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## *Lessons Learned From Veteran Arrest Data*

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Since July 2010 I've been tabulating veteran arrests in El Paso County, Colorado, on a daily basis. To date that amounts to ~21,000 arrests of more than 11,000 veterans, or about 8 per day. Without going into a lengthy statistical analysis these are some of the lessons learned:

### **General lessons**

- The percentage of veterans arrested who are simply common criminals remains indeterminate for a variety of reasons but is probably in the range of 20% to 40%.
- The local veteran trauma court is a [dog and pony show](#). Of the ~9,000 veterans arrested while that court has been in operation only ~300 have been admitted to the veteran court, and the veteran has to plead guilty to whatever fanciful crime he may be charged with before he can be admitted.
- Arrest and incarceration do not help veterans with Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injuries (TBI), or other issues. In fact, an arrest and conviction clearly makes their conditions worse.
- If the first arrest and conviction doesn't work, and it usually doesn't, more arrests and convictions are guaranteed to make the veteran's problems worse.
- Veterans are batted between judges like shuttlecocks with no apparent consistency in treatment. Veterans commonly have to appear before 8 to 15 different judges before their case is settled. That is a waste of court resources and virtually guarantees injustice for the veteran.
- The "justice" system operates on a "catch, convict, release" cycle with multiple arrests seemingly the norm.
- Classical definitions of recidivism do not seem to apply to wounded warriors. The data suggest many of their problems are episodic, often with years, a decade, or more, between episodes.
- Most wives or girlfriends who call the police during an episode are seeking help, not an arrest.
- Many veterans do not have friends or relatives able to post bond for them and their choice is often to plead guilty to a crime they didn't commit or rot in jail for months awaiting trial. At ~\$100 a day cost to citizens for them to sit in jail there needs to be a better way. And this says nothing of the costs to the veteran in loss of their jobs, benefits, homes, cars, children, etc. while in jail.
- A veteran who dares to plead Not Guilty and demand a jury trial but cannot afford bail will likely be held in jail until the trial, at great cost to the taxpayers.
- Arrests of veterans often occur at a much older age than the general population. First arrests are commonly in the 30-40 or older age range. Past age 50 virtually every inmate in the county jail is a veteran. The county jail should **not** be an Old Soldiers Home!
- Public safety is typically degraded by veteran arrests. With a criminal conviction it becomes almost impossible for them to find employment and more crime becomes commonplace.

- Probation conditions commonly prevent the veteran from returning home where they might find family and community support. Committing another crime here becomes almost inevitable.
- Even a veteran who sits in jail for months awaiting trial, if convicted is virtually certain to be given probation, time served, and put back out on the street again; almost certainly unemployed.
- After 3 or 4 arrests the veteran is very likely to become homeless.
- If a veteran isn't suffering from PTSD when they enter the "*justice*" system they will almost surely have it after.
- We've heard of multiple problems with prescription drugs provided veterans for PTSD, TBI, pain, etc. However, marijuana has proven both safe and effective in most cases.

## **PTSD and domestic violence**

- Under current laws any manifestation of PTSD is "*domestic violence.*" That primarily serves to break up families and destroy the children.
- There is little or no evidence for a "*cycle of violence*" in the veteran arrest data. There is, however, evidence of periodic PTSD episodes.
- In about half the arrests for domestic violence there are no allegations of interpersonal violence.
- Most veterans arrested for domestic violence return home immediately after their release from jail.
- The percentage of false allegations of domestic violence, child abuse, etc., is very high; somewhere around 50% to 70% when divorce or child custody are at issue.
- Girlfriends and wives often use false allegations of domestic violence or abuse, or child abuse, as a method of revenge and vengeance, as well as for advantage in court to gain custody of children or property.
- Experience has shown that a veteran charged with domestic violence who pleads Not Guilty and demands a jury trial has a very high probability of having the charges against him dismissed. If he can afford a competent, experienced attorney it is a virtual certainty that his case will be dismissed or that he will prevail at trial.
- Physical disabilities associated with TBI and PTSD often lead to charges of child abuse when accidents happen that are a result of the veteran's handicaps. Putting their children in foster care and charging them with child abuse afterward compounds the problems for the veteran and society.

## **Traffic and similar problems**

- Memory loss problems often lead to veterans forgetting to pay traffic tickets or show up in court. That often leads to the issuance of a warrant and their arrest. It would seem cheaper and more effective to pay veteran peer mentors to help disabled veterans attend these, and other appointments or have police take them directly to court upon arrest.
- Removing a veteran's drivers license does not eliminate the necessity that they drive, e.g., for court hearings, meet with probation officer, UAs, therapy, medical, or just for groceries. Hence, they are all too frequently rearrested for driving under restraint. It would be cheaper and more effective to issue many of these veterans limited licenses. That would also allow them to have car insurance, enhancing public safety.
- Either ignition interlocks are not being required in driving under the influence cases or veterans are stupidly adept at circumventing them and continuing to drive while drinking. Multiple DUIs are definitely a public safety problem.
- Short term memory problems associated with TBI often lead to veteran arrests for shoplifting as they "*forget*" they have picked up something in a store and walk out without paying. Most return as soon as they remember they have something but haven't paid for it. In other cases restitution and treatment would seem preferable to an arrest and conviction.