

**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 Grade (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– To join the program you must provide a **complete description** of each listed bullet and submit your application to the VETS-PSO. In this application:

- *Describe your service background.*
- *Discuss your service-connected mental health or substance use disorder challenges.*
- *Identify how the charge(s) 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. *If each bullet is not discussed thoroughly, the application will be incomplete and more information will be requested by written statement or in-person.* 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 eligibility requirements, Veteran’s ability and willingness, and the best interest of the Veteran.** 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. If the participant is not voted into the program the participant will be notified which of the 3 criteria the participant did not meet.

Veteran Grade 1 (V-1) – Minimum 8 Weeks

Key Points – You are expected to define work skills and career interest and identify individual barriers pertaining to health and basic needs. As a member of society, you must have a role within the community and you must maintain a productive and healthy standard of living. You will begin your relationship with your mentor; this will continue until graduation from the program.

Tasks for addressing and preparing a plan of action for the following needs.

Physical health and mental health:

- Evaluation and continuation for mental health services

- Rehabilitative treatment for substance use disorder
- Treatment and/or management of a physical health issues related to a medical diagnoses

Job search or job training that will lead to a fulfilling career:

- Identify skills and abilities that transfer into civilian jobs
- Build self-confidence in your ability to apply your skills and abilities
- Create a budget to ensure your job will provide sufficient income
- If pertinent, gain employment as soon as possible to meet immediate needs

Adequate and stable housing:

- Locate housing
- Meet immediate needs: clothing, shelter, and food

Establishing and building a relationship with your mentor:

- Schedule a time and day for an initial meeting with the mentor. Discuss the needs listed above with your mentor so the mentor can link you to the appropriate resources.
- Be open and honest with your mentor. Your mentor is someone who can relate to shared military life experiences. All the mentors have overcome life challenges and will be a valuable resource for helping you learn healthy coping skills and linking you to resources at the VA or within the community.
- Mentors are matched with the participant based on best fit. If the relationship with your mentor does not progress or you feel that you need a different mentor then address it with the Mentor Coordinators.

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. * *If there are negative side effects from medications it should be addressed immediately with the prescribed doctor and with the VETS team/mentor.* 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 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) – Minimum 8 Weeks

Key Points – You are expected to continue progress from V-1. In grade two, you should continue seeking long-term, meaningful employment and working towards your goals.

Tasks for gaining long-term employment, constructing life goals, family collaboration, and mentor relationship.

Long-term Employment:

- Write resume and submit job applications to jobs that will allow you to maintain your financial responsibilities and align with your career aspirations.
- Locate and/or maintain stable transportation and housing.
- Measure opportunity to further education.

Life goals: (Note. Life goals are individualized)

- Make of list of short-term goals that you want to accomplish by the end of this program.
- Make a list of long-term goals of where you want to be in the next 10 years.
- For each list number each goal in the rank of most important to least important. Begin working on number 1 first.

Family:

- Acknowledge marital/relationship problems and seek services that will restore the relationship between you and your spouse/partner.
- Involve spouse/significant other/family member in family group therapies which will help the spouse/significant other/family member in understanding mental health and/or substance use disorder.
- Address any barriers concerning children (i.e. social problems, academic problems, or needing assistance with childcare).

Mentor relationship:

- Discuss short-term and long-term goals with your mentor. Your mentor will take note of those goals so he/she can ensure that your progress is furthering you towards your goals.
- Discuss employment and family with mentor so mentor can link you to the appropriate resources.
- Use your mentor to the fullest. You are not limited to only speaking to your mentor once a week. If an issue arises reach out to your mentor to resolve the issue before it increases into a complex problem.

Plan of Action – Maintain weekly contact with both the VETS-PSO and VJO; at least one contact with the VETS-PSO 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 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) – Minimum 4 Weeks

Key Points – You are expected to build on your progress from V-1 and V-2. In grade three, you will establish a support system through proactive engagement with the positive influences in your life. 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.

Tasks for building a support system:

- Define family, friends, peers, and local Veteran support groups who you will have a positive interaction with and will offer you a safe and sober environment
- Participate in hobbies and/or other activities, such as volunteering or charity events (Your mentor can assist you with finding opportunities within the community)
- Acknowledge and address mental health and/or substance use triggers with your support system
- Build and utilize coping strategies that will help you adjust to stressors

Plan of Action – There is one court session every four weeks. 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 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) – Minimum 4 Weeks

Key Points – You must build upon your progress from V-1 through V-3. In grade four, your focus is on *moving forward to having a successful life*. You are to continue working towards your short-term and long-term goals. **If problems arise it is not a setback, rather an opportunity to learn. Please remain open and honest with your mentor so you can continue your progress.** There is one court session every month for at least three months.

Plan of Action – There is one court session every month for at least three months. 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) – Minimum 24 Weeks

Key Points – You must continue with the progress you have made from V-1 through V-4. In grade five, your focus is on *maintaining* a healthy, productive lifestyle as you attain your goals. **You are responsible for overcoming life’s challenges, instead of using self-destructive behaviors. Remember you are in control of your feelings and actions.**

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 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.

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 use disorder, 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.

J. Patrick Robinson
Special Assistant U.S. Attorney
Western District of Texas

Date

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

Date