

## Washington County Drug TAD Program

The Washington County Drug TAD Program is a pre-trial, Deferred Prosecution Agreement (DPA), diversion program for individuals charged with possession of narcotic drugs, methamphetamine, cocaine/cocaine base, or prescription drugs. The program length is one year but may include up to a six-month extension based on client participation. The main requirements of the program are that clients maintain sobriety, engage in the recommended Substance Use Disorder (SUD) treatment, attend weekly individual appointments with their case manager, and submit to regular alcohol and drug testing. Clients who complete the program are expected to have the charge of possession of narcotics dismissed, and clients who are discharged due to noncompliance will return to the traditional criminal justice system.

### Eligibility Requirements:

- Client must be at least 17 years old.
- The client must not be a “violent offender” as described in the WI TAD Program Statute.
- Client has a pending charge for possession of narcotics, methamphetamine, cocaine/cocaine base, or prescription drugs; felony bail jumping or possession of paraphernalia if those charges were related to an opiate drug overdose and the client meets the definition of an “aided person” pursuant to section 961.443 (2) (b)2. in Washington County. Client does not have any previous convictions or currently pending charges for manufacturing or delivery of any drug
- The client must meet the diagnostic criteria for an substance use disorder as determined by the assessor.
- As of May, 2019 the program has been expanded to include clients charged with felony bail jumping, [violation of section 946.49(1)(b)] or possession of paraphernalia, [violation of section 961.573(1)], if those charges are related to an opiate drug overdose and the client meets the definition of an “aided person” pursuant to section 961.443(2)(b)2.

### Referral & Admission:

- Clients can be referred to the program at any point prior to conviction and should be encouraged to speak with a defense attorney about their legal options and participation in the program.
- Only the District Attorney’s Office has the authority to offer a DPA involving the program and refer a client to the program.
- If the District Attorney’s Office offers a DPA involving the program to a potential client they will send Elevate a referral.
- The client should then contact Elevate to schedule an assessment.
- The initial assessment will be approximately 90 minutes.
- Following the assessment, Elevate will send a letter to the District Attorney’s Office and to the client’s attorney notifying them of the client’s eligibility for, and plan to engage in, the program.
- If a client does not complete an assessment at Elevate, they will not be accepted into the program.
- At the time of the assessment clients will be fully informed of all program requirements and may take additional time to consider whether or not they wish to participate.
- Clients are expected to notify Elevate of their intention to engage in the program prior to signing the Deferred Prosecution Agreement so that they can start program services.

### Program Requirements:

- Maintain absolute sobriety other than prescribed medications, which must be verified by the client’s case manager.
- Engage in the recommended SUD treatment throughout the program or until treatment completion.
- Demonstrate progress in treatment through completion of treatment plan goals, demonstrating understanding of SUD topics, and the ability to apply what is learned in treatment to develop a sober and healthy lifestyle.
- Individual appointments twice per week with case manager.
- Develop a Diversion Case Plan with your case manager. The Diversion Case Plan identifies program phase, program requirements, and individual client goals.

- Submit to alcohol and drug testing a minimum of twice per week throughout the entire length of the program. Testing may increase to three times per week based on participation and ability to maintain sobriety. All drug testing will be witnessed.
- Complete a relapse prevention plan and a continuing care plan prior to discharge. These will be reviewed with the client's treatment provider and case manager.
- Maintain compliance with all conditions of their Deferred Prosecution Agreement.
- See the full program manual for a description of the three-phase structure of the program and the requirements of each phase.

**Costs:**

- There will be a total program cost of \$300.
- Clients are responsible for the costs associated with the recommended SUD treatment.
- Elevate does not bill client insurance for any services.
- Clients are expected to pay all program fees prior to completing the program.

**Program Completion:**

- Clients that meet all of the program requirements during the first year of the Deferred Prosecution Agreement will successfully complete and are expected to have their charge(s) dismissed.
- Clients may have the program extended up to an additional six months if that time is required to meet program requirements, including completion of treatment or to demonstrate a period of maintained sobriety.
- Elevate will provide the client with a letter regarding program completion and will fax a letter to the client's attorney and the District Attorney's Office following successful program completion.

**Noncompliance and Discharge:**

- Noncompliance will be managed on a case-by-case basis; however, continued instances of noncompliance will result in discharge from the program.
- A client will always be given an explanation of their noncompliance with a plan to improve.
- A client with multiple instances of non-compliance may be placed on a behavioral contract, which if they violate, will result in discharge from the program. At this point a letter will also be sent to the District Attorney's Office and the client's defense attorney outlining the noncompliance. This may result in a scheduled court hearing.
- If a client is placed on a behavioral contract or facing discharge, the client's case manager may contact the client's defense attorney and will encourage the client to speak with their attorney as well.
- If a client is discharged due to noncompliance, a letter will be written re: discharge to the District Attorney's Office and the client's defense attorney; the client will also be provided a copy.
- A new criminal offense, violence, or threats of violence may result in immediate discharge from the program.

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