

DA Vance Speaks at Opening of Manhattan Veterans Treatment Court

Remarks as Prepared | April 12, 2016

Good morning Judges Marks, Heitler, Obus, and Bartley; Borough President Gale Brewer; Public Advocate Tish James; Irwin Shaw of the Legal Aid Society; Special Narcotics Prosecutor Bridget Brennan; Staten Island DA Michael McMahon; Dr. Loree Sutton of the NYC Department of Veterans' Services; Director Martina Parauda of the V.A.; and Mr. Joseph Thrower, Veterans Treatment Court mentor. This is truly a great day for Manhattan. Thank you Judge Marks for that kind introduction, and thank you to Trish Bailey, our office's Special Litigation Chief and Deputy General Counsel, for all of your hard work on the Veterans Treatment Court planning committee, as well as David O'Keefe, Deputy Chief of our Trial Division, and Anne Marie Whelan, one of our Diversion Coordinators who is herself a veteran, and will help us oversee this important court.

Our city and our nation owe a great debt and much gratitude to our veterans, and my Office has long pledged to do all we can within the criminal justice system to honor and respect their service. On an occasion such as this, I am reminded of two people who helped to shape my own life – and to shape the office that I now occupy – that both happen to be World War Two Navy veterans. After graduating law school, my father served as a gunnery officer on the USS Hale, a destroyer in the Pacific, until 1946.

In 1944, my former boss and predecessor Bob Morgenthau survived several hours adrift in the Mediterranean, after a torpedo sunk the USS Lansdale, the Navy destroyer on which he served as executive officer and navigator. About a year later he survived a kamikaze attack on the USS Bauer. On that vessel, he displayed not only courage in battle, but moral courage, as he helped to shatter a military racial barrier by assigning African-American sailors to combat roles.

Military service strengthens our veterans. My father and my predecessor in office both showed me that. But it can also leave wounds – wounds that our society, and our criminal justice system, leave untreated for too long.

Today, one in five veterans has symptoms of a mental health disorder or cognitive impairment. One in six veterans who served in Operation Enduring Freedom and Operation Iraqi Freedom suffer from a substance abuse issue. These are war wounds. And when we fail in our obligations as a society and a justice system to help our vets treat them, those wounds can lead to criminal-justice involvement.

We see it all the time in Manhattan Criminal Court. Honorable men and women of service, cycling in and out of city jails and state prisons, punished for crimes they committed, but in many cases as a consequence of untreated wounds from military service. Trish Bailey still encounters veteran defendants who, going back as far as the Vietnam War, still haven't received the help they so badly need, and so obviously deserve.

That is why today, thanks to the work of our partners at the Office of Court Administration, I am so proud to be here with you opening the first Veterans Treatment Court in New York County. This initiative will offer an alternative to incarceration to veterans whose criminal behavior may be linked to their military service, and provide customized services, support, and mentorship to address veterans' legal and mental health needs, so that we can achieve more effective and longer-term resolutions.

As you know, under New York's Criminal Procedure Law, some criminal defendants are not eligible for judicial diversion programs. In our new Veterans Treatment Court, Manhattan prosecutors – in both my Office and the Special Narcotics Prosecutor's office – have pledged to consider, on a case-by-case basis, looking beyond those diversion ineligibility criteria based on a veteran's case history. Given their service – and given what we know about untreated war wounds leading to repeated justice involvement – it is the least we can do.

And, recognizing that many veterans suffer silently from debilitating post-traumatic stress and other psychological ailments, my Office will offer voluntary, creative, evidence-based techniques that are scientifically proven to reduce stress among veterans and other populations suffering from trauma. We will provide psychological counseling, substance abuse treatment, and other services built into this court part, so that judges will have the ability to refer veterans to the services they need.

Thank you all for being here today, and thank you to Chief Judge Janet DiFiore and OCA for your leadership. I am so proud to partner with you, the V.A., the Mayor's Office, and Legal Aid to deliver this urgently-needed initiative, which advances our mission to continue driving down crime while safely reducing incarceration, and at the same time, helps our city and our justice system fulfill our lifelong obligations to the bravest New Yorkers among us.

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