



**TAC's Restorative Justice
Veterans, Mental Health, Drug Court, and Juvenile Dependency Mediation Programs**

TAC's Restorative Justice Program is designed for use in Veterans, Mental Health, Drug and Juvenile Dependency Courts. These programs are designed to promote resolution while supporting juveniles, individuals, service members and their families through a coordinated effort among veteran services, community services and the Court. Objectives include assisting qualified participants through the criminal justice process, improving access to specific treatment resources, developing and completing an individualized mediated case management plan, improving community functioning of participants in the areas of employment, education, training and housing, and improving the community as a whole by reducing the chances of recidivism.

Following arrest, defendants are identified as either eligible juveniles, individuals and/or veterans and screened for healthcare and VA Healthcare eligibility through the coordinating Court's Veterans/Mental Health/Juvenile Justice Outreach Coordinator. Suitability for the program is determined through a series of screenings intended to promote the defendant's overall well being and as well as the community's. Legal counsel explains the program and advises the defendant in making a decision regarding participation. A defendant can only enter into a restorative justice mediation program voluntarily and must have met the following criteria: a

1. Must have either been diagnosed with a mental health challenge, a drug or substance abuse addiction, served in the US Military, be a current or former US Department of Defense Contractor, or a current or former military member of a foreign allied country.
2. Suffering from a substance use disorder, military-related mental illness, mild traumatic brain injury, and/or an eligible severe and persistent mental illness.
3. Misdemeanor and felony charges are eligible at the discretion of the Court and upon recommendation of the State Attorney's Office. Each case is reviewed on an individual basis.
4. Veteran status will be established by a DD-214 and, if eligible, will receive services through the Veterans Administration Healthcare benefits.
5. Must have been arrested for, charged with, and/or sentenced on one or more crimes.
6. Must meet residency requirement [generally 30 days in the subject County prior to application].
7. Must enter a guilty or no contest plea to each charge pending or charges may be deferred by the state attorney's office.
8. Must have ability to comprehend and conform to the Veterans Treatment Court guidelines and Agreement to Mediate.

9. Must be legally competent to proceed.
10. Must be a clear nexus between mental health or substance use disorder diagnosis and criminal offense.

Entry into TAC's Restorative Justice Mediation Program is voluntary. A Mediated Case Management Plan is developed cooperatively to specifically address the defendant's needs, taking into account existing community resources. The defendant, mental health professionals, and counsel must together agree to the case management plan. Successful completion of the mediated case management plan results in closure of the case either through dismissal of the defendant's charges or possible completion of the probation. Failure to complete the mediated case management plan or discharge from the program results in prosecution on the pending charges or a violation of probation.

Participants are required to appear in Court on a regular basis. At each appearance, the Judge will be given a progress report prepared by the mediator and/or treatment provider and/or the probation officer regarding a participant's drug test results, attendance, and participation in treatment. Participants will additionally be required to:

- Demonstrate progress toward goals
- Participate in mental health treatment and take medications as prescribed
- Refrain from engaging in illegal activity; remain alcohol and substance free
- Random drug and alcohol screens (possibly at own expense)
- Meet conditions of probation, when applicable

Drug testing is required throughout the entire treatment process as determined by the Court. The Judge will have access to negotiations, mediations, and all drug test results including any failures to test, and may order a drug test at any time.

Participants are responsible for payment of full restitution to any victims of their crimes the details and amount of which, if any is owed, are negotiated up front and included in the mediation session. Participants are also responsible for all court costs, fines and fees, and may be responsible for the cost of all treatment sessions and drug testing. Participants will need to certify their ability to meet these financial obligations prior to being accepted into the Court.

In diversion cases, with successful completion of the Mediated Case Management Plan, the pending case will be dismissed by the State Attorney's Office. Probation may be terminated or the defendant continued on regular supervision. Defendants will be successfully linked with mental health and substance abuse service providers that they can maintain for the future. Family and friends are invited to join the court as the Judge congratulates the defendant for successfully completing the Mediated Case Management Plan and achieving his/her goals.