



Public defender pitches special court in Jacksonville area for veterans

Source URL: <http://jacksonville.com/news/metro/2011-03-31/story/public-defender-pitches-special-court-jacksonville-area-veterans>

By [David Hunt](#)

Public Defender Matt Shirk is stumping for a specialized court system in the Jacksonville area to care for military veterans who return home with problems that help to snare them in the law.

Veterans treatment courts, which aim to get veterans counseling and treatment to avoid jail time, are a relatively new phenomenon sprouting up nationally since 2008 when a judge in Buffalo, N.Y., was credited with starting the first one.

The idea is to intervene in cases where combat stress, depression and substance abuse could be viewed as the roots of a low-level, nonviolent crime.

Although some key stakeholders like the idea in principle, Shirk has no statistics to show how many veterans are going to jail in the 4th Circuit, which is made up of Duval, Clay and Nassau counties. National data is tough to come by, too. The Justice Department's latest numbers are from 2004, but suggest military veterans at the time were making up 10 percent of the U.S. prison population.

That's left some who have heard Shirk's sales pitch with questions about cost and whether the service would be duplicative of already-existent drug and mental health courts when the state court budget is \$72.3 million in the red and facing cutbacks.

"I'm torn," said Dan McCarthy, chief assistant to State Attorney Angela Corey who formerly served as the city's military affairs chief. "We want to help vets, but we would want to better understand the parameters and audience, what we'd cover and what we're trying to fix."

Bob Buehn, the new military affairs chief, said he could not think of a specific example of a veteran who would qualify for such a court. But he said that's mostly because planning is in its infancy. He said he'd like Shirk's idea to blossom into more substantive talk about combat veterans' needs in Jacksonville.

"One thing we do know is there are a high number of people returning with post-traumatic stress disorder or traumatic brain injuries," Buehn said. "If there were a place for those types of cases, it would be a good thing."

Shirk reasoned that the court would save local tax dollars by linking defendants to Department of Veterans Affairs services that would help them straighten out while cutting down incarceration costs.

Setting up the court would be more a matter of shuffling duties to a staff already on the payroll, Shirk said. He also said it's possible that a veterans court would save taxpayer money by more efficiently clearing cases through the ever-present log jam in the 4th Circuit.

The political environment for a veterans court seems favorable. There are bills working through the state House and Senate this session that would afford judges greater sentencing flexibility to put military veterans in treatment programs instead of jail.

"It's growing nationwide," Shirk said. "I think it [a veterans court] will be great for the community and the criminal justice system."

Chief Circuit Judge Don Moran said he commends Shirk for trying to be innovative but also said he's not convinced there would be a cost savings.

"Until we get this budget straightened out, we can't talk about anything new," Moran said. "We won't be able to run the courts we have now."

Buehn said he supports a veterans court because it would make an already military-friendly area like Jacksonville more hospitable to veterans.

"They stepped up and put the uniform on. It would be nice to help them out," Buehn said.

If a veterans court opens here, it wouldn't be Florida's first. Last year, a veterans court started in Palm Beach as officials there said they were seeing around 60 military veterans arrested every month.

david.hunt@jacksonville.com, (904) 359-4025

Links:

[1] <http://jacksonville.com/sites/default/files/editorial/images/images/mdControlled/cms/2011/03/31/691803540.jpg>