



# VETERANS COURTS IN TEXAS

BY JUDY L. MARCHMAN

In 2009, during the 81st Legislature, Senate Bill 1940 was passed, authorizing the creation of specialty courts for veterans in Texas. The bill took effect on Sept. 1, 2009, as Chapter 617 of the Texas Health and Safety Code. Veterans courts are among several specialty or problem-solving courts, such as DWI or mental health courts, that are now being implemented across the country to provide a team-based approach to ensuring a person receives appropriate treatment for the underlying risk factors that can contribute to criminal behavior.

February 13, 2017  
(Exhibit #3)

Chapter 617 sets out the parameters and duties for establishing a veterans court as well as eligibility of veterans to participate in such a program. A veteran who has been arrested for or charged with any misdemeanor or felony offense may be eligible if the attorney for the state consents to the defendant's participation and the court finds that the defendant is a veteran or current member of the U.S. armed forces and suffers from a traumatic brain injury (TBI), post-traumatic stress disorder (PTSD), or other mental illness or disorder that is a result of military service in a combat zone or other hazardous area and affected the criminal conduct at issue. Upon a defendant's successful completion of a veterans court program, the court will dismiss the criminal action.

Harris County was the first in Texas to implement a veterans court program and was featured in the PBS program, "Need to Know," in July 2010. By statute, counties must notify the Governor's Office Criminal Justice Division (CJD) upon implementation of a veterans court program. To date, according to the CJD, there are 11 active veterans court programs in Texas (p. 618).

For counties considering implementing a veterans court, a primary issue is funding. The statute allows for a veterans court program to establish fees based on the participant's ability to pay (not to exceed \$1,000) and to be used only for the purposes of the program. However, to cover costs associated with hiring and training new personnel or providing counseling and substance abuse treatment, the counties that have established veterans courts have turned to grants from various sources.

The CJD currently provides funding to five veterans courts: Bexar, Dallas, Harris, Tarrant, and Travis counties. In addition, the Texas Veterans Commission (TVC) has provided funding through its TVC Fund for Veterans Assistance, and the Texas Indigent Defense Commission's (TIDC) Discretionary Grant Program can provide financial assistance for the defense component of a veterans court program. The TIDC also offers training opportunities for counties that are interested in submitting discretionary grant applications.

Next to funding, establishing partnerships with the U.S. Department of Veterans Affairs (VA), TVC, veterans service providers, and mental health service providers is an essential component in a veterans court program. The TVC, in particular, can serve as a resource to the veterans court judge and program manager regarding VA benefits and claims issues.

**A VETERANS COURT CASE STUDY**

The Travis County Veterans Court is a prime example of the collaborative effort necessary to successfully establish a veterans court. It was developed as a primary component of the county's Veterans Intervention Project (VIP), which was formed in September 2007 by Travis County Constables Maria Canchola and Bruce Elfant to connect the county's criminal justice system and the VA. Canchola, in particular, has been a driving force of the VIP committee for a very personal reason: Her husband is a Vietnam veteran who suffered from PTSD for nearly 30 years before seeking treatment.

"Doing work on behalf of our veterans is much needed," said Canchola. "We all need to be part of the solution."

From the outset, Canchola and Elfant worked to get the major stakeholders in veterans and criminal justice issues involved, including representatives from the VA, TVC, Travis County District Attorney and County Attorney offices, Travis County Sheriff's Office, and local mental health services, among others.

"We tell those interested in creating a similar project to bring all the stakeholders to the table and obtain their buy-in from the beginning," said Canchola. "You'll have a whole lot better chance of succeeding."

One of the committee's first orders of business was to conduct a three-month survey of Travis County inmates, which found that 3 percent were veterans and of those, 32 percent were arrested at least twice during the three-month period. In addition, 34 percent of veterans were there as a result of substance use issues and only one in three had received services of any kind from the VA.

After S.B. 1940 went into effect, the VIP committee focused on getting a veterans court up and running. Funding came primarily from a grant through the CJD, as well as from a TVC grant. Travis County also has picked up some costs.

Jackson Glass, who has more than 30 years of experience working in the criminal justice system, came on board in the fall of 2010 as the veterans court manager.

"I jumped at the opportunity," said Glass, who added that he had a lot to learn about military culture and in communicating with veterans. "It's been a real learning experience."

The Travis County Veterans Court held its first docket on Nov. 10, 2010, in the courtroom of Judge Mike Denton, himself an Army veteran. "I believe the relationship the veterans develop with the judge through this program is a huge factor in their success and in reducing recidivism," said Glass. "Judge Denton does a really good job of engaging with them on a personal level and making them feel like we're trying to help them accomplish their mission."

Since that first docket, 10 veterans have graduated from the veterans court with no re-arrests. Forty veterans currently participate in the program, all but one veterans of Iraq and

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## INCARCERATION, RECIDIVISM, AND REHABILITATION

Afghanistan. The lone exception is the program's first Vietnam veteran, who suffered from PTSD for 40 years and is finally receiving treatment.

Many veterans who suffer from PTSD or a TBI turn to alcohol or drugs as a coping mechanism. They then can end up in the criminal justice system as a result of the substance abuse. The veterans court program takes a two-pronged approach to treat the substance abuse and its underlying psychological cause.

Veterans are referred to the program in a couple of ways. Some are directly referred by their attorney, but, more often, they come to the program from the Travis County jail. When a person is booked — the cases so far have been primarily DWIs — they fill out a standard questionnaire, which now includes a question asking if a person has ever served in the armed forces. Glass receives a list of those who answer that question affirmatively and reaches out to them. He works with the court's VA liaison to verify if they were deployed in a combat zone and determines if they have been assessed by the VA for PTSD or TBI.

"The VA has responded well to helping our veterans get the proper assessments," said Glass.

If a veteran fits the program criteria, he or she can apply for the veterans court program. Once accepted, the veteran will be given a time frame by the County Attorney's Office in which to complete the program — usually between 12 and 18 months. The veteran meets with a caseworker to set up a treatment plan.

"Our program is fairly strenuous. We require them to do more than they would under regular probation," Glass said.

The program is a three-level system. At the first level, participants must attend every veterans court session (every two weeks) to be reviewed by the judge. Depending on their progress, they move successively through the levels with the goal of graduating from the program and getting their particular criminal act dismissed.

Glass recalled one veteran in particular who had been in fire-fights in Afghanistan for 257 days out of one year and after returning home had ended up having some encounters with the law because of bar fights, smoking marijuana, and drinking. The man asked Glass, "So, do you think I'm a bad person?"

"He'd gotten honest and told me about his experiences," said Glass. "It's really gratifying to try to help these guys. Most of us are so disconnected from these wars that we don't really have any idea what they're going through."

### CURRENT TEXAS VETERANS COURTS

BEXAR COUNTY VETERANS TREATMENT COURT  
*Judge Wayne Christian, County Court at Law #6*

DALLAS COUNTY VETERANS COURT  
*Judge Michael Snipes, Criminal District Court #7*

DENTON COUNTY VETERANS COURT  
*Multiple Courts*

EL PASO VETERANS COURT PROGRAM FOR FELONY CASES  
*Judge Angie Juarez Barill, 346th District Court*

EL PASO VETERANS TREATMENT COURT  
*Judge Ricardo Herrera, County Court at Law #1*

GUADALUPE COUNTY VETERANS TREATMENT COURT  
*Judge Linda Z. Jones, County Court at Law*

HARRIS COUNTY VETERANS COURT  
*Judge Marc Carter, 228th District Court*

HIDALGO COUNTY VETERANS COURT  
*Judge Israel Ramon, Jr., 430th District Court*

NUECES COUNTY VETERANS COURT PROGRAM  
*Judge Tom Greenwell, 319th District Court*

TARRANT COUNTY VETERANS COURT  
*Judge Brent A. Carr, County Criminal Court #9*

TRAVIS COUNTY VETERANS COURT  
*Judge Mike Denton, County Court at Law #4*

### VETERANS COURT FUNDING

GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION  
<http://governor.state.tx.us/cjd/>

TEXAS INDIGENT DEFENSE COMMISSION  
[http://www.txcourts.gov/tidc/IFID\\_Grant\\_Program.asp](http://www.txcourts.gov/tidc/IFID_Grant_Program.asp)

TEXAS VETERANS COMMISSION FUND FOR VETERANS ASSISTANCE  
<http://www.tvc.state.tx.us/Fund-for-Veterans-Assistance.aspx>

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## AN ACT

relating to the fund for veterans' assistance and to the establishment of pretrial veterans court programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (a), (c), and (e), Section 434.017, Government Code, as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007, are amended to read as follows:

(a) The fund for veterans' assistance is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) money deposited to the credit of the fund under Section 502.1746, Transportation Code;

(3) gifts and grants contributed to the fund; and

(4) ~~[(3)]~~ the earnings of the fund.

(c) Money in the fund may be appropriated to the Texas Veterans Commission to:

(1) enhance or improve veterans' assistance programs, including veterans' representation and counseling; ~~[and]~~

(2) make grants to ~~[local communities to]~~ address veterans' needs; and

(3) administer the fund.

(e) To carry out any purpose of this chapter, the Texas Veterans Commission may solicit and accept a gift, grant, devise, bequest of money, security, service, or property, including money raised or a service provided by a volunteer or volunteer group, to promote the work of the commission. The commission may participate in the establishment and operation of an affiliated nonprofit organization that is established for the purpose of raising money for or providing services or other benefits to the commission [The comptroller may solicit and accept gifts and grants to the fund]. A gift, ~~[or]~~ grant, devise, or bequest to the fund may be appropriated in the same manner as other money in the fund, subject to any limitation or requirement placed on the gift, ~~[or]~~ grant, devise, or bequest by the donor or granting entity.

SECTION 2. Subchapter A, Chapter 434, Government Code, is amended by adding Section 434.0171 to read as follows:

Sec. 434.0171. STATE EMPLOYEE CONTRIBUTIONS TO FUND FOR VETERANS' ASSISTANCE. For purposes of Subchapter I, Chapter 659:

(1) the Texas Veterans Commission, for the sole purpose of managing the fund for veterans' assistance, is considered an eligible charitable organization entitled to participate in the state employee charitable campaign; and

(2) a state employee is entitled to authorize a deduction for contributions to the Texas Veterans Commission for the purposes of managing the fund for veterans' assistance as a charitable contribution under Section 659.132, and the Texas Veterans Commission may use the contributions for the purposes listed in Section 434.017(c), as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

SECTION 3. Subchapter D, Chapter 502, Transportation Code, is amended by adding Section 502.1746 to read as follows:

Sec. 502.1746. VOLUNTARY CONTRIBUTION TO VETERANS' ASSISTANCE FUND. (a) When a person registers a motor vehicle under this chapter, the person is entitled to make a voluntary contribution in any amount to the fund for veterans' assistance established by Section 434.017, Government Code, as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

(b) The county assessor-collector shall send any contribution made under this section to the comptroller for deposit in the state treasury to the credit of the fund for veterans' assistance before the 31st day after the date the contribution is made.

SECTION 4. Subtitle E, Title 7, Health and Safety Code, is amended by adding Chapter 617 to read as follows:

Sec. 617.001. VETERANS COURT PROGRAM DEFINED; PROCEDURES FOR CERTAIN DEFENDANTS. (a) In this chapter, "veterans court program" means a program that has the following essential characteristics:

(1) the integration of services in the processing of cases in the judicial system;

(2) the use of a nonadversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;

(3) early identification and prompt placement of eligible participants in the program;

(4) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;

(5) careful monitoring of treatment and services provided to program participants;

(6) a coordinated strategy to govern program responses to participants' compliance;

(7) ongoing judicial interaction with program participants;

(8) monitoring and evaluation of program goals and effectiveness;

(9) continuing interdisciplinary education to promote effective program planning, implementation, and operations; and

(10) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs.

(b) If a defendant successfully completes a veterans court program, as authorized under Section 76.011, Government Code, after notice to the attorney representing the state and a hearing in the veterans court at which that court determines that a dismissal is in the best interest of justice, the court in which the criminal case is pending shall dismiss the criminal action against the defendant.

Sec. 617.002. AUTHORITY TO ESTABLISH PROGRAM; ELIGIBILITY.

(a) The commissioners court of a county may establish a veterans court program for persons arrested for or charged with any misdemeanor or felony offense. A defendant is eligible to participate in a veterans court program established under this chapter only if the attorney representing the state consents to the defendant's participation in the program and if the court in which the criminal case is pending finds that the defendant:

(1) is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard; and

(2) suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, that:

(A) resulted from the defendant's military service in a combat zone or other similar hazardous duty area; and

(B) materially affected the defendant's criminal conduct at issue in the case.

(b) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the veterans court program or otherwise through the criminal justice system.

(c) Proof of matters described by Subsection (a) may be submitted to the court in which the criminal case is pending in any form the court determines to be appropriate, including military service and medical records, previous determinations of a disability by a veteran's organization or by the United States Department of Veterans Affairs, testimony or affidavits of other veterans or service members, and prior determinations of eligibility for benefits by any state or county veterans office. The court's findings must accompany any docketed case.

Sec. 617.003. DUTIES OF VETERANS COURT. (a) A veterans court program established under this chapter must:

(1) ensure a person eligible for the program is provided legal counsel before volunteering to proceed through the program and while participating in the program;

(2) allow a participant to withdraw from the program at any time before a trial on the merits has been initiated;

(3) provide a participant with a court-ordered individualized treatment plan indicating the services that will be provided to the participant; and

(4) ensure that the jurisdiction of the veterans court continues for a period of not less than six months but does not continue beyond the period of community supervision for the offense charged.

(b) A veterans court program established under this chapter shall make, establish, and publish local procedures to ensure maximum participation of eligible defendants in the county or counties in which those defendants reside.

(c) This chapter does not prevent the initiation of procedures under Chapter 46B, Code of Criminal Procedure.

Sec. 617.004. ESTABLISHMENT OF REGIONAL PROGRAM. The commissioners courts of two or more counties may elect to establish a regional veterans court program under this chapter for the participating counties.

Sec. 617.005. OVERSIGHT. (a) The lieutenant governor and the speaker of the house of representatives may assign to appropriate legislative committees duties relating to the oversight of veterans court programs established under this chapter.

(b) A legislative committee or the governor may request the state auditor to perform a management, operations, or financial or accounting audit of a veterans court program established under this chapter.

(c) A veterans court program established under this chapter shall:

(1) notify the criminal justice division of the governor's office before or on implementation of the program; and

(2) provide information regarding the performance of the program to that division on request.

Sec. 617.006. FEES. (a) A veterans court program established under this chapter may collect from a participant in the program:

(1) a reasonable program fee not to exceed \$1,000; and

(2) a testing, counseling, and treatment fee in an amount necessary to cover the costs of any testing, counseling, or treatment performed or provided under the program.

(b) Fees collected under this section may be paid on a

periodic basis or on a deferred payment schedule at the discretion of the judge, magistrate, or program director administering the program. The fees must be:

- (1) based on the participant's ability to pay; and
- (2) used only for purposes specific to the program.

SECTION 5. Subsection (a), Article 55.01, Code of Criminal Procedure, is amended to read as follows:

(a) A person who has been placed under a custodial or noncustodial arrest for commission of either a felony or misdemeanor is entitled to have all records and files relating to the arrest expunged if:

(1) the person is tried for the offense for which the person was arrested and is:

(A) acquitted by the trial court, except as provided by Subsection (c) of this section; or

(B) convicted and subsequently pardoned; or

(2) each of the following conditions exist:

(A) an indictment or information charging the person with commission of a felony has not been presented against the person for an offense arising out of the transaction for which the person was arrested or, if an indictment or information charging the person with commission of a felony was presented, the indictment or information has been dismissed or quashed, and:

(i) the limitations period expired before the date on which a petition for expunction was filed under Article 55.02; or

(ii) the court finds that the indictment or information was dismissed or quashed because the person completed a pretrial intervention program authorized under Section 76.011, Government Code, or because the presentment had been made because of mistake, false information, or other similar reason indicating absence of probable cause at the time of the dismissal to believe the person committed the offense or because it was void;

(B) the person has been released and the charge, if any, has not resulted in a final conviction and is no longer pending and there was no court ordered community supervision under Article 42.12 for any offense other than a Class C misdemeanor; and

(C) the person has not been convicted of a felony in the five years preceding the date of the arrest.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 1940 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.B. No. 1940 passed the House, with

amendment, on May 26, 2009, by the following vote: Yeas 146,  
Nays 0, two present not voting.

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Chief Clerk of the House

Approved:

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Date

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Governor



GOVERNMENT CODE

TITLE 2. JUDICIAL BRANCH

SUBTITLE K. SPECIALTY COURTS

CHAPTER 124. VETERANS TREATMENT COURT PROGRAM

Sec. 124.001. VETERANS TREATMENT COURT PROGRAM DEFINED; PROCEDURES FOR CERTAIN DEFENDANTS. (a) In this chapter, "veterans treatment court program" means a program that has the following essential characteristics:

(1) the integration of services in the processing of cases in the judicial system;

(2) the use of a nonadversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;

(3) early identification and prompt placement of eligible participants in the program;

(4) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;

(5) careful monitoring of treatment and services provided to program participants;

(6) a coordinated strategy to govern program responses to participants' compliance;

(7) ongoing judicial interaction with program participants;

(8) monitoring and evaluation of program goals and effectiveness;

(9) continuing interdisciplinary education to promote effective program planning, implementation, and operations;

(10) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs; and

(11) inclusion of a participant's family members who agree to be involved in the treatment and services provided to the participant under the program.

Sec. 124.004. ESTABLISHMENT OF REGIONAL PROGRAM. (a) The commissioners courts of two or more counties may elect to establish a regional veterans treatment court program under this chapter for the participating counties.

(b) For purposes of this chapter, each county that elects to establish a regional veterans treatment court program under this section is considered to have established the program and is entitled to retain fees under Article 102.0178, Code of Criminal Procedure, in the same manner as if the county had established a veterans treatment court program without participating in a regional program.

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. 1940), Sec. 4, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1103 (H.B. 4833), Sec. 17 (a), eff. September 1, 2009.

Transferred, redesignated and amended from Health and Safety Code, Chapter 617 by Acts 2013, 83rd Leg., R.S., Ch. 747 (S.B. 462), Sec. 1.05, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 6, eff. September 1, 2015.

Sec. 124.005. FEES. (a) A veterans treatment court program established under this chapter may collect from a participant in the program:

- (1) a reasonable program fee not to exceed \$1,000; and
- (2) a testing, counseling, and treatment fee in an amount necessary to cover the costs of any testing, counseling, or treatment performed or provided under the program.

(b) Fees collected under this section may be paid on a periodic basis or on a deferred payment schedule at the discretion of the judge, magistrate, or coordinator. The fees must be:

- (1) based on the participant's ability to pay; and
- (2) used only for purposes specific to the program.

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. 1940), Sec. 4, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1103 (H.B. 4833), Sec. 17 (a), eff. September 1, 2009.

(1) ensure that a defendant eligible for participation in the program is provided legal counsel before volunteering to proceed through the program and while participating in the program;

(2) allow a participant to withdraw from the program at any time before a trial on the merits has been initiated;

(3) provide a participant with a court-ordered individualized treatment plan indicating the services that will be provided to the participant; and

(4) ensure that the jurisdiction of the veterans treatment court continues for a period of not less than six months but does not continue beyond the period of community supervision for the offense charged.

(b) A veterans treatment court program established under this chapter shall make, establish, and publish local procedures to ensure maximum participation of eligible defendants in the county or counties in which those defendants reside.

(b-1) A veterans treatment court program may allow a participant to comply with the participant's court-ordered individualized treatment plan or to fulfill certain other court obligations through the use of videoconferencing software or other Internet-based communications.

(c) This chapter does not prevent the initiation of procedures under Chapter 46B, Code of Criminal Procedure.

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. 1940), Sec. 4, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1103 (H.B. 4833), Sec. 17 (a), eff. September 1, 2009.

Transferred, redesignated and amended from Health and Safety Code, Chapter 617 by Acts 2013, 83rd Leg., R.S., Ch. 747 (S.B. 462), Sec. 1.05, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 4, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 5, eff. September 1, 2015.

(2) is a defendant whose participation in a veterans treatment court program, considering the circumstances of the defendant's conduct, personal and social background, and criminal history, is likely to achieve the objective of ensuring public safety through rehabilitation of the veteran in the manner provided by Section 1.02(1), Penal Code.

(b) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the veterans treatment court program or otherwise through the criminal justice system.

(c) Proof of matters described by Subsection (a) may be submitted to the court in which the criminal case is pending in any form the court determines to be appropriate, including military service and medical records, previous determinations of a disability by a veteran's organization or by the United States Department of Veterans Affairs, testimony or affidavits of other veterans or service members, and prior determinations of eligibility for benefits by any state or county veterans office. The court's findings must accompany any docketed case.

(d) In this section, "military sexual trauma" means any sexual assault or sexual harassment that occurs while the victim is a member of the United States armed forces performing the person's regular duties.

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. 1940), Sec. 4, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1103 (H.B. 4833), Sec. 17 (a), eff. September 1, 2009.

Transferred, redesignated and amended from Health and Safety Code, Chapter 617 by Acts 2013, 83rd Leg., R.S., Ch. 747 (S.B. 462), Sec. 1.05, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 3, eff. September 1, 2015.

Sec. 124.003. DUTIES OF VETERANS TREATMENT COURT PROGRAM. (a)

A veterans treatment court program established under this chapter must:

(b) If a defendant successfully completes a veterans treatment court program, after notice to the attorney representing the state and a hearing in the veterans treatment court at which that court determines that a dismissal is in the best interest of justice, the court in which the criminal case is pending shall dismiss the case against the defendant.

Added by Acts 2009, 81st Leg., R.S., Ch. 840 (S.B. 1940), Sec. 4, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1103 (H.B. 4833), Sec. 17 (a), eff. September 1, 2009.

Transferred, redesignated and amended from Health and Safety Code, Chapter 617 by Acts 2013, 83rd Leg., R.S., Ch. 747 (S.B. 462), Sec. 1.05, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 585 (H.B. 3729), Sec. 1, eff. June 16, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 2, eff. September 1, 2015.

Sec. 124.002. AUTHORITY TO ESTABLISH PROGRAM; ELIGIBILITY. (a) The commissioners court of a county may establish a veterans treatment court program for persons arrested for or charged with any misdemeanor or felony offense. A defendant is eligible to participate in a veterans treatment court program established under this chapter only if the attorney representing the state consents to the defendant's participation in the program and if the court in which the criminal case is pending finds that the defendant is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard, who:

(1) suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, or was a victim of military sexual trauma that:

(A) occurred during or resulted from the defendant's military service; and

(B) affected the defendant's criminal conduct at issue in the case; or

Transferred, redesignated and amended from Health and Safety Code, Chapter 617 by Acts 2013, 83rd Leg., R.S., Ch. 747 (S.B. 462), Sec. 1.05, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 7, eff. September 1, 2015.

Sec. 124.006. COURTESY SUPERVISION. (a) A veterans treatment court program that accepts placement of a defendant may transfer responsibility for supervising the defendant's participation in the program to another veterans treatment court program that is located in the county where the defendant works or resides. The defendant's supervision may be transferred under this section only with the consent of both veterans treatment court programs and the defendant.

(b) A defendant who consents to the transfer of the defendant's supervision must agree to abide by all rules, requirements, and instructions of the veterans treatment court program that accepts the transfer.

(c) If a defendant whose supervision is transferred under this section does not successfully complete the program, the veterans treatment court program supervising the defendant shall return the responsibility for the defendant's supervision to the veterans treatment court program that initiated the transfer.

(d) If a defendant is charged with an offense in a county that does not operate a veterans treatment court program, the court in which the criminal case is pending may place the defendant in a veterans treatment court program located in the county where the defendant works or resides, provided that a program is operated in that county and the defendant agrees to the placement. A defendant placed in a veterans treatment court program in accordance with this subsection must agree to abide by all rules, requirements, and instructions of the program.

Added by Acts 2015, 84th Leg., R.S., Ch. 1205 (S.B. 1474), Sec. 8, eff. September 1, 2015.



The National Clearinghouse for Veterans Treatment Courts at the  
National Association of Drug Court Professionals

## **The Ten Key Components of Veterans Treatment Court**

In 2008, The Buffalo Veterans Treatment Court adopted with slight modifications the essential tenements of the U.S. Department of Justice Publication entitled "*Defining Drug Courts: The Key Components*", (Jan.1997). There are key differences between Drug Courts, Mental Health Courts, and Veterans Treatment Courts. These *Key Components* provide the foundation for the successful operation of a Veterans Treatment Court.

### **Key Component #1: Veterans Treatment Court integrate alcohol, drug treatment, and mental health services with justice system case processing**

Veterans Treatment Courts promotes sobriety, recovery and stability through a coordinated response to veteran's dependency on alcohol, drugs, and/or management of their mental illness. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Veteran Administration Health Care Network, veterans and veterans family support organizations, and veteran volunteer mentors.

### **Key Component #2: Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights**

To facilitate the veterans' progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team's focus is on the veteran's recovery and law-abiding behavior—not on the merits of the pending case.

### **Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program**

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making denial by the veteran for the need for treatment difficult.

### **Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services**

While primarily concerned with criminal activity, AOD use, and mental illness, the Veterans Treatment Court team also consider co-occurring problems such as primary medical problems, transmittable diseases, homelessness; basic educational deficits, unemployment and poor job preparation; spouse and family troubles—especially domestic violence—and the ongoing effects of war time trauma.

Veteran peer mentors are essential to the Veterans Treatment Court team. Ongoing veteran peer mentors interaction with the Veterans Treatment Court participants is essential. Their active, supportive relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior.

**Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing**

Frequent court-ordered AOD testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

**Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance**

A veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. Veterans Treatment Court reward cooperation as well as respond to noncompliance. Veterans Treatment Court establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

**Key Component #7: Ongoing judicial interaction with each Veteran is essential**

The judge is the leader of the Veterans Treatment Court team. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to veterans that someone in authority cares about them and is closely watching what they do.

**Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness**

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify program

**Key Component #9: Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation, and operations**

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and Veteran Administration, veteran volunteer mentors, and treatment staff to criminal justice issues. It also develops shared



understandings of the values, goals, and operating procedures of both the veteran administration, treatment and the justice system components.

Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice, Veteran Administration, veteran volunteer mentors, and treatment personnel, and promote a spirit of commitment and collaboration.

**Key Component #10: Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veteran Treatment Court effectiveness**

Because of its unique position in the criminal justice system, Veterans Treatment Court is well suited to develop coalitions among private community-based organizations, public criminal justice agencies, the Veteran Administration, veterans and veterans families support organizations, and AOD and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to Veterans Treatment Court participants and informs the community about Veterans Treatment Court concepts. The Veterans Treatment Court fosters system wide involvement through its commitment to share responsibility and participation of program partners.

# Veterans Treatment Court Planning Initiative (VTCPI) Application Form

## Applicant Information

Court/Name of Jurisdiction \* Brown & Mills County 35th Judicial Court

State Texas ▾

## Veterans Treatment Court Planning Coordinator

This person will be the primary contact with Justice For Vets to ensure the timely correspondence of logistical, administrative and programmatic information in preparation for the VTCPI Training. This person is preferably one of the ten individuals who would attend the training.

Name Prefix Mr. ▾

First Name \* David

Last Name \* Morgan

Job Title \* Paralegal/MBA Student/Property Developo

Street Address \* 2001 Brady Ave

Street Address Line 2

City \* Brownwood

State/Province Select \* Texas ▾

Postal Code \* 76801

Phone Number \* (817)291-5930

Fax

Email \* d.n.morgan512@gmail.com

## Geographic and Demographic Information

What is the approximate population of the jurisdiction your VTC serves? 45,000

\*

Which best describes your jurisdiction? Rural (less than 50,000), Urban, Suburban, or Mixed \*

Rural

Are you currently operating an existing? \*

- Drug Court
- DWI Court
- Mental Health Court
- Veterans Treatment Court or VTC Track

If you are currently operating a court, please enter the start dates here \*

Has your court team previously participated in any Drug, DWI, Mental Health or Veterans Treatment Court training? \*

- Yes
- No

If yes, please list all relevant training: \*

Indicate your team's experience in Drug, DWI, Mental Health Court or Veterans Treatment Court planning and exposure to the Drug, Mental Health and/or Veterans Treatment Court concept. \*

- No experience or exposure
- Limited experience and exposure (attended annual drug court conferences or read articles)
- Moderate experience and exposure (visited an operational drug court)
- Extensive experience and exposure (visited an operation drug court and research the topic extensively)
- Have completed planning and/or have implemented a pilot program or full docket

Do you have a Veterans Health Administration located in your jurisdiction, including Vet Centers, and Veterans Clinics? \*

If your answer is NO - how many miles away is it?

Do you have a Vet Center located in your jurisdiction? \*

If your answer is NO - how many miles away is it?

How are you going to identify veterans at arrest and/or probation violation? What questions do you use to identify veterans? \*

Does your program offer or permit medication assisted therapy (MAT) options? If so, please provide a detailed description of the program's MAT policy and indicate the types of medications available to program participants. \*

Does your program have a practice/policy in place to examine whether unfair disparities exist within the program for racial/ethnic minority participants? Please describe the policy and explain the measures taken to eliminate identified disparities. \*

#### **Veteran Data Collection**

Describe the Veteran offender population in your community by:

Race \*

Ethnicity \*

Age \*\*

Service era (time period including  
dates served in the military) \*

Gender \*

Arrest Volume \*

Crime Patterns (include numbers  
and types of crimes) \*

Drug and Alcohol Use at Arrest \*

Mental Health issues at Arrest \*

Probation Violations/Violators  
related to drug and alcohol use \*

Probation Violations/Violators  
related to mental health issues \*

How do you currently process cases in your court? If your VTC is not in operation, how do you process cases in your Drug or MH Court? Specifically, explain the process (including the avg. timeframes) from moving a person from arrest through disposition. \*

Have you met with your Veterans Justice Outreach Specialist (VJO) to determine his / her ability to assist your Veterans Court in working with your court? \*

Have you met with staff at the Veterans Healthcare Facility? \*

Have you met with the Team Leader at your local Vet Center? \*

Identify the challenges (include data and source, if applicable) experienced in court case processing, specifically related to Veteran offenders addicted to drugs and/or alcohol and experiencing mental health issues. \*

What are the top three drugs of choice for your clients? \*

- Alcohol
- Cocaine/Crack Cocaine
- Heroin
- Marijuana
- Methamphetamine
- Prescription Medication
- Other(s)

Identify the specific drug and alcohol abuse patterns among Veteran offenders in your community. \*

Describe the current screening process of identifying veterans after arrest. Specifically, how you would utilize the additional resources of the VJO and the Veterans Administration. Explain the process (including the average and realistic timeframes) \*

What mental health issues are you seeing among Veterans? \*

- Post Traumatic Stress Disorder
- Traumatic Brain Injury
- Depression
- Military Sexual Trauma
- Other(s)

If other, please indicate:

Are you seeing Traumatic Brain Injury among Veterans in your area? \*

- Yes
- No

Describe the chemical dependency screening process with the additional services of the Veterans Healthcare Administration. Specifically, explain the process (including the average and realistic timeframes) from referral to provision of treatment. \*

Ask the VJO and check with your Vet Centers

Describe the mental health treatment process with the additional services of the Veterans Healthcare Administration. Specifically, explain the process (including the average and realistic timeframes) from referral to provision of treatment. \*

Ask the VJO and check with your Vet Centers

Identify the challenges (include data and source, if applicable) experienced in the substance abuse and mental health treatment referral, intake, screening and assessment processes of Veteran offenders. \*

From the criminal population and substance abuse/mental health patterns identified previously, describe the Veteran offenders that can most benefit from intensive monitoring/supervision and therapeutic treatment? \*

How many Veterans are being or will be served in your Veterans Treatment Court (capacity)? \*

What type of military discharge types does your program accept or anticipate accepting? \*

What existing court/probation programs offer the same services for the Veteran population? \*

Does your court have a Veteran Mentor Program? If yes, please describe the vetting, training and supervision protocols for your mentors. \*

Have you or anyone on your team met with local Veteran Service Organizations in your community to determine their commitment to the Veterans Treatment Court? \*

Have you identified veterans who would be willing to become volunteer peer support mentors? \*\*



**Statement of intent**

All interested communities must provide responses to the following questions. Narrative responses are limited to 150 words. The review panel will assess the responses to each question and determine the ability of VTCPI to meet your community's needs.

**How have the above identified substance abuse patterns and mental health issues among Veterans affected your community?**

\*

**What is your Veterans Treatment Court offering that differs from the existing programs?**

**Provide specific data to support the potential impact on the community if you serve the Veterans described above.**

**Describe the challenges of your current court/case processing system and how the implementation of a Veterans Treatment Court can help resolve these issues.**

Things to consider - what is the current experience of veterans in your local criminal justice system? What are you currently doing to meet the needs of them? Maximum 150 words

**Team information**

All interested communities must provide the name and contact information of each team member to ensure the planning team is comprised of the necessary individuals. Please enter the contact information for each team member below. Please note - The disciplines listed are required to participate:

Judge

Name Prefix

- None - v

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select - None - 

Postal Code

Phone Number \*

Phone Number 2

Email \*

Court Coordinator

Name Prefix - None - 

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select - None - 

Postal Code

Phone Number \*

Phone Number 2

Email \*

Prosecuting Attorney

Name Prefix - None - 

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

- None - v

Postal Code

Phone Number \*

Phone Number 2

Email \*

Defense Attorney

First Name \*

Name Prefix

- None - v

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

- None - v

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Treatment Provider**

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Community Supervision**

(i.e., Pre-trial Services, Probation, Parole)

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Law Enforcement**

(Law enforcement does not include jail or prison correctional officers, but instead police officers, sheriff's deputies, and their equivalent from your local jurisdiction.)

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Evaluator**

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Veterans Justice Outreach (VJO) Specialist**

(The VJO Specialist is a U.S. Department of Veterans Affairs employee usually located in the VA Medical Center that services your area. He/She is tasked with providing VA medical services to Justice-involved Veterans. To find a listing of VJOs, go to [http://www1.va.gov/HOMELESS/VJO\\_Contacts.asp](http://www1.va.gov/HOMELESS/VJO_Contacts.asp).)

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Veterans Mentor Coordinator**

(The Veterans Mentor Coordinator is the lead individual for your Volunteer Mentor Program. Mentors provide emotional support for Veteran clients and provide assistance in receiving government and private organization benefits and services. The individual serving as coordinator should not fill any other role on the team listed in this application.)

Name Prefix

First Name \*

Last Name \*

Job Title \*

How long has the person in this role served in this capacity? \*

Street Address

Street Address Line 2

City

State/Province Select

Postal Code

Phone Number \*

Phone Number 2

Email \*

**Submit**



# JUSTICE FOR VETS

**15,000**

currently served  
by veterans  
treatment  
courts<sup>1</sup>

**5,700**

currently  
served by  
veterans  
treatment  
courts<sup>1</sup>

**306**

VTCs in the  
US<sup>1</sup>

**460,000**

Iraq/Afghanistan  
veterans suffer  
from PTSD or  
depression<sup>2</sup>

**345,000**

Iraq/Afghanistan  
veterans have a  
substance use  
disorder<sup>2</sup>

**181,500**

incarcerated  
veterans in  
the US<sup>3</sup>

## BENEFITS THEY'VE EARNED SUPPORT THEY DESERVE

The majority of our veterans return home strengthened by their military service, but many struggle with trauma, mental illness (such as PTSD), and substance use disorders. These issues can be exacerbated by the loss of structure and camaraderie found in the military. Veterans treatment courts (VTCs) provide treatment, accountability, and mentoring, and they help connect justice-involved veterans with the benefits they've earned. VTCs save the lives, families, and futures of our veterans while also saving taxpayer dollars.

The most recent study, published by the *Community Mental Health Journal*, found that **veterans who participate in veterans treatment courts experience significant improvement** in:

- ✓ Depression
- ✓ PTSD
- ✓ Substance use
- ✓ Mental and emotional health
- ✓ Housing
- ✓ Relationships and social connection
- ✓ Overall functioning and well-being

<sup>1</sup> Justice For Vets (2015).

<sup>2</sup> Tanielian, T. & Jaycox, L. (2008). *Invisible Wounds of War: Psychological and Cognitive Injuries, Their Consequences, and Services to Assist Recovery*. Washington, DC: RAND Ctr. For Military Health Policy and Research.

<sup>3</sup> Berzofsky, M., Bronson, J., & Noonan, M. (2015). *Veterans in Prison and Jail, 2011-12*. US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Available at: <http://www.bjs.gov/content/pub/pdf/vrj1112.pdf>.

LEARN MORE: [JUSTICEFORVETS.ORG](http://JUSTICEFORVETS.ORG)





# JUSTICE FOR VETS

**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 veterans 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 13,200 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.

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 suffer 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 tax-payers a fortune. Today, over 13,200 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 can have their charges reduced, dismissed, or have their criminal record expunged.

### **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 approximately 5,000 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:*

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).

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

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).

# **Report of Veterans Arrested and Booked into the Travis County Jail**

A Project of the

## **Veterans Intervention Project**

Compiled by:

Travis County Adult Probation Department  
Travis County Constable Precinct Four  
Travis County Constable Precinct Five  
Travis County Health and Human Services and Veterans Services  
Travis County Pretrial Services  
Travis County Sheriff's Office  
Travis County Veterans Court

November 2011

## ABOUT THE VETERANS INTERVENTION PROJECT

### ***Purpose Statement***

The Travis County Veterans Intervention Project (VIP) is a collaboration to increase awareness of veterans involved in the criminal justice system. Our purpose is to ensure that veterans are identified and referred to appropriate treatment and services which support reintegration and reduce recidivism.

### ***VIP Membership***

The Veterans Intervention Project is comprised of a wide variety of agencies and organizations that include:

- VETERANS BENEFITS ADMINISTRATION <http://www.vba.va.gov/VBA/>
- V.A. CENTRAL TEXAS VETERANS HEALTH CARE SYSTEM – AUSTIN OUTPATIENT MENTAL HEALTH CLINIC <http://www.centraltexas.va.gov/services/>
- V.A. AUSTIN VET CENTER <http://www2.va.gov/directory/guide/facility.asp?id=5459>
- NATIONAL CENTER ON DOMESTIC & SEXUAL VIOLENCE <http://www.ncdsv.org/>
- TEXAS DEPARTMENT OF CRIMINAL JUSTICE (PAROLE DIVISION)  
[www.tdcj.state.tx.us/divisions/parole/index.html](http://www.tdcj.state.tx.us/divisions/parole/index.html)
- TEXAS HEALTH & HUMAN SERVICES COMMISSION [www.hhsc.state.tx.us/](http://www.hhsc.state.tx.us/)
- TEXAS INDIGENT DEFENSE COMMISSION <http://www.txcourts.gov/tidc/tidchome.asp>
- TEXAS VETERANS COMMISSION <http://www.tvc.state.tx.us/>
- TEXAS ATTORNEY GENERAL (CHILD SUPPORT DIVISION)  
<https://www.oag.state.tx.us/cs/index.shtml>
- STATE BAR OF TEXAS [www.texasbar.com/](http://www.texasbar.com/)
- TEXAS LEGAL SERVICES CENTER [www.tlsc.org/](http://www.tlsc.org/)
- LAWYER REFERRAL SERVICE OF CENTRAL TEXAS [www.austinlrs.com/](http://www.austinlrs.com/)
- TRAVIS COUNTY JUDGE NANCY HOHENGARTEN  
<http://www.co.travis.tx.us/courts/criminal/county/cc5.asp>
- TRAVIS COUNTY JUDGE MIKE DENTON  
<http://www.co.travis.tx.us/courts/criminal/county/cc4.asp>



- TRAVIS COUNTY JUDGE CARLOS BARRERA  
<http://www.co.travis.tx.us/courts/criminal/county/CC8.asp>
- TRAVIS COUNTY JUDGE LEON GRIZZARD  
<http://www.co.travis.tx.us/courts/criminal/district/magistrate.asp>
- TRAVIS COUNTY ATTORNEY'S OFFICE [http://www.co.travis.tx.us/county\\_attorney/](http://www.co.travis.tx.us/county_attorney/)
- TRAVIS COUNTY DISTRICT ATTORNEY'S OFFICE [http://www.co.travis.tx.us/district\\_attorney/](http://www.co.travis.tx.us/district_attorney/)
- TRAVIS COUNTY SHERIFF'S OFFICE [www.tcsheriff.org/](http://www.tcsheriff.org/)
- TRAVIS COUNTY CRIMINAL JUSTICE PLANNING  
[http://www.co.travis.tx.us/criminal\\_justice/research\\_planning/default.asp](http://www.co.travis.tx.us/criminal_justice/research_planning/default.asp)
- TRAVIS COUNTY CONSTABLE, PCT 5 BRUCE ELFANT <http://constable5.com/>
- TRAVIS COUNTY CONSTABLE, PCT 4 MARIA CANCHOLA <http://www.co.travis.tx.us/constables/4/>
- TRAVIS COUNTY PRETRIAL SERVICES [http://www.co.travis.tx.us/pretrial\\_services/default.asp](http://www.co.travis.tx.us/pretrial_services/default.asp)
- TRAVIS COUNTY VETERAN SERVICES [http://www.co.travis.tx.us/veterans\\_services/](http://www.co.travis.tx.us/veterans_services/)
- TRAVIS COUNTY ADULT PROBATION DEPARTMENT  
[http://www.co.travis.tx.us/community\\_supervision/](http://www.co.travis.tx.us/community_supervision/)
- TRAVIS COUNTY HEALTH & HUMAN SERVICES  
[http://www.co.travis.tx.us/health\\_human\\_services/default.asp](http://www.co.travis.tx.us/health_human_services/default.asp)
- TRAVIS COUNTY COURT ADMINISTRATION <http://www.co.travis.tx.us/courts/criminal/>
- TRAVIS COUNTY ADULT MENTAL HEALTH PUBLIC DEFENDER'S OFFICE  
<http://www.courts.state.tx.us/tfid/travismhpd.htm>
- AUSTIN / TRAVIS COUNTY INTEGRAL CARE (FORMERLY MHMR) <http://www.integralcare.org/>
- AUSTIN BAR ASSOCIATION [www.austinbar.org/](http://www.austinbar.org/)
- AUSTIN CRIMINAL DEFENSE LAWYERS ASSOCIATION [www.acdla.com/](http://www.acdla.com/)
- AUSTIN MUNICIPAL COURT <http://www.ci.austin.tx.us/court/>
- VETERANS FOR COMMON SENSE [www.veteransforcommonsense.org/](http://www.veteransforcommonsense.org/)
- MILITARY ORDER OF THE PURPLE HEART – TEXAS CAPITAL CHAPTER [www.purpleheartaustin.org/](http://www.purpleheartaustin.org/)
- AMERICAN GI FORUM [www.agifusa.org/](http://www.agifusa.org/)
- SAMARITAN CENTER – HOPE FOR HEROES PROGRAM  
[www.samaritancenter.org/index.php?option=com...](http://www.samaritancenter.org/index.php?option=com...)

- TEXAS CENTER POINT VETS <http://www.texvet.org/wic/texas-center-point-vets>
- UNITED WAY CAPITAL AREA [www.unitedwaycapitalarea.org/](http://www.unitedwaycapitalarea.org/)
- GOODWILL INDUSTRIES <http://www.goodwill.org/>
- SIERRA CLUB <http://www.sierraclub.org/>

## BACKGROUND

A statistic that inspired Judge Robert T. Russell to establish the first Veterans Court in America is often repeated by various sources as many as 25 to 30 percent of returning veterans suffer from mental illness.<sup>1</sup> Additionally, one in six veterans returning from Iraq and Afghanistan has a substance-abuse problem and one in five has symptoms of a mental disorder or cognitive impairment according to the National Association of Drug Court Professionals. Due to advances in modern protective equipment and advances in battlefield medicine, **more and more of our veterans are coming home with mental health impacts from traumatic brain injuries and suffer from Post Traumatic Stress Disorder** whereas in previous wars the injuries they received may have been fatal. Senator Patty Murray, chairman of the Senate Committee on Veterans' Affairs stated recently, "I am deeply concerned that we are not ready."<sup>2</sup>

One recommendation by the Drug Policy Alliance for veterans who are abusing drugs is "state and federal governments must modify sentencing statutes and improve court-ordered drug diversion programs to better treat- rather than criminalize and incarcerate- veterans who commit nonviolent drug-related crimes."<sup>3</sup> It has long been argued that if veterans land in jail, they will not get the help they need.

Another problem is the fact "that nearly 1 million troops- 42 percent of all service members sent to the combat zones have been deployed at least twice."<sup>4</sup> If they are not getting the help they need when they return the first time, a re-deployment can equal significant difficulty in readjusting to civil society. For some that readjustment may never happen.

In November 2007, Travis County Constable Maria Canchola began to document local examples of national trends around the difficulties veterans experience when returning to civilian life. For example, Travis County Sheriff Office representatives reported that a significant number of veterans are booked into the Travis County jail every month for a wide variety of offenses, and that a high percentage of arrested veterans are repeat offenders with alcohol and substance abuse issues. Constable Canchola convened a meeting of local, state and federal agencies and representatives from organizations that provide services to or interact with veterans. The group

<sup>1</sup> The National Survey on Drug Use and Health Report, November 6, 2008

<sup>2</sup> <http://www.star-telegram.com/2011/10/04/3420002/study-a-fifth-of-war-veterans.html>

<sup>3</sup> Healing a Broken System: Veterans Battling Addiction and Incarceration. Issue Brief, November 4, 2009

<sup>4</sup> <http://www.star-telegram.com/2011/10/04/3420002/study-a-fifth-of-war-veterans.html>

agreed that too many veterans are arrested and that too little is being done to identify veterans who need assistance, make appropriate referrals, and follow up. It was also perceived that for a variety of reasons, many veterans were not receiving Veterans Administration (VA) services for which they were eligible.

In early 2008, the individuals convened by Constable Canchola organized themselves as the **Veterans Intervention Project (VIP)** and set out to assess the extent of challenges facing Veterans and recommend improvements. Their first step was to survey Veterans who were arrested and booked into the Travis County jail.

In 2010, a second survey was created to follow-up on the previous survey. The survey was executed during the same time frame and similar questions were asked. Two questions were added, one on homelessness and another on employment. As indicated by the study findings, our results are similar to 2008 which highlights the need for a Veterans Court and the partnerships that have been formed in the VIP.

The **Travis County Veterans Court** was conceived by the VIP and held its first docket in November 2010. More than 80 such courts across America have now been established in the last four years. They are modeled after drug courts and their intention is to keep veterans out of jail and get them into recovery. These programs and collaborations such as the VIP aim to do the unthinkable, to help veterans **before** they are arrested.

Appendix 3 contains the full report and status of the **Travis County Veterans Court**.

## METHODOLOGY

**Scope:** The intent of the Veterans Criminal Justice Survey was to determine if similar numbers of veterans were being arrested as when the first study was completed two years ago. Additional factors that were examined were the re-arrest rate, what charges were filed, whether veterans were employed or if they had experienced homelessness, and whether veterans had received VA services (see Appendix 1 for survey).

**Implementation:** Surveys were administered during a 92-day period, from September 15, 2010 through December 15, 2010 to identify veterans who were booked into the Travis County jail. It was administered by personnel at three sites: Travis County Sheriff's Office Central Booking facility, Adult Probation, and Pretrial Services. Survey completion was voluntary.

## STUDY FINDINGS

### Characteristics of Veterans Surveyed

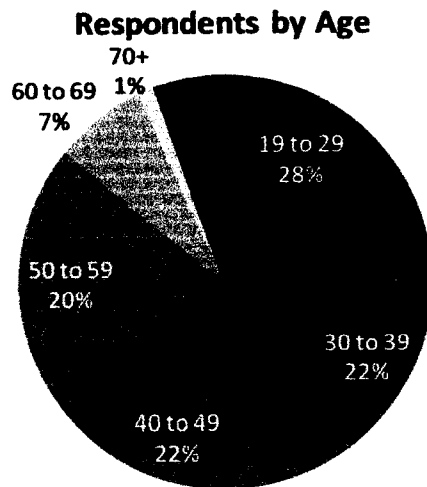
- *On average, about 170 veterans are arrested in Travis County each month.*

For the 92 day survey period<sup>5</sup>, a total of 416 veterans, representing 503 arrests, were booked into the Travis County Jail. They represented 3.35% of the total jail bookings for this period. In the previous survey, the number of total jail bookings was 3.4%. The average number of veterans arrested and booked into the jail each month was 168.

Arrests Involving a Veteran					
Travis County, Texas, September 15- December 15, 2010					
	September 15-30	October	November	December 1-15	Total for Survey Period
Total Arrests Involving a Veteran	89	179	162	73	503
Unduplicated Number of Veterans Arrested	88	171	147	72	416

**Methodological Note:** Some veterans completed more than one survey. Veterans who were arrested more than once during the survey period may have completed a survey at each arrest. Veterans may also have been surveyed at various points in the system for a single arrest. Veterans' characteristics were analyzed based on a single survey<sup>6</sup> for each veteran and represent an unduplicated count of veterans arrested and surveyed during the 92 day survey period (N=416). Charge related data was analyzed for each arrest (n=503).

**Age:** The age distribution of survey respondents was fairly widespread. Veterans in their 20s comprised the largest share (28%) followed by those in their 30s, 40s and 50s.



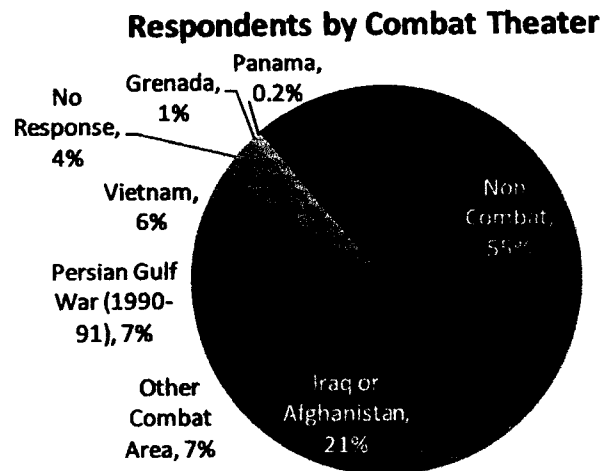
Data Source: Veterans Intervention Project Jail Survey 2010

<sup>5</sup> 9/15/2010 - 12/15/2010

<sup>6</sup> The survey/record with the most complete information was selected for analysis. If more than one survey/record included complete information, the first survey/record was selected. Please note that for respondents completing multiple surveys, there was some inconsistency found in responses.

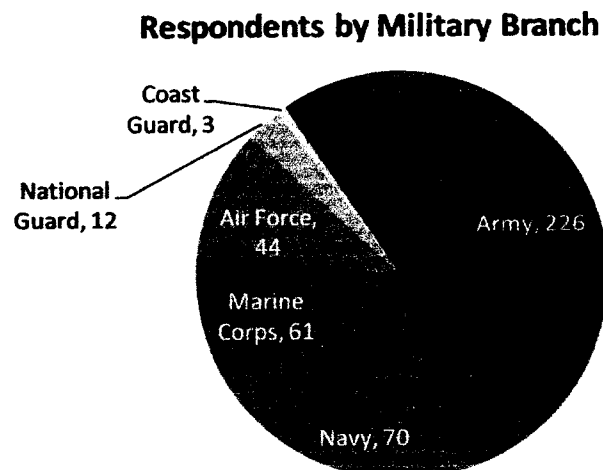
**Gender:** 95% of survey respondents were male, and 5% were female. These were the same numbers seen in the 2008 report.

**Combat Theater:** The majority (55%) of arrested veterans served in non-combat zones. 21% served in Iraq or Afghanistan, followed by other combat areas (7%), the 1990-91 Persian Gulf War (7%), Vietnam (6%), Grenada (1%), and Panama (0.2%). 1% of veterans served in Grenada, and less than 1% in Panama.



Data Source: Veterans Intervention Project Jail Survey 2010

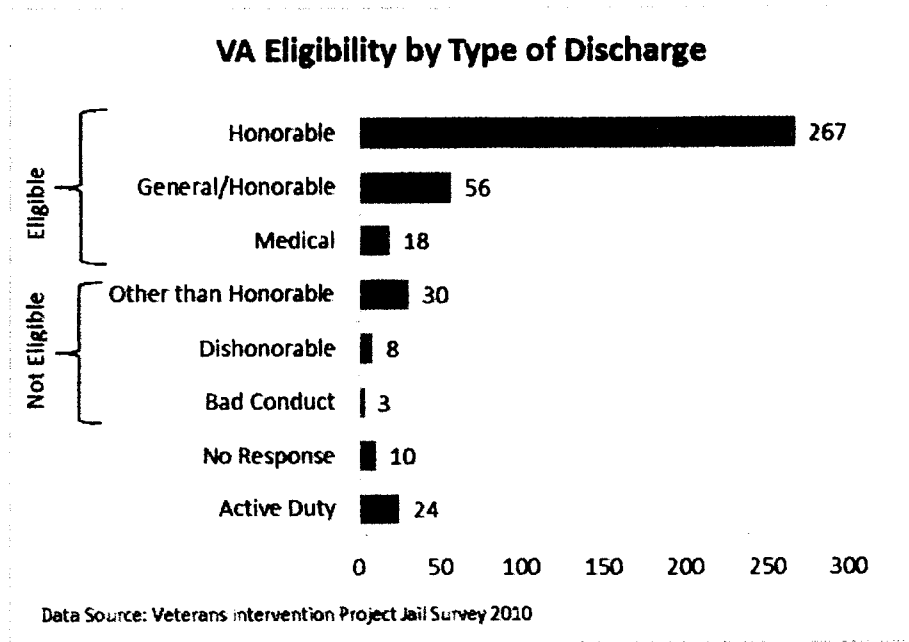
**Military Branch:** 54% of arrested veterans in this survey served in the Army, 17% served in the Navy, 15% in the Marine Corps, 11% in the Air Force, 3% in the National Guard, and 1% in the Coast Guard. In the previous report, the numbers were similar. 50% of arrested veterans served in the Army, 21% served in the Navy, 13% in the Marine Corps, 11% in the Air Force, 6% in the National Guard, and 1% in the Coast Guard.<sup>7</sup>



Data Source: Veterans Intervention Project Jail Survey 2010

<sup>7</sup> Percentages add up to more than 100 because some respondents indicated service in more than one military branch.

**Discharge:** Eighty-two percent (82%) of veterans received an Honorable, General Honorable or Medical discharge, making them potentially eligible for VA services. Ten percent (10%) received a less than honorable discharge and are not eligible for VA services.<sup>8</sup>



### Charges and Disposition

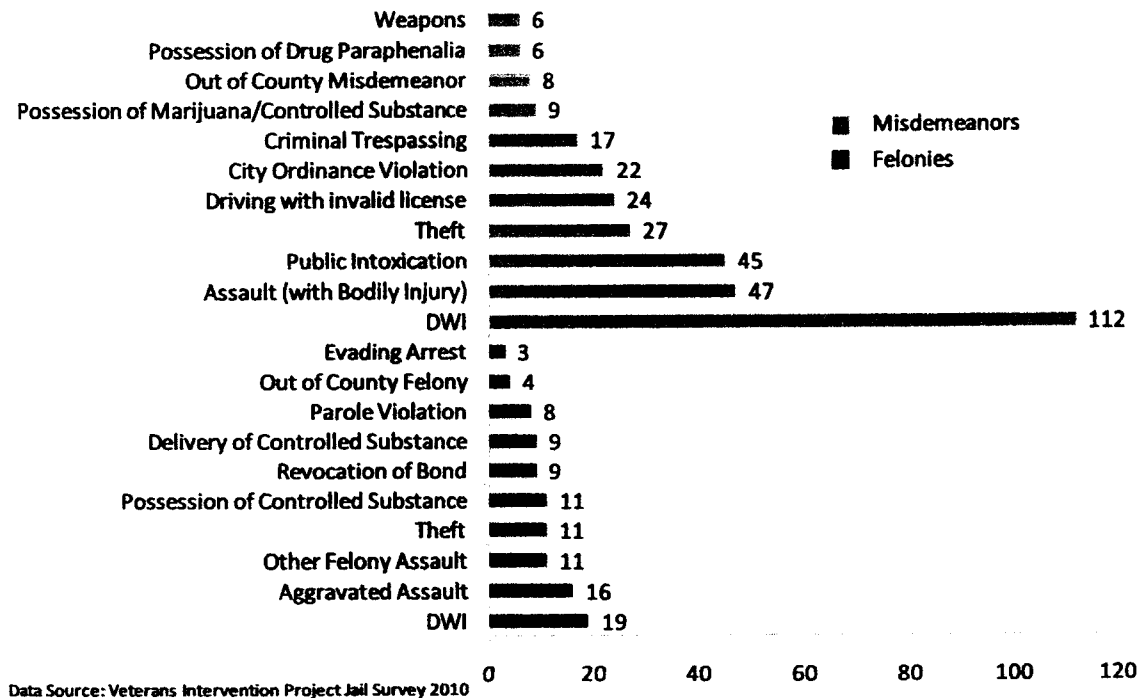
**Number of Arrests:** 503 arrests involved 416 veterans. 14% of respondents (57 veterans) were arrested two or more times during the 92 day survey period. Of those with more than one arrest, the average was 2.5 arrests.

**Charges:** In 23% of cases felony charges were filed; and in 76% of cases misdemeanor charges were filed<sup>9</sup>. The top ten filed for both misdemeanors and felonies appear in the chart below. (Note: Analysis is based on primary charge filed).

<sup>8</sup> The remainder (8%) of respondents did not answer this question.

<sup>9</sup> In 1% of cases the charge level was unspecified.

## Top Ten Charges for Misdemeanors and Felonies



**Substance Abuse Charges:** Forty-two percent (42%) percent of all charges filed were for DWI, possession, delivery and public intoxication. Thirty-one percent (31%) of all alcohol and substance abuse charges were filed against veterans ages 20 to 29.

**Assault Charges:** Fifteen percent (15%) of all charges filed were related to assault. Of all assault charges, nearly three out of four (73%) were reported as involving a family or house member. Of misdemeanor assaults all except for one were reported as involving a family or house member.

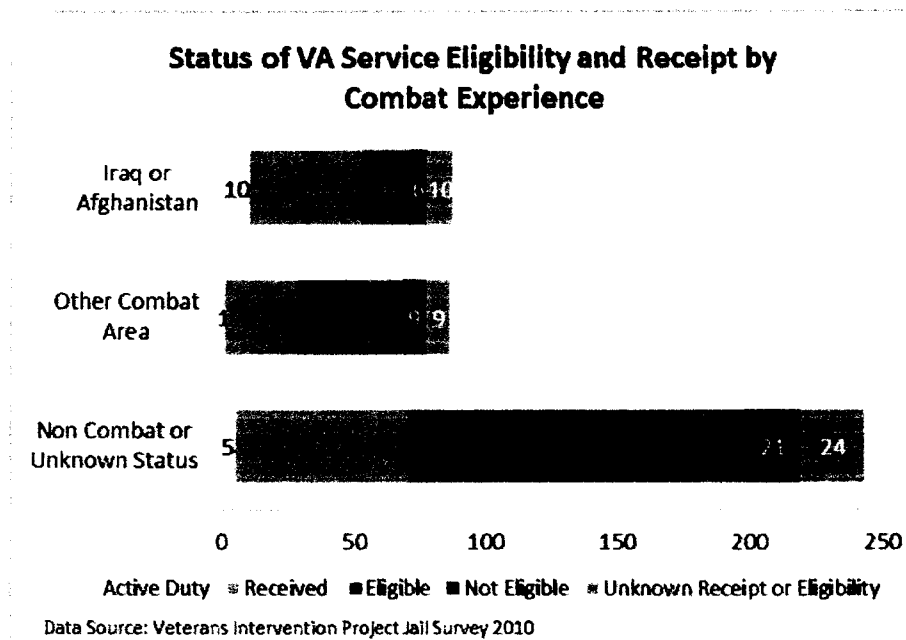
### Veterans Administration Services

➤ **58% of arrested veterans have not received VA services.**

About one-third (32%) of arrested veterans reported that they had received VA services, while 58% reported they had not (the remainder did not answer this question). These results were fairly consistent across age groups, although those in their 50s or over age 70 were most likely to report receiving VA services. The rate of receipt of VA benefits was also fairly consistent across military branches. The rate of receipt was highest for the Army (35%) and lowest for the National Guard (25%).

One of the objectives of the *Veterans Intervention Project* is to connect veterans who are arrested to appropriate services at the earliest point possible. We know that an average 168

veterans are arrested in Travis County each month and that significant numbers are arrested for substance abuse and/or anger issues. Based on a preliminary analysis<sup>10</sup>, 186 potentially eligible veterans, including 58 combat veterans, could be referred to the VA for services. The chart below provides some additional detail regarding receipt of and eligibility or VA services by combat experience.



### Eligibility for VA benefits:

Eligibility for Veterans Administration services is based on a number of factors, including the veteran's branch of armed forces, type of discharge, where the veteran served, and the number of years and dates of service. Generally speaking, to be eligible for Veterans Administration services veterans must have served on active duty and received an Honorable, General Honorable or Medical discharge. A felony conviction will not disqualify someone from receiving services however, the VA cannot treat a veteran who is jailed or incarcerated. Furthermore, the veteran's financial benefits are affected if convicted and jailed for more than sixty days.

Using the model that was used for the previous VIP study, if all felony charges resulted in convictions, 52.6% of arrested veterans would be eligible for VA benefits. If all felony charges resulted in acquittals, 67% would be eligible for VA benefits.

In other words, depending on the outcome of cases, just over one-half to two-thirds of veterans would be eligible for VA services.

<sup>10</sup> Likely eligibility was estimated based on reported discharge status. Honorable, General Honorable or Medical discharges were considered "eligible". Dishonorable, Bad Conduct, or Other than Honorable discharges were considered "not eligible".



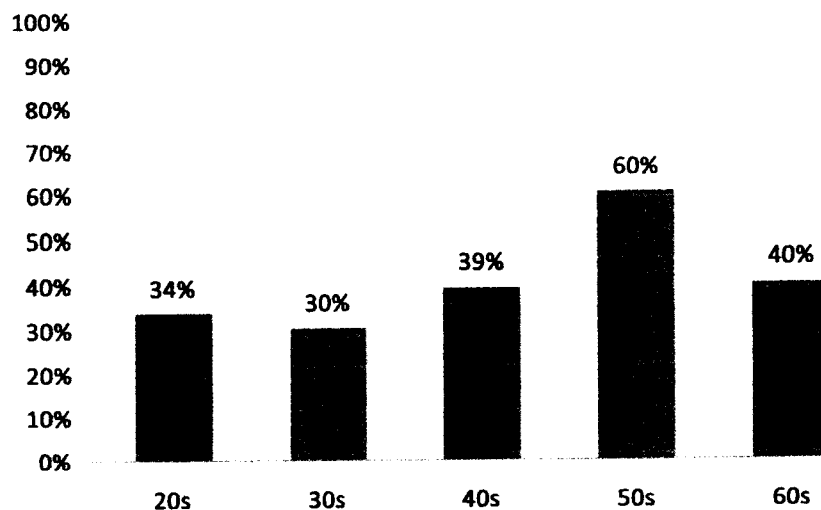
The Austin Bar Veterans Clinic holds monthly sessions providing free legal advice to ALL veterans, regardless of their discharge status. These sessions cover topics including Chapter 6 Bankruptcy, Child Support, Divorce and Child custody, Consumer/Contracts, Guardianship/Probate, Landlord/Tenant, Social Security/SSI, and Wills/Estate Planning.

### Housing and Employment

Two additional questions were added to the survey. The purpose of these questions was to better understand the housing and employment needs of veterans involved with the criminal justice system.

**Employment:** More than half (57%) of veterans arrested during the survey period reported being employed at the time of their arrest while 40% reported that they were not employed at the time of their arrest. (2% did not answer the question). As shown in the following chart, veterans in their 50s were more likely to report being unemployed, followed by those in their 40s and 60s.

**Percent of Unemployed Respondents by Age**



Data Source: Veterans Intervention Project Jail Survey 2010

**Homeless Status:** Nearly one-quarter (22%) of veterans reported that they had been homeless at some point in their lives, while 69% have not experienced homelessness. (9% did not answer the question). Of all age groups, those in their 40s and 50s were most likely to have experienced homelessness (29% and 35% respectively).

## CONCLUSIONS

Due to physical and emotional injuries suffered while on active duty, veterans' reintegration back into civilian life can be extremely challenging. Many veterans return home to lost jobs, terminated leases, foreclosures and severed relationships. "The once upstanding service members were getting arrested for domestic violence and bar fights, and being pursued by police as they raced along streets at 100 miles per hour – often with drugs or alcohol involved-seeking to replicate the adrenaline rush of combat or to commit suicide by motorcycle or police bullets."<sup>11</sup> The stories are repeated across America in every state, city and small town, in any location that veterans are returning from combat. Unless veterans get the help they need they may end up hurting others or themselves. Some are suffering and do not want to be a burden, do not want to be seen as a "weak soldier" and do not want to disclose their mental troubles which may hurt their chances of promotion or future jobs (law enforcement is a frequent choice) outside of the military. The facts remain, approximately one-fifth (20%) of soldiers will be affected by PTSD or Traumatic Brain Injury (TBI) and unable to function as they did before they entered the military.<sup>12</sup>

This study confirms these challenges in Travis County as evidenced by the numbers and re-arrest rates of veterans in our jail. Over 150 veterans are incarcerated in the Travis County Jail at any given time. A majority of arrested veterans surveyed have not obtained VA or other services – services that can help support reintegration, intervene in substance abuse and mental health issues, and prevent repeated arrests.

Given the number of veterans who are arrested and rearrested in Travis County, the criminal justice system has a vested interest to ensure that every arrested veteran is evaluated and able to access appropriate services upon their *first* arrest. Since the last report, many initiatives have been undertaken and groups have formed to help our veterans and their families reintegrate. The VIP continues to meet monthly for helpful exchanges of information and guidance from others. The following provides an update to the important links the VIP has made in the community.

**Veterans Workshops:** The Travis County Veterans' Service Office, in partnership with The University of Texas School of Law and the Austin Bar Association established workshops to assist veterans with civil issues. The **Austin Bar Veterans Clinic** started officially in June 2010. On average about 50 veterans attend the free monthly clinic sessions. The veterans families are also able to attend. A VIP committee is currently working to expand veterans workshops to include employment, housing, medical and other relevant issues. The **Austin Bar Veterans Clinic** reports that PTSD is a huge issue, and that many of the people attending their clinic sessions either make slightly above the income requirements for legal aid, but still are not able to afford an attorney. In other cases, the veterans meet the income requirements, but Texas RioGrande Legal Aid (the legal assistance agency that serves this area) does not handle criminal cases or child custody cases. While attorneys have taken on approximately 50 cases pro bono, this is not a long-term solution.

<sup>11</sup> <http://www.csmonitor.com/USA/Military/2008/0712/p02s01-usmi.html>

<sup>12</sup> <http://www.veteransnewsroom.com/files/press/VETERANS-Fact-Sheet-Veterans.pdf>

**Veterans Brochure:** VIP partners have produced a comprehensive Veterans Services brochure that has been made available at public and private entities that work with veterans. See **Appendix 2**.

**Eligibility Determination:** For many veterans, determining eligibility for VA benefits is a daunting challenge and VA eligibility may be their only path to needed services and treatment. The Sheriff's Office wants to have the ability to assist veterans determine their VA eligibility while they are in jail.

**Veterans Court:** The Travis County Veterans Court was created and has been operating since November 2010. It was recently given funding for a second year of operations. Presently this court hears misdemeanor cases only; however, they are assessing the possibility of expanding the court to address felony cases. See **Appendix 3**.

**VA Evaluation as a Condition of Bond:** In the previous survey, VIP members Pretrial Services and Travis County Adult Probation agreed to initiate a pilot project. The pilot project would allow veterans to receive evaluations from VA physicians as a condition of their release from jail. The summary of their conclusions is listed here:

*From December 2009 through December 2010, twelve veterans participated in Pretrial Services' Veterans Pilot Project. These defendants were released on personal bond and referred, as a condition of bond, to be screened by the Veterans' Administration and supervised by Pretrial Services. The Veterans Justice Outreach Specialist (VJO), from the VA, screened the defendants and made recommendations for appropriate treatment. Pretrial Officers provided supervision for the defendants and worked closely with the VJO to assist the defendant in complying with their bond conditions.*

*This pilot project provided a means for justice-involved veterans to begin accessing services available from the VA and in the community at-large while they were free on bond and their criminal cases were being resolved. Though this pilot has ended, it helped to establish a lasting link between criminal justice agencies and the VA that continues to provide benefits to veterans who are involved in the Criminal Justice System.*

Over the past several years, the VIP has implemented several effective strategies toward its goal (identifying and referring veterans to appropriate treatment and services which support reintegration and reduce the number of arrests or re-arrests). A major highlight for this year has been the launch of the **Travis County Veterans Court**. But there is still more to do. Contributions and supports, both from within the collaboration and from the local community, would address the following needs:

- Continued and expanded collaboration among local, state, federal, and private entities;
- Finding ways to sustain current pilot initiatives and establishing other creative programs that work towards the VIP purpose;
- Working collaboratively to address barriers around eligibility, capacity issues and gaps in service.

In a Strategic Planning session in the spring of 2011, VIP members discussed their goals for the next year. The top priorities for the group were;

- **Expand the Veterans Court,**
- **Increase In-Patient Substance Abuse treatment beds,**
- **Housing and Housing options,**
- **Add more substance abuse treatment in general.**

Though there are many needs expressed by the veterans, these continue to be the issues that garner the most attention and where resources are not always readily available. The VIP has accomplished much in the last four years, but the work load has not decreased. With continued collaboration and increased awareness to the community of the programs and help available, our intention is to make the transition to home for veterans more manageable.

Seattle, Washington has been in the news recently, as it is among the newest Veterans Courts to open this year (September 20, 2011). The County Executive who proposed the court may have expressed it best when he said, *"Our veterans and their families stand up for us in times of trouble. Let's provide the help they need when they come home."*<sup>13</sup>

**For more information please contact:**

Travis County Constable Maria Canchola, Pct. 4 (512) 854-9488 [Maria.Canchola@co.travis.tx.us](mailto:Maria.Canchola@co.travis.tx.us)  
Travis County Constable Bruce Elfant, Pct. 5 (512) 854-9100 [Bruce.Elfant@co.travis.tx.us](mailto:Bruce.Elfant@co.travis.tx.us)

Or the Travis County Veterans Services: [http://www.co.travis.tx.us/veterans\\_services/](http://www.co.travis.tx.us/veterans_services/)

Street Address:  
100 N. IH35 #2400  
Austin, TX 78701

Mailing Address:  
PO Box 1748  
Austin, TX 78767

Phone: (512) 854-9340  
Fax: (512) 854-4453

<sup>13</sup> [http://seattletimes.nwsourc.com/html/localnews/2016059705\\_vetscourt31m.html](http://seattletimes.nwsourc.com/html/localnews/2016059705_vetscourt31m.html)

# APPENDICES

## Appendix 1

### VETERANS ASSISTANCE QUESTIONNAIRE

\_\_\_\_\_  
Date

M / F  
Gender

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Name

\_\_\_\_\_  
DOB

\_\_\_\_\_  
SSN

Which branch of the armed forces did you serve in?

- \_\_\_\_ ARMY
- \_\_\_\_ NAVY
- \_\_\_\_ AIRFORCE
- \_\_\_\_ MARINE CORPS
- \_\_\_\_ COAST GUARD
- \_\_\_\_ NATIONAL GUARD

Where did you serve?

- \_\_\_\_ IRAQ OR AFGHANISTAN
- \_\_\_\_ OTHER COMBAT AREA
- \_\_\_\_ PERSIAN GULF WAR I (1990 - 91)
- \_\_\_\_ GRENADA
- \_\_\_\_ PANAMA
- \_\_\_\_ VIETNAM
- \_\_\_\_ KOREAN WAR
- \_\_\_\_ NON COMBAT

Type of Discharge:

- \_\_\_\_ HONORABLE
- \_\_\_\_ GENERAL UNDER HONORABLE
- \_\_\_\_ MEDICAL
- \_\_\_\_ DISHONORABLE
- \_\_\_\_ OTHER THAN HONORABLE
- \_\_\_\_ BAD CONDUCT DISCHARGE

Are you still on Active Duty?	Yes	No
Have you ever received VA healthcare services?	Yes	No
Are you currently employed?	Yes	No
Have you been homeless in the last year?	Yes	No

I understand this is a screening questionnaire and information will be shared with the VA and Veterans Services agencies

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

White – TCSO

Blue – Pre-Trial

Yellow - Probation

## Appendix 2



A brochure for combat Veterans  
with legal problems

If you've served in the military and are currently having legal problems, this brochure may help you learn you're almost never alone. It helps you explore the possibility of an attorney to help you with your legal problems.

### Why seek treatment?

Many of the common legal problems that you may encounter as a result of your military service are related to your health care. It is important to understand your health care rights and how to use them. A lawyer can help you understand your rights and how to use them. They can also help you understand your legal rights and how to use them.

• You may have legal problems with your health care, such as:

- Getting a health care benefit that you are not entitled to
- Getting a health care benefit that you are entitled to but not receiving
- Getting a health care benefit that you are not entitled to but receiving

• You may have legal problems with your health care, such as:

• Getting a health care benefit that you are not entitled to

• Getting a health care benefit that you are entitled to but not receiving

• Getting a health care benefit that you are not entitled to but receiving

• Getting a health care benefit that you are not entitled to but receiving

• Getting a health care benefit that you are entitled to but not receiving

• Getting a health care benefit that you are not entitled to but receiving

• Getting a health care benefit that you are entitled to but not receiving

• Getting a health care benefit that you are not entitled to but receiving

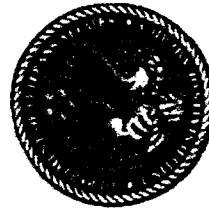
• Getting a health care benefit that you are not entitled to but receiving

• Getting a health care benefit that you are entitled to but not receiving

• Getting a health care benefit that you are not entitled to but receiving

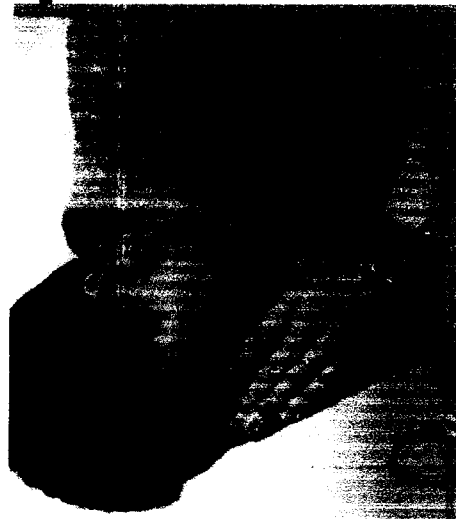
• Getting a health care benefit that you are entitled to but not receiving

• Getting a health care benefit that you are not entitled to but receiving



This brochure represents the effort of many different Veterans service and legal agencies in Travis County. The goal of this project is to assist our combat Veterans in securing VA and other services and help prevent further legal problems.

075-150-000-1007



Finally, I found that I was not alone in my struggles. I found other veterans who were struggling with the same issues. This helped me to feel less alone and more supported. I was able to connect with other veterans who were going through similar experiences. This was a relief for me.

VA helped to receive treatment from the Veterans Administration (VA). I was able to get the help I needed. The VA provided me with the resources I needed to get back on my feet. I was able to get the help I needed to get back on my feet. I was able to get the help I needed to get back on my feet.

I am an Iraq/Afghanistan Veteran. How can I find out about programs for my war zone? The VA has a lot of programs for war zone veterans. I was able to find out about the programs I needed. I was able to find out about the programs I needed. I was able to find out about the programs I needed.

I am a Veteran from a earlier war and conflict. Can I still be seen for counseling at the VA? Yes, you can still be seen for counseling at the VA. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

I now have a felony on my record. Will that prevent me from getting my VA benefits? No, you can still get your VA benefits. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

I have questions about VA benefits for injuries I received in the military? The VA can help you with your questions. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

Will receiving help with my legal problem?

Yes, you can get help with your legal problem. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

I need a lawyer. Can the Department of Veterans Affairs (VA) provide me with legal assistance?

Yes, the VA can provide legal assistance. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

The conditions of my probation state that I need to receive alcohol or drug treatment. Can I get this through the VA?

Yes, you can get help with your probation. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

Location: Austin, Texas  
Address: 10000 N. Loop West, Suite 1000  
Austin, TX 78751

VA Regional Office (800) 827-1000

Travis County Veterans

Service Office (512) 854-9160

Texas Veterans

Commission in the

Austin VA Outpatient

Center (512) 453-1000

What helps is available if I don't have a place to live?

The VA offers a lot of help for veterans who are struggling with housing. I was able to find a place to live. I was able to find a place to live. I was able to find a place to live.

Something happened to me when I was in the military and I have a medical condition. Can I get help with my condition?

Yes, you can get help with your medical condition. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

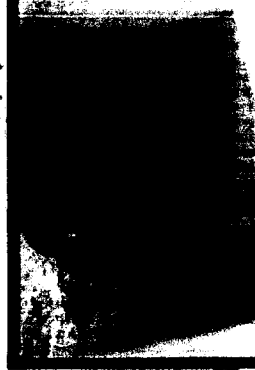
Sometimes I have thoughts about harming myself.

The VA can help you with your thoughts. I was able to get the help I needed. I was able to get the help I needed. I was able to get the help I needed.

National Suicide Prevention Helpline (800) 273-8255

Press 1 for Veterans

specific services



## Appendix 3

### **Travis County Veterans Court Helps Combat Veterans Obtain Treatment and Avoid Conviction**

The Travis County Veterans Court Program is a pre-trial diversion program for veterans who are charged with non-violent offenses that are related to Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injuries (TBI) or other mental health problems resulting from their military service. Veterans Courts have become increasingly popular throughout the country over the past three years as a means for helping servicemen and women deal with the physical and psychological effects of combat. The stressors experienced during war often lead to later involvement in the justice system, usually due to behavior that is related to substance abuse, anxiety, depression and lack of anger control. These courts are typically designed as a hybrid mental health and drug court, utilizing a non-adversarial approach that has been shown to reduce the risk of re-arrest by as much as 35%. The Travis County Veterans Court, which held its first docket on November 10, 2010, employs a similar team approach. The court team consists of County Court #4 Judge, The Honorable Michael Denton, a defense attorney, prosecutor, program manager, caseworker and a Veterans Administration justice outreach specialist. In addition to helping support veterans manage the various issues they are facing, the Veterans Court program offers court participants an opportunity to avoid prosecution and a criminal conviction.

Participants in the Veterans Court undergo an evaluation by the Veterans Administration to assess psychological, substance abuse and other issues that can be addressed through various types of treatment and supportive services. A Strategic Action Plan (SAP) is developed by the Veterans Court caseworker with the veterans' input. The veterans are then provided with referrals for services needed to begin implementation of the SAP. The VA provides treatment for mental health and substance abuse problems. If a veteran is unable to attend substance abuse treatment at the VA due to schedule conflicts, they may be referred for treatment at a community service provider, such as Austin Recovery, at no charge to them. The Veterans Court staff also assists participating veterans with obtaining employment, education, health and housing services, as needed.

If accepted into the court, each veteran attends a series of court hearings to monitor and reinforce progress toward meeting the objectives of their SAP. Initially, participants attend each court session, which is held every other Thursday at 5:00 PM. As the participant progresses, he/she is promoted to the next level. As they advance through levels they are required to attend court less frequently and are also allowed to decrease individual meetings with the caseworker. Once the objectives of the SAP have been met, the participant will be successfully discharged from the Veterans Court program and the case will be dismissed from prosecution. While the length of participation may be up to two years, the expectation is that most participants will complete in 12 months.

PTSD, Traumatic Brain Injuries and substance abuse all change the way the brain functions and impacts the ability of individuals to make responsible choices. Research on effective intervention has demonstrated that establishing a supportive, non-adversarial judicial relationship, employing progressive sanctions and incentives, and providing regular, meaningful involvement with a judge are significant factors leading to positive behavioral changes among offenders. The Travis County



Veterans Court is attempting to replicate this model to help combat veterans and create a safer environment for the local community.

As of October 10, 2011, the Veterans Court has accepted 25 applicants and expects to increase this number significantly in the coming months. Referrals have increased significantly as word of the court's existence spreads and increasing numbers of veterans return from conflict.

For more information on the Veterans Court, contact the Program Manager, Jackson Glass, at [jackson.glass@co.travis.tx.us](mailto:jackson.glass@co.travis.tx.us) or at 512-854-3829.



## TEXAS VETERANS COMMISSION



Statewide Needs Assessment  
 Support Texas Veterans  
 Driver License Donations  
 Vehicle Registration Donations  
 Texas Lottery  
 About Us  
 Apply For A Grant  
 General Assistance Grants  
 Housing4TexasHeroes  
 Veterans Treatment Court Grants  
 Veterans Mental Health Grants  
 Upcoming Trainings and Events  
 Grants Awarded  
 Grantee Forms and Trainings  
 Grant Resources  
 Contact Us  
 Federal Transportation Grants

## VETERANS TREATMENT COURT GRANTS

*Photo Courtesy of Wally Gobetz*

These grants assist Texas Veterans and their families in obtaining services through Veterans Treatment Court programs. Please refer to the Request for Applications to review program guidelines for the Veterans Treatment Court grants.

### **2017-2018 Veterans Treatment Court Grant (Closed)**

The application period for this grant closed November 3, 2016. The next application cycle is set to open August 2017. The anticipated amount available for awarding with 2017-18 Veterans Treatment Court Grants is \$1,500,000. Please visit the [Upcoming Training and Events](#) page to learn more about Informational Meetings and Webinars regarding the 2017-2018 Veterans Treatment Court grant application.

#### **Word/Excel**

[2017-2018 Veteran Treatment Court Request for Applications.docx](#)  
[2017-2018 VTC Appendix I - Application.docx](#)  
[2017-2018 VTC Appendix II - Evaluation Rubric.xlsx](#)  
[2017-2018 VTC Appendix III - Sample Notice of Grant Award.docx](#)  
[2017-2018 VTC Appendix IV - Expenditure Checklist.docx](#)  
[2017-2018 VTC Application Checklist.docx](#)

#### **PDF**

[2017-2018 Veteran Treatment Court Request for Applications.pdf](#)  
[2017-2018 VTC Appendix I - Application.pdf](#)  
[2017-2018 VTC Appendix II - Evaluation Rubric.pdf](#)  
[2017-2018 VTC Appendix III - Sample Notice of Grant Award.pdf](#)  
[2017-2018 VTC Appendix IV - Expenditure Checklist.pdf](#)  
[2017-2018 VTC Application Checklist.pdf](#)

[2017-2018 Addendum I - Questions Received as of 9-15-2016.pdf](#)  
[2017-2018 Addendum II - Questions Received As of 9-22-2016.pdf](#)  
[2017-2018 Addendum III - Questions Received as of 9-29-2016.pdf](#)  
[2017-2018 Addendum IV - Questions Received as of 10-6-2016.pdf](#)  
[2017-2018 Addendum V - Questions Received as of 10-14-2016.pdf](#)  
[2017-2018 Addendum VI - Questions Received as of 10-21-2016.pdf](#)  
[2017-2018 Addendum VII - Questions Received as of 10-27-2016.pdf](#)

**2016-2017 Veterans Treatment Court Grant (CLOSED)**

This application is now closed.

**Word/Excel**

- [Request for Applications.docx](#)
- [Appendix I - Application.docx](#)
- [Appendix II - Evaluation Rubric.xlsx](#)
- [Appendix III - Sample Notice of Grant Award.docx](#)
- [Appendix IV - Expenditure Checklist.docx](#)
- [Application Checklist.docx](#)

**PDF**

- [Request for Applications.pdf](#)
- [Appendix I - Application.pdf](#)
- [Appendix II - Evaluation Rubric.pdf](#)
- [Appendix III - Sample Notice of Grant Award.pdf](#)
- [Appendix IV - Expenditure Checklist.pdf](#)
- [Application Checklist.pdf](#)
- [Addendum I - Questions Received Sept 21-24.pdf](#)
- [Addendum II - Questions Received Sept 28-Oct 1.pdf](#)
- [Addendum III - Questions Received Oct 5-8.pdf](#)
- [Addendum IV - Questions Received Oct 12-15.pdf](#)
- [Addendum V - Questions Received Oct 19-22.pdf](#)
- [Addendum VI \(Oct 27\).pdf](#)
- [Addendum VII \(Oct 28\).pdf](#)
- [Addendum VIII \(Nov 5\).pdf](#)

“The bonds of military service run deep. Veterans have many shared experiences not common among civilians. Research suggests that traditional community services may not be adequately suited to meet the distinct needs of veterans in the criminal justice system.

In Veterans Treatment Courts, those who served in our nation’s Armed Forces go through the treatment court process with their fellow veterans and are connected to the federal, state and local services that are uniquely designed for the distinct needs that arise from military service.”

Want to know more about Veterans Treatment Courts?

\* Texas Bar article about the Travis County Veterans Treatment Court (including a case study).  
([http://www.texasbar.com/AM/Template.cfm?Section=Texas\\_Bar\\_Journal&Template=/CM/ContentDisplay.cfm&ContentID=19656](http://www.texasbar.com/AM/Template.cfm?Section=Texas_Bar_Journal&Template=/CM/ContentDisplay.cfm&ContentID=19656))

The list below contains basic information for all the Veteran Courts we’re aware of in Texas. Click here to download the Veterans Court information below (and more) as a comma-separated spreadsheet. (<http://www.texvet.org/vet-courts-export>)

The titles in the list below link to pages with additional location and contact info.

**(/VETCOURTS-TX?ORDER=TITLE&SORT=DESC)**

Veterans Court - Comal County (/resources/veterans-court-comal-county)	830-221-1122
Veterans Court - Dallas County (/resources/veterans-court-dallas-county)	214-653-3851, 214-671-9901
Veterans Court - Guadalupe County (/resources/veterans-court-guadalupe-county)	830-303-8869, 830-303-6130 ext. 379, 210.945.9708
Veterans Court - Tarrant County (/resources/veterans-court-tarrant-county)	817-884-3225
Veterans Court - Bell County (/partners/veterans-court-bell-county)	(254)618-4125
Veterans Court - Bexar County (/resources/veterans-court-bexar-county-0)	210-335-2156
Veterans Court - Collin County (/resources/veterans-court-collin-county)	972-548-4409
Veterans Court - El Paso County (346th District Court) (/resources/veterans-court-el-paso-county-346th-district-court)	915-546-2119
Veterans Court - Fannin County (/resources/veterans-court-fannin-county)	972-548-4409
Veterans Court - Galveston County (/resources/veterans-court-galveston-county)	409-765-2679 ext. 2679

(/VETCOURTS-TX?ORDER=TITLE&SORT=DESC)

Veterans Court - Grayson County (/resources/veterans-court-grayson-county)	972-548-4409
Veterans Court - Hidalgo County (/resources/veterans-court-hidalgo-county)	956-587-6027
Veterans Court - Kaufman County (/resources/veterans-court-kaufman-county)	972-548-4409
Veterans Court - Midland County (/resources/veterans-court-midland-county)	432-688-4389
Veterans Court - Nueces County (/resources/veterans-court-nueces-county)	361-854-4122
Veterans Court - Rockwall County (/resources/veterans-court-rockwall-county-0)	972-548-4409
Veterans Court - Rockwall County (/resources/veterans-court-rockwall-county)	(972) 204-6800
Veterans Court - Fort Bend County (/resources/veterans-court-fort-bend-county)	832-390-9026, 817-266-7507
Veterans Court - Montgomery County (/resources/veterans-court-montgomery-county)	ashleyt@tcbhc.org
Veterans Court - Smith County (/resources/veterans-court-smith-county)	903-590-2951
Veterans Court - Williamson County (/resources/veterans-court-williamson-county)	512-943-3559
Veterans Court - Travis County (/resources/veterans-court-travis-county-0)	512-854-3856
Veterans Court - Harris County (/resources/veterans-court-harris-county-0)	713-755-4610
Veterans Court - Hays County (/resources/veterans-court-hays-county)	512-878-6677
Veterans Court - Webb County (406th and 341st) (/resources/veterans-court-webb-county-406th-and-341st)	956-523-4963
Veterans Court - Denton County (/resources/veterans-court-denton-county)	940-349-2188
Veterans Court - Fort Bend County (/resources/veterans-court-fort-bend-county)	832-390-9026, 817-266-7507

Oct 06 2014 0

By texvet\_webmaster

**SOCIAL SERVICE CLASSIFICATION:**

F CRIMINAL JUSTICE AND LEGAL SERVICES (/KEYWORDS/F-CRIMINAL-JUSTICE-AND-LEGAL-SERVICES) FC COURTS (/KEYWORDS/FC-COURTS)

**LOCATION MAP**

## BEXAR COUNTY VETERANS TREATMENT COURT

With the passage of SB 1940, Bexar County staff, veterans groups, representatives from the Veterans Administration and other interested persons designed and implemented the Bexar County Veterans Treatment Court. The Veterans Court docket is called in County Court at Law #6.

The court promotes sobriety, recovery and stability through a coordinated response that involves the cooperation and collaboration with the U.S. Department of Veterans Affairs health care networks, the Veterans Benefits Administration, volunteer veteran mentors, veterans family support organizations, the Center for Health Care Services and the Bexar County Veterans Services Office.

Based on the successful Drug Court model, the Veterans Treatment Court will serve veterans struggling with Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), addiction, mental illness and/or co-occurring disorders. **The long term goal of this problem-solving court is the restoration of the veteran's quality of life and the reduction of conflicts that might lead to additional incarceration events. This goal will be accomplished by providing the veteran with the treatment and supportive services.**

### Case Management

The Veterans Treatment Court has a case management component that promotes service coordination and easier access to services such as employment, education, housing, and benefits counseling. The Bexar County Veterans Treatment Court is the 1st in the county to have a pre-trial diversion component.

### Track I

For veterans who are accepted for the **pre-trial component (Track I)** of the Veterans Court, successful completion of the Veterans Court program will mean that their case will be dismissed with no criminal conviction on their record. Participation in the program is generally 1 year.

### Track II

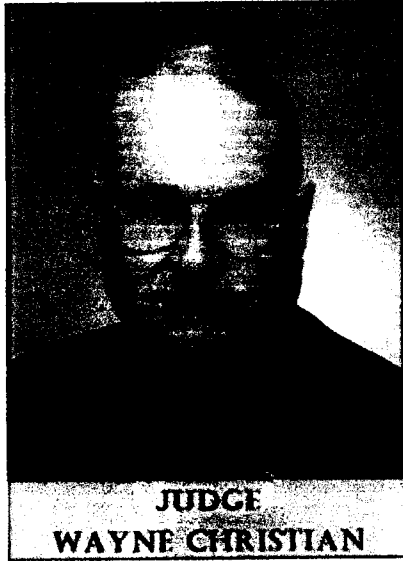
For veterans who are accepted in the **probation component (Track II)**, the veteran is expected to participate in and comply with the treatment plan and terms of probation. Generally, the term of probation is 1 year.

The veteran's compliance will determine how often the veteran must meet with the judge and the other members of the treatment team.

Substance abuse and mental health services are provided by the Veterans



Administration. Under certain circumstances, substance abuse and mental health services can be provided by the Center for Health Care Services.

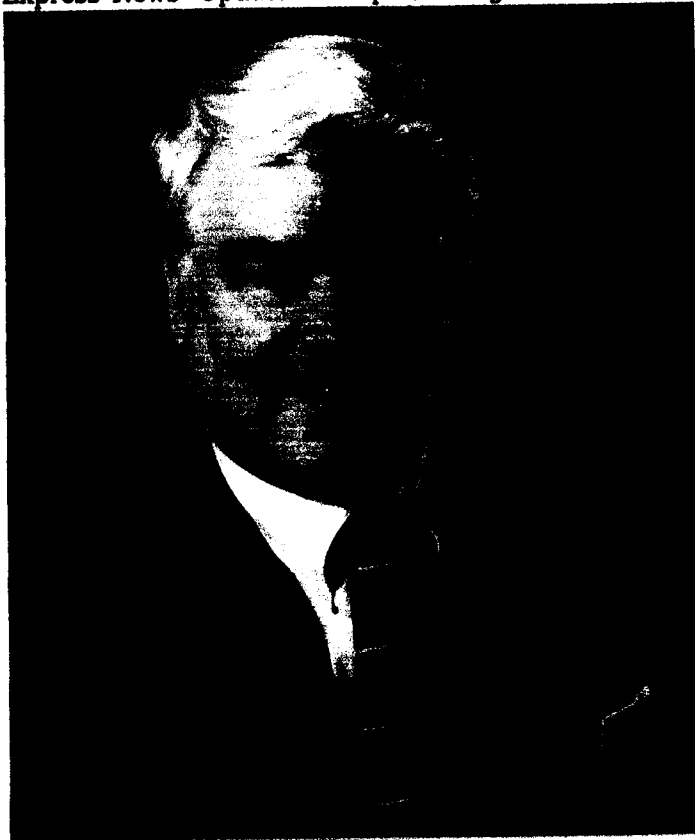


mySA

<http://www.mysanantonio.com/opinion/commentary/article/More-veterans-courts-would-help-Texas-4986273.php>

## More veterans courts would help Texas

Nathan Hecht, For the Express-News Updated 5:42 pm, Friday, November 15, 2013



Nathan Hecht is chief justice of the Texas Supreme Court.

More than 1.6 million veterans call our great state of Texas home. All Texans share in the important responsibility of assisting our veterans in transitioning from military to everyday life. It's a community-wide effort, and we need to be doing more. Our veterans deserve more.

Many veterans come home empowered by their time in the military, able to adjust with little to no assistance. For others, overcoming demons arising from their experiences in combat takes time and support.

Justice for Vets, a national organization committed to the expansion of veterans treatment programs, reports that, of the more than 2.4 million men and women who have served in Iraq and Afghanistan, 460,000 suffer from post-traumatic stress



disorder, or depression, and 345,000 suffer from an alcohol or drug addiction. If treatment isn't received, the consequences can be dire: unemployment, homelessness, criminal convictions and even suicide.

A downward spiral from war to jail should not be our veterans' narrative. Texas' judiciary branch is stepping up its efforts to ensure that our veterans' futures are on a positive path. The state's first veterans court started in Harris County in 2009. Since then, 11 additional courts have opened their doors, with three more scheduled to come online next year in Williamson, Webb and Cameron counties. Their specialized dockets are dedicated to veterans in an effort to keep them out of our criminal justice system.

They operate first by identifying qualifying veterans following an arrest. The most common offenses are DWI, assault, theft and domestic violence.

The courts, the U.S. Department of Veteran Affairs and a team of prosecutors, defense attorneys and others then work together to create an intense treatment program that provides structure, support and accountability. Veterans often are required to come to court before their judge every one or two weeks for a progress report in addition to their in-patient and out-patient treatment regimen. If a veteran successfully completes the nine-month to two-year program, the charge is cleared from his or her record.

Veterans report that the programs restore their dignity, build their self-confidence and give them hope. The low recidivism rate is evidence that veterans courts need to continue and expand.

Texas needs to continue to provide support and funding for these programs. Our communities would be well served by having more veterans courts.

The programs play a vital role, and I am proud the Texas judiciary is playing a critical role in bringing our men and women in uniform all the way home.

# UT News

The University of Texas at Austin

## Veterans Treatment Courts Prioritize Recovery Over Punishment

Elisa Borah, Research Associate in the Texas Institute for Excellence in Mental | March 16, 2016



*iStock*

As a country, we honor our veterans in various ways. We stand when the national anthem is played, we take our hats off during the pledge of allegiance, and we recognize national holidays such as Memorial Day and Veterans Day.

Although these displays are symbolic and meaningful, Texas needs to take more tangible steps to ensure veterans are honored one other way: with opportunity to achieve the best quality of life

In a state such as Texas with a high population of veterans, these types of courts could produce significant financial savings.

Texas currently has 20 Veterans Treatment Courts mainly in the metro areas such as Bexar, Collin, Dallas, Denton, Fort Bend, Galveston, Harris, Hays, Hidalgo, Midland, Smith, Tarrant, Travis and Webb counties, among others. Another 240 counties make up the Lone Star State and are home to veterans and their families — families who aim to live, work and thrive in their now-permanent homes.

We must continue to adopt and expand our support of those veterans in the justice system through continued research and funding. In addition to Veterans Treatment Courts, police across Texas have worked hard to ensure police respond to veterans in ways that de-escalate, rather than escalate, situations by understanding how some veterans may respond to threatening situations, and by funneling them into Veterans Courts.

This specialized approach to working with veterans may give them a second chance at successfully transitioning to civilian life.

A system that prioritizes punishment over recovery can offer only short-term solutions. The proper supports and resources can effectively transform not only veterans' lives, but also change the criminal justice system. It's time to return the service by giving our veterans the help and support they need, and it starts with expanding Veterans Treatment Courts.

*Elisa V. Borah is a research associate in the Texas Institute for Excellence in Mental Health at The University of Texas at Austin.*

A version of this op-ed appeared in the Houston Chronicle.

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possible.

That means supporting and expanding Veterans Treatment Courts.

Of the 1.68 million veterans living in Texas, 11,000 are incarcerated. Because Texas has the largest criminal justice system and the second largest number of veterans, we are probably pushing above the 10 percent national rate of veteran incarceration.

Rather than being content to lock up our former service members, the Texas Legislature passed a bill in 2009 that authorized the creation of specialty courts for veterans charged with misdemeanor or nonviolent felony offenses.

These specialty courts, similar to Drug Courts and Mental Health Courts, are known as Veterans Treatment Courts, and they provide an alternative to incarceration through treatment, accountability and structure, lasting for up to two years.

The courts partner with the Department of Veterans Affairs and the State of Texas to provide mental health treatment and support, and they offer case management and service coordination to support access to employment, education, housing and benefits counseling.

This is exactly what we need more of in Texas, and the public, along with lawmakers, ought to take note.

Nationally, Veterans Treatment Courts have shown a 98 percent success rate, helping veterans truly return home while reducing the human cost of war. Rates of national veteran incarceration have also declined since 2004, according to the Bureau of Justice Statistics, with one of the reasons possibly being Veterans Treatment Courts.

When 22 veterans die by suicide each day, we cannot ignore therapeutic, effective solutions as a positive alternative to more punitive measures.

Not only can Veterans Treatment Courts change the lives of veterans and their families, they can also produce cost savings for state and local governments. In Buffalo, New York, for instance, where the first Veterans Court began, city officials have reported cost savings in the thousands of dollars.

We don't know how these courts are doing in Texas, however, because funding to evaluate them is sparse and actual return on investment is yet to be understood. But similar specialty courts can save as much as \$27 for every \$1 invested, and whereas incarceration can cost \$22,000 annually for each individual, specialty courts cost about \$7,000 per individual (NADCP).

[http://starlocalmedia.com/mckinneycourliergazette/news/north-texas-gets-veterans-court/article\\_3b8e0112-87fe-11e6-9d6a-bf205d728205.html](http://starlocalmedia.com/mckinneycourliergazette/news/north-texas-gets-veterans-court/article_3b8e0112-87fe-11e6-9d6a-bf205d728205.html)

## North Texas gets Veterans Court

Chris Beattie, [cbeattie@starlocalmedia.com](mailto:cbeattie@starlocalmedia.com) Oct 1, 2016

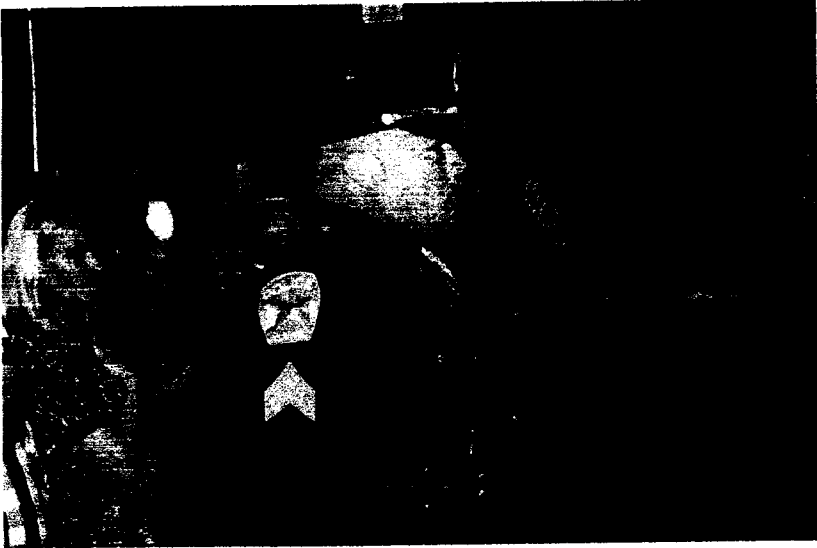


Photo courtesy of Rockwall County

The Rockwall Police Honor Guard presents the colors and stands at attention during a dedication ceremony for North Texas Veterans Court on Sept. 16 at the Rockwall County Courthouse. The court is the only one of 26 Veterans Courts across Texas that represents more than one county.

The first regional Veterans Court is officially in session.

A dedication ceremony for the North Texas Veterans Court was held earlier this month at the Rockwall County Courthouse.

The North Texas court is one of 26 Veterans Courts across the state and the only one that represents more than one county: Collin, Rockwall, Kaufman, Grayson and Fannin counties.

District Judge John Roach Jr., who rules on cases at the Collin County Courthouse in McKinney, will preside over the North Texas Veterans Court.

The court will serve as a pilot program for a unique court model that assists men and women who've served in the military.

"We couldn't let a veteran, because of a geographic line, not have a Veterans Court," Judge Roach said.

Veterans Courts work to divert veterans with service-connected mental health or substance abuse disorders out of the traditional court system and into highly supervised, long-term treatment and supervision.

Most Veterans Courts are operated by their respective county, if at all. State law allows the setup of Veterans Courts, but the state doesn't mandate or fund them, making it difficult for smaller towns to establish such a court, according to officials.

Thus, the regional Veterans Court model is most beneficial to rural areas.

The Sept. 16 ceremony began with the Presentation of Colors by the Rockwall Police Honor Guard. Sen. Bob Hall, a veteran, served as the keynote speaker.

Other local and state officials in attendance: Thomas Palladino, Texas Veterans Commission executive director; Joe Brown, Grayson County criminal district attorney; Jimmy Petty, Grayson County Veteran Services officer; Tim Hartley, Rockwall defense attorney; Kenda Culpepper, Rockwall County DA; Greg Willis, Collin County DA; Kaufman County Judge Bobby Rich; and U.S. Army veteran Colt Floyd.

During his speech, Palladino reminded guests of a quote by former President Theodore Roosevelt that well defines the purpose of Veterans Courts: "A man who is good enough to shed his blood for his country is good enough to be given a square deal afterwards."