

Delaware Municipal Court

Mission Court Participant Handbook

“To serve those who served our Country”

Judge Marianne Hemmeter



Participant Handbook
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INTRODUCTION

Welcome to the Delaware Mission Court, a Veterans Treatment Court.

The goal of the Delaware Mission Court (DMC) is to provide veterans involved in the Delaware Municipal Court the necessary treatment, services, and support so that they may lead stable, law-abiding, and healthy lives as positive and productive members of this community.

Every veteran placed on the DMC will be assigned a veteran mentor to help them not only navigate the court system, but to also fully access the VA system and build camaraderie within the community.

This handbook was written to help you successfully complete the requirements of the DMC. It includes specific information about the DMC, your rights and responsibilities while in DMC, and program requirements, rules, and guidelines regarding supervision and treatment.

Your participation in the DMC is voluntary and requires you to make a one year or longer commitment.

To successfully complete the DMC you will be required to:

- ✓ Stop using drugs and alcohol;
- ✓ Attend status review hearings;
- ✓ Attend appointments with treatment providers and case managers;
- ✓ Attend appointments with your Community Control Officer/DMC Coordinator;
- ✓ Comply with program requirements;
- ✓ Submit to frequent, random, and observed alcohol and drug screens;
- ✓ Comply with sanctions for rule infractions; and
- ✓ Follow all federal, state and local laws.

How is the DMC different from regular community control?

The biggest difference between the DMC and regular community control is the amount of contact between you and the Mission Court Coordinator/Community Control Officer, treatment staff, and Judge Hemmeter. You are required to attend regularly scheduled status review hearings before Judge Hemmeter.

You are provided with support (including a veteran mentor), assessments, evaluations and treatment services for a number of conditions that may not be available to defendants placed on supervision with the Community Control Office.

You are evaluated for post-traumatic stress disorder, substance abuse and other medical and health conditions. You are also evaluated for neurological conditions that may affect learning or behavior. The results of these evaluations are used to determine if this program will help you lead a stable, law-abiding life.

You are urged to consult with your attorney, family members, and other supportive persons in your life before deciding to participate in the DMC.

ELIGIBILITY

Your participation in the DMC is voluntary.

The DMC will not deny anyone admission to the program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, or any disability.

Your criminal history will be reviewed as part of the acceptance process. There are some prior offenses which categorically may exclude you from the program if they pose a potential risk to court staff and/or the community.

If you are currently on any type of community control through any other jurisdiction, acceptance into the DMC must be coordinated with that court.

Legal issues regarding your competency to stand trial or insanity defenses must be resolved before you can enter the DMC.

To be eligible for the DMC you must meet all legal and clinical criteria as stated below:

Legal Eligibility Criteria

1. You must have misdemeanor charge(s) pending in Delaware Municipal Court.
2. You must be a Veteran. The Delaware Municipal Court considers you to be a Veteran if you have previously served or are currently serving in the United States Military.

3. You must plead guilty or be found guilty and agree to be placed on supervised community control through the DMC.
4. If the prosecutor decides to place you in a diversion program, you can plead guilty or no contest and must agree to be placed on supervised community control through the DMC.

Clinical Eligibility Criteria

5. You must have a clinical diagnosis of substance dependence, mental illness, traumatic brain injury, post-traumatic stress disorder, or co-occurring disorder.
6. You must not be a risk to court staff, family, or the community.
7. You must be willing to go to treatment and agree to comply with the recommendations of your service providers based on the assessment reports.

PROGRAM ENTRY

Judge Hemmeter has the discretion to decide the admission into and termination from the DMC in accordance with the written eligibility criteria.

Even if you are legally and clinically eligible, you do not have the right to participate in the DMC. Written legal and clinical eligibility and termination criteria do not create a right to participate in the DMC.

Referrals and Screening

Referrals to the DMC can occur when you are arrested and/or officially charged. The process is informal and may be initiated at any stage of the proceedings.

A referral may be made by police officers, jail staff, community control officers, pre-trial officers, prosecutors, defense counsel, case managers, and representatives from the treatment community, or you.

Once a referral is received, the Mission Court Coordinator will provide you with the DMC Participant Handbook and Eligibility Packet, which includes the following three forms:

1. Assessment Form;
2. Consent to Release Personal Information Form; and

3. Application for Delaware Municipal Court.

These forms are to be completed and returned to the Delaware Mission Court Coordinator/Community Control Officer.

Upon filing the Application for DMC, a copy goes to the prosecutor or DMC coordinator to review for legal eligibility.

After reviewing the application, the prosecutor then files a report of the results.

If the prosecutor/coordinator determines you are not eligible for the DMC, the coordinator presents the information to the treatment team and the case is scheduled on the regular docket.

If the prosecutor or coordinator determines you are eligible for the DMC, then you are scheduled for a clinical assessment by an approved treatment provider.

Clinical Assessments

Clinical assessments will determine what types of services you are eligible to receive.

During the clinical assessments, a qualified professional will gather information regarding your family history, social life, employment, financial situation, previous experience in treatment and other factors that can impact your health and well-being. The assessment provides the Court a complete picture of your life, which helps in determining your course of treatment.

You will be required to sign a Consent to Release Personal Information Form in order to have a clinical assessment. You will be screened for Post-Traumatic Stress Disorder (PTSD).

Your clinical assessment will be completed by the Veterans Justice Outreach Specialist. The DMC Coordinator/Community Control Officer will make arrangements with you to complete the assessment.

If there is an issue with completing the clinical assessment, it is your responsibility to contact as soon as possible the DMC coordinator at (740) 203-xxxx.

All assessments shall include available collateral information to ensure accuracy of the assessment. All assessment reports shall include treatment recommendations based on the appropriate level of care, confirm that you meet the clinical eligibility criteria, and that you are appropriate for inclusion in the DMC. The assessment reports also must address your risk to program staff and to the community, as well as preliminary recommendations regarding the types of services that should be considered for you.

All evaluations, assessments, and referrals to treatment are expected to be completed within thirty days after the Application for DMC is filed.

If it is determined that you are not appropriate for or you choose not to participate in the DMC, your case will proceed to the regular docket.

If it is determined that you are appropriate for and you choose to participate in the DMC, you will be assigned a service provider for case coordination and development of a comprehensive treatment plan.

Program Admission

Once Judge Hemmeter determines you are to be offered entry into the DMC and you accept, a journal entry is signed transferring the case to the DMC, a date for you to plea is scheduled, and a notice to appear in DMC is given to you and your attorney.

Upon appearing in court, Judge Hemmeter will advise you and your attorney of your right to a detailed, written participation agreement and participant handbook outlining the requirements and processes of the DMC.

Judge Hemmeter also will review with you and your attorney the participation agreement, confirm that both of you received the DMC Participation Agreement and Participant Handbook, and explain the expectations and possible responses to compliance and non-compliance, including program termination criteria.

At this time you and your attorney will sign the DMC Participation Agreement and be provided with copies. You will enter a plea and be ordered to successfully complete the DMC.

You then are placed as soon as possible in treatment services and programs and under reporting supervision to monitor compliance with court requirements.

TREATMENT TEAM & MEETINGS

The DMC Treatment Team oversees the daily operations of the program and is here to help you successfully complete the requirements.

Judge Hemmeter chairs and attends the treatment team meetings, which are held **every other Friday at 3:00 p.m.** prior to your status review hearing at the Delaware Municipal Court at 780 N. Union Street, Delaware, Ohio 43015.

This meeting provides an opportunity for the treatment team to discuss and review your conduct, compliance, and achievements.

You have the right to request the attendance of your defense counsel during the portion of the treatment team meeting concerning you.

Members of the treatment team have specific roles as listed below:

Judge Marianne Hemmeter

- ✓ Chairs and attends all treatment team meetings.
- ✓ Decides your admission into or termination from the DMC based on the written legal and clinical eligibility criteria.
- ✓ Knows about your treatment and programming progress.
- ✓ Presides over your status review hearings, monitors your treatment progress, issues your incentives and sanctions, grants your phase advancement, and approves your successful completion or unsuccessful termination from the DMC.
- ✓ Discusses your progress with you at status review hearings.

Veterans Treatment Court Coordinator (may be same person as the Community Control Officer)

- ✓ Assists with identifying potential participants in the DMC and handles your initial paperwork.
- ✓ Collects and maintains statistical information and records.
- ✓ Attends your treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.
- ✓ Plans and organizes advisory committee meetings and graduation ceremonies.

Veterans Community control Officer (may also be the coordinator)

- ✓ Helps you with the screening and assessment processes for entry into DMC.
- ✓ Has program orientation with you regarding DMC.
- ✓ Meets with you regularly to discuss your program goals and progress.
- ✓ Gathers progress reports from your treatment and service providers to present to the treatment team.
- ✓ Attends your treatment team meetings and status review hearings.

- ✓ Monitors your compliance with DMC program requirements.
- ✓ Conducts and/or coordinates your random alcohol and drug tests and immediately reports results to the treatment team.
- ✓ Informs treatment team if you are following your treatment plan, supervision plan, and court orders.
- ✓ Provides progress reports and recommendations on you to the treatment team during meetings.
- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.

Prosecutor

- ✓ Supports the DMC while recognizing their distinct role of ensuring justice and protecting public safety and victim's rights.
- ✓ Conducts your legal eligibility screening and provides treatment team with report on your eligibility.
- ✓ Attends your treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.
- ✓ If applicable to you, files Motion to Dismiss or Amend Charges upon your successful completion of the DMC.

Defense Counsel

- ✓ Supports the DMC while recognizing their distinct role of preserving your constitutional rights.
- ✓ Identifies you as a possible participant in the DMC based on the written eligibility criteria.
- ✓ Refers you to be screened and assessed for eligibility to participate in the DMC.
- ✓ Assists you in deciding to participate in the DMC.
- ✓ Explains to you the Rights that you are giving up when entering the DMC.

- ✓ Explains to you the possible sanctions that may be imposed while participating in DMC.
- ✓ Explains to you the actions that may lead to your unsuccessful termination from the DMC and what will happen to you if you are removed from the program.
- ✓ Attends your treatment team meetings upon your request.
- ✓ Attends your status review hearings upon your request.
- ✓ May participate in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.

Veterans Mentor Coordinator

- ✓ Runs the Veterans Mentor Program.
- ✓ Recruits and trains volunteer peer mentors from Veterans organizations.
- ✓ Works to expand services that local agencies provide to you.
- ✓ Attends your treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.

Veterans Justice Outreach Specialist (VJO)

- ✓ Determines if you are eligible for Veterans Administration (VA) benefits and services.
- ✓ If you are eligible for VA benefits, links you to appropriate assessments and services.
- ✓ Attends your treatment team meetings and status review hearing.
- ✓ Provides reports and recommendations on you to treatment team during meetings.
- ✓ Monitors your compliance with VA treatment plan and reports your progress in VA services to the treatment team.
- ✓ Conducts and/or coordinates your random alcohol and drug tests conducted by VA facilities and immediately reports results to the treatment team.

- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement successful completion, and/or termination.

Licensed Treatment Providers

- ✓ Are licensed and trained to deliver the treatment services offered to you.
- ✓ Conduct your assessments and develop your treatment plan based on your diagnosis.
- ✓ Provide reports on your progress in treatment, your compliance with your treatment plans, including your attendance, and the results of your alcohol and drug tests.
- ✓ Attend your treatment team meetings and status review hearings.
- ✓ Provide treatment updates, reports, and recommendations regarding your treatment needs.
- ✓ Participate in discussions regarding your incentives, sanctions, phase advancement, successful completion, and termination.

Law Enforcement Officer

- ✓ Attends your treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding your incentives, sanctions, phase advancement, successful completion, and/or termination.

SUPERVISION AND TREATMENT REQUIREMENTS

The DMC program consists of an orientation and three phases. You are expected to progress through each phase and accomplish specific case plan goals. There are specific things you must do to complete each phase.

If you fail to comply with the rules of the DMC, specific sanctions can be imposed.

Status Review Hearings

As a participant in the DMC, you are required to appear in court before Judge Hemmeter on a regular basis. The frequency of these appearances depends on your program phase and your level of cooperation and success.

The DMC holds status review hearings to review your progress **every other Friday at 3:00 p.m.** or immediately after the treatment team meeting at the Delaware Municipal Court at 70 North Union Street, Delaware, Ohio 43015.

Failure to attend a scheduled status review hearing may result in additional sanctions being imposed or a bench warrant issued for your arrest.

Proceedings will occur in the courtroom before Judge Hemmeter and in the presence of the other Veterans involved in the program. These proceedings are open to the public.

Initially, you will appear in front of Judge Hemmeter every other Friday until you are regularly engaged in your case plan and treatment services. As you progress through DMC Program Phases, your requirement to appear at status review hearings will be reduced.

At each appearance Judge Hemmeter will be given a progress report prepared by the DMC Treatment Team. The report shall review the level of your participation, progress, and compliance.

Status review hearings provide an opportunity for Judge Hemmeter to recognize your progress and achievements, address your setbacks, and impose rewards and sanctions. Judge Hemmeter will explain to you how he will respond to your compliance and non-compliance with DMC program requirements, including what may cause you to be terminated from DMC.

Judge Hemmeter will discuss progress and specific problems with you. He may discuss modification to your case plans. Judge Hemmeter also may address issues you are having with your service providers.

The DMC will monitor the provision of services, as well as your engagement in services.

DMC Guidelines, Rules, and General Conditions

You are also expected to do all of the following:

1. Accept and comply with the terms of your community control or diversion, including your case plan as ordered by the DMC.
2. Update the DMC and any assigned treatment or service providers with changes to your address and phone number.
3. Attend all of your status review hearings before Judge Hemmeter.

4. Attend all of your scheduled appointments with your treatment agencies and service providers. Absences and tardiness will not be tolerated.
5. Take all medications as prescribed by your doctors.
6. Attend and be on time for all hearings and meetings at the DMC.
7. Never be violent, verbally aggressive, or threatening at DMC, treatment, or service provider sessions.
8. Dress appropriately for DMC, treatment agencies, and service provider sessions.
9. While in DMC, be respectful of the court process by being calm and orderly and never disruptive.
10. Do not threaten or be violent towards others.
11. Do not use alcohol, illegal drugs, or any controlled substances that are not prescribed by your medical doctor.
12. Submit to all random, frequent, and observed drug and alcohol tests.
13. Act in a way that is lawful.
14. Be respectful to court, treatment, and service provider staff assigned to work with you through the DMC.
15. Read, understand, and sign the DMC Participation Agreement. This agreement will be explained in detail by your attorney and the Veterans Assessment Treatment Monitor. A copy is contained in this handbook.

Your Costs to Participate in DMC

You will be responsible for the following costs when participating in the DMC:

1. Standard community control fees—these will be explained to you by your Community Control Officer.
2. Treatment costs—these will vary depending on your income and which agency is providing your treatment.
3. Any restitution, fines, and court costs ordered by the DMC.

Failure to follow the treatment payment plans and pay Court financial sanctions could result in increased sanctions or discharge from the program.

You may also have to pay for:

- ✓ Drug testing fees; and
- ✓ Any monetary fines that you are given as sanctions.

DMC Appointments & Office Visits

You are required to report to your DMC Coordinator and Community Control Officer as scheduled.

The frequency of your office visits will be determined by your compliance with DMC rules, your phase level, and your individual supervision case plan.

You must report immediately to your DMC Coordinator and Community Control Officer by phone or in-person, any changes in your life, such as changes in your housing, phone number, employment, family situation, etc.

You must bring all appropriate documentation to verify items as requested by your DMC Community Control Officer. This includes verification of group attendance, employment, receipts for payments towards fines, costs and restitution, and any other items requested.

Home Visits

While in DMC, your Community Control Officer may conduct visits to your home. These visits will be random, possibly after curfew, and unannounced.

You may be asked to submit to drug and/or alcohol testing during home visits.

Summary of Treatment & Services Provided

The DMC adopted the following policies and procedures in reference to treatment and services provided to you.

1. You will be promptly assessed and placed as soon as possible in appropriate treatment services and programs.
2. You will receive a treatment plan based on your individual needs.

3. Your treatment plans will take into consideration services that are gender responsive, are culturally appropriate, and effectively address co-occurring disorders.
4. All of the treatment services provided to you will incorporate evidenced-based strategies.
5. All of the treatment services provided to you, including case plans, are appropriate and clinically necessary to the degree that available resources allow.
6. You shall have prompt access to a continuum of approved treatment and rehabilitation services.
7. DMC maintains a current treatment plan and a record of activities for you. Your treatment plans will continue to develop throughout the program to reflect your changing needs based on your progress.
8. Appropriately licensed and trained persons will deliver services to you according to the standards of their profession and will provide you with all treatment and programming.

The DMC has partnered with the following agencies to provide assessments, treatment plans, case management services, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender-specific treatment, co-occurring disorders treatment, supportive housing, family therapy, medication, and medication monitoring to Veterans:

- ✓ Chalmers Wylie VA Medical Center in Columbus
- ✓ Turning Point
- ✓ Recovery & Prevention Resources
- ✓ Maryhaven
- ✓ Southeast Healthcare Services
- ✓ Syntero

These agencies also work together to provide additional services, such as educational and vocational training, employment, transportation, housing, domestic violence programming, and physical, mental, and dental health.

DMC Orientation & Program Phases

The DMC has an orientation and three phases that must be completed before you graduate. Each phase has specific tasks that you must achieve before you can move to the next phase. As you complete the tasks in each phase, your performance and progress will be monitored. Your progression through the DMC phases is based upon your performance in the treatment plan and compliance with program rules.

Orientation

Your goal in Orientation is to gain an understanding of the requirements of the DMC. You will do the following in orientation:

- ✓ Complete the Consent to Release Personal Information Form.
- ✓ Complete all assessments ordered by Judge Hemmeter.
- ✓ Review the DMC Participant Handbook and Participation Agreement to ensure that you understand program expectations.
- ✓ Attend a DMC status review hearing.
- ✓ Be introduced to members of the treatment team.
- ✓ Become familiar with the location of service providers and address any transportation issues.
- ✓ Complete and review your individualized treatment and supervision plans.

Phase I

In Phase I you will focus on complying with all DMC requirements and trying to become more stable. During this phase, you will have the most contact with the court, DMC Coordinator/Community Control Officer, treatment providers, and veteran mentor.

Tasks to be completed in this phase include the following:

- ✓ Attend status review hearings every other Friday.
- ✓ Attend your treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.

- ✓ Attend sober support meetings as you are required.
- ✓ Submit to all random, frequent, and observed alcohol and drug testing.
- ✓ Explain your understanding of DMC program expectations.
- ✓ Comply with all guidelines, rules, and general conditions of the DMC.
- ✓ Work with housing, educational, vocational, and/or employment service agencies.
- ✓ If employed, maintain your employment.
- ✓ No positive drug tests for six weeks before you are eligible to advance to the next phase.
- ✓ No sanctions for six weeks before you are eligible to advance to the next phase.

Phase II

During Phase II, you will begin to develop skills, improve family relationships, and set employment, vocational, and/or educational goals. Based on your progress, required appearances at status review hearings may be reduced.

Tasks to be completed for this phase include the following:

- ✓ Attend status review hearings as you are instructed.
- ✓ Attend treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.
- ✓ Attend sober support meetings as you are required.
- ✓ Submit and provide negative results to all random, frequent, and observed alcohol and drug testing.
- ✓ Comply with all guidelines, rules, and general conditions of the DMC.
- ✓ Continue working with housing, educational, vocational, and/or employment service agencies.

- ✓ If employed, maintain your employment.
- ✓ No positive drug tests for six weeks before you are eligible to advance to the next phase.
- ✓ No sanctions for six weeks before you are eligible to advance to the next phase.

Phase III

In Phase III you will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, and/or vocational plans. This phase is crucial as you put into practice everything learned in the first two phases and demonstrate on-going stability and self-sufficiency.

Tasks to be completed for this phase include the following:

- ✓ Attend status review hearings as you are instructed.
- ✓ Attend and successfully complete treatment sessions and activities as you are required.
- ✓ Take your medications as they are prescribed.
- ✓ Contact and meet your community control officer as you are instructed.
- ✓ Attend sober support meetings as you are required.
- ✓ Submit and provide negative results to all random, frequent, and observed alcohol and drug testing.
- ✓ Comply with all guidelines, rules, and general conditions of the DMC.
- ✓ Maintain your employment.
- ✓ Maintain your stable housing.
- ✓ No sanctions for eight weeks before you are eligible to graduate.
- ✓ Complete and submit your Petition to Graduate to the DMC Coordinator.

Once your Petition to Graduate is submitted to the DMC Coordinator/Community Control Officer, the treatment team will review your progress and accomplishments through the DMC and make a recommendation to Judge Hemmeter. Judge Hemmeter will decide when you will successfully complete the DMC.

Substance Use Monitoring

Your substance use will be monitored by random, frequent, and observed alcohol and drug tests. Substance monitoring is part of your treatment plan.

You will submit to random, frequent, and observed alcohol and drug screens based upon your individualized drug and/or alcohol testing plans.

A positive drug test results in an immediate and graduated sanction. Your Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample is treated as a positive test and immediately sanctioned.

Testing may include instant urinalysis drug screens, SCRAM, portable Breathalyzers, use of scientifically validated technology for ethyl alcohol, and/or other devices that are deemed reliable.

Urine screens test for many common substances including your substance of choice. All testing shall be recorded and maintained for you for as long as you are in the DMC. Testing will be conducted based on your specific needs.

Random test selection is monitored utilizing the I-Samson software program. I-Samson.net provides true random selection by allowing the Veterans Treatment Court to individualize alcohol and drug testing plans for you based on your phase in the program.

I-Samson.net extends your supervision through structured and automated daily contact and creates truly random testing. You are required to call the I-Samson automated phone line daily to determine if you are selected for drug testing. You will be tested sufficient to include your primary substance of dependence, as well as a sufficient range of common substances.

At intake you shall submit to a baseline drug and alcohol test, and you will not be sanctioned based upon the results of these tests.

You may be asked to submit to drug and/or alcohol testing during home visits.

If you relapse and/or provide a positive drug or alcohol test, the treatment team is immediately informed and may consider an adjustment in your treatment and sanctions.

Any change in the treatment plan and/or sanctions are enforced and reinforced by Judge Hemmeter.

DMC uses instant urine screens and other types of tests that allow for laboratory confirmation. Upon receiving a positive test result, you may contest an instant urine screen by immediately making a request for a laboratory test and paying the cost for the test.

While waiting for the laboratory test, sanctions are not issued. However, if the test result is positive, then a more severe sanction may be issued based upon deception and the use of substances.

If the test returns negative, then the laboratory fee will be credited to you in a manner determined by Judge Hemmeter. When contesting a positive result, you will be immediately transported to take another test.

At each treatment team meeting, the results of substance monitoring tests will be provided to all treatment team members. Judge Hemmeter is immediately notified when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample. Immediate sanctions will be issued.

You are responsible for submitting to all random, frequent, and observed drug and/or alcohol tests. You must do all of the following:

- ✓ Travel to the testing location during the time indicated;
- ✓ Arrive promptly for testing; and
- ✓ Produce a sample within a specified timeframe.

Testing by Outside Agency

Testing may be done by agencies located outside of the court. These agencies agree to follow DMC alcohol and drug testing protocols.

The agency testing you will immediately notify the Coordinator/Community Control Officer of the outcome of all tests. Judge Hemmeter will be notified immediately when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample.

Incentives

The DMC uses rewards and incentives to help you make lasting changes in your behavior. Presenting incentives and rewards acknowledges the difficult changes you are making in your life.

Immediate, graduated, and individualized incentives govern Judge Hemmeter's responses to your compliance. Incentives are awarded according to your progress in the phases of the program and are designed to encourage and reward your positive behavior.

Behaviors appropriate for incentives include but are not limited to:

- ✓ Attending your required court appearances on time and appropriately dressed.
- ✓ Attending your required treatment appointments.
- ✓ Maintaining close and productive contact with your case manager.
- ✓ Achieving your individual treatment objectives.
- ✓ Abstaining from alcohol and drugs, as evidenced by your negative test results.
- ✓ Engaging in vocational or educational activities.
- ✓ Securing stable housing.
- ✓ Advancing in phases.
- ✓ Accomplishing any other milestone identified by the treatment team.

Incentives may include but are not limited to:

- ✓ Encouragement and praise from Judge Hemmeter.
- ✓ Ceremonies and tokens of progress when advancing in phases.
- ✓ Reducing supervision contacts.
- ✓ Decreasing frequency of court appearances.
- ✓ Reducing fines/costs.
- ✓ Increasing or expanding privileges.
- ✓ Encouragement to increase participation in positive activities that you find pleasurable, such as writing, art work, or other hobbies.

- ✓ Gifts of inspirational items, including books, pictures, and framed quotes.
- ✓ Assistance with purchasing clothing for job interviews.
- ✓ Gift cards for restaurants, movie theaters, recreational activities, or personal care services.
- ✓ Gifts of small personal care items, hobby or pet supplies, plants or small household items.
- ✓ Reducing jail days.
- ✓ Graduating from the DMC.

Sanctions

The DMC uses graduated sanctions to help you conform your behavior to program requirements. If you do not follow the DMC Guidelines, Rules, and General Conditions and your treatment plans, sanctions will be applied to deter negative behavior and encourage future compliance.

Immediate, graduated, and individualized sanctions govern responses to your noncompliance. Sanctions are issued for noncompliance with the treatment plan or DMC Guidelines, Rules, and General Conditions. Sanctions are crafted in an individualized, creative, and progressive manner based on the infraction.

Adjustments in your treatment services, as well as your participation in community-based support meetings are based solely on your clinically informed interests. Incremental adjustments to your treatment plan made at the discretion of Judge Hemmeter and the treatment team are *not* to be considered sanctions. You will be sanctioned if you fail to comply with your treatment plan adjustments.

At the time of a positive drug or alcohol test, during intake or if you relapse, the treatment team may consider an adjustment in treatment and/or sanctions. Any change in the treatment plan and/or sanction will be enforced and reinforced by Judge Hemmeter.

The imposition of sanctions is at the sole discretion of Judge Hemmeter, and sanctions may be modified based upon the facts of the individual situation and/or the recommendation of the treatment team.

A level of sanction is applied to each type of possible infraction. This type of planning ensures lesser infractions will be met with lesser, more appropriate sanctions. Infractions

are also tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

Common infractions include but are not limited to:

- ✓ Failing to attend and/or be on time for all court appearances and treatment and service provider appointments.
- ✓ Failing to follow DMC Guidelines, Rules, and General Conditions.
- ✓ Failing to keep scheduled appointments with the community control or any other treatment team member.
- ✓ Failing to comply with all requirements of your treatment plan.
- ✓ Failing to comply with all requirements regarding the random, frequent, and observed alcohol and drug tests.
- ✓ Testing positive for alcohol and/or drugs.
- ✓ Failing to comply with the DMC.
- ✓ Receiving any new criminal charges.
- ✓ Failing to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.
- ✓ Failing to cooperate with the DMC.
- ✓ Failing to cooperate with treatment or service providers.
- ✓ Failing to cooperate with community control/pretrial officer or Veterans Assessment Treatment Monitor.

Sanctions may include but are not limited to:

- ✓ Warnings and reprimands in court from Judge Hemmeter.
- ✓ Increasing frequency of your alcohol and drug tests.
- ✓ Increasing your court appearances.
- ✓ Denying specific requests, such as permission to travel.

- ✓ Denying additional or expanded privileges or rescinding privileges previously granted to you.
- ✓ Increasing supervision contacts and monitoring requirements, such as placing you on electronic monitoring.
- ✓ Individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon your unacceptable behavior.
- ✓ Requiring additional community service.
- ✓ Imposing suspended fines and/or financial sanctions.
- ✓ Increasing periods in jail.
- ✓ Last Chance Agreement.
- ✓ Filing a community control violation.
- ✓ Terminating You from the DMC.

Sanctions will be used to help you conform to program rules and punish inappropriate or illegal behaviors to help you meet all your requirements.

You are to remain alcohol and drug free and are encouraged to make changes in your lifestyle so that you can live a sober, positive and law-abiding life.

DMC Graduation

Successful completion criteria are the guidelines used to identify how you effectively satisfy DMC requirements. In order to successfully complete and graduate from DMC, you must demonstrate compliant behaviors and accomplishments.

Compliant behaviors may include but are not limited to:

- ✓ Demonstrating a period of abstinence from alcohol and drugs.
- ✓ Attending all treatment and provider appointments.
- ✓ Attending sober support group meetings.
- ✓ Displaying a change in thinking, attitude, and beliefs.
- ✓ Maintaining consistent employment.

- ✓ Demonstrating ability to identify and eliminate criminal thinking patterns.
- ✓ Completing required community service hours.
- ✓ Paying all fines, court costs, restitution, and treatment costs.

Accomplishments may include but are not limited to:

- ✓ Fulfilling all DMC requirements.
- ✓ Completing all treatment requirements and programs.
- ✓ Developing an effective relapse prevention plan.
- ✓ Actively participating in a sober support group demonstrated by serving as a sponsor.
- ✓ Obtaining a vocational certificate or college degree.
- ✓ Obtaining a career.
- ✓ Obtaining permanent, stable housing.
- ✓ Displaying responsibility for your behavior and making positive changes in your thinking, attitudes, and beliefs.
- ✓ Becoming a contributing member of the Delaware community.

After the DMC Coordinator asks you to submit your Petition to Graduate, the treatment team will review your behaviors and accomplishments and make a recommendation to Judge Hemmeter regarding your successful completion of DMC requirements.

Judge Hemmeter has discretion to determine when you will successfully complete the DMC. Upon successful completion, you shall participate in a graduation ceremony hosted by the court and receive a certificate of completion.

Depending on your charge and sentence, you may have your jail sentence suspended or, if you are in a diversion program, the charges may be dismissed.

Termination from DMC

Judge Hemmeter has discretion in determining termination from the DMC in accordance with the written criteria.

Criteria for termination may include:

- ✓ On-going noncompliance with treatment or resistance to treatment.
- ✓ New serious criminal convictions.
- ✓ A serious program infraction or series of infractions.
- ✓ A serious community control violation or series of community control violations.

Consequences for termination may include:

- ✓ Loss of future eligibility for the DMC.
- ✓ Further legal action.
- ✓ Loss of diversion status for the offense, if applicable.
- ✓ Revocation of community control and imposition of the original jail sentence.

When you are being terminated from the DMC, a hearing is scheduled and a notice to appear is sent to you and your attorney. At the conclusion of the hearing, if Judge Hemmeter finds that you shall be terminated from the DMC, the jail sentence and fines suspended may be imposed.