

**MILWAUKEE COUNTY
DRUG TREATMENT COURT**



**POLICY AND PROCEDURE
MANUAL**

(REVISED MAY 2022)

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I. INTRODUCTION

A. Mission Statement

The mission of the Milwaukee County Drug Treatment Court (DTC) is to enhance public safety through the reduction of recidivism by coordinating effective and accountable substance use treatment and supportive services for justice system-involved individuals.¹

B. Goals

Primary Goals:

- Reduce recidivism among justice system-involved individuals with substance use disorders;
- Provide an effective and accountable community-based alternative to incarceration;
- Improve public safety;
- Effectively manage limited criminal justice system resources.

Ancillary Goals and Benefits:

- Reduce criminal justice costs through reduced reliance on incarceration for justice system-involved individuals with substance use disorders;
- Promote community awareness of individuals with substance use disorders in Milwaukee County and promote community participation in addressing substance use concerns.

C. Methods for Achieving Goals

Goal #1: Reduce recidivism among justice system-involved individuals with substance use disorders.

- Mandate intensive substance use treatment with comprehensive ancillary support services, along with close judicial supervision and monitoring of all justice system-involved individuals, with appropriate sanctions and incentives based on performance; and
- Require enrollment in job training, education program or institution, or employment.

Goal #2: Provide an effective and accountable community-based alternative to incarceration.

- Mandate regular court appearances;

¹ Justice system-involved individuals refer to individuals charged with a criminal offense in Milwaukee County.

- Mandate a minimum of twice weekly supervision contacts;
- Mandate regular, random substance testing;
- Respond immediately to instances of non-compliance, including minor violations; and
- Terminate and swiftly convict and sentence individuals who commit serious violations, repeatedly commit minor violations or continually fail to comply with program/supervision requirements.

Goal #3: Improve public safety.

- Follow evidence-based best practices, methods and procedures, which have been empirically shown to reduce recidivism.

Goal #4: Effectively manage limited criminal justice system resources

- Quickly screen justice system-involved individuals for eligibility and start program participation soon after charging; and
- Utilize sanctions and rewards to avoid long-term incarceration costs.

Ancillary Goal #1: Reduce criminal justice costs through reduced reliance on incarceration for justice system-involved individuals with substance use disorders

- Quickly screen justice system-involved individuals for eligibility and start participation within 30 days of eligibility determination;
- Utilize sanctions and rewards to avoid long-term incarceration costs; and
- Target justice-system involved individuals who face a recommendation of a prison term or a local jail sentence of 4 months or longer.

Ancillary Goal #2: Promote community awareness of individuals with substance use disorders in Milwaukee County and promote community participation in addressing substance use concerns.

- DTC team members to engage in speaking opportunities to inform and enlist community support and engagement; and
- Rely on support from Friends of Milwaukee County Treatment Courts, Inc. and ensure its board includes broad and diverse community representation.

II. DRUG TREATMENT COURT TEAM PHILOSOPHY

A. Statement of Core Values

Our team is successful and effective in that we have:

1. Mutual respect for each other's roles, ethical concerns, boundaries, ideas and perspectives;

2. Shared expectations for programs and understanding of each other's roles;
3. A high level of commitment from all team members.

The work of our team contributes to community needs. DTC helps improve family stability and identifies and addresses a range of underlying needs. DTC contributes a framework for addressing these needs and providing access to necessary services.

Community values reflected in our team's decisions.

DTC operates with values congruent to our community, such as accountability, promoting individual dignity, using treatment rather than incarceration whenever appropriate and decreasing criminal justice system costs.

B. New Team Member Orientation

The DTC team will orient new team members by providing to them this policy and procedures manual and encouraging new team members to participate in the process alongside the outgoing team members if possible. As previously stated, each team member will be encouraged to respect the roles, ethical concerns, boundaries, ideas and perspectives of other team members, including a new team member. New team members are encouraged to ask questions, obtain information and provide input as a professional member of DTC.

III. DRUG TREATMENT COURT ORGANIZATION/STRUCTURE

A. Drug Treatment Court Policy and Planning Team

The DTC Policy and Planning team will work together to develop and implement DTC. The team will be responsible for development and review of the program model, program policies and procedures and full program implementation and evaluation. The policy and planning team shall consist of the following individuals and/or a representative from the following agencies who have full decision-making authority:

- Chief Judge
- DTC judge
- Judicial Operations Manager
- District Attorney
- Public Defender
- Behavioral Health Division
- DTC Coordinator
- DTC Community Supervision provider
- Department of Corrections (DOC)
- Law Enforcement

- Evaluator

B. Drug Treatment Court Staffing Team Members and Roles

The participant will be supervised and supported by the DTC team, which includes the DTC judge, prosecutor, defense attorney, DTC coordinator, case manager, treatment provider(s), the DTC law enforcement liaison, and recovery support coordinator, and the DOC agent.

The team meets weekly to discuss the progress of each participant in the program. The team will formulate strategies to support and facilitate the participant's progress through the program's phases and toward successful outcomes. These staffing sessions and discussions offer an opportunity for information sharing and allow team members to hear perspectives on a participant from those filling other roles on the team. Often new strategies for supervision or treatment emerge from these meetings. The team will make recommendations to the DTC judge regarding the application of incentives to reward progress or the imposition of sanctions for noncompliance based on the Milwaukee County Drug Treatment Court Response Guide for Violations and Positive Behaviors (the Behavioral Matrix) (Appendix 1). The team also reviews DTC Referral Summaries (Appendix 2) for individuals determined to be program eligible and discusses the merits of the applicants for admission to the program.

Judge- provides leadership to the DTC program and makes final programmatic/participant decisions and participate fully as a DTC team member. The judge presides over the proceedings and monitors the appropriate application of sanctions and incentives while maintaining the integrity of the court. The judge will:

- Lead staffing and make final decisions based on collaborative team input;
- Provide encouragement and motivation to each participant;
- Establish a rehabilitative relationship with each participant through intensive interaction with participants during court appearances;
- Be involved with the Friends of Milwaukee County Treatment Courts, Inc.

Prosecutor- ensures specific victim and overall community safety concerns are met and will participate fully as a DTC team member. The District Attorney's Office will designate a prosecutor to be responsible for DTC eligibility determinations and for participating in DTC hearings. The prosecutor will:

- Apply program eligibility criteria and contact collaborative agencies such as law enforcement and DOC for input;
- Obtain victim input and comply with victim notification;
- Make determinations for termination and new charges, such as bail jumping, that balance community needs and therapeutic outcomes;
- During review hearings, will operate in a non-adversarial manner, promoting a sense of a unified team presence;

- Ensure participant understanding of sanctions and present rewards to recognized participants.

Defense Attorney- ensures his or her clients' legal rights are protected and participates fully as a DTC team member. The defense attorney has the dual role of maintaining the attorney-client relationship while also participating fully as a DTC team member. The defense attorney will:

- Meet with their client who is a potential participant to evaluate their interest and acceptability into the program;
- Provide their client with a detailed description of DTC to allow the client to make an informed decision as to entry into DTC;
- Review the DTC contract with their client and advise their client on their legal rights, legal options, program conditions and potential sentencing outcomes;
- Monitor their client's progress in the DTC program;
- Participate in a non-adversarial manner at review hearings, thus promoting a unified DTC team presence;
- Collaborate with community legal service providers to address civil legal needs (e.g., family, municipal citations, driver's license recovery, housing, disability).

DTC Coordinator- provides oversight for the day to day operations of DTC. The DTC coordinator will also monitor whether the program is adhering to DTC's policies and procedure and is meeting its short and long term goals and objectives and will serve as a liaison between the community and the local criminal justice system. The DTC coordinator will:

- Plan, organize, coordinate and monitor DTC's daily activities;
- Ensure eligibility determination process is complete before scheduling a case for staffing;
- Schedule and meet with participants to discuss program details;
- Attend staffing and court hearings in order to provide feedback regarding case management and to facilitate DTC team cohesiveness and understanding of DTC concepts;
- Gather and prepare DTC data for reporting mandates;
- Collaborate with government and community agencies in order to meet programmatic goals and to provide effective programming;
- Develop long-term sustainability plan for the program;
- Be involved with the Friends of Milwaukee County Treatment Courts, Inc.;
- Collaborate with Phase V and mentor coordinator to establish and maintain alumni group.

Case Manager- provides case management services for all DTC participants and participates fully as a DTC team member. The case manager will:

- Conduct intake interviews with participants and gather all relevant treatment and demographic information;
- Complete and review the Participant Supervision Agreement (Appendix 3);
- Provide referrals and assistance in obtaining treatment and other supportive services as directed by the individualized case management plan;
- Ensure compliance with random drug testing selection protocol;
- Monitor conditions of the DTC contract, including treatment compliance, abstinence, housing arrangements, employment, travel, and legal/financial obligations;
- Coordinate any community service performed by the participant;
- Provide weekly input of compliance data into the Milwaukee County Pretrial Services Information System for timely reporting;
- Apprise DTC team of the participants' compliance with the DTC agreement using the DTC Progress Report (Appendix 4);
- Participate in weekly staffing and court hearings and provide weekly input of treatment and drug testing data into the Milwaukee County Pretrial Services Information System.

Treatment Provider- identifies and/or provides a continuum of care for participants including, detoxification, residential treatment, outpatient treatment, and intensive outpatient treatment. The provider will:

- Make treatment recommendations to the team;
- Participate in weekly staffing, and if not able to attend, will provide the DTC case manager with complete and timely compliance information.

Law Enforcement Liaison- provides law enforcement support for DTC activities and participates fully as a DTC team member. The law enforcement liaison will:

- Conduct home visits;
- Provide eligibility feedback during initial screening process;
- Follow-up on warrants issued by the court;
- Act as a liaison to other law enforcement agencies;
- Conduct periodic warrant checks on participants.

Peer Mentor- provides support to participants during court proceedings. The peer mentor will:

- Assist participants in seeking ancillary services throughout the community;
- Assist in coordinating community service performance;
- Collaborate with DTC coordinator to maintain and support Phase V.

Recovery Support Coordinator (RSC)- assists participants with substance use or co-occurring substance use and mental health conditions to establish their own path to recovery. The RSC will:

- Assist participants with creating an individualized recovery plan of care;
- Assist participants with service planning and coordination to help participants meet the goals in their recovery plan;
- Participate in weekly staffing and provide updates with regard to participants' recovery plan.

DOC Agent- for any participant who is on DOC supervision and is participating in DTC as an alternative to revocation, the DOC agent assists the case manager in providing case management services. The DOC agent will:

- Provide community supervision of participants on active community supervision with the DOC;
- Refer participants to community resources if available and, when appropriate and in consultation with the DTC team, maintain collateral contacts to follow participant progress;
- Provide drug/alcohol testing as part of normal standards of supervision. Extensive and random alcohol and other drug abuse (AODA) testing specific to DTC will be the responsibility of DTC;
- Attend staffings, provide input for decisions regarding incentives and sanctions, and provide updates on participants' adjustment to supervision with the DOC.

Court Clerk- performs administrative duties for DTC. The clerk will:

- Maintain court records as well as authenticate copies of the court's orders and judgements with the court's seal;
- Schedule and ensure the court's calendar is set up efficiently and cases are called in a timely manner.

Court Bailiff- maintains order in the court. The bailiff will:

- Ensure that in custody participants are produced for court hearings;
- Checks participants into court; and
- Process paperwork for bench warrants and jail sanctions ordered for participants.

C. Friends of Milwaukee County Treatment Courts, Inc.

A 501(c)(3) non-profit corporation, Friends of Milwaukee County Treatment Courts, Inc., has been formed to assist DTC and the other Milwaukee County treatment courts with the following:

- Sustainability planning;
- Outreach to seek support from local/state government, healthcare providers, veteran organizations, local businesses and the community as a whole;
- Education of these organizations on the benefits of DTC;
- Advise on community views and how they impact DTC;
- The DTC judge and the DTC coordinator will serve as liaisons to Friends of Milwaukee County Treatment Courts, Inc. and will attend its board meetings.

IV. ELIGIBILITY, ASSESSMENT AND ADMISSION

A. Capacity

DTC will have a maximum capacity of 80 participants.

B. Eligibility Requirements

- 1) DTC is designed to serve moderate to high risk, high need individuals who have a significant substance use history. In order to be eligible to participate in DTC, an individual must meet the following criteria:

- Milwaukee County resident at the time of referral and while participating in DTC;
- Age 18 or older;
- AODA dependent (based on DSM-V diagnostic criteria);
- Score a minimum of 24 but no more than 40 on LSI-R (Level of Service Inventory-Revised), unless otherwise agreed by the DTC team;
- Be amenable to the DTC program;
- Cannot have pending cases in another jurisdiction unless that jurisdiction allows the individual to enter into a DPA that runs concurrent with participation in the DTC;
- Cannot have pending OWI charges;
- Cannot be a “violent offender” by Federal definition. “Violent Offender” is defined as an individual who:
 - (1) is charged with or convicted of an offense (presenting offense) that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct-
 - (a) The person carried, possessed, or used a firearm or dangerous weapon;
 - (b) There occurred the death of or serious bodily injury to any person; or
 - (c) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (a) or (b) is an element of the offense or conduct of which or for which

the person is charged or convicted; or

(2) Has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

The term “crime of violence” means--

(a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or

(b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

2) In addition, persons **will be evaluated on a case by case basis by the DTC prosecutor** if they face or have a history of the following offenses:

- Sex, dangerous weapons or firearms offenses;
- Manufacture, delivery, possession with intent or conspiracy to commit these offenses involving 40 or more grams of cocaine, 2,500 grams of marijuana or 15 or more grams of heroin.

PERSONS WILL NOT BE CONSIDERED UNLESS THEY ARE FACING A RECOMMENDATION FROM THE DISTRICT ATTORNEY’S OFFICE OF AT LEAST 4 MONTHS STRAIGHT TIME AT THE HOUSE OF CORRECTION.

C. Eligibility Screening Process

Should any party wish to refer an individual to DTC, the referral must be made to the DTC coordinator, who will ensure the eligibility screening process is being followed. To the extent possible, the eligibility screening process shall be prioritized and completed based on the date the individual was referred to DTC. In order to ensure consistent application of objective program eligibility criteria and best use of DTC staffing time, the eligibility screening process must include the following steps:

1. Intake Interview/Verification of Residence/LSI-R/SOCRATES
 - Update or complete Intake Interview with the individual
 - Verification of residence
 - Level of Service Inventory-Revised (LSI-R)-the individual must score between 24-40 to be eligible for DTC, unless otherwise agreed by the DTC team

- Stages of Change Readiness and Treatment Eagerness Scale

If it is determined that the individual was not a Milwaukee County resident at the time of referral and/or the individual's LSI-R score does not meet the above criteria, the DTC eligibility screening process ends and the parties will be notified in writing. If the individual meets the residency and LSI-R eligibility criteria, screening will continue with the following steps:

2. The DTC prosecutor shall review statewide CCAP, NCIC and Milwaukee County JUSTIS systems for convictions that would disqualify an individual from DTC or make the individual ineligible under the federal definition of violent offender. The DTC prosecutor will also ensure victim consultation and will be prepared to relay victim input at staffing.

If the individual has no prior convictions for offenses outlined in Section IV (b) above, eligibility screening will proceed with the following steps:

3. Clinical Assessment/Staffing Preparation
 - Clinical Assessment-ASI/ASAM
 - Referral Summary Report (Appendix 2)-this report will be completed by the DTC coordinator and submitted to the DTC team at staffing. NOTE: Only cases with complete Referral Summaries will be staffed for admission.

D. Drug Treatment Court Team Staffing

The DTC team will meet weekly to review completed Referral Summaries and determine admission for potential new candidates. The DTC coordinator leads the staffing. All team members will come fully prepared to staff all cases (with eligibility summaries, files, documents, records, etc.). If the DTC team accepts an individual, the DTC coordinator shall meet with the individual (with permission of the individual's defense attorney) before admission to discuss the DTC handbook, including program requirements and expectations.

E. Admission/Appearance in Drug Treatment Court

If the DTC team determines that an individual is appropriate for admission, the individual will make an appearance before the DTC judge. At or prior to this appearance, the following must be accomplished:

- Transfer of case to the DTC judge;
- If not already done, waiver of preliminary hearing;
- Entry and acceptance of guilty plea;
- Entry of DTC Agreement (Appendix 5);

- Review of basic program conditions;
- Release/Bail Order with TOT Justice Point;
- DA-Victim Notification and determination of the requested restitution amount to which the parties may stipulate.

NOTE: Cases should not be transferred to the DTC judge until the individual's case has been staffed and the individual has been accepted into DTC.

V. PROGRAM PHASES AND COMPONENTS

A. Compliance Date

A participant's compliance date is set when they enter DTC (if they are out of custody) or when they are released from custody for the first time. Compliance dates are used to measure phase up eligibility. Participants are assumed compliant until a non-compliant behavior occurs as outlined in the Behavioral Matrix (Appendix 1). Non-compliance rising to a moderate or high-level violation may reset the participant's compliance date, as determined by the DTC team using the Behavioral Matrix. Ultimately a compliance date reset is determined by the DTC judge. Participants regain compliance after the non-compliant behavior is responded to and corrected.

B. Phase Requirements

Orientation Phase (30 days minimum)

In the Orientation Phase, participants will begin the stabilization process and learn to manage their physical and psychological withdrawal symptoms from drug and/or alcohol addiction/dependence. Participants will begin to engage in formalized treatment and familiarize themselves with the DTC program.

Phase Objectives

- Encourage the participant's **choice** to work toward a drug free life and provide assistance for securing drug treatment at the appropriate level of care;
- Identify the full spectrum of funding and resources available to each participant and ensure these funds and resources, both private and public, are utilized appropriately so each participant has access to drug treatment, health care, and ancillary services;
- Support participant with detoxification and stabilization from withdrawal, and with the management of physical cravings, triggers and the symptoms of brain dysfunction caused by their drug use;
- Address any mental and physical health issues and encourage the

- participant to obtain treatment;
- Orient participant to the DTC program;
- Collaborate with participant to devise an individualized case management plan that identifies realistic and measurable goals, with specific steps and projected time frames to meet their goals. This plan will be developed by the participant and their individual team which will include both formal and informal supports;
- Monitor the participant's progress in treatment and review and revise case plan regularly.

Participant Requirements:

- 14 consecutive days of substantial programmatic compliance as measured by the compliance date described in Section V.A. above;
- Participate in the random drug testing schedule as ordered;
- Familiarize self with the requirements of the program and comply with policies and procedures of DTC, treatment providers, and other community agencies that the participant is enrolled in and utilizes for supportive services;
- Engagement in the appropriate drug treatment based upon the participant's assessment for a minimum of 10 hours per week;
- Work with the DTC team to identify informal supports, i.e. family or friends to be included on their team and part of case planning;
- Actively engage in the development of an individualized case management plan with realistic and measurable goals;
- Participate in regular reviews of the case plan with the treatment team to recognize successes and identify barriers to meeting goals, modifying the plan as needed;
- No unexcused missed supervision or treatment contacts (verifiable excused absences only);
- Be honest regarding new drug use, new police contacts and changes in circumstances;
- No new arrest rising to the level of probable cause as determined by the DTC prosecutor;
- Appearance before the DTC judge once a week;
- The participant must provide a written request to the DTC team to progress to Phase 1. It should include an account of their treatment experience in the Orientation Phase and their plans for continued treatment and early recovery in Phase 1.

Phase 1: Treatment Plan Phase/Early Recovery (60 days minimum)

In Phase 1, participants fully engage in treatment and the treatment process by taking an active role in understanding their addiction. They begin to make personality and lifestyle changes to avoid relapse and move toward recovery. Participants will examine their behaviors and thought patterns as it relates to their criminal offending.

Phase Objectives

Facilitate participants' progress in treatment planning and early recovery by helping them:

- Understand and confront their addiction and identify underlying issues contributing to their substance abuse;
- Develop and implement recovery skills;
- Develop recovery-based values, thinking and behaviors to replace ones formed in addiction;
- Examine behaviors and thought patterns as they relate to their criminal offending;
- Identify services available to accomplish recovery goals and connect with community supports;
- Develop a personal recovery support system;
- Engage in ancillary services as identified and recommended by the DTC team (e.g., parenting, education, anger management);
- Regularly review their individual case plan and revise as needed.

Participant Requirements

- 21 consecutive days of substantial programmatic compliance as measured by the compliance date described in Section V.A. above;
- Participate in treatment planning and reviews with the identified team members;
- A minimum of 10 hours per week of documented participation in treatment;
- No unexcused missed supervision, treatment or ancillary service (verifiable excused absences only);
- Demonstrate progress in treatment and the development and use of social and recovery skills;
- Develop a Relapse Prevention Plan as part of their drug treatment case plan;
- Attend cognitive behavioral programming focused on criminal thinking;
- No new arrest rising to the level of probable cause as determined by the DTC prosecutor;
- Appearance before the DTC judge once a week;
- Upon completion of Phase 1, participants are to submit a written account of their accomplishments in Phase 1, their goals for Phase 2 and their Relapse Prevention Plan.

Phase 2: Integration/Community Transition/Relapse Prevention Planning (90 days minimum)

The focus of this phase is to effectively utilize recovery skills to maintain sobriety while transitioning to community living and self-sufficiency. Activities in this phase include the following: enrollment in education or job training; employment search and securing a job; and finding and maintaining stable housing. Participants should begin to identify other life changes which will help them maintain sobriety such as addressing self-defeating behaviors, including past trauma, psychological issues, or cultural barriers; repairing relationships; engaging in healthy leisure activities; and planning for the accomplishment of other personal goals.

Program Objectives

Assist participants with the following:

- Shifting from external motivators to internalization of recovery skills;
- Making necessary revisions to their personal Relapse Prevention Plan which outlines how the participant will continue to maintain sobriety and abstinence from substances and continued compliance with behavioral and medical health regimes;
- Relapse prevention services and support;
- Reintegration with family members and development of healthy social supports;
- Development of pro-social life skills and healthy coping mechanisms;
- Educational/vocational services;
- Cognitive behavioral program that addresses social skills, cognitive behavioral change, and problem-solving skills);
- Restitution payment plan.

Participant Requirements

- 45 consecutive days of substantial programmatic compliance as measured by the compliance date described in Section V.A. above;
- Enroll in vocational/educational/employment programming or obtain employment;
- A minimum of 10 hours per week of documented participation in treatment or recovery work (community recovery groups, DTC alumni groups, meeting with a sponsor, religious studies and activities, or spiritual support groups, community service);
- Attend cognitive behavioral therapy focused on criminal thinking (if available);
- Develop a budget or restitution payment plan and make payments as specified;
- No new arrest rising to the level of probable cause as determined by the DTC prosecutor;
- Appearance before the DTC judge every other week;
- Present to the team a written account of accomplishments in Phase 2 and goals for Phase 3. Participants must clearly address personal challenges as they relate to the maintenance of their wellness and sobriety and how they will address these issues in Phase 3.

Phase 3: Maintenance & Wellness Planning (90 days minimum)

The focus of this phase is for the participant to maintain changes and regimens that are consistent with a sober, crime-free lifestyle and the continued development of pro-social life skills as demonstrated by being dependable and reliable in all aspects of life. The participant should work toward the ability to provide for basic needs for self and family (food, housing, financial), to meet program requirements, and to demonstrate the ability to responsibly cope with adult life challenges.

Program Objectives

The participant will continue to work toward these accomplishments:

- Self-efficacy in remaining drug free and crime free;
- High school diploma or GED and/or;
- Employment or enrollment in an educational program or vocational training;

- Stable housing/living environment;
- Sufficient income or financial resources to meet the individual/family needs;
- Ability to cope with adult life transitions and to manage routine life challenges;
- Compliance with restitution payment plan;
- Completion of a required Cognitive Behavioral Program.

Participant Requirements

- 60 consecutive days of substantial programmatic compliance as measured by the compliance date described in Section V.A. above;
- Utilize their Relapse Prevention Plan;
- Employed and/or enrolled in educational/vocational training;
- Stable housing/living environment and financial resources;
- A minimum of 10 hours per week of documented participation in one or more of the following recovery support activities: community recovery groups, DTC alumni groups, meeting with a sponsor, religious studies and activities, spiritual support groups, community service, journaling, art, music or drama therapy, exercise, or other activities approved by the DTC team which support the participant's recovery;
- No new arrest rising to the level of probable cause as determined by the DTC prosecutor;
- Appearance before the DTC judge once every 4 weeks;
- Present to the team a written account of accomplishments in Phase 3 and goals for Phase 4. Participants must clearly address personal challenges as they relate to the maintenance of their wellness and sobriety and how they will address these issues in Phase 4.

Phase 4: Aftercare & Pre-graduation (90 days minimum)

The focus of this phase is for the participant to continue to maintain changes and regimens that are consistent with a sober, crime free lifestyle and the continued development of pro-social life skills as demonstrated by being dependable and reliable in all aspects of life. The participant should focus on an aftercare plan, including relapse prevention, and prepare for a pro-social life without the structure of DTC.

Program Objectives

The participant will continue to work toward these accomplishments:

- Self-efficacy in remaining drug free and crime free;
- High school diploma or GED;
- Employment or enrollment in an educational program or vocational training;
- Stable housing/living environment;
- Sufficient income or financial resources to meet the individual/family needs;
- Ability to cope with adult life transitions and to manage routine life challenges;
- Compliance with restitution payment plan.

Participant Requirements

- 60 consecutive days of substantial programmatic compliance as measured by the compliance date described in Section V.A. above;
- 90 consecutive days substance free as measured from their established graduation sobriety date;
- 90 consecutive days out of residential treatment;
- Utilize their WRAP;
- Payment of the \$75.00 DTC program fee (unless otherwise waived by the DTC judge);
- Employed and/or enrolled in educational/vocational training;
- Stable housing/living environment and financial resources;
- A minimum of 10 hours per week of documented participation in one or more of the following recovery support activities: community recovery groups, DTC alumni groups, meeting with a sponsor, religious studies and activities, or spiritual support groups, community service, journaling, art, music or drama therapy, exercise, or other activities approved by the team which support the participant's recovery;
- No new arrest rising to the level of probable cause as determined by the DTC prosecutor;
- Appearance before the DTC judge once a month;
- Restitution paid or paid to an amount determined to be sufficient by the DTC prosecutor for the benefit of successful completion from DTC;
- If all of these conditions are met then a participant is eligible for graduation and the Graduation Application may be submitted.

Graduation from the Program

To be eligible for graduation, the participant must have:

- 1) 90 consecutive days of sobriety in Phase 4;
- 2) 60 consecutive days of substantial programmatic compliance in Phase 4;
- 3) 90 consecutive days out of residential treatment in Phase 4;
- 2) Completed a minimum 12 months in the program;
- 3) Successfully completed each phase of the program;
- 4) Have in place a specific plan for after-care, continuing sobriety and recovery;
- 5) A written Graduation Application must be submitted to the case manager for preliminary review with the participant and subsequent presentation to the DTC team. The application must set forth accomplishments and future goals in the following areas:
 - Progress/accomplishments in treatment
 - Summary of treatment court experience, including sanctions
 - Education and/or job training
 - Vocation and employment

- Housing
- Family and relationships
- Emotional health
- Leisure and recreation

In addition, the application should include an essay regarding how the participant will maintain their recovery and prevent relapse after graduation. In determining whether a participant should graduate from DTC, the team will consider the participant's current circumstances and progress in each of the above goal areas.

C. Behavior Response Guidelines

In order to ensure participant accountability and encourage progress and compliance, DTC employs the use of the Behavioral Matrix (Appendix 1) to recognize prosocial behavior, treatment and program progress and to address program non-compliance.

Incentives- DTC utilizes a continuum of incentives, tailored to appropriately recognize and encourage each participant's accomplishments and successes, ranging from congratulations and praise in open court to tangible rewards (e.g., gift certificates, food/clothing, vouchers, event tickets, movie passes, etc.) to the ultimate award of graduation from DTC and the dismissal/reduction of the pending charges. Incentives may include, but are not limited to the following:

- Recognition by the court/judge
- Person of the Week Award
- Next Step Award
- Certificates of accomplishment
- Gift certificates
- Movie/event passes/tickets
- Transportation coupons/passes
- Promotion to next DTC phase
- Fishbowl drawings
- Scholarships/donated courses
- Zoom court appearances*
- Reduction or waiver of DTC program fee

*Granting a participant to appear for a court hearing by Zoom is an incentive and, although in the discretion of the DTC judge, should be granted liberally for participants who are either in residential treatment or are otherwise in Phases 3 and 4 and are compliant.

Sanctions- DTC utilizes the following continuum of sanctions, ranging from the least severe (e.g., admonitions in court) to the most severe (e.g. incarceration), selected to specifically discourage and deter non-compliance with DTC requirements and to aid in reinforcing compliance with treatment and services necessary for recovery. Sanctions may include, but are not limited to the following:

- Admonishment and/or assignment of homework by case manager
- Admonishment during court sessions
- Sequestration in jury box during court session
- Observe other court proceedings
- Increased court appearances
- Writing, reading or other assignments
- Increased home visits
- Increased substance testing
- Extension of current phase
- No contact orders
- Curfew
- Community service
- GPS/SCRAM monitoring
- Incarceration

D. Prohibited Relationships

In order to ensure that each participant has an optimal opportunity to focus their attention on their individual recovery, dating and sexual relationships with other DTC participants is strictly prohibited and will be grounds for the severest sanctions, including termination.

Upon discovery of an inappropriate relationship between participants, the DTC coordinator shall notify the DTC judge and the Judicial Operations Manager. The DTC coordinator shall provide the names of the involved participants and their status in the program. The DTC team will staff the participants with the DTC judge and the DTC judge will determine whether termination is warranted. The Judicial Operations Manager shall communicate the details of the situation and the DTC judge's decision to the Chief Judge.

E. Drug Testing Policies and Procedures

PARTICIPANT ACKNOWLEDGEMENT OF MILWAUKEE COUNTY DRUG TESTING COLLECTION PROTOCOL

Participants will be subject to drug testing 6 days a week and will be selected for testing on a random basis. The reliability of drug testing is dependent on the integrity and accuracy of the collection process along with the chain of custody of the sample. Drug testing is an invasive procedure. However, strict adherence to the following collection protocol will ensure reliability and validity of all drug test results.

All specimen collection will take place in room 417 of the Safety Building except for Saturday testing, which will take place at the WCS Administration Building, 3732 W. Wisconsin Avenue, Door number 3 (back of building), Milwaukee, Wisconsin.

Participant Preparation

1. Upon DTC admission, case managers will review the drug testing collection protocol with the participant and provide the participant with a copy.
2. Upon DTC admission, participants will be provided with a list of over-the-counter medications and foods they **MUST** avoid while in drug testing.
3. Because selection for testing is done on a random basis, **ALL participants MUST appear in the office ready to provide a urine sample for testing.**
Participants who cannot provide a sample will wait in a designated area for 15 minutes, and will be monitored to ensure no consumption of fluids. If the participant cannot produce a sample within 15 minutes, the participant will be escorted to room 417 by their case manager, and will be informed of and sign off on the “Shy Bladder Proceedings.”
4. **All drug testing will take place first**, followed by the supervision appointment with the participant’s case manager. The case manager will review the results of the drug test at the supervision appointment after the drug testing process is complete and the participant is escorted back to the office by the case manager.
5. If a participant cannot provide a sample once escorted to room 417, they will remain in the designated drug testing waiting room until they are able to do so. **THEY WILL NOT BE ALLOWED TO LEAVE AND RETURN TO PROVIDE A SAMPLE**, and all consumption of fluids will be strictly monitored. If the participant leaves the drug testing waiting area for any reason before providing a sample, a “Refusal” will be documented and reported to the Court.

Urine Sample Collection

1. The case manager will prepare the Drug Test Request Form and print the required form and labels. The case manager will ask the participant if they are taking any prescription medication. This will be noted in the proper area on the request form.
2. The case manager will ask the participant if they are ready to provide a specimen and will escort the participant to the drug testing area, while maintaining all drug testing documents in their possession to turn over to the Drug Testing Technician (DTT).
3. The DTT collecting the sample will verify the identity of the participant to be tested by asking their name and date of birth.
Participants MUST bring some form of identification with a photograph to every supervision appointment in the event they are selected for random drug testing.
4. The DTT will enter the collection date, specimen number, last name, first name and date of birth of the participant on the “Drug Testing Collection Log.” In addition, collection staff will again verify prescription drug use and document

- this information in the proper area on the Drug Test Request Form.
5. Participants will be required to remove **ALL extra layers of clothing down to one layer of clothing**, including coats, jackets, hooded sweatshirts or large pocket clothing items prior to testing.
 6. Participants will empty ALL pockets, and place all items in a storage tray (any money will remain in possession of the participant) until the testing process is complete.
 7. All shirts, blouses, or sweaters must be pushed/rolled up/lifted **above the navel** and all pants, trousers, or skirts and undergarments **lowered to the mid-thigh**. At this time, **the participant MUST turn around in a complete circle** so the collection staff can observe and ensure there are no efforts to tamper with the testing process.
 8. The participant will thoroughly rinse and dry their hands **immediately** prior to testing. **This activity will be observed by collection staff.**
 9. Collection staff will secure and wear gloves at this time and ensure that the toilet has been flushed prior to sample collection.
 10. Collection staff will ask the participant to select a test package to hand to the collector.
 11. The collection staff will direct the participant to provide a urine sample, filling the testing cup to the minimum fill line (as marked on the test cup).
 12. **COLLECTION STAFF WILL ENSURE THE COLLECTION OF AN UNADULTERATED SAMPLE BY WITNESSING THE PARTICIPANT URINATING INTO THE SAMPLE CONTAINER. COLLECTION STAFF WILL STAND DIRECTLY IN FRONT OF THE PARTICIPANT AND OBSERVE THE PARTICIPANT AT ALL TIMES WHILE IN THE PROCESS OF COLLECTING THE SAMPLE.**
 13. Upon completion of providing the sample, the participant will hand the testing cup to the collection staff to place the container lid securely on the cup.
 14. The collection staff will verify the temperature of the sample by inspecting the temperature strip on the testing cup to ensure the validity of the sample.
 15. The participant will be instructed to dress, flush the toilet and wash their hands.
 16. The collection staff will activate the test, and secure the sample by placing the key in the cup lid and placing a green drug testing sticker over the lid of the cup **in the presence of the participant.**
 17. The date, the specimen number, and the participant's last name will be documented on the testing cup with a Sharpie marker. Collection staff will ask the participant to verify all information documented on the cup label to ensure its legibility.
 18. Participants will be asked to wait in the designated drug testing area for release to their case manager to return to the program office for the supervision appointment.
 19. If the DTT believes or the cup results indicate that an adulterated or diluted sample has been submitted, the participant will be required to submit a new sample.
 20. All positive, negative, diluted, adulterated and invalid test cups will be

scanned into the client record in the Milwaukee County Pretrial Service Information System.

20. All positive, diluted and adulterated specimens will be kept for 10 business days. They will be placed in a secure (locked) container and collected for transport to the secure storage site on a frequent basis.
21. After the testing process is completed, the participant **MUST** be released to their case manager by the lab technician. Participants must not leave the drug testing waiting room without proper release by their case manager.

Challenges to Accuracy of Test Results

1. Under **no circumstance** will a participant be allowed to submit a “new” specimen based on a claim of lab error. If a participant wishes to challenge the accuracy of a test result, **the challenge MUST be made within 10 business working days of the participant receiving notice of the positive result.**
2. The participant must contact their attorney to discuss and challenge test results.
3. The participant and/or their attorney must notify the assigned case manager if a confirmation test is being requested. The case manager will then notify the WCS Drug Testing Lab of the challenge and request for confirmation.
4. The participant will be responsible for pre-paying for the confirmation test (\$25/test). If a participant is unemployed and indigent and wishes to challenge the results of a drug test, the Judicial Operations Manager shall be contacted for approval to have Milwaukee County pay for the confirmation test.
5. If a participant wishes to challenge a Saturday oral swab drug test, the participant must either pay cash for the confirmation test (\$46/test) immediately after testing or the participant must drug test the following Monday (or next business day) by 8:30 am. The participant must contact their case manager no later than 8:30 am on Monday (or next business day) if they are challenging a positive Saturday oral swab drug test.
6. A challenged test that comes back positive will reset a participant’s sobriety date.

OVER-THE-COUNTER MEDICATIONS AND FOODS TO AVOID WHILE BEING URINE/BREATH/SCRAM TESTED

*It is the participant’s responsibility to limit exposure to the below list of products. It is the participant’s responsibility to read labels or inquire of a pharmacist or assigned case manager before using/consuming the following products. Use of the products detailed below will **NOT** be allowed as an excuse for a positive drug, breathalyzer or SCRAM test. When in doubt, a participant should not use or consume:*

1. **Cough and Other Liquid Medications:** Alcohol containing cough/cold syrups such as Nyquil. Other cough syrup brands containing ethyl alcohol. All prescription and over the-counter medications must be reviewed with the

case manager before use. Non-alcohol containing cough/cold remedies are readily available at most pharmacies and major retail stores.

2. **Non-Alcoholic Beer/Wine:** Although legally considered non-alcoholic, NA beers (Sharps, O'Doul's) contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed.
3. **Food and Other Ingestible Products:** There are numerous other consumable products that contain ethyl alcohol. Flavoring extracts such as vanilla or almond extract, and liquid herbal extracts (such as Ginkgo Biloba), could result in a positive screen for alcohol or its breakdown products. Communion wine, food cooked with wine and flambé dishes (alcohol poured over a food and ignited such as cherries jubilee, baked Alaska) must be avoided.
4. **Mouthwash and Breath Strips:** Most mouthwashes (Listermint, Cepacol, etc.) and other breath cleansing products contain ethyl alcohol. The use of mouthwashes containing ethyl alcohol may produce a positive test result. Non-alcohol breath fresheners are readily available and are an acceptable alternative.
5. **Hygiene Products:** After shaves, colognes, hairsprays, mousse, astringents, bug sprays (Off) and some body washes contain ethyl alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol, excessive, unnecessary or repeated use of these products could affect test results. Participants must use these products sparingly to avoid reaching detection levels.
6. **Solvents and Lacquers:** Many solvents, lacquers and surface preparation products contain ethyl alcohol. Both excessive inhalation of vapors, and topical exposure to such products, can potentially cause a positive test result for alcohol. Frequency of use and duration of exposure to such products must be kept to a minimum. There are alternatives to nearly any item containing ethyl alcohol. A positive test result will not be excused by reference to use of an alcohol-based solvent. If a participant is employed where contact with such products cannot be avoided, this must be discussed with the case manager.
7. **Poppy Seeds:** It is possible to test positive for opiates after having consumed poppy seeds. Poppy seeds contain trace amounts of opium, which like heroin, is derived from the poppy plant. Research measuring the amount of seeds necessary to produce a positive result is varied. To avoid this issue, participants must avoid consuming poppy seeds. If a participant insists a positive result is due to poppy seeds, that person will be required to produce another urine sample the next day.
8. **CBD Products:** CBD oil, all products containing CBD oil and Hemp may contain small amounts of THC that will accumulate in the body after repeated use and may cause positive screening/confirmation test results. With current drug testing methods, it is impossible to distinguish positive THC results from CBD oil use and marijuana consumption. To avoid this issue, participants must avoid consuming CBD products.
9. **Delta 8 THC Products:** Delta 8 THC products, including vapes, tinctures, gummies, capsules, concentrates, distillates, and joints, contain THC and will cause participants to test positive for THC. Participants must avoid

consuming Delta 8 THC products.

SECOND HAND MARIJUANA SMOKE

A positive test result due to the passive inhalation of second-hand marijuana smoke is not feasible given the conditions necessary to produce the 50 ng/ml level at which the Milwaukee County Pretrial Drug Testing Program tests. In various studies on passive inhalation, positive results have occurred where individuals were exposed to the smoke of 4-16 marijuana cigarettes in an extremely small, sealed, unventilated area for one hour a day over the course of several days. The conditions were extremely uncomfortable, causing watering of the eyes and irritation to the mucous membrane of the nose and throat. The few positive test results were detected at the 20 ng/ml level which is the most sensitive testing level. The only study where the results were detectable at the 50 or 100 ng/ml level were a product of hour-long exposure in the above sealed conditions to 16 cigarettes over 6 consecutive days. It is highly unlikely that the extreme conditions necessary to produce ANY positive test (even at the lowest 20 ng/ml level) could be encountered in a real-life situation without, at least, the tacit consent of the participant. ***Accordingly, it is the participant's responsibility to remove him/herself from that situation.***

MEDICAL PROFESSIONAL DISCLOSURE/PRESCRIPTION DRUG POLICY

DTC participants are required to notify any medical, mental health or dental practitioner whom they have visited for medical treatment of the following information using the Medical Professional Disclosure Form (Appendix 6):

- I am a participant in the Milwaukee County DTC program.
- I am required to disclose that I have an addiction to chemical substances.
- Unless absolutely medically necessary in the treatment of an illness or injury, I am NOT to be prescribed a medication in the benzodiazepine or narcotics class, or any other type of medication that may result in addiction or interfere with the treatment of my addiction.
- I must request that my practitioner write on my medical file that I am a participant in the DTC, sign and date the file.
- I must request a copy of this entry from my practitioner and will present it to my case manager at my next scheduled contact.

Failure to comply with this policy may result in application of a sanction and/or termination from DTC.

F. Case Management/Community Supervision

Community supervision is the effort to monitor the participant's behavior and program compliance outside of the courtroom. Supervision is accomplished through a system of support, monitoring, advocacy and accountability to assist the participant

through the change process.

Purpose of Case Management/Community Supervision:

- Protect public safety
- Provide accountability
- Protect program integrity
- Support the progress of the participant
- Provide early intervention
- As an adjunct to treatment/reinforce treatment
- Confirm, inform and identify discrepancies
- Extend the DTC team into the community
- Collaborate with Peer Mentors
- Provide information to the DTC team

Community supervision for DTC participants will consist of the following:

- Ongoing assessment of criminogenic/treatment needs
- Case/supervision plan based on assessment outcome
- Ongoing field contacts and regular home visits
- Regularly scheduled office contacts
- Random drug/breathalyzer testing
- Ongoing verification
- Referrals to AODA and medical treatment, GED, vocational, educational and employment programming. Referrals to other supportive and “life skills” programming such as parenting classes, anger management, CIP, MRT, etc.
- Serious Violations: Dating and sexual relationships with other DTC participants is strictly prohibited to ensure each individual has an optimal opportunity to focus their attention on their individual recovery.

The DTC case manager is responsible for providing primary case management and supervision of all DTC participants. The functions that comprise case management, assessment, planning, linkage, monitoring, and advocacy must always be adapted to fit the particular needs of the participant and program. During the period between each DTC session, the case manager or an approved designee will personally review progress with each participant. Case management and supervision will provide:

- (1) Planning for intervention services and the fulfillment of criminal justice obligations;
- (2) Brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion;
- (3) Monitoring and reporting progress of the participant;
- (4) Supporting the participant by identifying problems, and advocating for

- the participant with legal, treatment, social service, and medical systems;
- (5) Monitoring urinalysis, breath analysis or other chemical testing; and
 - (6) Monitoring of phases.

The case management/supervision continuum must be designed to provide engagement and motivation, primary treatment services at the appropriate intensity and level, and support services that will enable the individual to maintain long-term sobriety while managing life in the community. Treatment must be structured to ensure smooth transitions to the next level of care, avoid gaps in service, and respond rapidly to the threat of relapse. Case management can help accomplish all of the above.

The case management of participants is built around the use of the substance abuse assessment, any mental health records, and current evaluation tools. It entails an interactive, coordinated process between the case manager and participant, with the ultimate goal of identifying the strengths and challenges of the participant and developing interventions and strategies around those issues. Each participant is required to attend scheduled appointments with their assigned case manager. The schedule, frequency and location of these meetings are based on phase, progress and random testing schedule.

Essential Skills for DTC Case Manager:

- Previous case management experience with persons having substance abuse disorders.
- Motivational interviewing
- Relapse prevention
- Understanding of the Stages of Change
- Drug/substance testing
- Identify and respond rapidly to threat of relapse
- Understanding use of sanctions and incentives
- Pharmacology
- Addiction
- Cultural competence
- Extensive knowledge of community-based services

G. Treatment

All participants deemed as potentially eligible for DTC will be screened by Milwaukee County CARS Access Point to assess for clinical treatment recommendation. Depending on the level of treatment recommended, and the participant's insurance status, the treatment team will develop an appropriate treatment plan with the participant. Entry into the system will include case identification, eligibility determination, registration,

comprehensive screening, level of care determination, referral, voucher authorization and linkage to appropriate services. The Addiction Severity Index (ASI) will be used to assess clinical and functional needs.

It will be supplemented to gather information that will further define the circumstances surrounding the substance use and the individual readiness for change. The comprehensive screening process will identify individuals' strengths, challenges and needs across multiple life dimensions in order to determine appropriate services and the optimal level of care for the individual to begin enrollment in AODA and recovery support services. The ASI and the additional information gathered will be interpreted to determine intensity/severity rating on the dimensions of the American Society for Addiction Medicine's *Patient Placement Criteria for the Treatment of Substance-Related Disorders (Second Edition – Revised)* (ASAM PPC-2R). The Intake Worker will enter the ASAM and ASI data online, and the Care Coordinators, treatment, recovery support providers and DTC team will be able to access the reports.

The Access Point will provide a list (online or paper) of treatment providers who offer the designated level of care to the participant from which to choose. After obtaining the participant's consent, the Intake Worker will make the referral and the participant will have contact with the Care Coordinator (the RSC) within 24 hours or immediately if the participant has urgent needs. The Access Point will electronically authorize vouchers for care coordination services. The RSC may request any recovery support services and/or flexible expenditures to address pressing participant needs identified by the assessment that might serve as a barrier to the participant seeking treatment. The same procedures will be used to ensure genuine, free choice of recovery support services as those used for the treatment providers. The Intake Worker will make sure that a slot is available with the participant's provider of choice, authorize treatment, contact the provider and schedule the initial appointment.

Within 24 hours following intake, the RSC and the participant will:

- 1) Develop an initial plan of care based on the comprehensive screening/assessment, and
- 2) Choose additional services consistent with the plan in manner that ensures free choice, the providers for those services.

The RSC will submit the plan of care to BHD and request authorization for the additional services. The BHD Care Manager will check the authorization requests against the plan of care and the assessment, and will provide authorization accordingly. The RSC helps the participant to form a Recovery Support Team consisting of both formal and informal/natural supports. The formal supports consist of representatives from various systems with whom the participant and family are involved, e.g., treatment, recovery support providers, criminal justice, TANF, child welfare, etc. Informal supports may include relatives, friends, clergy or other members of the faith community, school personnel, and/or other community members. The purpose of the team is to assist the participant to develop and achieve the goals of a Recovery Plan of Care (RPOC) that

incorporates the needs of the participant and the requirements and resources of all involved systems. The Recovery Support Team will meet early in the participant's enrollment and develop the initial RPOC, which in addition to identifying goals also identifies service needs and available resources. Based on the RPOC, the RSC helps the participant select additional services and choose providers, and requests voucher authorization for those services. The RPOC is reviewed at a minimum of every 30 days or as necessary and amended as the participant's needs emerge or change.

Initial authorizations for treatment and recovery support services will be issued for a standard number of units and duration, according to level of care for treatment, in sufficient quantity to permit the RPOC team and the RSC to become familiar with the participant's functioning. For clinical treatment, during the authorization period, the Recovery Support Team can apply an assessment of the participant's functioning against the ASAM criteria and request a change (in either direction) of level of care at any time. The expiration of the authorization period or units will automatically trigger a re-evaluation of the placement criteria if further services are desired, with submission of clinical justification to the care manager required. By this point, the team will have a sense of how much more time will be needed at the current level of care. Therefore, the length and intensity of a subsequent authorization, rather than being standard, will be driven by the individual participant's clinical presentation and needs. Reauthorization for recovery support services must also be justified by functional assessment and reflected in the RPOC.

H. Place of Residence and Travel Policy

A participant must live in Milwaukee County, and the participant's place of residence is subject to DTC team approval. A participant may not spend the night at any location other than the approved place of residence without DTC team approval. A participant may not travel in state or out of state without DTC team approval, regardless of whether the travel is overnight, if it interferes with required appointments/treatment and/or drug testing. Any travel that interferes with more than one day of required appointments/treatment and/or drug testing will not be considered for approval until a participant reaches Phase 3 of DTC.

I. Termination from Drug Treatment Court

Termination from DTC will occur upon a participant's election to opt out of DTC following the execution of the DTC agreement. Termination will also occur if a new charge(s) is filed against a participant alleging an offense(s) that is ineligible for DTC or if the DTC prosecutor discovers information that would make the participant ineligible for participation in DTC. If a participant, while in DTC, is charged with a new offense that would otherwise be eligible for DTC participation, the DTC team will consider the participant's circumstances on a case-by-case basis and determine if continued participation in DTC is appropriate and compatible with the new charge. Termination from DTC may also occur as the consequence of particularly serious

violations of DTC requirements or policies, of persistent noncompliance with DTC requirements, and of running out of time in the program. The DTC prosecutor has the absolute discretion to terminate a participant from DTC if they are arrested on any new criminal and/or municipal charges.

Serious violations that may result in termination include, but are not limited to the following:

- Violence or threatened violence to another participant or to DTC personnel
- Filing of any new criminal charge against the participant
- Tampering with a test sample
- Absconding from DTC
- Engaging in an inappropriate or prohibited relationship with another DTC participant

Persistent failures to comply with DTC requirements may result in termination, but, in most instances, only after a succession of interventions has been imposed that has not resulted in improved compliance and progress.

Persistent failures that may result in termination include, but are not limited to the following:

- Positive/adulterated drug test results
- Missed or refused drug tests
- Dishonesty
- Missed court sessions
- Missed treatment sessions
- Missed supervision sessions
- Violations of criminal laws
- Failure to participate in treatment or other services
- Failure to demonstrate, over a reasonable period, progress through DTC and toward sustained sobriety

Upon the recommendation that a participant be terminated, the DTC team will consider the recommendation at the next scheduled staffing.

The DTC program is a 12-18 month program. Failure of a participant to complete all five phases of the program within 18 months is grounds for termination. The DTC team, upon final approval by the DTC judge, may grant a participant, upon a showing of good cause, no more than two two-month extensions in the program. Any further extensions must be approved by the Chief Judge.

VI. REPORTING

A. Referral Summary

The referral summary is completed and provided to the team after the eligibility screening process, including the clinical assessment, is complete. This comprehensive report outlines the participant's criminal history, risk and needs, treatment level of care, readiness for change and any other information that may assist the team in making an admission decision.

B. Violation Reports

Major violations will be reported to the DTC judge immediately. If a bench warrant is issued for a DTC participant, this information will be immediately provided to the DTC law enforcement liaison.

C. Status/Compliance Reports

Participant compliance reports shall be submitted to each team member. Said report will provide a detailed accounting of the participant's compliance with and progress in supervision, treatment, drug testing, and any other programming.

D. Confidentiality

Every DTC member shall maintain the confidentiality of the referral summaries and reports according to applicable state and federal regulations.

VII. PROGRAM EVALUATION

The University of Wisconsin-Milwaukee Center for Applied Behavioral Health Research (UWM-CABHR) performs evaluation of DTC and examines program completion rates, changes (reduction) in substance use and rearrest rates for program participants. Participants may be asked by UWM-CABHR to partake in the research. Participants will be asked to complete the Participant Consent to Participate in Research form (Appendix 7) prior to engaging in any research activities.

VIII. APPENDICES

A. Appendix 1 - Milwaukee County Drug Treatment Court Response Guide for Violations and Positive Behaviors (The Behavioral Matrix)

Drug Treatment Court Response Guide for Violations and Positive Behavior				
Suggested Response	NEGATIVE	BEHAVIOR	POSITIVE	Suggested Response
<p>ACCOUNTABILITY RESPONSES</p> <ul style="list-style-type: none"> •Reset sobriety date •Delay phase up •Review Participant contract/Program Conditions •Verbal Admonishment •Increased Communication & Reminders •Adjust Reporting Schedule •Case Staffing <p>BEHAVIORAL CHANGING RESPONSES</p> <ul style="list-style-type: none"> •Joint Problem Solving Sessions •Reflective Writing Assignment •Case Staffing •Reassess Counseling/Treatment plan •Case Management Intervention 	<ul style="list-style-type: none"> • Positive drug test/PBT/SCRAM with honesty •Insufficient/Diluted (2) UA sample •Late to appointment/ missed appointment •Failure to present required documentation* •Failure to notify parties of changes in address and contact information* •Failure to meet recovery hours •Failure to attend support groups 	L o w	<ul style="list-style-type: none"> •Attendance at all court hearings •Report for scheduled drug tests; be punctual for drug tests and office visits; submit a valid UA •Attend all appointments; arrive on time; notify providers of tardiness or absence; make-up missed appointment in a timely manner •Attend DTC orientation/Coping Skills groups •Obtain a sponsor/mentor •Participate in a positive (sober) leisure activity •Provide requested verifications and physician disclosure forms •Work with CM to locate secure housing; report address/phone change •Identify issues and needs re: family and other relationships •Identify educational/employment needs •Develop a budget 	<ul style="list-style-type: none"> •Verbal praise and affirmation •Applause in court •Points toward fishbowl •Note card with message •Other individualized incentives
<p>ACCOUNTABILITY RESPONSES</p> <p>Any low responses plus:</p> <ul style="list-style-type: none"> •Increased Reporting Schedule •Increase frequency of UA/PBT testing <p>BEHAVIORAL CHANGE RESPONSES</p> <p>Any low responses plus:</p> <ul style="list-style-type: none"> •Revision of Treatment plan/relapse prevention plan/case managements plan •Case Staffing •Bring Before the Court •Execute a Behavioral Contract •Mandate attendance at Self Help Groups •Cognitive Intervention •Community Service 	<ul style="list-style-type: none"> •Failure to report police contact/new arrest •Failure to engage in treatment •Report of unacceptable/disruptive behavior •Entering establishments whose primary function is sale of alcohol or gambling • Failure to report new arrest •Failure to perform assigned tasks after court •Continued association with drug users •Missed/refusal or dishonest positive drug/PBT/SCRAM •Failure to adequately address mental or physical health needs** •Failure to comply with restitution plan/budget •Failure to take steps to improve literacy/education/vocational training/employment/obtain income/secure housing* •Attending businesses that conflict with recovery •Repeated low violations (2+) 	M o d e r a t e	<ul style="list-style-type: none"> •Clean UA/PBT; no missed, refusal or dishonest positive UA/PBT/SCRAM •Engage in treatment; develop support system; attend support groups; complete Coping Skills; Phase V •Association with pro-social peers; positive leisure activities; sponsor/mentor •Comply with court orders and directives; submit phase up letters and written assignments •Live in drug free housing; follow housing rules •Comply Restitution/Fine/child support payment plan •Positive report from 3rd party •Medication and treatment Compliance •Take steps to improve education/ vocation and employment skills •Develop plan to address family/marital issues 	<ul style="list-style-type: none"> •Any of the above responses •Certificate of Accomplishment •Fish Bowl draw •Person of the Week •Early call on docket •Permission to travel •Positive note from team
<p>ACCOUNTABILITY RESPONSES</p> <p>Any low or moderate responses plus:</p> <ul style="list-style-type: none"> •Immediate notification of DTC team •Jail sanction •Earlier Court Date/Bench Warrant Issued •Revocation/Termination of Agreement •Add GPS Monitoring/SCRAM or additional conditions such as curfew, house arrest no contact order •Amend DTC agreement to include additional charges <p>BEHAVIORAL CHANGE RESPONSES</p> <p>Any low or moderate responses plus:</p> <ul style="list-style-type: none"> •Case Staffing 	<ul style="list-style-type: none"> •Tampered UA •Violation of GPS conditions/SCRAM •Dishonest positive UA/PBT/SCRAM when on medication assisted treatment •Continued substance use while on MAT •Failure to actively participate in treatment as required by DTC •Any new criminal charge(s) •Discharge from/leaving housing/treatment or CBT Program AMA •Missed court appearance •Violation of no contact order/stay away order/continued engagement in unhealthy relationships •Forgery or alteration of document •Failure to report to JP after negative treatment discharge •Repeated moderate violations (2+) 	H i g h	<ul style="list-style-type: none"> •Demonstrate use of recovery skills, pattern of continued sobriety, active engagement in recovery activities and/or taking a leadership role in recovery activity or prosocial activity •Maintain healthy support system, active engagement in healthy, prosocial activities, peers and relationships. Active engagement in Phase V •Demonstrate good problem solving, coping and decision making skills •Maintenance of safe, drug free housing; employment; class and job traing attendance •Active participation in mental health counseling; healthy pain management regime; and denstrate self-efficacy in physical and mental health 	<ul style="list-style-type: none"> •Any of the above responses •Phase up •Decreased Frequency/Level of Reporting •Positive Feedback to Court •Recognition Ceremony in Court

* = considered a moderate violation for Phase 3 and Phase 4

** = includes taking medications as prescribed

B. Appendix 2 - Drug Treatment Court Referral Summaries

Client Summary

Name:	DOB:	Address:
Gender:	Phone:	
Referral Date:	LSI-R Referral:	

Current Charges:

Case #	Statute #	Statute Description	Severity

Past Charges:

Case #	Statute #	Statute Description	Severity

Risk and Needs:

LSIR Risk Level:

Criminogenic Needs:

SOCRATES

Type	Recognition	Ambivalence	Taking Steps
ALCOHOL			
DRUG			

CARS Assessment

Date of Assessment	Level of Care	Provider	RSC	Date Available

LSIR/ Case Summary:

Extra Notes/Concerns:

C. Appendix 3 - Participant Supervision Agreement

Milwaukee County Pretrial Services
JusticePoint Drug Treatment Court
821 W State St
(414) 223-1372
Office Hours: 8AM to 4:30PM

Date:

Defendant:

DOB:

You have entered into a Drug Treatment Court agreement that requires you to participate in the Drug Treatment Court program. This document is intended to orient you to the terms, conditions and expectations of your agreement. All conditions ordered throughout the term of your agreement will remain in effect until your case is resolved, conditions are removed by the court (if applicable), or by agreement of the parties. The following conditions have been identified after a review of your agreement:

- Absolute Sobriety: I am not allowed to possess or consume any alcohol or illegal drugs. I will be given baseline drug and alcohol screens at my first office contact. To ensure adherence to these orders the following conditions will be in place:
 - Random Drug Testing: My agreement indicates I will be subject to random drug testing. All positive drug tests or refusals will be reported to the court.
 - Portable Breathalyzer Testing (PBT): My agreement indicates that I am not to use alcohol. I will be required to submit to PBT testing at all office contacts. All positive PBTs or refusals will be reported to the court.
- AODA/Mental Health Treatment: I am required to obtain an AODA or mental health assessment and participate in treatment as indicated appropriate by that assessment.
- No Controlled Substances Without a Valid Prescription
- No Firearms or Dangerous Weapons
- Group Program(s): Seeking Safety and Thinking for a Change
- Essay: The topic of required essay is: Phase Up Letters
- Budget: I agree to submit a budget by my next office contact.
- Restitution: I am required to pay _____ to _____. (If ordered and in contract)
- No Contact with _____. (If ordered and in contract)

In addition to these conditions, I am required to cooperate with the monitoring agency listed in my agreement. The following requirements are a requirement of your supervision:

- I am required to pay a program fee of \$75.00. All payments must be made through JusticePoint. This payment can be made with cash, check or money order. Checks or money orders should be made payable to JusticePoint.

- Office Contacts: I will attend all scheduled office contacts with my pretrial officer. If I cannot keep a scheduled appointment, I must contact the monitoring agency office to reschedule my appointment. If I have not make arrangements with my pretrial officer prior to missing my supervision contact, it will be recorded as a missed contact and reported to the court, my attorney, and the District Attorney's Office.

Schedule Office Contact: *Assigned Color*

Scheduled Phone Contact and Number: 414-223-1926 (Color Line)

- I agree to cooperate with all JusticePoint staff and requests made by my pretrial officer.
- I agree to attend all scheduled court appearances. (if applicable)
- I will inform JusticePoint immediately of any changes to my contact information or court dates.
- I will not pick up any new criminal charges. I must notify my pretrial officer of any police contact within 24 hours of occurrence. The parties will be notified of any new criminal charges.

I understand that failure to comply with the orders of the court and/or terms of my agreement will result in a notice of noncompliance being submitted to the appropriate parties. Noncompliance reports submitted to the court, your attorney, and District Attorney's Office may result in the following negative consequences:

- Case Staffing
- Jail Sanction
- Revocation of Agreement and Sentencing on Charge(s) as Pled Ensuing.

My pretrial officer has clearly explained all terms and conditions of my agreement. I understand these conditions and agree to cooperate with them. I understand the consequences for failing to comply.

Defendant Signature: _____ Date: _____

Defendant Name: _____

Pretrial Officer's Signature: _____ Date: _____

Pretrial Officer's Name: _____ Phone: _____

D. Appendix 4 - DTC Progress Report

Client Information:

Client Name:	Click here to enter text.	DOB:	Click here to enter text.	Case Number(s):	Click here to enter text.
Client Contact Information:	Click here to enter text.		Original Charge(s):		Click here to enter text.
Case Manager:	Click here to enter text.	RSC:	Click here to enter text.	Recommended Sentence:	Click here to enter text.
Defense Attorney:	Click here to enter text.		Previous Hearing:	Click here to enter a date.	
Mental Health:	Click here to enter text.		Prescriptions:	Click here to enter text.	
Employment:	Click here to enter text.		Education:	Click here to enter text.	
Entry Date:		Release Date:		Wait Days:	
Current Phase:		Phase Start Date:		Phase Notes:	Click here to enter text.
				Sobriety Date:	

Conditions:

T4C/CBI-SA:	Pending Enrollment	Date:	NA
Coping Skills (SS):	Pending Enrollment	Date:	NA
Program Fee:	\$75.00	Paid:	\$0
Restitution:	Click here to enter text.	Paid:	\$0
Budget:	Not Completed	Date:	NA

Behavior and Response (since previous hearing):

Date	Prosocial Behavior	Response to Behavior

Date	Noncompliant Behavior	Response to Behavior

Additional Information:

Click here to enter text.				
Current Point Total:		Eligible Point Total:		Fish Bowl Eligible:
				No

Treatment History:

Provider	Level of Care	Start Date	End Date	Discharge Type

Behavior History:

Named Person of Week:	No or Add Date (Yes)
-----------------------	----------------------

Date	Prosocial Behavior	Response to Behavior

Date	Noncompliant Behavior	Response to Behavior

E. Appendix 5 - DTC Agreement

Milwaukee County Drug Treatment Court Deferred Prosecution Agreement and Participant Contract

Participant's Name:

Address:

Date of Birth:

Phone: Home
Work
Cell

In Case of Emergency Contact:

Phone #:

Address:

Case Number(s) and Charge(s):

Deferred Prosecution Agreement

- The Drug Court Participant will plead guilty to the charge(s) _____ in Milwaukee County Circuit Court Case Number _____, contrary to Wisconsin Stats. Section _____, as charged in the information.
- The parties ask that the court find that the Drug Court Participant's pleas are knowing, intelligent, and voluntary, find a factual basis for the pleas, suspend the proceeding pursuant to Wisconsin Stats. Section 971.37(3)(1m)(b), and defer entry of the judgment of conviction for an initial period of 12 months and no longer than 18 months (deferral period). The deferral period may be tolled upon entry into drug treatment court if the defendant is in custody awaiting residential placement.
- If, at the end of the deferral period, the Drug Court Participant has complied with the conditions of this agreement, the State will move the Court to dismiss case _____.
- If, at any time during the deferral period, the defendant has not complied with the conditions of this agreement, the State may at its discretion revoke this Agreement, and, upon notice to the defendant, move the court to enter the judgment of conviction and the parties shall proceed to sentencing. Under these circumstances, the State and Defense will recommend that the defendant be sentenced to _____ months in the Wisconsin State Prison System: _____ months WSP Initial

Confinement and _____ months WSP Extended Supervision with the conditions of Extended Supervision left up to the Court.

- The State and Defense reserves the right to move the Court for a stipulated extension of the deferral period, as conditions require.
- During the deferral period, the defendant agrees to have no contact with:
- The defendant shall pay restitution in the amount of \$ _____ to the Victim(s) and comply with the provisions set forth below. Said payment shall be provided to the defense attorney in the form of a certified check or money order and forwarded on to the victim via certified mail. The parties may stipulate that the defendant has made a good faith effort to pay restitution but has been unable to pay the full amount. Upon that stipulation, any unpaid balance shall be converted to a civil judgment and shall be referred to the Wisconsin Department of Revenue Tax Intercept Program and shall be subject to administrative fees. If any restitution amount is not known at the time the contract is entered into or is altered from the original amount, the defendant and or the victim is entitled to exercise all statutory rights under 973.20 Wis.Stats._
- If, at any time during the deferral period, it is discovered that the defendant has a criminal record *anywhere* beyond that included in the discovery materials or previously disclosed by defendant to the State, or that the defendant has other pending matters that the defendant knew or should have known about, that ultimately result in criminal charges, the State reserves the right to renegotiate its sentencing recommendation, up to and including the maximum provided by law.

Participant Agreement

I UNDERSTAND:

Before I can be accepted into the Milwaukee County Drug Treatment Court Program (MCDTC) I must give up certain statutory and/or constitutional rights. I voluntarily agree and consent to give up the following statutory and/or constitutional rights upon my acceptance into the MCDTC Program as stated below:

- **WAIVER OF RIGHTS:** I understand that by signing this agreement, I waive the right to a jury trial, the right to a speedy trial, the right to confront the State's witnesses, the right to remain silent, and the right to have the charge proven beyond a reasonable doubt at trial. I also agree that this agreement tolls any applicable civil and/or criminal statutes of limitations. Finally, I agree to fully and HONESTLY participate in all Drug Court meetings. ()
- **FREE, VOLUNTARY, KNOWING AGREEMENT:** My participation in the Program requires that I waive very important rights. I have fully discussed my statutory and/or constitutional rights with my lawyer before agreeing to enter the

MCDTC. I am satisfied that I understand how the MCDTC will affect my rights. At the time of signing this document, my thinking is clear and I am not under the influence of any substance. The decision to waive my rights and enter the MCDTC is mine alone and made of my own free will. I agree to accept all the terms and conditions of the MCDTC. ()

- **STATUS OF PROGRAM:** I have no legal right to participate in the MCDTC. At any time, the MCDTC may be ended or reduced, or I may be terminated from it. If, at any time after entering into this agreement and in any phase of the MCDTC, it is discovered that I am ineligible to participate in the program, I may be immediately terminated from the program and I will be sentenced by the judge. I will not be able to withdraw my plea of guilty at any time during the MCDTC, including after my termination from the MCDTC. ()
- **RIGHT TO COUNSEL:** I can request a lawyer and talk to my lawyer at any time. If I am indigent, an attorney will be appointed through the Public Defender's Office. While my attorney may be a member of the MCDTC team, she/he will continue to work as my advocate at staffings, court appearances and sentencing hearings. If it is determined that I am not indigent, I may have to hire my own attorney. A defense attorney will be present at all MCDTC staffings and court appearances. ()
- **GENERAL REQUIREMENTS:** I must attend all MCDTC sessions and treatment sessions, make all community supervision meetings, pass repeated drug screens, and resolve or remove problems contributing to my addiction. I must reduce risk factors which may include improving my family situation, bettering my employment status, increasing my educational level, moving from known drug distribution areas, etc. I may be required to pay restitution. I must make suitable progress towards controlling my addiction, and the MCDTC will set individual requirements that I must meet. I agree to abide by the rules and regulations imposed by the MCDTC team and I understand that if I do not abide by the rules and regulations, I may be sanctioned or terminated from the MCDTC. ()
- **MONITORING FEE:** Make a good faith effort to pay an assessment in the amount of \$75.00 to the Monitoring Agency. Absent any other violation, failure to pay this assessment will not automatically be grounds for termination of this Agreement. ()
- **INDIVIDUALIZED TREATMENT PLANS:** My individualized treatment plan will be reviewed by the MCDTC team. Ultimately, the MCDTC team will decide if specific requirements must be met or modified and whether I have made acceptable progress. The final decisions about my progress and my continued participation are in the Judge's sole discretion. I have no right to appeal the Judge's decisions while I am participating in the MCDTC. ()
- **WAIVER OF PRIVACY:** MCDTC officials may require me to provide very personal information. This may include, but will not be limited to: drug and alcohol use, my criminal record, education and work history, family history, medical information, physical and sexual abuse history, and psychiatric information. While MCDTC officials will try to avoid unnecessary embarrassment to me, and will not discuss these matters in open court, I understand and agree that these things may be discussed in MCDTC team meetings, in treatment sessions, or in other settings

related to participation in the MCDTC. Information divulged in open court will pertain to compliance and progress in the MCDTC. ()

- **STAFFINGS:** I understand that every time I come to court, my progress in MCDTC will be discussed by the MCDTC team. The purpose of the staffing is to review my progression in the program and support my successful completion. I will not be present at the staffing. My attorney will represent me during the staffing. Everyone who attends the staffing and is not a member of the MCDTC team will sign a confidentiality agreement. ()
- **PROGRAM LENGTH:** The MCDTC is expected to last at least 12 months and no longer than 18 months. ()
- **RELEASE OF INFORMATION:** I agree to complete evaluations, screenings, and assessments for the development of my drug treatment program as ordered by the Court. I authorize the release of all treatment information by the providers, to the Court and the MCDTC team. I understand that I may be asked to sign additional releases of information and related waivers. Any such information may be used by the Court in deciding whether I remain in the MCDTC. ()
- **DRUG SCREENS:** I agree to be tested for the presence of drugs and alcohol in my system on a random basis according to procedures established by the MCDTC team. I understand that I may be drug tested at any time by a treatment provider, probation officer or MCDTC team member. In the event that I am given a location and time to report for my drug test, I understand that it is my responsibility to report to the assigned location at the time given for the test. I understand that if I miss a test or if my specimen comes back “diluted” it will be considered “dirty” and I may be sanctioned by the Drug Court. While this Agreement is in effect, I must notify my case manager if I am prescribed any medication. This rule applies whether or not I actually fill the prescription. I must also notify my caseworker if I receive any medication during a visit to a hospital, emergency room, walk in clinic, or doctor’s office. ()
- **MEDICATIONS:** I agree to notify any medical practitioner seen for medical treatment, including emergency room care, that I am subject to the terms of this Agreement and have an open criminal case in Milwaukee County and that this information should be considered by the practitioner in making any medical determinations on the participant’s behalf in connection with prescribed substances. I understand that I am responsible for informing and providing documentation of all prescription medications I am taking. (See attached Milwaukee County Drug Court Physician Disclosure Policy). I am responsible for notifying staff if there are any changes to my prescriptions. In addition, I understand I am required to inform MCDTC team and/or my treatment provider of any over-the-counter medications that I may be using and that they are non-addictive and do not contain any alcohol. I understand that I cannot take any prescription medications belonging to someone else. Failure to comply with this Policy may result in termination of the Agreement. ()
- **NO ALCOHOL:** I understand that I cannot drink, or otherwise ingest anything containing alcohol, while I am a participant in the MCDTC. ()
- **DUTY TO BE TRUTHFUL:** In order for the Program to succeed, I must be truthful about my alcohol and/or drug usage. In an effort to promote truthfulness, some **limited** protection is given to me AS TO ALCOHOL AND DRUG OFFENSES ONLY. This limited protection includes: what I say about my own alcohol and drug use in open Drug Court sessions or

otherwise in the MCDTC. This information will not be used against me in the prosecution of the charge(s) I pled guilty to in the MCDTC. HOWEVER: (a) statements I make outside the MCDTC are not protected, (b) statements about the activities of other persons are not protected; and (c) statements about my participation in crimes other than alcohol and drug use are not protected. ()

- **PRIOR RECORD:** The MCDTC will not accept persons who have a conviction for any sex, dangerous weapons, or firearms offense(s) on their criminal record. Moreover, federal requirements may exclude persons from entering the MCDTC who have any prior *arrests* for any type of violent offense. To the best of my knowledge I have disclosed to the MCDTC officials all my previous arrests and all my convictions. ()
- **NO WEAPONS:** I understand that I must not possess any dangerous weapons while I am in the MCDTC. I will dispose of any and all weapons in my possession, and inform everyone in my household that I have a duty to disclose to the MCDTC team the presence of any weapons that I am aware are present in my household. In addition, while this Agreement is in effect, I will not apply for a Concealed Carry Permit (CCW Permit). I further agree that these prohibitions are made conditions of my release under Wisconsin Stats. Section 969 and that a violation of these terms may result in the issuance of Bail Jumping charges. Failure to dispose and/or disclose of any weapons or applying for a CCW permit, may result in termination from the MCDTC and possible prosecution for any illegal possession of any weapon. ()
- **DUTY TO NOTIFY:** I **MUST** notify my treatment providers and the MCDTC team within 48 hours of any change in my residence or mailing address, any change or disconnection of my phone number, and any change in employment. If no notification is given or if timely notification is not given, a sanction may be imposed. ()
- **CONTACTS WITH LAW ENFORCEMENT:** I must inform any law enforcement officer I have contact with that I am a participant in the MCDTC. In addition, I agree that I must not work as a confidential informant with any law enforcement agency while I am in the MCDTC. ()
- **REPORT ALL LAW ENFORCEMENT CONTACT:** I understand that I must inform my Lawyer and then my case manager of any contact with law enforcement within 48 hours of such contact, or as soon as possible thereafter. Examples of such contact include but are not limited to: a stop by police, a ticket, an arrest or new criminal charges. ()
- **CONSENT TO SEARCH:** As a condition of participation in the MCDTC, I agree to the search and seizure of my person, property, place of residence, vehicle or personal effects by a law enforcement officer at any place and time with reasonable suspicion or probable cause, or when authorized by the MCDTC team. ()
- **ARRESTS:** I must obey all laws and notify the MCDTC team of any new criminal charges that are filed against me, including any driving violations or minor offenses including tickets. My arrest or conviction on new criminal or municipal charges and/or *my failure to report new charges* may result in termination from the MCDTC. The District Attorney's office has the absolute power to terminate me from the MCDTC if I am arrested on any new criminal and/or municipal charges. ()
- **PROHIBITED RELATIONSHIPS** - In order to ensure that each individual has an optimal opportunity to focus their attention on their individual recovery, dating and sexual

relationships with other Drug Treatment Court participants is strictly prohibited and will be grounds for severe sanctions, including termination.

- **SANCTIONS:** If I do not fully comply with the MCDTC, the Judge may impose sanctions. Before deciding on a sanction, the Judge will listen to members of the MCDTC team, including my attorney or my attorney's representative. I must complete the sanctions to continue in the MCDTC. The sanctions could include community service, a return to jail involving a modification of my bail, additional drug treatment or programming, or anything else deemed appropriate by the court, including termination from the MCDTC. ()
- **SELF-TERMINATION:** I can quit the MCDTC at any time, but the Judge may insist that I discuss this decision with the Judge, and the Judge may delay my withdrawal from the MCDTC for up to one week to make sure my decision is firm. If I quit the MCDTC, I will be sentenced immediately in Drug Court on the case(s) I pled guilty to and not be allowed to withdraw my guilty plea. ()
- **FEES:** I understand that I may be required to pay for some of the cost of my participation in the MCDTC and will complete a financial disclosure form if required. ()
- **BAIL:** I understand that the conditions of any bond in effect on the plea date shall continue for the entire length of this agreement and that any violation of my bond may result in termination from the MCDTC and bail jumping charges pursuant to Wisconsin Statutes Section 946.49. ()
- **SENTENCING:** I understand that the MCDTC judge will participate in regularly scheduled staffings for me. The purpose of the staffing is to review my status in the program and support my successful completion. I will not be present at the staffing, but I will be represented by counsel. If my contract is revoked, I may be sentenced by the Drug Treatment Court Judge or if I chose, another Judge. I have discussed this fully with my attorney, and I understand that this is my personal right and the decision is mine, not the decision of my attorney. ()
- **SUCCESSFUL COMPLETION:** If I successfully complete the MCDTC the charge(s) filed against me will be reduced and/or dismissed as specified in paragraph 3 in the DPA Section. ()

I HAVE READ THE ABOVE CONTRACT AND I UNDERSTAND WHAT I HAVE READ. I AM WILLING TO ENTER INTO THIS CONTRACT.

Date

DRUG COURT PARTICIPANT

ASSISTANT DISTRICT ATTORNEY

Date

DRUG COURT JUDGE

Date

ATTORNEY FOR DRUG COURT
PARTICIPANT

Date

State Bar Number _____

Attorney Address:

Attorney Fax #: _____

Attorney Phone #: _____

Attorney Email : _____

Please forward a copy of this Agreement to JusticePoint, Inc., Safety Building Room 204.

F. Appendix 6 - Medical Professional Disclosure Form

Milwaukee County Pretrial Services
JusticePoint Drug Treatment Court
821 W. State Street, Room 416
(414) 278-2140
Office Hours 8am to 4:30pm

Medical Professional Disclosure Form

Date: _____

Participants of Milwaukee County Drug Treatment Court are required to notify any medical professional whom they have visited for medical treatment of the following information:

I am a participant of the Milwaukee County Drug Treatment Court and am required to disclose that I have been ordered to submit to random drug tests.

I request that the medical professional consider my participation in this Drug Treatment Court program when prescribing medications. By signing below, the medical professional acknowledges that they have considered any and all non-controlled substances that may be appropriate for my diagnosis and that, if applicable, a **controlled substance** was determined to be the most suitable at this time. If a controlled substance is prescribed, I request the medical professional to provide a list of non-controlled substances that have been considered and/or attempted, either on the back of this form or on a separate sheet attached to this form.

I also request that the medical professional write on my file that I am a participant in the Drug Treatment Court program, and sign and date this form acknowledging disclosure of this information. A copy of this form will be provided to my case manager, as well as the parties to my agreement in the Drug Treatment Court program.

Participant Signature: _____ Date: _____

Medical Professional Signature: _____ Date: _____

Medical Professional Address: _____

Medical Professional Fax #: _____

Medical Professional Phone #: _____

Medical Professional Email: _____

Please contact my case manager if you have any questions.

Case manager name _____ Phone number _____

List of other medications explored:

G. Appendix 7 - Participant Consent to Participate in Research Form

Study title	Milwaukee County Adult Drug Treatment Court Evaluation
Researcher	Tina Freiburger, Ph.D. Department Chair and Professor, Helen Bader School of Social Welfare, University of Wisconsin Milwaukee

We're inviting you to participate in a research study. Participation is completely voluntary. If you agree to participate now, you can always change your mind later. There are no negative consequences, whatever you decide. Your decision to participate in this study will have no impact on your treatment or process in the court or in the criminal justice system.

What is the purpose of this study?

We want to better understand certain aspects about you (e.g., employment, housing, social supports, health, etc.) and your expectations for participating in the Milwaukee County Adult Drug Treatment Court (MCADTC) and associated treatment programs.

What will I do?

You are being asked to participate in a survey. The survey will ask you questions about your expectations for participating in the drug court. The survey will also ask you some personal questions about your current situation related to employment, housing, social supports, and health, among others. The survey will also ask you questions about your expectations for participating in the drug court. The survey will take approximately 10-20 minutes of your time. When you are finished you will place the survey in this envelope, seal the envelope, and return it to the court coordinator or your case worker. If you choose not to participate, place the blank survey in the envelope, seal the envelope, and return it to the court coordinator or your case worker.

In addition, you will be asked to participate in an exit and follow-up survey once you exit the drug court. You may also be asked to participate in an interview(s), either at the mid-point of your participation in the drug court and/or once you exit the drug court. Please note that these surveys and/or interviews are voluntary; agreeing to participate in one of these does not obligate you to participate in others.

Risks

Possible risks	How we're minimizing these risks
Some questions may be personal or upsetting	You can skip any questions you don't want to answer.
Breach of confidentiality (your data being seen by someone who shouldn't have access to it)	<ul style="list-style-type: none">• Either the PI's or research assistant will open the envelope back at UWM and enter your responses into an electronic data base within one week.• Prior to being entered, the surveys will be stored in a locked filing cabinet in a locked UWM office. The paper surveys will be destroyed immediately after responses are entered into the electronic database. All electronic data will be stored on a password-protected

	<p>and encrypted flash drive and will be stored until the grant term expires in June 2024.</p> <ul style="list-style-type: none"> Only the PI's and research assistant will have access to your information. However, the Institutional Review Board at UWM or appropriate federal agencies like the Office for Human Research Protections may review this study's records.
--	--

There may be risks we don't know about yet. Throughout the study, we'll tell you if we learn anything that might affect your decision to participate.

Other Study Information

Possible benefits	<ul style="list-style-type: none"> There are no direct benefits to you for participating in this study. Your participation in this study may help improve the drug treatment court.
Estimated number of participants	Total of 600 consumers over the five-year grant term.
How long will it take?	The survey will take approximately 10-20 minutes to complete.
Costs	<ul style="list-style-type: none"> There are no costs to you for participating in this research. Participating in the survey will not affect your treatment in the court. No one in the court will know if you decide to participate or not participate.
Future research	Your data will not be used or shared for any future research studies.
Funding source	Substance Abuse and Mental Health Services Administration (SAMSHA) is funding this research study.

What if I am harmed because I was in this study?

If you're harmed from being in this study, let us know. If it's an emergency, get help from 911 or your doctor right away and tell us afterward. We can help you find resources if you need psychological help. You or your insurance will have to pay for all costs of any treatment you need.

Confidentiality and Data Security

We will collect the following identifying information for the research: name. This information is necessary for us to merge the responses to the survey with additional data that is collected while you are in the drug court (i.e., information collected during court staffing, exit survey, follow-up survey, and recidivism data).

Where will data be stored?	<ul style="list-style-type: none"> All electronic data will be stored on a password-protected and encrypted flash drive. This flash drive will be kept in a locked UWM personal office.
How long will it be kept?	Data will be kept until the study has concluded in June 2024.

Who can see my data?	Why?	Type of data
The researchers	To conduct the study and analyze the data	Your data will be stored with your name so that your information can be linked to an exit survey and follow-up survey. This data will be kept confidential and only the PI's and research assistant will

		have access to your information.
The IRB (Institutional Review Board) at UWM The Office for Human Research Protections (OHRP) or other federal agencies	To ensure we're following laws and ethical guidelines	Your data will be stored with your name so that an exit survey and follow-up surveys can be conducted. This data will be kept confidential and only the PI's and research assistant will have access to your information.
Anyone (public)	If we share our findings in publications or presentations	<ul style="list-style-type: none"> No one will be able to view the raw data. Only aggregate findings from the data will be shared in publications or presentations. Nothing will be presented that can identify you.

Contact information:

For questions about the research	Tina Freiburger, Ph.D. Alyssa Sheeran, Ph.D.	414-229-6134; freiburg@uwm.edu 414-229-4515; asheeran@uwm.edu
For questions about your rights as a research participant	IRB (Institutional Review Board; provides ethics oversight)	414-229-3173 / irbinfo@uwm.edu
For complaints or problems	Tina Freiburger, Ph.D. Alyssa Sheeran, Ph.D.	414-229-6134; freiburg@uwm.edu 414-229-4515; asheeran@uwm.edu
	IRB	414-662-3544/ irbinfo@uwm.edu

Signatures

If you have had all your questions answered and would like to participate in this study, sign on the lines below. Remember, your participation is completely voluntary, and you're free to withdraw from the study at any time.

Name of Participant (print)

Signature of Participant

Date