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December 13, 2010

## Queens Court for Veterans Aims to Help, Not Punish

By JOHN ELIGON

New York City's second criminal court program tailored to military veterans opened in Queens on Monday, expanding the state's efforts to provide treatment for defendants who may be struggling to cope with the experiences of war.

The new **Veterans' Court in Queens** will take defendants whose low-level misdemeanors may have resulted from mental or substance abuse problems arising from military service and steer them to treatment programs. The court, meeting on Monday afternoons, will use the model of long-established specialty courts — like drug treatment and mental health courts — that seek treatment rather than prison for defendants.

Justice Marcia P. Hirsch of State Supreme Court, who will lead the Queens court, and who had three veterans' cases scheduled the first day, said that what set apart this court and others like it was the assigning of veterans to mentor the defendants.

"The veterans say they identify so much more with someone who's been in the military, in the service," Justice Hirsch said. "They can really connect with them."

The military tends to mold an attitude that views things like counseling as a sign of weakness, Justice Hirsch said.

The mentors, she said, "can kind of cut through that tough exterior and say: 'Hey, you know what? I was there. I experienced that, too.'"

The new court is starting at a time when the legal system is bracing for an influx of veteran defendants as soldiers return from Iraq. It also comes as judges around the country have been extending leniency in their sentencing of veterans.

Pat Toro Jr., the president of the Queens chapter of the Vietnam Veterans of America, said the court was an important acknowledgment of the impact war can have on the life of a veteran.

"The guy who comes home, gets depressed because he's away from his buddies in the military, he doesn't have a job, he doesn't know what to do, he starts drinking, he gets jammed up — instead of getting help, they fall through the cracks," said Mr. Toro, who served in the Vietnam War as a Marine.

Veterans' court models currently exist in Brooklyn, Buffalo and Monroe and Onondaga Counties, and in the Third Judicial District, which includes seven upstate counties, said Judge Judy Harris Kluger, the chief of policy and planning for the state court system. The state has not kept centralized statistics on the number of veterans who have been through the program.

But Judge Robert T. Russell, who spearheaded the state's first veterans' court in Buffalo, said that more than 180 veterans had been or currently were a part of its program. Of the more than 40 who have successfully completed the program, none have been rearrested, Judge Russell said. About 14 percent have not completed the program, he said, for various reasons, including rearrest. The crimes have included drug offenses, theft, assault and weapons possession, he said.

The Brooklyn program began six months ago and was incorporated into the borough's already extensive treatment courts.

The idea for a program tailored to military veterans came from realizing their unusual needs, said Ann J. Swern, the first assistant district attorney in Brooklyn.

"They have additional needs than the average person who comes into the criminal justice system with solely a drug and alcohol problem, who hasn't experienced combat and who hasn't suffered from post-traumatic stress disorder," Ms. Swern said.

The federal government has given more than half a million dollars to courts in Brooklyn, Queens and Nassau County to hire screeners to determine suitable candidates for veterans' courts, Justice Hirsch said. The New York State Health Foundation has given more than \$200,000 to train court personnel on veterans' issues, Judge Kluger said.

Judge Russell of Buffalo said he considered the program a success.

"Our men and women who have made sacrifices for this country," he said, "it's good to be able to see them getting their lives stable and back on track."

