

# **BUTLER COUNTY AREA COURTS MENTAL HEALTH PROGRAM SPECIALIZED DOCKET**



"Healing the mind, Healing the person"

## **PARTICIPANT HANDBOOK**

**Judge Courtney Caparella-Kraemer**  
Butler County Area Courts  
9577 Beckett Rd.  
West Chester, Ohio 45069  
Phone: (513) 867-5070  
Fax: (513) 777-0558

**BUTLER COUNTY AREA COURTS**  
**Judge Courtney Caparella-Kraemer**

## TABLE OF CONTENTS

Welcome and Introduction	3
TAC Program Eligibility	5
Legal Criteria	6
Disqualification Factors	6
Clinical Criteria	7
TAC Program Entry	8
Referral Process	8
Pre-Screen Process	9
Legal Eligibility	9
Clinical Assessment	9
Program Admission	10
Supervision Requirements	11
General & Specific Conditions of Community Control	12
Treatment Requirements	13
Release	13
Other Services	14
TAC Program Treatment Team	14
TAC Status Review Hearings	15
Phases	15
Phase I	16
Phase II	16
Phase II	17
Completion Criteria	17
Incentives	18
Graduated Sanctions	18
Termination	20
Exit from TAC Program	21
Substance Use Monitoring	21
Telephone Numbers	24
Notes	25
Appointments/Hearing Dates	27

## Welcome & Introduction

Welcome to the Butler County Area Courts Treatment Alternative Court (TAC) Program, a specialized docket. The TAC Program focuses on the appropriate and necessary treatment of seriously mentally ill, non-violent misdemeanor offenders charged with offenses in the Butler County Area Courts. In lieu of traditional punishment such as jail, the TAC Program provides an opportunity for Participants diagnosed with a serious mental illness to receive effective evidence based intervention, court monitored treatment and supervision to avoid the criminalization of mental illness, reduce recidivism and empower the Participant to live a clinically stable and law-abiding life. Some of the goals of the TAC Program include:

- Diverting non-violent offenders out of the traditional criminal justice track
- Reducing the length of jail confinement for Participant's with serious mental illness
- Improving the mental health and well-being of Participants
- Increasing access to appropriate treatment
- Improving public safety by reducing recidivism
- Relieving jail overcrowding

There are several people who will be working with you throughout the TAC Program. You may not see them all the time, but they will be reviewing your progress and letting Judge Courtney Caparella-Kraemer know if there is something else you should do to help improve your mental health and remain a law-abiding citizen. These people meet often and are known as the TAC Treatment Team. They, along with Judge Courtney Caparella-Kraemer, welcome you to the TAC Program and look forward to helping you along the journey to improved mental health and the avoidance of future interaction with the criminal justice system.

While in the TAC Program you are required to receive on-going mental health treatment along with on-going supervision from the Court and TAC Treatment Team. Court supervision will be conducted by way of scheduled and/or unscheduled visits to your residence, treatment provider, workplace, etc. Supervision will be performed by the TAC Case Manager and/or TAC Community Control Officer assigned to you. A retained attorney or public defender will continue to represent your legal interests throughout your participation in the TAC Program.

This Participant Handbook details your rights and responsibilities in the TAC Program. It has been written to help you successfully complete the requirements of the TAC Program. **Please read it carefully.** If you have any questions about its contents, please ask your TAC Case Manager, TAC Community Control Officer, Attorney or Judge Courtney Caparella-Kraemer.

In this Participant Handbook, you will find specific information about the TAC Program requirements, rules and guidelines, community control and treatment. There are three phases and you will be expected to meet the requirements of each of the phases. You will move through each phase as you make progress and accomplish case plan objectives. There will be information regarding what specific things you must do to complete each phase of the TAC Program. If you fail to comply with the rules of the TAC Program, specific sanctions can and will be imposed.

You may have some preliminary questions about the TAC Program so we will try to answer them:

### **What benefit do I get from the TAC Program?**

The TAC Program is designed to help you with your mental health issues. People who have completed the TAC Program report they:

- Live a drug free lifestyle
- Have improved family and social support
- Enjoy a healthier, medically stable lifestyle
- Obtain stable housing and reliable transportation
- Gain access to treatment

### **What resources will be available to help me with my mental illness issues?**

There are many resources that are available to help you:

- Diagnosis and access to mental health treatment services through Access Counseling Services.
- Access to a range of alcohol/drug treatment and rehabilitative services if necessary.
- Case management services through Access Counseling Services to assist with linking you to local services such as employment, educational or vocational opportunities, housing assistance, transportation services, and physical and/or dental services to improve your life and help you to successfully complete the TAC Program.
- Rewards throughout the TAC Program for meeting certain milestones.
- Relationships with the TAC Program Treatment Team members – including Judge Courtney Caparella-Kraemer, TAC Case Manager, TAC Program Coordinator, TAC Community Control Officer, treatment professionals and others.

### **What are the basic requirements of the TAC Program?**

- No alcohol or illegal/mood altering drugs
- Attend required TAC Status Review Hearings before Judge Courtney Caparella-Kraemer
- Attend all appointments with your Access Counseling Services Case Manager or other case management services
- Attend all appointments with Access Counseling Services and other service providers
- Attend all appointments with your TAC Community Control Officer
- Take prescribed medications as prescribed
- Follow recommendations of the treatment provider
- Submit to frequent and random alcohol and drug screens
- Work when able
- Pay fines, costs and restitution as ordered. Participants will not be excluded based on their ability to pay fines and costs.
- No further violations of the law...stay out of trouble
- Comply with sanctions from any TAC Program violations
- Comply with all TAC Program requirements

## **How long will it take me to complete the TAC Program?**

The TAC Program starts the day you are sentenced in Court. The approximate length of time is from 12 to 24 months depending on the treatment plan and the resources that must be developed. The minimum TAC Program length is one (1) year. It is possible for Participants to be involved in the Program longer than 24 months as determined by the TAC Treatment Team. The length of the TAC Program differs for each Participant and is directly related to individual progress toward treatment goals and compliance with TAC Program rules and recommendations. Some people have difficulty complying with the TAC Program requirements. They may use alcohol or drugs, fail to take medications as prescribed, fail to follow the recommendations of the treatment provider, or take too long to complete certain parts of the program. There is no guarantee that you will complete the TAC Program in one (1) year. Participants are entitled to a hearing with full due process rights with counsel present before the Court extends their probation terms.

The TAC Program is broken down into three (3) phases. You will work through each phase as you make progress and accomplish your case plan requirements.

After graduation you will continue to report to your TAC Community Control Officer as ordered. It is possible after you graduate that you could be placed on non-reporting community control if you do exceptionally well in the TAC Program. Judge Courtney Caparella-Kraemer will make the decision on your reporting status after considering your progress and achievements in the TAC Program.

## **How much does it cost to participate in the TAC Program?**

There may be some costs associated with participating in the TAC Program if it is determined you are able to pay. There is a supervision fee of \$25.00 per month for each month you are sentenced to reporting community control. This fee will be assigned to your case as court costs. Participants will also be responsible for court costs and random drug testing that may be required. Additionally, if deemed necessary there is a \$96.00 fee for a drug/alcohol assessment.

You may also be responsible for other services as ordered by Judge Courtney Caparella-Kraemer. Some of the services that may result in a direct cost to you are laboratory drug test confirmation, SCRAM (secure continuous remote alcohol monitoring), electronic monitoring, and any damages or loss of the SCRAM or electronic monitoring equipment.

You will be responsible for treatment costs which vary depending on your income and insurance coverage; the payment of any restitution, fines, court costs and community control service fees ordered by the Court.

## **TAC Program Eligibility**

The TAC Program is not for everyone. It is a voluntary program as well as a long-term commitment for individuals willing to work toward improved mental health and, if applicable, substance abuse issues. Admission is without regard to your race, national origin, age, gender, or sexual orientation. Participants will not be excluded from TAC Program based in their ability to pay fines or costs. (per Ohio Standard 13) <https://www.supremecourt.ohio.gov/JCS/specDockets/guidanceConstitutionalStandards.pdf>

Your offense may be reduced or dismissed upon successful completion of the TAC Program.

A person who is interested in participating must meet both legal and clinical criteria before admission into the TAC Program. You will be evaluated for a number of conditions including drug, alcohol, neurological and mental health conditions. These factors are all considered when determining if participation in the TAC Program will enhance your ability to lead a medically stable, law-abiding life.

There is no right to participate in the TAC Program.

### **Legal Criteria**

The TAC Program was created for individuals who have been charged with a crime in the Butler County Area Courts. The legal factors include: the nature of the current charges, criminal history, outstanding warrants, and other factors which relate to public safety. Other requirements include:

- Butler County resident and able to enroll in treatment as deemed clinically appropriate. (out of county offenders will be considered on a case-by- case basis)

### **Disqualification Factors**

Some things may keep you from participating in the TAC Program, but that does not mean you would not be eligible for other programs offered by the Court to help you improve your mental health. The factors that may disqualify you from participating in the TAC Program include:

- History of violent offenses
- Pending felony charges
- Sex offenses
- Previous prison and/or parole history
- Currently on post release control or felony supervision
- Substantial drug abuse history
- Receiving developmental disability services or eligible for services
- Significant drug related charges
- Highly resistant to following treatment plans in spite of previous interventions and/or punishments

Cases are reviewed on an individual basis to determine the extent and circumstances of the disqualification factors versus the need to participate in the TAC Program. Those cases declined for acceptance into the TAC Program remain on the Court's Regular Docket. Preliminary case plans and recommendations are given for individuals denied access to the TAC Program; i.e.: intensive supervision community control, regular reporting community control, and electronic monitoring, if needed.

Those being considered for the TAC Program who have pending felony charges or have been convicted of a felony offense can be eligible to participate in the TAC Program on a case-by-case basis as determined by the TAC Treatment Team. The following factors are considered when determining eligibility:

- Whether felony conviction was a non-violent offense
- If felony conviction was a violent offense, is the date of conviction within a five (5) year period from the date of the instant offense

- The facts, behavior and/or circumstances indicate that the offender may be moderate to low risk of committing a similar felony offense; and/or
- You have responded positively to felony supervision and then you should respond positively to incentives and graduated sanctions

### **Clinical Criteria**

After determination of legal eligibility, clinical eligibility is considered. There are three eligibility criteria:

1. The offender must have an diagnosis that is consistent with a severe and persistent mental illness. These diagnosis include, but are not limited to, the following:
  - Schizophrenia or other psychotic disorder
  - Mood disorders
  - Obsessive-Compulsive Disorder
  - Post-Traumatic Stress Disorder
  - Dissociative Disorder
  - Factitious Disorder
2. The offender must be stable enough to understand and comply with the TAC Program requirements.
3. The offender must not pose an unacceptable risk to the TAC Treatment Team or the community.

Offenders with personality disorders may also be considered for inclusion.

The following conditions must also be met:

1. The offender must be amenable to mental health treatment and acknowledge a willingness to take medication, if prescribed.
2. The support and services needed by the offender must be available.
3. The offender will participate in the development of a written treatment plan to include all support and services needed to lead a law-abiding life and to manage mental health and substance abuse issues.
4. The offender must be competent to enter the TAC Program, as entrance is voluntary.

The TAC Treatment Team will review and recommend each potential candidate prior to admission into the TAC Program. The following personal factors also assist in the selection process to identify candidates for eligibility:

- Acknowledgement that untreated and/or undiagnosed mental illness has had a negative consequence in their life
- Recognition that case management services will improve their quality of life
- Responsiveness to positive incentives and graduated sanctions imposed by the Court

- Honestly wants to work toward recovery and displays a motivation to change their behavior
- Approval from victim, if any
- Willingness to participate in drug/alcohol treatment if deemed necessary

Individuals who do not have the developmental capacity to complete the TAC Program will be excluded.

All screening and assessments for treatment determinations will be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

A Participant that would benefit from intensive court-monitored treatment is included in the TAC Program as a condition of their community control. A guilty plea and conviction will be entered; sentence will be imposed and suspended with the Participant being placed on community control. The written treatment plan is incorporated into the conditions of community control.

The criteria, both clinical and legal, may be reviewed periodically based upon TAC Program experience and resources.

### **TAC Program Entry**

Identification of TAC Program candidates is the first step for entry into the TAC Program. The procedure is easy and can be used at any stage of your legal proceedings.

### **Referral Process**

Potential candidates are generally identified during the arraignment, pre-trial and sentencing stage. Only Judge Courtney Caparella-Kraemer can refer individuals to the TAC Program. Preliminary factors make it possible for Judge Courtney Caparella-Kraemer to use a “bench test” to make early findings whether or not to make a referral. The prosecutor, defense counsel, arresting officer, TAC Community Control Officer, family member, victim and you may ask for a referral to the TAC Program. You do not have a right to be referred to the TAC Program.

If referred, you are required to sign a Consent and Waiver Form to be screened to determine eligibility. Your attorney will review this Participant Handbook with you and review all TAC Program expectations. Your court case will be continued for about fourteen (14) days while eligibility is determined.

You can also be referred to the TAC Program as the result of a community control violation. The TAC Program is used as an alternative to jail for eligible offenders.

### **Pre-Screening Process**

All referrals are pre-screened by the TAC Community Control Officer to determine if you are a potential candidate prior to scheduling and completing a mental health evaluation and, if appropriate, substance abuse assessment. The screening process allows needed information to be collected about you and your case:

- |                    |                           |
|--------------------|---------------------------|
| ▪ Criminal history | ▪ Family                  |
| ▪ Residency        | ▪ Medical                 |
| ▪ Education        | ▪ Substance abuse history |
| ▪ Employment       | ▪ Mental health history   |

The pre-screen appointment is usually scheduled with the TAC Community Control Officer within two (2) weeks of your referral. A risk and needs assessment will also be completed during this appointment – it will help determine the level of supervision and quantity/type of services you may need. You will also be drug screened at the time of the pre-screen. Testing positive at the pre-screen will establish a base-line and be used to develop an individualized testing and treatment program for you.

### **Legal Eligibility**

The pre-screening interview and investigation helps to screen potential candidates who may not meet the legal criteria and eligibility for placement into the TAC Program.

The pre-screen includes available collateral information to ensure accuracy of the assessment. All mitigating and aggravating circumstances of current or prior court involvement are also evaluated. The circumstances of prior juvenile adjudications and the age of the Participant are examined when deciding eligibility. High risk or repeat offenders are considered for inclusion. The age of prior potential disqualifying offenses are considered.

If competency is in question, then a forensic assessment will be completed to determine if you are legally competent to participate in the TAC Program.

### **Clinical Assessment**

If you are found to meet most of the legal criteria to participate in the TAC Program, you will be scheduled for a mental health assessment at Access Counseling Services. You need to bring with you for this appointment:

- Proof of residency
- Proof of income
- Current paycheck stub, if any

For those individuals considered for early release from jail, the screening and assessment can be completed at the Butler County Jail.

The mental health assessment will help to determine what treatment you require. Your individualized treatment plan will be determined by this assessment and may be adjusted to better suit your individual needs and requirements. This assessment will include:

- History of alcohol and drug use which includes arrests, past use and prescription medications
- Prior and current mental health treatment, both in-patient and out-patient
- Current diagnostic impressions
- Case plan recommendations regarding need to participate in the TAC Program and recommendations for other services

If you are unable to keep your appointment for the mental health assessment, please call:

Access Counseling Services  
(513) 649-8008

Missed appointments and tardiness will not be tolerated. It is very important that you keep these appointments. If the assessment is not completed you will not be able to complete the entire eligibility process required to participate in the TAC Program and, as a result, you may not be considered for the TAC Program.

### **Program Admission**

Admission to the TAC Program is determined by Judge Courtney Caparella-Kraemer following a recommendation for acceptance by the TAC Treatment Team. The Judge has discretion to decide admission into the TAC Program in accordance with the written eligibility criteria. The written legal and clinical eligibility criteria do not create a right to enter the TAC Program. Even if you are eligible, entrance to the TAC Program may not be offered. There is no right to participate. The Judge is the final decision maker on acceptance into the TAC Program.

Once Judge Courtney Caparella-Kraemer determines that you should be offered TAC Program entry, the case is scheduled for sentencing on the TAC Program Status Review Hearing Docket. You will have notified the TAC Community Control Officer prior to the time of sentencing of your decision to participate in the TAC Program. If you choose not to participate in the TAC Program your case will remain on the Court's Regular Docket for further proceedings. If you choose to participate in the TAC Program, then Judge Courtney Caparella-Kraemer will sentence you to a term of reporting community control supervision and direct you to successfully participate in and complete the TAC Program and impose other general and specific conditions of reporting community control.

At the sentencing hearing Judge Courtney Caparella-Kraemer will provide you with the date of your first TAC Status Review Hearing. The TAC Participation Agreement will also be reviewed with you and signed by you at the sentencing hearing.

The time frame from referral to the TAC Program to sentencing is about thirty (30) days. At the time of sentencing, Judge Courtney Caparella-Kraemer will ensure that you understand the responses to compliance and non-compliance with the TAC Program requirements including the criteria for termination.

Judge Courtney Caparella-Kraemer may defer the imposition of jail days pending your compliance with the TAC Program. At no time are you guaranteed your jail days will be reduced or that your charge(s) will be reduced or dismissed.

### **Supervision/Case Management Requirements**

In addition to your TAC Case Manager you will be assigned a TAC Community Control Officer. Your first appointment with your TAC Community Control Officer is scheduled within fourteen (14) days of sentencing.

During this meeting the court sanctions are reviewed including jail sentence, fines/costs, length of community control term, and general/specific conditions of community control. At this time, the TAC Community Control Officer may again review the Participation Agreement, the Substance Abuse Monitoring Agreement, the Substance Abuse Policy, Status Review Waiver and Confidentiality Agreement, fine/cost payments, electronic monitoring, and the release of information forms to provide communication about confidential information, participation/progress in treatment and compliance with TAC Program requirements and the "Health Insurance and Portability Act of 1996". You should have reviewed this Participant Handbook prior to that first meeting. You are encouraged to ask questions in order to understand your rights and responsibilities while participating in the TAC Program.

All TAC Program Participants are required to take drug tests as ordered. These tests are random, frequent and observed. If you test positive for drugs during the testing process, and believe the results are incorrect, you have the right to request the sample be sent to the laboratory for further testing. You must request confirmation testing in writing within 24 hours of specimen collection. A fee per drug tested is charged by the laboratory for the service.

If your test returns negative from the laboratory, you are issued a refund of the fee and there is no penalty from the Court. However, if the original results are correct, you are to be present at the next scheduled TAC Status Review Hearing to address this situation with Judge Courtney Caparella-Kraemer for possible sanction. Also, you will not receive a refund of the fee.

During case management and community control appointments your contact information is confirmed. You are to immediately notify your TAC Case Manager and TAC Community Control Officer of any changes in address, phone number, or employment status. It is important that you give correct phone numbers and addresses.

You can be ordered to meet with the TAC Community Control Officer, TAC Case Manager or appear before Judge Courtney Caparella-Kraemer more frequently when not following TAC Program rules. Examples of behavior that could result in increases in contact with the TAC Community Control Officer, TAC Case Manager and/or Judge include: frequently re-scheduling or missing appointments, TAC Program Status Hearings or treatment groups, suspicion of drug or alcohol use, charged with a new offense, not completing community service hours as directed, failing to look for employment if ordered, not paying on fines/costs/restitution as ordered or not completing TAC Program requirements as expected.

### **General & Specific Conditions of Community Control**

TAC Program Participants are required to follow the general conditions of reporting community control:

1. Observe all Federal, State, County and City laws and refrain from committing any violations. You will report any arrest, citation for the violation of the law, conviction or any other contact with law enforcement to the TAC Community Control Officer within 24 hours of the event.
2. You will be subject to house arrest and curfew with or without electronic monitoring.
3. You will not use non-prescribed narcotics or illegal chemicals, and consent to toxicology testing to determine if you have violated this condition.
4. You will report to your TAC Community Control Officer as directed.
5. You shall notify your TAC Community Control Officer immediately of any change in your place of residence.
6. You will not leave the State of Ohio without prior written permission from the TAC Community Control Officer.
7. You will work regularly at a job to the best of your ability. When out of work, you shall notify your TAC Community Control Officer immediately of any employment changes.
8. You will provide all information regarding your financial status to the TAC Community Control Officer and the treatment agency to assist in determining my ability to pay specific financial obligations.
9. You will cooperate with your TAC Community Control Officer and accomplish all case plan objectives which are now and will be set for you throughout your community control period.
10. You will be subject to random search and seizure of your person, motor vehicle, or place of residence without a warrant by your TAC Community Control Officer or other authorized representative of the TAC Program.

11. Pay fines, costs, community control service fees and restitution as directed and per a schedule set up by the TAC Community Control Officer.

Participants are also subject to specific reporting community control conditions which may include, but are not limited to, the following:

1. Attend TAC Status Review Hearings as ordered.
2. No alcohol or illegal drug use.
3. Stay out of bars and any business which gets most of their money from selling alcohol if ordered.
4. Successfully complete substance abuse treatment as ordered.
5. Attend and participate in all mental health treatment sessions.
6. Attend support group meetings as ordered.
7. Submit to frequent, random and observed toxicology screens. You understand that if you fail to submit to a drug screen, tamper with the urine specimen, if the urine is diluted, or if you fail to provide a sufficient quantity of urine, you will be sanctioned as if the test is positive for illegal substances.
8. Submit to a breathalyzer test if requested or if you fail to provide a sufficient breath sample, will be sanctioned as if the test was positive for alcohol.
9. Complete community service as ordered.
10. Follow all rules and conditions, participate and successfully complete the TAC Program.
11. Wear a SCRAM (secure continuous remote alcohol monitoring) bracelet, if ordered.
12. Comply with electronic monitoring, if ordered.
13. Participate in vocational/educational or employment service agencies training as ordered.
14. Earn a GED or high school diploma as ordered.
17. Consent to the release of health, mental health, and chemical dependency information as permitted under state and federal law.
18. Enter into and complete inpatient and/or outpatient substance abuse treatment and counseling as ordered, including any aftercare requirements, and to pay the treatment provider for costs not paid by government or other sources.
19. Not associate with anyone known to be actively involved in the sale or use of illegal drugs.
20. Not associate with any persons who have a criminal background and/or persons who could influence you to engage in criminal activity without prior permission from the TAC Community Control Officer.
21. You will not become romantically or sexually involved with another Participant in the TAC Program.

### **Treatment Requirements**

The TAC Program has partnered with Access Counseling Services to provide various services to you including case management. Access Counseling Services offers a variety of services that are gender responsive and culturally appropriate and designed to meet the individual treatment needs of its clients. Access Counseling Services is accredited and operates in compliance with the Ohio Department of Mental Health (ODMH).

The services provided include registration/intake, assessment, developing a treatment plan, group therapies, individual sessions, programming to address those individuals diagnosed with co-occurring disorders, medication and medication monitoring.

You agree to follow the recommendation of the treatment provider and give your treatment provider notice of any sanction issued as a result of non-compliance in the TAC Program. You are expected to participate in all treatment sessions, not merely attend them.

You understand that if you are running late or unable to attend a treatment session, you will call your treatment provider immediately. You may be asked to provide documentation in order to obtain an excused absence. Any missed sessions due to illness will require a doctor's note. You must inform your TAC Case Manager immediately of any absences/tardiness of treatment sessions.

### **Releases**

You are required to sign releases of information/exchange of information to, from and between the following:

Judge Courtney Caparella-Kraemer  
TAC Community Control Officer  
Treatment Provider(s)  
TAC Case Manager  
Other Court Staff

You understand that if you revoke any release of information it will result in your termination from the TAC Program.

### **Other Services**

Resources are available to address employment, education, and vocational training at Work Force One Employment Solutions.

Many TAC Program Participants have limited transportation resources. These individuals are provided with contact information and financial assistance information to utilize any public transportation that may be available.

Participants with housing concerns are encouraged to contact the Butler Metropolitan Housing Authority.

### **TAC Program Treatment Team**

As a Participant in the TAC Program you will have a treatment team that will work with you. The TAC Treatment Team assumes a collaborative rather than adversarial role which includes contributing to individualized treatment case plans and developing incentives and sanctions to monitor and modify a Participant's behavior. Each member of the TAC Treatment Team has different duties and responsibilities as follows:

**Judge Courtney Caparella-Kraemer** - leads the TAC Treatment Team, makes the final decisions concerning your involvement in the TAC Program, and discusses your progress with you at the TAC Status Review Hearings.

**Assistant Prosecutor Phil Yowler** – responsible for advising the TAC Treatment Team of relevant information regarding you, i.e. new police contact, bond violation filings and prescreening candidates for the TAC Program on current and past criminal charges.

**Public Defender (Anna Mallory) /Private Attorney** – acts as an advocate for your legal interests and makes referrals for consideration as a TAC Participant.

NOTE\* Public Defender attends all TAC Treatment Team Meetings and TAC Status Review Hearings.

**TAC Program Coordinator Larry Withrow** - acts as a central contact for any questions and is responsible for tracking all statistical information.

**TAC Community Control Officer Brian Karol** – responsible for completing pre-screening, monitors your community control compliance, conducts random drug/alcohol tests and provides progress reports to the TAC Treatment Team.

**Treatment Provider Access Counseling Services or Other Approved Provider-** responsible for providing initial mental health and substance abuse assessments. They also provide mental health and substance abuse treatment, evaluate needed services, develop your individualized service plan, and provide treatment updates and recommendations.

**TAC Case Manager Sharon Perry, LISW Master Level** - meets with you, ensures treatment compliance and assists in obtaining all necessary services.

Each of the TAC Treatment Team members discuss incentives or sanctions, phase advancement, and successful completion or termination at the TAC Treatment Team Meetings. TAC Treatment Team discussions are confidential and only shared when necessary for the benefit of a Participant. The TAC Treatment Team will meet bi-weekly or more frequently to discuss your case and the progress you have made. You do not attend the TAC Treatment Team Meeting. You have the right to request that your defense counsel be present during the portion of the TAC Treatment Team Meeting when your case is discussed. It is your responsibility to contact defense counsel for attendance at TAC Treatment Team Meetings. Between TAC Treatment Team Meetings the TAC Treatment Team engages in on-going communication by e-mail and/or telephone about each Participant's overall performance.

### **TAC Status Review Hearings**

TAC Status Review Hearings are held on Tuesday, twice a month at the Butler County Area III Court. Hearings normally start at 3:00 pm., unless otherwise noted. TAC Status Review Hearings are attended by the Judge, TAC Community Control Officer, TAC Case Manager, a representative from Access Counseling Services, you, and when requested by you, your defense counsel.

The TAC Status Review Hearing is the time when you appear in front of Judge Courtney Caparella-Kraemer to discuss your progress for the reporting period. All TAC Program Participants present for review are required to endorse a Status Review Waiver and Confidentiality Agreement form during their TAC Status Review Hearing. This document explains that during the proceeding, in open Court, your progress and participation will be discussed. Discussion may also include treatment information covered by confidentiality requirements of Part 2 of Title 42 of the Code of Federal Regulations which requirements you waive for the purpose of open court reviews with respect to everyone present in the courtroom. Further, the form explains that defense counsel may not be present at the hearing unless specifically requested by you. You have the right to have counsel present at the TAC Status Review Hearings.

Prior to the initial TAC Status Review Hearing, you will be introduced to the TAC Treatment Team members. It is important that you be on time to all hearings.

There will be direct interaction with Judge Courtney Caparella-Kraemer throughout the TAC Status Review Hearing in order to review your progress. You should be prepared to answer questions about

treatment attendance and topics, employment, housing, and fines/costs payments. Incentives will be given to recognize certain accomplishments. Sanctions will be given to address TAC Program violations. The failure to attend a TAC Status Review Hearing, unless excused, will result in the issuance of a warrant for your arrest.

## **Phases**

Phases are the steps in which your performance and progress through the TAC Program are monitored. These phases are used as guidelines that can be modified to meet your specific circumstances and needs. You can move in and out of phases from the most restrictive to the least restrictive. Phase advancement is based on individual performance, and as recommended by the TAC Treatment Team. Phase advancement is not based on pre-set timelines. Progression through the TAC Program is based on your performance in the treatment plan and compliance with the requirements of the TAC Program.

The time interval between TAC Status Review Hearings is increased or decreased based upon compliance with TAC Program requirements and observed progress.

The supervision guidelines for the TAC Program are designed to impact you over a series of three (3) phases. The initial phase, or Phase I, is the most restrictive. It limits activities and requires strict compliance with TAC Program objectives and community based treatment. Each supervision phase requires attendance at TAC Status Review Hearings, engaging in mental health treatment as soon as possible with continued attendance, attendance at substance abuse treatment if ordered, support group participation, random alcohol and drug testing and payment of restitution, fines and court costs and compliance with court supervision requirements. During Phase I, you will attend TAC Status Review Hearings weekly or as ordered. Phase II requires attendance at TAC Status Review Hearings every two weeks or as ordered. Phase III you will attend TAC Status Review Hearings monthly or as ordered. Supervision and case management plans are created to address criminogenic needs on an individual basis with referrals initiated to the appropriate agency. As you demonstrate compliance with TAC Program directives, you move through the levels of supervision with each phase allowing less restrictive requirements.

**Phase I – Compliance:** While in Phase I, you will receive the most intensive judicial and community supervision. The focus is mental health treatment and compliance with short term goals. Phase I is designed to help you access and begin mental health treatment as well as become familiar with the TAC Treatment Team and expectations. The duration of Phase 1 is 60 or more days. The requirements of Phase I are:

- Attend ordered TAC Status Review Hearings
- Attend meetings with TAC Case Manager and TAC Community Control Officer
- Attend treatment sessions and activities
- Obtain or maintain a psychiatrist and take prescribed medication as directed
- Begin the recommended mental health treatment program
- Submit to alcohol/drug testing as determined by the TAC Treatment Team
- Cooperate with random home visits by the TAC Case manager and/or TAC Community Control Officer
- Engage in support community as ordered
- Abide by rules of the TAC Program, community control and the laws
- Apply for Public Benefits (if applicable)
- Commit no new offenses

**Phase II - Program Engagement:** Phase II is designed to engage you in on-going mental health treatment and work toward positive change by continuing life skill building. You will begin to address the issues that brought you into the TAC Program. During this period, you will begin to develop skills, improve family relationships, and set employment, vocational, and/or educational goals. Based on your progress, required appearances at TAC Status Review Hearings may be reduced. The duration of Phase II is generally 60 to 150 days or more.

The requirements of Phase II include:

- Attend required TAC Status Review Hearings every two weeks or as ordered
- Continue to attend treatment sessions and activities
- Continue to submit and provide negative results to alcohol/drug testing at frequency determined by the TAC Treatment Team
- Continue to cooperate with random home visits by the TAC Case Manager and/or TAC Community Control Officer
- Continue to engage in support community as ordered
- Continue to abide by rules of the TAC Program, community control and the laws
- Continue to meet with TAC Community Control Officer and TAC Case Manager as ordered
- Commit no new offenses
- Engage with housing, educational, vocational, and employment service agencies as ordered
- Participate in a support community, if ordered;

**Phase III – Growth and Development:** You will gain more independence during this phase and will be expected to begin planning for achievement of long-term goals. Phase III is focused on developing self-sufficiency. You will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, and/or vocational plans. This phase is material as you put into practice everything learned in the first two phases and you will be able to demonstrate on-going stability. The requirements of Phase III are:

- Continue to attend required TAC Status Review Hearings as ordered
- Maintain a psychiatrist and take prescribed medications as directed
- Continue to attend treatment sessions or programming sessions and activities
- Enroll in educational courses if needed (GED, vocational, etc.)
- Provide proof of exploring employment, volunteer positions or regular positive social activity not related to treatment (church, clubs, sports, community service, etc.)
- Continue to submit and provide negative results to alcohol/drug testing at frequency determined by the TAC Treatment Team
- Continue to cooperate with home visits by TAC Case Manager and/or TAC Community Control Officer
- Continue to engage in support community as ordered
- Continue to abide by rules of the TAC Program, community control and the law
- Meet with TAC Community Control Officer and TAC Case Manager as ordered
- Commit no new offenses
- Continue to engage with housing, educational, vocational, and employment service agencies as ordered
- Obtain stable housing

## Completion Criteria

Successful completion criteria are the guidelines used to identify how you can successfully complete the TAC Program. In order to graduate you must complete all TAC Program phases, complete your treatment plan and be in compliance with your Court supervision.

Following the review of the compliant behavior and accomplishments, the TAC Treatment Team will determine whether to recommend you for graduation. Judge Courtney Caparella-Kraemer has discretion to determine when you will successfully complete the TAC Program and graduate. Upon completing of the TAC Program, legal agreements made pending your completion will be reviewed and acted upon accordingly including the possible reduction or dismissal of charges.

The criteria for successful completion include the following:

- Complete community service hours as directed
- Demonstrate period of abstinence from alcohol and drugs
- Attended healthy support group meetings as directed if dual diagnosis
- Maintain steady employment, if applicable
- Display a change in thinking, attitude and beliefs
- Attended TAC Status Review Hearings and case management/community control appointments
- Attend mental health treatment, actively participate and shows progress in understanding the nature of mental illness
- Demonstrate ability to identify and reduce criminal thinking patterns
- Paid in full fines, court costs, restitution (if applicable), and treatment costs
- If dual diagnosis, maintain a drug and/or alcohol free residence which is confirmed during home visits
- Complete vocational or educational plan
- Demonstrate stability in the community

Graduation from the TAC Program is celebrated with a graduation ceremony. Graduating Participants are encouraged to invite family and friends to attend. The arresting officer for the offense and the Participant's defense counsel are also provided with notice. The event may also be attended by members from the TAC Treatment Team, TAC Advisory Committee, law enforcement, treatment, and legal community.

At the ceremony, Participants are awarded with a completion certificate and receive a gift. At the conclusion of the ceremony, graduates are congratulated by Judge Courtney Caparella-Kraemer and the TAC Treatment Team members, and the audience. Graduates are given an opportunity to make a brief statement about their experiences in the TAC Program and encouraged to offer suggestions for improvement to the TAC Program.

## Incentives

As you progress through the TAC Program and begin to make positive choices, you will receive incentives from the TAC Treatment Team. Incentives may be received for a variety of behaviors and achievements such as attendance at TAC Status Review Hearings, treatment attendance, progress in

treatment, negative drug screens, medication compliance, gaining employment, or sustaining employment. Incentives are individualized according to your specific treatment plan and are directly related to your achievements as certain milestones of your treatment plan are attained.

The following are examples of incentives used by the TAC Program:

- Praise from the bench
- Advancement to a phase
- Reduction in Court appearances
- Reduction in supervision
- Increase in personal freedoms
- Certificates and mementoes
- Reduction in the number of deferred jail days
- Special recognition given in Court
- Placement at the beginning of the docket
- Lengthen the time between Court appearances
- Lengthen the time between community control visits
- Reduction of a fine and/or conversion to community service

Judge Courtney Caparella-Kraemer will dispense rewards as your conduct merits at your TAC Status Review Hearing.

### **Graduated Sanctions**

Just as positive behaviors are rewarded, negative behaviors will also be addressed with immediate, graduated and individualized sanctions. Sanctions are issued when there is non-compliance with TAC Program guidelines and negative or inappropriate behaviors. Sanctions are individualized and are ordered in a progressive manner based upon the severity or frequency of the infraction.

Sanctions are recommended by the TAC Treatment Team for consideration by the Judge. Sanctions are issued according to the seriousness of a violation. The final decision on appropriate punishment is determined by Judge Courtney Caparella-Kraemer. You have the right to request the attendance of your defense counsel when your case is discussed at the TAC Treatment Team Meeting.

Judgment on any sanctioned behavior is guided by an overriding consideration of whether you should be moved back to a more restrictive phase, restart your current phase, complete additional community service hours or be incarcerated. At the time of a positive drug test or episodes of relapse, the TAC Treatment Team may consider an adjustment in the treatment services plan. Any changes in the treatment plan and/or sanction are enforced and reinforced by the Judge.

The range of sanctions developed to address program non-compliance from minor to major violations includes:

- Verbal reprimand
- Community service hours
- Delay of completion of a phase
- Increased reporting requirements
- Increased Court appearances
- Curfews with or without electronic monitoring
- Increased treatment requirements
- Adjustment in treatment services

- House Arrest
- Jail
- Escalating periods of jail
- Community Control Supervision fee and/or fine
- Increased frequency of drug and alcohol testing
- Filing of community control violation
- Warnings and admonishment from the Judge
- No reduction in deferred jail days
- Residential placement
- Individualized sanctions such as writing essays, reading books or performing other activities to reflect upon unacceptable behavior
- Termination from the TAC Program

### **Termination**

Termination from participation in the TAC program is possible.

You will be classified as an unsuccessful termination if you are found to be in non-compliance with the terms and conditions of the TAC Program. Your community control is revoked and other sanctions are imposed including some or all of the entire suspended days of incarceration. Typically, an unsuccessful termination is a result of being found guilty of a community control violation and revoking community control.

Common behaviors that lead to unsuccessful termination include:

- On-going non-compliance with treatment
- Failure to attend TAC Status Review Hearings
- Resistance to treatment
- New serious criminal conviction
- A serious TAC Program infraction or series of infractions
- A serious community control violation or series of community control violations

Circumstances that could merit termination from the TAC Program are discussed by the TAC Treatment Team with the final decision making authority resting with Judge Courtney Caparella- Kraemer. You have the right to request the attendance of defense counsel during any portion of the TAC Treatment Team meeting concerning your case. The Judge has discretion to decide termination from the TAC Program in accordance with the written eligibility criteria.

Termination proceedings occur at a hearing during the TAC Program Status Review Hearing Docket. You have the right to request the attendance of your defense counsel at the proceedings. If terminated from the TAC Program, you could face imposition of the balance of your jail sentence, transfer to an alternative supervision program, placement in a residential treatment program, or other penalties deemed appropriate by Judge Courtney Caparella-Kraemer.

Individuals unsuccessfully terminated from the TAC Program may not participate again in the TAC Program. The written termination criteria do not create a right to participate in the TAC Program.

## **Neutral Termination from the TAC Program**

A participant may be neutrally discharged if the Participant is no longer capable of completing the TAC Program as a result of serious medical conditions, serious mental health conditions and other factors that may keep the Participant from meeting all the requirements for successful completion. (example Stroke or any other devastating illness or injury)

## **Exit from the TAC Program**

After graduation from the TAC Program until the term of reporting community control is terminated, you will focus on maintaining the stability obtained in the three phases of the TAC Program. This time period does not exceed the term of community control to which you were sentenced unless it is extended by the Judge. Graduates are still bound by the same conditions ordered at sentencing with the exception of attending TAC Status Review Hearings. You will remain on reporting community control under the supervision of the TAC Community Control Officer. By the time you graduate, you will have successfully and faithfully adhered to treatment or programming requirements. You may have also integrated structure into your life by obtaining permanent housing; maintaining employment or regularly participating in other vocational activities; maintaining a functional support system; and avoiding additional involvement with the criminal justice system.

The amount of community control involvement and case management will lessen as you demonstrate on-going stability using the tools acquired in the three phases. The TAC Treatment Team will receive information from the TAC Community Control Officer as to your on-going compliance. You will be required to meet with the TAC Community Control Officer once per month or as ordered. With any regression, the TAC Community Control Officer will violate your community control and set the matter before Judge Courtney Caparella- Kraemer for further proceedings.

Graduated Participants are expected to:

- Refrain from any further violations of law
- Remain abstinent from alcohol and drugs
- Submit to random, frequent and observed alcohol and drug screens as ordered
- Submit to random frequent and unannounced home visits
- Pay in full any remaining balance of fines/court costs/restitution, and treatment costs outstanding in any court cases, if applicable
- Complete the balance of any outstanding community service hours
- Continue participation in relevant services such as mental health treatment, substance abuse counseling, employment, educational, or vocational training
- Maintain stable housing
- Identify long term goals with implementation strategies
- Continue to improve family relationships

Throughout the remainder of your community control it is expected that you will maintain a healthy lifestyle and make personal advancements with little supervision.

## **Substance Use Monitoring**

You are required to provide the names, addresses and telephone numbers of your Medical Providers and pharmacies to the TAC Community Control Officer and TAC Case Manager.

The term "Medical Provider" means medical and/or mental health physicians or providers, dentists, chiropractors, treatment or counseling agencies, clinics, urgent care facilities, emergency rooms and hospitals.

You will inform your physician of placement in the TAC Program and participation in a court ordered treatment program. Under normal circumstances, prior to attending any medical appointments, TAC Program Participants will notify the TAC Community Control Officer, provide all contact information for the physician and sign a NOTICE TO PHYSICIAN agreement which allows the TAC Community Control Officer to be notified of any controlled substances that may be prescribed.

You will notify the TAC Community Control Officer and treatment center promptly of any illnesses, injuries, medical or psychiatric conditions that require urgent or emergency treatment or hospital stays.

You will complete all releases of information to permit the treatment agency and TAC Community Control Officer to communicate or receive information from Medical Provider(s) for the purpose of coordinating care.

You will take all prescription medications as directed and report all medications prescribed by the next business day to the TAC Community Control Officer and TAC Case Manager.

The TAC Community Control Officer may require written proof from Medical Providers(s) that they are aware of your community control status, involvement in mental health and/or substance abuse treatment and/or patterns of substance abuse or addiction.

You are required at every appointment with the TAC Community Control Officer to provide proof of any prescribed medications. Proof of prescription medications include: the actual prescription medication(s) in the original packaging – bottles, vials, packets, boxes, etc., and copies of written prescriptions from Medical Provider(s) or prescription printout from the pharmacy filling the prescription – including the reason/condition for the prescription, how the prescription is to be taken, and refill information.

You have the responsibility to inform the TAC Community Control Officer prior to toxicology screens of any illegal drugs, non-prescribed drugs, prescription medications, as well as over-the-counter medications that may show up in a toxicology screen. Further, you understand that it is a violation of your community control and the law to take another person's prescribed medications. Drug and alcohol testing plans are individualized in the TAC Program.

You are required to submit to frequent, random, and observed alcohol and/or drug tests at a minimum of two (2) times per week or as ordered. Testing may include instant urinalysis drug screens, continuous alcohol monitoring in the form of SCRAM, portable breathalyzer, use of scientifically validated technology for ethyl alcohol or other devices that are deemed reliable. Urine screens test for many common substances including a Participant's substance of choice. All testing is recorded and maintained for each Participant for the duration the Participant is in the TAC Program.

The frequency of testing shall comply with the Substance Abuse Monitoring Guidelines issues by the Commission on Specialized Dockets.

Alcohol tests are conducted using handheld breathalyzer units to measure the concentration of alcohol in a Participant's breath. These tests are conducted by the TAC Community Control Officer in the office, at treatment appointments and/or during home visits. Drug and alcohol testing plans are individualized.

These drug and alcohol tests are conducted by the TAC Community Control Officer or persons who have been trained on the procedure for collecting urine specimens and testing. You are expected to travel to the testing location during the hours indicated when contacted by the TAC Community Control Officer in person or by telephone. You have a duty to report as directed or are subject to sanction for failure to cooperate with the drug testing protocol. You are responsible for arriving promptly for your testing appointment. A sample must be provided within two (2) hours of arrival or by the close of business, whichever occurs first.

At each TAC Treatment Team meeting, the results of substance monitoring tests are provided to all present TAC Treatment Team members. The Judge and Treatment Team are notified immediately by telephone, email, or in person of a Participant's positive drug screen or confirmed alcohol consumption or when a Participant fails to submit to a test, tampers with their SCRAM bracelet, submits an adulterated urine sample, substitutes the urine sample of another individual, or dilutes the urine sample.

Failing to submit to a urine test, tampering or circumventing SCRAM monitoring, removing the SCRAM bracelet, submitting an adulterated urine sample, or urine sample of another individual, or diluting the urine sample is treated as a positive test and immediately sanctioned.

Participants who test positive by failing a urine drug test, or having a confirmed alcohol consumption by SCRAM, tampers with their SCRAM bracelet, submits an adulterated urine sample, substitutes the urine sample of another individual, or dilutes the urine sample are required to be present at the next scheduled TAC Status Review Hearing for a sanction. A Participant's continued alcohol and/or drug usage is discussed with the TAC Treatment Team to formulate a response that is therapeutic while maintaining the principle of accountability. The Judge enforces and reinforces the treatment guidelines and sanctions.

TAC Program Participants who test positive for illegal substances on the instant test can verbally request confirmation testing if they feel the positive result is an error. Confirmation drug testing is available through Miami Valley Crime Lab. A fee per drug test will be the responsibility of the Participant. The fee is presently \$30.00 per drug tested. If the lab confirmation test is returned negative, the Participant is issued a refund for the fee paid and there will be no penalty from the Court. However, if the original instant test results were correct, the Participant must appear before the Judge on the next TAC Program Status Review Hearing docket to address the results with the Judge and receive a sanction. The fee for the laboratory testing will not be refunded.

### **TELEPHONE NUMBERS**

Butler County Area III Court (TAC)  
(513) 867-5070

Brian Karol  
TAC Program Community Control Officer  
(513) 785-7622

Larry Withrow  
TAC Program Coordinator  
(513) 785-7620

Access Counseling Services  
(513) 649-8008

~~Butler County Mental Health Board  
(513) 894-7002~~

~~Butler County Alcohol and Drug Addiction Board  
(513) 867-0777~~

~~24 Hour CRISIS Hotline  
Hamilton (513) 523-4146 / Fairfield (513) 894-7002  
1-844-427-4747~~

~~Crisis Hotline  
(513) 281-CARE (2273)~~

~~Butler County Regional Transit Authority  
(513) 785-5237~~

~~Alcoholics Anonymous—Central Cincinnati  
(513) 351-0422~~

~~Alcoholics Anonymous—Kentucky  
(859) 491-7181~~

~~Alcoholics Anonymous—1213 Club  
(513) 737-0857~~

~~Workforce One  
(513) 785-6500~~

~~GED/ABLE  
(513) 735-8300~~

~~Recovery International- Meets on Monday at 7:30 p.m.  
Holy Cross Church, 5071 Winton Road, Fairfield, OH 45014  
(513) 829-7621~~

~~Butler County Mental Health and Addiction Recovery Services Board (BCMARS)  
1-513-860-9240~~







