

Grant County Treatment Court

Drug Court Program

Participant Handbook



Amended December 3, 2024
Amended October 24, 2019
Amended March 7, 2019
Amended November 8, 2018
Amended April 1, 2016
Amended July 9, 2015
Adopted October 10, 2014

Table of Contents

Drug Court Information	Page 3
Mission Statement	Page 4
Introduction	Page 4
Description of the Drug Court Program	Page 4 – 5
Eligibility Standards / Criteria	Page 5 – 6
Readmission to the Program	Page 6
Drug Court Supervision	Page 6 – 7
Program Rules	Page 7 – 9
Drug Court Proceedings	Page 9 – 10
Drug Court Files and Confidentiality	Page 10
Phase Overview	Page 11 – 14
Graduation	Page 15
Aftercare	Page 15 – 16
Fees/Costs	Page 16
Community Support	Page 17
Other Programs	Page 17
Incentives, Sanctions, and Therapeutic Adjustments	Page 17 – 19
Administrative Discharge	Page 19
Expulsion	Page 20 – 21
Jail Sanction / Expulsion Due Process	Page 21 – 23
IID Monitoring	Page 23
Drug and Alcohol Testing Protocols	Page 23 – 28
Prescription Medication	Page 28
Pregnancy	Page 29
Conclusion	Page 29
Medical / Dental Medication Form	Page 30

Drug Court Information

Day and Time of Drug Court: <i>Thursdays at 9:30 a.m.</i>	
Drug Court Judge: <i>Lisa Riniker</i>	
Treatment Court Coordinator: <i>Kristin Schier</i>	Phone: <i>608-723-1738</i>
Treatment Court Provider: <i>Keri Fatzinger</i>	Phone: <i>608-723-6357</i>
Probation Agent: <i>Marissa Yancy</i>	Phone: <i>608-379-0285</i>
Sheriff's Office Liaison: <i>Travis Klaas</i>	Phone: <i>608-723-2157</i>
District Attorney: <i>Ryan Kieler</i>	Phone: <i>608-723-4237</i>
Defense Counsel: <i>Charlotte Wynes</i>	Phone: <i>608-401-2030</i>
Social Services <i>Bryann McGuire</i>	Phone: <i>608-723-2136</i>
Date Entered Treatment Court:	
Completed Phase 1:	
Completed Phase 2:	
Completed Phase 3:	
Completed Phase 4:	
Completed Phase 5 / Graduation:	

Mission Statement

The Grant County Treatment Court will enhance public safety, preserve families, and improve the quality of life for all residents. By providing cost effective, individualized and comprehensive treatment and rehabilitative services, delivered in a dignified environment, treatment court will enhance participants' ability to break the cycle of addiction.

Introduction

Welcome to the Grant County Drug Treatment Court Program. This handbook is designed to answer questions, address concerns, and provide overall information about the Drug Treatment Court Program. Participants are expected to follow the instructions given in drug court by the Judge and comply with the treatment plan developed for you by the treatment provider. This handbook will detail what is expected of you as a drug court participant and review general program information. All participants are encouraged to share this handbook with family and friends.

Description of the Drug Court Program

Grant County Drug Treatment Court is a treatment-based alternative to jail, prison, and the standard probation model. The justice system works cooperatively with treatment agencies and other rehabilitation services to provide a participant with all the possible tools required to get into recovery, stay in recovery, and lead a productive, crime-free life.

The key components of the Grant County Drug Treatment Court include:

- ❖ Immediate Intervention - The sooner a person is placed in treatment following a crisis, the more successful the outcome. In treatment court, an individual can move from arrest or other court action to treatment court and treatment swiftly.
- ❖ Voluntary Entry into the Program - Participants who decide to enter and voluntarily commit to a program are more likely to succeed.
- ❖ Graduated Sanctions and Awards - Participant accountability is an important piece to recovery and continued success.
- ❖ Program Phases for Short-Term Goals - The drug court program is divided into five phases in order to provide short-term goals for the participants to meet. Short-term goals are developed for individuals to have a better chance of success. Participants meet regularly with the Drug Court Judge to review their progress and address positive and negative behaviors. As the participant successfully completes a phase, he or she is rewarded by not having to continue in such an intensive program.

- ❖ Graduation from the Program - The graduation portion of the Drug Treatment Court is the final phase of the program designating the end of the intensive program and the beginning of the continuing care phase.
- ❖ Continuing Care Phase - Is designed for the participant to continue with their recovery with continued contact with the treatment court provider.

Eligibility Standards / Criteria

Potential candidates meeting the following criteria will be considered for admission to the Grant County Drug Treatment Court Program:

- Bonafide resident of Grant County¹
- 17 years or older
- DSM-V diagnosis – moderate or severe
- COMPAS assessment score of general recidivism risk of medium or high and COMPAS assessment score of criminogenic need scales of medium to high
- Offense is non-violent and results from a crime motivated by substance abuse/addiction/dependency
- Defendant voluntarily agrees to participate in the program

Offenders charged with crimes that involve alleged victims may participate in drug court, subject to victim notification, but may not expect any particular consideration will be given to their participation by either the District Attorney or the court. Alleged victims who may have concerns, reluctance, questions, etc. may be referred to the treatment court coordinator. The treatment court coordinator will meet with the alleged victim to discuss the drug court program and take any of the alleged victim's concerns to the drug court team.

Potential candidates meeting the following criteria will be ineligible for admission to the Grant County Drug Treatment Court Program:

- Nonresident of Grant County
- 16 years or younger
- DSM-V diagnosis – mild
- COMPAS assessment score of general recidivism risk of low and COMPAS assessment score of criminogenic need scales of low
- THC user only
- The person has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm
- The person has been charged with or convicted of an offense in a pending case, and during the course of the offense, the person carried, possessed, or used a

¹ Treatment Court may accept Grant County residents with out-of-county charges/convictions. These individuals will be dealt with on a case-by-case basis.

dangerous weapon, the person used force against another person, or a person died or suffered serious bodily harm

Maximum capacity is based on staffing levels, the needs of current participants and funding.

Readmission to the Program

If previously expelled or graduated:

- The former participant may request readmission to the program if it has been more than two years since graduation or expulsion.
 - The former participant must follow the outlined referral process (see Eligibility Criteria).
- If eligibility criteria are met, the team will consider readmission on a case-by-case basis. Factors considered may include but are not limited to what treatment is available that may not have been available previously; the former participant's age upon first entry into the program; the time elapsed since graduation or expulsion; and whether readmission is being requested on the same criminal case for which they were originally accepted into the program.
- There is no appeal procedure regarding the team's decision.

If expelled for absconding:

- The former participant may request readmission to the program if it has been less than six months since expulsion. Application shall be made through the Department of Corrections.
- The team will reconsider readmission on a case-by-case basis. The team will request the former participant to specifically address the behaviors that led to absconding from the program and outline their plan to comply with program expectations and requirements.
- The team will review this information and notify the former participant of the decision regarding readmission.
- There is no appeal procedure regarding the team's decision.

Drug Court Supervision

Drug court participants are required to appear in Drug Treatment Court on a regular basis. At each appearance, the Judge will be given a progress report prepared by the treatment court coordinator regarding the participant's alcohol and drug test results, attendance, participation and progress in treatment, program compliance and/or noncompliance, and updates from probation, social worker, case manager, etc. The Judge may ask you questions about the participant's and discuss any specific problems the participant may be experiencing. If the participant is doing well, he/she will be encouraged to continue with the program and work with the treatment team toward graduation. If the participant is not doing well, the Judge will discuss this with the participant and the treatment team to determine further action. If the participant commits program violations, the Court will impose sanctions. With repeated violations of program

expectations or a failure to progress satisfactorily, the court may impose the ultimate sanction of discharge from the program.

If a participant fails to appear in drug court on the date and time he/she is scheduled, a warrant could be issued for the participant's arrest and the participant placed in custody and other sanctions could be imposed.

Program Rules

Drug court participants will be required to abide by the following rules:

1. Honesty – Always tell the truth.

The concept of honesty must be an underlying foundation before a participant can start entering recovery. If he/she is deceiving oneself about the severity and chronicity of your disease, how it has affected him/her and others, the participant will be very unlikely to take appropriate action. A participant must first be honest to oneself and the drug court. **Dishonesty is considered a program violation for which a participant may be sanctioned.** This includes keeping or hiding certain pieces of relevant information, otherwise known as "lying by omission." Lying by omission is considered the same as lying and will be treated in the same way.

2. Do Not use or possess any alcohol or other drugs.

Sobriety is the primary focus of the drug court program. Maintaining a substance free lifestyle is the most important aspect of your recovery program. Participating in drug court requires the participant to be drug and alcohol free at all times and to not possess drugs. This includes:

- Marijuana
- All CBD, Delta and Hemp products – this includes any and all legal cannabinoids
- NA beer and NA wine
- Mouthwash, cough syrup, or any other over the counter medications that contain alcohol
- Drug paraphernalia

Further, participants are **NOT** to associate with people who are using or are impaired by alcohol or drugs, nor be present while drugs or alcohol are being used by others, unless an exception is specifically granted to the participant. If an exception is given, further testing and monitoring may be requested.

3. Submit and cooperate with any and all alcohol and drug tests upon request.

4. Do not tamper with alcohol/drug testing - this includes dilution.

5. Attend ALL treatment sessions.

This includes individual and/or group counseling (Recovery Support Group, Monthly Maintenance Group, Relapse Prevention, Seeking Safety and DBT), family therapy sessions, community support groups (e.g. AA, NA, or SMART Recovery), and/or self-improvement courses (e.g. anger management, parenting, financial or relationship counseling) as determined by the participant and the treatment provider. Missed sessions will result in sanctions, without approval from the treatment court provider.

6. Attend ALL court sessions and other services.

This includes court sessions, meetings with the treatment court coordinator, meetings with the probation officer and scheduled community service engagements. Failure to appear at a court session may result in an arrest warrant.

7. Be on time.

Participants are expected to be on time for Court, treatment sessions and appointments with probation agent, treatment court coordinator, social worker and case manager. If participants are late for treatment appointments, he/she may not be allowed to attend the counseling session and will be considered non-compliant. Contact the treatment court coordinator and/or your treatment court provider if there is a possibility that you may be late.

8. Do Not make threats or acts of violence towards other participants and staff.

Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This could result in termination from the Drug Treatment Court Program.

9. Act and dress appropriately for court and treatment sessions.

Act appropriately when in the courtroom. Participants are expected to respect the Court, Judge, and all drug court personnel. Use respectful language and tone of voice in treatment and in Court. Clothing bearing drugs or alcohol themes or promoting or advertising drug or alcohol use is considered inappropriate. Sunglasses are not to be worn inside the courtroom or treatment center, unless medically approved. Speak with treatment court coordinator if you need assistance with clothing. No eating, chewing gum, talking out of turn, cell phones, pagers, or hats allowed in the courtroom. Use appropriate language with staff and in Court.

10. Obey all traffic laws.

Participants shall NOT drive a vehicle if he/she does not possess a valid driver's license. Participants who drive without a valid license shall be sanctioned by the program.

11. Address outstanding traffic fines and court fees.

- 12. Avoid any premises where the primary purpose of the business is the sale of alcohol.**
- 13. Maintain your residence in Grant County throughout the length of the program, unless good cause is shown.**
- 14. Follow the treatment plan as directed by the treatment court provider.**
- 15. Do NOT violate the law.**
If you engage in any criminal act, you can expect a significant sanction.
- 16. Relay Police Contact.**
Participants are to inform any law enforcement officer who comes in contact with them that they are in drug court. Relay police contact to the treatment court coordinator and probation officer within 24 hours of the contact.
- 17. Participants shall inform the treatment court coordinator and probation officer within 24 hours if he/she moves, changes telephone number, or disconnects phone. Participant's place of residence is subject to drug court and Department of Corrections' approval.**
- 18. Participants shall inform the treatment court coordinator and probation officer within 24 hours if he/she changes employment.**
- 19. Participants shall seek permission from the treatment court coordinator and probation officer when not staying at their known residence overnight.**
Drug court participants are expected to be in their place of residence during their curfew hours. An exception to this requirement would be when working second and third shift.
- 20. Understand that the program is at least 14 months long, and participants are expected to compensate the cost of treatment.**
- 21. Follow ALL rules of probation.**

FAILURE TO COMPLY WITH ANY PROGRAM RULES WILL RESULT IN SANCTIONS AND POSSIBLE TERMINATION FROM THE DRUG COURT PROGRAM.

Drug Court Proceedings

Drug Treatment Court shall be held on every other Thursday at 9:30 a.m. with the Treatment Court Judge presiding on alternating weeks, except as ordered by the Court. A closed team staffing will take place prior to Court or as otherwise directed by the Drug Court Judge. All drug court participants must be in attendance at times scheduled, unless otherwise excused by the Drug Court Judge or treatment court coordinator.

Nothing you say while in drug court may be used against you. Participants shall stay for the entire court hearing unless given prior approval to leave early, or treatment is scheduled for that time.

A staffing of the drug court team and the Drug Court Judge shall occur for the one hour immediately preceding drug court. At the staffing, the drug court team will advise the Drug Court Judge of the progress or any violation of each drug court participant. During each drug court session, the Drug Court Judge will discuss the case with each participant and any relevant party. Sanctions or interventions will be imposed for any violations. All sessions will be on the record.

The treatment court provider, treatment court coordinator, and probation agent shall interact with drug court as needed and give reports on a bi-weekly basis to all members describing compliance or non-compliance of the participant.

Drug Court Files and Confidentiality

Drug court files are separate and distinct from Circuit Court files and District Attorney's Office files. All drug court files are considered confidential and are not open to the general public. All such files shall be under the sole and exclusive control of the Coordinator. All files shall be maintained in a confidential manner.

Information obtained by the coordinator or team members and/or discussed in team meetings and via email regarding participants' personal information, especially treatment, will be maintained in a confidential manner. Emails containing confidential information will be encrypted.

Exceptions to confidentiality include:

- General information that does not identify the participant
- Information relating to a medical emergency or other public safety emergency
- Information relating to potential criminal conduct, child abuse, or child neglect
- Information that must be disclosed pursuant to law or court order
- Information for the purpose of research or audits

If an exception exists, dissemination of such information should be confined to disclosure necessary to fulfill the professional purpose. Any personal information disclosed in treatment sessions or outside of weekly treatment court sessions should be treated as strictly confidential and not disclosed to anyone outside of the treatment court. It is expected that all participants in the drug court program will respect the privacy of their fellow participants and therefore keep confidential what private information is learned in the program.

Phase Overview

Each phase consists of specific requirements for transition into the next phase (see below). An application process is used to ensure a consistent and smooth transition from one phase to the next. The drug court team will review the application and the phase requirements to ensure that each aspect of the phase has been met before approving advancement. If advancement is not supported, the participant will be given feedback on areas for improvement and when they may reapply for advancement.

Phase One (Acute stabilization and Orientation, until phase goals are achieved: approximately 30-60 Days):

- Court bi-weekly
- Honesty
- Orientation
- Crisis Intervention
- Develop relationships/alliances with staff
- Identify/resolve barriers to attendance
- Address housing
- Ongoing screening and assessment
- Develop collaborative person-centered treatment/case plans
- If no healthcare, pursue healthcare coverage
- Start changing people, places and things
- Drug and alcohol testing every Monday, Wednesday and Friday by drug court personnel
- Strick compliance with alcohol and drug testing by drug court personnel – no tampering, no diluting, no evasion
- Comply with supervision
- Weekly appointments with treatment court coordinator
- Weekly appointment with drug treatment court probation agent, or as directed; this includes home visits
- Curfew: 9:00 p.m.

To apply for Phase Two:

- The participant is no longer in acute distress
- Orientation has been completed, and the participant is familiar with the program and the expectations
- Ongoing comprehensive screening and assessment
- Collaborated person-centered treatment plan created
- Healthcare coverage being pursued / obtained
- A minimum of 14 consecutive days of total abstinence from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions).
- No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 30 consecutive days
- No sanctions for a minimum of 30 consecutive days prior to phasing
- Application must be made to the court for phase advancement

Phase Two (Psychosocial Stabilization, until phase goals are achieved: approximately 90 Days):

- Court bi-weekly
- Honesty
- Address responsivity needs/stabilization needs (persistent cravings, withdrawal, Anhedonia [lack of pleasure], mental health symptoms, and cognitive impairments)
- Continue addressing / maintain housing
- Compliance with treatment plan – engaged with treatment
- Demonstrate changing people, places and things
- Begin developing a plan for pro-social activities
- Participation in support group meetings (recovery network), if determined appropriate by the treatment provider. Meeting slips are to be turned in to the treatment court coordinator during the drug court sessions or at appointments.
- Strict compliance with alcohol and drug testing by drug court personnel – no tampering, no diluting, no evasion
- Comply with supervision
- Weekly appointments with treatment court coordinator
- Weekly appointments with drug treatment court probation agent, or as directed; this includes home visits
- Curfew: 10:00 p.m.

To apply for Phase Three:

- Stable housing (safe, secure stable housing)
- Reliable attendance (attending services)
- Therapeutic alliance (participant has developed a working relationship with at least one team member/staff)
- Clinical stability (participant is no longer experiencing debilitating symptoms)
- Healthcare coverage obtained
- A minimum of 30 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions).
- No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 45 consecutive days
- No sanctions 45 consecutive days prior to phasing
- Application must be made to the court for phase advancement

Phase Three (Pro-Social Habilitation, until phase goals are achieved: 90 – 120 Days):

- Court bi-weekly, or as directed
- Honesty
- Maintain stable housing
- Participate in 3 pro-social activities weekly

- Participation in support group meetings (recovery network) as determined by the treatment provider and participant. Meeting slips are to be turned in to the treatment court coordinator during the drug court sessions or at appointments.
- Demonstrate changing people, places, and things
- Focus on criminogenic needs (problem-solving, impulsivity, and criminal behaviors)
- Address employment, if needed
- Address transportation/driver's license, if needed
- Address finances/budget, this includes restitution, fine and fees, if needed
- Strict compliance with alcohol and drug testing by drug court personnel – no tampering, no diluting, no evasion
- Comply with supervision
- Weekly appointments with treatment court coordinator
- Weekly appointments with drug treatment court probation agent, or as directed; this includes home visits
- Curfew: 11:00 p.m.

To apply for Phase Four:

- Demonstrated prosocial routine (interactions primarily with prosocial persona and activities)
- Demonstrated prosocial skills (completed criminal thinking curriculum and demonstrated skills)
- Prosocial activities established
- Recovery network established / meetings being attended regularly
- A minimum of 45 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions).
- No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 45 consecutive days
- No sanctions 45 consecutive day prior to phasing
- Application must be made to the court for phase advancement

Phase Four (Life Skills, until phase goals are achieved: 90 –180 Days):

- Court every four weeks
- Early remission demonstrably achieved, per treatment provider
- Clinically stable (treatment professionals are confident the participant is not experiencing debilitating symptoms that are likely to interfere with the person's ability to attend session or benefit from counseling interventions)
- Begin to address medical/dental needs, if needed
- Address vocational/educational needs, if needed
- Reduce or eliminate interactions with using or unhealthy peers
- Practice pro-social decision making and drug avoidance skills
- Maintain 3 prosocial activities per week
- Participation in support group meetings (recovery network) as determined by the treatment. Meeting slips are to be turned in to the treatment court coordinator during the drug court sessions or at appointments.

- Strict compliance with alcohol and drug testing by drug court personnel – no tampering, no diluting, no evasion
- Comply with supervision
- Bi-weekly appointments with treatment court coordinator
- Weekly appointments with drug treatment court probation agent, or as directed; this includes home visits
- Curfew: 12:00 a.m.

To apply for Phase Five:

- Early Remission (90 days without clinical symptoms)
- Life skills curriculum (completed a life skills curriculum upon topics deemed appropriate and desired by the participant)
- Engaged in school, household management, employment or structured hours
- Engaged in pro-social activities
- Engaged in recovery network / meetings being attended regularly
- Progress with finances/budget, this includes restitution, fine and fees, if needed
- A minimum of 60 consecutive days of total abstinence at the time of phasing from the use of alcohol, illegal, or non-prescribed drugs (no misses, dilutes, positives, or admissions).
- No unexcused absences from treatment court sessions and scheduled services/appointments for a minimum of 60 consecutive days.
- No sanctions 60 consecutive days prior to phasing.
- Application must be made to the court for phase advancement

Phase Five (Recovery Management, until phase goals are achieved: 90 Days):

- Court every four weeks
- Honesty
- Maintain 3 prosocial activities per week
- Maintain recovery support network, such as recovery support programs, peer support groups, meeting with a support person, and prosocial support, as determined by the treatment provider
- Aftercare plan completed, signed by the participant, and approved by the treatment provider
- Maintain stable housing
- Address any medical/dental needs, if needed
- Strict compliance with alcohol and drug testing by drug court personnel – no tampering, no diluting, no evasion
- Comply with supervision
- Bi-weekly appointments with treatment court coordinator
- Weekly appointments with drug treatment court probation agent, or as directed; this includes home visits
- Curfew: None

Graduation

Participants will graduate from Drug Treatment Court when the following requirements are met:

- Successful completion of all five stages
- Graduation Application completed
- A definitive aftercare plan established (continuing care phase), which will include but not limited to: maintaining sobriety, out-patient counseling, prosocial activities, and recovery meetings (AA/NA/SMART Recovery) as determined and agreed to by the treatment provider and participant
- Discharge Plan reviewed and discussed
- Recommendation of the drug court team
- Maintained in school, household management, employment, or structured hours
- Have improved stable living arrangements and healthy interpersonal relationships as determined by the drug court team
- Have improved medical and dental health
- Achieved an understanding of personal problems of addiction, criminal behavior, and relapse prevention as demonstrated through the graduation application
- Engaged in recovery network and prosocial activities
- Changed people, places and things
- Court fines and restitution paid in full, unless a maintained payment plan has been established and suitable to the court prior to graduation or waived due to a finding of indigency
- No unexcused absences from scheduled services for 90 consecutive days
- Absolute sobriety (to include no positive alcohol/drug tests, including missed or tampered tests, for a minimum of 90 consecutive days)
- No sanctions 90 consecutive days prior to program completion

The Judge shall declare the participant a graduate of the Drug Treatment Court program. A graduation ceremony will be a celebration of completing all established guidelines. Participants will be presented with a certificate of completion by the Team.

Aftercare

Participants continued self-care and wellbeing are important to the program, even after participants leave the program, so participants are offered an opportunity to receive the incentive of reduced supervision time if participants continue with their care, and maintain the lifestyle that they have built during their time in the program.

Participants will receive three (3) months off their remaining probation sentence for every six (6) months that they are in compliance with the following:

- Appearances before and discussion with the Drug Court Judge the third month and the sixth month of the six-month cycle
- Consistent and responsible continued AODA counseling care

- *No missed appointments, unless excused. Scheduling ahead to avoid any gaps in care*
- Consistent and responsible continued mental health care, if recommended by your treatment provider
- Compliance and progress with the recommended treatment plan, as determined by the treatment provider
- Continued engagement in employment, school, and/or household management
- Compliance with rules of probation, including no positive tests
- No new charges or citations
- Probation fees are current
- Payment plans with the court are current
- Meet with the treatment court coordinator once a month
- Submit to alcohol and drug testing at the request of the treatment court coordinator and/or probation officer
- Regular participation in community support groups as determined by the treatment provider. *Meeting attendance will be verified by the treatment court coordinator as previously documented.*

Fees/Costs

You **may** be responsible for the following costs:

- Assessment and treatment
- Driver Safety Plan
- Fines and costs
- Lab rescreens and confirmations
- Electronic monitoring equipment
 - Electronic Monitoring
 - SCRAM Units: SCRAM Bracelet and Remote Breath

Failure to Pay Fines - If a participant is delinquent in the payment of fines, the information will be relayed to the drug court team and Drug Court Judge to include in the court report.

Reduction of Fines, Court Costs – A drug court participant may perform community service work for a public agency or non-profit charitable organization in lieu of payment of fines. The maximum amount of community service hours shall be one-half of the amounts of the base fine at the rate of \$10 per hour. The participant shall not receive credit for community service hours unless written documentation of the community service, signed by a supervisor, is submitted to the treatment court coordinator or the Clerk of Court's office.

Community Support

Participants will be required to attend community support groups while in Grant County Drug Treatment Court. Alcoholics Anonymous, Narcotics Anonymous and SMART Recovery are examples of community support groups. The goal is for participants to build a sober support network which will remain in place once he/she has graduated from the program. Attendance is verified by a signature from the individual chairing the meeting, an individual attending the meeting, or an attendance confirmation email. Further, participants may be encouraged to get a sponsor and/or peer support.

Other Programs

The Grant County Drug Treatment Court Team may find other programs which are important for your success in Grant County Drug Court including Victim Impact Panels, Thinking for a Change, employment and/or job training programs, parenting and budgeting/financial classes. Participants must complete any programs that are ordered by the Grant County Drug Court Judge.

Incentives, Sanctions and Service Adjustments

Drug Treatment Court places as much emphasis on incentivizing productive behaviors as it does on reducing crime, substance use, and other program rule violations. Incentives are awarded to participants who have demonstrated positive progress since their last court appearance. Incentives are intended to encourage participants to continue making progress in achieving their goals.

Incentives may include, but are not limited to:

RESPONSES TO BEHAVIOR	
ACHIEVEMENTS	INCENTIVES
<ul style="list-style-type: none">▪ Honesty▪ Attending all court appearances▪ Negative drug/alcohol test results for period of time▪ Attendance and participation in treatment▪ Attendance and participation in support meetings▪ Obtain a sponsor▪ Completion of assignments and step work▪ Employment▪ Job promotion▪ Enrollment in employment and training program▪ Completion of GED▪ College enrollment and attendance▪ Compliance with treatment/supervision plan▪ Artwork, Essays, Journals▪ Stable living▪ Prosocial activities	<ul style="list-style-type: none">▪ Reduced jail time▪ Phase advancement▪ Removal of curfew▪ Removal of EMP▪ Reduced supervision▪ Monetary incentives, such as gas cards, gift cards▪ Candy▪ Certificates▪ Fishbowl drawings▪ Round of applause▪ Standing ovation▪ Courtroom recognition▪ Judge's handshake▪ Verbal praise▪ Praise from Team members▪ Sobriety coins

<ul style="list-style-type: none"> ▪ Develop a budget ▪ Community Service ▪ Phase Advancement 	<ul style="list-style-type: none"> ▪ Travel outside of the state / county ▪ Overnight travel
--	--

Sanctions are meant to assist with behavior modification and may vary from low-level verbal reprimands to high-level intensive responses to violations. Sanctions shall be reviewed on a case-by-case basis; the severity of the violation, the phase, and the risk level of the participant will be taken into consideration when deciding on a sanction. An evidence-based behavior response guide will be utilized to assist the team with determining an appropriate sanction. Sanctions will increase with subsequent violations. Jail sanctions are imposed judiciously and sparingly.

Service Adjustments are adjustments to requirements and may be delivered with lower magnitude sanctions in response to unauthorized substance use in the early phases of the program and to help participants achieve goals that are too difficult for them to accomplish currently.

Participants will have the opportunity to address the court regarding the facts and proposed response, but there will not be a separate formal hearing prior to the imposition of sanctions, except for a jail sanction – see jail sanction/expulsion due process below. Participants agree to accept ordered sanctions as a condition of participation in Drug Treatment Court.

Sanctions in Grant County Drug Court may include but are not limited to and may be employed individually or in combination to:

CHOICES	SANCTIONS / SERVICE ADJUSTMENTS
<ul style="list-style-type: none"> ▪ Dishonesty ▪ Missed or late court appearances ▪ Missed or late appointments with Drug staff ▪ Missed support group meetings ▪ Violation of court order ▪ Disobey directive of coordinator, treatment provider and/or social worker. ▪ Disobey directive of probation agent ▪ Positive drug/alcohol test ▪ Missed drug/alcohol test (considered a positive drug test) ▪ Tampered/diluted drug/alcohol test ▪ Inappropriate behavior at appointments ▪ New OWI or felony conviction ▪ Driving while license suspended/revoked ▪ Failure to perform sanctions ▪ Noncompliance with treatment plan ▪ Failure to follow DOC Rules 	<ul style="list-style-type: none"> ▪ Reprimand from the Judge ▪ Speak at Drug Treatment Court ▪ Oral apology in court ▪ Letter of apology ▪ Journaling ▪ Delay in phase change ▪ Curfew Imposed ▪ Community service hours ▪ Court observation ▪ Electronic monitor ▪ Home detention ▪ Sentence to Jail ▪ Loss of Huber privileges ▪ Team intervention - roundtable ▪ Imposing a stayed jail sentence ▪ Expulsion

	<p style="text-align: center;">SERVICE ADJUSTMENTS</p> <ul style="list-style-type: none"> ▪ Adjustment in treatment, level of care ▪ Adjustment in medication ▪ Support groups ▪ Increased supervision ▪ Increased court sessions ▪ Increased drug/alcohol testing ▪ Activity logs, essays, journaling ▪ Life skills assignments ▪ Residence Change (sober living, transitional living) ▪ Residential Treatment ▪ Halfway House Placement ▪ Behavioral Contract / Last Chance Contract
--	--

Note: The drug court team shall consider mitigating and aggravating circumstances in determining the most appropriate sanction and treatment response.

Administrative Discharge

Should the participant be unable to complete the program, the treatment court coordinator shall file an order with the Clerk of Court informing of the administrative discharge of the participant. The letter shall reference all case numbers that require drug court participation as a condition of probation.

Inability to complete the program can occur for various reasons, including but not limited to the following:

- The participant moves out of state or county.
- The participant experiences unforeseen changes to their mental or physical health that does not allow continuation of the program.
- The team, in consultation with the treatment provider(s), determines the participant has reached a maximum therapeutic benefit.
- The available resources would not appropriately and effectively meet the participant's needs.
- The participant is unable to engage in recommended treatment, despite multiple efforts to adjust treatment to fit the needs.

If the team, in consultation with the treatment provider, deems the participant appropriate for administrative discharge, that decision will be communicated to the participant. If the participant opposes the administrative discharge, the participant may request a hearing on the team's decision, which will be handled similarly to the expulsion procedures.

Expulsion²

Any member of the drug court team may make a motion to expel a participant based on one or more of the following conditions:

- Evidence the participant is involved with selling drugs.
- New arrests
- Violent offenses
- Tampering with drug tests
- The participant's conduct threatens public safety including, but not limited to, new criminal charges
- The participant's conduct threatens the integrity of the program
- The participant is unwilling to engage in recommended treatment, despite multiple efforts to adjust treatment to fit the needs
- The participant is unwilling to follow program rules and policies – pattern of noncompliance
- The participant's continued enrollment in the program will negatively impact one or more participants and acceptable remedies do not exist to resolve the negative impact
- Any other grounds that the drug court team finds sufficient for expulsion

There must be a second to the expulsion motion for the team to consider it. If there is no second to the expulsion motion, then the motion fails.

If there is a second to the expulsion motion, then the Drug Court Judge will inform the participant of the motion at the court session immediately following the staffing. The Drug Court Judge will explain to the participant his/her rights to counsel. Expulsion pleadings setting forth the grounds for expulsion will be filed forthwith and delivered to the participant immediately following the drug court session or by the end of the business week, unless extenuating circumstances exist. If the participant requests to be heard, then the expulsion conference will be scheduled as soon as possible, ideally within 14 days.

The drug court team and participant, with his or her attorney, if represented by counsel, will meet to discuss the Motion for Expulsion at an expulsion conference. The participant retains the same due process rights during the expulsion conference including: notice, right to counsel and right to be heard. The process is informal and not on the record. The Drug Court Judge is not part of this meeting or decision. The team's recommendation shall be made part of the record during the due process hearing / expulsion hearing.

Voting members include one representative from the following agencies: Department of Corrections, Sheriff's Department, State Public Defender's Office, District Attorney's

² Decisions regarding the participant's supervision are made by the Department of Corrections and separate from the Drug Court expulsion decision.

Office, Treatment Provider, Department of Social Services and Treatment Court Coordinator

If the drug court team recommends expulsion, the matter will be set for a hearing before the Drug Court Judge as soon as possible (usually the same day of the expulsion conference). The Motion for Expulsion hearing will be on the record in open court. The expulsion hearing has two components:

- If the underlying facts behind the motion for expulsion are disputed, a due process evidentiary hearing will occur. The evidentiary rules at that hearing will be the same as evidentiary rules at a probation revocation hearing.
- If the underlying facts are not disputed but the appropriate response is disputed, a hearing will occur on the appropriate response. The evidentiary rules at the hearing will be same as a criminal sentencing hearing.

If the Drug Court Judge agrees that there is a basis to grant the Motion for Expulsion, findings and conclusions will be made on the record, and the participant will be removed from the program and may be returned to Circuit Court for resentencing or the remaining imposed and stayed sentence served.

NOTE: Absconding is grounds for termination. If a participant fails to appear in court for two consecutive court sessions, and fails to appear at the third consecutive court session, expulsion proceedings will ensue. The participant will be mailed a motion to expel to his/her last known address informing him/her that he/she is now in the expulsion phase of the program, as a result of absconding. The participant will then have 14 business days to respond to that motion by either calling or coming in and indicating that he/she would like an expulsion hearing. A hearing will then be scheduled as outlined in the expulsion proceedings noted above. If the participant does not respond to the motion within 14 days, the participant will be terminated from the program.

Jail Sanction / Expulsion Due Process³

Participant Rights:

- The participant who is alleged to have committed a violation(s) warranting a termination or jail sanction shall be entitled to:
 - Notice of the violation and/or allegations used as the basis for the termination/jail sanction
 - Be present at the due process evidentiary hearing
 - The right to call their own witnesses
 - The right to cross-examine witnesses
 - The right to factual findings
 - The right to counsel (see below for additional information)

³ *Treatment Court Best Practices and Recordkeeping, October 2021, Due Process, pages 7-9.*

- If a participant wishes to knowingly, intelligently, and voluntarily waive their right to a due process hearing they:
 - Have a right to be present during a waiver of the due process hearing.
 - Must be informed of their right to a due process hearing.
 - Must not be under the influence of any substances which would impact their ability to understand the waiver of the due process hearing.

Right to Counsel:

- The participant is entitled to counsel to assist them with an evidentiary hearing.
- Should the participant wish to have counsel for an evidentiary hearing, they may apply to the State Public Defender's office.
 - The State Public Defender will appoint counsel to the participant if they qualify.
 - If the participant does not qualify, they may apply for counsel through the Court.
 - The participant may choose to hire their own counsel.
- If the participant wishes to waive their right to counsel and proceed pro-se, the court must ensure that the participant knowingly, intelligently, and voluntarily waives their right to an attorney.
- A participant who has waived their right to counsel may nevertheless re-assert that right.

Discovery:

- The participant and their attorney are entitled to the records related to the violations, which may include the test results, the reports of the testing lab, the procedures of the testing lab, etc.
- If the violation(s) involve or include non-drug test violations (behavioral/other rules violations), the participant's counsel may request such records from the appropriate reporting agency.
- Waivers or releases may be required in order for the participant's counsel to receive certain protected or otherwise confidential information.

Standard of Proof:

- The allegations of violations by the participant must be established by the State by preponderance of the evidence.

Evidentiary Standards:

- If the violation involves drug testing results, the standard of proof for the drug test results must have an indicia of "sufficiently reliable."
- There must be a clear chain of custody for the samples and opportunity for timely confirmation testing.
- Hearsay is permissible in a due process hearing.

Hearing Procedures:

- The due process hearing shall be held on the record.
- The hearing may be held at a time other than the usual prescribed treatment court hearings.
- The State shall present its witness(es) for each of the alleged violation(s) of the participants.
- The participant has a right to cross-examine the witnesses brought against them.
- After the close of the State's evidence, the participant and their counsel may present their own witnesses, subject to cross-examination by the State.
- At the end of the hearing, both the State and the participant's attorney may make closing statements to the presiding judge.

IID Monitoring

IID (Ignition Interlock Device) events will be monitored by the treatment court coordinator. It is the participant's responsibility to notify the treatment court coordinator of any missed or failed rolling tests, a high BAC, and/or an unauthorized start within 12 hours of the event. Failure to do so will be considered a program violation and subject to sanctions. (If the event occurs during non-business hours or on the weekend, leave a message on the coordinator's voicemail.) Depending on the event, the participant may be subject to further testing and/or inquiry per the discretion of the treatment court coordinator and/or the drug court team.

Drug and Alcohol Testing Protocols

Grant County Drug Treatment Court will employ several screening and testing procedures to ensure proper interventions are utilized for assisting each participant in sobriety. Grant County Drug Treatment Court will utilize sweat patches during most of a participant's time in the program. Grant County Drug Treatment Court reserves the right to utilize other forms of drug and alcohol testing as needed.

POLICY:

A critical component of successful drug court participation is mandatory announced or unannounced drug and alcohol screening. You will be regularly drug/alcohol screened. Any member of the drug court team and any law enforcement officer may request testing at any time. Drug/alcohol screening will take place with drug court personnel and may take place at court, any appointments, treatment sessions, and/or during a visit with your probation agent or social worker. Methods of screening are determined by treatment court team and are not negotiable.

Any detectable level of alcohol, drug or mood altering substances is considered a positive test. This includes CBD, Delta and Hemp products (any and all legal cannabinoids), NA beer, NA wine, mouthwash, cough syrup, and any other over the counter medications that contain alcohol.

Participants shall promptly comply with the testing procedure if directed to test. If a sample is not produced, is not of sufficient quantity, or is adulterated/diluted in any way, it will be treated as a positive sample and reported to the drug court team. Further, participants are allowed three attempts to produce a sample for testing. If a participant fails to appear to test on time, does not appear at all, or fails to produce a test after three attempts, it shall ~~will~~ be treated as a positive test. Participants are required to wait on the premises until they are able to submit a sample. If a participant leaves the premises before they have submitted a sample, the result will be recorded as a "refusal."

If a participant has continued dilute screenings, a participant may be required to have additional medical screenings to determine if there is a medical condition that could be the cause of it. If a participant has been determined to have a medical condition, the details of that medical condition must be provided to the treatment court coordinator, and other options will be considered for testing.

Any participant found to have modified or attempted to modify or intentionally tamper with an alcohol or drug test could face a sanction, up to and including termination from the program.

COST:

If a participant denies drug/alcohol use after a drug/alcohol screen is positive, the screen will be sent to a laboratory for confirmation. Participants may be charged the cost of the laboratory test if positive, and the amount is expected to be paid within 30 days.

DRUG/ALCOHOL SCREENING:

Drug/alcohol screening methods will include urinalysis and sweat patches during most of your time in the program. Participants will be tested every Monday, Wednesday and Friday morning during Phase 1 of drug court. Sweat patches will be applied during Phase 2 of the program and will remain a part of the testing procedure throughout the time in the program. Once a participant advances to Phase 5 and move towards graduation, testing will gradually move from sweat patches to weekly/biweekly urinalysis testing. Other testing methods employed in the drug court program are: continuous alcohol monitoring (remote breath and SCRAM bracelet), oral swabs or other clinically accepted means.

COLLECTION/TESTING:

All testing methods will be observed. Urinalysis will be observed by the same sex (male-male, female-female). During the urine collection, the participant is not exposed to the view of any person not conducting the urine collection. The urine collection is not reproduced through a visual or sound recording. The participant's genitals, pubic area, buttock, and anus are not subject to any physical inspection beyond observation of the urine collection. (If a tester of the same sex is unavailable, the observation procedure will be modified.) The tester will explain to the participant what is expected. The participant will urinate into the toilet, allowing the tester to hear liquid entering the toilet, then urinate into the cup, then finish urinating in the toilet.

Oral tests will be directly observed by the tester (male or female) while the swab is in the mouth.

URINE COLLECTION CHAIN OF CUSTODY PROCEDURE:

- Gloves are worn at all times during the collection process.
- Collection cup remains sealed until the participant is given the test cup.
- Chain of Custody form is completed if there is a positive UA and the participant denies use.
- Collector and participant sign the Chain of Custody form.
- Specimen is kept in participant's sight until the security seal is applied to the collection cup lid.
- Once collection is sealed, the cup is placed in a secured area until the specimen is ready to be shipped to the lab.
- Specimen is mailed at the USPS, Lancaster, Wisconsin.
- The yellow copy of the Chain of Custody is kept in participant's treatment court file.

CHAIN OF CUSTODY (COC) PROCEDURE – SWEAT PATCH APPLICATION:

A. Body Area Selection:

1. Observer selects the area of the body for patch application and wear. The patch is placed on an area of skin that is free of hair and is not exposed to excessive flexing and wrinkling of the skin or rubbing against clothing and making sure that the skin is smooth and taut when applying the patch. The upper, outer arm is used as the primary application site. If the arm is not acceptable due to excessive hair, scars, or open wounds, the midriff, back, above the waist, or below the rib cage are recommended application areas.

B. Chain of Custody Form – Application:

1. Observer fills out the left side of the patch Chain-of-Custody form at the time of the patch application.
2. Observer ensures that the information entered in the "Results Name and Address" box is correct, as well as the information in the "Account No." box.
3. Observer fills in the donor's ID number in the box marked "Donor ID" under "Specimen ID Information".
4. Observer enters the donor's name in the box marked "Donor Name" under "Specimen ID Information."
5. Observer writes the PharmChek Patch ID number in the box in the middle left section of the form marked "PharmChek No."
6. Observer writes the application date in the box marked "Date PharmChek Applied." This date is considered the Drug Test Date.
7. Observer initials the box marked "Observer's Initials."

8. Donor initials the box marked "Donor's Initials."
9. Observer checks the reason for drug testing in the appropriate box for "Treatment Status/Reason for Specimen."

C. Prepare Skin for Patch Application:

1. It is required that the trained observer wear disposable gloves before preparing and applying the patch to the application site.
2. Observer aggressively cleans an 8x8 inch area, using at least two (2) or three (3) 70% isopropyl alcohol wipes to rid the area of excess oils, dead skin cells, and any contaminants. Observer lets the prepared area dry completely (60 to 90 seconds) before applying the patch.

D. Applying the PharmChek Sweat Patch:

1. Observer removes the patch from the transparent outside envelope.
2. Observer removes the white backing (with the PharmChek logo on it) from the patch.
3. Observer asks the donor to flex arm muscles for the upper arm application. (For the back or midriff application area, donor bends forward (for the back) or backwards (for the midriff).)
4. Observer places the patch over the cleaned and slightly stretched area of the skin.
5. Observer presses the patch onto the skin and gently rubs the area of film around the absorption pad with the index finger for approximately 10 seconds.
6. Observer removes the outer border and presses the border onto the skin and gently rubs the area of the film around the pad and the outside edge of the patch.
7. Observer signs the box marked "Observer's Certification at PharmChek Application."
8. Observer places the Chain-of-Custody form in the donor's file.

CHAIN OF CUSTODY (COC) PROCEDURE – SWEAT PATCH REMOVAL:

A. Chain of Custody (COC) Form - Removal:

1. Observer completes the right side of the Chain-of-Custody at patch removal.
2. Observer writes the date of removal in the box marked "Date Patch Removed."
3. Observer initials the box labeled "Observer's Initials."
4. Donor initials the box labeled "Donor's Initials."
5. Observer compares the number on the patch with the number on the Chain-of-Custody form.

B. PharmChek Patch Examination:

1. Observer examines patch for tampering.
2. If the donor did not complete the wear period, observer completes box 14 and indicates whether the patch "Fell Off" or was "Taken Off." If the patch was "Taken Off," observer indicates whether it was taken off "By Staff" or "By Donor."
3. If the wear period was not completed, observer indicates why the patch was removed. Observer checks the box marked "Skin Irritation," patch "Started to come off," or "Other." If "Other" is checked, observer indicates the reason.
4. Observer inspects the patch for tampering.
5. If observer doesn't suspect tampering, then the "No" box is checked; if observer suspects tampering, then the "Yes" box is checked and observer explains.
6. Observer fills out the box marked "Last Use Questionnaire."

C. PharmChek Patch Removal:

1. Observer has the donor peel down the film from one of the upper corners, just enough to loosen the outer corner. With a gloved hand, observer peels the plastic halfway down until the top edge of the absorption pad is exposed.
2. Observer completes the removal of the absorption pad by using a pair of single-use disposable tweezers and pulls the absorption pad out of the patch and places the absorption pad in the specimen bag.
3. Observer seals the bag by removing the transparent tape across the top of the bag.
4. Observer disposes of the tweezers immediately.
5. Observer removes the transparent covering of the used patch and throws it away.

D. Labeling the PharmChek Patch:

1. Observer peels a barcode label from the chain-of-custody form and places it on the bottom, right-hand corner of the specimen bag.
2. Observer folds the specimen bag one third of the way down and removes the security seal from the chain-of-custody form and places it over the edge of the bag.
3. Observer initials and dates the security seal.
4. Donor initials the security seal.
5. Observer signs the "Observer's Certification at PharmChek Removal."

E. Transporting Specimen to CRL for Analysis:

1. Observer places the sealed specimen bag in the transport bag.
2. Observer places the middle sheet (ply 2) of the PharmChek Chain- of- Custody form in the transport bag.
3. Observer keeps the top sheet for the file.
4. Observer removes the transparent tape from the transport bag and folds the top of the bag over and seals the transport bag.

F. Mailing Envelopes: Observer places the transport bag in a pre-addressed mailing envelope and delivers the envelope to the USPS, Lancaster, WI for mailing.

G. Observer sends an email to MMS Lab with client name, COC and date mailed in.

Prescription Medication

If at any time a participant is in need of a prescription, the participant may be required to disclose his/her participation in Grant County Drug Court to the Medical Facility / Clinic – Physician. The participant should discuss whether or not he/she is in need of disclosure with the Treatment Provider. If the participant is required to disclose, then the participant will be required to provide the treatment court provider or treatment court coordinator a signed Medical/ Dental Medication Form **at the next** office visit. The consumption of such prescription will be monitored accordingly by drug court staff for the duration of the prescription / condition.

If a participant fails to disclose his/her participation and provide the required Medical/Dental Medication Form to the treatment provider or treatment court Coordinator and test positive for a controlled substance, the test will be considered positive and a sanction may be imposed.

Further, it is the participant's responsibility to ensure that the medication he/she is taking or other food, drink or substance he/she may consume will not create a "false-positive" drug/alcohol test result.

NOTE: Participants agree to inform all treating physicians that he/she is a person in recovery and may not take narcotic or addictive medications or drugs. If a treating physician wishes to treat a participant with narcotic or addictive medications or drugs, the participant must disclose this to the treatment provider and treatment court coordinator and get specific permission from the drug court team to take such medication.

Pregnancy

If a participant becomes pregnant or begins the program while pregnant, they will follow all program rules as written. Lab experts have identified that creatinine levels can be impacted by pregnancy, especially in the 2nd and 3rd trimesters. For this reason, dilutes will be handled by drug court staff on a case-by-case basis for pregnant participants.

Participants, including both mothers and fathers, will be allowed one week of furloughed time away from all treatment court obligations starting at the onset of labor and continuing through the first week postpartum. Following this initial week, UA's will resume, and participants will be placed back in active status. The post-partum recovery process could impact this timeframe at the discretion of the drug court team. Time furlough does not count toward the participant's phase advancement.

Conclusion

The goal of the Grant County Drug Treatment Court is to help participants achieve a better life and give participants the tools necessary to maintain it. The drug court team is here to guide and assist participants, but the final responsibility is yours. To succeed, participants must be willing to work with the drug court team to make the changes necessary to maintain a healthy and Drug-Free life.

This handbook is subject to change.

GRANT COUNTY TREATMENT COURT DRUG COURT PROGRAM

MEDICAL / DENTAL MEDICATION FORM

FROM:	
<i>(Medical Facility / Clinic)</i>	
<i>(Physician's Name)</i>	
<i>(Address, Including City, State, Zip)</i>	
<i>(Telephone)</i>	<i>(FAX)</i>

This notification is to inform you that: _____
(Name of Drug Court Participant)

is currently a Grant County Drug participant and is a person in recovery from substances. As part of a structured judicially supervised treatment program, the Grant County Treatment Court participants are frequently subjected to random drug testing. ***Therefore, all medications and treatment procedures should be prescribed with this information in mind.***

Diagnosis / Treatment: _____
(Please Print)

Prescription: _____
(Please Specify Medication Type and Dosage)

Prescription: _____

Prescription: _____

Date

Signature of Physician