

# **STATE OF FLORIDA**

## **TWENTIETH JUDICIAL CIRCUIT**



### **COLLIER COUNTY**

#### **VETERANS TREATMENT COURT PROGRAM**

## **PARTICIPANT HANDBOOK**

## **INTRODUCTION TO VETERANS TREATMENT COURT**

Veterans Treatment Court (or “VTC”) is an alternative treatment court program offered to veterans who have been arrested in Collier County who have certain mental health and/or substance abuse treatment needs.<sup>1</sup> The program is designed to help stabilize participants’ lives, equip them with tools needed to support their recovery, and reduce the chance of being arrested again in the future. The emphasis is on treatment as an alternative to jail or prison time. In some cases, charges may be reduced or dropped upon successful completion of the VTC Program, as decided by the State Attorney’s Office.

This Handbook is designed to answer questions, address concerns, and provide an overview of the VTC Program. In addition, participants will be expected to follow all specific instructions given in VTC by the Judge or by any member of the VTC Team, and comply with their individualized Intervention Plan. All potential participants are encouraged to share this Handbook with any family or friends who are part of their support network, as well as with any mental health professionals who are currently involved in their treatment.

### **PROGRAM OBJECTIVES**

Veteran offenders in need of treatment often spend unnecessary time in jail, lack knowledge of and access to available treatment services, and are at higher risk of becoming repeat offenders, cycling through the justice system many times over their lifetimes. The VTC Program represents an effort to identify and address the unique needs of these veteran offenders (sometimes called “justice-involved veterans”) so that the cycle is interrupted and stopped. This effort relies upon effective cooperation between the criminal justice system, the mental health treatment system and the Veterans Administration (“VA”). This collaborative effort hopes to achieve the following results for the benefit of the justice-involved veterans: faster case processing, improved access to treatment services, improved well-being, and reduced recidivism. In turn, these efforts benefit the larger community through increased public safety and decreased spending.

### **HOW IT WORKS**

Veterans Treatment Court is a criminal treatment court that accepts certain veterans facing misdemeanors, felonies and/or violations of county or state probation. Following the criminal arrest of a veteran with a specific mental health and/or substance abuse treatment need (including PTSD and/or TBI), anyone may make a referral of that veteran to be considered for participation in VTC. The veteran will then be screened by a mental health professional to determine whether he or she is clinically appropriate for VTC.

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<sup>1</sup> For purposes of this Handbook and the VTC program, the word “veteran” is intended to encompass any man or woman who has served our country through any of its armed forces, without regard to length or type of service, type of discharge or eligibility for veterans’ benefits of any kind.

If found to be clinically appropriate for VTC, it is up to the State Attorney to determine if the veteran is legally appropriate for participation, and under what terms and conditions. Veterans who are found to be eligible for VTC will be offered a choice as to whether they wish to participate. The veteran's defense attorney will need to discuss all details of the VTC opportunity with the veteran, including the terms contained within this Handbook, in order to advise the veteran fully in making this decision. Participation in VTC is voluntary, but once accepted into the program, compliance is required.

Prior to entry into VTC, a proposed Intervention Plan will be developed by the VTC Team. This Intervention Plan will be designed specifically to address the unique needs of the veteran in order to assist them in finding a lasting recovery, improving their quality of life and decreasing their chances of recidivism. Specific treatment goals will be set forth, along with the services the veteran will need to use in order to meet those goals. The veteran will have the opportunity to review the plan and discuss any concerns with both the VTC staff and his or her attorney, before entry into the program. It is important for the veteran to fully understand the proposed treatment options in order to make an informed decision regarding entry into the program.

In addition to the Intervention Plan, veterans who are considering entering VTC will be provided with a VTC Contract, which sets forth the specific terms and conditions for the veteran's participation in VTC. Depending on individual circumstances, the Contract may provide for certain rewards upon successful completion of VTC and probation, ranging from early termination of probation to avoidance of a conviction to reduction or even dismissal of some or all of the charges.

If the veteran wishes to accept the Intervention Plan and the Contract and enter VTC, they will enter a plea to their charges according to the terms set forth in the Contract, as negotiated by their defense attorney and the State Attorney. The veteran will then be placed on a period of probation to ensure their compliance with all of the terms set forth in the Contract, the Intervention Plan and this Handbook. In addition, the veteran may be obligated to make restitution to victims, complete certain court-directed classes, and pay or work off all fines, court costs and probation fees.

## **THE VETERANS TREATMENT COURT TEAM**

Veterans Treatment Court is a collaborative effort between members of the criminal justice system, the community mental health provider and the VA. As such, the court is run by a team of dedicated and specially trained professionals representing the relevant agencies involved in the effort. The VTC Team consists of a Judge, an Assistant State Attorney, an Assistant Public Defender, a State Probation Officer, a County Probation Officer, a Veterans Justice Outreach Specialist ("VJO") from the VA, one or more representatives of the David Lawrence Center, and one or more representatives of the Collier County Sheriff's Office and Naples Jail Center.

## **TREATMENT PROVIDERS**

While the David Lawrence Center (DLC) is the treatment provider that is contracted to provide case management and coordination services for VTC, participants are free to receive their treatment from any properly licensed provider they like. If they are eligible for such benefits, they may choose to receive their treatment through the VA. Participants who receive treatment from providers other than DLC (including the VA, or other providers such as third-party hospitals or residential treatment programs) will need to execute a Consent to Release of Information form promptly so that relevant information may be shared by that treatment provider with the members of the VTC Team. Refusal to execute such a Consent form may result in termination from VTC.

## **SOBRIETY AND VETERANS TREATMENT COURT**

VTC is a sobriety-based treatment court program. As such, consumption of alcohol, drugs or other mind altering substances is strictly prohibited, and will be closely monitored through random drug and alcohol testing. Participants must provide a complete list of all properly prescribed medications to their Probation Officer and their Case Manager, and must update the list immediately anytime a doctor makes any changes. All prescribed medications must be taken precisely as prescribed, and must be refilled in a timely manner so that no doses are missed. Should your treatment provider wish to prescribe any medications that may be subject to abuse (classic examples include pain-killers and some anxiety medications), you will need to discuss this prescription with your Case Manager immediately to determine whether this will interfere with your continued participation in VTC.

## **VETERANS TREATMENT COURT SUPERVISION**

All VTC participants are required to appear in VTC and to meet with their assigned Case Manager and Probation Officer on a regular basis. This is for the purpose of monitoring compliance with their court and treatment obligations, and may include random drug testing, inspection of medications and other inquiries. Participants are required to be fully honest with the VTC Team members regarding any struggles or problems they may be having, or any mistakes they may have made, so that the VTC Team and treatment providers can assist. Failure by a participant to be fully honest with a member of the VTC Team may result in imposition of a sanction at a minimum (see below), or in termination from VTC and prosecution for Violation of Probation, in more severe instances.

At each court appearance, the Judge will be given a progress report prepared by the VTC Team. The Judge will ask questions about progress and discuss any specific problems the participant may be experiencing during court. If the participant is doing well, he or she will be encouraged to continue with the program and work with their treatment provider toward successful completion of all terms. If the participant is not

doing well, or is not being honest with the Team, the Judge will discuss this with the participant and the Team to determine further action.

Sanctions by the Court for non-compliance can range from a friendly warning to community service, an essay, an earlier curfew, or in some cases, time in jail. Continued non-compliance can result in a Violation of Probation and possible termination from VTC.

## **VETERANS TREATMENT COURT PROGRAM RULES**

All VTC participants will be required to abide by the following rules:

1. Comply with the Intervention Plan developed for you.
2. Attend all review hearings before the VTC Judge.
3. Follow all instructions given by the Judge, your Probation Officer, your Case Manager and your treatment providers.
4. Be on time to all appointments associated with and including VTC.
5. Dress appropriately for court and treatment sessions.
6. While in court, remain seated and quiet until called upon to speak.
7. Act in a respectful manner toward the VTC Team members, and all treatment providers.
8. Refrain from participating in any threatening or violent behavior.
9. Refrain from the use of alcohol or any drugs or mind-altering substances unless prescribed by a qualified mental health care professional and approved by the VTC Team.
10. Refrain from committing any act which would result in a new arrest.

## **MENTORS**

A unique hallmark of VTC's around the country is the presence of a team of volunteer veteran mentors. Collier County enjoys a strong team of mentors who are available at every court date (and in between as well) to assist veteran participants. The volunteer mentors have no direct connection with the VTC Team, and exist solely for the benefit of the veteran participant. Mentors aim to offer support, guidance and friendship to participants. Their support has proven to be priceless to participants, as veterans are often in the best position to understand and help other veterans. Working with a mentor is optional and comes with no obligation on the part of the participant. Additionally, participants can choose to accept the help of a mentor at any point in the VTC process.

## **COMPLETION OF VETERANS TREATMENT COURT**

Successful completion of VTC will be celebrated by an informal graduation ceremony, to which friends and family are invited. Depending upon the terms of the VTC Contract, the participant may still remain on a period of probation following this graduation. Successful completion of both VTC and all probation terms may result in rewards ranging from early termination of probation to avoidance of a conviction to dismissal of some or all of the charges, in accordance with the VTC Contract. On the other hand, failure to successfully complete VTC or other unsuccessful discharge from the program may result in Violation of Probation and further prosecution.

## **CONFIDENTIALITY**

All participants' privacy will be protected consistent with Florida and federal law. In response to these regulations, policies and procedures have been developed which guard all participants' confidentiality. All participants will be asked to sign appropriate consents and waivers authorizing the transfer of information among participating agencies and VTC Team members.

## **CONCLUSION**

The VTC program has been developed to give you the best possible opportunity to return to the community as a healthy, productive and responsible member. The program is voluntary and depends entirely upon your willingness to be honest in asking for and accepting help. The members of the VTC Team will be present every step of the way to guide you and assist you in any way they can, but the final responsibility and accomplishment will be yours.

We hope this handbook has been helpful to you and answered your questions. If you have additional questions or concerns about the VTC program, please consult our website at <http://www.ca.cjis20.org>. Click on "Programs" then "Veterans Treatment Court" then "Collier."