

VETERANS TREATMENT COURT: A LIFELINE FOR TROUBLED VETS

by JUDGE JOE T. PEREZ

On my father's return home from overseas at the close of World War II, he was assigned to a large troop transport ship carrying thousands of war-weary veterans. The homeward bound voyage lasted three months. The lengthy time at sea provided the veterans time to decompress from their shared war-time experiences. Many hours were spent discussing what the future would hold—what were their expectations, their hopes, and their fears?

My father was living in Santa Ana prior to his deployment. Upon his return home, he learned that an application for admission to the University of Southern California had been submitted in his name by his high school vice principal. This was an unexpected gesture of generosity and good fortune that completely changed my father's life. Ultimately, it altered my path in life as well. My father obtained both his undergraduate and law degrees from USC, relying on the G.I. Bill to help pay for his education. He became the first Spanish-speaking attorney and judge in Orange County.



In contrast, my father-in-law's return home from the Vietnam War took less than twenty-four hours. He was ordered to remove his uniform, which displayed a Bronze Star with the "V" Device (for Valor), before he could leave the airport. And the reason for such an order? To avoid the very real threat of being harassed both emotionally and physically upon entry into the city.

Because of the shameful way Vietnam-era vets were treated, our nation wanted to ensure that returning veterans from subsequent wars were given the respect, honor, and gratitude they deserved. Despite good intentions and hopes, however, many of our returning heroes still faced major challenges.

Post-9/11 wars have required our military to endure multiple deployments. The stress of going from a warzone to a home setting, and then back to war again, has taken a significant toll on those defending our country. Many returning veterans suffer from both visible and invisible scars. In addition to those wounds, many face other serious challenges.

Released this year, *The State of the American Veteran: The Orange County Veterans Study*, was the first comprehensive investigation of Orange County veterans' needs. Conducted by the USC School of Social Work, the study found that when it came time to leave the service, veterans in Orange County "were nearly unanimous in their views that if it were not for family, relatives or friends, they would have been homeless." Carl Andrew Castro, Sara Kintzle & Anthony Hasaan, *The State of the American Veteran: The Orange County Veterans Study*, 22 (2015). Further, it found that 14% of pre-9/11 veterans, and 19% of post-9/11 veterans,

reported a lack of consistent housing during the two months prior to being interviewed and many vets "reported fear of eviction or losing their housing . . ." *Id.* at 23. In fact, 17.5% of post-9/11 veterans, and 10.3% of pre-9/11 veterans, reported being homeless within thirty days of their interview. *Id.*

A veteran I will refer to as "Derek" is an example of what some armed service personnel face upon their return from a combat zone. Prior to joining the Marine Corps, Derek had been an easygoing, optimistic, country boy. When

The stress of going from a warzone to a home setting, and then back to war again, has taken a significant toll on those defending our country.

he came home from his deployment, he was firmly in the grip of Post-Traumatic Stress Disorder (PTSD). When he was alone, Derek was paranoid, anxious, and unable to sleep. When around other people, he was wary and hyper-vigilant—always on guard and expecting the worst outcome in virtually every situation.

Growing up in rural Kentucky, Derek had never been without his folding knife—it was part of every boy's outdoor gear. After his return from service, he kept that trusted knife close by. However, it was no longer a utility item. That knife was now a weapon, and he was instinctively ready to kill

without thinking.

Because Derek was a proud Marine, he already may have been reluctant to admit he had a problem or to ask for help, but he was completely unaware that anything was wrong. He didn't see that being constantly on edge and suspicious of everyone and everything was a problem, or that it was the symptom of a disorder. He didn't see any problem whatsoever with having a fully automatic AK-47 hidden in his closet.

In his toxic world, Derek's home life fell apart. His wife descended into meth addiction. As he spiraled down, his two young children began to go astray. He hit bottom when his automatic weapon was discovered and he was arrested. Without so much as a goodbye, the children were taken away and sent to live on the other side of the country with his hostile and unsympathetic in-laws. Alone and despondent, facing twenty-one years in prison, and having lost his children and perhaps his soul, Derek was well-primed to join the legions of deeply troubled U.S. combat veterans who have sought relief from their nightmares by embracing death.

The Veteran's Administration (VA) has confirmed that an average of twenty-two U.S. military veterans commit suicide every day. Janet Kemp & Robert Bossarte, *Suicide Data Report*, 15 (2012). The Orange County Veterans Study found that 44% of post-9/11 veterans screened positive for PTSD, and 46% for depression. Castro, Kintzle & Hasaan, *supra*, at 28. Nearly 20% have considered suicide and have developed a plan to take their own lives. *Id.*

This appalling statistic bears emphasizing and repeating: Nearly *one in five* returning combat veter-

ans in Orange County have considered suicide and have developed a plan to take their own lives.

In the face of this deadly epidemic, the VA has redoubled its efforts to find and assist those who are at risk. Derek was discovered in jail by a VA outreach worker, who asked his attorney to consider Veterans Treatment Court—a post-plea, therapeutic alternative to incarceration that helps combat veterans overcome the issues that impede their full re-integration into society, while protecting public safety and reducing the costs associated with recidivism.

Based on the Drug Court model, Veterans Treatment Court is a highly successful collaboration of the Court, the VA, the Orange County District Attorney, the Public Defender, and the Probation Department. It is an intensive program, lasting a minimum of eighteen months, that includes mental health counseling, individual and group treatment sessions, weekly meetings with a care coordinator and a probation officer, the development of a life plan, self-help meetings, frequent and random drug and alcohol testing, and regular court-review hearings. The VA also provides residential and outpatient treatment for seriously addicted substance abusers, and handles other health-related issues. Participants are assisted in their recovery and re-entry into society by volunteer mentors, who are also combat veterans.

With the help of his Probation Officer, his treatment team, and his combat veteran mentor, Derek learned to identify and change the ways in which PTSD had altered his thinking. In court sessions, he joined in applauding the progress of the other participants, including a Vietnam veteran who had

lived as an outcast for forty years in alleyways and abandoned buildings before being helped. In group therapy sessions, Derek shared his feelings with other veterans, including one who had awakened from a blackout in a jail cell only to learn that he had tried to kick down the door of a terrified immigrant family's home. With the help of his combat veteran mentor, he also came to understand that he had the support of people who very much wanted him to survive, and who would always have his back.

Through months of dedication and hard work, Derek learned to be guided by personal responsibility, and to think about his decisions. He attended school, gained job skills, and discovered that he had a talent for welding. Because of this ability, he secured employment in a job he loves, and has even invented a patentable welding device. With the help of a volunteer attorney from Legal Aid, he regained custody of his children. When he completed the Veterans Treatment Court program, he was able to withdraw his plea, and his charges were dismissed.

Veterans Treatment Court, which has been designated a Mentor Court by Justice for Vets and the National Drug Court Institute, has a capacity of fifty participants. Midway through 2015, it had graduated seventy men and women, all of whom suffered from serious mental health and/or addiction challenges. More than 90% of these graduates, having gained the skills and tools they needed to re-integrate into society, have remained free of any further involvement with the criminal

justice system.

Recently, Derek went camping with his children. Using his old folding knife, he taught them the finer points of tying on a fishhook and how to carefully trim off the excess line. He was quietly proud, deeply at peace, and grateful beyond words that he could help them to grow up smiling and strong—like their dad.

Veterans Treatment Court, under the direction of the Honorable Joe T. Perez, is convened each Tuesday afternoon at the Community Court, located at 909 North Main Street in Santa Ana. The courtroom is open to the public, and visitors are able to see for themselves the remarkable transformations that are taking place in the lives of the participants.

Combat veterans who are interested in becoming mentors to the participants are invited to contact Kim Parsons, Veterans Treatment Court Coordinator, at kparsons@occourts.org.

QUICK LOOK
Participants are assisted in their recovery and re-entry into society by volunteer mentors, who are also combat veterans.



***Judge Joe T. Perez** is a Superior Court Judge in Orange County, California.*

This article first appeared in Orange County Lawyer, November 2015 (Vol. 57 No. 11), p. 24. The views expressed herein are those of the Author. They do not necessarily represent the views of Orange County Lawyer magazine, the Orange County Bar Association, the Orange County Bar Association Charitable Fund, or their staffs, contributors, or advertisers. All legal and other issues must be independently researched.