

Veterans Treatment Court Program (VTCP) Application Review Checklist

December 2017

Standard/Best Practice	Application	Request Clarification/Additional information
<p>Standard 1: Administration. Each docket must have a policy and procedure manual that sets forth its goals and objectives, general administration, organization, personnel, and budget matters</p>		
<p>The policy and procedure manual sets forth its goals and objectives, general administration, organization, personnel, and budget matters. The P&P Manual should include all forms used by the docket.</p>		
<p>The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination</p>		
<p>Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are</p>		

<p>specified in writing and communicated in advance to VTCP participants and team members.</p>		
<p>Standard 2: Team. A Veterans Treatment Court Program team should include, at a minimum, the judge, Commonwealth’s Attorney, Defense Attorney, and a representative from local treatment providers, a Veterans Justice Liaison, a representative from the local Department of Social Services, a veteran mentor coordinator, and a representative from community corrections.</p>		
<p>The VTCP team should include, at a minimum, the judge, Commonwealth’s Attorney, team Defense Attorney, and a representative from local treatment providers, a Veterans Justice Liaison, a representative from the local Department of Social Services, a veteran mentor coordinator, and a representative from community corrections.</p>		
<p>The veteran treatment court program has a designated mentor coordinator who maintains a pool of available veteran mentors.</p>		
<p>The Veterans Treatment Court Program team shall respect the mentor’s role:</p> <ul style="list-style-type: none"> a. the mentor is not a source of information b. the mentor/mentee interviews are confidential c. only exception is concern for safety, if mentee is going to hurt himself or herself or others, mentor will advise the court. 		
<p>The role of the mentor coordinator is to recruit,</p>		

screen, train, coordinate and supervise veteran treatment court program mentors.		
Standard 3: Evidence-Based Practices. The docket should establish and adhere to practices that are evidence-based and outcome-driven and should be able to articulate the research basis for the practices it uses.		
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At a minimum, the prosecutor, defense counsel, treatment representative, law enforcement and the judge attend each staffing meeting.		
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The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the VTCP team.		
The Judge spends an average of at least three minutes with each participant.		
Standard 4: Voluntary and Informed Participation. All docket participants should be provided with a clear explanation of the docket process. Participation in the docket must be completely		

voluntary. Participants must have capacity to consent to participation in the docket.		
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Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements in writing.		
Upon entering the VTCP, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing as well as clinical participation.		
Standard 5: Eligibility Criteria. Criteria regarding eligibility for participation in the docket must be well-defined and written, and must address public safety and the locality's treatment capacity. The criteria should focus on high risk/high need veterans who are at risk for criminal recidivism and in need of treatment services.		
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<p>The criteria should focus on high risk/high need veterans who are at risk for criminal recidivism and in need of treatment services.</p>		
<p>Participants are not excluded from participation in VTCP because they lack a stable place of residence Eligibility and exclusion criteria are defined objectively. Eligibility and exclusion criteria are specified in writing.</p>		
<p>The VTCP team does not apply subjective criteria or personal impressions to determine participants' suitability for the program.</p>		
<p>Candidates for the VTCP are assessed for eligibility using validated risk-needs assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.</p>		
<p>Candidates for the VTCP are assessed for eligibility using a validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or</p>		

<p>addiction and a validated clinical assessment tool that produces a mental health diagnosis by qualified mental health professional.</p>		
<p>Standard 6: Program Structure. A Veterans Treatment Court Program should be structured to integrate alcohol, drug treatment and mental health services with justice system processing. Participants should progress through phases of orientation, stabilization, community reintegration, maintenance, successful completion and transition out of the program. All participants shall be paired with a veteran mentor to navigate them through the program and assist with VA healthcare.</p>		
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<p>Participants should progress through phases of orientation, stabilization, community reintegration, maintenance, successful completion and transition out of the program.</p>		
<p>All participants should be paired with a veteran mentor to navigate them through the program and assist with VA healthcare.</p>		
<p>Pre-court staff meetings are presumptively closed to participants and the public unless the court has a good reason for a participant to attend discussions related to their case.</p>		
<p>For at least the first ninety days after discharge from the</p>		

<p>VTCP, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.</p>		
<p>Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program.</p>		
<p>Status hearings are scheduled no less frequently than every four weeks until participants graduate.</p>		
<p>Drug testing is random, and is available on weekends and holidays.</p>		
<p>Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.</p>		
<p>Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.</p>		
<p>The VTCP utilizes scientifically valid and reliable testing procedures and</p>		

<p>establishes a chain of custody for each specimen.</p>		
<p>Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.</p>		
<p>Standard 7: Treatment and Support Services. Veterans Treatment Court Programs must provide prompt admission to continuous, comprehensive, evidence-based treatment and rehabilitation services to participants. All treatment providers used by the docket should be appropriately licensed by the applicable state regulatory authority or the equivalent federal governing agency when applicable, and trained to deliver the necessary services according to the standards of their profession.</p>		
<p>VTCPs must provide prompt admission to continuous, comprehensive, evidence-based treatment and rehabilitation services to participants.</p>		
<p>All treatment providers used by the VTCP should be appropriately licensed by the applicable state regulatory authority or the equivalent federal governing agency when applicable, and trained to deliver the necessary services according to the standards of their profession.</p>		
<p>The VTCP offers a continuum of care for mental health</p>		

<p>treatment, including but not limited to: case management, psychiatric, individual/group therapies, peer services, and outpatient services. The VTCP also offers a continuum of substance abuse treatment, including but not limited to: detox, residential, sober living, day treatment, intensive outpatient and outpatient services. The VTCP must tailor services based upon the veteran's needs identified during the assessment phase.</p>		
<p>The docket utilizes services of the Department of Veterans Services (DVS).</p>		
<p>Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to mental health services, detoxification services or sober living quarters.</p>		
<p>Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program</p>		
<p>Participants with co-occurring substance abuse issues regularly attend self-help or peer support groups in addition to professional</p>		

counseling.		
The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.		
Treatment fees are based on a sliding fee schedule.		
Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when necessary to manage panic, dissociation, or severe anxiety.		
Participants receive trauma-related services in gender-specific groups of their preference.		
Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.		
Standard 8: Participant Compliance. Veterans Treatment Court Programs should have written procedures for incentives, rewards, sanctions, and therapeutic responses to participant behavior while under court supervision. These procedures must be provided to all team members and the participant at the start of a participant’s participation in the program.		
VTCPs should have written procedures for incentives, rewards, sanctions, and therapeutic responses to participant behavior while		

<p>under court supervision.</p>		
<p>These procedures must be provided to all team members and the participant at the start of a participant's participation in the program.</p>		
<p>The VTCP has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.</p>		
<p>For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.</p>		
<p>The VTCP regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.</p>		
<p>Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring</p>		

infractions.		
Jail sanctions are definite in duration and typically last no more than three to five days.		
If a participant is terminated from the VTCP because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.		
The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.		
The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.		
The judge makes these decisions after taking into consideration the input of other VTCP team members and discussing the matter in court with the participant.		
<p>Standard 9: Confidentiality. Veterans Treatment Court Programs must protect confidentiality and privacy rights of individuals and proactively inform them about those rights. Information gathered as part of a participant's court-ordered treatment program or services should be</p>		

safeguarded in the event that the participant is returned to traditional court processing.		
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<p>Standard 10: <i>Evaluation and Monitoring.</i> Veterans Treatment Court Programs must establish case tracking and data collection practices. At a minimum, data should be collected regarding 1) Characteristics of the Participants, 2) Clinical Outcomes, and 3) Legal Outcomes. All veteran docket programs are subject to annual fiscal and program monitoring by the Office of the Executive Secretary.</p>		
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All VTCPs are subject to annual fiscal and program monitoring by the Office of the Executive Secretary.		
The VTCP continually monitors participant outcomes during enrollment in the docket, including attendance at scheduled appointments, drug and alcohol test results,		

<p>graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.</p>		
<p>A skilled and independent evaluator examines the VTCP's adherence to best practices and participant outcomes no less frequently than every five years.</p>		
<p>Information relating to the services provided and participants' in-program performance is entered into an electronic databases required by OES specialty dockets. Statistical summaries from the database provide staff with real-time information concerning the VTCP's adherence to best practices and in-program outcomes.</p>		
<p>Outcomes are examined for all eligible participants who entered the VTCP regardless of whether they graduated, withdrew, or were terminated from the program.</p>		
<p>Current or prior offenses may disqualify candidates from participation in the VTCP if empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a VTCP.</p>		
<p>Standard 11: Education. All team members, including the judge, should be generally</p>		

<p>knowledgeable about mental illness, service related issues, trauma, substance abuse disorders, and pharmacology, as relevant to the docket. All team members should attend continuing education programs or training opportunities to stay current regarding the legal aspects of a Veterans Treatment Court Programs and the unique clinical challenges facing veterans.</p>		
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<p>All team members should attend continuing education programs or training opportunities to stay current regarding the legal aspects of a Veterans Treatment Court Program and the unique clinical challenges facing veterans.</p>		
<p>Before starting a VTCP, team members should attend a formal pre-implementation training to learn from expert faculty about best practices in Veterans Treatment Court Programs and develop fair and effective policies and procedures for the program.</p>		