

Report of Veterans Arrested and Booked into the Travis County Jail

A Project of the

Veterans Intervention Project

Compiled by:

Travis County Adult Probation Department
Travis County Pretrial Services
Travis County Health and Human Services and Veterans Services
Travis County Sheriff's Office
Travis County Constable Precinct Four
Travis County Constable Precinct Five

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ABOUT THE VETERANS INTERVENTION PROJECT

Purpose Statement

The Travis County Veterans Intervention Project (VIP) is a collaboration to increase awareness of Veterans involved in the criminal justice system. Our purpose is to ensure that Veterans are identified and referred to appropriate treatment and services which support reintegration and reduce recidivism.

VIP Membership

The Veterans Intervention Project is comprised of a wide variety of agencies and organizations that include:

- Austin Criminal Defense Lawyers Association
- Austin Police Department
- Austin/Travis County MHMR
- County Court at Law Judge Carlos Barrera
- County Court at Law Judge Mike Denton
- County Court at Law Judge Nancy Hohengarten
- Lawyer Referral Service of Central Texas
- Samaritan Center – Hope for Heroes Program
- Texas Department of Criminal Justice (Parole Division)
- Texas Health and Human Services Division
- Texas Law Veterans Association (U.T. School of Law)
- Travis County Mental Health Public Defender’s Office
- Travis County Adult Probation
- Travis County Bail Bondsmen
- Travis County Attorney’s Office
- Travis County Constable, Precinct Four
- Travis County Constable, Precinct Five
- Travis County Office of Court Administration
- Travis County District Attorney’s Office
- Travis County Health and Human Services and Veterans Services
- Travis County Pre-Trial Services
- Travis County Sheriff’s Office
- Travis County Veterans Services
- Veterans Administration - Central Texas Veterans Health Care System
- VET Center

BACKGROUND

A recent New York Times article reported that 121 Veterans have been linked to recent killings on American streets.¹ It comes as no surprise to law enforcement and mental health officials, who regularly come in contact with homeless Veterans that many have alcohol, substance abuse or mental health issues, and have been arrested for a variety of offenses ranging from public intoxication and DWI, to assault, domestic violence and murder. Medical experts agree that no one returns from serving in a war zone unchanged. The Journal of Internal medicine reports that best estimates are that *as many as 25 to 30 percent of returning Veterans suffer from mental illness*² that makes transitioning back to civilian life far more difficult. Sometimes the lingering effects of combat take months or even years to manifest.

In November 2007, Travis County Constable Maria Canchola began to document local examples of national trends around the difficulties Veterans experience when returning to civilian life. For example, Travis County Sheriff Office representatives reported that a significant number of Veterans are booked into the Travis County jail every month for a wide variety of offenses, and that a high percentage of arrested Veterans are repeat offenders with alcohol and substance abuse issues. Constable Canchola convened a meeting of local, state and federal agencies and representatives from organizations that provide services to or interact with Veterans. The group agreed that too many Veterans are arrested and that too little is being done to identify Veterans who need assistance, make appropriate referrals, and follow up. It was also perceived that for a variety of reasons, many Veterans were not receiving Veterans Administration (VA) services for which they were eligible.

In early 2008, the individuals convened by Constable Canchola organized themselves as the **Veterans Intervention Project (VIP)** and set out to assess the extent of challenges facing Veterans and recommend improvements. Their first step was to survey Veterans who were arrested and booked into the Travis County jail.

METHODOLOGY

Scope: The intent of the Veterans Criminal Justice Survey was to determine how many Veterans are arrested each month, the rate of recidivism, what charges were filed, and whether Veterans had received VA services (See Appendix 1).

Implementation: Surveys were administered during a 90-day period, from September 1, 2008 through November 30, 2008, to identify Veterans who were booked into the Travis County jail.

¹ New York Times, January 12, 2008

² Journal of Internal Medicine, March 12, 2007

It was administered by personnel at three sites: The Travis County Sheriff's Office Central Booking facility, Adult Probation, and Pretrial Services. Survey completion was voluntary.

Response Rates: A total of 458 surveys were collected: 16% of surveys came from Central Booking, 13% from Adult Probation, and 71% from Pretrial Services. A statistically insignificant number of Veterans refused to answer the survey, and some survey questions were answered by more Veterans than others. It is estimated that about 25% of arrested Veterans during this time period were booked and released before they were able to be surveyed.³ Some Veterans completed the survey more than one time for the same arrest. Surveys that were completed within three days of each other were determined to be duplicates and the most recent survey was discarded.

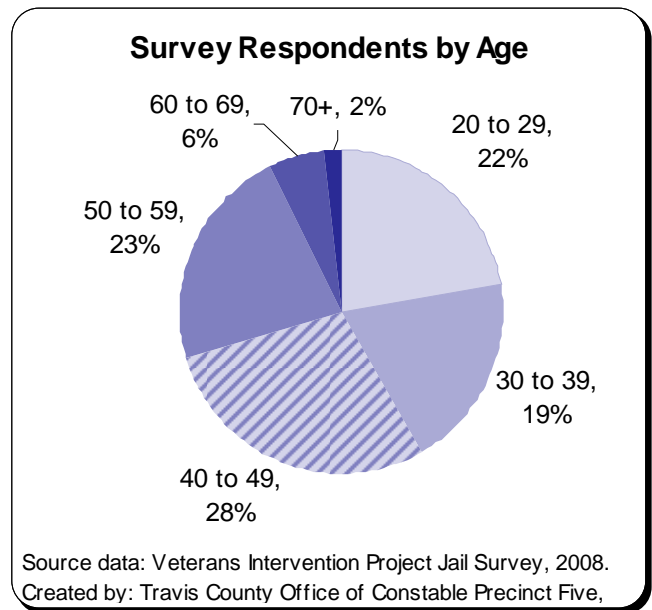
STUDY FINDINGS

Characteristics of Veterans Surveyed

- *On average, about 150 Veterans are arrested in Travis County each month.*

Population Estimate: For the 90 day survey period, a total of 458 surveyed Veterans were arrested and booked into the Travis County Jail.⁴ They represented 3.4% of the total jail bookings for this period. The number of Veterans arrested and booked into the jail each month ranged from 145 to 164, with an average of 153.

Age: The age distribution of survey respondents was fairly widespread. About 28% of arrested Veterans were in their 40s, followed by 22% for both those in their 20s and those in their 50s, 19% in their 30s, and 6% percent in their 60s or older.



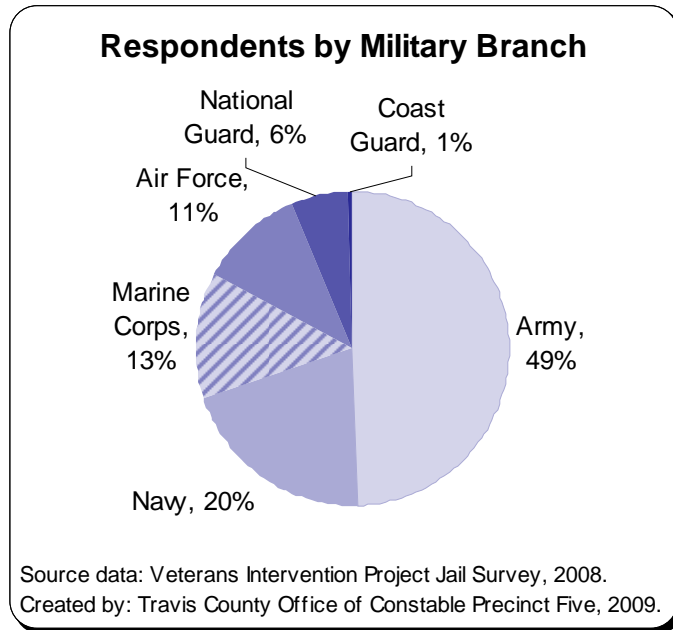
Gender: 95% of survey respondents were male, and 5% were female.

Combat Theater: The majority (54%) of arrested Veterans served in non-combat zones. 18% served in Iraq or Afghanistan, and 13% served in Vietnam.

³ Sheriff officials estimated that as many as 25% of inmates were released before they could be surveyed.

⁴ Some Veterans were arrested more than once during the survey period. Each survey represents a separate arrest.

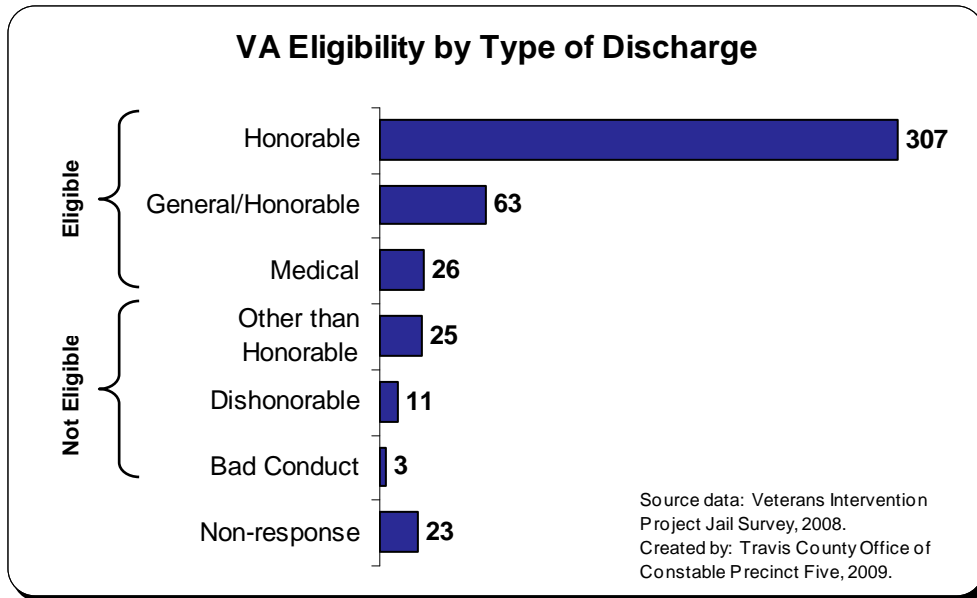
Military Branch: 50% of arrested Veterans in this survey served in the Army, 21% served in the Navy, 13% in the Marine Corps, 11% in the Air Force, 6% in the National Guard, and 1% in the Coast Guard.⁵



Discharge: 86% of Veterans received an Honorable, General Honorable or Medical discharge, making them eligible for VA services. 9% received a less than honorable discharge and are not eligible for VA services.⁶

⁵ Percentages add up to more than 100 because some respondents indicated service in more than one military branch.

⁶ The remainder (5%) of respondents did not answer this question.



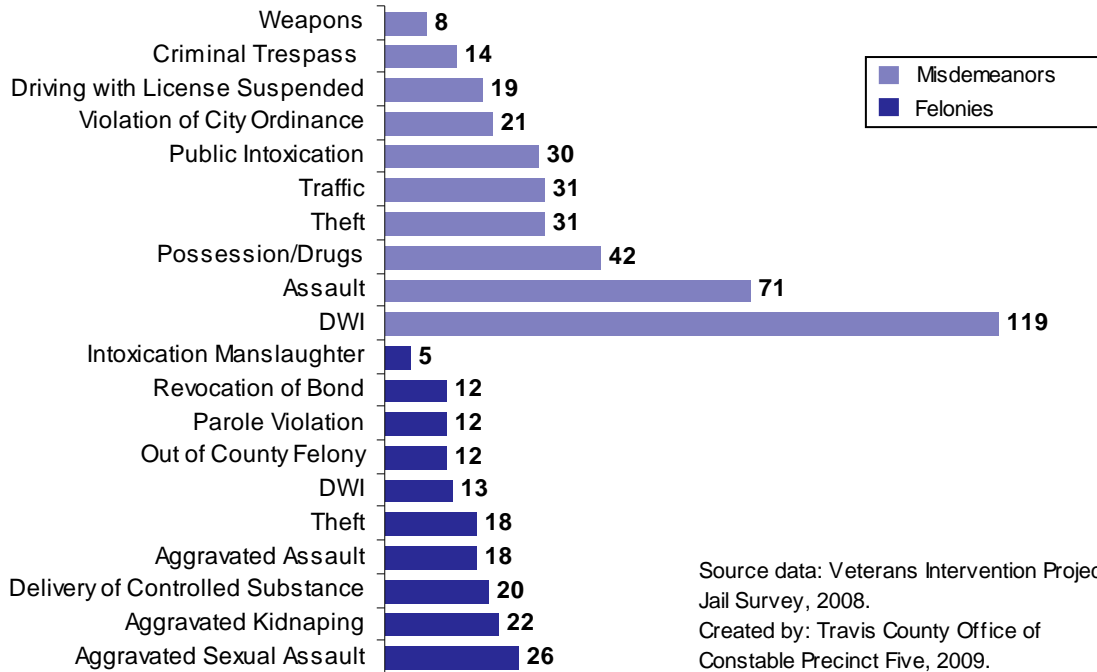
Charges and Disposition

➤ *About one-third of respondents were arrested two or more times.*

Number of Arrests: 679 charges were filed against 458 Veterans. 32% of respondents (147 Veterans) were arrested two or more times during the 90 day survey period. Of those with more than one arrest, the average was 2.7 arrests.

Charges: In 27% of cases, felony charges were filed, and in 73% of cases, misdemeanor charges were filed. DWI charges were filed in 19% of cases, followed by 10% for assault with bodily injury, 7% for theft, 6% for possession of an illegal substance, and 5% for public intoxication. 22% of felony cases were for aggravated assault with a deadly weapon. The top ten charges for both misdemeanors and felonies appear in the chart below.

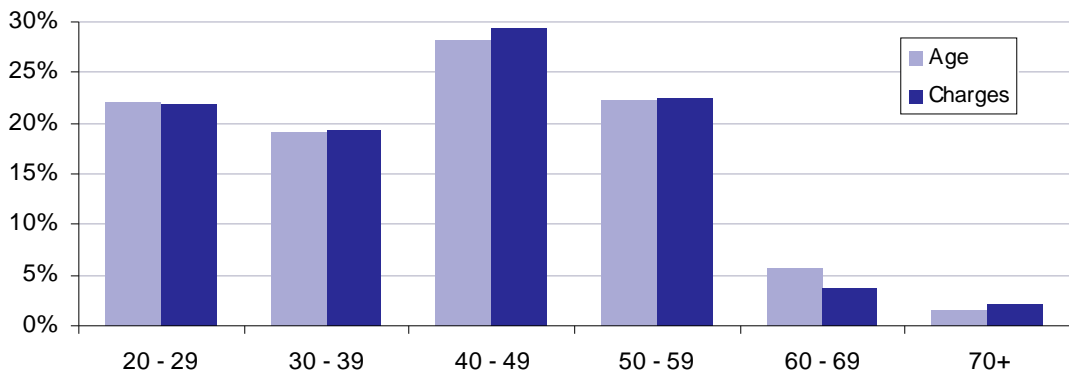
Top 10 Charges for Misdemeanors and Felonies



Substance Abuse Charges: 34% percent of all charges filed were for DWI, possession, delivery, public intoxication and vehicular manslaughter. 40% of all alcohol and substance charges were filed against Veterans age 20 to 29.

Charges by Age: The distribution of charges filed by age was proportionate to the distribution of arrests by age.

Age Distribution of Veterans Surveyed and Charges Filed



Source data: Veterans Intervention Project Jail Survey, 2008.
Created by: Travis County Office of Constable Precinct Five, 2009.

Veterans Administration Services

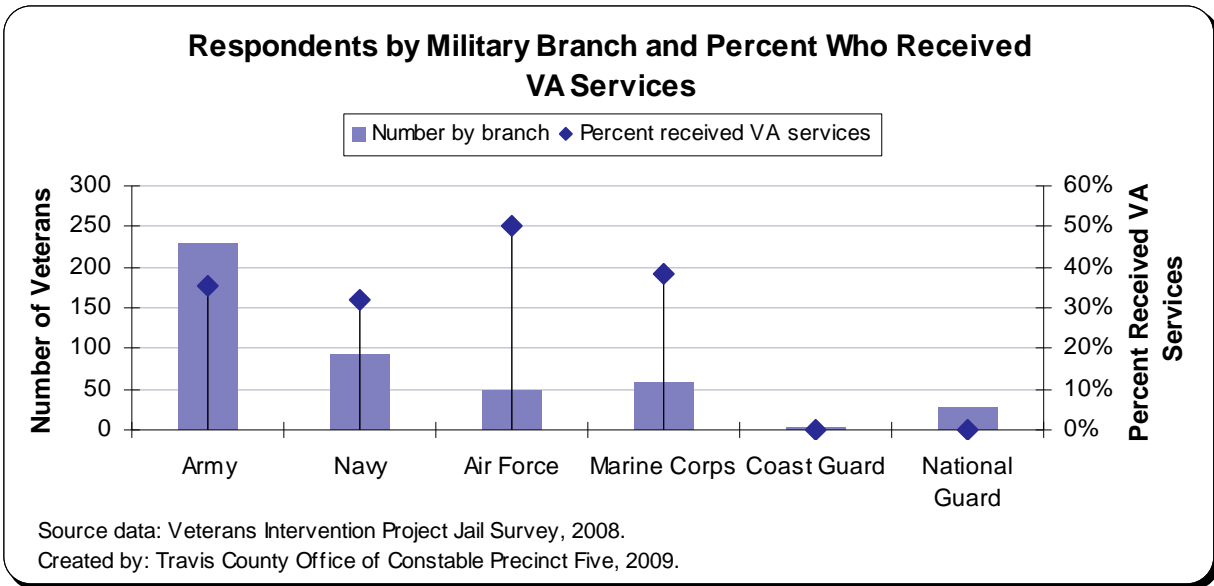
- *65% of arrested Veterans have not received VA services.*
- *72 arrested Veterans could be referred to the Veterans Administration each month for evaluation/services.*

Eligibility for Veterans Administration services is based on a number of factors, including the Veteran's branch of armed forces, type of discharge, where the Veteran served, and the number of years and dates of service. Generally speaking, to be eligible for Veterans Administration services, Veterans must have served on active duty, and received an Honorable, General Honorable or Medical discharge.

Based on Veterans' survey responses regarding the nature of their service and discharge, about 74% of arrested Veterans would be eligible for VA services, however, for a variety of reasons, however just 35% of arrested Veterans reported that they had received VA services. By age, the Veterans who reported receiving the fewest VA services were in their 20s and 30s. Regarding military branch, the rate of receipt of VA benefits ranged from 50% of Air Force Veterans to none 0% for arrested Veterans from the National Guard and Coast Guard.

One of the main objectives of this initiative of the *Veterans Intervention Project* was to determine how many Veterans are arrested each month and what could be done at the earliest point to connect them to appropriate services. We now know that an average about 153 Veterans are arrested in Travis County each month and that significant numbers are arrested for substance abuse and/or anger issues that likely result from their military experiences.

Of the 153 Veterans arrested per month during the study period, 72 Veterans are eligible for VA services because they served for a qualifying period of time, received an Honorable, General Honorable or Medical discharge, and were not charged with a felony (which is a disqualifying factor). 65% of survey respondents reported that they had not received VA services.



CONCLUSIONS

Due to physical and emotional injuries suffered while on active duty, Veterans’ reintegration back into civilian life can be extremely challenging. Many Veterans return home to lost jobs, terminated leases, foreclosures and severed relationships. Some turn to alcohol or drugs to ease their pain and others act out in violent ways.

This study confirms these challenges in Travis County, as evidenced by the numbers and recidivism rates of Veterans in our jail. We now know that about 150 Veterans are incarcerated in the Travis County Jail at any given time. About one-third of Veterans were arrested two or more times just in this 90 day period. A majority of arrested Veterans surveyed have not obtained VA or other services – services that can help support reintegration, intervene in substance abuse and mental health issues, and prevent repeated arrests.

Given the number of Veterans who are arrested and rearrested in Travis County, the criminal justice system has a vested interest to ensure that every arrested Veteran is evaluated and able to access appropriate services upon their *first* arrest. To this end, Constable Canchola has assembled an unprecedented array of agency representatives and individuals who are committed to addressing these and related issues. VIP members are currently reviewing best practice programs around the nation, working to establish formal agency links, and creatively using resources to pilot some programs, including the following initiatives:

Veterans Workshops: The Travis County Veterans’ Service Office, in partnership with The University of Texas School of Law, established workshops to assist Veterans with civil issues. More than 40 Veterans attended the first workshop. A VIP committee is currently

working to expand Veterans workshops to include employment, housing, medical and other relevant issues.

Veterans Brochure: VIP partners have produced a comprehensive Veterans Services brochure that will be made available at public and private entities that work with Veterans.

Eligibility Determination: For many Veterans, determining eligibility for VA benefits is a daunting challenge, and VA eligibility may be their only path to needed services and treatment. The Sheriff's Office wants to have the ability to assist Veterans determine their VA eligibility while they are in jail.

Veterans Docket/Court: A number of jurisdictions around the nation have established separate dockets and Courts to more effectively hear and resolve criminal cases involving Veterans. A subcommittee of the Veterans Intervention Project that includes judges, defense attorneys, prosecutors and Veterans' advocates is assessing the advantages of establishing a separate Veterans docket or court in Travis County.

VA Evaluation as a Condition of Bond: Travis County Adult Probation officials have agreed to initiate a small pilot project to require, as one condition of release from jail, that Veterans receive evaluations from VA physicians. These evaluations will provide judges with additional information to help them make more effective decisions and connect Veterans with VA services. Initially about 10 carefully selected Veterans per month will receive this bond condition.

An effective strategy to identify and refer Veterans to treatment will require building on and expanding the Veterans' Intervention Project's work. Contributions and supports, both from within the collaboration and from the local community, would address the following needs:

- Continued and expanded collaboration among local, state, federal, and private entities;
- Further strengthening connections between large systems (including the VA and various parties within the Travis County criminal justice system);
- Finding ways to sustain current pilot initiatives and establishing other creative programs that work towards the VIP purpose (identifying and referring Veterans to appropriate treatment and services which support reintegration and reduce recidivism); and
- Working collaboratively to address barriers around eligibility, privacy, and legal concerns.

Finally, beyond strengthening connections and aligning existing resources at the local level, advocacy is needed around the following concerns in order to approach a real solution:

- Securing additional funding for more beds and expanded mental health/substance abuse treatment services for Veterans in Travis County; and

- Impacting and providing feedback on legislation or administrative processes, in order to address barriers and make improvements in the service delivery system.

Former Congressman Nick Lampson, at a recent Veterans Day ceremony, said: *“We should do more than sing the praises of the bravery and patriotism that our Veterans have embodied in the past. We should take this opportunity to re-evaluate how we are treating our Veterans in the present.”*

If you ever served in an active combat zone and currently have legal problems, this brochure may help to direct you to treatment or other services to help improve the quality of your life and prevent future legal problems.

Why seek treatment?

Combat stress is a normal set of reactions to the traumatic events which commonly occur in war. With the passage of time or when feelings or issues related to the trauma are not dealt with, it can result in problems readjusting to civilian life. A delayed stress reaction may even surface after many years and include some or all of the following problems:

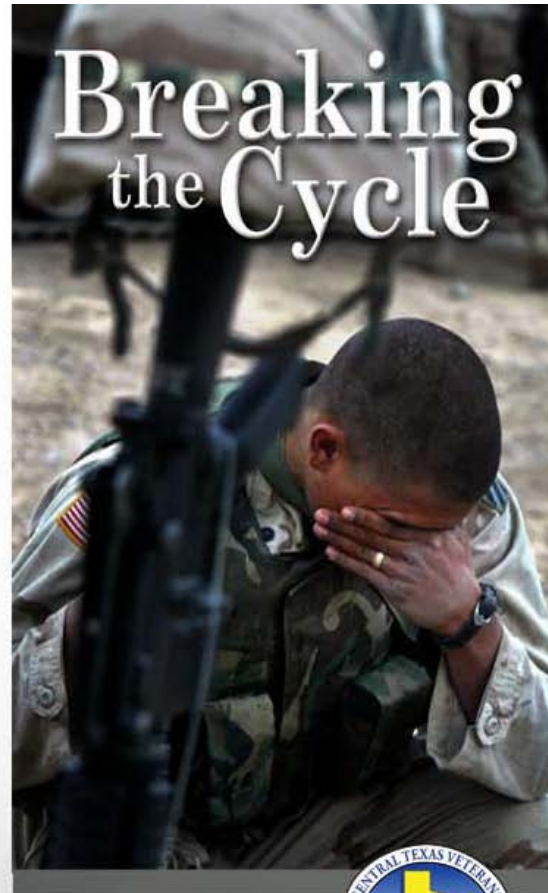
- Strong upsetting feelings such as anger, irritability, anxiety, sadness, grief, and/or guilt
- Upsetting memories and thoughts
- Nightmares and sleep disturbance
- Avoiding things because they trigger painful feelings or memories
- Avoiding interacting with other people
- Finding it hard to enjoy or get much pleasure out of things you do
- Feeling emotionally numb (which causes difficulties in relationships)
- Feeling "on guard" and hypervigilant.
- Difficulties concentrating or remembering things
- Alcohol and/or drug use to cope with these problems

Legal problems such as DWI's, DUI's, and assault or domestic violence charges can be an unfortunate consequence of the anger and alcohol or drug use that is often associated with combat stress.



This brochure represents the efforts of many different Veterans services and legal agencies in Travis County. The goal of this project is to assist our combat Veterans in accessing VA and other services and help prevent further legal problems.

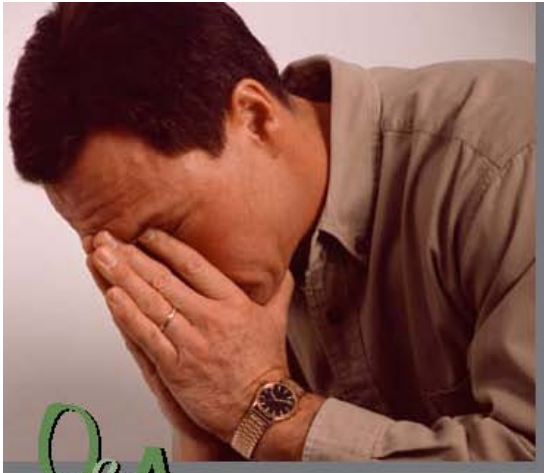
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Breaking the Cycle



A brochure for combat Veterans with legal problems



Q&A

Will treatment help me with my legal problems?

While there is no guarantee that going to treatment will help address your legal issues, efforts to seek treatment for problems that may be related to your legal problems (such as anger management and alcohol or drug treatment) will show the legal system (courts, attorneys, probation/parole officers) that you are serious about changing your behavior and addressing your legal issues.

I need a lawyer; can the Department of Veterans Affairs (VA) provide me with legal assistance?

The VA does not provide legal assistance. You would need to use community resources, such as Legal Aid or Lawyer Referral Service, for legal assistance or pay for legal counsel.

The conditions of my probation state that I need to receive alcohol or drug treatment. Can I get this through the VA?

Yes, the Central Texas VA has outpatient and residential programs for substance abuse treatment.

The VA outpatient clinic in Austin can help you. Call (512) 433-2020 to ask for information about Alcohol and Drug Assessment and Treatment Services. The Austin VA Mental Health services are located at 2101 South IH 35.

Am I eligible to receive treatment from the Veterans Administration (VA)?

Never assume that you are not. Contact the VA and apply. The phone number of the Austin VA Outpatient Clinic is (512) 389-1010. The number for the Central Texas Veterans Health Care System (which includes Austin, Temple, and Waco) is (800) 423-2111. Eligibility must be verified before you can receive care. The phone number for Readjustment Counseling Services through the Austin Vet Center is (512) 416-1314.

I am an Iraq/Afghanistan Veteran. How can I find out about programs for my war?

Contact the OEF/OIF Combat Veteran Case Managers at the VA Outpatient Clinic OR the Austin Vet Center. The phone numbers for the VA Case Managers are (512) 389-6672 and (512) 389-6731. The phone number for the Austin Vet Center (a program of the VA Readjustment Counseling Service) is (512) 416-1314.

I am a Veteran from an earlier war or conflict. Can I still be seen for counseling at the VA?

Yes, Veterans can always be seen for combat stress reactions, regardless of the amount of time that has passed since the trauma. You can contact the Austin Vet Center at (512) 416-1314 or the VA Outpatient Clinic at (512) 433-2020.

I now have a felony on my record. Will that prevent me from getting my VA benefits?

No, if you have an honorable discharge or a general discharge under honorable conditions, your arrest record does not limit your access to your VA benefits.

I have questions about VA benefits for injuries I received in the military?

The Veterans Benefits Administration (VBA) handles benefits claims for injuries, physical or psychological.

Benefits assistance agencies outside the VA include the Travis County Veteran's Service Office and the Texas Veterans Commission.

VBA Regional Office: (800) 827-1000.

Travis County Veterans Service Office: (512) 854-9340.

Texas Veterans Commission (in the Austin VA Outpatient Clinic): (512) 743-7143.

What help is available if I don't have a place to live?

The VA and Travis County both have services that may help you. The Austin VA's Health Care for Homeless Veterans Program can be reached at (512) 433-2012. The ReEntry program at the Travis County Veteran's Service Office can be reached at (512) 854-9002.

Something happened to me when I was in the military and I have not talked with anyone about it.

Contact either of the following VA and Vet Center phone numbers and ask to speak with a counselor/therapist: (512) 433-2020 or (512) 416-1314.

Sometimes I have thoughts about harming myself.

Please call one of the following numbers 24 hours a day, 7 days a week:

Austin Suicide Helpline: (512) 472-4357

National Suicide Prevention Lifeline: (800) 273-TALK (8255)
- Press 1 for Veteran-specific services

