



# **VETERANS TREATMENT COURT POLICIES & PROCEDURES**



## **COURT OF COMMON PLEAS OF INDIANA COUNTY, PENNSYLVANIA**



Established June 2019

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## **INTRODUCTION - WHAT IS VETERANS TREATMENT COURT?**

Indiana County Veterans Treatment Court (“VTC”) was started in 2019 to address the growing number of Veterans involved in the criminal justice system. Veterans Treatment Court promotes sobriety, recovery, and stability through a coordinated response involving Indiana County’s Judges, Court Administration, the District Attorney, Public Defender, Adult Probation, the Mental Health Program, Domestic Relations, County Veterans Affairs and the U.S. Department of Veterans Affairs. In addition, there are veteran volunteers, some of whom serve on the Treatment Team and others who serve as Mentors. The goal is to give each program participant the best possible chance of getting back on track as a healthy, productive Veteran and citizen.

Just as every Veteran is different, so is every criminal proceeding. There are some individuals who may not be able to participate in this program. Applications are reviewed on a case-by-case basis. Veterans Treatment Court has no additional costs for the County or the program participants. We hope to offer our Veterans access to needed services, an opportunity to address their justice-related issues and a chance to get “squared-away.”

### **VETERANS COURT MISSION STATEMENT**

The mission is to identify and provide specific interventions for veterans involved in the Indiana County criminal justice system, in such a way to promote public safety, reduce recidivism and costs, while improving the lives of veterans, their families, and the community through treatment, support, and intensive Court supervision.

### **VETERANS TREATMENT COURT MENTOR PROGRAM MISSION STATEMENT**

Veterans Treatment Court Mentors support veterans in readjusting to civilian life, assist veterans in navigating through the court, treatment, and VA systems, and act as a friend and ally through this difficult time.

### **VETERANS TREATMENT COURT MENTOR PROGRAM VISION STATEMENT**

The motto of the Mentor Program is that no one is left behind. A Mentor is paired with a veteran to provide support as the veteran works through VTC. Mentors are present as an ally and friend to assist veterans through this difficult time. Their shared experiences assist the veterans in regaining control of their lives and in successfully connecting to and maintaining treatment, leading to successful completion of the Indiana County Veterans Treatment Court Program.

## **GOALS**

### **Goal 1: Reduce Recidivism**

- Reduce in program recidivism by 50% over standard probation
- 90% of successful graduates will not receive new charges

### **Goal 2: Early Identification and Engagement**

- Identify all Veterans by the Preliminary Hearing (Public Defender Application, Bar Association, Etc.)
- engage veteran participant in VTC as early as possible.

### **Goal 3: Promote Public Safety**

- 100% Court Reporting Accountability
- Public Awareness by Distribution of Brochures, County Website, Press Releases and an Annual Informational Event.

### **Goal 4: Improving the Lives of Veterans and Their Families**

- Identify and engage in treatment needs within thirty (30) day of Application
- 100% of Participants remain compliant and stable with treatment
- Identify immediate ancillary service needs within fourteen (14) days of acceptance into program
- 75% of all participants successfully graduate

### **Goal 5: Reduce Costs**

- Reduce Number of Jail Days
- Reduce and Divert into Treatment
- Leverage Services Available (Federal/VA)
- 140 Total Hours of Community Service Work

## TEN KEY COMPONENTS

Indiana County Veterans Treatment Court has adopted the Ten Key Components designed and utilized by Buffalo New York's Veterans Treatment Court. Buffalo implemented the first Veterans Treatment Court and is a model by which most, if not all, others, are designed. Buffalo used "slight modifications [of] the essential tenements of the ten key components as described in the U.S. Department of Justice Publication entitled *"Defining Drug Courts: The Key Components"*, (Jan.1997)" in order to develop what is listed below.

### **Key Component #1: Veterans Treatment Court will integrate alcohol treatment, drug treatment, and mental health services with justice system case processing**

Veterans Treatment Court promotes sobriety, recovery and stability through a coordinated response to veteran's dependency on alcohol, drugs, and/or management of any mental health issues. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Veteran Justice Organization/Veteran's Administration, veterans and veterans family support organizations, and veteran volunteer mentors.

### **Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights**

To facilitate the veterans' progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team's focus is on the veteran's recovery and law-abiding behavior—not on the merits of the underlying case.

### **Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program**

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making denial by the veteran of the need for treatment difficult.

### **Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services**

While primarily concerned with criminal activity, alcohol and drug use, and mental illness, the Veterans Treatment Court team also consider co-occurring problems such as primary

medical problems, transmittable diseases, homelessness, basic educational deficits, unemployment and poor job preparation, spouse and family troubles—especially domestic violence—and the ongoing effects of war time trauma.

Veteran peer mentors are essential to the Veterans Treatment Court team. Ongoing veteran peer mentor's interaction with the Veterans Treatment Court participants is essential. Their active, supportive relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior.

#### **Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing**

Frequent court-ordered drug testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

#### **Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance**

A veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. Veterans Treatment Court rewards cooperation and sanctions noncompliance. Veterans Treatment Court establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

#### **Key Component #7: Ongoing judicial interaction with each Veteran is essential**

The judge is the leader of the Veterans Treatment Court team. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to veterans that someone in authority cares about them and is closely watching what they do.

#### **Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness**

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify program

**Key Component #9: Continuing interdisciplinary education promotes effective Veteran’s Court planning, implementation, and operations**

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and Veteran Administration, veteran volunteer mentors, and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the veteran administration, treatment and the justice system components. Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice, Veteran Administration, veteran volunteer mentors, and treatment personnel, and promote a spirit of commitment and collaboration.

**Key Component #10: Forging partnerships among Veteran’s Court, Veteran’s Administration, public agencies, and community-based organizations generates local support and enhances Veteran’s Court effectiveness**

Because of its unique position in the criminal justice system, Veterans Treatment Court is well suited to develop coalitions among private community-based organizations, public criminal justice agencies, the Veteran Administration/Veteran’s Justice Outreach, veterans and veterans’ families support organizations, and drug & alcohol and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to Veterans Treatment Court participants and informs the community about Veterans Treatment Court concepts. The Veterans Treatment Court fosters system wide involvement through its commitment to share responsibility and participation of program partners.

## **VETERANS TREATMENT COURT UNDERSTANDING OF JOB DESCRIPTIONS**

The Veterans Treatment Court Team Members discuss client cases at the weekly Veterans Treatment Court Team Meeting that is comprised of a Judge, DA/ADA, PD, PO, VJO Specialist(s), Veteran Mentor(s), Veterans Court Coordinator, Probation and/or Behavioral Health Representative. Each member of the team will play an important role in helping you to succeed.

### ***Veterans Treatment Court Judge: The Honorable Michael T. Clark, Judge***

The Fortieth (40<sup>th</sup>) Judicial District of Common Pleas agrees to provide a Judge who will preside over the Veterans Treatment Court. The Veterans Treatment Court Judge is responsible for adhering to the Indiana County Pennsylvania, Veterans Treatment Court rules and all revisions to the rules with special consideration being given to the promulgation of any community-based rules deemed necessary for the success of Indiana County's Veterans Treatment Court. As a member of the Indiana County Veterans Treatment Court, the assigned Judge will actively participate in staffing of cases; preside over the court proceedings and monitor application of disciplines, sanctions and incentives while maintaining the integrity of the Court.

### ***District Attorney or Assistant District Attorney (DA or ADA): Mr. Robert Manzi, District Attorney.***

As a member of the Indiana County Veterans Treatment Court Team, the District Attorney (DA) or the assigned Assistant District Attorney (ADA) will review all potential participants for eligibility, actively participate in staffing of cases, and interact in a positive manner to address pleas and application of sanctions and incentives as they apply to the participant. Additionally, prior to a defendant's plea into the program, the DA or ADA will determine what appropriate misdemeanor or felony offense will reduce upon the defendant's graduation from Veterans Treatment Court. The DA or ADA attends all client staffing and judicial reviews.

### ***Public Defender (PD): Mr. Matthew Budash, Esq.***

As a member of the Indiana County Veterans Treatment Court Team, the assigned Public Defender will complete orientations on all defendants accepted into the program and actively participate in staffing of cases to address pleas and application of sanctions and incentives as they apply to the participant. In addition, will attend Court sessions and ensure the offenders' legal rights are appropriately protected. The PD attends all client staffing and judicial reviews.

### ***Adult Probation and Parole Officer (PO): Mr. James Yaworski, Director of Indiana County Probation and/or Ms. Jennie Hoover, Indiana County Probation Department.***

As a member of the Indiana County Veterans Treatment Court Team, the assigned officer will monitor accountability of social activities and home environment of all participants, as well as maintain up to date records on each participant. In addition, provide frequent

and random drug testing and make recommendations to the Court as to the appropriate sanctions and incentives. The Officer shall ensure supervision of participants in Veterans Treatment Court, as well as the graduates of the program. The PO attends all client staffing and judicial reviews.

***Veterans Justice Outreach Specialists (VJO): Ms. Holly Dick, VA.***

VA is making a system-wide effort to ensure access to services for the justice-involved Veteran population at risk for homelessness, substance abuse, mental illness, and physical health problems. The Veterans Justice Outreach (VJO) program was created to provide timely access to VA services for eligible justice-involved Veterans to avoid unnecessary criminalization and incarceration of Veteran offenders with mental illness. The VJO attends all client staffing and judicial reviews.

***Veterans Treatment Court Coordinator (VCC): Ms. Jennie Hoover, Indiana County Probation Department.***

As a member of the Indiana County Veterans Treatment Court Team, the assigned Coordinator will be responsible for coordinating the Court by tracking and screening referrals, compiling statistical data, and preparing weekly paperwork for the Court. The Coordinator shall update all materials such as the Policy and Procedure Manual, the Participant Handbook and any other Veterans Treatment Court documents that need to be issued. The VCC attends all client staffing and judicial reviews.

***Mentor Coordinator: Capt. Gregory Marsh, US Air Force Reserve.***

Essential to the coordination, maintenance and success of the mentoring program is the Mentor Coordinator. Their role is to recruit, organize and schedule trainings, supervise, and coordinate Mentors within the Veterans Treatment Court Program. The Mentor Coordinator will also be responsible for individual and group supervision as well as scheduling mentors to be present during the Veterans Treatment Court proceedings. The Mentor Coordinator attends all client staffing and judicial reviews.

***Mentor. To Be Assigned.***

The role of the volunteer Mentor is to act as a coach, guide, role model, advocate and a support for the individual(s) with whom he/she is working. A Mentor is intended to encourage, guide, and support the participant as he/she progresses through the court process. This will include listening to concerns and making general suggestions, assisting the participant with determining needs, and acting as a support in a way that only another veteran can be or understand.

***Behavioral Health Representative: To Be Assigned. Indiana County Community Guidance Center.***

The Behavioral Health Representative assures the access to a continuum of Behavioral Health related treatment and rehabilitation services. They also assure the use of effective screening and assessment tools to ensure placement of the most appropriate offenders in

the treatment court. The Behavioral Health Representative recommends and reviews evidence-based treatment modalities, performs exit surveys on participants and attends all client staffing and judicial reviews.

***Law Enforcement Representative: To Be Assigned.***

The Law Enforcement representative assures the treatment team remains informed of any trending community wide issues relating to drug and/or alcohol abuse. The Law Enforcement Representative will attend all client staffing and judicial reviews on an as needed basis.

**NOTE:** Each team member will be responsible for dissemination of information to their respective agency with regard to confidentiality laws that apply specifically to the Veterans Treatment Court participants. Likewise, the sharing of information between team members is a vital part of working as a team. Team members will also be charged with the education of peer professional on the program community linkage's which enhance the effectiveness of the program.

In creating this partnership and uniting in a single goal of addressing our community, we pledge to enhance communication between the courts, law enforcement and treatment programs. Through this linkage of services, we expect wider participation and greater effectiveness in addressing clients with drug, alcohol and/or mental health issues that are involved in the Criminal Justice System.

**Note:** These policies and procedures may be amended at any time.

**NEW TEAM MEMBERS**

All new team members are requested to complete the Essential Elements of Adult Drug Courts online training through the National Drug Court Institute (NDCI), In addition, they should complete yearly training in at least one of the following disciplines: Treatment Courts, Recovery/Addiction, Illicit/Prescription Drugs, Alcohol, Ethics, Cultural Diversity, or Ten Key Components. Training hours will be provided to the Veterans Treatment Court Coordinator.

## **ELIGIBILITY CRITERIA FOR VETERANS TREATMENT COURT**

Screening for entrance into the program will be available to those defendants who are detained at the Indiana County Jail, currently on pre-trial supervision, currently on probation supervision, intermediate punishment supervision, and/or parole, and/or are awaiting preliminary hearing before a Magisterial District Justice or awaiting Formal Arraignment for an eligible criminal offense. The following criteria have been established to identify persons who may qualify for admission to the Indiana County Veterans Treatment Court:

1. Applicant must be an Indiana County resident, age 18 years or older. Applications from out of County residents may be considered on a case by case basis.
2. Applicant is either a current member in good standing of any branch of the military, including the National Guard or Reserves, or is a former member of any branch of the military, including the National Guard or Reserves who was not dishonorably discharged and/or received a bad conduct discharge. Form DD214 must be provided as soon as possible, but in no event longer than thirty (30) days.
3. Applicant is eligible for benefits through the VA but is not mandated to qualify for VA benefits. Assistance with determining eligibility will be provided. Applicants not eligible for VA benefits may be considered on a case by case basis.
4. Must meet **one** of the following clinical criteria: PTSD (Post-Traumatic Stress Disorder), TBI (Traumatic Brain Injury), MST (Military Sexual Trauma), Drug/Alcohol Addiction, and other Axis I diagnoses that include, but are not limited to: Major Depression, Bipolar Disorder, Schizophrenia, Schizoaffective Disorder, or a psychological and/or substance abuse problem(s) requiring treatment/support.
5. Veterans with co-occurring disorders (mental health and substance use) will be evaluated for Veterans Treatment Court if they otherwise meet the eligibility criteria, but may be referred to Drug Court if determined more appropriate, or rejected if those issues/disorders would prohibit satisfactory completion of any Veterans Treatment Court sentence/program.
6. Applicant voluntarily agrees to participate in and be subject to the rules, regulations and sanctions of Veterans Treatment Court.

## **Disqualifying Criteria**

Not every defendant is eligible for inclusion in the VTC. The following criteria disqualify defendants from inclusion:

1. Where the offense(s) involve: murder, arson, voluntary manslaughter, Megan's Law Offenses, crimes against children, kidnapping, escape, robbery, and assault by prisoner.
2. Defendant is not in need of treatment.
3. Unresolved out-of-county or out-of-state criminal charges.
4. Defendant has a medical condition or mental health diagnosis that does not allow for functional participation in the VTC.

The VTC Team shall reserve the right to exercise discretion in considering other disqualifying criteria including but not limited to: sentencing requirements based upon the prior record score and seriousness of the offense, previous participation in a specialized treatment court, defendant's unwillingness/inability to terminate use of lawfully prescribed controlled substances or over the counter medications that affect the integrity and accuracy of drug screening and program participation, victim's position (if any), and arresting officer's position (if any) as to the Defendant's participation in VTC. The Indiana County Veteran's treatment Court does not discriminate on the basis of race, color, national origin, religion, sex, disability, age, sexual orientation and/or gender identity.

## **REFERRAL SOURCES**

Referrals may originate from, but are not limited to, the following sources:

- Prison Staff
- Veteran's Administration
- Judges
- Probation Officers
- District Attorneys
- Public/Private Defense Attorneys
- Domestic Relations Enforcement
- PFA Court
- Magisterial District Judges
- Self-referrals
- Family Members
- Police Officers

### **PROCEDURE FOR ENTRY INTO VTC - NEW CHARGES**

1. Someone tentatively identifies Defendant as a veteran.
2. Defendant fills out the Veterans Treatment Court Application.
3. Defendant is provided a VTC Participant Handbook for review.
4. Once the Defendant completes the VTC application, it is submitted to the Treatment Court Coordinator, who in turn will provide to the District Attorney's Office for a criminal eligibility review and the VJO Specialist for benefit eligibility determination and clinical assessment. The District Attorney's Office will render a Criminal Eligibility determination within seventy-two (72) hours of receipt of the application and notify the Treatment Court Coordinator and the VJO Specialist. The District Attorney will define Defendant's track (diversionary or incentive) eligibility.
5. If eligibility is established by the VJO Specialist, notice shall be provided to the Treatment Court Coordinator, who shall arrange for the Defendant's application and related documents and reports to be forwarded to the VTC team for review and consideration.
6. Once the VTC team receives the Defendant's request, it shall then consider approving placement in the VTC and make appropriate recommendations for the Defendant's treatment plan.
7. If approved for placement in the VTC, the Defendant, Counsel, if any, and the Commonwealth will be notified accordingly and a date will be scheduled for placement in the VTC. At which time the Defendant will be required to execute such forms as may be required for the respective Track that the Defendant will be enrolled.
8. If the placement is not approved by the VTC, written notice of the same shall be provided to the Defendant, Counsel, if any, and to the Commonwealth citing the reasons or rejection.
9. If eligibility is not established, by the District Attorney's Office, the VJO Specialist or the VTC, the Defendant can request reconsideration pursuant to the reconsideration policy of this manual.

### **PROCEDURE FOR VETERANS ON PROBATION/PAROLE/IP**

1. Defendant tentatively identified as a veteran.
2. PO makes initial eligibility assessment with regard to type of charges and maximum custody/supervision time remaining.
3. Defendant fills out the Veterans Treatment Court Application.
4. Defendant is provided a VTC Participant Handbook for review.
5. Once the Defendant completes the VTC application, it is submitted to the Treatment Court Coordinator, who in turn will consult with the Adult Probation

Office to make an initial eligibility determination with regard to the type of charges and maximum custody/supervision time remaining. If eligible notification will of the eligibility will be submitted to the VJO Specialist for a determination for benefit eligibility determination and clinical assessment.

6. If eligibility is established by the VJO Specialist, notice shall be provided to the Treatment Court Coordinator, who shall arrange for the Defendant's application and related documents and reports to be forwarded to the VTC team for review and consideration.
7. Once the VTC team receives the Defendant's request, it shall then consider approving placement in the VTC and make appropriate recommendations for the Defendant's treatment plan.
8. If approved for placement in the VTC, the Defendant, Counsel, if any, and the Commonwealth will be notified accordingly and a date will be scheduled for placement in the VTC. At which time the Defendant will be required to execute such forms as may be required for the respective Track that the Defendant will be enrolled.
9. If the placement is not approved by the VTC, written notice of the same shall be provided to the Defendant, Counsel, if any, and to the Commonwealth citing the reasons or rejection.
10. If eligibility is not established, by the District Attorney's Office, the VJO Specialist or the VTC, the Defendant can request reconsideration pursuant to the reconsideration policy of this manual.

### **RECONSIDERATION POLICY**

***\*\*Reconsideration must be filed within 30 days of initial rejection\*\****

If a relevant party to the offender's case (attorney, judge, treatment provider, police officer, etc.) feels the Veterans Treatment Court Team failed to consider a particularly important factor, he/she may fill out a request for the case to be reconsidered. ***An offender may file for reconsideration one time and must be within 30 days of initial rejection.***

A reconsideration form must be filled out and submitted to the Veterans Court Coordinator. The request must include supportive reasoning for reconsideration. Supportive reasoning is defined as mitigating circumstances pertaining to the crime, psychiatric/psychological reports that may not have been available for the initial consideration, or any other relevant information that can be placed in written format. Once the request for reconsideration is submitted, the Veterans Court Coordinator will forward the information to the VTC Team. **The decision by the VTC Judge will be final.**

## PROGRAM TRACKS

The Indiana County VTC consists of two (2) separate and distinct tracks for eligible Defendants:

1. *Diversionary Track.* All participants entering the VTC through the diversionary track will execute a Rule 600 Waiver form (Attachment \_\_\_\_\_) and Written Colloquy – Diversionary Track (Attachment \_\_\_\_\_). For participants completing the diversionary tracks, charges will not be dismissed until the participant has graduated, and paid any and all applicable fines, costs, fees, and restitution. It is the responsibility of the participant to furnish proof of final payment to their VTC Probation Officer. Once verified, the Office of the District Attorney will prepare the appropriate document for seeking dismissal of the charges. Further, upon successful completion, the participant who entered into the program as diversionary may petition the court to have their criminal case/s expunged. The participant must pay the appropriate fee in the Clerk of Courts Office prior to the filing of the petition for expungement. Any participant who enters into the Diversionary Track but fails the program and is removed from the VTC, will have his/her case returned to a normal criminal case tracking and will be placed on the criminal call list.

2. *Incentive Track.* The goal of the incentive track is to give the participant the chance to work toward a better resolution of the charges if he/she adheres to any and all conditions set by the Court and successfully completes the Veterans Treatment Court Program. This track is designed for the participant to enter a guilty plea approved by the District Attorney and defer sentencing with signed Rule 704 Waiver (Attachment \_\_\_\_\_) and Written Plea Colloquy – Incentive Track (Attachment \_\_\_\_\_) in order for the participant to enter into and complete the Veterans Treatment Court Program. Upon successful completion, the participant may be afforded the opportunity to withdraw his/her guilty plea and enter a plea to a lesser charge if the parties and the Court consent. This track is designed to meet the needs of eligible veterans who have prior criminal records or more serious charges that are better suited for the incentive track program rather than the diversionary track program.

## PROGRAM LENGTH

The length of participation in the Veteran Treatment Court Program is a goal of 14 months. **However, this will depend on the participant's ability to achieve program goals and graduation dates. As such, the exact duration of the program will vary for each participant.** The team reserves the right to review anyone's case that exceeds 24 months and decide if the participant remains appropriate for the program. Notwithstanding the forgoing, after fulfilling all phase requirements, a participant shall remain in the program and under supervision (subject to modified conditions/requirements in the discretion of

the Treatment Team) until graduation. Graduation ceremonies are scheduled two (2) times a year. The ceremonies will be held in June on the first Wednesday following Flag Day, and in November on the Wednesday immediately prior to Veterans Day.

### **ASSESSMENTS AND TREATMENT**

All eligible participants will receive drug, alcohol and mental health services through the Veterans Affairs Office. If an appropriate level of treatment is not available at the VA, the participant will be required to participate in recommended community-based treatment. A Veterans Justice Outreach Specialist (VJO) will be assigned to the Indiana County Veterans Court Program. Each participant will meet with the VJO for an initial assessment. Once assessed, the participant will be placed into appropriate services. The Veterans Treatment Court Team will receive regular updates from the VJO to the participant's progress in treatment. The Indiana County Veterans Treatment Court team will make a collaborative effort to provide any and all services that are needed for the participant to obtain their treatment goals.

### **SUPERVISION**

Veterans Treatment Court requires intensive supervision. The number of times that a participant is required to report to the Probation Officer will depend on the participant's current phase in the Program. The Probation Officer is required to verify employment, attendance of AA or NA or other such program meetings, attendance at counseling, interaction with sponsor, payment of financial obligations, and abstinence of drug use (via drug testing). The initial appointment is somewhat longer than every other appointment because of the completion of required paperwork.

Participants are required to provide proof of employment by providing letter written by employer as directed by Probation Officer. Participants must also provide proof of meeting attendance by showing their meeting sheets, proof of an organized appointment calendar, and proof of payments by showing receipts. Treatment providers will fax general progress forms to verify attendance of counseling. The Probation Officer is also expected to make sure participants follow through with all court orders or agreements. Referring of participants to outside agencies for support in their recovery is another component included under supervision. Supervision requirements are specific to each phase of the program.

## **TEAM MEETING**

The Veterans Treatment Court team shall meet every two weeks (or more frequently if deemed necessary by the team) prior to court sessions or as otherwise scheduled. During these meetings the team will discuss the progress of those participants scheduled to appear in court that week. Problem areas will be discussed and alterations in case management and treatment plans will also be addressed. Additionally, at this time, incentives and sanctions will be determined. The Veterans Treatment Court team will also discuss any problem cases that are not in court the week of the team meeting. Lastly, the team will review the pending client list.

## **TREATMENT COURT TEAM-PARTICIPANT RELATIONSHIPS**

The relationship between team members and participants will be professional, with all interactions based on adopted County standards of professional conduct. Team members will always maintain professional and objective personal conduct between himself/herself and the participant's family and close associates. Team members should have a personal concern within the bounds of their professional responsibilities, so as to safeguard the welfare of the participant both during and after enrollment in Veterans Treatment Court. Team members are prohibited from developing personal obligations with participants including: sexual or romantic relationships, employment of clients or engaging in business relationships with clients who are active in Veterans Treatment Court. The relationship with participants should never include behaviors on the part of the team member which would be abusive or damaging to the participant. Team members must disclose preexisting social ties or relationships with a participant prior to the individual's placement into Veterans Treatment Court.

## **PARTICIPANTS PERSONAL RELATIONSHIPS**

In order to ensure that each Veterans Treatment Court Participant has the optimal opportunity to succeed, each participant's primary focus shall be on his/her recovery. Support, particularly support from other Veterans Treatment Court participants, is a vital component of recovery. However, personal relationships that go beyond support of recovery, such as dating and/or sexual relationships, are strongly discouraged. This also includes such relationships between participants and participants of other Specialty Court participants. If there is in fact a relationship that's not going to change, specific guidelines will be discussed between the Specialty Court Teams.

In Phase 1 and 2, intimate personal relationships outside of Veterans Treatment Court are also strongly discouraged as these relationships are detrimental to recovery. Participants' focus must remain on recovery and healing of oneself.

In Phase 3 and 4, if a participant is stable in his/her recovery, Veterans Treatment Court wants to be able to facilitate healthy personal relationships. Therefore, Veterans Treatment Court will utilize any and all available services (such as, but not limited to, counseling, health classes), that will help participants maintain healthy personal relationships.

Participants are also prohibited from the lending and borrowing of money to and from other Veterans Treatment Court participants.

Inappropriate relationships may result in sanctions by the Veterans Treatment Court Team. They will determine what type of sanction which could include the possibility of termination.

### **VETERANS TREATMENT COURT SESSIONS**

Veterans Treatment Court sessions will be held twice a month in open court to monitor the participants' compliance, progress, and participation in the Veterans Treatment Court program. The Court will review with the participant his/her progress leading to that week's court appearance. At this time, any alterations to case management and treatment plans will be reviewed with participant. Also, incentives and sanctions will be distributed during Veterans Treatment Court sessions.

Court sessions will be held twice a month, at 1:15 p.m., in Courtroom No. 2.

### **VETERANS TREATMENT COURT PHASES**

There are five (5) separate and distinct phases of the Veterans Treatment Court Program with a total goal of fourteen (14) months of supervision, treatment, and monitoring. Within each phase there are various requirements that each participant must complete prior to advancing to the next phase. All phases have been designed to provide a reasonable and clinically effective assemblage of activities and to afford periodic positive reinforcement of the participants by transition. Each participant's involvement will be monitored by his/her probation officer. As each participant completes various aspects and requirements of each phase the probation officer will note such in the participant's file and complete with the participant an appropriate Supervision Plan Form (Attachment \_\_\_\_\_). The Probation Office will make the initial recommendation for the participant to move to the next phase. The Veterans Treatment Court Team will make the final decision for advancement.

**PHASE I Requirements**  
**(Minimum sixty (60) days)**

- Actively participate in probation supervision plan as developed by your PO.
- Actively participate in medical treatment plan and follow treatment recommendations as set up by VJO and Treatment Team.
- Consistently attend established/approved support groups (AA) as directed.
- Attend Veterans Treatment Court sessions as directed.
- Attend other Veterans Treatment Court classes, appointments or functions as directed. (Employment, housing, finance, driver's license, wellness, etc.)
- Determine amount of fines/costs/restitution with PO.  
(If receiving income, establish payment plan and begin making payments.)
- A minimum of two Probation Officer contacts per week is required. Contact method at PO discretion.
- Complete the Workbook Phase assignments and any additional assignments as directed.
- Complete twenty (20) hours of Community Service.
- Take DD214 and meet with VJO; record DD214.
- Communicate with Mentor as directed.
- Submit to random drug tests as directed.
- Adhere to a 10PM curfew and be available for curfew calls.
- Twenty-One (21) consecutive days of sobriety.

**PHASE II Requirements**  
**(Minimum 3 months)**

- Actively participate in probation supervision plan as developed by your PO.
- Actively participate in medical treatment plan and follow treatment recommendations as set up by VJO and Treatment Team.
- Consistently attend established/approved support groups (AA) as directed.
- Attend Veterans Treatment Court sessions as directed.
- Attend other Veterans Treatment Court classes, appointments or functions as directed. (Employment, housing, finance, driver's license, wellness, etc.)
- Obtain full-time employment, begin full time student status or an approved combination. (If applying for and/or receiving full time disability, additional Community Service hours, as determined by the Team, must be completed.)
- Obtain stable housing.
- Meet with PO to determine status of driver's license.
- Continue payment plan of fines/costs/restitution.
- A minimum of one Probation Officer contact per week is required. Contact method at VCPO discretion.

- Complete the Workbook Phase assignments and any additional assignments as directed.
- Complete thirty (30) hours of Community Service.
- Maintain contact with Mentor as directed.
- Submit to random drug tests as directed.
- Adhere to an 11PM curfew and be available for curfew calls.
- Forty-Five (45) consecutive days of sobriety.

**PHASE III Requirements**  
**(Minimum 3 months)**

- Actively participate in probation supervision plan as developed by your PO.
- Actively participate in medical treatment plan and follow treatment recommendations as set up by VJO and Treatment Team.
- Consistently attend established/approved support groups (AA) as directed.
- Attend Veterans Treatment Court sessions as directed.
- Attend other Veterans Treatment Court classes, appointments or functions as directed. (Employment, housing, finance, driver's license, wellness, etc.)
- Maintain full-time employment, full time student status or an approved combination. (If applying for and/or receiving full time disability additional Community Service hours, as determined by the Team, must be completed.)
- Maintain stable housing.
- Review status of driver's license with PO.
- Continue payment plan of fines/costs/restitution.
- A minimum of one Probation Officer contact per week is required. Contact method at VCPO discretion.
- Complete the Workbook Phase assignments and any additional assignments as directed.
- Complete thirty (30) hours of Community Service.
- Maintain contact with Mentor as directed.
- Submit to random drug tests as directed.
- Adhere to a 12:00 midnight curfew and be available for curfew calls.
- Sixty (60) consecutive days of sobriety.

**PHASE IV Requirements**  
**(Minimum 3 months)**

- Actively participate in probation supervision plan as developed by your PO.
- Actively participate in medical treatment plan and follow treatment recommendations as set up by VJO and Treatment Team.
- Consistently attend established/approved support groups (AA) as directed.

- Attend Veterans Treatment Court sessions as directed.
- Attend other Veterans Treatment Court classes, appointments or functions as directed. (Employment, housing, finance, driver's license, wellness, etc.)
- Maintain full-time employment, full time student status or an approved combination. (If applying for and/or receiving full time disability additional Community Service hours, as determined by the Team, must be completed.)
- Maintain stable housing.
- Review status of driver's license with PO.
- Continue payment plan of fines/costs/restitution.
- A minimum of one Probation Officer contact per week is required. Contact method at VCPO discretion.
- Complete the Workbook Phase assignments and any additional assignments as directed.
- Complete the Graduation Assignment (Form 4-32).
- Complete thirty (30) hours of Community Service.
- Maintain contact with Mentor as directed.
- Submit to random drug tests as directed.
- Ninety (90) consecutive days of sobriety; no new arrests for 90 days.

**PHASE V Requirements**  
**(Minimum 3 months)**

- Actively participate in probation supervision plan as developed by your PO.
- Actively participate in medical treatment plan and follow treatment recommendations as set up by VJO and Treatment Team.
- Consistently attend established/approved support groups (AA) as directed.
- Attend Veterans Treatment Court sessions as directed.
- Attend other Veterans Treatment Court classes, appointments or functions as directed. (Employment, housing, finance, driver's license, wellness, etc.)
- Maintain full-time employment, full time student status or an approved combination. (If applying for and/or receiving full time disability additional Community Service hours, as determined by the Team, must be completed.)
- Maintain stable housing.
- Review status of driver's license with PO.
- Continue payment plan of fines/costs/restitution.
- A minimum of one Probation Officer contact per week is required. Contact method at VCPO discretion.
- Complete the Workbook Phase assignments and any additional assignments as directed.
- Complete the Graduation Assignment (Form 4-32).

- Complete thirty (30) hours of Community Service.
- Maintain contact with Mentor as directed.
- Submit to random drug tests as directed.
- Ninety (90) consecutive days of sobriety; no new arrests for 90 days.

### **COMMUNITY SERVICE**

Each Veteran must complete approved community service in each of the five Phases for a total of 140 hours.

In order to advance to the next phase, the required community service hours must be completed. Participants are encouraged to be proactive in completing their community service requirements early. Provided however, a participant may only complete one half of the next phase community service requirements prior to entering that phase. Otherwise stated, if a participant completes more than the required community service requirement in his/her current phase, he/she may apply the additional hours towards the following phase requirements up to a maximum of one-half of the following phase requirements.

### **TERMINATION**

Participants who refuse or who are unable to comply with any program goal(s) or who have become a supervision risk will be terminated from the Veterans Treatment Court Program.

Termination decisions are based on individual criteria including, but not limited to: Client's response to treatment, meetings, employment, community service and payments; Honesty while in the program; Number of attempts at treatment; has the team exhausted all options.

If the Veterans Treatment Court Team recommends termination the participant shall be given written notice of violation. The court shall schedule a termination hearing.

The court shall put the participant on notice that each probation violation, including missed appointments (up to and including but not only with Probation Officer, VJO Group, VA Treatment services and/or community treatment services), and positive drug tests, may result in jail time. (\*further explanation available under Drug Testing heading).

## **GRADUATION**

Participants, who have achieved program goals, paid their restitution in full, remained substance free continuously for the minimum prescribed time and who have been in the program for at least 14 months are eligible for graduation. This is recognized as a very important event. Graduation ceremonies are scheduled two (2) times a year. The ceremonies will be held in June on the first Wednesday following Flag Day, and in November on the Wednesday immediately prior to Veterans Day. As such, any participant that fulfills his/her program requirements shall remain in the program and under supervision (subject to modified conditions/requirements in the discretion of the Treatment Team) until graduation. Friends and family are invited to join the Veterans Treatment Court Team in congratulating the participants on their success. All participants are required to attend, unless excused from attendance. The Veterans Treatment Court Team reserves the right to add or cancel any commencement ceremony based on the number of participants who are eligible.

## **INCENTIVES AND SANCTIONS**

### **INCENTIVES**

The purpose of providing incentives is to reward participants for positive lifestyle changes and for meeting program milestones/requirements. Participants who comply with program requirements (supervision, treatment, urinalysis, etc.) will be rewarded through the imposition of incentives.

A. Incentives may include, but are not limited to:

1. VTC wristband
2. Birthday Card
3. Candy
4. Journals
5. Calendars/Planners
6. Toiletries
7. Hand shake from the Judge
8. Verbal Praise from the Judge
9. Pocket Calendar and Journal
10. Later Curfews
11. Travel Privileges
12. Removal from House Arrest
13. Permission to leave court early
14. Inspirational Sayings

15. Round of applause in court
16. Gift cards when moving phases
17. Permission to attend AA/ NA supported outings
18. Phase advancement/graduation
19. Certificates

B. Milestones:

- a. Acceptance into the VTC Program – Participants receive a VTC Wristband and VTC Handbook.
- b. Phase Advancement –Participants advancing to the next phase shall receive verbal recognition of the achievement, a round of applause, their Phase Pin, and a handshake from the Judge and/or other members of the Treatment Team.
- c. Graduation – Participants will handshake from Judge and Team Members, and a Certificate memorializing their successful completion of the program, and their name will be placed on the Veterans Treatment Court plaque located in the Courtroom.

C. Sobriety:

- a. Participants will receive a round of applause in Court whenever they indicate the number of days sober.
- b. Sobriety as defined in each phase – receive an award that participant will carry and bring to each Court session, including graduation.

- D. Random Drawing – Every Participant that has progressed to Phase II, III, IV, or V, that is in attendance and has been in full compliance, made all Court sessions, probation contacts, treatment appointments, and complied with all other VTC requirements for the Preceding month will have their name placed in a bowl for a random drawing. The winner will receive a gift card.

\*\*The VTC Team and the Court may provide rewards when appropriate and at their discretion for various other achievements and milestones.

## SANCTIONS

Participants who fail to comply with program requirements (supervision, treatment, urinalysis, etc.) will be held accountable through the imposition of sanctions. Sanctions demonstrate that there are immediate consequences to inappropriate behavior. The VTC Team recognizes that the participant is an integral part of the team. As such, in determining the appropriate sanctions, the team will ask that the participant what sanctions may be beneficial to the Participant, and what may have helped the participant in the past to successfully address the behavior.

A. Examples of types of sanctions:

1. Verbal Admonishment from the Judge
2. Increased supervision and/or treatment
3. Increased drug testing
4. Community Service, additional hours
5. Electronic Monitoring
6. Incarceration
7. SCRAM
8. Journaling
9. Demotion to previous phase
10. Delay graduation to next phase
11. Court room penalty box
12. Termination from Drug Treatment Court
13. Letters of apology
14. Essays
15. Increased Community Restrictions

\*The Indiana County Veterans Treatment Court will continue to examine the latest research and continue to modify the list as necessary.

B. If a participant commits a Veterans Treatment Court violation of any kind, a sanction(s) will be imposed on the participant. A matrix of typical sanctions is set forth below.

a. Low Level violation.

- i. Verbal Admonishment.
- ii. Letters of Apology.
- iii. Essay Assignments. Topics may include:
  1. Definition of Recovery
  2. Relapse Triggers
  3. Drug/Alcohol Refusal Skills
  4. Managing Cravings
  5. Lying and Dishonesty
  6. The Disease of addiction
  7. The impact of addiction on the family

8. Role of treatment
  9. Role of peer support groups
  10. The benefits of utilizing the Mentor.
- iv. Daily Activity Logs.
  - v. Journaling.
  - vi. Life Skills Assignments. Include:
    1. Obtain Bank Account
    2. Obtain state ID Card
    3. Reinstate Driver's License
    4. Enroll in Educational classes, GED, H.S. or college
    5. Job Search
  - vii. Jury Box Observation – non-compliant participants may be required to sit in a designated area during Court proceedings.
  - viii. Increased Community Restrictions – impose curfew, or earlier curfew, restrictions of persons that the participant may interact with, or restrictions on areas on the community.
  - ix. Team Roundtable – Participant meets with the entire VTC team.
- b. Moderate Level Violation
- i. Increased Supervision.
    1. More frequent Court hearings.
    2. More frequent Probation Contacts.
  - ii. Increased Random Drug and Alcohol Testing.
  - iii. Increased Random home or community visits by probation.
  - iv. Delay in Phase Advancement.
  - v. Phase Demotion.
  - vi. Community Service. Severity of violation, will define number of additional hours. Service may include:
    1. Set up or clean after court sessions.
    2. Wash police or Sheriff Department Vehicles.
    3. Clean around Courthouse.
    4. Pick up trash along roadside.
    5. Clean graveyards.
    6. Clean Animal Shelters.
  - vii. Monetary Fines or Fees.
  - viii. Holding Cell – Participant may be escorted to the holding cell as located in the Indiana County Sheriff's Office. The Participant will be held in the cell for the remainder of the Court session, and will be brought back in to Court prior to the end of the day.
  - ix. Warning Tours. May include:
    1. Jail, prison, conference with Coroner, residential treatment facilities.
    2. Local Emergency Room.
- c. High Level Violations. May include:
- i. Daily Reporting.

- ii. Daily Drug and Alcohol screen.
- iii. Electronic Surveillance (ankle monitor, SCRAM device, Car interlock, phone GPS monitoring).
- iv. Home Detention.
- v. Defined Curfew.
- vi. "Flash" Jail Sanctions.
  - 1. Depending on the severity of the Veterans Treatment Court violation, the participant may be promptly detained and a hearing shall be held as soon as the Court becomes available. If a participant commits a probation violation of any kind, the participant may promptly be detained and a hearing shall be held no later than two business days after the arrest date. The court may impose a term of imprisonment of up to:
    - a. Three (3) days for the first violation
    - b. Seven (7) days for the second violation
    - c. Fourteen (14) days for the third violation
    - d. Twenty-one (21) days for the fourth or subsequent violation of probation.
- vii. Termination from the Program. Termination from Veterans Treatment Court may happen at any time, for any violation, by discussion from the Veterans Treatment Court Team. The amount of time for a sanction shall not count towards credit for time served if you fail to successfully complete Veterans Treatment Court.

### **VETERANS TREATMENT COURT POLICY ON PRESCRIPTION AND OVER THE COUNTER MEDICATIONS**

Due to the high potential for certain prescription medications to interfere with treatment and recovery efforts, the Indiana County Veterans Treatment Court **prohibits** the use of all addictive medications. This includes a policy of prohibiting the use of narcotic pain medications (Vicodin, Percocet, OxyContin, etc.), muscle relaxers (Flexeril, etc.), sleep aids (Soma, Ambien, etc.), caffeine pills, and the use of benzodiazepine medications (Xanax, Klonopin, Valium, etc.). Participants are not to consume any food item containing poppy seeds. Positive drug tests for opiates will always be deemed positive for illegal substances. Consuming diet pills while in Veterans Treatment Court is strictly prohibited

Offenders seeking entry into Veterans Treatment Court are expected to consult with their physician and/or psychiatrist to seek non-addictive medications with no abuse

potential, to treat conditions such as chronic pain and anxiety. Participants using such medications while participating in the program are subject to sanctions. Exceptions to this policy will be made only in extremely rare instances where there is **documented medical emergency treatment by a primary care physician**. Participants who habitually seek exception to this policy are subject to increased sanctions and/or termination.

Additionally, **NO** participant of the Indiana County Veterans Treatment Court may take any dietary supplements or vitamins, as they may contain substances that would alter the normal color of urine or cause a positive drug test for illegal substances. This includes but is not limited to specific vitamins, multivitamins, or any other dietary supplement.

The consumption of salvia, kratom, morning glory seeds, K2/Spice, or any other such mood altering, synthetic/designer or hallucinogenic substance is strictly prohibited. All cough medications must be pre-approved by a probation officer. Ingredients such as alcohol, codeine, and dextromethorphan (DXM) are also prohibited.

Any medication prescribed by a doctor must be approved by the Probation Officer prior to use. The only exception to this is in an emergency situation. All medication must be kept in its original container. Any non-approved medication will be confiscated by the Probation Officer. The Probation Officer will immediately contact prescribing Physician to ensure medication is necessary. To ensure your doctor's awareness and cooperation as well as your compliance with Veterans Treatment Court policy, a MEDICAL FORM has been attached to the end of this manual to use any time you are prescribed medication or have a surgical procedure. Also required, the participant must sign a MEDICAL RELEASE FORM for each encounter to seek medical treatment and/or treatment.

If the participant is required to have surgery while he/she is enrolled in Veterans Treatment Court and is prescribed an otherwise banned prescription, the Veterans Treatment Probation Officer, must be immediately informed of any and all treatment decisions. These individuals shall only have the prescription for a maximum of two (2) weeks, unless otherwise direction by a medical professional.

Any over the counter medication must be approved by the Probation Officer prior to use. This includes, but is not limited to, cold/flu medicine, headache medicine, antacids, etc. All medication must be kept in its original container. Any non-approved medication will be confiscated by the Probation Officer.

### **MEDICATION-ASSISTED TREATMENT**

Medication-Assisted Treatment (MAT) is an evidence-based substance abuse treatment protocol, and the VTC supports the availability for individuals to have access to appropriate MAT under the care and prescription of a physician. The VTC recognizes that not all

participants may have access to MAT due to a lack of physicians who are able to prescribe and oversee patients using anti-alcohol and anti-opioid medications. This alone will not preclude individuals from applying to VTC and where and when available VTC supports the participants right to access MAT. This right extends to participation in VTC and VTC encourages the involvement in MAT-related treatment by any participant with an opioid addiction to the extent MAT is clinically indicated.

The VTC will not deny any eligible participant access to the VTC because of their use of FDA-approved medications for the treatment of substance abuse (e.g., methadone; buprenorphine products, including buprenorphine/naloxen combination formulations and buprenorphine mono-product formulations; naltrexone products, including extended-release and oral formulations; disulfiram; and acamprosate calcium). Further, methadone treatment rendered in accordance with current federal and state methadone dispensing regulations from an opioid treatment program and ordered by a physician who has evaluated the participant and determined that methadone is an appropriate MAT for the individual's opioid abuse will be permitted. Similarly, FDA-approved medications available by prescription will be permitted unless the judge determines the following conditions have not been met:

1. The Participant is receiving those medications as part of treatment for diagnosed substance abuse.
2. A licensed clinician, acting within their scope of practice, has examined the participant and determined that the medication is an appropriate treatment for their substance abuse. and
3. The medication was appropriately authorized through prescription by a licensed prescriber.

In all cases, MAT will be permitted to be continued for as long as the prescriber determines that the FDA-approved medication is clinically beneficial. The VTC assures that participants will not be compelled to no longer use MAT as part of the conditions of the VTC program if such a mandate is inconsistent with a licensed prescriber's recommendation or valid prescription for FDA-approved medication.

Under no circumstances will the VTC Judge, other judicial official, or any other staff connected to the VTC deny the use of such FDA-approved medications when made available to the participant under the care of a properly authorized physician and pursuant to regulations within an opioid treatment program or through a valid prescription and under the conditions described above. The VTC Judge, however, retains judicial discretion to mitigate/reduce the risk of abuse, misuse, or diversion of these medications.

### **DATA COLLECTION**

The program realizes the need to measure the programs performance outcomes by utilizing the Problem-Solving Adult and Juvenile Court Information System (PAJCIS) to measure and to monitor the success and failures of program initiatives and objectives, and

to give insight as to any necessary program modifications and implementations. Currently the program measures: ethnicity, gender, marital status, employment, education, community service, terminations, successful offenders, violations (new arrest and technical), and withdrawals, admissions, urinalysis, officer contacts and field work, risk and needs evaluations, incarceration days saved, and offenders in program phases.

### **SUSTAINABILITY**

The Indiana County Veterans Treatment Court's plan for sustainability has a multiple option approach. The Indiana County Veterans Treatment Court has the County Judges support and has received support from the Indiana County Bar Association. Through press releases, an informational brochure, the attendance at community events, and information presentations with local organizations, the Indiana County Veterans Treatment Court intends to seek additional support.