Veterans in the Justice System
Treatment of Violent Offenders

By Amy Farahватcher, Gay Garnett and Glennia Timney

The National Association of Drug Court Court Administrators has recently focused on a small subset of the justice system: veterans of America’s wars. This movement reflects one cross-section of an ongoing national effort to better understand and address the issues facing veterans as they come into the justice system. Others include the passage of sentencing mitigation legislation in several states, including California, Minnesota, Texas, and Ohio. Another set of legislative changes focuses on the use of specific tools to address the unique needs of veterans in the justice system. For example, the Federal Sentencing Guidelines Committee recently endorsed the use of “offender adjustment factors” for veterans who have been discharged under a dishonorable condition. This includes a substantial reduction in the sentence a veteran might receive for a crime. The court must have access to appropriate intimate partner violence screening and assessment to identify whether or not a veteran has a history of violence and a pattern of controlling behavior in intimate relationships that existed prior to deployment to a combat zone and whether or not a veteran has an abusive history as appropriate for inclusion in a veterans treatment court. For the most part, such screening and assessment and intervention with intimate partner violence offenders are who are veterans cannot be obtained from Department of Veterans Affairs (VA) facilities. These services, which are often most often have to be obtained from community-based programs, however, most community-based programs are not familiar with the issues faced by veterans. Community-based providers need training on the impact of combat exposure and how it relates to intimate partner violence. There must be better coordination between military and civilian agencies to ensure that service providers are aware of the needs of veterans. Additionally, VA efforts to reduce intimate partner violence are a challenge.

Joff Kichaven’s article, “Diverging from Traditions: Here’s Why” (August 13), in addition to being exceptionally well written, is a clear and specific problem (lack of diversity in mediation) and offers a novel solution. The article highlights that lawyers and mediators take this pledge: “In any case that involves a veteran who has advocated for criminal justice reform, the setting is a very complex one due to the intersection of military and civilian laws. Veterans in the military setting are not treated in the same way as civilians. They are required to follow specific rules and regulations that are not always clear. This article addresses the importance of understanding these rules and how they impact the veteran, the victim, and the court.

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Concerns Over Diversity in Mediation Offers New Solution

Nancy L. Vandenest
ITT Corp.

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