



**Veterans Court Initiative**  
**A project of the Committee for Veterans Advocacy**  
**Rudy S. Martinez, Chair**  
**Dorothy Seaton, Vice Chair**

Following the 55<sup>th</sup> Legislature the **Committee for Veterans Advocacy** took up a new mission to promote the successful implementation of Veterans Courts in four New Mexico Judicial Districts who were separately contemplating starting their own Veterans Courts.

The Committee for Veterans Advocacy created a working group called the Veterans Court Initiative and organized and hosted monthly Zoom meetings so the 4 DA's and their staffs could interface with 2 established Veterans Courts in Las Cruces and Alamogordo, the Statewide Program Manager at the State Judiciary, the VA Veterans Justice Outreach representative, as well as others interested in advancing the mission.

At the last meeting in early June we had a guest presenter, David Pelletier from Justice for Vets <https://justiceforvets.org/about/> the national organization that provides training to Veterans Courts. We hope to be able to consolidate training for the Judicial Districts that are ready at the same time; hopefully this year.

Currently the 4 Judicial Districts are working on identifying a presiding judge and forming the team of staff and volunteers to operate a veterans court. They are also examining their human and financial resources to make sure that they can not only implement a veterans court, but sustain its operation.

**Why are Veterans Courts important to New Mexico?**

We are a state with a **high percentage of veterans** and a rich military history. Veterans often have problems reintegrating to civilian life because of trauma experienced during their service; PTSD, substance abuse and mental health issues are treatable problems. The common offenses are DUI, drug use and possession, and domestic violence.

Restorative justice or therapeutic justice courts are increasingly popular because **they work better than jail time and save money** in the long run because they seriously **reduce recidivism**. They also **divert the veteran from suicide and substance use as self-destructive coping methods**. Given a choice between a "revolving door" of prison and the **long-term benefits to the individual veteran, their family and loved ones, and their communities**, the choice is clear. Investing in Veterans Courts saves us all a lot of time, trouble and money and restores veterans to productive and positive members of our New Mexico communities.

Veterans Courts are **NOT a program of the VA**; the VA offers supportive outreach but DOES NOT IMPLEMENT OR FUND OR OPERATE veterans courts.

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## What can the Interim Committee do?

- Watch this 4 minutes from the Uniform Law Commission that will change lives:  
<https://www.uniformlaws.org/committees/community-home?CommunityKey=3c91a212-1d3d-4768-9adf-ce809a43f66b>
- Create a legislated structure supporting Veterans Courts and accessible to veterans all over the state, wherever they come into the courts system
- Don't create an unfunded mandate
- Create a fund within the State Judiciary targeted for Veteran Courts staffing, training and operating expenses. This can be administered by the Judiciary's Department for Therapeutic Justice and could be used by any Judicial District to supplement their budgets and financially support Veteran Court operations. This fund can sustain courts once they are implemented while not stressing the court's existing budget unduly.

## What other money already exists?

Federal grants such as the one that got the 3<sup>rd</sup> JD in Las Cruces operational:

BJA Grant Award to Doña Ana: <https://bjaojp.gov/funding/awards/2019-vc-bx-0069>

Bureau of Justice Assistance (BJA) FY19 Adult Drug Court Discretionary Grant Program (34 U.S.C. §§ 10611, et seq.) is to provide financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to implement and enhance drug courts and veterans treatment courts that effectively integrate evidence-based substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over substance-abusing offenders.

In New Mexico veterans courts are located in the state judicial districts. The NM Judiciary, Court Services Division, Department for Therapeutic Justice is the oversight for the veterans courts in New Mexico. They provide rules and guidelines, forms and applications and they coordinate training. They are currently developing data to determine where veteran court services are needed.

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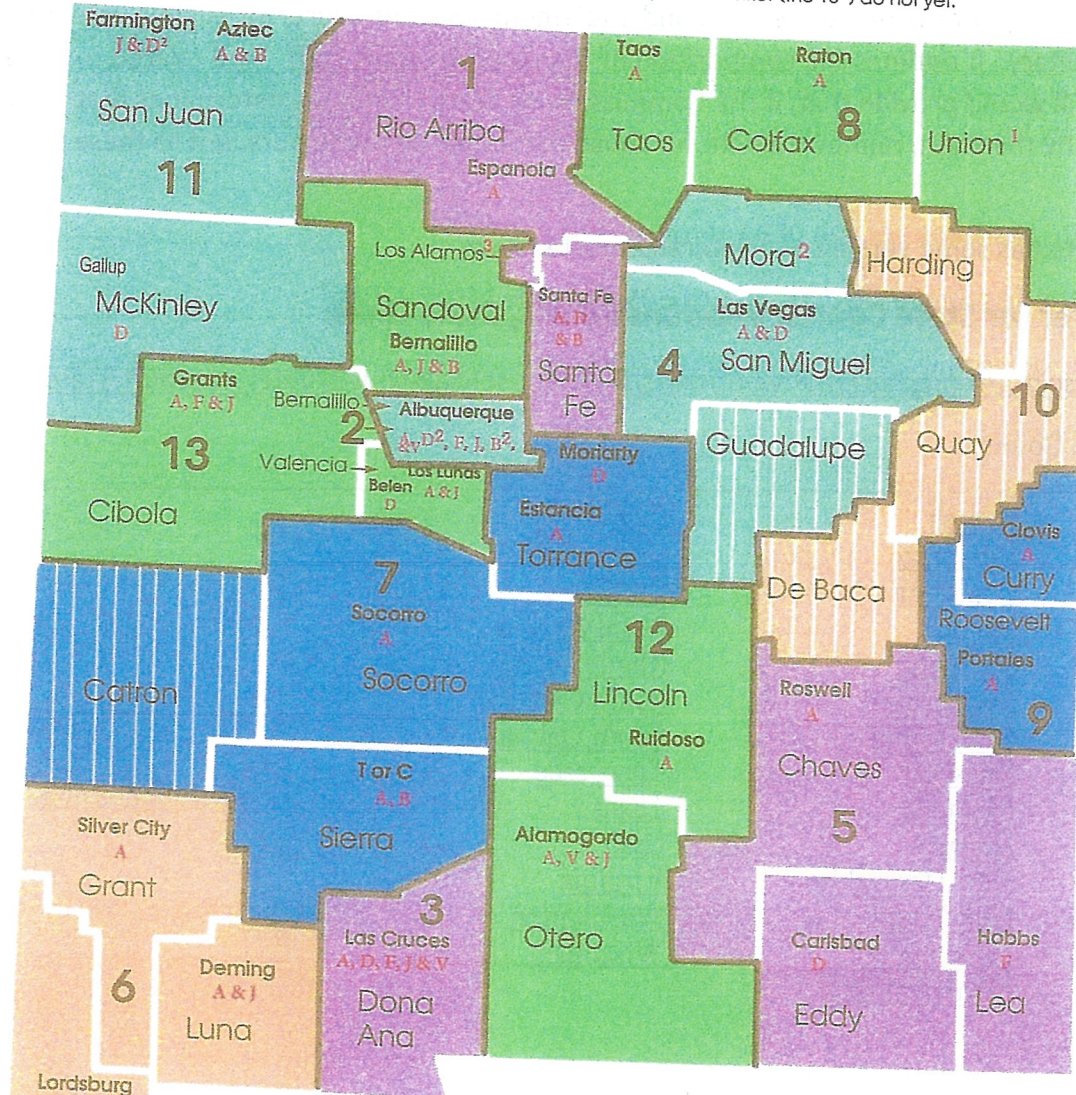
***“The courts operate on a unified budget concept and our requests must be vetted in steps through various committees prior to going to the legislature for funds. Additionally, I think we would need more data to demonstrate need in those jurisdictions if we are going to seek dollars.***

***All that to say, I believe this is a great opportunity to give the legislature a “heads up” about our exploratory process and strategic interest in serving every veteran in the justice system according to their unique strengths, risks, and needs.” – Rob Mitchell***

# NEW MEXICO TREATMENT COURTS

## DISTRICT, METROPOLITAN, MAGISTRATE & MUNICIPAL PROGRAMS IN THE STATE'S 13 JUDICIAL DISTRICTS

As of March 30, 2021, 28 counties and 12 of the state's 13 judicial districts have at least one drug court program. Five counties (striped) and one judicial district (the 10<sup>th</sup>) do not yet.



- A Adult/Felony Drug Court  
22 Statewide
- D DWI Drug Court  
11 Statewide
- F Family Dependency Drug Court  
4 Statewide
- J Juvenile Drug Court  
9 Statewide

- B Behavioral Health Court (Also called "Mental Health Court")  
5 Statewide
- V Veterans Treatment Court  
3 Statewide
- 1 Union County residents are served by Colfax County Drug Courts
- 2 Mora County residents are served by San Miguel County Drug Courts
- 3 Los Alamos County residents are served by Rio Arriba County Drug Courts

Revised 01/14/2020

What Legislation exists in other states? Are they “unfunded mandates”?

Examples:

Texas defines and regulates veterans courts and directs data collection. Also, interestingly their law allows for collection of fees from the veterans themselves, but does not allocate any state money for the implementation and operation of veterans courts.

California requires superior courts to develop and implement veterans courts for eligible veterans of the United States military. It outlines the composition of the veterans court staff. And related to state funding resources, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Nearly every state has some version of a veterans court system.

### **National Center for State Courts, Veterans Courts, State Links:**

<https://www.ncsc.org/topics/alternative-dockets/problem-solving-courts/veterans-court/state-links>

- Veterans Courts

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<a href="#">Alabama</a>	<a href="#">Kansas</a>	<a href="#">Ohio</a>
<a href="#">Alaska</a>	<a href="#">Kentucky</a>	<a href="#">Oklahoma</a>
<a href="#">Arizona</a>	<a href="#">Louisiana</a>	<a href="#">Oregon</a>
<a href="#">Arkansas</a>	<a href="#">Maine</a>	<a href="#">Pennsylvania</a>
<a href="#">California</a>	<a href="#">Michigan</a>	<a href="#">Rhode Island</a>
<a href="#">Colorado</a>	<a href="#">Minnesota</a>	<a href="#">South Carolina</a>
<a href="#">Connecticut</a>	<a href="#">Mississippi</a>	<a href="#">South Dakota</a>
<a href="#">Delaware</a>	<a href="#">Missouri</a>	<a href="#">Tennessee</a>
<a href="#">Florida</a>	<a href="#">Montana</a>	<a href="#">Texas</a>
<a href="#">Georgia</a>	<a href="#">Nevada</a>	<a href="#">Utah</a>
<a href="#">Hawaii</a>	<a href="#">New Hampshire</a>	<a href="#">Virginia</a>
<a href="#">Idaho</a>	<a href="#">New Jersey</a>	<a href="#">Washington</a>
<a href="#">Illinois</a>	<a href="#">New York</a>	<a href="#">Wisconsin</a>
<a href="#">Indiana</a>	<a href="#">North Carolina</a>	

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## Veterans Treatment Court (VTC)

### Written testimony-Camila Lopez, Veterans Justice Outreach Coordinator New Mexico VA Health Care System

As treatment of substance use and mental health conditions is an essential element of a successful Veterans Treatment Court (VTC), it is important to note that there are significant gaps in available services throughout rural New Mexico. The NM VA Healthcare System is able to provide some services, but it should not be the sole provider of services for a VTC. I have included a brief outline of the services that NMVAHCS can provide and of the community health services that would be necessary in order to ensure the success of VTCs throughout New Mexico.

#### Essential Treatment Services for VTC:

These are the services that will be **most needed** and **without directed funding, courts will not likely be able to sustain a VTC.**

- Substance Use/Misuse Treatment – Intensive Outpatient Programs (IOP), Relapse Prevention, Recovery Based Treatment
- Medication Assisted Treatment – Specific to addiction related treatment needs. This may be different from court to court depending upon the diversion court model.
- Mental Health Treatment – Specific to Post-Traumatic Stress, Depression, Anxiety, Adjustment Disorder, and possibly treatment for Serious Mental Illness (Schizophrenia, Bipolar Disorder).

#### Essential Case Support Services for VTC:

- Program Coordinator responsible for direction of the program and possibly responsible for supervision of the participants, depending upon the court diversion model.
- Case Management services – VTC participants are often in need of intensive supportive services to address psychosocial concerns such as lack of housing and employment, civil justice concerns such as divorce and child custody, or debt resolution. **A case manager or service navigator is an essential element** of in the process of helping participants establish long-term success.
- Alcohol and Drug Testing – Many courts do not have **adequate funding to provide the recommended level of alcohol and drug testing** required for a successful VTC. Courts may also need additional funding to contract for testing on weekends and holidays in order to ensure fidelity of the model.
- Transportation – Veterans in rural areas often have difficulty accessing services due to challenges with transportation. VTCs may contract for transportation services if available.

#### New Mexico VA Health Care System (NMVAHCS):

NMVAHCS operates one main hospital location and 13 Community Based Outpatient Clinics (CBOC). The CBOC will be the primary access point for Veterans in Rural New Mexico. These Clinics are able to provide primary care health services and some in-person social work services depending upon the location. All CBOC can provide access to telehealth services for social work, psychiatry and psychology. All CBOC can provide referral to community-based specialty services. At times Veterans will need to receive services at the Albuquerque location

(main hospital), depending upon the service. Veterans living in the Albuquerque Metro area may have access to transportation support to get them to appointments at the Main VA campus, and there is also a CBOC in Rio Rancho.

Eligibility for Veterans Health Administration (VHA) services is governed by Congressional Legislation. As such, there are Veterans who are not eligible for healthcare services but will still be eligible to participate in a VTC.

**Veterans Justice Outreach Program:**

We are a team of 4 Licensed Clinical Social Workers and 1 Senior Peer Support Specialist. Our mission is to outreach to Justice Involved Veterans within jails/prisons, and court systems in order to connect them to available VHA and community services. VJO Specialists will be assigned to support VTCs. Currently VJO Specialists are supporting VTCs in Albuquerque, Alamogordo, and Las Cruces.

- VJOs can connect Veterans to all available healthcare and mental health care services within NMVAHCS, including Residential Treatment. Residential Treatment is appropriate for Veterans who are in need of more intensive and focused treatment episodes in order to establish recovery skills.
- VJOs can issue iPads to Veterans so that they may participate in tele-health and tele-mental health services from their homes.
- VJOs will provide case management support and access to available resources.
- VJOs will participate in VTC staffing and court sessions in order to provide support on site.
- The VJO Team offers in-person and virtual recovery skills groups weekly.
- NMVAHCS offers some housing services within New Mexico through a partnership with HUD, termed HUD/VASH (VA Supported Housing).
- NMVAHCS also offers employment support services and has a team of Veterans Employment Specialists available.

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