

A stylized graphic of the American flag, with the stars and stripes rendered in a brushstroke style. The stars are white on a blue field, and the stripes are red and white. The graphic is positioned behind the text.

# STATE OF COLORADO

18<sup>TH</sup> JUDICIAL DISTRICT

ARAPAHOE, DOUGLAS, ELBERT & LINCOLN COUNTIES

## VETERANS TREATMENT COURT

## POLICIES AND PROCEDURES

## **I. Mission Statement**

Section 1.01 The 18<sup>th</sup> Judicial Veterans Treatment Court (VTC) is a hybrid adult drug and mental health court that serves veterans who are struggling with trauma-related issues including, but not limited to, PTSD, TBI, substance use, and other mental health issues with a focus on those issues that are directly related to military service. The VTC diverts these individuals from the traditional criminal justice system response into a specialized veteran's problem solving court. The VTC promotes public safety, ensures participant accountability, supports recovery, and improves quality of life for participants and their families.

## **II. Goals and Objectives**

- Section 2.01 Increase public safety
- Section 2.02 Reduce crime and recidivism
- Section 2.03 Improve symptomology of mental health diagnoses, PTSD, and/or TBI
- Section 2.04 Promote effective integration of resources by increasing collaboration among all agencies
- Section 2.05 Assist participants in achieving stability, maintain recovery, and improve quality of life
- Section 2.06 Use Evidence Based Practices whenever feasible
- Section 2.07 Increase participant treatment engagement
- Section 2.08 Improve participant engagement in support through the use of Peer Mentors
- Section 2.09 Connect Service Members with the VA for benefits, treatment, and support services

### III. Eligibility and Disqualifying Criteria (Target Population)

Section 3.01 Participation in the VTC is a privilege

Section 3.02 Applicants must meet the following criteria to be considered for VTC:

- I. Mental health disorder with preference to military related trauma
- II. Served in the armed forces (e.g., Air Force, Army, Marines, Navy, Coast Guard, National Guard)
- III. Preference will be given to felony cases
  - a. If the VTC is unable to reach capacity with felony referrals, then misdemeanors will be considered as long as those individuals meet all other criteria
- IV. Capable of being supervised by the 18<sup>th</sup> Judicial District Probation Department
- V. Have a LSI score of 25 or higher
- VI. Must be legally competent

Section 3.03 Applicants will be excluded if their criminal charges or history include:

- I. Any offense defined as unlawful sexual behavior pursuant to C.R.S. § 16-22-102(9)

Section 3.04 Applicants may be excluded if:

- I. Applicant has a history of manufacturing or distribution of controlled substances
- II. The VTC caseload is full
- III. Applicant can be adequately supervised by a non-specialized VTC
- IV. Any offense defined as a crime of violence pursuant to C.R.S. § 18-1.3-406

#### IV. Entry Process (Probation Referral)

Section 4.01 Probation Officers will refer appropriate candidates to the VTC Coordinator

- I. An active probation revocation is required for a probation referral to the VTC.
- II. Application includes the following:
  - a) *VTC Referral form*
  - b) *Client snapshot.*
  - c) *Signed copy of the authorization and disclosure form*
  - d) *Updated LSI-R and ASUS*
  - e) *Probation revocation and recommendation*
  - f) *Probation background packet*
  - g) *Treatment information*

Section 4.02 Coordinator screens application

- I. The VTC coordinator will screen potential applicants to ensure they meet minimal eligibility criteria based on the established target population
  - a) *If an applicant is denied, the defense counsel will receive an email with an explanation of why the client was refused. Additionally, an email will be sent to the deputy district attorneys informing them that the application was denied.*

Section 4.03 Initial screening by the VTC team

- a) *If approved, the applicant referred to the Veterans Justice Outreach Specialists for an assessment.*

Section 4.04 Psychosocial assessment

Section 4.05 Final screening by the VTC team

- I. Review Psychosocial assessment
- II. VTC team will ensure that the applicant meets minimum criteria and discuss any potential concerns
- III. DA will have the ability to veto based on the following criteria:

a) *If the District Attorney is investigating the potential participant for other charges*

IV. VTC Team will work towards a consensus on admittance into the VTC

a) *If a consensus is not obtained, then a majority vote will determine admittance*

b) *If an applicant is denied, the defense counsel will receive an email with an explanation of why the client was refused. Additionally, an email will be sent to the deputy district attorneys informing them that their application was denied.*

c) *If an applicant is approved, an email will be sent to defense counsel, deputy district attorneys, and division clerks informing them that the applicant has been approved to participate in the VTC. If a plea agreement is established, then a date will be scheduled for the client to be sentenced during the VTC docket.*

## V. Entry Process (Defense Counsel)

Section 5.01 Defense Counsel will submit applications to the VTC Coordinator

- I. An active probation revocation is required for a probation referral to the VTC.
- II. Application includes the following:
  - a) *VTC Referral form*
  - b) *Signed copy of the disclosure form and the VA-ROI*
  - c) *Current police reports*
  - d) *Any police report for cases assaultive in nature*
  - e) *Any additional information*
    - i) *Pre-sentence investigations, pre-trial supervision, treatment records, etc.*
  - f) *Probation revocation and recommendation*
  - g) *Criminal history*

Section 5.02 Coordinator screens application

- I. The VTC coordinator will screen potential applicants to ensure they meet minimal eligibility criteria based on the established target population
  - a) *If an applicant is denied, the defense counsel will receive an email with an explanation of why the client was refused. Additionally, an email will be sent to the deputy district attorneys informing them that their application was denied.*

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a) *If the District Attorney is investigating the potential participant for other charges*

IV. VTC Team will work towards a consensus on admittance into the VTC

a) *If a consensus is not obtained, then a majority vote will determine admittance*

b) *If an applicant is denied, the defense counsel will receive an email with an explanation of why the client was refused. Additionally, an email will be sent to the deputy district attorneys informing them that their application was denied.*

c) *If an applicant is approved, an email will be sent to defense counsel, deputy district attorneys, and division clerks informing them that the applicant has been approved to participate in the VTC. If a plea agreement is established, then a date will be scheduled for the client to be sentenced during the VTC docket.*



## VI. VTC Sentencing

### Section 6.01 Plea agreement

- I. If the Deputy District Attorney and Defense Counsel determine an appropriate plea agreement, then sentencing will occur during the VTC docket

### Section 6.02 Open sentencing

- I. If the Deputy District Attorney and Defense Counsel are unable to come to an appropriate plea agreement and the applicant is probation eligible, then the applicant will be set for open sentencing in their original division. The VTC Coordinator will submit a letter to the original division stating that the applicant has been approved to enter VTC, pending a sentence that will allow participation.

### Section 6.03 Required sentencing documents

- I. Review and Sign the following documents:
  - a) *VTC Participant Contract*
    - 1) Which includes reviewing the participant handbook
  - b) *Authorization and Disclosure Form*
  - c) *Civil Contempt Waiver*
- II. The client will be ordered to successfully complete The VTC Program, and all terms of the program.

## VII. VTC Phase System and Graduation Criteria

### Section 7.01 Phase One (1) – Orientation and Stabilization

- I. Expectations
  - a) Attend VTC docket weekly, unless given permission from the Magistrate
  - b) Remain for the entire docket
  - c) Meetings with Probation Officer will be based on LSI score and case plan
  - d) Participate in all treatment requirements
  - e) Submit all Drug Screens as required
    1. Urinalysis, Breathalyzers, PassPoints, Oral Swabs, Hair Follicle Test, etc.
    2. Two to three drug screens per week
  - f) Complete Phase One case plan with Probation Officer
  - g) Be Employed
    1. If unemployed, then participant must complete community service or turn in applications per case plan
- II. Requirements to transition to Phase Two:
  - a) Minimum of four weeks of sobriety
  - b) Minimum of six weeks in Phase One
  - c) Treatment Compliant for at least two weeks
  - d) Attend at least one peer support group (AA, NA, Celebrate Recovery, Trauma Recovery, etc.)
    1. Must be approved by representative of the VTC team
  - e) Complete goals outlined in case plan

### Section 7.02 Phase Two (2) – Living with Integrity

- I. Expectations
  - a) Attend VTC docket every other week, unless given permission by the Magistrate
  - b) Remain for the entire docket, unless they have earned the right to leave early (i.e., rocket docket)

- c) Meetings with Probation Officer will be based on LSI score and case plan
- d) Participate in all treatment
- e) Submit all Drug Screens as required
  - 1. At least two random tests per week
- f) Complete Phase Two case plan with Probation Officer
- g) Be Employed
  - 1. If unemployed, then participant complete community service and turn in applications per case plan

II. Requirements to transition to Phase Three:

- a) Must have at least three months in Phase Two
- b) Must have at least two months of sobriety
- c) The two weeks prior to transition must be without any violations
- d) Participate in all required treatment
- e) Active in peer support group or pro-social activity
- f) Must be employed or other approved plan
- g) Complete goals from Phase Two case plan

Section 7.03 Phase Three (3) – Relapse Prevention

I. Expectations

- a) Attend VTC docket every three weeks, unless given permission by the Magistrate
- b) Remain for the entire docket, unless they have earned the right to leave early (i.e., rocket docket)
- c) Meetings with Probation Officer will be based on LSI score and case plan
- d) Submit all Drug Screens as required
  - 1. At least six random tests per month
- e) Complete Phase Three case plan with Probation Officer
- f) Participate in all required treatment
- g) Active in peer support group

- h) Must be employed or other approved plan
- II. Requirements to promote to Phase Four:
  - a) At least four months in Phase three
  - b) Must have at least three months sober
  - c) Have a sponsor or mentor
    - 1. A person who supports and encourages recovery and a pro-social lifestyle
  - d) Active in treatment and peer support groups/pro-social activity
  - e) Three weeks prior to promotion must be without any violation
  - f) Must be employed or approved plan
  - g) Complete goals from Phase Three case plan

Section 7.04 Phase Four (4) – Maintenance and Reintegration

- I. Expectations
  - a) Attend VTC at least once a month
  - b) Meetings with Probation Officer will be based on LSI score and case plan
  - c) Submit all Drug Screens as required
    - 1. Up to six random tests per month as deemed appropriate by the Work Team and/or the PO
  - d) Complete Phase Four case plan with Probation Officer
  - e) Participate in all required treatment
  - f) Active in peer support group/pro-social activity and sponsor/mentor
  - g) Active in Alumni Group or After-Care Group at the beginning of this phase
  - h) Must be employed or other approved plan
- II. Requirements for Graduation:
  - a) At least five months in Phase Four
  - b) At least eighteen months in the VTC
  - c) At least six months of sobriety
  - d) The four weeks prior to graduation must be without any violation

- e) Complete the Transition Plan
- f) Active with peer support/pro-social activity and sponsor/mentor
- g) Must be employed or other approved plan
- h) All restitution must be paid in full
  - 1. Or as approved by court
- i) Must have all fines/fees paid or other approved plan
  - 1. Or as approved by court
- j) Prepare a verbal statement to be given at graduation ceremony
  - 1. With the assistance of PO or Coordinator
- k) Complete all goals from phase four case plan

### **VIII. Termination Criteria**

Section 8.01 Participant will be terminated if he/she has new law violations that exclude him/her from the program:

- I. Charged for a crime of Violence
- II. Charged with unlawful sexual behavior
- III. If he/she revokes releases of information and/or disclosure form that allows the VTC Team to openly process their case
- IV. If he/she voluntarily terminates from the VTC Program while legally competent

Section 8.02 Participant may be terminated for the following:

- I. If the VTC Team has a majority vote to do so, termination should be based on the following:
  - a) Participant has exceeded the sanctions matrix and earned their way out of the program
  - b) Participant has exhausted the maximum benefit of the VTC
    1. Failure to progress
    2. No interventions left to offer
  - c) If he/she is absent from the program without permission
  - d) Participant is deemed to be a danger to the community or cannot be maintained within the community
  - e) Participant is caught tampering, altering or substituting a drug screen
  - f) Participant has new Misdemeanor or Felony law violations
    1. Includes: DUI,DUID or DWAI

## **IX. Warrants – Probation Revocation**

### Section 9.01 Failure to Appear

- I. If a participant fails to appear for a scheduled court hearing, then a FTA warrant will be issued.

### Section 9.02 Waiver of Right to Certain Procedures

- I. If a participant has significant non-compliance that requires immediate intervention, then the VTC PO will discuss the circumstances with the Probation Supervisor and the VTC Coordinator.
- II. If it is determined that a warrant is necessary, then the VTC PO (or designee) will submit a probable cause affidavit to the VTC Judicial Officer (or designee) for the purpose of issuing a warrant.
- III. If the VTC Judicial Officer (or designee) supports the probable cause affidavit, then the VTC Judicial Officer will issue a warrant based on the affidavit.

### Section 9.03 Probation Revocation

- I. If a probation revocation must be filed and the VTC team agrees to maintain the client in the VTC program, then the revocation will be filed with the VTC Judicial Officers division.
- II. If the VTC team terminates a client from the VTC program, then the revocation will be filed with the original division.
- III. This policy does not does not waive probations statutory obligation or ability to file a probation revocation.

## **X. Incentive, Sanctions, and Contingency Management**

Section 10.01 VTC will make every attempt to give four positives for every negative. Both incentives and rewards will be given by the magistrate.

Section 10.02 Incentives are immediate acknowledgement that goals are being accomplished.

I. Examples of positive behavior:

- a) Meeting or exceeding treatment requirements
- b) Overcoming a major obstacle
- c) Not reverting back to old behaviors in the face of adversity
- d) Helping new participants
- e) Drug free behaviors
- f) Repeated compliance
- g) Meeting treatment goals

II. Examples of rewards:

- a) Verbal Praise
- b) Standing ovation
- c) Early on court docket
- d) Rocket docket
- e) Free urinalysis
- f) Miss next court date
  - 1. Pending compliance
- g) Movie passes/Gift cards
- h) Reduction in Community Service
- i) Waived fees
- j) Gift cards

III. Incentives should be based on:

- a) Predictability
- b) Immediacy



- c) Consistency

Section 10.03 Sanctions are immediate responses to undesirable behavior.

- I. Example of negative behavior:
  - a) New substance use
  - b) Failure to appear for substance monitoring or submitting a dilute sample
  - c) Noncompliance with treatment, probation or court orders
    - 1. Failure to appear
    - 2. Not actively engaging
  - d) Failure to comply with curfew
  - e) Being late to VTC requirements
  - f) Failure to comply with treatment plan expectations/requirements
  - g) New law violation
- II. Examples of sanctions:
  - a) Increased drug testing
  - b) Increased supervision
    - 1. Increased probation meetings
    - 2. Electronic Home Monitoring
    - 3. Curfew
    - 4. Lockdown
    - 5. Check-ins
    - 6. GPS
  - c) Community Service
  - d) Writing Assignments
  - e) Book review
  - f) Increased court reviews
  - g) Extension of participation in the program

- h) Phase Freezing
- i) Phase regression
- j) Work Crew
- k) Jail

1. Not to exceed more than five days at a time

- l) Termination from the Program

III. Sanctions should be based on the following, in order of importance:

- a) Certainty
- b) Celerity
- c) Magnitude
- d) Graduated
- e) Fairness

Section 10.04 Contingency Management is setting clear goals and establishing what the participant will receive when the goal is met.

- I. Clients will earn a random reward when they are in full compliance from one court date to the next.
  - a) Full Compliance: Submitted all required drug tests, free of all mind altering substances, attended all required treatment, attended all required probation appointments, attended all required court hearings and no new criminal filings.

## **XI. Courtroom Protocol**

Section 11.01 The goal is to create an environment that is supportive of change, informal but still shows respect for the court.

Section 11.02 During VTC Reviews the participants will:

- I. Be on time for all court reviews
- II. Dress and act appropriately
  - a) Sunglasses and ball caps are allowed for participants with TBI
- III. Address the Magistrate as “Your Honor,” “Magistrate,” or “Judge”
- IV. Stand at the podium unless they are asked to sit
- V. No chewing gum while at the podium
- VI. No use of any tobacco products in the courtroom
- VII. No use of electronic devices at the podium

Section 11.03 The VTC will call cases in the following order:

- I. Graduation
- II. Promotions
- III. Strong Performer Docket/Rocket Docket
- IV. Meeting most expectations
- V. Minor violations
- VI. Medium violations
- VII. Major violations

## **XII. Case Management**

Section 12.01 Case management will be provided by a Probation Officer assigned to the VTC, Veteran Justice Outreach (VJO), and Veteran Service Officer (VSO) if needed. The Probation Officer will function within the bounds of Colorado State guidelines.

Section 12.02 The VTC Probation Officer will be responsible for the following:

- I. Overseeing drug testing
  - a) Ensuring participant is submitting tests as required by phase
  - b) Assists in Determining if Drug Testing is necessary
- II. Monitoring participant compliance
  - a) Court orders
  - b) Program requirements
  - c) Community Service
  - d) Phase specific case plan based on criminogenic needs and personal strengths
- III. Meet with the Participants as required by case plan
- IV. Maintain appropriate records
- V. Perform Home Visits within the first 30 days and per case plan thereafter
- VI. Coordinate ancillary services such as vocational, rehabilitation, education, transportation and other treatment services

Section 12.03 Prior to the VTC Docket

- I. The VTC Team will meet
  - a) Judicial Officer
  - b) Probation Officer
  - c) District Attorney Office
  - d) Public Defender Office
  - e) VTC Coordinator
  - f) VJO representative
  - g) Treatment Representative
  - h) Sheriff's Department Representative

- i) Lead Peer Mentor
- II. Discuss participant progress
  - a) Assess rewards and sanctions accordingly

### **XIII. Drug Testing**

Section 13.01 Participants level of drug testing will be based on evaluation

- I. If a client has no history of drug abuse, then the client will be required to submit at least one random drug test per month
- II. If there is a history of drug abuse, then the client will be required to submit at least twice a week for the first phase

Section 13.02 Participants must call the color line daily

- I. Includes Saturdays and Sundays

Section 13.03 Participants must submit drug testing the day their color is called

- I. Must be within business hours of the testing agency

Section 13.04 Participants will not be excused from drug testing unless:

- I. Verification of hospitalization
- II. Drug Testing agency turns client away due to being ill
- III. Excused by probation officer

Section 13.05 Participant must submit a drug test if requested by the probation officer, therapist, or other VTC team member

Section 13.06 Contracted testing laboratories must be certified

Section 13.07 Laboratories will perform appropriate tests to detect diluted or adulterated samples

Section 13.08 The scope of the testing must be sufficiently broad to detect the participant's primary drug of choice as well as other potential drugs of abuse, including alcohol, spice, or "bath salts"

Section 13.09 Collection and testing agencies must have specific, detailed, written procedures regarding all aspects of urine samples, collections, sample analysis, and result reporting

Section 13.10 Collections and testing agencies must have a documented chain of custody for each sample collected

Section 13.11 Testing agencies must have hours of operation six days a week

Section 13.12 Testing agencies must have procedures for verifying accuracy when test results are contested

- Section 13.13 Testing agencies must have results back to the VTC Team within 48 hours after submission
- Section 13.14 Testing agency must report missed testing the following day
- Section 13.15 Participants will be required to remove coats or jackets and wash & thoroughly dry their hands prior to collection of a sample
- Section 13.16 A gender appropriate collector must directly and fully observe all sample collections
- Section 13.17 Each participant is required to security seal and initial each drug test in front of trained staff to ensure accuracy
- Section 13.18 All persons involved in the collection and/or transmittal of samples must strictly comply with chain of custody procedures for each sample collected
- Section 13.19 Positive test results will result in the loss of clean and sober time accumulated in VTC prior to the sample collection, and may result in other interventions
- Section 13.20 If Participant claims a positive test is inaccurate, then a GCMS will be ordered. If the positive test is confirmed, then the participant will be responsible for the cost of the GCMS, in addition, loss of clean and sober time and other interventions
- Section 13.21 Refusal to provide samples, unexcused missed sample collections, evidence of sample dilution or other adulterations or willful failure to provide sufficient samples for testing will result in the loss of clean and sober time accumulated in VTC prior to the sample collection and may result in additional court interventions. Refusals will be considered the equivalent of a positive test. Stalling (30 minutes or more), unexcused missed sample collections, other failures to comply with instructions may be considered the equivalent of a positive test

#### **XIV. Data Collection**

Section 14.01 Data Collection will be stored in two primary locations:

- I. PSC3D – State Court Administrative Office basic data base for Problem Solving Courts
  - a) This information will be maintained by the Probation Officer assigned to VTC and the VTC Coordinator
  
- II. Eclipse – Judicial Data Base
  - a) This information will be maintained by the Probation Officer



## **XV. Ethics and Confidentiality**

- Section 15.01 Promote and foster the duties of professional competence and due diligence from every member of the Veterans Treatment Court team.
- Section 15.02 Maintain, recognize, respect, and value the distinct roles of every member of the team.
- Section 15.03 Foster a spirit of collaboration where every member of the team is expected to exercise independent professional judgment and render candid advice on how best to meet the treatment goals and expected outcomes for each participant in the program.
- Section 15.04 Add value to the Veterans Treatment Court process by promoting authentic advocacy that is consistent with the professional responsibilities of each member of the Veterans Treatment Court.
- Section 15.05 Ensure that every member of the team is fully aware of the Veterans Treatment Court model, how it operates, and be able to articulate its risks and benefits to program participants and to the community.
- Section 15.06 Promote competency and knowledge on professional ethics and confidentiality and how they may be consistently applied in a Veterans Treatment Court setting.
- Section 15.07 Ensure that program participants are fully informed on the Veterans Treatment Court process, that they give voluntary, informed consent to participate in the Veterans Treatment Court program, and that they are aware of the risks and benefits that are involved with their participation in the program.
- Section 15.08 Require that program participants sign appropriate Disclosure Forms and Releases of Information that demonstrate that the participant provides informed consent on the consequences of that waiver, that it is given voluntarily, and that he or she has had the opportunity to discuss the terms and conditions with counsel.
- Section 15.09 Provide on-going education on the ethical and confidentiality dimensions of Veterans Treatment Courts by directing members of the team to current research and writing that address the issues of ethics and confidentiality in Veterans Treatment Courts.
- Section 15.10 Veterans Treatment Court team members shall not disclose any applicant information to any outside party or other professionals within their agency without an appropriate release of information.
- Section 15.11 Veterans Treatment Court team members shall not disclose participant information to any outside party or other professionals within their agency unless it is part of their regular job duties or an appropriate release of information.

Section 15.12 All results or statements made by participants during Veterans Treatment Court proceedings shall be considered confidential, in the absence of a specific court order allowing disclosure. Such specific court order allowing disclosure shall only be given for good cause shown.

- I. A request for a specific court order allowing disclosure may be made at any time.

Section 15.13 A Judicial Officer shall issue a confidentiality order to the legal team, any subsequent member of the treatment team and any visitor guest of the court.

- I. Visitors and guests will be required to sign a form stating they understand the confidentiality order and agree to comply.

Section 15.14 The presiding judicial officer will attempt to prevent any inadvertent improper or incriminating disclosures. If a client discloses any information regarding a new law violation, then the Veterans Treatment Court professionals will interrupt the client and instruct them to discuss the matter with the on-call Public Defender.

Section 15.15 All collaborating entities must follow HIPPA and State of Colorado confidentiality guidelines. In addition, each member should be aware of and follow their agencies policies and procedures regarding ethics and confidentiality.

Section 15.16 Court Records

- I. Information recorded in the Registry of Action is to be limited to the following:

- a) *Date of hearing*
- b) *Next court date*
- c) *Parties Present*
- d) *Whether they received an Incentive or Sanction*
- e) *Phase Promotions*

- II. The Docket for the Veterans Treatment Court will not be posted for the public.

## **XVI. Prescription Drug Use**

- Section 16.01 If a participant has a history of abusing prescription drugs or has been abusing prescription drugs in VTC, then the participant may be required to sign a VTC Prescription Use Contract.
- Section 16.02 Participants are expected to inform treating physicians if he/she is recovering from substance dependence and that taking addictive or habit forming medications could be detrimental to his/her recovery.
- Section 16.03 If it is determined that the participant is in need of an addictive or habit forming substance, then the participant should make every effort to obtain a non-narcotic prescription, if one is available.
- Section 16.04 If the participant is prescribed addictive or habit forming medication, then the participant should notify their treatment provider and Probation Officer. The VTC team will then decide if the medication is appropriate.
- Section 16.05 The participant will sign a release of information to allow the VTC team to exchange information with the prescribing physician.
- Section 16.06 Participants are expected to notify the Probation Officer of any changes in medications. Failure to do so will result in a sanction.
- Section 16.07 Participants with a history of abusing addictive or habit forming medications will be subject to additional requirements:
1. Review and sign a Prescription Drug Use Contract
  2. Restricted to one prescribing physician
  3. Agreeing to work with one's physician to discontinue use of any addictive or habit forming medications
- Section 16.08 The use of marijuana is prohibited in the VTC.
1. Includes medical marijuana registration
  2. Applying for medical marijuana registration is prohibited while participating in the VTC

## **XVII. VTC Staff Education**

### Section 17.01 New Members

- I. Review Policies and Procedures
- II. Meet with Coordinator to learn the history and purpose of the VTC
- III. Completed the NDCI – Essential Elements of Adult Drug Courts
  - a) <http://www.ndci.org/training/online-trainings-webinars/online-course-essential-elements-adult-drug-courts>
- IV. New Member will be introduced at the VTC Team meeting and each member will share their role, how they view the VTC, and its benefits.

### Section 17.02 Continuing Education

- I. Once per year, the VTC Team will participate in a retreat
  - a) Team Building
  - b) Review research
  - c) Substance Abuse
  - d) Mental Health
  - e) Treatment Courts
  - f) Make necessary changes
- II. Three times per year, the VTC Team will meet for an extended team meeting
  - a) Team Building
  - b) Review Research
  - c) Make Necessary changes
  - d) Interagency training

### Section 17.03 The VTC Team will attend conferences when available

- I. This can substitute for the extended team meeting but not the retreat.

## **XVIII. Warrants – Probation Revocation**

### Section 18.01 Failure to Appear

- I. If a participant fails to appear for a scheduled court hearing, then a FTA warrant will be issued.

### Section 18.02 Waiver of Right to Certain Procedures

- I. If a participant has significant non-compliance that requires immediate intervention, then the VTC PO will discuss the circumstances with the Probation Supervisor and the VTC Coordinator.
- II. If it is determined that a warrant is necessary, then the VTC PO (or designee) will submit a probable cause affidavit to the VTC Judicial Officer (or designee) for the purpose of issuing a warrant.
- III. If the VTC Judicial Officer (or designee) supports the probable cause affidavit, then the VTC Judicial Officer will issue a warrant based on the affidavit.

### Section 18.03 Probation Revocation

- I. If a probation revocation must be filed and the VTC team agrees to maintain the client in the VTC program, then the revocation will be filed with the VTC Judicial Officers division.
- II. If the VTC team terminates a client from the VTC program, then the revocation will be filed with the original division.
- III. This policy does not does not waive probations statutory obligation or ability to file a probation revocation.

## **XIX. Costs**

### Section 19.01 Fines, Fees, and Restitution

- I. Payment plan or ability to pay
  - a) *Probation Officer will refer clients to the collections investigator for ability to pay and/or payment plan.*
    - 1) The ability to pay or payment plan should be established prior to or upon phase 3 entry.
  - b) *Clients will establish payment plan with their probation officer and collections investigator*
    - 1) Failure to make payments, according to payment plan, may impact promotions and graduation.
- II. Restitution
  - a) *If client owes restitution upon graduation, then the client must continue with probation supervision and work with the Collections Investigator.*
- III. Fines and Fees
  - a) *If a client has any remaining fines and fees upon graduation, then the clients costs will be reduced to civil judgment and the client will continue to work with the collections investigator.*
    - 1) If a client fails to make payments as agreed, then the remaining costs will be sent to collections.

### Section 19.02 Treatment Costs

- I. Clients are expected to pay for treatment, drug testing, and other costs when the client is reasonable able to pay.
  - a) *Treatment costs should not be so burdensome that a client is unable to pay restitution, fines/fees, or maintain basic living standards.*
  - b) *Money should not be a barrier to treatment.*

## **XX. Back to Basics**

Section 20.01 Goal: To assist clients in reengaging back in treatment and supervision

- I. This may be appropriate when a client has:
  - a) *New charges*
    - 1) This will allow clients to resolve the new charges with the program so they can continue to progress
  - b) *Chronic continued use after several treatment interventions*
  - c) *Chronic continued program violations*
  - d) *Clients who have absconded from the program*
- II. Back to Basics Track may be modified to address individual client needs and/or concerns
- III. Each Back to Basics Track is Phase specific to address proximal and distal goals/expectations.