

LEAVENWORTH COUNTY

VETERANS TREATMENT COURT

PARTICIPANT'S HANDBOOK



May 2024

Welcome

Welcome to the Leavenworth County Veterans Treatment Court (VTC). The VTC is a collaborative effort between the Leavenworth VA Medical Center, Leavenworth County District Court, Leavenworth County Attorney's Office, and other designated treatment providers. VTC is designed to promote public safety by addressing challenges facing justice-involved Veterans. Veterans are offered the opportunity to participate in mental health and substance abuse treatment services through the Veterans Administration or other designated treatment providers.

The first Veterans Court was started in January 2008 by Judge Robert Russell in Buffalo, New York. Since that time numerous Veteran Courts have started around the United States. Veterans are not required to participate in the program. This program is voluntary. However, once you entered the program you will be required to comply with the orders of the Court and the instructions of the supervising officer. If you have questions about the VTC, feel free to contact the VTC Coordinator, Linda Huggins, at 913-684-0710. All legal questions regarding this program and/or your case should be discussed with an attorney.

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***ALL POLICIES AND PROCEDURES ARE SUBJECT TO CHANGE
WITHOUT NOTICE***

***PARTICIPANTS ARE EXPECTED TO COMPLY WITH ALL
CHANGES***

I. Mission Statement

The mission of the District Court of Leavenworth County, Kansas Veterans Treatment Court (VTC) is to offer treatment and services to United States Veterans in order to address and mitigate mental health, substance abuse, and other barriers to leading law-abiding and productive lives in the community.

II. Introduction

The purpose of the VTC is to provide a treatment-based alternative for Veterans who suffer from mental health and/or substance abuse issues related to their service in our Armed Forces. The goal of the Veteran's participation in the VTC's supervised treatment and supportive services is to increase public safety and reduce recidivism. This is accomplished through participation in a supervision program based on their treatment needs.

III. Criteria for Veterans Treatment Court

General Qualifications:

- a) Qualifying Veterans must have served in the armed forces of the United States of America, to include the Reserves and National Guard
- b) Qualifying Veterans should apply within 30 days of their first appearance in Court.
- c) Qualifying Veterans must meet screening criteria for substance abuse or mental health treatment and be eligible to receive treatment from the United States Department of Veteran's Affairs or an approved alternative treatment provider, and
- d) Qualifying Veterans must be a resident of Kansas. Veterans need to have reliable transportation to make frequent appearances in the Leavenworth County VTC Court (initially a minimum of twice a month) and frequent alcohol/drug testing (initially a minimum of twice a week).

A. Probation Track:

Qualifying Veterans may obtain an application from Leavenworth County District Court, 601 S 3rd St, Leavenworth, KS by contacting Nicholas Jackson or Mollie Athon in Court Services Suite 3092 or Linda Huggins, VTC Coordinator in Suite 3051.

B. Diversion Track:

Qualifying Veterans must meet the requirements set out in the Leavenworth County Attorney (CA) VTC Diversion Program Policy.

IV. Overview of the Program

A Veteran interested in participating in the VTC will fill out an application, complete a substance abuse and/or mental health screening, and a risk/needs assessment. Applicants will agree to sign all necessary releases in order to be considered for VTC. Based on the Veteran's treatment needs, the program length will be 12 months to 18 months and can be extended. The VTC Team will develop recommendations based on an individual assessment of the participant's needs.

Participants will be required to appear in court on a frequent basis for progress reviews. The Judge will be given a report prepared by the VTC Team regarding their performance in the program. If they are progressing according to the phase protocol, they may be encouraged to continue the program, be issued incentives, and continue to work with their VTC Team. If participants are not progressing according to the phase protocol, the Judge may discuss this with them, and corrective actions or sanctions may be ordered. With repeated violations or the failure to progress satisfactorily, the Court may terminate the Veteran from the program. An unsuccessful termination from the VTC Diversion Track may result in reinstating the prosecution of the case. An unsuccessful termination from the VTC Probation Track may result in the imposition of the suspended sentence.

Participants who successfully complete the VTC will earn a Certificate of Completion and public recognition in Court. Diversion Track cases may be dismissed upon successful completion of the VTC program. Probation Track cases that are successfully completed may be eligible to petition the Court for immediate expungement (per K.S.A. 21-6614).

V. Releases of Information/Confidentiality

During the initial screening and treatment planning sessions, applicants will be required to sign one or more release(s) of information (ROI). These documents allow the Veteran Justice Outreach Specialist (VJO) at the Leavenworth VA Medical Center or other treatment providers to inform the court of your progress in fulfilling the court requirements and services. Failure to sign a ROI will result in the inability to participate in the VTC. Privacy will be protected consistent with Federal Regulations and State Law.

VI. Veterans Treatment Court Hearings

The VTC will be held at the Leavenworth County Justice Center, Division 2, located at 601 S 3rd St. (4th Floor), Leavenworth, KS 66048. When you enter the Justice Center, you will be required to go through a metal detector at the front door security station. Please allow enough time to be able to properly comply with security requirements; for example, possible removal of shoes and belts, so you are not late for your scheduled court appearance. Appropriate family members, friends, sponsors, and treatment providers are welcome to attend the court proceedings. There is not a specific dress code for VTC, however, it is appropriate to wear clean, well-kept clothing. Work uniforms of any kind are acceptable, especially as many individuals are coming from work to court. It is appropriate to address the Veterans Court Judge as "Judge" or "Your Honor" during court proceedings.

VII. Veteran Peer Mentor Support

As a part of VTC, you will be assigned a peer mentor or peer support. The volunteer will act as a coach, guide, role model, advocate, and support for you. Peer Mentor Support are Veterans. Every effort is made to recruit a diverse group of veteran peer mentors from all branches of the military and from various periods of service. You are required to meet with your peer mentor support. As part of your treatment plan, you will be required to obtain a separate community sponsor to support you with your mental health and/or substance abuse recovery needs since your court mentor is only a temporary support. If you have any difficulty locating community-based support groups in your area, the VTC team, VJO, or your supervising officer can assist you in finding an appropriate program.

VIII. Five Phases of The Veterans Treatment Court

The VTC is a five-phase program lasting approximately 12 to 18 months (see attached). You must successfully complete each phase before transitioning to the next phase. Each phase has a key concept or focus. As part of the VTC program, you will be required to submit to observed urine alcohol/drug screens, breathalyzer screens, or electronic monitoring to ensure compliance with alcohol/drug abstinence. The results of the alcohol and drug tests will be provided to the VTC treatment team. You will be required to pay for the costs of the alcohol/drug screens and laboratory confirmation if necessary. You are encouraged to provide your supervision officer with results of any drug test that is performed by other agencies. If you are unable to pay, you may request assistance from the VTC based on your income.

Passive inhalation (secondhand smoke) is not an excuse for a positive drug test. You must notify your supervision officer if a medication is prescribed to you, provide a copy of the prescription, and take such medication only as prescribed. You are not allowed to take prescription medication that has not been prescribed to you. You will refrain from taking over-the-counter medications and products (including mouthwash) that contain alcohol. Your Supervision Officer will have an additional list of prohibited substances. The Veteran acknowledges and understands that sobriety is a fundamental tenant of the VTC. Therefore, the Veteran agrees that his/her residence(s) shall be subject, at any point in time, to a random search by a VTC supervision officer and/or additional law enforcement officer. Further, the Veteran specifically waives any expectation of privacy or 4th Amendment claim and consents to the search of his/her person for any purpose, to ensure compliance with the rules of VTC.

a. Infractions

While in the VTC, if the Veteran fails to comply with treatment recommendations or commits an illegal offense, the Veteran may be sanctioned. The following are possible infractions that could lead to sanctions:

- Dishonesty
- Acquiring new charges
- Missed treatment appointments
- Missed appointments with the Supervision Officer
- Missed Court Appearances

- Use of non-prescribed drugs and/or alcohol (testing positive)
- Refusal to provide urine screen or attempting to tamper with/alter a urine sample or providing a false sample.
 - Dilute urine screen (dilute results may be counted as a positive drug screen)
- Failure or refusal to take prescribed medications
- Other non-compliance with treatment recommendations

b. Sanctions

The VTC will use graduated sanctions when appropriate to allow for an immediate response to violations. All sanctions will be discussed at the next VTC appearance. The County Attorney’s Office may file a Motion to revoke supervision.

Tier 1 Violation	Possible Sanction
First Missed Drug Test	Journaling or Daily Activity Log
Dilute Drug Test	Increased Reporting/Treatment Services
Missed Office Visit	Increased Alcohol/Drug Testing
Missed Treatment or Therapy Appointment	Extension of Time in Phase
Tier 2 Violation	Possible Sanction
Positive Drug/Alcohol Test and/or Second or Subsequent	Any Tier 1 Sanction or combination of Sanctions
Multiple Tier 1 Violation or Refusal of Sanction	VTC Appearance Moved Up
Failure to Comply with Court Orders	House Arrest/Electronic Monitoring
Failure to Follow Treatment Recommendation(s)	Increase in Court Appearances Home Visit
Tier 3 Violation	Possible Sanction
Multiple Tier 2 Violation or Refusal of Sanction	Any Tier 1, Tier 2, or combination of Sanctions
Law Violation	Jail Sanction
Absconding from Supervision	Extension of Time in Phase
Multiple Positive Drug Test Within 2 Week Period	Modification of Treatment Plan Increase of Treatment Services
Medication Abuse**	Motion to Revoke VTC Supervision

** - Medication Abuse- Failure to notify all doctors of the treatment plan and substance abuse history and/or illegal drug use with prescribed medication creating a safety concern.

c. Incentives

As you progress with the requirements of VTC, any of the following may happen:

- Praise from Judge and the VTC Team
- Advancement to the next phase
- Bowl Prizes
- Fewer court appearances
- Called first in court and leave early
- Graduation ceremony

IX. Advancement Through Veterans Treatment Court

a. Petition for Advancement

Advancement from each phase will be determined by the judge upon recommendation of the treatment team after the participant has satisfied the minimum criteria. Each phase has its own requirements for advancement. Each participant is required to fill out each Phase's Promotion Request form and submit it to the VTC Team. This form can be obtained from your supervising officer.

b. Graduation

The Program is designed to be completed within 12-18 months. When the Veteran shows significant progress in the treatment plan and meets all of the five phases' requirements, the Veteran will become eligible to graduate from the VTC. The Veteran will then file an application to graduate from VTC. The application must be submitted to the VTC Team a minimum of 30 days prior to an anticipated graduation date. If the VTC Team agrees that the Veteran meets the graduation criteria and the Veteran is approved to graduate, the Veteran then completes an exit interview with the VTC coordinator where the Veteran will have the opportunity to complete a VTC Evaluation.

Graduation is a time to celebrate the Veteran's accomplishments. The Veteran is encouraged to invite his/her friends and family members to join in the Graduation Ceremony.

X. Termination Criteria

A VTC participant may be involuntarily expelled from the VTC program based on the recommendation of the VTC Team. This recommendation can be based on a new criminal charge, non-compliance with the recommended treatment plan or conditions of the VTC program; or consistently testing positive for drugs or alcohol.

A Veteran may be discharged from the program if they fail to maintain local residency and/or fail to maintain transportation to comply with the VTC program.

If a participant fails to comply with the terms and conditions of the VTC program, any motion to discharge the participant from the program will be heard by the VTC Judge. If the decision is made to discharge the participant from the diversion track of the VTC, the prosecutor may resume prosecution of the case. If the decision is made to discharge the participant from the probation track of the VTC, the underlying sentence may be imposed.

A VTC participant may be subject to a presumptive discharge following 30 consecutive days of non-compliance.

XI. Appendix

PHASE ONE	
Key Concept:	Introduction to VTC
Length of phase:	30-60 days
Requirements:	<ul style="list-style-type: none"> • Comply with supervision and engage in treatment • Attend court once every two weeks • Submit to random alcohol/drug testing • Meet a Veteran’s mentor (based on availability) • Meet weekly with the supervision officer • Meet with VJO as directed • 14 consecutive days of sobriety
PHASE TWO	
Key Concept:	Stabilization and Recovery
Length of phase:	60-90 days
Requirements:	<ul style="list-style-type: none"> • Comply with supervision and remain engaged with treatment • Attend court once every two weeks • Submit to random alcohol/drug testing • Actively interact with the Veteran’s Mentor • Weekly contact with the supervision officer as directed • Meet with VJO as directed • 45 consecutive days of sobriety • Explore and/or initiate a community support system • Develop an individualized care plan, including stable housing • Develop a plan for court fees and/or restitution

PHASE THREE	
Key Concept:	Living with Recovery Skills
Length of phase:	120-180 days
Requirements:	<ul style="list-style-type: none"> • Comply with supervision and remain engaged with treatment • Attend court at least monthly • Submit Random alcohol/drug testing • Actively interact with the Veteran’s Mentor • Weekly/biweekly contact with the supervision officer as directed • Meet with VJO as directed • 90 consecutive days of sobriety • Attend a community support 2 times per week • Utilize relapse prevention plan as needed • Develop a plan to utilize skills learned • Develop pro-social activities • Develop an ongoing recovery plan • Develop a financial plan • Develop employment, vocational, or productive activities plan • Pay 50% of court fees and/or restitution
PHASE FOUR	
Key Concept:	Preparation for Discharge
Length of phase:	90-120 days
Requirements:	<ul style="list-style-type: none"> • Comply with supervision and remain engaged with treatment • Attend court at least monthly • Submit to random alcohol/drug testing • Actively interact with the Veteran’s Mentor • Meet bi-weekly with the supervision officer • Meet with VJO as directed • 90 consecutive days of sobriety • Attend a community support 2 times per week • Implement plan to utilize skills learned • Implement pro-social activities plan • Implement on-going recovery plan • Implement financial plan • Implement employment, vocational, or productive activities plan • Develop Discharge Plan • Court fees and/or restitution paid in full

PHASE FIVE	
Key Concept:	Graduation and Discharge
Length of phase:	60-120 days
Requirements:	<ul style="list-style-type: none"> • Comply with supervision and remain engaged with treatment • Attend court at least monthly • Submit to random alcohol/drug testing • Actively interact with the Veteran’s Mentor • Meet monthly with the supervision officer • Meet with VJO as directed • 90 consecutive days of sobriety • Attend a community support 2 times per week • Utilize recovery skills learned • Utilize pro-social activities plan • Continue recovery plan • Utilize financial plan • Utilize employment, vocational, or productive activities plan

If you have any questions, have a change in your life circumstances, or need additional information regarding your requirements for VTC, contact the VTC Coordinator, VJO, or your supervising officer. Please make sure that you leave your full name and phone number where you can be reached.

VTC Coordinator: Linda Huggins 913-684-0710

VTC CSO: Nickolas Jackson 913-684-0758

VTC CSO: Mollie Athon 913-684-0756

VJO: Christine Strohm 913-421-6999