

WHAT MAKES A PERSON ELIGIBLE FOR THE DRUG COURT PROGRAM?

A person who is interested in the Drug Court Program is looked at for both legal and social factors to determine if they may be admitted. These factors include the current charge(s), criminal history, adjustment to prior supervision, circumstances of offense, outstanding warrants, and any previous drug court participation. Other factors looked at are family history, health conditions, motivation and willingness to participate. Admission to the program is on a first come, first served basis and is without regard to the race, national origin, age, gender, or sexual orientation of an applicant.

HOW DOES A PERSON APPLY FOR DRUG COURT?

A person who is interested in participating in the Drug Court Program must submit through his/her attorney, an application to the Trumbull County Prosecutor or the Court. There is no legal right to participate in the Drug Court Program and the decision of the prosecutor and the drug court treatment team regarding admissions is final. The drug court judge has the discretion to decide admission to the drug court program in accordance with the written eligibility criteria of the drug court program. However, written legal and clinical eligibility and termination criteria do not create a right to participate in the drug court program

WHAT HAPPENS NOW THAT I HAVE BEEN ACCEPTED INTO DRUG COURT?

If you are accepted into the Drug Court Program as a post-conviction applicant, you will plead guilty to the charge(s) and be sentenced to the Drug Court Program. You may also be ordered by the Court to successfully complete the program as a result of a community control violation.

HOW LONG WILL I BE IN THE DRUG COURT PROGRAM?

The Drug Court program is divided into phases that together take approximately eighteen (18) months, but no less than twelve (12) months to complete. Drug screen results must be negative for six (6) months in order to graduate. Progress in treatment affects the amount of time spent in a phase. The actual treatment plan and time in each phase of the program is determined

for each participant by the drug court team. Graduates have the opportunity to help others still in the program.

WHAT HAPPENS IF I DON'T COMPLETE THE PROGRAM?

If you are unsuccessfully terminated from the program for your failure to comply with the terms and conditions of the program, a complaint for a violation of community control will be filed and the matter will be set for a violation hearing. Should the Court determined that you violated the terms of community control for being terminated from the program, then you will be sentenced to the usual sanctions allowable under the law for the offense(s). Should the Court determine that you were unable to complete the program due to a serious mental medical or mental health condition, you will be discharged from community control.

WHAT ARE THE TERMS AND CONDITIONS OF THE DRUG COURT PROGRAM?

As a participant, you agree to enter into and complete inpatient and or/outpatient substance abuse treatment and counseling, including any aftercare requirements, and to pay the treatment provider for costs not paid by government sources. You further agree to report as scheduled for treatment and to participate in all activities of the treatment program, which may include any or all of the following:

A. Preliminary Assessment- Prior to the official drug court entry hearing, you will be required to undergo a complete substance abuse assessment at Community Solutions Treatment Services which will determine the level of treatment required, either Intensive Outpatient (IOP) or community based corrections (NEOCAP). You will be encouraged to attend AA/NA support meetings.

B. Intensive Outpatient (IOP)

Phase I: Sixteen (16) - Twenty Four (24) weeks:
Three days each week
Drug Court Status Hearing: Tuesday 2:00 – 3:30pm
A minimum of three (3) AA/NA meeting per week
Random drug screens

Phase II: Sixteen (16) – Twenty Four (24) weeks
One (1) day each week

Drug Court Status Hearing: Tuesday 2:00 – 3:30pm
A minimum of three (3) AA/NA meetings per week
Random drug screens

Continuing Care: Participants who have completed Phase I and Phase II will attend individual sessions and remain engaged in support meetings.
Random drug screens

C. NEOCAP Referral The Court may, if necessary, refer you to the Northeast Ohio Community Alternative Program (NEOCAP), a community based corrections facility program located in Warren, Ohio for treatment for a period of up to six (6) months.

There are three phase levels that residents progress through during the four to six-month program. They are as follows: (1) Orientation-Red Phase: (Entry—approximately 30 days) the focus is in completing an accurate assessment, increasing the resident’s motivation to treatment, and familiarizing the resident with the cognitive behavioral treatment modality. During this phase the resident’s movement is restricted to the facility with the only exception being a medical emergency. (2) Middle-yellow Phase: (Approximately 30 days—90days) the focus is on treatment groups, limited community work service and limited movement into the community to attend program approved activities. (3) Reintegration-Green Phase: (Approximately 90 days—release) the focus is on completing all case plan goals and objectives and making all final arrangements for a successful reintegration. Some activities during this phase include but are not limited to: obtaining employment, securing housing, and attending community support group meetings (AA/NA).

Each resident is given a variety of assessments in order to develop an individualized treatment plan. This plan is created to address such issues as mental health, substance abuse, attitude and orientation, employment/vocational training, education, and housing. The resident participates in an intensive cognitive behavioral curriculum that has proven to be effective in addressing criminal behavior. The goal is to

reduce the likelihood of relapsing or reoffending. Residents move through the curriculum by meeting their individualized program goals. As they progress, the residents gradually reintegrate into their communities. Residents must demonstrate appropriate behavior by obtaining and maintaining employment (if appropriate), attending support group meetings, and becoming pro-social members of their communities.

The resident is assigned a Case Manager, who assists him/her in developing a treatment plan with goals and objectives to address the identified criminogenic factors. The resident immediately starts to address the goals and objectives in his/her treatment plan. Goals that cannot be obtained within the four (4) to six (6) months of residency will become a part of the resident's release plans, which are forwarded to the probation department. The probation officers enforce, monitor, and supervise compliance with the release plan.

Groups are developed to be comprehensive in nature and address the total range of the resident's criminogenic needs. Each of the groups address major criminogenic areas and use curriculums that are evidence-based and proven to reduce criminal behavior in the adult resident population. Cognitive-behavioral methods are applied in all group activities.

HOW WILL I BE MONITORED FOR SUBSTANCE ABUSE?

Every participant is required to submit to random, frequent, and observed alcohol and drug screens. You must be required to submit to testing by Community Solutions, probation department or the Judge on the day of a status hearing. All testing results will be shared with the judge and the other members of the treatment team. Alcohol and drug testing plans are individualized. A participant who test positive at intake will serve as a baseline test and any relapses will follow a sanction and treatment recommendations by the drug court judge. Testing positive will result in a sanction.

You will be tested with an instant urinalysis drug screen. It is your responsibility to travel to the testing location during the hours indicated for your testing. You will be

expected to arrive at the testing location to produce a sample in a certain period of time. If you fail to produce the sample during that time, it will be the same as a positive test and sanctioned. If you do not provide a urine sample when requested, it will be the same as a positive test and an immediate sanctioned. A diluted sample is considered a positive test and will be an immediate sanctioned. If you tamper or adulterate your urine sample, it will be considered a positive test and you will be immediately sanctioned. If you test positive and wish to have your sample retested for confirmation you may request a confirmation test. If your test is positive you will be sanctioned and responsible for the testing fee.

WHAT IF I TAKE DOCTOR PRESCRIBED MEDICATIONS?

If your doctor gives you a prescription, you must:

- Inform the doctor of your participation in a drug rehabilitation program..
- Provide a copy of your prescription to your Probation Officer. You will also need to have your doctor use the sample letter confirming your prescription.
- Sign a release for the Probation Officer to communicate with your doctor about the prescription.
- It is your responsibility to register any medication prescription or over the counter medicine with the Drug Court Probation Officer. If you register medication, take it for a while, stop, and then start taking it again, you must register that medication again. If you take medication long-term, you must re-register your medication every 30 days.
- You may not take over-the-counter medications that contain ephedrine, psuedoephedrine, or phenylopropanolamine. Examples of these medications are Sudafed, Nyquil, Sine-off, and Allerest.

Over-the Counter Medications

There will be times when Over-the –Counter (OTC) medications can be used to provide relief for various symptoms that are not severe enough to require medical attention. It is important to pay very close attention to what OTC drugs you are ingesting for two important reasons: 1) it is possible for certain OTC drugs (such as those that cause drowsiness) to reawaken the phenomenon of craving, and 2) some OTC medications will result in a false positive urine drug screen.

WHAT ARE TREATMENT TEAM MEETINGS?

The Drug Court Treatment Team and the Judge use a team approach. The treatment team meetings are held every Tuesday afternoon prior to the status hearings. The treatment team consists of representatives of the Community Solutions, NEOCAP, probation, the prosecutor’s office and the public defender’s office. The purpose of the team approach is to have all members work together to assist participants to become successful. Each participant’s progress is discussed at every team meeting. You have the right to request that your defense counsel attend the portion of the treatment team meeting concerning you.

WHAT ARE STATUS HEARINGS?

While in the Drug Court Program, each participant is required to comply with all required appearances at status hearings.

- Drug Court begins at 2:30 p.m. every Tuesday. Judge Logan's Court is located on the third floor of the Trumbull County Courthouse, but the location may be changed on a daily basis. ALWAYS ARRIVE ON TIME! NEVER ARRIVE DRUNK OR HIGH!
- No cell phones are permitted in the courtroom. When you appear before the Judge, it is extremely important to be open and honest ----- NEVER LIE!
- When you appear before the Judge, he will review any activity or developments, ask you question’s, and provide incentives or issue sanctions as appropriate. You will be expected to converse with the Judge.

- Always follow the rules of the Treatment agency you are enrolled in, and always arrive on time for scheduled appointments. Repeated tardiness may result in a sanction.
- Never leave the Court without permission.
- Never threaten, harass, or use violence against any other person.
- Feel free to bring family, friends, or your sponsor to Court with you on Tuesday's. Emotional support is important to your recovery. However, children and babies are a distraction and not permitted in the courtroom while drug court is in session without prior approval.

WHAT ARE THE PROGRAM PHASES?

Orientation Phase

The orientation Phase occurs during occurs during the eligibility screening and assessment process. During this phase you will be expected to do the following:

- Meet as instructed with a Community Solutions licensed drug and alcohol evaluator to undergo a complete substance abuse assessment.
- Sign any necessary releases of information.
- Become familiar with the location of the service providers and address any issues of transportation and /or employment.
- Review the participant handbook and the participation agreement with your defense counsel.

You should discuss any questions you have regarding your eligibility and desired participation in the Drug Court program with your defense counsel.

Phase I

In order to meet the obligations of Phase I you will be required to:

- Required to Attend weekly(1 time per week) status review hearings;
- Attend all treatment sessions, including required AA/NA meetings;

- Submit to random alcohol and drug testing;
- Attend all required meetings with the probation department;
- Cooperate with random home visits by the probation department;
- Engage in sober community support activities;
- Remain law abiding

Movement through this Phase is based upon your compliance and progress.

Phase II

In order to meet the obligations of Phase II you will be required to:

- Required to Attend bi-weekly(2 times per month) status review hearings;
- Continue all treatment sessions, including required AA/NA meetings;
- Continue to submit to random alcohol and drug testing;
- Continue to attend all required meetings with the probation department;
- Continue to cooperate with random home visits by the probation department;
- Continue to engage in sober community support activities;
- Follow through on housing, educational, vocational, and employment referrals;
- Remain law abiding

Movement through this Phase is based upon your compliance and progress.

Phase III

In order to meet the obligations of Phase III you will be required to:

- Required to Attend tri-weekly(approxiamately1 time per month) status review hearings;
- Continue all treatment sessions, including required AA/NA meetings;
- Continue to submit to random alcohol and drug testing;
- Continue to attend all required meetings with the probation department;
- Continue to cooperate with random home visits by the probation department;
- Continue to engage in sober community support activities;
- Obtain and maintain stable housing;
- Obtain and maintain employment or consistently participate in other vocational activities;

- Remain law abiding

Movement through this Phase is based upon your compliance and progress.

Graduation

Graduation from the Drug court Program will occur after you have successfully completed all of the phases. In order to graduate you will have to demonstrate the following compliant behavior and accomplishments:

- Demonstrated abstinence from alcohol and drugs as evidenced by submitting negative screens for a minimum of ninety (90) days prior to graduation;
- Successfully completed treatment and regularly attended AA/NA meetings;
- Demonstrated stability in the community;
- Displayed responsibility for your behavior, and a change in thinking and attitude;
- Paid in full restitution, fines, and court costs, unless otherwise determined.

The Judge has the discretion to determine when you will graduate.

WHAT ARE THE INCENTIVES USED IN THE DRUG COURT PROGRAM?

The goal is to encourage success and discourage failure. With that objective, the Drug Court Program uses incentives as an important component in making lasting changes in behavior. Incentives demonstrate acknowledgment of the difficult changes participants are making in their lives. Positive changes and compliance with Drug Court requirements will be rewarded. Some of the positive changes and behaviors that may be rewarded include, but are not limited to:

- Attending all meetings
- Attending all treatment sessions and AA/NA meetings;
- Attending all appointments with the probation department;
- Abstaining from alcohol and drugs, as evidenced by negative test results;
- Engaging in vocational or educational activities;
- Securing stable housing;

- Advancing in the Drug Court Program Phases;
- Accomplishing any other milestone identified by the treatment team.

The Judge uses incentives on a case-by-case basis. The Judge will dispense incentives as your status and conduct indicate. The Judge will determine the type of incentives received based upon your performance and compliance with program requirements. There are many type of incentives available that may include, but not limited to:

- Encouraging and praise from the Judge;
- Advancement of Drug Court Phases;
- Decreasing court appearances and supervision contacts;
- Rocket docket;
- Reducing fees;
- Dismissing criminal charges;
- Graduation from the Drug Court Program.

WHAT ARE THE SANCTIONS USED IN THE DRUG COURT PROGRAM?

Just as it is important to recognize progress, it is also important to respond swiftly to problems and noncompliant behavior. By imposing sanctions, participants who are not compliant with the requirements of the phases will learn that there are consequences for their behavior. The objective is not only to reprimand noncompliance, but to engage and encourage participants to continue working through the recovery and treatment process. Sanctions are issued according the seriousness of a violation. Serious violations could result in termination from the program. Sanctions are used on a case-by-case basis by the Judge if you fail to comply with Drug Court Program requirements. These requirements include, but are not limited to:

- Failure to attend status hearings;
- Failure to attend treatment appointments, including AA/NA meetings;
- Failure to keep scheduled appointments with the probation department;
- Noncompliance with random alcohol and drug screens or testing positive for alcohol and or drugs;

- Noncompliance with any of the requirements of the Drug Court Program Phases;
- Failure to improve troublesome behaviors.

Graduated sanctions are used to address noncompliance behaviors. Sanctions may include, but are not limited to:

- Warnings and admonishments from the Judge;
- Community service work;
- Individualized sanctions such as writing essays or reading books;
- Demotion to an earlier Program Phase;
- Increasing frequency of alcohol and drug testing;
- Increasing frequency of court appearances;
- Increasing supervision contacts;
- Jail;
- Electronically monitored house arrest;
- Termination from the Drug Court Program.

Please remember that sanctions are not only used as a form of consequences for inappropriate choices, but also a way to re-evaluate your commitment to sobriety and to complete the Drug Court Program.

Trumbull County Drug Court Treatment Team Roles and Responsibilities

Judge:

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

Probation Officer:

Monitors compliance with supervision plan; Conducts alcohol and drugs screens; Monitors compliance with any sanctions; Attends treatment team meetings and status review hearings;

Participates in discussions about incentives, sanctions, phases advancement, successful completion, and termination

Treatment Provider:

The participant's therapist or counselor; Conducts an assessment to evaluate needed services; Develops an assessment to evaluate needed services; Develops an individualized service plan; Conducts random drug screens; Attends the status review hearings

Prosecutor:

Provides input concerning acceptance into the specialized docket program; Attends treatment team meetings and status review hearings; Makes recommendation concerned incentives, sanctions, phase advancement successful completion, and termination

Defense Counsel:

Explains to the participant what rights are waived by entering the program; Explains possible sanctions that may be imposed; Explains the circumstances that lead to termination; Assists with decision-making regarding participation in the drug court

Drug Court Coordinator:

Maintains the daily operations of the specialized docket; Meets with any potential participant upon referral; Attends treatment teams meetings and status review hearings: Participates in any discussions regarding incentives, sanctions, phase advancement, successful completion, and termination: Coordinates random alcohol and drug screens and monitors compliance with any sanctions

ARE THE DRUG COURT FILES CONFIDENTIAL?

The files of all drug court participants are confidential and kept in a locked file cabinet, secured in the office of the Drug Court Coordinator. No person other than a member of the treatment team has access to these files.

