Department of Veterans Affairs

Programs for Justice-Involved Veterans

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Defining Justice-Involved Veterans

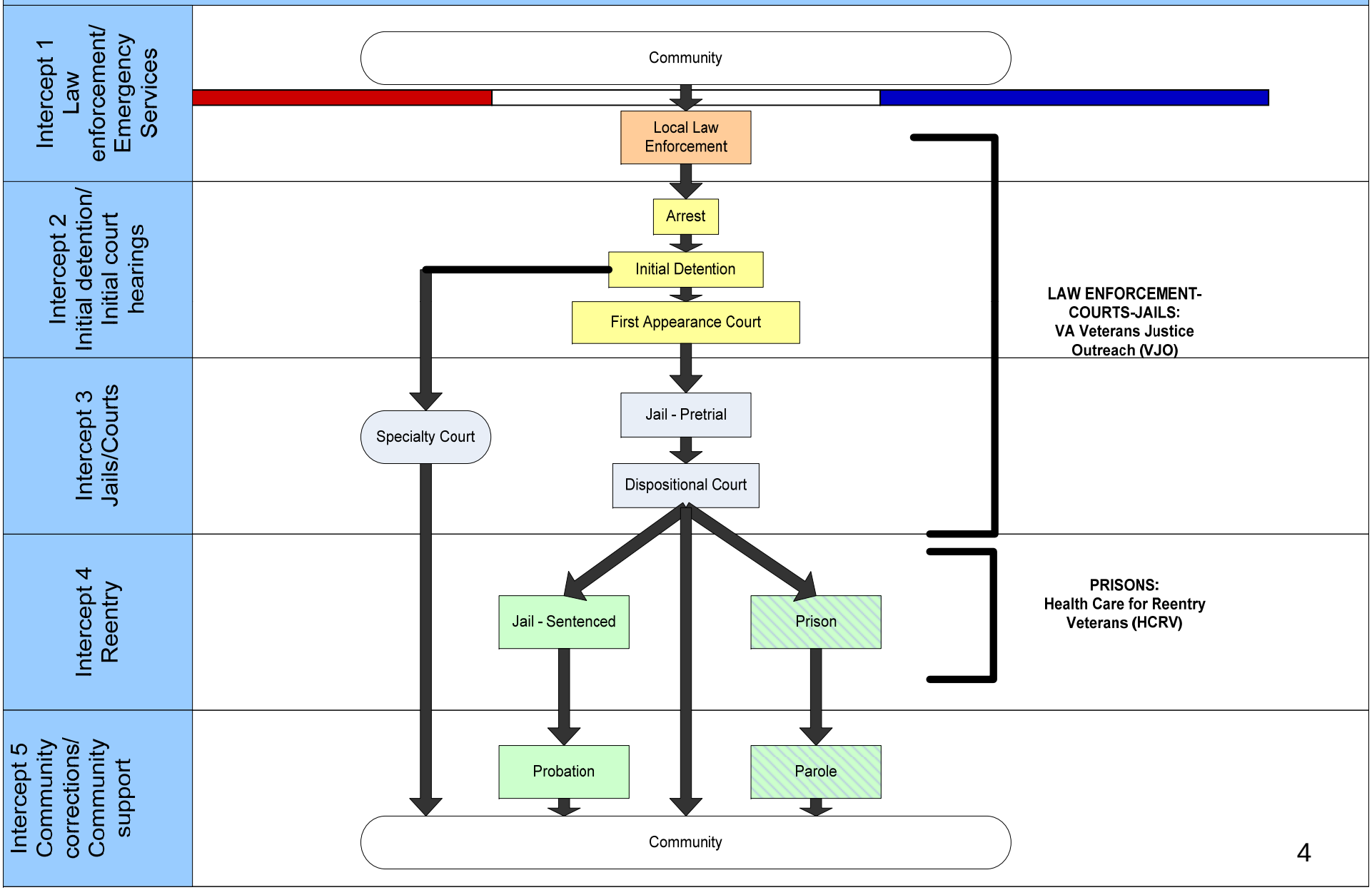
- A justice-involved Veteran is:
  - A Veteran in contact with local law enforcement who can be appropriately diverted from arrest into mental health or substance abuse treatment;
  - A Veteran in a local jail, either pre-trial or serving a sentence; or,
  - A Veteran involved in adjudication or monitoring by a court

- Related issue
  - Reentry for Veterans being discharged from State and Federal Prisons

Justice-Involved Veterans: Access to Services

- DUSHOM memorandum 7/20/09
  - "VA facilities . . . **must not deny care** to or treat differently with regard to wait lists, any enrolled Veteran solely because of his or her legal history or probation or parole status."
  - "[E]ligible justice-involved Veterans who are not incarcerated must have **access** to services on an **equal basis** with other eligible Veterans."
  - "VA staff **may not use Internet searches** of criminal justice information to inform patient treatment planning."

Sequential Intercept Model



Limits on VA Authorization

- Can provide:
  - Outreach, assessment, referral and linkage to services
  - Treatment for justice-involved Veterans who are not incarcerated

- Title 38 CFR 17.38 does not allow VHA to provide:
  - Hospital and outpatient care for a Veteran who is
    - Either a patient or inmate in an institution of another government agency
    - If that agency has a duty to give that care or services

Health Care for Reentry Veterans (HCRV)

- Operational since 2007
- Conduct outreach/assessment while incarcerated
- Engage in treatment and rehabilitation to:
  - Prevent homelessness
  - Readjust to community life
  - Desist from commission of new crimes or parole or probation violations
- Promote successful community integration of reentry Veterans

HCRV: Progress

- Prisons engaged
  - Visiting Veterans in 877 of 1294 U.S. State and Federal Prisons (68%) FY09, up 155% from 344 prisons in FY08

- Veterans contacted
  - September 2007 – September 2009: **15,087** (now over 16,000)
  - Number of Veterans released from prison each year: 12-56,000 (Bureau of Justice Statistics (BJS) estimate)

- Additional Staff FY 2010

HCRV: Legal Characteristics

- Current Incarceration Offense Category :
  - 35% violent
  - 25% property
  - 26% drug
  - 16% public order
  - 26% probation/parole
- Definite release date: 70%
- Age at first arrest: 27
- Number of previous arrests: 8

Veterans Justice Outreach (VJO) Program

- Operational since 2009
- Outreach to Veterans in contact with law enforcement, jails, and courts
- Goal is to provide timely access to VA services for eligible justice-involved Veterans to avoid unnecessary criminalization and incarceration of Veteran defendants and offenders with mental illness and/or traumatic brain injury (TBI).
  - In communities where justice programs relevant for Veterans exist, VA will take the initiative in building working relationships to see that eligible justice-involved Veterans get 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

VJO Specialists

- Designated at medical center level
- Responsible for
  - Outreach, assessment, case management for justice involved Veterans in local courts and jails
  - Liaison with local justice system partners
  - Providing/coordinating training for law enforcement personnel
- Specialists will
  - Assist in eligibility determination and enrollment
  - Function as members of court treatment teams
  - Refer and link Veterans to appropriate providers
- Number of Veterans arrested each year: 1,159,500 (BJS estimate)
- Number of Veterans in local jails: 72,600 (BJS estimate)

VJO: Early Milestones

- December 2008
  - Outreach Planning Conference
- April 2009
  - Judges' Summit
    - 8 State and Federal Judges
    - Broad VA representation
- May 2009
  - Policy memo
- September 2009 – FY 2010
  - Regional trainings
- January 2010
  - National training conference
- March 2010
  - NADCP Veterans Treatment Court Curriculum Development
- April 2010
  - LETC collaboration with Crisis Intervention Team Center

Treatment Courts

- Long-term judicially-supervised treatment as an alternative to incarceration or other sanctions
- Drug courts
  - > 2300 operational
- Mental Health courts
  - > 300 operational
  - Alternative include
    - MH presence for all courts
    - MH programs for probation
- Veterans courts
  - 28 operational
  - ~ three dozen being planned

Ten Essential Elements of Drug Courts

- Drug courts integrate alcohol and other drug **treatment services** with justice system case processing.
- Using a **non-adversarial approach**, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are **identified early** and promptly placed in the drug court program.
- Drug courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and other **drug testing**.
- A coordinated strategy governs drug court responses to participants compliance.
- Ongoing **judicial interaction with each drug court participant** is essential.
- **Monitoring and evaluation** measure the achievement of program goals and gauge effectiveness.
- Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
- Forging **partnerships** among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.
  - *Source:* Bureau of Justice Assistance: *Defining Drug Courts: The Key Components* (NCJ 205621)

Veterans Treatment Courts

- Hybrid Drug/MH Court model
- Linkage with VHA health care services
- Volunteer Veteran Mentors
- 28 operational
- Dozens in planning stages
- Buffalo, NY model
  - Early results are promising

Crisis Intervention Team - History

- Memphis – 1988
- MPD response to individual in MH crisis
- Community outcry
- Community-wide discussion/planning
  - Memphis Police Dept.
  - Mental Health Community (U. of Memphis, Regional Medical Center, VA Medical Center, Community MH providers)
  - National Alliance for the Mentally Ill (NAMI)
- Rethinking response to individuals with mental illness

Crisis Intervention Team - Model

- Specialized training for law enforcement officers (volunteer basis)
- Collaboration with MH care delivery system to streamline access to care for individuals in crisis
- Memphis VAMC
  - Staff teach select modules at Memphis Police Academy
  - VA psychologists consult with CIT as needed
  - VAMC Memphis receive CIT training

Crisis Intervention Team - Evaluations

- Decreased officer injury rates under Memphis CIT program
  - Dupont, R., Cochran, S., 2000

- Decreased use of hostage negotiation and SWAT
  - Dupont, R., Cochran, S., 2000; Bower, D., Pettit, W., 2001

Crisis Intervention Team – Evaluations (cont.)

- CIT officers effectively identify need for psychiatric care, compared to other sources
  - Strauss, G., Glenn, M., et al, 2005

- Diversion to psych treatment by CIT = better continuity of care, improved MH status, lower rates of re-arrest
  - Dupont, R., 2002

VJO: Ongoing Issues/Priorities

- Building awareness of VA – and Veterans – in justice system
  - PTSD, TBI, other clinical needs
  - Types and quality of VA services
  - Access to VA services
  - Veterans' reported satisfaction with VA services

- "Calendar Clustering"
  - Court identifies Veteran defendants and schedules their hearings at the same time
  - Economy of effort for VJO Specialist in court
  - Alternative (or precursor) to fully-realized Veterans Court

VJO: Ongoing Issues/Priorities (cont.)

- Reporting challenges
  - Drug courts often require extensive paperwork from treatment providers
  - Possible alternatives to enhance VA participation

- Program evaluation/outcome studies
  - BJA evaluation
  - VA National Center on Homelessness Among Veterans

Next Steps

- Continue implementation of the VJO Initiative
  - FY 2010: Funding for 41 full-time VJO Specialists; 4 HCRV/VJO
- Maintain close relationships with key partners
- Continue working with local justice systems to establish solid relationships
- Work with Crisis Intervention Team programs and special courts in each area
- Work with other stakeholders to establish these programs where they do not currently exist

Points of Contact

- Veterans Justice Outreach Specialists by medical center:
  - http://www1.va.gov/HOMELESS/VJO.asp

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