

Veteran's Treatment Court Participant Performance Contract

DEFENDANT'S NAME: _____ **CASE NO.:** _____

Standard Probation – Deferred Adjudication – Pre-Trial Intervention

In accordance with the authority conferred by the Community Supervision/Adult Probation Law of the State of Texas, you have been placed under supervision this date, _____, for a period of _____ for the offense of _____ by the Honorable Charles A. Stephens, II, Judge, County Court at Law of Comal County, Texas. In exchange for the opportunity to participate in the Comal County Veterans Treatment Court (VTC) Program, I, the undersigned defendant, agree and promise to comply with the following program orders:

1. I WILL BE HONEST

- 1.1 I will promptly and truthfully answer all questions directed to me by any member of the VTC team, including the judge, treatment providers, supervision officers, and representatives of the supervising agency. I will not make any misrepresentation, nor give any false impression to the VTC team.
- 1.2 I will not withhold information from the VTC team that would likely have an effect on my treatment plan.
- 1.3 I will not perpetrate any falsehood or deception, or misrepresent any fact to any branch of the government or to a representative of such government.

2. I WILL OBEY THE LAW

- 2.1 I will commit no new offense against the laws of this State, of any other State, or of the United States, and I will conduct myself in all respects and at all times as a good and law abiding citizen.
- 2.2 I will advise the supervision officer within forty-eight (48) hours if I am arrested or questioned by a representative of any law enforcement agency.
- 2.3 I will comply with all lawful orders issued by the VTC judge, treatment provider, supervision officer and other court personnel.
- 2.4 I understand that if I fail to appear for court as ordered by the judge, then a warrant may be issued for my arrest. I also understand that my absence from the VTC program for a substantial period of time may result in my termination from the program.
- 2.5 Upon my release from a treatment facility, detoxification facility, or jail, I will immediately contact my supervision officer.

3. **I WILL BE RESPECTFUL**

- 3.1 I will attend all court sessions as instructed by the judge, the treatment provider, or my supervision officer.
- 3.2 I will arrive on time and will immediately be seated when I enter the courtroom. If the courtroom is locked or the VTC team is meeting in the courtroom when I arrive, I will wait quietly in the hallway until the courtroom is opened. I will remain in the courtroom until dismissed by the judge.
- 3.3 I will not attend any court session or program requirement while in possession of a weapon of any kind. I will not bring food or drink into the courtroom, and I will turn off all mobile phones and electronic devices before entering the courtroom.
- 3.4 I will speak clearly and directly when addressing the judge, district attorney, supervision officer, and other court personnel. I will refrain from the use of profanity or displays of temper.
- 3.5 I will dress appropriately for court and will not wear tank tops, muscle shirts, halter tops, crop-tops, open unbuttoned shirts, clothing with obscene or inappropriate words or pictures, gang attire, pants which sag below the waistline, hats, caps, bandanas, or sunglasses in the courtroom.
- 3.6 I will treat other VTC participants with courtesy and respect.

4.0 **I WILL SEEK HELP**

- 4.1 I understand that my VTC treatment plan may require that I participate in a variety of programs, including but not limited to the following:
 - 4.1.1 Drug and alcohol treatment including detoxification programs, outpatient treatment, residential treatment, halfway house placement, aftercare, group counseling, and individual counseling
 - 4.1.2 Twelve-step programs or mutual support groups
 - 4.1.3 Drug/Alcohol educational programs, GED classes, literacy classes, vocational training, career counseling, cognitive thinking programs, and parenting classes
 - 4.1.4 Medical and mental health treatment
 - 4.1.5 If I am charged with a DWI offense, I will complete the DWI Education or DWI Intervention course.
 - 4.1.6 If I am charged with a drug offense, I will complete the Drug Offender Education Program.

- 4.2 I will fully comply with all provisions of my VTC treatment plan, including any modifications to that plan that may be ordered by the judge during my participation in Veterans Treatment Court. I understand I may be responsible for having an in home interlock device installed in my home and complying with its requirements; having an Ignition Interlock installed in my car if I am legally driving; and paying for each of these devices. I understand I may be sanctioned if I receive negative reports on either of these monitors.
- 4.3 I will attend and be on time to all treatment and supervision appointments. I will fully participate in and cooperate with all treatment programs and activities to which I am assigned, and I will promptly complete all homework assignments that are given to me.
- 4.4 I will make satisfactory progress in the treatment program by completing my phase requirements, complying with this Performance Contract and demonstrating my sobriety.
- 4.5 If I have an emergency, I will call treatment, supervision officer, or other program personnel before the scheduled time for my next appointment; or if this is impossible, I will contact them at the first possible opportunity.
- 4.6 I will promptly sign all authorizations and waivers for the release of medical, mental health, alcohol / drug treatment, educational and employment records upon request of the VTC judge, district attorney, supervision officers, treatment providers, or other resource providers.

5.0 **I WILL ABSTAIN FROM ALCOHOL AND DRUGS**

- 5.1 I will not at any time be in possession of any controlled substance, narcotic, marijuana, or alcohol, unless prescribed in writing by a physician and authorized in advance by a member of the VTC team.
- 5.2 I will not consume or purchase any controlled substance, narcotic, marijuana, or alcohol, nor will I visit any place where illegal drugs are sold, dispensed, manufactured or used. I will not consume any product containing alcohol, including but not limited to mouthwash, vitamins, or over-the-counter medications.
- 5.3 I will only take over-the-counter medications as listed on the "Approved Over-the-Counter Medications" list, provided in the VTC Handbook. All other medications must be approved by the treatment provider.
- 5.4 I will not go into bars, liquor stores, taverns, clubs, dance halls, or other places where alcohol is the main item for sale or consumption.
- 5.5 I will obtain permission from a member of the VTC team prior to attending any party, concert, or other social gathering where alcohol or drugs might be consumed.

6.0 **I WILL BE ACCOUNTABLE**

- 6.1 Upon request of any member of the VTC team I will promptly submit drug / alcohol screen samples for testing, including but not limited to urinalysis, breathalyzer, and ignition interlock and pay all any required fees to the CSCD including but not limited to an initial \$25.00 fee.
- 6.2 I understand that refusal to provide a urine sample, failure to provide a urine sample within a reasonable time, or the submission of an altered or diluted sample may be considered as a positive test result by the VTC team.
- 6.3 I will notify my treatment provider and/or supervision officer of any medication prescribed for me by a physician before I have the prescription filled, or, if given samples, before I begin taking the medication. I will inform any doctor treating me of my participation in VTC and of my chemical addiction if applicable, and I will request that non-narcotic and nonalcoholic medications be substituted for narcotics or medication containing alcohol, when appropriate.
- 6.4 I will report to my supervision officer as often as weekly beginning this date and as directed by my supervision officer.
- 6.5 I will permit the supervision officer to visit me at my home or elsewhere.

7.0 **I WILL BE RESPONSIBLE**

- 7.1 I will obtain and keep gainful employment in a lawful occupation:
 - 7.1.1 I will support my legal dependents and myself as long as I am physically and mentally able to do so.
 - 7.1.2 If unemployed I will actively search for employment and provide verification of the search to the VTC team unless otherwise instructed by the VTC judge.
 - 7.1.3 I will inform the Court and my supervision officer within forty-eight (48) hours of any change in my employment.
 - 7.1.4 I will provide my supervision officer with proof of employment and income on a monthly basis and will provide copies of all W-2 forms, federal income tax returns, and all similar documents by the 15th day of May of each year during the period of Supervision.
- 7.2 I will secure and maintain an appropriate residence.
 - 7.2.1 I will secure and maintain alcohol and drug –free housing for myself and/or my Family that is conducive to my sobriety. I understand that I cannot reside with any other person who uses alcohol/drugs, in order to protect my sobriety.

7.2.1 I will reside/remain in Comal/_____ County during the term of supervision except by written permission of the Supervision Officer.

7.2.2 I will not leave the state of Texas without the prior permission of the supervision officer, and I waive extradition to the State of Texas from any jurisdiction, in or outside the United States, and I waive any contest to any effort by any jurisdiction to return me to the State of Texas.

7.2.3 I will inform the VTC judge and any supervision officer assigned to my case before I change my place of residence.

7.3 I will pay my financial obligations.

7.3.1 I will promptly pay or make satisfactory arrangements to pay all VTC fees, treatment fees, evaluation costs, supervision fees, drug testing fees, restitution, and other assessments resulting from my participation in VTC.

7.3.2 I understand that the current fee schedule is subject to change by court order during my participation in the VTC program.

7.3.3 I will pay a Program fee of \$500.00 by cashier's check or money order to the Comal County Community Supervision office at a minimum rate outlined in the VTC handbook.

7.4 I will only associate with appropriate individuals.

7.4.1 I will not in any way associate with or communicate with persons of disreputable or harmful character, persons on probation or parole, with ex-convicts, or with inmates, nor will I associate with persons having a criminal record unless such person is attending the VTC program or is approved by the VTC team.

7.4.2 I will not act as a confidential informant for any law enforcement agency while in the VTC program.

8.0 **I WILL ABIDE BY THE FOLLOWING SPECIAL CONDITIONS:**

9.0 **I WILL ACKNOWLEDGE THE CONSEQUENCES OF MY ACTIONS**

9.1 If I fail to fully follow the terms of this performance contract, the VTC judge may respond by imposing sanctions which may include but are not limited to the following:

- 9.1.1 Ordering participation in extra counseling sessions, group sessions, and/mutual support meetings;
 - 9.1.2 Ordering more frequent drug and alcohol testing;
 - 9.1.3 Ordering the use of electronic monitoring devices;
 - 9.1.4 Ordering additional community service restitution;
 - 9.1.5 Ordering the payment of additional fees, fines or costs;
 - 9.1.6 Ordering incarceration
 - 9.1.7 Taking such other action as the Court determines appropriate for the particular violation.
- 9.2 I understand that compliance with the requirements of the VTC program and this performance contract may result in the VTC judge allowing me special privileges or other incentives.
- 9.3 I understand that if the VTC judge finds that I have violated the conditions of the plea agreement or the Performance Contract and that disciplinary sanctions have been insufficient to gain my compliance, I will be revoked from the VTC program and sentenced in accordance with my plea agreement.

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your supervision, and may at any time during the period of supervision, alter or modify the conditions of your community supervision. Pursuant to Article 42.12 Sec.10 (d) (e) and Section 21 Code of Criminal Procedure, your conditions may be modified to address any violation of any of the conditions set out above within the Community Supervision and Corrections Department Programs and Sanctions Policy, which could be up to and including a CCF. The Court also has the authority at any time during the period of your supervision to revoke your supervision for violation of any of the conditions set out above;

Defendant

Date

Supervision Officer

Date

Honorable Charles A. Stephens, II

Date