



Kent County Veterans Treatment Court

Participant's Handbook



Nullum Inquit Post Veteran

"Leave No Veteran Behind"

Honorable Pablo Cortes
62-A District Court
2650 De Hoop Avenue SW
Wyoming, MI

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WELCOME

Welcome to the Kent County Veterans Treatment Court (KCVTC). Thank you for your military service.

This handbook will describe what the KCVTC team and I expect of you as a participant. It will also describe a number of things that you can expect from me and the KCVTC program.

Perhaps, the program will seem overwhelming at first. But the program is manageable if you make a habit of its requirements. The program is designed to benefit you, not punish you.

Still, you are accountable for your participation. Remember these three simple rules for success:

- **Show Up**
- **Be Honest**
- **Persevere**

I look forward to working with you throughout the program. I will endeavor to support you.

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Veterans Treatment Court Description

The People of the State of Michigan recognize that military service sometimes traumatizes a service member. Criminal behavior may arise out of that trauma. The People, through their Legislature, enacted Veterans Treatment Court laws to create a diversionary path through Michigan's criminal justice system. The laws divert an eligible Veteran of the Armed Forces of the United States away from the more punitive consequences imposed in the traditional justice system into a program designed to treat the Veteran's underlying condition – a condition that manifested itself in crime.

The Kent County Veterans Treatment Court (KCVTC) program is only for Veterans of the Armed Forces of the United States as defined in MCL 600.1200 (h)(i). The Kent County Veterans Treatment Court is a court-supervised program coupled with intensive treatment and supervision for non-violent criminal offenders as defined in MCL 600.1201. It is designed to address those that are committing criminal offenses related to injuries that were incurred through military service, as well as those committed through a failure to adequately address issues attendant to military service.

Under the leadership of the Honorable Pablo Cortes, Kent County established a Veterans Treatment Court located in the City of Wyoming's 62-A District Courthouse. The Kent County Veterans Treatment Court (KCVTC) serves all of Kent County's district courts, including the 59th (Grandville, Walker), 61st (Grand Rapids), 62-A (Wyoming), 62-B (Kentwood), 63rd that handle misdemeanor cases and the 17th Circuit Court that handles felony cases.

Veterans whose offenses occurred in other counties, yet who reside in Kent County, may be transferred to KCVTC on a case-by-

case basis. Otherwise, you **must** be a Kent County resident along with other pertinent criteria, to be considered eligible for KCVTC. Participation with KCVTC is not a right, but a privilege reserved for Veterans of this community

Judge Cortes presides over the KCVTC program. He is assisted by the KCVTC Committee (the “team”). Team members include the Program Director, Probation Officer(s), the Kent County Veterans Services Director, a Kent County Prosecutor, volunteer veteran criminal defense attorneys from the Grand Rapids Veterans Bar Association, a Veterans Justice Outreach Coordinator (VJO) from the U.S. Department of Veterans Affairs, a Substance Abuse Counselor, and the Kent County Pretrial Investigation Supervisor. The KCVTC program takes a team-approach to its administration.

The KCVTC program is voluntary. However, a candidate for participation must accept, aside from probation orders, all of the program’s rules (and the KCVTC judge’s power to enforce them) before the candidate is accepted. Acceptance comes in the form of a Participation and Waiver Agreement (PWA), signed by the veteran, his or her defense counsel, the Kent County Prosecutor and KCVTC Judge Cortes. The KCVTC Judge can punish to the full extent of the law and any benefit evaporates.

Furthermore, participation in KCVTC for certain cases are considered “non-public” (7411, HYTA & Spousal Abuse Act). This is very helpful if you are seeking employment or housing. The core of KCVTC is therapeutic in nature. Hence, the focus of this program is treatment, treatment, treatment. You as a veteran are expected to have the individual discipline and be will be held fully accountable, no different as you were while on active duty.

You should see this program as a 'carrot' that the criminal justice system holds out to incentivize treatment but remember that the system also holds 'a stick.'

The program includes regular court appearances of twice per month before the KCVTC judge in a court session open to the public. Observers in attendance must sign a confidentiality agreement and have the judge's prior approval. Sessions are intended for candid dialogue.

The program also includes regular meetings with the Probation Officer, random drug and alcohol testing, and occasional home visits. You are expected to take advantage of the support services tailored specifically for you by the VJO and/or the KCVTC program staff, as well as the VA's network of providers. Expect to work hard on treatment. The program is not meant to be easy.

However, understand that the KCVTC team is here to help. To that end, the program intends to match you with a Volunteer Veteran Peer Mentor (VPM), a confidant to walk alongside and help you when challenges arise.

Supervision

You must appear in court for regularly scheduled progress reviews unless the judge excuses your appearance in advance. Court sessions are usually conducted twice each month. The Program Director and/or Probation Officer will notify you of your schedule. The Probation Officer will also schedule regular meetings with you, individually (or as a group).

Your progress is evaluated by the entire KCVTC team from input garnered from treatment providers and the team's network of outside agencies (including the police). However, mentors are not supervisors.

Mentors exist for the sole purpose of providing you a confidential means of emotional support. Although a mentor's duty of confidentiality is not unlimited, your relationship with your mentor is private. Mentors are not a part of the team that evaluates your progress. The judge and team members will not ask a mentor to divulge details about you. Keep in mind that honesty is still the best policy. Admitting failures upfront (self-reporting) is probably the best way to get past them.

If you are doing well, the judge will congratulate you and encourage your continued success. If you are not doing well, the team will craft a remedial course of action. The KCVTC judge can also impose sanctions (see section on *Sanctions*). If you repeatedly violate the rules or fail to progress through the program, the judge may discharge you from the program. If that should occur, you will be sentenced according to guidelines. That kind of failure means that you are facing all of the potential penalties that came with the original or amended charges.

Show up, Be honest, Persevere!

Focus, Discipline, Accountability!

Rules

1. **Attend all ordered treatment sessions.**

This includes the minimum of counseling, education, physical and mental health appointments, substance abuse recovery support meetings, self-help events, and any other treatment that the VJO and/or KCVTC staff has identified as a part of your individualized treatment plan.

2. **Report to the Probation Officer as directed.**

Comply with their directives. Notify them if you must change your residence, employment changes, contact information etc. **Notify them of any interactions that you have with police and in the event that new criminal charges arise.** Call them immediately if you are unable to obey any of these Rules.

3. **Submit to drug and alcohol testing.**

Sobriety is an essential part of treatment. **Do not use or possess alcohol or illicit drugs.** Notify the Probation Officer of the medications proscribed to you by a Non-VA doctor and the over-the-counter medicines that you intend to use. Lawful use of medical marijuana **must** have the prior approval of the KCVTC judge.

Be prepared to provide a urine sample each time you visit VA or outside providers or the Probation Officer. Be prepared to provide a sample on short notice at any time. KCVTC will presume that you are positive for the presence of illicit substance in the event that you fail to provide a monitored sample as directed by officials. KCVTC will consider diluted/adulterated samples as positive results.

4. **Appear, as ordered, on time.**

Beware: being late for a court session, appointment, meeting, or testing may preclude you from participating in that event. KCVTC may consider your being late as your willful non-compliance.

Phases – Felony Offenses

The program has **five** mandatory phases. The program requires 24 months of participation. Yet, total compliance with requirements can reduce your participation to 18 months.

Once you earn a phase promotion, the promotion cannot be taken away from you. However, the KCVTC judge can impose sanctions (including program termination) in any phase.

Phase I – Acute Stabilization

- (60) days minimum
- Develop and follow court-ordered treatment plan.
- Report twice a month for court sessions.
- Report twice a week to KCVTC Probation Officer.
- Test for drugs & alcohol minimum twice a week, or as directed.
- Receive home visit(s).
- Meet mentor.
- Meet County Veterans Service Officer (as applicable).

Phase I Promotional Prerequisites:

- Adequate compliance to the above phase elements
- (21) consecutive days sober

Phase II – Clinical Stabilization

- (120) days minimum
- Follow court-ordered treatment plan.
- Develop/Maintain relapse prevention plan.
- Report twice a month for court sessions.
- Report once a week to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.

- Test for drugs & alcohol minimum twice a week, or as directed.
- Receive home visit(s).
- Contact mentor once a week.
- Meet mentor in person once a month.

Phase II Graduation Prerequisites:

- Adequate compliance to the above phase elements
- (30) consecutive days sober

Phase III – "Pro Social" Behavior

- (120) days minimum
- Follow court-ordered treatment plan.
- Establish/Maintain pro-sober activities/social network.
- Report twice a month for court sessions.
- Report once a month to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.
- Test for drugs and alcohol twice a week.
- Receive home visit(s)

Phase III Promotional Prerequisites:

- Adequate compliance to the above phase elements
- (45) consecutive days sober

Phase IV – Adaptive Stabilization

- (120) days minimum
- Follow court-ordered treatment plan.
- Develop after-care program.
- Report once a month for court sessions.
- Report once a month to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.
- Receive home visit(s).

Phase IV Promotional Prerequisites:

- Adequate compliance to the above phase elements
- (90) consecutive days sober

Phase V – Continuing Care

- (120) days minimum
- Follow court-ordered treatment plan.
- Report once a month for court sessions.
- Test for drugs and alcohol twice a week, or as directed.

Phase V Graduation Prerequisites:

- Adequate compliance to the above phase elements
- (90) consecutive days sober
- Provide proof that you paid all fines, fees, costs, restitution, and have completed any other court-ordered requirements.

Phases – Misdemeanor Offenses

The program has **four** mandatory phases. The program requires 24 months of participation. *Yet, total compliance with requirements can reduce your participation to 12 months.*

Once you earn a phase promotion, the promotion cannot be taken away from you. However, the KCVTC judge can impose sanctions (including program termination) in any phase.

Phase I – Acute Stabilization

- (60) days minimum
- Develop and follow court-ordered treatment plan.
- Report twice a month for court sessions.
- Report twice a week to KCVTC Probation Officer.
- Test for drugs & alcohol twice a week (2X) as directed.
- Receive home visit(s).
- Meet mentor.
- Meet County Veterans Service Officer.

Phase I Promotional Prerequisites:

- Adequate compliance to the above phase elements
- (21) consecutive days sober

Phase II – Clinical Stabilization

- (90) days minimum
- Follow court-ordered treatment plan.
- Develop/Maintain relapse prevention plan.
- Report twice a month for court sessions.
- Report once a week to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.
- Test for drugs & alcohol twice a week (2X) as directed.
- Receive home visit(s).
- Contact mentor once a week.
- Meet mentor in person once a month.

Phase II Graduation Prerequisites:

- Adequate compliance to the above phase elements
- (30) consecutive days sober

Phase III – "Pro Social" Behavior

- (120) days minimum
- Follow court-ordered treatment plan.
- Establish/Maintain pro-sober activities/social network.
- Report twice a month for court sessions.
- Report twice a month to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.
- Test for drugs & alcohol twice a week (2X) as directed.
- Receive home visit(s).

Phase III Promotional Prerequisites:

- Adequate compliance to the above phase elements
- (45) consecutive days sober

Phase IV – Adaptive Stabilization

- (95) days minimum
- Follow court-ordered treatment plan.
- Develop after-care program.
- Report twice a month for court sessions.
- Report once a month to KCVTC Probation Officer.
- Report once a month to Program Director, as appropriate.
- Test for drugs & alcohol twice a week (2X) as directed.
- Receive home visit(s).

Graduation Prerequisites:

- Adequate compliance to the above phase elements
- (45) consecutive days sober
- Provide proof that you paid all fines, fees, costs, restitution, and have completed any other court-ordered requirements.

Program Fees

Presently, some of the costs of KCVTC are covered by grants and not borne by participants like traditional probation programs in the criminal justice system. Many team members volunteer their time and expertise to make the program low-cost to the participants. In order to reduce financial hardship, the team endeavors to connect participants with the benefits participants earned from their military service. Treatment is usually at no cost. However, the program is not without some cost to the participant.

First, there's time; participants are expected to spend time on their treatment. Second, there may be transportation costs that are especially problematic for participants who have lost their driving privileges. Although the KCVTC will endeavor to help you secure transportation to and from your many obligated treatment meetings and court sessions, attendance is ultimately your responsibility. Third, there will be incidental costs like fees associated with drug and alcohol screening. Make the Program Director aware when you anticipate financial hardship.

Drug and Alcohol Testing

You will be regularly and randomly tested for drug and alcohol use throughout the entire course of the program. Expect to be tested at least twice per week throughout the program. Testing will be administered by Reality Counseling Service at 2610 Buchanan SW in Wyoming, MI. Testing may occur on weekends and holidays. You are expected to call in to the "drop line," every single day.

Results of your tests will be reported to the KCVTC Judge and the KCVTC team. All urine specimens taken at Reality Counseling Services (RCS) are sent to a CLIA accredited lab for analysis.

KCVTC adheres to all current guidelines under Michigan Statute for substance abuse testing & validity. See PWA (Revised Jan 2020)

Relapse may occur during recovery. The judge will consider your entire participation and the team's recommendations when deciding how to handle positive test results. The judge will sanction you if you miss a test or tamper with a sample.

Counseling and Recovery Meetings

Your treatment plan may include substance abuse counseling. This counseling may happen on an individual basis or in a group setting. You may be required to do both. Counseling is designed to help you develop self-awareness, self-discipline, and the coping mechanisms you need to maintain your sobriety. Embrace this help and resist the temptation to minimize its importance. You must be there, so make the most of it.

Your treatment plan may include counseling to manage anger, anxiety issues, depression, help treat post-traumatic stress, improve parenting skills, life skills, or any other issue the team and/or clinical diagnoses identifies, as being important to your overall health and progress.

Your treatment plan may require you to attend recovery/self-help meetings which may include-- Alcoholics Anonymous, Narcotics Anonymous, Smart Recovery or Spiritual Counseling. These meetings familiarize participants with a recovery and coping philosophy and strive to help participants create social bonds with other recovering addicts.

You are accountable to the KCVTC Judge for your attendance. Provide proof as required by the Probation Officer. This saying was true for you in the military and it is true for you in the KCVTC program: *the job's not done until the paperwork is done.*

Mentors

KCVTC will endeavor to provide every participant with a volunteer Veteran Peer Mentor (VPM). Many mentors will have served in the military. Some will have combat experience. Some may have struggled with substance abuse. All will have life experiences that make them empathize with you. And all will be focused on supporting you throughout the program and, perhaps, beyond. Your mentor's first loyalty is to your wellbeing.

KCVTC encourages you to build a close bond with your mentor. However, there are boundaries to that relationship. Respect your mentor's dignity, privacy, and time. Don't ask your mentor for money. Romantic or sexual relations between participants and mentors are forbidden and subject to participant sanction.

Sanctions

The team understands that treatment may not be easy. Nobody is perfect. Lapses in treatment occur. Your honesty regarding your failures and your perseverance through them is a program goal. Admitting failure may subject you to sanction but denial or dishonesty makes it even worse for you.

Unlike in a traditional probation program, your alleged violations of the program rules do not initiate formal hearing proceedings. However, participants are entitled to a formal probation violation procedure set out in Michigan law or court rule.

You are entitled to an attorney where the facts are contested by you and a liberty interest (jail) is at stake or, you are facing program involuntary dismissal (termination). You may have an attorney help you speak.

However, the volunteer criminal defense attorneys who serve on the KCVTC team are not usually a participant's attorney of record. The team defense attorney attending a court session is serving the KCVTC in a broader capacity. He or she is not your private attorney.

In the event that the judge determines that you have violated a program rule, he may impose one or more of the following sanctions, for example: increased supervision, daily reporting, electronic surveillance, community service, loss of travel privileges, home detention, flash jail (approximately 3-5 days), or longer jail sentence and/or program termination (regardless of which phase promotion you have earned).

The judge may also extend your probation in order to give you remedial time – more to complete the program. The KCVTC Judge is not limited to these aforementioned sanctions.

If the judge terminates you from the program, you may face all the financial penalty and potential incarceration that you were originally facing before you joined the KCVTC program.

REMEMBER

The Maximum Effect Range of an Excuse is: ZERO

- **Be Honest**
- **Persevere**

Program Graduation

Once you have successfully completed the four/five phases of the KCVTC program, you are eligible for graduation. The KCVTC judge makes the final determination whether to graduate you, continue your Phase IV/V treatment, or terminate you from the program. Finish strong – impress the judge, the team, and your loved ones.

KCVTC will work with you to celebrate your achievement in a reasonable manner that you desire. You may invite your family and friends to attend the ceremony. Depending on the nature of your program participation and/or plea deal your graduation may trigger a reduction or dismissal of charges.

Keep in mind that any reduction/dismissal of charges, is solely the purview of The Kent County Prosecutor's Office. Hence, the onus is on you to do well, and for you to maintain your discipline as well as focus. Graduation is a significant accomplishment.



KCVTC Contact Information

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My Mentor

My Counselor
