

Athens County Common Pleas Court Veterans Treatment Court

Program Description



Athens County Court of Common Pleas, General Division

Specialized Docket – Veterans Court

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JUDGE GEORGE P. McCARTHY

VETERANS COURT PRESIDING JUDGE

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ATHENS COMMON PLEAS COURT – VETERANS COURT PROGRAM DESCRIPTION

The Athens County Common Pleas Court’s Veterans Court Program is designed for veterans and active duty service members of the United States Military. Veterans Court’s motto is “**Reclaiming Your Life.**” This program is in existence to assist veterans and active service personnel in their completion of Intensive Supervision Probation and to connect them to services within the Veterans Administration and local community partners. The goal is to give participants the tools and support necessary to deal with life issues including substance abuse and/or mental health issues that may have resulted in those participants being in the criminal justice system. A handbook sets forth participant’s rights and responsibilities.

Veterans’ Court is designed to allow participants to complete probation supervision in one (1) calendar year from starting the program. It must be completed within two (2) years. Failure to comply with all requirements of the program will result in an unsuccessful termination from the program and participants will be required to appear before their sentencing judge for sentencing in their case.

Please be advised that the Veterans’ Court Program is a VOLUNTARY program. If participants are not invested/interested in Veterans’ Court, they are directed to contact their probation officer immediately to discuss further options.

Participant’s rights and responsibilities are outlined in the participation agreement attached to the handbook (which participants are required to sign upon entering the program). Should participants have any questions or concerns regarding their rights, they are directed to ask the public defender on the treatment team, or should contact their attorney. Participants preserve the right to request the attendance of a defense counsel during the portion of a specialized docket treatment team meeting concerning their case. If participants have questions regarding their responsibilities in the program, they should contact their attorney for more details. The Court reports data as required by the Supreme Court including information to assess compliance with these standards. The Court engages in on-going data collection in order to evaluate whether it is meeting its goals and objectives.

The Veterans Court as a specialized docket court takes the following actions:

Prompt Access - The Veterans Court Specialized Docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

Treatment plan and activities record - The Veterans Court shall maintain a current treatment plan and record of activities.

Professional Education - A specialized docket shall assure continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation, and operations.

(A) Continuing education plan

The Veterans Court shall attend additional trainings related to specialized dockets so that it may stay current in its practices and administration by attending training each year when available.

(B) Assessments and reviews

At a minimum of once every two years, the Veterans Court will assess specialized docket team functionality, review all policies and procedures, and assess the overall functionality of the specialized docket.

(C) Treatment team member transition

The Veterans Court will use best efforts to fill open positions that become available due to participants who are transitioning and provide sufficient training and program documentation for new treatment team members.

(D) Mentor courts

The Veterans Court will work to build a relationship with a mentor court of its choosing.

(E) Observation of other specialized dockets

The Veterans Court will observe other specialized dockets.

(F) Ohio Specialized Dockets Practitioner Network

Specialized docket personnel are encouraged to participate in the Ohio Specialized Dockets Practitioner Network by attending sub-network meetings, trainings, and the annual conference.

Goals & Objectives

The goal of this program is to keep veterans out of jail and prison and the criminal justice system. Another goal is to provide successful treatment for any diagnoses made so that the veteran avoids recidivism and remains out of the criminal justice system.

The program objective is to have participants complete the program within one year by:
Identifying criminal defendants who are veterans; and
Identifying those who have substance abuse, mental health, or other issues; and
Successfully treating those veterans based upon their diagnosis; and
Reduce court supervision over a period of time until veteran graduates from the program

Entry and Case Flow

A. Admission Criteria/Eligibility:

The Veterans Court presiding judge has discretion to decide the admission into and/or termination from the Veterans Court Program in accordance with the following criteria. Meeting the written legal and clinical eligibility and termination criteria do not create a right to participate in the program. Participation is voluntary and considered to be a privilege.

All participants generally must*:

- Be an Athens County, Ohio resident
- Have charge(s) eligible for diversion, probation, or re-entry programming
- Be a veteran or an active duty service member of the United States Military including: Army, Marines, Navy, Air Force, Coast Guard, National Guard, and Reserves
- Benefit from receiving specialized supervision and services
- Demonstrate an interest and willingness to participate in Veterans' Court
- Enter a plea of Guilty to the charged offense(s) if required and sign all waivers and agreements
- Complete all paperwork, authorization, waivers and agreements required for the program

*Additional participants may added at the judge's discretion. The specialized docket judge shall have discretion to decide the admission into and termination from a specialized docket in accordance with the written criteria for the specialized docket.

B. Procedures for Entry into Veterans' Court:

Veterans sign a release of information to allow the Veterans Court Treatment Team determine eligibility for services through the V.A. and local community partners. As part of the requirements of Veterans' Court, veterans must be compliant with the Veterans' Court Orders and Instructions at all times.

Upon meeting with the Court Veterans will review, sign and submit the attached releases to the Veterans Service Provider (VSP) Coordinator. Veterans are also provided with the Veterans Court Schedule and a start date for their first session.

C. Case flow includes the following:

1. Veteran is criminally charged or has potential charges which may be held if participates in program.
2. Veterans is identified as a possible candidate by various avenues including prosecutor's office, defense attorney, court staff, law enforcement.
3. Veteran is pre-screened for veterans' court participation by Court staff.
4. The Veteran is promptly assessed and referred to the appropriate services. The assessment and referral shall meet all of the following requirements:
5. (A) All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment;
- (B) The participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," [42 U.S.C. 300gg-42](#), as amended, and R.C. 2151.421 and 2152.99;
- (C) Participants shall be placed as soon as possible in appropriate treatment services and programs and under reporting supervision to monitor compliance with court requirements;

(D) All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

6. The specialized docket judge has discretion to decide the admission into and termination from a specialized docket in accordance with the written criteria for the specialized docket.
7. If approved, Veteran is admitted to Veterans Court Program and attends first Court meeting.
8. Veteran Mentor is assigned.
9. Veterans are required to appear at the courthouse at 2:00 p.m. to meet with Volunteer Veteran Mentors with court to follow at 3:00 p.m.
10. Status review hearings are held at Court bi-weekly by treatment team throughout Phase I of the program and monthly thereafter throughout Phase II-IV of the program. Veteran continues treatment and supervision
11. Veteran completes Phase I Day 1-60 days
12. Veteran continues treatment and supervision
13. Veteran completes Phase II Day 61-120
14. Veteran completes Phase III Day 121-270
15. Veteran completes Phase IV Day 271-365
16. Veteran progress through four phases of the program at their own pace. Ability to complete each tier successfully is dependent upon the Veteran's progress. However, the expectation is that the veteran completes the program anywhere from 1-2 years. Sanctions for failing to comply with programming may lengthen term of participation
17. Attendance to BOTH the mentoring session and status review hearings are MANDATORY and are a strict requirement of the Veterans Court Program.
18. Sanctions are given for non-compliance if necessary
19. Veterans may be terminated from program for ongoing non-compliance
20. Failure to appear and/or tardiness for a session will result in a sanction or termination from the program.
21. Upon successful completion of Phase IV of the program, the veteran graduates. Aftercare plan in developed.
22. A graduation ceremony is held for successful candidates.
23. Aftercare plan is implemented.

Advisory Board

The specialized docket judge chairs the initial Advisory Board which will initially consist of the following members:

Hon. George P. McCarthy	Presiding Judge - Chair	Court of Common Pleas
Keller J. Blackburn	Athens Co. Prosecutor's Office	Athens Co. Prosecutor's Office
Herman A. Carson	State of Ohio Public Defender's Office	Public Defender's Office
	Athens Branch Director	
Marianna Carson	Probation Department APA	Intensive Supervision Probation
Chief Thomas Pyle	Law Enforcement Representative	Athens Police Department
Sheriff Rodney Smith	Law Enforcement Representative	Athens County Sheriff's Dept.

Chief Andrew Powers	Law Enforcement Representative	Ohio University Police Dept.
Dr. Joe Gay	Treatment Provider	Health Recovery Services
Sandy Sickles	Treatment Provider	Hopewell Health Center
Jonah Mullins	Treatment Provider	P.R.I.S.M.
Dennis Johnson	Treatment Provider	T.A.S.C.
Treasa Lucas	Treatment Provider	Flores & Associates
Tisha Hardin-Spradlin	Veterans Justice Outreach Specialist	Veterans Administration
John Matheny	President	Veterans Service Office
Dr. Stephen Owens	Veterans Medical Services Liaison	Veterans Outpatient Services
Shawn Stover	Employment Representative	Ohio Means Jobs—Athens Co.
Tom Walker	Mental Health Representative	National Alliance of Mental Illness

- Board Meetings. The Advisory Board shall meet from time to time as set by the chair to discuss matters concerning the Veterans Court and make recommendations as it sees necessary.
- The Advisory Board shall:
 - Develop and annually review a written sustainability plan
 - Assess the Specialized Docket team functionality
 - Review the population target
 - Review the use of graduated sanctions
 - Review available treatment resources
 - Review quarterly reports and financial expenditures

Treatment Team

<u>Name</u>	<u>Title</u>	<u>Organization</u>
Hon. George P. McCarthy	Presiding Judge	Court of Common Pleas
Keller J. Blackburn	Athens Co. Prosecutor's Office	Athens Co. Prosecutor's Office
Herman A. Carson	State of Ohio Public Defender's Office Athens Branch Director	Public Defender's Office
Marianna Carson	Probation Director	Athens Adult Parole Authority
John Koren	Probation Department APA	Adult Parole Authority
Chief Thomas Pyle	Law Enforcement Representative	Athens Police Department
Chief Andrew Powers	Law Enforcement Representative	Ohio University Police Dept.
Sheriff Rodney Smith	Law Enforcement Representative	Athens County Sheriff's Dept.
Ellen Martin	Treatment Provider	Health Recovery Services
Sandy Sickles	Treatment Provider	Hopewell Health Center
Dennis Johnson	Treatment Provider	T.A.S.C.
Treasa Lucas	Treatment Provider	Flores & Associates
Bobby Perkins	Veterans Justice Outreach Specialist	Veterans Administration
Dr. Stephen Owens	Veteran Treatment Liaison	V.A. Athens Outpatient Clinic
Shawn Stover	Jobs Representative	Ohio Means Jobs - Athens Co.
Tammy Thatcher	Program Coordinator	Court of Common Pleas
Mahala Runyon	Assignment Commissioner	Court of Common Pleas
Cindy McFerren	Veteran Mentor Coordinator	Court of Common Pleas
Jillian Wright	Intake/Interview Specialist	Court of Common Pleas

- The Treatment Team is initially comprised of the above persons representing their respective agencies.
- Judge George McCarthy is the chair of the Treatment Team and attends the Treatment Team Meetings.
- The Veterans Court Program shall have a Treatment Team which meets prior to status review hearings to review the status of program participants and potential candidates.
- The Treatment Team shall meet from time to time as set by the chair to discuss matters concerning the Veterans Court program and its participants as it sees necessary to track participant's progress and completion of the program.
- The Treatment Team is responsible for the day to day operations of the program.
- The Judge attends all the Treatment Team Meetings
- Treatment Team members are anticipated to engage in ongoing communications with team members including frequent and timely exchange of information as needed concerning treatment of the participant.
- Treatment Team members will respect the opinions of other Team Members and show respect for their expertise in their individual positions.
- Treatment team members are anticipated to be state licensed professionals in their respective fields for purposes of treatment and are to maintain licensure individually and as an agency (if applicable) as a condition of participation in the program.
- Teams Members are anticipated to seek and maintain continuing education in the field of treatment in their areas.
- The Treatment Team is non-adversarial. That means the team works toward the goal of getting participants the help they need to successfully graduate from the program. While non-adversarial, the program recognizes the following duties of certain parties:
 - The Prosecutor's Office has the distinct role in pursuing justice and protecting public safety and Victims' Rights.
 - Defense counsel's distinct role is to preserve the constitutional rights of the program participants.

Mission Statement

- Veterans' Court is designed as a 1-2 year probation and treatment program to assist veterans charged with felony and misdemeanor criminal offenses who have substance abuse and/or mental health diagnoses or at high risk for such diagnoses. The program is designed to use a non-adversarial approach to divert individuals meeting these criteria from incarceration, enter them into intensive treatment with the community and provide close monitoring by the court.

Target Population

- The program is a probation and treatment program which provides treatment and supervision to participants who are veterans having served in military service or are currently serving in military and who have been convicted of felony and/or misdemeanor crimes in Athens County Common Pleas Court and also have a diagnosis of substance abuse and/or mental illness, or at high risk of being diagnosed in one of those two areas.

Legal Eligibility Criteria

- All individuals participants must have been found guilty, have charges pending, or be in the pre-charging phase.
- Diversion eligible candidates who have plead guilty in the Athens Common Pleas Court who are accepted into the Athens County Empowerment Program shall be ordered to complete the Athens Veterans Court Specialized Docket pursuant to the Memorandum of Understanding between the Court, Athens County Prosecutor's Office and State of Ohio Public Defender's Office – Athens Branch.
- Candidates not deemed eligible by the Athens County Prosecutor for diversion who have been placed on community control or granted judicial release shall be screened by the parties for potential application and referral to the Athens Veterans Court Specialized Docket pursuant to the Memorandum of Understanding between the Court, Athens County Prosecutor's Office and State of Ohio Public Defender's Office – Athens Branch.
- Potential candidates may be deemed ineligible due to criminal history of violent behavior, or current /pending charges involving drug possession or trafficking at the discretion of the court.
- The Veterans Court Judge has the final discretion regarding eligibility due to history of violent behavior. Participants should strive to complete probation supervision in one (1) calendar year from starting the program. It must be completed within two (2) years. Failure to comply with all requirements of the program will result in an unsuccessful termination from the program and participants will be required to appear before their sentencing judge.
- A person meeting the legal eligibility and the clinical eligibility criteria does not create a right for a person to participate in the program. The Veterans' Court Judge has the final discretion regarding admission into the program.

Clinical Eligibility Criteria

- Individuals considered for placement in the Veterans' Court Program should have a mental health and/or substances abuse diagnosis.
- Individuals must be found likely to benefit from the treatment provided
- Individuals will be screened and assessed for treatment eligibility by clinical staff who are licensed by the State of Ohio to do so, either independently or while under clinical supervision.
- The Veterans' Court Judge has the final discretion regarding eligibility and the written legal eligibility criteria does not create a right to participation in the program.

Completion Criteria

- Participants must complete treatment which means they must have had consecutive months of clean drug screens (6 months is the goal) and must have demonstrated enough mental health stability to lead the treatment team to believe that the person's mental health is not likely to contribute to a re-occurrence of criminal behavior.

- Individuals must have paid, through cash or community service, all of their financial obligations to the court.

Termination Criteria

- Participants may be unsuccessfully terminated from the program. Reasons for termination may include, but are not limited to:
 - Repeated positive drug screens when combined with few or no clean drug screens
 - Threatening treatment staff or program participants
 - Failure to attend treatment
 - Failure to attend court
 - Being charged with new criminal offenses. Of particular concern would be violent crimes and crimes against other persons
 - Any other reason that may be determined by the Veterans Court Judge to be reasonable grounds for termination.

Neutral Discharge Criteria

- Participants may be discharged from the program, without fault presented. Reasons may include, but are not limited to:
 - Incapacitating illness
 - Family emergency
 - Treatment team agrees it would be best for the participant to live elsewhere and participant has the means, opportunity and desire to do so
 - Any other reason that may be determined by the Veterans Court Judge to be reasonable grounds for termination.

Capacity

- There is a maximum of 20 participants in the IOP stage of the program at one time.
- There is a maximum of 8 participants in the Post IOP stage of the program at one time.

Team Treatment Positions

- Specialized Docket Judge
 - Chairs and attends meeting for: Treatment Team and Advisory Board
 - Has discretion to decide admission and termination of participants
 - Decision maker concerning incentives, sanctions, phase advancement, completion and termination
 - Facilitates data collection to determine program effectiveness
 - Identifies eligible offenders for program

- Probation Officer
 - Monitors participants compliance with program rules
 - Conducts random drug/alcohol tests and reports results to team
 - Monitors sanctions
 - Visits participant at home, school, work, etc.
 - Attends treatment team meetings and status review hearings
 - Informs treatment team as to participants compliance/non-compliance with probation requirements and makes recommendations regarding participants

- Specialized Docket Treatment Providers
 - Anyone providing treatment for the specialized docket must be appropriately licensed and trained to deliver services
 - Conducts diagnostic assessments, provides clinical diagnoses, and develops and implements treatment plan
 - Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of drug and alcohol tests
 - Attends treatment team meetings and status review hearings; gives treatment updates and makes recommendations regarding treatment needs
 - Participates in discussions regarding incentives, sanctions, progress towards graduation, successful completion and termination.
 - All chemical dependency, mental health, and other programming assessments include available collateral information to ensure the accuracy of the assessment

- Prosecuting Attorney
 - Identifies eligible offenders for program
 - Attends treatment team meetings and status review meetings
 - Makes recommendations concerning incentives, sanctions, and progress towards graduation, successful completion and termination.
 - May Authorizes Reduction of charge if necessary for participation in the program

- Defense Attorney
 - Identifies eligible offenders for program
 - Assist with decision making regarding offenders decision to participate in the specialized docket
 - Explains to the participant what rights are being waived by participating in program
 - Explains possible sanctions
 - Explains circumstances that may lead to termination
 - Explains that program is voluntary
 - Explains that if terminated from the program they would return to court for sentencing, or any sentencing that occurred would be imposed
 - Explains the effect of termination upon the offenders case
 - Makes recommendations concerning incentives, sanctions, and progress towards graduation, successful completion and termination.

- Specialized Docket Coordinator

- Explains treatment program to participants and reviews handbook with them
 - Facilitates the operation of the specialized docket in accordance with established guidelines
 - Assists with identifying potential participants
 - Collects and maintains statistical information and other confidential records concerning participants, collects data from service providers and creates reports for review and submission to funding sources.
 - Reports appropriate data to the Ohio Supreme Court in accordance with established practices
 - Gathers progress reports from the treatment and service providers to present to the treatment team
 - Ensures that treatment team members follow program guidelines.
 - Monitors service provider agreements and contracts and monitors services to participants
 - Coordinates specialized docket team professional education
 - Coordinates random alcohol and drug screens and monitors compliance with any sanctions.
 - Meets with participants regularly to discuss individualized program goals and progress while in the program
 - Attends treatment team meetings/status review hearings and participates in discussions regarding incentives, sanctions, phase movement successful completion and termination
 - Assists with data collection to monitor program effectiveness in regard to goals and objectives.
- Treatment Case Manager
 - Meets with participants on a regular basis
 - Assists the participant in development, utilization and coordination of the ISP.
 - Assists with transportation, housing education, employments, obtaining medical care and applying for government assistance
 - Makes referrals to other agencies
 - Provides documentation on the participants progress
 - Conducts random alcohol and drug screens
 - Monitors medication compliance as necessary
 - Attends treatment team meetings/status review hearings and participates in discussions regarding incentives, sanctions, phase movement successful completion and termination
- Veteran Mentor
 - Volunteer serviceperson from the local community that connects with the veteran offender.
 - works to make sure the offender is coming to court as required, keeping any counselling appointments,
 - Generally acts as a support to the offender.
 - Encouraging and supportive of veterans involved with the legal system;
 - Tolerant and respectful of individual differences; and
 - Supportive, understanding, and helpful to other mentors
 - Honorable discharge from the U.S. Military;
 - Good standing with the law;

- Adherence to all program policies;
 - Commitment to program participation for a minimum of 12 months;
 - Commitment to attendance of bi-weekly status review hearings; and
 - Completion of training and participation in an Oath of Office
- Treatment Team Meetings
 - Treatment team meetings takes place immediately prior to status review hearings
 - During these meetings the Treatment Team shall discuss the progress or regress of program participants as well as review any potential new candidates for the program
 - The Treatment team members shall inform the Judge of any infractions and discuss appropriate sanctions as well as positive steps made by participants and the appropriate incentives
 - Participants have a right to request their defense attorney present during any portion of the Treatment Team meeting where their case will be discussed.
 - Veteran Participation

The Veteran shall regularly appear before the specialized docket judge to review the participant's progress through the specialized docket.

Veterans Court Program Requirements & Case Flow Structure:

The structure of the Veterans Court Program consists of four (4) phases of Intensive Outpatient Programming (IOP). In order to successfully complete each phase, each participant must do the following:

Phase I: Structure

Term: 2 months (Day 1-60)

- Determine eligibility of V.A. services and Acceptance by Veterans Court Team
- Complete Entrance Survey
- Attend bi-weekly court appearances
- Orientation of the rules
- Complete assessments
 - Mental health
 - Substance abuse
 - Enroll in VA services and see primary doctor (if eligible)
 - VJO Assessment
 - VSC Assessment (If not eligible for services and eligible for upgrade)
- Begin individual treatment plans
- Prescription compliance/Treatment compliance (if applicable)
- Verification of one of the following:
 - F/T Employment OR
 - F/T College Enrollment/Certificate Training Program OR
 - Disability (SSI or V.A.) OR

- Retirement
- Negative drug and alcohol screens (random, frequent and observed)
 - Examples: Drugs, Alcohol, K-2, Suboxone, Bupenephorine
- Obtain stable, drug-free housing (home visit approval)
- Honesty
- No new criminal offenses, law abiding citizen
- Mentor connection (*more Information on page 14*)
- Curfew 9:00 p.m.—or by the discretion of the P.O.

Phase II: Treatment

Term: 2 months (Day 61-120)

- Attend bi-weekly court appearances
- Prescription compliance/Treatment Compliance
- Make regular monthly payments on fines/costs/fees and restitution (min \$20/mo. on all)
- Maintain negative drug and alcohol screens (random, frequent and observed)
 - Examples - Drugs, Alcohol, K-2, Suboxone, Bupenephorine
- Maintain stable, drug-free housing
- Honesty
- No new criminal offenses, law abiding citizen
- Maintain verifiable employment/schooling/disability/retirement
- Continued contact with mentors
- Complete Court-ordered community service hours (100 hrs at court-approved site)
- Curfew 9:00 p.m. or by discretion of the probation/parole officer (except for employment purposes)

Phase III: Continued Treatment)

Term: 5 months (Day 121-270)

- Attend monthly court appearances
- Pay fines and costs in full (excludes restitution and Veterans Court fee)
- Relapse prevention
- Prescription compliance/Treatment Compliance
- Continued contact with mentors
- Maintain verifiable employment/schooling/disability/retirement
- Maintain stable drug-free housing
- Plan for “Give Back” hours/project (*more Information on page 13*)
- No new criminal offenses, law abiding citizen
- Honesty
- Maintain negative drug and alcohol screens (random, frequent and observed)

- Examples - Drugs, Alcohol, K-2, Suboxone, Bupenephorine
- Curfew 12:00 a.m.

Phase IV (Completion of Program)

Term: 3 months (Day 271-365)

- Attend monthly court appearances
- Community “Give-Back” hours or project
- Complete Aftercare Plan in writing and review with Probation/Parole Officer
- Prescription compliance/Treatment Compliance
- Continued contact with mentors
- Maintain verifiable employment/schooling/disability/retirement
- Maintain stable drug-free housing
- Pay Veterans Court Fee in Full (\$250.00)
- Pay Restitution in Full
- No new criminal offenses, law abiding citizen
- Honesty
- Maintain Negative Drug and alcohol screens (random, frequent and observed)
 - Examples - Drugs, Alcohol, K-2, Suboxone, Bupenephorine
- Curfew 12:00 a.m.
- Complete Graduation Exit Survey
- Possible mentor sign-up (Alumni Network)
 - You are eligible to volunteer as a veteran mentor one (1) year after your graduation if you choose.
- Graduation at end of Phase IV
 - Graduation ceremonies are held quarterly. The team will set your graduation date during phase four.

Program Overview:

The veteran will be required to complete all conditions as outlined by the sentencing judge. A positive attitude and completed accomplishments will move the participant forward in this year long program.

Failure to comply with the program requirements will result in either an unsuccessful termination from the program or a delay in phase advancement.

Successfully completing this program can lead to but is not limited to:

BOND/BAIL: Release is partly based upon participation in the program.

DIVERSION PARTICIPANTS I: Result in a dismissal of your case and your court record will be sealed.

DIVERSION PARTICIPANTS II: Result in a reduction of the charge and/or penalties.

DIVERSION PARTICIPANTS III: Results in no or reduced jail or prison sentence and community control supervision.

DIVERSION PARTICIPANT IV: Completion of program results in no charges being filed.

COMMUNITY CONTROL/RE-ENTRY: Result in a successful discharge from probation/community control after a minimum of one year.

The Veterans Court team implements sanctions depending upon the severity of an infraction of the Veterans Court Rules and Requirements. The judge has discretion to decide termination from the Specialized Docket in accordance with the written eligibility criteria for the specialized docket. The court maintains a current treatment plan and record of activities. Termination criteria may include:

- Relapse or slip
 - Honest
 - Dishonest
- Drug screen problems
 - No show
 - Late
 - Tampering
- Programming non-compliance and/or attendance
- Rule violations
 - Verification
 - Association
 - Curfew
 - Job and/or Housing
- Behavior at service sites and court
- Attitude toward staff and court
- Compliance with outside rules and other courts
- Abscond
 - Turn yourself in
 - Get brought in
- Incentives
 - Positive peer reinforcement
 - Public recognition/applause in Court
 - Milestones (Phase graduations)
 - Accelerated phase advancement
 - More flexible rule application
 - Out-of-county employment or travel
 - Early graduation (no earlier than 365 days for felony offenders, 180 days for misdemeanor only offenders)

- Sanctions
 - Admonition and instruction by staff
 - Admonition by court
 - Adjust drug screen schedule
 - Enhance/augment programming requirements
 - 12 step
 - Anger management
 - Court appearances
 - Parenting classes
 - Residential treatment
 - Community Service (Verified at approved site)
 - Late to mentoring sessions = 5 hours (in addition to court-ordered hours)
 - Minimum Payment on Fines/Costs (\$20) not made after two (2) months into the program = 5 hours community service (in addition to court-ordered hours); thereafter, after every month a payment is missed, a minimum payment is missed = up to an additional 5 hours community service is added
 - Day Jail/house arrest/alternate detention
 - Phase Retention
 - Phase Return
 - Structured Days
 - Flash Incarceration
 - Termination and return to assigned judge
 - **Track I (Diversion):**
 - Sentencing; Community Control; Continue in Veterans' Court; Lose dismissal/reduction and sealing of case
 - **Track II (Probation) (Probation violation):**
 - Jail; Prison with Judicial Release; Shift to alternative program
 - **Track III (Re-Entry) (Probation violation):**
 - Jail; Prison

Drug Testing:

A description of the substance monitoring policies and procedures (including plans for addressing participants that test positive at intake or relapse, including treatment guidelines and sanctions, enforced and reinforced by the Specialized Docket judge) that participants are expected to follow is outlined herein:

- Participants are subject to frequent and observed alcohol and drug testing, both scheduled and random.
- Drug testing may be requested by, but not limited to, the Adult Parole Authority, Court Personnel and/or treatment providers who provide the results immediately to the Court.
- Attempts to alter, doctor, or to give someone else's sample are treated as positive tests and can result in termination from the program and additional charges

- If a participant believes they would test positive for substances, it is preferred that the participant notify their probation officer prior to testing.
- Participants may be charged for the cost of any drug testing performed/administered.

The Veteran's Court relies upon the treatment providers to collect samples for testing in accordance with standard acceptable practices for health care professionals licensed in the State of Ohio. Collection of samples must be observed by members of the same sex, provided in clean unused receptacles and such samples must be analyzed in accordance with accepted scientific methods that provide a result within a scientifically reliable margin of error reasonably accepted by the scientific community. For tests conducted by the Adult Parole Authority, the probation officers shall follow the protocol for testing as set for in the attached Appendix A - State of Ohio Department of Rehabilitation and Corrections Offender Substance Abuse Testing Policy/Procedure which is incorporated herein as if fully rewritten

All drug and alcohol testing plans are individualized for each participant and are random, frequent and observed.

Positive results, failing to submit to testing, submitting an adulterated sample or submitting a sample of another individual and diluting a sample are treated as positive screens.

Acts that are to be treated as a positive test include, but are not limited to, failing to submit to testing, submitting an adulterated sample, submitting the sample of another individual, diluting the sample, submitting an adulterated sample or the sample of another individual, shall be treated as positive tests and immediately sanctioned.

Further, failure to report for screening or providing a sample by 4:00 p.m. the day participant is scheduled to report with the probation officer or for random testing, will be considered a refusal.

Immediate, graduated, and individualized incentives and sanctions govern the responses of the Athens County Veterans Court participant's compliance or noncompliance.

Positive screens upon intake and relapse during the program are not grounds for automatic termination from the program. Sanctions for positive screens will be assessed on a case-by-case basis depending on frequency, severity, and honesty about use.

Positive drug screen **upon intake** will result in immediate placement on random testing, outpatient treatment and/or residential treatment placement if appropriate (i.e. Health Recovery Services (HRS), TASC, PRISM, Hopewell Health Centers, etc.) with an emergency chemical dependency assessment, and follow up assessments and treatment.

Testing includes the participant's primary substance of abuse, as well as other common substances such as, but not limited to, marijuana, K2, alcohol, Bupenorphine, Suboxone, opiates, stimulates, and other substances.

Positive screen **during the program and/or relapse** may result in immediate placement on random testing or residential treatment placement if appropriate (i.e. Health Recovery Services (HRS), TASC, PRISM, Hopewell Health Centers, etc.), and immediate sanctions including, but not limited to: phase retention,

notification and request for participant to return to more frequent treatment with new or existing service providers and a day in jail.

Treatment providers shall immediately notify the court when the participant tests positive, fails to submit to testing, submits an adulterated sample or the sample of another individual, or dilutes the sample. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample shall be treated as positive tests and immediately sanctioned.

SANCTIONS

Sanctions are issued on a case-by-case basis to motivate program success by punishing participants who are failing to follow the rules and regulations or otherwise failing to advance in the program due to their actions. They include:

- Admonition and instruction by staff
- Admonition by court
- Adjust drug screen schedule
- Enhance/augment programming requirements
 - 12 step
 - Anger management
 - Court appearances
 - Parenting classes
 - Residential treatment
- Community Service (Verified at approved site)
 - Late to mentoring sessions = 5 hours (in addition to court-ordered hours)
 - Minimum Payment on Fines/Costs (\$20) not made after two (2) months into the program 5 hours community service (in addition to court-ordered hours); thereafter, every month a payment is missed, up to an additional 5 hours community service is added
- Day of Jail/house arrest/alternate detention
- Phase Retention
- Phase Return
- Structured Days
- Flash Incarceration
- **Termination and return to assigned judge**
 - **Track I (Diversion):**
Sentencing; Community Control; Continue in Veterans' Court; Lose dismissal and sealing of case
 - **Track II (Probation) (Probation violation):**
SEORJ; Prison with Judicial Release; Shift to alternative program
 - **Track III (Re-Entry) (Probation violation):**
SEORJ; Prison

INCENTIVES

Additionally, the following incentives are issued on a case-by-case basis to motivate program success and reward participants who are excelling and advancing in the program. Incentives are immediate, graduated and individualized to each participants progress throughout the program:

- Positive peer reinforcement
- Public recognition and/or applause in Court
 - Milestones (Phase graduations)
- Accelerated phase advancement
- More flexible rule application
 - Out-of-county employment or travel
- Early graduation (no earlier than 365 days)

Veterans' Court Participation Rules and Expectations

Program participants must sign an agreement stating the following program rules and expectations:

1. Rights to be waived:
 - A. Right to Due Process – Defendant waives his or her rights to due process for the imposition of sanctions, including the imposition of up to 14 days in jail at a time without a hearing.
 - B. Right to an Attorney – Defendant waives his/her rights to have an attorney to consult and be present at status review hearings, including status review hearings when a sanction is imposed.
 - C. Right to Remain Silent and Right against Self Incrimination – Defendant waives his/her rights and agrees to respond honestly and self-report any violation of program rules.
 - D. Right to Freely Associate – Defendant waives his/her right to associate with certain persons identified by the Court or Probation Office as detrimental to Defendant's progress.
 - E. Right Against Unreasonable Searches and Seizures – Defendant waives his/her rights to be free from unreasonable searches and seizures, and agrees to allow Probation orders or treatment staff to conduct searches of Defendant's person, residence, and property without warrant or probable cause.

2. Program Expectations

Defendant shall comply with the treatment plan, supervision plan, and program rules and requirements. The program has a minimum term of one year. Defendant shall pay all fines, costs, and program fees and restitution for all his/her cases in Athens Common Pleas Court.

3. Assessment, Treatment, Referral

Defendant shall comply with the treatment plan, supervision plan, and program rules and requirements. Defendant shall complete release of information form to provide confidential communication about participation about progress in treatment in compliance with applicable HIPPA and Ohio law (42 U.S.C. 300gg-42 et seq.; RC2151.421 and 2152.99).

4. Participant Monitoring/Status Review Hearings

Defendant shall meet with his or her Probation Officer as scheduled, be subject to random alcohol and drug screens, and attend Court for status review hearings. Defendant shall make appropriate progress towards paying any fines, costs, fees, and restitution, as well as in treatment. Progress through the program is not based solely upon preset timelines but is dependent upon a participant's performance.

There shall be ongoing communication between the treatment providers and the Court regarding Defendant's performance. There shall be ongoing judicial interaction with each participant as an essential component of the program, with the participant appearing before the specialized docket Judge at least twice monthly during the initial phase of the program.

In status review hearings, a participant's compliance and progress shall be favorably recognized by the judge. A participant's non-compliance will be unfavorably recognized by the judge and treatment adjustments and/or interim sanctions may be imposed. If interim sanctions and treatment are not successful in correcting the non-compliance, the Judge may terminate probation and impose suspended jail time.

Interim sanctions include a progression of warnings to graduated amounts of community service and graduated days of jail up to fourteen days at a time, not to exceed the total of suspended jail time. Residential treatment may be an option chosen by the program.

Sanctions are to be administrated with a goal of encouraging acceptance of treatment and behavior change rather than of punishment.

Immediate notification to the Court will occur when the participant tests positive for a prohibited substance, fails to submit to testing, submits an adulterated or diluted sample or a sample from another individual. Any such action, other than a positive sample, will result in an immediate sanction. The Court will be notified in person, via telephone, or most commonly via fax.

5. Successful Completion Criteria

- A. Completion of all imposed jail.
- B. Payment of all fines, costs, fees and restitution.
- C. Participation in the program for at least twelve months, with successful treatment progress.
- D. Completion of all recommended counseling.
- E. Law Abiding Citizen.
- F. Compliance with Substance-Free Requirements.

6. Termination Criteria

The program will attempt, through counseling, incentives, and graduated sanctions to bring each participant into compliance. If Defendant is unable or unwilling to bring his or her behavior into compliance, the Court will file a Motion to Impose, indicating intent to impose all remaining suspended jail time. If such motion is filed, Defendant shall be given full criminal procedural rights, including the right to counsel. Upon a finding of habitual non-compliance, the Court may terminate probation and impose all suspended jail time.

7. Additional Terms of Probation

In addition to the program requirements, Defendant shall also comply with the following standard terms of probation:

- Probationer shall not violate any federal, state or local law. The Chief Probation Officer or designated Probation Officer must be notified of an arrest, court summons or citation for law violation as soon as possible.
- Probationer shall not possess a gun or any other deadly weapon. If you have a concealed weapon permit, you must surrender that permit to your Probation Officer until the period of probation ends. Any weapon brought into the Probation Officer will be confiscated and will not be returned.
- Probationer must keep the Probation Officer informed of his/her current address and phone number at all times. Notification of a change in address and/or phone number must be made to the Probation Officer within 72 hours.
- Probationer is required to pay fines and court costs on a regular basis as stipulated by the Judge or Probation Officer and in accordance with the program guidelines. Those who are unable to pay may be ordered to complete community service at a rate of the current minimum wage credited towards unpaid fines only. Probationer must be in compliance with fine/cost payment scheduled before probation will be terminated.
- Probationer may not consume any beverage with alcohol content or be found in any establishment where alcohol is sold and/or consumed by the drink. Probationer may not have alcohol in their home or place of residence, vehicle, have personal possession nor associate with people whom are consuming alcohol.
- Probationer may not use any illegal drug or any prescription drug not prescribed to them by a licensed physician. The probationer may not have drugs or abuse in their home or place of residence, vehicle, or personal possession, nor can the probationer associate with persons whom are using drugs of abuse.

8. Other Provisions

A potential participant's compliance with legal and clinical eligibility guidelines under this program does not establish a legal right to participate in the program. The final decision allowing a person to participate is left to the discretion of the Veteran's Court Judge.

If a participant is screened and accepted into the program, participants shall be placed as soon as possible in appropriate treatment services and programs. Participants shall be placed as soon as possible under reporting supervision to monitor compliance with Court requirements.

All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession. Services are provided to meet the individualized needs of each participant. The Veteran's Court program provides services that incorporate evidence-based strategies of the participating agencies. The services available are gender responsive and culturally appropriate. The service providers listed effectively address co-occurring disorders. The Athens County Veteran's Court Participation Handbook is attached and incorporated into this program description as if fully rewritten herein.

The following individuals agree to serve as the Athens County Veteran’s Court Advisory Board and as such they agree to the terms of this Program Description and the Participation Handbook effective October 1, 2017.

Hon. George P. McCarthy, Presiding Judge, Athens Common Pleas Court

Keller Blackburn, Athens County Prosecutor’s Office

Herman Carson/Douglas Francis, State of Ohio Public Defender’s Office – Athens Branch

Marianna Carson, Adult Parole Authority

Ellen Martin, Director, Health Recovery Services, Inc.

Steve Thompson/Dennis Johnson, T.A.S.C.

Treasa Lucas, Flores & Associates

Chief Thomas Pyle, Athens Police Department

Chief Andrew Powers, Ohio University Police Dept.

Sheriff Rodney Smith, Athens County Sheriff’s Dept.

Tisha Hardin-Spradlin, Veterans Justice Outreach Specialist, Veterans Administration

Shawn Stover, Employment Representative, Ohio Means Jobs-Athens County

Tom Walker, NAMI-Athens

Ty Engle, Substance Abuse and Mental Illness Coordinator,
Appalachian Behavioral Healthcare Hospital

David W. Edwards, Dr., Director, Veterans and Military Student
Services Center, Ohio University

APPENDIX

Participating Service Providers

Athens County Veterans Treatment Court Progress Report

State of Ohio Department of Rehabilitation and Corrections Offender Substance Abuse Testing Policy/Procedure

State of Ohio – Athens County Adult Parole Authority Drug Testing Screening Specifications for Premiere Cup Biotech Product Used in Drug Urine Screenings

Local Rule 31 Re: Veterans Court

Veteran Court Dates

PARTICIPATING SERVICE PROVIDERS

Service providers include, but are not limited to, the following:

FOR MEN & WOMEN:

- a. Adult Parole Authority — Intensive supervision of individuals on judicial release, including drug and alcohol testing, referrals for services, compliance of ordered conditions, issuance of sanctions, and Veterans Court requirements for all participants. 1005 E. State Street, Athens, Ohio 45701 (740) 593-3361
- b. Athens Veterans Administration Community Based Outpatient Clinic (CBOC) — Treatment for medical, mental health, and substance abuse based upon eligibility for services. Provides all substance abuse and mental health assessments for VA eligible participants with treatment recommendations. 510 W Union St., Athens, OH 45701 (740) 593-7314
- c. Athens County Veteran Center—Counseling services for combat veterans and their family
www.vetcenter.va.gov
- d. Athens County Veterans Service Office - A county agency dedicated to aiding veterans in times of need. Provides Veterans Court with additional services and information for participants. 70 N. Plains Rd, Suite A, The Plains, OH 45780 (740) 592-3216
- e. Athens County Prosecutor’s Office and Prosecutor’s Vivitrol Program - Represents the citizens of Athens County in criminal and civil matters as the prosecuting attorney is authorized by the Laws of the State of Ohio. Additionally, the office helps administer a vivitrol treatment program in conjunction with Health Recovery Services. Athens County Prosecutor Keller Blackburn Athens County Courthouse – First Floor, 1 S. Court Street, Athens, OH 45701 (740) 592-3208
- f. State of Ohio Public Defender’s Office – Athens Branch - Responsible for providing legal representation and other services to those accused of a crime who cannot afford to hire their own attorney. 5 N. Court Street, Athens, OH 45701 (740) 593-6400
- g. Athens County Re-Entry Program - Provides transitional support to felony offenders returning from state and county institutions to Athens County. Including: assistance with employment, housing and connections to programs and services that provide mentoring, anger management, chemical dependency treatment, and sex offender treatment. Athens County Jobs and Family Services Office, 70 N. Plains Road, Suite C, The Plains, Ohio 45780 (740) 797-1405
- h. Ohio Means Jobs—Athens County - Employment preparation and job search assistance; funding for vocational education and job training programs. Shawn Stover. The Work Station – Athens County Jobs & Family Services, 70 N. Plains Rd., Suite C, Athens, Ohio 45701, (740) 677-4232
www.workstation.athensoh.org

- i. Hopewell Health - Center offers treatment services to children, adolescents, adults, families and couples. Offers Vivitrol Treatment, mental health and substance abuse counselling 90 Hospital Drive, Athens, Ohio 45701 (740) 593-3682 www.hopewellhealth.org
- j. Health Recovery Services – Offers Vivitrol Program. Offers a short to moderate length drug and alcohol treatment program. Suboxone and Vivitrol programs are available. 244 Columbus Rd, Athens, OH 45701 (740) 592-6720 www.hrs.org
- k. Treatment Alternatives to Street Crime—Offers long-term treatment for drug/alcohol dependent people. Provides assessment referral, drug testing, case management and treatment services at no charge. Steven Thompson, 8 N. Court Street, Athens, OH 45701 (740) 594-2276
- l. Pregnancy Resource Center– Provides information and resources for women & men expecting children, 43A S. Court St, Athens, OH 45701 (740) 592-4700 www.athenspregnancy.com
- m. Ohio University Veteran and Military Student Services - Provides Veterans support services and information for those enrolled or seeking education through Ohio University. David Edwards, Sr. Baker University Center, Suite 350, 1 Ohio University, Athens, OH 45701. Phone: 740.566.VETS (8387) Fax: 740.593.4145 www.ohio.edu/veteranscenter
- n. Flores & Associates – Drug/Alcohol/Anger Management - treatment assessments and counseling. Treasa Lucas - 386 Richland Avenue, Athens, OH 45701 (740) 592-4797
- o. Appalachian Behavioral Healthcare Hospital - Provides Mental Health Care and Counselling. 100 Hospital Drive. Athens, OH 45701 (740) 594-5000 TDD (740) 594-2911 Toll Free 1-800-372-8862 www.mha.ohio.gov/default.aspx?tabid=187
- p. Hocking College Veteran Student Support Center – Provides Veterans support services and information for those enrolled or seeking education through Hocking College. Ken Teter teterk@hocking.edu. Veteran/Military Student Success Advocate. Hocking College Parkway, Nelsonville, Ohio, 740.753.7055
- q. Veteran Justice Office – Provides resource contacts for Veterans involve with the criminal justice system and acts as a liaison with the Veterans Treatment Program. Tisha Hardin-Spraglin, VJO Specialist, Chillicothe VA Medical Center, 17273 State Route 104, Chillicothe, OH 45601 (740) 773-1141 Tisha.Hardin-Spradlin@va.gov
- r. Natural Freedom Wellness Center – Stress management with the help of horses. Pam Jeffers, 41810 State Farm Rd., Albany, Ohio 45710 (740)698-6031 www.naturalfreedomohio.com
naturalfreedomohio@gmail.com
- s. Pregnancy Resource Center– Helping men and women with choices regarding contraception, pregnancy, birth and abortion and related service. 43A S. Court St, Athens, OH 45701 (740) 592-4700 www.athenspregnancy.com

ADDITIONALLY FOR WOMEN:

- t. Rural Women's Recovery — Intensive Residential Treatment For Adult Women
P.O. Box 724, Athens, Ohio 45701 (740) 593-6152 www.hrs.org
- u. River Rose - Helping expectant mothers with opiate & heroin addiction issues
75 Hospital Drive, Suite 260, Athens, OH 45701 (740) 594-8819 www.riverroseobgyn.com
- v. Pregnancy Resource Center - 43A S. Court St, Athens, OH 45701 (740) 592-4700
www.athenspregnancy.com

Athens County Veterans Treatment Court Progress Report

Veteran: _____ Court Date: _____

Branch of Service: _____ Court Level: _____

Progress Since Last Court Appearance:

- Treatment Groups attended (dates): _____
- Groups Missed (dates): _____
- Support Groups attended (AA, Heroes Night Out, etc.): _____
- Reasons for Missing Groups: _____

Coping Skills Used:

- _____
- _____
- _____
- _____

Plan of Action before next Court Appearance:

- _____
- _____
- _____

Other Comments or Concerns:

**Athens County Veterans Court (Veterans Treatment Court)
2018 & 2019 & 2020 Schedule**

All proceedings will take place in Courtroom A on the Third Floor of the
Athens County Court of Common Pleas Courthouse,
Located at 1 S. Court Street, Athens, Ohio 45701
(Corner of Court Street and W. Washington Street)

Status Review Hearings are held every other Tuesday (Unless it is a court-observed holiday)

Mentors meet with participants in the courtroom at **2:00 p.m.**

Proceedings start at **3:00 p.m.**

Court concludes at **4:00 p.m.**

2018	2019	2020
January 9, 2018 January 23, 2018	January 8, 2019 January 22, 2019	January 7, 2020 January 21, 2020
February 6, 2018 February 20, 2018	February 5, 2019 February 19, 2019	February 4, 2020 February 18, 2020
March 6, 2018 March 20, 2018	March 5, 2019 March 19, 2019	March 3, 2020 March 17, 2020 March 31, 2020
April 3, 2018 April 17, 2018	April 2, 2019 April 16, 2019 April 30, 2019	April 14, 2020 April 28, 2020
May 8, 2018 May 22, 2018	May 14, 2019 May 28, 2019	May 12, 2020 May 26, 2020
June 12, 2018 June 26, 2018	June 11, 2019 June 25, 2019	June 9, 2020 June 23, 2020
July 10, 2018 July 24, 2018	July 9, 2019 July 23, 2019	July 7, 2020 July 21, 2020
August 7, 2018 August 21, 2018	August 6, 2019 August 20, 2019	August 4, 2020 August 18, 2020
September 11, 2018 September 25, 2018	September 3, 2019 September 17, 2019	September 1, 2020 September 15, 2020 September 29, 2020
October 16, 2018 October 30, 2018	October 08, 2019 October 22, 2019	October 13, 2020 October 27, 2020
November 13, 2018 November 27, 2018	November 5, 2019 November 19, 2019	November 10, 2020 November 24, 2020
December 4, 2018 December 18, 2018	December 3, 2019 December 17, 2019	December 8, 2020 December 22, 2020