

## Learn More About New York State's Veterans Treatment Courts!

Join us for the second session in a lunch-and-learn series for legal practitioners, treatment providers, and anyone who wants to know more about New York State's Veterans Treatment Courts.

### Risk-Need-Responsivity for Veterans Treatment Court

This session will:

- provide an overview of transfer laws allowing a veteran in the criminal legal system to be eligible to enter a VTC in a neighboring/adjacent county.
- detail an ongoing pilot opportunity for New York State VTCs and veterans tracks to validate a risk-need-responsivity tool specifically designed for veterans.

- **Wed., Jan. 8, 2025**
- **12:00 noon - 1:00 PM**
- **Zoom**

[Register HERE](#)



Featured Speaker:

**Julie Baldwin, Ph.D.,  
American University**

Moderator: Colleen Gibbons, Esq.



\*CLE/CASAC approved\*



# Risk and Need Responsivity and Veteran Risk and Need Assessment Tools

Part of the BJA VTC Strategic Planning  
Initiative for New York State

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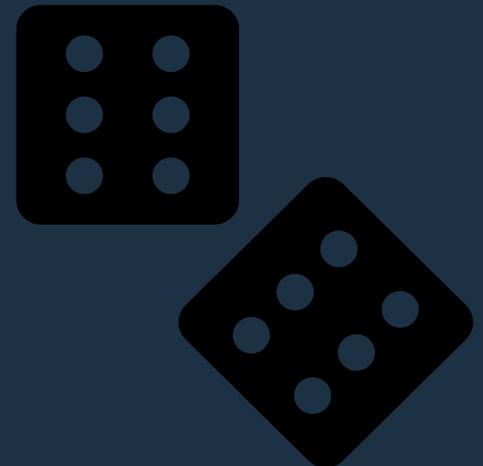
# Risk, Need, and Responsivity

# Overview of RNR

- ▶ Risk = Who we treat
- ▶ Needs = What we treat
- ▶ Responsivity = How we treat

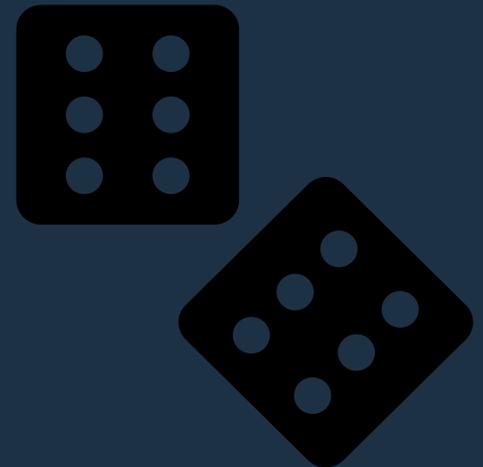
# Risk

- ▶ The chance or likelihood of an outcome based upon a set of factors
- ▶ Moderate and high risk > recidivate
- ▶ High risk  $\neq$  100% likelihood of recidivating



# Risk

- ▶ Tailor intensity of interventions and supervision to risk level
  - ▶ Higher risk clients = more intensive intervention and services
  - ▶ Lower risk clients  $\neq$  more intensive intervention and services



# Risk and Dosage

Risk Level	Low	Moderate	Moderate/High	High
Dosage	Not Applicable	100 hours	200 hours	300 hours
Duration	Minimal	3-6 months	6-9 months	9-18 months
Intensity	Minimal	1x/week	2x/week	2x/week or residential

# Standard 1: Target Population

## **B. High-Risk and High-Need Participants**

The Drug Court targets offenders for admission who are addicted<sup>1</sup> to illicit drugs<sup>2</sup> or alcohol and are at substantial risk for reoffending or failing to complete a less intensive disposition, such as standard probation or pretrial supervision. These individuals are commonly referred to as high-risk and high-need offenders. If a Drug Court is unable to target only high-risk and high-need offenders, the program develops alternative tracks with services that are modified to meet the risk and need levels of its participants. If a Drug Court develops alternative tracks, it does not mix participants with different risk or need levels in the same counseling groups, residential treatment milieu, or housing unit.

# Needs

- ▶ What do we target
- ▶ Want to target in treatment and supervision practices:
  - ▶ Factors that are associated with increased likelihood of reoffending
  - ▶ Dynamic factors

# Responsivity

- ▶ Identifying individual characteristics that increase or decrease treatment engagement

What are some internal or external barriers your clients routinely face?

- ▶ Which interventions to use
  - ▶ Cognitive
  - ▶ Behavioral

# Assessment Driven Case Planning



# Central Eight Factors Applied to JIVs



Edwards, E. R., Epshteyn, G., Connelly, B., Redden, C., Moussa, C. E. H., Blonigen, D. M., ... & Osterberg, T. (2023). Understanding criminogenic risk factors among United States military veterans: An updated literature review. *Criminal Justice Review*, 07340168231160862.

# Responsivity Considerations

- ▶ Providers need to be sensitive to military culture
  - ▶ Violence as a survival mechanism
  - ▶ Reintegration difficulties into civilian world
  - ▶ A need for the program to be routine or consistent
  - ▶ Consider concepts like one's mission, purpose, and "tribe"
  - ▶ Draw upon strengths of military training and culture

# Responsivity Considerations Cont.

- ▶ Work on building trust with civilian providers
- ▶ Present treatment as a class rather than therapy
- ▶ Integration of treatments that target mental health and criminogenic needs

Timko, C., Midboe, A. M., Maisel, N. C., Blodgett, J. C., Asch, S. M., Rosenthal, J., & Blonigen, D. M. (2014). Treatments for recidivism risk among justice-involved veterans. *Journal of Offender Rehabilitation*, 53(8), 620-640.



# Veterans Treatment Court Enhancement Initiative (VTCEI)



# VTCEI Need and Purpose

- Validated risk and need assessment tools for VTCs
- Develop the following for VTC programs:
  - Education on RNR principles
  - Short screener
  - Comprehensive assessment
  - Case planning protocol

# VTCEI Structure & Progress



- **Phase I: Development & Pilot (2014-2017)**  
NIC 14CS08, Center for Court Innovation
- **Phase II: Development (2018-2019)**  
NIC 18CS03GKZ2, American University
- **Phase II-B: Revision & Pilot (2020)**  
NIC 20CSIAA02m American University
- **Phase III: Revision & Pilot (2021-2023)**  
BJA 2020-VC-BX-K001, American University
- **Phase IV: Finalization, Pilot, & Validation (2023-2026)**  
BJA 15PBJA-22-GK-01403-VTCX, American University



# VTC Risk & Need Tools

- Short Screener (VET-S)
  - Snapshot
  - Eligibility
  - 15 minutes
  - With VET-C or alone
- Comprehensive Assessment (VET-C)
  - Portrait
  - Case planning, eligibility
  - 45 minutes
  - With VET-S or alone



# Components & Domains

## *Short Screener (VET-S)*

1. Administrative information
2. Criminal record review
3. Client interview

Demographics	Military background
Employment	Education
Housing	Peer associations
Substance use	Criminal thinking
Social environment/ isolation	Mental health needs



# Components & Domains

## *Comprehensive Assessment (VET-C)*

1. Administrative information
2. Criminal record review
3. Client interview

Demographics	Military background
Military experiences	History of head trauma
Criminal history	Employment
Education	Housing
Peer associations	Social support
Impulsivity	Anger
Criminal thinking	Substance use
Mental health	Lifetime trauma
Recent trauma	Intimate relationships

# Onboarding & Training



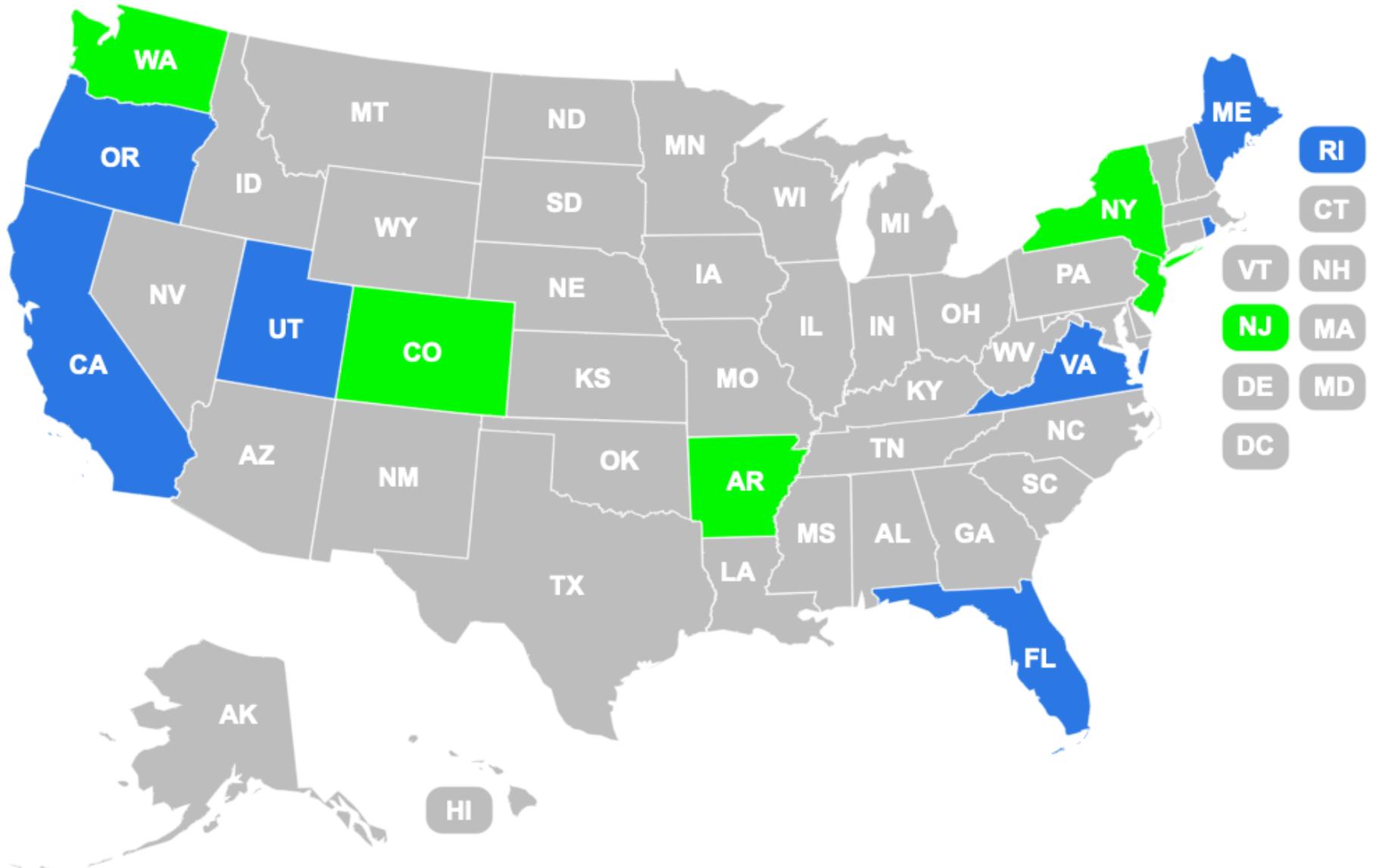
- Informational meeting (optional)
- Implementation meeting
  - Program operations, target population
  - Assessment
  - Needs
  - Site-specific issues and requirements
  - Implementation protocol
  - Training plan
- RNR training
- Tool training

# Implementation Fidelity & TA



- Implementation check-in meetings
- Support materials
  - User guide
  - FAQ
- Direct support
- Solicited feedback

# 2025 Pilot Site Locations





# New York Sites

- Albany
- Bronx
- Buffalo City
- Finger Lakes
- Middletown
- Nassau
- Newburgh
- Queens
- Syracuse
- *Oneida*
- *Westchester*

**CLE and Codes:**

**VTC 25**

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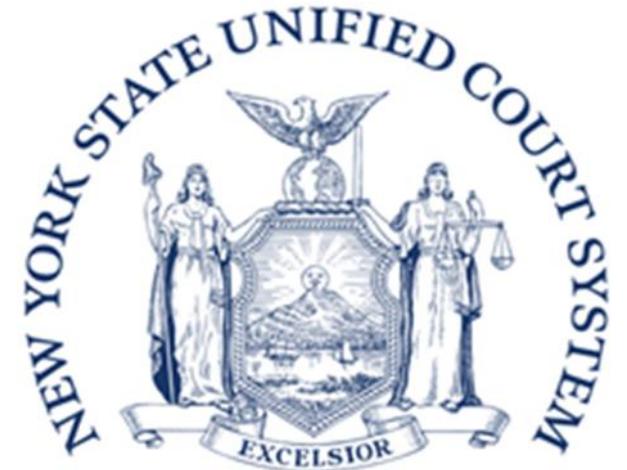
# More Information

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## Become a Pilot Site



Research Coordinator Mandi Muse  
AMuse@American.edu



Office for Justice Initiatives  
Policy & Planning

# HOW TO TRANSFER A CASE TO A VETERANS TREATMENT COURT

- ▶ Access to Justice
- ▶ Child Welfare and Family Justice
- ▶ Diversity, Inclusion & Equal Justice in the Courts
- ▶ Judicial Civil Legal Services
- ▶ Policy and Planning
- ▶ Youth and Emerging Adult Justice



## **OFFICE FOR JUSTICE INITIATIVES**

HON. EDWINA G. RICHARDSON

DEPUTY CHIEF ADMINISTRATIVE JUDGE FOR JUSTICE INITIATIVES



- 
- ▶ Veterans must self-identify for services or participation in a Veterans Treatment Court.
  - ▶ Ask: Have you served in the US Armed Forces, Reserves, or National Guard. Have you served in the military?

**WHERE ARE THE VETERANS?**

## CPL 170.15 (5)

- ▶ Complaint in local court (misdemeanor)
- ▶ Transferred to another local court in the same county or adjoining county

## CPL 180.20 (4)

- ▶ Complaint in local court (felony)
- ▶ Transferred to another local court in the same county or adjoining county

## CPL 230.11

- ▶ Indictment
- ▶ Transferred to a superior court in the same county

## CPL 230.21

- ▶ Indictment
- ▶ Transferred to a superior court to an adjacent county

# REMOVAL OF ACTION (TRANSFERS)

# SAMPLE CASE TRANSFER

Defendant is identified as a veteran in court A

Defense attorney contacts drug court A

Drug court A contacts veterans court B (adjacent county)

Clinical evaluations take place in VTC

Defense attorney contacts prosecutor in VTC

Judges and prosecutors in both counties communicate

Attorney prepares legal motion to remove case

Drug court Judge hears and approves motion

Attorney prepares legal motion to transfer case

VTC Judge hears and approves motion

Case is transferred to the VTC

Veteran begins participation in the VTC

# ISSUES TO CONSIDER

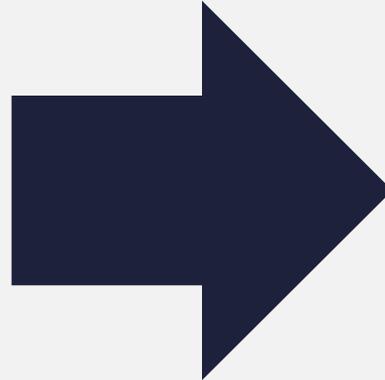
- ▶ Waivers of indictment
- ▶ Probation supervision and legal representation may be county specific
- ▶ Treatment and court supervision
- ▶ A lot of coordination between parties

# COURTESY MONITORING SUPERVISION

Queens (original jurisdiction)



Albany (supervising court)



- ▶ Employ if there is a geographical distance between court and defendant's residence
- ▶ Originating court maintains jurisdiction of the case
- ▶ Supervising court maintains limited jurisdiction

# FREQUENTLY ASKED QUESTIONS

1. If there are two adjacent VTCs where should the veteran's case get referred to?  
*Consider financial hardship, travel, and/or work.*
2. Does the attorney have to submit the motion in writing?  
*No. However, it would be helpful to the prosecutor receiving the case.*
3. Can the VTC Coordinator travel to another county or judicial district to interview the veteran if the veteran is incarcerated?  
*The receiving VTC court should conduct the interview as they would be familiar with their VTC and can answer questions. Consider a virtual interview, if possible.*



**THANK YOU!**

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