Onondaga County Veteran’s Diversion Program

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Onondaga County
Veteran’s
Diversion Program

Organizational Statement

This program is a coordinated plan to educate the Criminal Justice System on the benefits of treatment, integration and re-socialization of combat veterans utilizing existing programs within the Veterans Administration. Thusly, this program becomes a viable and cost saving alternative to incarceration and still serves the interests of justice and fairness to those that served their nation so nobly.
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In 1984, two patrolmen from two different agencies shared a common boundary in their patrol assignments. It was their custom to meet nightly and discuss the multitude of problems that had occurred. During one of those conversations the discussion of how many veterans the two had encountered came up and they realized the common thread in those encounters was drunkenness, fighting, disorderly conduct and domestic disputes. These two men were Vietnam War veterans and both men were becoming very active with the local Chapter of the Vietnam Veterans of America (VVA). One patrolman became a national officer in the VVA and received education about the incarceration rates of Vietnam Vet’s and the connection that post traumatic stress disorder (PTSD) played in those veterans getting into trouble with the criminal justice system not only locally, but across the country. Not only were the numbers staggering, it also became apparent that the Vietnam veterans were treated differently by the criminal justice system. The two patrolman/veterans examined this trend; it appeared that post traumatic stress disorder seemed to be the primary reason for the problem and that jailing combat vets was not resolving the root cause of the problems. An attempt was made at that time to get others interested; but it did not resonate in the local criminal justice system. Although there were some who wanted to do something for these troubled vets the timing wasn’t right for a variety of reasons. Many judges were not interested in what they saw as excuses for bad behavior, so the courts were reluctant to work with any programs for assisting these vets with the help that they needed. The justice system was overwhelmed with the shear numbers of defendants for all types of criminal behavior. At the same time, the prison system, overwhelmed with inmates, was not willing to single out the vets and provide them with what was perceived to be special treatment. At that time, the philosophy was to keep criminals away from the public, rather than look into treatment for the causes of certain behavior. The criminal justice system -- from the street cop to the district attorney to the local jails -- did not have any tolerance for the Vietnam Veteran. The Vietnam Veterans were portrayed in books, newspapers and movies as killers and dysfunctional people drawn from the dregs of society and who were given a job to do which they failed to perform satisfactorily. It was untrue and unfair, but Vietnam Veterans were commonly thought of as losers. The attempt to initiate a program of intervention and treatment for vets many years ago came to nothing. Thankfully the time of disparaging veterans is over. The veterans of our latest wars are properly considered heroes. The public has embraced them and is actively working to help them readjust to society as they return from multiple tours and the hell of war.
Needs Assessment

The first veterans court came on line in Buffalo, New York in 2007. It was a grassroots answer to the problem and the two cops knew a similar solution could be effective in Onondaga County. Discussions were held with the three men who developed this court in Buffalo to learn how to bring this type of court to serve veterans to Onondaga County.

The first step that was done was to discuss the program locally and to identify local leaders to explore the feasibility of such a venture. The second step was to determine who in the leadership within the Veterans Administration Medical Center (VAMC) would be interested in determining what could be done to get those veterans who qualified for intervention into the VA system. The local VAMC has an emergency facility, as well as an excellent program to treat the vet for PTSD and Traumatic Brain Injuries (TBI). The Syracuse VAMC, a tertiary hospital facility with a full time staff of social workers, is a recognized treatment center for psychological disorders.

It can handle psychological evaluations and can order a person to be placed in emergency treatment for upwards of sixty days. One of the things learned early on was that the local police were unaware of capabilities and procedures at the VAMC; that knowledge needed to be shared.

Additionally, it was a priority for the VAMC to make its services known within the veterans’ community and the criminal justice community. The VAMC was ready to assist in formulating a plan to help those veterans that found themselves in trouble with the local criminal justice system. A series of meetings sponsored by the Director of the VAMC were held and an agreement for full co-operation was made. A very experienced administrator was attached as liaison to the newly-founded committee to begin this project.

An organizational committee made up of representatives from the police, the VA, the VAMC, the judiciary and the VA Vet Center was established. The project was called the Onondaga County Veteran’s Referral and Treatment Services, later changed to the Onondaga County Veteran’s Diversion Program (OCVDP). Following the initial meetings it was decided to invite the leaders of the major core agencies or their designees who would be necessary for the success of this venture, to the next meeting.

Those invited included the Chief of the Syracuse Police Department, the Sheriff of Onondaga County, a representative from the Onondaga County Probation Department, the Onondaga County Mental Health Commissioner, the District Attorney, the Commissioner of Onondaga County Corrections and the Chief Administrative Judge for the Fifth Judicial District which includes Onondaga County. The people from OCVDP
who addressed those invited were the committee’s two founders (who are now retired cops), the head of the VA VET Center, a representative from the VAMC, and two clinical staff members from the VAMC. The presenters stated that the VAMC and the VET Center were available to treat these vets who had gotten into trouble with the law. The VAMC and VET Center, with signed HIPAA releases, would keep the courts and the DA aware of the progress and treatment plan, if any, for the vets that were charged in the court. The attendees were also told that this was not a “get out of jail free card” and that the vet in trouble still could have consequences to face for their actions. The vet had to work their own way out of the trouble that they got themselves into. The co-operation of the VAMC and the availability of treatment were new tools to help the court determine the appropriate sentence for the vet and induce compliance with VAMC treatment. The attendees learned that on any given weekend there are a few hundred soldiers in the City of Syracuse because of the close proximity of Fort Drum. With the anticipated end of the war in Iraq and the number of soldiers coming home increasing substantially, it would be better to have a plan in place to deal with the returning soldiers sooner than later. There was an overwhelmingly positive response from the attendees, giving the organizers encouragement to continue with the program. It also gave the organizers the keys to open a dialog with the criminal justice system; with the blessings of the heads of the major agencies, program development could truly begin. OCDVP feels that this top down process allowed the committee to save months of work moving up the chain within these various organizations.

A four-hour seminar was held at a local union hall to introduce the program to representatives from organizations who wanted to work on it. All the necessary audio visual equipment was provided gratuitously by that union. The attendance was excellent. The seminar addressed the issues such as PTSD, Traumatic Brain Injury (TBI), the VA’s health care system and what the VA can do for those who enter their system and the VET Center’s program.

Additional representatives from various disciplines needed to structure OCVDP were added to enhance the operation and to keep the board abreast of the issues. Staff from the Center for Court Innovation outlined current programs for alternatives to incarceration. This group has been working to open an office in the Public Safety Building, adjacent to the courts in downtown Syracuse, so that staff from the VET Center and the VAMC can meet with prospective vets directly after their court appearances and start the appropriate paper work for treatment.

In addition the OCVDP has addressed various magistrate associations in Onondaga County and
neighboring counties as well as making a presentation to the New York State Town and Village Justices annual meeting held in New York City in 2008. Another presentation was made before the Onondaga County Chiefs of Police Association also was well received. These various groups recognized the need to provide a program of this nature for the vets.

The VAMC and the VET Center started to provide in-service training on the nature of PTSD and TBI for the Syracuse Police Department including its basic police academy class. Already there are spin-off programs initiated by the Syracuse Police Department and the Onondaga County Sheriff’s Office for reintegrating personnel back into their jobs after they return from a tour of duty overseas.

This is the basic intent of the program: to help deserving vets get a second chance; as such this program is a deserving and beneficial endeavor.

**Section 2**

**Key Players**

There is always a need for the top people in any organization to buy into the ideas of others and stimulate their own ideas to further a concept. In this way the interest spreads and dedication is built. Early in the process it was deemed necessary to find key players – those at the highest level who could accomplish what the project needed to move forward. OCDVP moved in a top-down process to reach the top management of an organization who would buy into the OCDVP concept and then in turn inform lower levels of management that this concept is now policy. Since the OCDVP committee was focusing on the criminal justice system in Onondaga County, the committee needed the following organizations to become part of the team: the District Attorney’s Office, the judiciary and the various police agencies. All were needed to work together to get intervention and appropriate help for the vets at the critical time. The OCDVP committee called upon the leadership of these organizations for their assistance in reducing the numbers of veterans being shuffled by the police through the court system and finally ending up in either jail or on probation when treatment was necessary, beneficial and available.
Department of Veterans Affairs Medical Center

It was apparent from the start that the Veteran’s Affairs Medical Center (VAMC) had to be involved at the administrative levels within the facility. The plan began after careful consideration of the persons necessary to understand the need and practicality of the proposal. The head of mental health services was approached and gave a verbal agreement to support the program after the initial meeting. The support of the Emergency Room was next identified and the person in charge agreed to be supportive in developing a 24 hour plan to deal with those veterans brought in by police officers. If the veteran could not be seen immediately, a bed would be made available and the veteran held through a two physician (two p.c.) commitment while waiting to begin treatment. The VA Police agreed to hold and watch those veteran patients that were brought in on a mental health placement through the emergency room by an outside police officer. Social Services within the facility agreed to formulate a plan to fit into the program. A meeting was next held with the leadership of the VET Center, which is a part of the Veteran’s Health Care Administration but serves as an independent outreach center. The leadership at the VET Center agreed that it was a good program and worthy of support. Once we had this understanding it was time to approach the VAMC Administration and the proposal was put before the Director of the VAMC. The Director agreed with the proposal and called for a staff meeting that included all interested departments. At that meeting it was made clear that this had to be a 24 hour service at least for the person in need of supervision as they posed a potential for harm to themselves and to others. The Director assigned administrators in the necessary departments to assist in developing an internal plan and another administrator was assigned as liaison to the OCDVP Committee.

There were a few more meetings to iron out the issues that came up; none of which were serious enough to delay the program. The administrators who were assigned to the program put together information and statistics that have been invaluable. An initial slide presentation was formulated, as well as a flow chart to help explain the project and the need for intervention and treatment to additional audiences. (See Addendum A)

Addendum A is a flow chart describing what occurs to a veteran when that person comes into contact with the criminal justice system particularly through a contact with law enforcement. The chart shows the three possible courses of events. The first instance of contact, law enforcement either leaves with no action or uses the referral card so that the veteran or another person can call for assistance. The second is the course where law enforcement takes the veteran to the VAMC for assistance. The third course of action is through the criminal justice system, ending with the courts use of the program, if that is found to be the appropriate choice by the courts. The chart also illustrates the responsibility of the VAMC/VET Center in reporting their evaluations to the courts. Only after this agreement was complete could it be possible to forge ahead and contact the others that were necessary to make the program viable in Central New York.
District Attorney

The District Attorney (DA) and the staff in the DA’s Office are the chief law enforcers in any county and are the lynch pin of the criminal justice system. It is through the DA’s Office that the judicial system opens and closes prosecutions since they have the power to select which cases are important. The DA’s Office represents the people’s interest in all cases. It is important that the DA in any community gets involved with this type of project. The DA’s office will review and initially approve the placement of the veteran offender in a treatment program with the cooperation of the judiciary. Therefore, the DA and his staff must understand how the VA will handle veteran offenders. The VA must provide the court, the DA and the defense counsel with all pertinent data on the progress of the patient and must be done in a timely manner. This can be accomplished with a HIPAA waiver signed by the defendant and given to the VAMC. This information will be utilized throughout the VAMC’s process so that the DA can consult with the court and the defense attorney on the status of the patient’s charted progression and success. At the completion of the treatment, VA reports will be key to the DA’s recommendation in finding whether the people’s right to prosecute can be waived in the interest of justice. Without the DA this program is at a standstill.

The Judiciary

(The information contained in this segment is just a quick snapshot of the judicial system for referencing only as to which groups are needed to make this program a success.)

The judiciary in the State of New York is made up of a variety of different courts divided into nine judicial districts. An administrative judge supervises all the courts in each judicial district. The administrative judge can assist in promulgating new procedures to be utilized by the courts in their district. If the administrative judge becomes convinced that a program such as OCDVP is a viable and valid alternative to incarceration, than there is a very strong possibility of getting approval of the entire local criminal justice system.

The city, town and village courts are the courts “closest to the people” and handle the greatest number of
criminal cases system wide. The city, town and village judge is normally an elected position and is the person, in general, that a defendant is brought before or appears before when the defendant first enters the criminal justice system. As the arraigning judge that takes the original plea of guilty or not guilty and assigns bail; the judge can remand the defendant to the local jail to await either sentencing or a further action before a higher court or in their court. The city, town and village judges are in a unique position to identify the person as a veteran at the arraignment and make provisions so that this veteran offender has a referral to the DA, the defense counsel, the VAMC or to probation intake for possible intervention and treatment. This can be as simple as placing a notation on the arraignment sheet indicating the status of the defendant as a veteran. Given the impact these judges can have on the future of veterans in their courts, it is important to the OCDVP that the judges become invested in the process.

In many communities city, town and village judges have monthly association meetings which provide the opportunity to discuss the possibilities of this diversion program. It is important for the judges to participate in the education process on the topics of recognition and treatment of PTSD and TBI. They can be a source of information and assistance for families of veterans who are acting out and displaying symptoms of PTSD and TBI. In general the local city, town and village judges know their communities and have strong relationships within those communities to help identify problems.

While county court is where felony level cases are tried county court judges also preside over arraignments and can grant referral and treatment so that the VAMC can work with veteran offenders. Also, as a condition of sentencing, a county court judge could require the veteran defendant receive treatment at the VAMC.

Veteran’s Court

A Veteran’s Court Diversion Project in Buffalo, New York is already successfully providing for veterans in the Erie County area. This court is a spin off of an existing drug court that has been recognized as an excellent alternative to incarceration in the treatment of drug abusers. A small group of individuals in the criminal justice system, including a county court judge, who presides over the drug court, saw merit in developing a veteran’s court similar to drug court. Led by their experience and motivation, this group made the vision of a veteran’s court a reality. The Veteran’s Court Diversion Project is not a full time operation. The court meets after the normal court hours or the judge schedules an afternoon to addresses the cases of veterans who meet the criteria.
to be in that court. “This court is a judicially driven collaborative effort between the police, the Veteran’s Administration, the Buffalo Courts, the Buffalo Drug and Mental Health Treatment Courts and the C.O.U.R.T.S Program (Court Outreach United Referral and Treatment Services). The people in charge of this effort list their mission as to successfully habilitate by diverting the veteran offender from the traditional criminal justice system and providing them with the tools they need in order to lead a productive and law abiding lifestyle (1).” The Buffalo Veteran’s Court tries to broker the relationship that is necessary to keep the veteran out of trouble with the law by directing the veteran to agencies that can treat not only the veteran’s mental condition but also his physical needs through housing, food, employment, legal and family issues. This model is an excellent way on many levels to deal with combat veterans in their interaction with the criminal justice system post arrest. The Judge and staff involved in the Buffalo Program are very helpful and open to giving suggestions and describing the operation of their Veteran’s Court. This system may not be the best solution for every community. Co-ordination and efforts need not result in an actual veteran’s court, but still be achievable and viable through a diversion program. Depending on the community’s interest and population, the one stop service of an actual veterans court may require a less intensively coordinated effort to confirm compliance and participation by the veteran, as set forth in the court’s conditions.

New York State has a Court Alternatives Project that attempts to facilitate alternatives to incarceration projects similar to the one that is being presented here. There are people in every community that can assist in drawing up the plans for a system that works best in their particular area.

**Police Agencies**

Law enforcement officers are often the first people to deal with veterans who have either been victims, perpetrators or who are brought to their attention by a call or observation. In general, law enforcement officers have a lot of discretionary power at the scene of an incident that does not involve mandatory arrests. Arresting someone is often the last resort to handling the call that the police officer responds to. In cases where mental health issues are involved, most officers would like to find a solution that helps the person in need and hopefully results in never having to deal with the problem again. Most law enforcement agencies believe that if the problem can be resolved through intervention, they would be glad to transfer the problem to another source to resolve because this keeps their officer available for other calls. If the agency that is called upon to
resolve the problem can actually eliminate the reason for the original police intervention then that is time saved in the future for other police matters. Therefore it is important to law enforcement that a strategy exists which can be employed when a veteran becomes involved with the police. This is the collaborative effort that OCDVP puts forth in this program planning. When the law enforcement officer can determine that the veteran is a victim, a person in need of assistance or an offender, the officer can take actions to start to resolve that veteran’s problems. It should be stated that not every veteran who commits a crime will receive this form of assistance. If the act committed by the veteran is so onerous and the violence is so profound it or the circumstances call for furtherance, it will not be up to law enforcement to make a judgment to offer the program. The person under arrest will have been identified as a veteran and other members of the criminal justice system can make that judgment about whether or not VA services can be used to intervene. A pocket sized Veterans Outreach card was developed for all law enforcers called a Veteran’s Referral Card for use in Central New York to present to the veteran, his family or friends. The card contains phone numbers for the Syracuse Vet Center, Watertown Vet Center, the National Suicide Prevention Hotline, the Syracuse/New York State Veterans Affairs Office and the Veterans Administration Medical Center. This card will provide the veteran or others with options to call for assistance at a convenient time and is also a listing for the police to use.

In most communities there are several law enforcement agencies that need to be contacted to attempt to become a part of the program’s collaborative effort. The agency that needs to be contacted first is the larger metro city police department. Its area of enforcement has a large transient population and generally, the lowest economic groups reside within the city’s limits. Therefore the unemployment rate is higher and other problems associated with poverty are prevalent. Since the largest numbers of people reside within its jurisdiction, statistics indicate the largest population of veterans will also reside there. The programs’ collaborative effort would give the police department new tools for working with the veteran population that also address the time and manpower constraints a police department faces. When an officer identifies a veteran as a person who needs assistance, with that person’s consent, the officer can bring the veteran to the local Vet Center or, after hours to the emergency room at...
the VAMC. The officer, after the veteran’s status has been confirmed by the VA personnel, can leave the person for evaluation and possible treatment freeing the officer to go back out to answer more calls. In other police contacts, if the person is identified as a veteran with problems, then the referral card may be given. In other arrest situations when the veteran status is determined during arraignment and adjudication, the identification of the offender as a veteran is available for determining potential intervention. It is the belief of the program that the VA offers the finest help available for the veteran and one which has the knowledge, experience and desire to make a difference in the veteran’s life. Utilizing the VAMC as a one stop, quick in and quick out partner makes this valuable to the police. In a 2006 study regarding mental health issues it was determined that 7 to 10 percent of all calls or encounters with the police involve persons with mental health issues (2). It can be extrapolated from that study that the larger the population, the greater the number of contacts with veterans with mental health issues there will be. As the number of veterans returning home from service increases, there is a growing likelihood of police involvement with these veterans. It is important that the chiefs of larger departments are included early and provided with the understanding of the quality of the program and it is equally important that the police and the community become stakeholders in this program. The chiefs, if they are not personally involved, should assign someone of rank to become the liaison to the committee.

In Syracuse, New York the Chief of Police assigned a deputy chief and through that deputy chief the association with the program began. The Syracuse Police Department became so involved that they now include instruction about PTSD and TBI at their in-service seminars and at their basic police academy. Two officers developed a program of re-entry transitioning for veteran officers upon their return to the police service from their overseas deployment. This program has proven to be immensely successful in identifying problem areas affecting the officer which can be addressed appropriately by the department working through the VA and Vet Center. It is important to bring the Sheriff’s Office aboard early because it is both the primary law enforcer in that community as well as the agency responsible for managing the jail. Since the jail is the central holding facility for those awaiting trial or awaiting transport to another facility to serve out their
sentences, the Sheriff’s Office can provide information in identifying the veteran who is being held within the jail and notifying the judiciary or the DA of that status if it wasn’t determined upon arrest or arraignment. The Sheriff’s Office has jurisdiction throughout the county in which it serves and in many counties it may, except for the State Police, be the only law enforcer in towns and villages and even small cities that lack their own agencies. The police branch of the Sheriff’s Office operates the same as the previously mentioned city enforcement operation. It is important that the Sheriff be made aware and hopefully become a stakeholder in the project much the same as the Chief of Police.

In Onondaga County and throughout New York State there are large numbers of town and village police agencies. Most chiefs of police of those agencies belong to a local Chief of Police Association as well as the New York State Chiefs of Police Association. The local associations meet monthly and the OCDVP requested to attend a meeting of the association to present the program and its goals. The town and village chiefs are strong believers in community policing and this program fits exceptionally well into that philosophy. The town and village officers are very “hands on” in their communities; the officers know the people who reside there and are very protective of their areas. The officers and their command staffs work closely with the community and if the program helps someone who is a veteran then it is reasonably certain the police will co-operate. It is important that the local police need an educational seminar about the program’s goals and the required response needed to create an intervention.

The State Police are important to the program, especially as they may be the sole enforcers of the law in areas without any other police protection. They too need to understand the issues facing veterans and what can be done to help as they return to their communities. The State Police have a Major in charge of every zone and a Captain serving under the Major. It would be beneficial to reach out to those people with the program’s goals and objectives. Although the State Police may be a large bureaucracy, the program can be presented with local commanders while still recognizing that the command structure in Albany sets policy for their areas. The State Police could be the most challenging to involve because direction comes from the central authority based in Albany; nevertheless it is still important to speak to the leadership within the area that the program will be conducted.
The Veteran’s Affairs Medical Center Police are the police force for the hospital, which is federal property. When outside agencies come to conduct an investigation they must notify the VA Police of their presence within the boundaries of the VAMC. In general, no firearms or weapons are allowed in the Medical Center and therefore must be presented to the VA Police for safekeeping. When a patient is brought in by a police agency, to the emergency room for a mental evaluation, the VA Police will assume custody and safekeeping of the patient. This process must be worked out in advance with the Chief of the VAMC Police and the Director of the VAMC. All patient related documents can be given to the VA Police and the transporting officers may then leave and resume their patrol. This co-operation allows the patient to begin their process through the admission system for evaluation of possible mental health issues.

The Veteran Community

There a large number of veteran organizations in Central New York. The primary purpose of each is to support and assist veterans. Each serves as fraternal organizations, which helps to make support and assistance possible. Some are more active than others and some have more money available to provide active assistance for worthy programs. It is important to understand which organizations are the most active. Money was made available through the local chapter of the Vietnam Veterans of America for members of OCDVP to attend seminars and some other monies were made available through private donations from private sources within the veterans’ community. It is incumbent upon those wishing to begin such a program as this to reach out to their fellow veterans and their organizations keeping them aware of the progress or problems that are encountered because they can and should be a part of the solution.

Educational Process

OCDVP conducted a one day seminar attended by over 60 people from a variety of agencies within the criminal justice community. The objective of the seminar was to illustrate one thing: how this program would help the veteran through the criminal justice minefield. It was felt that those co-operating with the program needed to have an idea of what it was that they would be supporting. The agencies also needed to understand
the complexity of the issues confronting the veteran upon returning from a combat zone as they reentered society. It was important for the agencies to become familiar with the language used to describe the problems so that in speaking to the veteran or the veteran community they could understand what was being discussed. An understanding of the problems and the potential solutions was required so that they could go back to their own agencies and explain the program. The VAMC and the VA provided the instructional staff based on the recommendations of the Committee and all of the speakers were experts in their fields. The location of the seminar was a meeting center owned by a local union in a central area with free parking. The Union did not desire any type of remuneration for the use of their hall. The Union had the necessary technical equipment to provide the speakers with the audio visual equipment needed to enhance the presentation. Refreshments were paid for by the local Chapter of VVA, and the Committee and volunteers handled the setup and take down. The topics presented were on the program itself, awareness of PTSD and TBI, the VA and VAMC, the VET Center and the Veteran Court Project in Buffalo, New York. All duplicating and handouts were provided free of charge by VVA, the VAMC and VET Center. The seminar was well received and the people who attended made good comments about the presentation. A more in-depth seminar will be held in the future for the agencies that are interested in participating in the program.

The start up of the program such as this does not require large sums of money to get underway. Travel and gasoline are a cost borne by the individual volunteer. Volunteers may need to commit to many hours of their time to meet with agencies to keep the enthusiasm alive and to monitor the effectiveness of the system and the collaboration between agencies. The number of agencies has grown to include many that were not originally thought of as an imperative to the organization.

The process of education is ongoing. For instance, the Syracuse Police Department will continue doing in-service and basic academy training which provides instruction in PTSD and TBI, as well as other veteran related issues that the officers on the street should be aware of. In the future, the VA will have instructors available to make presentations to any agency wishing to get an understanding of the program, as well as the nature of the problems facing the veteran returning from combat and those veterans from other wars not already connected to the VA system.

The VA has reached out to the New York State Department of Criminal Justice Services (DCJS) and made inroads with this agency. DCJS provides the curriculum that is required at basic academies across the state. DCJS also mandates certain trainings that must be complied with by all police agencies in New York State. It is a possibility that, like the Syracuse Police Department, training in veteran issues could become mandated.
At New York Office of Court Administration, Judicial Institute training in New York City, a magistrate/lawyer who is part of the OCDVP Committee delivered a presentation on the program. Following the presentation, he received many inquiries about getting an OCDVP program running in other communities. The presentation underscored a widespread desire to understand this program and how it can assist the veteran in overcoming the problems that the veteran encountered and help make that veteran into a more productive member of the community.

**Conclusions and Expectations**

If the recommendations found in the previous sections are followed, then the formation of an active committee could be underway, hopefully with the blessings of the recommended agencies and department heads. If all the key players are in place and the program has its first veteran come into programs at the VA and VET Center through the criminal justice system, the program can be considered successfully launched. Initially it is not expected that all the veterans who are eligible will be identified; however as the program becomes established, the defense counsels representing veteran clients will become aware of the program’s potential for treatment and diversion. It would certainly be an incentive for the defense counsel to make the fact known that their client is a veteran.

The veteran will be the first beneficiary of this diversion system as the veteran gets to treatment and health care, housing and job opportunities and the resources to address barriers and challenges to the veteran’s stability in the community. The state and county criminal justice systems also will benefit from the partnership with resource providers who can help divert and redirect potentially recidivating individuals into a positive trajectory in their communities. Finally, the taxpayers will benefit from cost savings resulting from reduced lengths of stay in jail, decreased recidivism in the corrections system, and additional productive citizens in the community. The use of treatment and service resources to support prevention, early intervention and education will reduce the negative impact of combat experiences on veterans and promote recovery within their community. It has been pointed out by the experienced and very dedicated personnel that have worked closely with the OCDVP Committee that a really big benefit is that the veterans who are chronic alcohol and drug abusers get sober and begin working steadily and reconnect with society. The lives of these chronic abusers are salvaged and the financial and man power costs to the criminal justice system and society are substantially reduced.
Acknowledgements

Certainly no program of this magnitude is established alone or even by a few people. It is done by the collaborative efforts of many, although sometimes only a few ever seem to get the recognition. Without attempting to offend anyone it must be said that the various heads of the agencies that have seen our vision and recognized that our returning (and in reality any) veteran who served our country in time of war or conflict deserves a helping hand. Hon. James Cody, Director of the VAMC; D.A. William Fitzpatrick, OCDA; Chief Gary Miguel, Chief of Police SPD; Pat Chase, VET Center; Judge James Tormey, 5th Judicial District Administrative Judge Onondaga County Courts; Sheriff Kevin Walsh, Onondaga County Sheriff’s Office; Chief Gene Conway, Chiefs of Police Association are among those who saw the vision and helped deliver the message. There are, of course, others who worked hard and deserve mention the first among equals is Brenda Bronstad who read and re-read this manuscript many times pointing out all the poor uses of the language. Others whose help contributed greatly are Hon. David Gideon and Hon. Donald Benack from the Onondaga County Magistrates Association, Susan Doan, New York State Division of Veteran’s Affairs; Center for Court Innovation, Aaron Arnold and Norma Feldman (editor extraordinaire); Matthew Doran, Senior Assistant District Attorney; Lauren Love, VAMC; Dr. Judy Haymen; VAMC; Deputy Chief David Barrett, Syracuse PD; Lt. Dan Belgrader, Syracuse PD; Inv. Shawn Bergman, Onondaga County Sheriff’s Office; Jessica Senn, Onondaga County District Attorney’s Office; Mr. David Holihan and Mr. Gerry Neri Esq. Many thanks to the Central New York Chapter #103’s membership, the Board of Directors and President Ron Fairbanks for all the support to persevere this program received. Thank you to the United Auto Workers (UAW) for the use of their local Union Hall in East Syracuse for our seminar. These are some of the people who have volunteered to help make this project a reality. To those who were inadvertently left out you know who you are and we thank you.
Author Biography

Gordy Lane is a veteran of the US Marine Corp having served in the Vietnam War and is a retiree from the Syracuse, New York Police Department. He served as a patrolman and a criminal investigator. He also managed to get two BS degrees from Columbia College and has served on numerous veterans committees both locally in the Syracuse area and at the State and national levels in the Vietnam Veterans of America. He was the President for the local Chapter of the VVA, Chairman of the New York State Council of Vietnam Veteran’s of America and a National Officer for the VVA serving as the Chairperson of the Incarcerated Veteran Committee.

Peter Bronstad is a decorated veteran of the Vietnam War having served in the US Army in an Infantry Division. Mr. Bronstad is a retiree from the Onondaga County Sheriff’s Office having served as a Police Captain and a District Commander. He is a graduate with a BS from Empire State College and has a MPA from Marist College. He has served on the Board of Directors and the Executive Board of the Central New York Chapter of VVA, Vice President of the Vietnam Veteran’s Foundation as well as other various local veterans committees and projects.
FLOW CHART
ONONDAGA COUNTY
VETERAN’S DIVERSION
PROGRAM

Initial Encounter with Law Enforcement

- No Action Taken
  - Give Referral Card to Vet

- Facilitated Referral
  - Police Escort to VA Emergency Room
    - VA Evaluation Process
      - Appropriate Treatment
        - Release and Report Outcome

- Arrest
  - Booking
    - Arraignment
      - VA Referral By Court
        - VA Evaluation Process
          - Appropriate Treatment
            - Evaluation and Report to Court
              - Report Outcome
Syracuse VA Medical Center
Policy on Reception of Patients Transported by Outside Law Enforcement Agencies

The Outside Law Enforcement Agency should contact the Syracuse VA Police Dispatch at (315)425-4336 and inform them they are transporting a Patient (Veteran) to the VA Emergency Department (E.D.) for care with an approximate arrival time. If possible please give the patients name, DOB and last 4 of the SSN. This will allow the VA Police to check for any officer safety information or behavioral flags in place. This will speed the outside officer’s turn-around time and alleviate later questions and confusion regarding the patient’s status.

The VA Police will have an Officer standing by at the E.D. Ambulance Bay to meet the Transporting Officer and establish the circumstances and determine if custody exists using the format below.

VA Officer will ask the following questions to the Officer:
1. Is this a Mental Health Arrest under NYS 9.41 MHL?
2. Is the Patient a danger to himself or others?
3. Has the patient made any Suicidal or Homicidal ideations?

If the Answer to any of the above questions is “Yes” the VA Officer should note all details including:
1. Date / Time / Location of outside contact by Officer.
2. Specific circumstances for probable cause for arrest or
3. Specific probable cause the Officer believes patient is a danger or
4. Specifics of the suicidal or homicidal ideation.

If the answer to the first 3 questions is “No” the VA Officer will inform the Officer the following:
- Since none of the above conditions are met, custody does not apply under Federal Law.
- You realize the patient is free to leave at ANY time.
- The patient may leave any time against medical advice.
- Both you and I need to clear so as not to imply custody.

NOTE: The above conditions may also be met with a statement from a VA health care worker or EMS (ambulance crew) relating to a suicidal / homicidal ideation.