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## **CHAPTER 1: POLICIES AND PROCEDURES**

### **WHAT IS THE NEW LEAF PROGRAM**

The New Leaf Program is a 16-24 month drug court program certified by the Ohio Supreme Court Specialized Docket Section. Upon entering the program the participant will meet with the Honorable Carolyn J. Paschke regularly to discuss and evaluate progress, participation and achievements which are essential components of the Specialized Docket. Participants will be supported by a “treatment team” of professionals who will assist the participant in all phases of treatment and recovery. Completion of the program will depend on the participant’s compliance and continued advancement through phases.

### **MISSION STATEMENT**

To help participants suffering from addiction and combined addiction and mental illness, by providing resources, support and requiring accountability; with the goals of assisting participants in becoming productive members of our community, reducing recidivism, providing treatment instead of incarceration where appropriate, and improving the safety of the public and participants.

### **GOALS AND OBJECTIVES**

#### **GOALS OF THE NEW LEAF PROGRAM**

- A. Reduce recidivism among individuals with drug and alcohol dependency issues in the justice system;
- B. Increase the number of participants who complete treatment and integrate their treatment knowledge in their lifestyle;
- C. Improve the participant’s quality of life, including their living circumstances and prosocial support system.

#### **OBJECTIVES OF THE NEW LEAF PROGRAM**

- A. Reduce recidivism within a two year period;

- B. Increase the percentage of participants who obtain stable housing and employment, and enroll in education programs within 18 months of their entry into the program.

**ADVISORY COMMITTEE**

The New Leaf Specialized Docket Advisory Committee is comprised of key officials, policy makers and community stakeholders that provide input on New Leaf Specialized Docket policies and operations, as well as communicate regularly with the local community. Upon completion of the implementation responsibilities, the advisory committee is now focused on post-implementation tasks.

**POST-IMPLEMENTATION RESPONSIBILITIES**

- A. Assess specialized docket team functionality, review policies and procedures, and assess the overall functionality of the specialized docket at minimum on an annual basis;
- B. Review the target population;
- C. Review use of graduated sanctions and incentives; and
- D. Review treatment sources.

**MEMBERSHIP**

**MANDATORY REPRESENTATIVES ON THE ADVISORY COMMITTEE**

**INCLUDE:**

- A. Specialized Docket Judge (attends and chairs all advisory meetings);
- B. Geauga County Prosecutor;
- C. Geauga County Defense Counsel;
- D. Local Licensed Treatment Provider(s);
- E. The Adult Probation Department;
- F. Local Law Enforcement Agencies.

**ADDITIONALLY, THE FOLLOWING MEMBERS ARE INVITED YET NOT MANDATORY PARTICIPANTS:**

- A. Social Service Organizations;
- B. Veterans Service Commission representative;
- C. Local University educators and representatives;
- D. Other appropriate community members invited by the Specialized Docket Judge.

Advisory Committee Members are chosen and can be removed or added by the Specialized Docket Judge.

## **CHAPTER 2: TREATMENT TEAM**

The New Leaf Program Treatment Team or “Treatment Team” is created and members are invited by the Specialized Docket Judge for the purpose of coordinating the day-to-day operations of the New Leaf Program. Each Treatment Team member plays a critical role in ensuring adequate support and accountability for the New Leaf Program participant. The Treatment Team meets weekly on Thursday mornings at 8:30 a.m. prior to the Status Review Hearings at 9:30 a.m.

### **NON-ADVERSARIAL APPROACH**

The Drug Court Program incorporates a non-adversarial approach while recognizing all of the following:

- A. The Prosecutor’s distinct role in pursuing justice and protecting public safety and victim’s rights;
- B. Defense counsel’s distinct role in preserving the Constitutional rights of the Drug Court Program participant;
- C. The participant’s right to request the attendance of defense counsel during the portion of the treatment team meeting concerning that participant; and
- D. Each participant is provided with a detailed written participation agreement and participant’s handbook, which outlines the requirements and process of the New Leaf Program.

### **AGREEMENT AMONG RELEVANT PARTIES**

Through the planning, implementation and review process of the New Leaf Program, agreement among all mandatory parties listed above has been established. This agreement is maintained through ongoing verbal communication, periodic review and acceptance of the New Leaf Program Description and/or by formal Memorandum of Understanding, as in the case of external treatment providers. The mandatory representatives of the Advisory Committee have been involved in the initial and ongoing development of the New Leaf Program Description.

### **DUTIES OF TREATMENT TEAM MEMBERS**

- A. The Treatment Team is responsible for the daily operations of the New Leaf Program Court Docket;

- B. The Treatment Team members agree to serve on the Treatment Team for a minimum of one year, yet they may serve a term of unlimited length at the pleasure of the New Leaf Program Specialized Docket Judge;
- C. The Treatment Team members agree to work with local community leaders to ensure the best interests of the community are considered in all treatment and supervision activities;
- D. The Treatment Team members shall engage in community outreach activities to build partnerships that will improve outcomes and support specialized docket sustainability. Examples of this outreach include court representation at treatment community meetings;
- E. The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the unique role of prosecutors and defense counsel. The Geauga County Prosecutor and Defense Counsel are represented on the New Leaf Program Drug Court Advisory Committee. In addition to this advisory role, the prosecutor and defense counsel may have daily interaction with the Treatment Team for the purpose of discussing the eligibility and treatment plan of referred defendants. The underlying goal of all interactions is the successful program completion of the defendant, thus minimizing the adversarial nature of the attorney relationship;
- F. The Treatment Team members engage in on-going communication, including frequent exchanges of timely and accurate information about the participant's overall performance. In addition to the Treatment Team meetings, members may communicate daily through the use of email, telephone and in-person conferences. These contacts ensure immediacy of response to challenges and successes of New Leaf Program participants. The New Leaf Program Specialized Docket Judge is always available for interim support and guidance;
- G. The Treatment Team members maintain professional integrity, confidentiality, and accountability, as contemplated under applicable rules of professional and ethical conduct;

- H. The Treatment Team works closely with the Advisory Committee to assess the team functionality, review all policies and procedures, and assess the overall functionality of the New Leaf Program. The Treatment Team members attend the bi-annual Advisory Committee meetings to provide input as to process and program related issues. The Treatment Team members note the recommendations of the Advisory Committee and to the extent possible, integrate recommendations.

### **SPECIFIC ROLES AND RESPONSIBILITIES OF TREATMENT TEAM MEMBERS**

Each New Leaf Program Treatment Team member plays a specific and equally critical role in the administration of this specialized docket. Listed below are the Treatment Team member's roles and responsibilities. In addition to these core members, additional team supports are accessed on an as needed basis specific to the needs of the current New Leaf Program population.

#### **JUDGE**

- A. The New Leaf Program Specialized Docket Judge attends and chairs all Treatment Team sessions;
- B. The Judge has discretion to determine the admission into or termination from the New Leaf Program in accordance with the written legal and clinical criteria for the specialized docket;
- C. Knowledgeable about treatment and programming methods and limitations;
- D. Decision-maker, especially concerning incentives, sanctions, phase advancement, and successful completion or termination;
- E. Maintains contact and discusses progress with each participant at status review hearings;
- F. One Judge will be assigned to the New Leaf Program Specialized Docket to ensure consistency throughout the participant's term of participation.

#### **PROBATION OFFICER/SPECIALIZED DOCKET COORDINATOR**

- A. Facilitates the specialized docket in accordance with the written program description;
- B. Assists with identifying potential participants;

- C. Conducts the legal eligibility screening;
- D. Assists the participant in all phases including the orientation phase;
- E. Maintains the daily operations of the specialized docket;
- F. Collects and maintains statistical information and other confidential records concerning participants, collects data from service providers, and creates reports for review and submission to funding sources;
- G. Gathers progress reports from treatment and service providers to present to the Treatment Team;
- H. Ensures that Treatment Team members follow program policies and procedures;
- I. Monitors service provider agreements and contracts and monitors the services to participants;
- J. Monitors treatment compliance;
- K. Plans and facilitates Advisory Committee Meetings;
- L. Attends regular professional education and informs treatment team of continuing education and updates from Ohio Supreme Court Standards;
- M. Coordinates random drug screens and monitors compliance with any sanctions;
- N. Meets with participants regularly to discuss individualized program goals and progress while the participant is in the specialized docket;
- O. Assists the participant in the development, utilization and coordination of the individualized case plan;
- P. Participates in any discussions regarding incentives, sanctions, phase advancement, successful completion and termination;
- Q. Monitors compliance with supervision plan;
- R. Conducts random alcohol and drug tests as necessary, and reports the results of tests to the Treatment Team;
- S. Monitors sanctions and incentives;
- T. Conducts field visits with participant at home, school, or other community locations;
- U. Attends Treatment Team meetings and status review hearings;

- V. Informs the Treatment Team whether treatment plan, supervision plan, and court orders are followed;
- W. Advises of any specialized docket violations; and
- X. During Treatment Team meetings, provides progress reports and recommendations to the Treatment Team.

**SPECIALIZED DOCKET LICENSED TREATMENT PROVIDERS**

- A. Anyone providing treatment for the specialized docket must be appropriately licensed and trained to deliver services;
- B. Coordinates diagnostic assessments, clinical diagnosis, and develops and maintains the treatment plan and record of activities;
- C. Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests;
- D. Attends Treatment Team meetings and status review hearings;
- E. During Treatment Team meetings, gives treatment updates and makes recommendations regarding treatment needs; and
- F. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.
- G. Provides prompt access to a continuum of approved treatment and rehabilitation services.

**PROSECUTOR**

The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor in pursuing justice and protecting public safety and victim's rights. The Geauga County Prosecutor, or designee:

- A. Identifies eligible clients for the specialized docket in accordance with the specialized docket written criteria;
- B. Attends Treatment Team meetings and status review hearings; and
- C. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.

## **DEFENSE COUNSEL**

The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the Constitutional rights of the specialized docket participant. Defense counsel's role is as follows:

- A. Assists with decision-making regarding participation in the specialized docket;
- B. Explains to the participant what rights are waived by entering the program;
- C. Explains the possible sanctions that may be imposed;
- D. Explains the circumstances that may lead to termination;
- E. Explains the effect that termination from the specialized docket may have on the participant's case.
- F. Attends Treatment Team meetings and status review hearings; and
- G. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.
- H. While the Treatment Team will include defense counsel to fulfill these roles, participants have the right to have private counsel of their choice present during Treatment Team meetings and status hearings while their case is being discussed.

## **AGENCIES AND SERVICES FOR DRUG COURT PARTICIPANTS**

### **RAVENWOOD HEALTH**

- A. Substance Abuse Assessment, Registration/Intake, Treatment Plan Development, Case Management Services, Substance Abuse Intensive Outpatient Treatment (individual and group treatment), Outpatient Services, Drug Testing, Relapse Prevention Planning and Support, Aftercare Planning and Support, Medication-Assisted Treatment, Sober Lifestyle Support (Recovery Club), Baseline Alcohol and Drug Testing, Substance Abuse and Mental Health Evaluation, Outpatient Treatment (Group and Individual), Supported Employment and Outreach Program, Amish Program, Family Counseling;

- B. Mental Health Assessment and Treatment (Individual and Group), Psychiatric Assessment and Treatment, Medication Monitoring, Co-occurring Disorder Treatment, Coordinated Case Management Services, Housing and Residential Treatment, Emergency Services;

**LAKE-GEAUGA RECOVERY CENTERS**

- A. Assessment, Registration/Intake, Treatment Plan Development, Case Management Services, Intensive Outpatient Treatment (Individual and Group Treatment), Outpatient Services, Residential Treatment Program (Male and Female), Drug Testing, Relapse Prevention Planning and Support, Aftercare Planning and Support, Medication-Assisted Treatment, Baseline Alcohol and Drug Testing, Substance Abuse and Mental Health Evaluation, Outpatient Treatment (Group and Individual), Dual Diagnosis Treatment (Individual and Intensive Outpatient), Peer Recovery Support, Recovery Housing, and Specialized Services for Pregnant Women.

**ANY OTHER AGENCIES**

- A. Glenbeigh, Windsor Laurelwood, VA Services, Signature Health, Catholic Charities, United Way, Geauga Hospital;
- B. Other agencies may be added as appropriate or necessary.

**PARTICIPATION AGREEMENT AND PARTICIPANT HANDBOOK**

The Drug Court Program utilizes a written Participation Agreement and a Participant Handbook detailing the rights and responsibilities of the participant in the program. These documents provide an explanation of the responsibilities required for compliance with the program and the consequences of noncompliance, including termination from the program. Each participant reviews the Participant Handbook and Participation Agreement with his/her defense counsel and signs the Participation Agreement before formally beginning the program. The Participation Agreement is attached as Appendix III.

## **CHAPTER 3: TARGET POPULATION**

### **TARGET POPULATION**

The Drug Court Program serves Geauga County surrounding counties residents who suffer from a drug and/or alcohol dependency that has contributed to the commission of the charged offenses, and who require more intense court-monitored treatment in order to enhance their ability to lead a safe, law-abiding life.

### **LEGAL CRITERIA**

Legal eligibility is collaboratively developed, reviewed and agreed upon by the relevant parties. The Drug Court Program serves those who are charged primarily with felonies of the fourth or fifth degrees, but may include higher level felonies upon consultation with the Treatment Team and approval of the Specialized Docket Judge.

A. Intervention Participant;

A person accepted into the New Leaf Program must meet the legal criteria of Intervention in Lieu of Conviction as set forth in Ohio Revised Code Section 2951.041.

B. Post-Conviction Participant;

All other persons accepted into the New Leaf Program who are eligible to participate and accepted by the Specialized Docket Judge.

### **ELIGIBILITY CRITERIA**

A. Current charge is community control eligible;

B. Offender is capable of participating in and completing program;

C. Offender demonstrates an interest in and willingness to participate in the treatment program;

D. Offender must be diagnosed with substance abuse dependency;

E. Offender is charged with an offense that is not defined as a sex-related offense;

## **NOT ELIGIBLE**

- A. Offender charged with a sex-related offense;
- B. Offender has an out-of-county pending case and is not eligible for community control;
- C. Offenders charged with offenses of violence are not eligible as Intervention participants;
- D. Offenders charged with a trafficking offense, unless specifically approved by the Prosecutor and Specialized Docket Judge;
- E. Offenders charged with a felony offense of violence as defined in R.C. 2901.01(A)(9) unless specifically approved by Prosecutor and Specialized Docket Judge.

## **CLINICAL CRITERIA**

The participant must be diagnosed with a chemical dependence based upon a DSM V diagnosis. Other factors looked at are health conditions and motivation and willingness to participate. Admission to the program is without regard to race, national origin, age, gender or sexual orientation of the applicant.

## **CAPACITY**

The New Leaf Program can effectively monitor and treat 25 participants.

## **CHAPTER 4: PROGRAM ENTRY AND CASE FLOW**

### **REFERRAL PROCESS**

Potential participants can be referred to the New Leaf Program through various points of entry to include:

- A. Prosecutor Referral;
- B. Judge Referral;
- C. Request of Defense Counsel;
- D. Treatment Providers;
- E. Probation Officer;
- F. Self-referral;
- G. Jail Referral.

Referrals can be made at any stage of the case or Court process, to include arraignment, pretrial, pre-plea agreement, change of plea, Intervention in Lieu of Conviction (R.C. 2951.041), post-plea (Presentence Investigation), sentencing, while currently under court supervision/community control, or as a result of a community control violation.

The referring entity contacts the New Leaf Program Coordinator who conducts an initial eligibility screening. If an offender is deemed eligible for participation, the formal screening and assessment process is initiated.

### **APPLICATION**

A person who is interested in participating in the New Leaf Program must submit, through his/her attorney, an application to the New Leaf Program Coordinator. A person may either apply to participate as an Intervention applicant, or as a Post-Conviction applicant of the program.

The Specialized Docket Judge has the discretion to decide the admission into and termination from the New Leaf Program in accordance with the criteria for the New Leaf Program. The written legal and clinical eligibility and termination criteria do not create a right to participate in the Specialized Docket, and the decisions of the Specialized Docket Judge are final.

## **NON-DISCRIMINATORY PRACTICES**

If an applicant meets the legal and clinical eligibility criteria for the New Leaf Program, then the applicant is not to be denied admission based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status or any disability.

## **SCREENING AND ASSESSMENT**

All offenders referred to the New Leaf Program are screened using the validated Ohio Risk Assessment System (ORAS) either during the initial screening, Presentence Investigation (PSI) or upon initiation of a community control sentence. A trained officer conducts the extensive ORAS Interview that evaluates offender history and needs across seven (7) functional domains; Criminal and Supervision History; Education; Employment and Finances; Family and Social Support; Neighborhood Challenges; Substance Abuse; Peer Associations; and Criminal Attitudes and Behavioral Concerns. Based on the issues identified, officers then develop an individualized case plan that identifies goals and objectives for the offender, supervising officer and case manager.

## **SUBSTANCE ABUSE OR A DUAL DIAGNOSIS**

Assessments are scheduled in a timely manner. Final diagnostic summaries are sent and reviewed within fourteen (14) days of assessment, and participants shall be placed as soon as possible in appropriate treatment services and programs. All screenings and assessments for treatment determinations are provided by programs or persons who are appropriately licensed and trained to deliver such services. The Court Coordinator monitors the assessment process to ensure appropriate licensure and training of treatment staff. Release of information forms are completed so that the collateral assessment agency can provide communication regarding confidential information, treatment participation and progress and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," and the Ohio Revised Code.

All programming assessments shall include available collateral information to ensure accuracy of the assessment.

Upon completion of the assessment, the participant immediately enters treatment per the recommendations of the treatment provider with the Court's approval.

### **INDIVIDUALIZED NEEDS AND EVIDENCE BASED PRACTICES**

Each participant receives a treatment plan based upon their individualized needs. All provided services incorporate evidence based strategies. The New Leaf Program maintains a current treatment plan and record of activities of each participant. Each plan takes into consideration services that are gender-responsive and culturally appropriate, and that effectively address co-occurring disorders.

### **PROGRAM ADMISSION**

A critical feature of the New Leaf Program is to initiate contact by court personnel at the earliest point possible. Upon determination of clinical and legal eligibility, a referred person is immediately admitted and begins participating in all required Drug Court functions, to include the status hearings.

Immediately upon admission, participants begin working through a progression of program phases. Most referrals are under reporting supervision with the Adult Probation Department during the referral and admission process, which ensure continuity and monitoring. Individuals not under reporting supervision at the point of referral are monitored immediately through bond reporting procedures, such as Pretrial Supervision, or during the Presentence Investigation.

It is important to note that the Specialized Docket Judge has discretion to determine admission into the specialized docket in accordance with the previously stated eligibility criteria.

### **PROGRAM PHASES**

Phases are the steps in which a participant's performance and progress through the specialized docket are monitored. There are six phases including the orientation phase within the New Leaf Program. Phase advancement is not solely based on present timelines. Rather, it is based on treatment plan progression and program compliance. At a minimum the specialized docket participant appears before the Specialized Docket Judge at least twice monthly during the initial phase of the specialized docket. Thereafter, the specialized docket participant regularly appears before the Specialized Docket Judge to review the participant's progress.

## **PHASE I (ORIENTATION PHASE)**

The goal of the Orientation Phase is to ingrain a thorough understanding of the aspects of the specialized docket requirements to assure the highest level of function and success within the program.

- A. Meet with participant to review and complete the Participation Agreement and Release and Exchange of Confidential Information forms;
- B. Minimum of two weeks;
- C. Attend initial specialized docket status review hearing;
- D. Introduce the participant to the members of the Treatment Team: Specialized Docket Coordinator; Probation Officer; Clinician(s); Case Manager(s); and any other team members;
- E. Familiarize the participant with the location and address of service providers, address any issues of transportation, and ensure the participant has the physical ability to access services.

## **PHASE II (COMPLIANCE PHASE)**

- A. Weekly status hearings with Judge;
- B. Minimum of sixty (60) days;
- C. Comply with treatment plan;
- D. Comply with supervision;
- E. Develop case plan;
- F. Comply with home visits from Probation Officer;
- G. Weekly random drug testing (minimum of 2);
- H. Address housing, if needed;
- I. Must have 14 consecutive days of sobriety and **be honest** in order to advance to next phase.

## **PHASE III (PROGRAM ENGAGEMENT PHASE)**

- A. Attend at minimum bi-weekly status hearings with Judge;
- B. Minimum of ninety (90) days;
- C. Comply with reporting to your Probation Officer;
- D. Enroll in Thinking for a Change when available;
- E. Continue engaging in treatment plan;
- F. Continue changing people, places, and things;

- G. Review case plan;
- H. Comply with home visits;
- I. Weekly random drug testing (minimum of 2);
- J. Attend recovery support groups;
- K. Address financial concerns (budget);
- L. Must have a minimum of 30 consecutive days of sobriety in order to advance to next phase.

**PHASE IV (GROWTH AND DEVELOPMENT PHASE)**

- A. Attend at minimum tri-weekly status hearings with Judge;
- B. Minimum of 120 days;
- C. Continued treatment plan;
- D. Comply with supervision requirements;
- E. Establish prosocial activity;
- F. Weekly random drug testing (minimum of 2);
- G. Must have a minimum of 60 days of sobriety in order to advance to next phase.

**PHASE V (MAINTENANCE)**

- A. Attend monthly status review hearings with Judge;
- B. Minimum of 90 days;
- C. Continue engaging in some type of recovery services/network;
- D. Comply with supervision requirements;
- E. Review case plan with Probation Officer;
- F. Comply with home visits;
- G. Weekly random drug testing (minimum of 2);
- H. Engage in other services as needed such as education, job training and/or continued employment;
- I. Must have sobriety time of minimum of 90 consecutive days.

**PHASE VI (PRE-GRAD)**

- A. Attend monthly status review hearings with Judge;
- B. Minimum of 90 days;
- C. Continue engaging in some type of recovery services/network;
- D. Comply with supervision requirements;

- E. Review case plan with Probation Officer;
- F. Comply with home visits;
- G. Comply with random drug testing;
- H. Engage in other services as needed such as education, job training and/or continued employment;
- I. Individual meeting with Judge and Treatment Team regarding success plan;
- J. Must have sobriety time of minimum of 90 consecutive days;
- K. Complete exit survey.

### **AGREEMENT TO CONDUCT YOURSELF APPROPRIATELY**

As a participant in the New Leaf Program, you agree to conduct yourself in an appropriate manner when you are attending any New Leaf Program related activity, including status hearings with Specialized Docket Judge, meetings with the caseworker, probation officer, counseling and treatment sessions, and other required appointments.

Examples of appropriate conduct include, but is not limited to:

- A. Arriving on time;
- B. Being prepared;
- C. Being sober;
- D. Cell phones must be turned off or silent and may only be used with permission;
- E. Dressing appropriately\*\*;
- F. Being respectful and courteous;
- G. Maintaining an open mind;
- H. Maintaining honesty!!

\*\* For status hearings, you must come to court neatly groomed and dressed in clean clothing. Any non-compliance with the Dress Code may result in you being asked to leave, as well as further consequences.

Therefore, the following Courtroom Dress Code is to be followed:

- A. No clothing containing references to drugs, alcohol, or illegal activity;

- B. No low cut, revealing tops/shirts or belly shirts;
- C. No sagging pants or pajamas;
- D. No short shorts or miniskirts;
- E. No hats, bandannas or inappropriate headgear may be worn in the courtroom.

### **FAILURE TO APPEAR AT STATUS HEARINGS**

You are expected to attend status hearings before the New Leaf Program Judge as scheduled. An unexcused absence from status hearings is unacceptable, and failure to appear in court as scheduled, without a valid and verified excuse, may result in a Warrant/Capias being issued for your arrest.

### **ATTENDANCE AND PUNCTUALITY TO TREATMENT SESSIONS**

If you will be late or unable to attend a treatment session, you must call the Specialized Docket Coordinator/Probation Officer immediately and your assigned counselor. Any missed sessions due to illness may require a written note from a physician. Additionally, you must immediately inform your Probation Officer of any absences/tardiness from treatment sessions.

### **FOLLOWING THE RECOMMENDATIONS OF THE TREATMENT PROVIDER**

You must follow all recommendations of your Treatment Provider. If you fail to follow these recommendations, this may result in a New Leaf Program sanction. Further, you must actively participate fully in treatment sessions – just being there is not considered participation.

### **NO ALCOHOL OR ILLEGAL/MOOD ALTERING SUBSTANCES**

You are not allowed to consume any alcohol and/or use any mood altering substance, including non-prescribed medication, federally controlled substances, or illegal drugs, or abuse any otherwise legal household or industrial item, such as paint, solvents, or aerosol spray products.

### **PHYSICIAN PRESCRIBED MEDICATIONS**

You must report any and all prescribed medications to your New Leaf Program Personnel and Probation Officer. You must provide verification of any prescription

from your doctor, including signing a release for the New Leaf Program Personnel to contact your doctor. If the doctor deems it necessary to prescribe an addictive narcotic, the participant must submit a letter to the Court from the doctor stating he/she is aware of their status as a recovering person, and that he/she has been made aware of the participation in the New Leaf Program.

If you test positive for a controlled substance and have not followed the prescription drug policy, you will be sanctioned immediately. A participant must take all prescribed medications strictly as directed.

### **OVER-THE-COUNTER (OTC) MEDICATION**

You must also inform your New Leaf Program Caseworker, counselor, and/or team member of any “over-the-counter” (OTC) medications you are using. You are not permitted to use any over-the-counter medications containing alcohol (i.e. Nyquil), consume any poppy seeds, use any type of CBD oil, or any hemp products and medical marijuana.

In addition, the participant is responsible for having knowledge of all active ingredients in over-the-counter medications.

### **MEDICALLY ASSISTED TREATMENT**

Medically Assisted Treatment (MAT) as part of an evidence-based substance abuse treatment program may be a part of the treatment plan for a New Leaf Program participant if the Court determines that the following conditions have been met:

- A. The participant has been examined and evaluated by an appropriately licensed physician, acting within the scope of their practice, who has determined that the medication is medically necessary and who has validly prescribed the medication;
- B. The medication is FDA-approved for the treatment of substance abuse disorder;
- C. The participant is receiving the medication as part of treatment for a diagnosed substance use disorder;
- D. The treatment is rendered in accordance with current applicable federal and state dispensing regulations;

- E. The MAT program is consistent with the needs of the participant and the interests of the public in the administration of justice, and includes monitoring the use of the medication to mitigate/reduce the risk of abuse, misuse, or diversion of these medications.
- F. Use of narcotics and/or addictive drugs above are not permitted without approval of Specialized Docket Judge.

### **RANDOM HOME VISITS**

You should expect random home visits during your participation in the New Leaf Program and understand that you can be searched without a warrant, as can your place of residence, car, personal property and real property. A law enforcement officer may come with the New Leaf Program Probation Officer and/or Caseworker on any home visit or search.

### **SANCTIONS AND INCENTIVES**

An individualized, progressive and immediate system of program incentives and sanctions is a critical element to the New Leaf Program. While violations will be addressed immediately to ensure a high level of accountability, it is also crucial to recognize an incentive program and personal successes.

### **INCENTIVES**

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

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

- A. Attending required court appearances;
- B. Attending required treatment appointments;
- C. Maintaining close and productive contact with Case Manager;
- D. Reaching individual treatment objectives;
- E. Abstaining from alcohol and drugs, as evidenced by negative test results;
- F. Engaging in vocational or educational activities;
- G. Securing stable housing;

- H. Advancing in specialized docket phases; and
- I. Accomplishing any other milestone identified by the team.

The following are examples of incentives that may be offered:

- A. Encouragement and praise from the Judge;
- B. Ceremonies, certificates and tokens of progress, including advancement in specialized docket phases;
- C. Reducing supervision contacts;
- D. Decreasing frequency of court appearances;
- E. Reducing fines and fees;
- F. Increasing or expanding privileges;
- G. Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- H. Gifts of inspirational items, including books, pictures and framed quotes;
- I. Assistance with purchasing clothing for job interviews;
- J. Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- K. Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- L. Dismissing criminal charges for Intervention Participants or reducing the term of community control;
- M. Reducing or suspending jail, prison, or detention days;
- N. Graduation from the specialized docket; or
- O. Any other reward deemed appropriate by each Officer/Supervisor.

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

## **SANCTIONS**

Likewise, it is imperative that program non-compliance is addressed and sanctioned immediately to ensure high levels of accountability and responsiveness. Immediate, graduated, and individualized sanctions govern the New Leaf Program's responses to the participant's non-compliance. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner, based on

the infraction. Sanctions are issued when there is non-compliance with both program protocol and the treatment plan. Sanctions are a deterrent to negative behavior as well as serving the intent to encourage future compliance.

The following are common infractions that may result in a sanction:

- A. Failure to attend court appearances and treatment appointments;
- B. Failure to follow New Leaf Program rules and rules of Community Control;
- C. Failure to keep scheduled appointments with the Probation Officer, Case Manager, or any other team member;
- D. Non-compliance with other requirements of the treatment plan;
- E. Non-compliance with random alcohol and drug screens or testing positive for alcohol or drugs;
- F. Failure to improve troublesome behaviors;
- G. Failure to meet employment or vocational goals as determined by the Treatment Team; or
- H. Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.

The following are a continuum of sanctions for non-compliance:

- A. Warnings and admonishment from the Judge;
- B. Increasing frequency of alcohol and drug testing;
- C. Increasing court appearances;
- D. Refusing specific requests, such as permission to travel;
- E. Denying additional or expanded privileges or rescinding privileges previously granted;
- F. Increasing supervision contacts and monitoring;
- G. Individualized sanctions such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- H. Imposition of suspended fines and costs;
- I. Requiring community service or work programs;
- J. Increased level of treatment;
- K. Escalating periods of jail or out of home placement;
- L. Filing of community control violation; or

M. Termination from the specialized docket.

Sanctions shall be imposed by the Court as a result of non-compliance or a rule violation by the participant. Sanctions are immediate and may range in severity depending on the seriousness of the participant's non-compliance or rule violation. The supervising New Leaf Program Officer communicates to the participant potential responses to program compliance and non-compliance on an ongoing basis. In addition, the New Leaf Program Specialized Docket Judge provides summation of these responses to the participants in the New Leaf Program sessions.

## **CHAPTER 5: PROGRAM COMPLETION**

### **CRITERIA FOR SUCCESSFUL COMPLETION**

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

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

- A. Demonstrated period of treatment compliance:
  - \*Evidenced by submitting verification of treatment attendance; and
  - \*Medication regime compliance as reported from Counseling Center.
- B. Displayed a change in thinking, attitude and beliefs;
- C. Successfully completed treatment or programming or continues to be actively engaged in treatment process;
- D. Maintained consistent employment and housing;
- E. Demonstrated ability to identify and eliminate criminal thinking patterns;
- F. Completed Specialized Docket program requirements, including community service;
- G. Paid in full fines, court costs, restitution (if applicable), and treatment costs (inability to pay costs in full does not necessarily prevent successful completion).
- H. Demonstrated abstinence from alcohol and drugs as evidenced by negative screens (as relevant);
- I. Aftercare plan established;
- J. Completed vocational or educational plan;
- K. Displayed responsibility for his or her behavior.

The New Leaf Program Specialized Docket Judge has discretion to determine when the participant will successfully complete the program.

#### **NOMINATION**

The participant and/or a member of the Treatment Team offer a nomination of a participant for successful completion.

#### **TREATMENT TEAM REVIEW**

The Treatment Team conducts a review of compliant behavior and accomplishments, to include drug testing results, violations/sanctions, incentives, treatment compliance and aftercare activities.

#### **TREATMENT TEAM RECOMMENDATION**

The Treatment Team then makes a formal recommendation to the New Leaf Program Specialized Docket Judge.

#### **JUDICIAL DECISION**

The Specialized Docket Judge determines that the participant successfully completed the New Leaf Program.

#### **GRADUATION CEREMONY**

Each graduate has a formal graduation ceremony in which they are presented with a certificate of completion and addressed by the Treatment Team and participants. The New Leaf Program Specialized Docket Judge makes a formal statement indicating the accomplishments of the graduate, thus reinforcing expectations for other participants.

#### **AFTERCARE COMPONENTS (IF APPLICABLE)**

The participant is then transferred to the aftercare component of the program in which he/she is supported by the Recovery Coach and established recovery community.

#### **FINAL DISPOSITION**

Depending on case type, the underlying case is closed, or in cases implementing Intervention in Lieu of Conviction, the underlying case is dismissed.

#### **TERMINATION CLASSIFICATIONS AND CRITERIA**

There are two types of termination criteria, unsuccessful and neutral discharge. These criteria have been developed by the New Leaf Program Treatment Team and

Specialized Docket Advisory Committee. The New Leaf Program Specialized Docket Judge has ultimate discretion in determining termination from the specialized docket.

### **UNSUCCESSFUL TERMINATION**

The following are examples of unsuccessful termination reasons:

- A. Ongoing non-compliance with treatment or resistance to treatment;
- B. New serious criminal convictions or charges;
- C. A serious specialized docket infraction or series of infractions; or
- D. A serious community control violation or series of violations.

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

- A. Loss of future eligibility for the specialized docket;
- B. Further legal action including revocation of Intervention in Lieu of Conviction, probation or parole violation; or
- C. Depending on the circumstances, the participant may be subject to jail and other penalties.

### **NEUTRAL DISCHARGE**

There may be circumstances in which the participant is discharged from the New Leaf Program through a neutral discharge status. This status is accessed in situations where the participant has reached maximum benefit for various possible reasons:

- A. A serious medical condition;
- B. Cognitive impairment;
- C. Serious mental health condition;
- D. Death; or
- E. Any other factor that may keep the participant from meeting the requirements for successful completion.

### **INACTIVE STATUS**

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

- A. Placed in a residential facility and cannot be transported for status hearings;
- B. Charged with new crimes pending adjudication and/or a final

disposition for sentencing;

- C. In need of further assessments or evaluations to determine if the New Leaf Program is beneficial to the participant and the program;
- D. Unable/unwilling to comply with the program requirements in a timely manner as directed; or
- E. Have an outstanding warrant for non-compliance from the specialized docket and the issue has not been resolved.

## **CHAPTER 6: SUBSTANCE MONITORING**

Substance use monitoring for the New Leaf Program is based on individual drug testing plans maintained within the individual treatment and case plans. The New Leaf Program monitors participant substance use by random, frequent, and observed alcohol and drug testing protocols. The use of twelve (12) panel drug screens ensures adequate monitoring of the participant's drug of dependence, as well as other common substances of abuse. Substance testing is the last supervision and monitoring tool that is decreased as the participant progresses through the program. The specialized docket in this chapter explains its substance monitoring program in terms of randomness, frequency, and observation.

The New Leaf Program Treatment Team has clearly established plans for addressing participants who test positive at intake or who relapse during program participation. If a participant tests positive at intake, the test will determine the level of treatment services required, as well as establish future testing expectations. If a participant relapses, these plans include increasing the level of treatment, increasing the frequency of testing, and other sanctions determined by the New Leaf Program Specialized Docket Judge.

The Specialized Docket Judge ensures that the random alcohol and drug testing plans and subsequent sanctions are enforced and reinforced to the participant. The Specialized Docket Judge is notified of positive drug test results immediately and at the New Leaf Program Treatment Team meeting. The following acts are treated as positive tests and will be immediately sanctioned:

- A. Failure to submit to testing within time frame allotted;
- B. Submitting an adulterated sample;
- C. Submitting the sample of another individual;
- D. Dilution of sample.

### **DRUG TESTING PROCEDURE**

The participant agrees to submit to random, frequent, and observed alcohol and drug screens. The participant is to submit to testing if requested by their treatment provider, the Probation Department, or the Judge. All testing results will be shared with the Judge and the other members of the Treatment Team. Testing positive will result in a sanction. The Probation Department will utilize a random automated

system to determine the participants who will be tested and the participants will be required to call the automated system 7 days per week including holidays.

The participant will be tested with an instant urinalysis drug screen. The participant agrees to travel to the testing location at their treatment agency, and the Geauga County Probation Department during the hours indicated for testing. During weekends and holidays the participants will test at the Geauga County Safety Center between 8:00am until 5:00pm. The participant agrees to arrive at the testing location on that business day during regular hours of operation to produce a sample. If the participant fails to produce the sample within ninety (90) minutes of arriving at the testing location, it will be the same as a positive test and immediately sanctioned. If the participant fails to provide a urine sample when requested, it will be the same as a positive test and immediately sanctioned. A diluted sample is considered a positive test and will be immediately sanctioned. Should the participant tamper with or adulterate the urine sample, including submitting the sample of another individual, it will be considered a positive test and the participant will be immediately sanctioned.

If the participant tests positive, the participant may request that the sample be retested for confirmation. With the request for confirmation test, the participant will be required to provide the testing fee. If the participant is found indigent, they will not be denied confirmation testing. If the participant fails to make a timely request and pay the fee, he/she cannot later request confirmation testing of the same sample. If the confirmation testing returns positive, the participant will be sanctioned.

In addition to sanctions for positive tests, the Judge and Treatment Team may require a change in the participant's treatment plan. The Judge and Treatment Team understand the difference between relapses in the beginning of treatment versus later on in the program and treatment and/or sanctions are used when appropriate and enforced by the Judge.

The participant shall also submit to testing of his/her breath, hair follicle or blood as required by the New Leaf Program Treatment Team and/or ordered by the Judge.

## **OBTAINING THE URINE SAMPLE**

The urine sample shall be obtained from the client as follows:

- A. The participant will be escorted to the bathroom;
- B. The supervising officer or monitor shall personally watch the participant and the specimen bottle or cup;
- C. The probation officer or monitor shall personally watch the participant to ensure that he/she submits an unaltered urine sample in the specimen bottle provided by witnessing the participant urinating into the bottle. Participants should be asked to leave purses/bags or briefcases outside the bathroom;
- D. If the participant submits a sample, and there is a reason to suspect that the sample may have been tampered with, the monitor or probation officer shall request another sample from the participant;
- E. If the participant is unable to provide a urine sample immediately, he/she shall be told to remain until he/she is able to provide a urine specimen. After a lapse of ninety (90) minutes, it shall be considered a refusal to submit the specimen;
- F. Once the sample is obtained, the probation officer or monitor will obtain the results;
- G. If verification of the results is required, the probation officer or monitor shall immediately label and secured. The sample shall remain in custody of the Probation Department until transported for testing;
- H. If the sample is taken at the treatment facility the procedure for sending out for confirmation will be followed by the treatment facility's policy and procedure;
- I. If the test comes back positive, the participant shall be asked to admit or deny their drug use, in writing. If the participant denies drug use, and pays the appropriate costs depending on the type of illegal substance (See below). Their sample will be sent to its designated laboratory for verified results. If the sample is taken by the Geauga County Safety Center and the test is positive the sample will be properly labeled and secured for transport to the Probation Department.

## **ASSIGNED MONITOR**

A probation officer or monitor designated by the treatment provider will monitor the urine sample. When an officer is unavailable, the Chief Probation Officer or designee will assign a staff person to perform this function.

## **TRANSPORT**

In situations in which tests/samples need verified results, the Adult Probation Department or treatment agency shall send the sample to its designated laboratory by mail. The probationer's name, social security number and date the sample was taken shall be attached to the sample. A chain of custody form must also be completed.

Probation Officers shall inspect container(s) prior to transporting.

## **NOTIFICATION OF POSITIVE TEST RESULTS**

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

## **SUPERVISION**

Probation Officers shall notify the New Leaf Program Coordinator when a person tests positive for illicit drugs or refuses to submit a sample. The officer shall inform the New Leaf Program Specialized Docket Judge and Treatment Team of the nature of the positive or refusal and state that the person will be re-tested and/or a violation hearing requested for continued use.

## **VERIFICATION OF DRUG INTERACTIONS**

A Probation Officer or New Leaf Program Coordinator shall investigate and verify any prescription or over-the-counter drug use that could affect test results. If there are doubts about drug effects, the Probation Officer or Supervisor shall contact a local pharmacist and obtain information as to effects of certain drugs.

## **CONFRONTATION OF PARTICIPANT**

The Participant shall be confronted with any positive test results. He/she will be asked for an explanation or admission of use. The outcome of the interview shall be noted in the officer's case management system.

If not arrested, the Participant shall be afforded the opportunity to be referred to an appropriate program for education, assessment, or treatment services. This shall be documented in the officer's case management system.

## **CHAPTER 7: PROFESSIONAL EDUCATION**

All New Leaf Program Coordinator/Probation Officer will participate in annual training to ensure understanding and application of current best practices in the field of mental health services/ substance abuse treatment and supervision. All probation officers receive a minimum of twenty-four (24) hours of annual training relative to changing offender behavior. Additionally, the New Leaf Program Coordinator/Probation Officer will attend specialized training relative to supervision and administration of the New Leaf Programs.

### **ANNUAL TRAINING TOPICS INCLUDE, YET ARE NOT LIMITED TO:**

- A. The specialized docket model;
- B. Specialized docket processes;
- C. Best practices in substance abuse and mental health services;
- D. Drug trends and alcohol and drug testing;
- E. Training on community resources.

## **CHAPTER 8: EFFECTIVENESS EVALUATION**

The Geauga County New Leaf Program is committed to continuous program improvement and thus, continually collects, aggregates and analyzes program effectiveness measures. The New Leaf Program Specialized Docket Judge reports data as required by the Supreme Court of Ohio, to include assessment with standards compliance. Additionally, the New Leaf Program Treatment Team engages in ongoing data collection to best evaluate whether the docket is meeting the outlined goals and objectives.

### **SUPREME COURT REPORTING DATA**

The Geauga County Common Pleas Court submits statistical reports to the Ohio Supreme Court. This data is collected by the office of each Judge, compiled and communicated to the Supreme Court.

### **CourTools PERFORMANCE MEASUREMENT**

The Common Pleas Court attempts to implement aspects of the CourTools Performance Measurement System to assist in enhancing access to justice while providing increasingly efficient and evidence-based services. CourTools was developed by the National Center for State Courts and has been promoted and sponsored by the Ohio Supreme Court. The following are the ten performance measurement areas the Court attempts to evaluate annually:

- A. Access and Fairness;
- B. Clearance Rates;
- C. Time to Disposition;
- D. Age of active Pending Caseload;
- E. Trial Date Certainty;
- F. Reliability and Integrity of Case files;
- G. Collection of Monetary Penalties;
- H. Effective Use of Jurors;
- I. Court Employee Satisfaction;
- J. Cost per Case.

## **ONGOING DATA COLLECTION**

The New Leaf Program will analyze data for a variety of performance enhancement goals. All information related to client level performance and outcome data is collected and manually entered into statistical spreadsheets by the New Leaf Program Coordinator and the Adult Probation Department Office Manager. The information is then reported by the New Leaf Program Coordinator/Probation Officer who presents all relevant data and outcomes to the Treatment Team.

## **PERFORMANCE MEASURES**

### **TARGET POPULATION**

Participant demographic data will be collected and analyzed, to include personal characteristics, conviction history, primary substance of abuse, and the nature and severity of the substance abuse issue. This data will be used for direct comparative analysis to a similar offender group not participating in the New Leaf Program.

## **SCREENING AND ASSESSMENT**

This MIS will track information relative to referral data, intake and assessment procedures and timelines, results of screening instruments for each participant and individual characteristics of program participants and offenders not accepted into the program. New Leaf Program acceptance and participation rates will be monitored, to include offender refusal to participate and cases that are denied by the prosecutor or presiding judge. Detailed explanations will be tracked relative to these refusal reasons.

## **GENERAL CASE PROCESSING**

Data is collected to assess the point of program entry (pre or post-conviction) and general timelines associated with each.

## **PROGRAM LENGTH**

Data is collected and analyzed to determine average length of program participation, to include correlative analysis of program length to program and individual success. Furthermore, we will be analyzing the exit point of offenders by time period and circumstances to determine if there are patterns of program disengagement. Characteristics of program graduates and unsuccessful discharges will also be maintained.

## **TESTING FOR SUBSTANCES OF ABUSE**

Data is collected as to the frequency, type and process of urinalysis and breath testing. Percentages of positive tests and the substance for which tested positive will also be monitored. A breakdown of the percentage of participants who have tested positive and for what substances they tested positive for will provide valuable data as to trends of use.

## **ANCILLARY SERVICE PROVISION**

Data is collected regarding ancillary services provided to participants, to include the source and nature of services offered. A breakdown of internal and external referrals for service will be tracked, as to the end result of linkage.

## **SANCTIONS AND INCENTIVES**

Detailed data will be entered regarding the nature, reason and impact of sanctions and incentives issued by the Court. Impact data will be used to guide future sanction and incentive grids to ensure the most effective use of this system.

## **JUDICIAL SUPERVISION**

Participant contact with the New Leaf Program Specialized Docket Judge is tracked through the various program phases.

## **UNSUCCESSFUL DISCHARGE**

Data is collected regarding the criteria for discharge and follow-up data regarding offender challenges post discharge.

## **TREATMENT TEAM AND PROGRAM COORDINATION**

Data regarding Treatment Team meeting frequency and stakeholders.

## **PROGRAM RETENTION RATES**

The issue of treatment and program engagement will be tracked for both the Court and treatment providers. Data relative to early termination or withdrawal will be tracked as the primary reason for termination of services. The general characteristics of successful and unsuccessful terminations will be analyzed, to include possible treatment and personal gains for individuals who did not complete services. Data will be gathered to determine if there are key points in participation that experience disengagement.

### **IMPACT ON CRIMINAL BEHAVIOR**

Data relative to legal infraction and violation of Court conditions will be tracked throughout program tenure. New arrests/charges during and post program participation will be analyzed on a follow-up schedule of at least twelve (12) and twenty-four (24) months.

### **IMPACT ON SUBSTANCE ABUSING BEHAVIOR**

Data relative to drug testing frequency and outcomes will assist in monitoring these shifts. Of particular interest is determination of frequency, severity and duration of relapse incidents.

### **IMPACT ON LIFE CIRCUMSTANCE**

Data from the ORAS will be evaluated pre and post program participation to determine positive or negative impact of intervention.

### **OUTCOME EVALUATION DATA**

#### **RECIDIVISM**

Follow-up data will be collected on twelve (12) month schedules to determine recidivism rates for both program graduates and individuals that unsuccessfully terminated program services. Data relative to technical probation violations will also be tracked to include the nature of each violation. Data as to total number of days of incarceration will be collected.