

# Veterans Treatment Courts in Nebraska

by Adam Jorgensen

## The Need for Veterans Treatment Courts

After returning from deployment and even after leaving the military, veterans often struggle adjusting to life outside of the service. Unfortunately, some veterans find themselves dealing with substance use disorders and/or mental illness. In 2018, a national survey on drug use and health reported 3.7 million veterans had a diagnosed mental health and/or substance use disorder. Of those 3.7 million veterans, 1.1 million dealt with a substance use disorder, 3 million had a mental health disorder and 468,000 veterans had co-occurring substance use and mental health disorders.<sup>1</sup> More specifically, 460,000 Iraq/Afghanistan veterans experience post-traumatic stress disorder (PTSD) or depression, and 345,000 Iraq/Afghanistan veterans have substance use disorders. For the veterans who become involved with the criminal justice system, Veterans Treatment Courts have been invaluable in helping these individuals get the resources and treatment they need. Nationally, 15,000 veterans are served in 354 Veterans Treatment Courts. As of 2016, the Department of Veteran Affairs reported 135,983 military

veterans in Nebraska. Prior to 2016, Nebraska Veterans of all ages whose mental health and substance use led to involvement in the criminal justice system did not have access to Veterans Treatment Courts.

## Implementation of Nebraska Veterans Treatment Courts

In April 2016, the Nebraska Legislature passed and governor signed into law LB919, broadening the definition of problem-solving courts in Nebraska and providing appropriations to establish Nebraska's first Veterans Treatment Court. In response to the passage of LB919, the Nebraska Supreme Court Problem-Solving Court Committee appointed a Veterans Treatment Court Subcommittee to establish an implementation plan that included the development of best-practice standards. Judges W. Mark Ashford and John Colborn chaired the Subcommittee and were joined by several members of the judiciary, the State Court Administrator, county attorneys, public defenders, probation officers, community corrections officers, and staff from the Department of Veterans Affairs. Through regular and frequent meetings, the Subcommittee developed the Veterans Treatment Court Best Practice Standards and Progression Plan. The Nebraska Veterans Treatment Court Best Practice Standards and Progression Plan<sup>2</sup> were passed by the Nebraska Supreme Court Problem-Solving Court Committee then approved by the Nebraska Supreme Court in September 2016.

## Nebraska Veterans Treatment Courts

Nebraska Veterans Treatment Courts operate within district courts under the authority given by the Administrative Office of the Courts and Probation. Veterans Treatment

### Adam Jorgensen



**Adam Jorgensen** is the State Problem-Solving Court Director of the Programs & Field Services Division in the Nebraska Administrative Office of the Courts and Probation.



## VETERANS TREATMENT COURTS IN NEBRASKA

Courts are designed to reduce recidivism in high-risk and high-need veterans through a comprehensive and coordinated court response utilizing early intervention, behavioral health treatment, intensive supervision, and consistent judicial oversight. Similar to other problem-solving courts, Veterans Treatment Courts operate under a team approach, where a judge, prosecutor, defense counsel, coordinator, community supervision officer, law enforcement representative, treatment provider(s), the Veterans Health Administration, and other key team members work together to design an individualized program for each participant. Veterans Treatment Courts utilize trained volunteer Veteran Mentors to act as role models and provide guidance for veterans. Veteran Mentors help with readjustment issues to assist with reentry into civilian life.

### Douglas County Veterans Treatment Court

Nebraska's first Veterans Treatment Court opened on November 4, 2016 in Douglas County. On June 27, 2018, the Douglas County Veterans Treatment Court held Nebraska's first Veterans Treatment Court Graduation. Since inception, the Douglas County Veterans Treatment Court has served a total of 66 participants. Twenty-seven veterans have successfully graduated and had their charges dismissed, and 29 veterans are currently participating in the program.

### Lancaster County Veterans Treatment Courts

The Lancaster County Veterans Treatment Court opened on April 19, 2017 and celebrated its first graduation on May 28, 2019. The Lancaster County Veterans Treatment Court has served 16 participants, including seven successful graduates and eight current participants.

Hon. Robert R. Otte is one of two judges presiding over the Lancaster County Veterans Treatment Court. Judge Otte stated, "So often a judge sees criminality born of addiction, mental health, and poor circumstances. Our Veterans Treatment Court directly and measurably flips the script for so many people that cannot get their lives in order or get out of the circumstances in which they find themselves. While a treatment court judge provides an authority figure and dispenses needed praise and required sanctions, the real work is done by probation and the men and women that become instrumental in rebuilding each life." Evidence-based practices are critical to Veterans Treatment Court operations. According to Judge Otte, "By following known and vetted protocols, a treatment court is the best chance many have for changing patterns of behavior, putting their former lives in the rearview mirror, re-engaging with estranged family and friends and becoming productive members of their community. As one of the judges serving the Veterans Treatment Court in Lancaster County, I have had an opportunity to see, firsthand, the positive impact the court has had on participants, their families, and the community."

## Education and Technical Assistance

Education and preparation are key to successful problem-solving courts. In fact, programs training team members prior to implementation average a 55% greater reduction in recidivism.<sup>3</sup> Team members from both the Douglas and Lancaster Veterans Treatment Courts participated in the Veterans Treatment Court Planning Initiative, developed by the Bureau of Justice Assistance, U.S. Department of Justice, and Justice for Vets in collaboration with the National Association of Drug Court Professionals (NADCP). These trainings educated team members on the research supporting veterans treatment courts and facilitated the creation of implementation plans supporting fidelity to proven best practice standards.


Carolyn Hardin, Chief of Training and Research with NADCP, played a crucial role in providing education to Nebraska's Veterans Treatment Court teams. Ms. Hardin stated, "The National Association of Drug Court Professionals was honored to provide critical training and technical assistance to treatment courts in Nebraska. Nebraska's treatment courts are saving lives every day, and their commitment to following evidence-based practices will ensure an even greater impact. Each year, NADCP's National Drug Court Institute and Justice for Vets conduct hundreds of trainings all over the country, and it is always thrilling to work with programs so dedicated to justice reform. Nebraskans should be proud of the leadership of their treatment courts and the Nebraska Administrative Office of the Courts and Probation."

## The Future of Veterans Treatment Courts in Nebraska

Veterans Treatment Courts significantly improve mental health, substance use, and general quality of life. In 2015, Knudsen and Wingenfeld observed Veterans Treatment Court participants at program entry, six months and 12 months.<sup>4</sup> When the participants were provided with programs and services that fostered recovery, Knudsen and Wingenfeld found veterans improved on all measures considered in the study, including PTSD, depression, substance use, overall functioning, emotional wellbeing, relationships with others, recovery status, social connectedness, family functioning, and sleep. These findings emphasize the importance of expanding problem-solving court programs to include veterans as a way to reduce recidivism and increase the quality of life for these individuals.

On July 1, 2019, the Nebraska Legislature provided appropriations to expand problem-solving courts in Nebraska. Included were funds to increase capacity in the Douglas County Veterans Treatment Court and to implement a veterans treatment court in Nebraska's Ninth Judicial District. Implementation planning is currently underway.

## VETERANS TREATMENT COURTS IN NEBRASKA

The 2020-2025 Strategic Plan for Nebraska Problem-Solving Courts<sup>5</sup> outlines objectives designed to enhance Nebraska's Problem-Solving Courts. The new strategic plan will guide the state's problem-solving courts for the next five years, with a special emphasis on preparing courts for the future and using data to enhance court operations. 

## Endnotes

- <sup>1</sup> McCance-Katz, E. F. (2018). *SAMHSA 2018 National Survey on Drug Use and Health: Veterans* [PowerPoint Presentation]. <https://www.samhsa.gov/data/release/2018-national-survey-drug-use-and-health-nsduh-releases>.
- <sup>2</sup> [https://supremecourt.nebraska.gov/sites/default/files/Programs/psc/Nebraska\\_Veterans\\_Treatment\\_Court\\_Best\\_Practice\\_Standards.pdf](https://supremecourt.nebraska.gov/sites/default/files/Programs/psc/Nebraska_Veterans_Treatment_Court_Best_Practice_Standards.pdf).
- <sup>3</sup> Carey, S. M., Mackin, J. R., & Finigan, M. W. (2012) What works? The ten key components of drug court: Research-based best practices. *Drug Court Review*, 8(1), 6-42.
- <sup>4</sup> Knudsen K. J. & Wingenfeld, S. (2015). A specialized treatment court for veterans with trauma exposure: Implications for the field. *Community Mental Health Journal Online*, 15 February 2015. doi: 10.1007/s10597-015-9845-9
- <sup>5</sup> <https://supremecourt.nebraska.gov/sites/default/files/2020-2025-NE-PSC-Strategic-Plan.pdf>



## Attorney General Doug Peterson News Release

FOR IMMEDIATE RELEASE  
August 11, 2020

Late in 2019, over forty attorneys general signed a letter encouraging Congress to further support Veteran Treatment Courts by passing the Veteran Treatment Court Coordination Act of 2019. Veteran Treatment Courts are diversionary court processes, similar to drug and mental health courts, used for minor, non-violent offenses. These courts pair veterans with mentors to address substance abuse and mental health issues and assist veterans with obtaining United States Veterans Administration benefits that can help them with treatment and employment. The U.S. Veterans Administration reported 561 Veteran Treatment Courts and similar court programs as of 2019.

The bill states, that “empirical studies show that veterans courts provide more effective means of rehabilitating justice-involved veterans than traditional criminal prosecutions. Although 20% of veterans court participants received jail sanctions during the program, only 14% experienced a new incarceration during an average of nearly one year in the program”.

The Veteran Treatment Court Coordination Act of 2019 passed on July 20, 2020, and was signed into law by the President on August 8, 2020.

The passage of the bill establishes the Veteran Treatment Court Program in the Office of Justice Programs, providing coordinated technical assistance to veteran advocates and local officials from the U.S. Department for veteran treatment courts.

###

Suzanne Gage  
Director of Communications  
Nebraska Attorney General  
Office: 402.471.2656  
Mobile: 402.560.3518  
[Suzanne.gage@nebraska.gov](mailto:Suzanne.gage@nebraska.gov)