

Superior Court of California Contra Costa County



Veterans Treatment Court Participant Handbook



Welcome to the Contra Costa County Veterans Treatment Court. This handbook will provide you with a description of what is expected of you as a Veterans Treatment Court participant. Participants are encouraged to share this handbook with family and friends. Three simple rules will insure success:



1. Show up

2. Try hard

3. Be honest

★ VETERANS TREATMENT COURT DESCRIPTION ★

The Contra Costa County Veterans Treatment Court Program (VTCP) is a voluntary program that includes regular court appearances before the Judge. Treatment may include drug and alcohol treatment, drug and alcohol testing, mental health treatment, medical treatment and regular attendance at recovery support/self-help meetings. You will be provided with referrals for vocational training, education and/or job placement services. The program's length is a minimum of 18 months. **Successful completion and graduation from the program usually results in a dismissal of the charges and termination of probation.**

Entry into the VTCP is voluntary. The VTCP is a special opportunity for veterans and it will generally require that your criminal case be resolved by pleading guilty or no contest. You will be placed on formal probation. Probation supervision may include random drug and alcohol testing, and home visits, during which both you and your place of residence are subject to search. Your defense attorney will continue to represent you throughout your participation in the VTCP.

★ WINDOW PERIOD ★

There is an initial 30-day "window period", in which you may choose to withdraw from participation in VTCP and have your plea withdrawn. If this happens your case will proceed as if you had not already pled guilty or no contest to the charges and as a result the prosecution of your case will resume.

Additionally, your eligibility or suitability for the VTCP could also become an issue which may disqualify you. If the court terminates your participation within 30 days from the time you are accepted, you will be allowed to withdraw your plea if entry into VTCP was part of your plea agreement.

**SHOW UP & TRY HARD**

During the time you are in VTCP, you will be required to appear in court on a regular basis. The Judge will be given a progress report prepared by your probation officer, with input from other agencies, regarding your performance in the program. If you are doing well, you will be encouraged to continue with the program, and to work with your treatment team toward success. If you are not doing well, the Judge will discuss this with you and your treatment team, and further action will be determined.

**PROGRAM RULES****1. Attend all ordered treatment sessions.**

This includes sessions required by your drug and alcohol treatment provider, mental health provider, educational sessions, doctor appointments, recovery support/self-help meetings, and/or any other treatment requirements.

2. Report to your Probation Officer as directed.

You must comply with all conditions of probation as directed by your Probation Officer. You must also notify your Probation Officer prior to any change in residence. If you are unable to report as directed, contact your Probation Officer immediately.

3. Drug and alcohol testing.

If the VTCP Team determines that sobriety should be a focus for you then you will be expected to:

- ◆ Submit to alcohol and other drug testing by your treatment provider and/or Probation (Note: failure to provide a monitored urine sample will be considered a positive test);
- ◆ Maintain a lifestyle free of drugs and alcohol;
- ◆ Not use or possess any unapproved drugs without a valid prescription; and,
- ◆ Not use or possess alcohol.

You must notify your treatment team of any prescription or over-the-counter medication or supplements prior to taking any, unless it is a medical emergency.

4. Be on time to all appointments including court appearances.

If you are late for a counseling session or testing, you may not be allowed to participate or test and will be considered non-compliant.



PROGRAM FEES



As a participant on formal probation, you will be required to pay the normal cost of probation supervision. The cost is based upon your ability to pay or as directed by the Court. Payments may be made to the Criminal Clerk's Office of the Court. For information please call 925-608-1000.

Contact your Probation Officer if you are interested in volunteering your time to assist with paying victim restitution fees, or to satisfy a Court ordered sanction.

Treatment providers and/or residential treatment programs may impose their own fees. However, no one will be refused services due to an inability to pay.



TREATMENT



You will be evaluated by one or more clinicians to determine your treatment needs. Once your treatment needs are determined, one or more available treatment providers will be identified. Your treatment provider(s) will put together a case plan for you. You will be expected to follow the treatment provider's case plan. Failure to comply with your treatment provider's case plan may be considered as being non-compliant with VTCP. Treatment may include participating in a residential treatment program.

Drug Testing

If it is a condition of your probation, you may be tested for drug and alcohol use at random times throughout the entire treatment process. The Judge will have access to all drug test results, including any failures to test, and may order a drug test at any time. Relapse may occur in recovery; however, a positive, dilute or missed test may result in a court-imposed sanction. Tampering with any drug test will be deemed a positive test. The Judge will review your overall performance in the program; repeated offenses may result in progressively severe sanctions.

Counseling

As part of your treatment plan, you may be required to participate in individual counseling, group counseling or both. You may be required to attend additional treatment such as Post Traumatic Stress (PTS) groups, Traumatic Brain Injury (TBI) treatment, anger management, parenting classes, or any other topic the treatment team recognizes are needed. Your attendance will be reported to the Judge as part of your progress report. You must have prior permission from your treatment provider to be excused from any counseling sessions.

Mentor Program

You will be assigned a volunteer veteran mentor from the community to support your efforts to create a better life. Your mentor is your peer and wants to work with you to help you succeed. He or she will be a valuable resource for you.



Recovery Support/Self-Help Meetings

You may be required to attend recovery support/self-help meetings. The frequency of required attendance is determined by your progress in the program and your phase level. Attendance is an important part of the recovery process. The meetings will familiarize you with the recovery support/self-help philosophy, and help you to create social bonds within the recovery community. The probation officer will provide you with information regarding the time and location of these meetings and will also direct you to special interest and recovery events in your community. You must provide proof of attendance to your probation officer prior to each court appearance. The program may require you to have a sponsor.

Social Services

Upon your entry into the VTCP, your treatment team will assess your housing, transportation, family situation and general living needs. When appropriate, the team will refer you to local, state and/or county agencies for additional assistance.

TREATMENT PHASES

The VTCP is a five -phase, highly-structured program, lasting for a minimum of 18 months. Individual progress will vary. Each phase consists of specified treatment objectives and specific requirements for advancement into the next phase. It is designed to help and support you, not hurt you.

Window Period - 30 days

The window period is a thirty-day period during which you will decide whether or not Veterans Treatment Court is right for you. At the same time, the Veterans Treatment Court team will evaluate your appropriateness for the program. During the window period, you will actively participate in the program

You are subject to all VTCP and Probation rules during the window period. If the rules are violated, you are subject to sanctions.

Phase I: Initial Stabilization Length: 1 month

In Phase I, You will be assigned a lawyer or hire your own lawyer; a Probation Officer; and a Veteran Mentor. Your needs will be assessed by the team and/or treatment provider(s). Your progress will be closely monitored and reported to the Judge. Requirements include:

- ◆ Participate in provisional assessments in order to determine treatment needs. Course of treatment is individualized according to participant needs.
- ◆ Participate in all forms of treatment as directed by treatment provider(s) and team.
- ◆ Frequent drug and alcohol testing.

- ◆ Attend recovery support/self-help meetings as ordered by the court or directed by treatment provider.
- ◆ Make weekly contact with probation officer by phone, email or text.
- ◆ Meet with the probation officer as directed.
- ◆ Attend court appearances as determined by the Judge.
- ◆ Meet with the Mentor Coordinator, Michael Stalcup, at the Concord Vet Center.

Phase II: Establishing Treatment and Recovery Plan

Length: 3 months

In Phase II, the team and providers will continue to monitor your needs and goals. Treatment will continue, with the goal of focusing on areas of challenge for you.

You may be required to complete the following requirements during Phase II:

- ◆ Participate in treatment plan, as directed by the team and treatment providers.
- ◆ Participate in mental health treatment.
- ◆ Frequent alcohol and other drug testing.
- ◆ Meet regularly with probation officer.
- ◆ Report to probation officer as directed.
- ◆ Meet with mentor.
- ◆ Attend three recovery/mental health support groups, if required.
- ◆ Attend court hearings, as ordered by the Court.
- ◆ Find a sponsor.
- ◆ Identify personal goals.

Advancement Criteria: To advance to Phase III you must be substantially compliant with Phase II requirements and maintain at least 30 consecutive days of sobriety, if required.

Phase III: Ongoing Treatment

Length: 6 months

In Phase III, you will focus not only on recovery efforts, but on the personal goals identified in Phase II. The team and treatment providers will assist you with establishing plans and learning the life skills necessary to achieve your goals, including maintaining employment and/or progressing towards your vocational/educational goal. In Phase III, the judge may require you to appear only once per month.

You may be required to complete the following requirements during Phase III:

- ◆ Participate in treatment plan, as directed by treatment providers.

- ◆ Participate in mental health treatment.
- ◆ Attend domestic violence, anger management or other classes.
- ◆ Frequent alcohol and other drug testing.
- ◆ Contact mentor as directed and work with him/her to develop life skills and pro-social activity plan.
- ◆ Meet with mentor.
- ◆ Attend three recovery/mental health support groups.
- ◆ Attend court hearings.
- ◆ Obtain employment, volunteer work and/or work towards vocational/educational goal(s).
- ◆ Obtain stable housing.

Advancement Criteria: To advance to Phase IV, you must be substantially compliant with Phase III requirements and maintain at least 60 consecutive days of sobriety, if required.

Phase IV: Stabilization/Reconnecting with the Community **Length: 4 months**

You may be required to complete the following requirements during Phase IV:

- ◆ Participate in treatment plan, as directed by treatment providers.
- ◆ Participate in mental health treatment.
- ◆ Attend domestic violence, anger management or other class.
- ◆ Frequent alcohol and other drug testing.
- ◆ Contact probation as directed.
- ◆ Report to probation officer.
- ◆ Meet with mentor.
- ◆ Attend recovery/mental health support groups.
- ◆ Attend court hearings, as ordered.
- ◆ Establish recovery and support network.
- ◆ Maintain employment, volunteer work and/or progress toward vocational/educational goal(s).
- ◆ Other activities that may be required.

Advancement Criteria: To advance to Phase V, you must be substantially compliant with Phase IV requirements and maintain at least 60 consecutive days of sobriety, if required.

Phase V: Establishing Aftercare and Graduation**Length: 4 months**

In Phase V, the team and providers will focus on providing you with the tools necessary to succeed after the program is completed.

You may be required to complete the following requirements during Phase:

- ◆ Participate in all forms of treatment as directed by the treatment team.
- ◆ Attend any other treatment services determined to be necessary by the treatment team.
- ◆ Drug and alcohol test.
- ◆ Contact your clinical provider and/or Veterans Justice Outreach Specialist David Shernoff as required and work with them to develop an aftercare plan including a relapse prevention plan.
- ◆ Report to your Probation officer.
- ◆ Attend recovery/mental health support groups.
- ◆ Attend Court hearings.
- ◆ Maintain employment, volunteer work and/or progress toward vocational/educational goals.
- ◆ Complete your community project.
- ◆ Complete an aftercare plan including a relapse prevention plan with the assistance of Probation, Veteran Mentor, and your lawyer.



You may be eligible for graduation when you:

- ◆ Complete all phases of the program (minimum of 18 months in the program);
- ◆ Have had negative tests in all drug and alcohol test required for a minimum of three months;
- ◆ Completed all terms and conditions of Probation;
- ◆ Achieved stable living arrangements and healthy interpersonal relationships;
- ◆ Have made substantial achievements in your personal goals, including maintaining employment and/or progressing in vocational/educational goals; and,
- ◆ Submit an aftercare plan, which includes a relapse prevention plan.



The final decision regarding advancement from each phase and graduation is determined solely by the Judge, assisted by input from the team.

Graduating participants will be recognized in a formal ceremony. Your family will be invited to join you as the Judge congratulates you. At your graduation ceremony:

- ◆ Your conviction will be expunged pursuant to Penal Code 1170.9 if not precluded by your VTC contract. If this is the case, you will receive the benefits spelled out in your contract.
- ◆ Your probation will be terminated unless you owe victim restitution or your contract specifies another result.
- ◆ In VOP (Violation of Probation) cases, any period of incarceration ordered would be vacated and your probation will be terminated unless you owe victim restitution or your contract specifies another result.

Please Note:

Upon graduation from the Veteran's Treatment Court Program all clients are encouraged to remain connected to the program by regular visits which may be scheduled with your Mentor, VJO specialist, or Probation Officer.

★ INCENTIVES ★

If you are in compliance during the program, the judge may reward your positive progress with one or more of the following:

- ◆ Acknowledgement from the court for hard work and best efforts
- ◆ Sobriety chips
- ◆ Gift cards
- ◆ Certificates of achievement
- ◆ Less restrictive treatment
- ◆ Reduced community restrictions
- ◆ Reduced frequency of court appearances
- ◆ Advancement to next phase
- ◆ Graduation



**SANCTIONS**

If you are out of compliance, the judge may impose one or more of the following:

- ◆ Detained in holding cell during court proceeding
- ◆ Increased supervision by probation officer
- ◆ Increased community restrictions (e.g. curfew, restricted driving privileges)
- ◆ Letter of apology to the program or person you have negatively impacted
- ◆ Increased drug testing
- ◆ Increased frequency of court appearances
- ◆ Community Service
- ◆ Periods of incarceration, not to exceed seven days without a hearing

**TERMINATION**

You will be expected to work hard and be honest throughout the program. The judge could terminate you at any time if you have:

- ◆ Provided false information regarding your identity,
- ◆ A disqualifying prior conviction or pending criminal charges that the Court was unaware of at the time you were accepted,
- ◆ Engaged in new criminal conduct and/or have new criminal charges, or
- ◆ Any other reason that would make you unsuitable for continuation in the program.

Before termination, you will be given notice of the reason(s) for termination and the right to a hearing. The judge will make the final decision on whether you are terminated.

If you are terminated, the Court will either reinstate or continue you on probation without participation in this program or impose or suspend sentence consistent with the terms of your plea or admission.

**CONFIDENTIALITY**

Your identity and privacy will be protected consistent with 42 Code of Federal Regulations (CFR), Part 2 and 42 United States Code (USC) Section 2990dd-2. You will be required to sign releases authorizing the transfer of medical or treatment information among all participating agencies.

**CONCLUSION**

The VTCP is designed to help you live in your community as a productive and responsible citizen. The Judge, the Court staff, and the treatment team will guide and assist you, but the final responsibility is yours. You must be committed to a better life. Remember the three basic rules:

1. Show up

2. Try hard

3. Be honest

**GRIEVANCES**

All parties participating in the VTCP have the right to express opinions, recommendations and grievances. In addition, all parties have the right to request and receive responses via a procedure of due process. Anyone who wishes to file a complaint or grievance may do so without fear of negative repercussions. Grievances should be submitted in writing to the Program Coordinator.

