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**FACT SHEET 2015**  
**HB 1958**

## **Veteran Treatment Courts Should Allow Participation by Veterans Diagnosed with Non-Combat-Related Mental Illnesses**

### ***Veterans May Be Diagnosed with Mental Health Disorders Without Having Served in a Combat Zone***

#### **EXPANDING VETERAN TREATMENT COURTS WILL HELP NON-COMBAT VETERANS WITH A MENTAL HEALTH DISORDER**

In 2009, SB 1940<sup>1</sup> established specialty veteran treatment courts (VTCs) with the goal of addressing the growing number of offenses being committed by veterans. As an alternative to incarceration, VTCs offer treatment through counseling and peer-to-peer mentoring. Currently, eligibility is extended to veterans or current members of the armed forces who are diagnosed with post-traumatic stress disorder (PTSD), traumatic brain injury, mental illness, or other mental disorders suffered while in combat.

Expanding eligibility to include veterans diagnosed with mental illness suffered during military service, but not while serving in a combat zone or other similar hazardous-duty area, will allow more veterans to receive critical treatment and peer-to-peer counseling needed to address the ongoing issues that may have contributed to involvement in the justice system.

#### **VETERAN TREATMENT COURTS PROVIDE TAILORED TREATMENT TO JUSTICE SYSTEM-INVOLVED TEXAS VETERANS**

Texas specialty courts are tailored to serve specialized caseloads, including veterans, individuals with mental illnesses or mental disorders, individuals with DWI offenses, and individuals reentering the community following a period of incarceration.<sup>2</sup> VTCs specifically aim to provide veterans with treatment and court supervision in place of conviction and/or jail time. This alternative punishment option provides treatment and counseling for six months or more and is permitted at the discretion of the presiding judge. Serving veterans through VTCs provides this vulnerable population with the opportunity to receive individualized treatment plans and supervision.

#### **VETERAN TREATMENT COURTS MAY HELP REDUCE THE VETERAN INCARCERATION AND RECIDIVISM RATE**

National research demonstrates that specialty courts are effective in increasing public safety, preventing recidivism, and treating chemical dependency. Justice-involved veterans who struggle with mental health issues or addiction need treatment and support to help them become and remain law-abiding citizens.<sup>3</sup> According to the National Association of Drug Court Professionals, approximately 70 percent of defendants who participate in VTCs finish the programs, and 75 percent are not rearrested for at least two years.<sup>4</sup>

#### **KEY FINDINGS**

- Nationally, of the veterans who experience PTSD, 40 percent have committed a crime after discharge from the service.<sup>5</sup>
- Approximately 80 percent of veterans who become justice system-involved left the military with honorable or general under honorable discharges.<sup>6</sup>

*Continued on reverse.*

- As of 2014, almost 11,000 incarcerated veterans were incarcerated in the Texas Department of Criminal Justice.<sup>7</sup>
- Military Sexual Trauma (MST) is one of the most common non-combat forms of PTSD.<sup>8</sup>
- Veterans who witness a fellow veteran commit suicide may be diagnosed with non-combat PTSD.<sup>9</sup>

#### **COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT HB 1958 BY REPRESENTATIVE CANALES**

- **HB 1958 will allow non-combat veterans to participate in Veteran Treatment Courts (VTCs), helping reduce costly rates of incarceration and re-offending.** This bill will ensure that more veterans receive treatment to address underlying causes of justice system involvement, thus improving public safety and family stability.
- **HB 1958 will connect more veterans to needed resources.** Veterans who participate in VTCs are connected to resources such as housing, employment, and benefits, which can help them become self-sufficient and independent and reduce their reliance on public assistance.

#### **Citations**

<sup>1</sup> SB 1940, 81<sup>st</sup> Legislative Session, effective June 2009, [www.legis.state.tx.us/tlodocs/81R/billtext/html/SB01940F.htm](http://www.legis.state.tx.us/tlodocs/81R/billtext/html/SB01940F.htm).

<sup>2</sup> Office of the Governor, Criminal Justice Division, *Criminal Justice Advisory Council Report: Recommendations for Texas Specialty Courts*, January 2013, [https://egrants.governor.state.tx.us/FileDirectory/CJAC\\_Report\\_January\\_2013.pdf](https://egrants.governor.state.tx.us/FileDirectory/CJAC_Report_January_2013.pdf).

<sup>3</sup> Ibid.

<sup>4</sup> William H. McMichael, "Special Court Helps Vets Regain Discipline, Camaraderie by Turning to Mentors Who've Served," *The Military Times*, February 14, 2011, <http://www.nadcp.org/MilitaryTimes%20-Veterans-Treatment-Courts>.

<sup>5</sup> Texas Civil Rights Project, *Justice for Veterans Campaign*, <http://www.texascivilrightsproject.org/programs-and-services/veterans/>.

<sup>6</sup> Veterans Health Administration. *VA Programs for Justice-Involved Veterans*, June 2, 2011, <http://www.nj.gov/parole/docs/veterans/DVAProgramsforJustice-InvolvedVeterans.pdf>.

<sup>7</sup> Oliver Bell, "TDCJ supports our veterans," *Criminal Justice Connections*, May/June 2014, [http://www.tdcj.state.tx.us/connections/MayJune2014/bulletin\\_vol21no5.html](http://www.tdcj.state.tx.us/connections/MayJune2014/bulletin_vol21no5.html).

<sup>8</sup> Jon Correa, "4 Examples of Non-Combat PTSD," *Veteran Disability Blog.com*, October 9, 2014, <http://veterandisabilityblog.com/blog/4-examples-of-non-combat-ptsd/>.

<sup>9</sup> Ibid.