

Washtenaw County Veterans Treatment Court



Image courtesy of <http://www.veteranspassport2hope.org/>

Participant Handbook

Revised 01/22

Dear Veterans Court Participants:

Welcome to the Washtenaw County Veterans Treatment Court.

In 2010, when veteran's treatments courts were first starting in Michigan, then Chief Justice of the Michigan Supreme Court, Marilyn Kelly, told those early participants... "It is my hope that this veterans' court program will serve our veterans as well as they have served all of us." That continues to be our goal today.

Nobody wants to become involved in the justice system, and nobody expects his or her journey back to the civilian world from military service will include a stop in the courts. Now that you are involved in the criminal justice system, your mission, and our goal for you, is to fulfill the requirements of this program and emerge ready to fully engage with your future.

The Veterans Court Team, court staff, the treatment providers, such as the Veterans Administration, other community service agencies, and your veteran mentor are eager to begin working in this program with you. Remember that while we all will work as hard as we can for you, what we are doing is to provide you the **opportunities**, **tools** and **resources** that you need to use to meet your mission requirements. We would not have admitted you to the program if it was not our collective judgment that you can and will succeed.

On behalf of the entire Washtenaw County Veterans Treatment Court Team, welcome.

The Honorable Karen Quinlan Valvo

INTRODUCTION

The Veterans Treatment Court Program is a problem-solving plan that works toward returning veterans to a productive and law-abiding status in society. Eligible participants are diverted from the normal judicial process to a treatment-based system, including additional resources that traditional probation does not offer. The Court strives to create a supportive community via a team of dedicated professionals to foster successful completion of the program.

The Washtenaw County Veterans Court Treatment Team:

VTC Presiding Judge: The presiding judge leads the team and impartially assesses incentives and sanctions to the participant. She encourages each participant and emphasizes treatment.

VTC Coordinator: The coordinator maintains the records and data entry for effective communication of information to all team members, ensures that policy and procedures are followed and oversees fiscal and contractual obligations.

VTC Probation Officer: The probation officer provides supervision to each participant and reports to the team about the participant's progress in the program. He ensures that the treatment plans are being followed and that the resources available to the participants are in place.

Veterans' Justice Outreach Coordinator (VA): The VJO manages the delivery of treatment services and develops continuing care plans with the participants.

Mentor Coordinator: The mentor coordinator recruits, selects, trains, and provides supervision of the Veterans Treatment Court mentors and represents the mentors to the VTC team.

Washtenaw County Prosecuting Attorney: The prosecutor advocates for the victim's interest and public safety, holding participants accountable for meeting his or her obligations; the prosecutor may also help participants resolve other pending legal cases.

Washtenaw County Public Defender: The defense attorney ensures that a participant's rights are protected and advocates for the participant's stated interest.

Law Enforcement Representative: The law enforcement representative serves as a liaison to the local law enforcement agencies and the community.

Eisenhower Center Representative: The Eisenhower Center provides services to veterans with PTSD and TBI needs.

Washtenaw County Department of Veterans Affairs: The DVA assists veterans, their survivors, and dependents, with filing claims for benefits from Federal, State of Michigan, and local governments.

A special thank you to Kathy Schillaci, VTC supporter, and her Court therapy dog.

PROGRAM RULES & EXPECTATIONS

- You are expected to be honest with every person you encounter in this program.
- Do not attempt to falsify your records, conceal alcohol/drug use or tamper with or dilute your samples
- You are responsible for appearing on time for all treatment appointments, substance abuse testing, meetings with your probation officer and court sessions
- You are expected to follow all conditions of your probation at all times

ADMISSION

Admission into the Veterans Treatment Court Program is a privilege, not a right. The participant must demonstrate commitment to the program and his/her recovery. This program requires discipline and hard work in order to be successful.

MINIMUM ELGIBILITY REQUIREMENTS

- You must be a Veteran of the United States Armed Forces. "Veteran" means any of the following:
 - A person who served on active duty in the armed forces for a period of more than 180 days and separated from the armed forces in a manner other than a dishonorable discharge.
 - A person discharged or released from active duty because of a service-related disability.
 - A member of a reserve branch of the armed forces at the time he or she was ordered to active duty during a period of war, or in a campaign or expedition for which a campaign medal is authorized, and was released from active duty in a manner other than a dishonorable discharge.
- Veteran must provide a DD214 or other valid documentation disclosing their discharge status.

- Must have a discharge status of: Honorable Discharge, Other than Honorably Discharged, General Discharge, Bad Conduct Discharge, or Administratively Discharged.
- Must not be a violent offender
 - A "Violent offender" is an individual who is currently charged with or has pled guilty to an offense involving the death of, or a serious bodily injury to, any individual, whether or not any of these circumstances are an element of the offense, or who is charged with criminal sexual conduct in any degree.
- Must have a mental health or substance abuse issue that has led to the participant's current legal issues
- Must have a Substance Abuse Screening and Mental Health Assessment
- Participant must not present a danger to the community
- Participants must have no other special circumstances that would preclude them from an effective participation in the Veterans Treatment Court program
- Participant must sign a Participant Agreement (Appendix A)
- Participant must sign a Medical Release Form (Appendix B)
- Participant must sign a Participant Pledge (Appendix C)

PROGRAM LENGTH

The Veterans Treatment Court program is 18-24 months in length. The participant's length of involvement in the Court is dependent on the participant's ability to comply with Court orders, follow treatment plan(s) and remain alcohol/drug free.

PHASES

The treatment court program consists of four phases. Each phase has a set of minimum requirements for compliance with treatment goals, substance abuse testing, probationary and program rules. The Veterans Court team uses these objectives to gauge a participant's progress in recovery and for the team's consideration in recommending advancement to the next phase.

In addition to the basic phase requirements, the team reserves the right to make recommendations to the judge, who may make specific goals or orders, or modify phase requirements, for a given participant.

Phase I – Orientation & Stabilization - Duration: Approximately 60 days

Requirements:

- Comply with orders of the court
- Complete substance abuse and mental health assessments with VA and/or a community partner to assist in developing a treatment plan
- With treatment provider, develop written treatment plan
- Comply with treatment plan
- Meet with county Veteran's Affairs office to assess eligibility for benefits
- Demonstrate engagement in a 12-step program if ordered/obtain sponsor
- Attend review hearing every two weeks

- Meet with probation officer every week
- Meet mentor and begin interaction
- Develop case plan (Review sentence and probation agreement)
- Develop plan for payment of fines & costs
- Daily PBT
- Minimum 2 random drug screens per week*

*You will be assigned a series of letters, numbers, or colors which indicate when you are required to report to community corrections to comply with drug and alcohol testing. The phone # is: 734-973-4605.

Requirements to advance to Phase II:

- Must be compliant with all phase requirements listed above
- Must maintain a minimum of 14 days of consecutive sobriety (no positive or missed tests)
- Submit written application for advancement to Phase II

Phase II – Early Engagement - Duration: Approximately 120 days

Requirements:

- Comply with orders of the court
- Comply with treatment plan
- Demonstrate use of 12-step program and involvement with sponsor, if part of treatment plan
- Attend review hearing every two weeks
- Meet with probation officer every week
- Demonstrate engagement with mentor
- Engage with the recovery community and/or pro-social sober activities
- Attend “Life Skills” classes as scheduled
- Begin regular monthly payments to court(s) for fines & costs
- Daily PBT (after a minimum 30 days with no positives, consideration may be given for random PBT)
- Minimum 2 random drug screens per week
- Twenty hours of community service per week (may be modified by employment, education, or disability requirements)

Requirements to advance to Phase III:

- Must be compliant with all phase requirements listed above
- Must maintain a minimum of 45 days of consecutive sobriety (no positive or missed tests)
- Submit written application for advancement to Phase III

Phase III – Commitment - Duration: Approximately 180 days

Requirements:

- Comply with orders of the court
- Comply with treatment plan
- Demonstrate use of 12-step program and involvement with sponsor, if part of treatment plan
- Attend review hearing every four weeks
- Meet with probation officer meeting every two weeks
- Demonstrate continued engagement with mentor
- Continued engagement with the recovery community and/or pro-social sober activities
- Begin to develop and submit a Preliminary Recovery Life Plan

- Attend “Life Skills” classes as scheduled
- Continued monthly payments made to court(s) for fines & costs
- Minimum 2 random PBTs per week
- Minimum 2 random drug screens per week
- Twenty hours of community service per week (may be modified by employment, education, or disability requirements)

Requirements to advance to Phase IV:

- Must be compliant with all phase requirements listed above
- Must maintain a minimum of 90 days of consecutive sobriety (no positive or missed tests)
- Submit written application for advancement to Phase IV
- Submit Preliminary Recovery Life Plan

Phase IV – Maintenance/Reintegration - Duration: Approximately 180 days

Requirements:

- Comply with orders of court
- Comply with treatment plan
- Demonstrate use of 12-step program and involvement with sponsor, if part of treatment plan
- Attend review hearing every four weeks
- Meet with probation officer every four weeks
- Demonstrate continued engagement with mentor
- Continued engagement with the recovery community and/or pro-social activities
- Complete and submit a Recovery Life Plan
- Attend “Life Skills” classes as scheduled
- Demonstrate productive use of time (employment, volunteering, education)
- Complete payments to court(s) for fines & costs
- Minimum 2 random PBTs per week
- Minimum 2 random drug screens per week
- Twenty hours of community service per week (may be modified by employment, education, or disability requirements)

Requirements to graduate:

- Must be compliant with all phase requirements listed above
- Must maintain a minimum of 120 days of consecutive sobriety (no positive or missed tests)
- Submit written application for Graduation
- Submit Recovery Life Plan

REVIEW HEARINGS

Depending on the phase the participant is in, the participant must attend court every two to four weeks. At the hearing, the Presiding Judge will address each participant individually and make inquiries about recovery, treatment, personal life, work, etc. The Judge may also give additional instructions, award incentives, and give sanctions. A participant’s failure to appear at review hearings as scheduled may result in a bench warrant and/or detention in jail until an appearance before the Judge can be arranged. If a participant is unable to attend the review hearing, the probation officer must be notified immediately via phone at 734-794-6761 x47534 or via email KJAshenfelter@a2gov.org.

INCENTIVES

Incentives may include, but are not limited to: applause, decreased Court appearances, decreased drug testing, entry into a gift drawing, a gift card, permission to travel, phase promotion, promotion dog tags, decreased probation reporting requirements, and eligibility for a life-improvement grant from the Veterans Treatment Court supporter's 501(c) 3.

SANCTIONS

Sanctions may include, but are not limited to: increased substance abuse testing, increased community service, increased court appearances, imposition of a curfew, jail work program, jail, letter of apology, essay, phase duration extended, increased court appearance requirements, phase demotion, increased probation reporting requirements, increased self-help sessions and verbal warnings. In serious circumstances, termination from the program may occur.

MEDICATION POLICY

Participants are required to notify medical providers of their substance abuse history, their involvement in the Veterans Treatment Court, and the Court's requirement of abstinence from narcotic use. If a medical provider determines that a narcotic prescription is necessary, they may prescribe medication to participants during their time in the treatment court. While these medications may be medically or physically beneficial, the risk of substance abuse must be evaluated on an individual basis. The participant and the medication will be evaluated on a case-by-case basis under, but not limited to, the following guidelines:

- Participants must provide copies of all prescriptions to the Veterans Court Probation Officer.
- Medications must be presented to the Probation Officer, in their original container, at each probation appointment, and/or upon request.
- Participants' narcotic or addictive medications may be limited or prohibited.
- Participants' over-the-counter medications may be limited or prohibited.
- Violations of the Veterans Treatment Court Medication Policy may result in sanctions or termination from the program. Termination from the program is a violation of probation and sanctions will be issued by the referring court, which resumes jurisdiction of probation.

PAYMENT OF FINES, COSTS AND FEES

All balances owed to the Court must be paid prior to the end of the participant's probation term (normally 18 months) in order to be eligible to graduate. It is expected that the participant will make regularly scheduled payments throughout the term of your probation. This process helps complete the payments within a manageable probation term time period.

- If the participant's case was transferred to the 15th District Court your fines/costs must be paid to the transferring (original) Court. However, all probation oversight fees must be paid to the 15th District Court.

GRADUATION

Once a participant is eligible to graduate, a graduation ceremony is held during the next available review hearing. Participants are presented with a certificate of completion and a small memento in recognition of all their hard work toward their successful completion of the program.

TERMINATION

A participant's involvement in the Veterans Treatment Court Program is completely voluntary. The participant may withdraw at any time or be terminated from the program by the Court. The termination of a participant generally occurs after graduated sanctions have been ordered by the Court, and the participant is found to be non-compliant. If terminated from Veterans Court, the participant returns to supervised probation with the referring court. Examples of not following program rules which may lead to termination from the program include, but are not limited to:

- Commission of a new crime (A new felony conviction requires immediate termination)
- Repeated positive drug/alcohol screenings
- Tampering with drug/alcohol monitoring devices
- Failing to attend court/program ordered appointments
- Leaving residential/treatment facility without authorization

MENTOR PROGRAM

The Mentor program is mandatory for every participant and ensures that each veteran is paired with a compatible mentor. Mentors help mentees navigate the vast amount of resources available to them as well as acting as an advocate and an ally. The mentors volunteer to work directly with veteran participants in the program and serve as an extension of the Veteran Court Team. Our mentors have served in Vietnam, Grenada, Panama, Operation Desert Shield/Storm, Operation Enduring Freedom and Operation Iraqi Freedom, as well as various other tours of duty during their military service.

Mentors serve a variety of roles, including coach, facilitator, advisor, sponsor, friend and supporter. Once a participant enters the program, a mentor is assigned to the participant. Mentors are assigned with consideration given to similar service history, age, and experiences. Mentors listen to the participant's concerns and problems and assist the participant in finding solutions. Mentors help the participant set and achieve goals, not only as part of the Veterans Court Program, but to succeed in life in general. It is the responsibility of the participant to reach out to his or her assigned mentor. It is also the responsibility of the participant to maintain regular contact with his or her assigned mentor, responding promptly to texts and emails from the mentor. Mentors will provide feedback to the Veteran Court Team highlighting the participant's successes and encouraging the participant to achieve exceptional potential as a veteran and as an individual. Mentors are not to report on the participant's actions to anyone unless they want to share any positive accomplishments that the mentee has achieved. A mentor is only obligated to report to the Mentor Coordinator and the Veteran Court Team about the actions of their participant if a law is being broken or if there is a safety risk to the community. The bond between a participant and his or her mentor is critical to a participant being successful in this program.

Mentor Matching Policy

Whenever possible, and to the extent practical, the Washtenaw County Veterans Treatment Court Team will make matches based on the following guidelines:

- Previous mentor and mentee interactions
- Similar branch of military service
- Similar career path in the military
- Similar period of time served
- Similar amount of time served

- Similar life experiences, education, training, and jobs that are outside of their military service

The mentor will not:

- Report directly to the probation officer
- Be responsible for providing transportation, housing, or fulfilling monetary needs
- Provide treatment or counseling recommendations
- Be abused or taken advantage of by participant

The mentor will:

- Listen to the participant's questions and concerns
- Advocate for the participant
- Assist the participant to find solutions to your problems
- Help the participant set and accomplish goals
- Provide positive feedback to the Veterans Treatment Court Team
- Assist the participant to navigate through various resources

APPENDIX A

**Washtenaw County Veterans Treatment Court Program
Participant Agreement**

Defendant / Veterans Name: _____ Case Number: _____

Whereas, the purpose of the Veterans Treatment Court Program is to provide assistance to me in an effort to address my alcohol abuse, substance abuse, and/or mental health which has/have led to my legal problems.
Whereas, the Veterans Treatment Court is a treatment-based non-adversarial process to support my recovery.

I HEREBY VOLUNTARILY AGREE TO THE FOLLOWING:

- 1. I will appear for any and all court dates, treatment meetings, or other scheduled appointments as ordered by the Court; and I will be on time.
- 2. I will comply with my probation order(s) and pay all fines and costs in a timely manner.
- 3. I will not use or possess alcohol, illegal drugs, or any mood-altering substances while participating in the program. Furthermore, I understand that I must notify my probation officer within (2) business days of any new prescription medications.
- 4. I agree to be supervised by all person(s) designated by the Court
- 5. I will attend and complete any treatment program, including the mentorship program, that is ordered by the Court and obey all rules of the treatment court program.
- 6. I agree to keep the Court and treatment providers informed of my current address and phone number(s), and to report any change within (2) business days.
- 7. I will submit to urine, breath, and other drug testing as ordered by the Court.
- 8. I understand the Court may impose immediate sanctions for non-compliance with the conditions of the treatment program, which may include placement in the county jail or other detention, without a hearing.
- 9. I understand I can be rewarded for complying with program requirements, including but not limited to, being awarded incentives, reduced court appearances, reduced substance abuse testing and early termination from the program.
- 10. I will return all phone calls, e-mails, or other communications from the Veterans Court Probation Officer or any other Veterans Court Team member, including treatment providers within 24 hours from receiving the communication. Failure to comply may result in sanctions, including incarceration.
- 11. I understand that the treatment team will be spending time, energy and resources on my behalf. Thus, I need to be invested in my treatment and recovery and to be honest with all team members.
- 12. I agree to the terms set by the Veterans Treatment Court and understand that if I do not follow the Veterans Treatment Court rules and requirements, I will be terminated from the program and the probation oversight of the original court will resume.
- 13. I have received a copy of this document and agree to its terms and conditions.

Defendant / Veteran Signature

Date

Witness Signature

Date

APPENDIX B

**Washtenaw County Veterans Treatment Court Program
Non-Prescription Usage Agreement**

Defendant / Veterans Name: _____ Case Number: _____

While participating in the Veterans Treatment Court Program you are prohibited from taking the non-prescription medications listed below. It is your responsibility to read the ingredients of every over the counter and food product you consume. If alcohol or any of the below item(s) are listed as an ingredient you are prohibited from consuming it.

These items may result in a positive drug or alcohol screen. If you test positive, it may result in the Court ordering a sanction. Sanctions could include community service or jail time.

IF YOU ARE UNSURE WHETHER A CERTAIN PRODUCT WILL RESULT IN A POSITIVE DRUG SCREEN, DO NOT CONSUME IT!

SUBSTANCES YOU MUST AVOID WHILE ON PROBATION:

- All cough and cold medications containing alcohol, such as Nyquil, Robitussin, Vicks Formula 44.
- Poppy seeds and any foods that may contain poppy seeds.
- Liquid mouthwash containing alcohol, such as Listerine or Scope.
- Beverages, normally containing alcohol, which are listed as “Non-alcoholic”
- Any substance that would result in a positive drug or alcohol test

I have read and understood the above information. I understand as a condition of my probation I am responsible for anything I consume and agree that even unknowingly consuming anything that results in a positive drug screen may result in a violation of my probation.

Defendant / Veteran Signature

Date

APPENDIX C

**Washtenaw County Veterans Treatment Court Program
Disclosure of Information Agreement**

Defendant / Veterans Name: _____ Case Number: _____

I, _____ hereby consent to communication between the Presiding Judge, the Veterans Court Coordinator, the Veterans Court Probation Officer, the Ann Arbor City Attorney's Office, the Washtenaw County Prosecuting Attorney's Office, the Public Defender's Office, any other defense attorney assigned to my case, a Representative from my treatment provider, Washtenaw County Department of Veterans Affairs representative, the Veterans Court Mentor Coordinator, my assigned mentor and the Veterans Court Law Enforcement Liaison. The purpose and need for this disclosure is to assist the Court in evaluating and determining my prognosis, compliance and progress in accordance with Veterans Court criteria.

This authority extends only as necessary for and pertinent to hearings and/or reports concerning my specific Veteran's Court case.

Disclosure of this confidential information may be made only as necessary for and pertinent to hearings and/or reports to the Veteran's Court Team. I understand that recipients of this information may not re-disclose it except in connection with my Veterans Court treatment and then only with my written consent, except as permitted by Federal law and rules, which include bona fide medical emergencies, valid court orders, and when there is a suspicion of a danger to others, including child abuse or neglect. I understand that a decision regarding re-disclosure without my consent may be made only by my immediate Veteran's Court Team and not by any individual or individual agency within the Veteran's Court program or my Veteran's Court Team.

Any information obtained through this release is for the exclusive use of my immediate Veterans Court Team. All documents generated by this release shall be kept apart from my court file.

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination of my involvement with the Veterans Court, and/or the discontinuation of court proceedings upon the dismissal of my case, or upon sentencing.

Defendant / Veteran Signature

Date

APPENDIX D

**Washtenaw County Veterans Treatment Court
Participant Pledge**

- I recognize that my mental health and sobriety must be my first priority, every day.
- I will be honest with myself and others.
- I will be accountable for my actions.
- I will remain engaged with my mentor.
- I will be of service to others and to the community.
- I will respect the Washtenaw County Veterans Treatment Court.
- I will succeed.

Defendant / Veteran Signature

Date

