



Participant Perceptions of Veterans Treatment Courts: A Qualitative Assessment and Systems Model

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Abstract

This qualitative study explores veteran treatment court (VTC) participant perceptions of the judicial processes within the court, their experiences with the judge and other court actors, and the relationship between their military service and criminal activity. Purposive sampling was employed to recruit a sample of 13 justice-involved veterans, who at the time of interviewing, were being adjudicated in a VTC located in the southeastern United States. Semi-structured interviewing was used to capture veteran perceptions of VTC. Five unique themes emerged, while perceptions of court actors and the connection between their military service and crime had three themes, respectively. From these themes, we developed a maladaptive coping model to illustrate the experiences of veterans in veteran courts. The study results are intended to inform policy makers, judicial actors, and veteran service providers as they design judicial responses for veteran offenders.

Keywords: veterans, veterans treatment court, criminal justice

Introduction

Current events throughout the world have increased awareness of the effects of military deployments and interventions on service members and their families. Less attention has been focused upon those veterans who complete their military service and then have circumstances that lead them to criminal activity and involvement with the judicial system. Veteran courts began to emerge nationally in 2004 to respond to the uniqueness of veteran offenders and the court interventions they need to successfully re-integrate into society (Smith, 2012). The current body of research on veteran related issues (Frederick, 2014; Scott, Whitworth, & Herzog, 2017), diversion, and offender reentry for general populations (Crow & Smykla, 2014; Smith, 2012) is growing, but there is limited research on the effectiveness of veteran courts and little on the perceptions of veteran court participants.

Veterans often face military service connected issues with mental health, substance abuse, employment, and housing. Following discharge from military service, these issues can lead to judicial involvement. However, there is a growth in literature on veterans with service-connected criminal, mental health, substance abuse, homelessness, and employment-related problems.

Fourteen percent of Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) combat veterans have been reported to be positive for Post-Traumatic Stress Disorder (PTSD), while 19% have probable Traumatic Brain Injuries (TBI) (Tanirlian & Jaycox, 2008). OEF, OIF, and Operation New Dawn (OND) veterans are more likely to have been reported to be exposed to combat and have PTSD when they are incarcerated, but less likely to be incarcerated overall, when compared to veterans of other eras (Tsai, Rosenheck, Kaspro, & McGuire, 2013). In 2007, a national comorbidity study identified the rate of PTSD to be as high as 39% for incarcerated veterans (Knudsen & Wingenfield, 2016). Veterans with PTSD are identified to exhibit greater chronic functional impairment in a number of domains, such as difficulty with maintaining self-care, difficulty within interpersonal relationships, unemployment, and homelessness. However, of the veterans referred for mental health treatment post-deployment, less than half sought and received treatment (Knudsen & Wingenfield, 2016).

Recently, 12% of active duty personnel were reported to have used illicit drugs, 11% misused prescription drugs, and 20% reported heavy use of alcohol (Bray, Pemberton, Lane, Hourani, Mattiko, & Babeu, 2010). Often, PTSD and trauma are found in veterans with Substance Use

Disorders (SUD). In fact, 36% of SUD patients were found to be positive for PTSD compared to 10% in a control group (Gielen, Havermans, Tekelenburg, & Jansen, 2012). Additionally, veterans are at greater risk for aggressive behavior if they have SUD, PTSD, and impulsivity (Heinz, Makin-Byrd, Blonigen, Reilly, & Timko, 2015). The impact of both aggressive behavior and anger are associated with poorer therapeutic alliance and subsequent adherence to treatment, thus negatively impacting therapeutic outcomes overall (Knudsen & Wingfield, 2016).

Veterans who have a SUD have been reported to have higher rates of unemployment (Zivin et al., 2011). Another study found that 45% of veterans seen at a post-deployment clinic were unemployed (Cohen, Suri, Amick, & Yan, 2013). Encouragingly, substance abuse treatment for substance abuse at the VA led to a 7% increase in days of paid work for treatment completers at follow-up (Humensky, Jordan, Stroupe, & Hynes, 2013).

A lack of stable housing can also impact veterans with PTSD, TBI, and SUD. For at least one night in 2013, homelessness affected over 57,000 veterans with over 22,000 of those in unsheltered locations. Additionally, at least 4,400 homeless veterans were female (Henry, Cortes, & Morris, 2013).

Recognizing that existing criminal justice responses were ill-equipped to handle the demanding needs of justice-involved veterans, alternative approaches were advanced, namely, in the creation of Veteran Treatment Courts (Smith, 2012). Anchorage, Alaska, developed the first Veterans Treatment Court (VTC) in 2004 (Smith, 2012). This court sought to connect justice-involved veterans with services and treatment. Once veterans completed the program, they often received reduced charges and/or sentences. After noticing increased numbers of veterans with mental health and substance abuse issues in Buffalo, New York, a judge set up another VTC in 2008 (Frederick, 2014). Currently, there are over 200 VTCs in the United States (Frederick, 2014). Past military service, mentorship, trauma screening, mental illness, substance abuse, connection to VA services, employment, housing support, and forging community partnerships to generate support of veteran participants and enhance services provided within the VTC, are core elements of VTCs (Cartwright, 2011; Scott et al., 2017 Shannon, Birdwhistle, Hulbig, Jones, Newell, & Payne, 2017).

Evidence of VTCs' effectiveness has begun to emerge. In a pilot study, PTSD rates declined following VTC participation; however, rates of homelessness and unemployment remained the same (Slattery, Dugger, Lamb, & Williams, 2013). In another VTC study, 41% of eligible veterans decided not to enroll (Smith, 2012). The recidivism rate for non-completers was reported to be 31%, as compared to 45% for completers of the program. This study did not control for the severity of the problem or offense, which may explain the discouraging recidivism results. The research questions for this study include the following:

1. How do participants perceive their general and judicial experience in VTC?
2. What are participant perceptions of the court actors within the VTC?
3. What is the participants' perceived relationship, if any, between their prior military experience and their current involvement in VTC?

The results from this study are intended to help fill the void in research regarding veteran courts. The qualitative study presented here explores veteran court participant perceptions of the judicial processes within the court, their experiences with the judge and other court actors, and the relationship between their military service and criminal activity. Recommendations for future research based upon the findings of this study are provided.

Methodology

Sample

Purposive sampling was employed to recruit a sample of 13 justice-involved veterans, who at the time of interviewing, were being adjudicated in a Veterans Treatment Court located in the southeastern United States. A sample size of between 12 and 16 has been identified in the literature as being adequate for data saturation for homogenous populations with focused topics (Francis et al., 2010; Guest, Bunce, & Johnson, 2006; Hagaman, & Wutich, 2017). This particular VTC consists of three individual phases, each lasting approximately four months. Depending upon the individual circumstances of the veteran, Phase I is perhaps the most intense, and generally consists of detailed psycho-social assessments of the treatment needs of the defendant. Treatment needs can later include mandatory detoxification and counseling, random alcohol and drug screening, weekly reports to the VTC judge, daily contact with the probation officers, and weekly contact with an assigned mentor. With this, and to ensure a sample knowledgeable in court practices was acquired, eligibility criteria of respondents included:

- a) being enrolled in the court at least through Phase I; and
- b) being willing to submit to questioning about court operations.

Clerical staff reviewed case files to select eligible veterans, with the presiding judge later soliciting their participation.

Procedure

Approval for this research study was provided by the Institutional Review Board of the host university, in addition to the presiding judge of the court. Semi-structured interviewing was used to capture veteran perceptions of their respective VTC. Used widely across the social sciences (Hesse-Biber & Leavy, 2011), this particular technique has been lauded by many for capturing detailed insights of topics, as it adopts a conversational flow between participants, while not restricting respondent answers (Lofland, Snow, Anderson, & Lofland, 2006). This is important, as the investigators were specifically interested in assessing in as much detail as possible, what veterans generally thought about their respective VTC.

To safeguard confidentiality and anonymity, all interviews were completed in a single day in July 2017, in a secluded room within the court immediately preceding mandatory hearings veterans were scheduled to attend with the judge. Interviews lasted between approximately 15 and 60 minutes, and were audio recorded, with veteran permission, to ensure accuracy in their accounts. Recordings were later transcribed in full for analytic purposes. Since this is a new research topic, we chose to use a grounded theory approach with open-ended coding (Charmaz, 2006). All transcripts were analyzed via content analysis using a grounded-theory approach (Charmaz, 1983; 2006). Repeated focused coding was employed to extract relevant themes from veteran responses.

Instrument. Items included in the interview guide (Appendix) consisted of a compilation of questions similar to those used by Bell, Perez, Goodman, and Dutton (2011) in their study of battered women's perceptions of criminal and civil court procedures. Questions were amended where necessary to reflect interviewee perceptions of VTCs, with some variations including: "Please describe your overall experience with this VTC"; "In what way, if any, has the Veteran Court been helpful to you?"; and "In what way, if any, have the following people done or said anything that was helpful or unhelpful and why? (e.g., judge, probation officer, mentor, etc.)." Designed to capture a holistic understanding of court operations from the perspective of veterans, these questions were particularly suitable to the interests of this research.

Results

This research examined issues related to what participants in a Veterans Court perceive as the benefits of their participation, their overall view of court actors (e.g., judge, court clerks, etc.), and how their military service might be connected to their current legal situation. Five unique themes emerged for participant perceptions of the benefits of involvement with the Veterans Court. For participant perceptions of the Veterans Court, the five themes that emerged were that the court provided participants with: (1) a second chance; (2) social support; (3) a stabilizing force; (4) a viable alternative to drug court; and (5) a mechanism to advocate for securing various resources (i.e., Veterans Affairs (VA) benefits, child custody issues, and financial assistance). For their perceptions of Veterans Court actors, the two themes that emerged were that the Veterans' Court (1) was more personable than a traditional court experience; and (2) acting judge was a veteran who is transparent with his own issues (e.g., PTSD). For the research question regarding participants perceived connection between military service and criminal behavior, the three themes that emerged were: (1) there was no apparent connection; (2) service-related emotional/physical trauma led to substance abuse that then led to crime; and (3) that the military trains people to seek danger.

Participant Perceptions of the Veterans Court

Participants overwhelmingly reported a positive overall view of the Veterans Court. In total, 92.3% (n=12) of participants reported viewing the court in a positive manner. The only court participant that expressed a negative view was Byron, a former service member, who simply described the court and all of its requirements (e.g., urinalysis drug testing, Alcoholics Anonymous meetings, etc.), as "Frustrating." The remainder of participants viewed the court in a positive light. Chief among the reasons for viewing the court positively, were that participants viewed the court as a second chance.

Second Chance. Fully, 84.6% (n=11) of participants viewed the court as a second chance. Specifically, the second chance was referenced as a new lease on life because of one's criminal charge(s) potentially being dropped upon successful completion of the court's requirements. One example of this is when Saul, an active duty soldier, simply stated, "I mean, it's awesome...in the great scheme of things, it's really kind of a second chance." He later went on to state that his arrest related to his substance abuse issues, served as a wake-up call and that the court allowed him to be held accountable for his actions, while simultaneously being given an opportunity to not have long-lasting ramifications from his arrest.

Another example of the court seemingly serving as a second chance is when Thomas, a former service member, stated:

It has helped me by getting me out of jail because this is my third time. I was already on probation and stuff. I probably was looking forward to being in jail for a whole year, so I appreciate that it got me out of jail. So, I was given a second chance.

One participant, Barbara, who is an active duty female, discussed the benefits of the court as a second chance because it allowed her to be with her daughter, as she is a single mom, instead of being incarcerated when she said:

It's given me a second chance, nobody is perfect. So, thank God Vet Court is here because I'm allowed to get it removed like it didn't happen. But, I've learned my lessons...In a way...I didn't want to do it, but I was like I have to do it if I wanted a second chance. I love it...I absolutely love this program. It gives me a second chance...so I can be there for my child.

Some participants discussed the importance of having their charges dropped beyond issues related to a criminal record because if the charges remained, then the participant might lose their Social Security benefits. For example, Jerome, a veteran who had 24 surgeries after a combat-related

injury and subsequently became addicted to painkillers, stated, “I think it’s a fantastic program. It gives you a second chance. In my case, [a] third chance. If the felony sticks, I lose my Social Security...my wife doesn’t work, she takes care of me.” Jerome later went onto discuss how he had attempted suicide when faced with the possibility of losing his Social Security benefits a short time prior to the start of his participation in the court. He later realized the fortunate opportunity offered by the court when he said, “My life is not over. It gives me...hope. It gives me the motivation to wake up and wanting, and that’s something that I haven’t had in a long time.” Part of this hope for some participants was connected with the second most frequent benefit mentioned by participants—the presence of social support.

Social support and mentors. Social support refers to the presence of another individual or a group of people with whom one can both confide and whereby their daily actions are held accountable. In total, 61.5% (n=8) of participants referenced social support as one of the primary benefits resulting from their participation in the veterans court. Specifically, social support comes in the form of active participation in a group, such as Alcoholics Anonymous, or through their court-appointed mentor. Ted, a former service member, introduces this theme when he said: It [has] provided me support...When you go to these meetings, you know, I get to share my stories...and I also get to feel safe and comfortable...being able to talk about whatever is on my mind...I feel safe and relaxed and not feeling judged...I get to talk about what’s wrong with me and I don’t have to feel like, you know, what I have to say is going to reflect on anybody else but me.

Lawrence, a former service member, also discussed the importance of having fellow veterans as a continued form of support while going through similar struggles when he said:

You are able to interact with other veterans that are going through the same thing, that have had the same problems, experienced the same things that you’ve experienced in your life. And, when you didn’t really have a voice to be able to speak out to anybody or felt like you could talk to anybody, all of a sudden, there is someone that is going through the same thing that you are going through.

Some participants discussed how important it was to have a mentor who also struggles with similar issues, such as PTSD. Jerome, a former service member, spoke positively of his court-appointed mentor saying, “He’s great. If I need him, I just call him or text him.” Thomas, also a former service member, builds upon this theme when he referred to the struggles that he and his mentor share:

He is a mentor. He also has PTSD and stuff...He’s been good with issues. He got addicted to painkillers and all that stuff...He’s great...he calls me all the time to see how I’m doing and stuff. We will go meet for a coffee and we will go and have dinner together and stuff. He’s keeping me motivated...It helps a lot.

Byron summarizes the importance of social support and how the court provides this to veterans court participants:

It [the Veterans Court], it kind of helps you not just with your mentor, but that there’s other people out there that are in vet court with you that you become friends with, and, you know, they kind of [have] been through more situations. Because I know for myself, there’s not a lot of people that did what I’ve done. But, there’s people that have similar [situations], so they kind of understand where you’re coming from in that aspect.

It was clear that participants not only used the social support secured through the court as a valuable resource, but that they also used the court and its actors to secure other vital resources.

Court as a resource advocate. Another major emergent theme, was that participants continually use the court as an advocate to secure various community resources. Specifically, participants referred to using the court and its actors as advocates for navigating the bureaucratic

process of the VA, securing financial resources to assist with bills, and even to regain custody of their children who had been placed in foster care soon after their arrest. In total, 84.6% (n=11) of participants referenced this theme.

Saul, an active duty participant, introduces this theme of the ability to use the court as a resource advocate when he stated:

I know that a lot of people feel like...they are just like far away from the whole system of support and now that they are out there on their own in the big blue world...that's one thing I think that this court system does really well is the networking aspect.

Most (53.8%; n= 7) participants specifically perceived the court's ability to fight on their behalf with the VA for a variety of issues as a major benefit. As an example, Thomas referenced the typical two-to-three month wait for a doctor's appointment now being attainable within several weeks once he used the court as an advocate. Similarly, Saul underscored the court serving as an advocate against the bureaucracy of the VA when he said, "All the government systems kinda [sic] have their hitch. The VA has its nightmare, but the vet center is amazing."

Another example of this process is when Lawrence discussed the extra medical attention he now receives to assist in his continued sobriety saying, "It's helped me in a lot of ways. I've been able to get medical attention through Vet Court which I didn't have before." Jerome continues this theme when describing the prior negative experiences with doctors:

Dealing with all these different doctors, they will now, they look at my paperwork and [I] automatically become labelled, you know. I need six more surgeries ... The staff of [name withheld for privacy], she will get right on the phone with the VA and she will fight for me...She's like a social worker...They [the VA] have a pain and substance abuse program down in [city name withheld] and she's advocating for me to go there.

Stanley discussed a recurring issue dealing with the VA due to a non-combat injury that occurred on a military base in the US rather than on combat deployment. Consequently, he felt stigmatized by the VA for not sustaining the injuries while in combat, even having one doctor claim that he was too young to be in his office and that Stanley was only there for the money. Stanley discussed the stigma when he said:

I didn't get injured overseas, I got injured stateside in a motor vehicle accident in my personal vehicle. The only reason why I get disability is because I was on duty when it happened. So, therefore, a lot of people...look down on me because of that...I wasn't getting anywhere with the regular VA...I kept [getting the] run around.

The Veterans Court has continued to assist Stanley in this process, as he is only considered to be 50% disabled by VA standards. Stanley maintained that he could not afford the treatment for his brain injury on his own because of this 50% disability classification. The court helped him obtain a doctor who would later perform the needed services pro bono. It was through the ability of the participants using the resources available to them through the court that they were able to stabilize themselves, seemingly avoiding relapse and recidivism simultaneously.

Stabilizing force. Some participants also referenced how the court served as a stabilizing force for their sobriety. Every court participant who was interviewed discussed having substance use/abuse issues that led to their eventual arrest(s). Fully 38.5% (n=5) of participants referenced the court as being beneficial in bringing them to a base-level to help control their substance use/abuse issues.

One example of the court serving as a stabilizing force is when Ted discussed the importance of learning coping skills to deal with daily stressors that oftentimes led to his substance use/abuse. He later went onto explain that the programs offered through the court help in, "learning how to be, basically, we learn how to deal with day-to-day stress." This was reportedly achieved by emphasis on

the importance of hobbies and exercise. Kendra stated the program helped stabilize her by ensuring she was on the appropriate medications when sent by the court to outpatient treatment saying that, “I went to outpatient treatment and [it] helped me to decide which medication would be good to take.” Jerome notably summarizes this theme of the program serving as a stabilizing force when he attempted suicide multiple times in the months leading up to his eventual participation in the court when he said:

I attempted suicide twice, three months ago...I think if it wasn't for the program, if it wasn't for them understanding, you know, the intense [nature of the program], I probably wouldn't be here right now.

It is through this continued understanding offered by the Veterans Court that served as a stark contrast to what participants were potentially faced with as an alternative through the jurisdiction's drug court.

Viable alternative to drug court. Participants were also asked how they became aware of the Veterans Court. Through answering this question, it became apparent that both private and public defenders providing legal counsel, overwhelmingly suggested that their clients enroll in the Veterans Court, as opposed to the drug court offered within the same jurisdiction. The recommendations were made because the requirements of the drug court were more stringent and increased the likelihood for failure. As such, the Veterans Court was pitched as a viable alternative to the drug court while simultaneously offering the same beneficial programming opportunities. This key difference between the two forms of alternative courts helped 30.8% (n=4) of participants view the Veterans Court as a viable alternative to drug court.

Sharon, a former service member who was one of the few female participants in the project embodies this theme. Sharon stated, “I turned down drug court...I wouldn't have succeeded because drug court has a high failure rate. I mean, if you fail, you go back to jail...Plus, in Vet Court, people understand. It's different.” Sharon's statement highlights the perception of the more lenient nature of the Veterans' Court as being a primary motivator for selecting it over the drug court. Moreover, this simultaneously highlights the recurring theme that the Veterans Court is more personalized because it offers empathetic understanding, unlike other court options.

Robert also discusses this theme when he said, “I turned down drug court because of the high failure rate in which you just go back to jail...he [his attorney] advised me to turn down drug court for Vet Court. He was great.” Another participant, Barbara, who is the only active duty female in the study, echoes this theme. She discussed how her attorney strongly urged her to avoid drug court due to the high possibility of failure because of the demands on her time as a single mom. She said:

Once I got out [of jail], he [her attorney] told me 'ok, we are going to get you into Vet Court.' You know, 'here's the program,' and I'm like, 'ok that's fine,' I'd rather go through Vet Court than drug court because the drug court is, it is a structure, more evenings, more meetings, more everything. Being a single mom, that's almost impossible for me.

Participant Perceptions of Veterans Court Actors

It was apparent that a lot of the positive feelings towards the Veterans Court as a viable alternative to drug court came through the seemingly personable nature of the court actors.

Positive view of court actors. Court participants oftentimes attributed their positive experiences with the court to the help received by the Veterans Court actors. Specifically, court actors refer to those who are employees of the court, such as the presiding judge who was overwhelmingly positively revered by participants. Prior to discussion on the judge, it is imperative to highlight the transparent and personable experience that most participants expressed regarding the Veterans Court itself.

Transparent and personable experience. Overwhelmingly, participants attributed their positive view of the Veterans Court to the transparent and personable experience across their interactions. This experience was typically in sharp contrast to the negative or less personable experience faced in prior interactions with other courts. Fully 69.2% (n= 9) of participants reported the Veterans Court being both a transparent and personable experience. Lawrence introduces this theme when he stated:

My experience so far has been a wonderful one...it's been really helpful. Like I said, [the] people that run the program, they are real helpful, are real friendly and willing to help me in any way that they can. So, it's been a blessing in my life ... They're trying to help you get through this...because the [typical] court system really don't care.

Jerome continues this theme by simply stating that with the Veterans Court, "You are not just a piece of paper, you are a person." Byron reiterated this theme when he stated, "I can't say nothing or anything bad about any of them, they're all, you know, a phone call or email [away]. If you need help, they're mostly helpful."

Saul, one of two active duty participants interviewed, discussed this personalized approach when he stated, "I just feel it's a little more structured too. I mean, as far as I can say, structured to the person...structured to what the individual is having problems with...The proposal is more tailored to the person." Saul later continued his praise of his experience so far with the Veterans Court, while simultaneously highlighting the poor experiences he has had with other courts:

I feel like going through the regular courts and paying the lawyer and all that kind of stuff, like it's just, it's draining ...So, I feel it [Veterans' Court] gives people an avenue...to fix them versus just kind of throwing them on a pile of another broken rock.

The above quote illustrates the general sentiment expressed by most participants that their experience with the Veterans Court has been highly personalized whereby they feel that the court actors have a vested interest in their overall well-being. Many of whom shared the general sentiment of the personalized court experience, later attributed this to the work of the judge who presided over this court. Even those that did not specifically reference the transparent and personable experience with the court itself typically cited their positive experience as being directly related to the quality of the judge presiding over their case.

Veteran judge with shared military related traumatic experiences. The presiding judge in this particular court was overwhelmingly cited by participants as the most positive element of the court actors, 92.3% (n=12) of participants. In particular, participants referenced the presiding judge's veteran status and his personal issues with PTSD that he has openly shared with court participants as being the primary reasons for this. Stanley introduced this theme when he said:

I have so much respect for him, you know, for doing what he did. He was the General in the reserves and he got blown up himself and spent quite some time in the Walter Reed Hospital. So much respect for him in that aspect and being able to start a program like this to help us all out.

Another example that highlights this personalized approach from the presiding judge is when Cameron, a former service member, stated:

The judge is extremely unique, like nowhere in the line of the judges I've met. I knew he came from somewhere and they are never perfect, but to have that much tenderness and speak to you like he's been reading your life, like you're one of his soldiers. You're not just an inmate, or in Vet Court, or a patient, or anything like that. He reads my file, he personalizes me as an individual.

Robert, another former service member, reiterated what Cameron shared saying, "Judge really cares and helped put me back on track. He's there to help you and believes in us." Sharon, a

former service member, also shares this sentiment towards the judge when she said, “Judge [name withheld for privacy], he’s helpful. He really cares, he always asks, ‘is there anything I can do?’ I know he can help.” Lawrence summarizes the aforementioned views towards the judge when he stated:

I love the man [the judge]. I love this program. I love what this program stands for. Not just myself, but the other veterans that have been in this program I’ve seen graduate. I’ve seen a lot graduate from this program. This program has helped a lot of people that have serious issues as far as, whatever your drug or drug of choices. It’s helped a lot of people. It’s a good strong program. It’s helped a lot of veteran’s and it’s gonna continue to help a lot of veterans as long as people take it seriously and really wanna work the program.

Participant Perceptions of the Connection Between Their Military Service and Current Legal Situation

Despite the acknowledged esprit de corps that comes with being an active duty or former service member when participating with the Veterans Court, there also was an acknowledged detriment to one’s military service. Specifically, most participants believed that there was some connection, albeit directly or indirectly, between their military service and the eventual commission of their crime. In retrospect, many participants viewed their service as leading to negative consequences that may begin with substance use and end with criminal activity.

Connection between military service and crime. Court participants were asked directly if they viewed their military service as having some relation to the eventual commission of their crime that ultimately led to their participation in the Veterans’ Court. Prior to discussion on this perceived connection, it is important to note that all 13 participants in this study expressed their misuse or abuse of various substances (e.g., alcohol, prescription pain pills, etc.) as being directly related to their arrest(s). Moreover, only a minority (23.1%; n=3) of participants expressed that there was no apparent connection between their military service and the commission of their respective crime(s). The remainder (76.9%; n=10) acknowledge a direct/indirect connection between their military service and their criminal activity.

Substance use / abuse resulting from emotional or physical trauma. From participant responses, it was clear that a process has, and was continuing to occur, in the vast majority of participant’s lives that was connecting their military service to the eventual commission of a crime. Nearly all participants stated that they were suffering from diagnosed PTSD or some other negative mood state. This negative mood state was exclusively the result of their military experience, typically related to physical or emotional trauma that occurred during their service (e.g., injuries, experiences, etc.). By experiencing this physical and/or emotional trauma, participants discussed often seeking to cope with the related stressors through a substance of choice.

One example of the above process is when Saul, an active duty service member, discussed how he had been arrested for an alcohol-related incident. Although he discussed facing difficulties in his life prior to the service and self-medicating with alcohol, he described his service experience as leading to his alcoholism when he said, “So, I think that [his military service] was like the match that lit everything off for me.” Another example of this process is Jerome, who experienced a combat-related injury that led to 24 individual surgeries, to date. Consequently, Jerome became addicted to painkillers once doctors began prescribing different prescription medications for his various recoveries, stating:

another doctor put me back on the medication, but two years [later] stopped...that’s when I got into trouble...I got into trouble and then another doctor put me on medication and then when I would catch that it is becoming a problem, I would send myself into detox and rehab. I’ve been to three different detoxes and rehabs...It’s just, it’s a horrible cycle.

When asked for further clarification about his substance use/abuse prior to his military service, Jerome simply stated, "I never did drugs before [the military] in my life."

Barbara also described a similar process when she said:

I am diagnosed with PTSD, anxiety, and depression. And when this incident happened for me to come into Vet Court, that was only, like I said, a tiny part of the iceberg between dealing with my other mental things going on and my medication...I got deployed, I saw some things that I didn't wanna see. I've been involved in sexual trauma...when I'm faced with stuff that piles up...I don't know how to cope with it.

Barbara went on to explain how one of her ways to cope with her life stressors was through exercise; however, she injured her back in the process. This injury required surgery that, in turn, led to a prescription drug addiction that compounded with her prior alcohol abuse.

One final quote that illustrates this apparent relationship between military service, emotional/physical trauma, a negative mood state, and eventual involvement in criminal activities was from Justin. Justin appeared cognizant of the connection between negative mood issues, like PTSD, and eventual involvement in the criminal justice system when he stated, "In some ways, a reintegration into a way that people act and different societal norms that have been changing over the years has made it easier for people with PTSD and things like that to end up in the justice system." Other participants, such as Dione, were not entirely sure of the connection between their service and crime. For example, Dione stated this uncertainty when she said, "I'm not really sure. I mean, I drank in the military, then drank even more heavily when I got out of the military. So, I don't know if that was a direct cause or not." Despite some uncertainty on the causal nature of their service and other issues in their life, a sizeable minority of participants suggested that their military training and experience conditioned them to seek danger in nearly any situation, ultimately leading to the commission of crime(s).

Military trains to seek or confront danger. Fully 30.8% (n=4) of participants suggested that their military training either directly or indirectly led to their eventual commission of a crime. In essence, these participants suggested that the military's training emphasized running towards danger, despite any inhibitions to avoid it, which predisposed them to also seeking risk in their personal lives. This mindset and the influence of substance use/abuse, appears to have led the majority of participants to eventually commit crime(s).

Thomas introduces this apparent connection between his military training and seeking danger in his personal life when he said, "I think it [his military service] did because [what] the military puts you all through to look for trouble and stuff." When pressed further, Thomas stated:

Well, they [the military] send you out on this bullshit...in [a] convoy in the middle of the night...to Afghanistan, you know, here you are in a huge truck that's lit up like a Christmas tree...Our company did so many convoys and stuff ... every single day it kept keeping you on your toes...I got diagnosed with PTSD, so I got out of the military...I'm in my early 40s, and I have never been in trouble before...Never been involved with anything, legal issues, and here I am, you know. Three years in a row I go to jail three times. So, you know something was wrong...you know, never ever gotten into trouble before.

Similarly, Byron also stated the training of the military leads to always seeking danger when he said, "Well because, especially from being in the military, you're trained to do one thing, attack, attack, attack. There's no let's fall back, you know." Cameron was consistent about training when he stated, "if you look at it as a whole and you don't break it down, I've been through way worse...I've been in way worse locations, under way worse circumstances, so [what] I experienced in the military, made me sort of ready for jail."

Discussion

In considering the themes that emerged from this research, a model to conceptualize VTC (Figure 1) was developed.

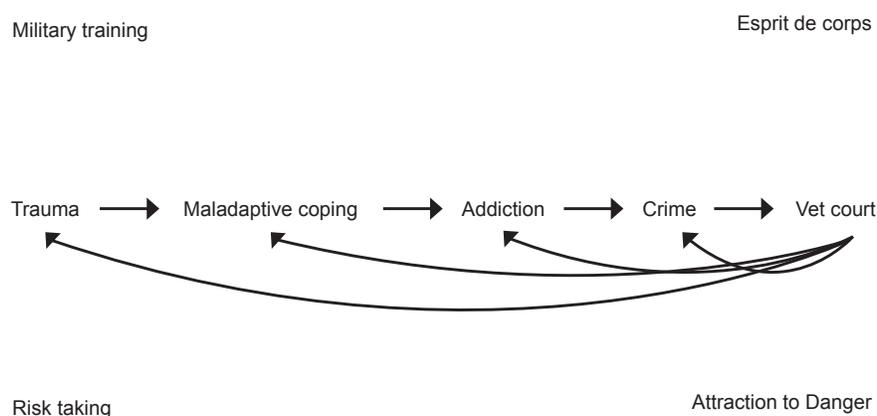


Figure 1. VTC Model. This figure illustrates a conceptual model for VTC.

Participants in this research study identified military related trauma symptoms as central to their current situation. This was conceptualized as trauma, which serves as the first concept of the model. Participants next reported attempting to cope with trauma symptoms through substance use. This was conceptualized as maladaptive coping. Maladaptive coping (substance use) can then be seen as leading directly to addictions, the third model concept. Every participant identified addictions as then leading eventually to crime, the fourth model concept. Crime then led participants to VTC, the last model concept. VTC impacts each of the concepts in the model. Through social support, transparent and personable experience, and acting as resource advocate, VTC was then able to impact trauma, maladaptive coping, addiction, and crime by providing a second chance and stabilizing force in participant lives. Military training, esprit de corps, risk taking, and attraction to danger serve as contextualizing concepts in the model. Military training, another contextualizing concept, provides a common culture for veterans.

Veterans develop an esprit de corps, another contextualizing concept, through their time in the service. Veterans are trained to engage in the fight thus developing an attraction to danger, a third contextualizing concept. Engaging in the fight may also involve risk taking, a fourth contextualizing concept in the model. In civilian life, risk taking and attraction to danger may serve to involve veterans in situations that lead to criminal activity and justice involvement. However, military training and esprit de corps may serve as advantageous concepts once veterans are justice involved.

The research findings complement and support previous research on VTC. One finding in the literature was that key VTC personnel (Shannon et al., 2017) identified being able to provide rehabilitation for participants as a major accomplishment. The results of this study appear to complement that finding, in that the participants believed that VTC served as a resource advocate for getting needed services.

Peer leadership is an important component in work with veterans (Thomas & Plummer Taylor, 2015; Thomas, Plummer Taylor, Hamner, Glazer, & Kaufman, 2015). The VTC judge in this research shared in the Warrior Culture (Malmin, 2013) with participants. Warrior Culture discourages help seeking behavior and conditions veterans to ignore or avoid recognizing mental health symptoms (Thomas, 2016). However, this judge was able to model resilience and recovery through his shared experience of trauma in Afghanistan. This modeling may have helped reduce the

stigma associated with help seeking within the warrior culture while encouraging veterans to take advantage of the resources offered through VTC.

Participants in this study suggested a relationship between military service and seeking danger. Danger seeking or High Risk Behaviors (HRB) have been related to PTSD (James, Strom, & Leskela, 2014; Barr, Kintzle, & Castro, 2018) and with homelessness (Harris, Kintzle, Wenzel, & Castro, 2017). HRB's appear to be a common factor in veteran mental health, homelessness, substance abuse, and involvement in veterans court.

This study's findings suggest VTCs appear to have a positive impact on PTSD and substance rates of participants. The emergent themes found in this current research may help explain the improvements in PTSD and substance abuse levels of VTC participants found in previous research (Knudsen & Wingfield, 2016; Slattery, 2012). Ahlin and Douds (2016) discussed military socialization as being a motivating factor in VTC participation, and this study's findings indicate that participants appreciated the social support gained through interacting with their mentors and fellow veterans with similar issues in VTC. Furthermore, Frederick's (2014) recommendation that the mentor technique be adopted in VTC was supported by the findings of this research that mentors provided key social support to participants. This study's findings that participants appreciated the advocacy role the court played and their positive relationship with the judge replicate Smith's (2012) work on the Alaska VTC's which found common life experiences of military members and integration with department of VA to be beneficial.

Limitations

There are several methodological weaknesses to consider when evaluating the implications of the present study. First, as with most qualitative research, the findings are reflective of just one localized sample of veteran treatment court participants, and cannot be applied to other samples, or VTC settings. Second, the methods of selecting participants may have influenced the findings because the presiding judge invited participants after the eligibility pool was determined by a staff screening of records. The participant's relationship with the judge, or the experience that the participant had in the court may have influenced participant's decision to be interviewed. Although found to be a beneficial aspect of the court in this study, the judges influence on participation may have also been affected by the military background of the judge. Future research might explore whether participant experiences may differ in a VTC presided by a judge without military experience.

Third, while extant literature reports that theoretical saturation can occur with as few as six research participants, the final sample of 13 is still relatively small in comparison to other studies employing interview methodologies. However, recurring patterns of responses for the questions across interviewees, provided a degree of confidence that the recruited sample was knowledgeable enough in the topic to provide an exhaustive range of responses to the interview guide items. Nevertheless, scholars interested in advancing this investigation are encouraged to solicit greater numbers of veteran participants in order to maximize the generalizability of the results. And, finally, although all interviewers were trained in standard interviewing techniques, personality differences between them could have differentially impacted veteran participants, and therefore, their responses. This is a common pitfall of in-depth interviewing when a team of interviewers is assembled.

Conclusion

The current study suggests several directions for future research opportunities. The model presented in this study should be further studied to determine the utility of the model in conceptualizing VTC. This model could be verified through structural equation modeling given sufficient sample size. Participants in the current study did not comment on homelessness and

employment, two factors found to be important in the literature (Cohen et al., 2013, Henry et al., 2013, Zivin et al., 2011). These factors should be the focus of future research. Another area for further study is the role of military training, danger seeking, and risk taking for justice-involved veterans.

The study results are intended to inform policy makers, judicial actors, and veteran service providers as they design judicial responses for veteran offenders. Five unique themes emerged from participant perceptions of the VTC including VTC as a second chance, social support and mentorship of VTC, VTC as a resource advocate, VTC as a stabilizing force, and finally, VTC as a viable alternative to drug court. Perceptions of court actors and the connection between their military service and crime had three themes, including a positive view of court actors, a transparent and personable experience, and a judge with shared military related traumatic experiences from his military service. The results of this study led to the development of a maladaptive coping model to illustrate the experiences of veterans in veteran courts.

The results from this investigation inform researchers and decision-makers about participant perceptions of VTC processes. With formal systematic evaluations of the VTC model only recently surfacing within the academic literature, it is important to assess whether this alternative court model is delivering upon promises and meeting the needs of participants. The findings contribute to this dialogue.

Results from the current investigation provide a number of relevant contributions to the broader literature on VTCs. First, this study reports findings from one of the few attempts to qualitatively interview veteran participants of these alternative courts. In-depth interviewing is unique in that it can provide rich, nuanced accounts of topics under inquiry (Tashakkori & Teddlie, 1998). As such, and by utilizing this method, a comprehensive account of how veterans feel about their court, whether it is assisting them or delivering needed services, and the processes regarding court operations, was captured. Second, such information may benefit practitioners working with justice-involved veterans to better understand veteran needs, and what is required for VTCs to function effectively.

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Appendix

Veteran Court Study: Question Guide

Name

Please describe your experience of participating in Veterans' court.

In what way, if any, has your experience in the military impacted your involvement in the justice system?

In what way, if any, has the Veterans' court been helpful or unhelpful has the Veterans' court been to you overall and why?

In what way, if any, have the following people done or said anything that was helpful or unhelpful and why?

Judge?

Court staff?

Parole and probation?

Your attorney?

Court appointed mentor?

Veterans Justice Outreach Specialist?

Veterans' court case manager?

Is there an outcome you would have preferred? If yes, what would you have preferred?