

# Tuscarawas County Court of Common Pleas

## Drug Court

**Established July 2005**

**Presiding: Honorable Judge Elizabeth Lehigh Thomakos**

**Implementing Agency:**

**THE TUSCARAWAS COUNTY  
COMMUNITY CORRECTIONS PROGRAM**

**TUSCARAWAS COUNTY COURT OF COMMON PLEAS  
COMMUNITY CORRECTIONS  
DRUG COURT**

***INTRODUCTION***

The Tuscarawas County Court of Common Pleas Drug Court Program is a partnership between the Court, the Prosecutor's Office, the Public Defender's Office, the Community Corrections Program, local law enforcement and local treatment providers. The goal of the program is to identify non-violent felony offenders with substance abuse problems and offer individualized treatment and monitoring to those individuals.

***THE PROGRAM***

Drug Court is a specialized docket responsible for handling non-violent felony, drug/alcohol related cases through intensive treatment and supervision. It is a structured program where offenders will be given the opportunity to address their substance abuse issues while being monitored by the Judge, the Prosecutor, the Public Defender, the Probation Officer and their Counselor. Participants will be required to follow specific expectations after pleading guilty to their offense.

***ELIGIBILITY CRITERIA***

An individual must meet the following criteria in order to be *referred* to Drug Court.

**Eligible:**

1. Current charge is community control sanction eligible.
2. Offender is charged with a felony offense of the 3<sup>rd</sup>, 4<sup>th</sup> or 5<sup>th</sup> degree.
3. Offender is charged with a drug charge or a drug driven charge (see Prosecutor's Guidelines on Drug Offenses).
4. Offender is charged with an offense that does not carry a mandatory jail sentence.
5. Offender is charged with an offense that is non-violent and there is not a history of violent behavior (per 2901.01(A) ORC).
6. Offender is capable of participating in and completing the program. (Serious patterns or symptoms of criminality, violence, mental illness, or mental retardation may preclude program participation).
7. Offender demonstrates an interest in and willingness to participate in a 12 month treatment program.
8. Offender would benefit from drug and/or alcohol treatment.
9. Offender must have an *established* Tuscarawas County residence.

10. If restitution is owed, the offender must have the ability to pay within a 12 month period (maximum of \$5,000).
11. Offender is charged with an offense that is not defined as a sex related offense (per ORC) and there is no history of sex related offenses.
12. The Prosecutor approves the offender's participation.

**Not eligible:**

1. The charge is related to the use of a firearm or deadly weapon.
2. The defendant is known to be, or appears to be, primarily a drug trafficker as evidenced by a criminal history or Prosecutor information.
3. The defendant has served more than two (2) prison terms.
4. The defendant has a consistent history of revocations, failure to appear, noncompliance, failed treatment experiences and poor history of supervision.
5. Out of County pending cases where a resolution is not forthcoming and would exclude participation.

***PROGRAM OVERVIEW***

The program is a 12 month intensive treatment program with three phases. It is the philosophy of the program that a comprehensive approach will be used to assist individuals in becoming responsible, contributing members of society. The program will include regular court appearances, submission to random drug screens, attendance at group counseling sessions, regular meetings with the probation officer, possible 12 step meeting attendance and other services such as personal counseling, community service, GED classes and vocational/educational assistance based upon the individual's risks and needs.

The program is based on the goal of abstinence from mood altering substances. The team will work to assist each individual to successfully complete this program, however, the choice to be successful in recovery is based on the participant's dedication to maintain a drug and alcohol free lifestyle.

***PHASES OF THE PROGRAM***

<i>PHASE I</i>	<i>PHASE II</i>	<i>PHASE III</i>
36 Sessions of Treatment	56 Sessions of Treatment	12 Sessions of Treatment
MRT Steps 1, 2 & 3	MRT Steps 4 - 11	MRT Step 12
	Required MRT Workbooks	Required MRT Workbooks
Court: weekly	Court: Bi-weekly	Court: 1x/every 3 weeks
Drug Screens	Drug Screens	Drug Screens
PO: weekly	PO: Biweekly	PO: 2x/month
Voc/Ed: As needed	GED: As needed	GED: As needed
	Employment	Employment
Curfew: 10:00 p.m.	Curfew: 10:00 p.m.	Curfew: 12:00 a.m.
Payment: Monthly	Payment: Monthly	Payment: Monthly

Individuals will be required to follow the phases of the program and complete any other program services, such as residential treatment, as determined in their treatment plan. Rewards and sanctions are implemented as a result of the participant's progress and level of compliance with the program. Individuals must also comply with the standard conditions of supervision issued by the Community Corrections Program.

### *RESULTS AND BENEFITS*

Recovery from addiction brings its own benefits such as improved health, better coping skills and a decreased risk of involvement in criminal activity. This program provides an opportunity for early intervention and is a meaningful alternative to incarceration.

Upon successful completion of Drug Court, the charges brought by the Prosecutor will be dismissed.

## Drug Court

### Eligibility Checklist

#### Eligible:

- \_\_\_\_\_ Current charge is a probational offense.
- \_\_\_\_\_ Offender is charged with a felony offense of the 3<sup>rd</sup>, 4<sup>th</sup> or 5<sup>th</sup> degree.
- \_\_\_\_\_ Offender is charged with a drug charge or a drug driven charge.
- \_\_\_\_\_ Offender is charged with an offense that does not carry a mandatory jail sentence.
- \_\_\_\_\_ Offender is charged with an offense that is non-violent and there is not a history of violent behavior.
- \_\_\_\_\_ Offender is capable of participating in and completing the program.  
(Serious patterns or symptoms of criminality, violence, mental illness, or mental retardation may preclude program participation).
- \_\_\_\_\_ Offender demonstrates an interest in the willingness to participate in a 12 month treatment program.
- \_\_\_\_\_ Offender would benefit from drug and/or alcohol treatment.
- \_\_\_\_\_ Offender must have an established Tuscarawas County residence.
- \_\_\_\_\_ If restitution is owed, the offender must have the ability to pay within a 12 month period (maximum of \$5,000 owed).
- \_\_\_\_\_ Offender is charged with an offense that is not defined as a sex related offense and there is no history of sex related offenses.
- \_\_\_\_\_ The Prosecutor approves the offender's participation.

#### Not Eligible:

- \_\_\_\_\_ The charge is related to the use of a firearm or deadly weapon.
- \_\_\_\_\_ The defendant appears to be primarily a drug trafficker as evidenced by a criminal history.
- \_\_\_\_\_ The defendant has served more than two (2) prison terms.
- \_\_\_\_\_ The defendant has a consistent history of revocations, failure to appear; noncompliance or poor history of supervision.
- \_\_\_\_\_ The defendant not have out of county pending cases where a resolution is not forthcoming and would exclude participation.

Revised: 07/06/09