

IN THE AKRON MUNICIPAL COURT
SUMMIT COUNTY, OHIO

JUN 9 12 02 PM '15
AKRON MUNICIPAL COURT
JIM [unclear]
CLEVELAND, OHIO
REVISED
JOURNAL ENTRY

IN THE MATTER OF
AKRON MUNICIPAL VALOR COURT

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Pursuant to Sup. R. 5(A)(2) the undersigned Judges of the Akron Municipal Court hereby authorize the creation of Akron Municipal Court (AMC) Rule NO 43. 5 Specialized Dockets: Akron Municipal Valor Court to state as follows:

AMC Rule No. 43.5 Specialized Docket: Akron Municipal Valor Court

(A) ESTABLISHMENT OF AKRON MUNICIPAL VALOR COURT DOCKET

- 1) Pursuant to Sup. R. 36.20 through 36.29, and by order of the Judges of The Akron Municipal Court, the rules and guidelines of The Akron Municipal Valor Court Docket created in 2014 are hereby formally adopted **effective June 9, 2015**.
- 2) This specialized program is designed to assist veterans who find themselves in the criminal justice system. It is to provide them access to programs, treatment agencies, and interactions with other veterans to promote a healthy lifestyle. The Akron Municipal Valor Court Docket will provide effective supervision and enhance treatment services for up to one hundred (100) misdemeanor offenders who have been identified as having military experience. By participating in this program, individuals will interact and receive the necessary treatment from competent service providers. These service providers have a strong focus on military related issues and work to provide veteran's the treatment services otherwise not known to them. The Akron Municipal Valor Court Presiding Judge reserves the right to decline admission into Valor Court despite an individual meeting legal and clinical eligibility.
- 3) The goals and objectives of the Akron Municipal Valor Court are to: a) Create a program that encompasses the court, treatment agencies and veteran's services b) Identify defendants with military service c) Provide eligible candidates a rehabilitation platform that is tailored to their military life experiences d) Allow the participant an opportunity to concentrate on issues identified in Individual Service Plan e) Reduce/prevent recidivism of military veterans with criminal behavior and encourage the participant to live a healthy and productive lifestyle by providing them with the necessary building blocks for success f) Have a graduation rate of 80%.

(B) PLACEMENT IN THE AKRON MUNICIPAL VALOR COURT DOCKET

- 1) The target population of the Akron Municipal Valor Court are defendants in the Akron Municipal Court and who possess some form of military experience.
 - a. Individuals being considered for the Akron Municipal Valor Court must be adjudicated through the Akron Municipal Court, or by a local municipal court jurisdiction that has entered into a memorandum of understanding to allow the Akron Municipal Court to provide treatment.

- b. Offenders will be screened at the arraignment stage by the Akron Municipal Court Probation Department. The Akron Probation Department screening unit will review the arraignment docket each day, Monday-Friday. The screening staff will complete the Valor Court Preliminary Screening form on any offender that is identified as having military experience. The screening form shall be placed in the court file for further review with a copy being given to the Valor Court Probation Officer.
- c. The Arraignment Court Judge will ask if the Defendant is interested in participating in Valor Court. If yes, the Judge will refer the Defendant to the Probation Department to begin the assessment process for reporting supervision to monitor compliance with Valor Court requirements.
- d. Offenders may also be referred from another Judge in the Akron Municipal Court, pre or post-adjudication, or on a referral by, court staff, an attorney, a government agency recommendation or Defendant's own interest.
- e. Offenders will be referred to the program either through Intervention in Lieu of Conviction, under RC. 2951.041: or post-conviction of an eligible misdemeanor offense.

2) Legal Eligibility Criteria:

- a) Be a defendant in Akron Municipal Court,
- b) Be a veteran or active duty service member who is or may be eligible for benefits or services of the Veterans Administration,
- c) Eligible for intervention in lieu of conviction program or community control supervision,
- d) Victim input will be considered by Presiding Judge,
- e) Demonstrate an interest and willingness to participate in the program,
- f) Defendant must enter a plea of Guilty to the offenses, sign waivers, releases and ultimately agree to the program.

A) Probation/ Post Conviction Track

1. Offender is a Summit County resident.
2. The current charge is a probationable misdemeanor.
3. Offender meets admission criteria for Supervised Probation.
4. Offender is a veteran or active duty service member who is or may be eligible for benefits/services from the Veterans Administration.
5. Offender could benefit from receiving specialized supervision and services.
6. Offender demonstrates an interest and willingness to comply with the rules and conditions of court-ordered community control.
7. Offender enters a plea of Guilty to the offense(s) and found to be eligible, is sentenced to the maximum term of community control with a condition being successful completion of Valor Court.

B) ILLC Track

1. Offender is a Summit County resident.
2. Offender meets admission criteria for Intervention in Lieu of Conviction Program. (The statute of the ILLC program indicates the Offender must successfully complete a Chemical Dependency Treatment program and have 12 months of documented sobriety).

3. Offender is a veteran or active duty service member who is, or may be, eligible for benefits/services of the Veterans Administration.
4. Offender could benefit from receiving specialized supervision and services.
5. Offender demonstrates an interest and willingness to voluntarily participate in the Valor Court.
6. Offender is referred to the Veterans Administration to complete a services eligibility determination.
7. Offender enters a plea of Guilty to the offense(s), signs a waiver of rights, and is diverted to the Valor Court in lieu of sentencing.

3) Clinical Eligibility Criteria:

This program is designed to aid the participant in receiving the necessary medical treatment needed to live a healthy and productive lifestyle. The participant will sign a release of information form allowing an assessment to be conducted on their behalf. The assessment will be conducted by the Probation Department, the Veterans Healthcare Administration, or a local treatment agency authorized to perform such service by the Valor Court Judge. All chemical dependency, mental health and other program assessments will include available collateral information to ensure accuracy of the assessment. This assessment will be conducted by persons who are appropriately licensed and trained. The assessment should be prompt and conclude within 14 days. A defendant will be found eligible for the program if there is substantiated evidence in the following assessments: Chemical dependency; Mental Health / PTSD; Physical health; TBI; or any abnormalities associated with veterans' health and wellbeing.

(C) CASE ASSIGNMENT IN MULTI JUDGE COURTS

- a) All eligible Valor Court cases shall be transferred to the Valor Court Judge prior to sentencing. Individuals found eligible and who voluntarily agree to enter the Valor Court program will enter a plea before the Valor Court Judge. Case assignment for the Akron Municipal Court Judges will not be changed.
- b) The Valor Court Judge will be responsible to monitor compliance by utilizing the appropriate reward and sanction to help modify offender behavior.
- c) In the event a participant is terminated from the program, the case shall remain with the Valor Court Judge. The Valor Court Judge will administer the re-imposition of the Valor Court participant's sentence.

(D) AKRON MUNICIPAL VALOR COURT DOCKET CASE MANAGEMENT

- a) The Akron Municipal Valor Court will work closely with all of its community partners to provide case management services in a manner that is consistent with offender compliance and public safety and that provides the most intensive and comprehensive treatment available for each participant.
- b) The Akron Municipal Valor Court Policy and Procedures Manual, Participant Handbook, and Participation Agreement are hereby incorporated as part of the Akron Municipal Valor Court Docket.
- c) This specialized program is designed to assist veterans who find themselves in the criminal justice system and to provide them access to programs, treatment agencies, and interactions with other veterans to promote a healthy lifestyle.

(E) TERMINATION FROM AKRON MUNICIPAL VALOR COURT

a) Successful Termination

Participant must comply with policies and a procedure of the program, complete all requirements and has demonstrated a positive improvement in their behavior. Upon successful completion of the IILC track, the participant graduates and his/her case is dismissed and sealed. Upon successful completion of the community control track, the participant graduates and is successfully released from the Probation Department.

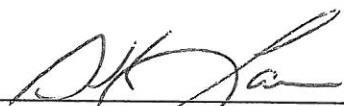
b) Unsuccessful Termination

The criteria for this form of termination will be non-compliance with the Valor Court policies and procedures. The participant must demonstrate a negative and unproductive attitude towards treatment, disregard to the treatment plan, or lack of interest for improving behavior. Examples include but are not limited to: absconding from any residential or inpatient treatment facility, failing to attend treatment or therapy, tampering with alcohol or substance test, committing criminal acts or absconding from the Valor Court program. Participants who have shown non-compliance with the Valor Court policies and procedures will be terminated from the program at the discretion of the Valor Court Judge. Upon unsuccessful termination, defendant will be sentenced by the Valor Court Presiding Judge for final disposition.


c) Neutral Discharge

A participant may be classified as a neutral termination if it is determined the s/he is better served by another treatment program; or is not capable of completing the program due to unforeseen hardships such as physical or mental disabilities; or expires while in the program.

IT IS SO ORDERED.



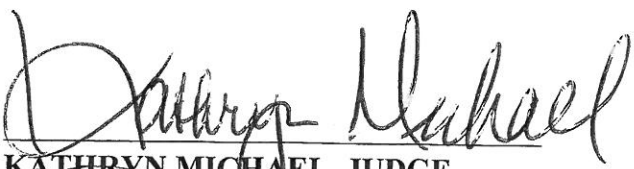
JERRY K. LARSON
VALOR
COURT PRESIDING JUDGE



JOY MALEK OLDFIELD
ADMINISTRATIVE / PRESIDING JUDGE



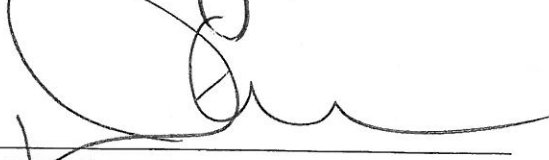
ANNALISA S. WILLIAMS, JUDGE



KATHRYN MICHAEL, JUDGE



KATARINA COOK, JUDGE



DAVID G. LOMBARDI, JUDGE