

# Friday Feature

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## At your service Veterans Court embraces its role of 'changing lives'

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Legal News

Many military veterans who return from service bear physical scars that hint of what they experienced during duty, but many others bear burdens that can't be seen.

A recent survey by the Veterans Administration revealed that each month, an average of nearly 700 military veterans commit suicide, with another estimated 1,000 who try. Vietnam and post-9/11 veterans have startling rates of homelessness — there may be up to 350,000 homeless veterans in the United States at this moment. Of those, 95 percent have earned honorable discharges in recognition of their service to the U.S.

And ultimately, further statistics reveal a sobering story as it relates to crime by veterans: nearly 10 percent of all inmates in prison or county jails are veterans. Alcoholism, drug use and prescription dependence rates, too, are reaching alarming levels.

Until recently, the correlation among these statistics has gone largely unnoticed — until judges like the Hon. Karen Khalil, of the 17th District Court in Redford Township, began to look closely at not just who was coming through her courtroom, but why.

"I had a few cases come through in late 2010 and early 2011 that brought the issue front and center to me," said Khalil. "I realized that something had to be done for our veterans."

Khalil presides over one of just a handful of "Veterans Courts" in Michigan and the U.S. These court proceedings take into account a veteran's service-related health and behavioral issues, such as Post Traumatic Stress Disorder (PTSD), battlefield injuries, depression and dependence on substances which have been shown to play a key role in the commission of crimes by veterans.

Veterans who opt into Khalil's Veterans Court must complete a rigorous probationary process that includes rehabilitation, drug and alcohol testing, meeting with a probation officer and VA representatives, counseling and treatment for their military-related issues. The veteran must plead guilty to the crime they are being tried for and it must be a misdemeanor in order to be eligible.

If they complete those requirements, some may be able to avoid having their crimes end up on a public criminal record, based upon agreement with the prosecutor.

"It's been very rewarding, it's changed lives — it's changed my life," the judge said. "It's given me a different perspective, and it's given me a history lesson."

Since the court's establishment in November 2011, Khalil can cite example after example of soldiers so impacted by their military experiences that they welcomed treatment to stop their rage, their anger, their depression. One, who she calls "a very dear, mild-mannered, polite man," was a U.S. Marine who served as a peacekeeper in Lebanon when the American barracks were bombed. It changed him inside and out.

"He's doing so well now, after going through the Veterans Court program, but it makes you realize the depth of commitment they have to our country and all that they've given," Khalil said. "This is one way we can give back."

It is indeed a "we" effort, a multi-entity collaboration that keeps the Veterans Court an option for veterans in Southeast Michigan. Khalil has taken the lead in getting others on board and supportive, including the Wayne County Prosecutor's Office and the Wayne County Association of Chiefs of Police, who joined her in supporting the Veterans Court when it launched.

"One of the chiefs who attended my presentation approached me afterward and said, 'I served in Vietnam, and they should've done something like this 40 years ago,'" she recalled.

She also has reached out to judges in Wayne County, and many are sending eligible veterans' cases as transfers to Khalil's Veterans Court. They, too, are seeing the benefit in reducing recidivism and treating veterans so they can move forward to lead productive lives.

"(The judges) have said to me, 'It's so nice you're serving your community,' and I pause for a minute and think, 'I'm really trying to serve my country,'" she explained. "I'm proud of Michigan and I'm proud of the judges who don't have Veterans Courts who have taken the time to learn about these issues related to veterans."

Khalil and her staff also work very closely with the Department of Veterans Affairs through their Veterans Justice Outreach Coordinators in both Detroit and Ann Arbor. Those coordinators assist the veteran in securing the right physical and mental health treatments and benefits to help them on the path to well-being.

"Some of these veterans weren't even receiving treatment or being paid their proper benefits. Now, we're able to assist in that as well," Khalil said.

Ultimately, it's the veterans who determine the successfulness of the program. "They don't have to participate - I don't order anyone into the program," she clarified. "I invite them to come and sit through a session. When they enter the program, they do give up certain rights, such as having contested hearings. They have to be responsible for their actions. It's very intense - it's even a step above traditional probation. It's more focused, there is more, closer monitoring. We're constantly on top of things — if there's a crisis on a weekend, the team steps in."

### MENTORING FROM PEERS

Aside from the network of collaborations that are forming in the judicial branch of the Veterans Court program, another major part of its success relies on the mentors who are assigned to the veterans in this court process. Jim Badeen is one of them.

"Judge Khalil asked me to volunteer as the mentor coordinator," said Badeen, a retired Army major. "I started looking into it more and more and realized the importance of it. The statistics go on and on. What they show is over the past decade there has been a large and growing number of vets experiencing problems with re-assimilation back into society. As they've returned from active duty, these problems have brought about some tremendous increases in certain types of crimes and suicides. These crimes were being felt at the community level. Judges, like Judge Khalil, came to realize that many of these new cases ending up in their courts were veterans who were troubled in some way, and they did not need to be punished but rather they needed help."

Badeen cited the example of Judge Russell, a Buffalo, N.Y., magistrate who in the mid-2000s set the standard by establishing a court process that rehabilitated veterans in the criminal system.

"It had a tremendous impact," Badeen said. "Their recidivism rate dropped instantly — to zero — and furthermore a lot of these guys established themselves in the community and they became active community leaders in some cases."

With the potential for having such a positive impact in his own community, Badeen agreed to serve as the 17th District Court's Veterans' Court Mentor Coordinator. As such, he ensures that each veteran going through the program is assigned a veteran mentor. There are currently 11 volunteer mentors working with the court.

One of the biggest challenges has been raising enough awareness and funds to support the efforts, he noted. A pro bono defense attorney has stepped in to assist veterans.

"All of this is being done by volunteers right now," Badeen said, himself included. "This is a voluntary, grassroots effort. We are hoping to get some funding for the courts here locally in the next budget cycle. We think we really struck something here."

As a veteran, Badeen knows persistence can pay off in helping these vets with whom he can recognize their struggles. He rattles off statistics gleaned from months of research into the issues behind veteran crime: alcoholism, rage, PTSD, depression, crimes of passion.

"What we've learned is that the soldiers, sailors, airmen, Marines, who are returning to us today are no different than those of the past experiencing readjustment problems," he noted. "Science shows that this is rooted in their military training. The Department of Defense recently released a study that 36 percent of all post-9/11 military veterans have PTSD. The VA says that's wrong — it's many more."

Having a veteran mentor is one way to make the disciplinary process relevant to the veteran in the court system, Badeen noted.

"Many of us (mentor volunteers) have been in combat, and unlike some of these guys, although we didn't suffer the extent of PTSD that they did, or a traumatic brain injury, we can still walk the walk and talk the talk and understand what's going on with them. And even though it's not an 'official' power, the military structure is still there psychologically."

"In most cases, we try to match up a mentee with a mentor who was a higher rank, like say a former corporal with a retired first sergeant or former captain. That tends to work very well with Marines," Badeen said, with a laugh.

Getting the veterans the help they need can be a daunting process when they don't end up in a Veterans Court type of scenario, he added. In 2012, for example, the average wait time for a VA claim to make its way through the system in Detroit was 300 days. On top of that, a high percentage of claims are mistakenly denied or underpaid, he added.

Having the court step in to recognize that these issues are underlying factors for veterans facing criminal charges is a huge step toward safer, healthier communities, Badeen noted.

"The judges at community level and the people in our communities have said, 'We have a problem.' The local communities are forced to deal with these troubled veterans if we don't. And people sometimes don't understand it, how the former Boy Scout or the altar boy or the high school football star went off to war to serve their nation in time of need and now they are broken soldiers of war."

"So what do we do at the local level? We step up and say, 'This is my neighbor's daughter, this is the kid who used to deliver my newspaper.' We take the bull by the horns, and this is one way we can do that."

**'WE COULD STEP UP AND HELP'**  
Training mentors so they can help veterans in the program brings yet another community resource into the loop — the Arab American and Chaldean Council, with offices on Seven Mile in Detroit.

Adrian Accetta, the ACC's clinical supervisor, said when Judge Khalil requested the organization's assistance in training mentors, they were happy to help.

"We handle a lot of behavioral health, therapy and psychiatric services in our office," said Accetta.

After sitting in on some meetings where veterans were discussing the mental health repercussions active duty, she, too, recognized the importance of the Veterans Court's efforts.

"We serve our community, and to see the vets fighting for

**There is no shortage of cases for Judge Khalil to handle in the 17th District Court program that was launched in the fall of 2011.**



Judge Khalil presents veterans who graduate from the program with a special medallion as a token of respect.



Photos by Robert Chase



With the program's mascot at her side, Judge Karen Khalil chats with one of the men participating in the Veterans Court in Redford Township.

us and coming back and needing resources made it clear that we could step up and we would be willing to help," she said.

Accetta's trained team works with Badeen's volunteer veteran mentors to teach them communication techniques that can benefit the veterans. For example, they might discuss how to respect boundary issues and how to recognize PTSD and traumatic brain injuries. They talk about how to avoid setting up unprofessional relationships, such as discouraging meetings in a bar, and not becoming romantically involved with the veterans they're mentoring.

"Another thing we teach the mentors is how to be helpful without doing it all," Accetta noted. "We want to increase the veteran's motivation and independence. We want to make them want to do it on their own. They have to really want to be in the program and because it's a lot longer, more involved process, the veteran has to say, 'I really want to change, I really want to do this.'"

"It's almost taking a harder sentence, but you get much more out of it — 10 times more."

Working with this program further solidifies the ACC's role in helping veterans in the Detroit area. Already they serve thousands of meals a year to veterans and provide resources to assist with housing and food and other needs of daily living.

"This isn't an issue that many people are aware of, but it's very real," Accetta said. "When I first heard about this court and the issues surrounding our veterans, I was appalled, I just didn't realize. It's a shame that right now, these guys aren't getting help until they get into trouble."

Will there be more veterans courts throughout Michigan and the U.S.? Time will tell, but Khalil sees momentum building throughout Michigan, including through the Governor's office and the Supreme Court.

About 40 veterans have participated in the Redford Township Veterans Court, with a group of about 10 ready to graduate in a spring commencement ceremony.

"People should be proud of the state of Michigan for taking the lead in this," Khalil said. "We've set the standard very high for what can be accomplished."

"I say this to the veterans a lot: The reality is that the success of this program will impact the state and the country. If we're successful, others will follow. Their steps are being measured not only on a personal level, but also on a national level."

To watch a video on YouTube about the Veterans Court program, "Help for Heroes," produced by the Michigan Supreme Court, visit <http://youtu.be/9v19vRqKvS4>.