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“God, I hope it doesn’t fade out”: Team Member Perspectives on the Future of Veterans Treatment Courts

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Abstract

Despite their rapid spread over the last 15 years, little research has explored the perceptions of Veterans Treatment Courts (VTCs) team members regarding the viability and longevity of VTCs. The present qualitative study explores the perceptions of 145 VTC team members from 20 VTCs around the United States regarding the future of their own VTC and VTCs in general. Our analysis revealed four overarching themes about team members’ expectations and hopes for VTCs in the future: the need for continued funding and increased resources; desires to expand participation in VTCs; hope and uncertainty about the future of VTCs; and depending on specific people to ensure the future of VTCs. While interviewees in general felt quite hopeful and optimistic that VTCs *would* continue to exist and may even expand, there was unease about exactly *how* this would occur. These concerns included securing stable funding sources, maintaining ‘buy in’ from key individuals, and resource needs for expanding the participation and eligibility criteria of VTCs. Given the important role that VTCs can play in effectively supporting justice-involved veterans, and offering more benefits compared to a traditional justice-system response, it seems vital to ensure that VTCs are able to continue operating in the future.

Keywords

Veterans; Problem-solving Courts; Court Actors; Qualitative Interviews

The first Veterans Treatment Court (VTC) began operations in Buffalo, NY in 2008 as a policy response to “growing concern that US veterans have unique needs that are not

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being met by the criminal justice system” (Rowen, 2020, p. 78). Since then, VTCs have spread rapidly, and there are currently over 600 VTCs operating in the United States (U.S. Department of Veterans Affairs, 2021). A form of specialty court, VTCs provide services in a therapeutic court setting to individuals who are current or former members of the United States military who have been charged with eligible offenses. Various team members, including court personnel, mental health professionals, and representatives of the Department of Veterans Affairs (e.g., Veterans Justice Outreach Specialists, or VJOs) collaborate to address the criminogenic needs of veterans, while also meeting their housing, employment, social, medical, mental health needs (Shah, 2014).

Not all VTCs operate in the same manner. VTCs can differ from jurisdiction to jurisdiction in a variety of ways, including eligibility criteria; sobriety requirements; treatment services offered; the requirement of a ‘nexus’ between military service experiences, clinical diagnoses, and/or the charged offense; the involvement of veteran mentors in the VTC program; statutory authorization and/or regulations; sources of funding; and more.¹ While these differences can lead to unique opportunities and challenges for a given VTC in serving the local population of justice-involved veterans (JIV), it also can influence how VTC team member perceive the future of both their own VTC *and* the future of VTCs in general.

While research on specialty treatment courts to date suggests that “...unlike other correctional fads of the past (e.g., boot camp prisons, or scared straight programs), specialty courts do not seem to be showing any signs of going away or of even slowing down,” (Pratt & Turanovic, 2016, p. 379), despite ongoing debates on their effectiveness. There is minimal empirical research currently available evaluating the effectiveness of VTCs specifically. To address this issue, NIJ has recently funded a large-scale multi-site evaluation of VTCs, but the results of this evaluation will not be available for several years. In the interim, it appears that discussions of best practices in the design and development of Veterans Treatment Courts are based on the available research on the implementation and effectiveness of *other* specialty courts, most notably drug courts. Little research has been carried out that explores the viability and longevity of VTCs moving forward, or the perceptions of VTC team members on these issues. The present study explores how VTC team members from 20 VTCs around the United States perceived the future of VTCs in the short and long term, both in terms of their own VTC and VTCs in general.

Literature Review

The limited research on VTCs suggest a high success rate for participants, with recidivism rates found to be as low as 11% in some programs (Hartley & Baldwin, 2019; Tsai et al., 2018).² Additionally, VTCs have been linked to improvements in housing stability, connection to VA services, and mental health, substance use, and quality of life outcomes

¹For an overview, see Byrne et al, this issue.

²It should be noted that the evaluation research examining the effectiveness of VTCs is limited to a small number of quasi-experimental studies. While no systematic review of these studies has been conducted to date, our review of this research reveals that effects of these programs would be ranked as “unknown”, due to this evaluation shortfall. Recognizing the need for high quality evaluation research, NIJ has contracted with researchers from American University to conduct a multi-site RCT of the Veterans Treatment Court model. The results from this evaluation will not be available until 2027.

among veterans (see Knudsen & Wingenfeld, 2016; Herzog et al., 2019; Johnson et al., 2016; Tsai et al. 2016, 2018).

Irrespective of empirical research demonstrating the positive outcomes of VTCs, some scholars and team members endorse and justify the continuance of this veteran-exclusive programming for other reasons. For instance, some justify VTCs solely due to the *ethical* implications they represent (i.e., veterans deserve differential treatment in the criminal legal system and diversion from traditional punishment because their military service may have yielded lasting adverse consequences that contributed to their involvement with the law; Yerramsetti et al., 2017). Others posit that VTCs will sustain themselves because they serve an important *administrative* purpose beyond rehabilitation and reductions in recidivism: efficiency. Illustrating the latter point, Pratt and Turnovic (2019, p. 379) state the following:

“So the bottom line is that, yes, there was an ideological component to the development of specialized courts for drug offenders, but the influence of ideology was dwarfed by the desire for system efficiency. And as different kinds of specialized courts came onto the scene—veterans’ courts, domestic violence courts, mental health courts, and so on—it is clear that the primary job of such courts was to serve administrative purposes (the convenience of efficient processing) and that all other concerns (effective rehabilitation, reducing reoffending) would be secondary at best (Casey, 2004).”

Despite their successes and the various justifications for their continuance, VTCs face a variety of challenges that may adversely impact their future. For example, critics of VTCs suggest that eligibility criteria are too restrictive (i.e., requiring certain military discharge statuses, combat experience, establishment of the nexus, VA healthcare benefits, less severe mental health diagnoses), such that those justice-involved veterans who warrant the most support are also those most likely to be prohibited from program entry (Holliday et al., 2023; Johnson et al., 2016; Yerramsetti et al., 2017). An implication of selective program eligibility, lengthier and more intensive/rigorous court supervision compared to traditional court case processing, and the potential for harsher sentencing if unable to successfully complete the programming (Yerramsetti et al., 2017), is that veterans may be prohibited or deterred from voluntarily participating in VTCs. Consequently, program sizes may dwindle, potentially decreasing the need and demand for VTC programming in the longer term.

Another factor influencing the sustainability of VTCs is maintaining sufficient funding from stable sources. VTC personnel have noted difficulty in securing sufficient resources to sustain their programs and to meet the needs of their participants, such as the cost of mandated treatment services (Easter et al., 2021). While some VTCs may receive federal grant monies to provide their veteran participants with medications for opioid use disorder (MOUD) and other essential services, the vast majority of these funding streams are time limited, and even with such funding, court participants may be required to take on a portion of the treatment costs (Easter et al., 2021). Some federal reforms have been instituted to provide more permanent funding sources, including Congress enacting the Veterans Court Coordination Treatment Act of 2019 to facilitate the organization and dissemination of federal funds in pursuit of expanding VTC programming (Veterans Court Coordination Treatment Act of 2019). According to survey participants attending a conference and

training event for treatment court professionals, state-level policy reforms that prioritize Medicaid expansion and continued state investments are important contributions to the sustainability of specialty courts, including VTCs (Easter et al., 2021). While the majority of respondents believed the programs were effective and important alternatives to incarceration and other punitive approaches within the criminal legal system, the deficits in funding (especially regarding health-related services for veteran participants) was the greatest barrier to continued operations and reduced recidivism within VTCs (Easter et al., 2021).

However, beyond issues of funding, VTCs are also often limited in terms of the availability, breadth (i.e., medical, mental health, substance use), and nature of the services they provide (i.e., lacking veteran-centered services), which influence factors like time-to-treatment and how court participants perceive treatment effectiveness and the quality of VTC programming (Kras et al., this issue; Shannon et al., 2017). Given that veterans are more likely than non-veterans in the criminal legal system to present with trauma disorders and are at high risk for substance abuse (Landolfi and LeClair, 1976; Yerramsetti et al., 2017; Stacer and Solinas-Saunders, 2020), often produced by prolonged exposure to repeated deployments (Burns, 2010; Tanielian, 2008), efficient and effective treatment options are essential to the success of VTC programming. However, the specialized treatment services provided by VTCs are often limited (e.g., MOUD, intensive outpatient treatment), especially for veterans with complex needs like severe mental illness substance use disorders, and/or co-occurring disorders (DeMatteo et al., 2013; Easter et al., 2021). According to Easter et al. (2021, p. 1473), “Respondents cited problems of insufficient provider capacity and quality. Many specialized services—MAT [medication assisted treatment], intensive outpatient, residential services, co-occurring disorders programs, and programs that address criminogenic needs—are in very short supply and unevenly distributed in nonmetropolitan areas.”

Further, treatment engagement among veterans may be predicated on whether veteran-centered services are readily available for VTC participants (Kras et al., this issue). Prior research suggests that few VTCs emphasize programming that considers the contexts of military service and socialization, despite the seemingly positive impact on veterans engaging in and completing treatment programming (Ahlin & Douds, 2015; Kras et al. X, this issue). This challenge is compounded for veterans who are ineligible for VA benefits, such as those with “other than honorable” (OTH) or dishonorable discharges (Yerramsetti et al., 2017). According to Tayyeb and Greenburg (2017), an increasing number of veterans since 9/11 are being discharged from the military with statuses that disqualify them from receiving Veterans Affairs (VA) benefits that entail healthcare, education and housing support, and other resources. Some VTCs will exclude veterans whose discharge status prohibits VA healthcare coverage, especially those that rely almost exclusively on VA funding (and not community-based resources) to service their veteran participants and sustain their programming. This effectively reduces the reach and size of these programs, potentially negatively impacting their future sustainability.

Another consideration for the expansion and sustainability of VTCs is the existence of statutory mandates. On one hand, statutes may be especially prohibitive for some programs in certain states. For example, statutory language that explicitly requires all VTC participants to have been honorably discharged may make programming highly

restrictive and exclusive (see Rapisarda et al., this issue). On the other hand, specialized court programming is designed to divert participants away from incarceration, accentuating therapy and rehabilitation over strict ‘crime control,’ which in turn allows judges and other court team members to reclaim some of the discretion otherwise lost to mandatory sentencing structures (Burns, 2010). Consequently, VTC programs may expand their reach and have more flexibility in not only who enters, but also how interventions and sanctions are administered (Burns, 2010). To this end, the Council on Criminal Justice (2023a, 2023b) recommends not only improving the definitions and the process of identifying JIVs to expand and sustain VTC programming, but also to have veteran status considered in sentencing outcomes even when they are ineligible for VTC and related programs due to discharge status.

Finally, like the success of any program, its expansion and longevity rely on the personnel that run them. Research to date has documented increased workloads due to the very existence of VTCs, compounded by issues of staff turnover (Shannon et al., 2017), which directly impacts the bandwidth and growth of these programs. Indeed, while staff turnover impacts *all* court processes, it can be especially detrimental to the identification and referral processes, which may restrict the size, growth, and longevity of these VTCs (Baldwin, et al., 2018). VTCs with low enrollments may find it difficult to justify their continuation to policymakers who are weighing competing funding requests for limited resources.

Current Study

The current study examines team members’ perceptions of the future of VTCs, both for the team members’ own VTC and for VTCs in general in the United States. To do this, we conducted 145 interviews with key team members from 20 VTCs around the country, including attorneys, judges, probation officers, other court team members, and clinical personnel. Below, we outline the methods of our study, before proceeding with the results.

Methods

The current study is part of a larger project focused on documenting and understanding the nature of VTCs inner workings and collaboration with various entities (e.g., community service providers, the VA).³ An in-depth description of the methods can be found in related papers from the same project (Byrne et al., this issue). This project involves a qualitative approach, wherein in-depth interviews were conducted with 145 team members from 20 VTCs across the United States.

Researchers adopted a thematic analysis approach to coding the interview data, which included deductive procedures based on the semi-structured interview protocol followed by inductive coding through iterations (Braun & Clark, 2012). Codes from the broader project include service delivery, eligibility, perceived veteran needs, and more from the perspective of VTC team members. For the current analysis, we focus on information coded in relation to discussions about the future of VTCs, both in terms of the interviewee’s specific VTC, and VTCs generally in the United States. The first and second authors engaged in an

³The current research project was approved by the George Mason University Institutional Review Board (09132022).

iterative, focused coding process to accommodate inductive codes that emerged through the initial coding process to discern more specific and nuanced themes (Locke et al., 2022). Specifically, whenever interviewees discussed the future of VTCs, it was assigned the code Future of VTCs. When appropriate, the comment was also assigned a subcode depending on whether the context of the comment referred to the relative short term (e.g., within the next 10 years) or long term (10 year or more) future of VTCs. We then produced analytic memos reflecting the larger themes emerging from this round of coding, which were collectively reviewed by the entire research team to produce the final iteration of the findings.

Findings

Understanding team member perspectives on what the future may hold for Veterans Treatment Courts (VTCs), both for participants' specific VTC and as a type of specialty court overall, is important to fully understanding the VTC model, and potential opportunities and challenges moving forward. Our analysis of 145 interviews across 20 VTCs revealed four overarching themes about what team members expect, or hope for, regarding VTCs in the future. These four themes reflect: the need for continued funding and increased resources; desires to expand participation in VTCs; hope and uncertainty about the future of VTCs; and depending on specific people to ensure the future of VTCs.

These themes are useful not only for understanding team member's perspectives on the current and future operations of VTCs, but also to help identify important challenges or opportunities to continuing or expanding VTC operations going forward. Throughout the findings, we present the quotes verbatim to preserve the tone and language of the participants.

Show me the money: the need for continued funding and increased resources

Many team members noted the importance of maintaining and/or increasing both the amount of funding and the overall level of resources available to VTCs. In many cases, this discussion focused on the danger of potentially losing a primary funding source for the VTC, such as a grant, and the need for stability in funding and resource streams moving forward.

The future of VTCs depends on stable funding sources—There was a common perception among participants that without a stable funding source, VTC operations would be heavily disrupted, if not discontinued entirely. Some noted that while reduced funding may still allow the VTC to operate to some extent, it would mean cutting certain VTC staff positions, having some screening tools not be available, and/or substantially reducing the number of participants in the VTC.

“There’s a lot of stuff working against us, and if the funding were not to be renewed, our program would run ‘cause I’m a state job. The two case managers are a state job, but the peer recovery specialist and the community liaison are grant. If the state didn’t pick those up, those would go and we wouldn’t have the screening tools to use for our tox screens, the remote breathalyzer, anything like that and we would not be able run the program successfully.” – *Court Coordinator, Site 14*

“I don’t see our standard of who we accept changing very much unless I do not get funding from the county and then we’re gonna have to cut a third of our clients and not let them into veteran’s court and they’re gonna have to go to some other court, which would be heartbreaking to me.” – *Court Coordinator, Site 18*

While stable funding would seemingly solve many of the potential problems facing VTCs, both now and in the future, one District Attorney acknowledged that this is complicated by political realities surrounding taxation and budgeting decisions.

“Long term, money’s the solution. I just don’t know—I mean, I know it’s out there. It would just require taking money from other people and taxing large corporations, but politics is rough.” – *District Attorney, Site 1*

Thus, there is not only the issue of ensuring stable funding for VTCs, but also an explicit understanding that politics can play a big role in *whether* VTCs are funded or not. This is particularly important given the short and long terms effects of the COVID pandemic on the economy *and* state budgets. In some cases, vital funding and services came from sources outside of the traditional state budgeting system, such as from the VA itself.

Reliance on the VA for funding and services—Participants noted a heavy reliance on the VA itself, primarily for providing vital services to eligible veterans participating in the VTC. Indeed, interviewees noted that VA collaboration (and the provision of services) was necessary for the VTC to continue operating successfully and serving the most clients. Without such support from the VA, the VTCs would see substantial disruption to their ability to provide veterans with a full range of treatment services, and costs for services not provided by or funded by the VA might need to be paid for by the veterans themselves.

“[The VTC will be around] as long as the VA is there. If we removed VA, the services would come out of pocket for clients. Right now, most clients are at least 80% service connected.” – *VJO Specialist, Site 7*

“We got a [federal] grant that’s for three years. It helps a lot. It helps tremendously because we’re trying to wean ourself off of the state stuff, get it down to minimum stuff. We can do that if we can get the VA to give us more services. If we get the guys—I can’t make the guy go there.” – *Judge, Site 4*

“I do [think VTCs will be around long term]. I really do. I’m hoping that these outside treatment agencies, it’s gonna be easier to get the VA to cover—the VA has a lot of money. It’s like, come on, guys. Help these people out. I do see it in 10 years because it’s progressed like it has to this point in a positive. I truly believe that.” – *Court Coordinator, Site 9*

Desire for VTCs to increase program and service offerings—Some interviewees discussed not only the reliance on the VA for funding and services, but also the desire to increase the other types of programs and services provided to VTC participants. These took the form of transportation services as well as various types of substance abuse programming.

“I think one of the things that they [the VTC] also need to do is there really has to be a transportation component in these courts.” – *Probation Chief, Site 20*

“I would definitely like to grow into us [DRUG AND ALCOHOL TREATMENT PROGRAM] being a bigger part [of the VTC]. We’ve been having meetings with the local health network. We’re looking at in an MAT [MEDICATION ASSISTED TREATMENT] doctor in here as well as psych hours here, when we do this partial program, which would definitely open up the door to provide more of them services.” – *Treatment Program Director, Site 8*

If federal funding was lost, someone would step up to fund VTCs—Some participants voiced their belief that if their VTC somehow lost federal funding, a replacement source of funding would be found. Given the fact that the most recent proposed FY2024 Budget⁴ includes a reduction in federal spending for Veterans Treatment Courts from 35 million (in 2023) to 25 million (in 2024), we may soon find out whether team members predictions were accurate. This was typically grounded in beliefs about the public’s perception that veterans are an important group to support.

“Well, I would like to think that all treatment courts would continue even if federal funding disappeared. I think if any—the court that stands the best chance at sticking around is veteran’s court. Because I think across the country, certainly in [STATE], and I think a lot of other places, too. Look, we know what our soldiers have been through. We’ve seen it like no other era before in terms of what they’ve done.” – *Prosecutor, Site 5*

[In response to a question about what might happen if BJA funding goes away] “I think that states would absolutely step up to the plate [with funding] and recognize that we asked a lot of them [the veterans].” – *Prosecutor, Site 5*

“At least from the current district attorney’s perspective, from my understanding, I think that even if there wasn’t a larger funding pool that they would want to figure out some way to keep that going here.” – *Public Defender, Site 13*

While this hopeful attitude is likely useful in getting interviewees through their day-to-day routines working in the VTC, it is not clear how realistic these hopes are. That is, in the face of dramatic state budget cuts and multiple potential programs all jockeying for limited resources, it is simply not guaranteed that VTCs would automatically be protected and funded over other high-priority programs.

Widen the VTC Support Net: Desires to expand participation in VTCs

In discussing the future of VTCs, many interviewees noted ways that the VTC should expand participation through a variety of methods. These methods include not only broadening the criteria for veteran eligibility, but also increasing efforts for the identification and screening of potential VTC participants who are in the justice system, as well as increasing the overall awareness of the VTC program. These views match the first recommendation in the report on justice-involved veterans by the Council on Criminal Justice (2023b, p. 5), to both improve the processes of identifying veterans in the criminal justice system and to adopt a uniform definition of ‘military veteran.’

⁴See https://www.justice.gov/d9/2023-03/ojp_fy_2024_presidents_budget_final_draft_clean_3.17.23.pdf

Expanding to cover more veterans —Interviewees noted desires for the VTC to increase not only the overall number of participants, but also broadening both the types of veterans and the types of crimes that would be eligible for the program.

“I’d like to see every veteran on their first misdemeanor coming to this program, getting the services they need in this program.” – *Public Defender, Site 1*

“I think that it’s going to be increasing in numbers and dealing not only with the misdemeanors but probably with other type of crimes. I think it’s going to increase.” – *VA Treatment Provider, Site 2*

One interviewee noted that future expansion would likely occur not only in VTCs, but across the full range of specialty courts.

“I think that with the way that there’s not as much help in prison, this accountability court—not only Veteran’s Treatment Court, but all the accountability courts—will have to be expanded. I think if we have a lot of people that are coming in that are innovative, not just in our county, but people that are investigating innovative ways or creative ways to expand it, I think it’ll be expanded in all accountability courts.” – *Prosecutor, Site 4*

Expansion requires better identification and screening of eligible veterans

—Yet in discussing future expansion, interviewees also noted the need to have better identification and screening procedures. These would assist not only in identifying potentially eligible veterans, but also screening for those veterans and cases that have the best chance at succeeding in the VTC program. This implies a balance between expanding participation in the VTC to more veterans, while also still screening out those individuals who are unlikely to succeed in the program, including those with other than honorable discharges (OTHs).^{5 6}

“We average about five veteran arrests a day. If we could get the majority of those into our veteran’s court, I do think we could rapidly expand. It’s just a matter of getting those people identified and making sure that everyone involved is educated about veteran’s court.” – *Prosecutor, Site 3*

“I think that now, with this new policy that they’ve done, with alerting and getting more people referred, the judge won’t have any choices but to start accepting more people.” – *VJO Specialist, Site 3*

“Whenever a person is unsuccessful in these kind of programs, I think it’s because they don’t self-realize, and then we try to push a little bit too hard. I feel like with those OTHs, that would probably be a barrier or a fence that we’re gonna have to push through. That’s why at least if we are going to expand, it’s gonna have to be a narrow group of OTHs and maybe the vetting process is gonna have to be a little

⁵In this regard, it seems clear that you would not expand the target population of veterans to those seen as most likely to fail in the program without first considering that they might fail because of one or more program requirements, such as zero tolerance substance use policies.

⁶OTH: other than Honorable Discharge. For an overview of discharge status, see Hummer et al., this issue, and Veterans Legal Clinic at the Legal Services Center of Harvard Law School (2016).

bit deeper to identify those people who would be successful. Then once we sort of see that and start to get some success rate with those OTHs, maybe word in the community can start to go out and we can start to expand it further. I think I would like to see it expand, but I do think it's gonna have to be a slow process and a very narrow process to begin with." – *Assistant District Attorney, Site 6*

Expansion requires increased awareness of the VTC program—As part of the increased *identification* of eligible veterans, interviewees noted the need for increased *awareness* of the VTC program among a broad swath of team members. The belief was that if more individuals (veterans or otherwise) knew about the VTC program, participation would naturally increase.

"I think it's just a matter of just educating and letting everybody know that this is probably their best available option." – *Prosecutor, Site 3*

"Also, it's just we have to touch as many people as possible. That's why I feel like we need to get the word out more" – *District Attorney, Site 1*

One interviewee noted that while they felt their own VTC would continue, they did not know how they could increase participation from veterans in their area, or even if there *was* a need for expansion. In other words, they were unclear whether there would be an increased need in the future, or if the VTC was already effectively identifying and serving veterans in the area.

"Yeah. I believe it will last. For our area, I don't know how we can reach more veterans and the thing is maybe the veterans are not getting in trouble in our area to be offered treatment court." – *Community Treatment Provider, Site 5*

Optimism and regret about future expansion—One interviewee's optimism that VTCs would continue to expand was tempered with regret that such an expansion would even be needed. This taps into an underlying conflict of the justice system itself, in that while the short-term goal is to increase participation to effectively serve all those who are eligible, the long term societal goal might be to reduce the *need* for programs like the VTC.

"On the one hand, I wanna see it treating more people. On the other hand, I want it to not have to treat more people. I want it to just not need to be bigger. I wanna see people out of this system completely as much as we can." – *Public Defender, Site 1*

I've Got High Hopes... I Think: Hope and uncertainty about the future of VTCs

Many interviewees expressed hope that their VTC, or VTCs in general, would continue in the future. However, these hopes were typically mentioned with either justifications for such hope, or with caveats tempering the extent of such hope.

Hopeful because of a belief that VTCs are important—Some interviewees notes that they were hopeful VTCs would continue simply because they believed VTCs were important and needed for society.

"I am a strong believer, a true believer in veterans court, and I hope it continues." – *Assistant State Attorney, Site 2*

“Well, I certainly hope it won’t fade away, and I think it’s so important.” –
Assistant State Attorney, Site 2

“I really hope it’s not a fad. I guess I’m young, and I’m trying to look on the bright side and all this. I personally think these types of courts are the way that we should be going, interagency, working together to help somebody get services. At the end of the day, that’s what a lot of people in custody need, is access to services, and they don’t have it.” –*Public Defender’s Office, Site 11*

Hopeful because VTCs serve a unique and continued need—Other interviewees mentioned that VTCs served the unique and continuing needs of veterans. This included noting the expectation that VTCs would continue as long as the population of justice-involved-veterans continued, which was largely ensured due to recent conflicts.

“I hope so. I think it will as long as we—’cause of course certain areas have more of a population. As far as [COUNTY], as long as there continues to be a population, then yes, I think it will be.” – *Court Coordinator, Site 4*

“Oh, I certainly hope so because we got a lot of guys from the last two wars who have a lot of issues, and they’re gonna be around.” – *Mentor Coordinator, Site 14*

In one case, an interviewee noted that VTCs provided a clear difference from other types of specialty courts in terms of serving veterans’ needs.

“I have other forms of diversion and mental health that don’t involve veterans, and I can tell you, there is a clear difference in that connection, and so they benefit from being together, even if it’s remote, and hearing the progress each one of them is making or where they’re falling short. They care about each other, and because of this connection to their military service, so I would hope we wouldn’t lose that because I think there’s a lot to their healing and participation because they’re together.” – *Judge, Site 1*

Expansion is desired, but other forces make things very uncertain—Not all interviewees were entirely optimistic about the future of VTCs. Some noted that while they would like to see expansion, there were societal, economic, and political forces that may constrain any expansion plans, or even cast doubt on whether VTCs would continue.

“I think right now expansion or anything like that, I don’t know where this is all gonna end up going with the way our economy is and everything that’s going on.” – *Court Coordinator, Site 8*

“Our justice system has been completely turned on its head in [STATE], and we are struggling to maintain some semblance of sanity. I’ll just put it that way. It is a daily struggle. [...] Frankly, it’s kind of a shitshow right now, so I don’t know [if VTCs will be around in the future].” – *Prosecutor, Site 10*

“I would say that because of how political these things are, I’m not so sure. I think right now in this climate, I think veterans courts are pretty secure at least in my purview of what I work with. To project what will happen several years from now, I would say probably yes, but I think if I take a page out of what I’ve experienced

with mental health court and even with veterans court, I think there's going to be political forces that go back and forth that will inform these courts and how they're funded and how willing people are to fund them." – *Probation Officer, Site 5*

"Hopefully it's bigger. Hopefully we're encompassing more veterans. Hopefully our statutes are a little bit broader to allow for more relief. What about the case they got and they didn't know about veterans' court but they should have? That would be nice. Hopefully better known in the community. I think, though, that the opposite might happen. [The VTC] might be smaller. They might be less well-known, and there might be less of a demand. We're seeing that in some areas just because the war has ended for now. The internal wars a lot of our folks are fighting at home are still goin' strong, and they're gonna need the help, but I think as time goes on, that's gonna dissipate. I don't know what's gonna happen next month in [LOCATION]. They might be keepin' us in business. I don't know. I hope not. I think there'll still be need to 'em." – *Prosecutor, Site 16*

One interviewee summed up their tempered optimism with this concise response:

"God, I hope it doesn't fade out." – *Deputy Public Defender, Site 18*

Hope, but tempered with pragmatism about continued funding and participants—In other cases, interviewees express hopes that were tempered with a lack of certainty about continued participants and/or funding availability.

"I guess it's gonna depend on the veteran population and where it's at in 10 years because if it's a Veterans Treatment Court, it's obviously specific. If you don't have the people to utilize it, then it may not be [around in 10 years], but right now I think it's a successful program, and I think that we have the right people doing it. As long as we have veterans that can apply and are eligible for it, and we can help them because we all know the underlying reasons are there, then we should do it." – *Assistant Director (County VA), Site 8*

"I hope so because I do think and believe wholeheartedly that it is beneficial. It's much needed. Now, as you know, when it comes to sustainability, people look at numbers. Each court, especially if it's grant-funded, I believe they are required to have a certain number of veterans to sustain the grant money. It also depends on once the grant money, whatever the contract time period is, has run out if the county or city or whatever will pick up that cost. It just depends on how important the county thinks this service is to their constituents." – *VJO, Site 4*

Shark Tank Revisited? Needing buy-in to ensure the future of VTCs

Many interviewees noted that the future of VTCs depended on buy-in from specific people either involved in the VTC process itself, or who provided political support and/or financial resources. The list of 'key players' included judges, district attorneys, politicians, and in one case, mentors.

Investment from judges—Multiple interviewees mentioned the importance of judicial buy-in for ensuring the continuation of the VTC. In particular, these responses indicated that

their VTC continues primarily because the current judge or chief justice is a strong believer in the VTC model, and it would continue to operate as long as that judge was present.

“We have all sorts of specialty things popping up and our chief justice is certainly a proponent of problem solving courts. I think as long as she’s around we’ll stick around here. They send us out new tallies of how many problem solving courts have started in [STATE] and how proud they are of that. It could be a flash in the pan, but I hope not because I really do think it helps people on all levels.” – *Judge, Site 7*

“I will say yes, and here’s why. Number one, Judge [NAME] loves this court. She loves doing this. As long as she’s on the bench—even so, what I’ve noticed is judges like to have something named after themselves, something that they’re doing.” – *Prosecutor, Site 7*

“I think in particular we’re seeing the judge’s investment in this being a critical component to criminal justice.” – *Case Manager, Site 1*

One judge broadened this list to not only include judges like themselves, but also other key court personnel, and particularly the District Attorney, as vital to the continued operation of the VTC.

“I think that if the judges are committed to it, and the court is committed to it, the DA is committed to it, it’ll be around a long time, a long time.” – *Judge, Site 4*

Investment from District Attorneys—Like the last quote suggests, the list of key players keeping a VTC running with their buy-in was broader than just a supportive judge. Two attorneys noted specifically that District Attorneys were vital to the continued operation of VTCs. Specifically, the indication was that if DAs stopped believing in the utility of VTCs, then that factor alone would the future of these courts would be much more uncertain.

“I hope so. I think it lasting is unfortunately may be dependent on someone on the DA’s office and their feelings as to its usefulness and utility. I certainly hope so for our clients and I certainly hope so.” – *Public Defender, Site 13*

“I hope it continues to flourish. Again, I also think it depends who’s in charge of the administration. I know that right now, those of us in collaborative courts at the DA’s office are real believers in collaborative courts. We’re big proponents of them and we believe that they’re effective and very necessary. I don’t know if that will change over the years. I hope not.” – *District Attorney, Site 18*

Investment from politicians—Another interviewee pointed out that support from politicians would be vital to the future of VTCs. While they noted that being ‘pro-veteran’ was an easy political stance to take, this is also aided by wars that have been fought over the last two decades that produced a large veteran population for local politicians to cater to.

“That, of course, translates to, like you said, politicians campaigning on being pro-veterans. That’s especially relevant in the last 20 years because of the wars. It all funnels up to that point where it becomes political and about campaigning

on certain things than actually delivering on managing those resources. My guess is, yeah, [COUNTY]'s got enough veterans where the politicians campaign on it. They're constantly talking about it, so makes it—makes the program easier to sustain.” – *Probation Officer, Site 12*

Investment from the next generation of mentors—One interviewee lamented the lack of new, younger mentors becoming involved in the VTC. Specifically, they noted the current mentor population was continuing to increase in age, without a clear source for new mentors to replace those that leave the program.

“We can see the writing on the wall. We have a number of mentors who are retired attorneys, who are also veterans. I was just noticing one coming into court last week, and he's moving very gingerly and very carefully. Over the five years, I've watched this gentleman tremendously age. The writing is on the wall for a number of them. They needed to take a break. [...] We definitely have to recruit, but [NAME] and I are old folk. How are we gonna recruit some of these younger mentors? That's a conundrum right now.” – *Mentor Recruiter, Site 18*

Discussion

The overall takeaway from these interviews is that even though most participants fully expected that VTCs would continue to operate in both the short and long-term future, there was not a clear agreement either that this future was guaranteed, how VTCs would change over time, or what would be needed to keep them going. Instead, participants noted not only the need for continued stability in funding, but also needing increased resources overall, both to better serve existing clients and for future expansion efforts. In some cases, interviewees were confident that even if federal funding were to decrease or stop, *someone* would step in to continue funding what was seen as a vital resource for justice involved veterans, particularly given the ‘easy political win’ that VTCs represent.

In terms of beliefs about future expansion, interviewees noted different ways that VTCs could better serve the justice-involved-veteran population. One idea involved expanding eligibility options for veterans accused of a variety of crimes and with a variety of backgrounds. Yet this raises questions about balancing efforts to increase eligibility and better serve justice-involved veterans, without unduly causing ‘net widening’ and the resulting negative consequences it could cause to individuals. For example, net widening might take what otherwise would be a relatively minor offense, punished with a small fine, and turn it into a higher-stakes, more resource-intensive VTC process. The VTC process not only could take months or years to successfully resolve, but failure could lead to more detrimental consequences than what was originally facing the justice-involved veteran. Yet this may still represent a better option than other diversionary specialty courts, as Herzog and colleagues (2019) found some VTC participants chose to go through the VTC process instead of drug court because they perceived VTCs as inherently more lenient and less prone to failure.

In other cases, interviewees noted that expanding the VTC required not only better identification and screening of eligible veterans by VTC personnel, but also increasing the

overall *awareness* of the program itself in the community. Influencing these actions is also the timing of the VTC process, specifically whether it operates as a pre-adjudication, a post-adjudication model, or both.⁷ This timing has important impacts for not only when veterans would be considered by the VTC, and how that would influence awareness campaigns, but also what potential benefits a veteran might see from their participation (e.g., sentencing reductions vs. case dismissal). Indeed, Holliday and colleagues (2023) suggest placing more focus on veteran-specific programs that would intervene earlier in the justice process (e.g., pre-plea), rather than as a diversion from incarceration. Further, the Council on Criminal Justice (2023a) recommends jurisdictions create laws allowing justice-involved veterans to file for expungement of their criminal records after successfully completing some form of veteran-specific programming. While we do not compare views between team members in pre- and post-adjudication VTCs in this manuscript, we plan to explore this issue in future research.

Many interviewees pinned their hopes that VTCs would continue in the future on perceptions about the importance of offering a specialty court that served the unique (and continuing) needs of the justice-involved-veteran population. While this veteran population was generally seen as currently stable, due to the impact of recent conflicts, there was also some uncertainty that this population would remain stable in the longer term, and/or that the funding for VTCs was always guaranteed to come through.

However, underlying all of these perceptions is the ultimate (albeit elusive) goal of no longer needing *any* VTCs, due to veterans' treatment and service needs being fully served by the pre-or-post separation programming offered by the DoD and/or VA *before* they become justice-involved. While perhaps unrealistic to expect VTCs to become entirely obsolete, investing more resources to programming for newly separated veterans *prior* to judicial involvement might show broader benefits to the veteran population overall compared to post-judicial-involvement investments. However, this should not be seen as a zero-sum game. Any increase in resources devoted to military-separation programming, meant to help keep veterans from becoming justice-involved, should not result in reduced funding for existing VTC programs that are designed to help veterans who *do* become justice-involved.

Finally, interviewees identified several specific positions that were perceived as needing 'buy in' to ensure the future of VTCs. These included buy-in from judges, DAs, as well as politicians. Further, one interviewee noted the aging population of mentors in the VTC, and expressed a need for the 'next generation' of mentors to become involved in VTC for the mentoring program to be able to continue to operate effectively. As mentoring has been found to be a key component in what makes a VTC successful (see citations to this issue TBD; Herzog et al., 2019), the aging mentor population means there is a constant ticking time bomb that VTCs must deal with to ensure their future success. Overall, this broader theme touches on a number of issues highlighted earlier, including increasing awareness about the VTC programming, as well as monitoring changes in the veteran population both overall and in terms of their specific backgrounds and needs.

⁷Out of the 20 VTC sites in our study, at the time of the interviews, 2 operated mainly as a pre-adjudication model, 7 were mainly post-adjudication, and 11 operated as both.

The current research study, part of a broader study on VTCs across the country, was not without limitations. Perhaps the clearest limitation is that this rich qualitative data is based on interviewees from only 20 VTCs across the country. While the selection of VTCs and interviewees ensured a broad inclusion of viewpoints and regional differences, these findings are not necessarily generalizable to *all* VTCs in the U.S. Still, these findings highlight the diverse views about the future of VTCs, and many of the issues brought up by interviewees, such as the need for stable funding sources, are likely to be relevant concerns for many VTCs.

Another limitation is that these data come from semi-structured interviews, which are by nature less standardized than if data were collected via surveys. For instance, the interviewers may not have asked the ‘future’ question using the same wording from interview to interview, and thus any differences in how the question was asked may have influenced how it was interpreted and answered by the interviewees. Further, the somewhat random nature of what was discussed or highlighted earlier in the interview could have influenced answers to the ‘future’ question, which typically came near the end of a given interview. These are common limitations in any research study using semi-structure interviews, and what is lost due to a lack of strict standardization in asking the question is made up for in the rich detail and nuance of the data.

Conclusion

Overall, the general sense of the interviewees in the current study is that VTCs are likely to be around for a long time. There was a belief that VTCs were valuable to both veterans and society overall, and also that this importance would be clear to politicians and the public. That said, there were numerous concerns about issues such as ensuring a stable source of funding, continued ‘buy in’ from key team members within and external to the VTC, and resource issues linked to desires to expand the VTCs in terms of both participation and eligibility criteria. Still, interviewees in general felt quite hopeful and optimistic that VTCs *would* continue to exist and may even expand, even if they felt some unease about *how* this would occur. Given the existing research suggests that VTCs can have an important role to play in effectively supporting justice-involved veterans, and may have more benefits compared to a traditional justice-system response, it seems vital to ensure that VTCs are able to continue operating in the future.

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