



Veteran Trauma Court Participant Guide

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An introduction

This guide explains what is expected of you as a participant in the Veteran Trauma Court and provides general information about the program. Specific terms will be found in your plea agreement.

As a Veteran Trauma Court participant, you must comply with the instructions given to you by the Judge, including following a treatment plan that will be developed for you. Some guidelines may vary at the discretion of Judge David Shakes. Judge Shakes is a retired U.S. Army JAG officer with more than 30 years of service.

This handbook should answer most of the questions you may have about the Veteran Trauma Court. However, if you have any other questions or concerns about the program, please contact your probation officer or defense counsel.

What is the Veteran Trauma Court?

The Veteran Trauma Court is a state and local grant funded court program that, in collaboration with the 4th Judicial District partners, provides jail diversion services to U.S. military veterans, including active-duty personnel, with trauma spectrum disorders who have been charged with lower-level felonies and/or misdemeanors. Eligible veterans are moved from the traditional courtroom environment into the Veteran Trauma Court where they agree to actively engage in treatment and counseling, make regular court appearances, and are carefully supervised. Program staff assists participating veterans in accessing mental health and/or substance use disorder treatment, and can connect them to educational, housing, and employment resources. Peer support is also available. Through the Veteran Trauma Court, we are honoring the military service of our veterans by assisting them in accessing treatment and services while holding them accountable for their actions.

Who *may* participate?

Veterans, including those persons who are currently serving and those persons who have been discharged or released from the Armed Forces of the United States, a reserve component thereof or the National Guard, **may** be eligible to participate in Veteran Trauma Court. The program is open to Veterans regardless of their race, color, national origin, age, disability, sex, marital status, familial status, parental status, religion, sexual orientation, length or location of service, or discharge status. The following criteria are also considered:

- Charged with a lower-level felony and and/or misdemeanor cases, facing criminal prosecution in the Fourth Judicial District or they reside within El Paso or Teller Counties and may have a criminal case pending in a jurisdiction without a VTC;

- Experienced trauma related to service in the U.S. military which has been previously documented or can be documented;
- Previously diagnosed with a trauma spectrum disorder or willing to participate in a CCA (comprehensive clinical assessment) that the court will arrange to determine if there is a trauma spectrum disorder that was not documented by the military;
- Evidence supports the existence of a connection between the military service trauma and the criminal conduct;
- Exhibits a willingness to actively participate in his or her treatment and recovery, and cooperates fully with the court;
- Participants will be expected to reside in this jurisdiction while participating in the program. DCOT may be considered once the participant has participated for at least 12 months and reaches Phase 4.
- Agrees to authorize the release of information related to treatment to Veteran Trauma Court team members according to Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule;
- Agrees to complete a risk/need triage assessment;
- Agrees to waive his or her right to a speedy trial during participation in the screening of the Veteran Trauma Court.
- This program may not be suited for all Veterans.

Who may not participate?

Ineligible veterans include serious violent offenders and those who are currently charged with, or have pled or been found guilty of a felony in which they committed, attempted, conspired, or intended to commit:

- a sexual offense that should be supervised by the sex offender unit;
- or a high-level felony crime involving serious physical injury to a child or drug dealing.

For the purposes of the Veteran Trauma Court, a violent offender is a person who:

- (1) Is *currently* charged with or convicted of an offense during the course of which:
 - (i) The person used a firearm and injured someone in the course of the crime, except in cases of self-inflicted.
 - (ii) There occurred the death of, or serious bodily injury to any person;

- (2) Has *previously* been convicted of a felony which:
(i) There occurred the death of, or serious bodily injury to any person.

The Fourth Judicial District Attorney's Office decides which cases will be offered plea agreements to participate in this intensive supervision program. The veteran determines if they want to accept responsibility for their actions and participate fully. Veterans generally benefit from the DA's involvement by the possibility of a reduced jail sentence and/or a deferred plea agreement.

How do veterans get into the program?

Referrals into the Veteran Trauma Court program can come from many places: veterans, their family members, attorneys, judges, jail and probation staff, mental health professionals, and others. The first step is to attend a VTC briefing. The next step is to complete a "service interview", provide proof of service (DD214 or ERB/ORB), and complete a Risk and Needs Triage Tool (RANT) or the VET-S. The complete recommendation packet will be submitted by the VTC coordinators to the Fourth Judicial District Attorney's office and the defense attorney of record, for review.

Why should you participate?

If you take advantage of the opportunities and services offered, you may find ways to improve your life and become more productive. The VTC team will help you access mental health treatment and, if needed, alcohol and/or substance use disorder and/or domestic violence treatment. The VTC team can also connect you to veteran mentor support and educational, housing, and employment assistance.

Confidentiality

By law, some of your case is public record. However, information regarding your mental health, treatment, and related services are not available to the public and will only be made available to probation, the prosecution, your defense attorney, the VTC court team, and agencies that provide treatment and services to you during your time in the program. If you choose not to participate in the Veteran Trauma Court, the confidential information you provided for participation in this program will remain confidential and will not be used to prosecute you. To participate in this treatment program, you will be required to sign the following forms:

- Informed Consent: Program Participation Guide (provided at briefing and available on the VTC website with annual updates)
- Alcohol and Drug Free Policy (attached to the Participants Guide)
- Interagency Release of Information or Authorization
- VA Release of Information
- Health Insurance Portability and Accountability Act (HIPPA) Authorization Form A: Enrollment into Research
- Health Insurance Portability and Accountability Act (HIPPA) Authorization Form B: Research Recruitment

These forms not only explain your voluntary participation and protections in the program, but they also allow participating agencies to share information as they assist you in accessing treatment and services.

Plea and Sentencing

The Veteran Trauma Court is not a trial court. By agreeing to participate in the program you will be entering into an agreement that will require you to plead guilty or admit a violation of probation or a deferred sentence. You will be sentenced accordingly.

Program Rules

To remain in the program, you must adhere to the following rules:

1. **Be honest with the team.** (No BS) We are here to help you.
2. **Attend and actively participate in all ordered treatment sessions.** Any absence must be excused prior to the scheduled session by the treatment provider.
3. **Show up for court appearances as required.** You will be scheduled to appear in court on a regular basis. The frequency of your court appearances will depend upon your phase progression and how well you are progressing in the program.
4. **Be on time.**
5. **There should be no violations of the law.**
6. **Dress appropriately for court and treatment sessions.**
7. **Be courteous to others.** Treat other participants, the Judge, your treatment providers, your probation officer, and the Veteran Trauma Court staff with courtesy.
8. **Avoid all illegal drugs and/or alcohol activity and use.** This is a treatment and sobriety court. See attached Drug Policy (Appendix C).
9. **Submit to urinalysis and/or breath tests.** (Appendix D).
10. **Comply with all terms of probation.** Read and understand your plea agreement.

Incentives, Infractions, and Sanctions

If you follow your treatment plan and comply with the terms of your probation, you will be rewarded. Incentives **may** include but are not limited to the following (for a list of possible incentives, please see Appendix B):

- Recognition from the Judge
- Called early on docket review appearances and allowed to leave early
- Included in the weekly gift card drawing for being a strong performer
- Reduced supervision
- Decreased frequency of court appearances

- Phase advancement
- Fewer restrictions on your life
- Early termination of probation
- Sealing of records (as determined by state law)
- If a deferred sentence is granted, upon successful completion, your guilty plea will be withdrawn and the deferred charge against you dismissed.

If you fail to follow your treatment plan and/or the terms of your probation, **you will be sanctioned**. Some examples of infractions include:

- Missing treatment or probation appointments
- Missing a court appearance
- Refusing to give a urine sample, providing a positive or dilute sample, or tampering with a sample.
- Failing to take prescribed medications as instructed
- Violating the terms and conditions of your probation
- Noncompliance with your Treatment Plan
- Extensive or continued abuse of drugs and/or alcohol
- New criminal charges

The purpose of a sanction is to emphasize the importance of compliance with the terms of your probation and treatment plan, and of following through with the commitment that you made to yourself and the VTC program. Sanctions for noncompliance or infractions committed while you are a participant of the program **may** include but are not limited to the following (for a list of possible sanctions, please see Appendix B):

- Reprimand or warning from the Judge
- Increased frequency of court appearances
- Community service
- Writing or reading assignments
- Moving into the Provisory Phase, as a last chance before program termination
- Termination from the program
- Limited jail, that can be contested, and a hearing scheduled, if the vet does not agree

New Offenses

New arrests, not involving a crime of violence, use of a firearm, a sexual offense, or felony crimes against a child may be taken into the VTC but the participant may be required to start the program over from Phase 1. New misdemeanor arrests will remain in the county court for resolution. The team will staff any new arrest/convictions to make a recommendation to the judge if the person should be terminated from the program or remain. New offenses put the veteran on phase hold. If the case is dismissed, the veteran will be progressed to where the team determines appropriate.

Termination from the Program

The Veteran Trauma Court is a voluntary program. However, once you have chosen to participate in the program and have signed the plea agreement, you may not withdraw from the program. The judge can terminate you from the program for repeated non-compliance, new criminal charges, bench warrants, or ongoing drug testing problems. The participant could be put into “Provisory Phase”, which is a tool that may be used by the team for participants with ongoing or severe program violations. It is a minimum of 60 days. (See Appendix B for details). If a participant absconds for more than 90 days, the participant will be terminated from the program. To be re-admitted, the person must write a letter to the team explaining why they would like to re-join the program. The team will staff and make a recommendation to the VTC Judge. The Judge will make the final decision regarding termination or re-admittance.

Risk & Need Determination

After the briefing, and during the initial screening process, each participant is triaged for risk and needs. We use a basic Risk/Need triage tool, the RANT, to consider if you are appropriate for the program. The “Risk” is your risk to re-offend or be re-arrested. Your “Need” is your

need for treatment and other service help. Our program must balance both. We find the best results from working with HR/HN (high-risk/high need) participants.

RANT items are empirically derived:

- Reliable and valid scientific evidence supports each variable as being significantly predictive of outcomes in corrections-based programs and drug abuse treatment;
- Each item is objectively measurable and verifiable, and does not rely solely on clinical judgment or unbiased self-reporting by offenders; and
- No items implicate protected classes or suspect classes, such as racial minorities.

Phases of Participation

As a participant in the Veteran Trauma Court program, you must complete the Phases of Participation (see Appendix A). The amount of time you will spend in the program depends upon the terms of your plea agreement and your progress in treatment. The phases are as follows:

Phase 1: Stabilization (a minimum of 60 days)

- Dog Tag: “Courage” – The courage to ask for help.

Phase 2: Engagement (a minimum of 90 days)

- Dog Tag: “Self-Aware” – Engaged and self-aware of needs.

Phase 3: Action (a minimum of 90 days)

- Dog Tag: “Taking Charge” – Taking charge and having personal leadership.

Phase 4: Maintenance (a minimum of 120 days)

- Dog Tag: “Commitment” – The commitment to a healthy sober life.

Just as a participant can progress through the phases of the program, they can also be regressed for violations in the program.

Strong Performers and Strong Starters

Strong Performer/Starter is an **incentive** for compliance. Not being a strong performer is *not* considered a sanction. This is measured between court reviews and does not always indicate overall program compliance. **Strong Performers (Phase 2-4)** get called first in court after any new member introductions and are eligible for the incentive drawing. **Strong Starters (Phase 1)** get called after strong performers. *You cannot be eligible for strong starter on your first and second court review.*

Strong Performers/Starters have met the following requirements:

- Must have been out of jail for full term between court reviews.
- All appointments attended to include probation, U.A. testing, and treatment.
 - Absences may be excused by P.O. or treatment, but contact must be made and excused prior to appointment.
- All court orders followed since last review.
- All medication management appointments made.
- All U.A.'s are negative.
 - Missed, tampered, and dilute tests are considered positive.
- No program violations (this can include pending charges and reporting police contact)
- Cannot be disruptive in treatment (for example: sleeping, texting, having to be removed from group)
- Phase 3/4 – Must be compliant with payment plan.

Recognition & Graduation Ceremony

You will be recognized for successfully completing program requirements as you work through the program. You will receive a dog tag for each phase as you advance and read a phase advancement letter. Once you have successfully completed all 4 phases of the program you will graduate from the VTC. During the graduation ceremony each graduate will read a letter detailing their journey and providing advice for new participants. The judge will present you with a graduation coin, flag and congratulate you for successfully meeting the terms of the program and working toward recovery and establishing stability in your life. Your family and friends are invited

to participate with you as you reach this milestone. All graduates are invited to participate in the VTC Aftercare Program. The Aftercare Program is not required. It is offered as an additional support if you want to stay connected with the coordinators and mentors after graduation.

Out of State Transfer Requests

You will have the option to request to transfer your supervision out of state when you reach Phase 4 and have participated for 12 months in the program. If you desire immediate transfer to another state, you will need to discuss with your attorney if VTC is the appropriate agreement. Out of state transfers are required to go through a process called Interstate Compact. This is required of all states and has very specific rules and multiple levels of approval will be required. In VTC, once in Phase 4, you can request from the team to apply for the Interstate Compact. Approval will only be granted for individuals in full compliance with the VTC terms and conditions. Once you apply, a state may express they are unable to supervise to the manner in which VTC requires. The team would staff these cases and determine if modified supervision will be approved.

If approved by the team and the Interstate Compact, you will be allowed to relocate. However, this may result in a longer probation sentence, as relocation will stall treatment and supervision while you reestablish yourself. Further, it will then become your responsibility to ensure the team is aware that you have completed the conditions of your plea agreement and provide documented proof if you have a deferred plea agreement. You will need be reporting to a probation officer in the receiving state. Per compact rules, the probation officer in the receiving state will not be required to send documentation to the VTC.

APPENDIX A

VETERAN TRAUMA COURT PHASES OF PARTICIPATION

Phase Guidelines:

Below is both your and the treatment team's road map to successfully completing the Veterans Trauma Court (VTC). You will notice some parts of the map are blank. That is because both you and the team still need to discover where we are headed. But this document will provide expectations. Read these carefully because this is how you move forward to each next step toward graduation.

How it Works:

One of your first goals upon entering the VTC is to work with your probation officer (PO) to develop a case plan. Your case plan will set *attainable*, short-term goals with clearly defined action steps. The VTC team will assist you in setting S.M.A.R.T goals: Specific, Measurable, Attainable, Realistic, and Time Oriented. Contact with your PO and treatment providers is based on initial assessments, your personal case plan and phase level guidelines. Each program phase has it's own treatment and program goals and skill sets you are responsible for achieving. Your progress through the phases is based on your behavior and the recommendations of the treatment team.

Tips and Information:

- 1) Graduation is held once every 3 months; minimum time in the program is one year, but frequently longer. Graduation requires the treatment team to agree you are ready to graduate. The average length of the program is 18 months but could be significantly longer based on progress and legislatively mandated treatment.
- 2) VTC is part of your sentence, but not your *entire* sentence. Graduation is not the same as termination. Keep in mind that everyone's sentence is a little different. So, when you graduate VTC, it only means you completed VTC. It is then up to the team (Attorneys, Judge, Probation, and recommendations of treatment providers) **and** the conditions of your plea agreement to determine if it is appropriate to terminate or modify probation.
- 3) New Criminal Charges result in phase hold, and you cannot move phases until the pending case is resolved. If the new case is dismissed or you are found not guilty, the team will adjust phases as deemed necessary by the treatment team.
- 4) The team will help create phase goals and requirements based on individual needs.
- 5) As you progress through phases, you will be asked to write a Phase Advancement letter. This is not a punishment, but a chance for you to reflect on your accomplishments! Please type or neatly handwrite your letter, share it with your probation officer and be prepared to read it during your court appearance. Bring a copy to share with the Judge.

Phase 1:

(Minimum 60 days)

Phase 1 is where you will gain/sustain stability and become engaged in treatment. In Phase 1, the VTC team expects you to make all appointments and begin your treatment plan. Phase 1 could be considered the hardest part of the program, as it has the most appointments, most U.A.'s, and most court appearances. If we compared this program to building a house, Phase 1 is where we lay the foundation of the house.

Accountability

- Able to agree with and initial this statement: ***"I understand the rules, procedures, and expectations of the VTC and I am willing and ready to work this program."*** _____
- At the end of Phase 1, review the conditions of Phase 2 and initial next to this statement: ***"I have read the Phase 2 guidelines and understand what is expected of me."*** _____

Survival Needs

- Participant has **stable housing** or is **working with housing assistance program**.
Stable housing is housing that is not at immediate risk of loss. Proof of residence must be completed for probation (P.O. will provide guidance).
- *****Participant has financial security or started towards obtaining financial security.** This is completed by completing budget worksheet and submitting to P.O.
 - *****If Participant is able and has a need to work, participant will be required to job search** and submit proof of job search.
 - If employed, **provide proof of employment/school** (i.e. Paystub, school registration, etc.).
- *****Meet with Peer Mentor** 1:1 to discuss expectations and roles and complete contact form & security packet
- **Has healthcare** in place such as Medicaid, Medicare, Tricare, or VA.
 - If VA, please find out who your PACT Social Worker is: _____

Treatment Goals

- **Stable treatment attendance** for at least 30 days. Two (2) weeks without unexcused absences (Any absence that was not **approved by the Treatment Provider ahead of time** is unexcused).
- **If required, complete D.V. evaluation** and attend at least 2 consecutive weeks of groups prior to moving phases.
- **If needed, meet with medication provider and take medications as prescribed.** Provide medication list to P.O.
- Provide **30 consecutive days of compliant U.A. testing.** *Compliant testing means clean, non-dilute U.A. testing and no missed tests prior to moving phases. This includes 30 days without any residual THC levels. (For example, if you quit using THC prior to sentencing, but test positive for 2 weeks after your sentencing, your 30 days of clean tests start at the time of your first clean test.)*
- Enrolled in at least one weekly mental health therapy as recommended by treatment provider (individuals, co-occurring groups, etc.)
- *****Completes Treatment Plan/Contract form**
- _____

My Individualized Goals (You must come up with at least one self-improvement goal should be set that is separate from court orders or other phase requirements (for example: go to weekly combat veteran support group; start coaching my child's soccer team, start exercising daily). Goals should be

specific, verifiable, and achievable within about 60 days to prevent delay in phase movement. The team may place other goals in this section as well.)

○ Self-Set Goal _____

○ Self-Set Goal _____

Legal Requirements

○ **Set up Payment Plan**

○ **Sign probation conditions, release of information, sentencing order, drug and alcohol policy, phase guidelines, U.A. Instructions.**

○ **No reliance** on illegal acts, such as driving on revoked license, living/contacting with someone who is protected by a restraining order, etc.

○ Complete the following sentencing order(s): _____

Phase 2:

(Minimum 90 days)

Phase 2 is about taking action. Phase 1 was about the foundation, now we start building the house's walls, electrical, plumbing, etc. In Phase 2, you will be expected to show understanding of the rules and willingness to comply, even if you don't agree with everything. Phase 2 comes with less frequent appointments; however, each new phase comes with more accountability.

Accountability

- **Begins to accept responsibility** for your role and your actions that led to the offense(s).
- At the end of Phase 2, review the condition of Phase 3 and **initial** next to this statement: "I have read the Phase 3 guidelines and understand what is expected of me." _____
- If probation helped you to pay for treatment services (U.A., D.V., DUI, etc.) in Phase 1, you will begin to **self-pay** by the end of this phase. Have a **zero balance with all providers** to move phases.

Survival Needs

- Participant maintains **stable housing, healthcare and financial security**. In this phase, you will start to work toward long term sustainability goals and will be individualized with your probation officer:
- My Sustainability Goal - _____

Treatment Goals

- Shows **stable treatment attendance** for at least 30 days. At least two (2) weeks without unexcused absence* (Any absence that was not approved by the **Treatment Provider** ahead of time).
- If needed, meet with medication provider and **take medications as prescribed**. Provide updated list to probation officer.
- Provide **30 consecutive days of compliant U.A. testing**.

My Individualized Goals (See same guidelines as Phase 1)

- Self-Set Goal - _____
- Self-Set Goal - _____

Legal Requirements

- Abides by **payment plan** and makes at least first payment.
- **Register with Front Range Community Services.**
 - I will be completing my community service at _____
- Complete the following sentencing order(s): _____

Phase 3:

(Minimum 90 days)

Phase 3 is the second to last phase, so Phase 3 is about setting up where you want to be in the future. In our house analogy, a house without furniture, appliances, and dishes is just an empty building. In this phase, you will acquire the skills and tools so that you can live more comfortably. As before, this phase will likely result in less appointments, but a higher level of accountability.

Accountability

- **Accepts responsibility** for your role and your actions that led to the charge(s).
- At the end of Phase 3, review the condition of Phase 4 and initial next to this statement:
“I have read the Phase 4 guidelines and understand what is expected of me.” _____

Survival Needs

- Maintains **stable housing, healthcare and financial security**. Continue work toward long term sustainability goals which will be individualized with your probation officer:
 - My Sustainability Goal - _____

- Positive relationships are part of survival. In this world, going it alone is not enough. You will set a goal with your probation officer for how you could find **new relationships, strengthen existing bonds, or repair an old one**.

Treatment Goals

- **Pays for and is current on treatment costs** (U.A.'s, D.V., DUI, etch). Probation may voucher for some services in the event of unexpected need, but you must have be current on all balances with all providers prior to moving phases.
- Shows **stable treatment** attendance for at least 30 days. At least two (2) weeks without unexcused absence (Any absence that was not approved by the Treatment Provider ahead of time).
- If needed, must meet with medication provider and **take medications as prescribed**. Provide updated list to probation officer.
- Provide **30 consecutive days of compliant U.A. testing**.

My Individualized Goals (See same guidelines as Phase 1)

- Self-Set Goal _____
- Self-Set Goal _____

Legal Requirements

- Abides by **payment plan** and makes monthly payments. Reminder - Deferred sentences must be paid in full prior to the charges beings dismissed and all cases must have restitution paid in full prior to terminating your sentence.
- Complete at least **half of your community services hours**: _____
- Complete the following sentencing order(s): _____

Phase 4:

(Minimum 120 days)

Phase 4 is the final phase! This phase shows the VTC team you will be ready for graduation. This phase is about maintaining everything you have accomplished. As a house, this is when you are routinely cleaning the house, taking care of yard work, and protect your home. In this phase, you will be held the highest standard but also given the most trust. You will be expected to act as a role model for other participants and help your other battle buddies who are not as far in the program.

Accountability

- **Accepts responsibility** for your role and your actions that led to the offense(s).

Survival Needs

- Maintains **stable housing, healthcare and financial security**. Continue toward long term sustainability goals which will be individualized with your probation officer:
- My Sustainability Goal -

- Positive relationships are part of survival. In our world, going it alone is not enough. You will set a goal with your probation officer for how you **could find new relationships, strengthen existing bonds, or repair an old one**.

Treatment Goals

- **Pays for and is current on treatment costs** (U.A.'s, D.V., DUI, etc). Probation may voucher for some services in the event of unexpected need, but you must have a clear balance with all providers prior to moving phases.
- Shows **stable treatment attendance** for at least 60 days. At least 30 days without unexcused absence (Any absence that was not approved by the **Treatment Provider** ahead of time).
- If needed, must meet with medication provider and take **medications as prescribed**. Provide updated list to probation officer.
- Provide **90 consecutive days of compliant U.A. testing**.
- 30 days prior to Graduation, you will be required to **discuss your treatment aftercare plan** with your primary therapist.
- Treatment team agrees you are ready to graduate based on treatment progress.

My Individualized Goals (See same guidelines as Phase 1)

- Self-Set Goal - _____
- Self-Set Goal _____

Legal Requirements

- Abides by **payment plan** and makes monthly payments. If deferred sentence, case must be paid in full.
- **Restitution must be paid in full** prior to termination of supervision.
- **All sentencing orders and community service must be completed**.
 - If charges are deferred, client must meet with VTC Coordinator to set up **VTC Aftercare Plan**.

Provisory Phase

Provisory Phase is a tool that may be utilized by the VTC team for participants with on-going or severe program violations. Provisory Phase is a set of strict guidelines to help those who are struggling with compliance. This phase sets out clear expectations for both the participant and the VTC team when previous interventions have failed. Provisory Phase is one tool the VTC team may use and **is not mandatory for unsuccessful termination of a participant's program.** (Participants may be terminated from VTC without moving through the provisory phase for reasons including, but not limited to, severity of violations, community and participant safety, or new charges.)

A client may be placed in the provisory phase under the following conditions:

- Any unsuccessful discharge from treatment
- 60+ days non-compliance (Phase 2-4)
- 6+ Months in Phase 1
- Discretion of VTC Team based on on-going violation behaviors, severity of violations, or failure to progress in treatment or program.

A client in Provisory Phase will have 4 strikes and will be required to attend weekly court appearances. Strikes will be implemented for any violation behavior (missed treatment, missed court, U.A. violation, etc.) If a client has multiple violations on one court review, the VTC team may implement multiple strikes or combine strikes on a case-by-case basis. Once sanctioned all 4 strikes, the defendant will be terminated from the VTC program. If terminated from VTC, the defendant will be in violation of their sentence and the probation department will file for a petition to revoke probation.

- Strike 1 – Minimum 1 days jail
- Strike 2 – Minimum 3 days jail
- Strike 3 – Minimum 5 days jail
- Strike 4 – Termination from VTC**

** Pending the severity of the violation, a client may be terminated from VTC before reaching their 4th Strike.

** Veterans may contest any jail sanction and be scheduled for a review hearing with legal representation appointed by the court.

To be removed from the Provisory Phase a client must complete each of the following:

- 60 days of no violations and no missed treatment.
- Evident Progress in Treatment based on reports from treatment and probation.
- Complies with all court orders and treatment recommendations.

The time in Provisory Phase does not count toward overall program progress. If graduated from Provisory Phase, the defendant will resume the program at the beginning of the phase they were in prior being placed in the Provisory Phase. If a client graduates Provisory Phase and resumes violation behaviors, probation may file a revocation petition.

APPENDIX B

VETERAN TRAUMA COURT SANCTIONS & INCENTIVES



Sanctions and Incentives

The following list includes some of the sanctions & incentives that may be implemented by the VTC team. Research has shown that sanctions and incentives provide motivation, encourage program engagement, and increase participant retention. The purpose of a sanction is not to punish, but to encourage positive behavior change. Conversely, an incentive is a reward for positive behavior.

Sanctions	Incentives
Essays/letters	Court "Strong Performers/Starters" list
Research paper on how not to dilute a UA	Verbal praise, compliments from the Judge
Increased UAs	Strong Performer drawings
Possible weekend jail	Applause/Special Recognition
Reading assignments	Ammo can with candy bars
Increase time in phase or track	Medallion/Coins
Verbal and/or written apologies	Dog tags for advancement
Increased court review appearances	Picnics/parties
Regress time in phase	Restaurant gift certificates
Extra UPS hours	Graduation Certificates
Admonishment from Judge	Sports tickets
Lengthen time in program	Books/magazines
Electronic monitoring/SCRAM	Bus passes
Follow a self-imposed sanction	Wave fees or fee reductions
Back Phasing/Regression	Fast Food vouchers
Lose travel permits	Potential move to LR docket
Require sober living home	Phase Advancement
Increased probation appointments	Increase in travel privileges
Adding time to probation	Group positive feedback
AA/NA Attendance	Coupons to local establishments
Extra drug screens/add spice screens	Gift cards/certificates
Keep, write, complete calendar, and return calendar to court	Acknowledgement of clean time/days sober
Termination from program	Early termination from probation
	Movie passes/gift cards
	Recognizing former graduates
	Expunging record/waive fees for sealing arrest record

APPENDIX C

**VETERAN TRAUMA COURT ALCOHOL AND DRUG FREE POLICY
AGREEMENT**

4th JD VETERANS TRAUMA COURT ALCOHOL & DRUG FREE POLICY AGREEMENT

I _____ entered the 4th Judicial District Veterans Trauma Court (VTC) on _____. I understand that the program requires sobriety, and that as a condition of this program, I am expected to remain 100% alcohol and drug abstinent. I understand that I will be subject to testing for alcohol and drugs via urine, breath, and transdermal devices such as SCRAM. As a participant in this program, I understand that these tests are reliable, and that positive tests will result in sanctions. (Initial Here) _____

I understand that it is a violation to consume alcohol in any form including, but not limited to:

- Beverage alcohol such as beer, wine, and hard alcohol
- Alcohol in foods, medications, and topical preparations
- Alcohol in any beverage you consume, whether or not you intentionally ingested it or not (if someone else put alcohol in your beverage)

I acknowledge that I am responsible for reading labels, controlling what I put in my body, and controlling my surroundings, therefore, I also acknowledge that if I have a positive test for alcohol, despite the circumstances, I will face sanctions. I understand that the only way an ETG/ETS urine test can produce a positive test is if I consume alcohol. (Initial Here) _____

With regards to drug tests, I understand that it is a violation to use any illegal drug while in the VTC Program. Any mind-altering substance, such as “spice”, “bath salts”, or any other synthetic drug, is also prohibited. Drugs such as Marijuana, Cocaine, Methamphetamine (Meth), Heroin, and PCP are regularly tested for. Prescription drugs such as Methadone, Oxycodone, Barbiturates, Opiates, and Benzodiazepines are also tested for.

(Initial Here) _____

I understand that positive drug tests cannot be produced unless I actively use the drug. If I test positive, no excuse will be tolerated, and I will receive a sanction. At my expense, I may ask for a re-test of the sample. Prescription medications must be approved prior to filling prescriptions and my ingesting any medication.

(Initial Here) _____

I understand that it is my responsibility to provide a urine sample that is not dilute. I will avoid all behavior that may result in a dilute urine sample. I understand that a dilute sample will result in a sanction. (Initial Here)

My Probation Officer has gone over this form with me and has answered any questions I have. I acknowledge that I understand these statements above.

Program Participant

Date

APPENDIX D

**4th JUDICIAL DISTRICT PROBATION DEPARTMENT
URINALYSIS, DRUG SCREENING AND PRESCRIPTION DRUG
USE POLICY**

Drug Screens

Since achieving and maintaining sobriety is one of the main goals of the Veterans Trauma Court program, you will be tested randomly throughout the entire Veterans Support Court program. Drug testing is generally done using urine screens, saliva samples, and breathalyzers. Other mechanisms used to monitor sobriety may include SCRAM, Antabuse, hair follicle tests, or other procedures approved by the court. Participants are responsible for the costs of testing, unless other arrangements have been made with your probation officer or treatment provider.

REMEMBER:

- ✓ Testing will be done on a random basis.
- ✓ You will be observed to ensure freedom from errors.
- ✓ Methods of testing are determined by the Veterans Trauma Court team and are not negotiable.
- ✓ Missed, dilute, altered, or refused screens will be considered positive and subject to sanction. *Urine samples with creatinine levels below 20 mg/dl (dilute) or above 400 mg/dl will be considered invalid and subject to sanction.*
- ✓ Any detectable level of alcohol, drug, or mood-altering substance is considered a positive test.
- ✓ If you have a positive test in any Veterans Trauma Court phase and you have *not* been honest about your drug, alcohol or other substance use before testing positive, the Judge will apply an immediate sanction.
- ✓ If you ask for a confirmation test, you may be charged for the confirmation test if it comes back positive for alcohol and/or controlled substances.
- ✓ If you are unable to submit a UA during business hours, then take one at an approved testing agency (please see your probation officer) the same day your UA was called. You may be responsible for the cost of this UA. Call your probation officer to inform them if this occurs. If you are unable to contact them directly, leave a message. If for some reason you miss a drug screen, *you should inform your probation officer immediately and submit as soon as possible.* A missed screen will result in a court-imposed consequence.
- ✓ You are ultimately responsible for ensuring the screens you provide are valid. You should be aware that prescription drugs, over-the-counter medications, herbal remedies, and dietary or energy supplements can affect your test results. As such, you must have prior approval to use anything that may affect your sample.
- ✓ All mind-altering substances are prohibited in VTC; this includes alcohol and legal substances used for that purpose. **You are responsible for what enters your body.**

The Court Will Not Accept the Following Excuses:

"I didn't use, I was just around it." "I took some medication." "I didn't smoke; it was a shotgun." "Someone must have put something in my drink." "It must be something in my sports drink." "I took an herbal supplement." "I drank a lot of water." "I ate a poppy seed muffin."

- Do not take any medication (including over the counter medications) without first talking with your probation officer. If you have a change in medication, notify your probation officer immediately. Never ever take someone else's medication.
- Do not eat poppy seeds while in the program.
- Do not attempt to dilute your sample. Do not attempt to tamper or alter your sample. Do not attempt to substitute your sample. These are dishonest actions that defy the purpose of Veterans Support Court. These acts will have grave consequences and may result in expulsion from the program.
- The probation officer or treatment provider may request a drug screen at any time, even if it is not your day to test. Refusal to submit a drug screen will result in a sanction.
- Lack of money to pay for a drug screen does not excuse you from submitting. Plan ahead!
- If there is any doubt about drug screen results, you may be required to get a GCMS confirmation. Additionally, you may be required to obtain a hair test or an ETG.
- Positive alcohol/drug screens, drug use, and/or missed screens will result in sanctions, increased treatment, and/or increased monitoring.

Prescription Drug Use

You are expected to inform treating physicians if you are recovering from substance dependence and that taking addictive, or habit-forming medications could be detrimental to your recovery.

If it is determined that you need an addictive or habit-forming substance, then you should make every effort to obtain a non-narcotic prescription, if one is available.

If you are prescribed addictive or habit-forming medication, then you are required to inform (leave a message if they are not available) your treatment provider and probation officer. The VTC team will then decide if the medication is appropriate.

You will sign a release of information to allow the VTC team to exchange information with the prescribing physician. The VTC will verify that everything you reported is accurate, including that you informed the prescribing doctor that you are recovering from substance dependence.

Participants are expected to notify the probation officer of any changes in medications.

Participants with a history of abusing addictive or habit-forming medications will be subject to additional requirements.

- ✓ Restricted to one prescribing physician

- ✓ Agreeing to work with your physician to discontinue use of any addictive or habit-forming medications

The use of medical marijuana is prohibited in the Veterans Trauma Court. Applying for a medical marijuana license is prohibited while enrolled in the Veterans Support Court.

Failure to follow the above protocol will result in a sanction and a possible increase in treatment.