

BUTLER COUNTY VTC PROGRAM DESCRIPTION
(VETERANS TREATMENT COURT)



COURT OF COMMON PLEAS
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PREAMBLE

The following is a *Program Description* of the Veterans Treatment Court Program (VTC), a specialized docket adopted and administered by the General Division of the Butler County Common Pleas Court through its Office of Specialty Courts Programs under authority of Sup. R. 36.20-36.29, Specialized Docket Standards, Appendix I Rules of Superintendence, and Loc R. 10.04. The Veterans Treatment Court Judge, hereinafter Judge, shall preside over this specialized docket.

CHAPTER 1: POLICIES AND PROCEDURES

Advisory Committee

Partnerships are an essential component of the specialized docket Court model as they enhance credibility, bolster support, and broaden available resources. The specialized docket model is designed and dependent upon a strong team approach. The cooperation of multiple agencies and community organizations, otherwise known as the relevant parties, have come together to develop an agreement setting forth the terms of the specialized docket known as VTC (Veterans Treatment Court). This document is the result of collaboration, development, and review of VTC by the Advisory Committee members.

Role of the Advisory Committee

In order to have a comprehensive and collaborative Program, the Judge formed an Advisory Committee. The Advisory Committee provides input into VTC policies and operations. The Advisory Committee is comprised of key community stakeholders who are representatives of local agencies or persons whose participation in the effort is essential. The Advisory Committee also serves as the policy-making authority for VTC.

Responsibilities of the Advisory Committee

In 2016, key officials and policy-makers came together to develop a specialized docket which would be known as VTC. Following a comprehensive planning process, the group collaboratively developed, reviewed, and agreed upon the following items:

- Policies and procedures which define goals, objectives, target population, Program entry, and case flow;
- Roles and responsibilities of treatment team members;
- A *Participation Agreement* detailing the rights and responsibilities of the participant;
- Legal and clinical eligibility; and
- Successful, unsuccessful, and neutral discharge criteria.

The Advisory Committee, chaired and attended by the Judge, annually reviews the aforementioned items to evaluate the functionality of VTC. The Advisory Committee also reviews financial expenditures, a sustainability plan, and community outreach for further advancement of VTC.

Membership

The Advisory Committee shall consist of, but is not limited to the following:

- The VTC Judge, CDAT Judge, the FNS Judge, and the SAMI Judge;
- The Court Administrator/Chief Probation Officer;
- The Specialty Courts Program Director/Coordinator;
- Representatives from the Veterans Justice Outreach;
- Representatives from the Butler County Veterans Service Commission;
- Representatives from the Butler County MHARS Board;
- Representatives from Community Behavioral Health, Inc;
- The Prosecutor;
- The Public Defender;
- Representatives from Law Enforcement Agencies; and
- Representatives from the Child Support Enforcement Agency (CSEA).

The Advisory Committee may also consist of the following:

- Probation Officers;
- Representatives from the Butler County Mental Health Board;
- Representatives from the YWCA;
- Representatives from the Homeless Veterans Reintegration Project (HVRP);
- Representatives from Department of Job and Family Services;
- Representatives from the Ohio Rehabilitation Services Commission;
- Representatives from Serve City; and
- Licensed Treatment Providers from Sojourner Recovery Services, Transitional Living Center, and/or Forensic and Mental Health Services, Inc.

Mission Statement

The mission of VTC is to enhance public safety by preventing recidivism, while assisting participants in securing resources, but also taking responsibility for their behavioral health issues. VTC shall use effective, evidence-based interventions and treatments in a holistic, accountability-based, community-supported approach.

Goals and Objectives

Goal: Assist participants to lead a clean and sober lifestyle.

Objective: Participants shall abstain from abusing illegal drugs and prescription medications, which shall be monitored through random/observed drug testing.

Goal: Enhance the community and public safety by reducing recidivism.

Objective: Participants shall be supervised by the Butler County Adult Probation Department to ensure additional crimes are not committed.

Goal: Improve living circumstances of participants involved in the Program.

Objective: Participants shall get connected with appropriate Veterans services, obtain stable employment, stable housing, and establish pro-social relationships while in VTC.

Participation Agreement

A Participation Agreement has been created detailing the rights and responsibilities of the participants in VTC. The participant has a right to the detailed, written *Participation Agreement* outlining the requirements and processes of VTC. The *Participation Agreement* includes the participant's right to request the attendance of defense counsel during the portion of the treatment team meeting concerning the participant.

Participant Handbook

A Participant Handbook has been created detailing VTC requirements, rules, phases, incentives, sanctions, and termination criteria. The participant shall receive a written copy of the *Participant Handbook*.

CHAPTER 2: TARGET POPULATION

Target Population

VTC serves veterans of the United States Armed Forces charged with a felony through the Butler County Court of Common Pleas, and for whom Court-monitored treatment and other services would enhance their ability to become productive and law-abiding citizens. A person interested in participating in VTC must meet the legal and clinical criteria before admission into VTC.

Legal Criteria

Written legal eligibility criteria is collaboratively developed, reviewed, and agreed upon by the Advisory Committee. In order to participate in VTC, the offender must adhere to the following:

- The offender has a Butler County Court of Common Pleas General Division case;
- The offender is eligible for community control;
- The offender is facing disposition, probation violation, judicial release, or has filed a motion for Intervention in Lieu of Conviction on the instant offense;
- To be eligible for Intervention in Lieu of Conviction, the offender must meet the eligibility requirements set forth in R.C. 2951.041.
- Consideration of prior criminal/supervision history; and
- Consideration of the circumstances of the instant offense.

Clinical Criteria

After determination of legal eligibility, clinical eligibility is considered. Written clinical eligibility criteria is collaboratively developed, reviewed, and agreed upon by the Advisory Committee. VTC is an intensive Program reserved for veterans who require more services than traditional community control can provide. Each case is reviewed individually, and potential participants are assessed as to the risk they pose to the safety of the community. In order to participate in VTC, the offender must adhere to the following:

- The offender is a veteran of the United States Armed Forces;
- The offender shall demonstrate a sincere willingness to participate in a long-term treatment process;
- The offender must not currently suffer from any acute health condition; and
- If the offender has been identified as having a mental illness and/or substance abuse addiction, then he/she must be willing to participate in treatment, and take medication as prescribed.

Capacity

VTC can effectively monitor up to one hundred (100) offenders at any given time. Participants shall receive immediate psychiatric services, substance abuse treatment, case management, and probation supervision.

CHAPTER 3: PROGRAM ENTRY AND CASE FLOW

Referral Process

Identification of potential participants for VTC is the first step for an offender to enter VTC. Once the offender has been charged with a felony through the Butler County Court of Common Pleas, a referral may be done at any time throughout the Court proceedings. The procedure may be informal and could come from probation officers, pretrial officers, pre-sentence investigators, defense counsel, the prosecutor, case managers, or the Judge.

Screening and Assessment

The Butler County Adult Probation Department shall conduct a pretrial screen of the potential participant. A screen or treatment assessment shall be provided by programs or persons who are appropriately licensed and trained according to the standards of their profession. The screen shall serve as preliminary identification as to whether the offender meets the Legal and Clinical Criteria as identified in Chapter 2 (Target Population). Specialty Courts staff shall then contact defense counsel in order for counsel to discuss VTC with the offender. Counsel may then submit an application for VTC. The application may be acquired through the Specialty Courts office or online through the Butler County Common Pleas website.

An offender may be admitted into VTC through one (1) or more of the following four (4) methods:

- Plea and sentencing;
- Intervention in Lieu of Conviction;
- Probation violation; or
- Judicial Release.

Plea and Sentencing

Once the pretrial screen has been conducted, and the application has been submitted to the Specialty Courts office, the case shall be monitored until a guilty plea is entered. Once the plea has been entered, a pre-sentence investigation (PSI) shall be done. An assessment or screening by an appropriately licensed and trained professional shall then be conducted by a representative from the Veterans Justice Outreach to determine the veteran's eligibility for services through the United States Department of Veterans Affairs (VA). All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment.

Prior to sentencing, the VTC team shall review the case (using the PSI and Veterans Justice Outreach assessment) to determine if the offender is appropriate for VTC. The VTC Judge shall have discretion to decide admission into the Program. The written legal

and clinical eligibility as identified in Chapter 2 (Target Population) does not create a mandatory right to participate in VTC.

Information shall then be sent to the sentencing Judge stating whether the offender is appropriate for VTC and if any special conditions are required.

At the time of sentencing, the offender (with counsel) will review and sign the VTC *Participation Agreement*.

The offender shall sign an authorization for release of information form to provide for communication of 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 sections 2151.421 and 2152.99 of the Revised Code.

The offender shall be given a copy of the *Participant Handbook*, promptly assessed and referred to any required treatment services or programs, and begin treatment as soon as possible.

Intervention in Lieu of Conviction

Once the pretrial screen has been conducted, a signed (by the sentencing Judge and the applicant) application has been submitted to the Specialty Courts office, and a Motion for Intervention in Lieu has been filed with the Clerk of Courts, a pre-sentence investigation (PSI) shall be done. An assessment or screening by an appropriately licensed and trained professional shall then be conducted by a representative from the Veterans Justice Outreach to determine the veteran’s eligibility for services through the United States Department of Veterans Affairs (VA). All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment.

Prior to the Intervention in Lieu plea, the VTC team shall review the case (using the PSI and Veterans Justice Outreach assessment) to determine if the offender is appropriate for VTC. The VTC Judge shall have discretion to decide admission into the Program. The written legal and clinical eligibility as identified in Chapter 2 (Target Population) does not create a mandatory right to participate in VTC.

Information shall then be sent to the sentencing Judge stating whether the offender is appropriate for VTC and if any special conditions are required.

At the time of the Intervention in Lieu plea, the offender (with counsel) shall review and sign the VTC *Participation Agreement*.

The offender shall sign an authorization for release of information form to provide for communication of 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 sections 2151.421 and 2152.99 of the Revised Code.

The offender shall be given a copy of the *Participant Handbook*, promptly assessed and referred to any required treatment services or programs, and begin treatment as soon as possible.

If the offender successfully completes VTC, has paid all Court costs, restitution (if applicable), and supervision fees, and has complied with all requirements under R.C. 2951.041, then an entry which dismisses the Indictment shall be filed with the Clerk of Courts.

Probation Violation

If the offender has been referred as a result of a probation violation, an application is to be submitted to the Specialty Courts office. The assigned probation officer and sentencing Judge shall be notified that an application for VTC has been submitted. An assessment or screening by an appropriately licensed and trained professional shall then be conducted by a representative from the Veterans Justice Outreach to determine the veteran’s eligibility for services through the United States Department of Veterans Affairs (VA). All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment.

Prior to the probation violation hearing, the VTC team shall review the case (using the PSI, Veterans Justice Outreach assessment, and the probation violation report) to determine if the offender is appropriate for VTC. The VTC Judge shall have discretion to decide admission into the Program. The written legal and clinical eligibility as identified in Chapter 2 (Target Population) does not create a mandatory right to participate in VTC.

Information shall then be sent to the sentencing Judge stating whether the offender is appropriate for VTC and if any special conditions are required.

At the time of the probation violation hearing, the offender (with counsel) shall review and sign the VTC *Participation Agreement*.

The offender shall sign an authorization for release of information form to provide for communication of 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 sections 2151.421 and 2152.99 of the Revised Code.

The offender shall be given a copy of the *Participant Handbook*, promptly assessed and referred to any required treatment services or programs, and begin treatment as soon as possible.

Judicial Release

At the discretion of the sentencing Judge, an application is to be submitted to the Specialty Courts office. The offender must be amenable to community control (i.e. not serving mandatory time). An assessment or screening by an appropriately licensed and trained professional shall then be conducted by a representative from the Veterans Justice Outreach to determine the veteran's eligibility for services through the United States Department of Veterans Affairs (VA). All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment.

Prior to the Judicial Release hearing, the VTC team shall review the case (using an updated PSI, the Veterans Justice Outreach assessment, and a conduct report from the Ohio Department of Rehabilitation and Corrections) to determine if the offender is appropriate for VTC. The VTC Judge shall have discretion to decide admission into the Program. The written legal and clinical eligibility as identified in Chapter 2 (Target Population) does not create a mandatory right to participate in VTC.

Information shall then be sent to the sentencing Judge stating whether the offender is appropriate for VTC and if any special conditions are required.

At the time of the Judicial Release hearing, the offender (with counsel) shall review and sign the *VTC Participation Agreement*.

The offender shall sign an authorization for release of information form to provide for communication of 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 sections 2151.421 and 2152.99 of the Revised Code.

The offender shall be given a copy of the *Participant Handbook*, promptly assessed and referred to any required treatment services or programs, and begin treatment as soon as possible.

Non-Discriminatory Practices

No offender shall be denied admission to VTC based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, or any disability.

Program Admission

Should the sentencing Judge order VTC as a condition of community control, the offender shall sign the *Participation Agreement*, and be placed as soon as possible under reporting supervision to monitor compliance with court requirements.

The offender shall then sign the release of information, be given a *Participant Handbook*, promptly assessed and referred to any required treatment services or programs, and begin treatment as soon as possible. . The offender shall be placed on the next available review docket to appear before the VTC Judge.

Specialized Docket File Maintenance

The Specialty Courts office shall maintain the VTC files electronically on a secured network for the Butler County Court of Common Pleas. The VTC files are to be accessible to Common Pleas Court employees that are part of the VTC team.

Any files and/or information provided by the United States Department of Veterans Affairs (VA) shall be maintained by the Veterans Justice Outreach Specialist. Said information shall be made available to the VTC team prior to weekly reviews.

All treatment team members are required to comply with Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records. Recipients of any disclosures may only re-disclose within the scope of the signed Release of Information. The Release of Information authorizes disclosure of protected health information pursuant to the Health Insurance Portability and Accountability Act of 1996.” 42 U.S.C. 300gg-42, as amended, and sections 2151.421 and 2152.99 of the Revised Code.

CHAPTER 4: TREATMENT TEAM

Duties of Treatment Team Members

1. The treatment team is responsible for the daily operations of VTC.
2. Treatment team members agree to serve on the treatment team for a minimum of one (1) year.
3. Treatment team members agree to work with local community leaders to ensure the best interests of the community are considered.
4. Treatment team members should engage in community outreach activities to build partnerships that will improve outcomes and support VTC sustainability.
5. VTC incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor and defense counsel.
6. Treatment team members engage in on-going communication including frequent exchanges of timely and accurate information regarding participant compliance. VTC maintains on-going communication with treatment team members through e-mail, phone calls, faxes, weekly status reports, and weekly team meetings.
7. Mechanisms for decision-making and resolving conflicts among treatment team members have been established and are utilized. The Judge serves as the final decision-maker and shall resolve all conflicts.
8. Treatment team members shall maintain professional integrity, confidentiality, and accountability.
9. Treatment team members should make reasonable efforts to observe VTC provider programs in order to have confidence in services provided and to better understand the treatment and programming process.
10. The treatment team works with the Advisory Committee to assess the team functionality, review all policies and procedures, and assess the overall functionality of VTC.

Specific Roles and Responsibilities

The treatment team consists of the VTC Judge, Magistrate, Veterans Justice Outreach Specialist, Butler County Veterans Service Commission representative, assistant prosecuting attorney, defense counsel, probation officers, Homeless Veterans Reintegration Project case manager, and the Specialty Courts Program Director/Coordinator.

Below is a list of treatment team members and their responsibilities.

Judge

- Discretion to decide the admission into or termination from VTC in accordance with the written legal and clinical criteria for VTC;
- Knowledgeable about treatment and programming methods and limitations;
- Leader of the treatment team (chairs and attends treatment team meetings);

- Decision-maker, especially concerning incentives, sanctions, phase advancement, and successful completion or termination;
- Final decision-maker and resolves conflicts among treatment team members;
- Attends treatment team meetings, monitors treatment progress, directs Court orders at status review hearings, issues incentives and sanctions, grants phase advancement, and approves participant's successful completion of, neutral discharge, or unsuccessful termination from VTC; and
- Discusses progress with the participant at status review hearings.

[The Judge assigned to the VTC Program is Judge Michael A. Oster Jr.]

Assistant Prosecuting Attorney

VTC incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor in pursuing justice and protecting public safety and victim's rights. The prosecutor plays an active role in identifying eligible participants for VTC in accordance with the VTC written criteria.

Defense Counsel

VTC incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the constitutional rights of the VTC participant. Defense counsel plays an active role in identifying eligible participants for VTC in accordance with the VTC written criteria. The participant does maintain the right to request the attendance of defense counsel during the portion of the treatment team meeting concerning the participant. Defense counsel will be present at treatment team meetings and status review hearings to represent participants facing a probation violation hearing, graduated sanction or other participants, if requested.

Defense counsel's role includes:

- Assists with decision-making regarding participation in VTC;
- Explains to the participant what rights are waived by entering the Program;
- Explains the possible sanctions that may be imposed;
- Explains the circumstances that may lead to termination; and
- Explains the effect that termination from VTC may have on the participant's case.

Probation Officers

- Meets with participants regularly to discuss individualized Program goals and progress through VTC;
- Attends treatment team meetings and status review hearings;
- Conducts office, home, and field visits;

- Monitors compliance with Court orders, community control rules, sanctions, and individualized treatment plans;
- Informs the treatment team whether Court orders, rules, sanctions, and treatment plans are followed;
- Conducts and/or coordinates random alcohol and drug tests, and reports the results to the treatment team;
- Participates in discussions about incentives, sanctions, phase advancement, successful completion, and termination; and
- Provides written documentation to the Judge for a possible termination.

Veterans Justice Outreach Specialist

- Anyone providing screening, assessments, and/or treatment for VTC must be appropriately licensed and trained professional to deliver services;
- Conduct an assessment to determine the veteran's eligibility for services through the United States Department of Veterans Affairs (VA);
- Assist in the development of the individualized plan/goals for each participant;
- Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance;
- Monitors the participant's medication compliance;
- Provides status reports for the treatment team meetings and status review hearings;
- Attends VTC Program team meetings and status review hearings;
- During VTC Program team meetings, provides participant updates and makes recommendations regarding criminogenic needs; and
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.

Butler County Veterans Service Commission Representative

- Meets with the veteran with a scheduled appointment;
- Assists the veteran in understanding and obtaining benefits available to him/her through the VA, state, and local veteran agencies;
- Assists with transportation to VA medical appointments, housing, education, employment, obtaining medical care, training, and applying for government assistance;
- Attends VTC Program team meetings and status review hearings; and
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.

Specialty Courts Program Director/Coordinator

- Assists with identifying potential participants;
- Coordinates referrals and assessments as identified in Chapter 3 (Program Entry and Case Flow);
- Assists with decision-making regarding participation in VTC;
- Maintains the daily operations of the VTC Program;
- Collects and maintains statistical information for VTC;
- Gathers status reports to present to the VTC Program treatment team;
- Participates in discussions about incentives, sanctions, phase advancement, successful completion, and termination;
- Creates reports for review and submission to funding sources;
- Ensures that treatment team members follow Program policies and procedures;
- Monitors service provider agreements and contracts;
- Plans and facilitates Advisory Committee meetings; and
- Coordinates VTC treatment team professional education.

Treatment Team Meetings

Treatment team meetings, commonly referred to as “staffing”, shall take place weekly at the Butler County Government Services Center, 315 High Street, Hamilton, Ohio.

Required attendees for the treatment team meeting include: VTC Judge, assistant prosecuting attorney, probation officers, Veterans Justice Outreach Specialist, Butler County Veterans Service Commission representative, and the Specialty Courts Program Director/Coordinator. Defense counsel will attend treatment team meetings to represent those participants facing a probation violation, any graduated sanction, or other participants, as requested.

The Specialty Courts Program Director/Coordinator prepares and distributes (through e-mail) the treatment team schedule and docket. The Specialty Courts Program Director/Coordinator shall make the status reports available for treatment team members.

CHAPTER 5: PARTICIPANT MONITORING

Summary of the Veterans Treatment Court Program

Participants can expect to be in VTC for a minimum of seventeen (17) months. However, this does NOT guarantee the participant will complete the entire Program in said time period. VTC participants shall receive a case plan based on their individual needs. All provided services shall incorporate evidence-based strategies. Participants shall have prompt access to a continuum of approved treatment and rehabilitation services upon admission into VTC. The VTC Program maintains a current case plan and a record of activities for each participant. Case plans continue to develop throughout VTC to reflect the participants' changing needs based on Program progress. Appropriately licensed and trained individuals shall deliver services according to the standards of their profession. The VTC case plans take into consideration services that are gender responsive, culturally appropriate, and effectively addressing co-occurring disorders. All provided services are appropriate and clinically necessary to the degree that available resources allow.

VTC has currently partnered with the following agencies to provide services to participants: United States Department of Veterans Affairs (VA), Butler County Veterans Service Commission, YWCA, Serve City, and the Hope House. Many of these provide registration/intake, baseline alcohol and drug testing, assessment, development of treatment plans, case management, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender specific programming, programming to address those who have been diagnosed with co-occurring disorders, supportive housing, family therapy, and medication monitoring. These agencies shall collaborate with other community agencies to provide educational and vocational training, employment, substance abuse programming, transportation, housing, domestic violence programming, parenting classes, and mental health services.

Phases

Phases are the steps in which a participant's performance and progress through VTC are monitored. These phases are used as guidelines that can be modified to meet a participant's specific needs. Participants are required to frequently report to the VTC Judge and other treatment team members for compliance monitoring, assistance with case plans, and random alcohol and drug testing.

At a minimum, the participant shall appear before the VTC Judge weekly in the initial (Orientation) phase. In subsequent phases the participant shall appear regularly, but no less than once a month. Phase advancement is based on individual performance, on a case-by-case basis, and as recommended by the treatment team. Progression through VTC is based on the participant's performance in the case plan and compliance with VTC rules. Phase advancement is not solely based on pre-set timelines. Time between status review hearings may be increased or decreased based upon compliance with treatment protocols, Program rules, and overall observed progress. General criteria for phase

advancement may include a participant's sobriety, mental health, progress in treatment, compliance with Court orders, payment of Court fees, and team recommendation.

Phase I (Orientation Phase)

This phase introduces the participant to VTC and promotes participant compliance with VTC requirements. During this phase the participant has the most contact with the Court by attending scheduled status review hearings on a weekly basis. The participant's performance in the treatment plan and compliance of the phase itself determine its length. Participant requirements for Phase I compliance include:

- Attending assessments, treatment sessions, appointments, and other activities as scheduled;
- Attending status review hearings on a weekly basis;
- Attending meetings with case managers and/or probation officers;
- Submitting to alcohol and/or drug testing at a minimum of two (2) times per week;
- Cooperating with random home visits;
- Identifying goals (housing, treatment, education, employment, etc.);
- Abiding by the rules of VTC, the VTC *Participation Agreement*, community control, and the laws; and
- Committing no new criminal offenses.

Phase II

After the participant maintains compliance in Phase I, he/she shall begin to address the issues that brought him/her into VTC. During Phase II, the participant shall begin to develop skills to address identified criminogenic needs, improve family relationships, and develop employment, vocational, or educational goals. During this phase the participant shall attend regularly scheduled status review hearings on a bi-weekly basis. The participant's performance in the treatment plan and compliance of the phase itself determine its length.

Participant requirements for Phase II compliance include:

- Attending treatment sessions, appointments, and other activities as scheduled;
- Attending status review hearings on a bi-weekly basis;
- Attending meetings with case managers and/or probation officers;
- Continuing to submit negative alcohol and drug testing samples at a minimum of one time per week;
- Taking prescription medication as directed;
- Cooperating with random home visits;
- Engaging in a sober support community and obtaining a sponsor;
- Connecting with a Veteran peer;
- Developing a plan to meet identified goals (housing, treatment, education, employment, etc.);

- Abiding by the rules of VTC, the *VTC Participation Agreement*, community control, and the laws; and
- Committing no new criminal offenses.

Phase III

Once the participant develops stability in Phase II, he/she shall begin to utilize skills learned in treatment and programming to implement goals previously identified. The participant shall continue to improve family relationships and begin to develop long-term employment and housing plans. This phase is important as the participant puts into practice the ability to demonstrate on-going stability. During this phase the participant shall attend regularly scheduled status review hearings once every three (3) weeks. The participant's performance in the treatment plan and compliance of the phase itself determine its length.

Participant requirements for Phase III compliance include:

- Attending treatment sessions, appointments, and other activities as scheduled;
- Attending status review hearings once every three (3) weeks;
- Attending meetings with case managers and/or probation officers;
- Continuing to submit negative alcohol and drug testing samples at a minimum of one (1) time per week;
- Taking prescription medication as directed;
- Cooperating with random home visits;
- Maintaining involvement with a sponsor and sober support community;
- Maintaining contact with a Veteran peer;
- Implementing the plan to meet identified goals (housing, treatment, education, employment, etc.);
- Making payments towards costs, supervision fees, and/or restitution;
- If participant is deemed indigent, the court may consider waiving fines and court cost, or community service may be performed;
- Abiding by the rules of VTC, the *VTC Participation Agreement*, community control, and the laws; and
- Committing no new criminal offenses.

Phase IV

Phase IV is the final phase of the VTC Program, and it is designed to assist the participant in maintaining structure and stability. The participant shall continue to improve family relationships and implement long-term employment and housing plans. This phase allows the participant the ability to demonstrate on-going stability and prepare for life after the VTC Program. During this phase the participant shall attend regularly scheduled status review hearings once every four (4) weeks. The participant's performance in the treatment plan and compliance of the phase itself determine its length. Participant requirements for Phase IV compliance include:

- Attending treatment sessions, appointments, and other activities as scheduled;
- Attending status review hearings once every four (4) weeks;
- Attending meetings with case managers and/or probation officers;
- Continuing to submit negative alcohol and drug testing samples at a minimum of one (1) time per week;
- Taking prescription medication as directed;
- Cooperating with random home visits;
- Maintaining involvement with a sponsor and sober support community;
- Maintaining contact with a Veteran peer;
- Maintaining the plan to meet identified goals (housing, treatment, education, employment, etc.);
- Making payments towards costs, supervision fees, and/or restitution;
- If participant is deemed indigent, the court may consider waiving fines and court cost, or community service may be performed;
- Abiding by the rules of VTC, the *VTC Participation Agreement*, community control, and the laws;
- Committing no new criminal offenses; and
- Graduation from the VTC.

Residential Treatment

Participants can be recommended for residential treatment at the time of assessment, sentencing, probation violation, judicial release, or any other time during VTC.

Residential treatment will be coordinated through the Cincinnati VA Medical Center, but if deemed necessary, participants may be required to complete treatment through the River City Correctional Center, the Monday Program, or the Community Correctional Center (CCC). Participants shall be given jail time credit for time served while in River City, Monday and/or CCC.

Status Review Hearings

VTC incorporates ongoing judicial interaction with each participant. Having a significant number of participants appear at a single Court session provides the opportunity to educate all the participants as to the benefits of Program compliance and the consequences of noncompliance. Frequent status review hearings establish and reinforce VTC policies and ensure effective, efficient supervision of the participant. This allows the Judge to provide an explanation of responses to compliance and noncompliance, including the criteria for termination. Not all participants are required to appear at each status review hearing depending on their progress in VTC.

VTC staffing for possible new participants and regular status review hearings shall take place weekly before the Judge at the Butler County Government Services Center, 315 High Street, Hamilton, Ohio.

Required treatment team attendees include: VTC Judge, Veterans Justice Outreach Specialist, Butler County Veterans Service Commission representative, assistant prosecuting attorney, defense counsel, probation officers, and the Specialty Courts Program Director/Coordinator.

Participants shall adhere to a dress code for all VTC appointments:

- No short shorts or mini skirts;
- No spaghetti straps or tank tops;
- No tops or dresses with cleavage exposing any portion of the breast;
- No halter tops or strapless tops/dresses;
- No skin tight pants, skirts, or shorts;
- No baggy pants;
- No see through clothing;
- No clothing that makes reference to drugs and/or alcohol; and
- No sexually suggestive clothing.

Incentives

Immediate, graduated, and individualized incentives govern the responses of VTC to the participant's compliance. Incentives are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the VTC treatment plan are attained. Incentives are also tracked to ensure the participant is rewarded on a progressive basis.

The following are types of behaviors appropriate for incentives:

- Attending required status review hearings;
- Attending required treatment assessments and/or appointments;
- Maintaining close and productive contact with case managers;
- Reaching individual objectives;
- Abstaining from alcohol and/or drugs, as evidenced by negative drug testing results;
- Engaging in vocational and/or educational activities;
- Complying with the rules of VTC, the *VTC Participation Agreement*, community control, and the laws;
- Securing stable housing;
- Connecting with a Veteran Peer;
- Taking prescription medication as directed;
- Obtaining a sponsor and engaging in a sober support community;
- Advancing in VTC phases; and
- Accomplishing any other milestone identified by the treatment team.

The following are types of incentives:

- Encouragement and praise from the Judge;
- Ceremonies, coins, and/or certificates of progress, including advancement in VTC phases;
- Reducing supervision contacts;
- Decreasing frequency of status review hearings;
- Reducing, suspending, or dismissing fines;
- Increasing or expanding privileges;
- Encouragement to increase participation in positive activities the participant finds pleasurable;
- Graduating from VTC; and
- Having the Indictment against the participant dismissed (if the case is Intervention in Lieu of Conviction).

Sanctions

Immediate, graduated, and individualized sanctions govern VTC responses to the participant's noncompliance. Graduated sanctions are used to help the participant conform behavior to Program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner based on the infraction. Sanctions are issued when there is noncompliance with either Program protocol or the treatment plan. Sanctions shall be used as a deterrent to negative behavior and to encourage future compliance. An adjustment in Program services, as well as participation in community-based mutual support meetings, is based solely on the clinically informed interests of the participant. Incremental adjustments to the individualized plan made at the discretion of the Judge and the treatment team are not to be considered sanctions. However, failure to comply with plan adjustments shall subject the participant to sanctions.

At the time of a positive drug test (which may include a test taken at admission to the Program), the treatment team may consider an adjustment in treatment and/or the possibility of sanctions. Any change in the individualized plan and/or sanctions are enforced and reinforced by the Judge.

A level of sanction is applied to each type of possible infraction. This type of planning ensures lesser infractions will be met with lesser, more commensurate sanctions. Infractions are also tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

The following are common types of infractions:

- Failure to attend status review hearings;
- Failure to attend treatment assessment and/or appointments;

- Failure to follow VTC rules;
- Failure to take prescription medication as directed;
- Failure to keep scheduled appointments with the probation officer, case managers, or any other treatment team member;
- Noncompliance with other requirements of the individualized plan;
- Failure to have his/her calendar at all VTC appointments;
- Noncompliance with random alcohol and/or drug screens, or testing positive for alcohol and/or drugs;
- Failure to comply with the *VTC Participation Agreement*;
- Failure to comply with curfew as established by the treatment team;
- Failure to maintain confidentiality outside of treatment groups;
- Failure to improve troublesome behavior;
- Failure to complete community service hours;
- Failure to meet employment and/or vocational goals as determined by the individualized plan; and
- Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, etc.

The following are common types of sanctions:

- Warnings and admonishments from the Judge;
- Increasing frequency of alcohol and/or drug testing;
- More frequent status review hearings;
- Refusing specific requests, such as permission to travel;
- Denying additional expanded privileges, or rescinding privileges previously granted;
- Increasing supervision contacts and monitoring;
- Issuing a no contact order with identified individuals;
- Individualized sanctions such as writing essays, reading books, or performing other activities to reflect upon acceptable behavior;
- Imposition of suspended fines;
- Ordering community service;
- Ordering corrective thinking classes;
- EMHA (Electronic Monitored House Arrest) or SCRAM (Secure Controlled Remote Alcohol Monitoring) bracelets;
- Escalating periods of jail time;
- Filing of probation violation or Intervention in Lieu revocation; and
- Unsuccessful termination from VTC.

CHAPTER 6: PROGRAM COMPLETION

Successful Completion

Written successful completion criteria has been collaboratively developed, reviewed, and agreed upon by the Advisory Committee. Successful completion criteria serve as the guidelines used to identify how participants can successfully complete VTC. In order to successfully complete VTC, the participant shall demonstrate the compliant behavior and accomplishments listed below:

Compliant behavior may include:

- Demonstrating a period of abstinence from alcohol and drugs (evidenced by negative drug screens for a minimum of ninety [90] days prior to completion of VTC);
- Completing community service hours;
- Attending sober support group meetings;
- Obtaining a sober support sponsor;
- Active member in a sober support group;
- Complying with VTC rules, the *VTC Participation Agreement*, and/or the rules of community control;
- Displaying a change in thinking, attitude, and beliefs;
- Connecting with a Veteran peer;
- Taking prescription medication as directed;
- Successfully completing treatment and programming;
- Obtaining/maintaining consistent employment;
- Demonstrating the ability to identify and eliminate criminal thinking patterns;
- Paying towards Court costs, supervision fees, and restitution (if applicable); and
- If participant is deemed indigent, the court may consider waiving fines and court cost or community service may be performed.
- Writing an essay on how VTC has affected the participant's life.

Accomplishments may include:

- Demonstrated a period of abstinence from alcohol and drugs (evidenced by negative drug screens for a minimum of ninety [90] days prior to completion of VTC);
- Relapse prevention plan established;
- Regular sober support attendance;
- Obtained a sober support sponsor;
- Completed community service hours;
- Completed any other VTC requirements;
- Completed vocational or educational plans;
- Connected with a Veteran peer;
- Maintained prescription medication as directed;

- Paid towards Court costs, supervision fees, and restitution (if applicable);
- Displayed responsibility for his or her behavior;
- Demonstrated stability in the community;
- Obtained/maintained consistent employment;
- Obtained/maintained stable housing; and
- Completion of treatment.

Upon review of the compliant behavior, and review of the participant's accomplishments, the treatment team may recommend successful completion. The Judge has final discretion to determine when the participant shall successfully complete VTC. Upon successful completion of VTC, the participant shall attend a graduation ceremony hosted by the Court and receive a Certificate of Completion. If the case for the participant is that of Intervention in Lieu of Conviction, and the participant has complied with all requirements under R.C. 2951.041, then the indictment against the participant may be dismissed.

Unsuccessful Termination

Written unsuccessful termination criteria has been collaboratively developed, reviewed, and agreed upon by the Advisory Committee. Unsuccessful termination criteria serve as the guidelines used to identify how participants may be unsuccessfully terminated from VTC. The VTC Judge has final discretion in determining termination from the specialized docket.

Criteria for unsuccessful termination from VTC include:

- On-going noncompliance with treatment;
- Continued use of illegal substances;
- A verified positive confirmation from a contested drug screen;
- On-going noncompliance with VTC rules, the VTC *Participation Agreement*, or the rules of community control;
- Noncompliance with prescribed medications;
- Noncompliance with Veteran peer;
- Noncompliance with confidentiality;
- Absconding from community control supervision;
- New criminal convictions;
- Continued VTC infractions resulting in graduated sanctions; and
- Probation violation or Intervention in Lieu revocation hearings.

Neutral Discharge

Written neutral discharge criteria has been collaboratively developed, reviewed, and agreed upon by the Advisory Committee. Neutral discharge criteria serve as the guidelines used to identify how participants may be neutrally discharged from VTC. The VTC Judge has final discretion in determining termination from the specialized docket.

A participant may be neutrally discharged from VTC if the participant is no longer capable of completing VTC as a result of any of the following:

- A serious medical condition;
- Death;
- Other factors that may keep the participant from meeting the requirements for successful completion; and
- Discretion by the VTC Judge to determine if the participant is no longer appropriate for VTC.

Upon neutral discharge from VTC, the level of community control supervision shall be determined by the Judge.

Inactive Status

VTC has an inactive status for participants who meet any of the following:

- Placed in a non-lockdown residential facility and/or a Community Based Correctional Facility, but cannot be transported for status review hearings;
- Serving time in a local or state jail facility for another county/jurisdiction; and
- Absconded from community control supervision.

CHAPTER 7: SUBSTANCE MONITORING

Substance abuse monitoring for VTC will be part of the individualized case plan for participants in VTC. A participant shall submit to random, frequent, and observed alcohol and drug screens while in VTC. Testing positive shall result in a sanction. Failure to submit to testing, submitting an adulterated sample, submitting the sample of another individual or diluting the sample is treated as a positive test and immediately sanctioned.

Testing may include PassPoint ocular scans, instant urinalysis screens, SCRAM, portable breathalyzers, use of scientifically validated technology for ethyl alcohol, or other devices that are deemed reliable. PassPoint ocular scans and urine screens test for many common substances including the participant's substance of choice. All testing shall be recorded and maintained for each participant for the duration the participant is in VTC.

In addition to the PassPoint ocular scans, VTC utilizes instant urine screens and other types of testing that allow for laboratory confirmation testing. Upon a positive test result, the participant shall be confronted with the result and given the opportunity to either sign an admission form or contest the positive test. If contested, the test shall be sent to a certified laboratory for confirmation. While waiting for the laboratory results, sanctions are not issued. However, if the test returns a positive confirmation, then a more severe sanction, which could result in a probation violation, and/or unsuccessful termination from VTC, may be issued based on deception and the use of substances. The laboratory fee for a confirmed positive may be applied to the participant's court costs.

The results of substance monitoring tests will be provided to the appropriate treatment team members. The Judge shall be immediately notified if/when the participant fails to submit to a test, submits an adulterated sample, submits the sample of another individual, or dilutes the sample. The participant shall be ordered to appear before the Judge on the next available status review hearing Docket so that sanctions can be immediately issued.

At the time of a positive drug test (which may include a test taken at admission to the Program), the treatment team may consider an adjustment in treatment and/or the possibility of sanctions. Any change in the case plan and/or sanctions are enforced and reinforced by the Judge.

VTC participants are required to comply with the following Substance Abuse Monitoring protocols:

The participant will submit to an instant urine screen to ensure the individual is negative of all substances. The individual will then be entered into the PassPoint ocular scan and passive breath test system for a baseline test result. The participant will also be assigned a color group. The participant will be randomly selected by the PassPoint system to report for a scan/test at a minimum of two (2) times per week while in Phase 1 and Phase 2 and a minimum of one (1) time per week while in Phase 3 and Phase 4. In addition to

the minimum required number of tests, the participant may randomly be selected for more frequent scans/tests.

Participant responsibilities include the following:

- Call the PassPoint ocular scan system voicemail daily between 6:00 A.M. and 8:30 A.M.;
- If the participant's assigned color has been selected, the participant is to report to the Butler County Department of Court Services located at 824 South Martin Luther King Jr. Blvd., Hamilton, Ohio at the designated time to submit to the PassPoint ocular scan;
- Submit an instant urine screen if upon PassPoint ocular scan and passive breath test the PassPoint system determines the participant is a high risk for substance use;
- Provide information regarding prescription medications to the assigned probation officer.

Any member of the treatment team who conducts a urine screen shall comply with Section 5.20 (Drug Testing Policy and Procedure) of the Butler County Department of Court Services Policy and Procedure Manual. The treatment team member shall immediately notify the probation officer of the outcome of any and all tests. The Judge shall be immediately notified when a participant fails to submit to a test, submits an adulterated sample of another individual, or dilutes the sample. The participant shall be ordered to appear before the Judge on the next available status review hearing Docket so that sanctions can be immediately issued.

CHAPTER 8: PROFESSIONAL EDUCATION

Opportunities for professional education for all members of the treatment team are provided annually.

An interdisciplinary, continuing education plan includes training on a variety of topics such as:

- The specialized docket model;
- Specialized docket processes;
- Best practices in substance abuse and mental health services;
- Drug trends, and alcohol and drug testing;
- The non-adversarial approach of the specialized docket model for counsel; and
- Training on community resources.

Supreme Court of Ohio Specialized Docket Practitioner Network

All treatment team members shall have the opportunity to attend the Supreme Court of Ohio's Specialized Dockets Practitioner Network Annual Conference. The Judge and the Specialty Courts Program Director/Coordinator agree to participate in the Supreme Court of Ohio Specialized Dockets Practitioner Network, and attend at least one (1) sub-network meeting held at the Supreme Court of Ohio. All treatment team members shall receive the Specialized Dockets Newsletter. In addition to the Specialized Dockets Practitioner Network Annual Conference, the Specialized Dockets Section offers several training opportunities throughout the year that include free continuing education accreditation in several disciplines.

New Treatment Team Members

The Specialty Courts Program Director/Coordinator shall meet with each new treatment team member and provide a brief overview of VTC. In addition, new treatment team members shall receive a copy of the *Program Description*, the *Participant Handbook*, and the *Participation Agreement*. New treatment team members shall also receive training from the agency they serve regarding the role of that agency in VTC. Whenever possible, new treatment team members shall have an opportunity to observe the weekly treatment team meetings and status review hearings with the person they are replacing. The Specialty Courts Program Director/Coordinator shall arrange any additional training that is deemed necessary for the new treatment team member.

Program Operations Review

The Advisory Committee shall review the overall functionality of VTC every two (2) years. During the review, the Advisory Committee shall review all policies and procedures of VTC. The Specialty Courts Program Director/Coordinator shall provide the Advisory Committee with the data necessary to conduct the review.

CHAPTER 9: EFFECTIVENESS EVALUATION

Supreme Court Reporting Data

VTC shall comply with reporting data as required by the Supreme Court of Ohio. This data may be used to assess compliance with the Standards as set forth in Standard 12 of Sup. R. 36.20-36.29, Appendix I (Specialized Docket Standards).

On-going Data Collection/Exit Survey

VTC shall engage in on-going data collection in order to evaluate whether or not VTC continues meeting its goals and objectives.

Data collection is an on-going process. Data shall be collected by the Specialty Courts Program Director/Coordinator and by providing agencies. The Specialty Courts Program Director/Coordinator shall maintain data as directed by the Judge including, but not limited to, the number of participants not qualifying for entrance into VTC; the number of participants terminated successfully, unsuccessfully, or neutrally discharged; and the current number of participants active in VTC. Providing agencies shall also maintain data as required by funding sources.

Upon completion of VTC, each participant shall complete an anonymous exit survey. As data and surveys are collected, all identities shall remain anonymous and not be included in the data collection. The Advisory Committee, as part of the functionality review, shall utilize the data collected.

APPENDIX

Standard forms and materials utilized by VTC comprise a part of the *Program Description*. Set forth below is a list of those materials:

1. Local Rule 10.04;
2. Advisory Committee Roster;
3. Specialty Courts Application;
4. *VTC Participation Agreement*;
5. Section 2.22: Drug Testing Policy and Procedure;
6. Sample Authorization for Release of Information Form;
7. Sample of Status Review Hearings Report;
8. VTC Team Roster;
9. *VTC Participant Handbook*; and
10. VTC Exit Survey.