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## Montgomery County (PA) Veterans Treatment Court Recognizes Unique Needs of Veterans

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There are currently more than 23 million veterans in the United States.<sup>1</sup> Studies have indicated that many of these veterans have symptoms of mental disorders (20 percent) or a substance abuse disorder (25 percent).<sup>2</sup> In 2010, veterans accounted for 20 percent of suicides nationwide, with incarcerated veterans being the highest risk.<sup>3</sup> Even though veterans are no more likely than the general population to get involved in the criminal justice system, research does seem to indicate that individuals suffering from PTSD are more likely to engage in violent criminal



behavior as well as get arrested for driving under the influence and weapons charges.<sup>4</sup> A recent study indicated that nearly 20 percent of the veterans who have served in Iraq and Afghanistan since 2001 suffer from PTSD.<sup>5</sup>

In addition, veterans are twice as likely as non-veterans in becoming homeless, with the best predictor of homelessness for veterans being criminal justice involvement.<sup>6</sup> Related to this is the fact that approximately 20 percent of the male veterans between the ages of 18–24 are unemployed.<sup>7</sup>

Even though the first veteran treatment court opened in 2004 in Anchorage, Alaska, it did not gain its momentum until 2008 when Judge Robert T. Russell started a veteran court in Buffalo, New York, in 2008.<sup>8</sup> Judge Russell indicated that he started the new specialty court after he noticed that veterans in drug court and mental health court responded favorably to other veterans.<sup>9</sup> The courts indicated that if they did not address the risk factors (substance abuse, homelessness, family and marital issues, unemployment, and mental health) there was an increased likelihood for recidivism.<sup>10</sup> As of early 2012, there are 88 established veterans treatment courts.<sup>11</sup>

Pennsylvania's Montgomery County Court of Common Pleas, recognizing the unique needs of veterans cycling through our criminal justice system, established a Veterans Treatment Court in 2011 to more effectively address and support our veterans. This court, under the direction of the Honorable William J. Furber, President Judge, represents collaboration between the Court of Common Pleas, the District Attorney's Office, the Public Defender's Office, the County Correctional Facility, the Adult Probation Office, the County Department of Veterans Affairs, and the United States Department of Veterans Affairs (VA). Through this collaboration, one by one, we attempt to eliminate the barriers facing our veterans through Court supervision by providing the necessary treatment and supervision supports for a successful graduation.

Montgomery County's goals for their Veterans Treatment Court are:

1. Connect veteran defendants with appropriate VA benefits, treatment, and support services (veteran-specific resources)
2. Reduce time spent involved with the criminal justice system
3. Decrease time spent in jail by moving defendants expeditiously into appropriate treatment settings
4. Promote employment and other evidences of recovery among defendants served by the Veterans Treatment Court
5. Re-establishing veteran defendants as productive members of their communities

Participation in Veterans Treatment Court is voluntary. The program consists of three phases, lasting anywhere from 18 to 24 months.

The Veterans Treatment Court will accept referrals from defense attorney, the jail, law enforcement, or the offender after criminal charges have been filed and the case has been forwarded to the Montgomery County Court of Common Pleas for further disposition. Referrals are also accepted for criminal defendants who are before the Court of Common Pleas for alleged violations of existing probation/parole sentences.

*When police officers identify a veteran that needs assistance in their day to day encounters, it offers an excellent opportunity to divert from the traditional criminal justice system. To overlook this referral possibility, we may lose the opportunity to address the veteran's need for treatment and support. We welcome any police officer's insight and referral to a local Veterans Treatment Court and Veteran Affairs Hospital. The application of these resources is another great tool for law enforcement to seek an appropriate disposition.*

Montgomery County Veterans Treatment Court Team is partnering with the Veterans Center to provide trainings and lectures for police officers and clinical staff to inform them of resources and services.

After application, the defendant is classified as "under consideration" for acceptance into Veterans Treatment Court. During this initial consideration period, the primary mechanism for supervision and compliance with recommended treatment will be the imposition of bail conditions.

When the defendant is formally accepted into Veterans Treatment Court, the defendant must enter a plea to certain agreed-upon charges. Thereafter, the defendant will proceed through the three phases of engagement identified in the Terms of Participation. Sentencing may be deferred pending completion of the Veterans Treatment Court program. Upon successful completion of the Veterans Treatment Court program, the defendant's charges may be reduced or dropped all together.

*Since it was established in 2011, the Montgomery County Veterans Treatment Court has diverted 18 veterans from the normal criminal justice system to a treatment court where their issues can be properly addressed.*

### **Conclusion**

Veterans Treatment Courts are still in their infancy, so the research is limited on the outcomes of these courts. A recent 2011 study by Widener University School of Law concluded that the recidivism rates of veterans treatment courts is similar or possibly lower than other specialty courts.<sup>12</sup> Research on other specialty courts (drug, mental health, and DWI) has shown their effectiveness in reducing future criminal behavior.<sup>13</sup>

For additional information on the Montgomery County (PA) Veterans Treatment Court, please contact: Stephanie Landes, Veterans Treatment Court Coordinator at 610-992-7733.

### **A Short Story**

The returning veteran served his country with two tours in the Iraq theater. He is a respected soldier that always did what was expected of him and had the camaraderie of his fellow soldiers. Returning to American soil, he had problems readjusting to civilian life almost immediately. He was marginally employed and drank daily—drinking with anyone that would drink with him. The drinking further complicated anger issues, which often led to conflicts with his roommates and others around him. He was a regular veteran who played Taps at funeral details, which only lead to increased alcohol consumption. His life was quickly spiraling out of control. Predictably, the incessant drinking led to his involvement with the criminal justice system; he accumulated his third DUI offense. Facing a lengthy jail sentence, he knew he needed help, so he turned to the one person he knew would help—his platoon sergeant.

When the sergeant and the veteran investigated what was available in the criminal justice system they discovered and applied for *consideration of* the Montgomery County (PA) Veterans Treatment Court. After the necessary psychiatric evaluations required by the Court, the veteran was diagnosed with Post Traumatic Stress Disorder and admitted to the Veterans Treatment Court. The Court was able to build supports, develop treatment plans, and strictly hold the veteran accountable to the overall approach to his recovery.

The veteran was able to avoid his jail sentence and instead attended the inpatient substance abuse and PTSD treatment that he needed. He now lives with his (sober) girlfriend, has started his own company, and has begun regularly attending a 12 step program. He has the support of the Veterans Court team, which includes the judge, his therapist, his probation officer, a district attorney, a public defender, and a mentor, as well as the other veterans in the program. He has an incredible relationship with his mentor. He still has some daily struggles, but now with the proper treatment and support, he knows that he can deal with them. The Veterans Treatment Court was able to help.

The COPS Office is supporting veteran reintegration through its FY12 CHP Program and its “Public Safety De-escalation of Military Veterans in Crisis” training program. This one-day training program, being delivered by the Upper Midwest Community Policing Institute in 15 regions around the nation, will offer instruction on specific verbal tactics and crisis management skills public safety personnel can use when they are out in the field and encounter incidents involving a military veteran who may be in distress. The goal of the training is to help de-escalate crises and minimize the use of force to handle tense situations affected by veteran reintegration. For more information on this training, visit <http://cops.usdoj.gov/outside.asp?http://www.umcpi.org> or contact Wayne Shellum at 651-917-2255.

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<sup>1</sup> *Veterans Treatment Court Studies and Statistics*. National Association of Drug Court Professionals <http://cops.usdoj.gov/outside.asp?http://www.justiceforvets.org/studies-and-stats>. Accessed 03/06/2012.

<sup>2</sup> Ibid.

<sup>3</sup> Rob Hotakainen. 2011. “Concern grows over ‘epidemic’ veteran suicide rate.” *The News Tribune*. Tacoma, Washington. May 6. <http://cops.usdoj.gov/outside.asp?http://www.thenewstribune.com/2011/05/26/1680716/concern-grows-over-epidemic->

[veteran.html#storylink=cpy](#). Accessed 03/06/2012.

<sup>4</sup> Holbrook, Justin, and Sara Anderson. 2011. *Veterans Courts: Early Outcomes and Key Indicators for Success*, Widener Law School Legal Studies Research Paper Series no. 11-25. Widener School of Law: 9 August 19.

<sup>5</sup> (The Honorable) Russell, Robert. *The Ten Key Components of Veteran's Treatment Court*. PowerPoint <http://cops.usdoj.gov/outside.asp?http://www.nadcp.org/sites/default/files/nadcp/A-21 - The Promise and Key Components of Veterans Treatment Courts.pdf>. Accessed 03/06/12.

<sup>6</sup> Russell, 5.

<sup>7</sup> Russell, 6.

<sup>8</sup> Holbrook, 4.

<sup>9</sup> Holbrook, 20.

<sup>10</sup> Holbrook, 21.

<sup>11</sup> U.S. Department of Veterans Affairs. "Vets in Crisis Get a Chance, Not a Cell." <http://cops.usdoj.gov/outside.asp?http://www.va.gov/health/NewsFeatures/20120216a.asp>. Accessed 03/08/12.

<sup>12</sup> Holbrook page 40

<sup>13</sup> Holbrook page 3

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