

VETERANS TREATMENT COURT



MENTOR PROGRAM HANDBOOK

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DEAR MENTOR,

Veterans Treatment Courts in New York State are designed to address the needs of servicemen and women struggling with the psychological and emotional aftershock of their service. These men and women, whose involvement with the criminal justice system is often caused by underlying, service related, substance abuse and mental health issues, present a unique challenge to the courts. The New York State Unified Court System has responded to this challenge with the creation of Veterans Treatment Courts. The goal of these courts is to address these underlying issues and link veterans to the services and support they need.

The first Veterans Treatment Court in New York, was established in Buffalo in 2008. It was an outgrowth of New York's other problem-solving court models, particularly the drug treatment and mental health courts. These courts provide participants with judicial supervision, therapeutic programs and services to address their specific needs.

There are two distinctive features of Veterans Treatment Courts that are the keys to their success: Veteran Mentors and collaboration with the U.S. Department of Veterans Affairs and other veteran service agencies. Veteran mentors, comprised of volunteers from the U.S. Armed Forces, share a vast array of common life experiences with participants. These common experiences allow veteran mentors to effectively engage participants, act as a resource and guide to navigating the courts, help participants maintain focus on their treatment, assist participants in navigating the challenges of adjusting to a healthy and productive civilian lifestyle and help participants to graduate from Veterans Treatment Court.

Your contribution to the Veterans Treatment Courts is immeasurable. Thank you.

Hon. Sherry Klein Heitler
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MISSION STATEMENT

New York State Veterans Treatment Courts (VTC) aim to help justice involved veterans that are dealing with addiction, mental illness and/or co-occurring disorders by connecting them to community-based services and local, state, and federal agencies that specialize in veterans’ affairs.

VTCs address the unique needs of veterans in the criminal justice system through a team-based approach. Collaboration among the U.S. Department of Veterans Affairs, veterans support organizations, drug treatment/mental health court stakeholders, and of course, mentors, create a support network for veterans.

As volunteers who have previously served in the U.S. armed forces, mentors serve a critical role in this support network by providing motivation and unmatched trust to veterans in the criminal justice system. In addition to judicial monitoring and coordinated services with the U.S. Department of Veterans Affairs and veteran service providers, VTC Mentor Programs provide peer support for veterans.

Contents

Why Veterans Treatment Courts?	7
Mentor Coordinators.....	9
Veteran Mentors.....	11
How to Start a Conversation With a Mentee	14
Talking with a Veteran in Crisis.....	15
Frequently Asked Questions	16
Emergency services and Other Resources	20

WHY VETERANS TREATMENT COURTS?

Many veterans return to civilian life and find themselves facing personal challenges, including mental health problems or substance use, that are unique to life after military service. Criminal behavior, mental health problems and substance abuse often stem directly from service in combat zones and may be amplified by reentry into civilian life.

According to Justice for Vets, these issues can be exacerbated by the loss of structure and camaraderie found in the military. Research continues to draw a link between substance use disorders with service-related mental illness. VTC offers a solution by connecting justice-involved veterans to appropriate services in a court setting, surrounded by an interdisciplinary team. These include the judge, court staff, prosecutors, treatment/service providers, defense attorneys, probation, law enforcement, volunteer mentors, and representatives from the U.S. Department of Veterans Services, all of whom work collaboratively to help veterans.

Veterans Treatment Courts

Realizing that veterans have special needs that were not being adequately served, Buffalo City Court created the first VTC in 2008. Beginning with, and then adapting, the structures of drug treatment courts and mental health courts, the Buffalo VTC identified some of the specific issues facing veterans:

- The needs of many veterans are related to their military service.
- Many veterans use substances as a way of numbing or decreasing their stress levels.
- Some drug use may result from medical treatment for physical injuries or mental illness.

VTCs (known as Veterans Court or Veterans Track in some jurisdictions) address these challenges in a forum that is helpful to veterans' rehabilitation. Where available, VTCs work with civilian healthcare providers, local veterans service agencies, the New York State Division of Veterans' Services and the U.S. Department of Veteran Affairs. They utilize veteran mentors and mental health specialists to complement probation services and incorporate a therapeutic approach to afford veterans opportunities to transition into civilian life and regain stability.

Justice-involved veterans that choose to participate in a VTC are often referred to as "participants". A mentor may also refer to a veteran/participant as a "mentee". These terms can be used interchangeably.

Ten Key Components of Veterans Treatment Courts

In New York State, VTCs may operate differently based on local staffing and resources. However, all the VTCs follow the framework of the Ten Key Components.

1. Integrate alcohol, drug treatment and mental health services with justice system case processing;
2. Use a non-adversarial approach where prosecution and defense counsel promote public safety while protecting veteran participants' due process rights;
3. Identify eligible participants early and promptly place them in the VTC program;
4. Provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services;
5. Monitor abstinence through frequent alcohol and drug testing;
6. Respond to veteran participants' compliance through a coordinated strategy;
7. Maintain essential, ongoing judicial interaction with each veteran;
8. Measure achievement of program goals and gauge program effectiveness through monitoring and ongoing evaluation;
9. Continue interdisciplinary education and promote effective VTC planning, implementation and operations;
10. Forge partnerships among VTC, U.S. Department of Veterans Affairs, public agencies and community-based organizations, generate local support and enhance VTCs effectiveness.

The Mentor Program

An essential component of VTCs is the mentor program, where veteran mentors provide ongoing peer support to veteran participants. Justice-involved veterans are better served by having a support network that includes veterans who have a shared experience of military service. Mentors participate in a supportive relationship with participants to increase the likelihood that they will remain in treatment, attain and manage sobriety, maintain law-abiding behavior and successfully readjust to civilian life.

The mentor program consists of mentor coordinators and veteran mentors. Their roles, responsibilities, requirements and qualifications are discussed in the following sections.

MENTOR COORDINATORS

Role of Mentor Coordinators

Mentor Coordinators are volunteers who ensure the successful operation of mentor programs by assigning veteran mentors to participants, recruiting new mentors, supporting veteran mentors in all aspects of their work, and managing mentor training programs. Mentor Coordinators must be familiar with their local VTC and local veteran service agencies. Mentor Coordinators are not required to be veterans, though prior military service is preferable.

Mentor Coordinators should:

1. Recruit qualified veteran mentors.
 - This may require conducting presentations in the community regarding the VTC. Veteran mentors cannot be active employees of the Unified Court System, active law enforcement or a member of any other organization that may present a conflict with the court/mentor program. *Consult with the court if there are questions about the eligibility of a veteran mentor.*
2. Match veteran mentors with participants based on shared qualities and backgrounds to the greatest extent possible. Factors to consider include:
 - branch of service,
 - type of service (i.e., combat and location of service),
 - gender identities, and
 - age group.
3. Schedule the appropriate number of veteran mentors needed for each court session.
 - If possible, mentors should be present whenever the VTC is in session to provide immediate support for participants appearing in court.
4. Act as a resource for the mentors by:
 - Accommodating conflicts in a veteran mentor's personal schedule.
 - Collecting and reviewing mentor logs completed by mentors to monitor the nature of a participant's progress in the VTC.
 - Placing mentors in touch with local Accredited Service Officers who can help appropriate veterans secure benefits from the U.S. Department of Veterans Affairs - these trained officers can be found in local government offices and in local service organizations such as The American Legion, The Military Order of the Purple Heart and Vietnam Veterans of America.

5. Work with the VTC staff to resolve issues and motivate participants through challenges.
 - In some instances, mentors may bring concerns regarding a participant to the attention of their Mentor Coordinator. The Mentor Coordinator is then responsible for contacting the VTC in a timely manner to ensure that the participant receives appropriate support.
 - If the Mentor Coordinator determines that veteran mentors are not adequately fulfilling their responsibilities, the Mentor Coordinator must contact the VTC staff to address issues that may impact the VTC.
6. Maintain federal confidentiality standards pursuant to the Health Insurance Portability and Accountability Act (HIPAA) and 42 CFR Part 2 (Confidentiality of Substance Use Disorder Patient Records).
7. Attend clinical and legal training programs supported or provided by the VTC.
 - An excellent resource to learn about VTC and veteran-related topics is: www.treatmentcourts.org. This website is a great training source about trauma informed care, building capacity, incentives and sanctions, and other topics. It also provides a virtual tour of a VTC.
8. Maintain access to the mentor logbook or case management notes.
 - All documents must be maintained separate from treatment records and official court file.

Responsibilities of Mentor Coordinators

The following responsibilities should be carried out by mentor coordinators:

- Recruit, screen and train new veteran mentors;
- Collect and review mentor application forms;
- Ensure that mentors attend ongoing training programs;
- Provide mentors with a list of veteran resources and update the local veterans resource guide;
- Contact the appropriate authorities if participants require crisis intervention, increased court supervision or immediate emergency care, subject to confidentiality commitments;
- Perform any additional duties as directed by the VTC or other court staff.

Requirements and Qualifications for Mentor Coordinators

Mentor Coordinators should:

- Be familiar with the VTC;
- Have strong leadership and organizational skills;
- Respect individual differences;
- Be able to devote time to the VTC;
- Have prior military service (preferable).

VETERAN MENTORS

Role of Veteran Mentors

Veteran Mentors are volunteers who have served in the military. They are responsible for serving as supporters, guides and confidants for veteran participants. Mentors should provide support as participants' progress through the VTC and should feel comfortable working collaboratively to assist participants, (and where appropriate their families) in successfully completing the directives of the court. Specific guidelines and requirements are as follows:

Veteran Mentors should:

1. Meet with participants to assist in resolving their issues.
 - Each meeting should build on the participants' previous conversation.
 - Meetings should be conducted in person (where possible) before or after court appearances.
 - Mentors should refer participants to appropriate services.
 - Mentors should understand courtroom procedures.
 - As required, mentors should communicate with participants between court appearances.
2. Work collaboratively with the other mentors and the Mentor Coordinator.
3. Motivate participants utilizing a strengths-based approach by:
 - Providing encouragement and highlighting the strengths, talents, skills and knowledge of veteran participants;
 - Focusing on the small and large goals that have been accomplished by the veteran participants,
 - Believing that participants have the potential to learn, grow and change, while keeping in mind that recovery is an ongoing process;
 - Being an active and engaged listener.
4. Maintain federal confidentiality standards pursuant to the Health Insurance Portability and Accountability Act (HIPAA) and 42 CFR Part 2 (Confidentiality of Substance Use Disorder Patient Records).

5. Attend training programs supported or provided by the VTC.
 - Mentors should attend an initial training session where topics may include VTC Policies and Procedures, Psychopharmacology, Boundaries and Confidentiality of Peer Mentoring, Suicide Prevention, Military Culture, Post Traumatic Stress Disorder and Traumatic Brain Injury. Visit www.treatmentcourts.org to learn about trauma informed care, building capacity, incentives and sanctions and other topics. The website also provides a virtual tour of a VTC.
 - Mentor shadowing may also be utilized to acclimate all parties to court procedures and culture, subject to review by the Mentor Coordinator.
6. Mentors should network in the community and be knowledgeable about local veterans' services.
7. Communicate with the Mentor Coordinator to resolve any issues regarding time commitments, resistant participants or difficult challenges.
 - *If a mentor fears for the safety of a participant or is concerned about a participant's behavior, the mentor should report any concerns to the Mentor Coordinator immediately.*
8. Maintain a mentor logbook/case management record after each meeting with a participant.
9. Commit to minimum of 5 to 6 months to avoid disruption in the mentor/mentee relationship.
10. Provide a valid military service record (DD214 or DD215, for or NYNM 1900) and, if necessary, submit to background verification.
11. Never provide legal or clinical advice.
12. Always encourage veteran participants to be honest with VTC staff regarding their recovery.

Responsibilities of Veteran Mentors

The following responsibilities should be carried out by veteran mentors:

- Attend relevant training programs;
- Communicate with the Mentor Coordinator regarding any issues;
- Update the mentor logs or case management notes;
- Maintain confidentiality;
- Maintain appropriate boundaries with participants;
- Be respectful and always speak with a positive tone;
- If possible, be present when the veteran participant is standing before the court;
- Be aware of sober events and other community resources.

Requirements and Qualifications for Veteran Mentors

Prospective Mentors must:

- Complete a mentor application form (VTC or Mentor Coordinator will provide the form);
- Provide documentation of military service
 - i. DD214 or DD215;
 - ii. NY Guard and NY Naval Militia NYNM form 1900 as documentation of service;
- Submit to a background check, if requested;
- Be respectful of individual differences and maintain appropriate boundaries with participants;
- Not be an active employee of the Unified Court System, an active member of law enforcement or a member of any other organization that may present a conflict of interest with the mentor program or the court;
- Commit to a minimum of 5 to 6 months service in the VTC.

VTC graduates are welcome to apply, one-year post graduation, with at least two years of sobriety. Mentors will be expected to participate in court observation, attend ongoing training and be supervised by a Mentor Coordinator.

Helpful skills and tips to be a Mentor:

- Have previously served in the military;
- Firsthand experience in the courtroom is helpful (understand decorum and dressing for court);
- Maintain a level of confidentiality and trust with mentees;
- Be available outside of court;
- Have a knowledge of community resources,
- Maintain a resource guide;
- Become familiar with local resource guides;
- Be aware of your needs for self-care;
- Be a team player and assist when there is a need.

HOW TO START A CONVERSATION WITH A MENTEE

The following dialogue can be used to start a conversation with a mentee. Consider your own experience and strengths and what you can bring to the introduction and discussion. Remember that the conversation is a “two-way street”. Do not ask clinical questions or anything pertaining to their court case.

- Introduce yourself and your role.
- “What branch/where did you serve, and when?”
- “How can I help you?”
- “What is your preferred way of communicating: in person, email, phone, text? What is the most convenient day and time?”
- “Do you have any questions about the mentoring process or program?”
- “Have you ever had a mentor before? What did you like, or not like, about that relationship?”
- “When did you exit the military?”

Remind the mentee that the conversation is confidential, but that you must inform the court if s/he intends to hurt her/himself or another person.

Define the relationship from the onset to ensure a more open dialogue. Look for commonalities. Be attentive and mindful that every veteran’s experience is different. Ask questions to ensure understanding of the conversation.

The foundation of every good relationship is trust. Remain non-judgmental and remember to meet the veterans “where they are at”. Be aware that not all veteran participants may be ready for a mentor/mentee relationship.

TALKING WITH A VETERAN IN CRISIS

(from the U.S. Dept. of Veterans Affairs)

Here are some ways to approach a conversation with a Veteran who may be suicidal

First, assess the situation to determine if the Veteran may be in imminent danger. Check to see if there are any harmful objects in the area, such as firearms, sharp objects, or lethal drugs. Those at the highest risk for suicide often have a specific suicide plan, the means to carry out the plan, a time set for doing it, and an intention of following through with it.

Asking whether a Veteran is having thoughts of self-harm or suicide may seem extreme, but it is important. Although many people may not show clear signs of intent to harm themselves before doing so, they will likely answer direct questions about their intentions when asked.

Remember, asking if someone is having suicidal thoughts will not give them the idea or increase their risk.

If you believe a veteran is at high risk and has already harmed himself/herself, you need to call 911. Veterans who are in emotional distress and are showing warning signs for suicide can be connected to the 24-hour **Veterans Crisis Line: 1-800-273-8255 or text 838255.** Responders are available to speak to Veterans and their caregivers, family members, or friends.

Warning Signs of Imminent Suicide Risk

- Acting recklessly or engaging in risky activities that could lead to death, such as driving fast or running red lights – seemingly without thinking
- Showing violent behavior such as punching holes in walls, getting into fights, engaging in self-destructive violence, feeling rage or uncontrolled anger, or seeking revenge
- Giving away prized possessions, putting affairs in order, tying up loose ends, and/or making out a will
- Seeking access to firearms, pills or other means of harming oneself

If you and/or the Veteran are not in imminent danger, start a conversation to help the Veteran open up to find out how you might be able to help. You can ask questions such as:

- “When did you first start feeling like this?”
- “Did something happen that made you begin to feel this way?”

When responding to answers from a Veteran, remember that simple, encouraging feedback goes a long way in showing support and encouraging help-seeking:

- “You’re not alone, even if you feel like you are. I’m here for you, and I want to help you in any way I can.”
- “It may not seem possible right now, but the way you’re feeling will change.”
- “I might not be able to understand exactly what you’re going through or how you feel, but I care about you and want to help.”

Answering the Call

Determine if the caller is in distress:

- Emotional (crying, loud, yelling)
- Making concerning statements like:
 - My family would be better off if I wasn’t here.
 - I can’t go on like this.
 - No one can help me.

1. Remain **calm** and **listen**.
2. **Ask the question:** “Sometimes when people are (upset/angry/in pain, etc.) they think about suicide. Are you thinking about killing yourself or someone else?”
3. If **YES** (Suicidal, homicidal, or in crisis) Assess whether the Veteran is at **imminent risk**, and determine if he or she has already inflicted self-harm or injured others or has an immediate plan to do so, with access to means.

If you believe a veteran is at high risk and has already harmed himself/herself, you need to call 911. Veterans who are in emotional distress and are showing warning signs for suicide can be connected to the 24-hour **Veterans Crisis Line: 1-800-273-8255 or text 838255.**

If **No** (NOT suicidal, homicidal or in crisis) Route the caller to appropriate local resources such as your local Suicide Prevention Coordinator and crisis centers: [VeteransCrisisLine.net/ResourceLocator](https://www.veteranscrisisline.net/ResourceLocator)

FREQUENTLY ASKED QUESTIONS

The following are frequently asked questions regarding veteran mentor programs.

Q: How many mentors are needed to start a mentor program?

A: The number of mentors needed will vary based on the court’s caseload. To start a mentor program, it is helpful to have a diverse group of mentors available. At a minimum and if possible, include a combat veteran, a female veteran and an Accredited Service Officer to navigate the U.S. Department of Veterans Affairs and assist in processing veterans’ claims.

Q: Where can mentor coordinators solicit veterans to volunteer in the VTC?

A: Mentor coordinators should utilize local veteran groups such as Vet Centers, VA Medical Centers, veterans’ organizations, County Veterans Service Agencies, Chapters, and law school Veterans Clinics.

Q: How often are mentors required to meet with participants?

A: Once a week is recommended, but mentors must understand that every participant is different. The goal is to form a supportive and encouraging relationship.

Q: Can mentors be effective without much knowledge of the law or courtroom proceedings?

A: Mentors do not need to have legal or criminal justice experience. In fact, mentors must never provide legal advice.

Q: Should mentors use a “tough love” approach?

A: Mentors should only utilize a strengths-based approach that encourages and motivates participants.

Q: Can attorneys serve as veteran mentors?

A: Attorneys who appear in VTC must seek permission from the presiding VTC judge to serve as mentors and must not provide legal advice to participants.

Q: Why can’t Unified Court System employees or law enforcement be mentors?

A: Unified Court System employees or active law enforcement must avoid the appearance of impropriety. Court employees face a conflict of interest in serving as impartial mentors.

Q: Can the VTC mandate participants to meet with veteran mentors?

A: Initially, many participants will show little or no interest in the mentor program. Once participants feel comfortable and develop trust in the VTC, they usually commence meeting with mentors. The mentor program should be encouraged and not mandated.

Q: Can the mentor coordinator keep his or her case management notes with court files?

A: Files from the mentor program should be maintained separately from official court files.

Q: Does the Unified Court System provide training programs for courts interested in planning a VTC or enhance an existing mentoring program?

A: The Unified Court System's Office of Policy and Planning works with the district offices and local courts to provide training programs on various veteran and non-veteran related topics statewide.

Q: What happens if my mentee calls me and he/she is drunk or has used drugs?

A: Do not yell or get mad, make sure the veteran is in a safe environment. Encourage the veteran to contact their attorney, sponsor or program counselor. Follow up with the veteran. Urge the veteran not to miss his/her court appearance even if he/she might test positive.

Q: How many veterans should a mentor supervise?

A: New mentors typically start with 1 or 2 mentees. Experienced mentors without significant outside commitments can handle 6 to 7 mentees. If a caseload becomes unmanageable, discuss the situation with the Mentor Coordinator.

Q: What is an example of overstepping boundaries as a mentor?

A: Mentors should respect emotional and physical boundaries. The relationship is based on trust and respect. Among other inappropriate behaviors, mentors should never engage in romantic relationships, lend or ask for money, accept gifts from or get involved in business transactions with their mentees.

Q: What happens if a veteran mentor gets arrested or relapses?

A: If a mentor gets arrested, his/her participation will be suspended until the case has been resolved. If a mentor relapses, suspend his/her participation and refer the mentor to an appropriate program for a clinical evaluation and services.

EMERGENCY SERVICES AND OTHER RESOURCES

National Suicide Prevention Center
1-800-273-8255

New York State Division of Veterans' Services
1-888-838-7697 or DVAInfo@veterans.ny.gov

Help for Alcoholism, Drug Abuse, Problem Gambling
1-877-8-HOPENY (467369)

Veterans Crisis Line
1-800-273-8255, Press 1 or veteransCrisisLine.net

For an extensive list of resources, see the resource guide *Veterans Resources for New York State Courts*, developed by the Unified Court System, Office of Policy and Planning. Questions and comments can be addressed to problemsolving@nycourts.gov.

