

## Disqualifying Prior Convictions or Adjudications Withheld:

- Violent felony offenses as defined in FS 776.08 as a “forcible felony”.
- Trafficking, sales, manufacturing or cultivation (except for small quantities of marijuana) within the past five years.

## Other Disqualifiers:

Pending charges in other jurisdictions.  
Previously adjudged incompetent or insane.  
Suffers from significant mental health problems beyond the program’s ability to serve.  
In violation of conditions of controlled release or parole.

## Other considerations:

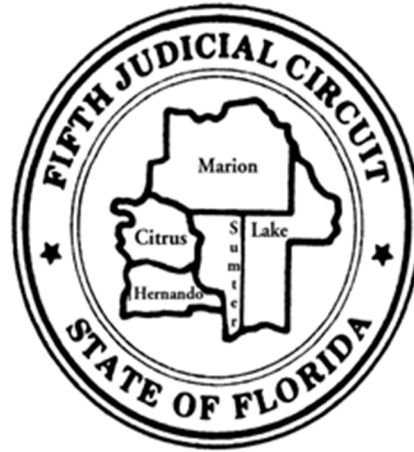
- This program is not designed for drug dealers or profiteers.
- Findings that result from substance abuse screening or assessment.
- Entirety of candidate’s criminal history.
- Candidate’s motivation or potential for success.
- Arrests resulting without convictions or adjudications withheld will not be used to deny entry into the program.

\*Any variation or changes of the requirements within each **phase**, (including financial) may be made at the discretion of the Judge, the Drug Court Team or as required by statute/guidelines.

**The Marion County Drug Courts** do not discriminate against qualified applicants on the basis of race, color, religion, gender, age, national origin, marital status, handicap (disability) or veteran status or as otherwise prohibited by federal, state or local law.

If you are a person with a disability who needs any accommodation in order to participate in this program, you are entitled, at no cost to you, to the provision of certain assistance, please contact the ADA Coordinator at the Office of the Trial Court Administrator, Marion County Judicial Center, 110 NW 1st Avenue, Ocala, Florida 34475, Telephone (352)401-6710. If you are hearing or voice impaired, call 711.

## MARION COUNTY Post-Adjudicatory Drug Court EXPANSION Program



## HON. JONATHAN OHLMAN Drug Court Judge

**Adult Post-Adjudicatory  
Drug Court Expansion Program**  
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## Adult Post-Adjudicatory Drug Court EXPANSION Program Summary

The Marion County Adult Post- Adjudicatory Drug Court Expansion Program is a court supervised highly structured program consisting of both substance abuse treatment and case management supervision **for non-violent prison bound offenders**. This program includes, but is not limited to, frequent court appearances, random drug screens, substance abuse treatment; frequent community or peer support meeting attendance while on a Department of Correction supervised probation. The length of this four phase program is normally 13 to 17 months long.

The target population for this program is non-violent, adult felony offenders with substance abuse problems, residing in Marion County **who would otherwise go to prison**. This includes those in Violation of Probation (VOP) or Violation of Community Control (VOCC) statutes.

Entry into this program must be based upon the sentencing court’s assessment of the defendant’s criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant’s agreement to enter the program. (FS 397.334 (3) (a))

Applications for the **Marion County Adult Post-Adjudicatory Drug Court Expansion Program** are forwarded to The Office of The State Attorney for review. If your application has been approved you will be noticed to appear before your judge for sentencing wherein the completion of the drug court program will be made part of your conditions of probation. Your case will then be set before the Drug Court Judge for acceptance into the program.

## Entrance criteria:

1. If not for entering the drug court program, this defendant would have been sentenced to prison.
2. Sentencing points must equal 22-60
3. Eligible pending felony charge(s) to include VOP or VOCC statutes.
4. No disqualifying prior convictions or adjudications withheld such as violent offenses or sales.
5. Substance abuse screening or assessment indicates that substance abuse treatment are therapeutically appropriate.
6. Candidate agrees to maintain residence in Marion County until successfully completing program.
7. Defendant must be:
  - (a) fully advised about the program
  - (b) amenable to participating and
  - (c) agree to enter and successfully complete drug court as a condition of probation or community control.

## Eligible Pending Felony Charges - Instant Offense(s):

- Non-violent felony offenses to include VOP/ VOCC - FS 948.20 states “the term “nonviolent felony” means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08” - Burglary of a structure or conveyance might be a non-violent felony offense.

## Disqualifying Pending Charges – Instant Offense:

- Violent offenses as defined in FS 776.08 – “Forcible felony” means treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony involving the use or threat of physical force or violence against any individual.
- Drug trafficking, sales, manufacturing or cultivation (except for small quantities of marijuana).
- Having misdemeanor charges alone; without being attached to a felony charge.

**PHASE I\***  
**(Minimum of 16 weeks)**

1. Intake and orientation to the program.
2. Assessment by treatment provider and introduction to treatment.
3. Develop an Individual Treatment Plan.
4. No alcohol or drug use.
5. Daily call to the "color line".
6. Random drug screens.
7. Court Appearances twice per month or as instructed by the court or drug court staff.
8. Minimum of one (1-3) Group, Individual or other counseling weekly.
9. Attend regular meetings with case manager.
10. Obtain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
11. Attend at least five (5) Community/Peer Support meetings per week with verification of attendance.
12. Make all scheduled drug court payments as instructed by the Judge or drug court staff.
13. Community service hours as directed by the judge, probation or drug court staff.
14. Follow all Drug Court Rules and Regulations.
15. Follow all conditions of your probation or community control.

**Incentives & Sanctions:**

In this program may include incentives to address progress and goals met or sanctions to address violation of the drug court rules and other non-compliant behavior.

**PHASE II\***  
**(Minimum of 16 weeks)**

1. Show progress towards treatment objectives and goals.
2. Follow through with residential treatment if appropriate.
3. No alcohol or drug use.
4. Daily call to the "color line".
5. Less frequent random drug screens.
6. Court Appearances twice per month or as instructed by the court or drug court staff.
7. Minimum of one (1-2) Group, individual or other counseling weekly.
8. Demonstrate the development of a support network in your life.
9. Attend regular meetings with case manager.
10. Obtain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
11. Attend at least four (4) Community/Peer Support meetings per week with verification of attendance.
12. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
13. Community service hours as directed by the judge, probation or court staff.
14. Follow all Drug Court Rules and Regulations.
15. Follow all conditions of your probation or community control.

**PHASE III\***  
**(Minimum of 16 weeks)**

**Program Fees:**

Each participant is required to pay a \$35.00 application fee; \$25.00 per month fees payable over the program's length in pre-arranged interest free payments. This does not include cost of treatment, other program/court related or sanction fees if applicable.

1. Continue to show progress towards treatment objectives and goals.
2. Demonstrate an alcohol or drug free lifestyle.
3. Development of a relapse prevention plan.
4. Daily call to the "color line".
5. Less frequent random drug screens.
6. Court Appearances twice per month or as instructed by the court or drug court staff.
7. Minimum of one (1-2) Group, individual or other counseling weekly.
8. Attend regular meetings with case manager.
9. Demonstrate an active support network in your life.
10. Obtain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
11. Attend at least three (3) Community/Peer Support meetings per week with verification of attendance.
12. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
13. Community service hours as directed by the judge, probation or drug court staff.
14. Follow all Drug Court Rules and Regulations.
15. Follow all conditions of your probation or community control.

**PHASE IV\***  
**(Minimum of 4 to 20 weeks)**

1. Continue to show progress towards

All fees are to be paid in the form of money orders made payable to **Marion County BOCC**; or with a credit or debit card. (Master Card, Discover or Visa are accepted).

2. treatment objectives and goals.
2. Demonstrate an alcohol or drug free lifestyle.
3. Development of a post drug court aftercare plan.
4. Daily call to the "color line".
5. Less frequent random drug screens.
6. Monthly Court Appearances or as instructed by the court or drug court staff.
7. Minimum of one (1) Group, individual or other counseling bi-weekly.
8. Attend regular meetings with case manager.
9. Demonstrate an active support network in your life.
10. Obtain full time employment; be involved in an academic/vocational training program and/or provide proof of ability to support oneself financially as determined by the drug court team.
11. Attend at least two (2) Community/Peer Support meetings per week with verification of attendance.
12. Make all scheduled drug court and related payments as instructed by the Judge or drug court staff.
13. Community service hours as directed by the judge, probation or drug court staff.
14. Follow all Drug Court Rules and Regulations.
15. Follow all conditions of your probation or community control.

**Phase Advancement\*:**

Is contingent on participants meeting requirements of each phase and all financial obligations.