



## OFFICE OF THE DISTRICT ATTORNEY NASSAU COUNTY

### VETERANS TREATMENT COURT GUIDELINES

1. **Purpose:** Veteran's Treatment Court (VTC) is a diversion program that aims to reduce recidivism in our military-service population by offering treatment for substance abuse and/or mental health issues in lieu of incarceration. Successful completion of VTC results in a disposition that is more favorable than what would have resulted if the criminal case had been prosecuted in a regular criminal-court part. VTC's purpose is *not* to offer a benefit to veterans solely because of their military service. Instead, VTC's purpose is to address treatment issues that resulted from, or are related to, military service, and which may have contributed to the criminal offense.
  
2. **Eligibility:** Acceptance into VTC is determined on a case-by-case basis. In determining whether to accept a defendant into VTC, the District Attorney's Office considers the following criteria:
  - a. **Military Service:** Service and discharge from any branch of the U.S. Armed Forces (including the National Guard or reserves) is required. Defendants who are currently serving in the military, or who received a Bad Conduct or Dishonorable Discharge, generally may not participate in the program. You must provide a copy of the participant's DD-214 paperwork.
  
  - b. **Crime:** VTC does not accept defendants charged with homicide, arson, a sex offense, or an offense involving serious injury. Defendants charged with other crimes are considered on a case-by-case basis; factors contemplated include the gravity of the offense, the victim's position on diverting the case to VTC, and the defendant's criminal history.
  
  - c. **Treatment Diagnosis:** A defendant must suffer from a mental health and/or substance abuse disorder as determined after clinical assessment. However, having a requisite disorder does not guarantee entry into the program. A nexus between the treatment need, the underlying crime and a defendant's service record is not required, but a nexus or lack thereof is a factor considered in determining eligibility for the program.
  
3. **What to Expect:** Participants in VTC are required to take an upfront, top count plea, and they are monitored for up to twelve months for misdemeanors, 18 months for felony treatment compliance. The requirements of participation –which include, for example, regular court appearances and random toxicology screenings—as well as the terms of the plea, are memorialized in a written contract. Upon successful completion, participants receive a mitigated

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plea offer and sentence, as set forth in the contract.

For general inquiries about VTC, contact **ADA Susan Fleming** at [susan.fleming@nassauda.org](mailto:susan.fleming@nassauda.org) or (516) 388-8489. To make a clinical assessment appointment, please contact **Rosemary Walker, Project Director**, at [rwalker@nycourts.gov](mailto:rwalker@nycourts.gov) or (516) 493-4145 or **Tiffany Grant-Zellem, Veterans Justice Outreach Coordinator**, at [Tiffany.Grant-Zellem@va.gov](mailto:Tiffany.Grant-Zellem@va.gov) or (631) 261-4400 ext. 5608.