

Vets court focuses on those struggling after their service

Article by: MARK BRUNSWICK , Star Tribune
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A Hennepin County pilot program saw twice as many cases as expected. While some criticize the court, a judge says it's a response to the realities of vets' return to civilian life.



Public defender Chela Guzman-Wiegert stood with her client before Judge Charles Porter in Hennepin County Veterans Court recently.

Photo: Jeff Wheeler, Star Tribune

Room 1659 in the Hennepin County Government Center looks like any other courtroom. But there is subtle evidence that it's not.

On a recent Monday afternoon, for example, a defendant facing two attempted theft charges stood in front of Judge Charles Porter with his hands firmly in the center of his back, his fingers extended and interlocked so his palms faced outward. Out of habit or deference, he was, in military parlance, standing stiffly at "parade rest."

This is Hennepin County Veterans Court, a pilot project in Minnesota that focuses on the unique demands of veterans in the court system.

While homecoming parades go on and flags are waved for those who have come home from war, a recently completed report on the first year of this first-in-the-state project shows the lasting effect military service can have on some who have served and come back different. In the past year, the new court has witnessed soldiers accused of drunken driving, domestic assault, terroristic threats, burglary and fleeing police.

When it began in July 2010, court officials expected to see about 50 cases the first year. But in the first 12 months, the court heard more than twice as many cases. Now Ramsey, Washington, and Anoka counties are considering similar programs.

"It's up to us who've been there to help this new generation," said John Baker, an attorney and retired Marine gunnery sergeant who led an initiative to start the program. "Ninety-nine percent of the folks put those yellow ribbons on their vehicles and that's it. You peel back the yellow ribbon and what are they doing?"

Since the first veterans court was launched in Buffalo, N.Y., in January 2008, about 80 vet court programs have been created. In 2009, Texas became the first state to authorize the county veterans courts. Most recently, five other states have passed similar legislation.

One year into the Hennepin pilot program, 71 vets were actively participating in the court and two had graduated. The participants ranged in age from 20 to 64 years old. Of the 71 active participants, 90 percent had chemical abuse or chemical dependency issues.

The true test of success will come two or three years down the road, after participants have completed their programs. Statistics compiled by the National Association of Drug Court Professionals show that 70 percent of defendants in specialty courts like the vets court finish their programs, and 75 percent do not re-offend for at least two years.

Veterans courts aren't without criticism. District attorneys in some states, and at least one state chapter of the American Civil Liberties Union, have argued that it is wrong for specialty courts to apply the law differently. Porter, who served in the Air Force and Navy reserves, sees things differently.

"Society does owe them a differential treatment," the judge said. "This court is the downside of our freedom as a nation. We send these guys out to protect our freedom and shit happens to them. They come back different."

Holistic approach

A key component is that the courts are not a forum for determining guilt or innocence but an entry point for counseling and resources. Offenders can be charged with a misdemeanor, a gross misdemeanor or a felony, provided the charge doesn't involve a presumption of a prison sentence.

The court convenes Monday afternoons, but the real action happens 90 minutes beforehand in a conference room. There, a team meets to go over the day's planned docket. The Star Tribune was recently given access to witness the process with the understanding defendants not be named.

It's a holistic group that includes the expected representatives from the county attorney, public defender and probation. But there are also people from Veterans Affairs, Minnesota's Department of Employment and Economic Development and Hennepin County's Veterans Services office.

On one recent Monday, one man on the day's docket has been charged three times with drunken driving. A representative from the VA pulls up his record on the laptop and notes to the group that the man, who served in the Army from 1979 to 1981, has checked in for in-patient treatment for chemical dependency at the St. Cloud VA and will continue to go to St. Cloud for out-patient counseling. There is some indication he is bipolar and suffered a skull fracture while in the service. He has made all his appointments. Porter notes his improvements.

Another defendant appears not to be doing well. A 49-year-old Air Force veteran charged with domestic abuse, he has missed four of six appointments for counseling and has resisted psychological testing. Porter suspects the man may not be suitable for more of the court's attention and scribbles a notation.

Warrior to civilian

Part of the process involves a mentoring program through the Metropolitan Center for Independent Living, that pairs offenders with volunteers.

Mentor Bill Preiss, who served in the Army in Vietnam, feels satisfaction in ensuring that some of today's vets are treated better than those of his era.

Peter Heller is one veteran Preiss mentors. Heller served two tours of duty in Iraq and a 15-month tour in Afghanistan with the Army, and their connections help him make the transition from warrior to civilian.

Near the end of his tour in Afghanistan, in which he was awarded a Bronze Star for valor, Heller said he felt like he was unraveling. He was commander of a truck in which another soldier was killed and his driver injured.

"It was almost to the point where I guess you would call it strung out," he said. "I had a big concern about going home and being normal." In 2008, Heller left the military almost as fast as he got in and began working as a sales manager for a jewelry company.

"You've been in an intensive situation and that has become normal to you, then coming back to something that is less intensive, there's a gap there," he said. He felt isolated. There had been a drunken driving charge in North Carolina, then a second in Minnesota last year, and a third in March of this year when the option of the vets court was offered.

"A lot of those things I wouldn't even know about had I gone through the regular court system," he said. "I would have served my penance and been done with it and gone on and not have this opportunity to do some pretty heavy self-exploration."

Preiss had his own dealings with alcohol after returning from 13 months in Vietnam and successfully went through treatment 35 years ago.

"I can look at Peter at this point in comparison to when I first met with him and part company and say, 'You're going to be OK. You're doing good,'" he said.

In court, one man who served three separate times in the Army, including a tour in Iraq, was making one of his last appearances after being charged with domestic assault and disorderly conduct. He'd gone to counseling and sought help for memory loss that has resulted in a 100 percent disability from the VA. He told everyone that he has gone to a clinic testing for traumatic brain injury and has been given some mechanical aids to help his memory.

"You've done a great job making some changes that need to be made," Porter told him.

As the veteran left, folks in the courtroom broke into applause.

Mark Brunswick • 612-673-4434

BY THE NUMBERS

The first year at the Hennepin County Veterans Court...

109 defendants screened

24 not accepted

2 graduated

14 began treatment but elected to discontinue

Of the 71 actively participating, who ranged in age from **20 to 64** years old, almost half had drunken driving charges.

VET NUMBERS

90 percent had chemical dependency issues

13 percent were charged with assault

34 had been deployed in a conflict

24 were deployed during Iraq or Afghanistan wars

Source: Hennepin County Veterans Court