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Veterans Get Specialized Courts

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SANTA ANA - In Orange County Superior Court Judge Wendy S. Lindley's cozy courtroom, even the holding cage isn't too bad, according to a man who's been in it.

That fellow, Christopher J. Goff, said he actually looks forward to coming to court for his bi-weekly probation status reports.

Goff is one of about two dozen combat veterans with serious criminal law problems who appear Tuesday afternoons for Lindley's special veterans court calendar, where even those still-jailed offenders locked in the cage are more likely to hear encouragement than disapproval.

Lindley runs one of the country's small but growing number of special courts just for veterans, and one of only two - both in California - that accept those charged with violent felonies. One of the newest forms of "collaborative courts," these dockets strive to ensure veterans on probation get into and stay involved in psychological and substance-abuse treatment, find housing and obtain education.

Goff, a cherubic 23-year old who goes by "C.J.," has a five-year prison sentence hanging over him for bringing live grenades home from Iraq.

A former Marine, Goff readily concedes that hanging onto the grenades was a bone-headed move, and he pleaded guilty in June to having a booby-trap device. He was assigned to the veterans court program as a condition of probation.

Veterans court "removes all the apprehension you have about going to court," Goff said.

The 13-month-old program's goal, according to its mission statement, "is to provide an inter-agency, collaborative, non-adversarial treatment strategy for veterans in the criminal justice system who suffer from post-traumatic stress disorder, psychological or substance abuse problems as a result of having served in a combat theater."

The nation's first veterans court opened in January 2008 in Buffalo, N.Y. Now, nearly two years later, there are at least 17

of the courts scattered across the country, according to a list from the National Association for Drug Court Professionals.

In California, the Superior Courts in Santa Clara and San Bernardino counties have veterans courts, in addition to Lindley's in Orange County.

The collaborative treatment court judge in Los Angeles, Michael A. Tynan, said he would be interested in starting one when the L.A. court's financial situation improves.



Orange County Superior Court Judge, Wendy S. Lindley, presides over Veterans Court

Orange County's veterans court is located in Santa Ana's new "community courts" courthouse, where Lindley also presides over several other special "collaborative" calendars.

Veterans who come to the courthouse find not only offices for prosecutors, public defenders and probation officers, but also for vocational rehabilitation specialists, the county health agency, the sheriff, the mental health agency, the local legal aid society and the U.S. Department of Veterans Affairs. There also is a nursery.

The war-torn people who appear in veterans court have pleaded guilty to a myriad of criminal charges, including public drunkenness, driving under the influence and assault. They also all have served in a combat theater and suffer from post-traumatic stress disorder and related serious problems such as addictions, mental illnesses and traumatic brain injuries, Lindley said.

Lindley said she began thinking about starting a calendar for veterans because of all the veterans she saw during her homeless-court sessions.

The tipping point, however, was when a vet in her drug court program committed suicide after repeatedly dropping out of treatment for his post-traumatic stress disorder. That man needed special help from the VA and from other veterans who understood what he was going through and why, she said.

The court operates like most of the new specialty or collaborative courts around the country. Lindley and a team of

treatment and criminal justice professionals closely supervise each defendant, who must come back every one, two or three weeks, must accept responsibility and must complete assorted treatment and educational programs. In exchange, the defendants get congratulations, prizes and applause from bench and peers in court. After 18 successful months, their charges are dismissed.

On the Tuesday afternoon before Christmas, one veteran, identified as Carlos Lopez, read a letter describing all he'd learned in the program so far. He said that he'd had "enough fighting" in his life and that it was "time to stop hoping and waiting for something to change" and to change himself.

Lindley congratulated him for moving forward in the program.

Another defendant, Ruben Torres, who is on probation from a two-year prison sentence, said he hopes soon to get his driver's license. The judge warned him not to associate with a relative about to come out of prison.

Lindley told a Vietnam-era vet how pleased she was by his improved appearance now that he is off the street and in treatment. "What a difference ... You look so much better," she said.

After each defendant spoke, she also took reports from the probation officer and the VA representative who work with her court.

Compared to many of the addicts and mental patients on her other calendars, vets respond particularly well to the collaborative court approach, she said. They are used to discipline and structure. And most of them, when they speak at the courtroom podium, stand straight with their hands clasped behind their backs at parade rest, she added.

Veterans are different from other special-court defendants in another, more significant way: Because of their training and experiences, they feel set apart from other people and they have difficulty admitting weaknesses, particularly psychological problems such as post-traumatic stress disorder.

"Vets typically feel stigmatized by mental health problems," said Paul Little, the litigation director of Public Counsel in Los Angeles and a supporter of veterans courts. "There's a culture of disbelief.

"They need peers to say, 'That's bullshit,'" he said.

The special courts bring veterans with similar problems together. In Lindley's and many others, the defendants also are assigned "mentors" who are other combat veterans who serve as peer counselors.

Goff's mentor, Bruce Pilch, said he is available when Goff "just needs to vent ... as a sounding board."

Mentors and special courts are "something we didn't have when we came back," said Pilch, a Vietnam vet.

The poor treatment given Vietnam veterans is another reason to have the special courts now, according to Santa Clara Superior Court Judge Stephen V. Manley, who oversees the

veterans and other collaborative courts in San Jose. "There's no reason why we need to repeat the mistakes of the past," he said.

Manley's court, like Lindley's, accepts vets who have pleaded guilty to violent felonies.

Lindley's focus on combat vets stems from California Penal Code Section 1170.9, which allows vets who developed PTSD or similar problems in combat theaters to earn credit for time spent in court-ordered treatment programs.

Manley is working with Assemblywoman Mary Salas, the chair of the Assembly Veterans Affairs Committee, on a bill that would broaden the law's scope and boost veterans courts in the state.

So, too, is W. Scott Thorpe, the executive director of the California District Attorneys Association in Sacramento. Like most prosecutors, Thorpe is opposed to letting violent vets off the hook for their crimes. "How do you say to the victim, 'This event wasn't really very serious?'" he asked. Geoffrey Goss, the deputy district attorney who works in San Bernardino Superior Court Judge David S. Cohn's veterans and other treatment courts, agreed.

"In some cases, [veterans court] has been very, very successful. In some cases, it has not," Goss said. But as to violent crimes, "I stand by my judgment that those should not be here."

Manley and Lindley counter that they want to provide services to every veteran who can be helped. PTSD absolutely can be treated, Lindley insisted, so treating vets who've committed violent crimes protects society better than prison would.

"It's a tough issue," Thorpe said. "There's not a simple solution."

Lindley's veterans would disagree.

Shahab Mirzaeian, a 27-year-old former sailor on probation for drunken driving and felony drug-possession, suffered from crippling depression and post-traumatic stress disorder. Mirzaeian can't receive medical benefits from the VA because he was hustled out of the Navy just shy of two years' of service.

But now he is one year clean and sober and seems chronically ebullient. He just completed training to help others with mental health issues.

Mirzaeian said he has been in many court programs, but this one is the best. "Judge Lindley sees the potential in all of us," he said.

Goff also had high praise for Lindley and her veterans court staff. "Honestly, they saved my life," he said. "The person I was a year ago is totally different than the person I am today."

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