

Delaware Municipal Court

Mission Court

“To serve those who served our Country”

Judge Marianne Hemmeter



Program Description
TABLE OF CONTENTS

Chapter 1: Policies & Procedures.....	3
The advisory Committee.....	4-5
Role of Advisory Committee.....	4
Responsibilities.....	4
Membership.....	4-5
Mission Statement.....	5
Goals & Objective.....	5
Chapter 2: Target Population.....	6
Target Population.....	6
Written Legal Criteria.....	6
Written Clinical Criteria.....	6-7
Capacity.....	7
Chapter 3: Program Entry and Case Flow.....	8
Referral Process.....	8
Screening and Assessment.....	8-9
Program Admission.....	9-11
Non-Discriminatory Practices.....	10
Case Flow.....	10-11
Specialized Docket File Maintenance.....	11
Chapter 4: Treatment Team.....	12
Duties of Treatment Team Members.....	12
Specific Roles and Responsibilities.....	13
Chapter 5: Participant Monitoring.....	16
Treatment Team Meetings and Status Review Hearings.....	16
Summary of Treatment.....	16-17
Phases.....	17-18
Incentives.....	19-20
Sanctions.....	20-21
Chapter 6: Program Completion.....	22
Criteria for Successful Completion.....	22
Termination Classifications.....	22
Unsuccessful Termination.....	23
Neutral Discharge.....	23
Inactive or Suspension Status.....	23
Chapter 7: Substance Abuse Monitoring.....	24-25

Chapter 8: Professional Education.....26
 New Treatment Team Members.....26
 Mentor Court and Yearly Site Visit.....26
 Program Operations Review.....26

Chapter 9: Effectiveness Evaluation.....27
 Supreme Court Reporting Data.....27
 On-going Data Collection.....27

Appendix.....28

CHAPTER 1: POLICIES AND PROCEDURES

The Delaware Municipal Court recognizes the proven success of specialized docket programs that provide collaborative services, intensive monitoring of offender progress, and application of immediate sanctions when offenders fail to follow the terms of probation or their case plan. As a result, the number of offenders who successfully complete program requirements is greatly improved. Specialized dockets also have been demonstrated to significantly reduce the recidivism rate for offenders with high criminogenic risks and needs.

The Delaware Mission Court/Veterans Treatment Court (VTC) is a specialized program that works within the framework of the existing Municipal Court. It is intended to serve a target population and to accomplish specific criminal justice objectives. The Delaware Mission Court, however, deals with persons whose actions may run the gamut. What they have in common is not necessarily their behavior, but their past military service.

With the recognition that many of our Veterans return to civilian life with serious trauma, both physical and mental, which may lead to their involvement with the criminal justice system, comes a responsibility to ensure that Veterans receive the treatment and services that they need—that they have earned. By providing a specialized docket, the Delaware Municipal Court increases the Veterans' chances of success in a collaborative environment. Enhancing access to various programs and treatments and fostering interaction with other Veterans will ensure that those who have served receive the services they deserve.

Key Components of the Delaware Mission Court:

- Ensuring the Veteran becomes aware of treatment and assistance resources available to him or her through a number of agencies.
- Develop a comprehensive case plan for defendants placed in the Delaware Mission Court which will include evaluations and assessments followed by services and treatment as indicated.
- Provide defendants a support team that will assist them in successfully completing their case plan, including a veteran mentor.
- On-going status review hearings in court before the Honorable Judge Marianne Hemmeter.
- Frequent, random alcohol and drug testing.

Advisory Committee

Judge Marianne Hemmeter employed a comprehensive and collaborative planning process to create the Delaware Mission Court. By inviting key stakeholders from the community, Judge Hemmeter devised the Delaware Mission Court Advisory Committee in the summer of 2017 to provide input on specialized docket planning, implementation, and operations. The Advisory Committee met for four months to develop all of the following.

- ✓ An agreement among the relevant parties setting forth the terms of the Delaware Mission Court operations (**See Appendix 1 Program Description Agreement Signature Page**).
- ✓ Written policies and procedures for the Delaware Mission Court defining the goals and objectives, identifying the target population, detailing program entry and case flow, and providing written roles and responsibilities for each treatment team member.
- ✓ A written participant agreement and participant handbook detailing the rights and responsibilities of the participants in the Delaware Mission Court.

Role of the Advisory Committee

The Advisory Committee is comprised of key officials and policy makers who provide input on the policies and operations of the Delaware Mission Court and communicate regularly with local officials. The Advisory Committee also ensures that the Delaware Mission Court incorporates a non-adversarial approach while recognizing the prosecutor's distinct role in pursuing justice and protecting public safety and victim's rights, and the defense counsel's distinct role in preserving the constitutional rights of the participants.

Continued Responsibilities of Advisory Committee

In addition to assisting Judge Hemmeter in planning and implementing the Delaware Mission Court Advisory Committee meets at least once a year to do the following:

- ✓ Develop and regularly review the community outreach and education plan;
- ✓ Develop and annually review the written sustainability plan;
- ✓ Assess Delaware Mission Court treatment team functionality, review policies and procedures, and assess the overall functionality of the program;
- ✓ Review needs and resources of the program;
- ✓ Review the target population; and
- ✓ Review use of graduated rewards and sanctions.

Membership

Judge Hemmeter chairs and attends all of the Advisory Committee meetings. The Advisory Committee (**See Appendix 2 Advisory Committee Roster**) is comprised of representatives with policy-making authority from the following:

- ✓ Delaware Municipal Court—including representatives from probation and court administration;

- ✓ City of Delaware Prosecuting Attorney;
- ✓ Delaware Municipal Court Defense Bar;
- ✓ Delaware Police Department (or any other agency that wants to send an officer)
- ✓ Delaware County Veterans Service Commission;
- ✓ US Department of Veterans Affairs—Veteran’s Justice Outreach
- ✓ Veterans Mentor Program Representative;
- ✓ Turning Point; and
- ✓ Maryhaven, Recovery & Prevention Resources, Southeast Healthcare Services, Syntero
- ✓ Other Community Partners/Stakeholders

Mission Statement

The mission of the Delaware Mission Court is to provide Veterans involved in the Delaware Municipal Court the necessary treatment, services, and support so that they may lead stable, law-abiding, and healthy lives as positive and productive members of this community.

Goals and Objectives

The goals and objectives of the Delaware Mission Court are as follows:

Goal 1: Increase the number of offenders with past military service that access available resources provided by the United States Department of Veterans Affairs.

Objective: Within 12 months, 5% more of the Delaware Municipal Court involved offenders with past military service will access available resources provided by the United States Department of Veterans Affairs.

Goal 2: Increase the number of offenders with past military service that successfully complete the Delaware Mission Court requirements.

Objective: Within 24 months, 50% of Veterans will successfully complete the Delaware Mission Court program requirements.

CHAPTER 2: TARGET POPULATION

None of the following legal or clinical eligibility and termination criteria shall be construed to create a right to participate in the Delaware Mission Court.

Target Population

The Delaware Mission Court will serve Veterans who have been charged with a misdemeanor offense and who have a clinical diagnosis of a substance disorder, mental illness, traumatic brain injury, post-traumatic stress disorder, or co-occurring disorders.

The Delaware Municipal Court considers a defendant to be a Veteran if the defendant has previously served or is currently serving in the United States Military.

Legal Eligibility Criteria

The following legal eligibility criteria was developed, reviewed, and agreed upon collaboratively by the Delaware Mission Court Advisory Committee.

1. Defendant must have misdemeanor charges pending in Delaware Municipal Court.
2. Defendant must not be a violent offender as defined by Ohio Revised Code §2901.01(A)(9). In limited circumstances and under the court's discretion, violent offenders may be considered after consultation with all parties involved in the case, including the victim/victim's representative.
3. Defendant must be a Veteran. The Delaware Municipal Court considers a defendant to be a Veteran if the defendant has previously served or is currently serving in the United States Military.
4. Defendant must plead guilty or be found guilty and agree to be placed on supervised community control through the Delaware Mission Court.
5. If the prosecutor decides to place the defendant in a diversion program, the defendant can plead no contest or guilty and must agree to be placed on supervised community control through the Delaware Mission Court.

If a defendant is currently on any type of community control through any other jurisdiction, acceptance into the Delaware Mission Court must be coordinated with that court.

Legal issues regarding competency to stand trial or insanity defenses must be resolved before a defendant can enter the Delaware Mission Court.

The defendant's criminal history will be reviewed as part of the acceptance process. There are some prior offenses which categorically may exclude someone from the program if they pose a potential risk to court staff and the community.

Clinical Eligibility Criteria

The following clinical eligibility criteria was developed, reviewed, and agreed upon collaboratively by the Delaware Mission Court Advisory Committee.

1. Defendant must have a clinical diagnosis of a substance abuse disorder, mental illness, traumatic brain injury, post-traumatic stress disorder, or co-occurring disorders.
2. Defendant must not pose an unacceptable risk to court staff, family, or the community.
3. Defendant must be amenable to treatment and acknowledge a willingness to comply with the recommendations of his or her service providers based on the assessment reports.

The assessment reports shall include available collateral information to ensure their accuracy and will provide the following information.

- ✓ History of alcohol and drug use including information about current use and prescription medications.
- ✓ History of alcohol and drug treatment including the facility name, both in-patient and outpatient treatment episodes, length of stay, and diagnoses;
- ✓ Current diagnostic impression;
- ✓ Preliminary case plan recommendations including the need to participate in the Veterans Treatment Court. Recommendations for appropriate level of care and other primary and secondary services needed, such as housing, GED, mental health, etc.;
- ✓ Information regarding the defendant's environment, which may include collateral contacts with family, employers and associates; and
- ✓ Offense information, if needed, from the arresting officer, probation department, and legal counsel and prior contacts with the court system.

Capacity

The Delaware Mission Court is designed to effectively provide services to twenty-five offenders.

CHAPTER 3: PROGRAM ENTRY AND CASE FLOW

When assigned a criminal case, the courts will determine if a defendant has ever served in the military. If the defendant has served in the military, he or she will be given an opportunity to apply to the Delaware Mission Court. If the defendant wishes to apply and **waives speedy trial time**, the file will be forwarded to Judge Hemmeter for evaluation by the Mission Court Treatment Team. If the defendant is accepted, the case will be transferred to the Mission Court. The applicant must plead guilty or be found guilty and agree to be placed on probation through the Delaware Mission Court. The defendant will receive a Participant Handbook (**See Appendix 3 Participant Handbook**) and will be required to sign the Participation Agreement (**See Appendix 4 Participation Agreement**) before entering the program.

Referral Process

Identification of defendants for the Delaware Mission Court can occur initially when a defendant has been arrested and/or officially charged. The procedure is informal and may be employed at any stage of the proceedings. A referral may be initiated by police officers, jail staff, probation officers, pre-trial officers, prosecutors, defense counsel, case managers, representatives from the treatment community, and the defendant. When a person becomes aware that a defendant has past military service and may otherwise qualify for the Delaware Mission Court, the file will be forwarded to Judge Hemmeter for evaluation by the treatment team.

Upon receipt of referrals, the Mission Court Coordinator/Probation Officer will provide the defendant with a copy of the participant handbook and an eligibility packet, which includes a Consent to Release Personal Information Form (**See Appendix 5 Delaware Mission Court Eligibility Packet**). These forms are to be completed and returned to the Mission Court Coordinator/Probation Officer.

Screening and Assessment

Judge Hemmeter has discretion to decide admission into the program based on the written eligibility criteria. The written legal, clinical and termination criteria do not create a right to enter the Delaware Mission Court.

Legal Eligibility Screening

Once a defendant is identified, the defendant and his or her attorney voluntarily request to participate in the Delaware Mission Court by filing the Application for the Delaware Mission Court (**See Appendix 5 Delaware Mission Court Eligibility Packet**). Upon filing the application, a copy of it goes into the court file and to Judge Hemmeter, the Mission Court Coordinator/Probation Officer, and the prosecutor.

After reviewing the application, the prosecutor makes a determination on legal eligibility for the program and how the defendant will be charged or plea. The prosecutor then files a report of the results, a copy of which goes into the court file, to Judge Hemmeter, and to the Mission Court Coordinator/Probation Officer. If the prosecutor deems the defendant not eligible for the Mission Court, the Mission Coordinator/Probation Officer presents the information to the treatment team and the case is scheduled on the regular docket. If the prosecutor determines the defendant is eligible for the Mission Court, the defendant is scheduled for a clinical assessment.

Clinical Assessment

All of the defendant's evaluations, assessments, and referrals to treatment are expected to be completed within thirty days after the Application for Delaware Mission Court is filed.

The defendant is required to sign a Consent to Release Personal Information Form to provide for communication about confidential information, participation and progress in treatment, and compliance with program requirements.

All assessments are conducted by qualified clinicians who possess the appropriate licenses and credentials to provide the services offered. All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure accuracy of the assessment. **All defendants are screened for post-traumatic stress disorder (PTSD).**

The assessment reports shall include treatment recommendations based on the appropriate level of care, confirm that the defendant meets the clinical eligibility criteria, and is appropriate for inclusion in the Delaware Mission Court. The assessment reports also must address the defendant's risk to program staff and to the community, as well as, preliminary recommendations regarding the types of services that should be considered for the defendant.

Judge Hemmeter has discretion to decide admission into the Mission Court in accordance with the written eligibility criteria. If the defendant is deemed inappropriate for or chooses not to participate in the Mission Court, the case will proceed to the regular docket. If the defendant is deemed appropriate for and chooses to participate in the Mission Court, the defendant will be assigned a service provider for case coordination and development of a comprehensive treatment plan. Also, if the defendant is deemed appropriate for and chooses to participate in the Mission Court, the case information will be forwarded to the Veteran Mentor Coordinator to begin placement with an appropriate mentor.

Program Admission

Once Judge Hemmeter determines that the defendant is to be offered entry into the Mission Court and the defendant accepts, a journal entry (**See Appendix 6 Journal Entry Transferring Case to Delaware Mission Court**) is signed transferring the case to the Mission Court, a date for the defendant to plea is scheduled, and a notice to appear in Mission Court is given to the defendant, defendant's attorney, and the prosecutor.

Upon appearing in court, Judge Hemmeter advises the defendant and his or her attorney of their right to a detailed, written participation agreement (**See Appendix 4 Participation Agreement**) and participant handbook outlining the requirements and processes of the Delaware Mission Court (**See Appendix 3 Participant Handbook**). Judge Hemmeter also reviews with the defendant and his or her attorney the participation agreement, confirms that they received the Delaware Mission Court Participation Agreement and Participant Handbook, and explains to them the expectations and possible responses to compliance and non-compliance, including program termination criteria. The defendant signs the participation agreement and is provided with a copy, enters a plea, and is ordered to successfully complete the Delaware Mission Court. Defendants are placed as soon as possible in treatment services and programs and under reporting supervision to monitor compliance with court requirements.

Non-Discriminatory Practices

The Delaware Mission Court will not deny an offender admission to the specialized docket program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, or any disability.

Case Flow

The following is a summary of the admission process into the Delaware Mission Court.

1. Defendant is cited or arrested.
2. Defendant attends arraignment and advised of the Delaware Mission Court.
3. Defendant and his or her attorney voluntarily request to participate in the Delaware Mission Court by filing the Application for the Mission Court.
4. Upon filing the Application for Mission Court, a copy of it goes into the court file and to Judge Hemmeter, the Mission Court Coordinator/Probation Officer, and the prosecutor.
5. After reviewing the Application for Mission Court, the prosecutor makes a determination on legal eligibility and charges and files a report, a copy of which goes into the court file, to Judge Hemmeter, and to Mission Court Coordinator/Probation Officer.
6. If the prosecutor deems the defendant not eligible for the Mission Court, the Mission Court Coordinator/Probation Officer presents the information to the treatment team and the case is scheduled on the regular docket.
7. If the prosecutor determines the defendant is eligible for the Mission Court, the defendant is scheduled for a clinical assessment.
8. All of the defendant's evaluations, assessments, and referrals to treatment are expected to be completed within thirty days after the Application for Mission Court is filed.
9. Defendant is required to sign Consent to Release Personal Information Form to provide for communication about confidential information, participation and progress in treatment, and compliance with program requirements.
10. Assessment reports shall include treatment recommendations based on the appropriate level of care, confirm that the defendant meets the clinical eligibility criteria, and is appropriate for inclusion in the Mission Court. The assessment reports also must address the defendant's risk to program staff and to the community, as well as, preliminary recommendations regarding the types of services that should be considered for defendant.
11. Judge Hemmeter has discretion to decide admission into the Mission Court in accordance with the written eligibility criteria.
12. If the defendant is deemed inappropriate for or chooses not to participate in the Mission Court, the case will proceed to the regular docket.
13. If the defendant is deemed appropriate for and chooses to participate in the Mission Court, the defendant will be assigned a service provider for case coordination and development of a comprehensive treatment plan.
14. Once Judge Hemmeter determines that the defendant is to be offered entry into the Mission Court and the defendant accepts, a journal entry is signed transferring the case to the Mission Court, a date for the defendant to plea is scheduled, and a notice to

appear in the Mission Court is given to the defendant and his or her attorney. The Veteran Mentor Coordinator will receive a copy of journal entry transferring the case to the Mission Court and a veteran mentor will be assigned to the case.

15. Upon appearing in court, Judge Hemmeter advises the defendant and his or her attorney of their right to a detailed, written participation agreement and participant handbook outlining the requirements and processes of the Delaware Mission Court.
16. Judge Hemmeter reviews with the defendant and his or her attorney the participation agreement, confirms that they received the Delaware Mission Court Participation Agreement and Participant Handbook, and explains to them the expectations and possible responses to compliance and non-compliance, including program termination criteria.
17. The defendant signs the Participation Agreement and is provided with a copy, enters a plea, and is ordered to successfully complete the Delaware Mission Court.
18. Defendants are placed as soon as possible in treatment services and programs and under reporting supervision to monitor compliance with court requirements.

Specialized Docket File Maintenance

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 and that recipients of any disclosures may only re-disclose within the scope of the signed Consent to Release Personal Information Form. The Consent to Release Personal Information Form authorizes disclosure of protected health information pursuant to the Health Insurance Portability and Accountability Act, 42 U.S.C. 300 gg 42, as amended, and sections 2151.421 and 2152.99 of the Ohio Revised Code.

The Delaware Mission Court Coordinator/Probation Officer will maintain the Delaware Mission Court files. The program files are stored in a filing cabinet located in the Mission Court Coordinator/Probation Officer's office. The files contain information on a Veterans' progress in the Delaware Mission Court.

CHAPTER 4: TREATMENT TEAM

The Delaware Mission Court Treatment Team (See Appendix 7 Treatment Team Roster) consists of the following:

- ✓ Judge Marianne T. Hemmeter;
- ✓ Veterans Treatment Court Coordinator (may be same person as the Probation Officer);
- ✓ Delaware Probation Officer;
- ✓ City of Delaware Assistant Prosecuting Attorney;
- ✓ Defense Counsel;
- ✓ Turning Point Representative;
- ✓ Veterans Mentor Coordinator;
- ✓ Veterans Justice Outreach Specialist; and
- ✓ Delaware Police Officer (and/or any other law enforcement agency)
- ✓ Treatment Provider Representatives—Maryhaven, Recovery & Prevention Resources, South East Health Care Services, and Syntero
- ✓ Delaware County Re-entry Services

Duties of Treatment Team Members

The Delaware Mission Court Treatment Team oversees the daily operations of the Mission Court. Judge Hemmeter chairs and attends all treatment team meetings. Duties of the treatment team members include the following.

1. Serving on the treatment team for a minimum of one year.
2. Working with local community leaders to ensure the best interests of the community are considered.
3. Engaging in community outreach activities to build partnerships that will improve outcomes and support program sustainability.
4. Incorporating a non-adversarial approach while recognizing the roles of prosecutor and defense counsel.
5. Engaging in on-going communication, including frequent exchanges of timely and accurate information about Veterans' overall performance.
6. On-going communication utilizing e-mail, phone calls, weekly progress reports, and weekly meetings among treatment team members and the court regarding Veterans' overall performance.
7. Decision-making and resolving conflicts mechanisms among treatment team members have been established and are utilized.
8. Maintaining professional integrity, confidentiality, and accountability.
9. Observing Mission Court required service provider programs in order to have confidence in services offered and to better understand the treatment and programming process.
10. Working with the advisory committee to assess treatment team functionality, review all policies and procedures, and assess the overall functionality of the Delaware Mission Court.

Specific Roles and Responsibilities of Treatment Team Members

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

Judge

- ✓ Chairs and attends all treatment team meetings.
- ✓ Uses discretion to decide admission into or termination from the Delaware Mission Court in accordance with the written legal and clinical eligibility criteria.
- ✓ Knowledgeable about treatment and programming methods and limitations.
- ✓ Resolves conflicts among treatment team members.
- ✓ Presides over status review hearings, monitors Veterans' treatment progress, issues incentives and sanctions, grants phase advancement, and approves successful completion or unsuccessful termination from the Delaware Mission Court.
- ✓ Discusses progress with Veterans at status review hearings.
- ✓ Attends specialized docket professional and continuing legal education courses.

Mission Court Coordinator/Probation Officer

Facilitates the specialized docket in accordance with the written program description.

- ✓ Assists with identifying potential participants and handles initial paperwork.
- ✓ Collects and maintains statistical information and records concerning Veterans.
- ✓ Collects and maintains statistical information and data from service providers.
- ✓ Creates reports for review and submission to funding sources.
- ✓ Ensures that treatment team members follow program policies and procedures.
- ✓ Attends treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Plans and organizes advisory committee meetings and graduation ceremonies.
- ✓ Attends specialized docket professional and continuing education courses.
- ✓ Facilitates screening and assessment processes for entry into the Mission Court.
- ✓ Conducts orientation with Veterans regarding Mission Court.
- ✓ Meets with Veterans regularly to discuss individualized program goals and progress.
- ✓ Gathers progress reports from treatment and service providers to present to the treatment team.
- ✓ Monitors compliance with Mission Court program requirements.
- ✓ Conducts or coordinates random alcohol and drug tests and immediately reports results to the treatment team.
- ✓ Informs treatment team if treatment plan, supervision plan, and court orders are being followed.
- ✓ Provides progress reports and recommendations to the treatment team during meetings.
- ✓ Monitors service provider agreements.
- ✓ Monitors compliance with supervision plan.

Prosecutor

- ✓ Supports the non-adversarial approach of the specialized docket while recognizing their distinct role of ensuring justice and protecting public safety and victim's rights.

- ✓ Conducts legal eligibility screening and provides treatment team with report on eligibility.
- ✓ Attends treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ If applicable, files Motion to Dismiss or Amend Charges upon successful completion of Mission Court by Veteran.
- ✓ Attends specialized docket professional and continuing legal education courses.

Defense Counsel

- ✓ Supports the non-adversarial approach of the specialized docket while recognizing their distinct role of preserving the constitutional rights of the program participant.
- ✓ Identifies eligible defendants for the Mission Court in accordance with the written criteria.
- ✓ Refers defendants to be screened and assessed for eligibility to participate in the Mission Court.
- ✓ Assists defendants in deciding to participate in the Mission Court.
- ✓ Explains to defendant the rights that are waived when entering the Mission Court.
- ✓ Explains to the defendant the possible sanctions that may be imposed while participating in the Mission Court.
- ✓ Explains to the defendant the circumstances that may lead to unsuccessful termination from the Mission Court and the possible consequences to the defendant if terminated.
- ✓ Attends treatment team meetings upon the defendant's request during the portion concerning the defendant.
- ✓ Attends status review hearings upon the defendant's request.
- ✓ May participate in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Attends specialized docket professional and continuing legal education courses.

Veterans Mentor Coordinator

- ✓ Facilitates the operations of the Veterans Mentor Program.
- ✓ Recruits and trains volunteer mentors from Veterans organizations.
- ✓ Works to expand services that local agencies provide to Veterans.
- ✓ Attends treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Attends specialized docket professional and continuing education courses.

Veterans Justice Outreach Specialist (VJO)

- ✓ Determines if Veterans are eligible for Veterans Administration (VA) benefits and services.
- ✓ Links Veterans who are eligible for VA benefits to appropriate assessments and services.
- ✓ Attends treatment team meetings and status review hearings.
- ✓ Provides reports and recommendations to treatment team during meetings.

- ✓ Monitors compliance with VA treatment plan and reports Veterans progress in VA services to treatment team.
- ✓ Conducts or coordinates random alcohol and drug tests conducted by VA facilities and immediately reports results to the treatment team.
- ✓ Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Attends specialized docket professional and continuing education courses.

Licensed Treatment Providers

- ✓ Must be appropriately licensed and trained to deliver the treatment services offered.
- ✓ Will maintain separate treatment tracks for Veterans in the Delaware Mission Court, whenever possible.
- ✓ Conduct diagnostic assessments, provide the clinical diagnosis, and develop the treatment plan.
- ✓ Provide documentation on Veterans' progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests.
- ✓ Attend treatment team meetings and status review hearings.
- ✓ Provide treatment updates, reports, and recommendations regarding treatment needs.
- ✓ Participate in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Attend specialized docket professional and continuing education courses.

Law Enforcement Officer

- ✓ Attends treatment team meetings and status review hearings.
- ✓ Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- ✓ Serves as liaison with police department.
- ✓ Attends specialized docket professional and continuing education courses.

CHAPTER 5: PARTICIPANT MONITORING

Treatment Team Meetings

The Delaware Mission Court will monitor each Veteran's performance and progress during bi-weekly treatment team meetings held every other Friday at 3:00 PM at the Delaware Municipal Court at 70 North Union Street, Delaware, Ohio 43015.

All members of the treatment team are expected to attend. Defense counsel may attend the treatment team meeting at the request of the Veteran during the portion of the meeting concerning the Veteran's progress. The Mission Court Coordinator/Probation Officer prepares the progress reports (**See Appendix 8 Veterans Status Review Report**) and sets the status review hearing schedule.

Status Review Hearings

The Delaware Mission Court conducts bi-weekly status review hearings every other Friday immediately after the treatment team meeting at the Delaware Municipal Court at 70 N. Union Street, Delaware, Ohio 43015.

All members of the treatment team are expected to attend status review hearings. In the initial phase of the Mission Court, Veterans appear before Judge Hemmeter every other week. Thereafter, the Veteran regularly appears before Judge Hemmeter to review his or her progress based on the program phase.

The Delaware Mission Court incorporates ongoing judicial interaction with each Veteran as an essential component of the program. All Veterans are expected to appear at status review hearings as required per program phase. Having a significant number of Veterans appear at a single court session gives the opportunity to educate all the Veterans as to the benefits of court compliance and consequences of noncompliance. Frequent status review hearings also establish and reinforce the Mission Court policies and ensure effective and efficient supervision of the Veteran.

Summary of Treatment

The Delaware Mission Court adopted the following policies and procedures in reference to treatment services provided.

1. Veterans are promptly assessed and placed as soon as possible in appropriate treatment services and programs.
2. Veterans receive a treatment plan based on their individual needs.
3. Veterans' treatment plans take into consideration services that are gender responsive, are culturally appropriate, and effectively address co-occurring disorders.
4. All provided treatment services incorporate evidenced-based strategies.
5. All provided treatment services including case plans are appropriate and clinically necessary to the degree that available resources allow.
6. Veterans have prompt access to a continuum of approved treatment and rehabilitation services.

7. The Delaware Mission Court maintains a current treatment plan and a record of activities for each Veteran. Treatment plans continue to develop throughout the program to reflect the Veterans' changing needs based on program progress.
8. Appropriately licensed and trained persons will deliver services according to the standards of their profession and will provide all treatment and programming.

The Delaware Mission Court has partnered with the following agencies to provide assessments, treatment plans, case management services, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender-specific treatment, co-occurring disorders treatment, supportive housing, family therapy, medication, and medication monitoring to Veterans:

- ✓ Recovery & Prevention Resources
- ✓ Maryhaven
- ✓ South East Healthcare Services
- ✓ Syntero

These agencies also collaborate to provide ancillary services, such as educational and vocational training, employment, transportation, housing, domestic violence programming, and physical, mental, and dental health.

Treatment team members will make a reasonable effort to observe all required service provider programs to gain confidence in the services provided and to better understand the treatment and programming process.

Phases

The Mission Court is comprised of orientation and three phases. Phases are the steps in which a Veteran's performance and progress through the specialized docket are monitored. Phases are used as guidelines that can be modified to meet a Veteran's specific needs. Characteristics of the Mission Court phases include the following.

1. Progression through the Mission Court is based on the Veterans' performance in their treatment plan and compliance with the phases.
2. Phase advancement is not solely based on preset timelines.
3. Phase advancement is recommended by the treatment team and is based on individual performance on a case-by-case basis.
4. At a minimum, the Veteran shall appear before Judge Hemmeter at least every other week in the initial phase.
5. In subsequent phases the Veteran shall appear before Judge Hemmeter regularly but in no event less than once a month.
6. Time between status review hearings are increased or decreased based upon compliance with treatment protocols and observed progress.
7. General criteria for phase advancement may include a Veteran's sobriety, mental health, progress in treatment, compliance with court orders, payment of court fees, and treatment team recommendations.

Orientation

The goal of orientation is for Veterans to gain an understanding of the requirements of the Delaware Mission Court.

Tasks for orientation include the following.

- ✓ Review and complete the Consent to Release Personal Information Form.
- ✓ Complete all assessments ordered by Judge Hemmeter.
- ✓ Review with the Veteran the Mission Court Participant Handbook and Participation Agreement and ensure the Veteran understands the program expectations.
- ✓ Attend a Mission Court status review hearing.
- ✓ Introduce the Veteran to members of the treatment team.
- ✓ Familiarize the Veteran with the location of service providers and address any issues of transportation.
- ✓ Complete and review the Veteran's individualized treatment and supervision plans.

Phase I

The goal of Phase I is to stabilize the Veteran and ensure compliance with the Mission Court requirements. During this phase, the Veteran has the most contact with the court, the Mission Court Coordinator/Probation Officer, and treatment provider.

Tasks for this phase include the following.

- ✓ Attend bi-weekly status review hearings.
- ✓ Attend all treatment sessions and activities.
- ✓ Take medications as prescribed.
- ✓ Contact the Mission Court Coordinator/Probation Officer as instructed.
- ✓ Submit to random, frequent, and observed alcohol and drug tests.
- ✓ Attend sober support meetings as required.
- ✓ Verbalize an understanding of program expectations.
- ✓ Abide by all rules of supervision and the Delaware Mission Court.
- ✓ Engage with housing, educational, vocational, and/or employment service agencies.
- ✓ Engage with Veteran Mentor.
- ✓ If employed, maintain employment.
- ✓ No positive drug tests for six weeks prior to advancement to next phase.
- ✓ No sanctions for six weeks prior to advancement to next phase.

Phase II

After the Veteran obtains stability, the Veteran will be able to address his or her issues. During this phase, the Veteran will begin to develop skills, improve family relationships, and set employment, vocational, and/or educational goals. Based on the Veteran's progress, required appearances at status review hearings may be reduced.

Tasks for this phase include the following.

- ✓ Attend status review hearings as instructed.

- ✓ Attend all treatment sessions and activities.
- ✓ Take medications as prescribed.
- ✓ Contact the Mission Court Coordinator/Probation Officer as required.
- ✓ Submit and provide negative results to random, frequent, and observed alcohol and drug tests.
- ✓ Attend sober support meetings as instructed.
- ✓ Abide by all rules of supervision and the Veterans Treatment Court.
- ✓ Engage with housing, educational, vocational, and/or employment service agencies.
- ✓ If employed, maintain employment.
- ✓ Engage with Veteran Mentor.
- ✓ No positive drug tests for six weeks prior to advancement to next phase.
- ✓ No sanctions for six weeks prior to advancement to next phase.

Phase III

This phase is focused on developing self-sufficiency. The Veteran will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, or vocational plans. This phase is crucial as the Veteran puts into practice everything learned in the first two phases and demonstrates on-going stability.

Tasks for this phase include the following.

- ✓ Attend status review hearings as instructed.
- ✓ Attend and successfully complete treatment sessions and activities.
- ✓ Take medications as prescribed.
- ✓ Contact the Mission Court Coordinator/Probation Officer as required.
- ✓ Submit and provide negative results to random, frequent, and observed alcohol and drug tests.
- ✓ Attend sober support meetings as instructed.
- ✓ Abide by all rules of supervision and the Mission Court.
- ✓ Maintain employment.
- ✓ Maintain stable housing.
- ✓ Engage with Veteran Mentor.
- ✓ No sanctions for eight weeks prior to graduation.
- ✓ Complete a Petition to Graduate (**See Appendix 12 Petition to Graduate**).

Incentives

The Delaware Mission Court uses rewards and incentives as an important component for successfully making lasting changes in behavior. Presenting incentives and rewards, acknowledges the difficult changes Veterans are making in their lives. Immediate, graduated, and individualized incentives govern the responses to the Veteran's compliance. Incentives are awarded according to the Veteran's progress in the phases of the program and are designed to encourage and reward positive behavior.

The following are types of behaviors appropriate for incentives:

- ✓ Attending required court appearances on time and appropriately dressed;
- ✓ Attending required treatment appointments;
- ✓ Maintaining close and productive contact with case manager;
- ✓ Achieving individual treatment objectives;
- ✓ Abstaining from alcohol and drugs, as evidenced by negative test results;
- ✓ Engaging in vocational or educational activities;
- ✓ Securing stable housing;
- ✓ Advancing in phases; and
- ✓ Accomplishing any other milestone identified by the treatment team.

The following are types of incentives:

- ✓ Encouragement and praise from Judge Hemmeter;
- ✓ Ceremonies and tokens of progress, when advancing in phases;
- ✓ Reducing supervision contacts;
- ✓ Decreasing frequency of court appearances;
- ✓ Reducing fines;
- ✓ Increasing or expanding privileges;
- ✓ Encouragement to increase participation in positive activities he or she finds pleasurable, such as writing, art work, or other hobbies;
- ✓ Gifts of inspirational items, including books, pictures, and framed quotes;
- ✓ Assistance with purchasing clothing for job interviews;
- ✓ Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- ✓ Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- ✓ Reducing jail days; and
- ✓ Graduating from the Delaware Mission Court.

Sanctions

The Delaware Mission Court uses graduated sanctions to help a Veteran conform his or her behavior to program requirements. Immediate, graduated, and individualized sanctions govern responses to the Veteran's noncompliance. Sanctions are issued for non-compliance with the treatment plan or the Delaware Mission Court protocol, and to deter negative behavior and encourage future compliance. Sanctions are crafted in an individualized, creative, and progressive manner based on the infraction.

An adjustment in treatment services, as well as participation in community-based mutual support meetings are based solely on the clinically informed interests of the Veteran. Incremental adjustments to the treatment plan made at the discretion of Judge Hemmeter and the treatment team are *not* to be considered sanctions. Failure to comply with treatment plan adjustments will subject the Veteran to sanctions.

At the time of a positive drug or alcohol test, during intake or if a Veteran relapses, the treatment team may consider an adjustment in treatment and/or the possibility of sanctions. Any change in the treatment plan and/or sanction are enforced and reinforced by Judge Hemmeter.

The imposition of sanctions is at the sole discretion of Judge Hemmeter, and sanctions may be modified based upon the facts of the individual situation and/or the recommendation of the treatment team. 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 court appearances and treatment appointments;
- ✓ Failure to follow program rules;
- ✓ Failure to keep scheduled appointments with the Mission Court Coordinator/Probation Officer, Veteran Mentor, or any treatment team member;
- ✓ Non-compliance with other requirements of the treatment plan;
- ✓ Non-compliance with random alcohol and drug screens or testing positive for alcohol and/or drugs;
- ✓ Failure to improve troublesome behavior;
- ✓ Failure to meet employment or vocational goals as determined by the treatment team; and
- ✓ Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.

The following are types of sanctions:

- ✓ Warnings and admonishment from Judge Hemmeter;
- ✓ Increasing frequency of alcohol and drug testing;
- ✓ Increasing court appearances;
- ✓ Denying specific requests, such as permission to travel;
- ✓ Denying additional or expanded privileges or rescinding privileges previously granted;
- ✓ Increasing supervision contacts and monitoring requirements;
- ✓ Individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- ✓ Imposition of suspended fines and/or financial sanctions;
- ✓ Requiring community service;
- ✓ Escalating periods of jail;
- ✓ Last Chance Agreement (**See Appendix 11 Last Chance Agreement**);
- ✓ Filing of probation violation; and
- ✓ Terminating Veteran from the Mission Court.

CHAPTER 6: PROGRAM COMPLETION

Criteria for Successful Completion

Successful completion criteria are the guidelines used to identify how Veterans effectively satisfy Mission Court requirements. In order to successfully complete requirements, the Veteran must demonstrate compliant behaviors and accomplishments which may include, but is not limited to the following:

Compliant behavior:

- ✓ Demonstrating a period of abstinence from alcohol and drugs;
- ✓ Attending sober support group meetings as required;
- ✓ Displaying a change in thinking, attitude, and beliefs;
- ✓ Maintaining consistent employment;
- ✓ Demonstrating ability to identify and eliminate criminal thinking patterns;
- ✓ Completing required community service hours; and
- ✓ Satisfying all fines, court costs, and restitution and treatment costs, if applicable.

Accomplishments:

- ✓ Completing all Mission Court program requirements;
- ✓ Completing all treatment requirements and programs;
- ✓ Developing an effective relapse prevention plan;
- ✓ Actively participating in a sober support group demonstrated by serving as a sponsor;
- ✓ Obtaining a vocational certificate or college degree;
- ✓ Obtaining a career;
- ✓ Obtaining permanent, stable housing;
- ✓ Displaying responsibility for his or her behavior and a change in thinking, attitude, and beliefs ; and
- ✓ Becoming a contributing member of the Delaware community.

Upon request of the Veteran through submission of a petition (**See Appendix 12 Petition to Graduate**), the treatment team will review compliant behaviors and accomplishments and make a recommendation to Judge Hemmeter regarding successful completion. Judge Hemmeter has discretion to determine when the Veteran will successfully complete the program. Upon successful completion, the Veteran shall participate in a graduation ceremony hosted by the court and receive a certificate of completion and a “mission” coin. Depending on the original sentence, the Veteran may have his or her jail sentence suspended or, if he or she is in a diversion program, the charges may be dismissed.

Termination Classifications

There are two types of termination classifications in the Delaware Mission Court—unsuccessful termination and neutral discharge.

Judge Hemmeter has discretion in determining termination from the Delaware Mission Court in accordance with the written criteria.

Unsuccessful Termination

Criteria for unsuccessful termination may include:

- ✓ On-going noncompliance with treatment or resistance to treatment;
- ✓ New serious criminal convictions;
- ✓ A serious program infraction or series of infractions; and
- ✓ A serious probation violation or series of probation violations.

Consequences for unsuccessful termination may include:

- ✓ Loss of future eligibility for the specialized docket;
- ✓ Further legal action;
- ✓ Loss of diversion status for the offense, if applicable; and
- ✓ Revocation of probation and imposition of the original jail sentence.

Upon the determination that a Veteran is being considered for unsuccessful termination from the Mission Court, a hearing is scheduled before Judge Hemmeter and notice to appear is sent to the Veteran and his or her attorney. At the conclusion of the hearing, if Judge Hemmeter finds that the Veteran shall be unsuccessfully terminated from the Mission Court, any jail sentence and fines suspended may be imposed.

Neutral Discharge

A Veteran may be neutrally discharged from the Mission Court if the Veteran is no longer capable of completing the program as a result of the following:

- ✓ Serious medical condition;
- ✓ Serious mental health condition;
- ✓ Death; or
- ✓ Other factors that may keep the Veteran from meeting the requirements for successful completion.

Upon neutral discharge, the case may be placed on a lower level of probation or probation may be terminated.

Inactive or Suspension Status

If any of the following criteria apply the Veteran may be placed on inactive or suspension status.

- ✓ Veteran is placed in a residential facility and cannot be transported for status review hearings.
- ✓ Veteran is in need of additional assessments to determine if the Delaware Mission Court may be beneficial.
- ✓ Veteran has an outstanding warrant for non-compliance from the Delaware Mission Court.

CHAPTER 7: SUBSTANCE ABUSE MONITORING

Veterans' substance use is monitored by random, frequent, and observed alcohol and drug testing protocols (See **Appendix 13 Substance Abuse Monitoring Protocol**). Protocols include policies and procedures for sample collection, analysis, and result reporting. Policies and procedures address elements that contribute to the reliability and validity of the testing process. Substance monitoring is part of the treatment plan. Veterans submit to frequent, random, and observed alcohol and drug screens based upon individualized drug and/or alcohol testing plans. A positive drug test results in an immediate and graduated sanction. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample is treated as a positive test and immediately sanctioned.

Testing may include instant urinalysis drug screens, SCRAM, portable Breathalyzers, use of scientifically validated technology for ethyl alcohol, and/or other devices that are deemed reliable. Urine screens test for many common substances including the Veteran's substance of choice. All testing shall be recorded and maintained for each Veteran for the duration the Veteran is in the Mission Court. Testing will be conducted based on each Veteran's needs.

At intake each Veteran shall submit to a baseline drug and alcohol test and will not be sanctioned based upon the results of these tests. If a Veteran relapses and/or provides a positive drug or alcohol test, the treatment team is immediately informed and may consider an adjustment in treatment and the possibility of sanctions. Any change in the treatment plan and/or sanctions are enforced and reinforced by Judge Hemmeter.

The Delaware Mission Court uses urine screens and other types of tests that allow for laboratory confirmation. Upon a positive test result, the Veteran may contest the results of the urine screen by immediately making a request for a laboratory test and paying the cost of the test. While waiting for the laboratory test, sanctions are not issued. However, if the test result is positive, then a more severe sanction may be issued based upon deception and the use of substances. If the test returns negative, then the laboratory fee will be credited to the Veteran in a manner determined by the court. When contesting a positive result, the Veteran will be immediately transported for a retest.

Random test selection is monitored utilizing the I-Samson software program. I-Samson.net provides true random selection by allowing the Veterans Treatment Court to individualize alcohol and drug testing plans for each participant based on the participant's phase.

I-Samson.net extends the supervision of participants through structured and automated daily contact and creates true, random testing. Participants are required to call the I-Samson automated phone line daily to determine if they are selected for drug testing. Participants will be tested sufficient to include their primary substance of dependence, as well as a sufficient range of common substances.

At each treatment team meeting, the results of substance monitoring tests will be provided to all treatment team members. Judge Hemmeter is immediately notified when a Veteran tests positive, fails to submit to a test, submits an adulterated sample or sample of another individual, or dilutes the sample. Immediate sanctions will be issued.

Veterans are responsible for calling the I-Samson system each day during the specified timeframe and submitting to drug and/or alcohol tests. These responsibilities include all of the following:

- ✓ Traveling to the testing location during the hours indicated;
- ✓ Promptly arriving for testing; and
- ✓ Producing a sample within a specified timeframe.

Testing by Outside Agency

Testing may be done by collaborative agencies. These agencies agree to follow the Delaware Mission Court alcohol and drug testing protocols. The agency testing the Veteran will immediately notify the Mission Court Coordinator/Probation Officer of the outcome of all tests. Judge Hemmeter will be notified immediately when a Veteran tests positive, fails to submit to a test, submits an adulterated sample or sample of another individual, or dilutes the sample.

CHAPTER 8: PROFESSIONAL EDUCATION

The Delaware Mission Court assures continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation and operations. Treatment team members are responsible for attending ongoing continuing education on a variety of topics such as:

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

Treatment team members are encouraged to attend the Supreme Court of Ohio's Specialized Dockets Practitioner Network trainings and meetings.

New Treatment Team Members

Treatment team members agree to serve for a minimum of one year. The Delaware Mission Court has prepared procedures for the transition of new treatment team members. New members are provided detailed information outlining their specific roles and responsibilities, in addition to the program description and participant handbook.

New treatment team members also are invited to observe the status review hearings to provide familiarity with the operations of the program.

Mentor Court and Yearly Site Visit

The Delaware Mission Court maintains a mentor court relationship with Stark County Honor Court and the Youngstown/Mansfield Municipal Veterans Treatment Court. The treatment team will build a relationship with the mentor court and annually visit the court to exchange experiences whenever possible.

Program Operations Review

At least once a year, an assessment of treatment team functionality, as well as a review of policies, procedures and overall program functionality will be conducted.

CHAPTER 9: EFFECTIVENESS EVALUATION

Judge Hemmeter's plan for evaluating the effectiveness of the Delaware Mission Court follows.

Supreme Court Reporting Data

The Delaware Mission Court will comply with reporting data as required by the Ohio Supreme Court. The data will be collected and maintained by the Mission Court Coordinator/Probation Officer. The data collected will include, but is not limited to the following:

- ✓ Number of defendants referred;
- ✓ Number of Veterans accepted;
- ✓ Number of Veterans successfully completed;
- ✓ Number of Veterans unsuccessfully terminated; and
- ✓ Number of Veterans neutrally discharged.

On-going Data Collection

The Delaware Mission Court shall engage in on-going data collection in order to evaluate whether the program is meeting its goals and objectives. In order to protect the confidentiality of Veterans, identifying information will be precluded in the collection of data.

Delaware Mission Court Program Description Appendix

Appendix 1: Program Description Agreement Signature Page

Appendix 2: Advisory Committee Roster

Appendix 3: Participant Handbook

Appendix 4: Participation Agreement

Appendix 5: Delaware Mission Court Eligibility Packet, which includes the following:

- Assessment Form;
- Consent to Release Personal Information; and
- Application for the Delaware Mission Court.

Appendix 6: Journal Entry Transferring Case to the Delaware Mission Court

Appendix 7: Treatment Team Roster

Appendix 8: Veterans Status Review Report

Appendix 9: VA Medical Center Brochure

Appendix 10: Treatment Provider Brochure(s)

Appendix 11: Last Chance Agreement

Appendix 12: Petition to Graduate

Appendix 13: Substance Abuse Monitoring Protocol

APPENDIX 1