

RESOLUTION # 2015-25



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

**AUTHORIZING THE ESTABLISHMENT OF
THE COMAL COUNTY VETERANS TREATMENT COURT**

WHEREAS, service men and women returning from deployment most recently from Iraq and Afghanistan often come home with “signature wounds” of Traumatic Brain Injury (TBI), Post Traumatic Stress Disorder (PTSD), military sexual trauma, or other mental illnesses suffered through their service for our freedoms; and

WHEREAS, thousands of service men and women have fought for our freedoms serving in Iraq and Afghanistan through fighting in Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), and Operation New Dawn (OND); and

WHEREAS, the effects of these conditions are usually long lasting and often life threatening by leading to high rates of suicide; and

WHEREAS, numerous studies have demonstrated that the untreated, lingering effects of these injuries adversely impact Veterans’ lives, resulting frequently in destroyed families, drug and alcohol dependency, unemployment, mental illness, incarceration, and homelessness; and

WHEREAS, these results are revealed in communities through an increase in unemployment rates, public health care treatment costs, mental illness costs, alcohol and drug treatment costs, family breakups and disrupted lives for both adults and children; and

WHEREAS, Section 124.002 of the Texas Government Code provides authority for a County to establish a veteran treatment court program for persons arrested for or charged with criminal offenses; and

WHEREAS, Section 124.001(a) of the Texas Government Code defines “veteran treatment court program” to mean a program that: (1) integrates services in the processing of cases in the judicial system; (2) uses a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants; (3) early identifies and promptly places eligible participants in the program; (4) provides access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services; (5) monitors carefully the treatment and services provided to program participants; (6) provides a coordinated strategy to govern program responses to participants’ compliance; (7) provides ongoing judicial interaction with program participants; (8) monitors and evaluates program goals and effectiveness; (9) continues interdisciplinary education to promote effective program planning, implementation, and operations; and (10) develops partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs; and

WHEREAS, Comal County Court at Law #2 Judge Charles A. Stephens, II created a Veterans Court Task Force to study and identify the needs of veterans living in and around Comal County; and

WHEREAS, Task Force members included members of the Comal County Criminal District Attorney's Office, Commissioner Donna Eccleston, representatives of Hill Country M.H.D.D., law enforcement representatives from the Comal County Sheriff's Office, probation officers from the Adult Probation Department, and members of the Veterans Affairs Office; and

WHEREAS, this Task Force studied inmates booked in the Comal County Jail for the period of August 1, through October 30, 2014, and such study identified 78 arrestees as veterans who provided service to their country with most serving in Iraq and/or Afghanistan, but also others who served in Vietnam, Persian Gulf, Panama, and Korea; and

WHEREAS, as a result of the study and needs identified, Judge Stephens and Criminal District Attorney Jennifer Tharp, along with the other members of the Task Force, desire to develop and establish a Veterans Treatment Court Program in Comal County to provide services for veterans arrested or charged with misdemeanor offenses in Comal County; and

WHEREAS, Section 124.002(a)(1) and (2) of the Texas Government Code defines defendants eligible to participate in a veterans treatment court program only if the attorney representing the state consents to the defendant's participation in the program and if the court finds that the defendant is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard who (1) suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, or was a victim of military sexual trauma that occurred during or resulted from the defendant's military service and affected the defendant's criminal conduct at issue in the case; or (2) is a defendant whose participation in a veterans treatment court program, considering the circumstances of the defendant's conduct, personal and social background, and criminal history, is likely to achieve the objectives of ensuring public safety through rehabilitation of the veteran in the manner provided by Section 1.02(1), Texas Penal Code; and

WHEREAS, the Comal County Commissioners Court finds that the creation of a Veterans Treatment Court is in the best interest of the public and supports the men and women serving our country in the armed forces.

NOW THEREFORE BE IT RESOLVED, that the Comal County Commissioners Court hereby establishes pursuant to Section 124.002 of the Texas Government Code the Comal County Veterans Treatment Court for veterans arrested or charged with a misdemeanor offense in Comal County, Texas.

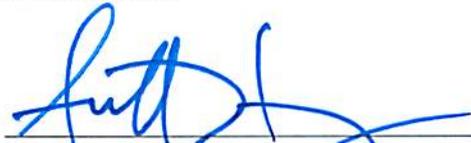
Resolved this 13th day of August, 2015.



SHERMAN KRAUSE, COUNTY JUDGE



DONNA ECCLESTON
COUNTY COMMISSIONER, PCT. #1



SCOTT HAAG
COUNTY COMMISSIONER, PCT. #2



KEVIN WEBB
COUNTY COMMISSIONER, PCT. #3



JEN CROWOVER
COUNTY COMMISSIONER, PCT. #4



ATTEST:
BOBBIE KOEPP, COUNTY CLERK

