



# Veterans Justice Commission Summary of Recommendations

The Council on Criminal Justice (CCJ) launched the Veterans Justice Commission in August 2022. Its mission is to examine the extent and nature of veterans' involvement in the criminal justice system and develop recommendations for evidence-based policy changes that enhance safety, health, and justice.

Chaired by former U.S. Defense Secretary and U.S. Senator Chuck Hagel, the Commission includes former Defense Secretary and White House Chief of Staff Leon Panetta as well as 13 other leaders representing veterans, the military, the Veterans Administration, community advocates, and various sectors of the justice system.

## Findings and Recommendations

After extensive study and deliberations, the Commission produced 11 findings and 11 evidence-based recommendations, each supported by a list of implementation steps.

### **1** [Make Transition a Core Mission of the Department of Defense](#)

**Finding:** The nation's defense and veterans agencies are not identifying and adequately supporting vulnerable service members as they transition from military to civilian life, leaving many with untreated conditions that increase their risk of criminal behavior and other negative outcomes.

### **2** [Integrate Evidence-Based Practices Into Management of Performance Issues and Specified Military Justice Cases](#)

**Finding:** The military's punitive approach to performance issues and certain military justice cases stands in stark contrast to best practices in the civilian criminal justice field, where emphasis is placed on providing evidence-based rehabilitative services to individuals with the highest risk and need.

### **3** [Expand VA Eligibility as Directed by the GI Bill of 1944 and Improve Veterans Services During Transition](#)

**Finding:** Many service members transitioning out of the military fail to access VA healthcare and other services post-discharge, with some declared ineligible due to discharge status or incarceration and others deterred by a complex enrollment process. Research suggests that veterans without VA care experience poorer health outcomes, particularly those involving PTSD and traumatic brain injuries. Such conditions, if untreated, have been linked to a greater propensity for criminal behavior.

#### **4** Improve Definition and Identification of Veterans Involved in the Criminal Justice System

**Finding:** There are no reliable estimates of how many veterans are incarcerated, or have come in contact with the justice system more generally, and data-based tools designed to verify veteran status are rarely used. Additionally, statutory frameworks and regulations use different definitions of veteran, which complicates the task of identifying them.

#### **5** Create a Continuum of Alternatives to Prosecution and Incarceration for Justice-Involved Veterans

**Finding:** Research demonstrates an association between combat exposure and negative behavioral outcomes. The nation has a responsibility to manage all veterans in a fashion that honors their service and helps them address the challenges their military service can create, including involvement in the justice system.

#### **6** Establish a National Center on Veterans Justice to Improve Justice-Involved Veterans Programs Through Research and Coordination

**Finding:** A lack of coordination among programs for justice-involved veterans results in the duplication of efforts, a lack of proper program evaluation, and an inability to disseminate best practices. As a result, justice-involved veterans seeking help often confront a confusing and disjointed network of untested interventions.

#### **7** Prioritize the Recruiting and Hiring of Justice-Involved Veterans

**Finding:** While the cause of second chance employment is attracting growing support in the business sector, there is no large-scale collaboration among industry and government leaders focused on hiring people with criminal convictions who served in our nation's military.

#### **8** Identify and Provide VA Healthcare to Incarcerated Veterans

**Finding:** Identifying veterans in all phases of the justice system is essential to understanding the nature and extent of their justice involvement and driving development of tailored interventions. A 1999 administrative rule prohibited incarcerated veterans from receiving VA care, eliminating a longstanding benefit. As a result, incarcerated veterans are dependent on institutional care that may not fully address their PTSD and other service-related needs.

#### **9** Eliminate Administrative Barriers to Housing Eligibility and Prevent Benefit Arrearages

**Finding:** Conflicting legal definitions of "homeless" and their application to veterans returning home after incarceration create barriers that can substantially complicate veterans' efforts to secure housing during reentry. Some reentering veterans also struggle with accumulated debt caused by the VA's erroneous payment of benefits during their confinement.

## 10 [Evaluate and Develop Best Practices for Veterans Housing Units](#)

**Finding:** Veteran-specific housing units in prisons and jails have become increasingly popular, gaining support with correctional leaders for their perceived positive impact. Rigorous study of the units is needed to fully understand their effectiveness.

## 11 [Create “Second Look” Review Processes That Recognize Military Service](#)

**Finding:** “Second look” policies have been adopted in 12 states and the District of Columbia, but incarcerated veterans have few opportunities to request resentencing based on facts related to their military service.

### Commission Research

To lay a foundation for its work and inform deliberations, the Commission reviewed existing evidence and commissioned original research and other materials, including:

- A [preliminary assessment](#) of the challenges facing veterans in the civilian justice system and a [video](#) highlighting key issues
- A [brief](#) on who qualifies as a veteran and why the lack of a uniform definition has important implications for justice-involved veterans
- A [model policy framework](#) that expands alternatives to prosecution and incarceration for justice-involved veterans
- A [brief](#) examining research on the overlapping risk factors for veteran suicide and justice system involvement
- A [brief](#) that explores risk factors that may explain connections between service and criminal behavior among U.S. veterans
- A [brief](#) analyzing the exclusion of service members with “other than honorable” discharges from VA benefits and the implications for veterans’ well-being and public safety
- A [brief](#) on racial disparities among veterans, focusing on differences in arrests, incarceration, homelessness, military justice, and more
- A [brief](#) examining the history of healthcare for incarcerated veterans
- A [series of listening sessions](#) with justice-involved veterans analyzing the adequacy of transitional assistance for service members as they reenter civilian life, the risk factors that drove their involvement with the justice system, and their path through the system
- A [brief](#) exploring the potential of biomarker technology to enhance the diagnosis and treatment of PTSD in justice-involved veterans

### About the Commission

As with all of CCJ’s independent task forces, members of the Veterans Justice Commission were asked to join a consensus signifying that they endorsed the general policy thrust and judgments reached by the group, though not necessarily every finding and recommendation. Members participate in CCJ task forces in their individual, not their institutional, capacities, and professional affiliations included in task force reports do not imply institutional endorsement.

## Commission Members

**Hon. Chuck Hagel**, Chair, 24th Secretary of Defense, U.S. Department of Defense; former U.S. Senator (Nebraska)

**Michael P. Boggs**, Chief Justice, Supreme Court of Georgia

**Carla Bugg**, Criminal Justice Services Coordinator, Recovery Organization of Support Specialists

**Dr. Andrea Finlay, PhD (VA Liaison)**, Research Health Scientist, Veterans Administration Center for Innovation to Implementation

**Pelicia Hall**, Senior Vice President, ViaPath Technologies; former Commissioner, Mississippi Department of Corrections

**Greg Hamilton**, Chief Customer Officer, CIVICTEC; Sheriff of Travis County, TX (ret.)

**Maj. Gen. Mark Inch**, United States Army (ret.); corrections consultant, Mark 2.54, LLC; former director, Federal Bureau of Prisons; former Secretary of Corrections, FL

**Sgt. Maj. Alford McMichael**, 14th Sergeant Major, United States Marine Corps (ret.)

**Gen. Maryanne Miller**, United States Air Force (ret.)

**Justice Eileen C. Moore**, Associate Justice, 4<sup>th</sup> District Court of Appeal (CA); Army Nurse Corps, United States Army

**Hon. Leon Panetta**, 23rd Secretary of Defense, U.S. Department of Defense; former White House Chief of Staff; CIA Director; OMB Director; former U.S. Congressman (CA)

**Vincent W. Patton III, EdD**, Senior Vice President for Leadership Development, NewDay USA; 8th Master Chief Petty Officer, U.S. Coast Guard (ret.)

**Maj. Gen. Angela Salinas**, Chief Executive Officer, Girl Scouts of Southwest Texas; United States Marine Corps (ret.)

**Dr. Ronald Self, PhD**, founder and Executive Director, Veterans Healing Veterans from the Inside Out; former U.S. Marine

**Dr. Jo Sornborger, PsyD**, Executive Director, Operation Mend, UCLA Health

**Commission Senior Adviser:** Gen. Peter Chiarelli, Vice Chief of Staff, U.S. Army (ret.); member, CCJ Board of Trustees

**Commission Director:** Jim Seward, Colonel, U.S. Army

## Supporters

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