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Onondaga County Opioid Part Care Court

505 S. State Street, Suite 130
Syracuse, NY 13202
bstone@nycourts.gov
(315) 671-2805
Fax (315) 671-2745

Hon. James H. Cecile
Presiding Judge

Brigid Stone
Resource Coordinator

Timothy Zacholl
Case Manager

Eric Rodriguez
Case Manager

Date

Court

RE:

Dear Judge:

Please be advised that the above referenced defendant was referred to CARE COURT to be assessed for their risk of overdose and need for treatment relative to their substance use. It has been determined that XXX is eligible to participate in this program for the purpose of stabilization. By copy of this correspondence, we would ask that XXXXX's attorney and the District Attorney assigned to this case make a record of the suspension of prosecution for the purpose of engagement in CARE COURT.

CARE COURT participation is approximately 90 days. We would ask that you adjourn your case 90 days from the date of this correspondence. We will notify your Court of any change in circumstance immediately. Once XXXX is deemed stable and ready to resume prosecution we will advise your Court of the recommended course of action moving forward.

If you have any questions or concerns, please contact me.

Sincerely,

Brigid Stone, Resource Coordinator
Onondaga County Problem Solving Courts

Cc: XXXXXXXXXX, Esq.
XXXXXXXXXX, Assistant District Attorney

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ONONDAGA COUNTY OPIOID PART CARE COURT

511 South State Street, Room 117 Syracuse NY 13202
(315) 671-2795 fax (315) 671-2745

Hon. James H. Cecile
Presiding Judge

Brigid Stone
Resource Coordinator

Tim Zacholl
Case Manager

Eric Rodriguez
Case Manager

CARE COURT REFERRAL FORM

Any defendant presenting with a substance abuse problem that appear to be at immediate risk of overdose or death may be referred to CARE COURT for further assessment.

Assessment and access to medication assisted treatment will be provided within 24-48 hours. Case Managers are also available at any time to assist you:

Tim Zacholl – ACR Health – 315-314-1397 tzacholl@acrhealth.org

Eric Rodriguez – CARE Court – 315-671-4278 ebrodrig@nycourts.gov

PARTICIPANT CONTACT INFORMATION

NAME: _____ DOB: _____

TELEPHONE: _____

EMAIL ADDRESS: _____

*Please return this referral form to Brigid Stone via email or fax. We will contact the defendant directly to arrange the assessment. If the defendant is incarcerated, please note that on the referral and we will arrange the interview in the jail.

REFERRAL COURT/JUDGE: _____

SYRACUSE OPIOID PART (CARE COURT) – BENEFITS OF PARTICIPATION

Why participate in CARE Court?

EASY ACCESS – The quickest way to get the help you need and enter a treatment program is through the CARE Court. The staff at the Court can assess your needs and refer you to treatment almost immediately. They are familiar with the local treatment agencies and can determine the best fit for a participant. Their connection to the agency affords you quick entry into treatment.

EQUITY – Whether you choose to participate in a problem-solving court or not, your willingness to engage in and complete substance abuse treatment is considered an equity to the District Attorney assigned to your case. This means your participation will be considered favorably when the time comes to discuss a disposition of the charges. A willingness to address your substance use shows your willingness to change.

FOCUS – While participating in CARE Court the District Attorney, in conjunction with your defense attorney, agrees to suspend the prosecution of your charges. That means your charges are essentially put on “hold” while you start your stabilization period in recovery. There is no legal jeopardy attached to you.

FOUNDATION- Participation in CARE Court not only provides the opportunity to start the stabilization process in recovery it also paves the way to other Problem-Solving Courts. Long term sobriety does not come in 90 days. Problem-Solving Courts afford you the opportunity to continue your path to recovery and provide the support and guidance you need to become and remain sober. Should you choose to participate in another Problem-Solving Court your time in CARE Court will be an equity toward phase advancement.

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ONONDAGA COUNTY OPIOID COURT CARE COURT

511 South State Street Room 117
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Phone (315) 671-2805

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Brigid Stone, Resource Coordinator
(315) 671-2805

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(315) 314-1397
Eric Rodriguez, Case Manager
(315) 671-4278

WHY CHOOSE CARE COURT?

BECAUSE LIFE IS WORTH LIVING:

CARE Court can provide immediate assessment and referral to MOUD (medications for opioid use disorder) and treatment services. Opiate addiction is all consuming, but you don't have to do it alone! You will have access to CARE team members every step of the way. This includes the Judge, CARE case management, inpatient/detox facilities, MOUD providers, outpatient services, mental health assessments/referrals and much more.

THE ABILITY TO FOCUS ON YOUR OWN RECOVERY:

We understand that the legal aspect of this process may sometimes drive a person's fear to not take that first step toward recovery. Questions like "What will happen if I relapse?" "What will happen to my case once I am stabilized?" "What if I decide I no longer want to participate in CARE?" Your legal charges will be put on "pause" while you are participating in the program. Your sole focus will be to get better.

EASY ACCESS TO THE NEXT STEP TOWARD CONTINUED SOBRIETY:

Once you are stabilized and ready to take the next step in your journey, we are here to help! We can assist you while deciding the next logical step in your recovery and make the appropriate introductions and referrals. Whether it's another Problem Solving Court, Probation or a community referral we can provide access to substance use treatment, MOUD, mental health treatment, self-help meetings, housing, support services (HIV counseling, drug user health/prevention counseling, insurance assistance, support groups and more)

ADDED INCENTIVE TOWARD A FAVORABLE DISPOSITION IN YOUR LEGAL CASE:

Once you complete CARE and are ready to address your legal charges, being clean and sober goes a long way in demonstrating your commitment to change. No matter what the next step you have shown your willingness to address the underlying issues that may have contributed to your crime. The Judge and the District Attorney will take these facts into consideration. The CARE team includes members of the defense bar as well as the District Attorney's Office. Their goal is also to help you achieve and maintain sobriety.

ONONDGA COUNTY OPIOID PART – CARE COURT

MEMORANDUM OF UNDERSTANDING

HB
rough draft

Memorandum of Understanding between:

ONONDAGA COUNTY OPIOID PART – CARE COURT AND ONONDAGA COUNTY DISTRICT ATTORNEY'S OFFICE.

This memorandum, entered into this 22ND day of October, 2021 is an agreement in principle concerning the consideration and entry process of charges being referred to CARE Court;

1. CARE Court will:
 - a. Identify target population that are deemed at risk of overdose or death and work with the District Attorney's Office, defense counsel and the Departments of Probation and Parole to recommend CARE Court as a means to achieve stabilization from mood altering substances in the early stages of their criminal case processing.
 - b. Conduct initial screening for Substance Use Disorder (SUD) and need for medically assisted treatment (MAT) to include signing appropriate releases to be shared with the appropriate team members.
 - c. Make referrals to agency according to the identified level of care and any MAT recommendations for a timely admission.
 - d. Calendar cases for Court review and staffing.
 - e. Coordinate the collection of information to develop a status report for court staffing.
 - f. Maintain accurate and updated treatment information in the courts Universal Case Management System.

2. The CARE Court Judge will:
 - a. Preside over CARE Court calendars. The Judge will deliver an honest snapshot of the CARE Court program and what the program expectations are.
 - b. During Court sessions the Judge will interact with participants to encourage, motivate, and reward participants as they move through the stabilization period in their recovery.
 - c. Ensure that providers are heard regarding a participant's progress, challenges, and recommendations.
 - d. Promote a collaborative, non-adversarial relationship between treatment team members.

3. Onondaga County District Attorney's Office agrees to the following:
 - a. Assessment and entry of misdemeanor level crimes are allowable for the purposes of CARE Court participation and stabilization.
 - b. Assessment and entry of non-violent felony level crimes are allowable for the purpose of participation and stabilization.

- c. Assessment and entry of violent felony level crimes are dependent on prior notice by the Court and subsequent discussions between the Court and the Onondaga County District Attorney's Office about the allegations and circumstances surrounding the case. Assessments will not be scheduled until all parties agree to the possibility of participation.

All signatories will agree to work cooperatively in the best interest of the mutual participant of the CARE Court and The Onondaga County District Attorney's Office.

HON. JAMES H. CECILE, PRESIDING JUDGE

BRIGID STONE, RESOURCE COORDINATOR

ONONDAGA COUNTY DISTRICT ATTORNEY'S OFFICE

INPATIENT TREATMENT FACILITIES

Crouse Chemical Dependency Services – Commonwealth Place
(315) 434-2470

Helio Health – The Willows
(315) 492-1184

Conifer Park Inpatient
1-800-989-6446

White Deer Run/Cove Forge
1-844-290-3886

BEHAVIORAL HEALTH

Liberty Resources
(315) 413-7606

Helio Health, Inc
(315) 471-1564

Brownell Center
(315) 472-4471

St. Joseph's Comprehensive Psychiatric Emergency
(315) 426-8653

CIRCARE
(315) 472-7363

OUTPATIENT TREATMENT FACILITIES

Crouse Chemical Dependency Services
(315) 470-8304

Helio Health, Inc
(315) 471-1564

Syracuse Recovery Services
(315) 475-1771

Conifer Park Outpatient
1-888-771-6276

Insight House
(315) 724-5168

DETOX

Helio Health – Evaluation Center
(315) 471-1564

Conifer Park Inpatient
1-800-989-6446

INTERVENTION/PREVENTION SERVICES

ACR Health
(315) 475-2437

Helio Health – Mobile Crisis Response
(315) 401-4288

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(also 7A?)

AMENDED OPERATING PROTOCOLS – POST-COVID

OPIOID PART - CARE COURT

In the criminal arraignment part, cases are identified and flagged for CARE Court. This determination may be made by reviewing the arrest reports for indication of opiate use/possession or it may be a self-admission that the defendant has an opiate addiction. Once identified, the case should then be referred to CARE Court and notification will be sent to the Resource Coordinator.

The Resource Coordinator/Case Manager will contact the participant via telephone or email in order to schedule an assessment. This assessment will be performed over the phone. If the participant is incarcerated, the evaluation will be conducted in the facility or by phone while in the facility.

Referrals will be made based on the assessment. These referrals include MAT (Medication Assisted Treatment), housing and substance use and mental health treatment. The coordination of care is done using email, telephone and TEAMS/ZOOM.

Daily check-ins with the participant will continue to primarily be telephone, texting, email or TEAMS/ZOOM. Based on a participant's needs and cognitive capabilities, these check-ins may also be a Court appearance.

The Resource Coordinator is responsible for requesting reports from the care team (Resource Coordinator, Case Manager, MAT provider, Treatment Provider and Peer). These reports are compiled into a comprehensive report for the Judge and the team that is ready for each court appearance. These reports are maintained and shared using email.

Pre-Court staffing is comprised of an appearance summary report generated using information shared between treatment providers, case manager, resource coordinators and housing programs. This information is shared via email and entered into TSM for the report generation and shared with the team.

Court appearances will be held both virtually as well as in person depending on the needs of the participant. Court appearances will be limited to the CARE Court day and will be scheduled and staggered in accordance with distancing requirements and Courtroom limitations. Any virtual appearances will be created and shared by the Resource Coordinator. Virtual appearances may also be used as an incentive for satisfactory participation as well as a solution for transportation barriers.

CARE COURT COMPLETION REQUIREMENTS

The following benchmarks are to be considered for successful completion of the program:

- 60 days clean from non-prescribed mood-altering substances
- Stable and safe housing
- Documented compliance on a therapeutic dose of MOUD (where applicable)
- Compliance with all treatment recommendations/providers
- Compliance with Case Management appointments
- Proof of continuing pro-social activities
- Completion of a writing assignment outlining your next step in recovery, to include a relapse prevention plan naming your support system.