

# Missoula Veterans Treatment Court

State Administration and Veterans' Affairs  
Interim Committee  
April 19, 2016  
Brenda C. Desmond  
District Court Standing Master

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## 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.

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## 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.

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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.

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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.

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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.

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## 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.

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## 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.

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## 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.

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### 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.

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### 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.

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### 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.

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## 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.

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## 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.

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## 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.

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### 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

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### 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

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### 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.

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Other Factors Reducing Risk of Re-offense

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

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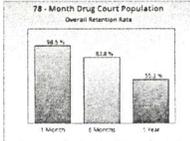
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MONTANA JUDICIAL BRANCH - MONTANA DRUG COURTS:  
AN UPDATED SNAPSHOT OF SUCCESS AND HOPE

Report to the Legislature January 2015



Retention Period	Retention Rate
1 Month	98.1%
6 Months	83.6%
1 Year	70.2%

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Montana's Veterans Courts

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

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## Additional Information

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

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