What is Intervention in Lieu of Conviction (ILC)?

Intervention in Lieu of Conviction (ILC) is a program allowing eligible defendants to receive assistance or treatment to avoid a felony conviction. It is designed to give people the opportunity to address issues that were a factor leading to committing the offense.

Those issues include: substance abuse, mental health, intellectual disability, victim of human trafficking or prostitution.

What are the Benefits of (ILC)?

The defendant will complete an ILC evaluation, and if eligible, and granted ILC, he or she will plead guilty to the offense. However, the judge withholds a finding of guilt and any sentence he or she may impose. Instead, the defendant will enroll into the ILC program and establish a plan of intervention. If the defendant successfully completes the ILC requirements, the criminal charge is ultimately dismissed and the defendant avoids a felony conviction.

Upon dismissal, the defendant is eligible to file a motion to seal the criminal charge from his or her record.

OUR MISSION

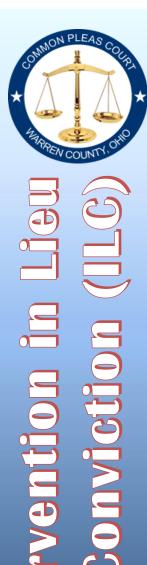
WARREN COUNTY COURT
SERVICES IS COMMITTED TO
FULFILLING THE ORDERS OF THE
COMMON PLEAS COURT,
PROTECTING OUR COMMUNITY,
PROVIDING JUSTICE FOR VICTIMS,
HOLDING OUR CLIENTS
ACCOUNTABLE, AND UTILIZING
EVIDENCE-BASED PRACTICES AS A
WAY OF POSITIVELY IMPACTING
OUR CLIENTS' BEHAVIOR.

Warren County Common Pleas Court

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Who is eligible for ILC?

A defendant is eligible for ILC if willing to comply with all terms and conditions imposed by the court, has never been convicted or plead guilty to a felony offense of violence, and if the current charge is not any of the following:

- An offense of violence;
- 1st or 2nd degree felony;
- 3rd degree felony (excludes Drug Possession);
- 1st- 4th degree felony of Trafficking or Aggravated Trafficking;
- A felony sex offense;
- ♦ OVI;
- Vehicular Homicide or Aggravated Vehicular Homicide;
- Aggravated Vehicular Assault
- Any offense carrying a mandatory prison term;
- Corrupting Another with Drugs;
- Illegal Manufacture of Drugs, Illegal Cultivation of Marijuana, or Methamphetamine offenses;
- Illegal Administration or Distribution of Steroids;
- A crime involving an alleged victim of 65 years of age or older, permanently or totally disabled, under 13 years of age, or an on- duty police officer;
- A Tampering with Drugs charge that resulted in physical harm to someone; and/or
- An offense that would result in sanctions against a Commercial Driver's License.

What are the requirements of ILC?

- ♦ Abstain from using illegal drugs and alcohol;
- Participate and be compliant in treatment and recovery support services;
- Regular, random drug testing;
- Pay restitution, reimbursement, court costs, fines, and supervision fees in full;
- Demonstrate progress on identified goals in targeted skills identified on the individualized intervention plan;
- Other terms and conditions may be ordered by the court on an individual basis.

Reporting Requirements

The frequency a defendant reports to see their probation officer is based upon an initial assessment completed at the ILC evaluation. As a defendant shows progress on their individualized intervention plan, reporting frequency adjusts.

INITIAL	FREQUENCY RANGE BASED ON PROGRESS
Every week	Every 2 weeks to Every 3 weeks
Every 2 weeks	Every 3 weeks to Every 5 weeks
Every 4 weeks	Every 5 weeks to Every 12 weeks

ILC vs. Community Control (Probation)

If a defendant is not granted ILC, and sentenced to Community Control:

- The defendant is convicted of the crime pled guilty to;
- Reporting frequency is less intense;
- ♦ Sealing laws differ

Frequently Asked Questions....

"Will I be finished with ILC once I complete treatment?"

No. Ohio law states you must be on ILC for a minimum of 1 year, remain drug and alcohol free for 1 year, and complete all other terms and conditions ordered by the court.

"Will my charges show on my record while on ILC?"

Yes, the charges will show; however, they will show as "pending" charges and not convicted charges.

"Why did the judge say that I'm not on probation?"

Probation is a sentence ordered to someone who has been convicted of a crime. With ILC, a defendant has not been convicted; however, the defendant is still placed under the general control and supervision of the probation department.

"If I'm not convicted, why do I have to pay court costs?"

The ILC process still requires court hearings, filings, etc., all which have costs associated with them.

"How long after completing ILC do I have to wait to file for sealing?"

Upon dismissal, the defendant is immediately eligible to file a motion to seal the criminal charge from his or her record.