

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

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**I would like to extend a special thanks to all individuals  
who took part in this proposal. Without your help,  
support, and guidance this would not have been possible.**

**Thank you!**

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**“On the battlefield, the military pledges to leave no soldier behind. As a nation, let it be our pledge that when they return home, we leave no veteran behind.” – Dan Lipinski**

**In 2008 while living in Tucson Arizona, I was arrested for Domestic Violence Disorderly Conduct. The incident took place in an apartment I shared with a girlfriend; I had been drinking the whole night, so I was thoroughly intoxicated and sleeping silently in the spare room. My girlfriend Jennifer walked into the room shouting at me, calling me names, all while throwing random objects at me. I quickly jumped-up yelling and moving hastily towards her. As I got closer, she began to back pedal through the door. I yelled, “what the f\*\*k is your problem?”, To which she replied, “you’re a piece of s\*\*t drunk, I want you gone.” It began an argument that would last several minutes and ended with many**

**inanimate casualties of destructive anger. When I felt I had enough I began moving toward the front door when Jenny jumped in front of it and held it shut. At that point I began to feel trapped; I was only a year and a half out of the Marine Corps and only two years from returning from the war. My mind began racing and my combat training I received in the military began surfacing. I asked her to move repeatedly that seemed to fall on deaf ears. I then grabbed her left shoulder with my right hand and pushed her out from in front of the door. I admittedly used a lot of force and in doing so she bumped her knee on a chair to our dining room table no more than two feet from where she blocked me in. It left a bruise on her knee about the size of a quarter. When the Pima County Sheriff's Department showed up, I was across the street at a nearby convenience store trying to get ahold of my parents when suddenly four sheriff cars pulled up, so I walked outside knowing they were there to talk to me. I was meet by all four officers with guns**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**drawn and shouting “get your hands up”, “get on the ground face down and do not move”. I was then placed in cuffs and taken to the county jail where I would stay for roughly 12 days before the decision was made to release me and put me on probation. I was made to feel like a violent woman beater when I was actually a troubled veteran who didn’t realize it yet, I was a troubled Marine who didn’t know any other way to deal with stuff without aggression, I had already formed and extremely unhealthy relationship with alcohol in hopes to hide and run from my own thoughts. The simple yet effective program could have benefited me 16 years ago; in all fairness, it could have prevented multiple failed suicide attempts, divorce from the love of my life, abandonment of my children, extensive alcohol dependency, and an intravenous drug addiction to methamphetamine and cocaine.**

**The need for veterans’ treatment court has been apparent to most who understand the situations since**

**the Vietnam war era. There has become even more of a need in the last 20 years due to the War in Iraq. In an article from *American Jails* author Ron Halverson gives some insightful information regarding veterans, stating:**

**Approximately 75% of these veterans have been deployed at least once compared to 58% of previous generations; and 9/11 veterans are twice as likely to have served in a combat zone as their predecessors.**

**Approximately 50% have reported experiencing traumatic or distressing experiences related to combat, and a third have sought professional help.**

**Like their predecessors the war is felt beyond their tour of duty and stays with them after they return to civilian life. This has remained consistent regardless of what era they served. In the first few years after they served, combat veterans are less likely to feel optimistic about the future as compared to those who did not serve in combat. They are also likely to struggle with the lack of structure in civilian life and**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**oftentimes felt disconnected from family and friends.**

**A realization that is no surprise given the mindset needed to survive in a war zone, especially those who serve as part of an infantry division. Halverson furthers his understanding of the need for veteran treatment courts, this time pointing out some statistics regarding the percentages of veterans incarcerated, he does so stating:**

**Between 1985 to 1998, the number of veterans in jails and prisons rose 46%. In 1998, there were approximately 225,700 veterans in U.S. prisons and jails. Approximately 13% of the state inmates, 15% of federal inmates, and 12% of local jail inmates reportedly served in the Armed Forces. The Bureau of Justice Statistics found that 50% of these veterans served during a war; 35% were Vietnam-era veterans; and 12% were Gulf War veterans.**

**Unbelievably, among violent state inmates, the**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**average sentence of veterans was more than four years longer than the average sentence for non-veterans.**

**The information above is troubling and in all honesty not seen or heard by many citizens outside of the community of veterans, some information might also be unknown to many with in the criminal justice system.**

**Clearly counties in the state of Texas should implement a veteran court system. The implementation of the veteran court would be beneficial to the county by allowing more time to deal with the specific needs of the veteran in question. The needs of veterans are more than just holding them accountable; things they have previously done within their military careers can be detrimental to their mental health. Through the veteran treatment court issues like mental health, homelessness, and criminal/impulsive behaviors will allow for someone of authority to push the veteran to get the help needed. One issue involves the re-interdiction into the civilian**



**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**society without helping them transition out of the combat mindset. Some may not agree with veteran treatment courts for reasons such as, veterans are no more special than others who committed a crime. They may also argue; more people than just veterans have issues they deal with from their pasts that have caused mental issues. What makes veterans mental issues more important? Another argument against establishing a veterans' treatment court has been the one involving the questions; where the money would come from, who would be the judges involved, what overall benefits would it have on the county?**

**One benefit to veterans' treatment program can be see here with information from the article "Hazardous Duty: Investigating Resistance to Police at the Point of Arrest Among Incarcerated Military Veterans" when Mark Morgan discovered this during his study, "On the other hand, black veterans, veterans with more mental disorders, and veterans who reported a greater number**

**of police officers on scene showed significantly higher levels of resistance. Another benefit is one that almost all cities in America need, the need to clean up the streets and begin working towards depleting the homeless population. Most veterans are homeless because of issues they have run into when either trying to mask their mental problems or flat out running from them. Mental health issues among veterans have become a pandemic, Morgan shows a small part of his idea when he says "this is a serious undertaking that necessitates greater responsibility for law enforcement and crisis intervention teams, especially in locations where veterans are underserved by health care providers. For example, in rural areas, law enforcement may have more direct contact with veterans than formal health care systems". Police have a job to do and part of that job is to protect themselves as well as the other officers involved. There is a thin line when it comes to veterans having the inability to consciously distinguish between**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**an actual threat or an authoritative command given by an officer.**

**Mental health is by no means just suffered by veterans, but the severity of it can be far greater given the veterans combat history, as seen here in the article by Ron C. Halverson "The Veterans Unit: One Man's Hope" where he gives his opinion: "For example, many veterans developed mental and emotional difficulties as they struggled to cope with their thoughts about the war. They experienced symptoms including depression, remorse, flashbacks, hallucinations, mood swings, anxiety, paranoia, and outbursts of rage. Medical professionals ultimately recognized this condition and gave it the name post-traumatic stress syndrome (PTSS) and acknowledged it as a valid mental illness". It took years for even doctors to see the decline in mental health issues within functionable combat veterans. He offers another statement when it comes to combat veterans and mental health stating:**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**Today, a new generation of veterans is making the transition from military service to civilian life. In fact, approximately one in five veterans today served after the terrorist attacks of 9/11.**

**Approximately 75% of these veterans have been deployed at least once compared to 58% of previous generations; and 9/11 veterans are twice as likely to have served in a combat zone as their predecessors.**

**Approximately 50% have reported experiencing traumatic or distressing experiences related to combat, and a third have sought professional help.**

**(Halverson)**

**As previously stated, there is a mindset combat veterans must obtain and utilize. In a study involving the need for veterans' treatment courts the author of the study Chad Lennon found that, "Veterans are known to have a warrior's mentality, which can lead to not addressing their treatment needs for physical and psychological health care. Many justice-involved veterans are**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)  
suffering from alcohol or drug addiction, homelessness,  
and/or serious mental illnesses. A veteran today is  
expected to go from fighting the Taliban one day to  
picking up his or her toddler from daycare the next". By  
no means does it make veterans special. Chad Lennon  
describes where his idea came from when he said:**

**The idea that veterans have earned special  
treatment from the legal system originates from the  
awareness that the training to overcome the natural  
human aversion to harming others and frequently  
being deployed overseas to do that very deed is  
what may have caused the mental illness and  
substance abuse leading to his or her presence in  
front of a judge. Despite an increase in media  
attention, most communities remain uneducated  
about PTSD and TBI, their causes, symptoms, and  
methods to assist those suffering from these  
conditions. (Lennon)**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**No one person is more special than another. There are however individuals who have sacrificed parts of their lives for others to have the rights that they do. There are also those individuals who don't get help in time and ultimately take their own lives because things just get to hard or out of control.**

**The final issues and from the research I have done it tends to be the most talked about. Where will the money come from? Well in 2018 congress implemented a grant program to help with the implementation of or enhancement of a veteran treatment court, this is what The U.S. Department of Justice said about it "There has never been a better opportunity for your program to receive federal funding. The U.S. Department of Justice has received \$95 million from Congress to support drug courts, family drug courts, juvenile drug courts, tribal healing to wellness courts, DWI courts, and veterans' treatment courts" (Justice for Vets). Applying for the grant could offer a substantial amount of money, in 2018**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**the grant offered "Up to \$500,000 is available to implement or enhance your program" (Justice for Vets). There are numerous things that can be done to bring in money either to start a veteran treatment court or build on an already established one. In fact, Lonnie Masterson told me while interviewing him and Patrick Baca that "jury members can opt to have their payment sent back to the court as a donation, fund raisers will be done" (Baca and Masterson). There is always going to be a way to cover monetary necessities of any important situation, it just needs to be found.**

**Some people would argue veterans are not special, and they would be correct. But veterans do have mental issues that stem from situations they were involved in while serving especially those who served in combat. They had a job; the job might have been to fight in a war where they would have seen death. They would have needed to create a mental state where emotions like anger and revenge would help keep them alive. Veterans**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**would have been taught to bottle up healthy emotions like those “normal” people would have when seeing a friend or family member die. Would you disobey your boss? Veterans don’t have that option either, even more so than civilians given the punishments for disobeying a direct order are far more sever and life altering than just doing the job and bottling everything up and trying to forget about it, or so it’s thought. Another good argument for opposition of veteran treatment court is one of money and where it would come from. Of course, budgets, fundraisers, federal grants, and things of that nature would need to be done, but is there not budgets for regular court systems, was there not a way found to implement drug and alcohol court.**

**Veterans need to understand that people want to help and not just that, they need to know people care about them. If labeled trash, veterans just like all other human beings are going to be more likely to resist authority, the difference is veterans share a common**



**code with police and other first responders, an idea that can be seen in a study done by Mark Morgan where his research found that:**

**To this end, recent qualitative research on VTCs suggests that getting arrested is a source of shame and dishonor—both personally and toward their respective service branches—among justice-involved veterans. Specifically, the veterans they interviewed lamented being arrested and viewed by their peers and criminal justice professionals as just like the “rest of the dirt bags” in jail. Some also expressed concerns about being labeled “problem creators” instead of “problem solvers” or disappointing police officers by having violated an “unwritten code” or standard that both service members and law enforcement share. Thus, if the effects of criminal justice contact (including arrest) on feeling shame among veterans are uniform, it is plausible that**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**veteran suspects might make concerted efforts to  
comply with responding officers**

**Doing so could drastically improve the number of  
veterans who might be willing to seek help, taking away  
the shame of things like being arrested is greatly needed  
for the success of all involved. There is always a way to  
come up with money so that shouldn't even be an issue,  
even Chad Lennon found out while doing his study and  
stated "However, a Veterans Treatment Court does not  
require funding to run successfully". The value of a  
program such as a veterans' treatment court cannot and  
should not be determined at a monetary level. Instead,  
the success and value should be measured by a rate of  
successful completion of the program.**

**There is a need for veteran treatment courts just like  
there is a need for alcohol and drug courts. If we can  
single out drug offenders and alcohol offenders by  
offering them a program to push them down the correct  
path than we can do it for veterans. As the old saying**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**goes nothing worth it is ever easy and nothing easy will ever be worth it. In an interview I conducted with Patrick Bacca an MVPN counselor and Lonnie Masterson a veteran who has been through a veteran's treatment court program tuned me into a few roadblocks that they have face while trying to set up the program in Bryan/College Station. They said, "some issues we faced were getting the county commissioners on board, finding a retired judge to oversee the court, obtaining a building for the court, and creating a separate docket" (Bacca and Masterson). It's not going to be an easy road but there is a way if all work together. Veterans deserve a program to gives them a second chance at living a healthy and successful life. Everything cost money so that shouldn't be and excuse not to implement a treatment court program. So, I say to the county officials of the great state of Texas, lets stand up and fight for our heroes like they stood up and fought for us. Now more than ever the veterans of Texas need to be helped, not**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

**shamed, loved, not belittled, and understood, not turned from. In the Famous words of Winston Churchill “Never in the field of human conflict was so much owed by so many to so few”.**

**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

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**The Need for Veterans Treatment Court 12/19/2022  
Proposal by: Branden Francis (USMC Combat Veteran)**

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