Delaware Municipal Court

Mission Court
Participant Handbook

"To serve those who served our Country"

Participant Handbook

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INTRODUCTION

Welcome to the Delaware Mission Court, a Veterans Treatment Court.

The goal of the Delaware Mission Court (DMC) is to provide veterans involved in the Delaware Municipal Court with services, and support so that they may lead stable and law-abiding lives as productive members of this community.

Every veteran placed on the DMC will be assigned a veteran mentor to help them navigate the court system, access VA resources, and build camaraderie within the community.

This handbook was written to help you successfully complete the requirements of the DMC. It includes specific information about your rights and responsibilities as a participant in DMC, as well as program requirements, rules, and guidelines regarding supervision and treatment.

Your decision to participate in the DMC is voluntary. However, once you are placed into DMC, participation is **mandatory**. You will be on DMC for **at least one year.**

As you consider participation in the DMC, and advance through the phases on the DMC, know that the DMC will not consider your ability to pay fees and/or other financial obligations in determining eligibility for the docket, progress while on the docket, and/or graduation from the docket. The DMC will make reasonable accommodations based on your financial ability.

YOU WILL REMAIN ON COMMUNITY CONTROL AFTER YOU GRADUATE FROM DMC.

To successfully complete the DMC you shall:

- ✓ Remain free of drugs and alcohol
- ✓ Attend status review hearings in person
- ✓ Attend appointments with treatment providers and case managers
- ✓ Attend appointments with your Community Control Officer/DMC Coordinator
- ✓ Comply with program requirements
- ✓ Submit to frequent, random, and observed alcohol and drug screens
- ✓ Complete sanctions for rule infractions; and
- ✓ Follow all federal, state, and local laws.

How is the DMC different from regular community control?

The biggest difference between the DMC and regular community control is the amount of contact between you and the Mission Court Coordinator/Community Control Officer, treatment staff, and the Mission Court Judge. You are required to attend DMC status review hearings before the Mission Court Judge.

You are provided with veteran-centered support (including a veteran mentor) and treatment services for a number of conditions that may not be available to defendants placed on regular supervision with the Community Control Office.

You are evaluated for post-traumatic stress disorder, substance abuse and other medical and health conditions. You are also evaluated for neurological conditions that may affect learning or behavior. The results of these evaluations are used to create an individualized case plan specific to your needs.

You are urged to consult with your attorney, family members, and other supportive persons in your life before deciding to participate in the DMC.

ELIGIBILITY

Your decision to be on DMC is **voluntary** but participation in the DMC is **mandatory**.

The DMC will not deny anyone admission to the program based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, or any disability. Also, the DMC will not consider a defendant's ability to pay fees and/or other financial obligations in determining eligibility for the docket, progress while on the docket, and/or graduation from the docket. The Delaware Mission Court will make reasonable accommodations based on a defendant's financial ability.

Your criminal history will be reviewed as part of the acceptance process. There are some prior offenses which may exclude you from the program.

If you are currently on any type of community control through another court, acceptance into the DMC must be coordinated with that court.

Legal issues regarding your competency to stand trial or insanity defenses must be resolved before you enter the DMC.

To be eligible for the DMC you must meet all legal and clinical criteria as stated below:

Legal Eligibility Criteria

1. You must have misdemeanor charge(s) pending in Delaware Municipal Court.

2. You must not be a violent offender as defined by Ohio Revised Code §2901.01(A)(9). In limited circumstances and under the court's discretion, violent offenders may be considered after consultation with all parties involved in the case, including the victim/victim's representative.

3. You must be an individual who can be treated safely and effectively within the Delaware Mission Court.

4. You must be a veteran. The Delaware Municipal Court considers a defendant to be a Veteran if the defendant has previously served or is currently serving in the United States Military or has service with the Army/Air National Guard.

5. You must plead guilty or be found guilty and agree to be placed on supervised community control through the DMC.

6. You must be an individual with a moderate to high risk for recidivism and high need for treatment.

Clinical Eligibility Criteria

1. You must have a clinical diagnosis of substance dependence, mental illness, traumatic brain injury, post-traumatic stress disorder, or co-occurring disorder.

2. You must not be a risk to court staff, family, or the community.

3. You must be willing to go to treatment and agree to comply with the recommendations of your service providers based on the assessment reports.

PROGRAM ENTRY

The Mission Court Judge decides admission into and termination from the DMC in accordance with the written eligibility criteria.

Even if you meet all eligibility requirements, admission into the DMC is not guaranteed. The Mission Court Judge and the Docket Coordinator reserve the right to deny entry into the program even when all eligibility requirements are met.

Referrals and Screening

Referrals to the DMC can occur when you are arrested and/or officially charged. The process is informal and may be initiated at any stage of the proceedings.

A referral may be made by police officers, jail staff, community control officers, pre-trial officers, prosecutors, defense counsel, case managers, and representatives from the treatment community, or you.

Once a referral is received, the Mission Court Coordinator will provide you with the DMC Participant Handbook to review. You are encouraged to consult with your defense counsel regarding the obligations associated with the docket and the rights you would be waiving to participate in the program. The DMC coordinator will schedule an appointment for prompt evaluation for the DMC. Some of the screening tools used for the evaluation/screening are: V.I.P. (Veteran Information Profile), D.R.I. (Driver's Risk Inventory), D.V.I. (Domestic Violence Inventory), and O.R.A.S. (Ohio Risk Assessment System).

You are required to have a clinical assessment prior to DMC screening with the Docket Coordinator.

Clinical Assessments

Clinical assessments will determine what types of services you are eligible to receive.
Clinical assessments are completed by appropriately licensed and trained professionals.

During a clinical assessment, a qualified professional will gather information regarding your family history, social life, employment, financial situation, previous experience in treatment and other factors that can impact your health and well-being. The assessment provides the Court a complete picture of your life, which helps in determining your course of treatment. You will be required to sign a Release of Information Form so your assessment can be sent to the Docket Coordinator. You will also be screened for Post-Traumatic Stress (PTS).

Your clinical assessment will be completed by the Veterans Justice Outreach Specialist or a licensed specialist through the VA, Maryhaven, or other appropriately certified agency. **You are responsible for scheduling the assessments.**

If there is an issue with completing the clinical assessment, it is your responsibility to contact the Docket Coordinator as soon as possible at (740) 203-1533.

All assessments shall include available collateral information to ensure accuracy of the assessment. All assessment reports shall include treatment recommendations based on the appropriate level of care, confirm that you meet the clinical eligibility criteria, and that you are appropriate for inclusion in the DMC. The assessment reports also must address your risk to program staff and to the community, as well as preliminary recommendations regarding the types of services that should be considered for you.

All evaluations, assessments, and referrals to treatment are expected to be completed within thirty days after the Application for DMC is filed.

If it is determined that you are not appropriate for or you choose not to participate in the DMC, your case will proceed to the regular docket.

If it is determined that you are appropriate for the DMC, you will be placed as soon as possible in appropriate treatment services and programs. If you choose to participate in the DMC, you will be assigned a service provider for case coordination and development of a comprehensive treatment plan. The docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

Program Admission

Once the Mission Court Judge determines you are to be offered entry into the DMC and you accept, a journal entry is signed transferring the case to the DMC, a date for you to plea is scheduled, and a notice to appear in DMC is given to you and your attorney.

Upon appearing in court, the Mission Court Judge will advise you and your attorney of your right to a written participation agreement and participant handbook outlining the requirements and processes of the DMC.

Your attorney will review the participation agreement with you. The Mission Court Judge will confirm both you and your attorney received the DMC Participation Agreement and Participant Handbook, and he will explain the expectations and possible responses to compliance and non-compliance, including program termination criteria.

At this time, you and your attorney will sign the DMC Participation Agreement and be provided with copies. You will enter a plea and be ordered to successfully complete the DMC. You are required to read, understand, and sign the participation agreement and docket handbook. The Mission Court Judge has sole discretion to decide admission into the DMC.

You will report to the Mission Court Docket Coordinator/Community Control Officer and will be expected to engage in services as directed by your treatment team. This will include meeting with a member of Delaware Veterans Services and a member of the VA's Veterans Justice Outreach program.

Treatment Team and Meetings

The DMC Treatment Team oversees the daily operations of the program and is here to help you successfully complete the requirements.

The Mission Court Judge chairs and attends the treatment team meetings, which are held **the 2nd and 4th Friday's at 2:30 p.m.** prior to your status review hearing at the Delaware Municipal Court at 70 N. Union Street, Delaware, Ohio 43015. **You are expected to report to court on these days no later than 2:45 p.m.**

This meeting provides an opportunity for the treatment team to discuss and review your conduct, compliance, and achievements.

In addition to any constitutional or legal right to counsel throughout the process, you have the right to request the attendance of your defense counsel during the portion of the treatment team meeting concerning you.

Members of the treatment team have specific roles as listed below:

Judge

- Chairs and attends all treatment team meetings.
- Uses discretion to decide admission into or termination from the Delaware Mission Court in accordance with the written legal and clinical eligibility criteria.
- Knowledgeable about treatment and programming methods and limitations.
- Resolves conflicts among treatment team members.
- Makes decisions concerning incentives, service adjustments, sanctions, phase advancement, and program terminations.
- Discusses progress with Veterans at status review hearings.
- Attends specialized docket professional and continuing legal education courses.

Mission Court Coordinator/Probation Officer

- Facilitates the specialized docket in accordance with the written program description.
- Assists with identifying potential participants and handles initial paperwork.
- Collects and maintains statistical information and records concerning Veterans.
- Collects and maintains statistical information and data from service providers.
- Creates reports for review and submission to funding sources.
- Ensures that treatment team members follow program policies and procedures.
- Attends treatment team meetings and status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Plans and organizes advisory committee meetings and graduation ceremonies.
- Attends specialized docket professional and continuing education courses.
- Facilitates screening and assessment processes for entry into the Mission Court.
- Conducts orientation with Veterans regarding Mission Court.
- Meets with Veterans regularly to discuss individualized program goals and progress.
- Gathers progress reports from treatment and service providers to present to the treatment team.
- Monitors compliance with Mission Court program requirements.
- Conducts or coordinates random alcohol and drug tests and immediately reports results to the treatment team.
- Informs treatment team if treatment plan, supervision plan, and court orders are being followed.
- Provides progress reports and recommendations to the treatment team during meetings.
- Monitors service provider agreements.
- Monitors compliance with supervision plan.

Prosecutor

- Supports the non-adversarial approach of the specialized docket while recognizing their distinct role of ensuring justice and protecting public safety and victim's rights.
- Conducts legal eligibility screening and provides treatment team with report on legal eligibility.
- Attends treatment team meetings and status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- If applicable, files Motion to Dismiss or Amend Charges upon successful completion of Mission Court by Veteran.
- Attends specialized docket professional and continuing legal education courses.

Defense Counsel

- Supports the non-adversarial approach of the specialized docket while recognizing their distinct role of preserving the constitutional rights of the program participant.
- Identifies eligible defendants for the Mission Court in accordance with the written criteria.
- Refers defendants to be screened and assessed for eligibility to participate in the Mission Court.
- Assists defendants in deciding to participate in the Mission Court.
- Explains to defendant the rights that are waived when entering the Mission Court.
- Explains to the defendant the possible sanctions that may be imposed while participating in the Mission Court.
- Explains to the defendant the circumstances that may lead to unsuccessful termination from the Mission Court and the possible consequences to the defendant if terminated.
  Attends treatment team meetings upon the defendant's request during the portion concerning the defendant.
- Attends status review hearings upon the defendant's request.
- May participate in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Attends specialized docket professional and continuing legal education courses.

Veterans Mentor Coordinator

- Facilitates the operations of the Veterans Mentor Program.
- Recruits and trains volunteer mentors from Veterans organizations.
- Works to expand services that local agencies provide to Veterans.
- Attends specialized docket professional and continuing education courses.
- Only attends treatment team meetings if there is an immediate emergency with participant/mentor

Veterans Justice Outreach Specialist (VJO)

- Determines if Veterans are eligible for Veterans Administration (VA) benefits and services.
- Links Veterans who are eligible for VA benefits to appropriate assessments and services.
- Attends treatment team meetings and status review hearings.
- Provides reports and recommendations to treatment team during meetings.
- Monitors compliance with VA treatment plan and reports Veteran's progress in VA services to treatment team.
- Conducts or coordinates random alcohol and drug tests conducted by VA facilities and immediately reports results to the treatment team.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Attends specialized docket professional and continuing education courses.

Licensed Treatment Providers

- Must be appropriately licensed and trained to deliver the treatment services offered.
- Screens and assesses for treatment determinations; shall be appropriately licensed and trained.
- Will maintain separate treatment tracks for Veterans in the Delaware Mission Court, whenever possible.
- Conduct diagnostic assessments, provide the clinical diagnosis, and develop the treatment plan.
- Provide documentation on Veterans' progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests.
- Attend treatment team meetings and status review hearings.
- Provide treatment updates, reports, and recommendations regarding treatment needs.
- Participate in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Attend specialized docket professional and continuing education courses.

Law Enforcement Officer

- Attends treatment team meetings and status review hearings.
- Participates in discussions regarding incentives, sanctions, phase advancement, successful completion, and termination.
- Serves as liaison with police department.
- Attends specialized docket professional and continuing education courses.

SUPERVISION AND TREATMENT REQUIREMENTS

The DMC program consists of 4 phases (Orientation; Phase 1; Phase 2; Phase 3). You are expected to progress through each phase and accomplish specific case plan goals. There are specific things you must do to complete each phase.

If you fail to comply with the rules of the DMC, specific sanctions can be imposed.

Status Review Hearings

As a participant in the DMC, you are required to appear in court before the Mission Court Judge on a regular basis. The frequency of these appearances depends on your program phase and your level of cooperation and success. Participants may be permitted to miss status review hearings on a case-by-case basis and no more than one status review hearing per phase.

The DMC holds status review hearings to review your progress on **the 1st and 3rd Wednesdays of every month at 3:00 p.m.** or immediately after the treatment team meeting at the Delaware Municipal Court at 70 North Union Street, Delaware, Ohio 43015.

Failure to attend a scheduled status review hearing may result in additional sanctions being imposed or a bench warrant issued for your arrest.

Proceedings will occur in the courtroom before the Mission Court Judge and in the presence of the other Veterans involved in the program. These proceedings are open to the public.

Initially, you will appear in front of the Mission Court Judge on the 1st and 3rd Wednesdays of every month until you are regularly engaged in your case plan and treatment services. As you progress through DMC Program Phases, your requirement to appear at status review hearings will be reduced.

At each appearance the Mission Court Judge will be given a progress report prepared by the DMC Treatment Team. The report shall review the level of your participation, progress, and compliance.

Status review hearings provide an opportunity for the Mission Court Judge to recognize your progress and achievements, address your setbacks, and impose rewards and sanctions. The Mission Court Judge will explain to you how he will respond to your compliance and non-compliance with DMC program requirements, including what may cause you to be terminated from DMC.

The Mission Court Judge will discuss progress and specific problems with you. He may discuss modification to your case plans. The Mission Court Judge may also address issues you are having with your service providers.

The DMC will monitor the provision of services, as well as your engagement in services.

DMC Guidelines, Rules, and General Conditions

You are expected to do all of the following:

1. Accept and comply with the terms of your community control, including your case plan, as ordered by the DMC.

2. Update the DMC and any assigned treatment or service providers with changes to your address and phone number.

3. Attend all of your hearings (aka dockets) before the Mission Court Judge.

4. Attend all of your scheduled appointments with your treatment agencies and service providers. Absences and tardiness will not be tolerated.

5. Take all medications as prescribed by your doctors.

6. Attend and be on time for all hearings/dockets and meetings at the DMC.

7. Never be violent, verbally aggressive, or threatening towards others at DMC, treatment, or service provider sessions.

8. Dress appropriately for DMC, treatment agencies, and service provider sessions.

9. While in DMC, be respectful of the court process by being calm and orderly and never disruptive.

10. Do not use alcohol, illegal drugs, or any controlled substances that are not prescribed by your medical doctor.

11. Submit to all random, frequent, and observed drug and alcohol tests.

12. Act in a way that is lawful.

13. Be respectful to court, treatment, and service provider staff assigned to work with you through the DMC.

14. Read, understand, and sign the DMC Participation Agreement which will be explained in detail by your attorney.

Costs to Participate in DMC

You will be responsible for the following costs when participating in the DMC:

1. Standard community control fees—these will be explained to you by your Community Control Officer.

2. Treatment costs—these will vary depending on your income and which agency is providing your treatment

3. Any restitution, fines, and court costs ordered by the DMC.

4. You have the entire time you are on the docket to pay off fines, court costs, probation fees, and restitution.

5. Incentives on the docket often include a reduction in costs/fees.

6. The Delaware Mission Court will make reasonable accommodations based on your financial ability.

You may also have to pay for:

- ✓ Drug testing fees and alcohol monitoring fees

- ✓ Any monetary court costs that you are given from any sanctions (such as a community control violation).

Appointments & Office Visits

You are required to report to your DMC Coordinator and Community Control Officer as scheduled.

The frequency of your office visits will be determined by your compliance with DMC rules, your phase level, and your individual supervision case plan.

You must report immediately to your DMC Coordinator and Community Control Officer by phone or in-person, any changes in your life, such as changes in your housing, phone number, employment, family situation, etc.

You must bring all appropriate documentation to verify items as requested by your DMC Community Control Officer. This includes verification of AA attendance, Pro-Social activities, treatment attendance, employment, receipts for payments towards fines, costs and restitution, and any other items requested.

Home Visits

While in DMC, your Community Control Officer will conduct visits to your home. These visits will be random, possibly after curfew, and unannounced.

You may be asked to submit to drug and/or alcohol testing during home visits.

Summary of Treatment & Services Provided

The DMC adopted the following policies and procedures in reference to treatment and services provided to you.

1. You will be promptly assessed and placed as soon as possible in appropriate treatment services and programs.

2. You will receive a treatment plan based on your individual needs.

3. Your treatment plans will take into consideration services that are gender responsive, are culturally appropriate, and effectively address co-occurring disorders.

4. All of the treatment services provided to you will incorporate evidenced-based strategies.

5. All of the treatment services provided to you, including case plans, are appropriate and clinically necessary to the degree that available resources allow.

6. You shall have prompt access to a continuum of approved treatment and rehabilitation services.

7. DMC maintains a current treatment plan and a record of activities for you. Your treatment plans will continue to develop throughout the program to reflect your changing needs based on your progress.

8. Appropriately licensed and trained persons will deliver services to you according to the standards of their profession and will provide you with all treatment and programming.

The DMC has partnered with the following agencies to provide assessments, treatment plans, case management services, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender-specific treatment, co-occurring disorders treatment, supportive housing, family therapy, medication, and medication monitoring to Veterans:

- ✓ Chalmers Wylie VA Medical Center in Columbus

- ✓ Maryhaven

Treatment and services shall be individualized, evidence based, trauma informed, gender-responsive, culturally appropriate and shall effectively address co-occurring disorders. When possible, service providers should have separate tracks for participants.

These agencies also work together to provide additional services, such as educational and vocational training, employment, transportation, housing, domestic violence programming, and physical, mental, and dental health.

DMC ORIENTATION& PROGRAM PHASES

The DMC has an orientation and four phases that must be completed before you graduate. Each phase has specific tasks that you must achieve before you can move to the next phase. As you complete the tasks in each phase, your performance and progress will be monitored. Your progression through the DMC phases is based upon your performance in the treatment plan and compliance with program rules. Requirements of the docket phases phase progression is not solely based on timelines.

Orientation Phase

Your goal in Orientation is to gain an understanding of the requirements of the DMC. You will do the following in orientation:

- Complete the Release of Information Form.
- Complete all assessments ordered by the Mission Court Judge.
- Review the DMC Participant Handbook and Participation Agreement to ensure that you understand program expectations.
- Attend a DMC status review hearing/dockets.
- Be introduced to members of the treatment team.
- Become familiar with the location of service providers and address any transportation issues.
- Complete and review your individualized treatment and supervision plans.
- Meet with a member of your County's Veterans Services Commission and Bobby Perkins, Veterans of Justice Outreach Coordinator to review possible resources available to you.
- Once all the above is completed, the treatment team and judge will discuss advancement to Phase 1. Judge has discretion on participants advancing to the next phase(s).

Phase I

In Phase I you will focus on complying with all DMC requirements and trying to become more stable. During this phase, you will have the most contact with the court, DMC Coordinator/Community Control Officer, treatment providers, and veteran mentor.

Tasks to be completed in this phase include the following:

- Attend status review hearings/docket the 1st & 3rd Wednesdays of every month.
- Attend treatment as required.
- Take your medications as they are prescribed.
- Participation in pro-social activities and community sober support meetings in accordance with the treatment provider's individualized treatment plan.
- Contact and meet your community control officer as you are instructed.
- Submit to all random, frequent, and observed alcohol and drug testing.
- Explain your understanding of DMC program expectations.
- Comply with all guidelines, rules, and general conditions of the DMC.
- Work with housing, educational, vocational, and/or employment service agencies.
- If employed, maintain your employment. If unemployed, apply for jobs and provide proof of applying to your Community Control Officer.
- No positive drug tests for six weeks before you are eligible to advance to the next phase.
- No sanctions for six weeks before you are eligible to advance to the next phase.
- Submit essay to advance to Phase II.

Phase II

During Phase II, you will begin to develop skills, improve family relationships, and set employment, vocational, and/or educational goals. Based on your progress, required appearances at status review hearings may be reduced.

Tasks to be completed for this phase include the following:

- Attend status review hearings/dockets on the 1st Wednesday of every month.

- Attend treatment as required.
- Take your medications as they are prescribed.
- Participation in pro-social activities and community sober support meetings in accordance with the treatment provider's individualized treatment plan.
- Contact and meet your community control officer as you are instructed.
- Submit and provide negative results to all random, frequent, and observed alcohol and drug testing.
- Comply with all guidelines, rules, and general conditions of the DMC.
- Complete the MADD VIP (Mother's Against Drunk Driving Victim Impact Panel) if you're offense is alcohol related.
- Continue working with housing, educational, vocational, and/or employment service agencies.
- Start the give back project.
- If employed, maintain your employment. If unemployed, apply for jobs and provide proof of applying to your Community Control Officer.
- No positive drug tests for six weeks before you are eligible to advance to the next phase.
- No sanctions for six weeks before you are eligible to advance to the next phase.
- Submit essay to advance to Phase III.

Phase III

In Phase III you will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, and/or vocational plans. This phase is crucial as you put into practice everything learned in the first two phases and demonstrate on-going stability and self-sufficiency.

Tasks to be completed for this phase include the following:

- Attend status review hearings/docket as you are instructed on the 1st Wednesday of every month.
- Attend treatment as required.

- Take your medications as they are prescribed.
- Participation in pro-social activities and community sober support meetings in accordance with the treatment provider's individualized treatment plan.
- Contact and meet your community control officer as you are instructed.
- Submit and provide negative results to all random, frequent, and observed alcohol and drug testing.
- Comply with all guidelines, rules, and general conditions of the DMC.
- Maintain your employment.
- Maintain your stable housing.
- Complete the give back project.
- No sanctions for eight weeks before you are eligible to graduate.
- Complete and submit your Petition to Graduate to the DMC Coordinator.
- Complete an Exit Interview with the Treatment Team.

Once your Petition to Graduate is submitted to the DMC Coordinator/Community Control Officer, the treatment team will review your progress and accomplishments through the DMC and make a recommendation to the Mission Court Judge. The Mission Court Judge will decide when you will successfully complete the DMC.

SUBSTANCE USE MONITORING

Your substance use will be monitored by random, frequent, and observed alcohol and drug tests based on your individualized case plan. Substance monitoring is part of your treatment plan.

A positive drug test results in an immediate and graduated sanction. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample is treated as a positive test and immediately sanctioned.

Testing may include instant and lab tested urinalysis drug screens, SCRAM, portable Breathalyzers, use of scientifically validated technology for ethyl alcohol, and/or other devices that are deemed reliable.

Urine screens test for many common substances including your substance of choice. All testing shall be recorded and maintained for you for as long as you are in the DMC.

Random test selection is monitored utilizing the Sentry software program. Sentry provides true random selection by allowing the Veterans Treatment Court to individualize alcohol and drug testing plans for you based on your phase in the program.

You are required to call the Sentry automated phone line daily to determine if you are selected for drug testing. You will be tested for your primary substance of dependence, as well as a sufficient range of common substances. **If selected to test you must report to the Office of Community Control on that same day no later than 3:00 pm.**

If you relapse and/or provide a positive drug or alcohol test, the treatment team is immediately informed and may consider an adjustment in your treatment and sanctions. An appropriate therapeutic adjustment for all positive tests after entry into the DMC shall be immediately enforced by the Mission Court Judge. Any change in the treatment plan and/or sanctions are enforced and reinforced by the Mission Court Judge.

DMC uses instant urine screens and other types of tests that allow for laboratory confirmation. Upon receiving a positive test result, you may contest an instant urine screen by immediately making a request for a laboratory test and paying the cost for the test.

While waiting for the laboratory test, sanctions are not issued. However, if the test result is positive, then a more severe sanction may be issued based upon deception and the use of substances.

If the test returns negative, then the laboratory fee will be credited to you in a manner determined by the Mission Court Judge.

At each treatment team meeting, the results of substance monitoring tests will be provided to all treatment team members. The Mission Court Judge is immediately notified when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample. Immediate sanctions will be issued.

You are responsible for submitting to all random, frequent, and observed drug and/or alcohol tests.

Testing by Outside Agency

Testing may be done by agencies located outside of the court. These agencies must agree to follow DMC alcohol and drug testing protocols.

The agency testing you will immediately notify the Coordinator/Community Control Officer of the outcome of all tests. The Mission Court Judge will be notified immediately when you test positive, fail to submit to a test, submit an adulterated sample or sample of another individual, or dilute the sample.

Outside agencies drug testing docket participants will include the participants primary substance of use, as well as sufficient range of other common substances. All agencies conducting drug tests will comply with the requirements of this section.

Incentives

The Delaware Mission Court uses rewards and incentives as an important component for successfully making lasting changes in behavior. Presenting incentives and rewards, acknowledges the difficult changes Veterans are making in their lives. Immediate, graduated, and individualized incentives govern the responses to the Veteran's compliance. Praise and positive incentives shall be offered consistently to promote achieving productive behaviors. Incentives are awarded according to the Veteran's progress in the phases of the program and are designed to encourage and reward positive behavior.

The following are types of behaviors appropriate for incentives:

- Attending required court appearances on time and appropriately dressed;
- Attending required treatment appointments;
- Maintaining close and productive contact with case manager;
- Achieving individual treatment objectives;
- Abstaining from alcohol and drugs, as evidenced by negative test results;
- Engaging in vocational or educational activities;
- Securing stable housing;
- Advancing in phases; and
- Accomplishing any other milestone identified by the treatment team.

The following are types of incentives:

- Encouragement and praise from the Mission Court Judge;
- Ceremonies and tokens of progress, when advancing in phases;
- Reducing supervision contacts;
- Decreasing frequency of court appearances;
- Reducing fines/costs/fees;
- Increasing or expanding privileges;
- Encouragement to increase participation in positive activities he or she finds pleasurable, such as writing, art work, or other hobbies;
- Gifts of inspirational items, including books, pictures, and framed quotes;
- Assistance with purchasing clothing for job interviews;
- Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- Reducing jail days; and
- Graduating from the Delaware Mission Court.

Sanctions

The Delaware Mission Court will utilize graduated and individualized sanctions, service responses, and therapeutic responses to respond to non-compliant behavior. Examples of non-compliant behavior are non-compliance with court orders, treatment requirements, probation terms, or docket requirements. Sanctions, service responses, and therapeutic responses are to be used with the intention of bringing the participants behavior back into compliance with program standards. Adjustments in treatment services are not to be used as sanctions. Behavior that may result in a sanction, service response, or therapeutic response may include the following:

- Failure to attend court appearances and treatment appointments;
- Failure to follow program rules;
- Failure to keep scheduled appointments with the Mission Court Coordinator/Probation Officer, Veteran Mentor, or any treatment team member;
- Non-compliance with other requirements of the treatment plan;
- Non-compliance with random alcohol and drug screens or testing positive for alcohol and/or drugs;
- Failure to improve troublesome behavior;
- Failure to meet employment or vocational goals as determined by the treatment team; and
- Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.
- New charges or convictions.
- Dishonesty.

Examples of possible sanctions are as follows:

- Community service hours
- Reversion to earlier stages of the docket
- Electronic monitoring/house arrest
- SCRAM Bracelet
- Curfew and privilege adjustments
- Incarceration
- Termination from the Mission Court Docket

Examples of service adjustments are as follows:

- Warnings and admonishment from the Mission Court Judge
- Assignments
- Increased substance testing frequency
- Increased court appearances
- Increased probation appointments

Examples of therapeutic responses are as follows:

- Skill building
- Behavior modification
- Homework
- Treatment referrals
- Treatment modification

***An adult specialized docket shall not terminate participants unless providing notice of intent to terminate, a hearing, and representation by an attorney. Said participants shall have a commensurate level of rights as those required for community-control-revocation hearings. A participant may waive the right to a hearing, as long as the participant had the right to consult with an attorney and the waiver is made knowingly, intelligently, and voluntarily.**

**** An adult specialized docket shall not impose a jail sanction for non-compliance without providing notice, a hearing, and representation by an attorney. A participant may waive the right to a hearing, as long as the participant had the right to consult with an attorney and the waiver is made knowingly, intelligently, and voluntarily. Participants do not have the right to contest the imposition of sanctions that do not impact liberty interests. Adjustments in treatment activities are not sanctions.**

GRADUATION

Successful completion criteria are the guidelines used to identify how you effectively satisfy DMC requirements. In order to successfully complete and graduate from DMC, you must demonstrate compliant behaviors and accomplishments.

Compliant behaviors may include but are not limited to:

- Demonstrating a period of abstinence from alcohol and drugs.
- Meeting individualized treatment goals.
- Displaying a change in thinking, attitude, and beliefs.
- Maintaining consistent employment.
- Demonstrating ability to identify and eliminate criminal thinking patterns.
- Completing required community service hours.

- Paying all fines, court costs, restitution, and treatment costs. Your graduation from DMC will not be determined by your ability to pay fees and/or other financial obligations and the DMC make reasonable accommodations based on your financial ability.

Accomplishments may include but are not limited to:

- Fulfilling all DMC requirements.
- Completing all treatment requirements and programs.
- Developing an effective relapse prevention plan.
- Actively participating in a sober support group.
- Obtaining a vocational certificate or college degree.
- Obtaining a career.
- Obtaining permanent, stable housing.
- Maintaining consistent employment.
- Displaying responsibility for your behavior and making positive changes in your thinking, attitudes, and beliefs.
- Becoming a contributing and law-abiding member of society.

After the DMC Coordinator asks you to submit your Petition to Graduate, the treatment team will review your behaviors and accomplishments and make a recommendation to the Mission Court Judge regarding your successful completion of DMC requirements.

The Mission Court Judge has discretion to determine when you will successfully complete the DMC. Upon successful completion, you shall participate in a graduation ceremony hosted by the court and receive a certificate of completion.

Termination Classifications

There are two types of termination classifications in the Delaware Mission Court— unsuccessful termination and neutral discharge.

The participant will be afforded all legal process to are entitled, including notice, hearing and legal representation.

The Mission Court Judge has discretion in determining termination from the Delaware Mission Court in accordance with the written criteria.

The written and legal and clinical eligibility and termination criteria do not create a right to continue participation in a specialized docket.

Unsuccessful Termination

Criteria for unsuccessful termination may include:

- ✓ On-going noncompliance with treatment or resistance to treatment;
- ✓ New serious criminal convictions;
- ✓ A serious program infraction or series of infractions; and
- ✓ A serious probation violation or series of probation violations.

Consequences for unsuccessful termination may include:

- ✓ Loss of future eligibility for the specialized docket;
- ✓ Further legal action;
- ✓ Loss of diversion status for the offense, if applicable; and
- ✓ Revocation of probation and imposition of the original jail sentence.

Upon the determination that a Veteran is being considered for unsuccessful termination from the Mission Court, a hearing is scheduled before the Mission Court Judge and notice to appear is sent to the Veteran and his or her attorney. At the conclusion of the hearing, if the Mission Court Judge finds that the Veteran shall be unsuccessfully terminated from the Mission Court, any jail sentence and fines suspended may be imposed.

Neutral Discharge

A Veteran may be neutrally discharged from the Mission Court if the Veteran is no longer capable of completing the program as a result of the following:

- ✓ Serious medical condition;
- ✓ Serious mental health condition;
- ✓ Death; or
- ✓ Other factors that may keep the Veteran from meeting the requirements for successful completion.

Upon neutral discharge, the case may be placed on a lower level of probation or probation may be terminated.

Inactive or Suspension Status

If any of the following criteria apply the Veteran may be placed on inactive or suspension status.

- ✓ Veteran is placed in a residential facility and cannot be transported for status review hearings.

- ✓ Veteran is in need of additional assessments to determine if the Delaware Mission Court may be beneficial.
- ✓ Veteran has an outstanding warrant for non-compliance from the Delaware Mission Court.

MISSION COURT DOCKET PARTICIPANT HANDBOOK CONFIRMATION STATEMENT

I acknowledge that I have received, read, signed, and understand the Mission Court Docket Participant Handbook. I have had the opportunity to ask questions regarding these issues and they have been explained to me.

I have read and agree to abide by the guidelines as outlined in the Mission Court Docket Participant Handbook.

I understand what I can expect from this program and what this program expects of me.

Name: _____
Print

Name: _____ _____
Signature **Date**

Witness: _____ _____
Signature **Date**