

Tribal Veterans Healing to Wellness Courts

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2022 TRIBAL HEALING TO WELLNESS COURT ENHANCEMENT TRAINING



THE UNIVERSITY OF ARIZONA
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PRESENTATION AGENDA

- History of Military Service
- Veterans: Substance Use and Behavioral/Mental Health
- Veterans Treatment Courts
- VTCs and THWCs: A Possible Merger?
- Questions



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MILITARY SERVICE

“American Indians and Alaska Natives have served in the U.S. military at the highest rate per capita of any ethnicity.”

Alexandra N. Harris & Mark G. Hirsch, *Why We Serve: Native Americans in the United States Armed Forces* (2020)

“Of all minority groups in the U.S. Armed Forces, American-Indian veterans have long represented the highest percentage of their total population”

William C. Meadows, *Native American “Warriors” in the U.S. Armed Forces, INCLUSION IN THE AMERICAN MILITARY* (2017)
Nat’l Ctr. For Veterans Analysis & Stats., *Minority Veterans Report: Military Service History and VA Benefit Utilization Statistics* (2017)

And continue to do so . . .

MILITARY SERVICE

- Revolutionary War
 - Of 250,000 soldiers in George Washington's army, 5,500 were Native Peoples
 - Civil War
 - 4000 Native Peoples fought with the Union; 15,000 with the Confederacy
 - WWI: 20 to 30 percent of the adult male Indian population
 - Two-thirds were volunteers even though most were not allowed to become American citizens until 1924 when the Indian Citizenship Act passed
 - Code Talkers: *e.g.*, Choctaw, Eastern Band Cherokee, Comanche
 - WWII: By the end of the war, 24,000 reservation and 20,000 off-reservation Indian men served, representing more than 10 percent of the Native population
 - Native women also joined in substantial numbers with 800 serving
 - Code Talkers: *e.g.*, Navajo
- Many Code Talkers in both World Wars had attended Government-run Indian boarding schools where they were punished for speaking their native language



MILITARY SERVICE

- Korea: Approximately 30,000 American Indian and Alaska Natives served
- Vietnam: Over 42,000 served in Vietnam between 1960 and 1973
 - They made up 1.4 to 2 percent of all troops sent to Southeast Asia, while they were not more than 0.6 percent of the total population in the U.S. at the time
- Gulf War Era: Approximately 24,000 American Indian and Alaska Natives served
- OEF/OIF eras (2003-2011): 17,500 American Indian and Alaska Natives served
 - Increasing to nearly 22,000 American Indians and Alaska Natives on active duty and in the reserves by 2017



MILITARY SERVICE

“We have seen movies of the Vietnam War. Yet our Indian people are not portrayed there. You see the black people, the Hispanic people, the white people but no Indians are there. Yet, every time you’d be out in the field in ‘Nam, the first thing an officer would do is say ‘Chief, you take point.’”

Creek Indian Vietnam Veteran Willie Haney

- “Indian Scout Syndrome” and Stereotypes
- Disproportionately assigned dangerous duties
- “Chief,” walk point, tunnel duty, nighttime listening posts, LRRP
- “Indian Country” = enemy territory (Gulf War)
- Geronimo = ????



**TABLE 1:
AMERICAN INDIAN VIETNAM VETERANS. TYPES OF COMBAT EXPERIENCE***

Heavy	36.5%
Moderate	27.6%
Light	18.8%
None	17.1%

*Criteria used: Wounded in action, number of days in combat, close contact with enemy, seeing battle deaths, actually returning fire, etc.

**TABLE 2:
INDIAN VIETNAM VETERANS. THE UNITS THEY SERVED IN**

Unit	Percentage of Indians in Survey who Served in Unit
Infantry	41.8
Airborne	8.2
Artillery	82.
Air-Helicopter	7.7
Air-Fixed Wing	5.1
Tanks	4
Communications	3
Engineer/Combat	3
Medical Unit	3
Ship	3
Classified	2
Combined Action Group-Infantry	2
Gunboat	2
Intelligence	2
Military Police	1
Special Forces	1
Ranger	1
POW-Infantry	1
Seabee	1

Tom Holm, *Strong Hearts, Wounded Souls*

VETERANS

● As of 2021, U.S. Total Veterans: **19,162,515** (includes Washington DC, Puerto Rico, and U.S. Protectorates)

● As of 2021, Total American Indian Alaska Native Veterans in U.S.: **159,868**
(not including “2 or more races”)

○ 0.83%

● 334,000 Veterans identify as AI/AN alone or in combination with other races

- 1) California
- 2) Oklahoma
- 3) Arizona
- 4) New Mexico
- 5) Texas
- 6) Florida
- 7) North Carolina
- 8) Montana
- 9) South Dakota
- 10) Washington

U.S. Department of Veterans Affairs, National Center for Veterans Analysis and Statistics,
Population Tables: Race/Ethnicity



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VETERANS: SUBSTANCE USE

- Veteran populations are at increased risk for using alcohol and/or drugs due to a variety of experiences linked directly to military service
 - Military culture, exposure to stressors and trauma related to service or combat, development of mental health disorders including post-traumatic stress disorder (PTSD), and chronic pain or physical health issues
- Among Veterans who have a SUD, more than 80% (nearly 900,000) abuse alcohol
 - Alcohol is the primary substance for 65% of veterans entering treatment centers—nearly twice the rate of civilians
- Among Veterans who have a SUD, nearly 27% (about 300,000) abuse illegal drugs
 - In 2018, 45,000 Veterans were addicted to heroin
- Among Veterans who have a SUD, about 7% (almost 80,000) abuse both alcohol and illegal drugs
- In 2018, 41,000 Veterans were addicted to painkillers



AMERICAN INDIAN/ALASKA NATIVE VETERANS: SUBSTANCE USE

- Most recent publicly available study on American Indian and Alaska Native Veterans is from **1996**
- *Substance Use and Psychiatric Disorders Among Native American Veterans*
 - *Howard, Walker, Suchinsky, and Anderson*
- “Native American (NA) veterans have rarely been the focus of investigational efforts”
- National Epidemiologic Survey on Alcohol and Related Conditions-III (NESARCI-III) (2012-2013) [Restricted Data]



VETERANS: BEHAVIORAL/MENTAL HEALTH

- Presence of mental illness and SUDs (co-occurring disorders) is especially common in Veterans
- Mental health diagnoses (anxiety, depression, PTSD, *etc.*) can result from any combination of factors:
 - genetic predisposition
 - stresses of being deployed
 - exposure to combat and/or other traumatic events
 - injuries
 - the challenges of reintegrating into civilian society
- Veterans who have an SUD are 3-4 times more likely to be diagnosed with depression
- Approximately 37-50% of veterans who served in Afghanistan and Iraq were diagnosed with at least one mental illness

Nat'l Institute on Drug Abuse, "Substance Use and Military Life Drug Facts" (2019)



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VETERANS: PTSD

- Post-traumatic stress disorder (PTSD) results from exposure to traumatic events such as combat, having your life threatened, or sexual trauma—all of which can occur while in the military
- Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5), Criterion A: Exposure to death, threatened death, serious injury, or sexual violence in one (or more) of the following way(s):
 - Direct experience of the trauma
 - Witnessing firsthand the trauma
 - Learning a relative or close friend was exposed to a trauma
 - Repeated or extreme exposure to aversive details of trauma, typically experienced by first responders, medics, police officers, *etc.*
- Criteria B, C, D, and E
 - Intrusive symptoms (nightmares, memories, flashbacks), avoidance, negative alterations to mood and cognition, alternations in arousal and reactivity



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VETERANS: PTSD & MST (Military Sexual Trauma)

- PTSD can be caused by military sexual trauma (MST)
 - Sexual harassment or sexual assault that occurs while you are in the military
 - MST can happen to both men and women and can occur during peacetime, training, or war
- Among Veterans who use VA health care:
 - Approx. 23 out of 100 women (23%) reported sexual assault when in the military
 - Approx. 55 out of 100 women (55%) and 38 out of 100 men (38%) have experienced sexual harassment when in the military



VETERANS: PTSD

Behavior:

Numbing

Hypervigilance

Risk Taking

Aggressiveness

Irritability

Angry Outbursts or Aggressive Behavior

Startling easily

Overwhelming guilt or shame

Self-destructive behavior

Trouble concentrating

Trouble sleeping



VETERANS: PTSD

- **Operations Iraqi Freedom (OIF) and Enduring Freedom (OEF):**
 - About 11-20 out of every 100 Veterans (11-20%) who served in OIF or OEF have PTSD in a given year
- **Gulf War (Desert Storm):**
 - About 12 out of every 100 Gulf War Veterans (12%) have PTSD in a given year
- **Vietnam War:**
 - About 15 out of every 100 Vietnam Veterans (15%) were diagnosed with PTSD at the time of the National Vietnam Veterans Readjustment Study (NVVRS) in the late 1980s
 - 2016 study shows Vietnam Veterans with a 10-11% rate of PTSD
 - It is estimated that about 30 out of every 100 (30%) of Vietnam Veterans have had PTSD in their lifetime

Number of Veterans *Compensated* for PTSD (as of 3/31/2022): 1,291,428



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MINORITY VETERANS: PTSD

- US Veteran population had a prevalence of probable lifetime DSM-5 PTSD of **6.93%**
- **Native American Veterans** had a lifetime PTSD prevalence of **24.13%**
- Other minorities
 - Female Veterans: **13.2%**
 - African Americans/Black Veterans: **11.0%**
- General U.S. population, estimated lifetime prevalence is **6.1%**

Sharon Smith *et al.*, *The Association Between PTSD and Lifetime DSM-5 Psychiatric Disorders Among Veterans*



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HISTORICAL TRAUMA/INTERGENERATIONAL TRAUMA OF AMERICAN INDIANS AND ALASKA NATIVES

History of genocide, ethnic cleansing, policies of forced acculturation, placement in boarding schools, loss of traditions, and much more . . .

“When the dominant society perpetrates mass trauma on a people, whose biological, societal and psychological symptoms are then passed down to successive generations, which can be exacerbated by factors such as marginalization and racism”

Janet C'de Baca et al., *Examining Relationships Among Ethnicity, PTSD, Life Functioning, and Comorbidity in Female OEF/OIF Veterans*, 21 J. LOSS & TRAUMA 350, 355 (2016)

VETERANS TREATMENT COURTS (VTCs)

- Early VTCs established in 2008 and 2009 to address disproportionate number of Veterans in the criminal justice system, high rates of PTSD and other mental health and substance abuse conditions in Post-9/11 Veterans, and the connection between the two
- For many Veterans, their combat and/or other traumatic military experiences, such as military sexual trauma (MST), *led directly* to the misconduct that landed them in criminal court
- Addresses unique needs of justice-involved Veterans, whose shared military experiences create an opportunity for a culturally sensitive courtroom and treatment that increase the chances of success for the program participant



VETERANS TREATMENT COURTS (VTCs)

Painting the Current Picture: A National Report on Treatment Courts in the United States 2022

By: Kristen DeVall, Christina Lanier, Lindsay Baker

- Total number in U.S. and Territories: 480
- Graduation Rate: 76.7%
- American Indian/Alaska Native: 0.8%
 - Graduation Rate: 77.8%



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TEN COMPONENTS OF VETERANS TREATMENT COURT

Key Component #1: Veterans Treatment Court integrate alcohol, drug treatment, and mental health services with justice system case processing

Key Component #2: Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights

Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program

Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services

Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing



TEN COMPONENTS OF VETERANS TREATMENT COURT

Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance

Key Component #7: Ongoing judicial interaction with each Veteran is essential

Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness

Key Component #9: Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation, and operations

Key Component #10: Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veteran Treatment Court effectiveness

**VETERANS TREATMENT COURTS
AND
TRIBAL HEALING TO WELLNESS COURTS**

SHOULD THE TWAIN MEET?



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TRIBAL VETERANS HEALING TO WELLNESS COURTS

- Integrate specific Key Components from each court in order to address the unique characteristics of AIAN Veterans
 - 1) incorporating a physical and spiritual healing philosophy that includes holding substance-abusing individuals and their families accountable;
 - 2) involving the Veterans Administration Healthcare Network and Veterans support organizations in the collaborative team approach;
 - 3) incorporating the appropriate Native cultures and traditions in treatment and services, *e.g.*, the critical involvement of family, extended family, and the community in the healing process;
 - 4) continuing team and community education that includes the VA and Veteran volunteer mentors;
 - 5) forming coalitions between private community-based organizations, criminal justice agencies, and the VA; and
 - 6) ongoing interaction and relationships between team and community that includes community and tribe members



TRIBAL VETERANS HEALING TO WELLNESS COURTS

- Research in Washington State
- Tribal Healing to Wellness Courts
 - Lummi
 - Makah
 - Port Gamble S'Klallam
 - Quinault
 - Swinomish
 - Tulalip
- Veterans Treatment Courts



“Social Absorption of War-Time Trauma”

- Traditional sources of healing/ceremonies
 - Pow Wows
 - “group support for surfacing and integrating of traumatic experiences” & “underlines bond between community and those who might be warriors”
 - Gourd Dances
 - Enemy Way
 - Sweat Lodge
- Almost half of Vietnam Veterans surveyed participated in ceremonies either to send them off to battle or to reintegrate them back into society
- Rituals honored warriors and brought them back into society
- Trauma into pride
- “traditional healing involved entire communities”



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