

# California Veterans Treatment Court Survey



Authored by: Duncan MacVicar, Consultant,  
California Veterans Legal Task Force  
Prepared by: Larisa Owen,  
Children and Family Futures

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# SURVEY OF CALIFORNIA VETERANS TREATMENT COURTS (VTCs)

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## Executive Summary

Veterans Treatment Courts (VTCs) in California are based mostly on the two alternative justice statutes for veterans, Penal Code Sections 1001.80 and 1170.9, but they also employ other applicable law. Supervision time of veteran participants is usually in the range of 12 to 18 months, with a few shorter and a few longer than that. VTCs convene once or twice per month, with a few having weekly calendars. Court capacity ranges to over 100.

VTCs are the principal source of alternative sentencing for veterans in the state. Although PC 1170.9 applies outside the VTC setting, its use in other courtrooms is infrequent.

Of course, VTCs include a variety of offenses. With 8 courts providing data, we found these to be the most common (see question #19):

Driving Under the Influence	30%
Drug possession	17%
Domestic violence	15% (even though some VTCs do not admit DV cases)
Other violent offenses	12%
Crimes against property	12%

These data reveal tendencies of veterans toward self-medication and toward violent behavior.

Also, concerning domestic violence: Nearly half of VTCs have created a veteran-specific alternative to the mandated batterers' intervention program, authorized by Penal Code Section 1203.097(a)(6). Plus, a majority of VTCs entertain family reunification, in contrast to the usual approach to DV; this approach sometimes includes modifications to protective orders. But very few remove protective orders prior to graduation from the VTC program.

VTCs adopt a wide variety of eligibility criteria. One-fourth of them require VA eligibility in order to be admitted to the court. See question #5.

Numerous agencies, including VA, identify veterans in the system and refer them to VTCs. See question #7. Then, for the most part, admission decisions are made following discussion among the VTC teams.

During supervision, a wide variety of service providers are utilized in the creation of treatment plans. But VTC teams have little knowledge of the mental health treatment capabilities of local military installations.

Less than 40% of VTCs divide their programs into phases or levels. Phases are differentiated mostly by frequency of court appearances.

Despite the fact that Penal Code Section 1170.9 paragraph (h), which provides for restoration of rights to compliant VTC graduates, has been in effect for three years, less than half of VTCs have provided restorative relief thus far.

Most VTCs document their procedures using forms and protocols. They need to improve data gathering, however; this improvement could be facilitated by funding the Evaluator position on the VTC team.

Additional future surveys should study how the criminal justice system affects children and families of veterans.

## **Methodology**

In August of 2014, the California Veterans Legal Task Force initiated a survey of Veterans Treatment Courts, under the umbrella of the Governor's Interagency Council on Veterans. One year later, Children and Family Futures joined the effort. Acting in partnership, we surveyed the 24 VTCs in the state that existed in mid-2015, receiving 20 responses by May 2016.

Our primary means of contact with the VTCs was through the VA's cadre of Veterans Justice Outreach Specialists (VJOs), at least one of which is assigned to each VTC, with whom we communicated via e-mail and phone. We asked that each VTC assign someone to fill out the web-enabled survey.

Responses to the survey were of varied completeness. We encountered some blank answers to questions, and we received some surveys that were incomplete but which contained enough useful information to include them in the survey.

## **Veterans Treatment Court**

To be successful, a court that focuses on veterans who are in the criminal justice system (a VTC) must have a court program that is designed and operated in light of such things as:

- An articulated goal that the court program intends to accomplish that is not achievable through the traditional criminal justice system;
- The characteristics of the specific veterans community located in the court's jurisdiction;
- The availability of services/resources for the veterans that are needed to implement the court program; and
- The willingness of the judicial system, legal community, and the local citizens to support the court program.

To reflect its community, each VTC must develop its own answers for a common group of operational issues that face all VTCs that include such things as: caseload capacity, length of program, frequency of court sessions, eligibility and exclusion criteria, protocols for processing participants, data collection, and use of incentives.

For example, each VTC has a legislative foundation, but:

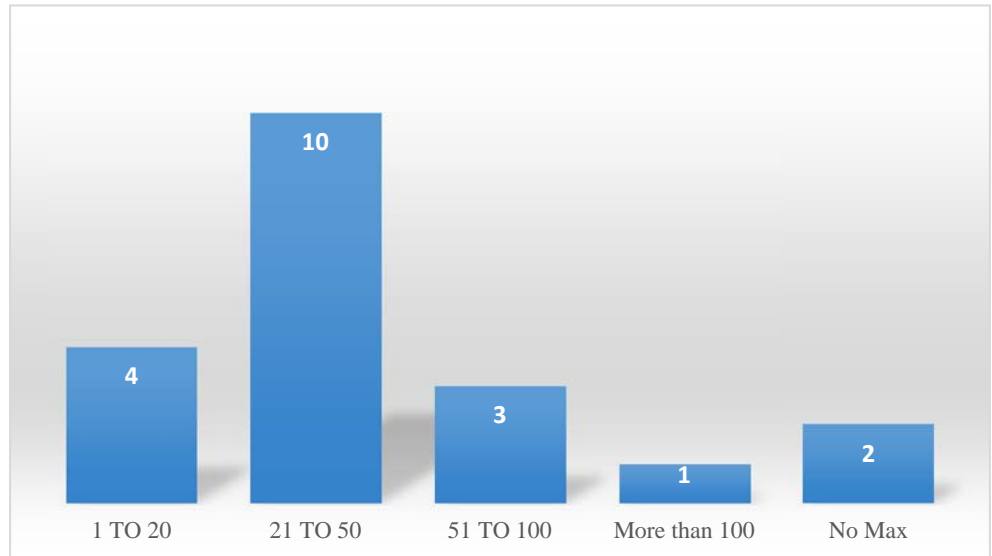
- Some VTCs are based on Penal Code section 1170.9 that applies to qualified veterans that have been convicted and have then been determined to be qualified to be placed on probation rather than being incarcerated.
- Some VTCs are based on Penal Code section 1001.80, that applies to qualified veterans whose guilt or innocence has not been determined, but who have been determined to be diverted from the traditional criminal justice system.
- Some VTCs deal with a portion of their caseload using Penal Code section 1170.9 and for their remaining cases use Penal Code section 1001.80.
- Some VTCs rely on the traditional criminal justice legislation, rather than 1170.9 or 1001.80.

## **VA Survey of 2015**

During 2015, the Department of Veterans Affairs surveyed Veterans Justice Outreach Specialists nationwide, in search of data on the operation of Veterans Treatment Courts and similar legal structures. We were able to obtain California-only data of this study, thanks to the cooperation of Veterans Justice Manager Sean Clark. We include those data as a separate chapter of this study, without comment.

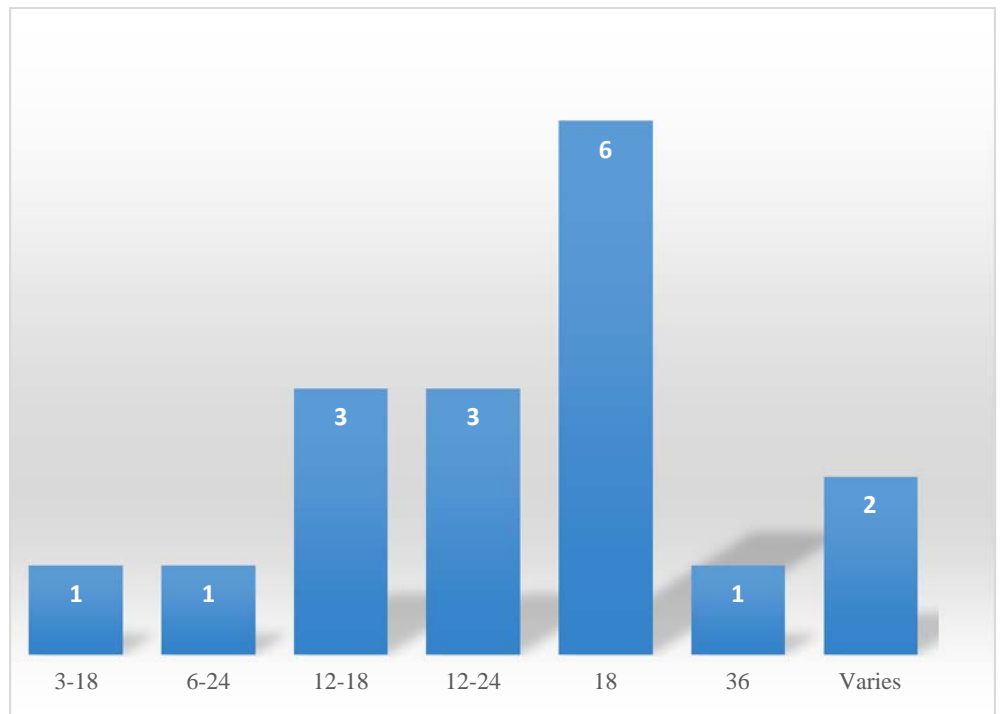
## 1. What is your maximum number of veterans under supervision at any given time?

Many Superior Courts limit VTC capacity, usually for a trial period of six months to a year. Here we see that half of the VTCs in the state set maximum capacity in the 21-to-50 range. A few set a higher or lower limit or no limit at all. (n=20)



## 2. How long are participants monitored by your VTC program? (in months)

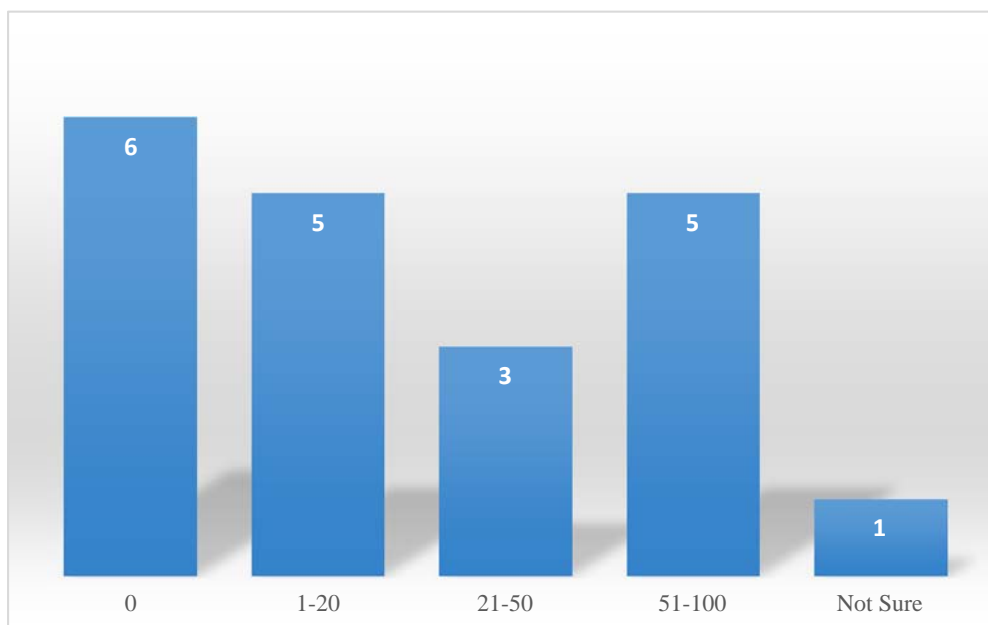
Although a few VTCs are willing to graduate veterans in 3 to 6 months, most set supervision time at 12 to 18 months. (n=17)





### 3. How many graduates do you have to date?

Most VTCs in California had been in operation for less than 4 years when this survey was initiated statewide (September 2015), so their number of graduates is low. (n=20)



### 4. How often does your court convene?

Most VTCs convene once or twice per month. Some have moved to weekly calendars, usually due to growth. (n=20)



### 5. What are your eligibility criteria for your VTC ?

Nearly all VTCs set criteria that exclude certain veterans, based mostly on the severity of their offenses. Often excluded are arson and the most violent felonies. Other common exclusions are sexual offenders, gang members, and non-residents of the county. One-fourth of VTCs require that a veteran be eligible for VA healthcare, so that the court need only secure VA mental health treatment.

Some VTCs set additional criteria for “presumptive exclusion,” wherein an offense (e.g., serious felony) is presumed to be excluded but applications are reviewed on a case-by-case basis.

The question of whether to admit active duty service members is a difficult one for VTCs, in that it requires effective communication with military authorities. Of this sample of 20 VTCs, one excludes active duty service members, and two specifically accept them.

<u>Exclusion Criteria</u>	
Death, great bodily injury, permanent disability	11
Rape	1
Violent felony (PC 667.5)	5
Violent felony in the past	1
Serious felony (PC 1192.7)	1
Any strike unless dismissed by DA	1
Felony only	2
Arson	6
Danger or substantial risk to others	3
Driving under the influence (DUI)	1
Third DUI	1
290 registrant	7
Gang member	8
Years of criminal history	1
Victim does not agree	1
DA does not agree	2
Not a county resident	6
Ineligible for VA healthcare	5
Ineligible for VA healthcare, and felony	1
Not a combat veteran	1
Psychosis diagnosis	1
Declines to forego use of medical marijuana	1
Active duty	1

<u>Criteria for presumptive exclusion</u>	
Violent felony	1
Serious felony	3
Arson	1
Danger or substantial risk to others	1
DUI	1
Third DUI	1
290 registrant	1
Gang member	1

<u>Other criteria</u>	
Victim impact considered	1
Eligible: Sentenced under PC 1170(h)	1
Eligible: Veteran is high risk/high need	1
Eligible: Active duty	2
Eligible: Children of veterans	1
Preference to county residents	1

## 6. Do you have any of the following (forms):

Most VTCs utilize forms to formalize and document procedures. The use of different types of forms varies. (n=20)

Answer Options	Yes	No
Referral and/or application form?	11	9
Formal plea forms?	8	11
Written terms and conditions of probation for your program?	12	7
Written Policy and Procedures manual?	16	3
Written Participant's Handbook or manual?	13	7
Peer Veteran Mentors?	16	4
Written Peer Veteran Mentor's Handbook or manual?	9	10

## 7. Who identifies and refers veterans eligible for the VTC? (check all that apply).

Numerous entities identify veterans in the system and refer them to VTCs. (n=19)

Answer Options	IDENTIFIES Veterans Eligible for VTC	REFERS Veterans for VTC
Defense	17	19
Prosecutor	11	8
Probation	9	8
Judge	10	12
Jail booking information	7	2
VA	16	10
Community	4	8
Internet or Social Media	0	1
Other:	4	6
<b>Other (please specify)</b>		
Family/Friends		
Private attorneys; VA staff working inside the hospital		
Veterans service Officer; Self-Referral; Correctional and community MH		
Other Collaborative Court team members (e.g. drug court staff)		
Individuals have to be sentenced to the VTC		
Applications are accepted only from defense counsel though their defense counsel may be alerted of possible eligibility by any of the judicial components. The sentencing judge is the only person who can refer a veteran sentenced under California Penal Code Section 1170.9 for an admission review		
Applications are accepted only from defense counsel, although they may be alerted by any of the above		

## 8. What process is used to select participants from among applicants?

The process of selecting veterans to admit into a VTC varies widely, with the most common element being a discussion among the VTC team.

Response Text
Team review. Team includes DA, PD, Probation, VA, Treatment Providers
Felony charges on a case by case process
DD214; Psychological Evaluation; Veteran's Court Board Review
Case conference with DA, public defender/attorney, and judge (with supportive information from VA and Veterans Service advocate)
Most referrals screened by VA (VJO), Probation, and County Mental Health. Once the screens are complete the applicant is discussed with the VTC team (Judge, PD, DA, Probation, VJO, County MH, and Mentors)
Must be a Veteran and must meet legal requirements
Interview by county behavioral health, court conference
Review of eligibility and suitability; entire court team is heard (VJO, PD, DA, PO)
Veteran and attorney discuss their legal issues and then decide according to what is in the veteran's legal best interest. This is handled as more of a legal matter with myself, as a VA social worker, only providing the information and support until the veteran is admitted into vet court
Case discussion with core members
A psychosocial assessment is completed to see if they are clinically appropriate while legal team determines if they are legally appropriate
1170.9 assessment done by correctional or community mental health team discussion and agreement between Defense, prosecutors and probation
Look to see if the case is one we would accept and they are eligible for VA benefits. Then we look to see if the PC 1170.9 nexus between the military service and the mental condition that caused the crime is present
Team meeting to discuss each case
VJO conducts initial assessment to determine clinical eligibility. Court determines legal eligibility.
The applicant is sentenced to the VTC, once calendared, the applicant's criminal history is discussed as a team at staffing. The team determines if the applicant's charges and history is appropriate for the VTC. If that determination is made, then the applicant is directed to VJO for a clinical assessment. Typically, the applicant is calendared two to three weeks out for the assessment to be completed. The VJO presents the clinical assessment to the VTC team at staffing and the team determines if there is a nexus: is there criminal conduct related to their military experience. If it is determined that there is a nexus, then the applicant is admitted to the VTC. If not, the applicant is directed back to their sentencing judge
Legal eligibility and clinical suitability
Defense counsel usually submits an admission application to the VTC Coordinator during the pretrial phase of the veteran's case. The VTC Coordinator applies the written criteria that was developed by the VTC Team and approved by the VTC Judge. If eligible, the application is forwarded for clinical assessment by the VA's VJO-Veteran's Court Liaison. The assessment, proposed treatment plan, and case facts are presented to the VTC Team who prepare an eligibility recommendation that is given to defense counsel for presentation, post-conviction, to the sentencing judge. If the sentencing judge determines that the defendant is 1170.9 eligible, the defendant is placed on probation and referred to the VTC. The VTC Team prepares a written recommendation concerning whether the 1170.9 eligible defendant also meets VTC's admission criteria. This recommendation is reviewed by VTC Judge who, at a public hearing, determines whether to admit the defendant as a participant in VTC's 1170.9 probation monitoring program
Defendant is referred to Veterans Court Health and Human Services staff for their Suitability interview. Suitability clinic is open on any non-court Wednesday of the month with start time at 1pm and end time at 3pm. After the Suitability interview, if defendant is found suitable for VTC, an Initial Treatment Plan is made and sent to defense attorney. In Home Court, it is determined whether or not the defendant is eligible for VTC and the defendant is notified by their lawyer whether or not they have been accepted into VTC
1. Plea bargain, then 2. VTC team discussion & decision

## 9. Which of the following will deny a veteran admission to your VTC?

Many of the admission criteria established by VTCs range beyond the offense. (n=20)

Answer Options	Yes	No	Not Applicable
Violence	2	16	0
Victim does not consent	8	10	0
Veteran unwilling – residential treatment	13	6	1
VA healthcare ineligibility	5	14	0
Unavailable veteran mentor capacity	2	16	0
Unavailable treatment program	8	12	0
Type/degree of mental condition	9	11	0
Sex offender	11	9	0
Prosecutor does not consent	11	9	0
Misdemeanor charges	3	16	0
Limitations on funding for staff	1	17	0
Limitations on Court Resources	0	18	0
Limitations on case manager capacity	2	16	0
Lack of proof of combat service	4	16	0
Inability to obtain military records	8	10	0
Homeless Court Eligible	0	14	5
Felony charges	1	17	1
Failure to reach suitable plea agreement	14	3	1
Era/duties of military service	2	18	0
Drug court eligible (if separate VTC)	0	19	0
Domestic Violence Court eligible	1	17	1
Behavior Health Court Eligible	3	14	2

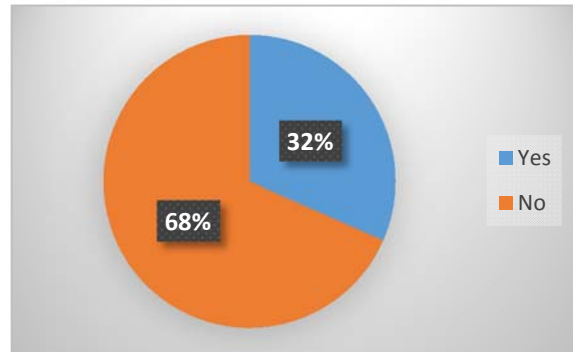
## 10. Is a conviction required to be eligible?

Penal Code Section 1170.9, which requires a conviction to be eligible for alternative sentencing, is not the only means by which veterans enter a VTC. PC 1001.80 (diversion of veterans accused of misdemeanors) and other statutes are also employed.

Answer Options	Response Percent
Yes	50.0%
No	22.7%
Charges determine	27.3%

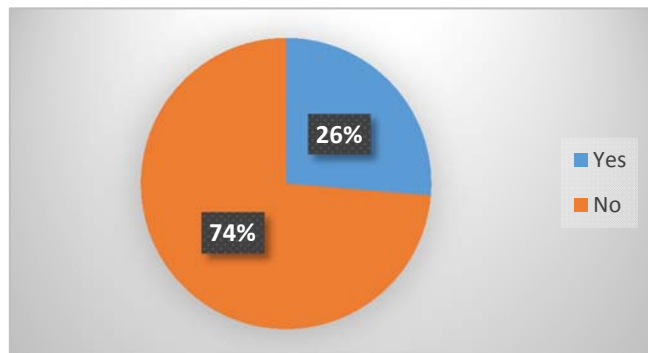
**11. Do you collect basic information (e.g., age, gender, etc.) on the participant's significant other?**

Most VTCs collect demographic information on entering veterans, but only one-third of them collect such information on significant others. Other types of information collected often relate to needs for services (question #13).

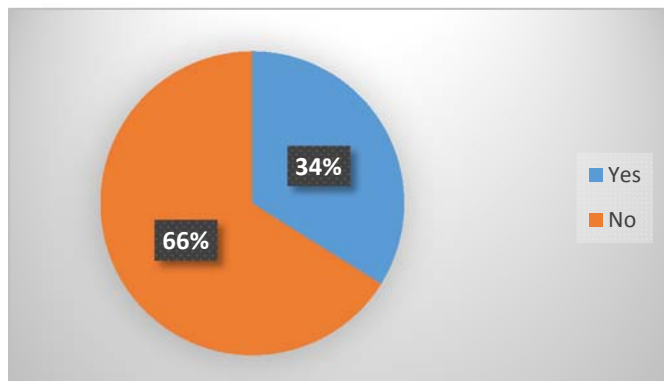


**12. Do you collect basic information (e.g., age, gender, etc.) on the participant's children?**

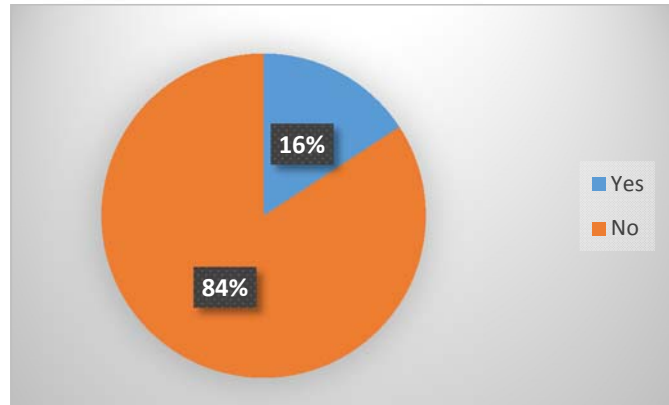
Only one-fourth of VTCs collect information on veterans' children. Most of those capture information on children's service needs (question #14).



**13. Do you collect additional information (e.g., service needs, clinical assessment, etc.) on the participant's significant other?**



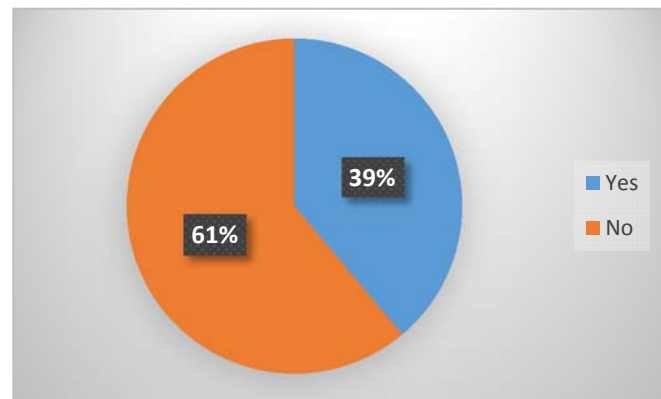
#### 14. Do you collect additional information (e.g., service needs, clinical assessment, etc.) on the participant's children?



#### 15. Is your program divided into phases or levels?

Although it is regarded as a best practice for VTCs, only about 40% of VTCs divide their programs into phases or levels.

A variety of factors differentiate the phases/levels of VTCs, the most common factor being the frequency of court appearances. (n=18)



#### 16. What are the differences between the phases or levels?

Response Text:
Frequency of court appearances; frequency of testing
Stage 1 is two months, Stage 2 is four months, Stage 3 is six months, Stage 4 is six months
Duration; Frequency of Court Appearances; Frequency of Probation Contacts; Frequency of Drug Screening
Phase 1 requires weekly court appearances (3 months)
Phase 2 requires bi weekly court appearances (4 months)
Phase 3 and 4 require monthly court appearances (5 months and 6 months)
Time Veteran is in treatment program
4 phases: 1-3 are 4 months each; 4th phase is 6 months. "Productive use of time" defined by school, work or at least 16 hours of volunteer community service per week is required for phases 3 and 4
Phase Description Example Requirements Phase 1 Establishing Treatment and Recovery Plan Participate in treatment, attend court hearings, meet with probation officer, complete frequent alcohol and other drug testing, attend recovery/mental health support groups; Phase 2 Ongoing Treatment Phase 1 requirements AND identify personal goals; Phase 3 Stabilization/Reconnecting with the Community Phase 1 and 2 requirements AND attend domestic violence or other classes as required by the court, obtain stable housing, make progress toward

vocational/educational goals; Phase 4 Establishing Aftercare and Graduation Phase 1 through 3 requirements AND establish recovery and support network, maintain progress toward vocational/educational goals
Time and percentage of weeks in full compliance with treatment plan
Stabilization
There are different checklists and tasks to accomplish at each phase. Phase one is monthly court. Phase 2 and 3 every other month, Phase four (post treatment still on probation) appearance up to the judge
Phases each have behavioral focus Healing, Reconnection and Independence; last 4-8 months each. Some move faster than others
Phases are designed to reflect participant's progress in recovery. In early phases, participants are expected to focus on stabilization and treatment. Latter phases assume that participants are ready to integrate into the community (e.g. require participants to seek and maintain employment or education and to engage in pro-social activities)
It should be related to intensity of services, the most intense treatment should be in phase I. Court appearances become less frequent with each phase
I'm not sure what you mean by this. Each phase has different treatment criteria, different frequency in court, different frequency of drug testing, etc
Each phase has a behavior focus and lasts 4-8 months on average; some participants move faster than others. Phase One - Healing, Treatment, and Demonstrating Accountability; participant attends review hearings twice a month. Phase Two - Reconnection and Demonstrating Responsibility; participant attends review hearings once a month. Phase Three - Demonstrating Independence and Productivity; participant attends review hearings once every two months

## 17. What legal incentives, if any, are offered to potential participants upon progressing up to next phase or level?

Legal incentives upon progression to the next phase include, in addition to reduced court appearances, reduced probation appearances, satisfaction of fines and fees, and occasional reduction of charges.

Response Text
Decrease in program requirements (e.g. less frequent court appearances)
Sometimes there are gift cards, time off probation, decreased court appearances, permission to travel. This varies by participant, as some are not on probation, for example
Less court appearances
Reduced court appearances
No legal incentives until completion of 12 to 18 month long program
Fines/Fees
PO reporting and court appearances are less frequent as they advance through phases
Incentives are not universal or guaranteed though may include: satisfying/deleting fines and fees, reduction in probation time satisfying incarceration sentence (except mandatory), reduction of eligible felonies to misdemeanors, and electronic monitoring to satisfy mandatory incarceration in lieu of jail
Incentives can include: • Less frequent court appearances • Case called at the beginning of the calendar • Candy bar • Gift card • Coins (i.e. milestone chips typically distributed at 12-step meetings) • Phase advancement

## 18. What legal incentives are offered to successful participants who complete your VTC program?

VTC judges typically do not confine their courts to a single legal approach. So the legal incentives granted to veterans upon graduation vary considerably. (n=19)



Answer Options	Yes	No	Not Applicable
Satisfaction/Termination of probation	18	1	0
Reduction of charges	18	0	1
Expunging of the record (PC1203.4)	18	1	0
Dismissal of charges	16	3	0
Satisfaction of fines	18	1	0
Satisfaction of court fees	18	1	0
Record sealing	13	2	3
Deferred entry of Judgment (PC1000 et seq)	4	8	5
Withdrawal of Plea/Exchange of charges	9	6	3
Finding of Factual Innocence (PC851 et seq)	2	9	6

## 19. What percentage of the participants in your VTC has the following types of offenses?

For this most important question we asked for and received, for the most part, percentages. Responses varied considerably, as one might expect. Averaging the percentages reported for each type of offense could lead to misleading results, so we decided upon a “weighted average” procedure. We weighted each response with an estimated number of veterans in that court, with such estimates based on the raw data for this question and for question #1.

The below results describe a troubled population. High rates of DUI and drug use indicate the presence of self-medication, while nearly as high rates of assault/battery/DV reveal an inclination toward violent behavior. (n=8)

Answer Options	Response Average	Response Count
Other Crimes against persons (Assault/Battery/Robbery)	12%	8
Weapons related	4%	8
DUIs/Public Drunkenness	30%	8
Drug Use (including Possession)	17%	8
Drug sales	2%	8
Domestic Violence	15%	8
Crimes against property (Theft/Burglary)	12%	8
Contempt – Court Protective orders	2%	8
Child Abuse	4%	8
Other	3%	8
No Data		1

## 20. Please mark all who participate on the ‘Core Team’ and/or the Case Staffing Team.

VTC teams typically consist of about 8 members, as shown below. Many VTCs enhance their teams with additional personnel, including County Veterans Service Officers. (n=19)

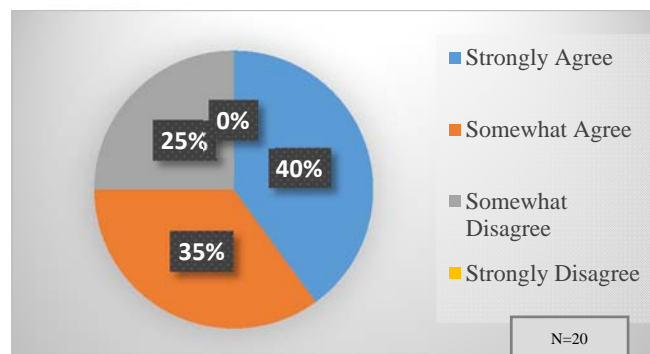
Answer Options	Core Team (Steering or Workgroup Committee)	Case Staffing
VJO	19	17
Prosecutor	19	17
Probation Officer	18	17
Other treatment providers (incl. County Mental Health)	14	13
Mentor Coordinator	11	8
Law Enforcement	4	1
Judge	18	14
Housing providers	4	4
Evaluator	4	5
Defense counsel	16	13
Court Coordinator	11	9
Child Welfare	0	0
Other:	5	2
<b>Other (please specify)</b>		
Admissions and eligibility officer from VA participates in staffing		
County VSO (Veterans Service Officer) 4 responses		
Case Manager (court employee)		

## 21. Does your court know about the Ten Key components of Veterans Treatment Court?

The “Ten Key Components of Veterans Treatment Courts” were developed by Judge Robert Russell of Buffalo, NY. They are now an integral part of VTC training provided by NADCP’s Justice For Vets. The vast majority of VTCs assert that they use these components (question #22). (n=20)

Answer Options	Response Count
Yes	16
No	4

## 22. Our court uses the Ten Key components of Veterans Treatment Court?



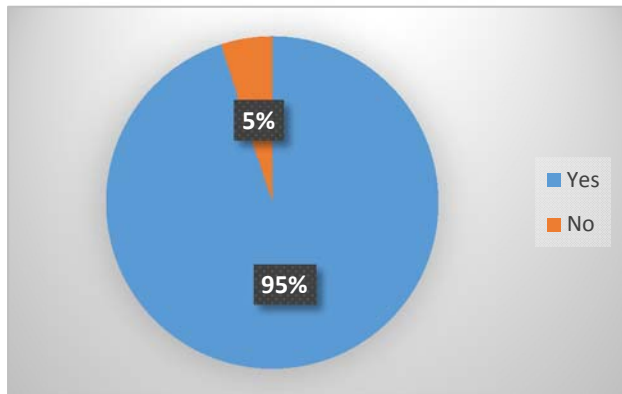
## 23. Do these providers in the community provide services to Veterans in your VTC program?

It takes numerous service providers to cover all the needs of veterans in VTCs. (n=18)

Answer Options	Yes	No
Victim Services	5	11
Veterans Service Organization	14	2
VA Veterans Benefits Representative	12	5
Substance use testing company	10	6
Other Therapy Providers	13	2
Local CA Dept of VA LINC/collaborative	6	6
Housing Assistance	15	2
Family Services	11	4
Employment Assistance	11	3
County Veterans' Service Officer	15	3
County Mental Health Representative	10	5
Children's Services	8	6
Child Welfare	8	6
Other	1	6
<b>Other (please specify)</b>		
Unsure if this question asks if these are available to our veterans or if I know of specific veterans who use each of these services. If the former the answer is yes to all of them, though on an as needed basis, and not sure that veterans in our courts have used all of them.		
Most of our clients are older and do not have minor children, although some do and we are trying to bring more of a family focus as we expand.		
Numerous treatment providers in the community and with the Department of Defense (for active duty participants) provide services to our participants.		
Numerous treatment providers in community and DoD (we take active duty); nontraditional therapies (outdoor rec, animal therapy)		

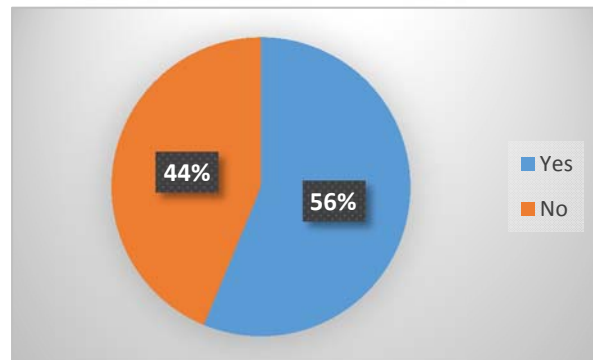
## 24. Does your court use PC 1170.9 in monitoring probation of your participants?

As seen in question #10, PC 1170.9 is not the only basis for alternative sentencing of veterans. (n=20)



## 25. Are any courts in your county other than VTCs using PC 1170.9?

PC 1170.9 has been in effect for ten years. Although it is designed to facilitate alternative sentencing in any criminal courtroom, its use outside VTCs remains spotty. (n=16)



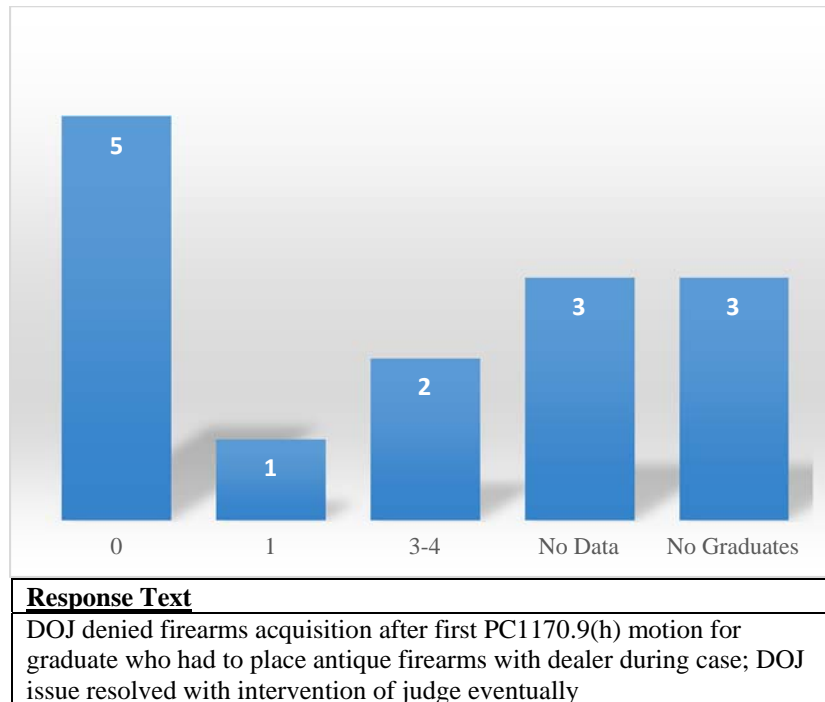
## 26. How many veterans in your county, including those not in VTC's, have received restorative relief under California Penal Code Section 1170.9(h)?

Given that the considerable restorative relief benefits of PC 1170.9 (h) have been available for three years, their use is remarkably low. (n=14)

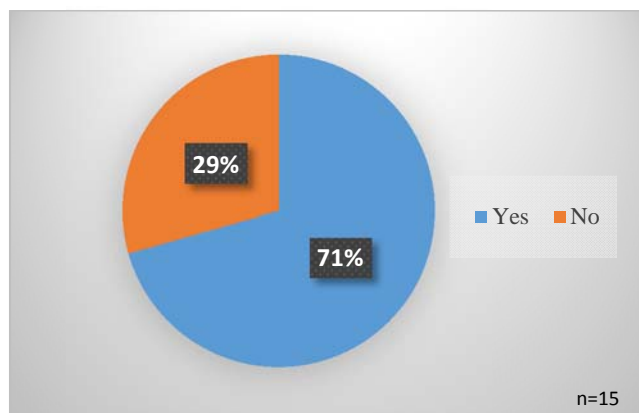
Restorative Relief at VTC	
0	6
1-10	4
11-25	2
26-50	1
100	1
Restorative Relief at non-VTC	
0	8
2	1
6	1

**27. How many times have you experienced a problem implementing PC 1170.9(h) (e.g., police or court records not sealed, licensing applications denied)?**

Initially, some VTCs experienced difficulty in delivering the benefits of PC 1170.9(h) to VTC graduates. Such incidents appear to have been few. (n=14)

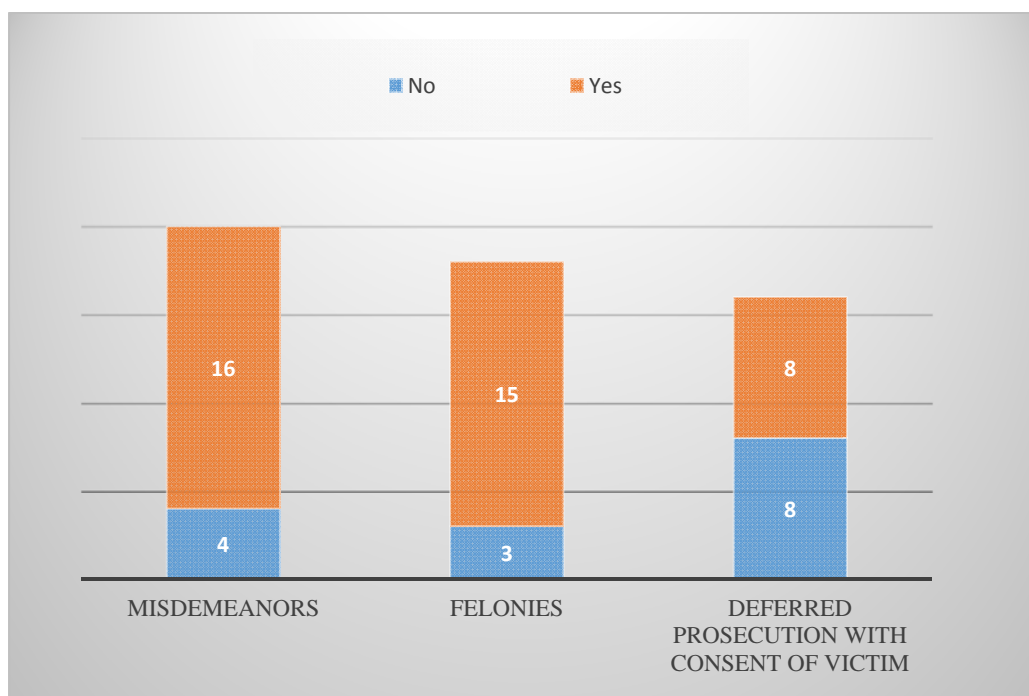


**28. Does your county have a Domestic Violence court?**



## 29. Does your VTC take DV cases?

Not all VTCs accept domestic violence cases; even so, DV constitutes 15% of all VTC cases (question #19). Half of VTCs use deferred prosecution with consent of the victim. (n=20)



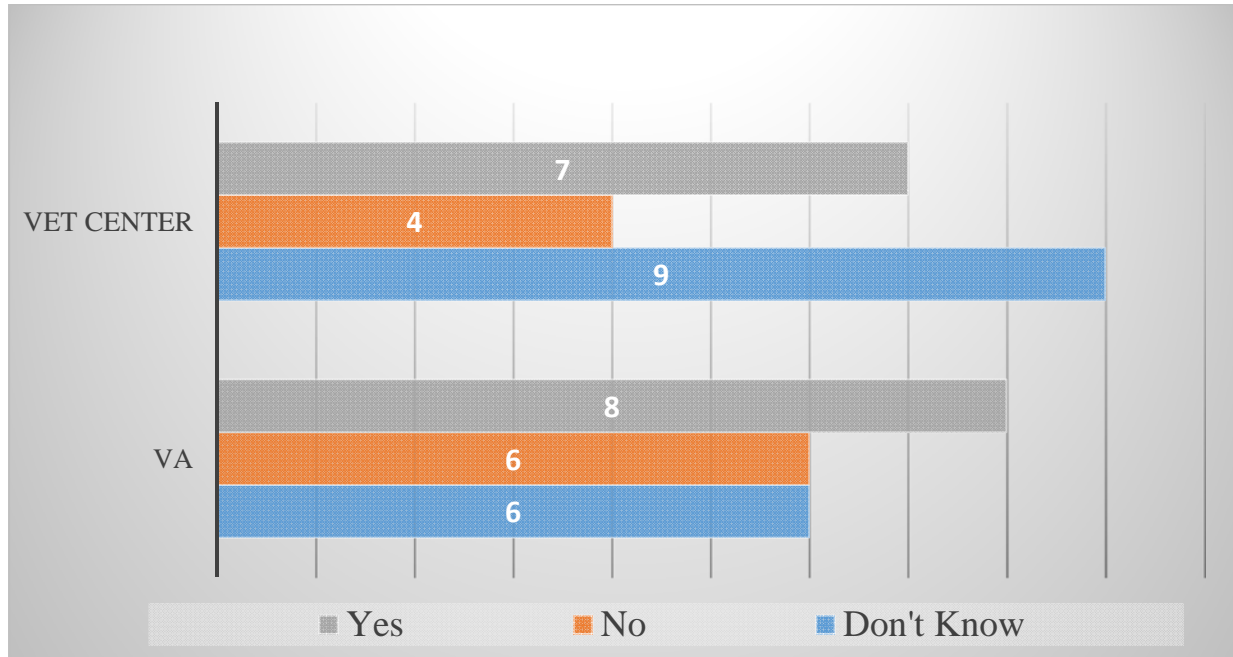
## 30. What type of Domestic Violence rehabilitation does your VTC employ:

About half of VTCs have devised a veteran-specific DV rehabilitation program, in search of improved outcomes compared to the standard 52-week programs. But even within those VTCs, many also use standard programs. (n=20)

Answer Options	Response Count
Standard 52 week DV Batterer's Program (PC§1203.097) OR	6
Devise an alternative counseling program (PC§1203.097(a)6) that is more conducive to treating Veterans with service related psychological and physical conditions?	3
Both	8
Don't know	3

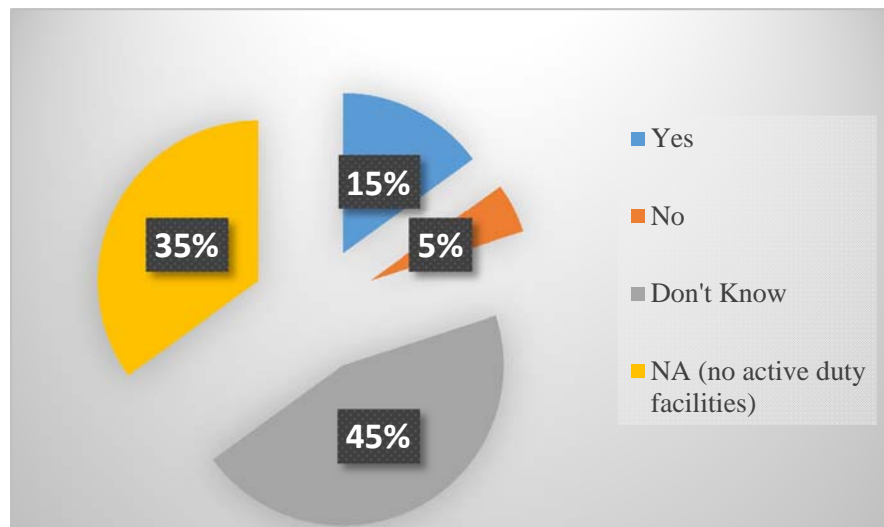
### 31. Do VA and Vet Center therapists in your area have DV training to treat domestic violence?

Local VA facilities often do not offer DV rehabilitation. (n=20)



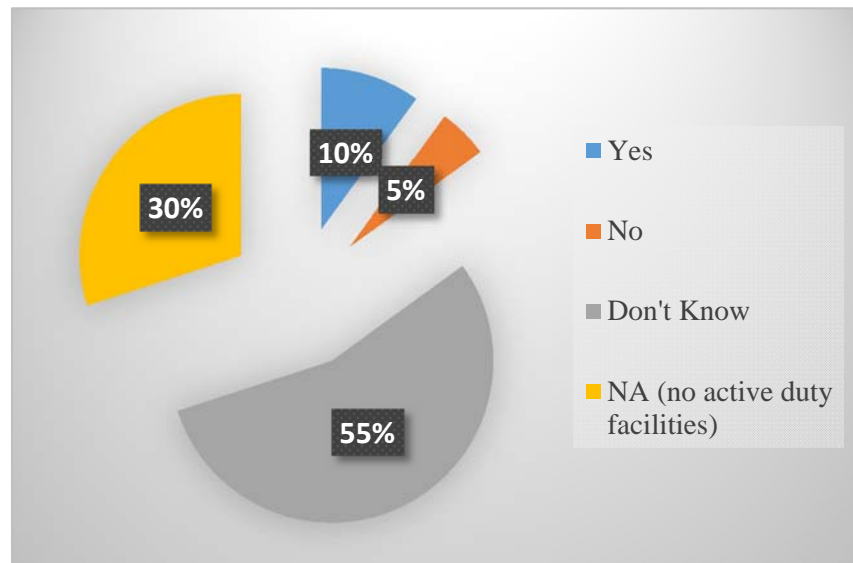
### 32. Do active duty treatment facilities in your area have DV training to treat domestic violence?

As responses to this question indicate, VTC teams are not very knowledgeable about the mental health treatment capabilities of local active duty military installations. (n=18)



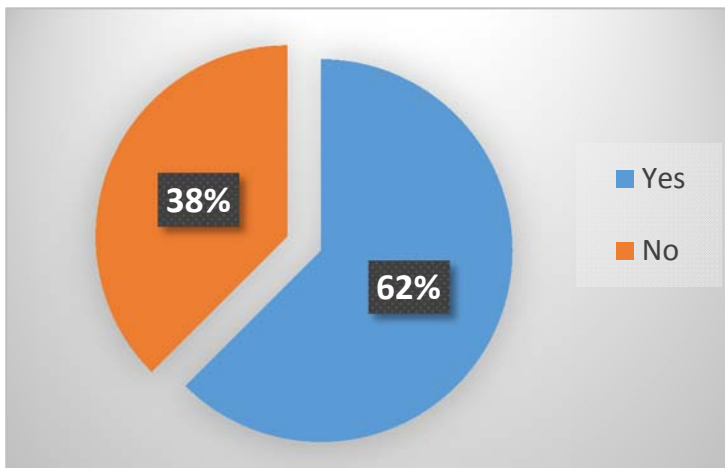
**33. Do active duty treatment facilities in your area have training to address child abuse issues/concerns?**

Knowledge of family-related services in local military installations is even less than that of mental health capabilities. (n=18)



**34. Do you permit couples or family counseling or reunification services after an appropriate recommendation from participant's and victim's therapists as part of your VTC program?**

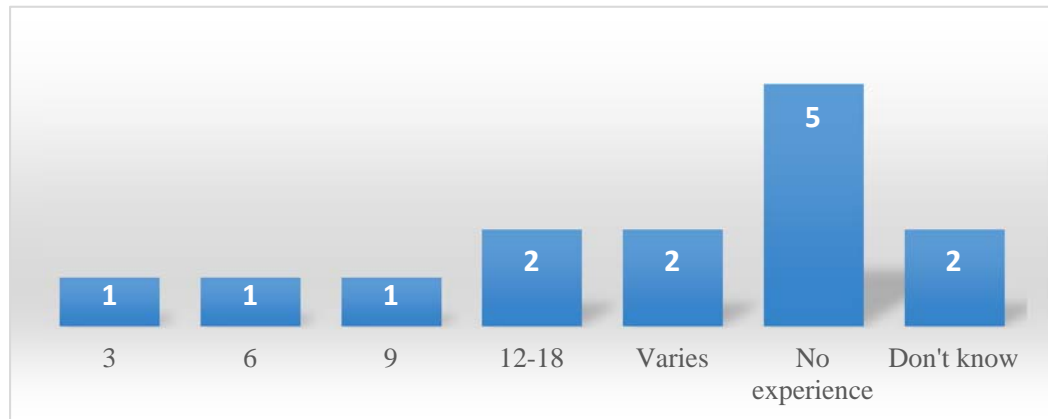
Family reunification is considered by a majority of VTCs. (n=14)





**35. On average, how many months into your VTC program and treatment are "court stay-aways" and "protective orders issued" resulting from domestic violence from family court kept in place?**

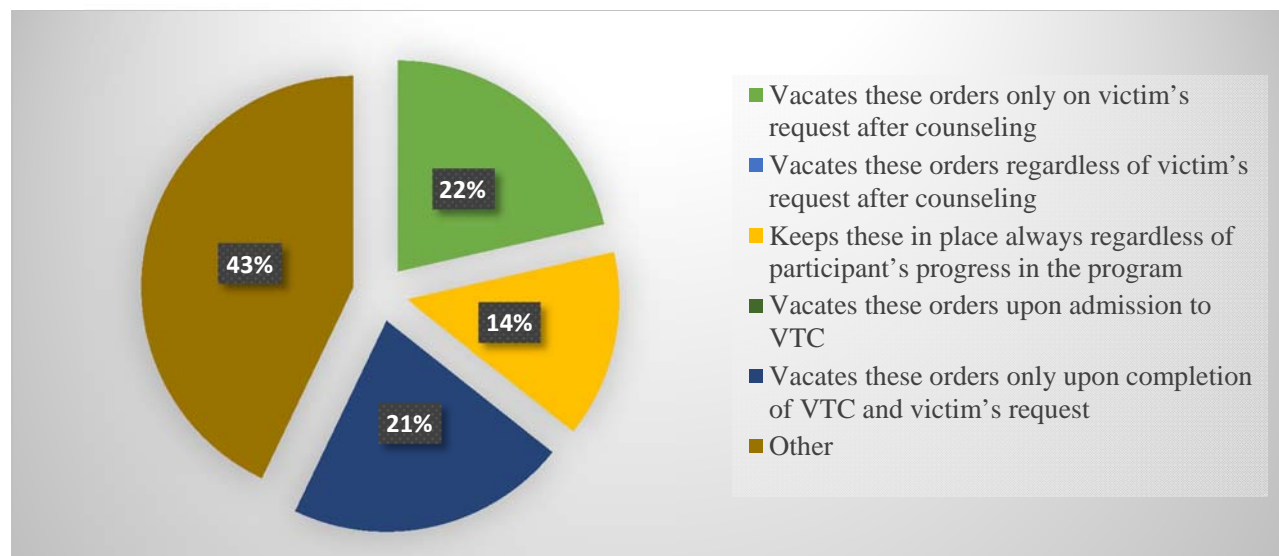
Few VTCs appear willing to remove protective orders prior to completion of their programs. See question #36 for details. (n=17)



**Response Text**

Until graduation, but they may be modified to peaceful contact, if appropriate, usually about halfway through DV treatment with recommendation of victim and participant's counselors

**36. In general, how does your VTC judge generally handle protective orders in VTC?**



**Other (please specify)**

Haven't dealt with this yet

Modifies these orders only upon VTC progress and input from victim

We do not have many protective orders and it is always case-by-case

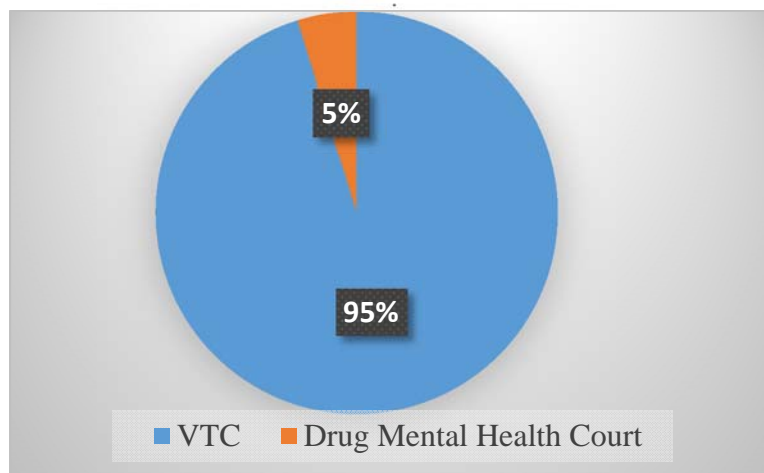
They are modified based upon treatment provider recommendations and with agreement of the victim(s)

## 2014 Federal Department of Veterans Affairs survey results for California VTCs

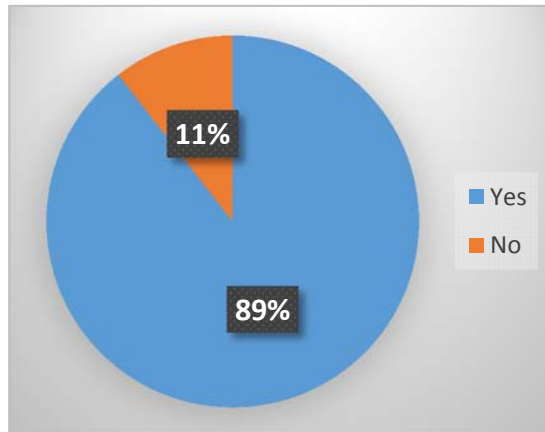
During 2015, the Department of Veterans Affairs surveyed Veterans Justice Outreach Specialists nationwide, in search of data on the operation of Veterans Treatment Courts and similar legal structures. We were able to obtain California-only data of this study, thanks to the cooperation of Veterans Justice Manager Sean Clark. We include those data as a separate chapter of this study, without comment.

<b>California Counties involved in the VA survey</b>	
	Alameda
	El Dorado
	Kings
	Los Angeles
	Los Angeles
	Orange
	Placer
	Riverside
	Sacramento
	San Bernardino
	San Diego
	San Francisco
	San Luis Obispo
	San Mateo
	Santa Barbara
	Santa Barbara
	Santa Clara
	Solano
	Tulare
	Ventura

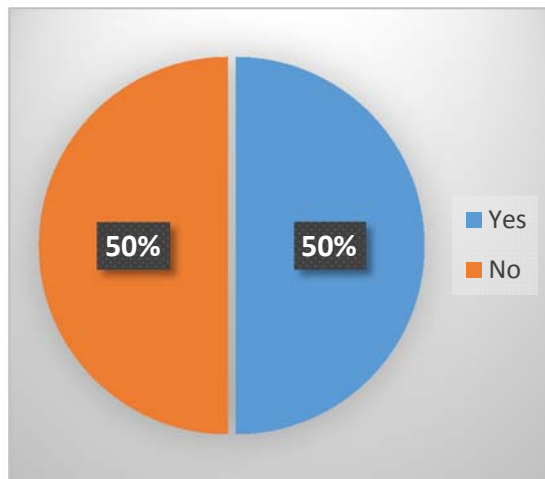
### Type of Court in California:



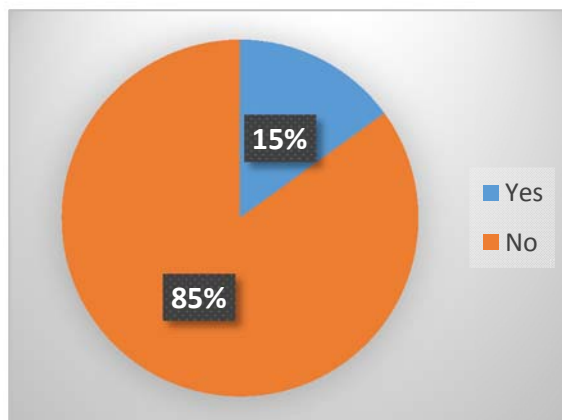
**Does the court ONLY take Veterans determined to have a substance use and/or mental health problem?**



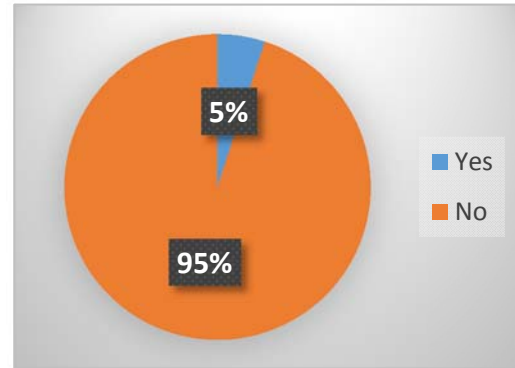
**Does the court ONLY take Veterans with mental health conditions determined to be related to military service (This is not restricted to “service-connected” for psychiatric only)?**



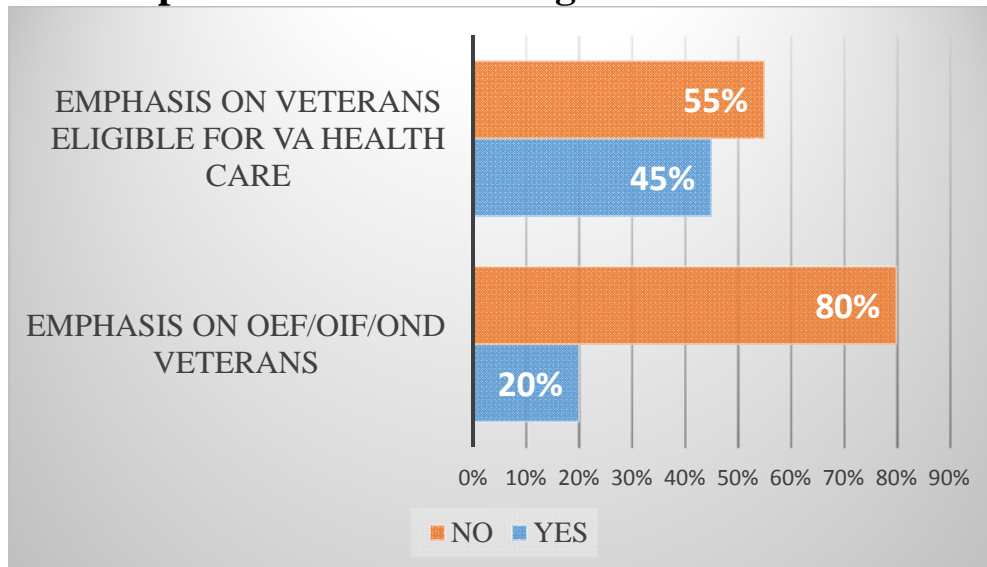
**Does the court ONLY take Combat Veterans?**



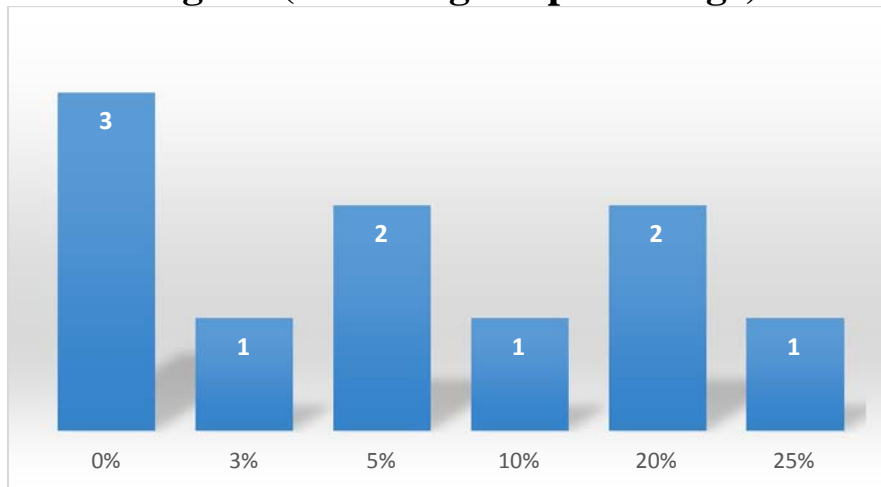
**Does the court ONLY take  
OEF/OIF/OND Veterans?**



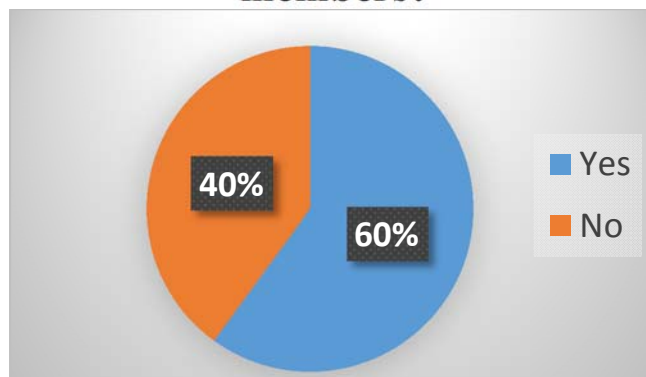
**If NO, does the court place emphasis on OEF/OIF/OND Veterans?  
Place emphasis on Veterans eligible for VA health care?**



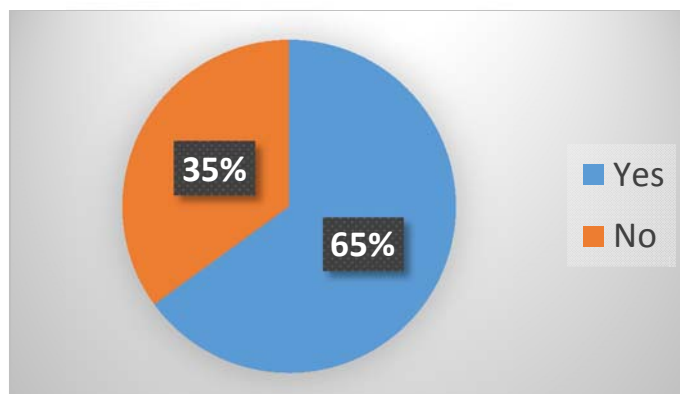
**What is the approximate ineligible percentage since the court began? (VA-ineligible percentage)**



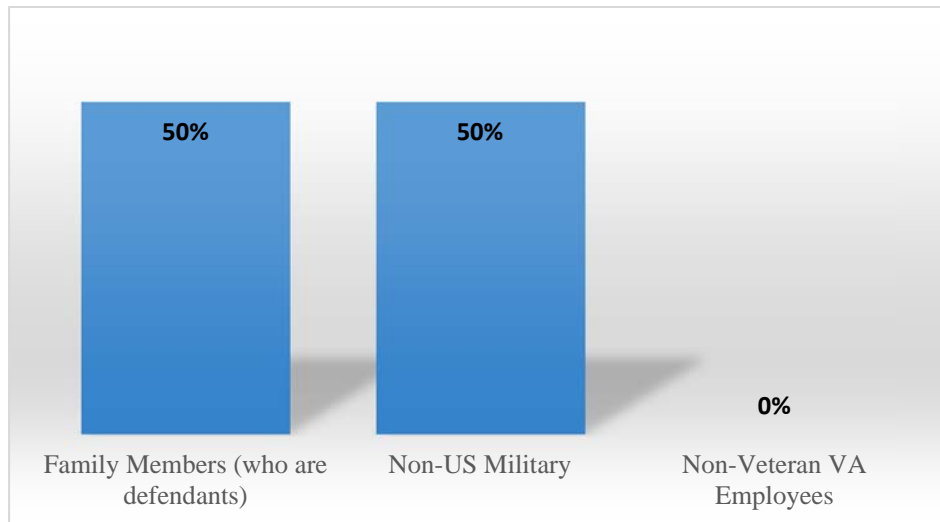
**Does the court's admission criteria allow Active duty service members?**



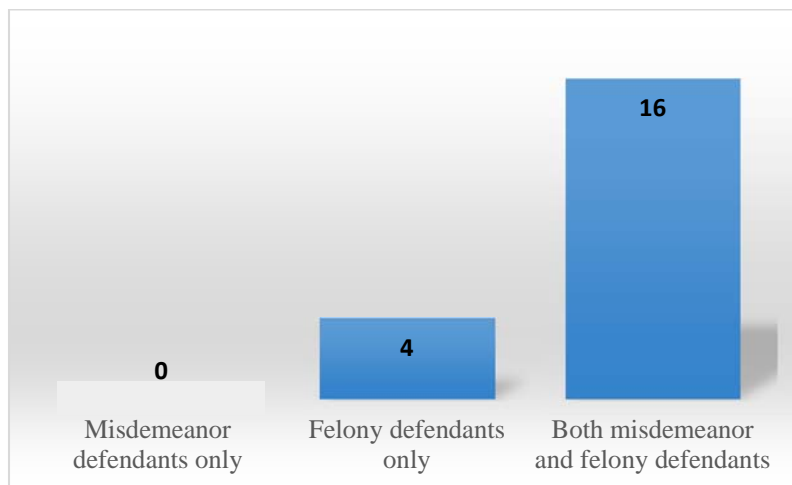
**Does the court's admission criteria allow Reserve/guard without active duty service?**



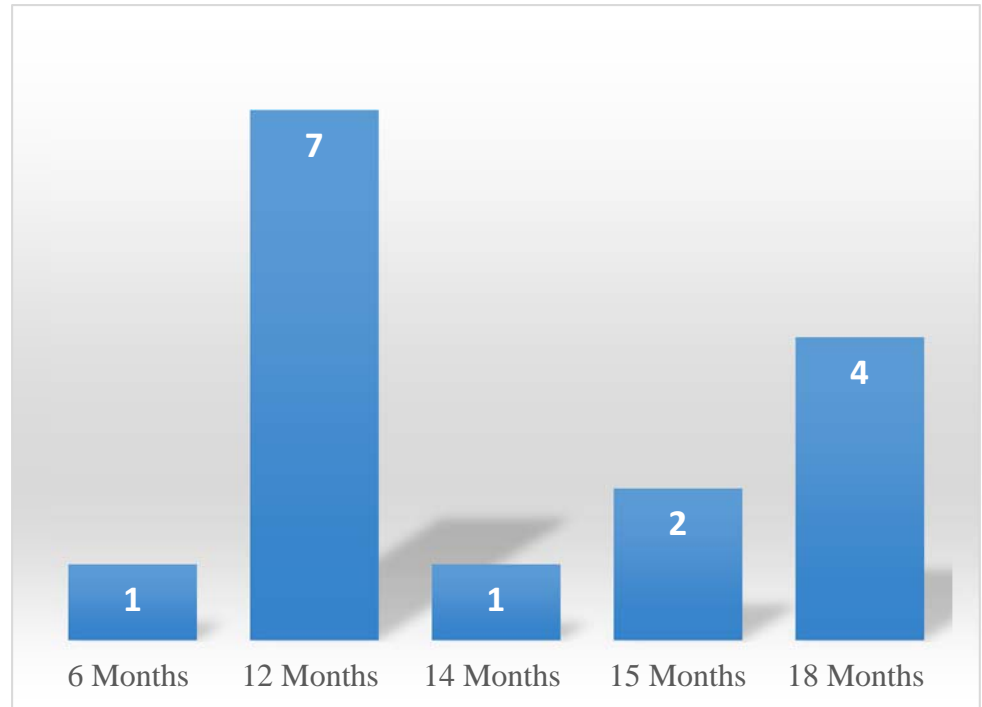
**Does the court's admission criteria allow Family members (who are defendants), Non-Veteran VA employees or Non-US Military?**



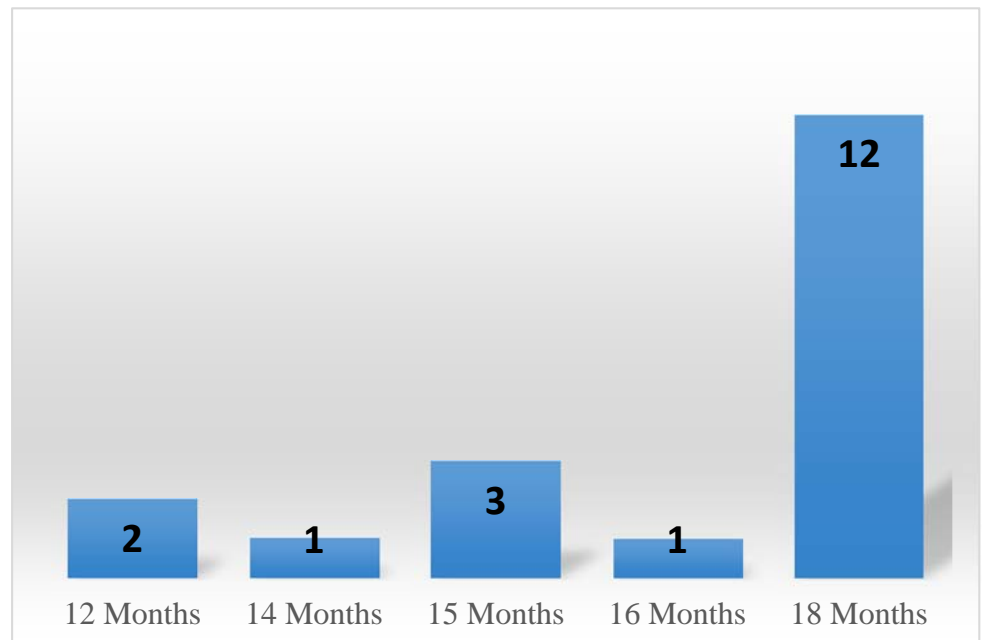
**The court accepts Misdemeanor defendants only, Felony defendants only, or both Misdemeanor and Felony defendants?**



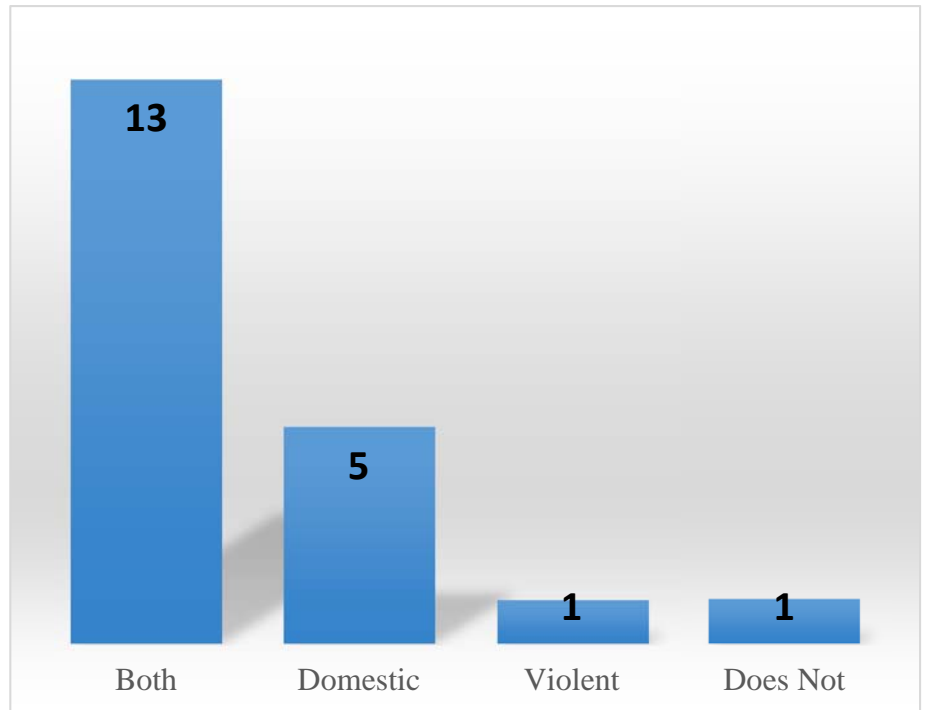
**What is the  
estimated average  
length of time  
misdemeanor  
Veteran defendants  
actually spend in  
court involvement,  
from court admission  
to discharge?**



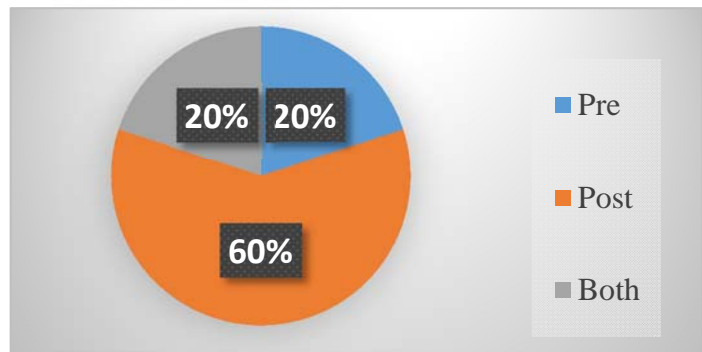
**What is the  
estimated average  
length of time felony  
Veteran defendants  
actually spend in  
court involvement,  
from court admission  
to discharge?**



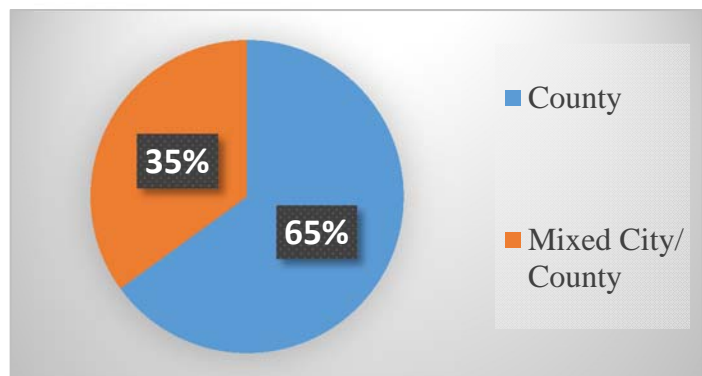
**The court will consider the following offenses when determining eligibility (select all that apply): Domestic violence, Violent (not domestic) or Does not accept violent offenses.**



**The court accepts Pre-plea Veteran defendants only, Post-plea Veteran defendants only or both pre- and post-plea Veteran defendants?**

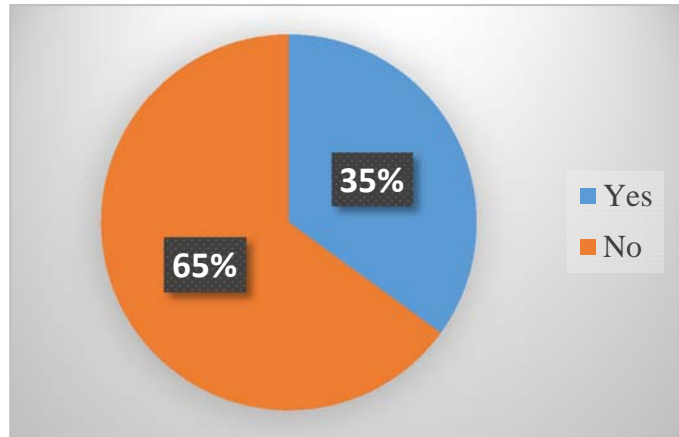


**What is the jurisdiction of the court?**

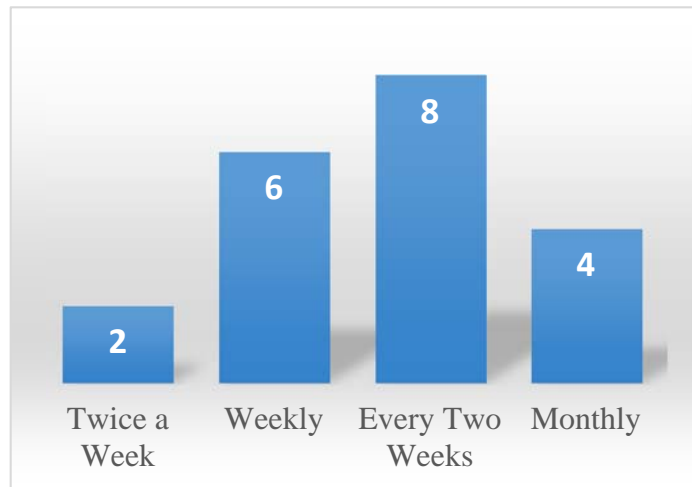




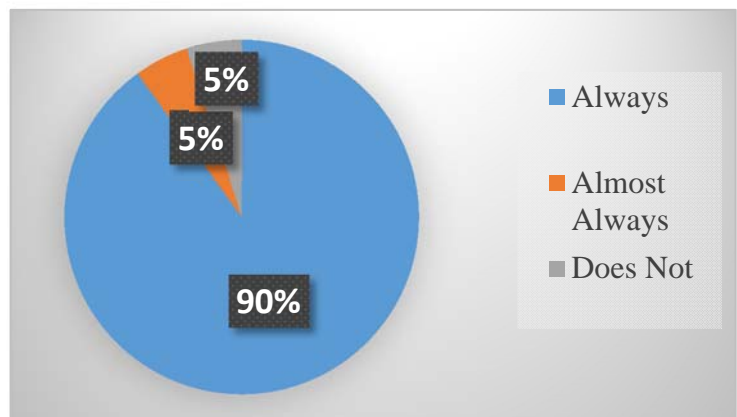
**Does the court accept cases from outside its jurisdiction (i.e. cases from outside the geographic area the court ordinarily covers – whether it’s the jurisdiction as traditionally defined (usually a county), or, in the case of a regional VTC, its multi-county region)?**



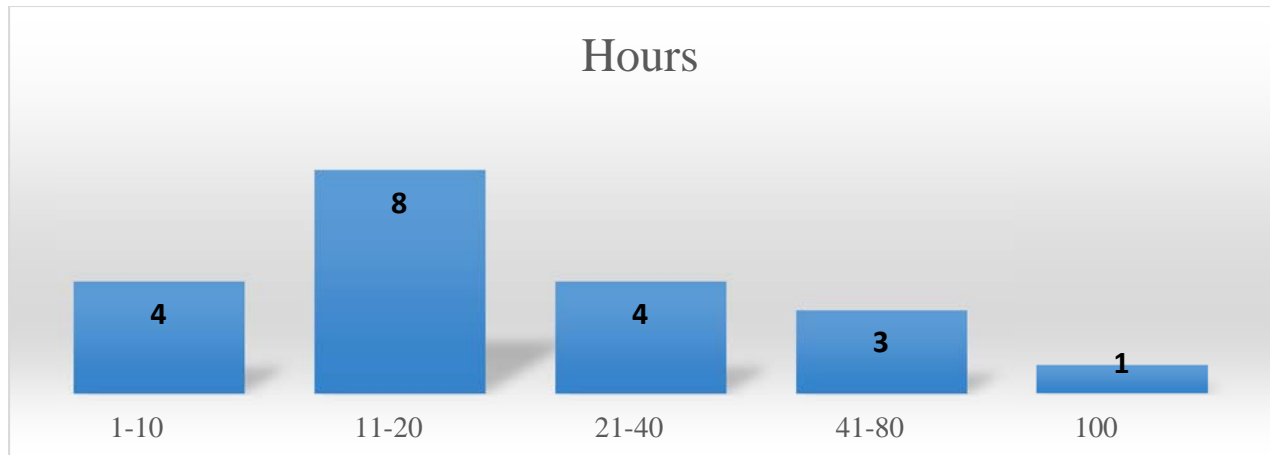
**How often does the court meet?**



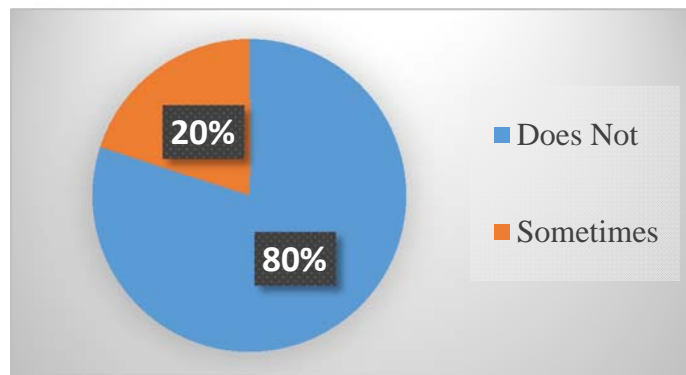
**How often does the VJO Specialist participate in court sessions?**



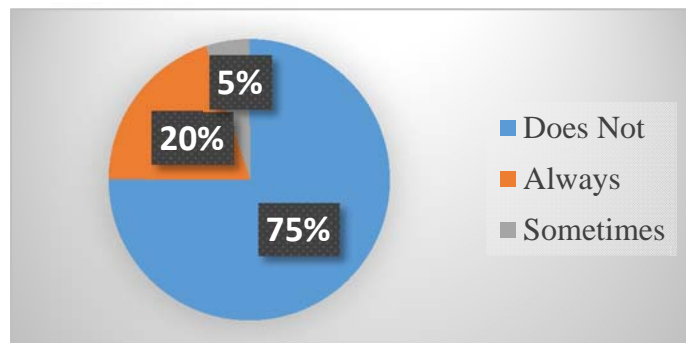
**What is the average amount of time the VJO Specialist spends interacting with the court team by any means (in person, telephone, teleconferencing, etc) per month? This includes court sessions and staffing with court team on days other than court days?**



**How often does the VBA representative participate in court sessions?**



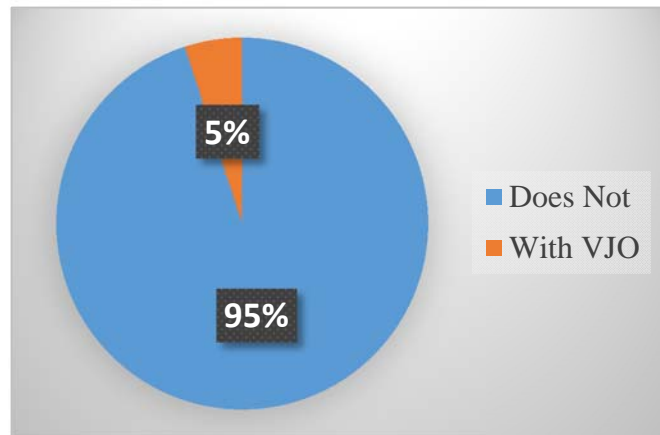
**How often does the Vet Center representative participate in court sessions?**



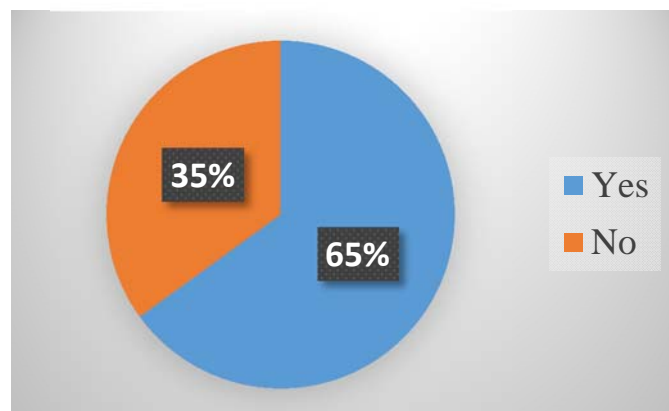
**List any other VA representatives on the court team that participate in court sessions (addiction treatment provider, mental health treatment provider, case manager, etc.):**

Peer support specialist
Mental health case manager
Admissions/Eligibility officer
Outreach worker
MSW interns
Psychiatrist

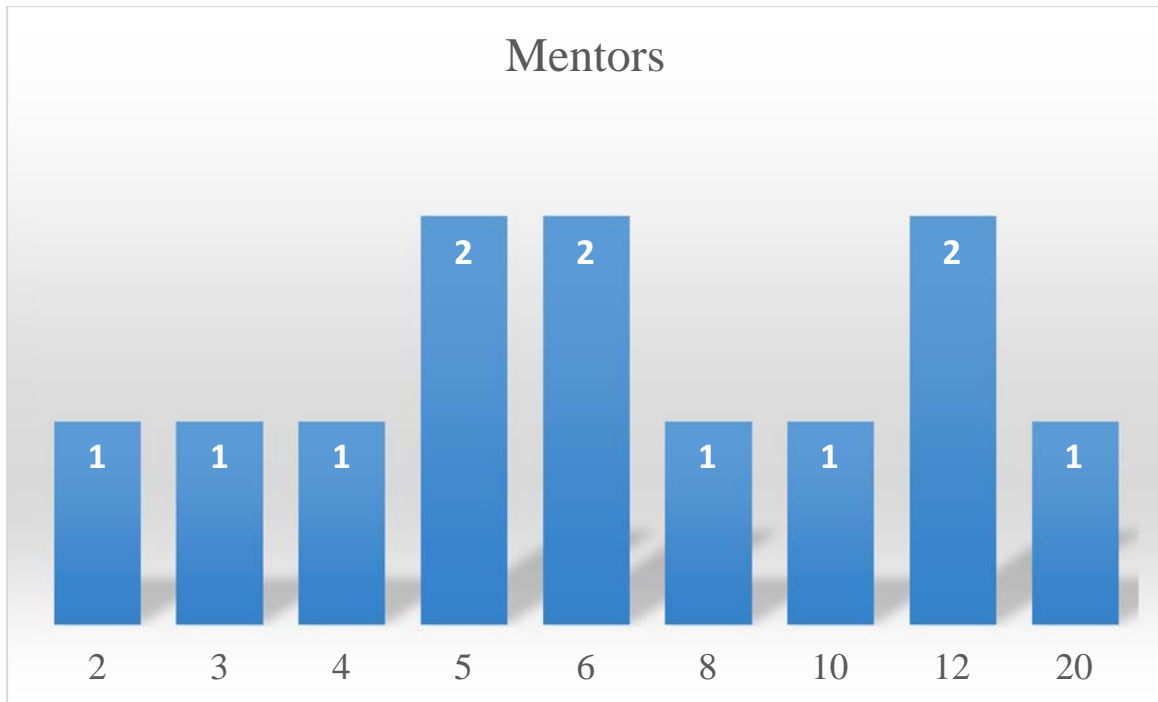
**The court uses Tele-Justice (teleconferencing) in the following ways:**



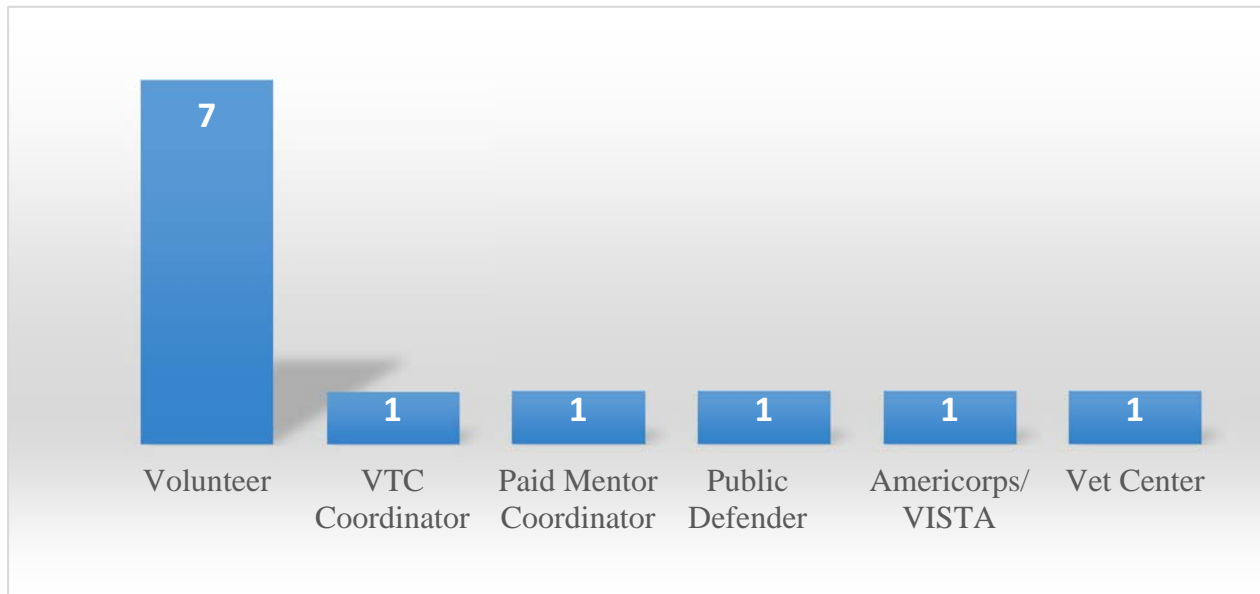
**Does this court have a mentor component?**



### Approximately how many active mentors are there now?



### Who is responsible for the oversight of the mentor component?



## California Veterans Treatment Courts and Veterans Population

COUNTY	COURT?	VETERANS <sup>a</sup>	OEF/OIF <sup>b</sup>	POPULATION <sup>c</sup>
Los Angeles Downtown	Yes (9/10)	314,667	17,470	10,241,335
Los Angeles Lancaster	Yes (3/13)			
San Diego	Yes (2/11)	229,931	28,666	3,288,612
Riverside	Yes (1/12)	136,466	8,235	2,347,828
Orange	Yes (11/08)	126,806	6,227	3,183,011
San Bernardino	Yes (1/10)	113,725	7,280	2,139,570
Sacramento	Yes (7/14)	89,733	4,614	1,495,297
Santa Clara	Yes (11/08)	61,106	2,726	1,927,888
Alameda	Yes (11/13)	59,133	2,278	1,627,865
Contra Costa		55,196	1,890	1,123,429
Kern		47,962	2,815	886,507
Fresno	Yes(6/16)	45,032	2,524	984,541
Ventura	Yes (11/10)	43,841	2,884	856,508
San Joaquin	Yes (4/11)	36,480	1,640	733,383
Solano	Yes (9/14)	34,022	3,099	431,498
Placer	Yes (9/12)	30,501	1,219	373,796
Sonoma	Yes (11/15)	29,686	834	501,959
San Mateo	Yes (5/12)	29,300	1,084	766,041
Stanislaus	Yes (2/16)	26,456	1,214	540,214
San Francisco	Yes (4/13)	26,089	1,076	866,583
Sta Barbara-Sta Maria	Yes (11/11)	23,980	1,167	446,717
Sta Barbara-Sta Barb	Yes (7/12)			
San Luis Obispo	Yes (6/13)	21,527	753	277,977
Monterey	Yes (1/16)	19,642	1,149	437,178
Tulare	Yes (2/10)	18,611	1,097	466,339
Butte	Yes (9/15)	18,055	701	224,601
Shasta		16,670	575	178,592
El Dorado	Yes (2/12)	15,822	407	183,750
Marin		12,996	216	262,274
Kings	Yes (4/13)	12,613	1,555	150,373
Santa Cruz	Yes (10/15)	11,986	306	275,902
Merced		11,322	596	271,579
Humboldt		10,461	304	135,116
Napa		9,968	246	142,028
Yolo		9,685	573	214,555

CALIFORNIA VETERANS TREATMENT COURTS AND VETERANS POPULATION				
COUNTY	COURT?	VETERANS <sup>a</sup>	OEF/OIF <sup>b</sup>	POPULATION <sup>c</sup>
Nevada		9,395	232	98,095
Madera		8,558	338	155,349
Imperial		7,670	726	185,831
Sutter		6,882	435	97,308
Lake	Yes (9/15)	6,752	132	64,306
Tehama		6,713	183	63,934
Mendocino		6,583	141	88,378
Yuba		6,429	643	74,345
Tuolumne		6,387	124	54,900
Calaveras	Yes (1/16)	5,730	104	45,207
Amador		4,413	84	37,707
Siskiyou		4,385	103	44,739
Lassen		3,647	149	30,780
San Benito		2,713	122	56,648
Del Norte		2,597	72	26,811
Mariposa		2,179	30	18,159
Plumas		2,061	53	19,879
Glenn		1,787	65	28,668
Inyo		1,572	30	18,650
Trinity		1,570	33	13,667
Mono		1,265	26	13,721
Colusa		1,226	48	21,948
Modoc		977	27	9,638
Sierra		384	*	3,203
Alpine		127	*	1,166

#### Footnotes

a. Source: VA as of 2014

b. Source: DoD as of 2010 (based on last known home address at discharge)

c. Source: California Department of Finance, 2016

\* County with 10 or fewer OEF/OIF veterans

## **ACKNOWLEDGEMENTS**

We could not have conducted this survey without the help of the Department of Veterans Affairs' Veterans Justice team, including Sean Clark, Danica Bogicevic, and a number of Veterans Justice Outreach Specialists: Candace Andrews, Susan Basmajian, Sue Dolan, Leah Emery, Kimberly Higgins, Maki Ishihara, Leah Norzagaray, Laura Rodriguez, Matt Stimmel, Julie Tomlinson, and Will Van Zant. We also owe a debt of gratitude to Rod Kodman of the Ventura County Public Defender's office, Jude Litzenberger of California Veterans Legal Task Force, and Pamela Ross of the Solano County Superior Court.

Duncan MacVicar  
Larisa Owen