

STOW MUNICIPAL COURT MENTAL HEALTH DOCKET
“SUCCESSFUL TREATMENT RESULTS IN
DEVELOPING EXCELLENCE”
S.T.R.I.D.E.

The mental health docket is not a separate court, but rather 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 program is for persons charged with misdemeanors in municipal court who suffer from a mental disorder. The goals of the program are to divert these individuals into court monitored treatment, to reduce recidivism among mentally ill defendants, and to empower these individuals to lead more clinically stable, safe and law-abiding lives in the community. The mental health docket of the Stow Municipal Court is referred to as STRIDE Successful Treatment Results In Developing Excellence.

TARGET POPULATION

STRIDE will serve Summit County residents charged with misdemeanors who have severe and persistent mental illnesses that are contributing or mitigating factors in their law enforcement involvement and for whom court-monitored treatment and other services would enhance their ability to lead a law-abiding life. The program criteria are the minimum requirements that a person must meet in order to enter STRIDE.

PROGRAM CRITERIA

Clinical Criteria:

1. The person must have an “*Axis One*” diagnosis that is consistent with a severe and persistent mental illness. These diagnoses include, but are not limited to, the following diagnostic categories:
 - Schizophrenia or schizoaffective disorders
 - Bipolar disorder
 - Major depression with psychotic features;
2. The person must have a history of mental illness prior to the commission of the crime;

3. The mental illness must be a contributing factor to the defendant being charged;
4. The person must be stable enough to understand and comply with program requirements; and
5. The person must not pose an unacceptable risk to program staff, family, or community.

Individuals with “*Axis 2*” personality disorders may also be considered for inclusion, if they also have an “*Axis 1*” diagnosis AND it is determined by the clinical screening staff that symptoms of the personality disorder are unlikely to interfere with the individual’s ability to participate meaningfully in STRIDE.

Persons considered for inclusion in STRIDE may also have substance abuse or addiction diagnoses in addition to an “*Axis 1*” diagnosis.

The following conditions must also be met:

1. The individual must be amenable to treatment and acknowledge a willingness to take medication, if prescribed.
2. The supports and services needed by the individual must be available.
3. A written treatment plan will be developed to include all supports and services needed by the individual to lead a law-abiding life and to recover from the illness.
4. The individual must be competent to enter the program, as entrance into STRIDE is voluntary.

Legal Criteria:

1. Candidates for STRIDE must have first, second or third degree misdemeanor charges pending in the Stow Municipal Court. Persons with minor misdemeanors or fourth degree misdemeanors are not eligible for STRIDE.
2. Persons charged with the following offenses are NOT eligible for STRIDE:
 - OVI
 - Sex crimes (excluding public indecency)
 - Crimes involving the use of any weapon
 - Crimes involving children as victims

STRIDE is not available if felony charges are pending.

If the crime involves a victim, the victim will be given an opportunity to express his/her opinion as to the defendant being accepted into STRIDE. Violent offenses may be considered for STRIDE if the victim consents and if the victim did not suffer serious injury.

If a candidate has charges pending in another court or is currently on community control due to a prior conviction, then entry into STRIDE must be coordinated among the outstanding cases. A candidate on community control may be offered STRIDE in the new case if community control can be consolidated with any other case(s) so that the defendant is under the supervision of no more than one municipal court at a time. This avoids duplication of resources and impact of having a defendant report to two community control departments at once.

Each candidate's criminal record will be reviewed. Because recidivism is a problem that this program seeks to address, most STRIDE participants will have prior convictions. While there are no prior offenses that will categorically exclude anyone from the program, the criminal history will be considered in assessing the candidate's risk to staff and the community.

Any legal issues regarding competency to stand trial or insanity defenses must be resolved before a defendant can enter STRIDE. The defendant must admit commission of the offense and acknowledge having a mental illness that needs treatment.

A defendant that would benefit from court-monitored treatment is included in the program as a condition of their community control. A guilty plea and conviction will be entered, sentence will be issued and suspended with the defendant placed on community control. The written treatment plan becomes conditions of community control.

The criteria, both clinical and legal, may be reviewed periodically based upon program experience and intake resources. If it is determined that persons charged with certain offenses are routinely being rejected or are not successful in the program, or if intake resources become overburdened, offenses may be excluded as deemed appropriate. If grant or other program funding becomes available but require the exclusion of certain types of crimes as a condition of receiving funds, the criteria may be modified provided the modification does not unreasonably alter the impact of the program.

PROCEDURES

Identification of potential candidates for STRIDE is the initial phase after the defendant has been charged with a misdemeanor offense. The procedure is informal and will be employed at the early stages of the person's involvement in the justice system by non-clinical personnel including police officers, jail staff, court community control officers, attorneys and judges. The non-clinical personnel will identify persons who have been involved with the mental health system or defendants who appear to be exhibiting symptoms of severe mental illness, but have no previous involvement with the mental health system.

The person who feels that a defendant may have mental health issues will refer the case directly to the Judge. Once a referral is made to the Judge, the STRIDE team, consisting of the Judge, defense counsel, prosecution, court's community control officer, and the treatment agency, conducts a cursory review of the information to determine whether the person appears to meet basic program criteria. If the person is deemed not appropriate, then the case proceeds in the traditional manner. If the person appears to be a candidate and agrees to participate in STRIDE, then he/she is referred for diagnostic evaluation. Evaluations are expected to be complete within two weeks of referral. During this preliminary screening process, the defendant is arraigned in the Court, enters a plea of not guilty and bond is determined.

The defendant receives an assessment from a qualified clinician or a recommendation from current treatment provider. The assessment shall confirm that a defendant meets the program's clinical criteria and is appropriate for inclusion in the program. The assessment must evaluate the candidate's risk to program staff and the community and include preliminary recommendations as to the type of services that should be considered for defendant. Once the written assessment is received, the STRIDE team will decide if defendant is appropriate for inclusion in the program. If the case is deemed inappropriate, the case will proceed on the standard court docket. If the case is accepted into STRIDE, the defendant will be assigned a mental health agency for case coordination.

The appropriate community providers and the defendant will develop a comprehensive treatment plan. Each type of service is delineated, including the specific provider, the frequency of service, and the responsibilities of the provider and defendant. The types of services will include, as needed, psychiatric, medication, counseling, substance abuse programs, housing, transportation, and

vocational. The maximum jail sentence and fine will be issued but suspended pending successful completion of the STRIDE program. The defendant and mental health provider shall complete and sign “Informed Consent Agreement” form.

As a participant in STRIDE, defendant will be required to abide by the following:

1. Comply with the terms of community control, which include the Plan developed by the STRIDE team and defendant.
2. Accept services stated in the Plan or as ordered by the Court.
3. Keep the Court and agency assigned to defendant aware of current home address and phone number.
4. Attend all review hearings before the Judge and all scheduled appointments with the provider.
5. Be on time for all hearings and meetings at the Court and the treatment agency. The defendant shall not be violent or verbally aggressive or threatening at such sessions.
6. Dress appropriately for court and treatment sessions.
7. While in court, remain seated until called upon to speak. Be respectful of the court process by conduct that is orderly, calm, and not disruptive.
8. Refrain from participating in any threatening or violent behavior.
9. Refrain from any alcohol and/or controlled substance that are not prescribed by the provider.
10. Submit to random drug or alcohol tests.
11. Take medications as prescribed.
12. Refrain from committing any act that would result in arrest.

Failure to complete STRIDE or discharge from STRIDE due to non-compliance will result in imposing jail sentence and fines.

STRIDE SUPERVISION

As a participant in STRIDE, defendant will be required to appear in court on a regular basis. The Court will set aside special docket sessions to review the status of defendant’s compliance. Each defendant must appear for reviews, the frequency of which depends upon the defendant’s status and level of success. The proceedings will occur in the courtroom before the Judge but are considerably less formal than a traditional courtroom procedure. Although these proceedings are

technically open to the public, STRIDE sessions will occur outside of the Court's regular criminal docket schedule to promote privacy and minimize distractions.

Initially participants will appear weekly until they are regularly engaged with their treatment plan services. At each appearance, the Judge will be given a progress report prepared by the Court's community control officer and the treatment team, which reviews the level of participation and compliance by defendant. The Judge will discuss progress and specific problems with the defendant. Modifications to the Treatment Plan will be discussed and ordered, and the Judge can address provider issues. The Court will monitor the provision of services as well as defendant's engagement of those services. The goal is for defendant to accept primary responsibility for achieving stability and independence.

Compliance/Non-compliance

If in compliance with the Plan, defendant will be rewarded by reducing or terminating court proceedings; discharge of certain services as clinically appropriate; forgiving of all or part of the fines; increased privileges; tangible prizes; and ultimately, termination of community control. If defendant is not in compliance, sanctions will be imposed. Sanctions for violating the terms of community control will include increasing the frequency of court reviews, community service assignments, more frequent drug screens, more restrictive housing assignment, brief incarceration, or any other sanction that the Court deems appropriate.

If defendant materially breaches the community control terms, community control will be terminated and suspended sentence imposed. Material breach which results in termination from STRIDE includes the filing of felony charges against defendant; blatant disregard for the Treatment Plan; failure to appear three times for drug testing, unless excused; three unexcused absences at court reviews; threat of harm to staff, counselors, or any person involved in STRIDE; and any other act that the Court deems appropriate for termination.

At each court review, the Judge will dispense rewards and sanctions as the defendant's status and conduct indicate. STRIDE seeks to be creative in its use of sanctions and rewards, ever mindful of the therapeutic impact on the defendant and the needs of the criminal justice system. The goal is to encourage success and discourage failure. Rewards and sanctions will be applied on a case-by-case basis with regard to each defendant's conduct, strengths, and limitations.

Being Discharged/Successful Completion

A defendant successfully completes the program upon completion of the Treatment Plan having reached maximum progress in mental health and drug/alcohol recovery. At that time, defendant is deemed to no longer require the level of support and monitoring provided through STRIDE in order to continue in recovery and to comply with the law. Defendant is graduated from STRIDE and released from community control two years after entry into the program provided there are no community control violations.

A defendant may be released from the STRIDE program upon an event that causes completion of the program not to be possible. For example, a neutral discharge from the program may occur when a defendant is required to relocate from the area with the family support system.

A defendant may be unsuccessfully terminated from the program if material breaches of community control terms occur. Unsuccessful termination may occur if defendant has made minimal progress in mental health and drug/alcohol recovery as provided under the treatment plan and/or the defendant is not benefiting from the support and monitoring provided through STRIDE.

STRIDE is designed to produce the following results to benefit the mentally ill misdemeanor offender: faster case processing time; improved access to a mental health evaluation, community support services, and medication services; access to educational, vocational and housing support; reduced recidivism in the jail; and an improved quality of life. STRIDE is designed to promote public safety by reducing recidivism.