

MILWAUKEE COUNTY VETERANS TREATMENT COURT



POLICY AND PROCEDURE MANUAL

(REVISED 2026)

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I. PROGRAM OVERVIEW

Milwaukee County offers the opportunity for some justice involved individuals, under appropriate circumstances, to participate in one of several early intervention programs. This is done to maximize the opportunity to support and encourage prosocial attitudes and behaviors among those who become justice involved, while minimizing the potential negative consequences that may accrue to an individual involved in the justice system, such as loss of prosocial supports and exposure to higher risk offenders. Milwaukee County's Veterans are among the groups of offenders who may be afforded access to the Early Intervention Program by participating in the Veterans Treatment Court. The Milwaukee County Veterans Treatment Court (VTC) is a broad-based criminal justice program designed to link Veterans with evidence-based services to address criminogenic needs through the Milwaukee County Early Intervention Program. It includes various mechanisms and programming corresponding to Veterans at all risk levels.

A. Mission Statement

The Mission of the Milwaukee County Veterans Treatment Court is to successfully habilitate Veterans, in recognition of their service to our country and the challenges their service may present to them and their families, by diverting them from the traditional criminal justice system and using evidence-based practices to provide them with tools and resources, such as rehabilitative programs and community treatment services, to lead a productive and law-abiding life.

B. Equity and Accessibility Statement

The Milwaukee County Veterans Treatment Court is committed to implementing policies, practices, and decision-making processes that promote equitable access, procedural fairness, and meaningful participation for all eligible Veterans. Consistent with evidence-based treatment court principles, the program recognizes that barriers to entry, engagement, retention, and successful completion may affect participants differently and may be associated with disability, behavioral health needs, trauma, housing instability, transportation, income, literacy, language, family responsibilities, and other individual circumstances. The Veterans Treatment Court team will make reasonable efforts to identify and reduce these barriers, respond to participants in a manner that is fair, respectful, and individualized, and connect Veterans to appropriate treatment, supervision, and supportive services matched to their assessed needs. The program will regularly review policies, practices, participation patterns, and outcomes to identify disparities and improve equitable access, engagement, and results. When disparities are identified, the team will use that information to inform program improvement and strengthen fair, inclusive, and accessible practices.

C. Goals

The Milwaukee County Veterans Treatment Court has the following primary goals:

1. Remind Veterans of the value of their military service and inspire them to continue to lead in their communities
2. Reduce Veterans' criminal recidivism and other court contacts
3. Provide an effective and accountable community-based alternative to incarceration as determined by the risk and need assessments
4. Improve public safety
5. Effectively manage limited criminal justice system resources

The following ancillary goals and benefits are also achieved in pursuit of the primary goals:

1. Integrate community-based treatment options and any available benefits/services within the Department of Veterans Affairs (VA) for Veterans as appropriate
2. Promote community awareness of Veterans with treatment needs in Milwaukee County and promote community participation in meeting needs

D. Methods for Achieving Goals

Goal #1: Remind Veterans of the value of their military service and inspire them to continue to lead in their communities

- Instill a sense of purpose and promote camaraderie among Veteran participants
- Provide connection with Veteran peer mentor or peer support services

Goal #2: Reduce Veterans' criminal recidivism and other court contacts

- Adhere to the evidence-based practices to match a Veteran's risk and need level to the appropriate monitoring length
- Facilitate sobriety and abstinence as determined by the risk and need assessments with comprehensive ancillary support services and close judicial supervision with appropriate sanctions and incentives based on performance
- Require increased prosocial structure, which may include vocational services (enrollment in job training, education program or institution, or employment)
- Veterans will maintain or improve supportive relationships and social networks to enhance overall health and wellness

Goal #3: Provide an effective and accountable community-based alternative to incarceration as determined by the risk and need assessments

- Veterans will successfully complete the requirements of the program outlined in their VTC contract
- Mandate regular court appearances
- Mandate supervision contacts as outlined in their VTC contract
- Mandate regular, random substance testing if appropriate based on assessment
- Respond immediately to instances of non-compliance, including minor violations

Goal #4: Improve public safety

- Follow evidence-based best practices, methods, and procedures that have been empirically shown to reduce recidivism
- Terminate and immediately sentence individuals who commit serious violations, repeatedly commit minor violations, or continually fail to comply with program/supervision requirements

Goal #5: Effectively manage limited criminal justice system resources and reduce criminal justice costs through reduced reliance on incarceration for Veterans

- Quickly screen Veterans for eligibility and start participation within 30-60 days of eligibility determination
- Utilize sanctions and rewards to avoid long-term incarceration costs

Ancillary Goal #1: Integrate community-based treatment options and any available benefits/services within the Department of Veterans Affairs (VA) for Veterans as appropriate

- Veterans will be connected to VA services throughout their duration in the program
- Veterans not eligible for VA benefits or who prefer to receive treatment and services through community-based providers will receive applicable services through community-based treatment providers and community service organizations
- Improve Veterans' family relationships, social support connections, economic stability, and housing situation

Ancillary Goal #2: Promote community awareness of Veterans with treatment needs in Milwaukee County and promote community participation in meeting needs

- Work closely with the Friends of Treatment Court organization to inform and enlist community support and engagement
- Develop a VTC Community Advisory Committee through the Friends of Treatment Court organization

II. VETERANS COURT TEAM PHILOSOPHY

A. Statement of Core Values

Our team is successful and effective in that we have:

- Mutual respect and respect for each other's roles, ethical concerns, boundaries, ideas, and perspectives
- Shared expectations for programs and understanding for each other's roles
- A high level of commitment from all team members

The work of our team contributes to community needs. The VTC helps improve family stability and identifies and addresses a range of underlying needs. The team contributes a framework for addressing these needs and providing access to necessary services.

Community values are reflected in our team's decisions. The VTC team operates with values congruent to our community, such as accountability, promoting individual dignity, using treatment rather than incarceration whenever appropriate, and decreasing criminal justice system costs.

B. Program Governance

The VTC operates under the authority of the Milwaukee County Circuit Court and is implemented through a collaborative partnership among the judiciary, prosecution, defense, Department of Corrections, community supervision agency, U. S. Department of Veterans Affairs (VA), treatment providers, and community-based service agencies.

Program policy, operations, and quality assurance are guided by the multidisciplinary VTC Team. The VTC Team ensures that program practices are consistent with the Wisconsin Association of Treatment Court Professionals (WATCP), All Rise, Justice for Vets (J4V), National Drug Court Institute (NDCI), and National Center for State Courts (NCSC). Through this alignment, the program maintains fidelity to evidence-based principles while meeting all statutory requirements for VTC participants.

C. New Team Member Orientation

We will orient new team members by providing our Policy and Procedures Manual and encouraging new team members to participate in the process alongside the outgoing team member if possible. As previously stated, each team member will be encouraged to respect the roles, ethical concerns, boundaries, ideas, and perspectives of other team members, including a new team member. We have formalized and codified a consensus process that encourages new members to propose additions or modifications to the program after they are established. New team members are encouraged to ask questions, obtain information, and provide input as a professional member of the VTC team. It is also recommended that new team members participate in continuing education training through the Wisconsin Association of Treatment Court Professionals (WATCP), All Rise, Justice for Vets (J4V), National Drug Court Institute (NDCI), and National Center for State Courts (NCSC). Additionally, new team members should meet with a VTC representative from each department.

III. VETERANS TREATMENT COURT ORGANIZATION/STRUCTURE

A. Veterans Treatment Court Policy and Planning Team

The VTC Policy and Planning team will work together to develop and implement Milwaukee County's VTC. The team will be responsible for the development and review of the program model, program policies and procedures, and full program implementation and evaluation. The VTC Policy and Planning team meet every other month or more often if needed. Meeting minutes are sent to the team that include the agreed-upon changes in policies or procedures. The VTC Policy & Procedure Manual will be reviewed by the team on an annual basis. Changes to policies that are agreed upon by the team are then implemented into the manual. The team shall consist of the following individuals and/or a representative who has full decision-making authority:

- Chief Judge
- VTC Judge
- Judicial Operations Manager
- District Attorney
- Public Defender
- VTC Coordinator
- Case Manager
- Department of Corrections (DOC) Agent
- Veteran Justice Program Coordinator
- Treatment Provider
- Law Enforcement Liaison
- Veteran Mentor
- Evaluator

B. Veterans Treatment Court Staffing Team Members and Roles

The Veteran will be supervised and supported by the VTC team which includes the VTC Judge, prosecutor, defense attorney, VTC coordinator, case manager, DOC agent when applicable, Veteran Justice Program Coordinator (VJP) when applicable, treatment provider(s), and law enforcement liaison, as well as the court clerk and bailiff.

Judge: Provides leadership to the VTC program and makes final programmatic/participant decisions. Presides over the proceedings and monitors the appropriate application of sanctions and incentives while maintaining the integrity of the Court. The Judge will:

- Lead staffing and make final decisions based on collaborative team input
- Impose responses of various degrees for improper behavior and incentives of various degrees for proper behavior
- Provide encouragement and motivation to each VTC participant
- Establish a rehabilitative relationship with each participant through intensive interaction with participants during court appearances
- Ensure participant understanding of sanctions and recognize Veterans' success in hearings
- Participate in the Friends of Treatment Courts organization

Prosecutor: Ensures community safety concerns are met. The District Attorney's Office will designate a prosecutor to be responsible for VTC eligibility determinations and to participate in VTC hearings. The prosecutor will:

- Apply program eligibility criteria and contact collaborative agencies such as law enforcement and Department of Corrections for input
- Obtain victim input and comply with victim notification

- Make determinations for termination and new charges, such as bail jumping, that balance community needs and therapeutic outcomes
- In status hearings will operate in a non-adversarial manner, promoting a sense of a unified team presence

Defense Attorney: Ensures their clients' legal rights are protected. The defense attorney will:

- Meet with potential VTC participants to evaluate their interest and eligibility for the program
- Advise their clients on their legal rights, legal options, program conditions, and potential sentencing outcomes
- Monitor client progress in the VTC program
- Participate in a non-adversarial manner at status hearings, thus promoting a unified VTC team presence
- Collaborate with community legal service providers to address civil legal needs arising from or related to military service or trauma (family court, municipal citations, driver's license recovery, housing, disability, etc.)

Veterans Treatment Court Coordinator: Provides oversight for the day-to-day operations of the Veterans Treatment Court. The VTC Coordinator will also monitor whether the program is adhering to the agreed upon policies and procedures and evidence-based practices and meeting its short- and long-term goals and objectives. The VTC Coordinator will serve as a liaison between the community and the local criminal justice system. The coordinator will:

- Plan, organize, coordinate, and monitor the daily activities of the Veterans Treatment Court
- Ensure eligibility determination process is complete before scheduling a case for staffing
- Schedule and meet with participants to discuss program details
- Attend staffing and court hearings to evaluate and direct the Veterans Treatment Court, case management, and VTC team cohesiveness and understanding of VTC concepts
- Gather and prepare VTC data for reporting mandates
- Collaborate with government and community agencies to meet programmatic goals and provide effective programming
- Develop long-term sustainability plan for the program
- Collaborate with the Veteran Mentor(s) to establish alumni group
- Participate in the Friends of Treatment Courts organization

Case Manager: Provides case management services for all VTC participants. The case manager will:

- Monitor conditions of the VTC contract, including treatment compliance, abstinence, housing arrangements, employment, travel, and legal/ financial obligations
- Conduct intake interviews with participants and gather all relevant treatment and demographic information
- Complete and review the Participant Supervision Agreement
- Provide referrals and assistance in obtaining treatment and other supportive services as directed by the case plan
- Ensure compliance with random drug testing selection protocol when ordered
- Coordinate any community service performed by the participant
- Provide weekly input of compliance data and drug testing results into the Milwaukee County Pretrial Services Information System for progress reports
- Apprise VTC team members of participants' compliance with VTC agreements using the Veterans Treatment Court Progress Report (Appendix #1)
- Participate in weekly staffing and court hearings

DOC Agent: Provides DOC services for all participants that are assigned to the DOC. The DOC Agent will:

- Monitor conditions of the VTC contract, including treatment compliance, abstinence, housing arrangements, employment, travel, and legal/ financial obligations
- Conduct intake interviews with participants and gather all relevant treatment and demographic information
- Ensures DOC resources, which include a broad range of rehabilitative and case management services, are provided to, and properly utilized by their assigned Veteran
- Provide referrals and assistance in obtaining treatment and other supportive services as directed by the case plan when appropriate and in consultation with the VTC team
- Ensure compliance with random drug testing or remote breath testing devices when ordered
- Apprise VTC team members of the participants' compliance with VTC agreements and DOC requirements
- Participate in weekly staffing and court hearings.

Veteran Justice Program Coordinator (VJP): Serves as a liaison to justice impacted Veterans eligible for VA healthcare. The VJP will:

- Attend staffing meetings and court reviews in person or virtually
- Provides direct service to Veterans, including clinical assessments, individualized treatment planning, information on VA treatment engagement, and general VA treatment service availability

Treatment Provider: Identifies and/or provides a continuum of care for Veterans, including behavioral health, medical health, chemical dependency, and cognitive behavioral treatment or counseling based upon individual needs and goals. The provider will:

- Make treatment recommendations to the team
- Participate in weekly staffing, and if not able to attend, will provide VTC Case Manager or DOC Agent with complete and timely compliance information

Law Enforcement Liaison: Provides law enforcement support for VTC activities. The law enforcement liaison will:

- Provide law enforcement presence during home visits
- Provide eligibility feedback during initial screening process
- Follow-up on warrants issued by the court
- Act as a liaison to other law enforcement agencies
- Conduct periodic warrant checks on participants

Veteran Mentor: Provides support to court participants during court proceedings. The Veteran Mentor will:

- Serve as a mentor to Veteran participants, instilling a sense of hope that resiliency and recovery are achievable goals
- Assist Veteran participants in seeking ancillary services throughout the community and navigating multiple services systems
- Advocate for the needs of the Veteran participants and their families
- Teach Veteran participants how to develop skills necessary to self-advocate
- Maintain confidentiality

Court Clerk: Performs administrative duties for VTC. The clerk will:

- Maintain court records, as well as authenticate copies of the Court's orders and judgments with the Court's seal
- Schedule and ensure the Court's calendar is set up efficiently and cases are called in a timely manner

Court Bailiff: Performs administrative duties for VTC. The bailiff will:

- Ensure that in custody participants are produced for court hearings
- Check participants into court
- Process paperwork for bench warrants and jail sanctions

Weekly Staffing Protocol:

The purpose of staffing is to support fair, informed, and individualized decision-making regarding each Veteran participant. Staffing provides a structured opportunity for the Veterans Treatment Court team to share relevant information, assess progress, identify barriers to engagement and success, review participant strengths and needs, and develop coordinated responses that promote accountability, treatment engagement, public safety, and long-term recovery. Staffing is intended to support evidence-based and procedurally fair practices and to ensure that decisions are guided by participant progress, assessed needs, responsivity factors, and current clinical and supervision information.

The VTC team will conduct staffing on a regular weekly basis prior to court unless otherwise directed by the Judge. Staffing should include, as available and appropriate, the Judge, prosecutor, defense attorney, VTC coordinator, case manager, DOC agent when applicable, treatment provider(s), Veteran Justice Program Coordinator when applicable, law enforcement liaison, and other team members with relevant information. Team members are expected to attend consistently, come prepared, and participate in a manner that supports collaboration, respect for professional roles, and timely case review. If a team member is unable to attend, reasonable efforts should be made to provide relevant updates to the team in advance.

Prior to staffing, team members shall review the information available to them that is relevant to the participant's current compliance with VTC agreements using the Veterans Treatment Court Progress Report (Appendix #1). The progress reports may include treatment attendance and engagement, drug and alcohol testing results, supervision contacts, court performance, incentives previously delivered, noncompliant behavior, housing and employment updates, VA or community-based service involvement, victim-related concerns when applicable, and any identified barriers to participation or success. The team should consider both recent behavior and overall progress, respond to verified information, and distinguish between issues requiring accountability responses and those requiring service adjustments or additional support.

During staffing, the team will discuss each participant in a professional, non-adversarial, and solutions-focused manner. Team members should share information within the scope of their role and offer recommendations regarding treatment engagement, supervision strategies, incentives, sanctions, service adjustments, phase movement, housing or employment needs, and other responses necessary to support participant progress and community safety. Recommendations should be individualized, proportionate, and consistent with the Milwaukee County Veterans Treatment Court Behavioral Matrix (Appendix #2), participant agreement, and evidence-based practices. The VTC team will strive for collaborative recommendations whenever possible; however, final decisions regarding court responses and programmatic direction rest with the Judge.

Information shared during staffing shall be limited to information reasonably necessary for the performance of VTC team functions and handled in a manner consistent with applicable confidentiality requirements, signed releases, court orders, and governing law. Staffing discussions are intended to support coordinated case planning and should be documented through the court's regular reporting and case management processes as appropriate. Team recommendations and court responses shall be communicated to the participant through court proceedings, supervision contacts, case management contacts, treatment planning, or other appropriate means so that expectations remain clear and consistently applied.

When significant issues arise between regular staffing sessions, including new arrests, participant absconding, threats to safety, serious treatment concerns, or other urgent matters requiring prompt action, the VTC Coordinator, case manager, DOC agent, prosecutor, or other relevant team member shall notify the Judge and appropriate team members as soon as practicable. Interim action may be taken when necessary to protect public safety, maintain program integrity, support participant stabilization, or address immediate treatment and supervision needs. Such matters shall be reviewed by the team at the next regular staffing session, or sooner if directed by the Judge.

C. Friends of Milwaukee County Treatment Courts, Inc.

Friends of Treatment Courts is a 501(c)(3) non-profit corporation designed to support the life-changing work of the Milwaukee County VTC and other treatment courts in Milwaukee County by doing the following:

- Assist with sustainability planning
- Provide outreach to, and seek support from, local/state government, healthcare providers, Veteran organizations, local businesses, and the community as a whole
- Educate community organizations on the benefits of VTC
- Advise on community views and how these impact VTC
- The VTC Judge and the VTC Coordinator will serve as liaisons to Friends of Milwaukee County Treatment Courts, Inc. and will attend its board meetings

IV. ELIGIBILITY, ASSESSMENT AND ADMISSION

A. Target Population

U.S. Military Veterans who have committed a criminal offense and need the structure and support available through VTC. Milwaukee County Veterans Treatment Court will consider Veterans assessed at various risk and need levels.

B. Capacity

Milwaukee County Veterans Treatment Court will have a maximum capacity of 40 Veterans.

C. Eligibility Requirements

To be eligible to participate in VTC, an individual must meet the following criteria:

- Face potential criminal charges in the Milwaukee County Circuit Court
- Have served in the United States Armed Forces (Active Duty, National Guard, or Reserves)
- Have a discharge other than dishonorable
- At least 18 years old
- Reside in Milwaukee County (Veterans residing outside of Milwaukee County are reviewed on a case-by-case basis)
- Have no pending charges in another jurisdiction

- Be approved by the Milwaukee County District Attorney's Office (MCDAO) as appropriate for participation

In addition, Veterans will NOT be considered if they face or have a history of the following offenses unless otherwise approved by the MCDAO:

- Sex, dangerous weapons, or firearms offenses
- Manufacture, delivery, possession with intent, or conspiracy to commit offenses involving 40 or more grams of cocaine, 2,500 or more grams of marijuana, or 15 or more grams of heroin

D. Veteran Status and VA Services Eligibility

The VTC Coordinator will perform a SQUARES inquiry to confirm Veteran status and eligibility for services with the U.S. Department of Veterans Affairs (VA). The VTC Coordinator may request a DD-214 if additional information is needed to confirm Veteran status. If VA eligibility is unknown, the VTC Coordinator will assist the Veteran with filling out an application for VA health benefits. The VTC Coordinator shall notify all parties that the Veteran status was approved and if the Veteran qualifies for VA services. If VA eligible, the Veteran will be connected to a Veterans Justice Program Coordinator (VJP) who will help link the individual Veteran to VA treatment programs and other VA resources. If not VA eligible, the VTC Coordinator will assist the Veteran in connecting with appropriate community resources for treatment/services.

E. Referral Process

Anyone may refer cases involving Veterans to VTC, to include, but not limited to, judges, attorneys, the Veteran, Department of Corrections (DOC), family members, or victims. Because VTC is a voluntary program, the Veteran or the Veteran's attorney on the Veteran's behalf must request participation in the program by completing the VTC application. The Veteran must sign releases of information for relevant parties to facilitate the necessary exchange of information. The VTC application must be submitted to the VTC Coordinator to initiate the referral.

F. Assessment Process

Veterans are promptly screened and assessed to determine criminogenic risk, treatment needs, and barriers that may interfere with the individual Veteran's treatment goals (such as mental health, substance use, medical, housing, transportation, employment, family situation, and general living needs). JusticePoint will administer the necessary risk assessment(s) and provide the scoring results to the VTC Coordinator. The VTC Coordinator will refer the Veteran to the assigned agency to schedule the clinical assessment. The assigned agency will draft a comprehensive summary report or diagnostic summary letter, which will include treatment recommendations and diagnoses, and send it to the VTC Coordinator. The VTC Coordinator will prepare and share a summary report with the VTC team for review, and the team will make an admissions decision. If accepted, the MCDAO will then draft the court agreement for participation in the VTC program. The Veteran's defense attorney will review the proposed agreement with their client. If the Veteran is amenable to the terms of the agreement, the VTC Coordinator will work with the defense to schedule a date for admission into VTC.

The assessment screening process must include the following steps:

1. Review of statewide CCAP, NCIC and Milwaukee County JUSTIS systems for convictions that would disqualify a defendant from VTC or make the Veteran ineligible.
2. If the Veteran has no disqualifiers, eligibility screening will proceed
 - a. Risk Assessment
 - i. Assessment Tools: These tools are used to classify Veterans into levels of risk and to identify and target the nature, timing, and dosage

of interventions to address criminogenic needs generally related to recidivism

1. Ohio Risk Assessment System (ORAS-CST)
2. Impaired Drivers Assessment (IDA) if the veteran is charged with the offense of Operating While Intoxicated (OWI)
- ii. Both the ORAS-CST and the IDA are administered when a Veteran presents to the VTC charged with an OWI, but it is recommended to rely on the IDA score when determining risk level and threat to public safety in these cases
- b. Clinical Assessment: The comprehensive screening process will identify individuals' strengths, challenges, and needs across multiple life dimensions in order to determine appropriate services and the optimal level of care for the individual.
- c. Referral Summary Report (Appendix #3)
 - i. This report will be completed and submitted to the VTC team ahead of staffing
 - ii. Only cases with complete Referral Summaries will be staffed for admission

G. Veterans Treatment Court Team Admissions Staffing

The VTC Team will meet weekly to review completed Referral Summaries and determine admission for potential new candidates. All team members will come fully prepared to staff all cases (with eligibility summaries, files, documents, records, etc.).

H. Admission/Appearance in Veterans Treatment Court

If the VTC Team determines that a potential candidate is appropriate for admission to the Veterans Treatment Court, the defendant will make an appearance before the VTC Judge. At or prior to this appearance, the following must be accomplished:

- Transfer of case to the VTC Judge (NOTE: Cases should not be transferred to the VTC Judge until the Veteran has formally been accepted to VTC and an entry date is set)
- Waiver of preliminary hearing (if required and not already completed)
- Submission of completed Plea Paperwork
 - Plea Questionnaire/Waiver of Rights Form
 - Addendum
 - Jury Instructions
- Submission of completed Veterans Treatment Court Agreement
- Victim Notification by the MCDAO
- If going to sentencing:
 - Submission of Pretrial Credit Sheet
 - Filed Amended Information (if applicable)
 - Submission of Notice of Right to Seek Postconviction Relief

I. Agreement Types

The MCDAO will review the assessment results and draft the agreement for participation in VTC. The Veteran will be placed on one of the following tracks in the VTC.

Track	Risk Score	AODA Score	IDA Score	Contract Length
Track 1: Low Risk	Low	Low	Low or N/A	6 months

Track 2: Moderate Risk	Moderate	Low	Low-Moderate or N/A	6 – 9 months
Track 3: Phase Track	Moderate-High	Moderate-High	Moderate-High	12 – 18 months

The MCDAO has the ultimate discretion on what type of agreement is offered. The VTC agreement will be sent to the defense attorney to review with their Veteran client. A Veteran accepted to participate in VTC will enter into one of the following types of agreements:

- **Deferred Prosecution Agreement**
 - Veterans with certain charges and circumstances may be offered a DPA.
 - Under a DPA, a Veteran pleads guilty, but the Judgment of Conviction is deferred for an agreed-upon time period while the client works to complete the agreement's terms.
 - No Veteran will be denied a DPA if they, in good faith, decline to waive a preliminary hearing or litigate a legitimate suppression motion.
 - Upon successful completion of the agreement, the MCDAO will recommend that the Veteran's charges are dismissed or reduced, as specified in the agreement.
 - Veterans who are not successful in the DPA will be sentenced on the charges they pled guilty to, in compliance with the DPA.
 - A permanent record of these Veterans' arrests will be maintained, regardless of successful completion of the DPA.
 - Veterans who are on DOC supervision who would otherwise meet the DPA eligibility criteria shall be considered on a case-by-case basis for a DPA in conjunction with a formal Alternative to Revocation.
- **Deferred Sentencing Agreement**
 - Under a DSA, Veterans charged with OWI as a second offense enter an agreement wherein the Veteran pleads guilty, but sentencing is deferred for a period to be determined based on the Veteran's assessed risk and need level.
 - Unlike a DPA, upon successful completion of the agreement, the conviction remains in effect and the MCDAO will recommend that the Veteran is sentenced to the lesser of the two-tiered recommendation specified in the DSA.
 - If the Veteran is unsuccessful, the MCDAO will make the greater of the two-tiered recommendation specified in the DSA.
- **Enhanced Probation Agreement**
 - Veterans charged with OWI as a 3rd or 4th offense, or another qualifying offense, may be eligible for an Enhanced Probation Agreement.
 - In these cases, the Veteran will plead guilty, have a Judgment of Conviction entered, and be sentenced to probation.
 - The length of probation varies depending on both the offense and the risk/needs levels.
 - Veterans must serve any mandatory minimum sentence as a condition of probation, with a greater amount of condition time stayed for later use as a sanction.
 - DOC, in addition to court case management, will monitor, provide treatment resources for, and advise the court on compliance with recommended or required treatment.
 - Upon successful completion of the agreement, the balance of the condition time will be permanently stayed and the Veteran will be successfully discharged from VTC. A Veteran's probation time may extend past the length of the agreement and while they may no longer be in VTC, they must remain compliant to DOC obligations.
 - Violations warranting revocation may result in responses by DOC and/or the VTC short of revocation.
 - More serious violations will result in discharge from the program and the DOC seeking revocation of the Veteran's probation.

V. PROGRAM PHASES AND COMPONENTS

A. General Requirements

Conditions of an agreement will vary based on a Veteran's assessed level of risk and need and case type, but may include:

- Remain law abiding
- Do not use or possess firearms without written court authorization
- No use of any alcohol or alcohol-based products if related to your case and/or directed by the agreement
- No use of any drugs or controlled substances not prescribed by a physician
- Provide prescriptions for all prescribed medications to monitor within 48 hours of obtaining the prescription and utilize one prescribing physician for all medications unless medically contraindicated
- Submit to all required alcohol and/or substance testing as ordered by VTC within the established timelines
- Promptly attend all court appearances
- Comply with individual treatment plan as established by the VA, community-based service providers, and/or the DOC
- Cooperate with scheduled and unscheduled home visits by DOC, law enforcement officers, and VTC team members
- Pay all fines, court fees, probation fees, and restitution as ordered by VTC
- Complete all required community service work and obtain verifiable written documentation
- Participate in the Restorative Justice Program
- Work with a Veteran Mentor
- Attend self-help or community support groups
- Participate in training or educational programming
- Obtain and maintain employment/income, actively seek employment, or make progress toward educational goals
- Secure or maintain stable housing (residence is subject to VTC team approval)
- No in-state or out-of-state travel, regardless of whether it is overnight, if it interferes with required appointments and/or drug tests without VTC team approval
- No travel outside of the country during the terms of the agreement
- Be respectful and honest

B. Low Risk & Moderate Risk Agreement Requirements

Veterans assessed as having a low-moderate risk to re-offend and low clinical needs are placed on low-risk agreements. These Veterans typically require little of the Court's resources and generally complete program requirements with little intervention. Treatment, if any, should focus on prevention and education. No formal phase structure is established for low-moderate risk/low need Veterans. Minimal supervision is required and Veterans are placed on a "non-compliance" court scheduling structure, which means they are only brought into court if non-compliant or for occasional progress checks.

C. Phase Structure Agreement Requirements

The phase structure of VTC is designed to serve moderate to high risk/high need individuals who have a significant substance use history. It is a five phase, 12-to-18-month program. Additionally, the phase structure implements and tracks the Compliance Date and Court Sobriety Date to measure phase up eligibility and graduation from the VTC.

Compliance Date: A Veteran's compliance date is set when they enter VTC (if they are out of custody) or when they are released from custody for the first time. Participants are assumed compliant until a non-compliant behavior occurs as outlined in the Behavioral Matrix. Noncompliance rising to a moderate or high-level violation may reset the participant's compliance date, as determined by the VTC team using the Behavioral Matrix. Ultimately a compliance date reset is determined by the VTC Judge. Participants regain compliance after the non-compliant behavior is responded to and corrected.

Court Sobriety Date: A court sobriety date is a significant milestone marking the date a Veteran participant discontinued using substances not allowed in VTC. An established court sobriety date is not the only determining factor for a Veteran participant's success in the VTC, however it is integral to the Veteran participant's overall treatment plan and successful completion of the VTC agreement. A sobriety date is marked by providing a negative drug and alcohol test sample. A sobriety date may be reset if a drug and alcohol test is missed, if a Veteran participant provides a positive sample for illicit drugs (non-prescribed) or alcohol, if a sample is diluted, or if there is a refusal to provide a sample. A sobriety date can be adjusted by the VTC Judge. Readjustment of the sobriety date is done on a case-by-case basis and is at the discretion of the VTC team and ultimately the Judge. A Veteran participant must have 90 consecutive days of court sobriety to graduate from VTC.

Phase 1: Orientation Phase (30 days minimum)

The goal of Phase 1 is to develop an individualized case plan for each Veteran and establish a treatment plan with AODA/mental health provider(s). This phase focuses on stabilization, induction into treatment, and resolving conditions that are likely to interfere with retention and compliance with treatment.

Phase Requirements:

- 14 consecutive days of substantial programmatic compliance as outlined in the Milwaukee County Veterans Treatment Court behavior response guide
- Familiarize self with the requirements of the program and comply with policies and procedures of VTC, treatment providers, and other community agencies that the participant is engaged with and utilizes for supportive services
- Maintain contact with monitoring agency as scheduled
- Full compliance with the random drug/alcohol testing schedule as ordered
- Engagement in the appropriate treatment based upon the individual's assessment
- Work with the VTC team to identify informal supports (i.e. family or friends) to be included on their team and as part of case planning
- Attend all scheduled appointments with VA and/or community providers and follow recommendations and goal planning
- Participate in regular reviews of the case plan with the treatment team to recognize successes and identify barriers to meeting goals, modifying the plan as needed
- No unexcused missed supervision or treatment contacts
- Be honest regarding new drug use, new police contacts, and changes in circumstances
- No new arrests rising to the level of probable cause as determined by the VTC prosecutor
- Check in with Veteran Mentor Program, at minimum, one time
- Weekly appearance before VTC Judge

Additional Advancement Criteria:

- Contact Drivers Safety Plan (DSP) assessment agency to schedule assessment and establish payment plan, if applicable
- Submit a promotion request form, which must be approved by the VTC team prior to phase advancement

Phase 2: Stabilization Phase (60 days minimum)

The goal of Phase 2 is to demonstrate compliance and progress with the individualized treatment plan. Veterans will be expected to effectively utilize recovery and/or coping skills and actively apply them to daily life to obtain/maintain sobriety and/or therapeutic gains. This plan may need to be modified from time to time to address ongoing recovery needs.

Phase Requirements:

- 21 consecutive days of substantial programmatic compliance as outlined in the Milwaukee County Veterans Treatment Court behavior response guide
- Participate in treatment planning and reviews with the identified team members
- Maintain contact with monitoring agency as scheduled
- Full compliance with the random drug/alcohol testing schedule as ordered
- No unexcused missed supervision, treatment, or ancillary service appointments
- Demonstrate progress in treatment and the development and use of social and recovery skills
- Attend all appointments with the VA and/or community providers
- Develop and/or maintain stable housing plan as approved by the VTC Team
- Address financial stability, if applicable
- Complete Drivers Safety Plan assessment and continue to comply with payment plan, if applicable
- No new arrests rising to the level of probable cause as determined by the VTC prosecutor
- Appearance before the VTC Judge once every other week

Additional Advancement Criteria:

- If restitution is owed, draft a restitution payment plan
- If community service is required, draft a community service plan
- Submit a promotion request form, which must be approved by the VTC team prior to phase advancement

Phase 3: Advanced Practice Phase (90 days minimum)

The goal of Phase 3 is to demonstrate compliance with and progress in the individual treatment plan. Veterans will be expected to effectively utilize recovery and/or therapeutic skills and actively apply them to daily life. They must identify pro-social activities they feel are beneficial to their needs. The individualized treatment plan may continue to be modified.

Phase Requirements:

- 45 consecutive days of substantial programmatic compliance as outlined in the Milwaukee County Veterans Treatment Court behavior response guide
- Maintain contact with monitoring agency as scheduled
- Attend all appointments with the VA and/or community providers
- Full compliance with the random drug/alcohol testing schedule as ordered
- No unexcused missed supervision, treatment, or ancillary service appointments
- Complete Drivers Safety Plan assessment and continue to comply with payment plan, if applicable
- Develop and/or maintain employment, vocational and/or educational goals
- Attend cognitive behavioral therapy focused on criminal thinking (if available)
- No new arrests rising to the level of probable cause as determined by the VTC prosecutor
- Establish pro-social activity and recovery support network
- Develop and/or maintain stable housing plan as approved by the VTC team
- Comply with restitution payment plan, if required

- Comply with community service plan of action, if required
- Appearance before the VTC Judge once a month, or as ordered by the Judge

Additional Advancement Criteria:

- Submit a promotion request form, which must be approved by the VTC team prior to phase advancement

Phase 4: Maintenance Phase (90 days minimum)

The goal of Phase 4 is to continue the significant progress that has been made within the individualized treatment plan and to maintain recovery efforts with less monitoring.

Phase Requirements:

- 60 consecutive days of substantial programmatic compliance as outlined in the Milwaukee County Veterans Treatment Court behavior response guide
- Maintain contact with monitoring agency as scheduled
- Attend all appointments with the VA and/or community providers
- Full compliance with the random drug/alcohol testing schedule as ordered
- No unexcused missed supervision, treatment, or ancillary service appointments
- Complete Drivers Safety Plan assessment and continue to comply with payment plan, if applicable
- Develop and/or maintain employment, vocational and/or educational goals
- Develop and/or maintain stable housing plan as approved by the VTC Team
- Attend cognitive behavioral therapy focused on criminal thinking (if available)
- No new arrests rising to the level of probable cause as determined by the VTC prosecutor
- Establish/maintain pro-social activity and recovery support network
- Comply with restitution payment plan, if required
- Comply with community service plan of action, if required
- Appearance before the VTC Judge once a month, or as ordered by the Judge

Additional Advancement Criteria:

- Submit a promotion request form, which must be approved by the VTC Team prior to phase advancement

Phase 5: Transition to Graduation (90 days minimum)

The goal of Phase 5 is continued stabilization within the individualized treatment plan and life circumstances. The Veteran must demonstrate a prosocial lifestyle and self-accountability.

Phase Requirements:

- 60 consecutive days of substantial programmatic compliance as outlined in the Milwaukee County Veterans Treatment Court behavior response guide
- 90 consecutive days substance free as measured from established court sobriety date
- 90 consecutive days out of residential treatment
- Payment of the \$50.00 VTC program fee (unless otherwise waived by the VTC judge);
- Maintain contact with monitoring agency as scheduled
- Attend all appointments with the VA and/or community providers
- Full compliance with the random drug/alcohol testing schedule as ordered
- No unexcused missed supervision, treatment, or ancillary service appointments
- Employed and/or enrolled in educational/vocational training
- Stable housing/living environment and financial resources
- Complete cognitive behavioral therapy focused on criminal thinking (if applicable)

- Maintain pro-social activity and recovery support network
- No new arrests rising to the level of probable cause as determined by the VTC prosecutor
- Follow Drivers Safety Plan (DSP), if applicable
- Restitution paid in full or in an amount determined to be sufficient by the MCDAO for successful completion of VTC contract
- Complete community service requirement, if required
- Submit a continuing care or stabilization plan which outlines a plan to maintain therapeutic gains/recovery goals upon completion of legal requirements
- Appearance before the VTC Judge once a month, or as ordered by the Judge

Graduation from the Program: If the above conditions are met then a Veteran is eligible for graduation, and the Graduation Application can be submitted. To be eligible for graduation the Veteran must have:

- 60 consecutive days of substantial programmatic compliance in Phase 5
- 90 consecutive days substance free as measured from established court sobriety date in Phase 5
- 90 consecutive days out of residential treatment in Phase 5
- Completed a minimum of 12 months in the program
- Successfully completed each phase of the program
- Have in place a specific plan for after-care, continuing sobriety and recovery
- Approval for graduation by the VTC team
- A written Graduation Application submitted to the case manager for preliminary review with the participant and subsequent presentation to the VTC team. The application must include the following:
 - Progress/accomplishments and future goals in treatment
 - Summary of treatment court experience, including sanctions
 - Accomplishments and future goals in vocation services (enrollment in job training, education program or institution, or employment)

D. Place of Residence and Travel Policy for Phase Structure Agreements

A participant who is on a phase structure VTC agreement must live in Milwaukee County, and the participant's place of residence is subject to VTC team approval. If a participant requests to reside outside of Milwaukee County, it is staffed with the VTC team and subject to team approval on a case-by-case basis. The participant may not spend the night at any location other than the approved place of residence without VTC team approval. The participant may not travel in state or out of state without VTC team approval, regardless of whether the travel is overnight, if it interferes with required appointments/treatment and/or drug testing. Any travel that interferes with more than one day of required appointments/treatment and/or drug testing will not be considered for approval until a participant reaches Phase 4 of VTC.

E. Behavior Response Guidelines

In order to ensure participant accountability and encourage progress and compliance, VTC employs the use of the Behavioral Matrix (Appendix #2) to recognize prosocial behavior, treatment, and program progress and to address program non-compliance. Responses are aimed at praising prosocial behavior and/or changing negative behavior of a specific Veteran participant. VTC will determine the appropriateness of program expectations based on the initial needs and treatment barriers, responsivity needs, and criminogenic needs.

The VTC Team will consider the individual Veteran's goals and their ability to reach those goals at

the time of the desired behavior or undesired behavior when considering the appropriate incentive or sanctioned response.

- Proximal Goals: VTC conditions that can be met in a short period of time
- Distal Goals: VTC conditions that are not yet achievable or can only be achieved for a limited time
- Managed Goals: Goals that have been achieved and sustained for a reasonable time

Incentives: VTC utilizes a continuum of incentives that are tailored to appropriately recognize and encourage each participant's accomplishments and successes. These incentives range from congratulations and praise in open court to tangible rewards (e.g. sobriety tokens, gift certificates, food/clothing, vouchers, event tickets, movie passes, etc.) and the ultimate reward of graduation from VTC. Incentives may include, but are not limited to:

- Recognition by the Judge
- Reduction in certain program requirements
- Sobriety tokens
- Early dismissal from court session
- Certificates of accomplishment
- Promotion to next court phase
- Bus cards or tokens
- Appear virtually for scheduled court reviews (the same courtroom rules and etiquette will apply as if the Veteran participant was appearing in person)
- Gift cards or gift certificates
- Decreased visits with DOC Agent and/or case manager
- Decreased frequencies of court sessions
- Veteran of the Week
- Honorable Commitment Award
- Reduction or waiver of VTC program fee

Sanctions: VTC utilizes a continuum of sanctions that are selected to specifically discourage and deter non-compliance with VTC requirements and to aid in reinforcing compliance with treatment and services necessary for recovery. These sanctions range from the least severe (e.g. admonitions in court) to the most severe (e.g. incarceration). Sanctions may include, but are not limited to:

- Admonishment during court sessions
- Observe other court proceedings
- Increased court appearances
- Increased home visits
- Increased substance testing
- Extension of current phase
- No contact orders
- Curfew
- Community service
- GPS/SCRAM monitoring
- Incarceration

Service Adjustments: VTC utilizes a continuum of service adjustments that are delivered when participants do not meet distal goals. Supervision adjustments are based on recommendations from trained community supervision professionals, the use of a valid risk and need assessment, and the participant's response to previous services. Supervision is increased when necessary to provide needed support, ensure participant and community safety, monitoring of recovery obstacles, and

development of better coping skills. Treatment adjustments are based on recommendations from qualified treatment professionals. Service adjustments may include, but are not limited to:

- Increasing or decreasing the frequency, intensity, or modality of treatment
- Initiating medication for addiction treatment (MAT)
- Delivering specialized services such as co-occurring disorder treatment, trauma services, or other evidence-based treatment interventions
- Writing, reading, or other learning assignments
- Assignment of homework by case manager

F. Prohibited Relationships

In order to ensure that each participant has an optimal opportunity to focus their attention on their individual recovery, dating and sexual relationships with other VTC participants is strictly prohibited and will be grounds for the severest sanctions, including termination.

Upon discovery of an inappropriate relationship between participants, the VTC coordinator shall notify the VTC judge and the Judicial Operations Manager. The VTC coordinator shall provide the names of the involved participants and their status in the program. The VTC team will staff the participants with the VTC judge and the VTC judge will determine whether termination is warranted. The Judicial Operations Manager shall communicate the details of the situation and the VTC judge's decision to the Chief Judge.

G. Drug Testing Policies and Procedures

Drug and alcohol testing are important monitoring tools for the VTC program. Testing is done to set court sobriety dates, track court sobriety, and monitor compliance with sobriety requirements of VTC contracts. The reliability of drug testing is dependent on the integrity and accuracy of the collection process, along with the chain of custody of the sample. Strict adherence to the following collection protocol ensures the reliability and validity of all drug testing results.

All weekday specimen collection will take place in room 417 of the Safety Building. Saturday testing will take place in the WCS Administration Building.

Participant Preparation

- Upon admission to the program, case managers will review the drug testing collection protocol with the participant and provide the participant with a copy.
- Upon admission to the program, participants will be provided with a list of over-the-counter medications and foods they **MUST** avoid while in VTC.
- Because selection for testing is done on a random basis, **ALL** program participants **MUST** appear in the office ready to provide a urine sample for testing.
- All drug testing will take place first, followed by the supervision appointment with the participant's case manager. The case manager will review the results of the drug test at the supervision appointment after the drug testing process is complete.

Missed Drug Test Policy

- If a test is missed Monday through Thursday, the Veteran participant must report the next business day at 8:30am to test.
- If a test is missed on Friday, the Veteran participant must report to the WCS Administration Building by 9:00am on Saturday to test.
- If a test is missed on Saturday, the Veteran participant must report to the Safety Building Room 417 on Monday (or the next business day) at 8:30am to test.

PARTICIPANT ACKNOWLEDGEMENT OF MILWAUKEE COUNTY DRUG TESTING COLLECTION PROTOCOL

Participant Preparation

1. Because selection for testing is done on a random basis, **ALL program participants MUST appear in the office ready to provide a urine sample for testing at each and every scheduled appointment.**
2. If a participant cannot provide a sample, they will remain in the designated drug testing waiting room until they are able to do so. **THEY WILL NOT BE ALLOWED TO LEAVE AND RETURN TO PROVIDE A SAMPLE. All consumption of fluids will be strictly monitored by the Lab Technician.** If the participant leaves the drug testing waiting area for any reason before providing a sample, a “refusal” will be documented and reported to the Court.
3. Participants who cannot provide a sample when requested will wait in a designated area for 15 minutes, and will be monitored to ensure no consumption of fluids. If the participant cannot produce a sample within this initial 15 minute time frame, the “Shy Bladder” procedure will be implemented. This procedure allows for a total 3-hour window of time to collect a specimen beginning from when the first attempt to collect a specimen. Failure to provide a sample in this time period will be recorded as a “refusal.” However, any defendant arriving after 1:20 p.m. will not be allowed a 3-hour window of time to test if they are in shy bladder mode. All defendants must submit to a sample by 4:15 p.m. or the sample will be recorded as a “refusal.”

Sample Collection

1. Lab Technician staff collecting the sample will verify the identity of the person to be tested by asking their name. **Participants MUST bring some form of identification with a photograph to every supervision appointment** in the event they are selected for random drug testing.
2. Participants will be required to remove **ALL extra layers of clothing down to one layer of clothing**, including: coats, jackets, hooded sweatshirts or large pocket clothing items prior to testing.
3. Participants will empty ALL pockets, and place all items in a storage tray (any money will remain in possession of the participant) until the testing process is complete.
4. All shirts, blouses, sweaters, sweatshirts must be pushed/rolled up or lifted **above the navel**; and all pants, trousers or skirts and undergarments will be **lowered to the mid-thigh**. At the time, the participant **MUST turn around in a complete circle** so the collection staff can observe and ensure there are no efforts to tamper with the testing process.
5. The participant will thoroughly rinse and dry their hands **immediately** prior to testing. **This activity will be observed by collection staff.**
6. Collection staff will ask the participant to select a test package to hand to the collector.
7. The collection staff will direct the participant to provide a urine sample, filling the testing cup to the minimum fill line as marked on the test cup
8. Lab staff will ensure the collection of an unadulterated specimen by **WITNESSING THE PARTICIPANT URINATING INTO THE SPECIMEN CUP. LAB STAFF WILL STAND**

DIRECTLY IN FRONT OF THE PARTICIPANT AND OBSERVE THE PARTICIPANT AT ALL TIMES WHILE IN THE PROCESS OF COLLECTING THE SPECIMEN. The client **MUST** fill to the “**Minimum fill volume**” line on the cup (40 ml).

9. Upon completion of providing the sample, the participant will hand the testing cup to the collection staff, who will place the container lid securely on the cup.
10. The participant will be instructed to dress, flush the toilet and wash their hands.
11. If collection staff believes an adulterated sample has been submitted, this will be documented in the Milwaukee County Pretrial Database, reported to the assigned case manager and the participant will be required to submit a new sample.
12. Upon verification of a valid sample, the Lab staff will release the defendant to the general waiting area. Participants must not leave the drug testing waiting room without being released.
13. After the testing process is completed, the participant **MUST** be released to their case manager by the lab technician. Participants must not leave the drug testing waiting room without proper release by their case manager.
14. All positive specimens will be placed in a secure (locked) container and maintained for a period of 10 calendar days.

Challenges to Accuracy of Test Results

1. Under **no circumstance** will a participant be allowed to submit a “new” specimen based on a claim of lab error. If a participant wishes to challenge the accuracy of a test result, **the challenge MUST be made within 10 calendar days of the participant providing the specimen that tested positive.**
2. The cost of confirmation re-testing is \$32.55. The participant will be responsible for paying for the confirmation test, **CASH ONLY**, at the time the request is submitted for re-testing.
3. Requests for re-testing may be made through the case manager or the participant may contact their attorney to discuss and challenge test results.

OVER-THE-COUNTER MEDICATIONS AND FOODS TO AVOID WHILE BEING URINE/BREATH/SCRAM TESTED

It is the participant’s responsibility to limit exposure to the below list of products. It is the participant’s responsibility to read labels or inquire of a pharmacist or assigned case manager before using/consuming the following products. Use of the products detailed below will NOT be allowed as an excuse for a positive drug, breathalyzer or SCRAM test. When in doubt, do not use or consume:

1. **Cough and Other Liquid Medications:** Alcohol containing cough/cold syrups such as Nyquil. Other cough syrup brands containing ethyl alcohol. All prescription and over-the-counter medications must be reviewed with your case manager before use. Non-alcohol containing cough/cold remedies are readily available at most pharmacies and major retail stores.

2. **Non-Alcoholic Beer/Wine:** Although legally considered non-alcoholic, NA beers (Sharps, O'Doul's) contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed.
3. **Food and Other Ingestible Products:** There are numerous other consumable products that contain ethyl alcohol. Flavoring extracts such as vanilla or almond extract, and liquid herbal extracts (such as Ginkgo Biloba), could result in a positive screen for alcohol or its breakdown products. Communion wine, food cooked with wine and flambé dishes (alcohol poured over a food and ignited such as cherries jubilee, baked Alaska) must be avoided.
4. **Mouthwash and Breath Strips:** Most mouthwashes (Listermint, Cepacol, etc.) and other breath cleansing products contain ethyl alcohol. The use of mouthwashes containing ethyl alcohol may produce a positive test result. Non-alcohol breath fresheners are readily available and are an acceptable alternative.
5. **Hygiene Products:** After shaves, colognes, hairsprays, mousse, astringents, bug sprays (Off) and some body washes contain ethyl alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol, excessive, unnecessary or repeated use of these products could affect test results. Participants must use these products sparingly to avoid reaching detection levels.
6. **Solvents and Lacquers:** Many solvents, lacquers and surface preparation products contain ethyl alcohol. Both excessive inhalation of vapors, and topical exposure to such products, can potentially cause a positive test result for alcohol. Frequency of use and duration of exposure to such products must be kept to a minimum. There are alternatives to nearly any item containing ethyl alcohol. A positive test result will not be excused by reference to use of an alcohol-based solvent. If a participant is employed where contact with such products cannot be avoided, this must be discussed with the case manager.
7. **Poppy Seeds:** It is possible to test positive for opiates after having consumed poppy seeds. Poppy seeds contain trace amounts of opium, which like heroin, is derived from the poppy plant. Research measuring the amount of seeds necessary to produce a positive result is varied. To avoid this issue, participants must avoid consuming poppy seeds. If a participant insists a positive result is due to poppy seeds, that person will be required to produce another urine sample the next day.

SECOND HAND MARIJUANA SMOKE

A positive test result due to the passive inhalation of second-hand marijuana smoke is not feasible given the conditions necessary to produce the 50 ng/ml level at which the Milwaukee County Pretrial Drug Testing Program tests. In various studies on passive inhalation, positive results have occurred where individuals were exposed to the smoke of 4-16 marijuana cigarettes in an extremely small, sealed, unventilated area for one hour a day over the course of several days. The conditions were extremely uncomfortable, causing watering of the eyes and irritation to the mucous membrane of the nose and throat. The few positive test results were detected at the 20 ng/ml level which is the most sensitive testing level.

The only study where the results were detectable at the 50 or 100 ng/ml level were a product of hour long exposure in the above sealed conditions to 16 cigarettes over 6 consecutive days. It is highly unlikely that the extreme conditions necessary to produce ANY positive test (even at the lowest 20 ng/ml level) could be encountered in a real-life situation without, at least, the tacit consent of the participant. **Accordingly, it is the participant's responsibility to remove themselves from these situations.**

EXPECTATIONS FOR SATURDAY DRUG TREATMENT COURT PARTICIPANT ORAL FLUID DRUG TESTING

1. All Milwaukee County Veteran Court program participants must call the Milwaukee County Veteran Treatment Court phone daily at 414-278-4965.
2. **You may call the veteran court phone no earlier than 8:15a.m.** You must listen for the date and time to ensure that you are receiving the right message. **Also, you must bring a photo ID with you.** You must report for testing if your color is selected for Saturday testing.
3. Saturday testing is conducted at the:
 - a. WCS Administration Building
 - b. 3732 W. Wisconsin Ave. Door 3 (Park behind the Building)
4. **Tests will be conducted on Saturdays starting at 9:00am and ending at 11:15am.** You must report no later than **11:15 a.m.** for Saturday drug testing. If you report for testing after 11:15am you will not be tested and the test will be counted as a missed test.
5. **Prior to reporting for testing you must avoid placing anything (including food, drink, gum and tobacco products) in your mouth for at least 10 minutes prior to specimen collection.**
6. If you do not follow this instruction you will be required to wait for 10 minutes upon arrival before a specimen is collected.
7. You should anticipate the Saturday testing process to take about 20-30 minutes.
8. Test results will be reported to your supervising case manager. For all positive results you will be required to contact or report to your case manager by 9:00AM the next business day (usually Monday). Should you be unable to establish contact with your case manager contact the JusticePoint main line at (414) 278-2140 and request a transfer to a representative of the Drug Treatment Court.
9. In the event a positive test requires immediate court notification, your supervising VTC case manager will contact the court and legal parties Monday morning after the test. Your supervising VTC case manager will wait for instruction from the court as to how to proceed, and will contact you with further instruction. Failure to respond to follow-up instructions from your case manager may result in a bench warrant for your arrest.
10. If you miss a Saturday drug test, you must report to JusticePoint no later than 8:30 a.m. Monday to be tested. You must be prepared to provide a urine sample for testing when you arrive.
11. **Challenging oral swab drug test results-**If you wish to challenge your test result, you must complete the drug test challenge process with the assigned staff member on the date the sample was collected. **You must also provide \$48.30 (cash) confirmation fee. If you do not have the funds to challenge your Saturday test, you must report to Rm 417 of the Safety Building by 8:30am on Monday (or next business day) for a urine drug test. It is your responsibility to contact your case manager no later than 8:30am on Monday (or next business day) if you are challenging a positive Saturday oral swab.**

MEDICAL PROFESSIONAL DISCLOSURE/PRESCRIPTION DRUG POLICY

VTC participants who have significant substance use history are required to notify any medical, mental health or dental practitioner whom they have visited for medical treatment of the following information using the Physician Disclosure Form (Appendix 4):

- I am a participant in the Milwaukee County VTC program.
- I am required to disclose that I have an addiction to chemical substances.
- Unless absolutely medically necessary in the treatment of an illness or injury, I am NOT to be prescribed a medication in the benzodiazepine or narcotics class, or any other type of medication that may result in addiction or interfere with the treatment of my addiction.
- I must request that my practitioner write on my medical file that I am a participant in the VTC, sign and date the file.
- I must request a copy of this entry from my practitioner and will present it to my case manager at my next scheduled contact.

Failure to comply with this policy may result in application of a sanction and/or termination from VTC.

H. Case Management/Community Supervision

Community supervision is the effort to monitor the participant's behavior and program compliance outside of the courtroom. Supervision is accomplished through a system of support, monitoring, advocacy and accountability to assist the Veteran through the change process.

Purpose of Case Management/Community Supervision:

- Protect public safety
- Provide accountability
- Protect program integrity
- Support the progress of the Veteran
- Provide early intervention as an adjunct to treatment/reinforce treatment
- Confirm, inform and identify discrepancies
- Extend the VTC team into the community
- Collaborate with Veteran Peer Mentors
- Provide information to the VTC team

Community supervision for VTC participants will consist of the following:

- Ongoing assessment of criminogenic/treatment needs
- Case/supervision plan based on assessment outcome
- Ongoing field contacts and regular home visits
- Regularly scheduled office contacts
- Random drug/breathalyzer testing
- Ongoing verification
- Referrals to AODA and medical treatment, GED, vocational, educational and employment programming. Referrals to other supportive and "life skills" programming such as parenting classes, anger management, CIP, MRT, etc.
- Serious Violations: Dating and sexual relationships with other VTC participants is strictly prohibited to ensure each individual has an optimal opportunity to focus their attention on their individual recovery.

The VTC case manager is responsible for providing primary case management and supervision of all VTC participants. The functions that comprise case management, assessment, planning, linkage, monitoring, and advocacy must always be adapted to fit the needs of the participant and program. During the period between each VTC session, the case manager or an approved designee will personally review progress with

each participant. Case management and supervision will provide:

- Planning for intervention services and the fulfillment of criminal justice obligations
- Brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion
- Monitoring and reporting progress of the participant
- Supporting the participant by identifying problems, and advocating for the participant with legal, treatment, social service, and medical systems
- Monitoring urinalysis, breath analysis or other chemical testing
- Monitoring of phases, if applicable

The case management/supervision continuum must be designed to provide engagement and motivation, primary treatment services at the appropriate intensity and level, and support services that will enable the individual to maintain long-term recovery while managing life in the community. Treatment must be structured to ensure smooth transitions to the next level of care, avoid gaps in service, and respond rapidly to the threat of relapse. Case management can help accomplish all the above.

The case management of participants is built around the use of the substance abuse assessment, any mental health records, and current evaluation tools. It entails an interactive, coordinated process between the case manager and participant, with the ultimate goal of identifying the strengths and challenges of the participant and developing interventions and strategies around those issues. Each participant is required to attend scheduled appointments with their assigned case manager. The schedule, frequency and location of these meetings are based on phase, progress, and random testing schedule.

Essential Skills for VTC Case Manager:

- Previous case management experience with individuals having substance abuse or mental health disorders
- Motivational interviewing
- Relapse prevention
- Understanding of the Stages of Change
- Drug/substance testing
- Identify and respond rapidly to threat of relapse
- Understanding use of sanctions and incentives
- Pharmacology
- Addiction
- Cultural competence
- Extensive knowledge of community-based services

I. Treatment

All participants deemed as eligible for VTC will complete a clinical assessment to support relevant treatment planning. Those eligible for services within the Department of Veterans Affairs will be referred to the Veteran Justice Program. Those not eligible for VA care will be assessed by the Milwaukee County CARS Access Point team. Depending on the level of treatment recommended, and the participant's insurance status, the treatment team will collaboratively develop an appropriate treatment plan with the Veteran to address holistic care needs. Entry into the system will include case identification, eligibility determination, registration, comprehensive screening, level of care determination, referral, voucher authorization and linkage to appropriate services. The comprehensive screening process will identify individuals' strengths, challenges, and needs across multiple life dimensions in order to determine appropriate services and the optimal level of care for the individual. In order to participate and maintain compliance in the Veterans Treatment Court, the VTC participant

agrees to fully engage in treatment and follow clinical recommendations.

J. Termination from Veterans Treatment Court

Discharge from VTC generally occurs only after structured responses have been imposed and the Veteran participant continues to disregard the rules of their agreement. Termination will occur as a last resort, after affording the Veteran every reasonable opportunity to succeed in VTC. Discharge may also occur upon a Veteran participant's decision to voluntarily withdraw from the program despite the VTC team's best efforts to dissuade the Veteran from revoking the contract and encouraging further efforts to succeed. Defense counsel should clarify in advance, in writing, with the Veteran what consequences may ensue from voluntary withdrawal.

Discharge will also occur if a new charge(s) is filed against a Veteran participant alleging an offense(s) that is ineligible for VTC or if the VTC prosecutor discovers information that would make the participant ineligible for participation in VTC. If a Veteran participant is charged with a new offense that would otherwise be eligible for VTC participation the VTC team will consider the participant's circumstances on a case-by-case basis and determine if continued participation in VTC is appropriate and compatible with the new charge.

Discharge from VTC may also occur as the consequence of particularly serious violations of VTC requirements or policies, or persistent noncompliance with VTC requirements. If, at any time during participation in VTC, the Veteran participant has not complied with the conditions of the signed VTC agreement, the VTC prosecutor may move to terminate the agreement. If violations occur that lead the DOC to seek revocation of supervision for a Veteran on a VTC Enhanced Probation Contract the participant's VTC contract would also be revoked.

Serious violations that may result in discharge include, but are not limited, to the following:

- Violence or threatened violence to another participant or to VTC personnel
- New criminal charges
- Tampering with a test sample
- Absconding from VTC
- Veteran poses a serious and imminent risk to public safety that cannot be prevented through the VTC's best efforts

Persistent failures to comply with VTC requirements may result in termination, but, in most instances, only after a succession of interventions have been trialed and have not resulted in improved compliance and progress. These behaviors may include, but are not limited to:

- Positive/adulterated drug test results
- Missed or refused drug tests
- Dishonesty
- Missed court sessions
- Missed treatment sessions
- Absconding from any residential or inpatient treatment facility
- Missed supervision sessions
- Violations of criminal laws
- Unwillingness to receive treatment or other services that are minimally required
- Failure to make a good faith effort toward restitution requirements as applicable
- Failure to demonstrate, over a reasonable period, progress in VTC

The VTC phase structure requires participants to complete the program in 12 to 18 months. Failure of a participant to complete all five phases of the program within 18 months is grounds for termination

due to running out of time. The VTC team, upon final approval by the VTC Judge, may grant a participant, upon a showing of good cause, no more than two two-month extensions in the program. Any further extensions must be approved by the Chief Judge.

VTC low-risk agreements typically last for 6 or 9-month periods. Failure of a Veteran to comply with all conditions of the agreement within the indicated timeframe is grounds for termination. The VTC team, upon final approval by the VTC Judge, may grant a participant, upon a showing of good cause, an extension of this timeframe. If a Veteran has demonstrated significant non-compliance within the agreement and their criminogenic risks or clinical needs have significantly changed, the MCDAO may offer a conversion to the VTC phase structure on a case-by-case basis. The Veteran is then re-assessed to determine appropriateness for the phase structure program, which may involve new risk/need assessments. If the Veteran is agreeable to the offer, a new VTC agreement is drafted and filed and the Veteran will begin at Phase 1.

Upon the recommendation that a participant be terminated, the VTC team will consider the recommendation at the next scheduled staffing for a final decision to be made.

VI. REPORTING

A. Referral Summary

The referral summary is completed and provided to the team after the eligibility determination process and clinical assessment are complete. This comprehensive report outlines the Veteran's criminal history, risk and needs, treatment level of care, readiness for change, and any other information that may assist the team in making an admission decision.

B. Violation Reports

Major violations will be reported to the Judge immediately. If a bench warrant is issued for a VTC participant, this information will be immediately provided to the VTC Liaison Officers.

C. Status/Compliance Reports

Veteran participant compliance reports shall be submitted to each team member. Said report will provide a detailed accounting of the Veteran's compliance with and progress in supervision, treatment, drug testing, and any other programming.

VII. PROGRAM EVALUATION

The best way to determine the effectiveness of any program is to conduct a thorough evaluation. To achieve this goal, VTC will establish an evaluation team to develop uniform methods for data collection and information sharing to be used for process and outcome evaluations based on the goals and objectives of VTC.

VIII. APPENDICES

Appendix 1: VTC Progress Report

Client Information:

Client Name:		DOB:	XX/XX/XXXX	Case Number(s):	
Client Contact Information:	<i>Phone Number Address</i>		Original Charge(s):		<i>Enter Charges</i>
Military Branch			Discharge Type:		
Court Liaison/CM		VA Liaison		Recommended Sentence:	
Defense Attorney:	Enter Name		Previous Hearing:	<i>Enter date</i>	
Mental Health:	TBD		Prescriptions:	TBD	
Employment:	TBD		Education:	TBD	
Entry Date:	XX/XX/XXXX	Release Date:	XX/XX/XXXX	Wait Days:	- ORAS Risk Level: Choose an item. IDA Risk Level: Choose an item. Agreement Length: Choose an item.
Compliance Date:	TBD		Court Sobriety Date:		TBD
Current Phase:		Phase Start Date:	XX/XX/XXXX	Phase Notes:	Eligible for Phase I: TBD

Conditions:

MRT/T4C:	Pending Enrollment	Date:	NA
Coping Skills (SS):	Pending Enrollment	Date:	NA
Restitution:	TBD	Paid:	\$0
Budget:	Not Completed	Date:	NA

Behavior and Response (since previous hearing):

Date	Prosocial Behavior	Response to Behavior

Date	Noncompliant Behavior	Response to Behavior

Additional Information:

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Treatment History:

Provider	Level of Care	Start Date	End Date	Discharge Type

Behavior History:

Date	Prosocial Behavior	Response to Behavior

Date	Noncompliant Behavior	Response to Behavior

Appendix 2: Milwaukee County VTC Behavioral Matrix

Veterans Treatment Court Response Guide for Positive and Negative Behavior

****Consider Veteran's risk level, current phase (if applies), if this is a proximal or distal goal, and overall level of compliance for the review period****

Suggested Response	NEGATIVE	BEHAVIOR	POSITIVE	Suggested Response
ACCOUNTABILITY RESPONSES • Reset sobriety date • Reset compliance date • Delay phase up • Review Participant contract/Program Conditions • Verbal Admonishment • Increased Communication & Reminders • Call VJP to confirm VA appointments for next 5 days • Adjust Reporting Schedule • Case Staffing	• Positive drug test/PBT/SCRAM with honesty • Insufficient/Diluted (2) UA sample • Late to appointment/ missed appointment • Failure to present required documentation • Failure to notify parties of changes in address and contact information • Failure to comply with treatment plan	L o w	• Attendance at all court hearings • Comply with testing requirements • Being honest • Attend all appointments on time; notify providers of tardiness or absence; make-up missed appointment(s) in a timely manner • Obtain a sponsor/mentor • Participate in a pro-social activity • Provide requested verifications and physician disclosure forms • Work with CM to locate secure housing; report address/phone change • Establish payment plan or schedule DSP assessment • Register for the Firearms Safety Course • Identify issues and needs re: family and other relationships • Identify educational/employment needs • Complete letter of apology • Develop a budget/ restitution payment plan • Develop Community Service plan	• Verbal praise and affirmation • Applause in court • Note card with message • Other individualized incentives
BEHAVIORAL CHANGING RESPONSES • Reflective Writing Assignment • Case Staffing • Activity log • Reassess Counseling/Treatment plan • Case Management intervention				

ACCOUNTABILITY RESPONSES Any low responses plus: • Increased Reporting Schedule • Increase frequency of UA/PBT testing BEHAVIORAL CHANGE RESPONSES Any low responses plus: • Revision of Treatment plan/relapse prevention plan/case managements plan • Case Staffing • Early Court review • Cognitive Intervention • Community service	• Failure to report police contact or new arrest • Failure to engage in treatment • Report of unacceptable/disruptive behavior • Entering establishments whose primary function is sale of alcohol or gambling • Failure to perform assigned tasks after court • Continued association with criminal peers • Missed/refusal or dishonest positive drug/PBT/SCRAM • Failure to adequately address mental or physical health needs** • Failure to comply with restitution plan/budget • Failure to take steps to improve literacy/education/vocational training/employment/obtain income/secure housing • Attending businesses that conflict with recovery • Repeated low violations (2+)	M o d e r a t e	• Clean UA/PBT; no missed, refusal or dishonest positive UA/PBT/SCRAM • Engage in treatment; develop support system; attend support groups; • Association with prosocial peers; positive leisure activities; sponsor/mentor • Complete DSP Assessment • Comply with court orders and directives; submit phase up request (if applicable) • Complete community service requirement • Secure stable/supportive housing • Comply Restitution/Fine/child support payment plan • Positive report from 3rd party • Medication and treatment Compliance • Take steps to improve education/vocation and employment skills • Develop plan to address family/marital issues	• Any of the above responses • Certificate of Accomplishment • Veteran of the Week • Virtual court appearance • Permission to travel
ACCOUNTABILITY RESPONSES Any low or moderate responses plus: • VTC Team alerted immediately • Jail sanction • Earlier Court Date/Bench Warrant Issued • Revocation/Termination of Agreement • Amend VTC agreement to include additional charges • SCRAM BEHAVIORAL CHANGE RESPONSES Any low or moderate responses plus: • Case Staffing	• Tampered UA/SCRAM • Violation of GPS/SCRAM conditions • Dishonest positive UA/PBT/SCRAM when on medication assisted treatment • Continued substance use while on MAT • Failure to actively participate in treatment as required by VTC • Any new criminal charge(s) • Discharge from/leaving housing/treatment or CBT Program • Missed court appearance • Violation of no contact order/stay away order/continued engagement in unhealthy relationships • Forgery or alteration of document • Failure to report to JP after negative treatment discharge • Operate a motor vehicle w/out a valid license • Repeated moderate violations (2+)	H i g h	• Demonstrate use of recovery skills, pattern of continued sobriety, active engagement in recovery activities and/or taking a leadership role in recovery activity or prosocial activity • Maintain healthy support system, active engagement in healthy, prosocial activities, peers and relationships. • Demonstrate good problem solving, coping and decision making skills • Maintenance of safe, drug free housing; employment; class and job training attendance • Active participation in mental health counseling; healthy pain management regime; and demonstrate self-efficacy in physical and mental health	• Any of the above responses • Phase up • Reduced Court attendance

**** = includes taking medications as prescribed**

Appendix 3: VTC Referral Summary

Veteran Summary

Name:	DOB:	Address:
Gender:	Phone:	
Referral Date:		

Current Charges:

Case #	Statute #	Statute Description	Severity

Past Charges:

Case #	Statute #	Statute Description	Severity

Risk and Needs:

Risk Level:

Criminogenic Needs:

Contract offered:

Recommended Interventions:

- ☐ Cognitive Behavioral Intervention
- ☐ Drug Testing / Preliminary Breathalyzer Test (PBT) / Absolute Sobriety
- ☐ Cooperate with and abide by any recommendation as made by the monitoring agency
- ☐ Continued engagement in current mental health treatment plan as a condition of any offered DPA

Clinician Assessment

Date of Assessment	Level of Care	Provider	VJP	Date Available

Case Summary:

VTC Coordinator Comments:

Milwaukee County Veterans Treatment Court

Physician Disclosure Form

Date: _____

Participants of the Milwaukee County Veterans Treatment Court are required to notify any medical professional whom they have visited for medical treatment of the following information:

“I am a participant in the Milwaukee County Veterans Treatment Court and I am required to disclose that I have an open criminal case in Milwaukee County and must undergo random drug and alcohol tests to ensure absolute sobriety.”

This information should be considered by my medical practitioner in making any medical determinations on my behalf in connection with any prescribed substances. By signing below, the medical professional acknowledges that they have considered any and all non-controlled substances that may be appropriate for my diagnosis and that, if applicable, a **controlled substance** was determined to be the most suitable at this time. If a controlled substance is prescribed, I request the medical professional to provide a list of non-controlled substances that have been considered and/or attempted, either on the back of this form or on a separate sheet attached to this form.

I also request that the medical professional write on my file that I am a participant in the Milwaukee County Veterans Treatment Court program, and sign and date this form acknowledging disclosure of this information. A copy of this form will be provided to my case manager, as well as the parties to my agreement in the Veterans Treatment Court program.

Participant Signature: _____ Date: _____

Medical Professional Signature: _____ Date: _____

Medical Professional Address: _____

Medical Professional Fax #: _____

Medical Professional Phone #: _____

Medical Professional Email: _____

Please contact my case manager if you have any questions.

Case manager name _____

Phone number _____

List of other medications explored:
