

Butler County Area Courts Veterans Court Program

Participation Agreement

Defendant _____ Case Number _____

I have received notice that I am eligible for admission into the Veterans Court Program. I desire to participate in the program and agree to the following:

1. I have been found guilty or pled guilty to an offense in Butler County Area Courts and consent to have my case transferred to Veterans Court for supervision, sentencing and disposition.
2. I understand that I will appear before Probation Department staff and Veterans Court Judge on a regular basis (twice monthly in the initial phase, then as directed by the Court) without counsel unless I request their appearance to report on progress in the program and that I am subject to sanctions for failure to comply with the guidelines, rules and conditions of the program.
3. I understand that I have the right to request that my defense counsel appear in the specialized docket treatment team meeting during the portion of the meeting where my case will be discussed.
4. I agree not to commit any further criminal or traffic offenses while participating in the program. I will report any arrest, citation of a violation of any criminal/traffic law, conviction, alleged probation violation in another court, or any other contact with law enforcement to my Probation Officer immediately.
5. I understand that the Veterans Court Program is a condition of community control/probation and failure to comply with the program guidelines, rules and conditions may result in revocation of my community control/probation and may result in my incarceration.
6. I will cooperate and comply with my supervision plan and any subsequent or amended supervision plans. The Veterans Court Judge may impose requirements on me at time of sentencing or as sanctions for additional program violations. When a sanction may be imposed, a participant will be advised of their right to have counsel present. A participant may waive the right to an attorney, as long as the participant had the right to consult with an attorney, and the waiver is made knowingly, intelligently and voluntarily.
7. I will cooperate with all treatment and services outlined in my Veterans Court treatment plan and any subsequent modified or otherwise amended treatment plans.
8. I will comply with all financial obligations, including restitution, fines, Court costs, and probation service fees according to participant's ability to do so and after considering if a participant is indigent; and child support as directed by my probation officer and/or the Veterans Court Judge.

9. I will provide all information regarding my financial status to my Probation Officer and my treatment agency to assist in determining my ability to pay specific financial obligations.
10. I understand there is a purpose and need for the disclosure of information to the Veterans Court Program regarding my attendance and progress in treatment. The extent of information to be disclosed will include, but shall not be limited to, my diagnosis, information about my attendance or lack of attendance at treatment sessions, my cooperation with treatment program prognosis, and my drug/alcohol screening.
11. I understand that my consent to disclose information regarding my attendance and progress in treatment will remain in effect and cannot be revoked until there has been a formal and effective termination from my supervision by the Butler County Area Court Judge.
12. I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug use patient records and that the recipient of this information may re-disclose it only in connection with their official duties.
13. I consent to the release of health, mental health and chemical dependency information as permitted under state and federal law.
14. I agree to enter into and complete outpatient and/or residential substance use treatment and counseling, including any aftercare requirements, and to pay the treatment provider for costs not paid by government sources. I agree to attend further counseling as directed by the Veterans Court Program. I further agree to report as scheduled for treatment and to participate in all activities of the treatment program.
15. I understand that the length of the program is determined by my progress and compliance with program guidelines, rules and conditions. I must successfully complete all four (4) phases of the program in order to complete and graduate from the program. I also understand that if I am noncompliant, there will be immediate and graduated sanctions. When a sanction may be imposed, a participant will be advised of their right to have counsel present. A participant may waive the right to an attorney, as long as the participant had the right to consult with an attorney, and the waiver is made knowingly, intelligently, and voluntarily.

Phase 1: Orientation / Compliance Phase

The goal of the Orientation and Compliance Phase is to help the participant to understand all aspects of Veterans Court, to assure the highest level of function and success within the program and to comply with a treatment plan. While the length of stay is based on progression of the individual, the minimum length of stay in Phase I is thirty (30) days.

Phase 2: Stabilization Phase

The primary goals of this phase are to stabilize the participant and obtain compliance with the Veterans Court Docket program requirements. During this phase, the participant has regular contact with the Court by attending all scheduled Veterans Court Docket status review hearings. This is also an intensive contact phase for the participant's treatment

provider and probation officer. During this period, the team will assist the participant in addressing essential needs such as housing, health, clothing, and recovery services. While the stay is based on the progression of the individual, the minimum length of stay in Phase II is ninety (90) days.

Phase 3: Community Reintegration Phase

After the participant remains stable, for a period of time, other goals can be addressed. During this period, a participant will begin to address the issues that brought the participant in to the Veterans Court. Various service needs can be assessed, including health, dental, optical, permanent housing needs, vocational training, and any other areas identified by the Veterans Court Team. Based on the participant's progress, required appearances at Veterans Court status review hearings may be reduced. While the length of stay is based on the progression of the individual, the minimum length of stay in Phase III is one hundred-twenty (120) days.

Phase 4: Maintenance Phase/Growth and Development

This phase is focused on the participant continuing the structure and discipline developed in earlier phases and developing self-sufficiency. By the time the participant moves to this phase, he or she has successfully adhered to the psychiatric treatment requirements, including medication compliance, integrated structure into their life by obtaining permanent housing; pursuing employment; volunteering; participating in educational or vocational opportunities; developing a functional support system; abstaining from the use of illegal drugs; and avoiding additional involvement with the criminal justice system.

The contact with treatment providers may lessen as the participant builds his or her self-sufficiency. At the discretion of the Treatment Team, appearances at Veterans Court Docket status review hearings are reduced even further (but not less than one time per month). While the length of stay is based on progression of the individual, the minimum length of stay in Phase IV is one hundred –twenty (120) days.

16. I will not leave the State of Ohio without prior written permission of my Butler County Area Court Probation Officer.
17. I will not consume alcohol or use any illegal or non-prescribed controlled substances. I will not possess or purchase alcohol and agree to inform any individuals that I reside with that I am prohibited from having alcohol in my residence and I will be subject to sanction for violation of this order. For the purpose of the Veterans Court Program, the presence of alcohol/drugs in the residence constitutes possession of alcohol/drugs, regardless of the ownership of the alcohol/drugs in question.
18. I will not enter any bars or establishments whose primary source of revenue is derived from the sale of alcohol.
19. I will submit to random, frequent, and observed drug/alcohol testing upon request of my probation officer, treatment liaison, treatment agency, and/or the Veterans

Court Treatment Team or Veterans Court Judge at least twice per month with an increase to at least twice per week based on history of substance use or a positive test during the program. I understand that I will be notified via telephone by the probation department and must appear within the time frame given.

20. I understand that if I fail to submit to a drug screen, tamper with the urine specimen, provide specimen of another, if the urine is diluted, or if I fail to provide a sufficient quantity of urine, I will be immediately sanctioned as if the test results were positive for illegal substances. When a sanction may be imposed, a participant will be advised of their right to have counsel present. A participant may waive the right to an attorney, as long as the participant had the right to consult with an attorney, and the waiver is made knowingly, intelligently, and voluntarily.
21. I understand that if I fail to submit to a breathalyzer test or if I fail to provide a sufficient breath sample, I will be sanctioned as if the test results were positive for alcohol. When a sanction may be imposed, a participant will be advised of their right to have counsel present. A participant may waive the right to an attorney, as long as the participant had the right to consult with an attorney, and the waiver is made knowingly, intelligently, and voluntarily.
22. I will take all prescription medications as prescribed and report all medications prescribed by the next business day to the Probation Department and provide documentation of all prescribed medications.
23. I will keep all appointments with my probation officer, treatment liaison and attend all court hearings as scheduled.
24. I will keep the Veterans Court probation officer and treatment liaison informed of my current address and telephone number at all times. I will notify my probation officer and treatment liaison prior to changing residences and telephone numbers.
25. I will not associate with anyone known to be actively involved in the sale or use of illegal drugs.
26. I will not associate with any persons who have a criminal background and/or persons who could influence me to engage in criminal activity without prior permission of my probation officer.
27. I will notify the Probation Department of any individuals residing in my residence whom are currently being supervised by any Community Control agency.
28. I will not purchase, possess, own, use or have under my control any firearms, ammunition, dangerous ordnances or weapons, including chemical agents, electronic devices used to immobilize, pyrotechnics, and/or explosive devices.
29. I agree to a search without warrant of my person, motor vehicle, or place of residence by my Probation Officer or other authorized representative(s) of the Veterans Court.
30. I will work regularly at a lawful occupation to the best of my ability. When out of work, I will notify my probation officer immediately of any employment changes.
31. I understand that I am subject to house arrest and curfew with or without electronic monitoring, which may include ankle bracelet radio frequency units, continuous alcohol monitoring units, and global positioning satellite (GPS) units as described.
32. I understand that if I am ordered to wear a continuous alcohol monitoring unit or electronic monitoring unit as a sanction that I am required to comply with the financial obligations attached to the wearing of the equipment and I am not to

consume any alcohol whatsoever under any circumstances. Participants will not be excluded from the program based on their ability to pay fines, costs and fees associated with the SCRAM equipment. The judge has the discretion to waive fees based on the participant's financial ability to pay.

- 33. I understand a veteran, qualified and approved by the service commission will be assigned to mentor me through this program. I agree to maintain contact with my peer mentor regularly, but no less than a minimum of one time per week. Contact with my peer mentor can be face-to-face, email, text or telephonic.
- 34. Circumstances that could merit termination from the program occur at the Vet Court Status Review Hearing Docket. Participants are entitled to have legal counsel for the proceedings. If terminated from the program, a participant could face imposition of the balance of the jail sentence, transfer to an alternative supervision program, placement in a residential treatment program, or other penalties deemed appropriate by the Judge. Individuals unsuccessfully terminated from the Vet Court Program will be evaluated on a case by case for future consideration into the program.
- 35. The Participation Agreement incorporated and complies with the Commission on Specialized Dockets Constitutional Guidance:
www.sc.ohio.gov/JCS.specDockets/guidanceConstitutionalStandards.pdf?
[Specialized Dockets Mental Health Court Guidance \(ohio.gov\)](http://Specialized Dockets Mental Health Court Guidance (ohio.gov))

Defendant's Signature

Date

Witness

Date

Cc: Defendant