



The Rhode Island District Court showcased its pilot program for veterans to federal officials on June 2. On hand for the overview were, from left to right, U.S. Senator Sheldon Whitehouse, U.S. Attorney General Eric H. Holder Jr., Rhode Island District Court Chief Judge Jeanne E. LaFazia, and Rhode Island Supreme Court Chief Justice Paul A. Suttell.

District Court veterans program showcased to visiting U.S. Attorney General Holder

June 3, 2011: When combat veterans return home from Afghanistan, Iraq and other areas of conflict, most of them successfully reintegrate into their communities and society at large. A small, but increasing percentage of them do not. These veterans sometimes run afoul of the law, and there is growing recognition in the legal and mental health fields that this issue needs attention.

On Thursday, June 2, a coalition of state agencies spearheaded by Chief Judge Jeanne E. LaFazia of the Rhode Island District Court had the opportunity to showcase a pilot jail diversion program for veterans to U.S. Attorney General Eric H. Holder Jr. and U.S. Sen. Sheldon Whitehouse. Seventeen others joined Holder and Whitehouse at the Rhode Island Supreme Court to listen to LaFazia present an overview of the program and discuss its current status and future growth.

“ ‘No soldier left behind’ is a code which Americans have always been proud to live by,” said LaFazia. “As Americans, we do not desert our soldiers on the battlefield – shouldn’t this also be true on the home front? Don’t we owe our returning soldiers a similar duty when they come home injured or affected in a way that has altered who they are and what they do, especially if that injury causes or fuels behavior that puts them into our criminal justice system? It is well established that some of these individuals are returning home with injuries that are very real but invisible to the naked eye.”

Holder told the group he was both intrigued and impressed by the program. He stated that Rhode Island was on the cutting edge with this model and with the extent of collaboration among the various stakeholders.

LaFazia said the District Court, as the threshold to the Rhode Island criminal justice system, was in a unique position to take on the supervision of a program for defendants who have served in the Armed Forces and for defendants who have been diagnosed with PTSD and other trauma-related disorders. Courthouse sheriffs, many of them veterans themselves, have been helpful in identifying defendants who served in the Armed Forces.

“We have in District Court a Pretrial Services Unit which is now being expanded into all of our counties,” LaFazia said. “District Court has collaborative agreements already in place with most of the major mental health community providers. We already have an extensive and continually expanding network for referrals on substance, alcohol and other behavioral issues.”

A pilot program is operating in District Court, Kent County, in partnership with The Kent Center and the state Department of Behavioral Healthcare, Developmental Disabilities and Hospitals. The program is getting support from the Rhode Island General Assembly with modifications to state statutes geared toward veterans.

“We are already doing some great things in Kent County and it is my goal to establish a statewide Veterans’ Court in Rhode Island in the near future. “I am confident that with a statewide court, more veterans would be willing to identify themselves and to participate. There would be less stigma and more comfort and confidence, knowing that they are not alone with their problems.”

LaFazia noted that Rhode Island has contributed more than its fair share toward the military efforts in Iraq and Afghanistan.

“The callback of our own National Guard is the second-highest in the entire United States,” she said. “As of September 30 last year, the number of veterans living in Rhode Island who served there is three times the national per capita average. Our judges are seeing more and more of them in their courtrooms each week on both criminal and civil matters.”

LaFazia stressed that the jail diversion program was not a free pass for veterans who are arrested. Each case is reviewed individually, taking into account the nature of the charge, the facts, criminal history, risk to public safety and nature of diagnosis.

“Accountability is essential to a strong and safe society and it is also essential to successful recovery,” she said. “This program is in no way intended to send any message to the contrary. Program compliance might result in a full dismissal of charges; or instead it could result in a reduction of charges or the imposition of a lesser sentence.

“We have a duty to focus on this group of people. These are individuals who have volunteered to put on the uniform and follow our flag into combat in order to defend our country and our freedom. We need to recognize them. We need to have a program which allows us to address the unique challenges which veterans face and to provide them with the tools and insight needed to become whole again – to reintegrate successfully into society. This is a problem-solving court.”

Others who attended the meeting on June 2 were former U.S. Rep. Patrick Kennedy, Laurie Robinson, Assistant U.S. Attorney General; Rhode Island Supreme Court Chief Justice Paul A.

Suttell; Rhode Island Attorney General Peter F. Kilmartin; state Rep. Raymond E. Gallison Jr.; Corrections Director A.T. Wall; Craig S. Stenning, director of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals; Corinna Roy of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals; Public Defender John Hardiman; Elizabeth Earles of the Rhode Island Council of Community Mental Health Organizations; Lt. Col. Vivian Caruolo of the Rhode Island National Guard; Coventry Police Capt. Walter Hennessy; Lise Iwon, president of the Rhode Island Bar Association; Jack McMahon of the Department of Veterans Affairs; Daniel Evangelista of Rhode Island Veterans Affairs; Ron Whitcomb of Operation Vet2Vet; and Carol Giordano, director of the District Court's Pretrial Services Unit.

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