

Missoula Veterans Treatment Court

**State Administration and Veterans' Affairs
Interim Committee
April 19, 2016
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District Court Standing Master**

Missoula Co-Occurring Treatment Court

Veterans Treatment Track

- The Missoula Co-Occurring Treatment Court was established in 2004 for persons charged with or convicted of criminal offenses who have a mental health challenge and a co-occurring substance use disorder.
- The Veterans Treatment Track was added in June 2011 with the same eligibility criteria, to provide a separate, focused treatment program for Veterans.

Who are the Veterans Court participants?

- Thirty six Veterans have participated in the Court program since 2011.
- More than half have been combat Veterans of Operation Iraqi Freedom or Operation Enduring Freedom. Several have been Vietnam Veterans and a few have been non-combat Veterans.
- Court capacity is between 8 and 10 participants. 20 have graduated, 5 were terminated from the program, 1 for a new serious offense, the others for not progressing in the program, 2 have died and 1 moved away. Currently 7 participants and one ready to begin.

What brings Veterans to the Court program?

- The most common offenses are driving under the influence of alcohol or other drugs, (and other driving offenses), partner or family member assault and assault.
- The most common mental health challenges are post traumatic stress, depression and traumatic brain injury.
- The substances most commonly used prior to entry in the court program are alcohol, marijuana and opiates.

Overview of Treatment Courts

- Origin in 1980s as Drug Courts: to address addiction issues that often contribute to criminal activity and impede future life outside of criminal justice system.
- Expansion of drug court approach to other groups, e.g., persons with serious mental illness and co-occurring substance abuse disorders, Veterans, parents in child protection matters, persons charged with DUI.

Common Features of Treatment Courts: A

- A specialized court docket program that blends therapeutic and punitive responses as an intervention for drug-related offenses while maintaining close judicial supervision.
- Participant progress is monitored and directed by a non-adversarial team composed of the judge, prosecutor, defense attorney, treatment providers, law enforcement and community supervision officers; frequent court appearances.

Common Features of Treatment Courts: B

- Length of program, more than one year.
- Target population: high needs/high risk to re-offend.
- Frequent, random, observed drug testing.
- Regular review and modification of participant's individual treatment plan.
- Timely identification, screening, link to services.
- Graduated sanctions and incentives.
- Participation is voluntary.
- Confidentiality is protected.

Veterans Treatment Track of the Missoula Co-Occurring Treatment Court

- **Eligibility:** Veteran with a mental health challenge and co-occurring substance abuse disorder, involved in any stage of criminal justice system, including probation.
- **Screening:** chemical dependency and mental health assessments, willingness to participate in program.
- **Court program:** four phased program includes individualized treatment requirements, vocational goals.
- **Team:** Co-Occurring Treatment Team plus: Veterans Justice Outreach Officer, Missoula Vet Center representatives and VA Community-Based Outpatient Clinic representative.

Veterans Court Program: A

- Referrals made by anyone.
- Entry into court program at any stage of proceeding.
- Court draws from three local courts, Municipal Court, Justice Court and District Court and is based in District Court. (Limited option for out of town participants.)
- Except for criminal offenses for which registration as a violent or sexual offender is required, participants may be charged with any offense.

Veterans Court Program: B

- **Participant Contract.** Each participant signs a 3 page contract. Provisions include: 1 year minimum term, frequent, random drug and alcohol testing, regular check-ins, no use of alcohol or marijuana, frequent court appearances and compliance with recommendations of any psychiatric, chemical dependency, medical, rehabilitation, and educational or vocational treatment program contained in individual treatment plan.
- **Sanctions, incentives and treatment responses.**

Veterans Court Program: C

- **Location of Treatment:** most often through Missoula VA Community Based Outpatient Clinic (CBOC), Missoula Vet Center and VA Hospital in Fort Harrison, Helena.
- **Emphasis on building a sober support network in the community.**
- **Court sessions:** Every Monday at 2:30; when Monday is a holiday, Tuesday at 2:30.
- **Veterans Court Mentors for each Court participant.**

Veterans Court Mentors

- Volunteer Veterans from community.
- “Trusted Friend,” not counselor.
- Annual training plus monthly one hour meetings.
- Application process includes criminal background check.
- Each participants is assigned two mentors, one of whom will be at each court session.

What is Treatment Court Day Schedule?

- **Team Meeting: 11:30 – 1:00 p.m.**
 - 11:30 – 12:00 Review progress of Co-Occurring Court participants**
 - 12:00 – 12:30 Review Progress of Veterans Court participants**
 - 12:30 – 1:00 Discuss and act on referrals.**
- **Co-Occurring Court session: 1:15 – 2:15 p.m.**
- **Veterans Court Session: 2:30 – 3:00 p.m.**

Emerging Trends

- Importance of using evidence-based treatment.
- Importance of program evaluation.
- Development of Best Practice Standards for Drug Courts.
- Increased emphasis on addressing dynamic risk factors predictive of future criminal activity,
e.g. employment and education, pro-social peers, attitudes and activities, family.

Risk/Needs/ Responsivity Model

- Match the intensity of treatment and supervision to the individual's "RISK" for re-offense.
- Target criminogenic "NEEDS" such as antisocial behavior, substance abuse, anti-social attitudes and anti-social peers.
- "RESPONSIVITY: tailor the intervention to the learning style, motivation, culture, demographics and abilities of the offender. Address the issues that affect responsivity, e.g., substance abuse.

Static Criminogenic Risk Factors

- Age at first arrest
- Current charges
- Criminal history, i.e., number of arrests, number of convictions, type of offenses
- Current age
- Gender

Dynamic Criminogenic Risk Factors

- **Anti-social attitudes**
- **Anti-social friends and peers**
- **Substance abuse**
- **Family and/or marital factors**
- **Lack of education**
- **Limited employment history**
- **Lack of pro-social leisure activities**

Outcomes

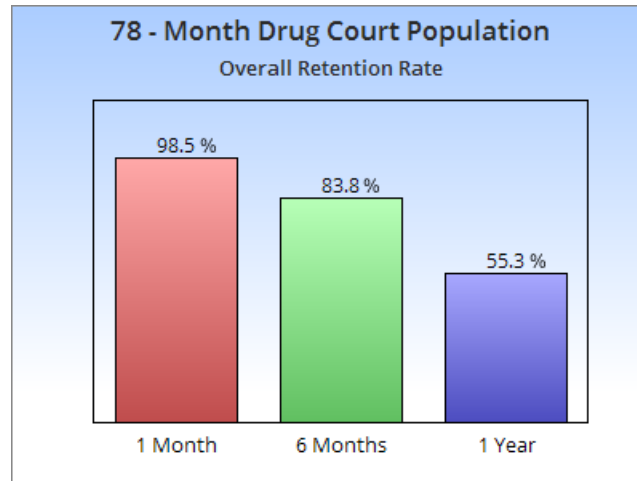
- **2015 State Drug Court Report: statewide re-offense rate over 48 months was 25.6% for graduates, (22.7% misdemeanors and 4.1% felonies), 37% for those who terminated early. This compares very favorably with traditional cases processing re-offense rates for drug offenders of between 45 to 75% for the two-year period following adjudication.**
- **Missoula Co-Occurring Court re-offense rate, including Veterans Court over 48 month period is 24%, mostly misdemeanors.**

Other Factors Reducing Risk of Re-offense

- Obtaining employment
- Enrolling in additional education
- Obtaining driver's license
- Establishing network of sober, prosocial persons

MONTANA JUDICIAL BRANCH - MONTANA DRUG COURTS: AN UPDATED SNAPSHOT OF SUCCESS AND HOPE

Report to the Legislature January 2015



Montana's Veterans Courts

- **Yellowstone County Veterans Treatment Court, Judge Mary Jane Knisely presiding.**
- **Cascade County Veterans Treatment Court, Judge Gregory Pinski presiding.**

Additional Information

- **National Association of Drug Court Professionals**
www.nadcp.org
- **National Drug Court Resource Center**
www.ndcrc.org
- **Drug Court Clearinghouse**
www.american.edu/spa/jpodrug-court-clearinghouse.cfm
- **Multi-site Adult Drug Court Evaluation**
- www.courtinnovation.org/multi-site-adult-drug-court-evaluation
- **Montana Drug Courts Report (2015)**
http://courts.mt.gov/cao/ct_services/treatment