

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SOBRIETY TREATMENT AND EDUCATION PROGRAM

**GRADUATED CONSEQUENCES GUIDE FOR FAILURE TO COMPLY WITH SHORT  
TERM BEHAVIORS**

1. In a given Phase, repeated non-compliance and multiple instances of non-compliance with short term behaviors will result in higher level consequences.
2. If non-compliance is positive UA - re-evaluate treatment needs and make necessary change, in addition to applying appropriate consequences.
3. Two consequences may be applied that are most appropriate for shaping a short term behavior.

NON-COMPLIANCE	CONSEQUENCES
Positive UA	See above
First single non-compliance in Phase	<ul style="list-style-type: none"> <li>- Writing assignment</li> <li>- Reading assignment</li> <li>- Increased contact with USPO</li> <li>- Increased frequency of UA testing</li> <li>- Move into recovery environment</li> </ul>
Second non-compliance in Phase or Two instances of non-compliance since prior session	Any of above consequences plus: <ul style="list-style-type: none"> <li>- Increased STEP Court attendance</li> <li>- Return to observe court criminal proceedings</li> <li>- Community service - 4 hours (Team may choose)</li> </ul>
Third non-compliance in Phase or Three instances of non-compliance since prior session	Any of above consequences plus: <ul style="list-style-type: none"> <li>- Community Service - 8 hours (Team may choose)</li> <li>- Curfew</li> <li>- Electronic monitoring</li> <li>- Reduction in phase</li> </ul>
Fourth non-compliance in Phase or Four or more instances of non-compliance since prior session or serious criminal conduct	Any of above consequences plus: <ul style="list-style-type: none"> <li>- RRC placement</li> <li>- Incarceration up to seven (7) days</li> <li>- Termination from program if participant's conduct threatens public safety or undermines program integrity</li> </ul>

Missed UA. If participant has a reason that the PO assesses to be reasonable, the PO may excuse a missed UA if the UA is made up the next day and is negative. The excused missed UA will not count against the participant's graduation requirement of "6 calendar months clean and sober with no un-excused UA or other testing." The PO may defer the determination to the Team.

If UA presumptively positive - If a UA is presumptively positive, participant will be asked if he/she has used illicit drugs or alcohol. If they admit use, the laboratory test to confirm it is not at their expense. If they deny use and the laboratory test to confirm the results is positive, they will be responsible to pay for the cost of the test. Participant to sign "Request for Laboratory Confirmation of Testing Results - Agreement to Pay for Testing" form.

Treatment Provider will set up payment contact. Payment goes into STEP Savings Account set up by Treatment Provider.

Written assignments should be turned into PO (Team doesn't need a copy). Participant should read the assignment or summarize it, if at all possible, at next session.

Proof of Completion of Written Assignments and Community Service. Must be turned into PO by 12:00 noon on the Friday preceding the next STEP session unless otherwise indicated.

Late verification of completion may result in an additional consequence, but the participant will get credit for what was completed.

Absconding. If a participant absconds and is gone for 30 days without contact, the individual will be terminated from the STEP Program and jurisdiction will be transferred back to the sentencing judge. This will not necessarily disqualify that individual from reapplying to the STEP program in the future.

Arrest Warrant/Initial Appearance Process. See Process dated September 6, 2007.

#### **EXAMPLES OF NON-COMPLIANT BEHAVIORS:**

Dishonesty

Un-excused absences from STEP Court sessions

Un-excused absences from USPO meetings

Refusal or failure to attend and actively participate in prescribed substance abuse treatment

Refusal or failure to participate in prescribed mental health screening and treatment

Failure to comply with self-help group attendance or verify attendance

Failure to obtain a self help sponsor

Positive alcohol/drug testing

Possession of alcohol/drugs

Attempt or submission of adulterated urinalysis

Refusal to submit urinalysis/stalls

Failure to maintain employment (participant responsibility)  
Failure to participate in employment or education program as directed

Failure to complete written or reading assignments  
Failure to complete a consequence  
Failure to comply with court-ordered financial obligations if deemed able  
Other violation of supervision condition, STEP requirements or Court Order  
Disruptive or disrespectful behavior  
New arrest

Participants are advised, in the Participant Agreement and Waiver, of a list of the potential consequences for non-complaint behavior. **This Graduated Consequences Guide is not provided to the participants of the program.**