



Texas Criminal Justice Coalition

Executive Summary

Military Veterans in the Texas Criminal Justice System

CONTACT: Scott Henson, Policy Consultant | (512) 417-0120 | shenson@austin.rr.com

NOTE: This is the executive summary of a yet-to-be released report by the Texas Criminal Justice Coalition on veterans in the Texas criminal justice system. It summarizes key findings and recommendations, all of which will be fleshed out in more detail in the full, final document. Data referenced on veteran inmates in Texas prisons was obtained under an open records request to the Texas Department of Criminal Justice. That data and any other supporting material may be made available upon request.

Findings

- Veterans courts and federally funded diversion programs appear to be working to reduce incarceration of veterans for low-level offenses.
- Veterans are less likely than average citizens to commit crimes but, when they offend, they are more likely to commit serious, violent offenses according to data provided by the Texas Department of Criminal Justice (TDCJ).
- Among veterans incarcerated in TDCJ, a disproportionate number (36 percent) have been convicted of violent and sex-related offenses compared to other inmates (less than 18 percent).
- Veterans in TDCJ are less likely to have been convicted of drug-related offenses than other inmates.
- The proportion of incarcerated veterans in TDCJ with mental health diagnoses is rising.
- The Veterans Justice Outreach Program at the U.S. Department of Veterans Affairs works well in some jurisdictions to connect veterans to services prior to trial, but it remains underfunded and inconsistently implemented depending on the jurisdiction.
- Resources to facilitate reentry for veterans are extensive but not always available to inmates who do not make parole and serve their full sentences.
- Data systems to track veterans in the justice system are rudimentary and incomplete, including at county jails and probation departments, as well as in the Texas prison system and among parolees.
- The lack of reliable methods for tracking veterans in the justice system limits the effectiveness of programs aimed at helping them, leading to gaps that make it difficult to provide treatment related to Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), and mental health issues that disproportionately affect veterans. Reliance on self-reporting, instead of matching inmates and probationers with Veterans Administration (VA) databases, may be depriving their dependents of benefits and limiting veterans' access to federally funded reentry services.

Recommendations

Federal-Level Recommendations

- Increase the number of mental health professionals available to returning service members, veterans, and their families, and implement programs that will recruit and retain those professionals, especially in underserved areas.
- Fund research on the causal factors of military sexual misconduct – including both recruitment and aspects of military culture that may encourage or condone it – as well as the relationship between sexual assault and misconduct in the military and the disproportionate number of veterans convicted of sexual assault after they leave military service.
- Rescind or modify the restriction against providing medical care for veterans who are incarcerated and allow the evaluation and treatment of incarcerated veterans with verifiable claims of service-connected disabilities.
- Expand the Veterans Justice Outreach program, hiring more specialists to offer meaningful pre-adjudication services to all veterans accused of crimes.
- Provide grant funding to state and local entities to facilitate widespread implementation of the Veteran Reentry Search Service to match inmate and supervision rolls with VA databases.

Recommendations Pertaining to the Texas Department of Criminal Justice (TDCJ)

- Implement automatic data matching between the VA and TDCJ's institutional and community supervision (probation) databases. More effectively identify veterans among TDCJ inmates to ensure that a) their dependents receive all benefits to which they may be entitled, and b) veterans receive available reentry services if and when they are ultimately released from prison.
- Create living areas specifically for veterans in Texas prisons.
- Implement a peer educator program centered on veterans' issues. Encourage the formation of veterans support groups modeled on existing ones at the Ramsey and Stiles Units, but allowing peer-to-peer counseling opportunities beyond those minimalist first efforts.
- Assess every incoming veteran specifically for PTSD and TBI, and spend more health care resources to treat and mitigate those conditions.
- Record PTSD and/or TBI status on a veteran's history to be considered when and if that veteran has disciplinary issues, particularly when evaluating whether to punish misconduct through solitary confinement.

Other State-Level Recommendations

- Expand the use of veterans courts by participating counties to include some violent offenses using evidence-based, strong probation methods that deter veterans with anger management and related issues from escalating to commit more serious, violent felonies.
- Encourage the use of specialized caseloads by local probation departments to connect veterans to available services, where possible assigning probation officers with military experience to supervise probationers who are veterans.
- Increase funding for the Office of Acquired Brain Injury within Texas' Health and Human Services Commission to allow local law enforcement agencies access to expanded veterans tactical response training. Develop similar programs for judges, prosecutors, jailers, and corrections officers.
- Allow reciprocal agreements between counties that have veterans courts, allowing veterans to participate in programming where they reside.