

## Washington County OWI TAD Program: 2<sup>nd</sup> OWI Program Overview

The Washington County OWI TAD Program for 2<sup>nd</sup> OWI offenders is a six month pre-trial diversion program that emphasizes maintained sobriety, treatment, and completion of DOT requirements. Clients who successfully complete the program receive a reduced jail sentence for their OWI offense.

### Eligibility Requirements

- Client must be 18 years old.
- Client must be a Washington County resident with a charge of OWI (2<sup>nd</sup>) offense.
- Client must not have any currently pending or previous felony convictions for a violent offense.
- Client must not have any currently pending or previous convictions for manufacturing/delivery of any drug.
- Client must meet the diagnostic criteria for a substance use disorder.

### Referral and Admission

- A client will be referred to the program after they have been charged and before they have been sentenced for their OWI offense.
- The Washington County District Attorney's Office has the authority to offer the diversion program to potential clients and makes referrals to Elevate.
- Once a client is offered the opportunity to participate in the program, the District Attorney's Office will send a referral to Elevate.
- The client should then contact Elevate to schedule an assessment. The assessment will take approximately 90 minutes.
- Following the assessment, program staff will write a letter to the District Attorney's Office and to the client's attorney informing them of the client's eligibility and plan to engage in the program.
- Clients must complete an assessment prior to entering a plea agreement involving the program.
- Client will then engage in the program for approximately six months, and after successful completion will proceed with sentencing, receiving the shorter agreed upon sentence.

### Program Requirements

- Maintain absolute sobriety.
- Complete the Intoxicated Driver Program (IDP) Assessment and follow through with the recommended AODA education or treatment.
- Meet at least once per week with assigned case manager at Elevate.
- Submit to alcohol and drug testing as required including: at least once alcohol and drug test per week at Elevate, testing required at the client's treatment provider, and random testing as required by the client's case manager.
- Participate in developing a Diversion Case Plan and demonstrate progress in meeting goals outlined in the Diversion Case Plan throughout participation in the program.
- Complete the recommended AODA education or treatment. This will fulfill the requirements of the client's Driver Safety Plan (DSP) and ensure compliance with DOT requirements.

### Costs

- The total cost of the program is \$900.
- This will include the cost of the IDP assessment, which is normally \$265.
- \$300 of the \$900 total will be due upon program admission.
- The remainder will be paid in monthly fees of \$100 due at the start of each month.
- Clients are responsible for all costs associated with treatment, legal fees/fines, probation, and/or any other costs related to their OWI offense.

### Program Completion

- Clients that meet all of the program requirements during the first six months of the program will successfully complete.

- Successful completion will result in a reduced jail sentence as determined by the client's plea agreement.
- Clients may have the program extended up to an additional three months if they need extra time to complete program requirements.
- Upon successful completion, program staff will write a letter to the District Attorney's Office and the client's attorney notifying them of successful completion. The client will also be provided with a copy of the letter and all paperwork for DOT requirements.

### **Noncompliance and Discharge**

- Noncompliance with program requirements is managed on a case-by-case basis.
- Repeated instances of noncompliance will result in discharge from the program.
- Examples of noncompliance include but are not limited to substance use, missed appointments, failure to engage in or complete treatment, failure to make progress toward completing goals outlined in the clients Diversion Case Plan.
- Prior to discharge clients that continue to have instances of noncompliance may be placed on a "behavioral contract" outlining the specific expectations they need to meet in order to continue. Failure to meet these expectations will result in discharge.
- If a client is discharged due to noncompliance a letter will be sent to the District Attorney's Office and the client's defense attorney notifying them of termination. The client will then proceed to sentencing.
- Any new criminal offense, violence, or threats of violence may immediately result in discharge from the program.

Above all, the program encourages clients to engage in treatment and work on making behavior changes supportive of a healthy alcohol and drug free lifestyle. We encourage clients to be honest about any struggles they may have during the program with the goal of helping them get the necessary help and completing the program. We hope that by staying sober and working on developing a healthy lifestyle, clients can maintain long-term recovery and avoid future involvement in the criminal justice system.