

MONROE COUNTY TREATMENT COURT PRE-SCREENING FORM INSTRUCTIONS

Preliminary Criteria – all applicants must meet ALL of the following criteria to be considered for Treatment Court:

- 18 years of age or older
- Have an active pending criminal case or a probation/parole violation pending in Monroe County with any combination of misdemeanors and/or felonies not otherwise listed as disqualifying
- A resident of Monroe County
- Have a clinical diagnosis of Substance Use Disorder
- Have a validated risk/needs assessment identifying a need for treatment
- Acknowledges that in-person attendance is required
- Does not have unresolved out of county/out of state criminal charges
- Voluntarily agrees to participate in, and be subject to the rules, regulations and sanctions of the Treatment Court Program
- Have the capacity to voluntarily participate in the Program
- Have not previously participated in or been terminated from the Monroe County Treatment Court Program.*

* There is a one-time admission into the program notwithstanding a participants' completion or non-completion.

1. If you or the applicant believes they may be an eligible candidate for any of the tracks within the Treatment Court Program, the applicant shall complete the PRE-SCREENING FORM.
 - The purpose of the PRE-SCREENING FORM is to assist in identifying those who meet preliminary eligibility requirements *prior* to formal submission of an application to the Treatment Court Team to determine candidacy for admission to the Treatment Court Program.
 - The Pre-Screening Form is ONLY the first step. Other requirements, including the submission of a formal application to the Treatment Court Coordinator, must be satisfied before an applicant can be formally accepted into the Treatment Court Program.
 - This includes the results of the Ohio Risk Assessment Screening (ORAS)
 - The results of the comprehensive drug and alcohol assessment
 - The recommendation of the Treatment Court Team
 - The approval of the District Attorney
 - The approval of the Court

- The Pre-Screening Form will be reviewed by the District Attorney's office to determine preliminary eligibility of the individual. The District Attorney's Office will have 14 days to review the pre-screening request.
 - The District Attorney's Office will review the Criminal Complaint charging the applicant for the current arrest as well as the offender's criminal history.
 - Any applicant who does not meet the preliminary eligibility criteria based on the responses on the Initial Screening Form for any of the tracks, will be disqualified as a candidate and will not be further assessed for entry into the program unless the individual qualifies for reconsideration. The Monroe County District Attorney's Office has the right to reject an applicant for Track I and Track II of the Program at their discretion, including reconsideration. The Court has the sole discretion to accept or reject an applicant from Track III of the Program.
 - *Please note the Reconsideration Policy as set forth below for certain disqualifying criteria or offenses.*
 - *If an Applicant is otherwise eligible except for one of the disqualifying offenses, and the disqualifying offense is one that is subject to reconsideration, the applicant should still submit the PRE-SCREENING FORM to the District Attorney's Office for preliminary review.*
 - *After receipt and review of the PRE-SCREENING FORM, the District Attorney's Office will notify the individual if they are eligible for Track I or Track II, after which the applicant may submit a written request for reconsideration with the DA's Office if they are deemed ineligible. If the applicant is notified they are ineligible for Track III due to a disqualifying offense, the applicant may request reconsideration by the Court by filing a written request with the Treatment Court Coordinator.*

2. Submit the completed Pre-Screening Form to:

Monroe County District Attorney's Office
 Attn: Treatment Court
 701 Main Street, Suite 200
 Stroudsburg, PA 18360
 Or email to: aheller@monroecountypa.gov

w/. a copy to the Monroe County Probation Office

3. If the applicant meets pre-screening eligibility, the DA's Office shall notify the applicant and/or defense counsel and the Treatment Court Coordinator. The applicant shall then file with the Treatment Court Coordinator the formal application for the Program. Adult Probation/Treatment Court Coordinator and Drug and Alcohol will have 14 days from receipt of the formal application to interview and assess the applicant. The applicant shall cooperate in attending the interview and assessment.
4. The applicant can still be denied entry into the Program by the District Attorney or the Court for Track I and Track II and by the Court for Track III, even if they are deemed eligible following the pre-screening process.

DISQUALIFYING CRITERIA/OFFENSES

In screening individuals, the District Attorney will automatically exclude the following (Those offenses with an asterisk(*) may be waived by the District Attorney within his discretion [or by the Court for Track III] and/or are eligible for reconsideration):

- Individuals who are eligible for ARD for the current offense (DUI and non-DUI)
- Individuals who have a history of violent behavior*
- Individuals who possess/use a weapon in the commission of any offense*
- Individuals who have violated a Protection From Abuse (PFA) order*
- **Individuals with pending charges, or a prior conviction or adjudication of any of the following offenses, including attempt/solicitation/conspiracy to commit any of the following offenses:**

Crimes of Violence:

Criminal Homicide and Murder
Voluntary and Involuntary Manslaughter
Drug delivery resulting in death
Crimes against unborn child
Aggravated Assault*
Assault of a law officer
Assault by prisoner
Discharge firearm into an occupied structure
Strangulation
Simple Assault*
Rape
Incest
Sexual Assault
Institutional sexual assault
Aggravated Indecent Assault
Indecent Assault
Indecent exposure
Involuntary Deviant Sexual Assault
Statutory Sexual Assault
Sexual Abuse of Children
Unlawful Contact with Minor
Sexual Exploitation of Children
Internet Child Pornography
Sexual offenses with animals
Dissemination of intimate images*
Female mutilation
Sexual extortion
Failure to comply w/ registration requirements
Conduct relating to sex offenders
Robbery
Robbery of a Motor Vehicle
Burglary*
Theft by Deception*

Theft by extortion
Victim Intimidation
Unlawful contact with a minor
Endangering welfare of a child*
Corruption of a minor*
Threats to official/political matter
Intimidation of witness
Retaliation against a witness
Retaliation against prosecutor/judge
Kidnapping
Arson
Intimidation in child abuse case
Cruelty to animal*
Aggravated cruelty to animal
Solicit minors to traffic drugs
Obscene materials/performances
Unlawful restraint*
False Imprisonment*
Concealment of a child*
Luring a child to vehicle/structure
Human Trafficking
Involuntary servitude
Patronizing victim of invol. serv.
Unlawful conduct re: documents
Sexual assault by sport official, etc.
Cause/risk catastrophe*
Stalking*

Vehicle Code Offenses:

- Driving Under the Influence of alcohol or drugs, first or second offense (third offense or greater*)
- Homicide by vehicle and homicide by vehicle DUI
- Aggravated assault by vehicle and aggravated assault by vehicle DUI

Drug Offenses:

- Possession with intent to deliver (PWID)*
- Violent drug offenders or drug offenders who sold drugs for profit
- Communication device/facility offense*

Mental Health:

-Anyone diagnosed with a serious mental health illness that does not allow for functional participation in the Treatment Court Program.

Note: The circumstances and details of all offense(s) are taken into consideration along with any victim impact.

RECONSIDERATION POLICY

For purposes of admission into the Treatment Court Program, the DA shall make determinations regarding eligibility and participation in Track I and Track II pursuant to their office policy on a case-by-case basis. The Court, with the recommendation of the Treatment Team, will make determinations regarding eligibility and participation in Track III. Generally:

- The applicant or a party to the applicant's case (applicant's attorney, probation officer, pre-trial services, treatment provider, etc.) may submit a request for reconsideration if they feel a particularly important factor was not considered or disclosed in the initial application that resulted in a denial.
- All requests must be submitted in writing and can only be filed once.
- The request must be filed within 30 days of the initial determination of ineligibility and shall include supportive reasoning for reconsideration – i.e. mitigating circumstances pertaining to the crime, psychiatric/psychological reports that were not previously available, or other relevant information in written format.
- The request for reconsideration for Track I and Track II shall be submitted in writing to the DA's Office. The request for reconsideration for Track III shall be submitted writing to the Treatment Court Coordinator.
- The DA retains the right to deny final approval for Track I and Track II applicants, including reconsideration. For extraordinary reasons, the Treatment Team could fail to recommend or the Court could deny an applicant under Track I and Track II even if approved by the DA.

**MONROE COUNTY TREATMENT COURT
PRE-SCREENING FORM**

Please review the Pre-Screening Instructions prior to completing this form.

APPLICANT'S NAME: _____ DOB: _____ SSN: _____

ADDRESS: _____ Phone#: _____

If applicant is incarcerated, please identify institution: _____

Current Charges(s): _____

OTN: _____ Arraignment Date: _____ Arresting Police Dept.: _____

Defense Attorney: _____ Attorney's phone #: _____

Defense Attorney email: _____

Person completing form: _____ Phone#: _____

PART A

1. Is the applicant at least 18 years old? yes no
2. Does the applicant have an active pending criminal case and/or a pending probation violation
In Monroe County? yes no
3. Is the applicant a resident of Monroe County? yes no
4. Does the applicant admit to or appear to have a drug abuse or addiction problem, or is the offender
known to have a drug abuse or addiction problem? yes no
5. Does the applicant admit to having a valid medical marijuana card? yes no
6. Does the applicant have pending charges/violations in another jurisdiction? yes no

PART B

7. Does the applicant have a history of violence? yes no
8. Did the applicant possess or use a weapon in the commission of any offense? yes no
9. Has the applicant violated a Protection from Abuse Order? yes no
10. Is the applicant's current charge one of the offenses listed as ineligible under the Policies and Procedures
of Treatment Court: yes no

If you answered "yes" please list the offense(s).

11. Has the applicant ever been convicted of or adjudicated delinquent to one of the listed offenses as ineligible under the Policies and Procedures of Treatment Court?

yes no

If you answered "yes" please list the offense(s) and year of conviction:

Defendant/Applicant

Date

Please submit this form to:

Monroe County District Attorney's Office
Attn: Treatment Court
701 Main Street
Stroudsburg, PA 18360
Or email: aheller@monroecountypa.gov

w/. a copy to the Monroe County Probation Office-Attn. Treatment Court Coordinator

- Incomplete Forms will not be considered or reviewed
- Any applicant who does not meet the preliminary eligibility criteria based on the responses on the Initial Screening Form, or based on a review by the Office of the Monroe County District Attorney will not be considered as a candidate for the Monroe County Treatment Court Program.
 - The Office of the District Attorney will review the Criminal Complaint and relevant police reports for the current arrest as well as the offender's criminal history.

Note: The purpose of the initial screening form is to assist in identifying those who meet preliminary eligibility requirements prior to completion and submission of a formal application. Other eligibility criteria will still apply and be reviewed following formal application for entry into the Treatment Court program.

DA REVIEW:

Eligible:

Not Eligible:

Track: _____

Reason:

DA Initials: _____

Date: _____