



Legislation Text

File #: Res 0503-2010, **Version:** A

Proposed Res. No. 503-A

Resolution urging the United States Congress to pass and the President to sign the Services, Education, and Rehabilitation for Veterans Act, also known as the SERV Act, which would provide grants to establish veterans treatment courts.

By Council Members Eugene, Cabrera, Chin, Comrie, Dromm, Ferreras, Fidler, Gentile, James, Lander, Palma, Williams, Rodriguez, Rose, Nelson, Arroyo and Halloran

Whereas, The United States Department of Veterans Affairs (VA) reports that thousands of recently returned veterans from the conflicts in Iraq and Afghanistan suffer from Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI) and other service-related mental and physical illnesses; and

Whereas, A RAND Corporation study found approximately 20% of service members and veterans screened positive for PTSD or depression; and

Whereas, Research conducted by the Drug Policy Alliance, a national organization that promotes drug rehabilitation policies, shows that soldiers with such underlying medical conditions often self-medicate by abusing drugs and alcohol as an alternative to seeking professional help; and

Whereas, Consequently, the Drug Policy Alliance reports that the single greatest contributing factor to the potential incarceration of veterans is substance abuse; and

Whereas, The Bureau of Justice Statistics (BJS), a division of the U.S. Department of Justice, determined that in 2000 there were more than 228,000 veterans in local jails and state and federal prisons, with nearly 400,000 on probation and 75,000 on parole; and

Whereas, The BJS reported that the controlling offense for 70% of veterans in jail was a non-violent crime; and

Whereas, According to *the New York Times*, in an effort to address the specific underlying mental health

issues such as PTSD that many veterans face, courts across the United States have begun to focus on alternatives to incarceration for veterans who are charged with non-violent crimes; and

Whereas, The country's first Veterans Treatment Court (VTC) began in Buffalo, New York in January 2008 in response to a pattern of non-violent, mostly drug-related crimes committed by veterans; and

Whereas, The Buffalo VTC uses the model of a "drug court" rather than a criminal court, and focuses on treatment and rehabilitation as opposed to jail time; and

Whereas, In July 2009, Brooklyn, Queens, and Nassau Counties established a Veterans Project based upon the Buffalo VTC to assist New York veterans charged with non-violent offenses,

Whereas, Veterans charged with non-violent offenses may participate in a VTC following the entry of a guilty plea and are offered the possibility of an expunged record upon completion of a program consisting of peer mentoring and professional mental health and/or substance abuse treatment; and

Whereas, The Buffalo, Queens, and Brooklyn VTCs have all reported that recidivism rates for participants is drastically lower than those processed through the traditional court system; and

Whereas, VA Secretary Eric K. Shinseki visited the Buffalo VTC and offered his support for the model, stating that he would like to find ways to further support alternative treatment methods for veterans in his role as Secretary of the VA; and

Whereas, According to the National Association of Drug Court Professionals, there are currently ninety-six VTCs in the U.S. designed specifically to deal with misdemeanors, drug possession charges, and certain felonies committed by veterans due to substance abuse or mental health issues resulting from military trauma; and

Whereas, U.S. Representative David Cicilline introduced the Services, Education, and Rehabilitation for Veterans (SERV) Act in May 2011 to support the growth of VTCs in the United States; and

Whereas, Under the SERV Act, only veterans who are non-violent offenders that served on active duty status and were not dishonorably discharged would qualify; and

Whereas, The SERV Act would permit the U.S. Department of Justice to award grants to state and local governments to aid in the establishment or growth of VTCs; now, therefore, be it

Resolved, That the Council of the City of New York urges the United States Congress to pass and the President to sign the Services, Education, and Rehabilitation for Veterans Act, also known as the SERV Act, which would provide grants to establish veterans treatment courts.

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