



# Watertown Opiate Court

Program Manual

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## I. PROGRAM OVERVIEW

The Watertown Opiate Court is presided over by the Honorable Anthony M. Neddo. Judge Neddo, staff members, and treatment agencies are committed to helping individuals stabilize and make positive life changes. This program follows the *Ten Essential Elements of Opioid Intervention Courts* model.

To be eligible for Watertown Opiate Court the individual must be using opiates (ex: heroin, fentanyl or opioid pills and/or substances laced with an opioid), willing to engage in substance use disorder treatment, and have criminal charges pending. Misdemeanors and non-violent felony offenses are considered for the program.

Individuals interested in Watertown Opiate Court will be screened for eligibility. The screening process will identify the defendant's opioid overdose history, current opioid use, pending criminal charges, history of substance use disorder treatment, and willingness to enter substance use disorder treatment. Information obtained in the pre-entry form shall be restricted to the immediate Watertown Opiate Court Team and shall not be used in the pending prosecution or as an independent cause to initiate prosecution.

The program and expectations are explained to the defendant before entry and participants sign a participant agreement form. The participant is expected to appear at Watertown Opiate Court at least one time a week, abstain from all mood-altering substances, comply with the intake process with designated treatment facility and engage in random drug testing at court/treatment. At the first Watertown Opiate Court appearance, the defendant will be interviewed by the opioid court judge for consideration into the program. Program expectations are reviewed, the defendant is provided a copy of expectations and program brochure. Personnel from District Attorney's Office, opioid court defense attorney and the defendant's defense counsel are notified and encouraged to attend the first appearance. A representative from the District Attorney's office and defense counsel shall attend one of the first appearances.

The case manager will meet with the new participant to complete an intake form. The Participant Intake Form is used to collect the individual's demographics and identify any barriers. When barriers are identified the case manager will assist in problem solving and connecting the individual to services. Consent releases forms are signed at entry. An OASAS approved treatment provider staff member will be present to assist in providing the court with advice and direction for the overall success of the participant.

Participants are required to appear at Watertown Opiate Court at least one day a week at a designated time. If a participant is successfully progressing through the program, the Watertown Opiate Court judge will explore the option of reporting decreasing appearances.

Random drug testing occurs at probation, treatment, or court facilities. Every participant is expected to comply with drug testing as directed. Failure to do so may result in termination from the program.

In addition to substance use disorder treatment each participant is offered to be connected to mental health therapy and will be referred if appropriate.

This is a voluntary program and participants can choose to leave the program at any time. If a participant leaves the program early or is released from the program due to non-compliance the court of original jurisdiction is notified immediately and the case is returned to its original posture. When an individual successfully completes the program, a summary of their progress will be sent to the court of original jurisdiction, defense attorney, Jefferson County Probation-Pretrial Services and district attorney's office and the case is returned to its original posture. Treatment providers are notified when there is any change of status.

## II. REFERRAL PROCESS

Referrals to Watertown Opiate Court can be placed from the Jefferson County Probation Department including Pretrial Services, local town, village, city or county court judges, attorneys, sheriff's office and local police departments. The individual must have a chemical dependency to opioids or use that needs treatment, be willing to engage in treatment, and comply with the terms of our program. The primary focus of the court is to connect individuals arrested with misdemeanors and nonviolent felonies to chemical dependency treatment and stabilize them.

A referral can be placed by contacting Watertown Opiate Court Case Manager, at CONTACT INFO, with the individual's name, contact information and charges. From there the Case Manager will gather necessary information, contact the defendant and schedule a time for a screening.

At the first court appearance the defendant will be interviewed by Judge Neddo, program expectations are reviewed, and necessary consent releases are signed.

Some reasons an individual might be ineligible for Watertown Opiate Court are:

- Violent felony charges;
- Lack of in -county residency;
- Outstanding warrants;
- Defendant not interested in the program;
- No response from the referral;
- No consent from court of jurisdiction or/and prosecutor;
- Not using opiates or other at risk substances.

Each referral is reviewed for suitability for the program and the Watertown Opiate Court personnel can admit or refuse any pending referral.

### III. TREATMENT

As soon as possible after a defendant is screened and found eligible for the Opiate Court Program, he/she will receive an admission assessment appointment at an OASAS approved - Opioid Treatment Program. The goal is for every participant to engage in treatment within the first 24 hours of entry. It is a requirement of the program for everyone to be engaged in either inpatient or outpatient substance use disorder treatment, as recommended by the treatment staff. Each participant is advised to explore medically assisted treatment (MAT) options with the staff at the designated OASAS approved treatment provider. They can choose to be on MAT (i.e. Suboxone, Methadone or Vivitrol) or choose not to be prescribed a medication after consulting with medical staff at treatment.

An OASAS approved Opioid Treatment Program (OTP) offers onsite, daily MAT dosing. If a participant decides to be on MAT, they are advised to engage in daily dosing in the OTP. OASAS approved treatment providers offer evidence-based therapy in all groups and individual counseling sessions. OASAS providers offer peer services, physicals, family involvement, case management, and referrals to other services as needed.

If indicated, individuals can be referred to inpatient treatment at program entry or while in the program if it is determined a higher level of care is needed. If needed at program entry, the Court will coordinate with an OASAS approved inpatient representative to ensure quick admission into an inpatient chemical dependency treatment.

### IV. DEFENSE COUNSEL

Individuals who are found to be at risk of opioid overdose and who meet eligibility requirements have an opportunity to consult with defense counsel, prior to entering Opiate Court. The Watertown Opiate Court has defense counsel from the Jefferson County Public Defender's Office and they are present at court on a regular basis. The defendant's assigned or retained defense counsel are notified and must attend one of the first appearances.

### V. PEER SERVICES

Certified Recovery Peer Advocates (CRPA) are available at Watertown Opiate Court. This service provides additional support and improves participant engagement in the program. Each participant is offered a referral to peer services at entry.

Peer Support program is a person-centered service delivered by a Certified Recovery Peer Advocate, an individual who brings personal addiction recovery experience and professional training to the treatment experience. The peer support program offers an array of services. A few examples include:

- Empathetic, one-on-one recovery support and mentorship;
- Connecting you to formal recovery supports such as 12 step programs;
- Non-clinical crisis support, especially following cases of hospitalization or incarceration;
- Education about various modes of recovery, and social and/or other support services;
- Modeling coping skills and identify strengths.

## VI. PROGRAM COMPLETION/CONTINUING CARE

Every participant will discuss a continuing care plan with their treatment provider. The continuing care plan will identify the ongoing services, appointments, and next court appearance. Every participant is advised to continue with substance use disorder treatment.

When an individual completes the program, a program progress report will be sent to the court of jurisdiction, defense attorney and district attorney's office.

EXHIBITS

New Your State Unified Court System Essential Elements of Opioid Courts ..... A

Watertown Opiate Court - *Pre-Entry Form* ..... B

Watertown Opiate Court - *Participant Expectations*..... C

## The 10 Essential Elements of Opiate Courts

- 1. Broad legal eligibility**
- 2. Immediate screening for risk of overdose**
- 3. Informed consent after consultation with defense counsel**
- 4. Suspension of prosecution or expedited plea**
- 5. Rapid clinical assessment and treatment engagement**
- 6. Recovery support services**
- 7. Frequent judicial supervision and compliance monitoring**
- 8. Intensive case management**
- 9. Program completion and continuing care**
- 10. Performance evaluation and program improvement**

For a full description of the 10 Essential Elements, please visit:

<https://www.courtinnovation.org/publications/10-elements-opiod-courts>



## Watertown Opiate Court Screening

Name:

Today's Date:

Address:

Phone number:

Who do you live with?

Do you have health insurance?  Yes  No

If yes, what do you have?

Do you have reliable transportation?  Yes  No

### DRUG HISTORY

Primary drug of choice (how much/ how often/ date of last use):

Secondary drug of choice (how much/ how often/ date of last use):

Other substances used this year:

OPIOID USE

Have you ever experienced a non-fatal overdose from opiates:

- In your lifetime     In the past year     In the past month     Never

Have you ever been administered naloxone or Narcan?                       Yes  No

Do you and/or your family/friends have access to naloxone or Narcan to reverse an overdose?                       Yes  No

Are you currently using heroin?     Yes     No

Are you currently using prescription opioids non-medically?     Yes  No

Do you have a history of intravenous opioid use?                       Yes                       No

Are you currently experiencing opioid withdrawals?                       Yes                       No

- Restless/ Irritability                       Nausea/ Vomiting     Muscle aches  
 Rhinorrhea     Sweating     Diarrhea     Excessive Yawning  
 Fever     Insomnia                       Excessive eye tearing

Have you ever been prescribed Methadone, Suboxone or Vivitrol?     Yes     No

SUBSTANCE USE DISORDER TREATMENT HISTORY (\* sign consent releases)

Where: \_\_\_\_\_ \_ When: \_\_\_\_\_

- Outpatient     Detox     Inpatient     Halfway House     Residential  
Successful Completion                       Yes                       No

MENTAL HEALTH

Do you have a mental health diagnosis?  Yes  No

If yes, what is your current diagnosis? \_\_\_\_\_

Are you currently going to mental health therapy?  Yes  No

If yes, where? \_\_\_\_\_

Are you currently being prescribed any mental health medications?  Yes  No

List psychiatric medication:

MEDICAL

Do you have a primary care provider?  Yes  No

Are you on any medications?  Yes  No

If yes, what? \_\_\_\_\_

LEGAL

Current pending legal charges: \_\_\_\_\_  
\_\_\_\_\_

Court(s): \_\_\_\_\_

Attorney: \_\_\_\_\_

Do you have any warrants?  Yes  No

Are you on probation?  Yes  No

Probation Officer's Name: \_\_\_\_\_



**WATERTOWN OPIATE  
COURT**

245 Washington Street  
Watertown, New York 13601

**Hon. Anthony Neddo**

Treatment Court Judge

**Jennifer Hudson Mosher**

Resource Coordinator II

(315) 785-3052

**Deborah Yuhas**

Case Manager I

(518) 769-0162

Participant Expectations

1. Watertown Opiate Court is held on:  
**Wednesdays 1:30 PM**  
**Your attendance is expected**
2. If you are going to be late or absent from court, you are expected to call Deb Yuhas, Opiate Court case manager at (518) 769 -0162 before court begins.
3. Participant agrees to meet or report to the treatment provider(s) as required and will follow their clinical recommendations.
4. Participant is expected to engage in random testing for drug use and understands that failure to provide a urine sample can be considered by the court to be the equivalent of a positive test result. Any substance use is expected be reported prior to the drug screen results.
5. When applies, participant is expected to follow pre-trial release or probation terms and contact probation department as scheduled.
6. Participant understands that if he/she misses any court dates or fails to comply with expectations he/she may be released from the program. As a result, pretrial release could be revoked and referring court notified.
7. Participant is expected to explore medication assisted treatment and will chose the best option for themselves after discussing with treatment provider medical staff.

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Participant's Signature

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Date