

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
VETERANS ENDEAVOR for TREATMENT and SUPPORT (VETS)  
ALTERNATIVE TO PROSECUTION PROGRAM  
PARTICIPANT GUIDEBOOK AND ENROLLMENT CONTRACT**

Name: \_\_\_\_\_

Plea Agreement Offense of Conviction: \_\_\_\_\_

Date of Plea: \_\_\_\_\_

---

**INTRODUCTION**

You have been determined to be eligible for the VETS Alternative to Prosecution program. Joining this program is your decision. We believe this program will benefit you. By signing this form, you agree to be part of this intensive supervision program.

**Read this form carefully before you sign it.** If you have any questions, ask your lawyer. By agreeing to be in this program, you put yourself under greater supervision. If you are able to complete the program and continue to do well without any major problems during the maintenance part of this program, you will benefit from the withdrawal of your guilty plea and dismissal of your charges.

**REASON FOR THE PROGRAM**

VETS supports your endeavor to restore your honor and continue your service to the community. This program provides you with access to treatment, support, and mentoring as an alternative to a federal conviction and jail time. Your participation in treatment, counseling, and other services will help you live a sober, stable, and law-abiding life. During the program you have a lot of contact with Pretrial Services officers, treatment providers, and the judge. Everyone's goal is to help you have a better life during the program and after program completion.

***IF YOU COMPLETE THE PROGRAM SUCCESSFULLY, YOU WILL  
AVOID A FEDERAL CONVICTION AND ALL OF THE NEGATIVE CONSEQUENCES A  
FEDERAL CONVICTION HAS ON YOU FOR THE REST OF YOUR LIFE.***

**RULES AND HOW IT WORKS**

The VETS program lasts approximately twelve to eighteen months. If you choose to

participate, you must enter a plea satisfactory to the Special Assistant United States Attorney (SAUSA). This plea is held by the Court without findings and awaits the outcome of your participation in the VETS program. Once you are accepted into the VETS program, you are assigned to a VETS Pretrial Services Officer (“VETS-PSO”). As a VETS applicant, you are screened for any drug or alcohol problems and any mental health challenges or concerns. You are required to attend any and all treatment in your individualized treatment plan. You must also participate in drug testing as ordered by the VETS-PSO or other treatment providers. In addition to being fully committed to your treatment, you must also follow every Article of the VETS Code. The program has five Veteran Grades after the application phase which must be attained prior to honorable discharge from the program.

### **COURT SESSIONS**

You must report to court as often as required by your grade in the program. The Federal Magistrate Judge and VETS Team will be present. The VETS Team includes the VETS-PSO, the SAUSA, and the Department of Veterans Affairs Justice Outreach Specialist (VJO). Each Veteran Participant will also be assigned a Veteran Mentor who will attend all court hearings. Defense counsel are invited but not required to attend. Status reports from you and the VETS Team are given to the Federal Magistrate Judge during all court sessions. These reports describe both your successes and challenges experienced during your contract period.

No oral or written statements, documents, or other information made by you while taking part in the VETS program shall be used by the United States Attorney’s Office in its case-in-chief or in any criminal prosecution it may subsequently bring against you.

### **THE VETS CODE**

As a VETS participant, you are responsible for all of your actions. Your goal is to have positive behavior and to lead a law-abiding and sober life. You must obey all Articles of the VETS Code and all direction from your VETS-PSO. Rules of supervision can be added or changed at any time by the VETS-PSO or the Federal Magistrate Judge. Your individualized treatment plan and your goals are custom-made to meet your individual needs.

Honesty is the number one requirement. You are expected to be honest with the Federal Magistrate Judge and VETS Team and talk openly about treatment, challenges, and plan progress. You must be respectful and supportive to other VETS participants inside and outside court sessions. Any information heard in court regarding other VETS participants is confidential and will not be discussed outside of court.

Please read each of the Articles of the VETS Code and initial on the left-hand side indicating your promise to comply. Please remember the VETS Code as you move ahead in the program to remind yourself of your expectations or goals:

Initials	ARTICLES OF THE VETS CODE
	Article 1: I agree to attend all required VETS court sessions and be open and honest.
	Article 2: I agree to notify the VETS-PSO or other team members about any problems I have remaining sober. I will seek help to overcome those problems.
	Article 3: I agree to attend all treatment sessions. I will reschedule a session at least 24 hours prior to the session if I am unable to attend.
	Article 4: I agree to remain drug and alcohol free.
	Article 5: I agree to keep a job or get a job, unless I am in school, in a training program full-time, or my disability precludes me doing so.
	Article 6: I agree to be respectful with co-participants and the VETS Team.
	Article 7: I agree to comply with drug testing as required by my VETS-PSO, and I will obey all terms of my supervision.
	Article 8: I agree to attend any treatment or other courses required by the program.
	Article 9: I agree to find positive friends and role models and become involved in activities that will keep me from becoming involved in negative behavior. When I need help, I will reach out to my mentor.
	Article 10: I agree to reflect on my decisions and resolve to adjust to ways of thinking which will help me remain sober and law-abiding.

## **GRADES of VETERAN PARTICIPANTS**

### **Application Phase (V-0)**

Key Points – You have decided to apply for the VETS Alternative to Prosecution Program. This decision requires significant commitment on your part, but your successful completion of this program will avoid a federal conviction and set you up for continuing success by connecting you with treatment and services provided by the Department of Veterans Affairs. There is one required court session.

Plan of Action – You must complete and submit to the VETS-PSO your application to join this program. In this application, you must describe your service background, discuss your service-connected mental health or substance abuse challenges, and identify how the charge you are facing is related to your challenges. You may have assistance from your lawyer in completing this application, but it should be in your own words. At the first court session, the Federal Magistrate Judge and VETS Team will determine whether to accept you into the VETS Alternative to Prosecution Program.

Leader Responsibilities – Review applications to the VETS Alternative to Prosecution Program. Select Veterans to participate in the Program who are the best qualified based on the enrollment criteria. Develop individualized treatment programs for Veterans accepted into the VETS Alternative to Prosecution Program.

Assessment – Acceptance into the VETS Alternative to Prosecution Program and promotion to V-1 requires approval by the Federal Magistrate Judge and VETS Team after a thorough review of the application and case file.

### **Veteran Grade 1 (V-1)**

Key Points – Your focus is on rethinking your role in the community and your lifestyle by following a specific plan made to suit your needs. This includes job training, treatment services, and finding a stable place to live. There is one court session every other week for at least eight weeks.

Plan of Action – You must have weekly face-to-face contact with your VETS-PSO. The VETS-PSO will also conduct a home visit. You must have weekly contact with the VJO (telephonic is acceptable). You must have weekly contact with your Veteran Mentor. Attend all required classes, therapy sessions, and urine testing. Comply with medication recommendations and complete writing assignments. You may be directed to have additional contact (including face-to-face) with VETS-PSO and VJO as circumstances require. Additional requirements, including the prohibition of possession of a firearm, may be directed by the Federal Magistrate Judge.

Leader Responsibilities – Each VETS participant is assigned a Veteran mentor. VETS-PSO and VJO will implement and monitor individualized treatment plan. VJO and VETS-PSO will identify and remedy any access to care issues.

Assessment – Promotion to V-2 requires at least two months in grade, eight weeks of successful participation and compliance, a written request from the Veteran, a recommendation for promotion from the VETS-PSO and SAUSA, and approval of promotion by the Federal Magistrate Judge.

### **Veteran Grade 2 (V-2)**

Key Points – Your focus is on creating a stable home where you can focus on remaining sober and positively engaged. There is one court session every two weeks for at least eight weeks.

Plan of Action – Maintain weekly contact with both the VETS-PSO and VJO; at least one contact with the VETS-PSO or VJO each week must be face-to-face. You must have weekly contact with your Veteran Mentor. Attend all required classes, therapy sessions, and urine testing. Comply with medication recommendations and complete writing assignments. You may be directed to have additional contact (including face-to-face) with VETS-PSO and VJO as circumstances require. Additional requirements, including the prohibition of possession of a firearm, may be directed by the Federal Magistrate Judge.

Leader Responsibilities – VJO and VETS-PSO will identify and remedy any access to care issues. VJO and VETS-PSO will monitor compliance and participation in classes, therapy sessions, and urine testing.

Assessment – Promotion to V-3 requires at least two months in grade, sixteen total weeks of successful participation and compliance, a written request from the Veteran, a recommendation for promotion from the VETS-PSO and SAUSA, and approval of promotion by the Federal Magistrate Judge.

### **Veteran Grade 3 (V-3)**

Key Points –Your focus is on making good decisions and putting into place a support system which will help you remain sober and free of negative social influences. There is one court session every four weeks.

Plan of Action – One face-to-face meeting outside of court with VETS-PSO and VJO each month. You must have weekly contact with your Veteran Mentor. Attend all required classes, therapy sessions, and urine testing. Comply with medication recommendations and complete writing assignments. You may be directed to have additional contact (including face-to-face) with VETS-PSO and VJO as circumstances require. Additional requirements, including the prohibition of possession of a firearm,

may be directed by the Federal Magistrate Judge.

Leader Responsibilities – VJO and VETS-PSO will identify and remedy any access to care issues. VJO and VETS-PSO will monitor compliance and participation in classes, therapy sessions, and urine testing.

Assessment – Promotion to V-4 requires at least one month in grade, twenty total weeks of successful participation and compliance, a written request from the Veteran, a recommendation for promotion from the VETS-PSO and SAUSA, and approval of promotion by the Federal Magistrate Judge.

#### **Veteran Grade 4 (V-4)**

Key Points – Your focus is on moving forward and having a successful life. There is one court session every month for at least three months.

Plan of Action – Maintain phone contact with VETS-PSO and VJO at least once per month. You must have weekly contact with your Veteran Mentor. Attend all required classes, therapy sessions, and urine testing. Comply with medication recommendations and complete writing assignments. You may be directed to have additional contact (including face-to-face) with VETS-PSO and VJO as circumstances require. Additional requirements, including the prohibition of possession of a firearm, may be directed by the Federal Magistrate Judge.

Leader Responsibilities – VJO and VETS-PSO will identify and remedy any access to care issues. VJO and VETS-PSO will monitor compliance and participation in classes, therapy sessions, and urine testing.

Assessment – Promotion to V-5 requires at least one month in grade, twenty-four total weeks of successful participation and compliance, a written request from the Veteran, a recommendation for promotion from the VETS-PSO and SAUSA, and approval of promotion by the Federal Magistrate Judge.

#### **Veteran Grade 5 (V-5)**

Key Points – Your focus is on maintaining a healthy lifestyle. You are expected to be able to handle life's challenges without going back to bad habits. You are expected to attend all other participants' Honorable Discharge court sessions. Upon completion of V-5, there is one final court session for obtaining your discharge certificate from the program.

Plan of Action – Maintain phone contact with VETS-PSO and VJO at least once per month. You must have weekly contact with your Veteran Mentor. Attend all required classes, therapy sessions, and urine testing. Comply with medication recommendations and complete writing assignments. You may be directed to have additional contact (including face-to-face) with VETS-PSO and VJO as circumstances require. Additional

requirements, including the prohibition of possession of a firearm, may be directed by the Federal Magistrate Judge.

Leader Responsibilities – VJO and VETS-PSO will identify and remedy any access to care issues. VJO and VETS-PSO will monitor compliance and participation in classes, therapy sessions, and urine testing.

Assessment – An Honorable Discharge requires at least six months in grade, forty-eight weeks of successful participation and compliance, a written request from the Veteran, a recommendation for discharge from the VETS-PSO and SAUSA, and approval of discharge by the Federal Magistrate Judge. Honorably discharged Veterans will have their guilty plea vacated and the case dismissed with prejudice.

### **FAILING TO FOLLOW THE RULES AND SANCTIONS**

Violations occur when you fail to obey all the rules. Sanctions for violations are handled during a VETS court session. However, the Federal Magistrate Judge can schedule an expedited court session at any time. If a progress report claims that you did not follow the rules, you can agree that the claim is true or offer an explanation. The Federal Magistrate Judge decides whether you violated the rules and whether a program sanction is proper.

If you do not obey the rules given to you, the Federal Magistrate Judge may sanction you. Things that could determine the type of sanction you get include: the seriousness of the mistake; the number of mistakes; and how long you obeyed the rules, either before a first mistake or between mistakes. Consideration is also given to whether you told your VETS-PSO or a member of the VETS Team of your mistake. More serious sanctions are applied when there are many mistakes, or a very serious mistake. Sanctions may include, but are not limited to:

1. Receiving a warning or reprimand from the Federal Magistrate Judge in open court;
2. Being ordered to provide a reason in writing or by some other means for your bad behavior;
3. Being ordered to involve yourself in community service;
4. Being ordered to obey curfew restrictions, home confinement, or location monitoring;
5. Being ordered to comply with geographic and/or friends/family restrictions;
6. Being ordered to go into a day reporting program;
7. Being ordered to complete a term at a residential re-entry center;
8. Being ordered to go to jail for a time to be determined by the Federal Magistrate Judge;
9. Being ordered to report more frequently to VETS-PSO and court;
10. Reduction in grade;
11. Increase in treatment services or referral to residential treatment;
12. Dishonorable discharge from VETS program.

You must have at least two months of sober living before you can move on to the next grade. Any drug or alcohol use will keep you from moving forward in the program. If you commit a serious mistake, the Federal Magistrate Judge will order that you be arrested immediately.

**Lying is not tolerated and may result in your termination from the VETS Program.**

**INVOLUNTARY DISCHARGE OR EARLY TERMINATION FROM THE VETS PROGRAM**

You may be dishonorably discharged from the VETS program if you fail to obey any of the rules of the program. For example, if you intentionally fail to report for court or get arrested for a new crime, you will be dishonorably discharged from the VETS program. If you are dishonorably discharged from the VETS program, you will be scheduled for sentencing.

You may also freely quit the VETS program and proceed to sentencing in your case. If you quit the VETS program on your own, you will not face revocation of your bond for the mistakes you made during the program unless it was a serious mistake; for example, you get arrested for a new crime.

**HONORABLE DISCHARGE CEREMONY FOR SUCCESSFUL COMPLETION**

An Honorable Discharge Ceremony is held for each Veteran participant who successfully completes all phases of the VETS program. The Veteran is recognized with an Honorable Discharge certificate. At the Honorable Discharge Ceremony, the pending charges will be dismissed with prejudice and the pending case closed.

**VETERAN PARTICIPANT ACCEPTANCE OF TERMS AND WAIVER OF CONFIDENTIALITY**

I voluntarily agree to participate in the VETS program. As part of my participation in the VETS program, I hereby authorize the release of confidential information obtained in any files I have with any program's services I participate in, specifically including all treatment records and full, open discussions with my treatment providers from the Department of Veterans Affairs mental health, substance abuse, and healthcare providers.

Subject to any exceptions to confidentiality that may apply under federal or state law, I understand that the Federal Magistrate Judge and VETS Team may use the confidential information I hereby authorize to be released. This confidential information may only be used in connection with their evaluation of my participation, progress, or compliance with the terms of my post-guilty plea diversion and the evaluation of the effectiveness of the program as a whole.

I understand that this authorization remains valid until my termination from the VETS program, whether successfully or unsuccessfully, at which time this authorization for disclosure of confidential information expires.

I have read this form, and I understand it. I know I can have my lawyer explain it to me

before signing it. By signing it, I agree to join the Western District of Texas VETS Alternative to Prosecution Program and follow the rules of the program.

Veteran Participant  
(signature): \_\_\_\_\_ Date: \_\_\_\_\_

Signature below by the VETS Team indicates recommendation for approval; signature below by the Federal Magistrate Judge indicates approval of the enlistment.

---

Pretrial Services Officer  
Western District of Texas – Fort Hood Field Office

Date

---

Special Assistant U.S. Attorney  
Western District of Texas

Date

---

Jeffrey Manske  
Federal Magistrate Judge  
United States District Court  
Western District of Texas – Waco Division

Date