



**Veterans Treatment Courts (VTC)** have gained national prominence as the most innovative solution for veterans caught up in the criminal justice system. Veterans Treatment Courts stand between the veteran and a felony conviction, incarceration, or worse; ensuring that when returning service members are arrested because of a substance abuse and/or mental health disorder, they receive the structure, treatment and mentoring they need to get their lives back on track. Today, there are 264 Veterans Treatment Courts in operation serving more than 13,000 veterans who would otherwise be incarcerated.

### **The Problem**

In March 2014, the Washington Post released a report finding that more than half of the 2.6 million Americans dispatched to fight the wars in Iraq and Afghanistan struggle with physical or mental health problems stemming from their service, feel disconnected from civilian life and believe the government is failing to meet the needs of this generation's veterans. The Substance Abuse and Mental Health Services Administration estimates that one in six Iraq and Afghanistan veterans are alcohol and/or drug addicted and one in five suffers from Post Traumatic Stress or significant mental anguish.

Unless we intercept them at the key moments of crisis, we may not have another opportunity. Tragically, suicide among our veterans is at epidemic proportions. For every soldier killed downrange on the battlefield this year, 25 veterans commit suicide.

There are over 700,000 veterans currently caught up in the criminal justice system. Tragically, that number is growing at an alarming rate as veterans are being arrested for charges directly related to trauma, substance abuse, and/or mental illness. Unless we act, most will languish behind bars, never getting the treatment they have earned.

Four things we know:

- When veterans come home with mental health issues, it is difficult for them to secure a job, support their family, and maintain housing; resulting in high rates of unemployment, homelessness and crime.
- From the camaraderie on the battlefield to the isolation many veterans experience on the home front, veterans experience a dramatic change in environment that often magnifies PTSD and substance abuse. Without the support of other veterans, many will struggle to accept help.

- A felony conviction will forever undermine a veteran's reintegration as a civilian, making it difficult to secure a job, qualify for critical VA benefits, medical or clinical services.
- Combat exposure correlates to high with family strife. These issues are compounded by the increased prevalence of substance abuse among veterans diagnosed with PTSD. The breakdown of the military family significantly contributes to the rapid increase of veterans getting arrested, unemployed, homeless and committing suicide.

### **The Solution**

Veterans Treatment Courts provide arrested veterans with the structure, accountability, treatment, and mentoring needed to repair their lives. By keeping veterans out of jail and prison, Veterans Treatment Courts save their lives, families, and futures, while saving taxpayers a fortune. Today, over 13,000 veterans are getting a second chance at life thanks to Veterans Treatment Court.

### **What is a Veterans Treatment Court?**

The first Veterans Treatment Court was founded by the Honorable Robert Russell in Buffalo, New York in January, 2008 after he noticed an increase in the number of veterans appearing on his Drug Court and Mental Health Court dockets facing charges stemming from substance abuse and/or mental health disorders. Judge Russell saw firsthand the transformative power of military camaraderie when veterans on his team assisted a veteran in one of his treatment courts, but also recognized that more could be done to ensure veterans were connected to benefits and treatment earned through military service. In response, Judge Russell asked his local US Department of Veterans Affairs (VA) Medical Center and local veterans from the community to join his team in creating a new court docket that would focus exclusively on justice-involved veterans.

Today, 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 of the VA – Veterans Health Administration (VHA) and the Veterans Benefit Administration (VBA) – as well as State Department/Commission of Veterans Affairs, Vet Centers, Veterans Service Organizations such as the American Legion, Veterans of Foreign Wars and Disabled American Veterans, Department of Labor, volunteer Veteran Mentors, and other veteran support organizations. Veterans Treatment Courts admit only those veterans with a clinical diagnosis of a substance abuse and /or mental health disorder. Upon successful completion of the program, veterans in Veterans Treatment Court will have the record expunged or charges dropped.

### **Why a Veterans – Only Docket?**

Veterans Treatment Courts allow jurisdictions to greatly benefit a large segment of the justice-involved veteran population as opposed to business as usual – having all veterans appear before random judges who may or may not have an understanding of their unique problems. Because a Veterans Treatment Court judge handles the cases of numerous

veterans, and is supported by a strong, interdisciplinary team, he or she is in a much better position to exercise discretion and effectively respond to participant behavior. A Veterans Treatment Court judge is also more familiar with the VHA, VBA, State Department of Veterans Affairs, Veterans Service Organizations, and volunteer veteran mentors and how they all can assist veteran defendants.

### **One Stop Shop**

In addition, Veterans Treatment Courts act as a “one-stop shop” for veterans services, with linkages made directly for the veterans and information quickly relayed to the court. For example, the VHA’s Veterans Justice Outreach Specialist, or VJO, is typically present during the court docket with a laptop computer able to access confidential medical records, make treatment appointments, and communicate this information to the court. The VBA may provide a representative to ensure that veterans receive the benefits they have earned through service. Veteran Service Officers assist with disability and pension claims while volunteer veteran mentors provide moral and motivational support. These team members are not employed by the criminal justice system and normally would not be present at the courthouse, so consolidating justice-involved veterans onto a single docket permits these individuals to actively support those in need of their help.

### **Camaraderie Among Those Who Served**

Veterans Treatment Courts are tapping into the unique aspects of military and veteran culture and using them to the benefit of the veteran. Through these unique courts, those who served in our nation’s Armed Forces are allowed to participate in the treatment court process with their fellow veterans, re-instilling in them a sense of camaraderie that they felt while in the military. The Veterans Treatment Court becomes the military unit, the Judge the Commanding Officer, the court team its staff, the veteran participants its troops. For those who have spent any time in traditional criminal courts, a visit to a Veterans Treatment Court is a revelation. Veteran defendants are standing before the judge at parade rest, saying “Yes, ma’am/sir” and “No, ma’am/sir,” interacting with and supporting their fellow veterans.

The Veterans Treatment Court model requires regular court appearances (a minimum of biweekly in the early phases of the program) as well as mandatory attendance at treatment sessions and frequent and random testing for substance use (drug and/or alcohol). Most veterans respond favorably to this structured environment given their past experiences in the Armed Forces. However, some will struggle, miss treatment appointments, fail to show-up for testing, etc. It is exactly those veterans who most need a Veterans Treatment Court program – the High Risk, High Need defendant (high risk of reoffending and in high need of supervision and treatment). Without this structure, these veterans will reoffend and remain in the criminal justice system. The Veterans Treatment Court is able to ensure they meet their obligations to themselves, the court, and their community.

## **Volunteer Veteran Mentors**

Veterans Treatment Courts are successful in part because they link troubled veterans with veteran mentors. At the local level, more and more Veterans Treatment Courts are experiencing firsthand the camaraderie that exists among members of the Armed Forces when veterans from the community show up to volunteer and serve as mentors for other veterans. Today there are nearly 3,000 veterans currently serving as Volunteer Mentors in Veterans Treatment Courts.

## **What is the Impact of Veterans Treatment Courts?**

There are currently several Veterans Treatment Court research studies underway. In early 2015, researchers from the Ohio Department of Mental Health and Addiction Services published a study which tracked 86 veterans involved with Veterans Treatment Court, all of whom were diagnosed with Post Traumatic Stress Disorder (PTSD). They found that 89.5% remained arrest-free during their time in the program and concluded that the veterans participating in Veterans Treatment Court experienced significant improvement with depression, PTSD and substance abuse as well as with critical social issues including housing, emotional well being, relationships, and overall functioning. The study further concluded that mentoring from volunteer veterans is particularly effective. Veterans who received mentoring not only experienced better clinical outcomes, they reported feeling more socially connected.<sup>1</sup>

Veterans Treatment Courts are modeled after Drug Courts, which have a mountain of evidence supporting their efficacy. Today, there are over 2,800 Drug Courts in the United States. They are the most successful, cost-effective program in the justice system and more research has been published on Drug Courts than any other strategy.

Remarkably, 75% of Drug Court graduates remain arrest free and in the longest Drug Court study to date found reductions in crime last as long as 14 years. Drug Courts reduce crime by as much as 45% compared to traditional sentences. 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.

In addition to providing freedom from substance abuse, trauma, and other mental health disorders, Veterans Treatment Courts benefit veterans and their families in several key ways.

*Freedom from Homelessness:*

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<sup>1</sup> <http://link.springer.com/article/10.1007%2Fs10597-015-9845-9>

It is estimated that on any given night more than 65,000 United States veterans sleep on the streets of America. In 2010, more than 140,000 veterans spent at least one night in an emergency shelter or transitional housing program. Countless more are at risk of homelessness because of unemployment, poverty, lack of family support, and substance abuse or mental health issues (V.A. Office of Inspector General, 2012).

Veterans Treatment Courts provide an effective stop-gap to prevent future homelessness among struggling combat veterans caught up in the justice system.

#### *Freedom from Unemployment:*

In August, 2013, unemployment among Post 9/11 veterans jumped from 7.7% to 10% and remains almost 3% higher than the national unemployment rate (U.S. Department of Labor, 2013).

Veterans Treatment Courts have emerged as a vital tool in the fight against veteran unemployment by connecting veterans to U.S. Department of Veterans Affairs (VA) education and training benefits (Stiner, June 2012), as well as to other local, state and federal resources aimed at putting veterans back to work (Stiner, September 2012).

#### *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. Every employer in the country now asks if a potential employee has ever received a felony conviction, and an affirmative answer will almost always guarantee that the veteran will not get the job. It also limits the types of professions a veteran can go into (teacher, lawyer, nurse, etc.) and even whether or not he/she will be admitted to college.

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.

### **About Justice For Vets**

Justice For Vets leads the national effort to establish Veterans Treatment Courts within reach of every veteran in need. When veterans enter the criminal justice system due to substance abuse, mental illness, or trauma, we connect them to the benefits and treatment they have earned; saving their lives, families, and futures, and saving tax dollars for the American public. Justice For Vets is building a National Mentor Corps of volunteer veterans to serve in Veterans Treatment Court, provides ongoing training and technical assistance to the Veterans Treatment Court field, shapes public opinion through aggressive media outreach, and advocates for state and federal legislation. Justice For Vets annually hosts Vet Court Con, the nation's only training conference dedicated to justice-involved veterans.

## **Conclusion**

We ask much of our men and women in uniform and they ask little in return. Often they are the last to ask for help. Left untreated, the emotional wounds of war can manifest into criminal behavior. Veterans Treatment Courts are transforming the way struggling veterans are handled in the criminal justice system. In doing so they will keep veterans out of jail and prison; saving their lives, their families, and their futures, while saving tax dollars for the American public. Veterans fought for our freedom, now it's our turn to fight for theirs. For more information visit [www.JusticeForVets.org](http://www.JusticeForVets.org).