

Judge James A. Shriver

Clermont County Common Pleas Court Probate/Juvenile Division

James A. Shriver is a Judge of the Common Pleas Court Probate/Juvenile Division following appointment by Governor Kasich effective July 1, 2013. He is a former judge of the Clermont County Municipal Court for over 18 years. Since beginning Ohio's first OVI court in 2005, he has hosted both Municipal and Common Pleas Court Judges and their staff from throughout Ohio as they prepare to begin their OVI Court Dockets. The Clermont County Municipal OVI Court received the 2008 Award of Excellence from MADD for exceptional dedication and service toward achieving the mission of MADD. An active member of the Ohio Judicial Conference, Judge Shriver serves on the Specialized Dockets Committee, Criminal Law and Procedure Committee, the Committee on Community Corrections, the Juvenile Law and Procedure Committee, the Probate Law and Procedure Committee and Co-chairs the Court Administration Committee. He is the Vice Chair of the Ohio Judicial Conference. He presently chairs the Commission on Specialized Dockets of the Ohio Supreme Court and is past chair of the Ohio Supreme Court Advisory Committee on Specialized Dockets.

OVI COURT

Target Population:

Focus of the OVI Court is upon misdemeanor OVI offenders who would have been sentenced to more than the mandatory minimum sentence and who meet one or more of the following criteria:

- Offenders convicted of a second or more lifetime OVI offense, moderate to severe alcohol problem
- Offenders who have not changed their long-term behavior regardless of prior reporting probation and/or treatment attempts, and/or
- Offenders who are highly motivated to change their behavior and have a willingness to participate in the program.

Current Size of Docket:

There are currently twenty-nine (29) participants with two (2) pending acceptance into the OVI Court.

Maximum Size of Docket:

The OVI Court Program may serve up to thirty-five (35) OVI offenders in Phases One (1) to Three (3) at any given time.

Models Utilized & Process:

Referrals to the OVI Court may be made pre-sentencing, accepted from a revocation/violation hearing or as a term of early release.

Evidence-Based Practices:

- Services should be intensive and behavioral in nature
- Services should be frontloaded
- Programs should target the criminogenic needs of high risk offenders

- Examples of criminogenic needs include: family, substance abuse treatment, pro-social modeling, job placement and reducing anti-social peer contacts,
- Program rules should be enforced in a fair but firm manner
- Characteristics of offenders, therapists and programs should be matched
- Program structure and activities should be designed to disrupt the delinquency network by placing offenders in situations where pro-social activities predominate

Type of Supervision:

Reporting

Demographics:

- 13th (now 14th) largest county in Ohio, 8th largest municipal court by population, BUT 3rd highest OVI filings annually for all courts since 2002
- Clermont is among the Top 4 in the State for OVI offenses – includes Hamilton, Franklin and Cuyahoga Counties
- What makes Clermont County unique is that it is a primarily rural / suburban jurisdiction with a population of 197,363 (2010)
- 15 law enforcement agencies in the county that aggressively target OVI offenders
- 500+ turnaway list from jail
- 680 offenders (51.95%) of 1,309 probationers supervised in 2004 were OVI defendants
- Increase in probation violations filed against OVI offenders for technical and new offense violations

Judge Scott Nelson Barrett **Hardin County Common Pleas Court**

Scott Nelson Barrett was appointed Judge of the Common Pleas Court of Hardin County, Ohio, General and Domestic Divisions, by Governor Kasich in March of 2013. By October of 2013 the court had received initial certification for a specialized docket drug court, and sessions began on November 18, 2013. Currently 34 persons are participants in the docket, and the court is considering applying for certification of a re-entry court docket for persons being released from prison or coming from a Community Based Correctional Facility.

Judge Barrett is a graduate of Kenton Senior High School, received a Bachelor of Arts with distinction from Ohio Northern University, and a degree of Juris Doctor in 1976. From 1976 to 2013 he was in private practice with John L Roof and Thomas A Roof, concentrating on criminal, general civil and domestic relations cases. Judge Barrett has been on staff of the First United Methodist Church of Kenton since 1971, and is active in numerous community functions.

Recovery Court sessions began on November 18th, 2013. Certification as a specialized docket was pursued due to the obvious ineffectiveness of traditional community control methods and incarceration to remove defendants from continued legal problems stemming from their addiction.

Hardin County is a small rural county with a population of approximately 32,000. Before we began the Recovery Court our Court staff consisted of a full time court administrator; a full time deputy court administrator; one full time and one part time probation officer; a magistrate who is shared with the probate/ juvenile division; and a part-time PSI writer. We additionally have two full time and one part time APA officers assigned to Hardin County. When we began the Recovery Court we added a part time Recovery Court Administrator (whose salary is paid from a grant from our Mental Health Board); a part-time clerical assistant; increased our part time probation officer to full time, and hired another part time probation officer.

Community Resources:

Coleman Behavioral Health has a full time office in Kenton; UMADAOP (Urban Minority Drug and Alcoholism Outreach Program) provides counselling and supplies recovery coaches for each participant; Health Partners provides all our medically assisted treatment, and is located in a new, 14,000 square foot health clinic just opened in June, 2014; the Hardin County Sheriff has established a lab for tutoring for those studying for their GED tests, and provides transportation for participants by using his VIPS (Volunteers In Police Service); our Mental Health and Recovery Services Board continues to provide funding and support; the Hardin County Commissioners have provided funding for staffing; and the public has expressed great support for our Recovery Court by means of financial contributions.

Case Load:

Hardin County currently processes 250 to 300 criminal cases a year.

Demographics:

We have specifically chosen to include all strata of participants: those most unlikely to succeed, together with those likely to succeed. We are cautious about accepting those with significant mental health concerns in addition to their addiction, but will do so if we can establish a treatment plan that addresses both issues at the same time. Our participants are currently equally divided between those practicing abstinence and those using medically assisted means.

Approximately 40% of our participants have been through a CBCF program; 40% graduated from high school, and another 40% already have their GED; 20% been judicially released from prison; and approximately 33% have multiple felony convictions. Only 15% of our participants are on Intervention; the rest have felony convictions.

Judge Anita Laster Mays Cleveland Municipal Court

The Greater Cleveland Drug Court started in 1998 in an effort to assist individuals with substance abuse problems to abstain from usage and become productive citizens. The Late Congresswoman, then County Prosecutor, Stephanie Tubbs Jones saw a revolving door of addicts being locked up and returning to the community hanging around the same people, going to the same places and doing the same things. She brought a grant opportunity to the Cuyahoga County Common Pleas Judges to start a drug court. By majority vote it was voted down. Prosecutor Jones took the grant opportunity to Cleveland Municipal Court and Judge Larry Jones presented the idea to the court and it was accepted. The Court recognized the need to change individuals thinking and habits. It was said “that if you keep doing the same things, you will get the same results.” Cleveland Municipal Court wanted to change the results. In addition, it was discussed that there were too many individuals with non-violent felony records being released into the community that’s not being employed.

The Drug Court was set to be a post-conviction docket. The Court was set to accept non-violent offenders charged with a felony of the 4th degree with one or no prior felonies. The felony would be amended to a misdemeanor of the 1st degree and the defendant would enter a guilty plea. After probation i.e. treatment, education, employment, abstinence... was completed the pleas would be vacated, the charge would be dismissed and the record sealed. The defendant would then have an opportunity to start fresh. The drug court had an 80% success rate. After 10 years the county decided to start a drug court and in May of 2009, it was realized. There was an additional need to assist suburban misdemeanants (majority with heroin addictions) and the city was proactive and received a federal grant to assist this population. It was the first in the nation. The Greater Cleveland Drug Court initiated the Pathways to Wellness program to further assist participants with ancillary services. This is a collaboration with other agencies that provide dental, vision etc., for drug court participants. To celebrate their recovery, The Greater Cleveland Drug Court had its “First Annual Celebrate Recovery 5K Run and 1 Mile Walk” on September 14, 2013. This was an additional way to celebrate recovery other than graduation. The second celebrate recovery event is scheduled for September 6, 2014.

Since 1998, 1398 participants have graduated from the drug court and nearly 80% remain sober and drug free. My current caseload has 111 participants with maximum of 150. We have a drug court coordinator, city probation officer, 2 county case managers from TASC, 2 municipal case managers from Moore Counseling, 1 assistant county prosecutor, 1 public defender, 1 residential treatment provider, 2 IOP treatment providers and Case Western Reserve staff for statistics. We also have additional treatment providers that will take our clients based on insurance or Medicaid. Our target population also includes post-conviction non-violent misdemeanants with alcohol, drug or drug related charges i.e. petty theft, vandalism of vacant structure, soliciting, drug paraphernalia. Ninety-five percent of the participants are abstinence based and 5% are on the MAT program using Naltrexone. In 2012, the City of Cleveland population was approximately 400,000 while Cuyahoga County was approximately 1.265 million. Cleveland

Municipal Court processed a total of 160,186 cases where 120205 were new case filings. We are able to confine clients in the city, county or suburban jails.

Judge Kim Wilson Burke **Hamilton County Court of Common Pleas**

Judge Burke presides over the first and largest drug court in the state of Ohio. It is Ohio's only statutory Drug Court, created in 1995. At any given time there are more than 800 defendants who are assigned to drug court and over 500 persons are active in assessment or treatment in various treatment facilities at any given time.

Judge Burke has both a B.A and J.D from The Ohio State University, and prior to becoming Drug Court Judge she has been a municipal court judge, a juvenile court magistrate, a litigator in a large Cincinnati law firm, a litigator for the City of Cincinnati Solicitor's office, and a municipal court prosecutor for both the City of Cincinnati and City of Dayton.

She is a 5 year faculty member of the National Judicial College in Reno, Nevada where she has taught a week-long course to other judges entitled 'Practical Approaches to Substance Abuse'. She also been appointed to the Ohio Supreme Court Advisory Committee on Specialized Dockets, and the Commission on Specialized Dockets.

Local Community Demographics:

Hamilton County Ohio (includes City of Cincinnati) - population 804,000. Mostly urban and suburban communities.

Drug Court:

In Hamilton County all Felony 4 and Felony 5 drug offenses (Possession of Drugs, Theft of Drugs, Illegal Possession of Drug Documents, Deception to Obtain Dangerous Drugs) are automatically assigned to Drug Court for disposition, unless they are attached to a higher level felony or a crime of violence or drug trafficking charges or there is a prior conviction for those offenses.

If the prior record of the defendant does not exclude them from treatment, or if there is not an objection from the state due the facts or other information about the case, the defendant is presented with the opportunity for assessment for treatment. The Court is a post-conviction court, but ILC is freely granted if this would be the defendant's first felony conviction. A probation violation can also trigger entrance into treatment.

Drug Court has a wide variety of treatment options available: outpatient treatment, men's residential, women's residential, jail based treatment, long term men's treatment, long term treatment for women who are pregnant or mothers of young children, and dual diagnosis outpatient treatment. Most treatment facilities are locally funded primarily through local treatment levies.

All drug court participants are supervised by probation officers, and Drug Court has four probation offices dedicated to supervision of defendants assigned to Drug Court. Jail is utilized for what was coined 'therapeutic incarceration,' which is a relatively short time in jail used as

immediate and brief sanction for non-compliance with treatment. The treatment programs are generally abstinence based, but recently our largest treatment provider has begun to utilize Medication Assisted Treatment (vivitrol) as part of a closely monitored federal protocol monitored by SAMHSA.