treatment and waivers of rights do not affect the obligations of the treatment providers and supervising staff to disclose certain information where required by law. In addition, the participant may be present during group court sessions where other participants' treatment information is discussed. All participants are expected to respect the privacy of that information and will be required to sign a confidentiality agreement.

Program compliance is addressed immediately through incentives and are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained.

Program non-compliance is addressed immediately through targeted and progressive sanctions. A graduated sanction continuum up to and including termination is used to guide the Judge in determining the most appropriate sanction for non-compliance in treatment, reporting or abstinence. The following are examples of criteria for unsuccessful termination: on-going noncompliance with treatment or resistance to treatment, new serious criminal convictions, A serious specialized docket infraction or series of infractions and a serious community control violation or series of violations.

Dependent on the participant's treatment needs or "Level of Care", each is engaged in substance abuse treatment ranging from outpatient (1 to 5 hours of individual and group treatment per week), intensive outpatient (9 to 24 hours of individual and group treatment per week) or residential treatment. Additionally, all participants are required to attend community support meetings (i.e. AA, NA, ALANON, SMART RECOVERY). The Drug Court has active Memorandum of Understanding (MOU) with the treatment agency known as Century Health, Inc. Services available to program participants through this agency include:

- Case Management Services
- Cognitive Behavioral Group Interventions
- Aftercare
- Outpatient substance abuse counseling

- Intensive Outpatient Counseling
- Medication Assisted Treatment
- Residential Treatment
- Recovery Support Services (Peer Support)
- Transitional Housing
- Mental Health Counseling

Graduation from the Drug Court is based on progress toward the individualized goals and objectives set forth in the Drug Court case plan. As participants satisfy these requirements, they progress through the four (4) phases of Drug Court, most often with graduation occurring between twelve (12) to eighteen (18) months. Participants who have not responded to the continuum of incentives and sanctions will ultimately be staffed for consideration of program termination. This process is monitored by the Drug Court Treatment Team (DCTT) and ultimately enforced by the Drug Court Judge. The DCTT exhausts all available sanction and treatment options prior to making a determination of unsuccessful discharge.

### **Drug Court Mission Statement**

***The mission of the Hancock County Drug Court is to improve the overall quality of life in the community by providing a court supervised program for substance dependent offenders that will enhance their likelihood of being productive members of society, while keeping the community safe.***

This will be accomplished by streamlining and coordinating services to offenders whose crimes are substantially related to addiction. The Hancock County Drug Court Program will increase long-term abstinence by holding offenders accountable, ultimately reducing drug-related crimes, and improving community safety.

### **Program Goals and Objectives**

By selecting appropriate offenders and offering structured evidenced based programming the Drug Court Program strives to:

- Decrease the number of Drug Court participants who reoffend;
- Increase the number of Drug Court successful completions; and
- Reduce Jail, Prison, and/or institution bed days.

## **CHAPTER 2: LEGAL AND CLINICAL ELIGIBILITY CRITERIA**

### **TARGET POPULATION**

The Hancock County Drug Court has been designed to target the nonviolent, moderate to high risk and moderate to high need drug and/or alcohol dependent offender. Risk level is based on risk relative to core criminogenic needs and likelihood of recidivism and incarceration as identified through the formal screening and assessment process. The Drug Court docket is intended to divert moderate to high risk and moderate to high need drug dependent offenders from future recidivism and possible local or state incarceration. A determination of clinical and legal eligibility does not guarantee or create a right to participate in the Drug Court Program.

### **CLINICAL ELIGIBILITY CRITERIA**

A substance disorder diagnosis provided by a licensed and approved provider is required to be considered for program participation.

### **CLINICAL ASSESSMENT**

As part of any community control supervision, a formal Diagnostic Assessment will be conducted by a professional who possesses the appropriate licenses and credentials and who will provide the specialized docket treatment services within the time guidelines referenced within the Memorandum of Understanding. This clinical assessment will assist in identifying participants deemed appropriate for inclusion in the program. The clinical assessment and Ohio Risk Assessment System (ORAS) both identify individual challenges, needs and beliefs and to ensure that all subsequent interventions and interactions are gender responsive and culturally appropriate. Collateral information is provided to individuals completing the clinical assessment as well as the Ohio Risk Assessment System (ORAS) to ensure the accuracy of the assessment.

The Standards and Recommended practices that apply to the clinical assessment are:

- The potential participant is required to sign a release of information form to provide confidential communication about participation and progress in treatment and compliance with program requirements.
- The potential participant receives a diagnostic assessment from a professional who possesses the appropriate licenses and credentials and to provide the specialized docket treatment services within the time guidelines mentioned below.
- The Judge shall have discretion to decide the admission into a specialized docket in accordance with the written criteria.

## **LEGAL ELIGIBILITY CRITERIA**

**The following criteria will be considered for the Drug Court Program:**

### **Eligible:**

- Current charge is community control sanction eligible;
- Offender is charged with a felony offense of the 3rd, 4th or 5th degree;
- Offender is charged with a drug charge or a drug driven charge;
- Offender is charged with an offense that does not carry a mandatory prison sentence;
- Offender is charged with a non-violent offense and does not have a history of violent behavior;
- Offender is capable of participating in and completing the program. Serious patterns and symptoms of criminality, violence, mental illness, or mental retardation may preclude program participation;
- Offender demonstrates an interest in and willingness to participate in a 12-18 month treatment program;
- Offender would benefit from drug and/or alcohol treatment;
- Offender has an established Hancock County residence; and
- Offender is charged with an offense that is not defined as a sex-related offense per Ohio Revised Code (ORC) and there is no history of sex related offenses (to be determined on case by case basis).

### **Not Eligible:**

- The charge is related to the use of a firearm or deadly weapon (to be determined on case by case basis);
- The defendant is known to be, or appears to be, primarily a drug trafficker as evidenced by the defendant's criminal history (to be determined on a case by case basis);
- The defendant has a consistent history of revocations, failures to appear, non-compliance issues, failed treatment experiences and/or a poor history of supervision; and
- Out of county pending cases where a resolution is not forthcoming and would exclude participation.

### **Non-Discriminatory Practices**

If the participant meets the written clinical and legal eligibility criteria for the program, the participant will not be denied admission to the specialized docket based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status, or disability.

### **Program Capacity**

The general capacity of the Drug Court Program is 20 *active* participants who are attending a bi-weekly status hearing. As not all participants attend the status review hearings bi-weekly, this allows for additional participants to be added when individuals have reached the higher phases of the program. Additionally, an

additional thirty participants can be in the *inactive* status where they are not regularly attending court hearings yet continue to receive treatment, recovery and peer support.

## **CHAPTER 3: PROGRAM ENTRY AND CASE FLOW**

### **Referral Process**

Potential participants can be referred to the Drug Court program through various points of entry, to include:

- Prosecutor referral
- Attorney referral
- Judge referral
- Treatment providers
- Probation officers
- Self-referral

Referrals can be made at any stage of the case or court process, to include Intervention in Lieu, post-plea (Presentence Investigation), sentencing, while currently under court supervision/community control or as a result of a community control violation. The referring entity contacts the Drug Court Coordinator who conducts an initial eligibility screening. If an offender is deemed eligible for participation, the formal screening and assessment process is initiated.

### **Screening and Assessment**

The Hancock County Common Pleas Drug Court Treatment Staff shall promptly assess individuals and refer them to the appropriate services. The assessment and referral shall meet all of the following requirements:

- All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment;
- The participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended, and R.C. 2151.421 and 2152.99;
- Participants shall be placed as soon as possible in appropriate treatment services and programs
- All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

### **Program Admission**

A critical feature of the Drug Court Program is to initiate contact with court personnel at the earliest point possible. Immediately upon referral, potential participants are invited to Drug Court sessions for the purpose of gaining understanding and immediate support. Upon determination of clinical and legal eligibility, a referred person is immediately admitted and begins participating in all required Drug Court functions, to include the bi-weekly status review hearings. Immediately upon admission, participants begin working through the progression of program phases. Most Drug Court referrals are under reporting supervision with the Adult Probation Department during the referral and admission process, which ensures continuity and monitoring.



## **Progression of Phases**

Phases are the steps in which a participant's performance and progress through the specialized docket are monitored. The following general principles apply to the phase system:

1. Progression through the Drug Court Program is based upon the participant's performance in the treatment plan and compliance with requirements of the program phases. A participant's progress through the Drug Court Program phases is not based solely upon preset timelines.
2. At a minimum, the participant shall appear before the specialized docket judge at least bi-weekly in the initial phase.
3. Utilizing risk assessments, high-need, high-risk participants may be required to appear at status review hearings every week in phase one of the specialized docket.
4. In subsequent phases the participant shall appear regularly. After phase one (1), the phase description includes the participant's attendance requirement (every other week, monthly etc.) at status review hearings.
5. Times between status review hearings are increased or decreased based upon compliance with treatment protocols and observed progress. General criteria for phase advancement may include a participant's sobriety, progress in treatment, compliance with court orders, payment of court fees, and team recommendation.

## **CHAPTER 4: PHASES**

As detailed in the program description, the Hancock County Drug Court is structured with four (4) distinct phases of program participation. Progression through the Drug Court Program is based on the participant's performance toward the treatment plan and compliance with the specialized docket phases. Phase advancement is based on specific accomplishments and progress toward individualized treatment and case plan goals.

Based on the Ohio Risk Assessment System (ORAS), moderate to high need/moderate to high risk participants appear at status review hearings bi-weekly in the specialized docket phase one (1). In later phases, the participant attends hearings less frequently, yet at least once a month through phase four (4). Within the general phase structure the time between status review hearings is increased or decreased based upon compliance with treatment protocols and observed progress. General criteria for phase advancement may include a participant's sobriety, progress in treatment, compliance with court orders, payment of court fees, and team recommendations.

### **SUBSTANCE ABUSE MONITORING**

Throughout a participant's program, they will be required to comply with the following Substance Abuse Monitoring protocols. These protocols will be individualized, based on risk, drug of choice, length of sobriety and current circumstance. The Drug Court monitors participant substance use by random, frequent, and observed alcohol and drug testing protocols. Dependent on need, participants are tested a minimum of two (2) times per week, yet may be as frequent as daily. The program utilizes instant urine screens and other types of testing that allow for laboratory confirmation testing. Upon a positive test result, the participant shall be confronted with the result and given the opportunity to either sign an admission form or contest the positive test. If contested, the test shall be sent to a certified laboratory for confirmation. However, if the test returns a positive confirmation, then a more severe sanction, which could result in a probation violation,

Intervention in Lieu revocation, and/or termination from the program, may be issued based on deception and the use of substances. The laboratory fee for a confirmed positive test may be applied to the participant's court costs.

The Drug Court Treatment Team has clearly established plans for addressing participants who test positive at intake or who relapse during program participation. These plans provide guidelines for treatment, sanctions and incentives, all of which are enforced and reinforced by the Drug Court Judge. All participants are tested at intake to provide a baseline drug test result. This baseline test helps to determine the level of treatment services required as well as establishes future testing expectations. While participants may not be sanctioned based on this initial test, subsequent positive tests may result in sanctions as listed in these materials up to and including expulsion from the Drug Court Program and revocation of their probation (community control) supervision.

The Specialized Docket Judge ensures that the individualized drug testing plans and subsequent sanctions are enforced and reinforced to the participant. The Specialized Docket Judge is made aware of positive drug results immediately and at the weekly Drug Court Treatment Team meeting. The following acts are treated as positive tests and will be immediately sanctioned:

1. Failure to submit to testing (not providing a sample; waiting longer than four (4) hours to provide a sample);
2. Submitting an adulterated sample;
3. Submitting the sample of another individual; and
4. Dilution of sample.

### **Drug Testing Procedure**

The Drug Court Treatment Team establishes a random calendar indicating which participants are to report for testing that day. All participants report at minimum two (2) times per week while in the program. Testing includes the participant's primary substance of dependence, as well as a sufficient range of other common substances. All Drug Court participants call the Adult Probation Department at (419) 424-7085 every day before 10:00am to be notified if they are required to report for a random drug and/or alcohol test on that date. If the participant is advised they need to report that day they must report by 12:00pm, unless given special permission from the Drug Court Coordinator to report differently. Protocol for Drug Testing will mirror Adult Probation Department protocol as follows:

When a participant arrives for a drug test they are escorted to the drug testing room by staff. The participant is instructed to wash their hands with soap. The participant selects a sealed specimen cup and enters the restroom, along with a same sex staff member. The collection is observed in an effort to ensure the sample is valid. Once the urine specimen is collected the participant is permitted to flush the toilet once staff ensures there are no foreign objects in the toilet. The staff member selects the desired sealed stick instant test. The testing will include the participant's drug of choice as well as any other test selected by the staff member. The stick test (instant test) is dipped in the urine to begin the testing process. After approximately two minutes, or when the test valid window indicates the test is valid (a line will appear), staff will read the results. There should be two lines in each window to indicate a negative drug test. The results are then documented in the computer (courtview). Test results are printed by staff and maintained in probation files. Any positive results contested by a participant shall be saved and sent out for outside testing confirmation.

## **Notification of Positive Test Results**

The Drug Court Coordinator or designee shall advise the Drug Court Judge and the Drug Court Treatment Team of positive drug test results, or non-compliance with testing protocol (failure to report, alteration of sample, attempts to dilute or alter a sample, or submitting the sample of another individual). Immediate notification of positive results or testing non-compliance is provided to the Judge via phone, e-mail or in-person conference. These issues will also be addressed in the bi-weekly Drug Court Treatment Team meeting and subsequent hearing.

The following is a detailed description of the phases of Drug Court:

### **Phase I:**

The goal of this phase is to ingrain a thorough understanding of the aspects of the specialized docket requirements. The participant will begin to address the issues that brought the participant into the specialized docket. The duration of this program will be 0-90 days.

Staff tasks and participant requirements for phase one (1) include the following:

- Meet with participant to review and complete the Participation Agreement/Rights Waiver and Release and Exchange of Confidential Information forms;
- Continue reviewing the Participant Handbook;
- Attend initial specialized docket status review hearing whereby the defendant and their attorney will review the participant agreement and sign the Journal Entry;
- Attend required status review hearings at a minimum of bi-weekly;
- Introduce the participant to the members of the treatment team: Forensic Team Leader/Drug Court Coordinator, probation officer, clinician(s), case manager(s) and any other team members;
- Familiarize the participant with the location of service providers and address any issues of transportation, ensure the participant has the physical ability to access services;
- Complete and review the participant's individualized treatment/recovery plan that is designed by and adhered to by participant;
- Establish how court obligations are met, such as developing payment schedules for fines, court costs, and victim restitution;
- Determine frequency of random alcohol and drug testing at a minimum of two times per week;
- Complete other assessments and inventories determined necessary by the treatment team;
- Referral for ancillary services (i.e. Medically Assisted Treatment, Housing, Peer Support, etc);
- Complete Medicaid Application and/or submit insurance documentation;

- Abstinence (Refrain from using drugs/alcohol) as supported by random drug screens; positive results and screens may result in a violation and incarceration or, as supported, in referral to high form of treatment (i.e. MAT, detox, rehab, etc.);
- Daily participation in recovery activities (i.e. formal treatment, 12 Step Program (AA, NA, Smart Recovery) and/or Peer Supports, Journaling, Faith based care, etc.);
- Potential stabilization on MAT (medically assisted treatment) if applicable; and
- Compliance with all conditions related to Drug Court, probation, treatment providers, and the laws.

### **Phase II:**

This phase continues stabilization of the participant and assures participant's daily compliance with the specialized docket program requirements. During this phase, the participant will continue to address the issues that brought them into the specialized docket as well as begin to develop skills, improve family relationships, and set employment, vocational, or educational goals. The duration of this phase is 0 -90 days.

Staff tasks and participant requirements for Phase two (2) include:

- Attend required status review hearings at a minimum of bi-weekly;
- Attend meetings with Forensic Team Leader/ Drug Court Coordinator, case manager, and probation officer;
- Abstinence (Refrain from using drugs/alcohol) as supported by random drug screens; positive results and screens may result in a violation and incarceration or, as supported, in referral to high form of treatment (i.e. MAT, detox, rehab, etc.)
- Daily participation in recovery activities and sober support (i.e. formal treatment, 12 Step Program (AA, NA, Smart Recovery) and/or Peer Supports, Journaling, Faith based care, etc.);
- Continued stabilization on MAT (medically assisted treatment) if applicable;
- Submit to alcohol and drug testing at a frequency determined by the treatment team;
- Identify long term goals;
- Develop plans for employment or educational opportunities;
- Engage participant with housing, educational, vocational, and employment opportunities;
- Cooperate with random home visits by probation officer, case manager and others;
- Abide by rules of the specialized docket/Drug court, probation, and the laws;
- Engage in motivation-building or stabilization interventions with case manager, probation officer and/or skill building group; and

- Continue to abide by rules of the specialized docket/ Drug Court, probation, treatment providers, and the laws.

### **Phase III:**

This phase is focused on developing self-sufficiency and maintaining abstinence. The participant will begin to utilize skills learned in treatment and programming, continue to improve family relationships; and begin to make long term employment, educational, or vocational plans. This phase is key as the participant puts into practice everything learned in the first two phases and will be able to demonstrate ongoing stability. The duration of this phase is very individualized and will be determined by the participant's progress toward treatment goals and length of sobriety.

*True "sustained recovery" is considered as lasting six months to three years.*

Staff tasks and participant requirements for Phase Three (3) include the following:

- Abstinence (Refrain from using drugs/alcohol) as supported by random drug screens; positive results and screens may result in a violation and incarceration or, as supported, in referral to high form of treatment (i.e. MAT, detox, rehab, etc.);
- Daily participation in recovery activities and sober support (i.e. formal treatment, 12 Step Program (AA, NA Smart Recovery) and/or Peer Supports, Journaling, Faith based care, etc.);
- Continue stabilization on MAT (medically assisted treatment) if applicable;
- Make referrals for other ancillary services not yet addressed;
- Attend required status review hearings;
- Continue to cooperate with random home visits by the probation officer, case manager, and others;
- Continue to attend meetings with coordinator, case manager, and probation officer;
- Continue to submit and provide negative results to alcohol and drug testing at frequency determined by the treatment team;
- Continue frequent and wide-ranging sober support community activities; and
- Continue to abide by rules of the specialized docket/Drug Court, probation, treatment providers, and the laws.

#### **Phase IV:**

The purpose of this phase is for those participants needing additional substance abuse monitoring and/or has probation obligations to be met.

Staff tasks and participant requirements for this phase include the following:

- Complete probation obligations;
- Abstinence (Refrain from using drugs/alcohol) as supported by random drug screens; positive results and screens may result in a violation and incarceration or, as supported, in referral to high form of treatment (i.e. MAT, detox, rehab, etc.);
- Identify long term goals with implementation strategy;
- Continue to improve family relationships;
- Attend required status review hearings;
- Continue to attend treatment or programming sessions and activities;
- Continue to cooperate with random home visits by probation officer, case manager, and others;
- Continue to attend meetings with coordinator, case manager, and probation officer;
- Continue to submit and provide negative results to alcohol and drug testing at frequency determined by the treatment team;
- Continue to abide by rules of the specialized docket/Drug Court program, probation, treatment providers, and the laws;
- Continue to participate in a sober support community;
- Obtain and maintain employment or consistently participate in other vocational activities; and
- Obtain/maintain stable housing.

#### **Long Term Recovery**

True Long-Term Recovery is considered to begin at three years. At five years, the participant is considered in “remission” of the illness.

## CHAPTER 5: TREATMENT TEAM

### Specific Roles and Responsibilities of Treatment Members

Each Drug Court Treatment Team (DCTT) member plays a specific and equally critical role in the administration of this specialized docket. **Specialized docket shall assure continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation, and operations.** Listed below are the DCTT members' roles and responsibilities. In addition to these core members, additional team supports are accessed on an as needed basis specific to the needs of the current drug court participants.

#### *Judge:*

- Has discretion to determine the admission into or termination from the Drug Court program in accordance with the written legal and clinical criteria for the specialized docket;
- Knowledgeable about treatment and programming methods, and limitations;
- Chair of the treatment team, attending all treatment team meetings;
- Decision-maker especially concerning incentives, sanctions, phase advancement, and successful completion or termination;
- Maintains contact and discusses progress with each participant at status review hearings.

#### *Forensic Team Leader/ Drug Court Coordinator:*

- Facilitates the specialized docket in accordance with the written program description;
- Assists with identifying potential participants;
- Conducts the eligibility screening;
- Assists the participant in all phases;
- Maintains the 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;
- Coordinates specialized docket team professional education;
- Meets with participants regularly to discuss individualized program goals and progress, while the participant is in the specialized docket;
- Assists the participant in the development, utilization and coordination of the individualized case plan;
- Facilitates treatment team meetings and status review hearings;
- Participates in any discussions regarding incentives, sanctions, phase advancement, successful completion, and termination;
- Monitors compliance with supervision plan;
- Conducts random alcohol and drug tests, and reports the results of tests to the treatment team;
- Monitors sanctions;
- Conducts field visits with participant at home, school, or other community locations;
- Informs the treatment team whether treatment plan, supervision plan, and court orders are followed;
- Advises treatment team of any specialized docket violations;
- Attends treatment team meetings, providing progress reports and recommendations to the treatment team; and
- Attends status review hearings.

***Probation Officer:***

- Assists with identifying potential participants;
- Conducts the legal eligibility screening;
- Assists the participant in all phases including the orientation phase;
- Meets with participants regularly to discuss individualized program goals and progress while the participant is in the specialized docket;
- Assists the participant in the development, utilization and coordination of the individualized case plan;
- Participates in any discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Monitors compliance with supervision plan;
- Conducts random alcohol and drug tests, and reports the results of tests to the treatment team;
- Monitors sanctions;
- Conducts field visits with participant at home, school, or other community locations;
- Informs the treatment team whether treatment plan, supervision plan, and court orders are followed;
- Advises of any specialized docket violations;
- During treatment team meetings, provides progress reports and recommendations to the treatment team and;
- Attends treatment meetings and status review hearings.

***Specialized Docket Licensed Treatment Providers:***

- Anyone providing treatment for the specialized docket must be appropriately licensed and/or trained to deliver services according to DSM Levels of Care or University of Cincinnati Evidence Based Curricula;
- Coordinates diagnostic assessments, clinical diagnosis, and develops and maintains the treatment plan in conjunction with the Forensic Team and maintains record of activities;
- Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests;
- 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.

***Prosecutor:***

The Hancock County Drug Court incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor in pursuing justice and protecting public safety and victims' rights.

The Hancock County Prosecutor, or designee, plays an adjunct role on the Drug Court Treatment Team (DCTT):

- Identifies potentially eligible clients for the specialized docket in accordance with the specialized docket written criteria; and
- Attends treatment team meetings and status review hearings at the request of the Judge.



**Defense Counsel:**

The Hancock County Drug Court incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the constitutional rights of the specialized docket participant. Defense counsel may attend treatment team meetings and status review hearings upon the participant's request. Defense counsel's role includes:

- Assists with decision-making regarding participation in the specialized docket;
- Explains to the participant what rights are waived by entering the program;
- Explains the possible sanctions that may be imposed;
- Explains the circumstances that may lead to termination;
- Explains the effect that termination from the specialized docket may have on the participant's case;
- Attends initial hearing to place participant in the Drug Court Program; and
- Attends the treatment team meeting and status review hearings at the request of the participant.

**Forensic Team Case Manager:**

- Meets with the participant on a regular basis;
- Supports the goals, objectives and interventions of the individualized case plan and specialized docket;
- Assists with concrete service needs, to include transportation, housing, education, employment, obtaining medical care, family issues, training, and applying for government assistance;
- Linking participants to other service agencies;
- Provides documentation on the participant's progress;
- Conducts random drug screens and monitors medication compliance;
- Attends appointments to provide assistance and advocacy;
- Attends treatment team meetings and status review hearings.
- During treatment team meetings, provides reports and recommendations to the treatment team; and
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.

**Specialized Docket File Maintenance**

The Specialty Court's office shall maintain the Hancock County Common Pleas Drug Court files. The files are to be stored in a locked filing cabinet in a secure area so that only the Treatment Team staff members have access to the files. Files shall contain , at minimum, the signed Releases of Information, the *Participation Agreement/ Rights Waiver*, treatment plan, weekly status reports, and journal entries issued by the Court.

## **CHAPTER 6: TREATMENT TEAM MEETINGS AND STATUS REVIEW HEARINGS**

The Drug Court Treatment Team (DCTT) monitors each participant's performance and progress through bi-weekly treatment team meetings and bi-weekly Status Review Hearings with the Drug Court Judge. There will be ongoing communication among the treatment team members, including frequent exchanges of timely and accurate information about the participant's overall performance. Treatment team meetings are held every Tuesday at 1:00 p.m. with the status review hearings occurring immediately thereafter. The participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended, and R.C. 2151.421 and 2152.99

### **Status Review Hearings**

The Hancock County Drug Court incorporates on-going judicial interaction with each participant. The frequency and content of this interaction is based on the individualized case plan, phase of each participant, and the participant's compliance.

- Participants in phase one of Drug Court are appearing before the Judge at minimum bi-weekly,(at least twice monthly) with pointed discussion as to accountability and expectations. Frequent status review hearings establish and reinforce the specialized docket policies and ensure effective and efficient supervision of the participant.
- Phase two focuses on supporting the treatment objectives and ensuring compliance and sobriety. Participants report either bi-weekly or regularly as determined by the Treatment Team, at least monthly dependent on individualized issues.
- Participants in phase three are interacting with the Judge regularly as determined by the Treatment Team, at least monthly, with the intent of maintaining and supporting positive lifestyle changes and aftercare activities.
- Participants in phase four are interacting with the Judge regularly as determined by the Treatment Team, at least monthly, with the intent of maintaining and supporting positive lifestyle changes and aftercare activities.
- Upon graduation from the Drug Court participants no longer report for drug court status review hearings, yet are still able to receive support and guidance from the Drug Court Treatment Team. This transition element of the Drug Court program seeks to increase autonomy while still keeping former participants under the support of their recovery services.

### **Summary of Treatment**

Drug Court participants will participate in the development of a treatment plan based on their individual needs, and all services provided incorporate evidenced-based strategies. Consistent with the principles of evidenced-based best practice, the treatment plans shall incorporate the following requirements:

- Treatment plans take into consideration services that are gender responsive, culturally appropriate, and effectively address co-occurring disorders;
- Treatment groups will be separated by risk and gender;
- Provide services, including case plans, that are appropriate and clinically necessary to the degree that available resources allow;
- Drug Court participants have prompt access to a continuum of approved treatment and rehabilitation services (ASAM Levels of Care);
- The Drug Court treatment provider maintains a current treatment plan and a record of activities. Treatment plans continue to develop throughout program participation to reflect the participant's

changing needs based on program progress. The treatment provider shares current treatment plans with the Treatment Team;

- All treatment and programming is provided by appropriately licensed and trained programs or persons to deliver such services according to the standards of their profession.
- Attendance to all treatment activities is mandatory. If participant is unable to attend an appointment or group session they are expected to contact their case manager or group facilitator prior to the activity. Three (3) absences are permitted before the participant is determined non-compliant. If they are determined non-compliant, a report will be submitted to their Probation Officer.

### Agencies and Services for Drug Court Participants

<b>Agency</b>	<b>Service(s) Provided</b>
<b>Century Health, Inc. 419-425-5050</b>	Assessment, Registration/Intake, Treatment Plan Development, Case Management Services, Outpatient Services, Residential Treatment Program (Male and Female), Transitional Living Facility, Drug Testing, Relapse Prevention Planning and Support, Aftercare Planning and Support, Medication-Assisted Treatment, Peer Support, Supportive and Independent Housing.  Mental Health Assessment and Treatment (individual and group), Psychiatric Assessment and Treatment, Medication Monitoring, Co-occurring Disorder Treatment, SAMI Group, Coordinated Case Management Services, Supportive Housing, Transitional Living.
<b>A Renewed Mind 419-422-7800</b>	Case Management Services, Medically Assisted Treatment, Outpatient Services (Group and Individual), sober support network.
<b>Choices 419-422-7767</b>	Case Management Services, Medically Assisted Treatment, Intensive Outpatient Treatment (Group and Individual), sober support network.

## CHAPTER 7: SANCTIONS AND INCENTIVES

An individualized, progressive and timely system of program incentives and sanctions are a critical element to the Drug Court Program. While violations will be addressed swiftly to ensure a high level of accountability, it is also crucial to recognize and incentivize program and personal successes.

### *Incentives*

Incentives are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained. Incentives are also tracked to ensure that the participant is rewarded on a progressive basis. Incentives are issued on an immediate, graduated and individualized basis to ensure maximum benefit of positive reinforcement of program compliance.

#### **The following are examples of behaviors that may result in earning an incentive:**

- Attending required court appearances;
- Attending required treatment appointments;
- Maintaining productive contact with case manager;
- Reaching individual treatment objectives;
- Refraining from alcohol and drugs, as evidenced by negative results;
- Engaging in vocational or educational activities;
- Has maintained active membership in a sober support group and helped others obtain sponsors;
- Securing stable housing;
- Advancing in specialized docket phases; and
- Accomplishing any other milestone identified by the team.

#### **The following are examples of incentives that may be offered:**

- Encouragement and praise from the judge;
- Applause;
- Ceremonies and tokens of progress, including advancement in specialized docket phases;
- Drug Court Bracelets for 30 days of sobriety;
- Reducing supervision contacts;
- Decreasing frequency of court appearances;
- Reducing fines and fees;
- Increasing or expanding privileges;
- Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- Gifts of inspirational items, including books, pictures, and framed quotes;
- Assistance with purchasing clothing for job interviews;
- Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- Dismissing criminal charges or reducing the term of probation;
- Reducing or suspending jail, prison, or detention days;
- Graduating from the specialized docket; or
- Any other reward deemed appropriate by each Officer/Supervisor.

**\*Incentives should be given at a 4:1 ratio (4 rewards for every 1 sanction)**

## **Sanctions**

Likewise, it is imperative that program noncompliance is addressed and sanctioned swiftly to ensure high levels of accountability and responsiveness. Immediate, graduated, and individualized sanctions govern the Drug Court's responses to the participant's non-compliance. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner based on the infraction. Sanctions are issued when there is non-compliance with both program protocol and/or the treatment plan. Immediate sanctions are a deterrent to negative behavior, as well as serving the intent to encourage future compliance. Violations of program protocol and/or treatment plan shall be immediately communicated with the supervising officer, chief probation officer, and/or the judge.

### **The following are common infractions that may result in an immediate sanction:**

- Failure to attend court appearances and treatment appointments;
  - Attendance to all treatment activities is mandatory. If a participant is unable to attend an appointment or group session, the participant is expected to contact their case manager or group facilitator prior to the activity. Three (3) absences are permitted before a participant is determined non-compliant. If a person is determined non-compliant, a report will be submitted to the participant's Probation Officer.
- Failure to follow Drug Court rules and rules of community control;
- Failure to keep scheduled appointments with the probation officer, case manager, or any other team member;
- Non-compliance with other requirements of the treatment plan;
- Non-compliance with random alcohol and drug screens or testing positive for alcohol and drugs;
- Failure to improve troublesome behaviors;
- Failure to meet employment or vocational goals as determined by the treatment team; and
- Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.

### **The following are a continuum of sanctions for noncompliance:**

- Warnings from the judge;
- Demotion to an earlier specialized docket phase;
- Increasing frequency of alcohol and drug testing;
- Increasing court appearances;
- Refusing specific requests, such as permission to travel;
- Denying additional or expanded privileges or rescinding privileges previously granted;
- Increasing supervision contacts and monitoring;
- Curfew adjustment;
- Individualized sanctions such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- Imposition of suspended fines and costs;
- Requiring community service or work programs;
- Electronic monitoring;
- Jail time;
- Filing of community control or probation violation; and
- Termination from the specialized docket.

Sanctions shall be imposed by the Court as a result of non-compliance or a rule violation by the participant. Sanctions are immediate and may range in severity depending on the seriousness of the participant's non-compliance or rule violation. The supervising Drug Court Team members communicate to the participant the potential responses to program compliance and non-compliance on an on-going basis. In addition, the Drug Court Judge provides the summary of these responses to the participants in the bi-weekly drug court status review hearings.

## **CHAPTER 8: PROGRAM COMPLETION**

### **Criteria for Successful Completion**

Successful completion criteria are the guidelines used to identify how Drug Court participants can successfully complete the program. While program completion is based on a relatively standard set of expectations, each case is assessed individually and the Judge makes the final determination of successful completion.

**In general, the following indicate positive accomplishments to be considered for successful completion (graduation):**

- Demonstrated period of abstinence from alcohol and drugs;
  - Evidenced by submitting negative screens for a minimum of ninety (90) day period prior to graduation.
- Active member in a sober support group and helping others obtain sponsors;
- Displays a change in thinking, attitude, and beliefs;
- Successfully completed treatment and programming and all other specialized docket/Drug Court requirements;
- Maintaining consistent employment if applicable;
- Demonstrates ability to identify and eliminate criminal thinking patterns;
- Paid in full fines, court costs, restitution (if applicable), and treatment costs (inability to pay costs in full does not necessarily prevent successful completion of participants);
- Relapse prevention plan established;
- Completed vocational or educational plan;
- Displays responsibility for his or her behavior;
- Improved family relationships;
- Improved personal and physical health; and
- Demonstrates stability in the community (citizenship).

**\*Participants may graduate from the specialized docket/Drug Court but be continued on probation supervision for unmet court obligations (i.e. financial sanctions, community service, etc.).**

*The Judge has discretion to determine when the participant will successfully complete the program.*

**In general, the process for determining when a participant has successfully completed the program includes the following steps:**

1. **Nomination:** The participant and a member of the treatment team offers a nomination of the participant for successful completion. The following highlights how the participant is nominated for successful completion;
2. **Treatment Team Review:** The treatment team conducts a review of compliant behavior and accomplishments, to include drug testing results, violations/sanctions, incentives, treatment compliance and aftercare activities;
3. **Treatment Team Recommendation:** The treatment team then makes a formal recommendation to the Drug Court Judge;
4. **Judicial Decision:** The Judge determines that the participant successfully completed the Drug Court program;
5. **Graduation Ceremony:** Each graduate has a formal graduation ceremony in which the graduate is presented with a certificate of completion and addressed by the treatment team and participants. The Drug Court Judge makes a formal statement indicating the accomplishments of the graduate, thus reinforcing expectations for other participants;
6. **Aftercare Components:** The participant will then continue to engage in the established recovery community;
7. **Final Disposition:** Dependent on case type, the underlying case is closed. The case will be continued on probation supervision if the participant has unmet court obligations (i.e. financial sanctions, community service, etc.).

By the time the participant graduates, they have successfully and faithfully adhered to treatment and programming requirements. The participant may have also have stabilized life by obtaining permanent housing, maintaining employment, or regularly participating in other vocational activities. Demonstrate maintenance of a functional support system and avoiding additional involvement with the criminal justice system.

### **Termination Classifications**

There are three types of termination criteria, unsuccessful, inactive, and neutral discharge. These criteria have been developed by the Drug Court Treatment Team. The Drug Court Judge has ultimate discretion in determining termination from the specialized docket.

#### ***Unsuccessful termination***

The following are examples of unsuccessful termination reasons:

- On-going noncompliance with treatment or resistance to treatment;
- New serious criminal convictions;
- A serious specialized docket infraction or series of infractions; and
- A serious community control violation or series of violations.

In the event of an unsuccessful discharge, the following may occur:

- Loss of future eligibility for the specialized docket;
- Further legal action including revocation of intervention in lieu of conviction, probation or parole (community control) violation; and
- Depending on the circumstances, jail and other penalties for the participant.

### ***Inactive Status***

There may be circumstances that necessitate a participant being placed in “Inactive Status” whereby they are not formally discharged from the program, yet are not actively participating. Examples of situations warranting this status include participants who are:

- Placed in a residential facility and cannot be transported for status review hearings;
- Charged with new crimes pending adjudication and/or a final disposition for sentencing;
- In need of further assessments or evaluations to determine if the Drug Court is beneficial to the participant and the program;
- Have an outstanding warrant for non-compliance from the specialized docket and the issue has not been resolved; or
- Incarcerated on other charges or non-compliance (i.e. child support, etc.)

### ***Neutral Discharge***

There may be circumstances in which the participant is discharged from the Drug Court through a Neutral Discharge status. This status is assessed in situations where the participant has reached maximum benefit for various possible reasons:

- A serious medical condition;
- Cognitive impairment;
- Serious mental health condition;
- Other factor that may keep the participant from meeting the requirements for successful completion;  
or
- Death.