

August 11, 2016

Tod Brininger, Attorney
The Koffel Law Firm
1801 Watermark Drive, Suite 350
Columbus, Ohio 43215-7093

Re: Clinical Alcohol Assessment for Michael Panian (DOB – 07/03/1986)

Dear Mr. Brininger:

I performed a Clinical Alcohol Assessment for Mr. Panian in reference to his OVI charge in Marion County. This assessment included a 50-minute clinical interview and the administration of:

- A Michigan Alcohol Screening Test (MAST)
- An Alcohol Use Disorders Identification Test (AUDIT)
- A general anxiety/depression screening
- A review of the 5/31/16 officer's OVI arrest video

The following items provide a summary of the screening results, my diagnostic opinion and professional recommendations:

MAST: score = 2 / *NEGATIVE SCREEN*; no direct or indirect indication of problem alcohol use, mitigate concerns with clinical recommendations

AUDIT: score = 1 / *NEGATIVE SCREEN*; scores of 8 or more indicate *hazardous use*, scores of 15 or more in men indicate *moderate to severe* disorder present, mitigate concerns with clinical recommendations

Alcohol Use Risk Factors:

- ☒ previous legal history – June 2011
- ☐ severity of incident – (arrest video review unremarkable in terms of clear indications of excessive use of alcohol, tolerance, etc.)
- ☐ anxiety/depression/mental health – NA
- ☐ other substance use – not found
- ☐ family history – none reported
- ☐ prior treatment history – NA
- ☐ peer influences– not found
- ☐ work environment – not found
- ☐ contraindicated prescription use – NA
- ☐ general health problems – NA
- ☐ current family stress – NA

Summary - 1 of 11 concerns, mitigate concern with clinical recommendations

Clinical Interview/Summary: Mr. Panian's written screenings provided no indication of an alcohol use disorder at any level (mild, moderate or severe). He reported his use of alcohol before this charge as infrequent, some months not drinking alcohol at all or some months where he might drink 4-5 drinks but over a period of 4-6 hours at a special event, but no more than once per month. Given his current body weight, his stated use of alcohol does not exceed NIAAA low risk drinking guidelines.

Mr. Panian and I discussed both of his OVI incidents and general use of alcohol at length. He believed his arrest was not due to alcohol related impairment but he did not want to provide a breath sample to the officer since he already had a previous OVI and had admitted to the officer some modest use of alcohol earlier in the day. As means to confirm Mr. Panian's report of his arrest I asked his permission to view the arrest video and he had no problem with my request. After reviewing the video, I noticed his slight crossing of a lane marker but I found no convincing indications of an alcohol use disorder (such as tolerance or impaired control of use), Though the video was limited in terms of being able to see coordination tests there was substantial opportunity to hear Mr. Panian speaking (counting backwards, reciting alphabet) and I was able to view his walk/gait and general demeanor in front of the police cruiser. While I found no basis from the video or the interview to conclude he meets DSM-5 alcohol use disorder criteria, I did note the concerns associated with driving a vehicle after consuming alcohol. Accordingly, I am providing a proactive recommendation in the remainder of this report to help Mr. Panian avoid any future similar occurrences.

DSM-5 DIAGNOSIS in Reference to Substances: Z03.89 (suspected substance use condition not found)

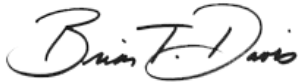
Treatment Recommendations:

- 1) Attend a local MADD Victim Impact Panel, 5900 Roche Dr. #250
Columbus, OH 43229, Phone - 614.885.6233, email - oh.state@madd.org;
- 2) If another negative consequence is incurred as a result of any alcohol use it is recommended Mr. Panian seek further evaluation and follow all treatment recommendations.

If you or the court possess additional information about Mr. Panian's use of alcohol that might impact the outcome of this assessment, I would be happy to review it and consider appropriate modifications or amendments to the present report.

Thank you for the opportunity to assist the court, Mr. Panian, and yourself in this important matter.

Sincerely,



Brian T. Davis, LISW-S, SAP
LIC# I-7948
cc: Michael Panian

Prohibition Against Re-Disclosure: This information has been disclosed to you from records protected by Federal Confidentiality rules. The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 C.F.R Part 2. A general authorization for the release of medical or other information is not sufficient for this purpose. The Federal rules restrict any use of information to criminally investigate or prosecute any alcohol or drug abuse client. Drug abuse patient records are also protected under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 45 C.R.R parts 160 & 165. (These conditions apply to every page disclosed and a copy of this authorization will accompany every disclosure.)

Diagnostic Conclusions / Limitations: Directions Counseling Group provides Clinical Alcohol Assessments based on objective and standardized screenings and interviewing methods as well as self-reported information. Clinical conclusions are made to the best of the professional's ability with data on hand at the time of the assessment. Expanded assessments which involve additional background research, collateral information and third party verification can be provided as an additional service upon request.