



## Veterans Treatment Court Criteria

### I. **ELIGIBILITY**

- A. The defendant must meet the following requirements:
  - 1. Defendant must be a veteran, or in the reserves or National Guard; and
  - 2. Have a pending eligible offense; and
  - 3. Be a legal resident or citizen of the United States of America and be a resident of Guadalupe County, Texas or a contiguous county; and
  - 4. Have a mental illness or disorder, including post-traumatic stress disorder; traumatic brain injury; depressive, anxiety and psychotic disorders; and/or substance use disorder that is related to the criminal offense; and
- B. The defendant must submit to a clinical evaluation to confirm the pending or underlying offense was a result of a mental illness or substance abuse.
- C. The judge, prosecutor, defense bar and Veterans Treatment Court staff may recommend defendants for inclusion in the program.
- D. The defendant must complete a pre-plea orientation and sign all required Veterans Treatment Court and Veterans Administration releases of information.
- E. The County Attorney has final approval for eligibility.

### II. **CASES ELIGIBLE**

- A. All cases will be reviewed for acceptance on a case-by-case basis.
- B. Misdemeanor level offenses only are eligible for case review.
- C. In any case where there is a victim of the actions of the veteran, the consent of the victim is required to proceed, and restitution to the victim, if any, must be included in any individualized treatment plan.

### III. **EXCLUSIONS**

A defendant will be excluded from Veterans Court if he or she:

- A. Is seriously and persistently mentally ill and cannot participate in the structure of the Veterans Court; or
- B. Has been charged with a Class C, DWI 2<sup>nd</sup>, felony, or Theft by Check; or
- C. Has been previously unsuccessfully terminated from the Veterans Court Program or has previously graduated, whether on community supervision or not, from Veterans Court and is arrested on a new eligible misdemeanor or felony charge.