

VETERANS COURT

Serving those who served: Special treatment court coming for area military veterans



JULY 23, 2012 6:22 AM • [KRISTEN ZAMBO](#)
KRISTEN.ZAMBO@JOURNALTIMES.COM

RACINE COUNTY — A special type of intervention and treatment court for military veterans is in the works, which authorities say might have the power to curb the often revolving-door-style of crime and punishment some veterans face.

Instead, this new treatment court aims to address how veterans may land themselves before a judge in the first place.

“There’s not just a court process, but an integration of services to address the issues that brought them there. Those services are out there, but they are not coalesced in one particular (place),” Kenosha County Circuit Judge Wilbur Warren said. And what better place than the court system to connect them with those services, because “that’s how we found out they’re out there — they got in trouble.”

“In a general sense, the veterans come back damaged. Those in combat definitely,” Warren said. “We, as a nation, have a job to assist them with re-acclimating to society.”

Veterans Treatment Court would operate in Racine, Kenosha and Walworth counties, which comprise the 2nd Judicial District. While these veterans courts won’t be the first in Wisconsin, they’re a first in this region, proponents said.

Racine County Circuit Judge Gerald Ptacek said they hope to conduct the first session of 25 people in November, for Veterans Day.

“It’s critical to be able to get these individuals the help they need to become a productive member of society,” said Ali Nelson, veterans service officer with the Racine County Workforce Development Center, and himself a veteran.

If veterans receive that help, in the form of various types of treatment and U.S. Department of Veterans Affairs assistance with obtaining benefits and services for which they already may qualify, these men and women can become productive citizens, he said. By addressing the underlying problems, instead of simply sending veterans to prison or jail, the reasons they may commit crimes could be tackled, Nelson explained.

And that, in turn, can result in some veterans committing fewer new crimes, or none at all.

“It’s less money for us to spend (in the long run),” Nelson said.

However, no cost savings figures can yet be calculated, Ptacek said.

But in time, it should amount to fewer people spending time behind bars, he said.

In other counties and states in which these courts operate, “it reduced recidivism among those who complete the program,” Ptacek said. And “it reduces relapse. It’s applying an approach that’s different than a normal court proceeding.”

“The cost is giving up some rights and maybe pleading to some charges,” said Racine County Circuit Judge Eugene Gasiorkiewicz, who campaigned on the issue of bringing a veterans court to the area.

But the benefits could be huge, he explained.

Some veterans will have fewer contacts with police, land jobs, receive treatment and obtain necessary counseling for mental health issues and drug or alcohol addictions to reduce the chances they will re-offend, Gasiorkiewicz and Ptacek explained. That also would amount to cost savings for municipalities, counties, the criminal justice system and, ultimately, taxpayers.

Some proponents of this post-conviction program, to which veterans could be sentenced for some types of felonies and misdemeanors, laugh at the notion that such sentences will be “soft” on these criminals.

It won’t be hug therapy, they maintain.

“You can say compassionate accountability,” said Mary Jane Whitmore, a licensed clinical social worker and clinic director for Racine Psychological Services Inc.

While program leaders still are working out the final details and requirements, participants will have to go to court each week — for an as-yet-unknown period of time — during which a judge will receive a rundown of how well the veteran is complying with his or her treatment plan, therapy and other mandates, Ptacek said. They could face rewards and sanctions based on performance.

No money has been allocated for Veterans Treatment Court in Racine County, but program leaders plan to apply for grants. Donations may be made to Veterans Treatment Court in the three counties, as well, but details are not yet available. Despite the lack of funding, program leaders say they will work the weekly specialty court into their schedules.

This specialty court will focus on veterans deemed high-risk and high-need, Ptacek said. They must have a diagnosed alcohol or drug dependency, a diagnosed mental health issue or both, he said. And the veteran must have served in a military branch for at least 90 days, he said.

The treatment court is not restricted to defendants with non-violent offenses, Ptacek said, because that could eliminate men and women charged with domestic abuse.

However, veterans charged with a Class D or greater felony — including homicide, sexual assault and child abuse — will not be allowed in, he said.

“There’s a difference between violence as an expression of symptoms and (as) part of a

person's character," Whitmore said.

Conducting a specialty court isn't new in Racine County.

Its Alcohol and Drug Treatment Court began in 2006 for nonviolent offenders.

Although Ptacek said some participants happen to be veterans with alcohol or drug dependency, Alcohol and Drug Treatment Court does not include the added layer of direct contact with the VA in the form of agency social workers — to be called veterans justice outreach specialists — who can access a veteran's records, Ptacek said. Participants also will be partnered with a veteran mentor, who also is a veteran.

"It's a buddy system, if you will," he said. "They appear with the person in court, and work with them outside, as well. That mentor element is not there in regular treatment court."

That veteran mentor is a very distinct and critical component of the program, Gasiorkiewicz said. Those who have served in military branches share a special brotherhood, he said, and the mentor is integral to the person's treatment. Nelson said veterans often feel they can trust other veterans because of their shared bond of service.

"That makes it work," Gasiorkiewicz said. "The importance isn't that they're getting off, it's getting the help they need to become a productive person."

How it began

Last summer, a group from the 2nd Judicial Circuit traveled to Buffalo, N.Y., to check out what is known to be the nation's first Veterans Court, open to Erie County veterans charged with various offenses. They said they liked the program, and the benefits this type of program affords veterans and the community.

This past spring, a group of 10 local court officials went back for a five-day training session on how to operate a court for Racine County veterans.

Veterans face hurdles to seeking help

RACINE COUNTY — Sometimes, the toughest thing is to ask for help.

For soldiers returning home from war — some of whom have grown more accustomed to the battlefield than Little League baseball fields — acknowledging they need assistance to cope with the tragedies of combat and stresses of returning home to a vastly different life may be an even harder battle, some veterans say.

Therapy, plus assistance and various treatment programs, might help.

"You know, there's a lot of help available. All you have to do is pick up the phone and call the (Veterans Administration)," said Jim McKusker, commander of American Legion Post No. 79 in Burlington. But "that's the first step. They gotta want to help themselves."

However, some believe to do so could bring a sense of shame or dishonor, said Racine County Circuit Judge Eugene

Gasiorkiewicz.

“When these men and women come back, they’re ingrained as diplomats and warriors,” he said. “They don’t want to ask for help.”

That’s why Racine, Kenosha and Walworth counties are launching their first Veterans Treatment Court, officials said, to help military veterans who run afoul of the law. Through this post-conviction specialty court, to which veterans could be sentenced depending on the crime they are convicted of, these defendants will have to avail themselves of treatment and assistance programs offered by the U.S. Department of Veterans Affairs, local governmental agencies and private organizations. It is meant to treat the underlying cause, or reason, they broke the law, supporters say.

Dave Niesen, a charter member of the Racine/Kenosha chapter of the Vietnam Veterans of America, said he likes the concept.

“If a veteran is pulled over for, say like a DUI, or a domestic dispute, what will be taken into consideration is his enlistment and what has taken place during his enlistment, and any illness he got during his enlistment, or any mental problem or disability,” Niesen said.

Members of the military don’t always disclose the internal struggles they feel before their military service ends.

“They want to get out. They don’t always check off these disabilities,” Niesen said. “They won’t check off these disabilities — it’ll hold them up from getting back to their families.”

But when they return home, the transition can be rocky.

“Their attitude toward people changes. Their trust changes,” he said.

They’ve been conditioned differently while fighting wars, too, he said. They react in survival mode.

“They’re used to having one eye open,” Niesen said. “Noises and things can set off different alarms and they react.”

And if a friend died during their deployment, “they wonder ‘why him than me?’ They take a lot of blame on. They got all these things they’re thinking about,” Niesen said.

Such emotional battles can leave scars of a different kind.

“They try to deal with it themselves. The only ones who understand are other veterans. But they don’t want to be seen as weak,” he said. Instead, “they turn to booze and try to keep it to themselves.”

But through Veterans Treatment Court, “you take that monkey off their back,” Gasiorkiewicz said. “You can avail yourself of that (intervention and treatment), and it’s worked.”

Being directed to receive treatment should help some veterans, Niesen said.

“They’ll have people to talk to,” he said. “They’ll realize they’re not the only ones.”

McKusker said he thinks some veterans will like it. Others, however, might not.

“I would think some might think Big Brother is watching them. Some might consider it an

intrusion,” he said.

But they should at least consider participating, especially if it could reduce their sentences, he said.

“That’s part of life, making mistakes. It’s what you do afterward,” McKusker said.

How it began

Last summer, a group from the 2nd Judicial Circuit traveled to Buffalo, N.Y., to check out what is known to be the nation’s first Veterans Court, open to Erie County veterans charged with various offenses. They said they liked the program, and the benefits this type of program affords veterans and the community.

This past spring, a group of 10 local court officials went back for a five-day training session on how to operate a court for Racine County veterans.

[Top of Page](#) [Home](#) [Full Site](#)

© Copyright 2012, [JournalTimes.com](#), 212 Fourth St. Racine, WI