

Understanding Ohio's Outpatient Competency Restoration (OCR)

Introduction

OCR is a structured program designed to assist justice-involved individuals navigating the court system who may struggle with mental illness, intellectual/learning difficulties, and/or cognitive impairment.

Identifying Appropriate Candidates

- **IST Individuals:** Defendants deemed Incompetent to Stand Trial (IST) might struggle due to a lack of familiarity with judicial processes or impairment from mental health conditions or other medical conditions.
- **Addressing Needs Outside a Hospital:** Not all IST individuals require hospital-level care for competency restoration.

Legal Context

- According to the Ohio Revised Code 2945.38, non-violent misdemeanor defendants can be diverted to OCR or mental health treatment through the criminal Court.
- Courts may assign any defendant to undergo OCR if deemed the least restrictive environment suitable for them.

Operational Outline of OCR

- **Geographical Spread:** Ohio operates 10 OCR programs, covering all 88 counties.
- **Method of Education:** Defendants engaged in OCR undergo individual or group sessions, either in-person or virtually, based on necessity and appropriateness, with a frequency varying from once to multiple times per week.
- **Educational Content:** Sessions encompass understanding courtroom roles (judge, attorneys, etc.), comprehending pleas and their implications, grasping trial processes, learning to assist one's attorney, and managing anxiety related to court proceedings.

Community Connection

Individuals in OCR are also connected with community mental health providers and services, ensuring a seamless continuation of care

(like psychiatric medication management) during their competency restoration journey.

- **Linking Services:** If not already connected, they're linked to suitable services and asked to sign a Release of Information to aid coordination between OCR and their primary mental health care provider.
- **Additional Support:** Using funds from OhioMHAS and the local ADAMHS Board, extra help with housing, transport, etc., might be facilitated.

Roles of Court Personnel

Court staff ensure:

- Completion of a court order indicating the defendant is to receive OCR from the OCR program, along with the OCR program's referral form for this service.
- Clear communication of court expectations related to OCR attendance and participation to the defendant.
- Provision of current contact information of the defendant to the OCR program.
- Assistance with managing logistical and compliance aspects of participating in OCR, possibly including pre-trial probation.
- Possible facilitation of private spaces for telehealth sessions.
- Regular feedback to the Court throughout the OCR process is encouraged.

Post-OCR Procedures

- A re-evaluation is conducted to gauge the defendant's capability to comprehend court proceedings and to assist in their defense, with findings subsequently communicated to the Court.

For further details or contact information for OCR programs, interested parties are advised to visit the dedicated page on the state's website. Note that OCR is financially backed by the OhioMHAS, posing no direct cost to the Court.

