

Western Massachusetts



Veterans Treatment Court

# PARTICIPANT MANUAL

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## **Mission Statement**

The mission of the Western Massachusetts Veterans Treatment Court (WMVTC) is to reintegrate court-involved individuals who have served in the nation's armed forces into society. Admission into the Veteran's Court process will provide for competent assessment and treatment planning for both substance dependence and mental health disorders. The program includes supervision, monitoring and support to veterans while protecting public safety.

## **About the Western MA Veterans Treatment Court**

The Western MA Veterans Treatment Court (WMVTC) is located in Holyoke District Court. The Court sits every Wednesday afternoon at 2:30 PM. The Court was founded in 2015. Judge Laurie MacLeod presides over the court. The Court's Treatment Team consists of members of the Probation Department, Clerk's Office, the Hampden County and Northwestern District Attorneys' Offices, Defense Attorneys, the Veterans Administration and its parts, Soldier On clinicians, Mentors and law enforcement.

## **Target Population**

The target population of the WMVTC is court involved men and women who have served in the United States Armed Services that are experiencing mental health or substance abuse difficulties and/or other co-occurring disorders. The veteran population shall include those who ever served in the United States Armed Forces, to include the Army, Navy, Air Force, Marine Corps, Coast Guard; Active duty, Reserves, or National Guard.

## **Eligibility**

Eligibility is evaluated by the Veterans Treatment Court Team on a case-by-case basis. To qualify for the WMVTC, the veteran can be from any branch of service and with any discharge status. The participant can be charged with a misdemeanor or felony, however, any felony must have district court jurisdiction. All participants must enter the program voluntarily and agree to participate in any and all recommendations of the Court's treatment team.

Histories of drug use and/or mental health issues are not disqualifying factors. A veteran may not qualify if they are a registered sex offender or if the current charge is a sex offense, or if they have a history of arson. In certain cases, a victim must also support the veteran's participation in the WMVTC. If a veteran does not qualify for the Veterans Treatment Court, team members will still provide referrals to VA benefits and services and/or the Western Massachusetts Veteran Justice Partnership.

## **Adjudication Process**

The WMVTC utilizes a voluntary post-adjudication model. This means you must either plead guilty or admit to sufficient facts (commonly known as a continuation without a finding or CWOFF). Additionally, you may enter the program after you have violated your current probation. Your change of plea or violation of probation hearing will take place in whichever district court has jurisdiction over your case.

Once you enter the WMVTC, your probation and your court case will be formally transferred to Holyoke District Court for supervision. Once your case is formally transferred, the Veterans Treatment Court has complete jurisdiction over your case. All violation hearings will be handled in Holyoke at the WMVTC.

Deciding to plead guilty, admitting to sufficient facts or stipulating that you have violated your probation are all decisions which carry enormous ramifications. The decision to do this must be made after careful consultation with your attorney. Your attorney is the person best trained to advise you about all the consequences these decisions will have on the rest of your life. You should only enter the WMVTC if, after consulting with your attorney, you feel that decision is in your best interest.

## **Application Process**

If you and your attorney think you might benefit from enrollment in the WMVTC, then please take the following steps to secure admission:

First, fill out the Referral Form and secure electronic email or fax it to the Veterans Treatment Court Coordinator via email: [kelly.avard@jud.state.ma.us](mailto:kelly.avard@jud.state.ma.us) or fax: 413-535-2152.

You will be contacted directly about scheduling an assessment with one of our clinicians. Assessments can take place at the House of Corrections if you are held. During your assessment the clinician will determine if you have a mental health and/or substance abuse disorder that can be treated through the Court. The clinician will assist in verifying Veteran status based on the Discharge document (DD214) you provide.

You are required to observe a WMVTC session a minimum of one time before acceptance into the program. During your observational visit you will have an opportunity to ask any questions about the Court. If you are held in a House of Corrections we can schedule transportation so that you can be present for an observational visit while in custody.

Your case will then be reviewed by the Treatment Team and if you are selected to enter the Treatment Court program your attorney will receive a letter formalizing your admission. The application process usually takes about thirty days.

You will then tender a change plea or submit to a violation of probation hearing in the district court which has jurisdiction over your case. You cannot gain admission into our program without having an acceptance letter from the court.

## **Treatment Plan**

As a participant in the Western MA Veterans Treatment Court you will receive an individually tailored treatment plan. Your treatment plan will evolve as your needs change. Early goals for your treatment plan will include stabilization, drug and alcohol abstinence, and therapy. Later goals may include long term housing placement, job training, and possible upgrade of your military discharge status.

Your treatment plan will always include remaining drug and alcohol free while you are enrolled in the WMVTC. It may also include individual therapy, group therapy, intensive outpatient programs, residential programs or sober houses. You will be expected to complete a program of Moral Reconciliation Therapy during your time with the Court. Your treatment plan will be provided to you in writing so you are always clear on what is expected of you with timely updates as you progress in the program.

Additionally, all participants will be required to participate in community service work during their time in the Veterans Court. This promotes prosocial skills and is a way to give back to the community. You may select an approved community service activity which matches a personal interest or we can assist you in locating a program to fulfill your community service requirement.

The Phases of the Veterans Court serve as a template for what will be expected of you and will be reflected in your treatment plan (See page 9). The Phases map out your goals for specific periods of time within the program. The most basic requirement to being successful during every Phase of the Veterans Court is “Show up and Be Honest”. The Mentor Team and probation department will help you in understanding how to be successful with each Phase.

## **Moral Reconciliation Therapy**

Moral Reconciliation Therapy (MRT) is a step-by-step group process that is designed to enhance a person's self-image, promote growth of a positive and productive identity and enable development of higher stages of moral reasoning. The most important goal of the program is to change conscious decision making.

All studies show that MRT significantly increases moral reasoning levels, enhances life purpose, increases social support from loved ones and the community at large. It gives participants more

control over their lives. Participants have fewer arrests and are better citizens and more active in their communities in a positive way.

All WMVTC participants are expected to participate in weekly MRT as a condition of their probation.

### **Mentorship Program**

The Veterans Court has a Mentorship Program to assist the Court in its goal of returning our participants to a meaningful and productive life. This Mentorship Program holds a unique place within the Massachusetts Court System. Each Mentor is a fellow veteran. Each Mentor is an unpaid volunteer. The Mentor does not work for the Court or for Probation. Each Mentor is tasked to keep all conversations between the Mentor and his/her Mentee strictly confidential, unless the participant is threatening to harm themselves or others. The Mentor serves an essential role in making your time spent in the Veterans Court a success.

You will be assigned a Mentor upon your entry into the Program. The Mentor will stand with you before the Judge at every scheduled Court appearance. The Mentor will interact with you outside of Court via telephone, text and email, as well as meeting with you at mutually convenient times and places. Your Mentor will assist in advising you through your probationary period. Your Mentor will be a strong support for you. Your Mentor will be “on call” for you 24/7. Your Mentor seeks to be your comrade and friend, asking only your honesty in return.

### **Sealing Your Record**

At the conclusion of your term of probation with the WMVTC you may or may not be eligible to have your record sealed. Massachusetts has formal rules for what kinds of cases can or cannot be sealed on your record. Your attorney will be able to answer some questions about this process before you enter WMVTC. The Probation Department will also be a resource during and after your probation if you should pursue a sealing.

### **Probation Supervision Protocol**

All participants in the Court will be screened for eligibility using approved assessment tools.

The level of supervision and community monitoring will be dependent on your current phase and based on supervision standards set forth by the Office of Commissioner of Probation. Initially, all veterans will meet with their probation officer weekly. As you progress through the phases, this requirement will relax over time. Throughout the entire WMVTC program you will be expected

to complete random urinalysis at least two times per week. Probation staff will also conduct monthly home visits, sometimes in collaboration with local police departments. These visits may be random and without notice.

Participants will be mandated a minimum of 24 months of supervision as part of the program. This includes a step down period of up to 6 months (with a review date after 3 months). The step down period will allow for the WMVTC to maintain some level of supervision and ensure that the probationer is able to maintain and engage in a positive support network at the conclusion of their participation in the program.

### **Testing Protocol**

You will be required to submit to drug and alcohol testing twice weekly throughout your time in the WMVTC. In recognition of the large geographic region, you may be assigned to a local district court's probation department or another trusted agency to fulfill your testing requirement. These trusted agencies may include a referral to an outside vendor, approved by the Trial Court and Probation Department that provide testing. Your treatment plan will include the specifics of where you can fulfill your drug and alcohol testing requirement.

### **Incentives and Sanctions**

The WMVTC uses an incentive and sanctions based approach in order to maximize your chance for success in our program.

Incentives are used as encouragement for consistent compliance with your treatment plan, negative drug screens, periods of sobriety, absence of criminal activity, involvement in the community, improvement in educational/vocational status, stable housing, etc. Incentives include public accolades from the Judge, a chance to win gift cards, and other public expressions of encouragement for a job well done as well as other possible program adjustments as warranted and earned by your good conduct.

Sanctions will be focused on lack of honest with the court, positive drug screens, missed unexcused appointments or treatment sessions, new criminal activity, and other failures to comply with your treatment plan. Examples of sanctions may include public reprimand by the judge, delayed phase completion, delayed graduation, increased drug testing, and short periods of incarceration. **The time during which you are not in compliance with your treatment plan will not be counted towards the 24 month period of probation.**

You will always maintain your right to a full violation hearing if a substantial sanction may be imposed. An attorney may be assigned to represent you with any violation hearings. In this way the WMVTC is no different from any other formal period of probation.

### **Treatment Providers and Inpatient Programs**

The WMVTC will primarily rely on the VA healthcare system for treatment programs for participants. However, if a participant is not eligible to receive services through the VA, they will be referred to community based treatment providers. Each veteran's participation in treatment will be monitored collaboratively by their probation officer, the VJO, and court assigned clinicians.

During your time with the court your treatment plan may require you to attend an inpatient treatment program. You will have a voice in selecting the right program for you. However, the final decision on use of a residential treatment program is up to the WMVTC. Sending a participant to an inpatient program is only utilized when such a program is in the best interest of the participant. The Court is always mindful that attending an inpatient program can be disruptive to issues such as housing or employment. However, we always weight those temporary effects against the positive influence attending the effective inpatient treatment program can have on your chance to succeed in the WMVTC.

The following programs have been utilized by the WMVTC in the past (but are not intended as an exhaustive list of all the available programs):

- Substance Use Disorder Clinic (SUDs) at the VA in Leeds

- Bedford VA

- Cherry Street

- Hampden County Sheriff's Department/Probation Department Diversion Program at Mill St.

- West Springfield Veteran Center

- Soldier On: The Veterans Court has a close partnership with Soldier On. We often utilize Soldier On's programming for stable housing, drug testing, and treatment/therapy.

A more detailed list of VA and non-VA resources can be found in the Veterans Resource Guide-*The Blue Book*.



## **Transportation**

The WMVTC services a large geographic region including Hampden, Hampshire, Franklin Counties and the town of Athol. In partnership with Pioneer Valley Transit Authority, Franklin Regional Transit Authority and Soldier On, the WMVTC will work to provide transportation services to participants in need to attend court sessions. However, transportation is not guaranteed. Therefore, the ultimate responsibility of getting to and from the Holyoke District Court is placed upon the participant for scheduled attendance at the WMVTC and other related requirements.

**Pioneer Valley Transit Authority:** <http://www.pvta.com/schedules.php>

**Franklin Regional Transit Authority:** <http://frta.org/getting-around/fares-passes-transfers/>

- Passengers with a valid Dept. of Veteran's Affairs photo ID card, or FRTA Veteran's photo ID card ride for free.

**Soldier On:** <http://www.wesoldieron.org/one-call-one-click-center/>

- Pick up and drop off information must be provided at least 72 hours in advance. Call (866) 406-8449 to coordinate this free service.

### Phases of the Veterans Treatment Court

The Western MA Veterans Treatment Court is composed of five different phases which will take a minimum of eighteen months to complete. Participants must satisfy a set of pre-determined requirements to advance through the various phases. Graduation from each phase is based on completion of the criteria and a period of sobriety leading up to graduation eligibility.

Phase	Court Appearances	Phase Requirements	Completion Criteria
Phase I – at least 60 days	Weekly	<ul style="list-style-type: none"> <li>-Meet with probation weekly</li> <li>-Meet with mentor weekly</li> <li>-Twice weekly drug/alcohol testing</li> <li>-Monthly home visit</li> <li>-Attend all appointments with VJO and therapy</li> <li>-Entry into 12-step program as needed begins</li> <li>-Family legal services and counseling services begin as needed</li> <li>-Relapse prevention planning begins</li> <li>Any other evidence based treatment model as adopted by WMVTC begins.</li> </ul>	<ul style="list-style-type: none"> <li>-Show Up &amp; Be Honest</li> <li>-Follow the orders of the court</li> <li>-Follow the orders of treatment</li> <li>-14 consecutive days of sobriety</li> </ul>
Phase II – at least 120 days	At least bi-weekly	<ul style="list-style-type: none"> <li>-Meet with probation weekly</li> <li>-Meet with mentor bi-weekly</li> <li>-Twice weekly drug/alcohol testing</li> <li>-Monthly home visit</li> <li>-Engage with VJO and therapy</li> <li>-Apply life skills to a prosocial and sober network</li> <li>-Community Service obligations begin</li> </ul>	<ul style="list-style-type: none"> <li>-Show Up &amp; Be Honest</li> <li>-Follow the orders of the court</li> <li>-Follow the orders of treatment</li> <li>-30 consecutive days of sobriety</li> </ul>

Phase III – at least 180 days	At least monthly	<ul style="list-style-type: none"> <li>-Meet with probation bi-weekly</li> <li>-Meet with mentor bi-weekly</li> <li>-Twice weekly drug/alcohol testing</li> <li>-Monthly home visit</li> <li>-Engage with VJO and therapy</li> </ul>	<ul style="list-style-type: none"> <li>-Show Up &amp; Be Honest</li> <li>-Follow the orders of the court</li> <li>-Follow the orders of treatment</li> <li>- 45 consecutive days of sobriety</li> </ul>
Phase IV – at least 90 days	At least monthly	<ul style="list-style-type: none"> <li>-Meet with probation bi-weekly</li> <li>-Meet with mentor bi-weekly</li> <li>-Twice weekly drug/alcohol testing</li> <li>-Monthly home visit</li> <li>-Engage with VJO and therapy</li> <li>-Life skills planning begins</li> <li>-Sober lifestyle planning begins</li> </ul>	<ul style="list-style-type: none"> <li>-Show Up &amp; Be Honest</li> <li>-Follow the orders of the court</li> <li>-Follow the orders of treatment</li> <li>-60 consecutive days of sobriety</li> </ul>
Phase V – at least 90 days	At least monthly	<ul style="list-style-type: none"> <li>-Meet with probation monthly</li> <li>-Meet with mentor bi-weekly</li> <li>-Twice weekly drug/alcohol testing</li> <li>-Monthly home visit</li> <li>-Engage with VJO and therapy</li> </ul>	<ul style="list-style-type: none"> <li>-Show Up &amp; Be Honest</li> <li>-Follow the orders of the court</li> <li>-Follow the orders of treatment</li> <li>-90 consecutive days of sobriety</li> </ul>
Post-Graduate- Up to 6 months	None	<ul style="list-style-type: none"> <li>-Meet with Probation per Mass. Probation Standards</li> <li>-Random Testing</li> <li>-Monthly Home Visits</li> </ul>	<ul style="list-style-type: none"> <li>-Show up for probation appointments</li> <li>-Follow orders of court</li> <li>-Maintain sobriety</li> </ul>