

Justice Reform for Veterans: The Rise of Veterans Treatment Courts

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In 2007, a judge in Buffalo, New York, named Robert Russell began seeing an increase in the number of veterans appearing before him clearly struggling with substance use disorders, mental health conditions, and trauma.

One day during his Mental Health Court docket, Judge Russell called the case of a Vietnam veteran who, to that point, had not responded to the help being offered by the court, and seemed to struggle to communicate with the court team. In a moment of exasperation, Judge Russell asked two members of his court staff, themselves Vietnam veterans themselves, to go out in the hall and talk to him. The three met for over an hour, and when Judge Russell recalled the case, the man walked up to the bench, stood at parade rest, and held his head high.

Judge Russell asked him if he was ready to accept the treatment that was being offered. He looked Judge Russell in the eye and said yes.

This small moment of two veterans helping another in crisis was the spark that ignited a movement that is transforming how the justice system identifies, assesses, and connects veterans to treatment rather than putting them behind bars. By January 2008, Judge Russell and his team had created a veterans-only docket where service men and women were surrounded by their peers and offered treatment and services specific to their unique needs. While maintaining the traditional partnerships and practices found in his drug court and mental health courts, Judge Russell brought to the table Department of Veterans Affairs health care networks, the Veterans Health Administration (VHA) and Veterans Benefits Administration (VBA), volunteer veteran mentors from the community, and veterans' family support organizations. The resulting program was the nation's first veterans treatment court, one of over 260 in operation today.

There are more than 21 million veterans in the United States (National Center for Veterans Analysis and Statistics, n.d.). Some of us may struggle with adjusting to the civilian world after active duty military life, but we are all instilled with the values of service, sacrifice, and honor. Veterans treatment courts give veterans the chance to re-group, dust off the foundation of integrity and commitment their military service gave them, and move forward to be the leaders they are destined to be. The road to recovery may be long, but the early success of veterans treatment courts is a testament to the resiliency and fortitude of those who serve. This success allows them to man the bridge for others who need support to return to society and once again be productive citizens.

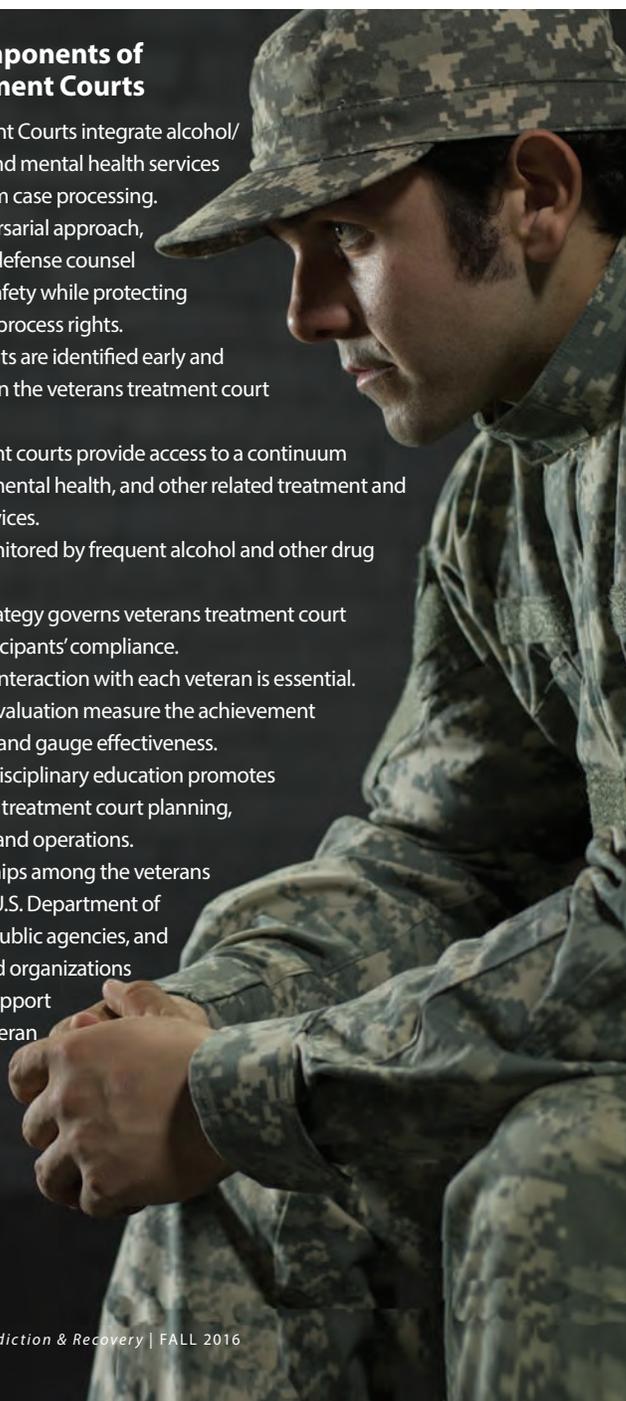
Veterans and the Justice System

It is important to note that veterans are incarcerated at significantly lower rates than non-veterans, and the number of veterans in jails and prisons decreased between 2004 and 2012 (Bureau of Justice Statistics [BJS], 2015). There is a startling lack of data on the intersection of veterans and the justice system, but what we do know suggests that mental health is a significant factor. Incarcerated veterans have higher rates of mental health issues than non-veterans, and while less than a third of veterans behind bars experienced combat, those who did report higher rates of mental health conditions (BJS, 2015).

In March 2014, *The Washington Post* released a report finding that more than half of the 2.6 million American veterans of the wars in Iraq and Afghanistan struggle with physical or mental health problems stemming from their service and feel disconnected from civilian life (Chandrasekaran, 2014). The RAND center estimates that about 1 in 5 veterans of the wars

The 10 Key Components of Veterans Treatment Courts

1. Veterans Treatment Courts integrate alcohol/drug treatment and mental health services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due-process rights.
3. Eligible participants are identified early and promptly placed in the veterans treatment court program.
4. Veterans treatment courts provide access to a continuum of alcohol, drug, mental health, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs veterans treatment court responses to participants' compliance.
7. Ongoing judicial interaction with each veteran is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective veterans treatment court planning, implementation, and operations.
10. Forging partnerships among the veterans treatment court, U.S. Department of Veterans Affairs, public agencies, and community-based organizations generates local support and enhances veteran treatment court effectiveness.



in Iraq and Afghanistan has post traumatic stress disorder (PTSD) or significant mental health needs (Tanielian & Jaycox, 2008). The Substance Abuse and Mental Health Services Administration (SAMHSA) estimates 1 in 15 veterans had a substance use disorder in 2014 (SAMHSA, 2015).

Left untreated, these issues put veterans at significant risk for involvement with the justice system. Historically, there has been no comprehensive effort to ensure the justice system responds sufficiently to the unique clinical needs some veterans face. Veterans treatment courts are alternatives to incarceration for veterans whose justice system involvement is linked to a substance use disorder, mental health condition, and/or trauma. Like drug courts, veterans treatment courts strike a balance between accountability and the need to treat underlying conditions that affect behavior. This innovation has gained national recognition because it demonstrates that veterans can be held accountable while also being connected to the benefits, treatment, and mentoring necessary to address the underlying causes of their criminal behavior.

Veterans treatment courts involve cooperation and collaboration with traditional partners found in drug courts and mental health courts, such as the prosecutor, defense counsel, treatment provider, probation, and law enforcement. Added to this interdisciplinary team are representatives from the Department of Veterans Affairs — including the Veterans Health Administration and the Veterans Benefit Administration — as well as State Department/Commission of Veterans Affairs, et Centers, community mental health and substance use treatment providers, Veterans Service Organizations, and volunteer veteran mentors.

One Stop Shop

Traditionally, justice-involved veterans have been scattered throughout the justice system, making it difficult to coordinate effective treatment interventions. Veterans treatment courts economize resources by clustering veterans onto a single docket and linking them with resources uniquely designed for the distinct needs that can arise from military service. This approach allows jurisdictions to bring to bear the myriad of local, state, and federal resources exclusive to veterans. For example, a representative from the local Department of Veterans Affairs medical center is present during the court docket with a laptop computer able to quickly access confidential medical records, schedule treatment appointments, and communicate this vital information to the court. In addition, veterans treatment courts have had great success liaising with the VBA, VHA, accredited service officers from Veterans Service Organizations, Vet Centers, County Veterans Service Officers, State Department/Commission of Veterans Affairs, DOL DVOP/LVER, State/County Bar Associations, and congressional offices. These team members are not employed by the criminal justice system and normally would not be present at the courthouse. Consolidating justice-involved veterans onto a single docket makes it possible for these individuals and groups to actively support those most in need of help.

Therapeutic Camaraderie

From the camaraderie during military service to the isolation many veterans experience transitioning to the home front, veterans experience a dramatic change in environment than can magnify mental health issues and substance use. Without the support of other veterans, some struggle to accept help. In veterans treatment court, those who served in our nation's Armed Forces participate in the treatment court process with their fellow veterans, re-instilling a sense of solidarity that they experienced while in the military.

One of the keys to veterans treatment court success has been the use of volunteer veterans from the community who act as mentors to veterans involved in the program. By pairing struggling veterans with a volunteer veteran mentor, veterans treatment courts give both parties the chance to reclaim a sense of honor, duty, and leadership — values that make our veterans the backbone of American society. In serving as mentors, volunteer veterans find a sense of fulfillment that can only be achieved when one veteran comes to the aid of another. Veterans treatment courts transform the bond of military service into healing and empowerment.

The Impact

Recently, Community Mental Health Journal released the first published study on veterans treatment courts and concluded that participating veterans experienced significant improvement with depression, PTSD, and substance use, as well as with critical social issues including housing, emotional well-being, relationships, and overall functioning. The study further concluded that veterans who receive trauma-specific treatment and mentoring not only experienced better clinical outcomes, they reported feeling more socially connected (Knudsen & Wingenfeld, 2016).

Veterans treatment courts are modeled after drug courts, which have more evidence supporting their efficacy than any other justice system strategy. Today, there are over 3,000 drug courts in the United States; they are the most successful, cost-effective program in the justice system for people struggling with addiction.

Research shows that drug courts reduce crime by as much as 45% compared to traditional sentences (Aos, 2006). This success translates directly to cost-savings. Drug courts return \$2.21 for every \$1 invested when considering only direct and measurable offsets such as reduced re-arrests, law enforcement contact, court hearings, and the use of jail or prison beds. When considering other benefits, including reduced foster care placement and healthcare utilization, drug courts benefit the economy by as much as \$27 for every \$1 invested. As a result, drug courts save up to \$13,000 per participant (Aos, Miller & Drake, 2006). In veterans treatment courts, treatment is generally delivered through the Department of Veterans Affairs, generating even more significant savings than drug courts for the communities they serve.

In addition to providing freedom from addiction, trauma, and other mental health disorders, veterans treatment courts benefit veterans, their families, and their communities in several key ways:

- **Freedom from homelessness:** Veterans treatment courts provide an effective stop-gap to prevent future homelessness by connecting justice-involved veterans to housing services and providing wrap-around support to ensure stability and long-term success.
- **Freedom from unemployment:** Veterans treatment courts have emerged as a vital tool in the fight against veteran unemployment by connecting veterans to Department of Veterans Affairs education and training benefits, as well as to other local, state, and federal resources aimed at putting veterans back to work.
- **Freedom from a felony record:** For those veterans who get caught up in the legal system, one of the most damaging long-term effects is having a felony on their record. Veterans treatment courts offer a reduction in charge(s), dismissal of the case, and/or expungement of the criminal record for those veterans who successfully complete the program.

Justice For Vets

Justice For Vets leads the national effort to put a veterans treatment court within reach of every veteran in need, and proudly offers the following training:

- **Veterans Treatment Court Implementation** – The Bureau of Justice Assistance at the U.S. Department of Justice provides funding for Justice For Vets to offer this comprehensive, three-day training for new or planned veterans treatment courts. By the end of 2016, Justice For Vets will have trained 205 veterans treatment courts teams, including 2,050 personnel. Learn more at: www.justiceforvets.org/2016-vtcp
- **Veterans Treatment Court Site Visits** – The Center for Substance Abuse Treatment (CSAT) at SAMHSA provides funding for Justice For Vets to identify four national veterans treatment court “mentor courts” to serve as learning sites for communities interested in creating a program of their own. Individuals and court teams can apply to visit and learn from one of these mentor courts at: www.justiceforvets.org/veteran-mentor-courts.
- **The National Mentor Corps** – The two-day Justice For Vets Mentor Corps Boot Camp provides critical training for volunteer veteran mentors who want to be of service to their fellow veterans participating in veterans treatment court. The training includes examining the roles, responsibilities, and boundaries of veteran mentors; the unique issues facing combat veterans; and how to swiftly connect mentee veterans to the local, state, and federal services and benefits they have earned. Learn more at: www.justiceforvets.org/Mentor-Corps.

In addition to providing ongoing training and technical assistance to the veterans treatment court field, Justice For Vets annually hosts Vet Court Con, the nation’s only training conference dedicated to justice-involved veterans. The next Vet Court Con will be held just outside of Washington, DC from July 9-12, 2017.

For more information, visit www.JusticeForVets.org.

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