



Green Lake County

Treatment Court Program

Policy & Procedure Manual

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**Green Lake County Treatment Court Program
Policy and Procedures Manual**

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Treatment Court Mission Statement

The primary purpose of the Green Lake County Treatment Court Program is to increase community safety and quality of life by breaking the cycle of drug and alcohol addiction through a balance of accountability, treatment and rehabilitation as an alternative to incarceration.

4-April-17

INTRODUCTION

Welcome to the Green Lake County Treatment Court Program. This Policy & Procedure Manual is designed to answer your questions and provide overall information about the Green Lake County Treatment Court Program. The Court will hereinafter be referred to as “Treatment Court.” As a participant, you will be expected to follow the instructions given in Treatment Court by the Judge and comply with the treatment plan developed for you by the Treatment Court Team.

This Manual will also detail what is expected of you as a Treatment Court participant. It will review general program information. We are confident that the Treatment Court Program will help you to learn how to remain crime-free and make successful choices, free of the influence of drugs or alcohol.

The Green Lake County Treatment Court Program is a Court that is specifically designated and staffed to handle cases involving drug and alcohol offenders through an intensive, judicially monitored program of drug/alcohol treatment, rehabilitation services, and strict community supervision. Our focus will include treatment and programs to instill accountability in citizens involved in drug and alcohol-related offenses against our community. The goal is to have a more productive citizen upon completion of these programs, thereby lowering the rate of recidivism.

This is a five phase intervention program for adults who are involved with the criminal justice system due to non-violent, drug/alcohol-motivated offenses, and who are having difficulty obtaining and maintaining sobriety. Treatment Court involves frequent Court appearances, random drug testing, as well as group and individual counseling. The Court awards incentives for compliant behavior and imposes sanctions for negative behavior. Participants who do not comply with the rules may be placed in short-term custody, moved back to the previous phase of Treatment Court, or receive one or more of a variety of other sanctions. They may also be terminated from Treatment Court. The Treatment Court Team will assist you to be sure you understand what is expected of you.

The goals of the Green Lake County Treatment Court Program are to:

- Reduce drug/alcohol-related crimes;
- Reduce offender contacts with the Criminal Justice System;
- Reduce costs associated with criminal case processing and re-arrest;
- Introduce offenders to an ongoing process of recovery designed to achieve total abstinence from illicit/illegal drugs and alcohol; and
- Promote self-sufficiency and empower persons with a substance misuse disorder to become productive and responsible members of the community.

ELIGIBILITY AND TARGET POPULATION

The Green Lake County Treatment Court Program targets high-risk/high-need, non-violent, offenders whose crimes are directly or indirectly motivated by alcohol and or drug use. The COMPAS assessment tool is utilized by the Green Lake County Treatment Court Program to assess prognostic risk and criminogenic need to determine appropriateness for program admission. The assessment tool is administered prior to program admission and is completed by either the Green Lake County Treatment Court Coordinator and/or Probation & Parole.

Individuals meeting the following criteria will be considered for admission to the Green Lake County Treatment Court Program:

- Current resident of Green Lake County
- Applicant has/will have a felony or misdemeanor conviction of possession, use, or sale of a controlled substance or a crime that was motivated by an addiction to alcohol or drugs
- Applicant will be on probation for at least 18 months
- Applicant does not have any prior felony convictions for violent crimes and/or prior felony convictions, as defined in 941.291(1)(b), Wis. Stats., or a conviction involving use of a dangerous weapon
- Applicant has been previously diagnosed with a Substance Use Disorder or is likely to meet the DSM-5 criteria for Alcohol/Drug Dependence
- Applicant must agree to participate in and abide by the rules of the Green Lake County Treatment Court Program

TREATMENT COURT TEAM

The Treatment Court Team shall consist of the following members:

- Circuit Court Judge: Provides leadership to the Treatment Court and presides over non-adversarial Court appearances for Treatment Court participants. Monitors the appropriate application of sanctions and incentives while maintaining the integrity of the court. Further roles include providing encouragement and motivation to each participant through intensive interactions during Court appearances.
- Representative from the District Attorney's Office: Ensures community safety concerns are met and participates as a Treatment Court team member. The prosecutor makes referrals and contacts collaborative agencies such as law enforcement and Department of Corrections for input, makes recommendations for terminations and new charges that balance community needs and therapeutic outcomes, promotes a sense of unified team presence by operating in a non-adversarial manner at drug court hearings, and explains sanctions and rewards to participants.
- Representative from the Public Defender's Office: Ensures participants' legal rights are protected and participates as a Treatment Court team member. The Public Defender's office educates other defense attorneys regarding Treatment Court policies and procedures. Defense Attorneys also make referrals and meet with potential participants to evaluate their interest and acceptability to the program, advises clients on their legal rights and legal options, advises clients

on program conditions and potential sentencing outcomes, monitors client progress in the Treatment Court program, and participates in a non-adversarial manner at status hearings thus promoting a unified Treatment Court team presence.

- Probation & Parole Agent:** Actively monitors Treatment Court participants outside the Treatment Court setting including conducting home and job visits, documents all visits to help encourage positive participant behavior, provides referrals and assistance in obtaining treatment and other supportive services as directed by the case plan, performs substance testing to determine presence or absence of forbidden substances in participants' bodies, monitors conditions of the Treatment Court contract to include treatment compliance, abstinence, housing arrangements, employment and legal/financial obligations, provides weekly input of data into Treatment Court database for weekly progress report, apprises other team members of the participants' compliance with court orders, and participates in weekly staffings and court hearings.

- A Treatment Court Coordinator:** Provides oversight for the day to day operations of the Treatment Court program. He or she also monitors whether the program is meeting its short and long term objectives with the participants, community and local criminal justice systems. Furthermore, the coordinator plans, organizes, coordinates and monitors the activities of the Treatment Court program; schedules and meets with participants to discuss program details; attends pre-hearing staffings and hearings in order to evaluate and direct Treatment Court operations, case management, and Treatment Court team cohesiveness and understanding of Treatment Court concepts; gathers and prepares Treatment Court data for reporting mandates; collaborates with government and community agencies in order to meet programmatic goals and provides effective programming; completes clinical screening and assessments; develops the Treatment Court treatment plan with the participant; participates in random home visits to assess the participant's progress; and develops a long-term sustainability plan for the program.

- Treatment Representative:** Identifies and/or provides a continuum of care for participants including detoxification, residential treatment, outpatient treatment, and intensive outpatient treatment, makes treatment recommendations to the team, and participates in staffings to apprise other team members of compliance information.

- Law Enforcement Representative:** Provides law enforcement presence during home visits, provides eligibility feedback during initial screening process, participates as a team member, and follows up on warrants issued by the Court.

- Jail Representative:** Conducts urinalysis testing in accordance with the policies and procedures, staffs requests on participants and conveys the results to the Treatment Court team. The jail representative also provides information relating to participant's behaviors and programming while in jail and participates as a team member at staffings.

REFERRAL/INTAKE PROCESS

Referrals to the Treatment Court Program should take place as soon as possible after the arrest of a potential participant. The referral process should take place prior to the plea being entered. Referrals may come from the following sources:

- The arresting agency
- The District Attorney's office
- The defense attorney
- A family member
- A current treatment provider
- Circuit Court Judge
- Or in the case of an Alternative to Revocation (ATR), the supervising agent – see below

In all circumstances other than an Alternative to Revocation, notwithstanding where the referral originated, the first step will be an eligibility screening by the Coordinator. Upon initial eligibility, further assessment will be completed. All referred individuals must participate in an intake interview to identify needs and expectations of participation in the Treatment Court Program. All referred individuals must undergo an AODA assessment as part of the referral and intake interview. This shall be completed by the Department of Health Services for Green Lake County. All referred individuals must have an up-to-date COMPAS evaluation, completed within 90 days prior to their referral to Treatment Court or complete a new evaluation at the time of referral. The COMPAS evaluation will be completed by the Treatment Court Coordinator, a trained Green lake County Health Services representative, a Probation & Parole Agent, or trained jail staff.

If the assessment/interview process results in eligibility for the program, and the prosecutor and defense attorney agree, the participant will be admitted into the Treatment Court Program.

Alternative to Revocation Referrals:

In the case of an ATR, the referral to the Treatment Court Program will be made by the supervising agent. The Treatment Court Coordinator will interview/assess the candidate. If needed, a treatment provider will also assess the candidate. Once the assessment process is completed, the candidate will be reviewed by the Treatment Court Coordinator. If the participant is found to be eligible for the program, the participant and the Department of Corrections will be notified of the acceptance.

COURT PROCEEDINGS

The Treatment Court calendar is a priority and will be a specialized, separate Court, operating on an as needed basis, and dedicated to the evaluation, treatment, and supervision of eligible and suitable participants. Treatment Court shall be held each week on Monday, except as ordered by the Court. A closed staffing will take place at 2:00 p.m., or as otherwise directed by the Treatment Court Judge. All Treatment Court participants must be in the courtroom at 3:00 p.m., unless otherwise excused by the Treatment Court Judge or the Treatment Court Coordinator.

As a Treatment Court participant, you will be required to appear in Treatment Court on a regular basis. The number of times you must appear depends upon the phase of Treatment Court you are currently in. Failure to appear will result in a warrant being issued for your arrest and detention in jail until you can appear before the Treatment Court. If you have questions about your court appearances, you may contact the Treatment Court Coordinator.

Before your Treatment Court hearing, the Judge will be given a progress report presented by the Treatment Court Coordinator or treatment provider. The progress report will discuss your drug testing results, attendance, participation and cooperation in the Treatment Court Program, employment and/or other requirements that may have been imposed. The Treatment Court Team will advise the Treatment Court Judge of any other known violations or successes.

During each Treatment Court hearing, the Treatment Court Judge may discuss the case with each participant, the treatment provider, any family members, and any other persons interested in the welfare of the Treatment Court participant who is present, as the Court deems appropriate. Sanctions will be imposed for violations. The Judge may ask questions about your progress and discuss any problems you may be having. If you are doing well, you may be rewarded with reduced progress requirements or, at times, other incentives such as sobriety coins, food items, or gift cards. If your progress reports show that you are not in compliance, the Judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can range from a verbal warning by the Treatment Court Judge to jail custody. Sanctions may also include a treatment response, such as additional homework and/or counseling.

All hearings will be held “on the record,” using a digital audio recording system (DARS).

CONFIDENTIALITY

Treatment Court files are separate and distinct from Circuit Court files and District Attorney's office files. All Treatment Court files are confidential and are not open to the general public. All such files shall be under the sole and exclusive control of the Clerk of Courts Office. All files shall be maintained in a confidential manner. Each Treatment Court participant will be assigned a unique case number, as follows: [last two digits of entered year]-TCP-[sequential number of the Treatment Court participant] (i.e., 17-TCP-001). Treatment Court participant's files are protected under the Federal Drug and Alcohol Confidentiality Law, 42 C.F.R Part 2.

Being involved in the Treatment Court, federal law requires that your identity and privacy be protected. In response to these regulations, Treatment Court and its Treatment Court Coordinator and treatment providers have developed policies and procedures that guard your privacy. You will be asked to sign a Green Lake County Treatment Court "Authorization for Release and Exchange of Information." This disclosure of information is for the sole purpose of hearings and reports concerning your specific Treatment Court case.

Treatment Court proceedings are held in open court and therefore are open to the public. Due to the sensitive nature of the topics covered during court sessions, observers will be asked to maintain respect for the participants and the Court by not further disclosing what is discussed in court hearings. Treatment Court participant's confidentiality is protected under the Federal Drug and Alcohol Confidentiality Law, 42 C.F.R Part 2.

TREATMENT

The Treatment Court Program is a 14-month program divided into five phases, plus a Continuing Care phase. A participant must successfully complete each phase before transitioning to the next phase. The expectation is for each participant to graduate upon 14 months. Violations of the rules as a participant works through the phases may result in sanctions as determined by the Treatment Court Team. The Treatment Court Judge, upon recommendation of the Treatment Court Team, shall determine promotions to a higher phase.

In each of the five phases, the Court will require compliance with the “Rule of 32,” if employed, which requires Treatment Court participants to document that they have completed 32 hours per week of any combination of the following: meetings, treatment, U.A.’s, employment, community service work, Treatment Court appointments Treatment Court hearings, employment searches (30 minutes per job application), and school/education. If unemployed, the “Rule of 32” becomes the “Rule of 16/16,” which requires the unemployed Treatment Court participant to complete a minimum of 16 hours of community service out of the 32 documented hours on the “Rule of 32” worksheet.

If a participant who is deemed eligible for the Treatment Court Program receives a conditional jail sentence, the participant will be encouraged to participate in the Recidivism Reduction Program while serving the jail sentence. The participant will be brought to court for bi-weekly reviews. Alcohol and Drug Treatment services will begin while the participant is in custody to ensure a smooth transition into community based programming. Phase one requirements will commence upon release from the jail.

You will receive a planner to keep track of all of your appointments and UAs. You will also be given a binder with all Treatment Court Program materials. You must bring these with you to all appointments and Court appearances. If you wish, you can ask the Treatment Court Coordinator for a cinch-style backpack to carry your planner, binder, and other Treatment Court materials.

PHASE 1 (60 DAYS)

- Attend Court weekly
 - Comply with and participate in all treatment recommendations
 - Attend at least one office visit per week with probation agent and Treatment Court coordinator
 - Comply with supervision rules and requirements
 - Comply with home visit requirements set forth by probation agent and/or Treatment Court coordinator
 - Comply with random drug testing at a minimum of 3 times per week
 - Complete Financial Literacy course through UW Extension
 - Develop and comply with a case plan and individualized treatment plan
 - Apply for and obtain insurance
 - Undergo a medical exam/evaluation and/or dental exam/evaluation
 - Attend 3 support group meetings per week
 - Complete a minimum of 8 hours of community service
 - Actively work with Recovery Coach
 - Provide written verification of 32 hours of attendance at a combination of the following: employment, support group meetings, substance misuse treatment, UAs, job searches, school, community service, Treatment Court appointments and Treatment Court attendance
 - Comply with a 9pm curfew
- ***14 days consecutive days of sobriety is necessary in order to advance to Phase 2 (time spent incarcerated does not count towards sobriety) The minimum of 14 consecutive days of sobriety must be immediately prior to application for phase advancement.*****

PHASE 2 (90 DAYS)

- Attend Court weekly
 - Comply with and participate in all treatment recommendations
 - Attend at least one office visit per week with probation agent and Treatment Court coordinator
 - Comply with supervision rules and requirements
 - Comply with home visit requirements set forth by probation agent and/or Treatment Court coordinator
 - Comply with random drug testing at a minimum of 3 times per week
 - Attend 3 support group meetings per week
 - Actively work with Recovery Coach
 - Actively seek out a sponsor
 - Complete a minimum of 8 hours of community service
 - Provide written verification of 32 hours of attendance at a combination of the following: employment, support group meetings, substance misuse treatment, UAs, job searches, school, community service, Treatment Court appointments and Treatment Court attendance
 - Comply with a case plan and individualized treatment plan
 - Actively seek employment (must allow for Treatment Court requirements)
 - Comply with a 10pm curfew
- ***30 consecutive days of sobriety is necessary in order to advance to Phase 3 (time spent incarcerated does not count towards sobriety) The minimum of 30 consecutive days of sobriety must be immediately prior to application for phase advancement.*****

PHASE 3 (90 DAYS)

- Attend Court bi-weekly
- Comply with case plan and participate in all treatment recommendations
- Attend bi-weekly office visits with probation agent and Treatment Court coordinator
- Comply with supervision rules and requirements
- Comply with home visit requirements set forth by probation agent and/or Treatment Court coordinator
- Comply with random drug testing at a minimum of 3 times per week
- Attend and participate in a minimum of 2 support group meetings per week
- Actively work with Recovery Coach
- Obtain a sponsor
- Obtain and maintain employment (must allow for Treatment Court requirements)
- Develop a realistic budget and present to Treatment Court Team
- Complete a minimum of 8 hours of community service
- Provide written verification of 32 hours of attendance at a combination of the following: employment, support group meetings, substance misuse treatment, UAs, job searches, school, community service, Treatment Court appointments and Treatment Court attendance
- Comply with an 11pm curfew

*****45 consecutive days of sobriety and 21 days sanction free is necessary in order to advance to Phase 4 (time spent incarcerated does not count towards sobriety) The minimum of 45 consecutive days of sobriety and 21 days sanction free must be immediately prior to application for phase advancement.*****

****Participants must provide two letters of support for phase advancement in order to advance to Phase 4. Letters can be from employers, members of the recovery community, teachers, or anyone working with the participant on their recovery other than family members.*****

PHASE 4 (90 DAYS)

- Attend Court every three weeks
 - Comply with case plan and participate in all treatment recommendations
 - Attend office visits with probation agent and Treatment Court coordinator every three weeks
 - Comply with supervision rules and requirements
 - Comply with home visit requirements set forth by probation agent and/or Treatment Court coordinator
 - Comply with random drug testing at a minimum of 3 times per week
 - Attend and participate in a minimum of 2 support group meetings per week
 - Maintain weekly contact with sponsor
 - Actively work with Recovery Coach
 - Develop a relapse prevention plan and present to Treatment Court Team
 - Maintain employment (must allow for Treatment Court requirements)
 - Demonstrate an ability to maintain a realistic budget
 - Complete a minimum of 8 hours of community service
 - Provide written verification of 32 hours of attendance at a combination of the following: employment, support group meetings, substance misuse treatment, UAs, job searches, school, community service, Treatment Court appointments and Treatment Court attendance
 - Comply with a 12pm curfew
- ***60 consecutive days of sobriety and 30 days sanction free is necessary in order to advance to Phase 5 (time spent incarcerated does not count towards sobriety) The minimum of 60 consecutive days of sobriety and 30 days sanction free must be immediately prior to application for phase advancement.*****

PHASE 5 (90 DAYS)

- Attend Court monthly
 - Comply with case plan and participate in all treatment recommendations
 - Attend monthly office visits with probation agent and treatment court coordinator
 - Comply with supervision rules and requirements
 - Comply with rules and conditions set forth in the Participant Contract
 - Comply with home visit requirements set forth by probation agent and/or treatment court coordinator
 - Comply with random drug testing at a minimum of 3 times per week
 - Attend and participate in 1 support group per week
 - Maintain weekly contact with sponsor
 - Actively work with Recovery Coach
 - Develop a continuing care plan
 - Maintain employment
 - Demonstrate an ability to maintain a realistic budget
 - Complete a minimum of 8 hours of community service
 - Provide written verification of 32 hours of attendance at a combination of the following: employment, support group meetings, substance misuse treatment, UAs, job searches, school, community service, treatment court appointments and treatment court attendance
- ***90 consecutive days of sobriety and 60 days sanction free is necessary in order to graduate (time spent incarcerated does not count towards sobriety) The minimum of 90 consecutive days of sobriety and 60 days sanction free must be immediately prior to application for phase advancement and graduation.*****

TREATMENT COURT PROGRAM RULES

As a participant you will be required to abide by the rules outlined below:

1. Totally abstain from the use of illegal drugs, alcohol, or prescriptions not prescribed to you.
2. Inform any treating physician(s) that you are a person recovering from a substance misuse disorder.
3. Attend Court sessions and treatment sessions as scheduled, submit to random alcohol and drug testing, remain sober and behave in a law abiding manner.
4. Do not associate with people who use or possess drugs.
5. Do not possess any weapons while in the Treatment Court Program.
6. Keep the Treatment Court Team, Treatment Coordinator, treatment provider, and Probation/Parole Agent informed of your current address and phone number at all times.
7. As a condition of participation in the Green Lake County Treatment Court Program, your person, property, place of residence, vehicle, or personal effects may be searched at any time upon your consent, with a warrant or with reasonable cause when requested by a Probation/Parole Agent or other law enforcement officer. Failure to consent may be deemed grounds for sanctions or termination from the program.
8. Be on time for Court hearings, appointments, and treatment sessions.
9. Provide the Treatment Court Team with a list of all prescribed medications. If you are prescribed a new medication by a doctor, you shall provide this information to the Treatment Court Coordinator within 48 hours.
10. Abide by all other rules and regulations imposed by the Treatment Court Team, which may be amended at any time.

SENTENCING COURT NOTIFICATION

A sentencing court shall be notified as follows:

- When the Treatment Court participant successfully completes the Treatment Court Program
- If the Treatment Court participant is terminated from the Treatment Court Program, the sentencing judge will be so notified. A copy of the findings and conclusions placed on the record by the Treatment Court Judge will be provided to the sentencing Judge.

SEARCH REQUIREMENTS

As a participant in Treatment Court, you are required to submit your person, vehicle, place of residence, or area to search and seizure of narcotics, drugs or other contraband at any time of the day or night, with consent, with a search warrant, with probable cause or reasonable cause by any police officer or Probation/Parole Agent. Failure to consent may be deemed grounds for sanctions or termination from the program. You must report any contact with law enforcement immediately to the Treatment Court Coordinator and your Probation/Parole Agent.

VIOLATIONS/SANCTIONS

Any violations of the rules of the Treatment Court Program may result in the immediate imposition of sanctions, as determined by the Treatment Court Judge. All participants in Treatment Court are expected to follow the rules. Any violation of the rules will be reported to the Treatment Court Team. The violation will be discussed by the Treatment Court Team with input from the participant. If a violation is determined to have been committed, the Treatment Court Team will recommend a sanction to the Treatment Court Judge. Sanction recommendations will be determined by the totality of the circumstances and sanctions may vary depending on the participant's underlying charge, the participant's success or failure in Treatment Court up to the point of the violation, the nature of the violation or any other factors deemed relevant by the Treatment Court Team. The Treatment Court Judge has the discretion to impose any sanction he or she feels is appropriate and is not required to follow the recommendation of the Treatment Court Team. Sanctions may include, but are not limited to, the following:

- Curfew/check-in time
- Electronic monitoring
- Increased supervision
- Day reporting
- Verbal and/or written warnings
- Increased drug testing
- Increased Court appearances
- Verbal and/or written apology letters
- Written assignments
- Team intervention/round table
- Community service work
- Monetary fines
- Sit in the jury box
- A day on the bench with the judge
- Journaling
- House arrest
- Jail

Time spent in confinement will NOT count toward phase advancement.

INCENTIVES

The Treatment Court Judge and the Treatment Court Team will acknowledge compliance and successes of participants. Incentives can include, but are not limited to, the following:

- Applause/special recognition
- Verbal praise, from the Judge/Team
- Vouchers (various types)
- Candy/Food items
- Decrease in Court appearances
- Tickets (concerts, movies, sporting events, art fairs etc.)
- Fee reduction/waiver of some fees
- Phase acceleration
- Books
- Increase privileges
- Grant or increase travel privileges
- Curfew extension
- Fish bowl drawings
- Upon the recommendation of the Treatment Court Team, participants may be given rewards or incentives for compliant behavior.

A UA chip is used as an incentive for participants' sobriety. Participants will be given the following options to "cash" chips in:

- ~ 1 chip can be used for 15 minutes of community service (i.e. 4 chips = 1 hour of community service)
- ~ 1 chip per day for early phase advancement (i.e. 14 chips = 14 days for early phase advancement) **(CHIPS MAY NOT BE USED IN PHASE 5 FOR ADVANCEMENT & THE MAXIMUM NUMBER OF CHIPS USED FOR EARLY PHASE ADVANCEMENT MAY NOT EXCEED 30 THROUGHOUT THE ENTIRE PROGRAM)**
- ~ 4 chips can be turned in for a raffle ticket for our large incentive items (fishbowl) drawing
- ~ 1 chip can be used for \$10 off of program fees (i.e. 10 chips = \$100 off)

DRUG & ALCOHOL TESTING

A critical component of successful Treatment Court participation involves intense supervision and random testing to determine compliance with the rules of the Treatment Court Program. Accordingly, each Treatment Court participant will be subject to a minimum of 3 UAs per week. You will be given a PBT each time you provide a UA. You may also be randomly given an Oral Swab test in lieu of or in addition to a UA. Sweat Patch drug testing will be used at times and will be at the discretion of the Treatment Court Team members. Substance use screening by jail staff is done to investigate and establish a factual context (forensic purpose). Observed specimen collection shall be conducted by staff of the same gender as the offender, when possible. If the participant identifies as transgender and the UA needs to be observed because of concerns of tampering, staff will ask the participant their preference for the gender of the staff member who observes UA.

- a. Jail staff shall observe the inmate provide the sample to ensure that the participant does not tamper with or alter the sample.
- b. Once the sample has been provided, and jail staff is satisfied that the test has not been altered or tampered with, the sample shall remain in the presence of the participant until it has been read.
- c. The test shall be read in the presence of the participant, informing them of the results.
- d. Tests may be sent to the lab for confirmation at any time. If the test is positive, it will automatically be sent to the lab for confirmation.

If you miss a test, it will count as a positive test.

Any Treatment Court Team members may request testing of a Treatment Court participant at any time. If this happens, you must go to the jail as directed and provide a sample. If a sample is not produced, is not of sufficient quantity, or is adulterated in any way, it will be treated as a positive sample for the presence of unauthorized drugs or alcohol.

Prior to delivering the sample, the participant will be asked whether or not the test will be positive. If the participant acknowledges that the test will be positive, it is considered a positive test but is still sent to the lab for confirmation. If the participant indicates the test will be negative, but the test is found to be positive, the participant will be informed of the positive result. If the confirmation test is positive, the participant may be assessed a fee for both positive tests and the Treatment Court Team will be advised of the test results. The participant may be assessed for the cost of any positive tests.

Please understand that certain substances can give “false positive” test results. You must be careful not to ingest the following:

1. Alcohol (could be in cold medicine like Nyquil, barbeque sauce, etc.)
2. Poppy seeds in any form (muffins, bagels, bread, salad dressing, etc.)
3. “Natural” or herbal remedies, or supplements (e-ola, Mah huang)
4. Over the counter or prescription medicines such as Aleve, Pseudoephedrine (also called ma huang, sida cardifolia & epitonin) may not be taken without prior approval from your treatment provider.
5. Medications from Canada not sold over the counter in the U.S. (222’s, etc.)
6. Alcohol substitutes (Near Beer/O’Doul’s, etc.) contain some alcohol.

You are responsible for what you ingest and will be held accountable for any positive test results.

Participants in Treatment Court are expected to be drug free, including the use of mood-altering, potentially addictive, prescription medications. Participants with chronic pain requiring repeated use of prescription pain medication may not be good candidates for the program because participants must discontinue all addictive medications.

Participants who have an acute pain episode must have approval from the Treatment Court Team before they take any prescription pain medication. The approval must include the doctor’s name, medication prescribed, amount prescribed (including refills), reason for the prescription, duration of treatment, and acknowledgement by the physician that you revealed that you are a substance abuser and participant in Treatment Court and the physician feels the prescription is the best course of treatment for you.

Every urine specimen is tested for creatine level. Creatine levels determine whether a participant has diluted a sample by, for example, consuming large amounts of water. If the creatine level is too low to permit an accurate analysis, the sample will be treated as being positive for the presence of prohibited substances.

Participants must ask the drug court coordinator, in writing, at least two weeks prior to the date they want the drug patch. Participants must understand the patch is subject to availability. Participants cannot request the patch unless the previous 30 days to the date requested to have the patch put on were sanction free, all UAs were timely and negative, and all required paperwork was completed timely and properly. The participant must explain in detail why they want the patch. The court will decide if the patch is to be allowed, and the coordinator will notify the participant of the decision.

TERMINATION

Noncompliance with the Green Lake County Treatment Court Policies and Procedures may justify termination from the program. Warrants, new arrests or a violation of any aspect of your treatment plan may result in termination. Termination occurs after progressive sanctions have been imposed and the participant continues to disregard the rules of the Green Lake County Treatment Court and the orders of the Treatment Court Judge. Termination reasons may include, but are not limited to, the following:

- Commission of a criminal act and/or new serious criminal charges
- Refusal to complete treatment recommendations
- Falsifying or tampering with alcohol or substance tests
- Lying to the Treatment Court Judge and/or failure to follow the Court's orders
- Absconding from supervision or the Treatment Court Program
- Threats against other participants or staff
- Chronic non-compliance
- Negative attitude impacting other participants
- Revocation by the Department of Corrections
- Any grounds that the Treatment Court finds sufficient for disqualification
- Missing and/or positive drug tests; lying about using drugs and alcohol
- Demonstrating a lack of program response by failing to cooperate with the Treatment Court Coordinator or treatment program
- Violence or threat of violence directed at treatment staff, other participants of the program, or other clients of the treatment providers
- Not following the Treatment Court rules and conditions

***A treatment court participant who has failed to participate in the Green Lake County Treatment Court for 30 consecutive days will be automatically terminated from the program without an expulsion hearing. Failure to participate includes failure to attend the following: treatment appointments, support group meetings, urinalysis testing, appointments with the Treatment Court Coordinator or Probation/Parole Agent, and Court reviews.

***Upon a majority vote, minus the Judge, a recommendation for termination is made. If termination is recommended, a hearing is requested before the Judge.

Termination Procedure:

1. A motion for termination can be made by any member of the Treatment Court Team.
2. The motion shall be evaluated by the Treatment Court Team.
3. Upon a majority vote, a notice containing the allegation(s) for termination shall be sent or given to the participant and a hearing will be set in front of a Judge. The Green Lake County Treatment Court Judge shall abstain from voting on the motion for termination but the Judge will have the final decision.
4. If at the Court date the participant wishes to appeal the Green Lake County Treatment Court Team's decision, the matter will be set for further proceedings in front of a Judge. The participant is brought before a Judge for a formal hearing, in open-Court and on the record. The participant

will be afforded due process including the right to be represented by counsel. After hearing the allegations that warranted the recommendation for termination by the Green lake County Treatment Court Team, and the participant's response to those allegations, the Judge will make a ruling. The Judge will make a ruling based on participant behavior(s) and program policies as to whether or not grounds exist for terminating the participant from the Green lake County Treatment Court.

5. The Wisconsin Department of Corrections reserves the right to revoke participants independent of the Green Lake County Treatment Court decision.

6. If at the hearing the Judge makes a ruling that grounds exist to terminate the participant, the participant may be scheduled for sentencing if required. If the Judge makes the ruling that a participant should not be terminated from the Green Lake County Treatment Court, he or she will then continue in the Treatment Court, subject to any appropriate sanctions deemed necessary to address his or her behavior.

Procedure for Automatic Termination:

1. The Treatment Court coordinator will send a non-compliance letter to a participant who has not engaged in the treatment court requirements for 30 consecutive days.

2. A motion for automatic termination will be filed with the Court.

3. At the next Court reviewing hearing the non-compliant participant's case will be called on record. If the participant does not attend the hearing, the Judge will order the Treatment Court participant to be terminated from the Green Lake County Treatment Court Program.

If the participant was in the Green lake County Treatment Court as an alternative to revocation, the notice for termination will follow procedures by the Wisconsin Department of Corrections.

COSTS

The total cost of participation in the Green Lake County Treatment Court Program is \$700. Participants will be charged \$100 during Phase 3, \$200 during Phase 4 and \$400 during Phase 5. These fees must be paid and/or a payment arrangement made prior to advancing to the next phase and graduation. Throughout the phases participants may be rewarded by having these fees reduced. Participants may also apply to have costs waived.

GRADUATION

Upon successful completion of all five phases, which includes participation in a graduation exit interview, satisfaction of all other Court requirements, continued sobriety, and payment or current payment arrangement of all fees, the Treatment Court Judge shall declare the participant a graduate of the Treatment Court Program. The graduation ceremony will be a celebration of sobriety and success of the participant. You will be eligible for continuation as a Treatment Court mentor in the Alumni Association for other participants of the Green Lake County Treatment Court Program.

Graduation from the Green Lake County Treatment Court Program is recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the Treatment Court Team congratulates you for successfully completing Phases 1 through 5 of the Treatment Court Program and achieving your goal to establish a drug/alcohol-free lifestyle.

ALUMNI ASSOCIATION/CONTINUING CARE

Upon graduation, all Treatment Court Program graduates will be invited to join the Alumni Association. The rules of the Alumni Association shall be established by the members of the Alumni Association with the approval of the Treatment Court Judge.

In order to provide you with a continuing support system and to ensure that you can maintain your valuable sobriety, you will be asked to participate in a 6-month continuing care phase. Please take advantage of this opportunity to prove to the Treatment Court Team that you are ready to start your new life as a productive, law-abiding member of society.

CONCLUSION

The primary purpose of the Green Lake County Drug Treatment Court Program is to increase community safety and quality of life by breaking the cycle of drug and alcohol addiction through a balance of accountability, treatment and rehabilitation as an alternative to incarceration.

The Green Lake County Treatment Court Program's main goal is to help you achieve a life free of dependence on mind-altering substances. The Judge, Court staff and the Treatment Court Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to make this commitment to a drug free life.

PARTICIPANT CONTRACT AGREEMENT

1. I understand that by entering into this contract I am bound by its terms and that participation in the program obligates me to the details of this contract and will apply to me for the duration of the program. I understand that if I do not abide by these rules and regulations, I may be sanctioned or terminated from the program.

2. I understand that the validity of this contract is conditional upon my continuing eligibility for the Treatment Court Program. If at any time, after the execution of this contract and in any phase of the program, it is discovered that I am in fact ineligible to participate in the program, I may be immediately terminated from the program.

3. I understand that participation in the Treatment Court program involves a minimum time commitment of 14 months and may include an aftercare component.

4. I agree to promptly and truthfully answer all questions relevant to treatment and/or participation in the treatment court program asked by any Treatment Court Team Member.

5. I agree not to voluntarily change my address without the prior approval of the Treatment Court Team and will report any changes of my address to the coordinator within 24 hours. I understand if I move outside of Green Lake County I am no longer eligible to participate in the Green Lake County Treatment Court Program.

6. I agree not to voluntarily change my educational and/or employment status without the prior approval of the Treatment Court Team and will report any changes of my employment/education to the coordinator within 24 hours.

7. I agree to pay for the cost of my treatment, as I become able to do so. The amount to be paid to the treatment provider will be based upon my ability to pay, based on the assessment of the Treatment Court Team.

8. I understand that during the entire course of the Treatment Court Program, I will be required to attend court sessions, treatment sessions and submit to random drug testing.

9. I understand that I may be referred to other services to aid in my personal growth and recovery and I agree to follow through with those referrals.

10. I agree to abide by the rules and regulations imposed by the Treatment Court Team.

11. I understand that sanctions may include time in jail, increased treatment services, increased drug testing, community service, and such other sanctions and interventions as may be deemed appropriate by the Treatment Court.

12. I agree to cooperate in an assessment and evaluation for developing an individualized drug treatment plan adequate to my needs. I understand that the treatment provider or the Treatment Court may modify my treatment plan as circumstances arise, and I agree to comply with the requirements of any such modifications.

13. I agree not to leave Green Lake County or adjoining counties without the prior approval of the Treatment Court Team.

14. I understand that I will be tested for the presence of drugs in my system on a random basis and/or as directed according to procedures established by the Treatment Court Team and/or my treatment provider or at the request of any Treatment Court Team Member. I understand that if I am late for a test, or miss a test, it will be considered a “failed” test.

15. I understand that I may not substitute, alter, or try in any way to change my body fluids for purposes of drug testing.

16. I understand that I may dispute positive test results, but that re-testing will be at my expense.

17. I understand that participating in the Treatment Court Program requires me to be drug and alcohol free at all times. I will not possess illegal drugs, unauthorized prescription drugs, alcohol, or drug or alcohol paraphernalia.

18. I will not associate with people who use or possess drugs, or certain persons as directed by the Treatment Court Team, nor will I be present when drugs or alcohol are being used by others.

19. I understand that I may not possess any weapons while I am in the Green Lake County Treatment Court Program. I will dispose of any and all weapons in my possession, and disclose the presence of any weapons possessed by anyone else in my household.

20. I agree to inform any law enforcement officer who contacts me that I am in the Green Lake County Treatment Court Program.

21. I understand that I may not work as a confidential informant with any law enforcement agency while I am in the Green Lake County Treatment Court Program, nor may I be made or encouraged to work as a confidential informant as a condition of my participation in the program.

22. I may not participate in the Green Lake County Treatment Court Program if I am currently an affiliated gang member.

23. I will inform all treating physicians that I am a person recovering from a substance misuse disorder and that I may not take narcotic or addictive medications or drugs. If a treating physician wishes to treat with narcotic or addictive medications or drugs, I must disclose this to my treatment provider.

24. I am responsible for anything I ingest that may affect the results of my drug screens.

25. I agree that I will not leave any treatment program without prior approval of my treatment provider and the Green Lake County Treatment Court Program.

26. I understand that my case may be discussed with the Treatment Court Judge outside the presence of my attorney for purposes of Treatment Court staffing.

27. I understand that my individual course of treatment may include residential treatment, education, and/or self-improvement courses such as anger management, parenting or relationship counseling, and financial management.

28. I understand that during the early phases of treatment and recovery, I may be precluded from working or from gaining employment. I further understand that within the time directed and as approved by the Treatment Court team, I will seek employment, job training, and/or further my education.

29. I agree that a probation agent or law enforcement officer may search my person, property, or place of residence, vehicle, or personal effects, without a warrant, with probable cause, or reasonable suspicion, or upon my consent. I further agree that if asked for consent to search by a probation agent or other law enforcement officer, and I refuse that consent, this refusal may be grounds for sanctions or discontinuation from the program.

30. I agree to sign the Authorization to Release and Exchange Information. I understand that any information obtained from this release will be kept in my Treatment Court file and will not be shared with anyone except those authorized individuals.

31. I agree to complete all monetary drug court fees, community service, and treatment conditions. I understand that I may be required to pay a fee to participate in Treatment Court program.

32. I agree to follow all the rules and conditions in the Green Lake County Treatment Court Policy & Procedure Manual, and any changes thereto.

33. I understand that if I am terminated from the Green Lake County Treatment Court program, I may face revocation of my probation. If revoked, I will return to the court for immediate sentencing on any withheld sentences or I will be required to serve any sentence that was imposed but stayed.

By signing below, I certify that I have reviewed these conditions and have been advised of the consequences of non-compliance. I have reviewed the conditions with my attorney and understand the terms of this contract. I am willing to enter into this contract freely and voluntarily.

Participant's Signature

Date

Witness Signature

Date

WHY DRUG TREATMENT COURT WORKS

The Drug Court concept is based on an innovative program that was first developed in Miami, Florida in 1989. The Drug Court concept has since received widespread attention as an effective treatment strategy for drug-involved criminal offenders. There are more than 1,700 such programs now in operation in jurisdictions throughout the nation.

Drug Courts are built upon a unique partnership between the criminal justice system and drug treatment community, one that structures treatment intervention around the authority and personal involvement of a Drug Court Judge. Drug Courts are also dependent upon the creation of a non- adversarial courtroom atmosphere where a single judge and a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of drug/alcohol abuse and criminal behavior.

Because of the unique problems and opportunities that present themselves in working with drug/alcohol-involved criminal offenders, treatment and rehabilitation strategies must be “reality- based.” Drug Court programs must therefore recognize:

- Persons with a substance misuse disorder are most vulnerable to successful intervention when they are in the crisis of initial arrest and incarceration, so intervention must be immediate and up-front.
- Preventing gaps in communication and ensuring offender accountability are critically important. Therefore, court supervision must be highly coordinated and very comprehensive.
- Addiction to drugs/alcohol is a longstanding, debilitating, and insidious condition, so treatment must be long-term and comprehensive.
- Addiction to drugs/alcohol seldom exists in isolation from other serious problems that undermine rehabilitation, so treatment must include integration of other available services and resources such as educational assessments, vocational assessments/training, and job placement.
- Relapse and intermittent advancement are part of the recovery process, so progressive sanctions and incentives must be integral to the Drug Court Program strategy.