

ADAMS COUNTY COURT FOR VETERANS

The Adams County Court for Veterans will use a collaborative, respectful and accountable approach to assist military veterans to access treatment and supports while holding them accountable for their actions within the criminal justice system.

The ACCV will facilitate appropriate, timely services and promote individual and community wellness with a guiding vision to serve those who have served our country.

ACCV Client Handbook

WELCOME!

Welcome to the Adams County Court for Veterans (ACCV). This handbook will answer your questions and give you helpful information about ACCV and tell you what is expected of you as a participant in ACCV.

Veterans often have special circumstances and considerations that the traditional court system may not be able to fully address. The goal of the ACCV is to provide you with a specialized court track that can offer a more comprehensive array of options and services to achieve your goals as you work towards wellness/recovery.

The ACCV is comprised of a team of representatives from the court, probation, treatment, the VA office, the county Veteran Services Officer, the public defender's office, and the district attorney's office. This team will work closely with you to coordinate your care, assist with your needs, and help you successfully complete probation.

The ACCV can offer you additional resources through our partnership with the VA and their Veteran Justice Outreach Specialist (VJO), and the county Veteran Services Officer (VSO). The VJO will help to provide you with referrals to VA services and coordinate those services with the court. The VSO will help you to get VA benefits, state benefits related to the VA, and assistance in obtaining or amending military records.

Additionally, there are several volunteer veteran mentors available to provide support and advice to you along the way.

Although you face many challenges on your path to wellness/recovery, we are confident that you will succeed.

Overview of ACCV

Eligibility/Overview: You are eligible for ACCV if you are a veteran and have been convicted of a Class One Misdemeanor, Class Six, Five, Four, or Three Felony, and are probation eligible. Being eligible for Veterans Affairs benefits is not a requirement.

Participation: Participation in Veteran's Court is voluntary. Successfully graduating from Veteran's Court will likely take about 12 to 18 months. You must sign a contract saying that you agree to all of the ACCV program rules. You will be expected to comply with the Judge's orders, follow your treatment plan, and respect all members of the ACCV Team. Your attendance at court reviews is required. Additionally, you are expected to follow any required court ordered counseling, random drug/alcohol tests, and become involved in the sober community. You may also be required to secure employment and housing, participate with vocational rehabilitation, and complete additional assessments as appropriate.

Privacy: We are required by law to make every effort to protect your identity and maintain confidentiality about your program. Proceedings in ACCV are subject to both State and Federal confidentiality requirements dealing with treatment. However, upon entry into ACCV, you will be required to sign Consent to Release of Information and Confidentiality Agreement which gives the court permission to coordinate with your treatment provider. This also allows the Judge to talk with your counselors and the entire ACCV Team about your progress in the program without you or your attorney necessarily being present. The ACCV Team also expects you to allow us to have access to medical and other records of care and service you have received (only as necessary and with your full consent and knowledge) that may affect your participation in ACCV.

Requirements to Waive Confidentiality: Those who provide treatment for chemical dependency or mental health issues or medical issues may only release information or records concerning any person who has been assessed, diagnosed, or treated with the specific written consent of the person who has been diagnosed, assessed, or treated. There are limited exceptions to this requirement which are listed below. Drug and alcohol test results are also subject to confidentiality laws. Without your written consent, ACCV cannot give out any information about you, including the fact that you are in the program.

These are the following exceptions to the general prohibition against disclosure of confidential client information:

- Written consent of the participant.
- Internal treatment program communications and communications among treatment team members.
- Information that does not identify the client.
- Information disclosed as a result of a medical emergency.
- Information disclosed as required by a properly authorized court order.
- Information relating to a crime committed on the program premises or against program personnel.
- Information disclosed as a result of a suspicion of child abuse or neglect.
- Information disclosed as required for research or audit purposes.

The scope of disclosure required for participation in ACCV is limited to information necessary to carry out the purpose of disclosure. An ACCV participant must provide written consent allowing disclosure of reports of the participant's eligibility or acceptability for substance abuse treatment services and reports of treatment attendance, compliance and progress.

The first purpose of these disclosures is to determine whether the participant is appropriate for acceptance into the ACCV Program.

The second purpose of these disclosures is to allow the court and the treatment team to monitor a participant's compliance with the treatment plan goals and the extent of the

consent shall include disclosure of necessary information by written or oral report or oral testimony. Individuals must give informed written consent for disclosure of confidential information. The duration of the consent must be included on the written consent form. The consent may expire based on the passage of a specific amount of time or the occurrence of a specific event. When a participant graduates from ACCV his or her consent to disclosure will expire. A participant may revoke his or her consent for disclosure at any time; however, if a participant revokes the consent, the participant will be terminated from ACCV.

ACCV is an open court, meaning that ACCV hearings are open to the public. However, staffings conducted by the team are not. Some information relevant to a participant's treatment progress will be reviewed in open court.

If a participant refuses to sign the written consent, he or she will not be able to participate in the ACCV Program. The court will maintain all written substance abuse information in the participant's court file under seal. Access to the court file by non-team members will require a court order.

Community Involvement: An important part of your treatment will be for you to become a part of a sober community. This may take the form of a 12-step group like Narcotics Anonymous or Alcoholics Anonymous, or something else entirely.

Breaking off contact with known active users: An important part of recovery is cutting out negative peers. For this reason, you should not see these people, nor communicate with them. You will also be required to carry with you, at all times, a description of what you will do if you happen to run into any of these people, or if they try to call you as this will help you to maintain your compliance with this part of your sobriety plan.

Planning out your days: Large chunks of unstructured time can be detrimental for people in recovery. For this reason, you will also be required to plan out your days and to show the judge how you spend your time.

Court Room Rules, Dress Code and Behavior: You will be expected to dress appropriately for court appearances. If you violate any of the following rules, you will be sent home and be considered absent for court; there may also be additional sanctions imposed.

Rules for court attire:

- No tank tops, muscle shirts, crop-tops, any article of clothing with obscene words or pictures.
- No clothing with words or pictures that promote tobacco, drug or alcohol use.
- No hats, caps, or bandanas.
- No gang attire or colors of any kind as determined by the ACCV staff.
- Bring Participant Handbook and Journal to each court appearance.

- Turn off all cell phones and other electronics during court appearances.
- Show the upmost respect to the judge, speaking appropriately and so everyone is able to hear you.
- Do not bring children to ACCV, unless prior authorization has been obtained by the team.
- Remain in the courtroom until dismissed by the judge (excluding an emergency situation).

The ACCV Team: The ACCV judge and ACCV team work together to make all decisions about your participation in the program. Prior to ACCV sessions, the team meets to discuss the progress of all participants. In addition to the judge, the ACCV team includes the following members:

- U.S. Department of Veterans Affairs Representative
- ACCV Coordinator
- Supervising probation officer
- Probation Supervisor/Designee
- Law Enforcement Representative
- Substance Abuse Treatment Provider
- Deputy District Attorney
- Deputy State Public Defender

Program Components: To successfully complete ACCV, you will be required to be involved in activities related to your wellness/recovery. These activities may include, but are not be limited to:

- Substance abuse counseling
- Mental health counseling
- Medical treatment
- Regular court reviews
- Meeting with ACCV Staff
- Random substance testing
- Home visits conducted by staff
- Self-help and/or support meetings
- Employment and/or educational programming
- Obtaining a high school degree or equivalent if appropriate
- Paying fines and restitution as applicable
- Submitting yourself, your residence, and your vehicle to search
- Paying treatment costs or co-payments as determined appropriate
- Meeting with your probation officer

Court Appearances: You must appear in Court on a regular basis. At your Court appearances, the judge will ask you to report on your progress including your sobriety, drug test results, attendance at counseling sessions, participation in treatment, and any

other matters concerning your progress. The judge may ask you questions about your progress and discuss any problems you are having.

IF YOU ARE DOING WELL – You will be encouraged to continue working with your treatment team towards graduation. You may also be rewarded in creative ways. These rewards could include things like fun sober activities to do with your family, gift certificates, tokens of appreciation, opportunities to do service, invitations to join other sober community members doing these activities, etc.

IF YOU ARE *NOT* DOING WELL – The Judge will discuss this with you and determine whether any further action needs to be taken. If you have committed one or more of the program violations listed in your contract you will then be required to complete an approved sanction by the ACCV Team. Some sanctions may include jail time, community service, writing essays, sitting through other court cases, or reading certain materials.

IF YOU CANNOT APPEAR IN COURT – You must notify your Probation Officer as soon as possible in order to get permission from the Judge to miss court. An unexcused failure to appear in court on the date and time you are scheduled will result in the Judge issuing a bench warrant and imposing a sanction. It could also result in you being terminated from the program.

Drug Testing: Random drug and alcohol testing is expected throughout your time in the ACCV. Your testing frequency and the type of test(s) will be determined by the team. In some cases, electronic alcohol monitoring may be used instead of or in addition to urinalysis testing.

Treatment: Participation in treatment is an essential part of the ACCV. You will receive one or more assessments as the discretion of the team and/or the treatment provider. You will receive a treatment plan based on the assessment(s), your needs, and whatever may be statutorily required by the court (i.e. DUI treatment, DV treatment, etc.)

Progress Reports: Before each ACCV review hearing, the Judge will be given a progress report from your treatment provider and ACCV staff. The report will provide current information about how you are doing in ACCV including, but not limited to, drug testing results, attendance, participation, cooperation, employment, and other requirements. The judge may ask questions about your progress and may want to discuss any problems you are having.

ACCV Hearings: As an ACCV participant, you will be required to appear for hearings on a regular basis. The frequency of the hearings will be determined by your phase in the program and your compliance. Initially, you will be required to appear weekly. Hearings are currently regularly scheduled at 1:30pm on Wednesdays in Courtroom 202. You may be required to appear at other times at the request of the Judge. Failure

to appear will result in a warrant being issued for your arrest and detention in jail until you can appear before the court (no bond hold).

ACCV PHASES

Phase One (Orientation – 45 days; no minimum sobriety)

- Attend court hearings weekly.
- Complete all required assessments; develop a case plan and treatment plan.
- Attend probation appointments (3-5x/month) in addition to participating weekly in the Seeking Safety group session as assigned by probation officer.
- Submit to monitored sobriety, if appropriate (frequency based on drug of choice and need as determined by probation officer). No minimum days of sobriety prior to promoting to Phase II, however missed tests can be a basis to consider withholding phase promotion.
- Consult with a mentor, the Veterans Justice Outreach (VJO) Specialist and Adams County Veteran Service Officer (VSO).
- Explore peer/community support group opportunities.
- Attend ACCV graduation ceremonies conducted during this phase.
- Set up a payment plan with collections for restitution, court fines and fees.
- Be able to identify coping skills.

Phase Two (90 days minimum; 30 days sobriety)

- Attend court hearings (2x/month or more as needed).
- Attend probation appointments (2x/month) in addition to participating weekly in the Seeking Safety group session as assigned by probation officer.
- Attend treatment appointments as appropriate (per case/treatment plan).
- Submit to monitored sobriety, if appropriate (frequency based on drug of choice and need as determined by probation officer). Maintain a minimum of 30 days of continuous sobriety immediately prior to promoting to Phase III. Missed tests are considered positive.
- Consult with a mentor, VJO Specialist, and VSO.
- If not already employed, explore appropriate and reasonable employment or other approved plan (education program, vocational rehab) and be active in a peer/community support/pro-social group.
- Attend ACCV graduation ceremonies conducted during this phase.

- Comply with payment plan for restitution, court fines and fees.
- Demonstrate and discuss progress toward goals in Phase II of case plan by completing Section 1 of your “Continuing Care Plan” worksheet.
- No program violations within two weeks prior to promoting to the next phase.

Phase Three (120 days minimum; 60 days sobriety)

- Attend court hearings (2x/month or more as needed).
- Attend probation appointments (frequency as deemed appropriate per case plan).
- Attend treatment appointments as appropriate (per case/treatment plan).
- Submit to monitored sobriety, if appropriate (frequency based on drug of choice and need as determined by probation officer). Maintain a minimum of 60 days of continuous sobriety immediately prior to promoting to Phase IV. Missed tests are considered positive.
- Consult with a mentor, VJO Specialist, and VSO.
- Obtain/maintain employment or other approved plan (education program, vocational rehab) and be active in a peer/community support/pro-social group.
- Comply with payment plan for restitution, court fines and fees.
- Demonstrate and discuss progress toward goals in Phase III of case plan (including relapse prevention, if appropriate) by completing Section 2 of your “Continuing Care Plan” worksheet.
- No program violations within three weeks prior to promoting to the next phase.

Phase Four (120 days minimum; 90 days sobriety)

- Attend all court hearings (1-2x/month or more as needed).
- Attend probation appointments (frequency as deemed appropriate per case plan).
- Attend treatment appointments as appropriate (per case/treatment plan).
- Submit to monitored sobriety if appropriate (frequency based on drug of choice and need as determined by probation officer). Maintain a minimum of 90 days of continuous sobriety immediately prior to graduation. Missed tests are considered positive.
- Consult with a mentor, VJO Specialist, and VSO.
- Maintain employment or other approved plan (education program, vocational rehab) and be active in a peer/community support/pro-social group.
- Complete goals in Phase IV of case plan and complete Section 3 of your “Continuing Care Plan” worksheet.

- Comply with payment plan for restitution, court fines and fees.
- No program violations within four weeks prior to graduation.
- Establish a maintenance and after-care Life Plan.
- Must prepare and read aloud to the court a graduation paper.

Graduation Criteria:

Participant must have completed all treatment requirements and phases of the program.

Participant must have no new pending law violations.

Participant must be in compliance with payment plan for restitution, court fines and fees.

Participant must have established appropriate employment or education/vocational plan.

Participant must have abstained from alcohol/substance use for at least 90 consecutive days.

Participant must have a stable living situation.

Participant must have established a solid support system (VA, mentor, support group, etc.).

Participant must be compliant with relapse planning and developed an after-care Life Plan.

Participant must have prepared and read aloud to the court a graduation paper.

Termination Criteria:

The Adams County Court for Veterans (ACCV) Team will assess termination criteria for participants on a case by case basis. The following will be considered:

- Participant is charged with an offense that disqualifies him or her from participation in the program, due to prolonged incarceration or disqualification under the original eligibility criteria.
- Participant fails to appear for court appearances other than those truly beyond his/her control after seeking assistance from the probation officer. A no-bond warrant will issue and if participant is not arrested within 30 days then they become “inactive” meaning their spot can be filled with a new participant. If participant is arrested within 90 days from the date the warrant issued then they can be reconsidered for remaining in the program if a spot is available. The participant doesn’t need to be re-staffed but the revocation complaint needs to be addressed. If a spot is no longer available or if participant is not arrested within 90 days then they will be terminated from the program and the case will be resentenced in Div. 2. If participant receives military deployment/mobilization orders, they may be granted a travel permit and their status in ACCV will be suspended (with ability to resume) until completion of the military orders.

- Participant makes threats or engages in acts of violence/sexual assault toward treatment providers or others while in the program.
- Repeated failure to make forward progress in the program.
- If a probation revocation complaint is filed and ACCV is being reconsidered as a sentencing option, the ACCV team will re-staff the case, but the formal re-screening process will not be conducted. At the discretion of the ACCV team, phase regression (excluding regression to Phase I) is possible in lieu of a formal revocation complaint.
- For purposes of evaluation, unsuccessful termination for non-compliance will be distinguished from termination for good cause.

ACCV INCENTIVES AND SANCTIONS

Incentives are rewards which may be given to you based on your performance in the ACCV. These may include:

- Gift cards / Certificates
- ACCV Phase Promotion / Dog Tags / Challenge Coin
- Special privileges in court
- Decrease in reporting frequency to court or probation
- Decrease in testing / Fee Reduction
- Special opportunities for outside activities

Sanctions may be imposed if you are not compliant with the ACCV. They may include:

- Increase in reporting frequency to court or probation
- Increase in testing frequency
- Writing assignment
- Jail
- Community Service / Useful Public Service (verification due prior to next docket)
- In-home detention / Electronic Home Monitoring
- Phase regression
- Loss of funding for services
- Essays
- "Performance Contract"
- Jury box timeout / Court Time
- Termination from ACCV

SUBSTANCE TESTING PROTOCOL

Substance testing will be conducted at Intervention, ICCS, or the VA but can also be collected by Probation Officer at the Probation Department at any time.

All results will be processed through Norchem Sentry and entered into the Eclipse DRUG EVENTS screen and shared at staffings with ACCV team. HIPAA releases will be signed by vet court participants for all ACCV team members.

The frequency and type of testing will be case/treatment plan driven and may change depending on phase and behavior of participant. Frequency may increase or decrease in any phase and different types of testing may be added. Vet court participants will be tested throughout the program and in the transition phase. Below are some types of testing that can be used but not limited to:

1. Urine testing: Must be random and observed by same gender staff. Reputable lab with attention to chain of custody and validated testing measures will be used. If a participant produces a UA with low creatinine level (<20) and the specimen is too dilute to assure a valid negative result, the participant will receive a verbal warning from the court and will not be considered 100% compliant, but will not lose sober days for the first diluted UA in the program. The participant will lose sober days for any and all subsequent diluted UA samples in Phases I-III (unless a legitimate medical condition is diagnosed by a medical professional vindicating the dilute urine). If a participant produces a diluted UA in Phase IV and it is not the participant's first ever in the program, then the participant will lose 30 sober days. A second and all subsequent diluted UA samples in Phase IV will result in the loss of all sober days (unless a legitimate medical condition is diagnosed by a medical professional vindicating the dilute urine).
2. Breathalyzers and/or Antabuse: Antabuse requires a medical physical and participant must be cleared by a medical doctor.
3. Swabs and Hair Follicle: Must also be used in conjunction with urine. Not to be used as sole method of testing.
4. Scram or Tad monitors that read alcohol through pores in skin.
5. Blood test if participant so chooses or is deemed necessary by ACCV team.

Narcotic agreement:

Participants must agree to disclose all prescription medications they are given. They will bring in their prescriptions to show their Probation Officer. If for some reason they require a narcotic they will agree to sign a release of information with their physician and use only one physician. Probation's protocol will be followed for consideration of medical marijuana use.

Violation of this narcotic agreement may lead to termination from the program.

CONTINUING CARE AND MENTORSHIP

A strong after-care plan is important to ensure continued success with your wellness/ recovery. This may include ongoing treatment after graduation from the ACCV. We strongly encourage those who successfully complete the program to remain involved in support groups and other activities that will assist them in their ongoing wellness and recovery efforts.

Graduates are also encouraged to maintain their connection with the ACCV Team by attending ACCV Court from time to time, continuing mentorship, and attending alumni activities and graduation ceremonies.

Possible mentor activities include speaking to groups, meeting with other ACCV participants who are struggling, participating in special events hosted by the ACCV, and helping participants to connect with a community support group.

I, _____ acknowledge that I have received, read, and understood the contents of the Adams County ACCV Client Handbook. I hereby voluntarily enter into this agreement.

Client Signature

Date

Useful Contact Information

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VETERAN COURT PARTICIPANT:

Welcome! As a participant in the Adams County Court for Veterans you will have an opportunity to engage with committed court staff and VA services while on probation. It is my responsibility as the Veteran Justice Outreach Specialist (VJO) on behalf of the Eastern Colorado Health Care System and the Denver VA Medical Center to assist you with accessing a number of services needed to successfully complete the requirements of the Adams County Court for Veterans program.

As the VJO, my role is to function as a liaison between you, your probation officer, and the presiding judge concerning your care at the VA. With proper documentation on a VA release of information (ROI) form I will be verifying the compliancy and successes of your treatment programming. My role will be to coordinate and oversee your health care as it pertains to your treatment needs and requirements mandated by the court and your probation officer. Some of the treatment services that probation and the court may request of you unfortunately are not provided at the VA. Such programming includes DUI and domestic violence treatment.

Throughout your participation in this specialized court program I will attempt to assist you in problem solving any concerns you may have as it relates to your VA treatment. I do not at any point become involved with the probation officer or Judge when determining the sanctions and/or rewards that you may be subjected to.

Above is my contact information. Feel free to contact me with any concerns or questions that you may have regarding the Adams County Court for Veterans program. It is our hope that you take full advantage of this special opportunity while in the wellness/recovery process. And thank you for your military service.

Nathan Viton, LCSW