



Contact: Diversion Strategies Group, 602-372-7300

### **Veterans Diversion Program Overview:**

Set to begin in April 2022, the Maricopa County Attorney's Office (MCAO) will introduce the Veterans Diversion Program. This is a comprehensive program that provides a diversion alternative to eligible post-file felony offenders, verified as having earned a General or an Honorable Discharge from the United States Armed Services. Along with other prescribed eligibility criteria, the veteran must have a minimal criminal history and is at low risk to reoffend. Diverting these offenders reduces their contact with the criminal justice system, increases connections to appropriate Veterans' community-based systems of care, and holds the individual accountable for criminal conduct through their participation in an evidenced-based, cognitive-behavioral program. If applicable to their case, restitution must be paid in full to earn a successful completion; thus, providing timely financial restoration to the victim. Overall, the Veterans Diversion Program will address the behavioral health and criminogenic needs of the offender.

### **How Veterans Diversion Program Works:**

- Eligibility: For offenders with lower level felonies with documentation/proof of their military service and discharge status on the Defense Department's "Certification of Release or Discharge from Active Duty" DD Form 214. It is the responsibility of defense counsel to provide documentation of DD Form 214 to the Deputy County Attorney (DCA) if interested in this diversion program;
- If applicable to the case, the collection of restitution is mandatory:
  - Restitution due to the victim may not exceed \$2000.00 and must be paid in full in order to receive a successful completion.
- The DCA is solely responsible for referring offenders to the Veterans Diversion Program. If eligible, the DCA suspends prosecution for two (2) years for completion of diversion;
- Referred offenders will be<sup>1</sup>assessed and receive clinical services by the Diversion Contractor. MCAO will require the Contractor to administer a cognitive-behavioral intervention/curriculum: <sup>2</sup>*Decision Points*. Additionally, the offender will be assigned to <sup>3</sup>Rally Point and a "Navigator";
- The offender will also be referred by the Navigator to the Veterans Justice Outreach (VJO) Coordinator who will complete a psychosocial assessment to determine if he/she has any other needs that can be addressed through the Department of Veterans Affairs (VA);
- Offenders with identified substance use risk will be required to submit to random drug testing;
- Successful discharge from the Veterans Diversion Program results in the prosecutor filing a motion to dismiss case with prejudice after the offender complies with the following requirements:
  - Completes the *Decision Points* program;
  - Participates in the psychosocial assessment at the VA;
  - Shows engagement and progress with Rally Point and Veterans Affairs' services;
  - If applicable, fully pays restitution to the victim and/or submits to random drug testing.

<sup>1</sup>EMPACT staff are trained and certified to utilize the ORAS (Ohio Risk Assessment System) Assessment Tool; specifically, the CST to identify criminogenic needs.

<sup>2</sup>EMPACT staff are trained and certified to deliver the Decision Points Program. <sup>3</sup>EMPACT's Rally Point is a specialized veteran support program which maps out and coordinates care for identified needs. Each veteran will be assigned a Navigator (a veteran peer support person who is knowledgeable about veterans' services and to assist with this coordination of care) and will make a referral to the Veterans Justice Outreach Coordinator at the Veterans Affairs Department.

- If the offender fails to successfully complete these requirements, the DCA will file a motion to reinstate prosecution;
- Service delivery will be administered by EMPACT – Suicide Prevention Center (“EMPACT”), a community based, behavioral health organization;
- Treatment costs:
  - Treatment services delivered by EMPACT may be covered for AHCCCS verified members. EMPACT will also assist in AHCCCS enrollment for those who may qualify, but not currently enrolled;
  - Services provided by Veterans Affairs will likely be covered partially or in full for Veterans who have earned a General or Honorable Discharge; and
  - For those who do not qualify for AHCCCS coverage, American Rescue Plan Act (ARPA) federal funds are now available to offset treatment and drug testing costs for eligible defendants who participate in a financial assessment determination process with EMPACT. ARPA funds are available through June 30, 2023 or if exhausted sooner.

***Diversion Treatment – Decision Points:***

- Released nationally in July 2015 (Jack Bush, Charles R. Robinson, Steven L. Swisher, and Juliana Taymans);
- Open entry and an evidence-based curriculum to address risk, needs, and responsivity;
- Aims to change deeply rooted anti-social thoughts, beliefs, and skills deficits through an interactive behavioral approach; and
- Consists of 5 comprehensive and repetitive learner-centered lessons: Concepts and steps increase the ability to stay out of trouble with required homework and group practice sessions to increase thinking skills for successful prosocial living.
- The treatment plan will be individualized with consideration for the offender’s services and progress at Veterans Affairs and through Rally Point. Therefore, program length will vary.

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