



# TEXAS VETERANS COMMISSION

*Helping Veterans Starts Here*



# Texas Veterans Commission

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Presentation to House Committee on County Affairs

Livingston, Texas

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The mission of Texas Veterans Commission is to advocate for and provide superior service to Veterans in the areas of claims assistance, employment services, education, and grant funding that will significantly improve the quality of life for all Texas Veterans, their families and survivors.

## ***Joint Charge with House Committee on Defense and Veterans Affairs***

Study the implementation of SB 462 (83R). Examine which counties currently have veterans courts, as well as veterans courts in other states, and determine how those programs are working and whether these courts provide additional services or resources for veterans. Make appropriate recommendations.

- Veterans Court Programs provide military veterans who enter the civil or criminal justice system, most often as the result of substance or drug abuse or mental health issues, caused or linked to injuries connected to their military service (PTSD, TBI, etc.), an alternative to jail or prison time.
- The courts were modeled after the drug treatment or mental health treatment courts first established two decades ago.

- In 2009, the 81st Texas Legislature passed SB 1940, authored by Senator Leticia Van de Putte, which incorporated SB 112 authored by Senator Rodney Ellis, and was codified as Chapter 617 of the Health and Safety Code and governs the establishment and implementation of Veterans Court programs.

- It allows the Commissioners Court of a county to establish a Veterans Court Program for Veterans or current servicemembers of the United States Armed Forces charged with any misdemeanor or felony offense if the Veteran or servicemember “suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, that...”:
  - 1) “...resulted from the defendant’s military service in a combat zone or other similar hazardous duty area; and
  - 2) materially affected the defendant’s criminal conduct at issue in the case.”
- If Veteran or servicemember successfully completes a Veterans Court Program, the court in which the criminal case is pending will dismiss the criminal action against the defendant after determining that the dismissal is in the best interest of justice.

- In 2013, the 83rd Texas Legislature passed SB 462, authored by Senator Joan Huffman
- Consolidated Texas statutes by creating a new Subtitle K within the Government Code where all relevant specialty court provisions are now located. These courts include:
  - Family Drug Court Programs
  - Drug Court Programs
  - Veterans Court Programs
  - Mental Health Court Programs

Changes to the specialty court programs include:

- 1) Established some oversight of specialty court programs by requiring them to register with the Criminal Justice Division of the Office of the Governor
- 2) Required courts to follow programmatic best practices in order to be eligible to receive state and federal grant funds; and
- 3) Modified the composition of the Governor's Specialty Courts Advisory Council to nine members and requires the council to recommend programmatic best practices to the criminal justice division.



- December 9, 2009, the first Veterans Court program in Texas commenced in Houston, with the Honorable Marc Carter presiding.
- Currently, there are 20 Veterans Court Programs operating in Texas as reported to the Criminal Justice Division (CJD) of the Office of the Governor (table on next slide).

# Veterans Courts Growth of the Programs in Texas

Judicial Circuit	Court Name	Primary County Served	Court Start Date	Presiding Judge
County Court #6	Veterans' Court Program	Bexar	9/1/2010	Honorable Wayne Christian
444th District of Texas	Cameron County Veterans Court	Cameron	1/21/2014	Honorable David Sanchez
296th District Court	Veterans Court	Collin	4/19/2013	Honorable John Roach, Jr.
Criminal District Ct #7	Dallas County Veterans Court	Dallas	9/1/2010	Honorable Michael Snipes
Denton County Criminal Court #3	Denton County Veterans Court	Denton	12/16/2009	Honorable David Garcia
County Court at Law #1	El Paso Veterans Mental Health Court	El Paso	3/7/2010	Honorable Ricardo Herrera
346th Judicial District	El Paso Veterans' Court Program	El Paso	02/13/2012	Honorable Angie Juarez Barill
Galveston County	Veterans Treatment Court	Galveston	2/11/2013	Honorable Mark Henry
County Court at Law	Guadalupe County Veterans Treatment Court	Guadalupe	12/1/2010	Honorable Linda Z. Jones
228th District Court	Harris County Veterans Court	Harris	12/9/2009	Honorable Marc Carter
County Court at Law #2	Hays County Veterans Treatment Program	Hays	3/15/2014	Honorable Linda Rodriguez
430th District Court	Hidalgo County Veterans Court	Hidalgo	8/4/2011	Honorable Israel Ramon, Jr.
148th District Court	Veterans' Court Program	Nueces	9/1/2010	Honorable Guy Williams
Tarrant County Criminal Court #9	Tarrant County Veterans Court	Tarrant	1/1/2010	Honorable Brent Carr
Smith County Criminal Court	Veterans Court Jail Diversion Program	Smith	11/1/2011	Honorable Randall Lee Rogers
County Court at Law #4	Travis County Veterans Court	Travis	11/1/2010	Honorable Mike Denton
County Court at Law #1	Veterans Court Program	Webb	TBD	Honorable Alvino Morales
406th District Court	406th Veteran's Treatment Court	Webb	08/01/2013	Honorable Oscar J. Hale, Jr.
341st District Court	341st Veteran's Treatment Court	Webb	08/01/2013	Honorable Beckie Palomo
County Court at Law #2	Williamson County Veterans Court Program	Williamson	10/01/2014	Honorable Tim Wright

- **Funding is a significant barrier to the expansion of Veterans Court programs**
  - **Office of the Governor, Criminal Justice Division (CJD)**

CJD is currently providing grants to the eight (8) counties in order to assist in establishing or enhancing Veterans Court programs
  - **Texas Veterans Commission Fund for Veterans' Assistance (FVA)**

Eight (8) counties have been awarded grants through the FVA's competitive general assistance grant process. These grants have been limited in size to assist in the initial cost to establish Veterans Court programs

- In addition to providing Veterans Court programs with opportunities for grants, TVC also serves to provide many resources and supportive services relied upon by Veterans Court programs. TVC representatives offer assistance to Veterans in Veterans Court programs which include:
  - Assisting Veterans in obtaining monetary VA disability benefits through the TVC's Claims Counseling and Representation Program;
  - Acting as a resource to the judge and court manager concerning VA benefits and services to assist the Veteran;
  - Facilitating enrollment into the VA health care system;
  - Seeking and obtaining employment;
  - Acquiring educational benefits through state or federal programs; and
  - Providing local points of contact for organizations that assist Veterans



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# **Veterans County Service Officers**

- The office of Veterans County Service Officer (VCSO) was established by Texas law (Texas Government Code Chapter 434, Subchapter B).
- Current statute requires each county with a population of over 200,000 to employ a Veterans County Service Officer. State law is permissive for those counties with a population under 200,000, they may employ a Veterans County Service Officer, but are not required to do so. (According to 2010 Census, 23 Texas counties have populations greater than 200,000)
- **No state funding is appropriated to Texas counties to support the implementation of this requirement.**

- The duty of these officers, according to current statute is "...to prepare, submit, and present any claim against the United States or a state for benefits to which the person may be entitled under United States or state law."
- In FY 2012, VA paid \$4.9 billion in compensation and pension awards to veterans living in Texas' counties.
- **These duties have not been examined or updated since actions taken by the 70th Texas Legislature in 1987.**



## THE LOCAL HUB FOR VETERANS SERVICES

