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Veterans court to provide alternative to jail time

by [Rachel Gray](#)

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MARIETTA — Cobb’s Superior Court will start another avenue for military veterans in line with recent “smart on crime” reforms to criminal justice systems around the country and in Georgia.

Cobb’s Senior Assistant District Attorney Grady Moore said the Cobb veteran court will join nearly 3,000 similar veteran courts nationwide, with 120,000 to 150,000 Americans participating in the programs.

The movement towards accountability courts started with a drug treatment court in 1989 by a Miami judge who was tired of seeing the same defendants rotating through the doors, Moore said.

Moore, who started as a prosecutor in Nashville, Tenn., in 1996, was helping

to coordinate Cobb’s drug court on top of a normal caseload when District Attorney Vic Reynolds took office in January 2013.

Reynolds assigned Moore full-time to the accountability courts and in May 2013 started Cobb’s mental health court.

“The next big wave that we anticipate is veteran courts,” Moore said.

Most cases involving felony offenses by veterans are due to a drug addiction, Moore said. Although there is a high likelihood of relapse and multiple arrests, the goal is to intervene to “break the revolving door cycle,” he said.

The veterans court is an alternative to prosecution, and the new program will be modeled on the 12-year-old Cobb drug court, focused on treatment and accountability instead of incarceration.

“We try to get away from the adversarial structure of most courtroom proceedings,” Moore said.

Federal money to fund program

The Cobb veteran court has a “soft start date” of July 1, and although the program has applied for state grants, the bulk of the funding will be federal money, Moore said.

Moore said Cobb's drug court has 100 to 120 people in the system at a time, but the mental health court has only treated 20 people since it began 10 months ago. Cobb's veterans court will be somewhere in between.

"We will start out fairly small," Moore said.

Moore and his team have started structured implementation meetings to hash out the details of the veterans court program, including if the possible candidates can be retired, reserve or active-duty service member.

The treatment required relies on programs offered by the U.S. Department of Veterans Affairs.

"Most of the people we are dealing with, they are not going to be active duty," Moore said.

Veterans being put through the court will be selected on a case-by-case basis. Moore said it has not been decided if the person must be a first-time felony offender.

Only for felony charges

Like Cobb's drug court, if the treatment program is completed then the charges are dismissed. If the veteran is not a first-time offender, the charges may not be dismissed but there would be no prison time to serve.

All participants of Cobb's accountability courts are subjected to random drug screenings, but the veterans court will not have a set amount of community service, Moore said.

The largest number of veteran arrests are related to driving under the influence and domestic violence, Moore said.

Veterans court will only be for felony charges. A DUI is a misdemeanor unless illegal drugs are found in the vehicle.

Although consent by a victim will not be required for a veteran to participate in the program, any legitimate objection would be a factor, Moore said.

"We don't ever put anybody in any of these programs without consulting the victim," Moore said. "Often, they want to see their partners in treatment rather than in jail."

Cobb's large veteran population

The county has nearly 70,000 veterans, making it home to 10 percent of Georgia's veteran population, the most of any county in the state.

Moore said on top of the high number of veteran residents, there has also been an upswing in drug dependency and crime by veterans.

“The military operations that we are involved with right now have been the longest sustained periods of combat in the country’s history,” Moore said about soldiers facing multiple deployments in Iraq and now Afghanistan, even after readjusting back into civilian life.

In fact, the organizers of the Cobb veteran court have compiled Cobb crime statistics for eight months. On average each month, the Cobb jail admits 15 veterans, who are mostly young soldiers, said Judge Reuben Green, who was appointed to the Superior Court bench by Gov. Sonny Perdue in 2010.

Even with a large population in Cobb, “it shouldn’t be that high,” Green said.

These young men and women who have traumatic brain injuries and suffer from post-traumatic stress disorder often self-medicate to suppress violent tendencies stirred from their wartime experiences, Green said.

A retired Marine who served from 1989 to 1993, Green will make the final rulings on cases in Cobb’s veteran court.

Green said his shared experience in the armed forces will help ensure the participants get the “treatment they have earned as part of their service” to America.

As seen in Cobb’s other accountability courts, Green said “the outcomes are dramatically higher ... than the people who are sent to jail or probation.”

Upon completion of the program, 85 percent have a job, Green said. And after three years out of the program, 93 percent have not become repeat offenders.

Green said veterans react well to structure and having camaraderie with other soldiers in the program.

“Veterans are different than the average citizen as far as how they respond to discipline,” Green said.

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