

SECOND JUDICIAL CIRCUIT



LEON COUNTY VETERANS TREATMENT COURT (VTC) PARTICIPANT HANDBOOK



**Presiding Judge
Augustus D. Aikens, Jr.**

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Leon County Veterans Treatment Court (VTC) Important Contact Information

Name	Title	Phone Number	Email
Augustus D. Aikens, Jr.	Judge	Contact Ms. Mueller	Contact Ms. Mueller
Brenda Mueller	Veterans Court Coordinator	850-606-4450	muellerb@leoncountyfl.gov
Andrew Deneen	Assistant State Attorney	850-606-6000	deneena@leoncountyfl.gov
Owen McCaul	Assistant State Attorney	850-606-6000	mccaulo@leoncountyfl.gov
Deborah Whisnant	Assistant Public Defender	850-606-1069	deborah.whisnant@flpd2.com
Matt Willard	Lead Mentor	850-224-2001	matt@willardhurley.com
Cora Dailey	Veterans Pretrial Officer	850-606-5612	daileyc@leoncountyfl.gov
Andy Rhodes	DOC Probation Officer	850-487-4544	Rhodes.andy@fdc.myflorida.com
Latoya Dorsey	DOC Probation Officer	850-922-4181	Latoya.Dorsey@fdc.myflorida.com
Frank Norris	Veterans Justice Outreach Specialist	850-510-3926	Frank.Norris1@va.gov
Florida Veterans Foundation	Agency that serves, supports, and advocates for Florida Veterans	850-488-4181	

Welcome, Overview and Program Introduction

Welcome to the Leon County Veterans Treatment Court (VTC)....a proactive approach to issues and problems facing Veterans. This handbook is intended to be a guide to assist you as a participant as you move through and complete the four phases of the Leon County VTC. As a participant, you will be expected to follow the instructions given by the Judge and comply with the treatment plan developed for you by the multi-disciplinary treatment team. This handbook will detail what is expected of you as a Leon County VTC participant and review general program information. All participants are required to read and abide by all rules and procedures outlined in this handbook and are encouraged to share this handbook with family and friends, so that they can be a support system to you. Should you have specific questions in regards to your individual case, you will need to discuss those with your Defense Attorney.

The core mission of the Leon County VTC is **immediate and intensive intervention and treatment after an arrest**. The Leon County VTC relies on the cooperation and collaboration between the criminal justice system, the Department of Veteran Affairs (VA), community agencies and YOU. As a participant, your Leon County VTC Team will help you gain and maintain stability, which may include participating in treatment options designed for improving your mental health and assisting you in achieving sobriety, and then helping you successfully re-enter society as a productive individual.

An important fact for you to know is that upon graduation, your case may be dismissed by the Judge and your record relating to the arrest that resulted in your participation in VTC may be eligible to be sealed or expunged. We hope you will take full advantage of the services offered through the Leon County VTC and become a successful graduate in the near future. This is a great opportunity to get your life back on track and **the VTC is committed to helping you to reach that goal.**

“LEAVE NO VETERAN BEHIND”

Veteran Crisis Line: 1-800-273-8255 and press 1

Program Description

The Leon County VTC is a court-supervised, comprehensive treatment program designed to identify individuals with qualifying criminal charges who also meet the criteria to be served by the Leon County VTC. Those criteria are:

- Must be a Veteran, as defined in s. 1.01, F.S. or service member, as defined in s. 250.01, F.S., who has an Honorable or General discharge from military service.
- Must have a documented (by a qualified professional) military related mental health diagnosis, including but not limited to, post-traumatic stress disorder, traumatic brain injury and/or a substance abuse disorder or psychological problems.
- Must not have previously been enrolled in and/or rejected admission to the VTC (exceptions may be made in this area if approved by the VTC Treatment Team)
- Must participate in assessments and meetings with Leon County VTC personnel, to assist them in completing a referral packet to be reviewed by the Leon County VTC Treatment Team in order to gain approval for you to enroll in the program.

The Leon County VTC is a **problem solving treatment court** which includes regular court appearances before a dedicated VTC Judge; intensive substance abuse and/or mental health treatment services including, but not limited to individual and group counseling; regular attendance at sobriety support meetings in the community; random and observed drug and alcohol testing; guidance and support by a Veteran peer mentor; compliance with medical and other personal appointments/needs; housing assistance; and linkage to vocational training, education, and/or job placement services. The Leon County VTC requires a non-adversarial courtroom atmosphere in which a multi-disciplinary team works together toward the common goal of breaking the cycle of addiction and/or self-neglect.

While in the VTC you will be supervised by a VTC Veterans Pretrial Intervention Officer/Probation Officer, thus ensuring public safety and accountability. You will be required to follow all of the VTC rules and participate fully in each aspect of the program. You will be required to sign all necessary forms, including releases needed to gain access to current and prior medical records and service records. The Leon County VTC is set up to be a twelve (12) to eighteen (18) month program but that will depend on your individual progress. The maximum amount of time you can be in the Leon County VTC is twenty four (24) months.

Notice to Patients Pursuant to 42 C.F.R. §2.22 (Confidentiality)

The confidentiality of mental health and alcohol and drug abuse patient records maintained by this program is protected by federal law and regulations. Generally, the program may not say to a person outside the program that a patient attends the program, or disclose any information identifying a patient as having a mental illness or as a drug or alcohol abuser UNLESS:

1. The patient consents in writing.
2. The disclosure is allowed by a Court Order; or
3. The disclosure is made to medical personnel in a medical emergency or to a qualified person for research, audit or program evaluation.

Violation of federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with federal regulations. Federal laws and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime. Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities.

PROGRAM RULES

1. **Sign all agreements and releases necessary for entering the VTC.**

2. Report to Court as required.

As a Leon County VTC participant, you will be required to appear in Court on scheduled dates and times. At each appearance the Judge will be given a progress report prepared by your multi-disciplinary Treatment Team regarding your drug/alcohol test results, attendance in all program services, compliance with medications and level of participation. The Judge will ask you questions about your progress, and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work with your Treatment Team towards continued success. If you are not doing well, the Judge will discuss this with you and your Treatment Team to determine further action. If you commit program violations (i.e.: positive, unable to produce, dilute, missed drug/alcohol tests, failure to attend treatment appointments, failure to comply with medications, failure to attend support meetings, failure to report to your Veterans Pretrial Intervention Officer/Probation Officer, etc.), the Court may impose sanctions. For repeated violations of program requirements, and a failure to progress satisfactorily, the Court may impose the ultimate sanction of unsuccessful discharge from the VTC.

Failure to appear in Court on the date and time you are scheduled may result in a warrant for your arrest. If you cannot appear in Court as scheduled, you must notify your Defense Attorney as soon as possible to explain why you cannot appear. Illness (unless admitted to a medical facility) and/or transportation problems are not excuses to miss Court. **It is your responsibility to be present and to be on time.**

3. Dress appropriately for Court and treatment sessions.

When reporting to the Leon County VTC you must dress accordingly. Proper hygiene should also be maintained. The following are a few sample guidelines to use when deciding if something is appropriate to wear to court. If you have questions or need help with clothing, please speak to a member of your VTC Treatment Team and they will provide you with further instruction.

- No shorts.
- No torn blue jeans.
- No nose, brow or tongue rings.
- No skirts shorter than 5 inches above the knee.
- No clothing or jewelry that promotes drugs/alcohol.
- Dresses should fit appropriately. This means that the chest, back and stomach area should not be exposed.
- Pants should not ride so low that undergarments are exposed.
- No gang related and/or violence promoting clothing.

4. Remain seated and quiet unless otherwise instructed.

When in Court, Veterans should remain seated unless given other instructions. **All cell phones and/or electronic devices must be turned off in the courtroom and at treatment sessions/appointments.** If found to be in use, these devices may be removed from your possession, turned in to the Judge and will only be returned by the Judge. Should these guidelines be violated you may be dismissed from Court that day and be ordered to return another day. Continued violations will be dealt with on an individual basis, and may result in you being sanctioned.

5. Violent or inappropriate behavior will not be tolerated.

Do not make any threats towards other participants, staff or team members. This may result in unsuccessful discharge from VTC.

6. You may not possess or use firearms during your participation in VTC.

7. Abstinence from Drugs/Alcohol and Drug Screening Protocol

You will be **randomly tested two times per week** for the presence of drugs and/or alcohol throughout your participation in VTC. **Sobriety is the primary focus of this program.** Maintaining a drug/alcohol free lifestyle is very important to your recovery process. You must have a certain number of consecutive days of clean

urinalyses/alcohol screenings to be considered for movement between phases. **Important Note: Missed tests, diluted tests, unable to produce a sample, or positive tests may cause your clean days to start over!**

You are prohibited from using or possessing any legal and/or illegal drugs and/or alcohol (in any form), including “alternative/replacement” and “designer” drugs. If you have a valid prescription for a medication, that must be presented to your Veterans Pretrial Intervention Officer/Probation Officer as soon as you receive the prescription. This will ensure that the VTC is aware of what medications you are currently taking that could affect a drug test result. They will also advise you of what over the counter (OTC) medications to take/not take, as some of those can also affect drug test results. **SPECIAL NOTES: Prescriptions for medical marijuana are not accepted by the VTC. If you choose to use medical marijuana you are not eligible for participation in the VTC. Also, pill counting may be performed on your prescribed medication if ordered by the Judge.**

If you must seek medical attention while in the program and/or are given a prescription, you must submit copies of all medical documentation and/or the prescription to your Veterans Pretrial Intervention Officer/Probation Officer within twenty-four (24) hours of receipt so that they can make the VTC aware of your status regarding prescribed medications.

You are responsible for the cost of your drug/alcohol testing and treatment co-pays if any. These are part of the treatment requirements and these are not considered fees. You will need to budget accordingly to ensure you can meet these financial responsibilities, as part of being in VTC. If you need financial assistance, in regards to your testing fees you must fill out a financial affidavit and submit it to the Judge for review.

8. Report as directed for supervision.

You will report to your Veterans Pretrial Intervention Officer/Probation Officer as directed while you are enrolled in the VTC. You may be subject to random announced and unannounced visits to your home/work. **Additionally, your person, home and vehicle will be subject to warrantless searches at any time.**

9. Remain in the Second Judicial Circuit.

You are required to live within the Second Judicial Circuit area (Judge may grant exception). If you live outside of Leon County you are still responsible for attending all Court hearings and treatment services, if not available in your county of residence. You may be given permission to leave the Circuit by your Veterans Pretrial Intervention Officer/Probation Officer. A two week notice of your plans is usually required so they can ensure all parties are notified and in agreement. Your request to leave the county may be denied. If you decide to move to another area in Florida that has a VTC, the VTC Treatment Team will explore the options of a transfer and/or courtesy supervision. **If you are granted travel permission, you must pre-arrange to have a drug testing site available for you to conduct random drug/alcohol screenings you would be scheduled to take if still in the Second Judicial Circuit.**

10. Remain arrest free.

Warrants and/or new arrests could result in your unsuccessful discharge from VTC. **This includes traffic related offenses. If you do not have a valid Driver’s License, DO NOT DRIVE!** If you would like to obtain and/or regain your Driver’s License, let us know and we will review your history to see what assistance can be provided.

11. Attendance at and participation in all treatment sessions.

Attendance at and participation in all treatment sessions is mandatory. This includes individual/group counseling sessions, mental health assessments/sessions, medical appointments, educational sessions, Veteran mentor appointments/activities and sobriety support meetings. If you are unable to attend a scheduled session/appointment, you must contact the individual that your appointment is with prior to the session, to request

an excusal. Being late for treatment sessions/appointments can also be looked at as being non-compliant. **Failure to attend or missing scheduled appointments may result in sanctions and could ultimately result in unsuccessful discharge from VTC.**

12. VTC Multi-disciplinary Treatment Team.

You will be assigned your own VTC Treatment Team. The Judge is the leader of this team. Other members include your Defense Attorney, the Assistant State Attorney, your Veterans Pretrial Intervention Officer/Probation Officer, the VTC Court Coordinator, the VA Justice Outreach Specialist, your Mentor and other parties that may be pertinent to your success. Your Treatment Team will meet before each Court date to discuss areas you are doing well in and areas that you may be struggling in. At your hearing the VTC Treatment Team will make recommendations for incentives and/or sanctions. **Remember, this Treatment Team is working with you.** They are there for the good days and for the days when you need help. The unified goal is to have you successfully graduate from the VTC.

13. Community Service.

Community service hours are part of the program. You will begin to work on this aspect of treatment during Phase II. Each participant will complete **50** community service hours.

14. Maintain contact with your Mentor.

A unique component to the VTC is the commitment from local Veteran’s programs and organizations to provide a mentor to you specifically. **Your assigned VTC mentor is a Veteran of the Armed Services** willing to volunteer a significant amount of time to you and the VTC. Your mentor will maintain contact and provide you advice, share personal experiences, give guidance and make recommendations to you to assist you in your journey to recovery. Your mentor may also attend Court hearings when possible.

15. Financial Obligations.

Failure to pay your fees may affect your movement to the next phase in the VTC. If you are in VTC on a case that involves restitution, you may also be required to complete that obligation prior to being successfully terminated from VTC. **Possible** financial obligations include, but are not limited to:

Public Defender application fee	Varies per case	Post Adjudication Cases Only
Prosecution fee	Varies per case	Post Adjudication Cases Only
Court costs	Varies per case	Post Adjudication Cases Only
Probation/supervision fees for pretrial	\$40 - \$55 per month	Monthly fee
Probation/supervision fees for DOC	\$55 per month	Monthly fee
Community service program fees for pretrial	\$30	One-time fee
Drug/Alcohol testing fees for pretrial	\$5 for Breathalyzer and \$20 for UA	2 x per week (\$50 per week)
Drug/Alcohol testing fees for DOC	\$30	One-time fee
Mandatory Courses per Statute (for DUI’s, Domestic Battery, etc.)	Varies per case but Level I is usually \$280; Level II is usually \$425; VAP is usually \$25	One-time fees
Restitution	Varies per case if applicable	Payment plan may be set up

16. Legal Representation.

All participants will have an opportunity to be represented by Counsel. If you do not qualify for the Public Defender, but still cannot afford a Private Attorney, there are local Private Attorneys that may be willing to take your case pro-bono and represent you throughout the VTC.

Treatment Design

The Leon County VTC consists of 4 phases. To graduate, you must successfully complete all 4 phases. The Leon County VTC is set up to be a twelve (12) to eighteen (18) month program but that will depend on your individual progress. **Movement from one phase to the next is not automatic and will be determined by the VTC Treatment Team members**

after review of your progress in the program. Phase advancement is considered an incentive and is awarded to a participant when they have earned it.

PHASE I – Assessment, Orientation and Stabilization

Overall Goals of Phase I

- You will comply with orders of the Leon County VTC program.
- You will be assessed and have treatment needs determined.
- You will be assessed and have risk level and needs determined.
- You will be oriented to the Leon County VTC.
- You will have your Coordinated Strategy developed.
- You will attend all required Court hearings.
- You will be introduced to your VTC Treatment Team.
- You will be assigned your mentor who will become part of your Team.
- You will enroll into the identified treatment component (outpatient, inpatient, etc.) and begin the program.

Assessment(s)

- Assessments will be conducted by the VA and/or local treatment providers and a treatment plan developed that identifies the appropriate level of care and best treatment course of action for you as an individual.
- A risk assessment will be conducted to determine your level of risk and your needs.
- You will meet with your supervision officer (Pretrial/County/DOC) and develop a supervision plan.
- Urinalyses/Alcohol testing will start immediately.
- Referral information will be gathered by the VTC Coordinator to present to the Leon County VTC Treatment Team. The VTC Team will approve or deny your case for the program after reviewing all of the information in your case.

Orientation/1st Court Appearance

- Once approved and you agree to voluntarily enroll, orientation will be conducted.
- You will review your coordinated plan expectations and the guidelines, rules and requirements of the Leon County VTC program and sign all required forms.
- You will attend your first Court review hearing in front of the VTC Judge. The Judge and your VTC Treatment Team will review your coordinated strategy plan with you again, and answer any questions you may have.
- You will be assigned a mentor to support you through the program, if one is available. If not assigned during Phase 1, one will be assigned as soon as possible.

Stabilization

- You will start the prescribed treatment either with the VA or with another treatment provider.
- You will attend Court reviews every two weeks to report on progress.
- You will report to your Veterans Pretrial Intervention Officer/Probation Officer as determined. Home/work visits may be a part of your supervision plan.
- You will submit to urinalyses/alcohol screenings as directed. You must have a certain number of consecutive days of clean urinalyses/alcohol screenings to be considered for move to Phase II. The number of days will be determined by the VTC Treatment Team.
- You will establish a payment plan for your financial obligations.
- **You will advance to Phase II once the VTC Treatment Team ensures you have completed all above requirements.**

PHASE II – Treatment and Relapse Prevention

Overall Goals of Phase II

- You will comply with orders of the Leon County VTC program.
- You will begin to establish your relapse prevention plan.

- You will initiate community service requirements. (50 hours)
- You will begin payment of financial obligations.

Treatment

- You will continue to participate in prescribed treatment, including random urinalyses/alcohol screenings.
- You will begin to establish a positive support network through attendance at support group meetings.
- You will begin to work with your treatment provider(s) on a relapse prevention plan.

Relapse Prevention

- You will appear before the VTC Judge every two weeks for a review of your progress.
- You will remain in contact with your Veterans Pretrial Intervention Officer/Probation Officer as determined.
- You will begin your community service requirements at an approved worksite (50 hours).
- You will communicate any perceived problems to your Veterans Pretrial Intervention Officer/Probation Officer so that they may bring them before the VTC Treatment Team if needed, prior to the next scheduled Court review.
- You will make required agreed upon payments to the Clerk of the Court and provide documentation to your Veterans Pretrial Intervention Officer/Probation Officer.
- You will make positive progress in the recommended course of treatment.
- You will submit to urinalyses/alcohol screenings as directed. You must have a certain number of consecutive days of clean urinalyses/alcohol screenings to be considered for move to Phase III. The number of days will be determined by the VTC Treatment Team.
- **You will advance to Phase III once the VTC Treatment Team ensures you have completed all above requirements.**

***Congratulations....
You are half-way there!***

PHASE III – Treatment, Relapse Prevention and Transition Plan

Overall Goals of Phase III

- You will comply with orders of the Leon County VTC program.
- You will begin to establish a transition plan to support long term abstinence and sobriety, using skills developed while participating in the VTC program.

- You will continue to complete your community service requirements.
- You will continue to make payments on any financial obligations.

Treatment

- You will continue to participate in prescribed treatment, including random urinalyses/alcohol screenings.
- You will continue to attend support group meetings.
- You will begin to work with your treatment provider(s) on a transition plan to include educational and vocational goals.

Relapse Prevention and Transition Plan

- You will appear before the VTC Judge as directed for a review of your progress.
- You will remain in contact with your Veterans Pretrial Intervention Officer/Probation Officer as determined.
- You will continue to complete your community service requirements.
- You will communicate any perceived problems to your Veterans Pretrial Intervention Officer/Probation Officer so that they may bring them before the VTC Treatment Team if needed, prior to the next scheduled Court review.
- You will make required agreed upon payments to the Clerk of the Court and provide documentation to your Veterans Pretrial Intervention Officer/Probation Officer.
- You will make positive progress in the recommended course of treatment.
- You will submit to urinalyses/alcohol screenings as directed. You must have a certain number of consecutive days of clean urinalyses/alcohol screenings to be considered for move to Phase IV. The number of days will be determined by the VTC Treatment Team.
- **You will advance to Phase IV once the VTC Treatment Team ensures you have completed all above requirements.**

PHASE IV– Treatment Completion, Graduation, and Aftercare

Overall Goals of Phase IV

- You will comply with orders of the Leon County VTC program.
- You will comply with your transition plan.
- You will complete your community service requirements.

- You will complete payment of your financial obligations or have an approved plan in place.
- You will prepare for graduation by completing your graduation essay and required graduation speech. Your graduation essay should be turned in no later than two weeks prior to your targeted graduation date.
- You will establish your aftercare plan with your treatment provider.

Treatment

- You will continue to participate in prescribed treatment, including random urinalyses/alcohol screenings.
- You will continue to attend support group meetings.
- You will establish your aftercare plan with your treatment provider.

Graduation and Aftercare

- You will appear before the VTC Judge as directed for a review of your progress.
- You will remain in contact with your Veterans Pretrial Intervention Officer/Probation Officer as determined.
- You will be employed and/or in school full time, or have a means to support yourself through a legitimate income such as pension, disability, social security, etc.
- You will complete your community service requirements.
- You will fulfill your financial obligations or have an approved plan in place.
- You will communicate any perceived problems to your Veterans Pretrial Intervention Officer/Probation Officer so that they may bring them before the VTC Treatment Team if needed, prior to the next scheduled Court review.
- You will have fulfilled all treatment and supervision goals.
- You will submit to urinalyses/alcohol screenings as directed. You must have a certain number of consecutive days of clean urinalyses/alcohol screenings to be considered for graduation+. The number of days will be determined by the VTC Treatment Team.
- You will complete a written speech to be delivered orally to the Court at graduation that includes lessons learned, your court experience and future plans. Instructions will be given to you on this assignment.
- You will develop and review your aftercare plan with your treatment provider.
- **You will advance to graduation once the VTC Treatment Team ensures you have completed all above requirements and the Court's written finding concludes you have successfully completed the program.**

***You made it.
Graduation day is here!***

Incentives and Sanctions

Incentives are given to Veterans who are deserving of special recognition for achievements and/or progress while in the Leon County VTC. Incentives are used to reward positive behavior and progress towards goals. Incentives will be recommended by the Leon County VTC Treatment Team.

Examples of possible incentives (other incentives may also be used based on the Veteran's needs and/or recommendations of the Leon County VTC Treatment Team):

- Verbal praise from Judge and/or Treatment Team.
- Applause/Standing Ovation.
- Ability to leave Court once your case is heard by the Judge.
- Phase completion certificates.
- Phase advancement.
- Waiver of community service requirements.
- Travel permission.
- Decreased supervision.
- Curfew extension/removal.
- Waiver of all or part of fees.
- Graduation gift.

Sanctions may be imposed for violation of any of the Leon County VTC rules and requirements, as well as failure to comply with an Order of the VTC Judge or the VTC Treatment Team. Sanctions will be imposed based on the specifics of the individual case and shall be both punitive and therapeutic in nature, as well as provide incentive for positive behavior. The Leon County VTC will use graduated sanctions which are applied as immediate and direct consequences for program failures. Additional treatment may be recommended. Such a requirement is a therapeutic effort to address substance abuse problems or mental health issues and is not designed to be a sanction or punishment for any rules or requirements violated. **The same violation may not result in the same sanction for two different Veteran Treatment Court participants.** Unsuccessful discharge of the Veteran from the program will be a last resort following repeated program failures and graduated sanctions, unless the violation is of a serious nature and may warrant immediate removal from VTC (i.e.: new criminal arrest; possession and/or use of synthetic and/or replacement drugs; tampering/falsifying a drug test; threats of violence or violent behavior; submitting false documents, etc.)

Examples of possible sanctions that may be imposed for non-compliance (other sanctions may also be used based on the Veteran's needs and/or recommendations of the Leon County VTC Treatment Team):

- Increased Court appearances.
- Court admonishment.
- Jail time.
- Change in phase.
- Additional community service requirements.
- Increased reporting to the Veterans Pretrial Intervention Officer/Probation Officer.
- Increased drug/alcohol screenings.
- Written assignments designed to address the identified problem.
- Curfew imposed.
- Round table with Judge/Leon County VTC Treatment Team.
- Warrant for arrest if missed Court review hearing.
- Delay in graduation date.
- Unsuccessful discharge from the Leon County VTC – imposition of sentence or reinstatement of charges that were continued.

Graduation and Case Closure

Once you have successfully completed the criteria for each phase, you will advance to the next level and eventually be a candidate to graduate from VTC. It will be necessary to discuss your progress toward the goals you initially set and why you believe you have met the graduation criteria. Approval for graduation from the program shall be determined by the VTC Judge with input from the VTC Treatment Team. Your family will be invited to join you in court as the Judge congratulates you on successfully completing VTC and achieving your goal to establish a stable life. You may also be

asked to complete an exit survey on your graduation day. We hope you will take the time to give us some honest feedback so that we can continue to improve our program.

Upon graduation, your case may be dismissed by the Judge. Your record relating to the arrest that resulted in your participation in VTC may be eligible to be sealed or expunged. Follow up surveys to see how you are doing may be conducted at 6-month and 12-month periods after your graduation date, via phone/mail/email.

THANK YOU FOR YOUR HARD WORK AND DETERMINATION.