

Chair Klemin and House Judiciary Committee,

Sincere apologies for the mix up today. We had a good hearing testimony plan for today but fell apart at last minute. I was able to listen in to the testimony and wanted to answer some of your questions or concerns.

Question on incarcerated veterans:

- The Federal VA Veteran Justice Outreach (VJO) Coordinator conducts outreach to veterans in detention centers in ND to assist in any way possible as they are incarcerated and more importantly to prepare the veterans for the best success upon their release from detention. Many programs, benefits or opportunities to assist these veterans in the transition.

Question on why for Veterans and not other citizens:

- This is a Docket under the district court and drug court. Basic explanation is putting the veterans together with the subject matter experts at the same time. Veterans may be eligible for VA and other Federal and State benefits in which they have earned from their service.
 - These benefits are not available to those who have not earned these services through military service.
 - Many of these benefits are based on the individual service and are not available straight across the board for all veterans so having the VA VJO, Veteran Service Officer and other experts involved at the same time will provide for a better plan.
- On a fiscal viewpoint- the use of Federal Programs and Services relieves the local and state funded programs and services of these expenses and also frees up these services for the non-veteran community to use.
- This uses the current Adult Treatment court processes and implements the optional VA and other Federal programs as well.
- Police and Emergency responders are not eligible for these VA programs unless they are also eligible veterans, which many veterans continue to serve in law enforcement and emergency response services.

Question on VA use of medication or local treatment:

- Each veteran has very different eligibility for VA benefits and programs. Not all are straight across the board eligible for every available resource. This is set by US Congress.
- This is a good point and a great argument for the Veterans Treatment Docket. Having all the subject matter experts available and working together the resources available to the justice involved veteran can be researched, applied for and implemented into the "treatment plan". As you know this is a "Treatment Court" which is the objective.
- When veterans visit with their mental health providers treatment plans are discussed and implemented. The veteran does have a big say in whether or not they want to take the medications, out patient treatment, inpatient treatments, or any other options. Many individual and group counseling options are available to choose from.

"Equal Justice for all":

- As justice for a victim of a crime which in many cases would be the community. Many of the violations are not directed at an individual person but violating laws on conduct. To be accepted into the Veterans Treatment Docket the veteran pleads guilty. Justice is served on that individual as seen fitting by the court. Prosecutor and defense have a say in what "justice" will entail.

Why have a veterans treatment docket if these options are currently available?:

- As stated above. Having all the subject matter experts coordinated at the same time is important. Having a structured system is needed.
- Trained individuals who understand the availability of program saves time and resources rather than having to research VA eligibility.
- Many of the court personnel would not have knowledge of the programs and options available to the Veterans. Makes perfect sense to have the veterans work with those who are knowledgeable on the programs.
- 48 of 50 states have figured out that this is a very successful program with very low recidivism rates compared to other treatment court proceedings.
- This is a WIN, WIN, WIN, WIN
 - Veteran WINS as he/she gets the treatment they need.
 - Prosecutor WINS as they get the conviction-veteran pleads guilty.
 - Defense attorney gets a WIN when the best interest of their client is met.
 - The local community as a whole gets a WIN as the veteran/violator is treated with the goal of being integrated back into their community as a contributing member of society rather than becoming a part of a revolving door in and out of the justice system.

I have worked on this since 2010 and have helped on many veteran cases and have had to convince prosecutors to give this process a try. In each of the cases the prosecutor has returned to me stating that this is a "GREAT PROGRAM" and to reach out if I run into prosecutors who are reluctant to embrace this process in the future.

We need this structured. Judges Hager and Johnson are ready to move forward in a well thought out process with the support of all the stakeholders. We cannot do this without your help. Urge you to pass SB 2246.

Please contact me if you have any questions or concerns.

Lonnie Wangen
Commissioner
ND Department of Veterans Affairs (NDDVA)
4201 38th Street S. #104
Fargo ND 58104-7535
701-239-7165
701-239-7166 (fax)
lwangen@nd.gov
www.nd.gov/veterans