

North Texas Veterans Court Program Policy & Procedures



The Honorable John R. Roach, Jr.
Judge Presiding

Overview

The North Texas Veterans Court is a program for justice involved veterans who are currently facing prosecution for one or more criminal cases. The program offers treatment options that are judicially supervised; it is designed to divert veterans out of the traditional criminal justice process and into appropriate rehabilitative alternatives with a high degree of accountability.

Mission Statement

The mission of the North Texas Veterans Court Program is to promote public safety by assisting and supporting veterans with court supervised treatment, community based services and accountability through a system of incentives and sanctions.

Target Population

Veterans or current members of the United States Armed Forces, including a member of the Reserves, National Guard, or State Guard suffering from a diagnosable and treatable behavioral health issue that has contributed to the commission of a criminal offense.

Eligibility Criteria

The criteria for participation in a Texas Veterans Court Program is established by the Texas Government Code, Chapter 124:

- the offender is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard, and
- the offender suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, that
- resulted from the offender's military service in a combat zone or other similar hazardous duty area, and
- materially affected the offender's criminal conduct at issue in the case

The statute also requires that the attorney representing the state (the District Attorney's Office) consent to the participation of each individual.

Structure and Roles of the Veterans Court Treatment Team

Presiding Judge

The Presiding Judge leads the treatment team. The judge regularly reviews treatment reports, leads all team meetings and is the final arbiter in any decision on which there is not agreement of the team. The judge directs other team members to collect information, coordinate services and monitor compliance. During all court status reviews the judge discusses progress and issues of non-compliance with each participant, administers sanctions and incentives as appropriate.

District Attorney

The Assistant District Attorney reviews all new cases in order to determine eligibility and appropriate placement. The eligibility assessment includes a review of the candidate's criminal history, consultation with victims, legal eligibility and appropriate dispositions upon the candidate's entry into Veterans Treatment Court. The Assistant District Attorney monitors participant progress and should a participant be re-arrested, the Assistant District Attorney assesses the appropriateness of continued participation in Veterans Treatment Court.

Defense Attorney

The Defense Attorney advises the candidate and is mindful of the candidate's constitutional rights as a criminal defendant and the defendant's civil rights. The Defense Attorney seeks to find treatment solutions for the defendant that minimize the defendant's exposure to incarceration, reduce the risk of re-arrest or new charges, and mitigate the consequence of a criminal conviction.

Veterans Justice Outreach Specialist

The Veterans Justice Outreach Specialist (VJO) participates in all Veterans Court proceedings, serves as the linkage to the VA and VA services and benefits and insures the provision of recommended treatment services. The VJO's role is to monitor the services participants are receiving, to identify additional individual supports as needed, and to identify potential gaps in the service system that need to be addressed. It is anticipated that veterans will access the full range of services available through the VA via this single point of service – the VJO.

County Veterans Services Officer

The County Veterans Services Officer will act as liaison to veterans groups and resources available in the community.

County Sheriff's Office Staff

The Sheriff's Office Staff person assists the treatment team in the diversion of defendants from the detention facility to a more appropriate placement in the most effective and efficient manner possible. The Sheriff's Office staff acts as a liaison between the detention facility and the Veterans Court treatment team. The staff person participates in discussions of the best approach to management of the participant while in the facility, to expedite release when possible and to reduce recidivism.

Supervision Officer

The Supervision Officer monitors participant's program compliance, conducts regular meetings with participants and provides updates to the treatment team regarding program compliance.

Program Manager

The Program Manager intakes and performs initial review of all applications. They will route the application to the appropriate parties for approval. They will conduct an initial interview with each candidate to provide an overview of the program. They will also coordinate all needed evaluations and assessments. The program manager is the main point of contact for the program, coordinating the schedule, maintaining the budget, and keeper of all information.

Peer Mentor Coordinator

The Peer Mentor Coordinator will manage the mentoring component of Veterans Treatment Court. They will seek out new mentors, ensure they are qualified, and designate each program participant a mentor.

Referrals and the Intake Process

Veterans are referred to the North Texas Veterans Court (also referred to as the program) from a variety of sources; law enforcement, jail staff, judges, defense attorneys, prosecutors, mental health professionals, and family or friends.

When a referral is received, the program manager conducts an initial interview with the candidate to obtain basic background information and review documents provided by the candidate to verify military service (generally the DD 214). The candidate submits an application and is provided with an overview of the program and, should the candidate wish to proceed, signs consents authorizing communication between program team members and the U.S. Department of Veterans Affairs (also referred to as the VA). Upon verification that the candidate's military service meets the eligibility requirements, the District Attorney's Office reviews the application and either denies consent, or, agrees provisionally pending the results of a mental health evaluation. If the District Attorney's Office offers provisional consent, then the program manager refers the candidate to an approved mental health practitioner for a psychological evaluation in order to determine if the candidate suffers from any brain injury, mental illness, or mental disorder, including post-traumatic stress disorder,

that resulted from the candidate's military service, and the candidate's criminal conduct. Then the District Attorney's Office offers a final consent to the candidate's participation in the program either through diversion or post-adjudication. After the District Attorney's final consent, a majority vote of all program team members is required for acceptance into the program.

General Requirements for All Participants

1. Commit no new offense against the laws of this or any other state, or of the United States.
2. Attend all court status hearings in appropriate attire and with respect for fellow veterans and the court.
3. Attend and actively participate in all counseling and treatment sessions; notify all treatment providers and Veterans Court team members of any drug prescribed by a physician or other medical professional; provide written notification to physicians of participation in Veterans Court.
4. Promptly and truthfully answer all inquiries made by Veterans Court team members.
5. Do not possess, purchase, or consume any illegal substance.
6. Do not possess a weapon of any kind, including firearms and knives, while attending any required activity or program.
7. Do not possess, purchase, or consume alcoholic beverages.
8. Do not visit places where alcohol or illegal drugs are sold, dispensed, or used, including bars, liquor stores, taverns, clubs, parties or places where alcohol is the main item for sale or consumption.
9. Submit to search at any time by a Veterans Court team member, or, upon prior authorization by the Veterans Court Judge, of any law enforcement agency.
10. Submit vehicle, residence and/or any property for search by a Veterans Court team member or any law enforcement agency.
11. Do not knowingly associate with any person who has a criminal record or who is on supervision without prior permission from the Veterans Court.
12. Do not act as a Confidential Informant for any law enforcement agency.
13. Submit to any rehabilitative, medical, psychological, psychiatric, educational, vocational, alcohol or other drug treatment program, including residential treatment as directed by the Veterans Court.
14. Sign all authorizations for release of information requested by the Veterans Court, a treatment provider, or another resource provider.
15. Submit a non-dilute random urine sample for testing and/or other approved medical test as directed by the Veterans Court treatment team and pay for such testing; call a designated number daily to determine the days that you shall submit a sample to determine the use of illicit drugs or alcohol;
16. Comply with all instructions of the Veterans Court and my treatment provider.

Incentives and Sanctions

The program employs a variety of incentives to encourage treatment and program compliance. These incentives may include verbal praise, advancement through the phases, reduction in the frequency of required court appearances, modification of certain restrictions and, in the case of diversion, expunction of the case upon successful completion of the program.

The program employs a variety of sanctions in response to treatment or program non-compliance. These sanctions may include community service restitution hours, increased reporting to the court or supervision officer, denial of advancement to the next phase. More serious violations could result in jail time and/or unsuccessful discharge from the program.

Program Phases

The program is divided into three phases and the expected duration of the program is between 6 and 24 months. Each phase has a particular focus; treatment and program compliance is required for advancement to the next phase.

Phase I Orientation/Assessment

Focus: Assessment/Crisis Stabilization/Intervention & Early Recovery

- Treatment requirements: The participant shall submit to a mental health/substance abuse assessment with a treatment provider approved by the program. Regular attendance and full participation in any and all treatment and counseling sessions as well as compliance with recommended medications is required.
- Court requirements: The participant shall appear in court twice monthly.
- Support requirements: The participant will identify assets and obstacles to developing and maintaining stability (specifically with regard to employment, education, housing and relationships) and consult with specialists for assistance as needed.
- Supervision requirements: The participant shall meet with the supervision officer once a month outside of court, or as directed. Unannounced home visits may be conducted at any time.
- Drug testing and abstinence requirements: The participant shall submit to urinalysis and/or breath analysis tests as directed by the random call-in system or as directed by any program team member.

To advance to Phase II the participant must have a minimum of 28 days of abstinence from alcohol and illegal substances (as demonstrated by negative drug /alcohol testing); must have completed the mental health/substance abuse assessment; must be making progress toward all treatment goals; may not have received any sanctions in the preceding 28 days.

Phase II Treatment & Recovery

Focus: Active Recovery & Relapse Prevention

- Treatment requirements: The participant shall attend and be actively engaged in all recommended treatment (individual and group counseling sessions) and make progress toward specific treatment goals. The participant will maintain compliance with the medication regimen.
- Court requirements: The participant shall appear in court once a month.
- Support requirements: The participant will demonstrate sustained effort to obtain stable housing as well as pursuing educational and employment opportunities as needed and appropriate. The participant will engage family members or friends in his or her treatment and recovery process.
- Supervision requirements: The participant shall meet with the supervision officer once a month outside of court, or as directed. Unannounced home visits may be conducted at any time.
- Drug testing and abstinence requirements: The participant shall submit to urinalysis and/or breath analysis tests as directed by the random call-in system or as directed by any program team member.

To advance to Phase III the participant must have a minimum of 60 days of abstinence from alcohol and illegal substances (as demonstrated by negative drug /alcohol testing); must be making progress toward all treatment goals; may not have received any major sanctions (as determined by the program treatment team) in the preceding 60 days.

Phase III Reintegration

Focus: Continuing Care

- Treatment requirements: The participant shall attend and be actively engaged in all recommended treatment (individual and group counseling sessions) and demonstrate accountability and insight with regard to problem behaviors. The participant will maintain compliance with the medication regimen.
- Court requirements: The participant shall appear in court once a month.
- Support requirements: The participant will demonstrate sustained effort to obtain stable housing as well as pursuing educational and employment opportunities as needed and appropriate. The participant will engage family members or friends in his or her treatment and recovery process.
- Supervision requirements: The participant shall meet with the supervision officer once a month outside of court, or as directed. Unannounced home visits may be conducted at any time.
- Drug testing and abstinence requirements: The participant shall submit to urinalysis and/or breath analysis tests as directed by the random call-in system or as directed by any program team member.

To graduate from the program the participant must have a minimum of 120 days of abstinence from alcohol and illegal substances (as demonstrated by negative drug /alcohol

testing); must have completed treatment or demonstrated a high degree of engagement with all recommended treatment; must demonstrate an adequate support network comprised of family or friends; must have stable housing and an adequate and appropriate source of income (as determined by the program treatment team); may not have received any major sanctions (as determined by the program treatment team) in the preceding 120 days.

Discharge from the North Texas Veterans Court Program

The North Texas Veterans Court is a voluntary program. Should a participant choose to withdraw prior to successful completion it is recommended that he or she discuss the matter with the Veterans Court treatment team defense attorney or other counsel in order to understand all legal options. Successful discharge is a result of program and treatment compliance and on the recommendation of the presiding judge and the program treatment team.