## Flow Chart for Opioid Diversion Program (DPP-O) Referral Process

#### PRE-CHARGE

Assistant District Attorney (ADA), Deputy District Attorney (DDA), or Paralegal emails Substance Abuse Counselor, Cheri Wotnoske, for review, and determines if appropriate and eligible for precharge referral.



#### **POST-CHARGE – Option #1**

Defendants are screened by Journey Mental Health Center (JMHC) using the LSI-SV. Those with "low" scores are flagged for DPP-O. JMHC notifies ADA, DPP Director, and DPP-O Counselor.

#### Eligible

ADA generates offer letter and provides to defendant.
ADA instructs defendant to contact DPP to sign up.
Director or DPP-O Counselor Generates Chrono, DPP-O Counselor assigns case, notifies ADA.



Not Eligible

# Alternative option:

Charged & possibly referred as a DPP-O Post-Charge, Probation, or Jail, or other action.



Defendant will proceed to full assessment JMHC, which includes COMPAS.

#### LSI-SV: Low score

Defendant is referred to DPP and case is reviewed to determine all factors of eligibility to program.



# COMPAS: High score

Not eligible due to assessed risk. Will then be referred to Drug Treatment Court or Diversion Program.

#### COMPAS: Low score

A low COMPAS score will qualify a potential defendant to follow the same process as a low score of LSI-SV.

ADA reviews options,
disseminates
information to
Defense Attorney
and directs
Defendant to contact
DPP office to fill out
paperwork.



Defendants are identified by ADA, Paralegal, and/or Substance Abuse Counselor during case review and are identified as potentially eligible for DPP-O.



## Defendant comes to DPP office and fills out paperwork for DPP-O.

Defendant is then scheduled for Screening/Assessment with DPP-O Counselor. DPP-O staff (if available) will make face-to-face contact with an individual when arriving to office.



Defendant follows conditions of Deferred Prosecution Agreement or risks being sent back to court for formal charging.



Upon completion of the Screening/Assessment, feedback is provided to ADA regarding acceptance and proposed DPP-O requirements.

**Post-Charge** 

Post-Charge:

Defendant enters formal plea at hearing.



Defendant returns to DPP-O counselor to review and sign Deferred Prosecution Agreement.

## **Deferred Prosecution**

## Opioid Diversion Program●

It is the fundamental goal of the Opioid Diversion Program to connect individuals to the best wraparound services that focuses on mental and physical health, to support each participant in sobriety recovery from substance use. The Deferred Prosecution Opioid Diversion Program (DPP-O), as all of DPP, is committed to the protection and safety of the public, while motivating each participant to change destructive behaviors that led to their original offense(s). DPP-O fully utilizes a wide spectrum of community resources to facilitate the completion of participant contracts that are uniquely tailored to each individual.

#### **DPP-O Eligibility Criteria**

- Opiate/Opioid and/or Methamphetamine use issue
- Referral offense related to arrest for Possession of Narcotic Drug (Opiate/Opioid only), Possession of Opiate/Opioid Drug Paraphernalia, Possession of Methamphetamine, or Opiate/Opioid/Methamphetamine related crimes
- No violent or assaultive convictions, and no violence or assaultive behavior in referral offense (exceptions may be made under certain circumstances)
- o Convictions within the past 5 years are reviewed and may be allowed under certain circumstances
- Dane County resident, or if outside Dane County, must have valid driver's license and transportation to maintain minimum twice weekly in-person contact
- Willingness to comply with rigorous program, as shown in the list of program expectations below.

### **DPP-O Program Expectations for Defendants Pre- and Post-Charge**

- Meeting weekly face to face with DPP-O Counselor until further directed.
- Compliance with rigorous drug testing that requires calling in Monday through Friday.
- Unless having a verified disability, maintain stable employment or participate in employment programs until gainfully employed.
- Submit a number of written assignments in a timely fashion.
- Fully comply with Substance Abuse Counseling/Treatment as directed.
- Comply with other programming when need indicated (mental health, psychiatric/psychological treatment, HSED/GED, OWI compliance, etc.)
- Community service when indicated.
- Restitution if so ordered as part and parcel of plea agreement.
- Deferred Prosecution Agreement duration between 9-15 months.

#### **Contact Information**

Office Location: Dane County Courthouse, 215 S. Hamilton Street, Madison, WI 53703

Cheri Wotnoske, Substance Abuse Counselor <a href="mailto:Cheri.Wotnoske@da.wi.gov">Cheri.Wotnoske@da.wi.gov</a> 608-283-1392 Melvin Juette, Deferred Prosecution Director <a href="mailto:Melvin.Juette@da.wi.gov">Melvin.Juette@da.wi.gov</a> 608-284-6905

Please feel free to bring any questions to our attention if clarification is needed!