

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

VTC: A VETERAN FOCUSED COURT

FEATURING: JUDGE REGINALD K. WHITEHEAD

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NARRATOR: Welcome to another episode of “Open Ninth: Conversations beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida. And now here’s your host, the Honorable Alicia Latimore.

JUDGE LATIMORE: Hello, and welcome to Open Ninth. I’m your guest host, Judge Alicia Latimore and I’m here today with Judge Reginald Whitehead, our former administrative judge over problem solving courts, Natasha Anthony, a psychotherapist with Grow Therapy and Sherri Claudio, a licensed clinical social worker with the Orlando Veteran’s Administration Medical Center. Today we’ve brought together these three special guests to speak about the need for having a trauma-informed veteran’s treatment court in the Ninth Circuit. And how having a veteran’s treatment court benefits those who have served our country, but then find themselves involved in the criminal justice system. I am so thrilled to have you all here in the studio with me. Thank you for joining me and welcome.

Hi there, you guys out there with me. (Everyone saying hello)

All right, so welcome and we’re going to start our conversation in regard to veteran’s treatment court. And I want to start by making sure our audience has a clear understanding about veteran’s treatment court and the roles you each have previously or currently play as a member of the court team. And also, I want to make sure that we begin with some important information that will lead us to the rest of our conversation as we are gathered here today. So I’ll start with you, Judge Whitehead. I want to begin with you because you were in fact the first designated administrative judge for the problem solving court division in the Ninth Judicial Circuit. And instrumental in establishing the division which includes not only veteran’s court but all of our problem solving courts in Orange and Osceola Counties. So tell us, what is a veteran’s treatment court and why were they started?

JUDGE WHITEHEAD: Easy question but it can be a long answer. But I will do my best to try to explain that.

JUDGE LATIMORE: All right.

JUDGE WHITEHEAD: First of all, veterans coming through the criminal justice system on a regular basis just wasn't working in a regular division. They weren't getting the attention that they needed. The people involved in it, and I'm talking about from the lawyers, the probation officers, and judges didn't really understand the issues and the trauma that they were going – they're going through to be able to give them the appropriate help that they needed. Actually veteran's court started in the 9th Circuit by one of our judges that was a veteran, I believe it was Jerry Brewer and he knew the issues that veterans were having because he had worked with them in the past. And although he hadn't had any experience with problem solving courts per se, he really was the one that first pushed it and got it started. It's always hard to get things started. You kind of to have got to get the ball rolling. Once you get the ball rolling, you can start making improvements and everything else, but we needed it in the 9th Circuit. It was needed everywhere, all across the country.

JUDGE LATIMORE: Yes.

JUDGE WHITEHEAD: And it was something that we had to learn too; it wasn't that we had all of the answers but over the years we have worked with our veterans and we learned so much from them and getting a lot of information from them. So that may be why it was started and why we need to have it.

JUDGE LATIMORE: And so veteran's treatment court has now become one of the more popular and more significant problem solving courts that have been established around the

country in fact and we do get a lot of support in funding from our state in an effort to have veteran treatment courts in as many jurisdictions as possible. What is the difference or why does veteran's treatment court belong under problem solving courts?

JUDGE WHITEHEAD: Well, the same issues that veterans have, individuals with drug problems and mental health issues, they have those same issues too. You get to have an opportunity to take your time and slow down and let's evaluate this individual, find out what their issues may be. It's a team effort too and it's the same thing you do in drug court, mental health court and any other court that you have we call a problem solving court, we sit together as a team and I'm talking about the defense attorney, prosecutor, treatment, as we have treatment individuals here today, and that's very rare. Normally you see that at a sentencing where there are recommendations or we see a letter but no, we have individuals that meet with them on a regular basis. And we really find out and get to know the individual because we see them at least every two weeks. And if you do that as a team effort, and it's not just one person's effort, one lawyer's effort, but even law enforcement is involved in it. And I think that's the key – one of the key ingredients to it and it makes the individual feel like people care about them. And that's what happens in all of our problem solving courts.

JUDGE LATIMORE: Now, Ms. Claudio, you are here and you are a part of the team being a representative from the Veteran's Administration Medical Center. And so I wanted to turn the conversation to you so that you can kind of explain what part you play in serving those veterans who are admitted into the veteran's treatment court program.

MS. CLAUDIO: Yes, Judge, thank you. So my role is that of what is referred to as a veteran's justice outreach specialist. And throughout the country the VA has our position situated in all of the veterans' courts which currently I believe there's about 625 of these courts

nationally. Our role is to ensure that veterans have access to VA services. We identify the veteran, determine their eligibility and act as a liaison between the court system and the VA to ensure that they are getting the services that they need. In some cases that even involves being an advocate within our own medical center to ensure that justice involved veterans have access to care just like any other veteran.

JUDGE LATIMORE: And what types of services? I know that's a broad question but what types of services might a veteran receive through the VA that they might not otherwise receive if they were not a part of veteran's treatment court?

MS. CLAUDIO: So in terms of services, we have a wide range of services. I'd like to step back a little bit though and just reference eligibility because what we find in our outreach efforts is veterans are not aware of their eligibility status. And honestly that is probably the best service that they get out of veteran's court at the very beginning because they may not have ever even known they were a veteran or eligible for services. But when they come through veteran's court, checking eligibility is part of the initial process. Had they not been involved in the justice system, they may not have ever encountered anyone from the VA.

JUDGE LATIMORE: And when you use the term eligibility, are you referring to eligibility for services from the VA?

MS. CLAUDIO: Correct. So eligibility for healthcare services which depends on a variety of things and it can get very complex but to sum it up, it's basically their length of service and type of discharge is what will determine if they're eligible. And then so back to your question about services, we offer mental health services, substance abuse treatment, housing

services, specialty treatment for those veterans suffering from PTSD. We have peer support services, residential, in-patient, outpatient, face-to-face and even now virtual.

JUDGE LATIMORE: All right.

MS. CLAUDIO: So we have really expanded our health care and most recently have added some very alternative types of approaches to integrate our services so it's not just traditional types of care. So that would be things like yoga, acupuncture, chiropractic services.

JUDGE LATIMORE: And just to be clear for our audience, these services are not only available to those who are in the veteran's treatment court program. These are services that are available even outside, but those who come through our program have the benefit of receiving them as well.

MS. CLAUDIO: Correct. Yes, so this is any veteran who is eligible for VA healthcare would be eligible for these services, but it's just an opportunity for those that we may not have encountered or may not have sought services out on their own.

JUDGE LATIMORE: But for them coming through veteran's treatment court.

MS. CLAUDIO: Correct.

JUDGE LATIMORE: All right. And what makes, Judge, I want to come back to you. Eligibility for veteran's treatment court is not the same as eligibility for services with the VA, correct?

JUDGE WHITEHEAD: That's correct.

JUDGE LATIMORE: Could you explain how an individual is eligible to come into veteran's treatment court?

JUDGE WHITEHEAD: Well, first of all, they got to have a criminal offense.

JUDGE LATIMORE: Does any offense qualify?

JUDGE WHITEHEAD: It can't be any offense. There are certain types of offenses by statute that are not allowed to come in. More – normally in your regular problem solving court, you would not allow individuals with violent offenses, but in veteran's court you do allow some to come in with certain types of battery charges, domestic violence cases. And you need those because some of the issues that they're dealing with which is post-traumatic stress syndrome, is something that you know you have to address and deal with veterans and as you deal with it, you find out that the family members also want to support them too. And of course, they have to kind of consent or agree to them coming into that program or it's ultimately up to the judge to make that decision as to whether they can come in.

JUDGE LATIMORE: Are there any other disqualifying criteria that we could share with our audience?

JUDGE WHITEHEAD: Well, you know it's been a couple of years since I've done it so I'm not sure what criteria you all have now since you are the present administrative judge and you made those rules so you may have changed some of the ones that I had.

JUDGE LATIMORE: I would never change anything Judge Whitehead does for the audience. Okay, with that though I will follow up with you, Ms. Edwards (sic). And you in fact are a licensed mental health therapist and until just recently you were a part of our Osceola veteran's treatment court team, really the problem solving court team and primarily provided mental health and substance abuse treatment to our participants.

MS. ANTHONY: Yes.

JUDGE LATIMORE: With that, we've heard a lot or at least repeatedly the term trauma.

MS. ANTHONY: Yes.

JUDGE LATIMORE: Or traumatic has been used. Could you explain or define for our audience, what is trauma?

MS. ANTHONY: Well, it depends on how you want to look at it, but in a nutshell, trauma is anything that any individual has witnessed or personally experienced that is out of their norm and that is at an extreme level so it can be anything like natural disasters, fires, battlefield, combat on the battlefield, abuse, sexual, physical, verbal, those type of events. And so even witnessing trauma can be trauma. So if you are a witness to episodes like fires happening, natural disasters, even if you haven't personally experienced that, that is also considered trauma.

JUDGE LATIMORE: And what does trauma look like? How does it manifest itself?

MS. ANTHONY: There's many – it's different for everybody, right so I'm not sure that there's one look, it's not a one size fits all but it can look like depression. It can look like anxiety. If it's in young children, it can look like acting out or shutting down, right, so anybody who's just trying to cope and survive through life and they don't have the tools to make it or function on a daily basis, they will end – will adapt based on how they feel like they have to in order to get through it. For some it's substance, for some it's anger, for some it's isolation, depression. They're unmotivated to do anything and it's going to be different. It manifests differently in everyone.

JUDGE LATIMORE: And veterans would be in a class where you would expect or anticipate –

MS. ANTHONY: Absolutely.

JUDGE LATIMORE: -- a high rate of trauma, is that correct?

MS. ANTHONY: Absolutely. I mean, in the military you're conditioned to learn things a certain way, right. There's classified information. There's jobs and missions that you have to go on. There's war. In combat you're right on the front lines and so they're experiencing trauma at levels that we may not ever understand or know, or that they understand or know until they come out of it and realize that something is different or something is a little off but definitely in the military population.

JUDGE WHITEHEAD: Judge Latimore, could I add to that?

JUDGE LATIMORE: Oh, sure, judge.

JUDGE WHITEHEAD: One of the things that I've learned since I – I'm not a veteran, is that you can have traumatic experiences just in the training, the basic training. We've had individuals that get past basic training but they experienced such trauma that it really had an affect on them in their lives so that was something that educated me. And I think that's what we all – when we all come to the table as a team, you kind of educate a prosecutor, you may educate a defense attorney and even a judge as to okay, this is something that I didn't think was trauma. You think training is training because we've all been to training of some type but like Ms. Natasha said this type of training is a little different and it can be a little stressful and it can be traumatic.

JUDGE LATIMORE: Okay. And you mentioned something that I want to follow up on a little bit. You spoke about educating those who are a part of our court process and court system, prosecutors, judges, defense attorneys, probations officers, all of those may be a part of that team

we spoke about. And we – and when we’re speaking of problem solving courts including veteran’s treatment courts, we talk about trauma-informed team, or trauma-trained team. I’ll start with you, Ms. Edwards (sic), would you share more about what is a trauma-informed team?

MS. ANTHONY: You know what I would say is people who understand what trauma is or who have gone through –

JUDGE LATIMORE: And I apologize, I have called you Ms. Edwards and that is in fact Judge Whitehead’s JA’s last time. It’s Natasha Anthony, I apologize.

JUDGE WHITEHEAD: I thought she had you know changed her name or something.

JUDGE LATIMORE: Please forgive me for that. But she’s a wonderful person to be mixed up with, okay.

MS. ANTHONY: I believe it. What was the question?

JUDGE LATIMORE: I apologize. That’s my error. If you could please explain to our audience what does it mean to have a trauma-informed team?

MS. ANTHONY: Okay. Yeah, so the team you know especially in the courts, I believe you mentioned it earlier Judge Whitehead, we have a team made up of treatment specialists, attorneys, prosecution, judges and if you’re not – not everybody is going to be trained in any type of mental health. So having a trauma-informed team means that everybody that’s working on this team in collaboration with this individual who is a veteran has some understanding of what mental health is and what trauma is so that they’ve gone through not necessarily extensive training but at least basic understanding to have what is called empathy. So to have empathy to be able to say I can understand even if I can’t directly relate to you. So that we can offer them

better care because we understand where they're coming from beyond their record or beyond the charge, them as an individual with their whole picture from beginning to end what they've experienced and how we can best get them the resources they need.

JUDGE LATIMORE: Ms. Claudio, with the veteran's administration you often will have the clients who are in veteran's treatment court have contact with you in order for them to be able to be connected with the services that the VA offers. There are situations in which those participants may be in crisis. How is it that they can look to the VA to assist them when they are in a state of crisis as a result of their trauma or other challenges that they may be dealing with?

MS. CLAUDIO: So, and that's a great question. We are finding that, and just recently the stat came out that veterans that are justice-involved are three times more likely to attempt suicide. And those that die by suicide, 60 percent of those are not even engaged with VA healthcare. So I think that leads back to the key is having the veteran connected to services in a timely fashion. If a veteran contacts us, let's say a veteran contacts me in crisis, there's protocol that I would follow to assess that veteran and to determine their level of risk and their level of safety. And then based on that would take the next step to follow through to make sure that that veteran is safe. Now, we do have a national hotline, actually it's a national hotline for everybody, any individual, not just a veteran, anyone who's in crisis or going through a difficult time or just needs someone to talk to can call 988 and that's the suicide prevention hotline and it used to be a full number that we kind of all rattled off on our voicemail and we realized let's make this a little easier so it's 988. And then it will say if you're a veteran, press 1 so that individual would then be routed to a different department and then whatever the situation is, is determined and then those calls are dispatched to the local VA so then immediately a response they will have within

24 hours. If it's a crisis, then they dispatch law enforcement, emergency services to ensure that that individual is safe.

JUDGE LATIMORE: In addition to substance abuse treatment or mental health treatment, also being able to assist them in the situation of crisis, particularly the risk of suicide, we are familiar that many veterans may be dealing with homelessness. How is it that the VA may be able to assist participants with that challenge?

MS. CLAUDIO: So homelessness is and has been one of the main goals of ending homelessness for quite some time. I think former secretaries of the VA announced it back in 2007. Since that time there's been a great deal of programs implemented to help, but I'd like to add that we are noticing also with homelessness incarceration is the number one predictor of homelessness. So that really falls within the justice outreach program that we not only want to connect homeless services but often with housing. So with the VA we assess each individual to determine what's the best fit for this person. We have individual – I'm sorry, we have emergency housing which is basically shelters in the community that are funded by the VA to provide emergency housing. We have what's called grant and per diem transitional housing programs and this is where veterans reside with other veterans and the main goal is to find more permanent housing. And then we also have Section 8 housing vouchers where we partner with the housing authority to get veterans independently housed. And then last but not least, we have supportive services for veterans and families which is where we help them obtain their own apartment, help them with all the initial fees and then provide case management and that's through a grant as well where we partner with the community. So all of these resources also have case managers that are actively involved with the veteran to ensure that they transition from homelessness into a permanent housing situation.

JUDGE LATIMORE: Wonderful. Judge Whitehead, what does a trauma-informed – I'm sorry, what is the connection between trauma and criminal activity? What do you see to be the connection between the two of those?

JUDGE WHITEHEAD: Well, that trauma can have different impacts on us. I say us, individuals and depending on what that trauma may be it may cause them and lead them to commit some type of criminal activity. It may cause them to use drugs. It may cause them to use certain types of medication that becomes drugs and obviously at some point if they do it illegally, that can be a drug related charge. I think, I've heard – I've done some trauma training, and you've done a whole lot more than I have, we are products of our environment. You know, what I mean by that is sometimes the negative things that we see, they have impacts on us. Even if you do baby court, that you have – I know that's not what you call it but I call it baby court.

JUDGE LATIMORE: We lovingly call it baby court, our early child court program.

JUDGE WHITEHEAD: Okay, now even babies can be impacted by some of things that you talked about by witnessing certain abuse and everything else, and that's what you all got to deal with, the doctors and everything there. So the things that happen to us in our lives, we may not know it but subconsciously it may have some impact on us in some type of way.

JUDGE LATIMORE: Right and we speak about with children adverse childhood experiences which we can guess that many of the veterans even before they experienced things that may be causing them trauma by being a service member, they come with the adverse childhood experiences sometimes. So that may compound it. But I mentioned that or I asked you that because typically if someone commits a crime, they're incarcerated and just following up on Ms. Claudio's statement and discussion, how is that different in our veteran's treatment court in

regard to our participants? They surely are facing some type of incarceration for their crimes, is that correct?

JUDGE WHITEHEAD: That's absolutely correct. It depends on how they come in. We have a diversionary program where they sign a contract with the state attorney's office and it's basically saying, okay, if you complete this program successfully, instead of you being prosecuted for this case, the state attorney's office will drop the charge. If they come in what we call, and just use the legal term, post plea, in other words they enter a plea, they still have a contract and agreement that they'll be on probation for a certain period of time. However, if they successfully complete the veteran's treatment court program and go through the different levels of treatment, their probation may be terminated early. They may have what's called a withhold of adjudication so they won't be convicted felons. And I think even more so than that, it's the treatment that they get because it doesn't end there because they will establish relationships with the VA and it can be life-long. It can change their lives. One of the things that I've noticed is I hear this quite a bit from veterans throughout the time when they first start, I had no – they said, I had no idea of all of the services that the VA had for me and had no idea that they can get housing and they like to brag when they come to court that they're now in a house, or they have an apartment.

JUDGE LATIMORE: Yes.

JUDGE WHITEHEAD: And they're excited and happy about that because if it had not been for them quote unquote getting in trouble, they may not have known about these services. So it works out well for them but it just doesn't end with the court situation. It's a long-term relationship that they have with the VA.

JUDGE LATIMORE: Well, I just want to say that we all know having practiced with clients who are in our program, we all have worked with them and we all know that as they attempt to be successful in our program, that they fall short sometime. They may test positive for drugs. They may in fact not follow through with their treatment plan or what they're required to do as part of the program. So how is it that the program addresses those issues because surely we would expect they – since they have now had an opportunity to be in the program and they're not incarcerated, that we want them to follow the rules and do what they're expected to do, right?

JUDGE WHITEHEAD: You said that so eloquently.

JUDGE LATIMORE: I try.

JUDGE WHITEHEAD: And the bottom line is, is that you're not going to change their behavior just because you come in the program. It takes some time. You know we're creatures of habit and you develop these habits over the years. A lot of the veterans are not used to treatment. They're not used to people directing them and guiding them so it's an adjustment. What we have is what we call incentives and sanctions in this program. We try to let them understand, and yes, you're going to make mistakes and we're not going to fuss at you but you know there's a price to pay when you do certain things. And the sanctions should be designed to help them, not so much punish them. You're not trying to say, okay, you had a positive drug test, now you go back to jail. No, it's not that. Okay, now we need to increase your treatment. Now, we got your attention because now you realize we'll be drug testing you enough that we'll know and eventually you may even wind up telling us you used drugs before we even tested you because you've developed a relationship with your counselor. So the whole purpose is to try to understand that early on there's going to be that adjustment time. And then as you get in the program, and sometimes we'll have folks that will come through the program and be very successful through

several phases and all of a sudden something happens and they go back to what they used to do, and it may be something that will cause them to get a sanction. So there we have to go back and we got to encourage them. And what I found is that the closer they get to the other individuals in the program because there's group counseling and individual counseling, and their counselor and also we hadn't talked about this much yet, but – and I think, you know I don't know the names for everything, but there would be a veteran that volunteers, that has been you know a veteran in the past and now they – they go and work with the veterans because a veteran helps a veteran because they've been in those shoes you know. They'll look at me and say that's just a guy in a black robe but here's a veteran that can assist them, and they develop a relationship with them. And when you see people caring for people and they see all these folks because a lot of times the reason they're in the situation they're in is because family has gotten tired of them, their relationships – job, they've lost their job and they've lost everything because of the problem that they have and now you have people trying to help them and care for them, they try a little harder. And they may slip up a little bit but now they're being encouraged and as they continue to encourage them, they'll try to make the effort to do better.

JUDGE LATIMORE: Ms. Claudio, since Judge Whitehead brought that up, we're talking about peer support, right?

MS. CLAUDIO: Yes.

JUDGE LATIMORE: And we're speaking about on occasion those individuals who may have lived the experience also. Can you share with us these peer support services that the VA might offer to participants in the program?

MS. CLAUDIO: Yes, so peer support specialists, we've got quite a few now in the last few years situated throughout the VA in various programs. We're fortunate to have a few that are embedded within the homeless program and one that we like to take as our own –

JUDGE LATIMORE: Yes.

MS. CLAUDIO: -- into the justice program that travels through all the courts that we have in our catchment area. Basically this is an individual who has experience like you said, Judge Whitehead, some of these challenges on their own have successfully navigated the VA which is a huge piece. That in itself can be very intimidating to someone as we mentioned earlier who maybe has never come to the VA, never received services, just finding out where to go and what to do. So I like to use the peer support to help veterans navigate the VA. And also they have been through treatment in many cases and have overcome some of their own issues and may still receive services at the VA so it's almost like a, you've referred to before when we used to do standdowns years ago, is battle buddy, peer support specialists. And one thing I'd like to piggyback on about the courtroom setting that I think is important that you mentioned Judge is that environment of not being punitive and I think with veteran's courts, veterans respond well because it's a structured environment. There's camaraderie among their other peers and peer support specialists and in addition to that with their team and I know Judge Latimore is really big on team. And I think – and she reinforces that or you reinforce that as you interact with our veterans and I think that really sticks with them. Not only do they see us interact as a team and how we work with each other, but how we work with them and that's not just inside the courtroom, that's outside the courtroom. So I know that's a big piece. One thing I'd also like to add is you mention they come in and they're very happy about their housing. Another resource I didn't mention is that if a veteran is homeless, they're eligible for dental assistance and that is

huge. Veterans who are not a hundred percent service connected typically will not get any type of dental resource. So what we see for our veterans who are homeless is a lot of times they'll enter our programs and they'll go in and get dental services that they haven't had in years. Often that entails removing all their teeth and getting dentures. And they come in with a big smile, happy to see us, very proud and that goes along with that component of housing and now they feel like a part of society, interact with others, making good choices and functioning at a better level.

JUDGE LATIMORE: Ms. Anthony, I wanted to follow up with that discussion that we've just engaged in with Judge Whitehead as well as Ms. Claudio. You have the opportunity to sit and have group counseling with our veterans as well as individual counseling.

MS. ANTHONY: Yes.

JUDGE LATIMORE: So without of course sharing any confidential information, share with us the benefit that you see with having the veterans participate in a non-adversarial type setting and a team approach to handling their criminal cases and their involvement with the criminal justice system.

MS. ANTHONY: I think it's important to start off with, and I know you'll probably understand that there's a stigma around mental health, especially within the military. My husband is a marine, he's a vet, you know and I have a lot of family and they'd go through combat and come out like, we're not going to go see anybody, there's nothing wrong, or if there is something wrong, the general consensus is that you're not fit to continue. I think that was, and I don't know how much or if that has changed recently, but that's a big thing. So a lot of our veterans, there's nothing wrong with them., they're fine. And they know what they're going

through to appear strong. And so when they're going through our problem solving court and veteran's court, now they're getting put in a program where they're getting told, well, treatment is going to help you and you do need to talk about your problems and this is completely different than what they would have known. But there's also a brotherhood in the military within the unit, within the battalion and so I think the group therapy is a huge asset when they see that they're not alone and the minute one person shares what they – you know the one bold enough to say I've gone through this and this is what I experienced and then another one, well, that sounds like me, I'm not alone. And that's the number one thing we do here within the group therapy that I realize that I'm not alone in this, like everybody in this room has experienced what I experienced so I don't feel so alone and I don't feel like something is wrong with me. This seems normal for the experience I've gone through. And then in the individual setting they can really dive in much deeper with that therapist to possibly work on the childhood experiences or the trauma that they've gone through in a safe and nonjudgmental space. So even if we can't relate to them on a level that I am also a veteran, they can feel trusted and it's a safe space and they will begin to open up as we've said before because it's a team. They know that we're encouraging them. They know that we're there for them and they will start allowing themselves to open up which means they're going to start the healing from anything they've gone through. So it also encourages them to continue to come back. They want to be part of this team. They want to be part of this group. And one thing that I've noticed is if they miss groups, they'll come in and like, I missed this the past couple of weeks and I miss seeing my friends, you know and we're all in group therapy together but they've created a support within themselves with – I don't even need to be there. They can sit down and run it themselves just going through what they're going through and they route for each other. So if one is missing in our group therapy, you know the next week they

come back, well, where were you, we were worried about you, is everything okay so now they've created a support system just by going through our group therapy as well.

JUDGE LATIMORE: And I'd like to ask you as a follow up question, you've heard how I am such an advocate for, and I get excited when we talk about non-adversarial proceedings and the team approach. That's what I really think is a significant component of our problem solving courts and particularly veteran's treatment courts after what you've just mentioned in regard to one, they're needing structure but also having dealt with trauma and having to have a certain setting for them. I'd like to know from you as well as Ms. Claudio, what do you all see as the benefit of working with a team that works together, are non adversarial. I'm sure you had the opportunity to take part in other legal proceedings where that is not the atmosphere, so could you share with us your thoughts and your experiences and why you believe that to be a benefit or not so much a benefit, if that's how you feel.

MS. ANTHONY: I'll start by saying you know the benefit of it too is having more resources. There may be things that I cannot help with and I cannot support in this way but I can call Ms. Claudio and be like I have you know this individual who is looking for this service and we work with, I don't know if I can name drop, but like Hope Florida or other agencies that have resources. So having that teamwork connects us to get them better served in anything that they need which also promotes support, promotes encouragement so then the individual feels, well, they just didn't forget about me. You know, if I don't have this I'm not stuck with dead ends, I have a network of people because I'm not alone in this treatment with this individual. I have a network of people or you know speak to the judge when you're going through things. That's the biggest thing. Well, they're just going to throw me in jail based on their experiences in the past and it's like the judge hears everything. She listens to the team or he listens to the team and same

thing, even with our prosecution, our state attorneys that come in and usually the – the – I'm lost for a word but what they do is come in and they just want a sentence. And he's even part of our team, like what's best for this individual, you know and I think that's very important because our goal in the long run is problem-solving court. We want to help find solutions. We're not – we're not just let's throw you and incarcerate you because that's not going to help the situation. They're going to come out, nothing has changed and repeat – possibly have repeat offenders and so what we're creating is how can we put them in civilization and be able to live and function on a daily life basis and find health coping skills and you know continue with the life not of surviving but of living. And so that's what the team does for me.

JUDGE LATIMORE: And Ms. Claudio, what are your thoughts?

MS. CLAUDIO: Yes, so I love being part of a team. I think back to the days when I was knocking on the doors, I'm sure Judge Whitehead remembers this, trying to get veteran's treatment court up and going. And just being out there so long and trying to do this is definitely more challenging. I remember, as you mentioned, state attorney, I remember working with the public defender's office but also not being an attorney and not really knowing back then the dynamics of the court system, also talking to the state attorney and the public defender or private attorney, like you spoke with the state attorney. Oh, yes. So you know very quickly I learned the dynamics of the justice system. But like you said, having everyone involved and everyone at the table, being a part of a team is huge. And what's really amazing about Orange and Osceola County that none of the other counties in our catchment area have is, we have case managers as a part of our team.

JUDGE LATIMORE: Yes.

MS. CLAUDIO: That the program funds those positions which is really nice to have because together we work to make sure that everything is completed in a timely manner and then they also keep in touch with the veteran. So that is a huge component and piece that I like to brag about Orange County which, I like to say Orange County has done a lot of awesome things also from the beginning so I always throw Orange County about how wonderful they are. But overall the team is amazing and makes a huge difference, not only for myself but for the veterans.

JUDGE LATIMORE: Judge Whitehead, thank you for all you've done for establishing our problem solving court division here in the Ninth Judicial Circuit and we've said much about the advantage of being a problem solving court. Can you respond to those who really have a difficult time being able to understand the benefit of seeking rehabilitation as opposed to simply punishment in all cases?

JUDGE WHITEHEAD: What I'd say to folks that have a problem with problem solving court, you know I've been accused of, by my brothers and sisters on the bench of being the hugging judge, you know, you like to hug people and pat people on the back. I don't want to be a part of that. I mean some judges that thought it was really tough, I mean, it was an easy court, an easy program. I tell them just come see it and sit and watch. We've had a lot of cases where the alleged victim did not like the fact that we were considering this individual for veteran's court or any problem solving court but after sitting in our court session, and seeing what happens in a court setting and a lot of the things that happen in treatment carry over into court because those individuals start expressing themselves in court and sharing like in a family environment, and they'll start saying that it actually does work. It may not be the traditional way of doing it and to be honest with you, we got to get away from just doing stuff the old-fashioned way as I call it and we got to be creative. Even in some of the things we're doing with veteran's treatment court

program right now, we improve those things. We learn. That's why we go to training and we pick up on different things and we make it better. I think that it's also important that we have trauma-trained law enforcement officers in the field because they're the first ones there.

JUDGE LATIMORE: Yes.

JUDGE WHITEHEAD: They need to understand that there may be more than just shackling them up and putting them in jail. You may have to have a conversation to calm them down. They may not need to go to jail. They may need to go to the VA. They may need other treatment and that's something that our law enforcement agencies are working on. So my response is always, it makes – and I tell judges this, and maybe I shouldn't say this out loud but I tell judges that I like this program because it makes my job easier because otherwise, and I have no problem making decisions. Everybody is looking at the judge to make the decision but we used to have our staffings with our team. I want to hear from the team and once I hear from the team those are the folks that are actually, I call them on the ground with the troops. They're working with them and they know what this individual, not just as a group, but this individual may need. And so it makes my job easier. The more information you give me and the more information we give everybody at the table, I think it makes everybody's job a lot easier so that's my response to that.

JUDGE LATIMORE: And just to be fair, Judge Whitehead, the stats and the data supports what you're saying –

JUDGE WHITEHEAD: They do? I didn't know that.

JUDGE LATIMORE: You're aware, the recidivism rate as it relates to those individuals who participate in problem solving court is lower than it is for those who may go through the typical criminal justice system.

JUDGE WHITEHEAD: You use that information –

JUDGE LATIMORE: Okay. Well, let me just follow up with this, how do you encourage and how would you encourage defense attorneys, prosecutors, other individuals who are a part of the justice system to support or want to consider an individual who's a veteran participating in the veteran's treatment court program?

JUDGE WHITEHEAD: Well, what I would tell them is this, if they've been around the criminal justice system for a while, it's easy to put somebody in jail for a few months or even send them to prison. But then if you're going to see the same person back again in a year, what have you really accomplished? And you know the other driving factor that really makes a difference in some cases and most of the time is money, okay. It costs more money to put individuals in prison than it does for them to go through the treatment program that we have here. And on top of that is what you just said, the success rate is good. So that means we have individuals that may even be homeless, that didn't have a job and now they leave our program with both of them, housing, and employment. So they're productive citizens and to me even more importantly, you bring them back to their families and friends because they've lost their connection and now, they have something to work for and even we're part of that family now too. So they always have that support because when we have those graduations, I always know from treatment, one of the things I hear from you all is if you need anything just make sure you call us. And so that creates that environment saying, hey, look, we're not just kicking you out now, we are with you through this process so that's what I would say to them.

JUDGE LATIMORE: And you wanted to follow up.

MS. ANTHONY: I wanted to follow up. That is actually – it's so true, I don't know any other court system where we have individuals who have gone through the – like any court process coming back to visit their judges and their attorneys to come say hello and that is something that happens on a regular basis. Even those that may not be as successful in the program at the moment will eventually call back and say you know everything I've learned in that program has benefited me and while I didn't get it then, I took everything with me and now I'm doing great. And now – you know so they call and they check in and we just had somebody recently come in and just sit, like I just wanted to say hi to the judge and hey to the team. Like that's not something that's common so we really are creating something in this program that's not – I don't see anywhere else.

JUDGE LATIMORE: So before we come to a close I am going to give you all an opportunity to share your final comments, but I do want you to focus if you can in your final comments on what you believe to be the benefit of having a veteran's treatment court in our jurisdictions and why the veteran's treatment court might be a better option for those who are eligible, are veterans and find themselves in the criminal justice system. Judge Whitehead, I am going to start with you – well, actually I want to come back to you because I really think it's important that you share with us –

JUDGE WHITEHEAD: Yeah, I need time to think a little bit.

JUDGE LATIMORE: Well, you know I really want to highlight to the audience that you are an experienced judge who has been on the bench for more – well, for several years, let's put it that way and most people know that he's been here for a while. He is someone who has really

been a leader in our judiciary. But he's also been on the criminal bench for quite some time or many years throughout his tenor here and you also were a state attorney and a defense attorney before you joined the bench so I think it's really important for us to hear from you as to why you believe this particular problem solving court for our veterans is a winner. But I'm going to start with Ms. Claudio first, then Ms. Anthony and then we'll let you wrap it up for us, Judge Whitehead. Ms. Claudio.

MS. CLAUDIO: So I'd like to reiterate in closing some things I've heard about being trauma-informed and I think our veteran's court is trauma-informed in the fact that we create a safe environment, we're sensitive to the veterans' needs. You come off the bench, you meet with the veteran, you congratulate them, you praise them. Even if things don't go well and they don't advance, they're given an opportunity to fix that. You create, any veteran or any judge in veteran's treatment court or specialty court, a safe environment that is very different than the traditional court system. So veterans, and any individual could have had a negative experience in court and are already going to come in anxious and nervous and uncomfortable. And I've had veterans tell me, oh, I don't like being here. I don't like being at the courthouse. I don't like this. I want to be done. I don't want to do this program. And then as they move along they see the culture, the environment and it is that of trust and transparency and they know it's like they're not going to be kicked out just because they do one thing that is not in line with what they're expected to do. So for me I think it's amazing and I've heard veterans say and most recently say, I think a veteran shared this judge with you recently saying, for once I feel like a person.

JUDGE LATIMORE: Yes.

MS. CLAUDIO: I'm addressed as an individual and a person and that is huge. That in itself is therapeutic. It encourages them to do well, do more, do better and follow through and

that's why they come back and visit. Hopefully one day as we continue to move forward we'll see a lot of these veterans actually function in the court as a peer support specialist because I think we have a lot that do have that skill and then have had their own experience that can be an asset to our program.

MS. LATIMORE: Thank you. Ms. Anthony.

MS. ANTHONY: When I think of veterans like even without the court aspect, these are individuals who took an oath and they swore to protect us, right, they're serving us. So when they go through whatever it is that they go through that I'll never be able to relate to and they get in a bind or get stuck or they get a criminal charge and they're in the system, I love problem solving court because it gives us a chance to serve them. Veterans are humans just like us and they're going to make mistakes just like us. They're coping with things we can't even imagine to just get through daily life and daily functioning and so what this court does is exactly what you just said, right, treat them as the individual that they are. And give them the honor and respect they deserve regardless of criminal background because they did put themselves on the line to say, hey, you know what, no matter what, I'm going to go protect you so that I can have the freedoms that I have today. Whatever that takes with all the veterans that have gone before me, so it's an honor for us or me I will say as a part of a team to be able to say I'm going to serve you in whatever way that takes and I'm not going to give up on you just because you went through something. If anything, I want to serve you even harder and go through whatever it takes to get you on the other end of this because I can see the potential. You're not a product – you don't have to be what you went through. There's so much more potential and you don't have to survive every day. You can live and you can live a full life regardless of a criminal record or this court

system. We're all here to encourage, serve, support and help you get any and everything that you can need that's within our power.

JUDGE LATIMORE: Thank you. Judge Whitehead.

JUDGE WHITEHEAD: They made some really good points. I think they stole my notes. They took everything I was going to say. Since you've told all my business and told everybody I've been around a long time, I'm not going to say how long, but you're right. I was a prosecutor, a criminal defense lawyer, so I've seen this process work and I was a prosecutor – drug court itself was started in 1991. I was a criminal defense lawyer before then, I was a prosecutor before then, so the system back then was, you commit a crime, you do the time. And you constantly saw the same people over and over and I know I talked about that before but that just didn't – you were just concluding a case but you might as well just leave it open because they'll be back again because they had no help whatsoever. It was credit for time served, go to prison. There was nothing in prison that was helping them. So to me that's not doing anything. We had to come up something different and thank God that drug court was started back in the early 90s and it carried over into problem solving court as far as veteran's treatment court is concerned. You don't have to be a rocket scientist to go outside this courthouse and just walk around a little bit and we've got more mental health out on these streets. We got more homelessness than we've ever seen in our country and we need to do something to help individuals. It comes at all levels, from a treatment standpoint, from the VA standpoint, even as a prosecutor, defense lawyer, and even more important to me as judges. We have to quit just handling this – looking at this as a statistic. This is not a statistic; this is an individual. They need individualized help. You don't get individualized help in a regular problem solving – I mean, a regular court. But here with us we can talk about one person and we handled it that way and now we handle this person and it

worked for that person but what works for one may not work for the other. One of the things that I've done over the years and I used you too, you didn't know it but I used you, because your experience was in dependency drug court as a lawyer, but you hadn't really been exposed to criminal court, adult criminal court that much in your legal career. You had some exposure but not a lot of it like me. So when you became a judge, one of the first things I would do is I would get you to back me up and you didn't know that was a set up to get you doing what you're doing right now. And you weren't the first one because I learned myself when I first started with drug court, John Adams was encouraging me to create a drug court in Osceola County and I was like, man, you must be crazy. This was in 1994, no '94, '95. It was 1995 and he said no, you need to try. We set it up. We started working, it was a lot of work trying to get people together because you'd have 150 people in the room and nobody knew what they were doing, but we finally got it going. And once we got it going, I began to realize that I like this and this is something that is different and it's working. And I knew it was working because of the individuals that were participating in the program and so it showed me that there's a different way to do it. Well, I then got our former Chief Judge Lauten, I told him, I want you to be the next drug court judge. He fought and kicked but once he started, and did that with four or five other judges. Once they start, they love it because now they see you know as a judge, and you know this, you don't just want to sentence someone and just have no impact on them whatsoever. You want them to learn their lesson, you want them to turn their lives around and we can't do all that by just sitting there talking to someone in court for ten minutes. But when we do it in this process here, everybody participates. It's not just you. It's everybody involved in the whole process is doing it so I think it makes a difference and we have to do something to help people. You got to help. That's just my opinion so that's – I don't know. I'm done.

JUDGE LATIMORE: Well, thank you, Judge Whitehead for the set up okay.

JUDGE WHITEHEAD: You didn't know you were set up? I could have told you that. It was a set up.

JUDGE LATIMORE: It was, it was a great set up. It was a great –

JUDGE WHITEHEAD: You love your job, right?

JUDGE LATIMORE: I do, I absolutely do. And on behalf of the Ninth Judicial Circuit and on behalf of Open Ninth, I'd like to thank you all, Natasha Anthony, Sherri Claudio, and Judge Reginald Whitehead for joining me today for an informational, educational and inspiring conversation about veteran's treatment court. And on behalf of our country, I'd like to say thank you to our veterans for your service and have a good day.

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