

FY19 Anchorage Veterans Court Annual Report

Introduction

Mission- The mission of the Anchorage Veterans Court is to divert Veteran defendants with behavioral health issues who have been charged with criminal offenses into VA rehabilitation programs in an effort to prevent future contact with the criminal justice system.

Target Population- The Anchorage Veterans Court serves felony and misdemeanor offenders who are eligible for VA benefits. The court requires compliance with behavioral health treatment requirements as defined by VA providers. The Veteran must live in the Anchorage area and have a demonstrated need for behavioral health treatment and be motivated to receive treatment services.

Overview - The Anchorage Veterans Court is a post-plea, pre-sentence court. Each Veteran is required to plead guilty to the charge(s) at the beginning of the program and sentencing is delayed until the Veteran graduates, is discharged or opts-out. The plea agreement provides for two alternate sentences: a more favorable sentence if the participant graduates and a less favorable (regular court) sentence if the participant is discharged or opts-out.

Eligibility Criteria (refer to AVC Policies and Procedures for additional criteria details)

A. An individual is eligible to participate in the AVC if:

1. Veteran is 18 years old or older.
2. Veteran resides in the Municipality of Anchorage or surrounding areas if approved by court.
3. The Veteran must be charged with a criminal offense. A Veteran charged with a felony offense will be considered on a case by case basis to ensure public safety. Considerations will include the seriousness and the class of the current offense, and offender's criminal history.
4. Veteran must be eligible for VA services, as defined by federal law and confirmed by the VA.
5. The Veteran must voluntarily agree to waive his or her right to a speedy trial while he or she participates in Anchorage Veterans Court.
6. The Veteran must have no other pending cases in District or Superior Court. All open cases must be heard at Anchorage Veterans Court hearings.
7. The Veteran must have a treatment need (related to the criminal conduct charged) that can be addressed through appropriate treatment. Treatment may be offered by through VA services or the Veteran may receive treatment through a court approved provider.

B. An individual is not eligible to participate in the AVC if:

1. Veteran is not eligible for VA health care services.
2. He/she has criminal history that includes a prior felony offense under AS 11.41 or a similar offense in another jurisdiction.
3. No felony drug distribution convictions in the past ten years.
4. No prior conviction in a Murder I or II case.
5. He/she has an outstanding felony warrant and detainer from another state.

C. All Applicants shall be screened based on the following standards:

1. An applicant's will receive a Substance Use Disorder assessment and a Mental Health assessment and meet DSM-V criteria.
2. An applicant must be assessed as medium/high risk/needs based on the current risk assessment tool (Level of Service Inventory Revised). Therapeutic Court programs approve low risk individuals on a case by case basis.
3. An applicant prescribed benzodiazepines, amphetamines, sleep aids, medical marijuana or opiate/Opioid-based medications will generally not be allowed to participate in the program. Alternative options will be explored on a case-by-case basis prior to allowing admission to the program
4. Any applicant with known physical and/or cognitive impairment that will impede his/her ability to participate in the program without significant program modifications will be addressed on a case-by-case basis.

Current Team

Judge: David Wallace

Court Coordinator: Desiree Sang

Treatment representative: VJOs, Jeremiah Newbold and Samantha Adams-Lahti (VA Domiciliary, VA Clinic and Community Choice providers)

Probation Officer: Doug Corbett

Prosecutors: MOA, Erin McCrum

SOA: ADA Nolan Oliver for ADA Scott Perkins, (prior Chris Darnall)

Defense counsels: DLG, Laura Newton and PDA, Benjamin Muse

Law Enforcement: Anchorage Police Officer Ruth Adolf

Mentor: Richard Lawrence

PART A: Meeting Goals & Objectives

Goals and Objectives

Goal 1: To enhance public safety and improve the quality of life in our community, reduce recidivism/re-arrest and incarceration rates by reducing criminal behavior/recidivism among participating Veterans offenders

Goal 2: To reduce the cost associated with re-arrest, criminal case processing, and incarceration of AVC participants
Process Objectives

Goal 3: Using evidence-based practices, the Anchorage Veterans Court supports Participants' abstinence from drugs and alcohol and promotes self-sufficiency while they reside in the community and rebuild their lives

Goal 4: Conduct outreach and work with the Therapeutic Courts Office and Communications Counsel to inform the Public about the benefits of therapeutic courts about the benefits of therapeutic courts

Goal 5: Complete and document an annual team review of the Therapeutic Court's Policies and Procedures, Client Contract and Client Handbook

Goal 6: Conduct team trainings needed to assure that best practices are being utilized in the implementation of the Therapeutic courts

Retention & Utilization Rates

Goal 2: To reduce the costs associated with re-arrest, criminal case processing, and incarceration of AVC Veterans participants

Anchorage Veterans Court - Capacity 25										
Annual Statistics Comparison FY18-19										
	General Statistics		% Referrals Who Initially Opted In		% Initial Opt-Ins Who Returned to Regular Court		% Initial Opt-Ins Who Signed Rule 11s		% Types of Discharges	
	FY18	FY19	FY18	FY19	FY18	FY19	FY18	FY19	FY18	FY19
# Total Participants	65	33								
# Referrals	74	48								
# Initial Opt-Ins	38	26	51%	54%						
# Returns to Regular Court	14	5			37%	19%				
# Formal Opt-Ins/Rule 11s	24	17					63%	65%		
# Opt-Outs After Formal Opt-In	6	3							14%	17%
# Graduates	22	12							52%	67%
# Discharges	14	3							33%	17%
% Average 12 Month Utilization	87%	54%								

The AVC is not meeting the annual utilization rate of 75% or greater. The average annual utilization for AVC is at 54%. This is partly due to the Alaska Department of Law, Regional District, (gatekeeper of the court program) staff turnover and MOA prosecutor not able to reduce or give a good offer for first time DUI offenders. There were 48 referrals in the AVC: 23 by the PDs, 23 from DLG, 2 from private attorneys, and no referrals by the DA. 16 of the 48 referrals (33%) formally opted into AVC. The remaining 32 (66%) are under the following categories:

- 17 – Withdrew application - Chose change of plea
- 3 – VA care Ineligible

- 5- MH dx superseding criteria
- 7- Vetoed by prosecutors for the following reasons:
 - Criminal history
 - Current charges or pending charges of additional cases
 - No clear drug nexus or lack of substance use history
 - Victim in case was not supportive of applicant entering a therapeutic court

FY19 types of charges referred to the AVC:

6 Misdemeanor Assault charges
 7 Felony Assault charges
 1 Violation of DV Protective Order
 1 Theft 2
 1 Shoot/Discharge/Flourish Firearms
 1 criminal Mischief
 3 Felonies DUIs

FY 19 referral to admission average is 41 days. FY19 referral to Rule 11 Agreement average is 81 days.

At times participants still need additional structure and behavior modifications even though they receive community supervision, treatment services, court structure, and referrals for additional services. There were 50 sanctions and 125 incentives during FY19 with the average length of time between behavior and sanction of 7days.

AVC program is using more screening tools, early identification, consistent status hearings, supervision with PO/CM and entering Rule 11 faster as well as using Matrix Model causing a higher retention rate in the court.

Participant Sobriety & Graduation

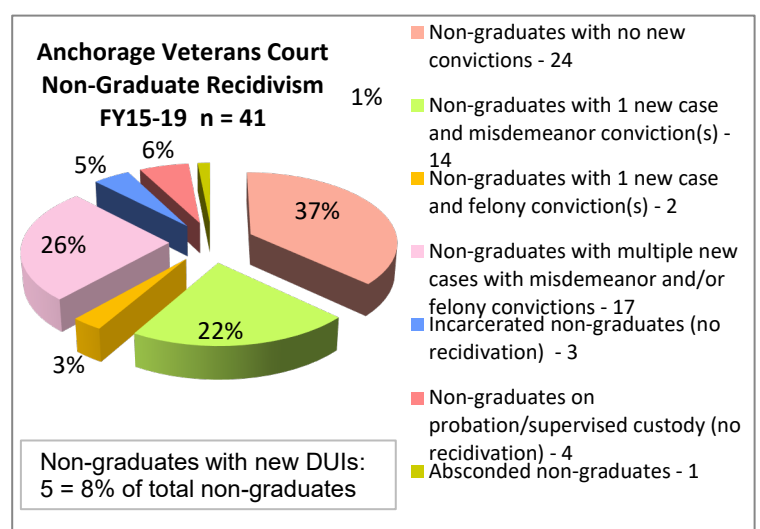
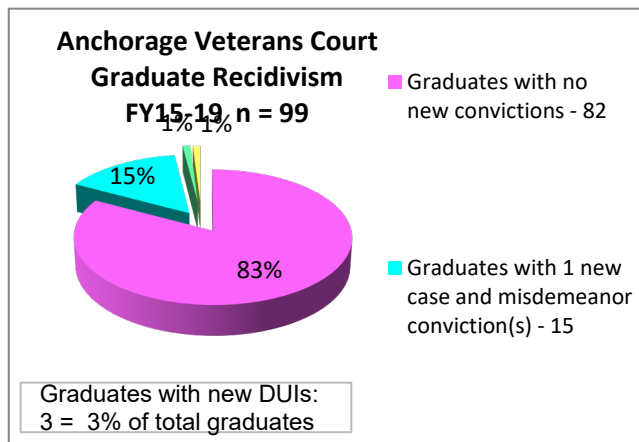
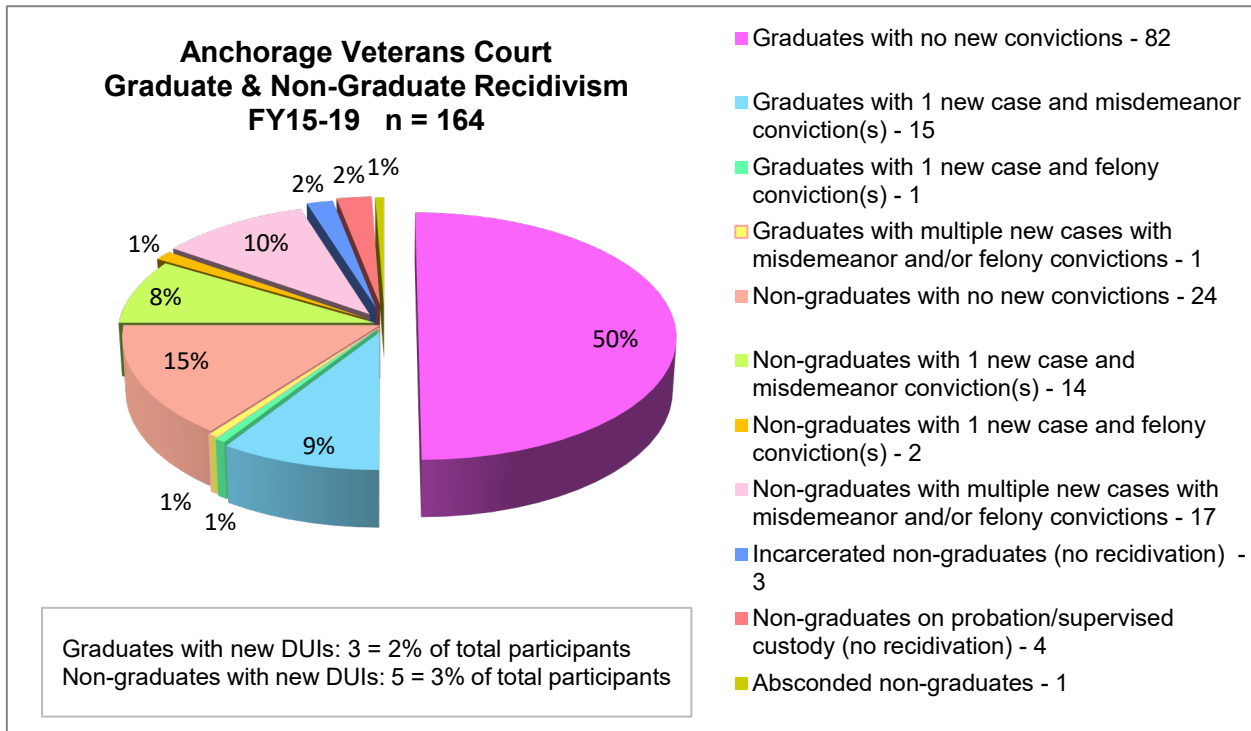
Veteran's sobriety has increased due to the implementation of a fee for missed UAs and disputed UA lab results. This has increased attendance and negative results in the court.

AVC has seen an increased graduation rate by 15 % and opt outs this year by 3 %, although discharges decreased by 16 %.

Recidivism

Secondary Goal 1.1: Reduce criminal behavior/recidivism among participating offenders.

Recidivism outcomes



FY19 - Admit to Discharge average is 222 days

1. FY19 Veterans Court had 12 Veterans complete treatment and all court obligations. Three Veterans chose to opt-out after their Rule 11. Two Veterans were terminated because of rearrests and non-compliance with court. Average age of participants in the program is 41 years old.
2. In FY19, forty-eight defendants were referred to Veterans Court. Two were eligible but chose not to apply; nine were legally ineligible; three failed to appear in court; and eight did not meet eligibility criteria. Thirty-one proceeded to screening.

Supervision

Per FY19 field visit report there were a total of 54 visits with 1 FTA, 15 excused and 38 attended for 27 participants. Out of these there were 13 announced visits and 24 unannounced.

Participant Sobriety & Graduation

Secondary Goal 3.1: Reduce and eliminate use of controlled substances and alcohol

VA is the only treatment provider for the Anchorage Veterans Court and provides all assessments and treatment to include MAT for the population served in the court program.

During FY19 - 125 different incentives were given to 30 Veterans and 58 diverse sanctions to 20 Veterans. Since AVC adapted ASAP supervision and phases in the program effectiveness of sanctions are more aligned with positive UA results and also the ability to expedite cases to return to court. As for Incentives the AVC program is growing in providing incentives to Veterans and will continue to evolve this part of the program.

AVC has improved its graduation rate by 15% since FY18. This year the AVC goal for graduation is 75% which will remain in effect.

Secondary Goal 3.2: To assist participants in regaining their lives

Having a CM/PO to assist with referrals and follow up has made a difference for Veterans in the court program. Those completing the court have stable income and housing and support of others in their recovery. Advocacy and accountability has gained the trust of the program from participants.

Secondary Goal 3.3: Decrease participants' reliance upon social and human services and increase their abilities to live independently and responsibly.

Veterans that complete the court program are living independently and are being responsible in meeting their needs; thru service connect disability and or gainful employment in the community. All Veterans that qualify for the CWT (Compensated Work Therapy) program will have the opportunity to be gainfully and competitive employed in the community. As a result of participating in the CWT program Veterans can access transitional housing in the community at a reduced rate and case management.

Majority of Veterans are housed (DOM, Transitional Housing in the community or private housing) by the time they are completed by the court. All Veterans in the court will be enrolled in school (University, Technical school or local 2 year College) and or be gainfully employed by completion of court. The exception are those Veterans who are fully disabled but do engage in volunteer services while in the program. All Veterans are provided medical, psychological and medications on an ongoing basis thru the VA after completion of the court program.

Primary Goal 5: Complete and document an annual team review of the Therapeutic Court's Policies and Procedures, Client Contract and Client Handbook.

1. If not all Goals and Objectives are being met, how to change P&Ps to help resolve this?

This year goals and objectives have been revised and reviewed to be evidence based for the population served & approved by team members.

2. Do P&Ps accurately reflect court practices? If not, define what needs to be revised.

Continued revisions and updates have been done to Veterans Court P&Ps to include supervision, phases and DUI track. Team is working on limited licenses for DUI Veterans in the program. Rule 20 transfer practices are under construction; Incentives and sanctions to be sustainable and appropriate. Alumni and community involvement after court program is another task to be addressed this upcoming year.

3. Is Participant Handbook up to date and reflective of court practices?

Yes, updates to VC participant's handbook have been done this year and reviewed/approved by team members.

PART D: Team Members, Training Plans

Primary Goal 6: Conduct team trainings needed to assure that best practices are being utilized in the implementation of the therapeutic courts.

1. How have changes in the team affected functioning of the court?

A positive change that occurred this year was getting another Veterans Justice Outreach Social Worker in the State of Alaska. The addition of another VJO in the State is an asset for all incarcerated Veterans and the re-entry program as well as for the VTCs this is invaluable gain. This year we've had many turnovers in the State District Attorney's Office which has caused delays in the process. Staff changes make it hard when their role is crucial in accepting cases in the program. Private Attorney's representing cases in the AVC causes for delays in the process by no representation at pre-meet and court hearings and their lack of time to be oriented to the TCs process.

2. What training gaps are there and how to address them?

Administrative meetings are held once a quarter on Thursday afternoon keeping the same day and time has been helpful to have all team members at the table. The AVC team has agreed to do a 1 day training retreat per year and a survey will help to narrow the different needs of the team. PC will maintain team training tracker to assure everyone is thoroughly trained in current practice.

3. Are POs being appropriately utilized?

Veterans Court has 1 PO/CM assigned for a case load of 25 Veterans in the program. Court has not reached capacity this year.

PART E: Outreach

Primary Goal 4: Conduct outreach and work with the Therapeutic Courts Office and Communications Counsel to inform the public about the benefits of therapeutic courts.

1. How are community partnerships working?

Community partnership with the Alaska VA Health Care System, US Department of Veterans Affairs, Domiciliary Care Program, US Veterans Center, Anchorage Criminal District Attorney, Public Defender Agency, Denali Law Group, Municipality of Anchorage Prosecutor, Department of Labor, Alaska Legal Alliance and Partners for Progress continues to be supportive and open to communication with AVC program. Alaska Senator Representative wrote an article on Veterans Court and highlighted the opportunity for justice involved Veterans to better themselves, their families, their community and their futures. PC attends monthly Legal Alliance coalition meetings specific to Veterans, Active Military and their Families. ADA and PD speak to other attorneys during staff meetings about the court program capacity and success.

2. Summarize outreach efforts and how they helped the functioning of the court.

This year team members toured the VA Domiciliary and learned of their new treatment groups and meet and greet staff. Each year VC Judge and PC attend Stand-down and Project Homeless Connect to gain exposure in the community about Therapeutic Courts. Team members are asked to speak of Veterans Court at their agency staff meetings and provide any information needed. ADA spoke to the Alaska Native Justice Center for services that may be provided to Veterans in the program. This year Judge, VJO and PC attended the Alaska Veterans & Military Families Summit which will be assisting the court with receiving donations for Veterans needing transportation. PC attended a meeting with SCF and their many services available for Veterans like Veterans and first responders groups and healing circles.

3. Are the original arresting officers engaged in participant successes?

No, but we have local law enforcement on the team who develops a good rapport and gains the trust of many Veterans participating in the court program.

4. Are donors to the program encouraged to attend court?

Yes, it is encouraged to observe and ask question of the team and Judge.

5. What efforts are planned for the next FY20?

Targeting donations from specific donors to assist with incentives in the program. Continued outreach at Stand down and Project Homeless Connect and Alaska Veterans Summits.

Summary

1. Note achievements/challenges relating to Goals and Objectives.

Revised goals and objectives to be aligned with Statewide Therapeutic Courts and National Veterans Courts.

2. What led to achievements?

Justice For Vets training recommendations and TCs administration goal to align Statewide process in Therapeutic Courts. ASAP supervision involvement in the court program. Partners for Progress (AKTCA Alumni) to involve Veterans in meaningful sober activities and connection in the community.

3. How to resolve challenges?

Continued efforts to include sober activities, community involvement and support for Veterans completing the court program. AKTCA (Alaska Therapeutic Courts Alumni) board member has proposed ideas to stakeholders to engage and retain Veterans in this process. It is anticipated a Wellness together group will be forming for Veterans this fall. Announcements of upcoming events are shared in court by Judge with Veterans. One other component VC is working to implement has to do with added incentives but before this can occur a solid donation pool will be established to maintain sustainability.