



NADCP

**National Association of
Drug Court Professionals**

Veterans Treatment Court Planning Process Guide

I. Laying the Foundation

1. Identify the Drug Court Advisory Council

- Chief Judge
- Elected Prosecutor
- Chief Public Defender
- Chief Court Administrator/Court Clerk
- Chief of Police
- Elected Sherriff
- Chief Probation Officer
- Director of Treatment Services
- County Commission
- State Department of Veterans Affairs*
(to engage the 43 Veterans organizations and
Help identify the person to represent the service organizations
- Veterans service organizations (American Legion,*
Disabled American Veterans, 43 organizations
- Representatives of the Vet Center (focus on combat vets)*
Can provide services to families (ie; Domestic Violence,
Outpatient services, 299 clinics around the US
 - 50 Mobile Vet Centers*
 - Veterans Homeless Services*
 - Decision Makers- Members who can authorize*
funds
 - Faith Based organizations or retired Military*
person with some influence in the community
 - Employment Service Provider (State DOL)*
 - LVER Local Veterans Employment*
Representative
 - Someone to provide services to Veterans that*
are not eligible for veterans benefits
 - Someone to represent Juveniles/ Juvenile*
services
 - Representatives from HUD (Vouchers are given*
out by the VA, a housing cooperative)
 - Local treatment provider*
 - Contact with commanders of local bases*

- President of Private Defense Bar, Criminal Defense Bar/ Attorneys*
- We need to engage up front. It is the key to buy-in. Who do we need to engage for day-to-day operation of the VTC?*

2. Identify the Drug Court Planning Team Members

- a. Judicial
 - Judge
 - Magistrate
- b. Prosecution
 - District Attorney
- c. Defense
 - Public Defender
 - Private Defense Attorney
 - Local Bar Association
- d. Coordination
 - Court Administrator
 - Clerk
 - Other: _____
- e. Community Supervision
 - Pre-trial
 - Probation
 - Parole
 - Community Corrections
 - Law Enforcement
 - Police
 - Sherriff
 - Highway Patrol
- f. Treatment
 - Private Provider
 - County/State Provider
 - Health Department
 - Mental Health
- g. Evaluator
 - Local College/University Professor
 - Research/Evaluation Company
- Add representative from the VA/VJO for mentors*
- Someone to coordinate between the court and Veterans service providers at the VA other than the role of the traditional Drug Court Coordinator*
- Someone with expertise on Mental Health or someone dually trained or skilled (VA?)*
- Need a community treatment provider to coordinate VA and Community Treatment resources*

- Coordinator needs to provide integrated treatment(ie: drug treatment, medication, co-occurring/behavioral, mental health)*
 - Coordinator for volunteer mentors/ service groups “Where do we find them?, Veterans Advisory Council)*
 - Community Supervision, Law Enforcement, Private Supervision, Probation Officer*
 - What does the DA know about the veterans needs/issues*
3. Secure Team Commitment
- a. During planning process
 - Agreement from all department heads
 - Develop inter-agency agreements
 - Identify resistance to the program
 - b. Identify impacts on each agency
 - Political
 - Time
 - Cost
 - c. Collaboration
 - Team participation in developing the program
 - Establish on-going planning meetings
 - Mou’s with VBA, VHA, Court*
 - Consider the benefits and detriments of official MOU’s*
4. Identify Other Key Stakeholders
- Media/Community Groups
 - Substance Abuse Treatment Providers/Agencies
 - Mental Health Treatment Providers/Agencies
 - Other State Agencies- Children & Families, Education etc.
 - Vocational & Educational Communities
 - Job Skills -Training & Placement Agencies
 - Chamber of Commerce
 - Welfare to Work Programs
 - Victim Groups (MADD, etc)
 - Anticrime and anti-drug coalitions
 - Ex-offender / ex-addict groups
 - Police or Sheriffs Association
 - Department of Corrections*
 - Local Reserve and National Guard*
 - Mayors*
 - NAMI*
 - VA Regional Council (will need to approve forms) as well as all those listed in section I.1 Release forms*
5. Identify the Problem
- a. Jail overcrowding
 - Identify type of cases
 - b. Prison overcrowding

- Identify type of cases
- c. Crowded criminal court dockets
 - Identify type of cases
 - Identify sentencing practices
- d. Crime and drug trends
 - Increase in crime to include types
 - Increase in drug use to include types
 - Other social impacts (i.e. emergency room episodes, overdoses, property damage, etc.)
 - Increase in the number of Justice Involved Veterans*
 - Assess how many Veterans are in the jail right now*
 - Examine national data which indicates that 1 in 4 or 1 in 5 returning veterans are presenting with PTSD, co-occurring, suicide*
 - Examine pre-war numbers vs. during or post war numbers*
 - Assess the emergence or prevalence of veterans in all other courts*
 - Look for younger veterans (19-20) in jails, probation, corrections*
 - Examine calls to 911, 211 Centers `contact to mental health clinics*
 - Examine jurisdictions around forts with large numbers of soldiers deployed for returning soldiers with issues*

II. How to Design An Adult Drug Court Program

1. Develop the Mission Statement
 - Purpose of the drug court (developed by team)
 - Address the goals
 - Articulate the motivation of team and stakeholders
2. Define the Goals and Objectives
 - a. Goals
 - Focus on public safety and personal responsibility
 - Improved utilization of community resources
 - Cost effect on criminal justice system
 - High rates of retention and completion
 - Improved functioning of individuals
 - Address access and fairness issues
 - b. Objectives
 - Clearly stated, realistic end results
 - Quantifiable with measurable outcomes
 - Respond to participant, stakeholder and community needs
 - Attainable given program design and resources available
3. Identify the Target Population
 - a. Review problem data
 - Determine which offenses and/or type of offenders to include
 - Focus should be placed on High Risk/High Need offenders

- Define a Veteran- Operation Iraqi Freedom, Operation Enduring Freedom, Combat, Guard, Reserve, Active*
- Are you going to accept active duty soldiers (if so, may have dual jurisdiction issues)*
- Redeployment vs. non-deployable*
- Discharge status; Honorable, General under Honorable, General other than Honorable, Bad Conduct, Dishonorable, Administrative Discharge*
- Potential to upgrade discharge*
- Connection between discharge status and eligibility for VA benefits*
- Must take referrals from Department of Defense*

4. Design Eligibility and Disqualification Criteria

- Level of Crime: Felony/Misdemeanor
- Type of Crime: Possession/Drug Motivated/Drug Sales
- Drug Use and Abuse History/Drug Dependency
- Criminal Background
- Residency
- Mental Health and Health Issues
- Current Legal status
- Probation/Parole Status/Revocation
- Violence, Domestic Violence, Violent History, Sex Offenses,*
- Weapons offenses, mental health issues*
- State Statutes*
- DWI*
- VA Medical Benefit Screening*
- Screening for VA Monetary Benefits*
- Social Security Benefits*
- Do not disqualify a participant with low AOD issues who may have Mental Health issues*

5. Determine Court Model

- Pre Plea Diversion
- Post Plea
- Deferred Sentencing
- Probation
- Probation Revocation
- Reentry

6. Design Entry Process

- a. Risk and Need Assessment
 - Determines who is most suited for Drug Court
 - Identify tool(s) to be used
 - Identify who will administer risk and needs assessment
- b. Identify who will conduct legal screening

- Prosecutor
 - Defense Attorney
 - Coordinator
 - Entire Team
- c. Determine Points of Entry
- At Arrest
 - Bail
 - Pre-trial Review
 - Initial Court Appearance
 - Pre-sentence Hearings
 - Probation Revocation Hearing
 - Re-entry and other court referrals (Federal, Tribal)*
- d. Clinical Screening
- Identify and select a tool
 - Identify who will conduct the screening
 - Drug Court case managers
 - Pretrial Services
 - Probation
 - TASC
 - Treatment Provider
 - VA will conduct screening to make further treatment recommendations for services through the VA moving toward development of a case plan.*
 - Homelessness*
 - Health Assessment*
 - VA Assessment instruments (who will conduct the screening)*
 - Mental health screening (who conducts)*
 - Screening for TBI and Poly Trauma/Combat stress*
- e. Purpose of Screening
- Determine the presence and severity of substance abuse.
 - Weed out persons who do not have substance abuse problems.
 - Determine if the severity of substance abuse problem is appropriate to the level of available drug court services.
- f. Clinical Assessment
- Identify and select a tool
 - Address biological, psychological and sociological factors
 - Identify a clinically trained and qualified counselor, psychologist, psychiatrist, social worker, or nurse to administer tool.
- g. Purpose of Assessment
- Examine scope and nature of substance abuse problem
 - Identify full range of service needs, pursuant to treatment planning
 - Match participants to appropriate services
 - Determine where and when the legal and clinical screening will be administered
 - Determine where and when the clinical assessment will be delivered

7. Establish Drug Court Phase System
 - a. Determine Length of Program
 - Legal Requirements
 - Treatment Needs
 - b. Determine Number and Length of Phases
 - Phase Advancement Requirements
 - c. Define Specific Court-Imposed Rules
 - Rules and regulations of treatment
 - 12 Step Meetings/Support Meetings
 - Community Service
 - Employment
 - Program Fees/Court Costs
 - Alumni/Continuing Care
 - Court Appearances
 - Drug Tests
 - Curfew
 - Ancillary Services
 - Case Management
 - Educational/Vocational Training/GED
 - Drug-Free/Pro-Social Activities
 - Follow rules and regulations of mental health treatment*
 - Participate in a mentoring program*
8. Develop Treatment Protocol
 - a. Assess Treatment Resources and “Levels of Care” in the Community
 - Detoxification
 - Intensive Outpatient
 - Outpatient
 - Day Treatment
 - Inpatient Residential
 - Halfway House
 - Sober Living
 - Medical Care
 - Mental Health Care
 - Medication Assisted Programs
 - Case Management Services
 - b. Assess Other Ancillary Resources Available in the Community
 - Community Mapping Tool
 - c. Choose the Treatment Program(s) to Serve the Drug Court
 - Duration of Treatment
 - Goals of Treatment
 - Frequency of Treatment in each Phase
 - Culturally Appropriate Services and Staff
 - Individualized Treatment Plans
 - Type of evidence-based treatment used by provider
 - Cognitive Behavioral Therapy
 - Motivational Enhancement Therapy

- Community Reinforcement Approach
- Medically Assisted Treatments
- Relapse Prevention
- Aftercare/Continuing Care
- Determine Administrative Responsibilities for Providers
 - Types of reports to be generated
 - Information to be shared with team

9. Identify Community Resources

- Complete Community Mapping
- County and other Veterans services*
- Military Bases*

10. Develop Community Supervision Protocol

a. Determine Which Agency Supervises Clients

- Probation
- Parole
- Police
- Sheriff
- Pre-trial Services
- Marshalls
- Community Supervision Officers
- Case Managers

b. Develop Practices

- Determine Frequency of Contact by Phase
- On-going Assessment
- On-going Home Visits
- Search
- Surveillance
- Bar, *Casino* and Restricted Area Sweeps
- Office Visits
- Lower the supervision bar due to reduced expectations of client behavior with clients with mental health issues (PTSD, TBI or other special needs)*

11. Develop Drug Testing Protocol

a. Determine Which Agency Administers Drug Tests

- Probation
- Parole
- Police
- Sheriff
- Pre-trial Services
- Marshalls
- Community Supervision Officers
- Case Managers
- Treatment Providers
- VA Drug Testing Protocol*

- b. Determine Type(s) of Drug Test Methodology
 - Onsite/Laboratory
 - Urine
 - Hair
 - Saliva
 - Breath
 - Blood
 - Sweat
 - c. Determine Frequency of Testing in Each Phase
 - Significant Testing Frequency in Early Phases and Titrate Frequency Down in Higher Phases
 - d. Develop Process for Randomization
 - Color Code Phone Message
 - e. Develop Process for Collection
 - Observed
 - Male and Female Collectors
 - Chain of Custody
 - Confirming Positive Tests
 - Timeframe of Reports
 - Reporting Results
 - f. Chose Drugs to be Tested
 - Illicit Drugs
 - Prescription Drugs
 - Alcohol
 - Adulterants
12. Develop Court Responses Protocol
- Develop Court Responses Based on the NDCI *Ten Science-Based Principles to Changing Behavior*
 - Develop Memorandum of Understanding with Sherriff for Brief Jail and Other Sanctions (i.e., washing police cars, trash pick-up, etc.)
 - Develop Strategy to Secure and Receive Donations for Incentives (i.e., public transportation tokens, movie passes, restaurant and shopping vouchers, etc.)
 - Sanctions must be tailored to veterans with mental health problems (harm reduction, motivation, etc.)*
13. Develop Communication Protocol
- Develop Authorization/Consent Forms
 - Review Each Team Member Agency Ethics Regulations
- Understand Veterans Waivers and Forms*
How will the court and the VA trade reports, what format, content to be expected
The VA is developing Treatment Performance Standards regarding treatment compliance
14. Develop a Monitoring and Evaluation Protocol
- Select an Evaluator (public or private)

- Develop a logic model
 - Develop a Process Evaluation Plan
 - Identify Performance Measures
 - Develop How Data Will Be Collected and Stored
 - Consider Management Information Systems
 - To what extent can evaluation information be exchanged between VTC partners (i.e., Court, VA, Service Providers)*
15. Identify and Develop Waivers
- Develop Search Waiver
 - Develop Offender Contract
 - Develop Offender Consent Form
 - Define ethical considerations for VJO's/ Mentors and Veterans Administration*
16. Develop Operational Practices
- a. Establish Staffing Meeting Practices
 - Determine When and Where Staffing Will Occur
 - Determine Who is Required to Attend Staffing
 - b. Develop Progress Reports Practices
 - Determine What Information is Included in Progress Reports
 - Determine When Progress Reports are Due and to Whom
17. Creating a Sustainable Drug Court
- a. Identify Program Costs
 - Screening and Assessment Tools
 - Treatment Services
 - Drug Testing
 - Personnel
 - Training
 - Technology
 - Administration
 - Data Collection
 - Research
 - b. Identify Available Resources
 - Existing Employees
 - Existing Community Resources (community mapping)
 - Grants and Donations
 - Fundraising Strategies
 - Present / Include VA funding/services and level of financial commitment from the VA and Regional VA*
18. Manage Public Relations
- Educate Agency Partners
 - Educate the Public
 - Develop a Media Plan
 - Engage the Media

- Educate Local, State and National Leaders
- Connect with the Public Relations office at the VA*

Key Topics for Drug Court Planning Training

- The Promise of Drug Courts
- The Ten Key Components of Drug Court
- Differing Drug Court Models
- The Science of Addiction and Psychopharmacology
- Cultural Competency and Proficiency
- Deciding on the Target Population(s)
- Assessing for Criminogenic Risk and Needs
- Clinical Screening and Assessment
- The Science of Substance Abuse Treatment: What Works
- Addressing Co-Occurring Mental Health and Health Disorders
- Addressing Relapse
- Best Practices in Effective Community Supervision
- Best Practices in Effective Drug Testing
- Sharing Client Information: Confidentiality and Ethics
- Preparing for a Drug Court Status Hearing
- The Drug Court Courtroom
- Addressing Client Behavior: Incentives and Sanctions
- Measuring Performance
- Research and Evaluation
- Management Information Systems
- Developing a Sustainable Court Program