

VETERANS TREATMENT COURTS DEVELOPING
THROUGHOUT THE NATION

Hon. Robert T. Russell
Acting Judge, Erie County Court, Buffalo, New York

A growing number of veterans, with a history of serious mental illness or substance abuse, have been appearing in courts. Over the past year courts across the nation have begun developing and implementing veterans treatment courts to help veterans get their lives back on track.

The first specialized veterans treatment court began operation in January 2008 in Buffalo, New York (Lewis, 2008; Daneman, 2008; Thompson, 2008). To date, there are eight veterans treatment courts in operation: Buffalo and Rochester, New York; Orange, Santa Clara, and San Bernardino counties, California; Tulsa, Oklahoma; Anchorage, Alaska; and Madison County, Illinois. In addition, more courts and states have expressed interest in developing their own veterans treatment courts and are in various stages of developing programs (Marek, 2008; Riccardi, 2009).

The Need

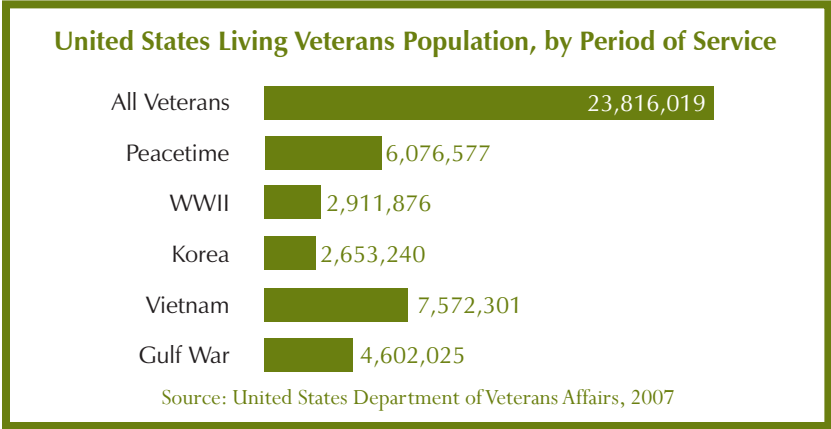
The advent of veterans treatment court came about as a response to a growing number of veterans on court dockets with serious mental-health and

substance-abuse issues. Estimates indicate that, as of October 2008, the U.S. veterans’ population was 23,442,000 (National Center for Veterans Analysis and Statistics, 2008). Of those, 84,000 have already been diagnosed with Post-Traumatic Stress Disorder, or PTSD (Maimon, 2008). This does not account for the numbers of veterans with PTSD or other serious mental-health problems that remain undiagnosed. Research indicated that the actual number of veterans with PTSD or major depression is around 300,000 (Maimon, 2008). In regard to substance abuse, research indicates that in 2001 alone, 256,000 veterans needed treatment for illicit drug use; however, a mere 20 percent of those veterans had received treatment (Office of Applied Studies, 2002). In addition, many of these veterans are facing other issues that further compound the problem, including unemployment, strained relationships, and homelessness (Tanielian and Jaycox, 2008).

Either because of, or in addition to, these untreated diseases and compounded social issues, more and more veterans are processed through the criminal-justice system. Conservative estimates are that veterans currently make up about 12 percent of individuals in prisons and jails, and the 2000 Bureau of Justice Statistics report (cited in Department of Veterans Affairs, 2006) indicates significant rates of mental illness, substance abuse, and homelessness among veterans in the criminal-justice system. The first veterans court in Buffalo was a response to the growing number of veterans appearing on their mental-health and drug-treatment-court dockets. It became apparent that these traditional treatment courts were limited in fully serving the veteran population. Veterans derive from a unique culture, with unique experiences and needs. Research has found that traditional community services may not be suited to address these needs adequately and that veterans benefit from treatment provided by people who “are knowledgeable about and able to empathize with the military experience” (Department of Defense Task Force, 2007). Our experience also was that veterans tended to respond more favorably to other veterans in the court. As veterans are a unique population with unique needs, a unique program was needed; thus, the advent of a specialized veterans treatment court.

How Veterans Treatment Courts Operate—Buffalo’s Experience

Veterans treatment court is a hybrid of drug and mental-health treatment courts. Drug treatment courts typically accept individuals into their program who have



States with the Largest Veterans Population

California	2,148,000
Florida	1,723,000
Texas	1,634,000
Pennsylvania	1,059,000
New York	1,056,000
Ohio	992,000
Illinois	830,000
Michigan	787,000
Georgia	753,000
North Carolina	749,000
Virginia	729,000
Washington	609,000
Arizona	546,000
Missouri	529,000
Tennessee	527,000
New Jersey	527,000
Indiana	525,000

Source: United States Department of Veterans Affairs, 2007

a primary diagnosis of substance dependency, and although they work with individuals who have a dual diagnosis of mental illness, they generally exclude those who have a serious and persistent mental-health disease. By comparison, mental-health treatment courts generally accept only those individuals who have a serious and persistent mental-health diagnosis. Buffalo's veterans treatment court accepts veterans who have a clinical diagnosis of serious and persistent mental-health disease and those with a primary diagnosis of substance dependency. The veterans treatment court adheres to the basic principles of treatment courts as defined in the "Ten Key Components" by the National Association of Drug Court Professionals and the U.S. Department

of Justice, and in conjunction with the Ten Essential Elements of Mental Health Courts (NADCP, 1997; Thompson, Osher, and Tomasini-JoshilImproving, 2008). Modifications were made to these essential elements and components to tailor them to better meet the unique needs of veterans.

Many veterans are known to have a warrior's mentality and often do not address their treatment needs for physical and psychological health care. Many are homeless, unemployed, helpless, and in despair, suffering from alcohol or drug addiction, and others from serious mental illnesses. Their lives have been spiraling out of control. To assist with the veterans treatment court's development and operation, the court assembled a coalition of professionals, including the Veterans Administration Health Care Network, Veterans Benefits Administration, the Western New York Veterans Project, the Veterans Treatment Court staff and team, volunteer veteran mentors, and various community health-care providers.

Eligible veterans for the court are identified using evidence-based screening and assessments and are then given the option to participate in the program. They have been assessed as having a clinical diagnosis of substance dependency or abuse, a clinical diagnosis of a mental-health disease, or both. These veterans, who are also charged with committing typically nonviolent felony or misdemeanor offenses, are diverted from the traditional criminal court to the specialized veterans treatment court. The treatment court program provides the veterans with the tools to manage their psychological, dependency, and social issues and to lead productive, law-abiding lives. The mission of veterans treatment court is to successfully habilitate veterans.

After eligible veterans are identified, assessed, and referred to the veterans treatment court, they are then linked with a program of services fashioned to meet their individual needs. The court's staff and volunteer veteran mentors assist the veteran with an array of stabilization services, such as emergency financial assistance, mental-health/trauma counseling, employment and skills training, safe housing, advocacy, and other supportive services. At regular status hearings, treatment plans and other conditions are periodically reviewed for appropriateness, incentives are offered to reward adherence to court conditions, and sanctions for nonadherence are handed down. Completion of the program is defined according to specific criteria.

One unique component of veterans treatment court is the mentor program. The mentor program is composed of volunteer veterans and active-duty soldiers, who freely give of their time to mentor, peer to peer, the participating members of the

treatment court program. These volunteer men and women are veterans who have served in Vietnam, Korea, Operation Desert Shield, Operation Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom. Our experiences have shown that veterans were more likely to respond more favorably to another veteran than to others who did not have similar experiences. It is anticipated that the mentors' active, supportive relationship, maintained throughout treatment, would increase the likelihood that a veteran will remain in treatment and improve his or her chances for sobriety and law-abiding behavior.

Social and Economic Impact

Research over the past decade has continuously shown lower rates of recidivism and higher rates of financial return for drug treatment courts than for traditional courts (NADCP, n.d.). A cost-benefit analysis of veterans treatment court should rival that of drug court. To date, approximately 100 veterans are enrolled in Buffalo's veterans treatment court. Fifteen have successfully completed the program, two have voluntarily withdrawn, and two were unsuccessfully terminated. Thus far, graduates of Buffalo's veterans treatment court have experienced drastic positive life changes. They are clean and sober and actively addressing any mental-health needs. All are either employed or pursuing further education. Many have been able to mend strained relationships with family and friends, and those who were homeless were able to attain stable housing. To date, graduates of Buffalo's veteran's treatment court maintain a zero percent recidivism rate. Perhaps most significant of all of this is the change in the demeanors and attitudes of these individuals. Graduates leave the treatment court program with a renewed sense of pride, accomplishment, and motivation.

The impact on court budgets will vary from court to court depending upon the population it serves, the specific design and components of the court, and

the resources already available or those needed. For example, Buffalo's veterans treatment court did not have any additional funding to implement the program and to operate its first year. While they are currently seeking funding to staff a veterans-court case manager, the Buffalo court was able to keep costs relatively minimal the first year by using existing drug and mental-health courts staff and resources that were already funded and available. In addition, the peer-mentor program, which is a major component of Buffalo's veterans treatment court, is staffed completely by volunteers.

For those courts whose resources are already stretched too thin among their treatment courts, or those who do not currently have treatment courts in operation, federal financial assistance may soon be available to support the creation and operation of a veterans treatment court. Identical legislation was introduced in both houses of the United States Congress (Services, Education, and Rehabilitation for Veterans Act, 2008). These bills propose to allocate \$25,000,000 in funding for each of the next five fiscal years, by way of federal grants, for the purpose of establishing veterans treatment courts. In some states, courts may actually save on treatment costs by implementing specialized veterans treatment courts. In states where courts have a budget to purchase treatment for defendants, they would not have to use a sizable portion of their budgets to pay for treatment for veterans because most would qualify for treatment services through the Veterans Administration, whereby the cost of treatment is covered.

Conclusion

The potential problems facing our nation's veterans are numerous. These issues will likely require assistance and collaboration from countless professionals within our communities, including the courts, to even begin to combat them. Veterans treatment courts serve as a way for the criminal-justice system to do its part in helping our nation's veterans to overcome these issues and obstacles in their lives. In addition to reducing crime and improving public safety, these courts provide the justice system the opportunity to do something proactive, to assist those who have served our country to get their lives back on track.

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