

Part 3: Necessity of the Proposed Docket

Veterans needs are not met by conventional criminal justice methods or while in custody of the Vermont Department of Corrections. Many veterans do not seek treatment for their service-connected disabilities, even though they are eligible for VA care. As a result of these service-connected disabilities, many turn to substance abuse, alcoholism, or have instances of domestic violence; resulting in incarceration and the introduction to the “revolving door” of recidivism.

See “SUPPORTING RESEARCH” pages 4-22, attached to this application.

Part 4: Target Population

Please describe the target population(s) your proposed docket will serve, and please specify the minimum and maximum numbers of participants the docket will serve.

Veterans whose crimes are related to a service connected disability such as PTSD, depression, anxiety, traumatic brain injury, etc. and are eligible to receive VA benefits. Veterans who have not applied for benefits will do so as part of the treatment court process so long as their discharge is other than dishonorable.

See also, generally, “SUPPORTING RESEARCH”, attached to this application.

Part 5: Needed Services

What services do members of the target population need, and how will your proposed specialized docket connect participants with those services?

Veterans need access to VA treatment, or motivation to seek treatment for service-connected disabilities that cause criminal behavior.

This docket will connect participants with the needed services through the use of the Court's authority to combat the pride, withdrawal, and avoidance symptoms of service connected disabilities; and provide a route to treatment of the service connected disability that caused the veteran to be introduced to the criminal justice system.

See also, generally, "SUPPORTING RESEARCH", pages 22-47, attached to this application.

Part 6: Partners

Judge VanBenthuisen

Howard.VanBenthuisen@vermont.gov

How will this partner support the proposed docket?

We will be discussing the possibility of this partner's involvement, due to his previously expressed interest in helping veterans in the criminal justice system. He has expressed an interest in being part of the conversation to set this docket up.

TJ Donovan

Vermont Attorney General
Montpelier, VT
Thomas.donovan@vermont.gov

How will this partner support the proposed docket?

This partner has expressed his support of creating a veterans treatment court in which all eligible veteran defendants will be diverted to Windsor County State's Attorney David Cahill for participation in the treatment program. Furthermore, the Attorney General has agreed to the need for an immunities clause in which the veteran cannot be prosecuted with statements made in the treatment court related to their individual treatment, treating such statements as protected under HIPAA.

David Cahill

State's Attorney, Windsor County
5 South Main Street
White River Junction, VT 05001
(802) 295-8870
David.cahill@vermont.gov

How will this partner support the proposed docket?

This partner has stated that he is willing to participate in the treatment program, to divert eligible veterans within his jurisdiction, and to take the caseload of the eligible veterans jurisdictions in Vermont for diversion from other jurisdictions in Vermont.

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Scott Williams

State's Attorney, Washington County
255 N Main Street #9
Barre, VT 05461
(802) 479-4220
Scott.r.williams@vermont.gov

How will this partner support the proposed docket?

This partner has agreed to divert eligible veterans in his jurisdiction to the treatment program to increase the number of participants.

Michael Owens

VA Justice Outreach Liaison
White River Junction, VT
Michael.owens3@va.gov

How will this partner support the proposed docket?

This partner has enthusiastically agreed to be the case manager for all veterans that participate in the treatment program, to report to the court and provide an update to the court on the veterans progress in treatment, coordinate rides for the veterans if they do not have transportation.

Department of Veterans Affairs

163 Veterans Drive
White River Junction, VT 05009

This partner will provide treatment, educational benefits, and clinical services in support of the program for eligible veterans.

DAV

White River Junction, VT 05009

How will this partner support the proposed docket?

This organization provides rides for veterans with scheduled treatment appointments, including appearances before the veterans treatment court.

Part 7: Impact on Other Dockets

The immediate impact on other dockets will include a reduction in the DUI treatment court docket participants because eligible veterans who are currently in the DUI program can be transferred to the proposed docket to use VA benefits instead of state resources; as well as a reduction in the cases on criminal dockets across the state (given the prosecutor is willing to divert eligible veterans in their respective jurisdiction).

Future impacts include a decrease in cases on the docket because veterans courts have been shown to reduce recidivism, thus resulting in a decrease in use of court resources on an individual veteran. Furthermore, with Michael Owens filling the role as case manager, the Court gains a member of the courtroom workgroup that is paid by federal funding, thus increasing judicial economy and efficiency.

See also “SUPPORTING RESEARCH”, attached to this application.

Part 8: Anticipated Resources

What resources will your specialized docket need?

This docket will need a judge to preside over the treatment court, for approximately one hour of court time and one hour of treatment team meetings each week. Judge VanBenthuyzen has indicated an interest in this docket. This docket will also need a clerk to maintain the record and collect data for analysis of the docket, and probation officers to conduct urinalyses and prepare reports to the treatment team. The docket will also need to send data for analysis to the Vermont Crime Research group (pending their response to an email sent 10/12/17)

Please discuss any anticipated start-up costs, staffing costs, evaluation costs, or other costs.

Veteran participants are required to pay for all costs of participation, including court costs. The veteran will coordinate with the Docket Coordinator to arrange a payment plan as part of their budget development in treatment. Fines resulting from sanctions associated with VTD will be applied to general operational costs of the docket, and will be assessed based on ability to pay. There will likely be costs associated with data collection/analysis from the Vermont Crime Research Group.

Please describe any funding sources that the planning group has identified to support the proposed specialized docket.

Department of Veterans Affairs:

Provides caseworker, treatment, and educational opportunities using federal funding and the veteran's VA benefits such as medical care, vocational rehabilitation, and GI Bill benefits at no cost to the State or veteran.

Disabled American Veterans:

Provide transportation to and from the treatment court and medical appointments to maximize accessibility, scope and participation, at no cost to the State or veteran.

Department of Justice:

Grants of \$300,000.00 are available to states that create veterans treatment dockets.

Sanctions:

Any fines used as a sanction while participating in the program, and other court costs, will be incorporated into the veteran's financial plan as a prerequisite for graduation from the program, and applied to the continued operation of the program.

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Treatment Plan:

Part of the treatment plan is to create a financial plan, which includes incorporation of court fees and a payment plan with the clerk.

Vermont Legislature:

A request could be made to the legislature for a grant to cover start-up costs.