

**IN THE COURT OF COMMON PLEAS
ASHTABULA COUNTY, OHIO**

STATE OF OHIO,

CASE NO. _____

PLAINTIFF

VS.

JUDGE THOMAS E. HARRIS

JUDGE MARIANNE SEZON

DRUG COURT PARTICIPATION
AGREEMENT

DEFENDANT

Diversion *Post-Conviction*

The undersigned defendant (hereinafter referred to as “participant”) requests that he/she be placed into the Ashtabula County Court of Common Pleas Drug Court Program as part of a community control sentence or a diversion program. The participant acknowledges that he/she has received a copy of the Participant Handbook and has consulted with his/her attorney regarding the legal ramifications of entering into the Drug Court Program. The detailed requirements and process of the Drug Court Program are set forth below.

Pursuant to Local Rule 2020 MD 188, once the participant has been ordered to complete the Drug Court Program, his/her case shall be transferred to the Drug Court Docket. The Drug Court Judge has the authority to sanction the participant while he/she participates in the Drug Court Program. However, the case shall be returned to the original Judge for final disposition.

Terms and Conditions of Drug Court Program:

1. The participant understands that by entering into the Drug Court Program that he/she will be subject to more intensive standards of supervision than a person on probation, and is waiving certain rights to which he/she might otherwise be entitled:

- A. Waiver of the right to freely associate with other persons, who, in the sole discretion of the Court, interfere with or impede the recovery of the participant; and
- B. Waiver of the right against unlawful search and seizure; the participant agrees to a search, without warrant and without probable cause, of his/her person, including cell phones, computer, lap top, notepad, tablet and any other electronic device, motor vehicle, or place of residence by a supervising officer or other authorized representative of the Court at any time;

C. Participants retain the right to request the attendance of defense counsel during the portion of a treatment team meeting in which their participation is discussed.

2. The participant agrees 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 resources. The participant agrees 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 program entry hearing, the participant agrees to undergo a risk assessment and investigation with the Ashtabula County Probation Department, a substance abuse assessment at the Lake Area Recovery Center and a mental health assessment at Community Counseling Center and/or Signature Health which will determine the level of treatment required. The participant shall complete a release of information for communication about confidential information, participation/progress in treatment, and compliance with the provisions of the “Health Insurance Portability and Accountability Act of 1996”, 42 U.S.C.300gg-41, as amended, and Sections 2151.421 and 2152.99 of Ohio Revised Code and 42 CFR.

B. Intensive Outpatient Program

- 16 weeks; 3 days weekly (Monday, Wednesday, Friday) from 4:00 p.m. to 7:00 p.m.
- One individual session required (days and times may vary depending on participant responsibility/schedule)
- A minimum of three Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

Non-Intensive Outpatient

C. Motivational Enhancement

- 4 weeks; 3 days weekly (Monday, Wednesday and Friday) from 10:00 a.m. to 1:00 p.m.
- Individual session based on need/responsibility
- Introduction to outside self-help groups or a minimum of three Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

D. MIND Group

- 12 weeks; 2 days weekly (Tuesday and Thursday) from 5:30 p.m. to 7:00 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

E. Aggression Replacement Therapy (ART)

- 10 weeks; 3 days weekly (Monday, Wednesday, Friday) from 4:00 p.m. to 5:00 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

F. SAFE

- 12 weeks; 2 days weekly (Monday and Wednesday-Males) (Tuesday and Thursday-Females) from 4:00 p.m. to 5:30 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

G. Thinking for a Change

- 12 weeks; 2 days weekly (Monday and Thursday) from 1:30 p.m. to 3:00 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

H. IPV

- 13 weeks; 2 days weekly (Tuesday and Thursday) from 8:30 a.m. to 10:00 a.m. for males and 12:00 p.m. to 1:30 p.m. for females
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

I. Partial Hospitalization Program (PHP)

- 4 weeks; 5 days weekly (Monday through Friday) from 9:00 a.m. to 1:00 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of three Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

J. Relapse Prevention

- 12 weeks; 2 day weekly (Tuesday and Thursday) from 4:00 p.m. to 5:30 p.m.
- One individual session (day and times may vary depending on participant responsivity/schedule)
- A minimum of four Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

K. MORE

- 12 weeks; 2 days weekly (Monday and Wednesday) from 4:00 p.m. to 5:30 p.m.
- One individual session required (days and times may vary depending on participant responsivity/schedule)
- A minimum of one Court approved self-help recovery program meetings per week (i.e. NA/AA, SMART, NAMI, or other evidence based programs)

L. Medication Assisted Treatment

- In appropriate cases the Drug Court works with Community Counseling Center, Signature Health and Lake Area Recovery Center to provide Medically Assisted Treatment (MAT) (i.e. Suboxone, Subutex, Vivitrol, etc.) and Lake Area Recovery Center for Vivitrol.

M. Mental Health

- When a participant completes a mental health assessment and are referred for services they are able to attend Community Counseling Center and/or Signature Health and receive services that can include psychiatry, individual therapy, case management and/or supported employment.

Residential Treatment

N. NEOCAP (NorthEast Ohio Community Alternative Program)

- The Court may, if necessary, refer the participant to the Northeast Ohio Community Alternative Program, a community based corrections facility program located in Warren, Ohio, for treatment for a period of up to six (6) months.
- There are four phase levels that residents progress through during the four to six month program. They are: *Phase 1* (Orientation) for approximately the first 30 days of residency. The focus during Phase 1 is on completing an accurate assessment of the resident's needs and using that assessment to build a comprehensive case plan. Additionally, the focus is on enhancing the resident's motivation for treatment and familiarizing the resident with the cognitive behavioral treatment modality. During Phase 1, the resident's movement is restricted to the facility with the only exception being a medical emergency. *Phase 2* of the program is earned through appropriate effort and overall good behavior and lasts for approximately 30 days. *Phase 3* is earned through consistent good behavior and effort and also lasts approximately 30 days. During phases 2 and 3 of the program, the resident spends the majority of the time attending treatment groups and movement in the community is limited to program related activities and community service projects. *Phase 4* of the program is also earned through consistent, good overall effort in the program and is the time in which the resident works to prepare for successful reintegration back into his/her home community. Some activities during this phase include, but are not limited to: obtaining employment, participating in work release, securing housing, attending community support group meetings (AA/NA) and spending time with family on approved leave passes that must be earned through good behavior.
- 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 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

N. NEOCAP (NorthEast Ohio Community Alternative Program)(continued)

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 plan, which is 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 group addresses major criminogenic areas and uses curricula that are evidence-based and proven to reduce criminal behavior in the adult resident population. Cognitive-behavioral methods are applied in all group activities.

O. Turning Point (Males) or New Beginnings (Females)

- If the participant meets the criteria for non-medical residential treatment, the participant will be admitted into the residential turning point for a minimum of ninety (90) days. The staff will monitor random drug screens as well as provide transportation to drug court status hearings. If the participant is a pregnant woman using opiates, prior to admission the staff will coordinate the drug and alcohol treatment with a provider of partial agonist therapy. These high-risk pregnancies receive intensive case management support.

P. Turning Point 3.1 (Males)

- 3.1 level of care allows participant the ability to reside at a residential treatment program to receive counseling and other treatment-related services while also being afforded the opportunity to either work a full-time or part-time job, start or continue college or vocational training classes. Participants will receive assistance securing applicable public benefits, local resources needed, obtaining housing following discharge of program and aid into looking for employment or educational resources. Participants will be encouraged to further develop strategies, plans and support systems to prevent or respond to reoccurrence of use. While in 3.1 level treatment, participants will be required to be at the building when not at a scheduled appointment, at work, or in class. Participants will be allowed to attend outside self-help meetings with sponsors and will be allowed visitation and home passes on the weekends. All participants will be subject to random drug screening and breathalyzer equipment will be used with participants returning to the building.

Q. Compliance Testing

- The participant agrees to submit to random, frequent, and observed alcohol and drug screens. The participant is required to contact a drug testing automated system Sunday through Sunday between 5:00 a.m. to 5:00 p.m. to find out if he/she is required to submit a urine screen from 8:30 a.m. to 7:00 p.m. that day. The participant is also required to submit to testing if requested by treatment, the probation department, or the Judges. If participant fails to call-in they need to notify the Drug Court Probation Officer and submit a drug screen that day before 7:00 p.m. All testing results will be shared with the Judges and the other members of the treatment team. Testing positive will result in a sanction and/or therapeutic adjustment. Testing samples are collected and analyzed pursuant to the written policies and procedures of the Adult Probation Department and the Lake Area Recovery Center. These written policies and procedures address elements that contribute to the reliability and validity of the testing process and are attached as Appendix VI and VII. (Standard 8(A))

Testing is performed with an instant urinalysis drug screen. Testing is sufficient to include the participant's primary substance of dependence, as well as a sufficient range of other common substances. (Standard 8(E)) It is the participant's responsibility to travel to the testing location during the hours indicated for the testing. The participant is expected to arrive at the testing location to produce a sample within a certain period of time.

The participant will be tested with an instant urinalysis drug screen. The participant agrees to travel to the testing location at Lake Area Recovery Center during the hours indicated for the testing. The participant agrees to arrive at the testing location to produce a sample within a certain period of time. The following acts are treated as positive tests and subject to sanction. If the participant fails to provide a urine sample when requested, it will be the same as a positive test and immediately sanctioned. A diluted sample is considered a positive test and will be immediately sanctioned. Should the participant tamper with or adulterate the urine sample, including submitting the sample of another individual, it will be considered a positive test and the participant will be immediately sanctioned. In addition participants will be required to abstain from mind altering substances, legal or illegal, including Alcohol, Kratom, Synthetic Drugs, CBD Oils, CBD Vapes, Medical Marijuana, Bath Salts, Pseudoephedrine, Creatine, Inhalants/Whip its, Phenibutal, Alcohol Vapes, etc. It is also required that participants do not consume poppy seeds, because they can cause a false positive and may result in a sanction. In addition the participant may not take Non-FDA Approved foods, medications, supplements, chemicals, herbal remedy, etc. (Examples include natural remedies, workout supplements etc.) There are also medications that can cause a false

Q. Compliance Testing (continued)

positive or that are not recommended for individuals in recovery. Therefore, prior to taking any over-the-counter medications make sure to consult with the treatment team, Probation Officer and/or Counselor to determine if it could cause issues with your treatment and/or drug screens. This is always updating, so participants must always check with the team regarding new substances or prior to taking anything new.

The participant shall not be in any establishment that serves alcohol for consumption on the premises, in addition participants shall not be employed at bars, taverns and/or establishments that serves alcohol for consumption on premise. If the participant tests positive, the participant may request that the sample be retested for confirmation. If the participant fails to make a timely request so that the sample is not available to retest, the ability to request confirmation testing is deemed waived. If the confirmation testing returns positive, the participant will be sanctioned. (Standard 8(D)) In addition to sanctions for positive tests, the Judges and treatment team may require a change in the participant's treatment plan. The Judges and treatment team understand the difference between relapses in the beginning of treatment versus later on in the program and treatment and/or sanctions are used when appropriate and enforced by the Judges.

The participant shall also submit to testing of his/her breath, hair follicle or blood as required by the Drug Court Team.

For Drug Court purposes, a participant's sobriety date starts when they are admitted into the program and test negative. A participant beginning the Drug Court program who tests positive for Marijuana will be monitored for a maximum of 45 days, to make sure levels are decreasing. If the participant does not test negative by day 45, or their levels increase, they may be sanctioned and/or given a therapeutic adjustment.

R. Recovery Program Meetings

- The participant must attend at least three (3) or four (4) outside recovery program meetings, depending on the treatment phase, and shall be responsible to timely turn in proof of attendance each and every week. Such self-help recovery programs must be evidence based and approved by the Court.

S. Violation Reporting

- The participant agrees to voluntarily report to the Court, Probation and the treatment staff, any violations of the Drug Court Program rules, including the participant's use of illegal drugs or alcohol.

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3. The participant must pay Court Costs and a supervision fee of one hundred fifty dollars (\$150.00) per year for the duration of the term of supervision. None of the \$150.00 supervision fee shall be used as part of the treatment costs. The participant agrees to abide by all the general terms and conditions of the supervision of the probation department. If unable to pay Court Costs the participant is able to perform community service for a certain amount of hours per month. They will receive a credit for each hour performed at no less than the federal minimum wage rate of pay, until the court costs are paid.
4. The participant must obtain and maintain full time employment unless this requirement is waived by the Court.
5. The participant must comply with any and all requirements the Court may impose upon the participant at the time of entry into the Drug Court Program or as the result of a sanction in the furtherance of treatment.
6. The participant must attend all scheduled court appearances, including status hearings. The participant must further attend all scheduled appointments with treatment and the probation department. The failure of a participant to attend a scheduled court appearance or report to treatment or probation may result in the issuance of a warrant for the participant's arrest.
7. The participant shall not use any mind altering substances, legal or illegal, including Drugs, Alcohol, Kratom, Synthetic Drugs, Bath Salts, Pseudoephedrine, Creatine, Inhalants/ Whip its, Pheibutal, Alcohol Vapes, etc. while in the program. In addition the participant may not take Non-FDA Approved foods, medications, supplements, chemicals, herbal remedy, etc. (Examples include natural remedies, workout supplements etc.) The participant shall not be in any establishment primarily engaged in the sale of alcoholic beverages.
8. You must report all prescribed medications to L.A.R.C. and the probation officer. You will agree to provide verification of any prescriptions from your doctor including signing a release for the Drug Court Treatment Team to contact any doctor. Medications that participants are generally **NOT** permitted to take include Opiates (example: Lortabs, Vicodin, OxyContin or Oxycodone, Tylenol 3, Percocet, Darvon, Darvocet, etc.), Amphetamines (example: Adderall, Ritalin, Strattera, etc.) and Benzodiazepines (example: Klonopin, Xanax, Diazepam, Valium, etc.). If a doctor believes that it is absolutely necessary to prescribe medications that will yield a positive urine drug screen (UDS), you must submit a letter to the Court from the doctor stating that he/she is aware of your status as a recovering person, why the need for the medication outweighs the possible risks to your status as a recovering person and that he/she has been made aware of your participation in the Drug court Program and that you are subject to UDS. If you test positive and do not have a letter from your doctor, you are subject to sanctions immediately. You agree to take all approved medications strictly as prescribed. In addition you are required to have a doctor card filled out for every doctor visit, which should contain all prescribed medications, prescriptions given at the visit, and be signed by the doctor's office.

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9. Releases/and or confidentiality waivers must be executed and delivered to the Court, probation and treatment, authorizing the participant's physician or psychologist to release confidential or otherwise privileged information regarding the participant to the Court, probation and treatment.

10. The participant must inform probation and treatment staff of any changes in employment, phone number or address within twenty-four (24) hours of the occurrence of the change.

11. The participant shall not associate with anyone known to be actively involved in the sale or use of illegal drugs.

12. Participant must adhere to a dress code for Drug Court Status Hearings:

- Shirts are to be tucked in
- Dress pants (fit properly)
- No clothing associated with tobacco, alcohol, drugs, bars or gangs
- No hats or sunglasses
- No transparent clothing unless layered with undershirt
- No low cut shirts, midriffs or halter tops
- No dew rags
- No work boots or flip flops
- No sleeveless shirts/tank tops or backless shirts
- Dresses and skirts must be the length that would reach the tips of your fingers while hands are straight down at your side
- No jeans, cutoff jeans, shorts or tank tops will be allowed in Court
- No yoga pants or workout pants
- No sundresses unless shoulders covered

Any failure to comply with dress code may result in participant being asked to leave and/or a sanction. In addition during Drug Court Status Hearings there are to be no cell phones, drinks or food. Phones are collected at the beginning of the status hearing. If you are found to be in possession of a phone during the status hearing, it will be confiscated.

- Feel free to bring family, friends or your sponsor to Court with you. Emotional support is important to your recovery.

13. In order to successfully complete the Drug Court Program, the participant must be in compliance with all of the phases of the Drug Court Program. During Phase I of the Drug Court Program, participants must appear weekly as participants progress through phases they will appear bi-weekly, tri-weekly and monthly:

Orientation Phase

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

- Meet as instructed with the Drug Court Coordinator and/or Drug Court Probation Officer. They are interviewed as part of a risk assessment and a written report is prepared. The purpose of this report is to collect information that will assist the Drug Court Treatment Team in assessing the participant's eligibility to participate in the Drug Court Program and to inform the assigned judge's decision whether to grant your request for Drug Court.
- Meet as instructed at the Lake Area Recovery Center in order to undergo a complete substance abuse assessment.
- Meet as instructed at the Community Counseling Center or if incarcerated participants will meet with Signature Health in order to undergo a complete mental health 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 their defense counsel.

Participants are advised to discuss any questions regarding eligibility and desire to participate in the Drug Court Program with their defense counsel.

Phase I (75-120 days)

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

- Attend weekly status hearings;
- Comply with Treatment Plan;
- Follow rules of treatment;
- Follow rules of supervision;
- Weekly office visits with Probation;
- Daily call-in's, random drug tests, as required;
- Attend self-help meetings, as required
- Work with case managers.

To advance:

- ✓ Compliance with above;
- ✓ Minimum 60 consecutive days negative/30 days no major infractions.

Movement through this Phase is based upon the participant's compliance and progress.

Phase II (90-120 days)

In order to meet the obligations for Phase II, the participant will be required to:

- Attend Court Status Hearings, as required;
- Comply with Treatment Plan;
- Follow rules of treatment;
- Follow rules of supervision;
- Office visits with Probation;
- Daily call-in's, random drug tests, as required;
- Continue to attend all treatment sessions, including required self-help recovery programs, such as AA/NA or other Court approved evidence based programs;
- Maintain stable, negative screens and sober housing;
- Obtain employment, attend school and/or vocational training, work with Supported Employment or engage in other Court approved activity;
- Obtain a recovery sponsor (Provide verification form);
- Realistic plan for payment of restitution, fines and supervision fees;
- Begin Restorative Justice Process.

To advance:

- ✓ Compliance with above
- ✓ Minimum 90 consecutive days negative/ 30 days no major infractions

Movement through this Phase is based upon the participant's compliance and progress.

Phase III (90-120 days)

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

- Attend Court Status Hearings, as required;
- Comply with Treatment Plan;
- Follow rules of treatment;
- Follow rules of supervision;
- Office visits with Probation;
- Daily call-in's, random drug tests, as required;
- Continue to attend all treatment sessions, including required self-help recovery programs, such as AA/NA or other Court approved evidence based programs;
- Maintain stable, negative screens and sober housing;
- Obtain employment, attend school and/or vocational training, work with Supported Employment or engage in other Court approved activity;
- Complete Restorative Justice process (victim/offender conference);
- Serve as I.O.P. or T.P. lead/education or treatment volunteer or if participant becomes a mentor that fulfills this requirement.

Phase III (90-120 days) (continued)

- Show proof of actively paying on financial obligations;
- Complete any other outside requirements (parenting classes, family counseling, financial counseling, cognitive therapy, employment assistance or job skills training, Court ordered community service, etc.)

To advance:

- ✓ Compliance with above;
- ✓ Minimum 120 consecutive days negative/30 days no major infractions.

Movement through this phase is based upon the participant's compliance and progress.

Phase IV and Maintenance (30-completion of program)

During the maintenance phase, the participant is required to continue to successfully and faithfully adhere to all treatment and Drug Court Program requirements, and to continue to meet the same obligations as set forth above in the other Phases.

Graduation from the Drug Court Program will occur after the participant has successfully completed all of the phases. In order to graduate the participant 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 one hundred twenty (120) days prior to graduation and no major infractions within 30 days of Commencement;
- Successfully completed treatment and regularly attended required self-help recovery programs, such as AA/NA or other Court approved evidence based programs;
- Demonstrated stability in the community;
- Regularly attend status review hearings before the Judge to review the participants progress;
- Continue to attend all treatment sessions, including required self-help recovery programs, such as AA/NA or other Court approved evidence based programs;
- Continue to attend all required meetings and follow all rules of supervision with the Drug Court Probation Officer;
- Continue to cooperate with random home visits by the Drug Court Probation Officer;
- Obtain/maintain stable, negative screens, sober housing;
- Obtain/maintain employment, schooling, vocational training, or engage in other Court approved activity;
- Complete Restorative Justice process;
- Complete a Turning Point or IOP Lead, or serving as a treatment volunteer or becoming a mentor;
- Complete any other outside requirements (parenting classes, family counseling, financial counseling etc.)

Phase IV and Maintenance (30-completion of program) (continued)

- Paid in full restitution, fines, supervision fees and court costs, unless otherwise determined.

Commencement

- Complete and submit the written application for Commencement;
- Complete Commencement interview;
- Remain compliant with all requirements through actual Commencement ceremony;
- No sanctions/infractions within 30 days of Commencement ceremony;
- Meet with Drug Court Alumni right before Commencement ceremony.

14. The goal of the Drug Court Program 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 a participant is making in his/her life. 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 status hearings;
- Attending all treatment sessions and Court approved self-help recovery meetings;
- Attending all appointments with the Drug Court Coordinator and/or probation department;
- Abstaining from alcohol and drugs, as evidenced by negative test results;
- Engaging in vocational or educational activities;
- Obtaining a Sponsor;
- Securing stable housing;
- Obtaining employment;
- Advancing in the Drug Court Program Phases; and
- Accomplishing any other milestone identified by the treatment team.

The Judges use incentives on a case-by-case basis. The Judges dispenses incentives as the participant's status and conduct indicate. The Judges determine the type of incentives received based on the participant's performance and compliance with program requirements.

There are many types of incentives available that may include, but are not limited to:

- Encouragement and praise from the Judge;
- Ceremonies and tokens of progress, including advancement in the Drug Court Phases;
- Decreasing court appearances and supervision contacts;
- Increasing or expanding privileges;

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- Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- Reducing fines or fees;
- Dean's list;
- Perfect Weeks;
- Recovery Books, including The Big Book, NA Book and Smart Recovery Workbook
- Weekly fishbowl incentives; and
- Graduation from the Drug Court Program.

Incentives may be provided and can be earned through compliance with the Drug Court Program.

15. Just as it is important to recognize progress, it is also important to respond swiftly to problems and noncompliant behavior. By imposing sanctions, a participant who is not compliant with the requirements of the phases will learn that there are consequences for his/her behavior. The objective is not only to reprimand noncompliance, but to re-engage and encourage the participant 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 Judges when a participant fails to comply with Drug Court Program requirements. These requirements include, but are not limited to:

- Failure to attend status hearings;
- Failure to respond in a timely manner to voice mail messages left from probation or treatment staff;
- Failure to call in for drug screen in the allotted time;
- Failure to attend treatment appointments, including Court approved self-help recovery meetings, such as AA/NA or other Court approved evidence based programs;
- Failure to keep scheduled appointments with the probation department;
- Falsifying or attempting to falsify any required documentation, including self-help recovery meeting attendance;
- Noncompliance with random alcohol and drug screens, testing positive for alcohol and or drugs, or adulterating or attempting to adulterate urine screens;
- Noncompliance with any of the requirements of the Drug Court Program Phases; and
- Failure to improve troublesome behaviors.

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

- Warnings and admonishment from the Judge;
- Community service work;
- Individualized sanctions such as writing essays or reading books;
- Demotion to an earlier Drug Court Program Phase;
- Electronically Monitored House Arrest (EMHA) or Secured Controlled Remote Alcohol Monitoring (SCRAM) bracelets;
- Increasing frequency of alcohol and drug testing;
- Increasing frequency of court appearances;
- Increasing supervision contacts;
- Refusing specific requests, such as permission to travel;
- Denying additional or expanded privileges, or rescinding privileges previously granted;
- Watch YouTube Lead/Ted Talk on a topic, do report and present;
- 90 in 90;
- Essays;
- Book Reports;
- Imposition of jail days;
- Filing of community control violation; and
- Termination from the Drug Court Program.

Sanctions are not only used as a form of consequences for inappropriate choices, but also a way to re-evaluate a participant's commitment to sobriety and to complete the Drug Court Program.

Participant agrees to maintain confidentiality regarding information shared during status review hearings and/or treatment sessions regarding other participants.

16. The participant understands that if he/she is terminated from the Drug Court Program, for Diversion cases the legal finding of guilty will be entered by the Court and the participant will be sentenced to the usual sanctions allowable under the law for the offense(s); for Post-Conviction cases, the participant will be subject to a Probation Violation Hearing.

17. The participant agrees and understands that if he/she is arrested in any other state or territory of the United States or in any foreign county, his/her signature as witnessed at the end of this page will be deemed to be a waiver of extradition, and that no other formalities will be required for an authorized agent of the Ashtabula County Common Pleas Court to bring about their return to this state.

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THE PARTICIPANT ACKNOWLEDGES THAT HE/SHE HAS READ AND UNDERSTANDS THIS AGREEMENT, AND FREELY AND VOLUNTARILY RELINQUISHES THE RIGHTS DISCUSSED HEREIN AND AGREES TO ABIDE BY ALL THE RULES AND CONDITIONS OF THE DRUG COURT PROGRAM.

Signature of Participant

Date

Attorney for Participant

Date