

**PINE COUNTY
VETERANS RESTORATIVE JUSTICE PROGRAM (VRJP)
POLICY AND PROCEDURE MANUAL**

MISSION STATEMENT

The Mission of the Pine County Veterans Restorative Justice Program (“VRJP”) is to promote public safety and rehabilitation of military veterans in the criminal justice system through enhanced supervision and individual accountability. The purpose of the program is to assist and support veterans by creating a coordinated response through collaboration with the Pine County Attorney's Office, the Pine County Veterans Services Office, the Department of Veterans Affairs (VA), Pine County Probation, the Minnesota Department of Corrections, community-based services, and the criminal justice system.

GOALS

The goals of the VRJP are to:

- Promote public safety
- Reduce criminal recidivism
- Provide treatment and supervision to ensure sobriety and access to mental health care
- Improve access to VA benefits and medical care
- Improve access to community resources to ensure adequate housing, employment, education, and life stability
- Assist veterans with other collateral legal issues (criminal or civil) that may impede their path to emotional and financial stability
- Increase compliance with treatment and other court ordered conditions
- Improve family relations and promote healthy social support connections

MODEL

The VRJP is a voluntary diversion program designed to provide veterans with the opportunity to address their chemical use and/or mental health issues related to their military service and contributing to their involvement with the criminal justice system prior to being convicted of any charged offenses. Entrance into the program occurs upon approval of the Pine County Attorney and after a guilty plea is entered, but prior to sentencing.

ELIGIBILITY

All offenders will be screened for substance abuse, mental illness, residency, and offense status for the VRJP prior to their first appearance in VRJP. The offender's race, sex, religious affiliation, creed, color, sexual orientation, gender identity, and national origin will not be considered when determining eligibility. Eligibility will be determined based upon the following criteria:

- Defendant must have served in the United States Armed Services and generally be eligible for VA benefits or alternative treatment services
- Except in very rare instances, defendant must be charged with a crime that carries a presumptive probation sentence
- Defendant must enter a guilty plea in district court prior to acceptance into VRJP
- Residence must be within Pine County
- A diagnosable and treatable behavioral, chemical or mental health issues, i.e. post-traumatic stress disorder, traumatic brain injury, anger management, domestic violence, and/or substance abuse or chemical dependency, must exist
- Whether, and the extent to which, the defendant's conduct surrounding or leading to the offense charged is related to the effects of defendant's military service
- Whether programming and services available through the Veteran's Administration and the monitoring and mentoring through the VRJP will assist in probation supervision

PROBATION

Each participant is referred to a probation officer specifically for case planning, monitoring accountability, and direct service. Probation officers will work with a VJO or VSO representative to conduct a risk/needs assessment on each program participant. A component of the case plan will contain a treatment plan developed by treatment professionals.

The core of the program is individualized case management. A comprehensive, individualized case plan will be developed with and signed by each participant. The case plan is reviewed monthly for changes and modifications. The case plan is based on a risk-needs assessment and includes the participant's plans regarding: intent and ability to repair the harm done to the victim and to the community, education, employment and housing goals, a plan for relapse prevention, and a pro-social support system in the community.

The probation office shall facilitate the participant's accomplishment of his or her objectives and assist the participant in obtaining needed collateral services, such as VA benefits, supportive housing, employment skills training, GED classes, child care, transportation and other needs.

MENTORING

VRJP participants will be assigned a volunteer veteran mentor. The role of the veteran mentor is to act as a coach, guide, role model, and advocate for the participant s/he is working with. The veteran mentor will encourage, guide, and support the participant as s/he progresses through the VTC program. This will include listening to the participant's concerns, making general suggestions, and acting as a support for the participant at a time when s/he may feel alone. All veteran mentors will be required to fill out an application, submit to a background check, and sign a confidentiality form before starting the mentor program.

CONFIDENTIALITY

Any program that specializes, in whole or in part, in providing treatment, counseling, or assessment and referral services for offenders with AOD (Alcohol or Drug) problems must comply with the Federal confidentiality regulations (42 C.F.R. §2.12(e)). The Federal regulations also apply to programs that receive Federal funding.

Two Federal laws and a set of regulations guarantee the strict confidentiality of information about program participants receiving alcohol and drug abuse assessment and treatment services. See 42U.S.C. §§290dd-3 and ee-3 and 42 C.F.R. Part 2.

Confidentiality of program participants is governed by 42 U.S.C. § 290dd, which encourages treatment and is applicable to most problem solving or specialty court programs. If the court orders screening, assessments, referrals, treatment, and/or diagnosis for a program participant, §290dd will be applicable.

Information that is protected by federal confidentiality regulations may always be disclosed after a program participant has signed a proper consent or waiver form. The regulations also permit disclosure without the program participant's consent in several situations, including medical emergencies, program evaluations, and communications among program staff.

Each participant in the VRJP will be required to sign a release authorizing the disclosure of health, medical, mental health, criminal history, employment, and education records. Each participant will sign releases at the time of application, and will update them as necessary. Failure to sign a release, or the revocation of a signed release, will result in rejection or ejection from the program.

PRELIMINARY SCREENING GUIDELINES

The County Attorney shall consider the following in making a determination of eligibility:

- Application
- DD-214
- Offense(s) charged; the following is a non-exclusive list of offenses for which an applicant is not eligible for a diversion through the VRJP:
 - Murder
 - Manslaughter
 - Criminal Vehicular Homicide
 - Criminal Sexual Conduct – any subdivision
 - Criminal offenses for which the presumptive sentence is a commit to prison as per the Minnesota Sentencing Guidelines Grid
 - Criminal offenses for which registration would be required pursuant to Minn. Stat. § 243.166
- Any other information available to the prosecutor, including but not limited to:
 - Investigation into the present offense
 - Background checks and review of prior criminal or juvenile offenses
 - Victim input per Minn. Stat. Chap. 611A
 - Community of residence and offense
 - Existence of treatable behavioral chemical or mental health issues
 - Defendant's conduct surrounding or leading to the offense
 - Existence of a causal connection defendant's military service
 - Existence of behavioral, mental or chemical health issues prior to the Defendant's military service