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EVALUATING THE NEED FOR GREATER FEDERAL RESOURCES TO ESTABLISH VETERANS COURTS

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND DRUGS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

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CONTENTS

STATEMENTS OF COMMITTEE MEMBERS

	Page
Specter, Hon. Arlen, a U.S. Senator from the State of Pennsylvania	1

WITNESSES

Altmire, Hon. Jason, a Representative in Congress from the State of Pennsylvania	2
Danny, Michael, Veteran Participant, Pittsburgh, Pennsylvania	12
McCaffery, Seamus, Supreme Court Justice, Supreme Court of Pennsylvania, Philadelphia, Pennsylvania	5
Mercer, Al, Executive Director, Veterans Leadership Program of Western Pennsylvania, Pittsburgh, Pennsylvania	10
Moreland, Michael E., Network Director of Veterans, Integrated Service Network 4, Veterans Administration, Pittsburgh, Pennsylvania	9
Murphy, Hon. Tim, a Representative in Congress from the State of Pennsylvania	3
Zottola, John A., Judge, Criminal Division, Court of Common Pleas of Western Pennsylvania, Pittsburgh, Pennsylvania	7

SUBMISSIONS FOR THE RECORD

Kerry, Hon. John F., a U.S. Senator from the State of Massachusetts, prepared statement	25
Mercer, Al, Executive Director, Veterans Leadership Program of Western Pennsylvania, Pittsburgh, Pennsylvania, statement	26
Moreland, Michael E., Network Director of Veterans, Integrated Service Network 4, Veterans Administration, Pittsburgh, Pennsylvania, statement	59
Zottola, John A., Judge, Criminal Division, Court of Common Pleas of Western Pennsylvania, Pittsburgh, Pennsylvania, statement	62

VerDate Nov 24 2008 09:06 Sep 23, 2010 Jkt 058005 PO 00000 Frm 00003 Fmt 5904 Sfmt 5904 S:\GPO\HEARINGS\58005.TXT SJUD1 PsN: CMORC

EVALUATING THE NEED FOR GREATER FEDERAL RESOURCES TO ESTABLISH VETERANS COURTS

MONDAY, MARCH 1, 2010

U.S. SENATE,
SUBCOMMITTEE ON CRIME AND DRUGS,
COMMITTEE ON THE JUDICIARY,
Pittsburgh, PA

The Committee met, Pursuant to notice, at 10:26 a.m., Courtroom 6A, U.S. District Court for the Western District of Pennsylvania, Hon. Arlen Specter (Chairman of the Subcommittee) presiding.

Also present: Representative Jason Altmire, Representative Tim Murphy.

OPENING STATEMENT OF HON. ARLEN SPECTER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA

Senator SPECTER. Good morning, ladies and gentlemen. The Judiciary Committee Subcommittee on Criminal Justice and Drugs will now proceed with the hearing on veterans courts.

I thank my distinguished colleagues, Representative Jason Altmire and Representative Tim Murphy, for joining me here today, making them ex-officio Senators, ex-officio members of the Judiciary Committee's subcommittee. And may the record show the unusual circumstance of having a Democrat and a Republican in the same field hearing.

We are taking up today the issue of veterans courts, which is an innovation, having started in—and being in operation in Allegheny County. It has the imprimatur of the Supreme Court of Pennsylvania.

We have a very distinguished panel. Justice Seamus McCaffery is with us today. He's had a very illustrious career. In the good old days when I was District Attorney, Officer McCaffery was with the Philadelphia Police Department. In—serving in Philadelphia—more complicated—official positions.

Judge John Zottola is now the presiding judge on the veterans court in Allegheny County, Common Pleas. He has a very distinguished record of being Assistant DA and he administered the court involving mental illness, and now is handling the court for veterans, in recognition of the need, really, to have a little specialized treatment when veterans have problems with post-traumatic stress syndrome, coming back from Iraq and back from Afghanistan, and from prior conflicts.

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Some issues have arisen as to whether veterans are entitled to this kind of elite treatment, special treatment. Some raise a question about it. My own view is that we owe a great debt to the veterans that we haven't begun to repay. I look back to my own childhood, when my father, Harry Specter, who was a veteran of World War I. The veterans of World War I—veterans had a march on Washington—speech—speaking of—since I haven't gotten it yet, I'm still waiting for—so we really have a great deal to pay our veterans.

We have with us today Mr. Al Mercer, the executive director of the Veterans Leadership Program of Western Pennsylvania, who provides housing, employment, and other supportive services to veterans. We have with us Mr. Michael Danny, a 46-year-old Vietnam, having served in the Marines for more than 4 years. We have Michael Moreland, from the Veterans Administration, a very distinguished administrator who has sat at this table as a witness in the past.

Now I'll turn to my distinguished colleague, Representative Jason Altmire.

STATEMENT OF HON. JASON ALTMIRE, A U.S. REPRESENTATIVE FROM THE STATE OF PENNSYLVANIA

Representative ALTMIRE. Thank you, Senator. It's good to see you and Representative Murphy. We have a bicameral, bipartisan delegation here, and that shows the importance of this issue. This is something that Pennsylvania has taken the lead in, due to the great work of Justice McCaffery and Judge Zottola and the others involved in this. I really appreciate you all being here to help tell the story.

What this field hearing is about is using the lessons that we've learned in the short time that we've done this in Pennsylvania and apply those across the country and hopefully grow this program, because we're talking about veterans who have experienced trauma, and acknowledging the unique circumstances that go into treating that trauma. When they find themselves, due to circumstances, in the criminal justice system, we need to find a way to recognize the unique circumstances that we're involved in in their treatment through veterans' programs.

We're going to reduce recidivism, which is critically important, and we're going to save taxpayers money by recognizing the unique factors that go into play. This is nothing that we can't do in an effective way, but we have to understand that the veterans deserve this. This is a program that's critically important, but this is by no means a freebie. This is something that veterans are going to be held accountable, they're going to be assigned a mentor, and they're going to have to go through, in some cases, some treatment. This is where accountability is the key here.

But finding a way to recognize the uniqueness of their circumstances, especially the combat-wounded veterans from Iraq and Afghanistan, and applying those lessons to that population to keep them out of the criminal justice system in the future and save taxpayers money. So I'm excited to hear the testimony of our witnesses, and look forward to taking those lessons back to Wash-

ington and thinking about how we can apply those lessons and implement these types of programs all around the country.

Thank you, Senator.

Senator SPECTER. Thank you very much, Representative Altmire.

We turn now to our distinguished colleague, Representative Tim Murphy.

Tim.

STATEMENT OF HON. TIM MURPHY, A U.S. REPRESENTATIVE FROM THE STATE OF PENNSYLVANIA

Representative MURPHY. Thank you, Senator, for holding this hearing, for inviting us, and thank you also for your ongoing commitment to our veterans. I appreciate that, especially because Pennsylvania is the fourth-highest State in the number of veterans in our Nation, and Allegheny County leads the State of Pennsylvania in the number of veterans, and we thank them all for their service.

But we have to recognize that the constant stress of battle wears on our soldiers and has own effects which last long after the bullets stop flying, and that many of our soldiers, sailors, airmen, and Marines continue to fight this silent battle within from the effects of combat.

It is a different kind of battle in Iraq and Afghanistan, where very often the enemy does not wear the uniform of an enemy, but slips back and forth within civilian clothing, hides behind mosques and hospitals and schools, and women and children, and it leaves our soldiers constantly vigilant out there and wary of what may happen.

Thankfully, advances in medical technology, in armor technology, and in medicine have more soldiers surviving battlefield injuries and returning home, but the repercussions that these men and women have create increased risk for other issues, particularly in the mental health area. Nearly 20 percent of veterans returning from Iraq and Afghanistan, according to a Rand study, about 300,000 in all, report symptoms of post-traumatic stress disorder or major depression, yet few seek the treatment they need. The incidence is higher in combat soldiers, but it affects soldiers, sailors, airmen, and Marines in all branches.

As part of a *New England Journal of Medicine* study, interviews with soldiers revealed that only 23 percent—40 percent seek professional help, most because they fear it will hurt their military careers or they have not had a push from mentoring from above to change that.

There have been some changes, however, from the Chairman of the Joint Chiefs of Staff, Admiral Mullen on down, and the Pentagon Center for Excellence for Psychological Health and Traumatic Brain Injury, although they estimated that 360,000 soldiers may have suffered at least a mild traumatic brain injury while serving in Iraq and Afghanistan, and aren't getting any help.

But we have to make sure the help is beyond that of just providing some counseling and some medical treatment while they're in a theater of combat or while they return. We also have to recognize that post-traumatic stress, post-traumatic stress disorder, post-combat trauma stress disorder, and combat stress reactions

are normal reactions to extremely abnormal circumstances. We cannot see them as a weakness among any of our military. We have to recognize them as sometimes the sad part of battle, but we have to work at helping in the long run.

I know from my own work as a Lieutenant-Commander in the Navy Reserve at Bethesda National Naval Medical Center, I see these patients firsthand. When I leave here today, I'll soon take a flight back to Bethesda to do my bi-monthly drills there, and I know once again I'll see these soldiers, sailors, airmen, Marines who have the traumas of which we speak. Perhaps it will be a soldier, when I see him, he'll have anger in his eyes, wanting to leave his branch of service, frightened, worried, but not wanting to talk about it.

He'll avoid getting help and go home to his family, who will try and be supportive of him, but over the weeks, as nightmares and stress take their toll, does he find himself waking up in the middle of the night or early in the morning to go on patrol in his neighborhood, we will see someone who may turn to drugs or alcohol, or losing his job or losing his family.

Perhaps it will be the soldier that I know who has significant damage from an IED going off and taking out a significant portion of his frontal lobe, with that his executive functions, his ability to manage and reason in his own way. If you were just to talk to him, you may not know that he has these problems, yet time and time again, so many soldiers go home and find themselves with impulsive behavior when they are not supervised, and then reaching into the medicine cabinet without thinking, grab a handful of drugs, or go off to a store and buy some things they shouldn't be buying, or get behind the wheel of a car and drive 100 miles an hour down the highway, perhaps have an accident, and a police officer sees the Purple Heart license plate and lets them off the hook.

We cannot have that for our military. We must make sure that we have a justice system that understands their problems and not coddles them, but works with them. They are surrounded by mentors who understand service men and women and the strength it takes to overcome this battle within. We have to understand also that we simply do not have the personnel to handle the severity and the volume. We don't have enough trained psychologists, social workers, psychiatrists, or mental health personnel trained in combat and veterans' mental health. We have a lot of needs out here, and one of those places it needs to start is here in the veterans court.

Again, Senator, thank you so much for having this hearing. I look forward to hearing the testimony and to enlighten this community with what we need to be doing to help make sure our soldiers are welcomed home.

Thank you.

Senator SPECTER. Thank you very much, Representative Murphy.

We now turn to our first witness. It is the remarkable stature of the veterans court that we have a justice on the Supreme Court of Pennsylvania who is with us here today. Justice Seamus McCaffery was elected to that position in 2007. He had previously served on the Superior Court, the next level of appellate courts, he had been on the municipal court and he became famous in a curi-

ous way: he presided on the so-called Eagles court, where there was a special court set up at the Veterans Stadium to handle unruly Eagles fans. So he had a very large backlog that he had to work with at that time. On snowy days, Eagles fans were notorious for pelting the players. Prior to his judicial experience, he had been a Philadelphia police officer from 1970 to 1989.

He's a graduate of the undergrad program at LaSalle, has a Temple law degree. He was a Marine during Vietnam, and retired as a Colonel in the U.S. Air Force Reserve after 40 year of service. With all of the military talk and veteran talk, I think it not inappropriate to comment that I am a veteran, having been in the United States Air Force, stateside, during the Korean War.

Justice McCaffery, it's an honor to have you here, and we look forward to your testimony.

STATEMENT OF HON. SEAMUS MCCAFFERY, SUPREME COURT JUSTICE, SUPREME COURT OF PENNSYLVANIA, PHILADELPHIA, PENNSYLVANIA

Justice MCCAFFERY. Thank you, Senator. Representative Altmire, Representative Murphy, thank you again so much for conducting these hearings.

Senator, you and I go back well over 30 years and I remember, I know firsthand your commitment toward the veterans' community. That's why, when I received the call, would I be willing to come to Pittsburgh today for your hearing, I jumped at the opportunity.

Let me start out by saying that I am an immigrant. I was born in Belfast, Northern Ireland. There are no veterans in my family. In 1968, I joined the United States Marine Corps and I traveled to Parris Island, South Carolina, where I was put into a platoon. It was called the Pittsburgh platoon. There were 80-some young men that were sworn in at Forbes Field, right here in downtown Pittsburgh. It was the first time, quite frankly, I ever heard the word "youths".

I was, at that point in my life, struck by the incredible amount of patriotism coming out of Southwestern Pennsylvania, and that's why, Representative Murphy, it does not strike me as unusual to find out that Allegheny County was the number-one county in Pennsylvania for veterans, surrounding the—Washington——

Having joined up in 1968, Senator, I spent 40 years in the military, starting as a private, and retired last year as a full Colonel. During that span of time, I was honored to meet World War II veterans who were coming to the end of their careers back in the late 1960's, Korean War veterans, Vietnam veterans, all the way up, and including, the current conflicts: Desert Storm, Desert Shield. I was personally activated during 9/11 and sent to—Air Combat Commend headquarters in Langley, Virginia, where I had the opportunity and privilege of serving with veterans from both Iraq and Afghanistan.

The common thread throughout my 40 years of service was seeing so many of these veterans who suffered. They suffered that hidden wound, if you will, what we refer to now as post-traumatic stress disorder. The World War II veterans called it shell shock, but we now know it's post-traumatic stress disorder.

As a Philadelphia police officer, so many times I dealt with people with mental illness, and so many of those people who suffered from mental illness were veterans. We would see them self-medicating on the street corners, buying drugs, alcohol, and they got into domestic violence cases, suffering, again, from post-traumatic stress disorder, the hidden wound that we see so frequently.

We have a Supreme Court Chief Justice right now, by the name of Ronald G. Castille. I'm sure everybody knows that the Chief Justice lost his leg on his 23rd birthday as a platoon commander in Vietnam. Chief Justice Castille is an ardent supporter of this concept of supporting our veterans. The Chief Justice and my colleagues on the Supreme Court are strongly in support of this.

One of the things that I learned, both throughout my campaigns across Pennsylvania, as well as my time as a trial judge, was that our veterans who do suffer end up in the courtrooms, and we quite frankly had nothing we could do with them because, Senator, Congressmen, just like everyone else in this country right now at both the Federal and State levels, our court systems are suffering—and I say "suffering"—from budgetary issues.

Every time we assign a judge to these various programs, it takes away court staff, court personnel, probation/parole officers, and judges from their normal duties. Some court programs, some court jurisdictions are requesting to open up so-called specialty, or problem-solving, courts. Through the leadership of our State Senator, Jane Orie, as well as Senator Costa, Senator Greenleaf, and Senator John Rafferty, they have created in Pennsylvania legislation that allows the creation of problem-solving courts, specialty courts.

Upon my election to the Supreme Court over 2 years ago, I approached the Chief Justice and suggested that we open up our own State-wide courts dealing with those, and I was asked to go to Washington, DC to meet with the Veterans Administration leadership. Because Pennsylvania has a unified judiciary, we were able to put together programs throughout Pennsylvania to help our veteran community.

We started here in Pennsylvania with Judge John Zottola, sitting to my left, an outstanding jurist, and have an outstanding program. We moved on to Scranton. We now have it in Philadelphia. But one of the things that we're trying to do right now is make this happen throughout Pennsylvania because our veterans do need the kind of support that we are willing to give them, and with your help and with your support, Senator, I know we can make this State and this great country of ours show we care about our veterans.

And as an aside, my last assignment was at the Department of Homeland Security. I worked with the Pennsylvania National Guard. Those Guardsmen and women come back home from the fighting, and oftentimes they're putting on their police uniforms, their firefighter uniforms, they have truck driver jobs, whatever, and that money—they're back to work and they're not afforded the opportunity to really get back to society, and we see them so often in our courts as the result of, again, self-medication, as well as an extension of alcoholism.

So again, I want to thank you, and I'm here to answer any questions you may have.

Again, Senator, Congressmen, thank you so much for your help.

Senator SPECTER. Thank you very much, Justice McCaffery.

We now turn to Allegheny County Common Pleas Judge John Zottola, who is in the Criminal Division of the Court of Common Pleas. He serves currently as the supervisor of the Allegheny County Mental Health Board, and also the county's first veterans court.

Judge Zottola was an Assistant DA from 1982 to 1989. He took that position shortly after graduation, graduating from the University of Pittsburgh Law School.

Thank you for the outstanding work you're doing, Judge Zottola, and the floor is yours.

STATEMENT OF HON. JOHN A. ZOTTOLA, JUDGE, CRIMINAL DIVISION, COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PITTSBURGH, PENNSYLVANIA

Judge ZOTTOLA. Thank you, Senator. Senator Specter, Representative Altmire, Representative Murphy, thank you for the opportunity to appear before this panel. My name is John A. Zottola. I'm a judge in the Criminal Division of the Court of Common Pleas of Allegheny County.

I've been supervising judge of our county's mental health treatment court since March of 2006. Recently I was assigned to supervise our newly created veterans court. The court was created based on a recognition of the tremendous sacrifices made by our veterans for the safety, freedom, and liberties of their fellow citizens and the special circumstances that may exist when a veteran finds himself or herself in the midst of the criminal justice system.

These special circumstances combined with successes that are achieved in a treatment course, such as mental health, drug, and DUI—establishing an avenue to deal with the veteran's issues in the criminal justice system, while being mindful of the need for public safety.

A joint task force was co-chaired by Justice Seamus McCaffery and VISN Director Michael Moreland to address the needs of Pennsylvania veterans within the criminal justice system. Its inaugural meeting was held on February 3, 2010 in Harrisburg, Pennsylvania. The task force—on the need to divert and treat, with regard to public safety, those veterans at various stages of the criminal justice system was agreed upon.

What they decided to do, was to use the highly successful sequential intercept model that is successful in mental health courts, and that is to determine where in the criminal justice system can you successfully divert someone, with the eye toward public safety. That's been developed with respect to veterans court.

My experience has been mostly with mental health court. In our mental health court, it diverts at the third stage, and that is at the Court of Common Pleas. It's different than traditional judging. In traditional judging, you see almost a vertical approach toward judging, where appearing before the court is at the top of the pyramid.

With respect to mental health courts and treatment courts, it's more of a horizontal approach, where there is a team approach where the judge is, if necessary, a speed bump in the decision-making process. The team approach takes the presence of the Dis-

trict Attorney, the Public Defender, Human Services individuals, probation officers, and the team decides what is the best treatment for this particular individual.

We have with us here today one of the members of our team, and that is Deb Barnison-Lange, who is from the Allegheny County District Attorney's Office, and she's sitting here behind me. We found that our team approach has been very successful. Mental health court, as well as veterans court, we found is going to be the right thing to do because the catch-and-release system, where they keep catching individuals that find themselves in the criminal justice system, release them, only to be re-arrested and re-incarcerated, isn't working. So diverting them in treatment is, one, the right thing to do.

The Rand Corporation was commissioned to do a study on our county's mental health court. Over a 2-year period of time, they found that the mental health court, by diverting as opposed to re-incarcerating, saved Allegheny County $3.6 million over that 2-year period of time, so it's the right thing to do and it saves money.

The third point is that our recidivism rate internally is determined to be about 15 percent, so it's the right thing to do, it saves money, and it works. We hope to be able to model our veterans court—and we modeled our veterans court—after the mental health court, but we need resources to be able to handle extra prosecutors, extra judges, as well as extra Public Defenders, probation officers, and that really is a critical and crucial need, as well as the need to have an individual that can coordinate the resources that are available, and each of the other courts have provided these resources for veterans.

Like Justice McCaffery, I am here to answer any question that you may have. I think what is an important piece that we're finding in mental health court, as well as in veterans court, is going to be the peer mentor aspect. The ability to have someone in the courtroom that has been there, done that, and can be able to, if necessary, coerce a veteran having to do what they need to do in terms of treatment, in terms of taking their medication, to be there to support the veteran, that's an important component and that's something that needs to be recognized.

A very important ally that we have in veterans court is going to be the VA, and the VA has been very willing and very agreeable in being a partner with the courts. It's the first time that those two entities have really worked together, and I see that that will be a very important partnership, an effective partnership, for our veterans.

Thank you very much.

Senator SPECTER. Thank you very much for that, Judge Zottola.

Our next witness is Mr. Michael Moreland, Network Director of VA Healthcare VISN 4. He has been with the Department of Veterans Affairs since 1980, the illustrious date. That's when I was elected to the U.S. Senate. He had very, very extensive service. He has, in his current capacity, the health care system for about 1.5 million members throughout Pennsylvania and Delaware. It's comprised of 10 centers, 45 community-based outpatient clinics, which gives him quite a reach.

He received his Bachelor of Arts degree from the University of Maryland in 1978, and his master's degree in Social Work also from the University of Maryland in 1980.

What we'd like you to describe for us today, Mr. Moreland, is exactly what you see the Veterans Administration undertaking how that fits in with those veterans who are called in to criminal court, and how the so-called veterans courts integrate with your line of work.

STATEMENT OF MICHAEL E. MORELAND, NETWORK DIRECTOR OF VETERANS INTEGRATED SERVICE NETWORK 4, U.S. VETERANS ADMINISTRATION, PITTSBURGH, PENNSYLVANIA

Mr. MORELAND. Yes, sir. I will do that. Thank you, Senator Specter, Representative Altmire, Representative Murphy, for this opportunity to talk to you a little bit about the things that are going on in the VA. To respond to your question, sir, as you mentioned, the part of the VA that I oversee has eight hospitals in Pennsylvania, so I'll keep myself to Pennsylvania today.

But it fits into the overall context of what the VA is doing because, No. 1, we're trying to reach out and find veterans. There are veterans out there, unbelievably, that still don't know that they have service and eligibility with the VA.

So we're out, reaching out to veterans everywhere we can go to find them, and one of the places that we've been very honored to work with Justice McCaffery and Judge Zottola here in Pittsburgh, and of course, Judge Marsha Nefeld in Philadelphia has done a fabulous job as well, and so we're reaching into the court systems to find veterans that need our services, too. So it fits into the context of the VA because, under the public law, we're supposed to be out there talking to veterans in the court, and we're doing that.

So in the hospitals that we had in Pennsylvania, we had a Veterans Justice Outreach Coordinator at each one of our hospitals. They are talking to the court systems in their local community, making sure they're connecting with the court so that the court knows about our services.

And in the veterans' court systems, like in Allegheny County, and Philadelphia, and Lackawanna up near Scranton, we actually have VA staff who are attending the court with the court, talking to the veteran in the court and making sure that the veteran has an opportunity to find out about VA services. Again, Senator Specter, we've found veterans going into the court system who may be facing a DUI, may be facing domestic violence. They've never been to the VA, don't know they have VA eligibility.

By us reaching out into the court system, we've been able to find those veterans, connect them with the VA. Sometimes they find out that they have eligibility for financial assistance, sometimes they find out that they're eligible for health care, and it may include medical, surgical, and psychiatry care, to include substance abuse and PTSD treatment.

So I'm very pleased to have had the opportunity to serve with Justice McCaffery on the State-wide task force and the wonderful work we've been able to do to hold people together, to talk about this very important issue. We are starting to already see veterans come into the VA that otherwise I don't think they would have.

Senator SPECTER. Thank you very much for your testimony, Mr. Moreland.

We turn now Mr. Al Mercer, executive director of the Veterans Leadership Program of Western Pennsylvania. He's had that position since June of 2007. The VLP provides housing, employment, and other supportive services to veterans and their immediate families.

Mr. Mercer served 22 years in the Navy as an enlisted man, a commissioned officer, and did two tours at the Pentagon. He has a master's degree in Health Management Services and a bachelor's degree in Health Care Services.

We appreciate your being here, Mr. Mercer, and we look forward to the testimony.

STATEMENT OF AL MERCER, EXECUTIVE DIRECTOR, VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA, PITTSBURGH, PENNSYLVANIA

Mr. MERCER. Thank you, Senator. Good morning. My name is Al Mercer. I'm executive director of the Veterans Leadership Program of Western Pennsylvania. We have proudly served those who have served and sacrificed on behalf of us all.

Senator SPECTER. Senator Strom Thurmond, who used to preside at these hearings, under these circumstances, would say "pull the machine a little closer".

[Laughter.]

Mr. MERCER. Thank you, Senator.

We have proudly served those who have served and sacrificed for us all since 1982. Thank you for the opportunity to offer testimony on the very important topic of veterans court. I would like to thank State Representative Don Walko, Judge Mike McCarthy, Judge John Zottola, Mr. Moreland, and the VLP board of directors for their leadership in bringing this issue forward locally.

My special thanks goes to my staff at VLP for stepping out in support of veterans encountering the criminal justice system. The VLP staff operates on the front lines every day in this community, serving veterans in crisis and embracing our commitment to support all veterans with unwavering dedication, no matter their situation or circumstances. This thank-you is also extended to our 20 volunteer veterans who have stepped forward to help their comrades.

While it is clear that the overwhelming majority of veterans are law-abiding citizens who have not run afoul of the law, there are many factors that contribute to the need for a veterans court.

First, of the 300,000 veterans residing in Southwestern, Pennsylvania, this region has one of the highest per-capita concentrations of veterans in the United States.

Second, from the 67 counties in all of Pennsylvania, Allegheny County is ranked No. 1 in the State, with over 3,100 Iraqi and Afghanistan veterans, and as ranked in the Navy, 45th in the country out of 3,218 counties. That is extraordinary, given there is no major military installation in this region.

Third, an even more rapidly changing economy is present today than there was when the Veterans Leadership Program was founded in 1982 when our steel mills were closing.

Fourth, the unemployment rate for Iraq and Afghanistan veterans is 21 percent higher than the rate for all Americans.

Fifth, misplaced stereotypes for veterans' fitness for employment have been reported and are on an increase.

Sixth, veterans represent a disproportionate share of this country's homeless population. At VLP, our housing programs remain full. Our waiting list is as long as it has ever been, and we are the largest provider of subsidized housing to homeless veterans in the region.

Seventh, more frequent and longer deployments by members of the National Guard and Reserve are now the norm. To put this in some perspective, the Pennsylvania National Guard is experiencing its largest deployment since World War II, and the Army reported in January 2010 that over 13,000 soldiers had now spent three to four cumulative years at war. That is longer than the entire duration of the Korean War.

Eighth, the tremendous and all-too-familiar readjustment, reintegration, and post-deployment mental health problems faced by 20 to 50 percent of the nearly two million military personnel deployed present this community, and our country, with extraordinary challenges for years and decades to come.

Finally, regarding the all-too-often forgotten families of those who serve, wives of soldiers sent to war suffer significantly higher rates of mental health issues than those whose husbands stay home, up to 24 percent higher rates of depression. It is clear that when a service member deploys, the entire family deploys with them and they face their own unique challenges.

In summary, it is clear to me that unemployment, homelessness, and incarceration increase the risk of each other, and are exacerbated by these other factors.

Veterans court can help. With a focus on tempered justice, treatment and guided rehabilitation versus punishment, veterans court offers real opportunities to stop a downward spiral for many veterans and their families. Veterans court is modeled after successful alternative sentencing and jail diversion programs, like Allegheny County's mental health court, that dramatically reduces recidivism and saves money.

The Rand study that Judge Zottola referred to points to a key ingredient in implementing a success veterans court program. It must, in my view, be court-directed and community-based. Only an integrated, coordinated, multi-system stakeholder approach with clarity of purpose and unity of effort that places the veteran defendant at the center will be able weave a safety net that ensures that no veteran slips through.

I am confident that this approach can actually be extended to a preventive model that reaches those at risk before they encounter the criminal justice system. While there have been discussions on veterans court in Allegheny County for some time, a concerted effort began in January 2009 to get things moving. Just 10 months later, on November 10, 2009—which, by the way, was the Marine Corps birthday and the day before Veterans Day—the first veterans court was held in Allegheny County.

The Veterans Leadership Program provides volunteer mentors. Mentors are another key ingredient in a successful veterans court

program. They act as coaches, advocates, and role models to guide and support the veteran offender. Mentors listen to concerns and make general suggestions to the system to determine the defendant's needs. Veterans will talk to other veterans; that bond breaks down barriers.

I understand there is opposition to this concept, but I believe veterans do deserve special treatment for their service. The evidence suggests that diverting eligible veterans from the criminal justice system and providing intensive, integrated, court-directed community-based treatments offers far more hope in improving the lives of individual offenders, their families, and the welfare of the larger community. Veterans court is not a get-out-of-jail-free card, it is an intensely supervised program of treatment and rehabilitation.

VLP is representative of the many community-based organizations throughout the country that serve our Nation's heroes and their families. Sadly, we are all experienced and witnessing firsthand every day the tremendous challenges and struggles faced by those who have served and sacrificed on behalf of us all.

Veterans court is an opportunity to give our heroes a chance to be safe, to recover, and to live their lives with respect, dignity and peace. We owe them that opportunity, and I urge you to support legislation to help create veterans courts across the country. We owe our veterans nothing less.

Thank you again for the opportunity to come down and testify.

Senator SPECTER. Thank you, Mr. Mercer.

Our final witness is Mr. Michael Danny, a 46-year-old veteran who served in the Marines for 4 years. He currently works as a roofer. According to the information provided, he began drinking when he was a Marine and has had a problem with alcohol. He has a DUI, driving under the influence, conviction. He was involved in a series of domestic incidents. He was referred to the veterans court. Since being referred to the court, he's had a clean record and has stopped drinking. He has had no further problems on the domestic relations side.

Mr. Danny, thank you for coming and sharing your experiences with us. I have made a couple of brief comments about your record, with your permission, but we would like to hear from you more about your own personal experiences as a Marine, what kind of problems that caused you which originated from having that type of duty, and what happened with respect to drinking and what happened with respect to charges of domestic abuse, and how you've dealt with that in the veterans court and how you've handled it.

So, I look forward to the testimony.

STATEMENT OF MICHAEL DANNY, VETERAN PARTICIPANT, PITTSBURGH, PENNSYLVANIA

Mr. DANNY. Thank you, Senator. I was in the Marines from 1984 to 1987. I was in the Fleet Marine Force overseas, Med cruises, twice. This is kind of hard for me. I don't have any papers here or anything. But I think this program is——

Senator SPECTER. Did you develop a drinking habit in the service?

Mr. DANNY. Yes. Yes, I did. Actually, I was young. That's basically when I started drinking. I'm not blaming the Marine Corps for my habit.

Senator SPECTER. And when you left the Marines, did the drinking problem persist?

Mr. DANNY. Yes.

Senator SPECTER. According to the information we have, you had certain problems domestic relation-wise. To the extent you care to, tell me about that as to the nature of your problem which you have overcome. We'd be appreciative.

Mr. DANNY. I was in court. I was charged with aggravated assault and it was alcohol related. I had an option to go through the veterans court. I personally think that it would be good for the veterans. I mean, they've done a lot for us. At least you could do that for them. It gives them another option, other than just going to jail.

Senator SPECTER. You say other options other than just going to jail. What kind of options do you have?

Mr. DANNY. To actually get help with my problem of alcohol through the VA.

Senator SPECTER. What did they do, specifically?

Mr. DANNY. A lot of classes. Education, in that respect, how alcohol relates to you and your family.

Senator SPECTER. Have you been able to lick your drinking problem?

Mr. DANNY. Without a doubt. It doesn't even bother me.

Senator SPECTER. I don't understand.

Mr. DANNY. Alcohol—my using alcohol, doesn't bother me at all.

Senator SPECTER. You haven't used it since how long?

Mr. DANNY. It's been since November.

Senator SPECTER. Uh-huh. Do you think you're over the hump?

Mr. DANNY. I hope so. I haven't given it another thought.

Senator SPECTER. Uh-huh. Well, good for you.

How about with respect to the domestic issues?

Mr. DANNY. My wife's very happy—she's sitting right behind me—as far as I understand.

Senator SPECTER. May the record show that the beautiful young woman is nodding in the affirmative.

What's that on your tee shirt?

Mrs. DANNY. Gateway. Gateway Basketball.

Senator SPECTER. OK. Gateway Basketball. I just want to be sure I've identified the right woman.

[Laughter.]

Senator SPECTER. Well, thank you very much for sharing those experiences with us.

Judge ZOTTOLA. Senator, if I may add to Michael's testimony, his wife, who is sitting in the first row next to the prosecutor, Deb Barnison-Lange, did call the prosecutor. In the case of the prosecutor, she thought this would be the best thing for her husband. The smile that was on her face in the back of the courtroom the first day that Michael would be the first individual in mental health court—or mental health veterans court—entered the court, it was just—it was just beaming. I talked with her this morning. Everything has been going well.

I asked her how she's doing, not in Michael's presence, and she's quite candid that he's doing well. And a little bit of an aside. Michael is a roofer, and given the recent snows that we've had, he's been very, very busy. So he took the day off from work today, when he's not being paid.

Michael is due in veterans court on Wednesday for a review as to his progress. He said to me, "Judge, do I have to come in on Wednesday?" I said, "No, Michael. I'm seeing that you're doing well here today. You go to work on Wednesday. You have to put food on your family's table, that's more important." So that's kind of a different approach.

In a traditional approach, we might have said, "Michael, you've got a court date, you've got to be here". Today, I see he's doing well. There's no reason for me to interfere with his life any further at this point, other than till his next review hearing. I said, no, you should be able to go to work, you should go to work. He's our first in a very successful veterans court story.

Senator SPECTER. I want to thank you for coming in and sacrificing your day's work here. It looks like you just made it up.

Mr. DANNY. Thank you, sir.

Senator SPECTER. So—like Judge Zottola.

We will now proceed with a round of questions with each of us here on the panel taking 5 minutes.

May I begin with you, Justice McCaffery.

Justice MCCAFFERY. Yes, sir.

Senator SPECTER. There has been a complaint made about undue favoritism for veterans, that it is excessive, it's not something that ought to be given to veterans over other people. How would you respond to that?

Justice MCCAFFERY. Well, Senator, as I mentioned earlier in my opening, this is not special treatment. This is a continuation of treatment of a wound. We see people die in action, we see people lose limbs in action, but what we don't see is the mental impact, the actual cognitive impairment, the pain and stress that they're under. We feel personally that they deserve medical treatment because it's an illness. No matter what anyone says, it is an illness.

When an individual is brought into the veterans court program, unlike the standard court programs where they are basically represented by the public defender or a defense attorney and they are prosecuted and they end up getting a criminal record for whatever, in this particular concept the Veterans Administration steps up to the plate.

Mr. Moreland's folks have been absolutely magnificent in all the work. The VA is in the room. The VA representatives are there to identify those people to give them the type of treatment that we at the State level do not have. By that, I mean the Department of Public welfare—they are overburdened in and of itself.

When we now have the opportunity to bring in a Federal asset, the Veterans Administration, with their hospitals and all the other benefit programs that come along with it and their staff members to help out that veteran, we are essentially, as Judge Zottola put it, taking them out through that sequential intercept model, getting them the treatment that they need. And by the way, it's not just mental illness treatment. If they're homeless, we're getting

them housing. The Veterans Administration provides housing, medical, physical, job training.

Just last week, the veterans court coordinator for Philadelphia County, John Moskowitz, had a meeting with the members of the Philadelphia Bar Association, their veteran attorneys, to also offer their services, for example, if veterans have problems with their mortgages, on the sale side, this is just the court's way, our way, of giving back to these men and women who suffered as a result—as a direct result—of their service to our Nation. So it's not like they're getting any special treatment. They are getting special consideration because of a service-related injury, which I feel personally is something that they deserve, and we as a State, we as a community, should give them.

Senator SPECTER. Thank you, Justice McCaffery. That is a brilliant reply to that issue.

Judge Zottola, let me pick up on the issue of the kinds of offenses that the court handles. Up till now, as I understand it, they've been handling lesser offenses, minor kinds. The issue has arisen as to whether the veterans courts ought to handle violent crimes. Having been very deeply involved with this, along with the mental health issues, a related field, what's your sense as to how far the jurisdiction of the veterans court ought to go with respect to the seriousness of the offense?

Judge ZOTTOLA. In the team approach, the treatment court approach to solving these problems, the District Attorney is a very important part. They essentially act as the gatekeeper because they have to be a willing partner here. Their duty is to be mindful of protecting the public.

What we've been able to do with our mental health court, and what we hope to do with veterans court, is expand the type of crimes that we can have that would be eligible for this court. As we've done so and the District Attorney has seen the successes, they've been more and more willing to go from adding just misdemeanors to misdemeanors and felonies. We now have burglaries and arsons in our mental health court.

Senator SPECTER. You have arsons?

Judge ZOTTOLA. Yes.

Senator SPECTER. That's pretty serious, I guess.

Judge ZOTTOLA. Yes, sir.

Senator SPECTER. How about robbery?

Judge ZOTTOLA. We've had some robbery cases in there. There are robberies, and there are other robberies. A robbery where someone does it at gunpoint, it's going to be more problematic. We take the approach in mental health court, and that's what we'll take in veterans court, is that it depends. It really depends on the particular circumstance of the individual. So I see expanding in veterans court as we have, with respect to mental health court, into more and more serious cases. There are some that will never be eligible.

There are some cases that the person is just too dangerous and the circumstances are too dangerous. We attempt to address that on a case-by-case basis. There are no hard-and-fast rules precluding many cases. I can see, for example, if someone is charged with homicide, I can see that those are the type of cases where

public safety is just going to—so you cannot put that person into a veterans court situation because the charge is just far too serious.

Senator SPECTER. Even involuntary manslaughter?

Judge ZOTTOLA. I think, depending on the circumstances, given the forward-looking position our District Attorney has taken, they would sit at the table and talk about it. They clearly would.

Senator SPECTER. More volatile hot-blood killings?

Judge ZOTTOLA. They would sit at the table and talk about it. I can't say for certain, Senator, whether or not—because if they object, sir, I think the problem is going to be that the court will then deteriorate, because you need them as the gatekeeper, to be willing to accept certain cases into the system.

Senator SPECTER. This is just a little shop-talk between two ex-Assistant DAs, you and me, Judge Zottola.

Judge ZOTTOLA. Yes, sir.

Senator SPECTER. That's why we really have interesting work to do, not all this administration, right to trial.

The red light is on. Let me yield now to Representative Altmire.

Representative ALTMIRE. I want to thank all the witnesses for your compelling testimony, and especially Mr. Danny. It is not easy, to come with the cameras rolling, to tell your story in a setting like this. We truly appreciate your service to the country and the fact that you took the time from your day to be here today.

Mr. DANNY. Actually, I'm honored, if it represents all the veterans.

Representative ALTMIRE. Well, it made a big difference to have you here. Thank you.

I wanted to ask Mr. Moreland in particular, given your experience, do you believe, since your territory covers multiple States, that this is the type of program that would experience the same type of success in other States?

Mr. MORELAND. The success of veterans court really depends on being able to establish a partnership. Justice McCaffery and Judge Zottola and Judge Nefeld out in Philly, it's those kinds of personal relationships that really lead to success in this area. So, there are other States and other individual courts that have been having success. I think the really interesting thing about Pennsylvania is it's truly a State-wide effort. We're very successful in doing that. So, having people like Veterans Leadership, Mr. Mercer, and the courts work with us as partners has been a great part of the success.

Representative ALTMIRE. And Mr. Moreland, could you comment on how veterans are better served in this program locally versus the alternatives of the normal court system, where they would have a criminal record and go through that process?

Mr. MORELAND. Well, I think, as mentioned, one of the real benefits we have is that the VA has a very comprehensive medical, surgical and psychiatry treatment program, so allowing the veteran to access the benefits that they've already earned and already deserve is a piece of this program that I find so exciting, because there are those veterans sitting in the court system, and if they have to rely on the court's resources, they're sharing those resources with everyone else in the court system. This allows them to share the resources with the other veterans. Our services really are very, very good in this regard, so I'm real pleased about that.

Representative ALTMIRE. Mr. Mercer, your organization, of course, covers services for veterans of all generations, but I know you have particular expertise in your organization with Vietnam veterans. I wonder if you could comment on the experiences and the lessons that were learned with the return of the Vietnam veterans, and perhaps what we've learned with the Iraq and Afghanistan veterans, and how this system of court would have made a difference in the Vietnam generation and how we can apply those lessons moving forward.

Mr. MERCER. I think the fact that a majority of our clients are Vietnam-era veterans says a lot. Our housing programs—we have over 100 participants in housing programs, and many of them are Vietnam—most of them are Vietnam-era veterans. Our employment programs are all full as well, and most of them are Vietnam-era veterans.

I'm afraid that we're going to learn the same lessons over again the hard way and not take care of these veterans now when we can, before they become repeat visitors to our program. We've had veterans in our program for 20 years. I would love to put a sign up on our door that we've accomplished our mission and now we're done, that there are no homeless veterans, that veterans are employed, that veterans are not in a revolving door down at the Allegheny County jail, where the recidivism rate is over 60 percent. That's the goal, is to end that revolving door.

Representative ALTMIRE. Lastly, Judge Zottola, I wonder if you could comment, following up on Senator Specter's question to Justice McCaffery, on the concern that's been expressed about this being a different standard of justice somehow for veterans. Given the overall context with the courts, which you of course see every day, what is your view of that criticism?

Judge ZOTTOLA. Well, I think that the circumstances that the veterans find themselves in, and similarly to people with mental health and people that come into our drug court, they have an extra factor that's involved in their situation that may not be involved in many other people who find themselves in the criminal justice system. We are taking into consideration that circumstance, this particular trait, because you are a veteran. You are a veteran with post-traumatic stress. We are handling that aspect of how you found yourself in the criminal justice system.

For those who say that this is a special treatment, it is special treatment in that it is more difficult to be a veteran in veterans court, more difficult to be a mental health person in mental health court, because you're held more accountable. Rather than being seen by a probation officer once a month, you may have to come to court every other week to make sure that they're monitoring your particular situation. So for someone to say it's an easier time on probation, that's incorrect. It's actually a more difficult time on probation for the person in mental health and veterans court.

Representative ALTMIRE. Thank you.

Thank you, Senator Specter.

Senator SPECTER. Thank you, Representative Altmire.

Representative ALTMIRE. Senator.

Senator SPECTER. Representative Murphy.

Representative MURPHY. Thank you, Senator.

Just a few things to start off with. Justice McCaffery, how many people are we talking about, potentially, that we may need to serve in the Commonwealth that may have problems with the judicial system?

Justice MCCAFFERY. Well, right now, Congressman, we're looking at two component parts. One, again, is what's called the intercept model, which could vary depending on the county, of course. So as Allegheny County is No. 1, Philadelphia two, Montgomery three, it all depends on the number of arrests. I don't have the exact data with me of those individuals.

But there's a second component, Senator, which is the re-entry component, where we go and we actually identify veterans who are already in our State jails—not Federal, but State jails—and we're trying to identify those who suffer from PTSD. Those members—I believe Secretary Beard provided our State-wide task force where we're trying to identify them, get them out, and get them the treatment that they need.

Representative MURPHY. We're talking about thousands, though?

Justice MCCAFFERY. Yes.

Representative MURPHY. Thousands of veterans, et cetera.

And as this goes through, Mr. Moreland, as we're looking at the numbers—and you and Mr. Mercer answer this too—do we have enough providers to take care of the needs of this many veterans who may have traumatic brain injury, post-traumatic stress disorder, and common stress disorders?

Mr. MORELAND. That's always a challenging question. You and I have talked about this on a number of occasions. What I would say is, today we have sufficient capacity, but that's a changing situation. If we find more veterans, they can get connected with us. We just had several hundred veterans in the Philadelphia VA and in Coastal VA just this weekend, returning Iraq and Afghanistan vets, doing their post-deployment physicals.

We were having the Department of Defense and the VA do them at the VA hospital so we can better connect with those veterans. So as we find those veterans and get into an outreach program with the court and the jails, it will be a challenge for us to look at that. That's something we'll have to evaluate as we move forward.

Representative MURPHY. Mr. Mercer, do you think we have enough services, and are they coordinated?

Mr. MERCER. I believe we're on the ground every day out in the community. We're losing about—I believe that we are seeing way too many veterans in need of homes, in need of jobs, and in need of health care. One of the biggest issues we face, I think, is the disparate fiefdoms that exist among the veterans' groups, where I believe that we need to work better to get—there needs to be an integrated, coordinated approach to serving our veterans. The more we can do that, the better we'll be able to serve them and solve this problem.

Representative MURPHY. Mr. Danny, along those lines, I'm wondering, as you left the Marines, as you left your duty as a Marine and went into the community and began to experience problems, did you slip through the cracks? Have the cracks been identified? Were there people out there at the time? Before you got involved

with the veterans court, were there people out there trying to help offer assistance? Did you know your way around that network?

Mr. DANNY. Honestly, I had no—I knew where the Veterans Affairs—I never reached out. I was always trying to do it myself the best I could.

Representative MURPHY. And that didn't work out, did it?

Mr. DANNY. Obviously not.

Representative MURPHY. Yes, sir.

But let me just—as a person who is a psychologist, and as a person who's a public servant, and as a person who's a Reservist myself, I admire your courage for speaking out. I mean, one of the things that happens in any military unit, somebody at some point has to take the lead and stand up and say we've got a problem here and identify it. If you don't want to identify the problem, it's difficult. I know I once was treating a Marine who was a veteran of Operation Desert Storm—getting out—treatment. He finally came to terms with the issue.

He said, you know, I was trained really well as a Marine. I could take my gun apart and put it back together with a blindfold on. I could do all sorts of things. I could identify the enemy over the horizon, but I could never identify the enemy behind my own eyeballs. He came to terms with that, and I admire the courage to do that.

Judge Zottola, one other question. The mentors that we assign to work with veterans. Can you give us some idea of what their qualifications need to be? Do we have enough for them? What do they do? How does this differ from just a parole officer?

Judge ZOTTOLA. Well, the mentor component—the Veterans Leadership Program through Mr. Mercer is taking the lead in the mentor component. The theory behind the mentor is the ability to say I've been there, I've done that. I've done it, I understand what you're going through. Part of it is an education process. We have those type of mentors in mental health court because a consumer in that kind of court understands what the person is going through.

We have a series of qualifications that the Veterans Leadership Program has prepared for the mentors. Do we have enough? Mr. Mercer said this morning we have 20. Just to give you numbers, talking about numbers before, we started our mental health court in 2001 with 16 people for over 330 clients currently in mental health court. So that gives you a sense of where the numbers can take off, and I think the mental health population is far less than the veterans' population.

The numbers are both completely staggering, and we need as much assistance with mentors—and part of the mentor program needs to be the ability to compensate those individuals so that it increases their self-worth and increases their value to the community, but also recognizes that they're providing valuable service to the rest of us.

Senator SPECTER. Thank you.

Justice McCaffery, I know that you might want to expand on the previous answer.

Justice MCCAFFERY. Senator, two things. One, Infinity Broadcasting in Southeastern Pennsylvania, through the efforts of Mr.

Mark Rayfield, has offered public service announcements to reach out to the veteran community to cultivate more veteran mentors.

Two, Senator, your comment about violence in the courts—I should say, individuals arrested for violent acts. When I was at the Veterans Administration in Washington, DC, we had Supreme Court justices from around the country, as well as judges. The single component that came up of interest was, do we bring in people that are arrested for violent acts? As the Congressman pointed out, our veterans, our military, are trained to be violent. That's part of our job.

As a result of it, their training comes out when they're stressed. We're seeing, as these other judges and justices all stress, that you cannot have a veterans court program without bringing in individuals for violent acts, because that is a very large component of what they're seeing out there in their own districts.

Senator SPECTER. We have time for another round, but just 3 minutes for each of us.

Mr. Mercer, you made a comment about a preventative model. What did you have in mind on that?

Mr. MERCER. Senator, one of the things we're doing at VLP as a result of this initiative, we've been asked by the Allegheny County jail to come in and present programming to inmates in jail now. We've also been asked by an Allegheny County—another community—groups to get involved with the veterans before they enter the criminal justice system. I think that's the key to solving the problem.

Senator SPECTER. We'd be interested to know what you intend to pursue there. Prevention is certainly a laudable goal.

Mr. Moreland, I note that you are the head of the VA institutions in West Virginia, New Jersey, and Ohio, none of which have veterans courts. Are you going to push ahead to see if you can get some in those other States?

Mr. MORELAND. Yes, sir. Absolutely. We're meeting with different courts in each of those States, getting those plans pushed forward. Like I said, with Justice McCaffery, we've had such a good partner, that we've been able to push further ahead in Pennsylvania more quickly, but we are absolutely working in the other States as well.

Senator SPECTER. Mr. Danny, what is your evaluation generally of the advocacy and care services that you've gotten as far as the Veterans Administration?

Mr. DANNY. Very good. As far as this program, my honest opinion, I was in a class. I go to the VA one day a week for a class. This past week, we sat around a table and we talk about our problems. The instructor is very good. I think so, in my opinion. There's a guy there that's been in rehab 14 times. I was in shock. In my personal opinion about this program, it'll work if the individual wants it to work. I'm not saying—that's just my personal opinion.

Senator SPECTER. Let me ask both Judge Zottola and Justice McCaffery the same two-part question in conclusion. That is the desirability of having these veterans courts in other counties—see fit, depending upon the size of the county and——

And the other question relates to whether there can be a sufficient basis for Federal involvement, to have Federal courts—have veterans courts within the Federal system.

Why don't you start, Justice McCaffery.

Justice MCCAFFERY. I think, as I mentioned, the re-entry program concept could work in the Federal system. Obviously a Federal court—Federal prisons are, I believe, in my understanding, filled with a lot of veterans. They can create programs at that level to identify the veterans incarcerated in Federal State—I'm sorry, in the Federal prisons and get them out.

As far as Pennsylvania is concerned, there are 17 mental health courts, I believe—is that correct—across our State right now. Seventeen. I anticipate at least 17 veterans court programs.

But Senator, as I mentioned earlier, for every court program that we open, the president judge of each county has to come forward and seek, not permission, but ask for the creation of the program. What you run into, is they have to take their DA, their defender, their judge, and other staff personnel away from their day-to-day duties, so that means that the work that they were doing is now passed on to others.

So some counties are reluctant to do so because they're stressed out. We need support so that we can go into these counties and say we're going to be able to help you out with additional prosecutors, defense attorneys, et cetera, et cetera. That's the only hindrance that I'm seeing right now. The VA can handle just about everything that we're throwing at them right now.

Senator SPECTER. Judge Zottola.

Judge ZOTTOLA. Senator, I would echo Justice McCaffery's sentiments. The beauty of the sequential intercept model is, there is a place in that model for every different county. A smaller rural county, rather than maybe having a veterans court, you have a specialized probation officer to deal with veterans issues. Philadelphia is concentrating on a re-entry. That's the fourth level of the sequential intercept model. Re-entry is very important. That can take place in the State, as well as the Federal, system. Having to plan for someone, this is where you're going to live when you get out, this is what you're going to be doing, is extremely important. So I think it will work at the Federal, as well as the State, system and in different points of that intercept, sir.

Senator SPECTER. Representative Altmire.

Representative ALTMIRE. Justice McCaffery, there's probably nobody in Pennsylvania, and maybe in the country, who has more of an expertise and level of experience with the specialty courts than you do, including the unique Philadelphia Eagles court.

Justice MCCAFFERY. Well, I'm also a Steelers fan now.

Representative ALTMIRE. That's right. That's right.

I want to ask, in that context, what you felt with regard specifically to veterans courts and the level of appropriateness that those courts would apply to veterans in cases that we're talking about, specifically the impact on recidivism, but also taxpayer dollars and what it means for the rest of the court system, which you see every day. When you remove these cases from the system, what's the impact on the courts generally, and also on taxpayer dollars?

Justice MCCAFFERY. Congressman, I am a firm believer in problem-solving courts. Why? Because it takes so many cases out of the mainstream court process. By that I mean, instead of having, say, 2,000 cases coming to the various court programs in a year, we're

down to 800, which makes it more manageable. One, we are at a point right now of stretching our prisons, our jails, and our support apparatus to the very 9th degree. We can no longer continue to keep putting people in jail. It's just not cost effective.

We need to figure out alternative ways to handle it both through the mental health area, or gun courts, for example, or DUI courts. These are novel approaches that Pennsylvania started back in the 1990's. They're working and saving us a lot of money. It's so much cheaper to keep people out of jail than to put them in jail. We all know that.

I think that right now, with the problem-solving concept that Pennsylvania is embracing, with the help of a lot of other groups, we're saving the taxpayers money. Most importantly—and Secretary Beard will attest to this—the more people we identify in our jails, to get them out and get them into our various programs, we're getting them back with families. That's an important part of this whole thing, get them back to their families.

The legal community is willing to step up right now and help with job training, help them clear up their credit card debt, help them clear up their mortgages and give folks a really increased feeling of self-worth if you will. It's just a way to have self-respect. It's the right thing to do, and it's cost effective.

Representative ALTMIRE. Thank you.

No further questions.

Senator SPECTER. Thank you, Representative Altmire.

Representative Murphy.

Representative MURPHY. Thank you.

I just have one quick question. Judge Zottola, I want to ask you a couple of word associations, and you tell me how you think this is working for the courts. Are the courts softer on veterans, tougher on veterans than other courts? What do you think?

Judge ZOTTOLA. I think that they—as I've said before, the requirements to successfully complete a veterans court program are more rigorous than the normal requirements of probation. A probation officer might see the probation person once a month, we may see a person that's in veterans court twice a month.

There are specialized mentors, where they assure that they call them once a week to make sure you're going to treatment, you're taking your meds. They're being watched more than a regular person on probation, so I think that it is more rigorous for them. So we're not being softer on them, I think we're being tougher on them.

People envision the opposite. They say, oh, boy, you're going to be in mental health court, it's a walk in the park for you. You're going to be in veterans court, it's a walk in the park for you. It's actually the opposite, because they make you go through more hoops because they recognize that you have an added component that put you in the middle of the criminal justice system.

Representative MURPHY. Uh-huh.

Mr. Danny, what would you say to that? Is the court softer on you or are they tougher on you, the mentors and——

Mr. DANNY. Exactly what he said. It's real time-consuming, going to all the classes and trying to balance into my week. I work like 60 hours a week some weeks. And he's right, it's not easy.

Representative MURPHY. Justice McCaffery, you had mentioned about our justice system and our jails are full. What's cheaper, putting them in jail or having veterans courts? Even with all these wrap-around services and coordinated care, it's a lot of time and professionals. What's cheaper?

Justice MCCAFFERY. Well, Congressman, I can tell you that from our mental health courts, for example, people with mental illness who are sentenced to jail serve far more time in jail than people who don't have a mental illness. That's a fact. So, therefore, they're spending a longer period of their sentence incarcerated. The same thing applies to our veterans. So, it's just a more cost-effective way of dealing with it.

As I said before, recidivism is a very important part to take into consideration, all these people who are repeat offenders. If these programs are helping them get back on their feet so they're not getting re-arrested and re-arrested, if they're not going back to the street corners and self-medicating with street drugs, alcoholism, domestic violence, it's a win-win for society.

Representative MURPHY. Thank you.

Senator, if I can be so bold as to speak for the Congressional delegation, which you know well, I don't think there's one among us who would not be supportive of this and appreciative of the leadership in this. As a person who has done internships in prisons, I've worked with many veterans and people over the years, and we need special programs like this. They're effective, they're cost efficient. Quite frankly, for those who fought for our Nation with courage, they should not have to fight the system and be discouraged.

I thank you very much for your time.

Senator SPECTER. Thank you, Representative Murphy.

And concluding comments, Representative Altmire.

Representative ALTMIRE. No, sir.

Senator SPECTER. Any concluding comments, Representative Murphy.

Representative MURPHY. No.

Senator SPECTER. Well, I thank you gentlemen for coming in here today. I believe that this is a very good approach. It falls in line with what efforts have been made for three decades now on what used to be called pre-indictment probation, now called Accelerated Rehabilitative Disposition. There may not be many people who can tell you what ARD stands for.

Just a thimble of history. I had an Assistant DA, Alan Davis, who came back after lunch with a voluntary defender in 1970, and said we've struck a way to move a lot of cases from the backlog. The—Judge Sidney Hoffman. You remember Sidney Hoffman, Justice McCaffery, on the Superior Court? Judge Hoffman came in and said a word. He wore a business suit. He brought in individuals who were charged with non-violent offenses. The theme was that if they stayed out of trouble for a year, their record would be expunged. If they got into trouble within a year, they'd face the initial charge and the subsequent charge.

I appeared before the Supreme Court of Pennsylvania in chambers, the first time I was ever back there in those lofty chambers in the Supreme Court of Pennsylvania, behind the fourth floor courtroom. The justices were mad at me at that time. I'd taken

some appeals from sentences, which—they are now. But they thought I was a little too critical of some of the Common Pleas judges in Philadelphia, but at any rate, they approved the system and became a great success.

That has been formalized in the Pennsylvania Rules and Criminal Procedures as ARD and is now a national model. I think that the mental courts are in the same vein, and the courts for veterans are the same way. I think you have a national model here which ought to be emulated. In looking at the program, I'm going to cosponsor Senate bill 902, which calls for $25 million over 5 years to develop veterans courts around the country and take a look at the issue of Federal court jurisdiction. This is an idea of real service. I think Representative Murphy puts his finger on the less expensiveness, and Representative Altmire on the efficiency of where we're heading here. You are a good Exhibit A. Of course, there's Exhibit A——

Well, thank you all for coming in. That concludes our hearing.

[Whereupon, at 11:40 a.m. the hearing was concluded.]

[Submissions for the record follow.]

SUBMISSIONS FOR THE RECORD

Statement from Senator John F. Kerry for the Hearing before the Senate Judiciary Committee Subcommittee on Crime and Drugs "Evaluating the Need for Greater Federal Resources to Establish Veterans Courts"

First I want to thank Senator Specter and the Committee for holding this important hearing.

As a veteran and someone who has worked on veterans issues since I came home, I have seen the devastating effects that addiction and self medication can have on many of our servicemen and women who return home and face the difficult challenge of readjusting to civilian life. The high incidence of Post traumatic stress disorder (PTSD) has only exacerbated this problem leading more and more and more of our veterans into a destructive cycle of drug and alcohol abuse. Sometimes the disease of addiction can lead these veterans to do desperate things, to break the law, and then face the consequences. However, it would be a mistake to dismiss these veterans as "just another drug addicted criminal," someone that doesn't have unique needs and challenges facing their rehabilitation. That is why I introduced the Services, Education, and Rehabilitation for Veterans Act (SERV). These veterans deserve and need a second chance at getting their lives back on track. The SERV act builds on the highly successful drug court model that has been used across the country with great success.

Drug courts serve non-violent drug addicted offenders that need rehabilitation and are willing to work towards reestablishing themselves within the community. The SERV act would provide grants to jurisdictions so that they can address the specific needs of the veterans they serve. The SERV act ensures that not only does the veteran receive the drug rehabilitation they need but that they are also supported more holistically to deal with their underlying PTSD or service related issues. Mental health counseling, family services, job retraining – they are all important components of getting these veterans back on track.

The SERV act ensures that the courts are engaged with the Veterans administration and health services so there is no gap in this rehabilitation process. The need for veterans' treatment courts is more than apparent. The Department of Veterans Affairs has found that substance abuse disorders are one of the three most common diagnoses within the veteran population. Additionally, a January 2008 National Survey on Drug Use and Health found that approximately one out of every six veterans from Operations Enduring Freedom and Iraqi Freedom has a substance abuse problem.

I have been privileged to work on this legislation with Senator Lisa Murkowski, the National Association of Drug Court Professionals (NADCP), the Veterans of Foreign Wars (VFW) and the Iraq and Afghanistan Veterans of America (IAVA). They all acknowledge that these veterans have specific and unique challenges facing them in addition to their substance abuse. Through integrated treatment options and strict supervision, veteran's drug courts could give these veterans the second chance they deserve. I hope this hearing brings to light this serious problem and how we can help our veterans once they have come home.

TESTIMONY OF ALBERT H. MERCER, EXECUTIVE DIRECTOR,
VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA,
2417 EAST CARSON STREET, PITTSBURGH, PA 15203
(HTTP://WWW.VLPWPA.ORG)

AT THE SENATE COMMITTEE ON THE JUDICIARY,
COMMITTEE ON CRIME AND DRUGS FIELD HEARING TITLED,
"EVALUATING THE NEED FOR GREAT FEDERAL RESOURCES TO ESTABLISH
VETERANS COURTS"
HELD IN COURTROOM 6A AT THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA, 700 GRANT STREET, PITTSBURGH, PA
ON MONDAY, MARCH 1, 2010

THIS INVITATION WAS EXTENDED BY SENATOR ARLEN SPECTER ON FEB 22, 2010.

INTRODUCTION. GOOD MORNING. MY NAME IS AL MERCER, AND I AM THE EXECUTIVE DIRECTOR OF VETERANS LEADERSHIP PROGRAM (VLP) OF WESTERN PENNSYLVANIA. VLP IS A 501(c)3 NONPROFIT CORPORATION THAT PROVIDES ESSENTIAL HOUSING, EMPLOYMENT, AND OTHER VITAL SUPPORTIVE SERVICES TO ELIGIBLE VETERANS, SERVICE MEMBERS, AND THEIR FAMILIES TO IMPROVE THEIR SELF-SUFFICIENCY, SUSTAINABILITY, AND QUALITY OF LIFE. WE HAVE PROUDLY SERVED THOSE WHO HAVE SERVED AND SACRIFICED FOR US ALL SINCE 1982.

THANK YOU FOR THE OPPORTUNITY TO OFFER TESTIMONY ON THE VERY IMPORTANT TOPIC OF "VETERANS COURT". I AM GRATEFUL THAT THIS ISSUE IS GETTING ATTENTION AND I WOULD LIKE TO SPECIFICALLY THANK STATE REPRESENTATIVE DON WALKO, JUDGE MICHAEL E. MCCARTHY, JUDGE JOHN A. ZOTTOLA, AND THE VLP BOARD OF DIRECTORS FOR THEIR LEADERSHIP IN BRINGING THIS ISSUE FORWARD LOCALLY.

ADDITIONAL THANKS GOES TO OUR COLLEAGUES AT THE ALLEGHENY COUNTY COURT ADMINISTRATOR'S OFFICE, THE DISTRICT ATTORNEY'S OFFICE, PUBLIC DEFENDER'S OFFICE, PROBATION DEPARTMENT, LAW ENFORCEMENT....THE DEPARTMENT OF HUMAN SERVICES JUSTICE-RELATED SERVICES...AND THE DEPARTMENT OF VETERANS AFFAIRS FOR THEIR HARD WORK IN ESTABLISHING VETERANS COURT IN ALLEGHENY COUNTY.

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MY SPECIAL THANKS GOES TO MY STAFF AT VLP FOR STEPPING UP TO SUPPORT VETERANS ENCOUNTERING THE CRIMINAL JUSTICE SYSTEM. THE VLP STAFF HAS EMBRACED OUR COMMITMENT TO SERVE ALL VETERANS, NO MATTER THEIR SITUATION OR CIRCUMSTANCE, AND HAS DONE SO WITH MINIMAL RESOURCES. THIS THANK YOU IS ALSO EXTENDED TO THE MENTORS WHO HAVE VOLUNTEERED TO HELP THEIR COMRADES. THESE MENTORS PROVIDE WHAT I BELIEVE IS A KEY INGREDIENT FOR THE SUCCESS OF VETERANS COURT.

TODAY, I WANT TO CONVEY TWO KEY POINTS:

- FIRST, I WANT TO TELL YOU ABOUT VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA...A LITTLE ABOUT OUR HISTORY AND ACCOMPLISHMENTS...MORE ABOUT OUR IMPACT AND OUTCOMES IN SERVING OUR REGION'S HEROES...AND SPECIFICALLY, HOW WE CAN HELP OUR VETERANS WHEN THEY ENCOUNTER THE CRIMINAL JUSTICE SYSTEM.

- SECOND, I WANT TO PROVIDE SOME BACKGROUND, INFORMATION, CONTEXT, AND PERSPECTIVE ABOUT THE COMPLEX VETERANS COURT NETWORK FROM VETERANS LEADERSHIP PROGRAM'S PERSPECTIVE, WITH THE UNDERSTANDING THAT THE NETWORK INVOLVES MUCH MORE THAN I AM ABLE TO COVER TODAY. BUT I DO WANT TO TAKE THE TIME TODAY TO HIGHLIGHT:

-- THE CHALLENGES FACING OUR REGION'S SERVICE MEMBERS, VETERANS, AND THEIR FAMILIES WHILE IN SERVICE TO THEIR COUNTRY;

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-- THE READJUSTMENT/REINTEGRATION PROBLEMS AFTER THEIR SERVICE THAT CAN LEAD TO ENCOUNTERS WITH THE CRIMINAL JUSTICE SYSTEM, AND FINALLY,

-- I WANT TO PROVIDE SOME SPECIFIC INFORMATION ABOUT THEIR EXPERIENCE WITH THE CRIMINAL JUSTICE SYSTEM.

VLP HISTORY. VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA WAS FOUNDED 28 YEARS AGO BY A GROUP OF VIETNAM VETERANS WHO JOINED TOGETHER TO MEET A NEED. AT THAT TIME, MILLS WERE CLOSING, MANUFACTURING JOBS WERE DISAPPEARING, AND MANY VETERANS WERE OUT OF WORK AND OUT OF HOPE. THE ORIGINAL CONCEPT WAS TO PROVIDE JOB PLACEMENT AND TRAINING FOR VIETNAM VETERANS WHO WERE DISPLACED IN A CHANGING ECONOMY. AT THAT TIME, NONE OF VLP'S FOUNDERS IMAGINED THE AGENCY WOULD STILL BE MEETING THAT NEED TODAY. BUT HERE WE ARE...

...AND TODAY'S VETERANS, SERVICE MEMBERS, AND THEIR FAMILIES ARE FACING EVEN GREATER, MORE COMPLEX, AND UNPRECEDENTED CHALLENGES...: A RAPIDLY CHANGING ECONOMY IS CERTAINLY PRESENT TODAY AS IT WAS IN 1982; WE HAVE HIGH UNEMPLOYMENT; MISPLACED STEREOTYPES ABOUT VETERANS' FITNESS FOR EMPLOYMENT; HOUSING FORECLOSURES; MORE FREQUENT AND LONGER DEPLOYMENTS BY MEMBERS OF OUR NATIONAL GUARD AND RESERVE; AND, THE TREMENDOUS AND ALL-TOO-FAMILIAR READJUSTMENT AND REINTEGRATION PROBLEMS FACED BY MILITARY PERSONNEL WHEN THEY RETURN FROM OVERSEAS PRESENT THIS COMMUNITY AND OUR COUNTRY WITH EXTRAORDINARY

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CHALLENGES. THESE CHALLENGES CAN LEAD TO ENCOUNTERS WITH THE CRIMINAL JUSTICE SYSTEM.

WITH OVER 300,000 VETERANS RESIDING IN SOUTHWESTERN PENNSYLVANIA (142,000 IN Allegheny County), THIS REGION HAS ONE OF THE HIGHEST PER CAPITA CONCENTRATIONS OF VETERANS IN THE UNITED STATES (Source Department of Veterans Affairs, Veteran Data and Information (http://www.va.gov/vetdata/), Census 2000).

Veteran Population by County - Overall

STATE	CIVILIAN POPULATION 18 OR OVER	CIVILIAN VETERANS	CIVILIAN VETERANS AS A PERCENTAGE OF CIVILIAN POPULATION 18 OR OVER
Pennsylvania	9,354,471	1,280,788	14%
COUNTY	**CIVILIAN POPULATION 18 OR OVER**	**CIVILIAN VETERANS**	**CIVILIAN VETERANS AS A PERCENTAGE OF CIVILIAN POPULATION 18 OR**
Allegheny County, Pennsylvania	1,000,087	142,638	14%
Beaver County, Pennsylvania	140,286	22,655	16%
Butler County, Pennsylvania	131,144	18,354	14%
Cambria County, Pennsylvania	120,523	18,918	16%
Fayette County, Pennsylvania	114,874	16,849	15%
Greene County, Pennsylvania	31,667	4,649	15%
Somerset County, Pennsylvania	62,099	8,747	14%
Washington County, Pennsylvania	157,606	23,986	15%
Westmoreland County, Pennsylvania	288,713	45,270	16%
Total	2,047,079	302,066	15%
Percent Southwestern PA Counties of State Total	21.88%	23.58%	

Source: Department of Veterans Affairs, Veteran Data and Information http://www.va.gov/vetdata/ Census 2000
Veterans Leadership Program (VLP) of Western Pennsylvania 62
Introduction & Program Overview November 17, 2009

Veteran Population in PA, OH, WV, NY, NJ

State	Civilian Population 18 or Over	Civilian Veterans	Civilian Veterans as a Percentage of Civilian Population 18 or Over
Pennsylvania	9,354,471 (5th of 52)	1,280,788 (5th of 52)	14%
Ohio	8,458,130	1,144,007	14%
West Virginia	1,404,936	201,701	14%
New York	14,278,716	1,361,164	10%
New Jersey	6,321,650	672 217	11%

Source: Department of Veterans Affairs, Veteran Data and Information Web Site http://www.va.gov/vetdata/ Census 2000
Veterans Leadership Program (VLP) of Western Pennsylvania 8
Veterans Court Mentor Program, February 23, 2010

Veteran Population - Metropolitan Statistical Area

Metropolitan Statistical Area	Civilian Population 18 or Over	Civilian Veterans	Civilian Veterans as a Percentage of Civilian Population 18 or Over
Pittsburgh	**1,832,790** (20th of 279)	**269,752** (14th of 279)	**15%**
Johnstown	**182,622**	**27,665**	**15%**
Erie	210,357	29,306	14%
Harrisburg, Lebanon, Carlisle	480,347	70,555	15%
Lancaster	345,201	41,565	12%
Allentown, Bethlehem, Easton	488,084	67,982	14%
Philadelphia, Wilmington, DE Atlantic City, NJ	4,614,298	570,281	12%

Source: Department of Veterans Affairs, Veteran Data and Information Web Site http://www.va.gov/vetdata/ Census 2000
Veterans Leadership Program (VLP) of Western Pennsylvania 9
Veterans Court Mentor Program, February 23, 2010

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the 5 Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010

OTHER FACTORS EXIST IN PENNSYLVANIA THAT HAVE AN INFLUENCE ON THE VETERANS COURT PROGRAM. ACCORDING TO A VETERANS FOR AMERICA REPORT,

(Source http://www.veteransforamerica.org/wp-content/uploads/2008/10/va-pang-prelim-findings-10-27-08.pdf, Oct 27, 2008):

- PENNSYLVANIA HAS BORNE A DISPROPORTIONATE SHARE OF THE BURDEN IN SUPPORTING THE CURRENT CONFLICTS IN IRAQ AND AFGHANISTAN, AND, IS CURRENTLY EXPERIENCING THE LARGEST DEPLOYMENT SINCE WORLD WAR II, WITH MORE THAN 5,000 PENNSYLVANIA NATIONAL GUARD MEMBERS DEPLOYING IN SUPPORT OF OPERATION IRAQI FREEDOM (OIF) OR OPERATION ENDURING FREEDOM (OEF) WITHIN THE NEXT TWO YEARS (Also reported by the Pittsburgh Tribute Review on Jan 26, 2009 (http://www.pittsburghlive.com/x/pittsburghtrib/s_608815.html))

-- LOCALLY, WITH 3,139 OIF/OEF VETERANS, ALLEGHENY COUNTY HAS THE LARGEST NUMBER OF OIF/OEF VETERANS IN THE STATE OF PENNSYLVANIA (OUT OF 67 COUNTIES), AND RANKS AN AMAZING 45TH IN THE COUNTRY OUT OF 3,218 COUNTIES. OF NOTE, IF YOU TALLY UP THE NUMBER OF OIF/IEF VETERANS IN ALLEGHENY COUNTY AND OUR EIGHT SURROUNDING COUNTIES, THE 7,279 OIF/OEF

OIF/OEF Veterans By County

County	OIF/OEF Veterans
Allegheny	3,139
Beaver	640
Butler	553
Cambria	642
Fayette	348
Greene	132
Somerset	282
Washington	539
Westmoreland	1,004
Total	7,279

1,082,579 OIF/OEF veterans in the U.S.

67 counties in PA; 3,218 counties in the U.S.

Allegheny County is #1 in PA; #45 in the U.S.:

- #2 Philadelphia County: 2,564
- #3 Montgomery County: 1,532
- #4 York County: 1,389
- #5 Bucks County: 1,354

OIF (Operation Iraqi Freedom)/OEF (Operation Enduring Freedom)
Source: Department of Defense as of August 11, 2008 based on last known home address at time of discharge

Veterans Leadership Program (VLP) of Western Pennsylvania 10
Veterans Court Mentor Program February 23, 2010

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 6

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VETERANS IN WESTERN PA WOULD RANK 13TH NATIONALLY. (THE TOP 15 COUNTIES NATIONALLY INCLUDE: #1 IS SAN DIEGO COUNTY, CALIFORNIA WITH 27,080; #2 IS LOS ANGELES COUNTY, CALIFORNIA WITH 14,232; #3 IS BEXAR COUNTY, TEXAS WITH 11,793; #4 IS HONOLULU COUNTY, HAWAII WITH 10,750; #5 IS VIRGINIA BEACH COUNTY, VIRGINIA WITH 10,306; #6 IS MARICOPA COUNTY, ARIZONA WITH 10,181; #7 IS BELL COUNTY, TEXAS WITH 9,966; #8 IS PIERCE COUNTY, WASHINGTON WITH 9,849; #9 IS EL PASO COUNTY, COLORADO WITH 9,818; #10 IS CUMBERLAND COUNTY, NORTH CAROLINA WITH 9,014; #11 IS HARRIS COUNTY, TEXAS WITH 8,089; #12 IS DUVAL COUNTY, FLORIDA WITH 7,367; #13 IS COOK COUNTY, ILLINOIS WITH 7,081; #14 IS SAN BERNARDINO COUNTY, CALIFORNIA WITH 6,953; #15 IS ONSLOW COUNTY, NORTH CAROLINA WITH 6,754). WESTERN PA DOES NOT HAVE A LARGE ACTIVE DUTY MILITARY PRESENCE LIKE THOSE IN THE TOP 15 NATIONALLY, BUT IT IS CLEAR THAT WESTERN PA HAS BORNE A DISPROPORTIONATE BURDEN IN SUPPORTING THE CURRENT CONFLICTS AND IS BEARING A DISPROPORTIONATE BURDEN IN SUPPORTING OUR REGION'S RETURNING HEROES. (Source Department of Defense as of August 31, 2009 based on last known home address at time of discharge)

- THE PENNSYLVANIA NATIONAL GUARD HAS LOST MORE MEMBERS IN SUPPORT OF THE GLOBAL WAR ON TERRORISM THAN ANY OTHER STATE. (43 deaths since 9/11/01).

- SOME PENNSYLVANIA ARMY NATIONAL GUARD UNITS HAVE BEEN DEPLOYED ABROAD THREE TIMES SINCE 9/11/01 AND WITH EACH SUCCESSIVE DEPLOYMENT, THE READJUSTMENT PROCESS BECOMES MORE DIFFICULT. I ALSO NOTE THAT BECAUSE THERE IS NO MAJOR ACTIVE DUTY MILITARY INSTALLATION IN

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WESTERN PENNSYLVANIA, THERE IS NO NATURAL SUPPORT SYSTEM IN PLACE AS YOU WOULD FIND IN NORFOLK, VA OR FORT BRAGG, NC.

-- AND TO PUT THE ISSUE OF MULTIPLE DEPLOYMENTS INTO PERSPECTIVE, PLEASE CONSIDER THE EXPERIENCE OF ARMY STAFF SERGEANT BOBBY MARTIN JR. WHO HAS BEEN FIGHTING INSURGENTS IN IRAQ OR AFGHANISTAN LONGER THAN THE ENTIRE THREE YEARS THE KOREAN WAR LASTED. THIRTY-EIGHT CUMULATIVE MONTHS IN COMBAT TAKE A TREMENDOUS TOLL ON THE SOLDIER, HIS FAMILY, AND HIS COMMUNITY. NEARLY 13,000 SOLDIERS HAVE SPENT THREE TO FOUR CUMULATIVE YEARS AT WAR WITH ABOUT 500 SOLDIERS SPENDING MORE THAN FOUR YEARS IN COMBAT. (Source http://www.armytimes.com/news/2010/01/gns_iraq_afghanistan_multiple_deployments_011310/, Jan 15, 2010)

- POST TRAUMATIC STRESS DISORDER (PTSD) AND OTHER POST-DEPLOYMENT READJUSTMENT ISSUES APPEAR PREVALENT AMONG RETURNING PENNSYLVANIA NATIONAL GUARD MEMBERS. IN JUNE 2007, THE DEPARTMENT OF DEFENSE REPORTED THAT ALMOST HALF OF THE MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO HAD SERVED IN IRAQ AND AFGHANISTAN SUFFER CONSIDERABLE PSYCHOLOGICAL PROBLEMS (Source. Department of Defense Task Force on Mental Health, "An Achievable Vision. Report of the Department of Defense Task Force on Mental Health," June 2007, p ES-2). IN SEPTEMBER 2009, THE VETERANS ADMINISTRATION REPORTED THAT WE SHOULD EXPECT UP TO 35 PERCENT OF THOSE SERVING IN IRAQ TO SEEK PTSD TREATMENT. (http://www.military.com/news/article/study-35-pct-of-iraq-vets-to-get-ptsd.html?ESRC=eb.nl). AND CONTINUING INTO 2010, NEWSWEEK REPORTED (http://www.newsweek.com/id/233415, Feb 11, 2010) THAT DEPENDING ON THE STUDY YOU READ, BETWEEN 20 AND 50 PERCENT OF VETERANS FROM THE IRAQ AND AFGHANISTAN

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WARS SUFFER FROM POSTTRAUMATIC STRESS AND OTHER MENTAL DISORDERS-AND HALF DON'T SEEK MENTAL-HEALTH CARE. THOSE WHO DO DON'T ALWAYS RECEIVE THE KIND OF CARE THEY NEED. THE RESULTS OF THESE SYSTEMIC FAILURES ARE INCREASED INSTANCES OF RAPE, ASSAULT, ADDICTION, AND OTHER CRIMINAL ACTS THAT TANGLE UP VETERANS IN THE CRIMINAL COURTS. THE DEPARTMENT OF VETERANS AFFAIRS ESTIMATES THAT VETERANS ACCOUNT FOR 10 PERCENT OF THE PEOPLE WITH CRIMINAL RECORDS. WITH NEARLY TWO MILLION VETERANS OF THE WARS IN IRAQ AND AFGHANISTAN, WE CAN EXPECT LARGE NUMBERS OF READJUSTMENT AND REINTEGRATION CHALLENGES FOR MANY YEARS TO COME...AND WE MUST ALSO REMEMBER THAT SPOUSES AND CHILDREN EXPERIENCE THESE CHALLENGES AND ARE NOT INCLUDED IN THESE ESTIMATES.

-- REGARDING FAMILIES, WIVES OF SOLDIERS SENT TO WAR SUFFERED SIGNIFICANTLY HIGHER RATES OF MENTAL HEALTH ISSUES THAN THOSE WHOSE HUSBANDS STAYED HOME. WHEN SOLDIERS WERE DEPLOYED ELEVEN MONTHS OR LONGER, THEIR WIVES HAD A 24 PERCENT HIGHER RATE OF DEPRESSION. IT IS CLEAR THAT WHEN A SERVICE MEMBER DEPLOYS, THE ENTIRE FAMILY DEPLOYS WITH THEM AND THEY FACE THEIR OWN UNIQUE CHALLENGES. (Source http://www.armytimes.com/news/2010/01/gns_military_wives_011410/, Jan 14, 2010)

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 9

Employment & Housing Challenges

http://www.military.com/news/article/mullen-slams-dod-va-mental-health-failures.html?ESRC=eb.nl

Mullen Slams Mental Health Treatment Failures

September 16, 2009 Stars and Stripes by Leo Shane III

WASHINGTON -- Joint Chiefs Chairman Adm. Mike Mullen said Wednesday he's frustrated and disappointed with the slow pace of treatments for post-traumatic stress and other "unseen" combat injuries, saying after eight years of war military officials should have better answers.

"Shame on us if we don't figure this out in time," he told a crowd of military and veterans officials. ***"We need to find a way to avoid another generation of homeless veterans. N***

Mullen's comments set the tone for a day of debate among mental health experts and military leaders at the Military Officers Association of America's annual defense forum. The chairman said that while millions of dollars have been invested into research on PTSD, traumatic brain injuries and mental health issues, military leaders have not produced enough treatment options and outreach programs to stay ahead of the problems.

"We owe them a response," he said. "This is a debt the country owes [these troops] for their service, as far as I'm concerned. It needs to be the first check we write."

A recent study by researchers at the Naval Postgraduate School and Stanford University, suggests that nearly 35 percent of U.S. troops returning from Iraq will suffer PTSD and urges VA leaders to invest more in counselors and response teams.

Conference speakers pushed for better "gold standards" for post-deployment assessments, ongoing monitoring of returned veterans, and early treatment models, all resources that currently exist but are unevenly administered.

Mullen said he wants to see better coordination between VA programs and Defense Department mental health offerings, and more efforts to publicize what options are available to suffering troops and their families.

He also said both agencies must work more to reach out to community resources, finding ways for private charities and concerned citizens to help local veterans through the rehabilitation process.

Regardless, Mullen said, caring for the wounded veterans will take decades of funding and attention from government leaders.

"These are 20-somethings who are wounded ... they have 50, 60, 70 years left to live," he said. "That's where the sustained effort from us must come in."

Employment & Housing Challenges

http://www.military.com/features/0,15240,201083,00.html?wh=news

Wounded, Families Need 'Community' Help

Tom Philpott | September 17, 2009

The profound strain of eight years of war on the volunteer force permeated a day-long conference of military leaders, policymakers, health experts and family advocates as they shared ideas to address the "unseen injuries" of post-traumatic stress disorder and traumatic brain injury.

A theme struck by many participants, including Navy Adm. Michael Mullen, chairman of the Joint Chiefs, was that government must seek greater involvement from communities across the country to support wounded warriors, traumatized veterans and damaged military families.

Mullen expressed concern over rising numbers of homeless veterans, slow expansion of a pilot program to streamline the disability evaluation system and a lack of solutions from medical research for timely diagnosis and treatment of PTSD and traumatic brain injury.

Mullen said he and his wife Deborah also are seeing more families Š both spouses and children Š being worn down by the strain of long and frequent deployments by loved ones to Iraq and Afghanistan.

"When they go home after the parade, when they go home after the recognition ceremony, their dreams haven't changedE to raise a family, go to school, send their kids to school, own a homeE ***The only way I can see us meeting [those needs] is through a community-based connection, a broad connection, that is sustained for them over the entirety of their lives."*** Mullen told the 2009 Defense Forum in Alexandria, Va.Zit was sponsored jointly by the U.S. Naval Institute and the Military Officers Association of America.

"When I talk about a long time, think decades," Mullen said. "These are 20-somethings who are wounded [and] these are 20-something spouses with a couple of children who have 50, 60, 70 years to live.ZThat's where this sustained effort has got to come in."

Leslie Kammerdiener, mother of severely wounded Army Cpl. Kevin Kammerdiener, visibly moved attendees with her account of how the VA has failed to provide adequate support to her and her son on multiple occasions since Kevin was injured in Afghanistan in May 2008. Leslie told the forum, "It's a very sad thing that this country Š your Army or your VA or whatever Š has let us down so incredibly.ZAnd I am asking you to step up to the plate and take care of somebody who went over there and did what you asked him to do."

Koch said current wars are presenting unique difficulties for the military because of duration and because the fight is by a relatively small force of volunteers who must deploy over and over again.ZThe fact that "less than one percent of our population" defends the nation today, Koch said, creates special obligations and special frustrations.

"We don't know how to deal with the ones with traumatic brain injury or PTSD.ZPTSD has been around, under various names, forever, back to at least the First World War" when it was called shell shock.Z"To this day we don't really have a good sense of it," Koch said, describing how a Vietnam veteran like him can be sitting alone 40 years later and begin to cry.

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Employment & Housing Challenges

http://www.military.com/news/article/marine-suicides-up-sharply.html?ESRC=eb.nl

Marine Suicides up Sharply

October 9, 2009, [by Mark Abramson

Recently released figures show Marines are taking their own lives at alarmingly high rates, and deployments appear to be taking a toll.

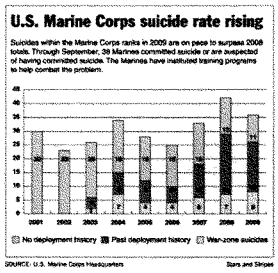
Through September, the Marines have recorded 38 confirmed or suspected suicides in 2009. Should the pace continue through the end of the year, the Marines would be facing a 20 percent increase from 2008 figures. Suicides also rose 27 percent from 2007 to 2008.

Ten suspected suicides this year remain under investigation, but those are classified as suicides because there is strong evidence to suggest that those Marines took their own lives, said Navy Cmdr. Aaron Werbel, suicide prevention program manager for the Marine Corps.

And while a recent Marine Corps report indicates that fewer than 42 percent of Marines who have committed suicide since 2001 had a deployment history, 56 of the 80 Marines who have taken their lives in the last two years have been to the war zones. That 70 percent figure is higher than Army figures for 2008, during which 61 percent of those who committed suicide were either deployed or had a deployment history.

Marine officials said they could not pinpoint an exact cause for the increase.

But, Werbel said, "A significant contributing factor is the operational tempo.N



Veterans Leadership Program (VLP) of Western Pennsylvania 15
Introduction & Program Overview, November 17, 2009

TODAY'S VETERANS AND THE CRIMINAL JUSTICE SYSTEM. WHILE IT IS CLEAR THAT THE OVERWHELMING MAJORITY OF RETURNING SERVICE MEMBERS ARE LAW-ABIDING CITIZENS WHO HAVE NOT RUN AFOUL OF THE LAW, THERE IS NO QUESTION IN MY MIND THAT WE ARE SEEING AND WILL CONTINUE TO SEE AN INCREASING NUMBER OF VETERANS ENCOUNTERING THE CRIMINAL JUSTICE SYSTEM. IN ADDITION TO THE FACTORS I JUST MENTIONED, THERE IS MORE EVIDENCE OF THIS DISTURBING TREND:

- JUDGE MCCARTHY ESTIMATES THAT THREE-QUARTERS OF THE VETERANS HE SEES SERVED IN IRAQ OR AFGHANISTAN;

- THE U.S. DEPARTMENT OF JUSTICE ESTIMATES THAT 1.16 MILLION OF ALL ADULTS ARRESTED LAST YEAR-OR NEARLY 10%-SERVED IN THE MILITARY;

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 11

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- THE BUFFALO VETERANS COURT ABSORBED 82 VETERANS INTO ITS VETERANS COURT PROGRAM IN 2008, WITH 65% OF THOSE VETERANS HAVING SERVED IN IRAQ AND AFGHANISTAN;

- 158 VETERANS WERE ARRESTED IN JUST ONE MONTH IN TULSA, OK IN OCTOBER 2008; (FOR COMPARISON PURPOSES, IN 2006, TULSA, OK POPULATION ESTIMATED TO BE 382,872; PITTSBURGH, PA POPULATION ESTIMATED TO BE 312,819

(Source Census Bureau (http //www census gov/popest/cities/tables/SUB-EST2006-01 csv))

(Source for the four bullets above: http www law com jsp nlj PubArticleNLJ jsp?id=1202426915992, Jan 22, 2009);

- MORE THAN TWENTY JURISDICTIONS AROUND THE COUNTRY ARE CONSIDERING ESTABLISHING A VETERANS COURT IN RESPONSE TO THIS GROWING NEED. (Source http www lawcgissue com news 2009 feb 05 county seeks insulate veter in defendants February 5, 2009)

An Example from Texas

http //www statesman com/news/content/news/stories/local/2009/12/15/1215veterans html

Travis County looking to set up court for veterans

BY JEREMY SCHWARTZ, AMERICAN-STATESMAN STAFF, TUESDAY, DECEMBER 15, 2009

In hopes of helping veterans suffering from mental illness and substance abuse, Travis County authorities are looking at creating a special veterans court docket, which would channel those charged with certain crimes into treatment and social services rather than incarceration

A handful of such courts have been created across the country since 2008, as officials respond to growing numbers of veterans returning from wars in Iraq and Afghanistan ***As many as 30 percent are thought to suffer from illnesses ranging from post-traumatic stress disorder and traumatic brain injury to major depression*** . Too many, officials say, turn to alcohol and drugs to self-medicate, often leading to entanglements with the criminal justice system

Last month, Harris County set up a veterans court pilot project, and Tarrant County last week decided to accept a $200,000 grant from Gov Rick Perry's office to hire staffers to manage a veterans court there The Texas Legislature passed a law this year allowing counties to create veterans courts

Travis County officials say not enough is being done locally to identify veterans in need of mental health treatment

"Obtaining a criminal conviction or serving jail time ... will not resolve the problems underlying the offense," said Travis County Constable Maria Canchola. "Intervention for our veterans is essential "

The possible creation of a local veterans court was hailed by veterans groups as a vital step ***"Treatment is far more effective and far less expensive,"*** said Paul Sullivan, head of the Austin-based group Veterans for Common Sense

Travis County Attorney David Escamilla said a team of prosecutors, defense lawyers and judges will need to work out several details before a veterans court becomes reality, including determining which offenses would be eligible and what services would be offered Officials will also need to identify funding for the court

"But there's a great deal of momentum to move forward with this," Escamilla said, adding that the court would probably begin handling misdemeanor cases but could take on felony cases

He said the court would be ***modeled on the county's mental health court*** , which handles offenders suffering from mental health problems in hopes of preventing repeat offenses

The nation's first veterans court began in January 2008 in Buffalo, N Y , where veterans are typically ordered to undergo counseling, find work and stop using drugs or alcohol instead of being sentenced to jail or prison time

Veterans Leadership Program (VLP) of Western Pennsylvania 48
Introduction & Program Overview, November 17, 2009

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 12

An Example from Texas (con)

http://www.statesman.com/news/content/news/stories/local/2009/12/15/1215veterans.html

Travis County looking to set up court for veterans (con)

BY JEREMY SCHWARTZ, AMERICAN-STATESMAN STAFF, TUESDAY, DECEMBER 15, 2009

The court isn't the only program local officials hope will reach veterans. This month, Travis County embarked on a six-month pilot program that requires veteran offenders to get evaluated and treated by the Department of Veterans Affairs as part of their pretrial release from jail.

The efforts stem from a two-year Travis County program called the Veterans Intervention Project, which on Monday released the results of a 90-day study of veterans booked into the Travis County Jail.

The study, which relied on self-reporting through questionnaires, found that about ***150 veterans were booked into the Travis County Jail each month, or 3.4 percent of total bookings. Of those, 18 percent served in Iraq or Afghanistan, 13 percent in Vietnam and 54 percent in noncombat zones. Most charges (N = 73) percent (N) were for misdemeanor crimes***, with driving while intoxicated, assault and drug possession the most frequent charges. Of the felony charges, aggravated sexual assault, aggravated kidnapping and delivery of a controlled substance were the top ones. ***About one-third of the veterans were arrested two or more times during the 90-day study, highlighting the need for early intervention***, officials said.

The jail study found that ***few locked-up veterans were accessing help through the VA***, which offers services for mental health issues and substance abuse. ***While 86 percent of the arrested veterans were eligible for such services, just 35 percent had received them.*** Officials said the reasons the veterans did not seek help include the ***stigma within the military attached to seeking mental health help and other-than-honorable discharges***, in which veterans are not allowed access to VA services.

Some veterans advocates point to a vicious cycle in which active-duty service members suffering from post-traumatic stress and other maladies turn to drugs to self-medicate, which can lead to a dishonorable discharge and inability to access needed mental health help.

Maj. Darren Long, who represents the Travis County sheriff's office on the veterans task force, said there needs to be more understanding of the issues facing veterans, especially those fresh from combat tours. "We come across them when they are in a mental health crisis," he said. "We owe it to them. ***They take care of us and our freedoms. Now it's our turn to take care of them when they come back home."***

Veterans Leadership Program (VLP) of Western Pennsylvania 49
Introduction & Program Overview, November 17, 2009

- NATIONALLY, IT IS ESTIMATED THAT VETERANS FORM ABOUT 10% OF THE NATION'S JAIL AND PRISON POPULATION. OF THOSE VETS, ABOUT TWO-THIRDS HAVE SUBSTANCE ABUSE PROBLEMS AND ONE-FIFTH ARE HOMELESS. (Source: Mr. Jim McGuire, Department of Veterans Affairs Veterans' Justice Outreach program, are reported in the Pittsburgh Post-Gazette, http://www.post-gazette.com/pg/09006/939806-85.stm, Jan 6, 2009).

- THE UNEMPLOYMENT RATE FOR IRAQ AND AFGHANISTAN VETERANS IS 21 PERCENT HIGHER THAN THE RATE FOR ALL AMERICANS. A LABOR DEPARTMENT REPORT SHOWS AN UNEMPLOYMENT RATE OF 11.3 PERCENT FOR IRAQ AND AFGHANISTAN VETERANS IN JULY (2009), UP FROM 5.9 PERCENT ONE YEAR AGO AND WELL ABOVE THE 9.7 PERCENT OVERALL U.S. UNEMPLOYMENT RATE. TO PUT THAT IN ANOTHER PERSPECTIVE, THE NUMBER OF OUT-OF-WORK BUT JOB SEEKING IRAQ

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AND AFGHANISTAN VETERANS IS AT 185,000—JUST 9,000 FEWER THAN THE NUMBER OF TROOPS DEPLOYED TO THOSE TWO COMBAT OPERATIONS. (Source http://www.armytimes.com/news/2009/09/air_unemploy_092109w/)

HISTORICAL DATA ABOUT VETERANS IN STATE AND FEDERAL PRISON. IT IS IMPORTANT TO PROVIDE SOME HISTORICAL CONTEXT AND PERSPECTIVE ABOUT VETERANS IN PRISON TO HELP US UNDERSTAND THE MAGNITUDE OF THE CHALLENGES AHEAD AS WE PREPARE TO ABSORB A VERY LARGE NUMBER OF VETERANS RETURNING FROM OVERSEAS, AND, CONTINUE TO SERVE THE VERY LARGE POPULATION OF SERVICE MEMBERS, VETERANS, AND THEIR FAMILIES THAT ARE ALREADY HERE. IN A MAY 2007 REPORT ("Veterans in State and Federal Prison, 2004" (http://www.ojp.usdoj.gov/bjs/abstract/vsfp04.htm)), THE DEPARTMENT OF JUSTICE'S BUREAU OF JUSTICE STATISTICS REVEALED THE FOLLOWING:

- THE PERCENTAGE OF VETERANS AMONG STATE AND FEDERAL PRISONERS HAS STEADILY DECLINED OVER THE PAST THREE DECADES. IN 2004, 10% OF STATE PRISONERS REPORTED PRIOR SERVICE IN THE U.S. ARMED FORCES, DOWN FROM 12% IN 1997 AND 20% IN 1986. (OVERALL, AN ESTIMATED 140,000 VETERANS WERE HELD IN THE NATION'S PRISONS IN 2004, DOWN FROM 153,000 IN 2000.)

- VIETNAM WAR-ERA VETERANS WERE THE MOST COMMON WARTIME VETERANS IN BOTH STATE (36%) AND FEDERAL (39%) PRISONS.

- VETERANS OF THE IRAQ-AFGHANISTAN ERAS COMPRISED 4% OF VETERANS IN BOTH STATE AND FEDERAL PRISON.

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- VETERANS HAD SHORTER CRIMINAL RECORDS THAN NONVETERANS IN STATE PRISON, BUT REPORTED LONGER PRISON SENTENCES AND WERE EXPECTED TO SERVE MORE TIME IN PRISON THAN NONVETERANS. (THE AVERAGE MAXIMUM SENTENCE REPORTED BY VETERANS IN STATE PRISON (147 MONTHS) WAS TWO YEARS LONGER THAN THAT OF NONVETERANS (119 MONTHS). ON AVERAGE, VETERANS EXPECTED TO SERVE 22 MONTHS LONGER THAN NONVETERANS (112 MONTHS COMPARED TO 90 MONTHS)). AND FINALLY,

- VETERANS (30%) WERE MORE LIKELY THAN NONVETERANS (24%) TO REPORT A RECENT HISTORY OF MENTAL HEALTH SERVICES.

Veterans & the Criminal Justice System

http://www.post-gazette.com/pg/08060/861421-85.stm
1 in every 100 Americans in jail
Pennsylvania leads way in Northeast as U.S. rate sets record
Friday, February 29, 2008
By Moriah Balingit, Pittsburgh Post-Gazette
Pennsylvania had the largest prison population growth in the Northeast last year, part of a national trend of proliferating prison populations in which more than one in 100 American adults now is incarcerated, according to a study released yesterday by the Pew Center's Public Safety Performance Project

WHILE IT IS ENCOURAGING TO READ THAT THE PERCENTAGE OF VETERANS IN STATE AND FEDERAL PRISONS IS DECLINING, I ALSO NOTE THAT PENNSYLVANIA HAD THE LARGEST PRISON POPULATION GROWTH IN THE NORTHEAST IN 2007 (Source "1 in every 100 Americans in Jail-Pennsylvania leads way in Northeast as U.S. rate sets record" Feb 29, 2008, (http://www.post-gazette.com/pg/08060/861421-85.stm)), AND I WONDER HOW MANY VETERANS COULD HAVE BEEN DIVERTED INTO ALTERNATIVE PROGRAMS AND AVOIDED THIS FATE. WITH HIGH RECIDIVISM AND A COST OF APPROXIMATELY $40,000 TO KEEP ONE INMATE IN STATE PRISON PER YEAR, IT SEEMS A NEW APPROACH SHOULD BE SERIOUSLY CONSIDERED. MORE SPECIFICALLY, THIS DATA SUGGESTS TO ME THAT EFFECTIVE ALTERNATIVE-SENTENCING PROGRAMS COULD PREVENT VETERANS FROM THE IRAQ AND

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AFGHANISTAN CONFLICTS FROM SUFFERING THE SAME FATE OF VIETNAM-ERA VETERANS WHO ARE THE MOST COMMON WARTIME VETERANS IN BOTH STATE AND FEDERAL PRISONS. WE LEARNED A LOT OF LESSONS THE HARD WAY IN CARING FOR OUR VIETNAM VETERANS AND NOW HAVE THE OPPORTUNITY TO CORRECT THOSE MISTAKES FOR THIS GENERATION OF VETERANS, SAVING BOTH LIVES AND DOLLARS.

SOME OF THE NEGATIVE EFFECTS OF MILITARY SERVICE. AT VETERANS LEADERSHIP PROGRAM, WE SEE THE EFFECTS EVERY DAY FROM POST TRAUMATIC STRESS, DEPRESSION, ISOLATION, SUBSTANCE ABUSE, AND OTHER READJUSTMENT/REINTEGRATION PROBLEMS THAT CONTRIBUTE TO THE DOWNWARD SPIRAL MANY VETERANS CAN'T ESCAPE. THIS DOWNWARD SPIRAL INCLUDES REPEATED CYCLES OF ALCOHOL OR DRUG ABUSE, A FRACTURED FAMILY, JOBLESSNESS, HOMELESSNESS, AND CRIMINAL ACTIVITY.

TO EMPHASIZE JUST ONE OF THESE POINTS, IT HAS BEEN REPORTED THAT RECENT HOMELESSNESS WAS 7.5 TO 11.3 TIMES MORE COMMON AMONG JAIL INMATES THAN IN THE GENERAL POPULATION, AND, THAT HOMELESSNESS AND INCARCERATION APPEAR TO INCREASE THE RISK OF EACH OTHER (Source "Jail Incarceration, Homelessness, and Mental Health A National Study," PSYCHIATRIC SERVICES, Vol. 59, No 2, Feb 2008) THE DEPARTMENT OF VETERANS AFFAIRS 2007 CHALENG (Community Homelessness Assessment, Local Education and Networking Groups) REPORT (http://www1.va.gov/homeless/page.cfm?pg=17 http://www1.va.gov/homeless/docs/CHALENG_14th_annual_Rpt_7-7-08.pdf) ESTIMATES THAT NEARLY 154,000 VETERANS ARE HOMELESS ON ANY GIVEN NIGHT, AND MORE THAN HALF A MILLION EXPERIENCE HOMELESSNESS OVER THE COURSE OF A YEAR.

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ADDITIONALLY, THE NATIONAL COALITION FOR HOMELESS VETERANS (http_www.nchv.org/docs/Homeless sVeterans_factsheet.pdf) HAS COMPILED EXTENSIVE DATA THAT IS USEFUL IN UNDERSTANDING THE CHALLENGES WE FACE. FOR EXAMPLE:

Employment & Housing Challenges

http://www.washingtonpost.com/wp-dyn/content/article/2009/11/03/AR2009110305815.html?wpsrc=newsletter&wpisrc=newsletter

Shinseki cites plight, plan to help homeless veterans

By Ed O'Keefe and Corinne Franke-Ruta Wednesday, November 4, 2009

The Department of Veterans Affairs laid out Tuesday an ambitious five-year goal of cutting the number of homeless veterans, pledging $3.2 billion to an issue that is more rapidly affecting those who served in the Iraq and Afghanistan wars than by any from past conflicts.

"No one who has served this nation as veterans should ever be living on the streets," VA Secretary Eric K. Shinseki said.

"In the past, VA focused largely on getting homeless veterans off the streets," Shinseki said. "This plan is different. It aims as much, if not more, on preventing as it does on rescuing those who live on the streets."

Roughly 131,000 of the nation's 24 million veterans may be homeless on any given night, and about twice as many are homeless each year, according to VA estimates. About 3 percent of homeless vets served in Iraq or Afghanistan, but a 2007 study by Iraq and Afghanistan Veterans of America found that they become homeless faster than do other veterans. While homeless Vietnam veterans first spent, on average, five to 10 years trying to readjust to society, Iraq and Afghanistan veterans can end up homeless within 18 months, the study said.

Government officials and homeless experts worry that the number of homeless veterans could climb another 10 to 15 percent in the economic downturn.

"The economy's hitting our people very hard. Unemployment rates are over 12 percent now," said Paul Reeckhoff, executive director and founder of Iraq and Afghanistan Veterans of America. "Mortgage foreclosure rates around military bases in four times the average. And it's hard to keep a job if you're getting deployed every 12 months if you're a national guardsman."

The new VA commitment adds $400 million to its current efforts to prevent homelessness. Eighty-five percent of the funds will go toward health care, costs an acknowledgement that homelessness is often secondary to health problems, especially mental health issues and substance abuse.

The department will expand current partnerships with the Small Business Administration, the Department of Housing and Urban Development, and other federal, state and community housing programs. It will also assist veteran-owned businesses in qualifying for federal contracts and surviving the downturn.

Shinseki invited thousands of government, nonprofit and faith-based homeless experts and advocates to Washington this week to tackle the issue, which he vows to fix during his tenure.

During the summit here today, he will reiterate that this number is about zero homeless veterans, "is a summit to end homelessness among veterans," he said. "That's our purpose."

Veterans of America applauded the goal. But Richard Weidman, head of policy and government affairs, added, "There are additional things that we think need to be addressed to be successful in achieving that goal, although it's a good start."

Weidman cited a need for the Pentagon and the Veterans Affairs Department to do more to diagnose and treat post-traumatic stress disorder, improve screening for substance abuse, veterans, who comprise about a third of the homeless veteran population, and eliminate a backlog in providing compensation to veterans and their families. He drew attention to the needs of women veterans, who comprise an increasing portion of the homeless veterans population, and would also be a boon, he said.

"If you add those other elements, you've never gotten a lot done, but we can do a hell of a lot better than we are doing," Weidman said.

Shinseki — a former Army chief of staff who once clashed with the Bush administration over its Iraq war policy — has earned praise for his tough approach to reviving a department described as moribund by lawmakers.

"We've seen responsiveness from the VA that we haven't seen in the past," said Terry Howell, an editor at Military.com, a veterans news and social-networking site.

"This is quick to try new and emerging approaches to address the issues that they're facing right now," Howell said.

Veterans Leadership Program (VLP) of Western Pennsylvania 17
Introduction & Program Overview, November 17, 2009

- 26% OF THE OVERALL HOMELESS POPULATION ARE VETERANS.
- 33% OF THE MALE HOMELESS POPULATION ARE VETERANS, ALTHOUGH THEY COMPRISE ONLY 13% OF THE ADULT MALES IN THE GENERAL POPULATION. VETERANS ARE TWICE AS LIKELY AS OTHER PEOPLE TO BE CHRONICALLY HOMELESS.
- 47% SERVED DURING THE VIETNAM ERA.
- 70% SUFFER FROM SUBSTANCE ABUSE PROBLEMS.
- 45% SUFFER FROM MENTAL ILLNESS.
- 89% RECEIVED AN HONORABLE DISCHARGE.
- 15% SERVED BEFORE THE VIETNAM ERA.

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts"
March 1, 2010

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- 17% SERVED AFTER THE VIETNAM ERA.
- 79% RESIDE IN CENTRAL CITIES.
- 67% SERVED THREE OR MORE YEARS.
- 33% WERE STATIONED IN A WAR ZONE.
- 25% HAVE USED VA HOMELESS SERVICES.
- 85% COMPLETED HIGH SCHOOL/GED COMPARED TO 56% OF NON-VETERANS.
- 46% ARE AGE 45 OR OLDER COMPARED TO 20% OF NON-VETERAN HOMELESS CITIZENS.

HOMELESSNESS AMONG VETERANS IS JUST ONE OF THE NEGATIVE EFFECTS OF THE DOWNWARD SPIRAL WE SEE EVERY DAY AT VETERANS LEADERSHIP PROGRAM. IT IS A TRAGEDY AND DISGRACE THAT ANY VETERAN SUFFERS IN THIS WAY, BUT IT IS ALSO A FACT AND WE MUST BE PREARED TO ADDRESS IT.

VETERANS COURT CAN HELP. WITH A FOCUS OF TEMPERATE JUSTICE, TREATMENT, AND GUIDED REHABILITATION VERSUS PUNISHMENT, VETERANS COURT OFFERS A REAL OPPORTUNITY TO STOP THE DOWNWARD SPIRAL FOR MANY VETERANS AND THEIR FAMILIES, AND CORRECT THE MISTAKES FROM OUR PAST. AND WE MUST REMEMBER, UNLIKE THE VIETNAM-ERA WHERE A MAJORITY OF SERVICE MEMBERS WERE YOUNG AND SINGLE, TODAY'S VETERANS ARE MORE LIKELY TO BE OLDER, MARRIED, AND HAVE CHILDREN. SO, WHEN A VETERAN ENTERS THE DOWNWARD SPIRAL, IT IS NOT JUST AN INDIVIDUAL IN CRISIS, IT IS A FAMILY.

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 18

WITH A LARGE, EXISTING POPULATION OF VETERANS IN WESTERN PENNSYLVANIA, AND WITH DISPROPORTIONATELY LARGE DEPLOYMENTS OVERSEAS BY MILITARY PERSONNEL FROM PENNSYLVANIA, WE MUST BE PREPARED TO ABSORB A GREAT NUMBER OF RETURNING SERVICE MEMBERS THAT WILL HAVE READJUSTMENT AND REINTEGRATION PROBLEMS, INCLUDING ENCOUNTERS WITH THE CRIMINAL JUSTICE SYSTEM. AND WE MUST NEVER FORGET THAT THE FAMILIES THAT REMAIN BEHIND ALSO EXPERIENCE PROBLEMS AND CHALLENGES WHEN A LOVED ONE IS DEPLOYED TO A FAR AWAY, DANGEROUS PLACE FOR A LONG PERIOD OF TIME. EVERYDAY, ORDINARY LIFE IS ANYTHING BUT ORDINARY UNDER THESE CIRCUMSTANCES.

VETERANS COURT OFFERS A THERAPEUTIC, SUPPORTIVE, AND SUCCESS-ORIENTED ENVIRONMENT THAT IS MODELED AFTER EFFECTIVE ALTERNATIVE-SENTENCING AND JAIL DIVERSION PROGRAMS. VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA IS TOTALLY COMMITTED TO HELPING VETERANS SUCCESSFULLY READJUST, REINTEGRATE, AND ASSIMILATE. IT IS OUR MISSION…OUR SINGULAR FOCUS…AND, IT IS NOT NEGOTIABLE. WE VIEW VETERANS COURT AS A RESPONSIBILITY AND OBLIGATION TO THOSE WHO HAVE SERVED OUR COUNTRY AND SACRIFICED ON OUR BEHALF.

VETERANS INCARCERATED IN ALLEGHENY COUNTY. THE ALLEGHENY COUNTY BUREAU OF CORRECTIONS 2006 ANNUAL REPORT (http://www.county.allegheny.pa.us/jail/report05.aspx) DOES NOT IDENTIFY THE NUMBER OF VETERANS IN CUSTODY, BUT IT DOES CONTAIN SOME

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IMPORTANT INFORMATION RELATIVE TO VETERANS COURT THAT I'D LIKE TO SUBMIT:

- THE ALLEGHENY COUNTY JAIL'S AVERAGE DAILY POPULATION HAS STEADILY INCREASED FROM 1,639 IN 1996 TO 2,584 IN 2006.

- RECEPTIONS IN 1996 WERE 21,097; IN 2006, RECEPTIONS WERE 25,586.

-- IN 2006, MALES = 20,957 (82%); FEMALES = 4,629.

-- IN 2006, AFRICAN AMERICANS = 12,685 (49.5%); CAUCASIAN = 11,882.

-- 18,302 (72%) OF THE 25,529 RECEPTIONS WERE RELEASED FROM THE ALLEGHENY COUNTY JAIL (ACJ) IN 14 DAYS OR LESS. THE VOLUME OF MOVEMENT IS ONE FACTOR THAT DISTINGUISHES A COUNTY JAIL FROM A PRISON FACILITY THAT HOUSES SENTENCED PRISONERS. THERE IS MUCH LESS MOVEMENT IN AND OUT OF A PRISON FACILITY. ANOTHER DISTINGUISHING FACTOR IS LENGTH OF STAY. IN PRISONS, LENGTH OF STAY IS PREDICTABLE AND USUALLY LONGER THAN IN JAILS. IN JAILS, THE LENGTH OF STAY IS USUALLY UNPREDICTABLE AND SHORTER. SHORTER LENGTH OF STAY (30-31 DAYS AT ACJ) RESULTS IN A TRANSIENT POPULATION THAT MAY BE VOLATILE. THIS HAS IMPLICATIONS FOR PROGRAMS AND SERVICES AND FOR MANAGEMENT AND OPERATIONS PROCEDURES.

-- 20,479 (80%) OF THE 25,586 RECEPTIONS WERE SINGLE; 2,757 (10.7%) WERE MARRIED; 1,459 (5.7%) WERE DIVORCED.

-- AVERAGE AGE IS 33 YEARS OLD.

- THE ALLEGHENY COUNTY JAIL OFFERS AN IMPRESSIVE ARRAY OF PROGRAM SERVICES TO ITS PRISONERS INCLUDING: EDUCATION, FAITH-BASED SERVICES, REINTEGRATION AND HOUSING PROGRAMMING, MEDICAL SERVICES, AND OTHER

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PROGRAMS AND SERVICES WITH THE INTENTION TO OFFER TOOLS AND CHANGE OPPORTUNITIES FOR OFFENDERS WHO MAY STRIVE TO LIVE CRIME FREE IN IMPROVED CONDITIONS AFTER RELEASE.

- THE ALLEGHENY COUNTY JAIL COLLABORATIVE HAS BEEN A JOINT EFFORT BETWEEN THE ALLEGHENY COUNTY JAIL, THE ALLEGHENY COUNTY OF DEPARTMENT OF HUMAN SERVICES, AND THE ALLEGHENY COUNTY HEALTH DEPARTMENT SINCE 2000. THIS GROUP HAS UTILIZED SCREENING TOOLS TO IDENTIFY THE NEEDS OF INMATES AND TO DEVELOP CREATIVE SOLUTIONS TO ADDRESS THESE NEEDS. THE COLLABORATIVE HAS BUILT AN INFRASTRUCTURE SPECIFICALLY TO PROVIDE THE SUPPORTS AND SERVICES TO FILL THE GAPS AND REMOVE THE BARRIERS THAT RELATE DIRECTLY TO THE HIGH RATE OF RECIDIVISM.

BUT GIVEN THE TRANSIENT NATURE OF THE COUNTY JAIL POPULATION, HIGH RECIDIVISM RATE, AND THE UNIQUE CHALLENGES AND CULTURE OF VETERANS, I BELIEVE VETERANS COURT WILL IMPROVE THE OUTCOMES OF THE ALLEGHENY COUNTY JAIL COLLABORATIVE AND PROVIDE OUR REGION'S HEROES A CHANCE TO GET THEIR LIVES BACK IN ORDER.

SO, WHILE WE DON'T KNOW EXACTLY HOW MANY VETERANS ARE PROCESSED THROUGH THE COUNTY JAIL, WE CAN ASSUME THAT 2,558 (10%) OF THE 25,586 RECEPTIONS IN 2006 WERE VETERANS. WE CAN FURTHER ASSUME THAT MANY ARE REPEAT VISITORS. WITH THAT MANY VETERANS ALREADY INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM, VETERANS LEADERSHIP PROGRAM IS COMMITTED TO

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SERVING THEM....AND....TO PARTICIPATE IN VETERANS COURT WHERE WE KNOW WE CAN MAKE A POSITIVE DIFFERENCE BY HELPING VETERANS ACCESS THE PROGRAMS, SERVICES, BENEFITS, AND ENTITLEMENTS THEY HAVE EARNED, DESERVED, AND THAT WE ARE OBLIGATED TO PROVIDE.

ALTERNATIVE-SENTENCING PROGRAMS. VETERANS COURT WILL TARGET NONVIOLENT OFFENDERS WHOSE VIOLATIONS STEM FROM POST TRAUMATIC STRESS AND OTHER CONTRIBUTING FACTORS THAT RESULT FROM MILITARY SERVICE. IT IS BASED ON ALTERNATIVE-SENTENCING AND JAIL DIVERSION PROGRAMS THAT FOCUS ON TEMPERATE JUSTICE, TREATMENT, AND GUIDED REHABILITATION VERSUS PUNISHMENT. SELECTED DEFENDANTS ARE OFFERED THE OPPORTUNITY TO PARTICIPATE IN COURT-SUPERVISED, COMMUNITY-BASED TREATMENT IN LIEU OF TYPICAL CRIMINAL SANCTIONS. VETERANS COURT IS NOT A 'GET-OUT-OF-JAIL-FREE' CARD....IT IS AN INTENSELY SUPERVISED PROGRAM OF TREATMENT AND REHABILITATION. I WOULD NOW LIKE TO PROVIDE SOME EVIDENCE ABOUT THE NEED FOR AND EFFECTIVENESS OF ALTERNATIVE-SENTENCING PROGRAMS.

ALLEGHENY COUNTY SET UP A MENTAL HEALTH COURT IN 2001 THAT PLACES MENTALLY-ILL PEOPLE CHARGED WITH NONVIOLENT CRIMES WITH COMMUNITY SOCIAL SERVICES. A 2007 RAND CORPORATION REPORT, ("Justice, Treatment, and Cost An Evaluation of the Fiscal Impact of Allegheny County Mental Health Court" (http://www.rand.org/pubs/technical_reports/TR439/, http://www.rand.org/news/press/2007/03/01/index.html) OF THE COUNTY'S MENTAL HEALTH COURT SHOWED THAT:

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- ONLY 14 PERCENT OF PARTICIPANTS COMMITTED A CRIME AFTER GOING THROUGH THE PROGRAM. THE RECIDIVISM RATE FOR THE GENERAL POPULATION OF INMATES IS 67 PERCENT (also reported in The Pittsburgh Tribune Review (http://www.pittsburghlove.com/x/pittsburghtrib/_605775.html) on Jan 6, 2009)

-- A PITTSBURGH TRIBUNE REVIEW ARTICLE ALSO REPORTED THAT A 2003 NATIONAL INSTITUTE OF JUSTICE STUDY THAT COMPARED A DRUG COURT IN MULTNOMAH COUNTY, OREGON TO CRIMINAL ADJUDICATION SHOWED THE DRUG-COURT MODEL SAVED THE PUBLIC MORE THAN $2,300 PER YEAR FOR EACH PARTICIPANT.

- ACROSS THE UNITED STATES, PEOPLE WITH MENTAL ILLNESS ARE OVER-REPRESENTED IN PRISONS AND JAILS. ACCORDING TO ONE JUSTICE DEPARTMENT STUDY, WHILE APPROXIMATELY 5 PERCENT OF THE U.S. POPULATION HAD A SERIOUS MENTAL ILLNESS, APPROXIMATELY 16 PERCENT OF PEOPLE IN JAILS AND PRISONS HAD A SERIOUS MENTAL ILLNESS.

- NEARLY ONE-QUARTER OF ALL JAIL INMATES WHO REPORTED HAVING A MENTAL HEALTH PROBLEM HAD SERVED THREE OR MORE JAIL TERMS;

- IN THE SECOND YEAR AFTER SENTENCING THE SUSTAINED DECLINE IN TIME THAT MENTAL HEALTH COURT PARTICIPANTS SPENT IN JAIL IN ALLEGHENY COUNTY MORE THAN OFFSET THE COSTS TO GOVERNMENT OF THEIR CONTINUING MENTAL HEALTH TREATMENT.

PERHAPS JUSTICE CENTER CHARTER GROUP CO-CHAIR AND TEXAS PRESIDING JUDGE SHARON KELLER SAID IT BEST: "THE RAND STUDY CONFIRMS THAT MENTAL

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 23

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HEALTH COURTS MAKE GOOD FISCAL SENSE,"..."BY CONNECTING PEOPLE WITH MENTAL ILLNESS WHO HAVE COMMITTED LOW-LEVEL CRIMES WITH COMMUNITY-BASED TREATMENT, WE CAN MAKE BETTER USE OF OUR JAILS AND TAX DOLLARS, INCREASE PUBLIC SAFETY, AND MAKE OUR COMMUNITIES HEALTHIER."

ADDITIONAL DATA SUPPORTING THE NEED FOR EFFECTIVE DIVERSION ALTERNATIVES FOR PERSONS IN THE JUSTICE SYSTEM IS COMPELLING. FOR EXAMPLE, FOR ADULTS IN THE KING COUNTY (SEATTLE) CORRECTIONAL SYSTEM, ACTIVE SUBSTANCE ABUSE IS REPORTED AMONG 60 TO 80 PERCENT OF THOSE ADMITTED TO JAIL. UP TO 15 PERCENT OF THE LOCALLY INCARCERATED POPULATION SUFFER FROM A MAJOR MENTAL ILLNESS, AND A RECENT STUDY OF A RANDOM STRATIFIED KING COUNTY JAIL SAMPLE REVEALED THAT 23 PERCENT OF "HIGH IMPACT" (I.E., DEMONSTRATING REPEATED CYCLING THROUGH THE CRIMINAL JUSTICE, MENTAL HEALTH, AND CHEMICAL DEPENDENCY SYSTEMS) JAIL INMATES ARE DIAGNOSED WITH CO-OCCURRING SUBSTANCE USE AND MENTAL DISORDERS.

(Source. "Creating Integrated Service Systems for People with Co-Occurring Disorders Diverted from the Criminal Justice System, The King County (Seattle) Experience, Summer 2000/Revised Fall 2004)

ONE STUDY (Source "What Can We Say About the Effectiveness of Jail Diversion Programs for Persons with Co-Occurring Disorders?", Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, April 2004) OF THE EFFECTIVENESS OF JAIL DIVERSION PROGRAMS SUGGESTS:

- JAIL DIVERSION 'WORKS' IN TERMS OF REDUCING TIME SPENT IN JAIL, AS EVIDENCED BY DIVERTED PARTICIPANTS SPENDING AN AVERAGE OF TWO MONTHS MORE IN THE COMMUNITY.

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- JAIL DIVERSION DOES NOT INCREASE PUBLIC SAFETY RISK. DESPITE MORE DAYS IN THE COMMUNITY, DIVERTED PARTICIPANTS HAD COMPARABLE RE-ARREST RATES IN THE 12-MONTH FOLLOW-UP PERIOD.

- REGARDING THE 'SUCCESS' OF VETERANS COURT, THE FIRST "VETERANS' COURT" WAS LAUNCHED IN BUFFALO, N.Y., IN JANUARY 2008 BY JUDGE ROBERT RUSSELL. HIS PROGRAM WAS BASED ON THE VARIOUS "PROBLEM SOLVING" TRIBUNALS AROUND THE COUNTRY, RANGING FROM SPECIALIZED DRUG COURTS TO MENTAL-HEALTH AND DOMESTIC-VIOLENCE COURTS. DRUG COURTS, FOR INSTANCE, INTEGRATE TREATMENT WITH JUSTICE-SYSTEM CASE MANAGEMENT, AND CLOSELY SUPERVISE AND MONITOR PARTICIPANTS. STUDIES SHOW THEY HAVE DECREASED RECIDIVISM RATES AS WELL AS THE COST OF INCARCERATION. IN RECENT TESTIMONY BEFORE THE HOUSE VETERANS' AFFAIRS COMMITTEE, RUSSELL SAID HIS PROGRAM TEAMS VETERANS GUILTY OF NONVIOLENT FELONY OR MISDEMEANOR OFFENSES WITH VOLUNTEER VETERAN MENTORS, REQUIRING THEM TO ADHERE TO A STRICT SCHEDULE OF REHABILITATION PROGRAMS AND COURT APPEARANCES. ONE HUNDRED AND TWENTY VETERANS ARE ENROLLED IN THE BUFFALO PROGRAM; 90 PERCENT OF PARTICIPANTS HAVE SUCCESSFULLY COMPLETED THE PROGRAM, AND THE RECIDIVISM RATE IS ZERO. (Source: http://www.newsweek.com/id/233415, Feb 11, 2010)

IN SUMMARY, THE NEED FOR AND EFFECTIVENESS OF ALTERNATIVE-SENTENCING AND JAIL DIVERSION PROGRAMS IS WELL-ESTABLISHED. CLEARLY, TREATMENT WORKS BETTER THAN INCARCERATION FOR PEOPLE WITH DRUG AND MENTAL

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 25

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HEALTH PROBLEMS. TO BE SUCCESSFUL, AN INTEGRATED, COMMUNITY-BASED APPROACH IS NEEDED, AND I'D LIKE TO TELL YOU NOW HOW VETERANS LEADERSHIP PROGRAM CAN CONTRIBUTE TO THAT SUCCESS.

VETERANS LEADERSHIP PROGRAM AND VETERANS COURT. VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA HAS SERVED OUR VETERANS FOR NEARLY THREE DECADES—THERE IS NO MORE IMPORTANT, MEANINGFUL, OR PURPOSEFUL WORK. WE HAVE DEEP CONNECTIONS IN THE PUBLIC, PRIVATE, AND NONPROFIT SECTORS TO HELP SERVE OUR CLIENTS AND PUT THEM ON A PATH OF SELF-SUFFICIENCY, SUSTAINABILITY, AND A BETTER QUALITY OF LIFE. IN 2009: NEARLY 5,000 VETERANS AND FAMILY MEMBERS WERE SERVED BY VETERANS LEADERSHIP PROGRAM WITH DIRECT AND REFERRAL SERVICES. A FEW OTHER HIGHLIGHTS FROM 2009 INCLUDE:

- 304 JOB READY CLIENTS WERE SUCCESSFULLY PLACED INTO POSITIONS OF UNSUBSIDIZED EMPLOYMENT. THE DIRECT ECONOMIC IMPACT FROM THESE JOBS WAS $6,135,001.

- 239 (183 VETERANS/56 DEPENDENTS) CLIENTS WERE PROVIDED HOUSING ASSISTANCE THROUGH SEVEN HOUSING PROGRAMS. VLP IS THE LARGEST PROVIDER OF SUBSIDIZED HOUSING TO HOMELESS VETERANS IN THE REGION. THE SOCIAL AND ECONOMIC IMPACT FROM OUR $1.4 MILLION HOUSING PROGRAMS IS CONSERVATIVELY ESTIMATED AT $2.9 MILLION.

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- 1,003 CLIENTS WERE PROVIDED A WIDE RANGE OF SUPPORTIVE SERVICES, INCLUDING: RENT, UTILITIES, TRANSPORTATION, CLOTHING, FOOD, AND OTHER BASIC NECESSITIES.

- 3,975 CLIENTS WERE PROVIDED REFERRAL SERVICES TO DOZENS OF SOCIAL SERVICES AND GOVERNMENT AGENCIES, PRIVATE SECTOR BUSINESSES, AND OTHER SERVICE ORGANIZATIONS.

IN SUMMARY, WITH A BUDGET OF APPROXIMATELY $2 MILLION, VETERANS LEADERSHIP PROGRAM PROVIDED A DIRECT ECONOMIC RETURN ON INVESTMENT OF OVER $10 MILLION, AND, WE ALSO PROVIDED A MEANINGFUL AND SUBSTANTIAL SOCIAL RETURN ON INVESTMENT, MEASURED BY THE IMPROVED LIVES OF OUR DESERVING CLIENTS.

I MUST NOTE THAT WHILE I AM EXTREMELY PROUD OF OUR ACCOMPLISHMENTS, I AM CONCERNED WITH THE TRENDS I HAVE SEEN IN MY TWO AND A HALF YEARS AT VLP. WE SAW MORE CLIENTS THIS YEAR THAN THE PREVIOUS YEAR...OUR HOUSING PROGRAMS REMAIN FULL AND OUR WAITING LIST IS AS LONG AS IT HAS EVER BEEN...IN SHORT, THE DEMAND FOR OUR SERVICES CONTINUES TO GROW AND WE ARE SEEING THE DEMAND FOR SERVICES FOR VETERANS ENCOUNTERING THE CRIMINAL JUSTICE SYSTEM GROW AS WELL.

VETERANS LEADERSHIP PROGRAM DELIVERS ITS CORE PROGRAMS AND SERVICES THROUGH A NUMBER OF PUBLICLY-FUNDED GRANTS INCLUDING FOUR JOB

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 27

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TRAINING AND PLACEMENT GRANTS, SEVEN HOUSING GRANTS, AND FOUR ADDITIONAL GRANTS THAT ADDRESS THE PROVISION OF CASE MANAGEMENT SERVICES, EMERGENCY SHELTER, SERVICE TO DISABLED VETERANS AND VETERANS IN THE CRIMINAL JUSTICE SYSTEM. WE ARE EXPERIENCED IN SUCCESSFULLY MANAGING AND OPERATING GOVERNMENT PROGRAMS.

OUR EMPLOYMENT, HOUSING, AND SUPPORTIVE SERVICES PROGRAMS ARE DESIGNED AFTER PROVEN MODELS USING BEST PRACTICES AND AN INTENSIVE CASE MANAGEMENT APPROACH. WORKING WITH EACH CLIENT WE SERVE, WE CREATE AN INDIVIDUALIZED SERVICE PLAN TO SET GOALS AND MONITOR PROGRESS. WE UNDERSTAND THAT SUCCESS FOR MANY OF OUR AT RISK CLIENTS IS MOST OFTEN FOUND IN SMALL STEPS AND WE HAVE LEARNED THAT EACH STEP TOWARD A MORE STABLE LIFE IS IMPORTANT, BOTH FOR THE INDIVIDUAL AND FOR OUR COMMUNITY. VETERANS COURT WILL BE NO DIFFERENT AND WE WILL BE ABLE TO OFFER THOSE WHO HAVE SERVED AND SACRIFICED ON OUR BEHALF—A CHANCE TO BE SAFE…TO RECOVER…AND TO LIVE THEIR LIVES WITH RESPECT, DIGNITY, AND PEACE. THEY ARE NO DIFFERENT THAN I AM—THEY WANT TO HAVE A GOOD LIFE, AND WE CAN HELP THEM ACHIEVE THAT THRU VETERANS COURT.

WHILE THERE HAS BEEN DISCUSSION ABOUT 'VETERANS COURT' FOR SOME TIME, A CONCERTED EFFORT BEGAN IN JANUARY 2009 TO GET THINGS MOVING. (Source http://www.post-gazette.com/pg/09006/939806-85.stm, Jan 6, 2009). JUST TEN MONTHS LATER, ON NOVEMBER 10,

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2009 (THE MARINE CORPS BIRTHDAY AND DAY BEFORE VETERANS DAY), THE FIRST VETERANS COURT WAS HELD IN ALLEGHENY COUNTY.

Veterans Court Launched Nov 10, 2009

Allegheny court program for veterans gets first participants

By Walter F. Roche Jr TRIBUNE-REVIEW *Wednesday, November 11, 2009*

On the eve of Veterans Day, the first defendants appeared in the ***inaugural session of an Allegheny County court program*** aimed at keeping veterans out of jail for nonviolent offenses through a ***tightly supervised counseling program***

The three men, facing driving under the influence or similar charges, appeared before Common Pleas Judge John A Zottola shortly after 11 a m Tuesday

"This is a chance for you to have someone else look at your case, another set of eyes from someone who has been there," Zottola said

Under the program, defendants will be placed in supervised counseling programs with mentors and report back to Zottola in early December, when they have completed 50 percent of the program

The mentors, all veterans, "know more about what you're going through than I," Zottola told one of the men, a 43-year-old Army veteran

The special court is the result of a nearly yearlong effort by government officials and veterans advocates

Ray Webb, who appeared on behalf of one of the defendants, said the veterans will be placed in programs run by the Department of Veterans Affairs Webb is a volunteer advocate for the Veterans Leadership Program of Western Pennsylvania, a driving force in establishing the court

If the veterans comply with the treatment program, that will be taken under consideration when they come before a judge for sentencing, Webb said Graduation could lead to dismissal of the charges

"It's still up to the judge and, if he (the defendant) doesn't comply with the program, then the hammer will come down," Webb said

"The ***sentencing judge remains in control*** ," said Common Pleas Judge Michael E McCarthy, who led judicial efforts to establish the program, said the judge controls the sentence

"We wanted to do this for Veterans Day," said McCarthy, a Navy veteran who served in Vietnam "This is a little more than putting a flag out on your lawn "

Court officials have expressed hopes the county program, the first in Pennsylvania, will serve as a state model Advocates say the program can not only help veterans stay out of jail, but also reduce costs

Officials estimate about 10 percent of people incarcerated nationally are veterans

Albert Mercer, executive director of the Veterans Leadership Program, said hundreds of county veterans could be diverted to the program each year and avoid jail time

District Attorney Stephen A Zappala Jr 's office sees the program as "a ***progressive way to improve the system***," spokesman Mike Manko said

McCarthy said funding remains to be resolved, but a pending bill in Congress could provide a permanent funding stream He said that for the moment, the VA is placing participants in programs already funded

"The VA has money for these programs, so this actually can save money for the state," he said

Veterans Leadership Program (VLP) of Western Pennsylvania 26
Veterans Court Mentor Program, February 23, 2010

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 29

Veterans Court Launched Nov 10, 2009

http://www.post-gazette com/pg/09315/1012486-455 stm

Program would help veterans on probation

Wednesday, November 11, 2009 By Gabrielle Banks, Pittsburgh Post-Gazette

Michael Danny can't say whether he learned anything the July night police arrested him at his Monroeville home for bloodying his wife's nose and arms and choking his 18-year-old daughter

Mr Danny, a Marine Corps veteran who works in roofing and construction, can't say whether his guilty plea to simple assault and harassment charges yesterday marked a moment for change

But the 47-year-old who has a history of heavy drinking said "it can't hurt" that during his two years' probation he will get special oversight through a new diversionary sentencing program in Allegheny County Common Pleas Court

Mr. Danny was one of a handful of defendants who appeared in court yesterday for the first official day of Veterans Court before Judge John A Zottola The special adjudication program, which eventually will take place every second Wednesday afternoon, began this week in honor of Veterans Day

The county program joins about 10 nationwide that identify veterans once they enter the criminal justice system -- as long as their offenses meet certain criteria -- for ***comprehensive supervision, treatment and review*** while they are on probation Defendants are ineligible if they are charged with homicide, rape or drug dealing, for example

But, at prosecutors discretion the program may adjudicate individuals charged with crimes like drug possession, retail theft, receiving stolen property or simple assault -- as in Mr Danny's case -- if the victims are amenable

Judge Zottola said the program is partly modeled after Mental Health Court, which he also runs each week He said the program intersects with defendants' lives at a turning point "where you figure your resources are best placed at getting a bang for your buck " The individuals plead to the crimes and then transition to probation and treatment programs

The idea is to check in with them regularly and, through programs and monitoring, help them get their lives on track and prevent them from re-offending.

The Veterans Court also adds what Al Mercer, of the Veterans Leadership Program, calls a key element Every defendant who opts to be in the diversionary program will be assigned a fellow veteran as a ***volunteer mentor*** , whose job it will be to coach the defendant through the process

So when the court's minute clerk called Mr Danny's case yesterday, his lawyer stood at his side. There was also a social worker from the Department of Veterans Affairs and James Snider, a disabled Air Force veteran who was assigned to be Mr Danny's mentor

If Mr. Danny complies with the terms of his probation, which include substance abuse treatment and anger management, he could be released early from probation His mentor will be there to help him through the rough spots.

Mr Danny's wife, Barbara, teared up when she spoke about his addiction

"I just want it gone His dad drank, too He went to AA, and it didn't work," she said

Veterans Leadership Program (VLP) of Western Pennsylvania 25
Veterans Court Mentor Program, February 23, 2010

VETERANS LEADERSHIP PROGRAM PROVIDES VOLUNTEER MENTORS TO THE COURT. THESE MENTORS ACT AS COACHES, ADVOCATES, AND ROLE MODELS TO GUIDE AND SUPPORT THE VETERANS DEFENDANT. MENTORS LISTEN TO CONCERNS AND MAKE GENERAL SUGGESTIONS TO ASSIST IN DETERMINING THE DEFENDANT'S NEEDS. MENTORS ARE VETERANS THEMSELVES WHO CAN RELATE TO THE DEFENDANTS.

VETERANS LEADERSHIP PROGRAM CONTINUES TO CONDUCT EXTENSIVE RESEARCH ON ALTERNATIVE-SENTENCING AND JAIL DIVERSION PROGRAMS AND WILL USE THE

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 30

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BEST PRACTICES AND PROVEN MODELS FROM THIS RESEARCH TO AUGMENT OUR CORE PROGRAMS AND SERVICES THAT ALREADY ADDRESS MANY OF THE NEEDS OF THIS POPULATION. THE NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS (NADCP) HAS TREMENDOUS RESOURCES ON THEIR WEBSITE (http://www.nadcp.org/node/439) THAT HAS HELPED US DEVELOP OUR MENTOR PROGRAM. ONE OF THE KEY RECOMMENDATIONS THAT VETERANS LEADERSHIP PROGRAM SUPPORTS IS A COMMUNITY-BASED APPROACH FOR JUSTICE-INVOLVED VETERANS. THE AUGUST 2008 RECOMMENDATIONS (http://www.nadcp.org/sites/default/files/nadcp/GAINS Report%5B1%5D_0.pdf) FROM THE CENTER FOR MENTAL HEALTH SERVICES' NATIONAL GAINS CENTER (http://www.gainscenter.samhsa.gov/html) INCLUDE: (1) SCREEN (INDIVIDUALS ARRESTED) FOR MILITARY SERVICE AND TRAUMATIC EXPERIENCES; (2) LAW ENFORCEMENT, PROBATION AND PAROLE, AND CORRECTIONS OFFICERS SHOULD RECEIVE TRAINING ON IDENTIFYING SIGNS OF COMBAT-RELATED TRAUMA AND THE ROLE OF ADAPTIVE BEHAVIORS IN JUSTICE SYSTEM INVOLVEMENT; (3) HELP CONNECT VETERANS TO VHA (VETERANS HEALTH ADMINISTRATION) HEALTH CARE SERVICES FOR WHICH THEY ARE ELIGIBLE, EITHER THRU A COMMUNITY-BASED BENEFITS SPECIALIST OR TRANISTION PLANNER, THE VA'S OEF/OIF (OPERATION ENDURING FREEDOM/OPERATION IRAQI FREEDOM) COORDINATORS, OR THROUGH A LOCAL VET CENTER; (4) EXPAND COMMUNITY-BASED VETERAN-SPECIFIC PEER SUPPORT SERVICES; AND, (5) IN ADDITION TO MENTAL HEALTH NEEDS, SERVICE PROVIDERS SHOULD BE READY TO MEET SUBSTANCE ABUSE, PHYSICAL HEALTH, EMPLOYMENT, AND HOUSING NEEDS;

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 31

WE ARE ALSO CONTINUING DISCUSSIONS WITH POTENTIAL PARTNERS AND STAKEHOLDERS TO ENSURE CLARITY OF PURPOSE AND UNITY OF EFFORT. WE UNDERSTAND TEAMWORK AND BULDING CONSENSUS ARE CRITICALLY IMPORTANT IN BUILDING A SUCCESSFUL COURT-DIRECTED, COMMUNITY-BASED PROGRAM.

OUR 28-YEAR HISTORY OF SERVING AN AT RISK POPULATION HAS RESULTED IN PARTNERSHIPS AND RELATIONSHIPS WITH PUBLIC, PRIVATE, AND NONPROFIT SECTOR AGENCIES AND ORGANIZATIONS THAT PROVIDE THE SERVICES WE CAN'T ENSURING A COMPREHENSIVE SAFTEY NET IS FORMED AROUND EACH CLIENT. WE UNDERSTAND THE GREAT IMPACT THAT THESE KINDS OF RELATIONSHIPS CAN HAVE. FOR EXAMPLE, IN AUGUST 2008, WE LED A COMMUNITY-WIDE EFFORT TO SERVE OUR HOMELESS VETERANS AND OTHER CITIZENS IN NEED WHEN WE CONDUCTED THE FIRST STAND DOWN HELD IN PITTSBURGH SINCE 1995. AT THIS ONE-DAY EVENT, OVER 20 ORGANIZATIONS FROM THE PUBLIC, PRIVATE, AND NONPROFIT SECTORS, AND OVER 100 VOLUNTEERS, CAME TOGETHER AND PROVIDED EVERYTHING FROM HAIRCUTS TO FOOD TO HEALTH EXAMS TO REFERRALS TO SOCIAL SERVICES AGENCIES TO 227 INDIVIDUALS. STAND DOWN 2009, OUR SECOND STAND DOWN SINCE 1995, SERVED 253 INDIVIDUALS IN ONE DAY,... AND WE EXPECT STAND DOWN 2010 TO BE AN EVEN MORE IMPACTFUL EVENT. CLEARLY, AN INTEGRATED, COMMUNITY-BASED APPROACH CAN MAKE A DIFFERENCE. THE SAME POWERFUL, MULTI-SYSTEM STAKEHOLDER APPROACH CAN WORK IN THE VETERANS COURT FRAMEWORK, AND VETERANS LEADERSHIP PROGRAM HAS THE KNOW HOW TO BE A BIG PART OF THIS TEAM.

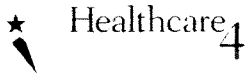
Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 32

OUR CASE MANAGERS, MANY WHO ARE VETERANS THEMSELVES, UNDERSTAND THE UNIQUE CHALLENGES FACED BY VETERANS AND RESPECT THE UNIQUE CULTURE IN THE VETERAN COMMUNITY. THIS IS A KEY SUCCESS FACTOR OF THE BUFFALO VETERANS COURT AND IS ACHIEVED BY ASSIGNING VETERANS TO MENTOR THE DEFENDANTS, OFFERING THEM SUPPORT AND ADVICE. WE HAVE 20 VOLUNTEERS WHO HAVE AGREED TO SERVE AS MENTORS. VETERANS WILL TALK TO OTHER VETERANS...THAT BOND BREAKS DOWN BARRIERS. ADDITIONALLY, WE HAVE BEEN ASKED TO EXTEND OUR PROGRAMMING TO SERVE VETERANS IN THE ALLEGHENY COUNTY JAIL, AND WE ARE SUPPORTING THE MENTOR PROGRAM AND PROGRAMMING AT THE JAIL WITH LITTLE FINANCIAL SUPPORT.

IT IS MY BELIEF THAT DIVERTING ELIGIBLE VETERANS FROM THE CRIMINAL JUSTICE SYSTEM AND PROVIDING INTENSIVE, INTEGRATED, COURT-DIRECTED, COMMUNITY-BASED TREATMENT AND SUPPORT OFFERS FAR MORE HOPE TO IMPROVING THE LIVES OF INDIVIDUAL OFFENDERS, THEIR FAMILIES, AND THE WELFARE OF THE LARGER COMMUNITY.

VETERANS LEADERSHIP PROGRAM OF WESTERN PENNSYLVANIA WILL SUPPORT VETERANS COURT WITH UNCOMPROMISING DEDICATION, PROFESSIONALISM, AND PASSION. WE OWE OUR VETERANS NOTHNG LESS. THANK YOU AGAIN FOR THE OPPORTUNITY TO PRESENT THIS TESTIMONY.

Veterans Leadership Program of Western Pennsylvania (http://www.vlpwpa.org) Testimony at the Senate Committee on the Judiciary, Committee on Crime and Drugs field hearing titled, "Evaluating the Need for Great Federal Resources to Establish Veterans Courts" March 1, 2010 33



PRESENTOR: MICHAEL E. MORELAND, FACHE

VISN 4 NETWORK DIRECTOR

Statement

Thank you for allowing me the opportunity to testify on behalf of the VA in order to present to the courts and other interested parties the wide array of services available to our Veterans. My name is Michael Moreland and I serve as the Network Director for VA Healthcare - Veterans Integrated Service Network 4, which is comprised of 10 VA medical centers and 45 community based outpatient clinics. Our programs and services are extensive in scope and well suited to assist Veterans in recovery from illnesses that may have led them to encounter the legal system.

VISN 4 is based in Allegheny County and serves Veterans throughout Pennsylvania and Delaware as well as portions of West Virginia, New Jersey, Ohio and New York.

As I am sure you are aware, the war in Iraq has resulted in many Veterans returning with complex medical and mental health needs. VISN 4 has served more than 18,000 Veterans from combat theatres in Afghanistan and Iraq since 2001. While many have made successful reintegration into civilian society, some struggle with PTSD, traumatic brain injury and substance abuse. For example, 12-15% of returning service members screen positive for alcohol abuse. Many of these factors play direct roles in a Veterans encounter with the criminal justice system.

The most recent U.S. Department of Justice (Bureau of Justice Statistics) Survey of Inmates in Local Jails taken in 2002 indicated that 9.3% of the people incarcerated are Veterans. These Veterans disproportionately suffer from mental health disorders. Three in five have substance dependency problems, almost one in three have serious mental illness and one in five are homeless. For incarcerated Veterans, 70% committed a non violent crime. These statistics suggest that there is a significant need for services for Veterans who are facing criminal charges.

The VA is making a system-wide effort to ensure access to services for the justice-involved Veteran population. To that end, Public Law 107-95, Section 2022 delineates that medical centers must now provide outreach to justice-involved Veterans in the communities they serve. In communities where justice programs relevant to Veterans exist we will take the initiative in building working relationships to see that eligible justice-involved Veterans get the needed care. In communities where no such programs exist, VA will reach out to potential justice system partners to connect eligible justice-involved veterans with VA services.

Our goal is to introduce and provide intervention to an ongoing process of recovery designed to help Veterans become stable, employed and substance-free while maintaining strong mental health follow up and case management.

I am happy to report that VA-Healthcare VISN 4 is doing their part. Currently all ten VA medical centers have a Veterans Justice Outreach (VJO) Specialist who is a licensed, independent practitioner. These individuals work with local law enforcement, corrections facilities and the local judicial system in order to provide needed services to eligible Veterans. Treatment options may include case management, substance abuse treatment, mental health treatment and housing assistance.

In November 2009, VA Pittsburgh helped launch Veterans' Treatment Court in Allegheny County, one of only 16 such courts in the nation. Pittsburgh's Veterans Court is typically held on Wednesdays. Due to increased and ongoing efforts it is anticipated that there will be a need to introduce additional court times. A very important element to the intervention process is having a Veteran mentor to facilitate the process and help the Veteran with issues of accountability. Because of our strong partnership with the Pittsburgh Veterans Leadership Program (VLP), they have agreed to provide oversight and assign each Veteran in Pittsburgh a mentor.

The Philadelphia Municipal Court began holding Veterans' Treatment Court on January 6, 2010. These proceedings are held one day a week in the afternoon; however, based on an increased forecast there may be a need to move to an all day expansion. The process as it is now requires that the court send the docket of potential Veterans to our contact at the Veterans Benefits Office (VBA) who establishes their eligibility. That information is relayed to the VJO specialist who makes contact with the Veteran at their first court hearing, at which time a treatment plan is established. Philadelphia has been able to connect with a growing list of Veterans, all experiencing mental health or substance abuse issues.

Philadelphia's efforts also include working with the Court of Common Pleas as the court identifies Veterans through their mental health court. This process has resulted in

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Veterans being discharged from Norristown State Hospital and the Philadelphia Detention Center Infirmary with subsequent placement in VA treatment.

Philadelphia is also involved in the Crisis Intervention Training (CIT) with the city police department and serves on the City Forensic Task Force.

Lackawanna County Veterans' Treatment Court has been operational since September 24, 2009 and partners with Wilkes-Barre VAMC.

In addition to the Veterans Justice Outreach initiative, the Health Care for Reentry Veterans program recently provided training for the Department of Corrections (DOC) staff in Pennsylvania. During this initiative, 339 PA Department of Corrections staff were trained at three community corrections centers and five state correctional institution sites across the VISN. The intent of the training was to educate DOC staff on Veterans' benefits and VA healthcare opportunities.

On February 3, 2010 the first meeting of a statewide task force on Veterans and the Criminal Justice System in Pennsylvania took place. I co-chaired this task force with Pennsylvania Supreme Court Justice Seamus McCaffery. This was an initial meeting of the task force to discuss collaboration between the court system and our community partners. The task force was well received and attendees included Brigadier General Scott Wagner from the Pennsylvania Department of Veterans Affairs; Thomas Lastowka and Beth McCoy from the Veterans Benefits office; Michael Piecuch, District Attorneys Association; Mr. Douglas Hill, Executive Director of the County Commissioners; Judge John Zatolla of Allegheny County; Judge Marsha Neifield of Philadelphia and several state legislators or their representatives. In the end all coming together with one common goal, strengthening our partnerships as we work towards ensuring access to services for the justice-involved Veteran

This extensive ongoing collaboration allows one to see the strong commitment that both the VA and the community has to serving our veterans.

In conclusion I would like to thank you for the opportunity to show my support and commitment to the Veterans' justice outreach initiative

Please feel free to contact my office or my staff at any time.

My name is John A. Zottola. I am a Judge in the Criminal Division of the Court of Common Pleas of Allegheny County, Pennsylvania, and I have been the supervising judge of our county's Mental Health Treatment Court since March of 2006. Recently I was assigned to supervise our newly created Veterans' Court. Our Veterans' Court was created based on a recognition of the tremendous sacrifices made by our veterans for the safety, freedom, and liberties of their fellow citizens and the special circumstances that may exist when a veteran finds himself or herself in the midst of the Criminal Justice System. The special circumstances, combined with the successes that have been achieved in treatment courts, such as Mental Health, Drug, and DUI Courts, call for the establishment of an avenue to deal with veterans' issues in the Criminal Justice System while being mindful of the need to protect public safety.

A joint task force, co-chaired by PA Supreme Court Justice Seamus McCaffrey and VISN 4 Director Michael Moreland, was created to address the needs of PA veterans within the Criminal Justice System. Its inaugural meeting was held February 3, 2010, in Harrisburg, PA. At the task force meeting, the need to divert and treat--with regard for public safety--those veterans at various stages in the Criminal Justice System was agreed upon. The diversion at different levels mimics the highly successful sequential intercept model used in Mental Health Treatment and Diversion--a copy of which is available in the materials of the February 3rd meeting.

Simply put, the Sequential Intercept Model has five (5) intersects in the Criminal Justice System where a person can be diverted, housed, treated and provided for in lieu of incarceration or custody. Allegheny County's Department of Human Services describes that model as follows; Intercept One: Pre-arrest diversion, Intercept Two: Post-arrest/Jail diversion, Intercept Three: Court/Jail Diversion - Mental Health Court, Intercept Four: Re-entry from jail, Intercept Five: Probation/Parole.

Since our county has diversionary plans at all points along the Intercept Model, it was determined that our Veterans track or Court would concentrate the efforts at diversion at the Court of Common Pleas, which is similar to our Drug, Mental Health and DUI Courts.

My experience has been exclusively with Mental Health and Mental Health Court. Our Mental Health Court has been in existence since 2001. In 2001, 16 clients appeared in Mental Health Court. Currently, there are over 320 clients in the court. The

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premise in 2001, which clearly applies to veterans in the Criminal Justice System today, is that diversion and treatment, rather than the revolving door of incarceration, release, re-arrest, and re-incarceration, is the right thing to do. A 2007 Rand Corporation study of Allegheny County's Mental Health Court, which shows a taxpayer savings over two years as a result of diversion in lieu of incarceration, demonstrates that the concept also makes fiscal sense. Similar if not additional savings can be obtained with Veterans Court based on the participation of the Veterans' Administration, a potentially powerful ally of the veterans in the diversionary program. Also, there is no reason to believe that the low recidivism rate for Mental Health Court can not be duplicated with veterans. Our current internal recidivism rate for Mental Health Court is approximately 15%, proving that treatment courts work.

The treatment court approach to criminal justice is radically different from the traditional understanding of the criminal justice system. Treatment courts approach the resolution of cases as a team, as opposed to using the traditional adversarial model, in which the judge is always the arbiter. While the traditional approach places the judge at the top of the pyramid, treatment courts are horizontal in nature, with the judge acting as the ultimate arbiter only when a consensus cannot be reached by the team. Some have called the treatment team approach as the "transformed" court process.

Judge Roger K. Warren, President of the National Center for State Courts, has crisply and effectively captured the comparison between the "traditional" and "transformed" court processes:

A Comparison of Transformed and Traditional Court Procedures

Traditional Process	Transformed Process
Dispute resolution	Problem-solving dispute avoidance
Legal outcome	Therapeutic outcome
Adversarial process	Collaborative process
Claim- or case-oriented	People-oriented
Rights-based	Interest- or needs-based
Emphasis placed on adjudication	Emphasis placed on post-adjudication and alternative dispute resolution
Interpretation and application of law	Interpretation and application of social science

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Traditional Process (cont'd)	**Transformed Process**
Judge as arbiter	Judge as coach, social worker, cheerleader, case manager or risk manager, member of treatment or therapy team, listener translator, lead actor in courtroom drama
Backward looking	Forward looking
Precedent-based	Planning-based
Few participants and stakeholders	Wide range of participants and stake-holders
Individualistic	Interdependent
Legalistic	Common-sensical
Formal	Informal
Efficient	Effective

A typical treatment team consists of Judge, Assistant District Attorney, Public Defender, Forensic Support Specialist, Specialized Probation Officers. Two other component members of the Veterans Court Treatment team that would be tremendously important and beneficial would be the Veterans Administration and a Veteran Mentor. Funding resources are needed to support the treatment team in each of the categories and funding resources for coordination among the treatment court's is essential.

Veterans need and deserve diverse treatment in the Criminal Justice System as a result of the traumas sustained in military conflicts. A substantial percentage of veterans returning from Iraq and Afghanistan, as well as previous wars and conflicts, return home suffering from Post-Traumatic Stress Disorder (PTSD), as well as other mental illnesses. For those returning with PTSD or other mental disorders, both societal expectations and family challenges often demand quick reintegration into a society for which the vet may be ill equipped. As a result of these pressures, veterans grapple with stresses that often result in criminal episodes.

We now recognize that many veterans believe that participation in mental health, drug or other treatment courts may stigmatize them as of a result of certain aspects of military culture. Because of this, the diversion of veterans in the criminal justice system to a separate veterans court will encourage participation and treatment of some veterans who would otherwise avoid it.

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The goal of a Veterans Court should be "to reduce the percentage of veterans with co-occurring mental health and substance abuse disorders by considering the experience of war before sentencing and by helping former soldiers find treatment." The critical initial threshold must be to convince arrested veterans that there is no shame in accepting help.

A critical component of veterans court would be the role filled by other veterans in the courtroom. These "mentors" would serve as informal advisors to the court participants, helping with a variety of issues, ranging from VA paperwork and benefit questions to encouragement and support of veterans who are uneasy about entering treatment. The mentor program would put the powerful bonds of military service to good use by enlisting local veteran volunteers to help overcome participants' resistance to treatment and point them in the right direction.

Judge Russell of the Buffalo Veterans Court attests to the success of mentors, saying, "We have close to twenty veterans who are volunteering as mentors to help (the defendants) readjust to civilian life. It's amazing to see how one veteran talking to another veteran can help in encouraging treatment." The mentors would appear in court and also meet with veterans who are showing hesitance about entering the program.

As in our other problem solving courts, the participants of veterans court would also be assigned a professional caseworker from Justice Related Services. The veteran mentor--a volunteer at this time--would supplement rather than replace the caseworker. Most, if not all of the mentors will have served in conflicts from Vietnam to Iraq and Afghanistan and will be well equipped to understand the feelings and emotions of those who have also served in similar environments.

This mentor role is so critical that it may be necessary and advisable to identify a fund that would compensate the mentors for their work with the program. This concept has gained support in other treatment courts. Such a program provides value and self-worth to the mentor and compensates them for providing an important service to the court as an extra set of eyes that watch the veteran in the community. They will also provide a gentle or forceful coaxing of the veteran to be medically compliant, meeting and treatment compliant, drug and alcohol free, and crime free. A mentor will be a

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supportive individual who has "been there and done that" and can offer support and praise when accomplishments are achieved.

Allegheny County's Veterans Court will accept both misdemeanor and felony cases through a process where a veteran's case will be referred into the court, their eligibility for VA benefits and treatment will be evaluated and their ultimate acceptance in the court will be made by a panel which would include the District Attorney representative, counsel for the veteran, and the treatment agency.

In the end, our goal is to provide an effective and efficient criminal justice tool to, whenever possible, divert a veteran in the Criminal Justice System.

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