

**OFFICE OF THE CHIEF OF POLICY AND PLANNING  
FOR NEW YORK STATE COURTS**

**Veterans Track Model**

**Introduction**

A Veterans Track is a separate court calendar within an existing drug treatment or mental health court that provides veterans suffering from addiction, mental illness and/or co-occurring disorders with linkages to community-based services as well as local, state and federal agencies specializing in veteran's affairs. Similar to drug treatment and mental health courts, a Veterans Track utilizes a team-centered approach to address the needs of veterans who find themselves involved in the criminal justice system. This approach involves the cooperation and collaboration of traditional stakeholders found in drug treatment and mental health courts with the addition of the Veterans Administration Health Care Network, Veterans Benefits Administration, veterans support organizations, and peer mentors.

Peer mentors are a critical component of the Veterans Track program. They are men and women who have previously served in our military's armed forces and are assigned to work with veterans in court. By virtue of their military experience, peer mentors provide veteran-defendants with a unique source of support and motivation as they navigate through the court process. Through the use of peer mentors, judicial monitoring and enhanced communication and coordination among stakeholders, the Veterans Track program seeks to provide veterans with immediate and intensive intervention so that they may lead productive and law-abiding lives.

**Planning Process**

- The planning process for a Veterans Track program should include creating a local working group of stakeholders who will assist in creating program guidelines and identifying resources. The working group should include, but is not limited to the following members:
  - Presiding Judge
  - Court staff, including court attorney, chief clerk, court security etc.
  - Prosecutor
  - Public defenders, private defense attorneys, bar associations
  - Representatives from the Veterans Administration
  - Community-based treatment providers

**Jurisdiction**

- Local jurisdictions should assess the feasibility of having a Veterans Track in either their local or superior drug treatment or mental health court.
- Criminal justice eligibility criteria (e.g., eligible offenses and exclusions) and substance abuse and/or mental health eligibility criteria (e.g., eligible disorders and exclusions) should be determined

#### **Case Identification and Referral Process**

- Procedures for identifying eligible cases should be determined (e.g., how cases are identified; who performs this function)
- Develop procedures for referral process (e.g., who will perform this task; is the consent of the prosecutor and defense attorney required)
- Stage of proceedings (e.g., when are cases referred: pre-plea or post-plea; if felony, pre-indictment or post-indictment)

#### **Screenings, Evaluations and Final Eligibility Determination**

- Develop procedures for screening, including selection of screening instruments
- Determine what types of substance abuse and/or mental health professionals need to participate in the assessment process
- Identify who will conduct assessments
- Determine who will make final eligibility decisions

#### **Informed Choice and Voluntary Participation**

- Establish protocols regarding informed choice
- Develop procedures for ensuring that participants fully understand terms of participation from both a criminal justice and treatment perspective

#### **Terms of Participation**

- Reach consensus on terms of participation (e.g., length of mandated treatment; requirements for graduation; rewards and sanctions)
- Develop protocols and program participation guidelines
- Develop procedures regarding participation decision (e.g., opt-in/opt-out period)

#### **Linking to Services**

- Develop procedures for assigning peer mentors
- Identify and meet with treatment and other service providers who specialize in addressing the needs of veterans (e.g., alcohol and substance abuse treatment providers; mental health service providers; housing services; educational and vocational training)
- Collaborate with local Veterans Administration representatives and determine what services and benefits are offered
- Determine what referral methods are required and/or appropriate for various services and/or providers
- Determine who will perform case management functions

#### **Information Sharing and Confidentiality**

- Identify information that is important to obtain and/or share that might be affected by confidentiality laws or principles
- Determine who will have access to which information
- Create consent forms that permit confidential information to be shared as needed
- Develop protocols for service providers to report to the court on progress or lack of compliance in treatment

#### **Judicial Monitoring and Motivating Compliance**

- Develop protocols for frequency of court appearances and/or case management meetings
- Develop protocols for information sharing with service providers, including reports on compliance with court mandates
- Develop protocols for drug testing
- Develop shared understanding among court, prosecutor, defense attorneys and providers about the array of possible rewards, sanctions and clinical responses

#### **Evaluation**

- Establish case tracking mechanisms
- Decide what additional indicators, if any, will be used to determine whether objectives are being achieved and, if so, develop format for performance reports

#### **Funding**

- Currently, there are no dedicated funds for a Veterans Track program