

22<sup>nd</sup> Judicial District Court

**Veterans Court**

**PARTICIPANT HANDBOOK**

## Welcome and Introduction

Welcome to the 22<sup>nd</sup> Judicial District Court Veterans Court. This handbook is designed to be an overview of what to expect as a participant in Veterans Court. It provides a basic outline of the program and is a resource to turn to for the many questions you may have as you move through the program.

As a participant of the Veterans Court you will be expected to follow the instructions given to you by Judge Raymond S. Childress and the Veterans Court Team. You will also be expected to follow all supervision and program rules and complete the treatment plan developed by you and your assigned treatment agency.

We encourage you to share this handbook with your family, significant other and clean and sober friends, who are an important part of your recovery.

## History and Purpose

The 22<sup>nd</sup> Judicial District Court Veterans Court program began on April 1, 2017 and was developed to help participants achieve total abstinence from drugs and/or alcohol, be diverted from prison or jail, and to have a more satisfying law-abiding life. The Veterans Court is designed to reduce re-arrests, promote self-sufficiency through employment and education and to help you remain in the community as a productive and responsible member of society by diversion from prison or jail. The Veterans Court program is voluntary on your part. You must want to participate in this program. The judge, court staff, supervision officers, treatment counselors and other team members will guide and assist you, **but the final responsibility is yours. You must be motivated to make these changes and commit to a total drug free life with the exception of any treatment recommended by the treating physicians.**

The program involves working jointly with the Court (judge, and his staff), District Attorney's Office, Public Defenders Officer, Defense Attorney), community supervision, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, and other key team members, all dedicated to your recovery for a minimum of one year. **You will not be sent to prison or back to jail if you comply with the conditions of the program and graduate.** Our team will be working with you towards successful completion of the program, but the choice and effort to become drug and alcohol free and not commit new crimes comes from you.

It is important that you understand the long-term commitment required by this program. You will become involved with community support group meetings, attend substance abuse treatment, participate in mental health treatment (if indicated), be subject to strict community supervision, submit to random drug testing and make regular appearances in court.

## **What is Veterans Court?**

The 22<sup>nd</sup> Judicial District Court Veterans Court program is only for veterans of the Armed Forces of the United States as defined by law. The Veterans Court is a court-supervised program coupled with intensive treatment and supervision for criminal offenders.

This is a voluntary program that includes regular court appearances before the designated Veterans Court judge. It also involves drug and alcohol treatment, mental health treatment (if applicable) random drug testing, support group meetings, vocational or job counseling, educational classes and community supervision. The Veterans Treatment Court program is broken into four phases. You must complete all five phases successfully to graduate. The program requires at least 18 months of participation. A minimum of 12 months are required for participation in treatment, followed by a minimum of 6 months of community transition.

## **Who can be a Part of Veterans Court?**

Not everyone can be a part of the Veterans Treatment Court program. You must have served in the United States Armed Forces in some capacity. Your criminal history will be closely reviewed by the District Attorney. If you are approved by the District Attorney, you will then be scheduled for a substance abuse and mental health evaluation. The purpose of this assessment is to determine whether or not you are drug and/or alcohol dependent or have any mental health issues. If the results of the evaluation are appropriate, you will then be eligible for the Veterans Court and allowed to enter a plea. You cannot have any violent charges, gun charges, gang relations or sex crime charges. You must agree to provide your DD214 and agree to voluntarily release your personnel military file from whatever branch of service you were a member of to the District Attorney's Office. The District Attorney's Office will review your entire military file to determine your eligibility for Veterans Court.

## **Court Appearances**

If you choose to participate in the Veterans Court program after you are approved for admission, you will be instructed to appear in the court for an Entry of Plea. When you arrive at Court for your Entry of Plea, either your Attorney, or a Public Defender will advise you of your rights and discuss the Veterans Court program rules and requirements with you. After you plea into the Veterans Court, your Attorney and/or Public Defender will continue to represent you throughout your participation in the Treatment Court program until successful graduation or termination.

In Phase I, you will attend court weekly. Veterans Court is held on Wednesday mornings at 0830 am in Courtroom 8. During Phase II, you will attend court every two (2) weeks and in Phase III, IV and V, court attendance will be scheduled every four (4) weeks.

## **Treatment**

Substance abuse and mental health treatment are provided through this court program or the federally funded Veterans Health Administration. The treatment provider to which you are assigned will coordinate your treatment and may refer you to additional treatment and/or mental health services as needed. After your intake session, you and your counselor will develop a treatment plan that involves both group and individual counseling. The schedule will be determined by the treatment provider, but attendance is required. You may be required to attend more groups or individual sessions depending upon your treatment plan. Each treatment plan is individualized to best meet your particular needs.

Substance abuse counseling is comprised of three separate formats: individual sessions, group sessions and case management. As part of your treatment plan, you will be required to participate in all formats. Together they are designed to help you develop self-awareness, realize self-worth, and practice self-discipline. The individual and groups counseling sessions will include problem identification and alternative solutions.

You are responsible for attending all scheduled appointments. Treatment misses must be excused by your treatment agency and made up later. Your attendance and level of participation at counseling sessions will be reported to the team as part of your weekly progress reports. **You must contact your case manager or your counselor if you are unable to attend or will be late to a schedule session. Unexcused misses could result in sanctions.**

## **Supervision**

Following your acceptance into the Veterans Court program, you will report to your Veterans Court Case Manager for orientation. Your Probation Officer will make random field and home visits to assess and observe your home and verify your job. Drug testing may be conducted randomly during home visits or scheduled during office visits or court appearances.

## **Veterans Court Phases**

The Veterans Court Program is a five-phase, highly structured and supervised program using primarily outpatient treatment. Treatment is designed to last for a minimum of 12 months, followed by 6 months of community transition. Your progress through the treatment phases will depend upon your completion of treatment goals and compliance with drug testing and other program rules. Less sanctions often means faster promotions. Participants must also make significant progress in treatment and other program requirements to be promoted. Each phase consists of specified requirements for "promotion" into the next phase. The required 6 months of community transition is a supervision phase where you can practice your sobriety without active treatment in place. You must have nine months (9) of clean time to be eligible to graduate.

## **Progress Reports**

As a Veterans Court Program participant, you will be required to appear in Court on a regular basis. At each appearance, the Judge will be given a progress report prepared by your treatment agency and parole officer regarding your drug test results, employment status, attendance and participation at required treatment and supervision appointments. The judge may ask you and/or treatment or supervision questions about your progress, and discuss your progress. Excellent reports mean that you will progress through the program more quickly. Failure to comply with any of the requirements may delay your promotion or graduation.

*The goal of the Veterans Court Program is to help you achieve total abstinence from illicit and illegal drugs, address your individual treatment needs, and avoid future arrests.*

## **Failure to Appear**

Failure to appear in Court on the date and time you are scheduled will result in a warrant being issued for your arrest. If you cannot appear in court on your scheduled review date, you must notify your case manager prior to the miss. If you have an emergency, you must notify supervision or your case manager as soon as possible to avoid a sanction.

## **Termination from the Program**

Warrants, new arrests or noncompliance could result in your being terminated from the Veterans Court Program and sentenced on your pending charge(s). Noncompliance violations which could result in termination include consistently missing drug tests or testing positive, missing treatment and/or supervision appointments, repeatedly breaking the program rules, and/or violence or threats of violence directed at other participants, treatment staff, or other VTC team members. "Driving under Suspension" or "Driving under Revocation" may also result in your revocation.

## **Withdrawal from the Program**

You will have several opportunities to withdraw from the program after application including prior to entry of plea, and then within ten (10) days following your entry of plea. During this withdrawal period, if you choose to opt-out of the program, your case will be transferred back to the traditional court docket.

## **Incentives**

Veterans Court provides incentives to encourage your progress. Incentives may be received for excellent participation, clean holiday time, new job, college attendance, driver's license reinstatement, etc. Incentives can include candy bars, gift cards, or free drug tests. Incentives are given to recognize successes you have achieved in the Veterans Court program.

## **Sanctions**

If you fail to comply with the Veterans Court Program rules, you may be sanctioned. Sanctions are progressive and become stiffer for repeat violations. In higher phases, the expectation is you will not have any sanctions, therefore, the sanctions imposed may be stiffer than for lower phases. Sanctions are individualized to your situation and should not be compared against sanctions given to someone else. Below are some common sanctions.

- Admonishment by the Veterans Court Judge;
- Daily contact with parole or case manager;
- Increased drug testing;
- More frequent court attendance;
- Assignment of community service hours or day reporting at the jail;
- Increased supervision, including GPS or alcohol monitoring;
- Jail, up to 5 days per violation;
- Other Sanctions, as determined by the Judge and the Veterans Court team;
- Termination from Veterans Court and placed back on regular docket for prosecution by District Attorney

## **Program Rules**

As a Veterans Court participant, you will be required to follow these rules:

### **Don't violate the law.**

Do not have any law violations. No new arrests. No driving without a valid license. No traffic offenses. Follow all federal, state and local laws.

### **Attend all Veterans Court required appointments.**

You must attend individual and group counseling, educational sessions, and case management appointments at treatment WHEN treatment schedules you. Appointments with parole office will include intake, office visits, home visits, and phone calls. Drug testing is required on the same day your drug testing color is called. Court attendance is mandatory. Community service must be completed by the due date. Other appointments for services at community agencies may also be required. If you are unable to attend a scheduled session, you must contact the appropriate person as soon as possible. Documentation is required for you to be excused and rescheduled. Documentation regarding the miss will be requested by treatment, supervision and the court. Unexcused absence(s) will result in a sanction.

### **Be on Time.**

If you are late, you may not be allowed to attend and will be considered as a miss. Failure to plan is not an excuse. Being late is grounds for a sanction.

### **Rescheduling.**

If you miss any scheduled appointment, you are responsible for rescheduling it! Failure to do so may result in a sanction.

**Do not act violently or make threats towards other participants, staff or court personnel.** Violent or inappropriate behavior will not be tolerated and will be reported immediately to the Court. Threats or intimidation toward anyone will not be tolerated. Either of these violations may result in your termination from the Veterans Court Program.

**You cannot have any drugs (except those prescribed by your treating physician and approved by Veterans Court), alcohol or weapons. Do not bring any of these banned items to treatment, supervision, any community agency or court.**

Possession of drugs, alcohol or weapons could immediately result in your termination from the program and you could get new charges.

**Expect to take random and "on demand" drug tests. Do not tamper with urine samples or use anyone else's urine.**

Any abnormal drug test will be considered a positive and you will be sanctioned. Multiple positive, missed, or abnormal tests could result in your termination from the program. Tampering, substituting urine, water loading, or attempting to chemically alter your drug test is grounds for revocation. You will be tested for many illicit and prescription drugs and alcohol each time.

**Do not argue with the Judge or other team members.**

If you disagree with something, state your position in a calm manner and listen to what is being said. You may also put any issue into writing for the team to consider. Disrespect, excessive arguing or outburst toward team members is an offense which may receive a jail sanction.

**Dress appropriately for Court and other Veterans Court appointments.**

As a participant, you will be expected to wear a shirt or blouse, pants, dress, or skirt of reasonable length. Midriff shirts are not allowed. No sleeveless tops or short skirts. Shoes must be worn at all times. **Clothing bearing drug or alcohol related themes or advertising alcohol or drug use is considered inappropriate.** Sunglasses are not to be worn inside the Court or at the treatment facility unless medically approved. Speak with your parole officer or treatment counselor if you need assistance with clothing choices.

**Be Respectful of Yourself and Others!**

Follow the directions of team members, court personnel and deputies regarding behavior, cell phones and talking while in court. Remember the Veterans Court Team wants you to be successful and is here to help.

### **Confidentiality**

All client records are protected by federal and state laws regarding confidentiality. We cannot release written or verbal information without your written, signed consent. However, you cannot participate in Veterans Court without a "Release of Information" which allows the Veterans Court Team to discuss your case and progress. Persons outside the Veterans Court Team will not be provided information about you or your progress.

There may be additional emergency or legal circumstances that may require release of information such as:

- The disclosure is allowed by a court order.
- The disclosure is made to medical personnel in a medical emergency.
- The client commits or threatens to commit a crime.
- The client is suspected of child abuse or elder abuse.
- The client is threatening suicide or homicide.

**Anything you say concerning your prior or current drug use while in the Veterans Court program cannot be used against you in prosecution of this case.**

However, your statements and information about your treatment will be shared with the Judge, your treatment agency, supervision agency, program coordinator, the District Attorney, court staff, your attorney, and anyone else on the Veterans Court team. This information may be used to evaluate your current compliance with the program and to determine appropriate treatment and other services.

## **Participant Rights**

All participants have the right to courteous, dignified and reliable delivery of service. Participation in the Veterans Court program is voluntary. Participants will be informed of changes in the program, rules and policies as early as possible. Client participation and feedback in the program is encouraged. Equal treatment and services will be delivered without regard to race, color, sex, sexual orientation, religion, national origin, ancestry or physical disability.

## **Drug and Alcohol Testing**

You will be tested during all four (4) phases. As you progress through the program, testing could be required on a random, less frequent basis. The Veterans Court team will have access to all drug test results including any failures to test, and may order a drug test at any time. Results that indicate a sample was diluted will be subject to the same sanctions as if the result were positive. The goal of the Veterans Court Program is to help you achieve total abstinence from illicit or illegal drugs, however, a positive or “dirty” test will not automatically disqualify you from the program. The Veterans Court team will be reviewing a positive result in the context of your overall performance in the program.

## **Medications**

**ALL medications must be pre-approved by the Veterans Court team prior to taking.**

When going to the doctor or dentist, please make sure to bring the Medical/Dental Medications Form (included in packet) for your physician to sign. If an emergency room visit is necessary, it is important that you identify yourself as a Veterans Court program participant and request non-narcotic and non-alcoholic medications.



You must contact the Case Manager prior to taking any medications. This includes over the counter medications.

Please carefully review the EtG (alcohol testing) information provided to you at orientation. This information clearly discusses the use of alcohol-containing products and their possible effects on testing.

It is your responsibility to know what is contained in the products you consume and/or use. A positive test will be considered for sanction regardless of whether the alcohol was ingested or applied.

## **Support Group Meetings**

You will be required to attend three (3) support group meetings per week such as Celebration Recovery, Narcotics (NA), Cocaine Anonymous (CA), SOS and/or Alcoholics Anonymous (AA). You will be required to submit signed attendance sheets at court for review by the coordinator and your parole officer. This requirement is for the duration of the program.

The purpose of attendance at support group meetings is for you to develop a support network and create social bonds with other recovering addicts. You will be provided with information regarding the time and location of support meetings at orientation. Your treatment provider, parole officer and coordinator can also assist you with locating meetings close to your work or residence. Treatment will also provide several support groups at their building each week.

## **Graduation**

**Successful completion and “graduation” from the Veterans Court program keeps you from jail.** Failure or dismissal from the program will result in you being sent to prison or jail to serve out the terms and conditions of your original plea agreement.

When you have successfully completed all phases and requirements, you will be eligible for graduation. Eligibility for graduation is determined by the judge, the court team, probation and treatment. You will be eligible when all treatment and program requirements are met.

### **Graduation Requirements:**

- No missed, abnormal or positive drug tests for 6 months
- No major sanctions for 90 days; no minor sanctions for 30 days
- You must be employed or attending school full time or be exempted.
- You must have a high school diploma or received a GED or be exempted.
- Complete your treatment and case management plan

## **Education, Vocational and Employment Programs**

Recovery from substance addiction means developing self-sufficiency and becoming a productive and responsible member of the community. After Phase I, you will be expected to be gainfully employed or involved in an educational or vocational training program. The case manager can assist you in obtaining an assessment of your vocation and/or educational goals and skills and will refer you to the proper agencies for education, training and job placement. A veteran's employment specialist is also available to assist you in Veterans Court.

## **Social Services, Medical and Dental**

Upon your entry into Veterans Court, your case manager will assess your medical, dental, housing, transportation, family, and general living needs and refer you to appropriate agencies for assistance with any identified deficiencies.

## **Conclusion**

We hope this handbook has been helpful to you and answered most of your questions. If you have any additional questions or concerns about the Veterans Court program, please feel free to contact your case manager, or any member of the Veterans Court staff.

**Good luck to you, and thank you for your service to your country!**