

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

ORDER MODIFYING LASER PROGRAM
DESCRIPTION AND PARTICIPANT AGREEMENT

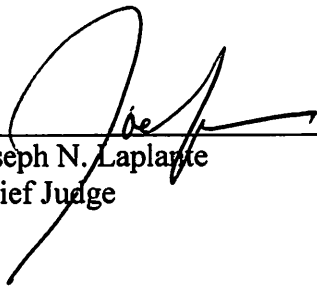
ADM-1
ORDER 16-2

ORDER

On April 2016, the court together with a working group comprised of representatives from the United States Attorney's Office, United States Probation Office, the Federal Defender's Office, the court's CJA Panel, and a LADC, undertook a review of the LASER program, including the Participant Agreement. Following that review, the court approved modifications to the description of the program and the Participant Agreement. The revised description and agreement are attached and shall be in effect pending further order of the court.

SO ORDERED,

November 7, 2016



Joseph N. Laplante
Chief Judge

United States District Court for the District of New Hampshire

LASER Docket

Law Abiding. Sober. Employed. Responsible.

FOUR-PHASE PROGRAM

The LASER Docket is a court rehabilitative program for those defendants/offenders whose qualifying crimes are attributable to drug abuse and/or addiction. It is a collaborative effort among the United States District Court (USDC), United States Attorney's Office (USAO), United States Probation Office (USPO), and the Federal Defender's Office (FDO) aimed at transforming criminal defendants into law-abiding, sober, employed, and responsible citizens.

The LASER Docket team, consisting of representatives of the USAO, USPO, defense attorneys, and the USDC, has determined that participants should complete the program requirements in four phases over a minimum of twelve months. The requirements for successful completion of each phase are concrete, clear, and universally applicable. Each phase entails specific goals with a number of distinct, achievable expectations that are consistent with each stage of recovery. Successful participants will gain an understanding of the process of addiction, recognize triggers, and patterns of use and abuse, and appreciate the impact of addiction on themselves, their family, and society. Participants will accept responsibility for their conduct and acquire the necessary tools to achieve a sober, law-abiding lifestyle. Participants will be required to develop a community-based sober support network and a comprehensive relapse prevention plan as conditions of graduation from the LASER Docket program.

Pre-Enrollment Period - Orientation

Each prospective participant is required to obtain an evaluation by a licensed alcohol and drug abuse counselor (LADC) before admission to Phase 1. This evaluation is intended to determine whether the prospective participant is stable enough to successfully engage in outpatient treatment. An offender who is actively using illicit drugs, tests positive for the presence of illicit drugs, or refuses to participate in drug testing will require a greater level of intervention/support to attain stability before admission to the LASER Docket program. The admission process is as follows:

- Attend/observe courtroom session
- Referral is made by USAO, USPO, defense attorney, or Magistrate Judge
- Acceptance into program is determined by U.S. Attorney (if pretrial defendant)
- Evaluation is completed by a LADC
- Modified presentence report is completed by USPO (includes intake application, interview, and home visit)
- Team review to determine eligibility

- Agreement is executed

PHASE 1 - Limited Early Recovery (30 days)

Goals:

The participant will abstain from drug and alcohol use, engage in treatment and stabilize in the appropriate level of treatment services. The participant develops an understanding of the process of addiction, begins to recognize triggers and patterns of use and abuse. The participant develops early recovery tools and a foundation of support for recovery.

Expectations:

- Remain law-abiding
- Abstain from drug/alcohol use
- Comply with supervision conditions, rules and regulations of LASER Docket program
- Mental health assessment conducted within 10 days including a career aptitude test
- Participate in treatment and testing as directed; comply with rules and regulations of treatment program
- Participate in the sweat patch drug testing program if deemed appropriate by USPO
- Compile list of self-help meetings within 25-mile radius of your home or job
- Weekly court appearance
- Minimum of 1 home visit per week by USPO
- Maintain sobriety for no less than 15 consecutive days before transition to Phase 2

PHASE 2 - Early Recovery (90 days)

Goals:

The participant will demonstrate a commitment to living substance free by identifying and understanding the adverse consequences of drug and/or alcohol use. The participant will acknowledge responsibility for his/her conduct. The participant will enter a life skills, educational or employment program, or secure employment.

Expectations:

- Remain law-abiding
- Abstain from drug/alcohol use
- Comply with supervision conditions, rules and regulations of LASER Docket program

- Participate in mental health/substance abuse treatment and testing as directed; comply with rules and regulations of treatment program(s)
- Participate in the sweat patch drug testing program if deemed appropriate by USPO
- Maintain/seek employment or continue education as applicable (community service will be performed in the absence of employment/education)
- Develop plan to obtain GED (if applicable) unless excused by the drug court team
- Obtain assessment of life skills, education, employment, and financial status by 60-day mark; consider ways to enhance educational/vocational qualifications
- Obtain a sponsor
- Attend at least 3 self-help meetings per week (e.g., NA, AA, HA)
- Begin process to obtain/reinstate driver's license (if applicable)
- Weekly court appearance
- Minimum of 1 contact per week by USPO (to include home, community, or office) with 2 home visits per month
- Maintain sobriety for no less than 45 consecutive days before transition to Phase 3

PHASE 3 - Healthy Decision Making (120 Days)

Goals:

The participant will develop a community-based sober support network upon which to rely in making significant decisions and coping with stressors. The participant will complete an employment or educational program, or secure employment.

Expectations:

- Remain law-abiding
- Abstain from drug/alcohol use
- Comply with supervision conditions, rules and regulations of LASER Docket program
- Participate in mental health/substance abuse treatment and testing as directed; comply with rules and regulations of treatment program(s)
- Participate in the sweat patch drug testing program if deemed appropriate by USPO
- Maintain/seek employment or continue education as applicable (community service will be performed in the absence of employment/education)
- Develop a monthly budget which must be completed by 60-day mark

- Establish a primary care physician (must obtain a letter confirming that participant is under a physician's care)
- Develop community-based sober support network
- Complete at least 2 life skills programs (including but not limited to computer class, money management, parenting class, nutrition class, vocational training). Program must be approved by LASER Docket team
- Attend at least 3 self-help meetings per week (e.g., NA, AA, HA)
- Identify volunteer location and submit to LASER Docket team for approval
- Bi-weekly court appearance
- Minimum of 1 contact per week by USPO (to include home, community, or office) with 2 home visits per month
- Maintain sobriety for no less than 90 consecutive days before transition to Phase 4

PHASE 4 - Relapse Prevention Planning/Maintenance (120 Days)

Goals:

Develop a comprehensive relapse prevention and long-term recovery plan.

Expectations:

- Remain law-abiding
- Abstain from drug/alcohol use
- Comply with supervision conditions, rules and regulations of LASER Docket program
- Participate in mental health/substance abuse treatment and testing as directed; comply with rules and regulations of treatment program(s)
- Participate in the sweat patch drug testing program if deemed appropriate by USPO
- Maintain/seek employment or continue education as applicable (community service will be performed in the absence of employment/education)
- Engage in positive social leisure activities as sober adult
- Develop comprehensive relapse prevention and intervention plan; submit relapse prevention and intervention plan for approval
- Set long-term recovery goals
- Attend at least 3 self-help meetings per week (e.g., NA, AA, HA)
- Complete a 20-hour volunteer assignment

- Complete a Manualized Cognitive Behavioral Group program (Thinking for a Change or Moral Reconciliation Therapy); must commence by 30-day mark
- Monthly court appearance
- Minimum of 1 contact per week by USPO (to include home, community, or office)
- Maintain sobriety for entire 120 days (remain in Phase 4 until 120 consecutive days of sobriety)

U.S. District Court for the District of New Hampshire

LASER Docket

Law Abiding. Sober. Employed. Rehabilitated.

AGREEMENT

I, _____, am seeking permission to participate in the District of New Hampshire's LASER Docket. I understand that, if I am accepted into the LASER Docket, I must fully comply with the counseling requirements and other court orders set forth below and in the order Setting Conditions of Release. I understand that failure to comply with the terms of this agreement or the Court's orders, may result in modification and/or termination from the LASER Docket and/or revocation.

_____ I agree to commit no other violations of federal, state, or local law.

_____ I agree not to use alcohol or drugs, including synthetic drugs and bath salts or their derivative.

_____ I agree to obey all instructions of the judicial officer of the U.S. District Court and the U.S. Probation Office.

_____ I agree to provide the U.S. Probation Office with my logins and passwords for any social networking groups that I belong to.

_____ I agree to abide by the following medical protocol conditions:

The defendant shall utilize one pharmacy and shall advise the probation office which pharmacy he/she is using.

The defendant shall utilize one hospital (unless transported by emergency personnel and unable to dictate which hospital he/she is to be transported to) and shall advise the probation office which hospital he/she will be utilizing.

The defendant shall pick a primary care physician to manage his/her medical care (if needed) and shall notify the probation office of the name, address, and phone number of the physician within one week of obtaining the services.

The defendant shall notify the probation office within 24 hours of any changes in his/her prescribed medication and prior to filling his/her prescription (unless it is an emergency situation).

The defendant shall execute releases of information allowing the probation office to access his/her medical records with hospitals, doctors, and pharmacies utilized by him/her.

The defendant shall notify all health care providers of the specifics of his/her substance abuse/addiction.

_____ I agree to submit to drug testing as directed by the judicial officer of the U.S. District Court and the U.S. Probation Office, and I will refrain from the use of poppy seeds and/or poppy seed products and any synthetic drugs.

_____ I agree to immediately enroll in the following substance abuse treatment program, and to abide by the rules and regulations of that program until clinically discharged:

_____ I agree to sign a release of information to allow the probation office to speak with my counselor and/or receive treatment reports on a regular basis.

_____ I understand that I will be required to obtain a sponsor and attend self-help groups during my time in LASER Docket, in addition to any counseling sessions that I am required to attend.

_____ I understand that I will be required to complete homework assignments given to me by the Court and/or probation office and agree to complete them in a timely manner.

_____ I understand that should I fail to appear for any LASER Docket review hearing, violation proceedings may be initiated which may include the issuance of an arrest warrant.

_____ I agree to submit to a search of my person, residence, office or vehicle at a reasonable time and in a reasonable manner, based upon reasonable suspicion that contraband or evidence of a violation of a condition of release may exist. I also agree to warn any other residents that the premises may be subject to searches pursuant to this condition.

_____ I agree not to associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted to do so by the Court or the U.S. Probation Office.

I have read and acknowledge that I understand the above terms and conditions of my participation in the LASER Docket and to agree to fully comply with those terms and condition.

Participant

Date

I have advised my client of all of the terms and conditions, and believe that my client fully understands those terms and conditions, and knowingly and voluntarily seeks permission to participate in the LASER Docket.

Attorney for Participant

Date

I recommend the above-named individual for participation in the LASER Docket for the District of New Hampshire.

Assistant United States Attorney

Date

I recommend the above-named individual for participation in the LASER Docket for the District of New Hampshire.

U.S. Probation Officer

Date

I approve the above-named individual for participation in the LASER Docket for the District of New Hampshire.

Honorable Joseph N. Laplante
United States District Judge
District of New Hampshire

Date