

## Washington County OWI TAD Program: 3<sup>rd</sup> OWI Program Overview

The Washington County OWI TAD Program for 3<sup>rd</sup> OWI offenders is a year-long post-sentencing diversion program that emphasizes maintained sobriety, treatment, and completion of DOT requirements. Participating in the program results in a shorter jail sentence for the OWI offense and completion of the program is a condition of the client's probation.

### 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.
- After admission, a client will proceed with sentencing, receiving the shorter agreed upon sentence, and then continue with the program as a condition of their probation.

### 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.
- 3<sup>rd</sup> OWI clients will also be placed on probation as part of their sentence. Clients are expected to maintain compliance with all conditions of their probation.
- One of the probation requirements may require the client to be placed on a continuous alcohol monitoring device such as a continuous alcohol detection ankle bracelet or a portable breathalyzer that requires multiple tests per day.

### 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.

- Clients must agree to have their cash bail paid to Elevate upon sentencing instead of receiving that money back. This is to cover the remainder of the program cost. Any amount over the total \$900 program fee will be refunded to the client.
- 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 full year of the program will successfully complete.
- Successful completion will fulfill that component of the client's probation requirement.
- Clients may have the program extended up to an additional six months if they need extra time to complete program requirements. This will be determined with the client and their probation officer.
- Program completion will also ensure the client has met their treatment requirements and DOT requirements to maintain their driving privileges if they are eligible for them.

### **Noncompliance and Discharge**

- Noncompliance with program requirements is managed on a case-by-case basis.
- 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.
- Noncompliance will be reported to a client's probation officer. Repeated instances of noncompliance will result in a team discussion involving a client, their case manager, and probation officer. This meeting may result in a "behavioral contract" being developed that will outline the specific conditions a client must meet in order to continue in the program.
- If a client is discharged due to noncompliance, their probation officer will be informed and the client may be revoked from their probation. Revocation from probation is strictly the decision of the Department of Corrections.
- Any new criminal offense, violence, or threats of violence may immediately result in program discharge.

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.