

**IN THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL CIRCUIT  
WILL COUNTY ILLINOIS**

12MR936

IN RE: Will County Veterans and  
Servicemembers Court

James W. Glasgow,  
Will County State's Attorney

)  
) Honorable Gerald R. Kinney  
) Chief Judge  
) Honorable Carla Alessio Policandriotes  
) Presiding Judge  
) Drug Court  
)

FILED  
2012 MAY 16 AM 10:11  
CLERK, CIRCUIT COURT  
WILL COUNTY, ILLINOIS

**PETITION TO ESTABLISH**

**WILL COUNTY VETERANS AND SERVICEMEMBERS COURT**

**NOW COMES** James W. Glasgow, Will County State's Attorney, to petition the Circuit Court for the Twelfth Judicial Circuit, Will County, Illinois, to establish the Will County Veterans and Servicemembers Court, pursuant to the Veterans and Servicemembers Court Treatment Act, 730 ILCS 167/1 *et seq* ("the Act"), and in support thereof states as follows:

1. The Honorable Gerald R. Kinney, Chief Judge of the Twelfth Judicial Circuit, The Honorable Carla Alessio Policandriotes, Presiding Drug Court Judge, and Will County State's Attorney James W. Glasgow hereby acknowledge and deeply appreciate the selfless dedication, courage and patriotism that veterans of all eras have exhibited and provided in service to our Nation.
2. We fully acknowledge that the extraordinary freedoms and liberties that we enjoy every day that exist only in these United States of America are the direct result of the self sacrifice and heroic patriotism by servicemembers and veterans of all of our Armed Forces.
3. Due to military operations in World War I, World War II, the Korean War, the Vietnam War, Operation Urgent Fury in Grenada, Operation Desert Storm, the Bosnian War and other military actions, many of our veterans have suffered or continue to suffer from substance abuse problems and mental health disorders.



4. Most recently, due to the military operations in Iraq and Afghanistan, approximately 550,000 veterans and servicemembers under the age of twenty-five may suffer from substance abuse and mental health disorders such as Post Traumatic Stress Disorder (PTSD), traumatic brain injury and depression. As a result, veterans and servicemembers returning from Iraq and Afghanistan have been increasingly involved in the criminal justice system.
5. In granting the authority to the local courts to provide for the treatment of our veterans and servicemembers, the General Assembly has declared (730 ILCS 167/5):

“The General Assembly recognizes that veterans and active, Reserve and National Guard servicemembers have provided or are currently providing an invaluable service to our country. In so doing, some may suffer the effects of, including but not limited to, *post traumatic stress disorder, traumatic brain injury, depression* and may also suffer *drug and alcohol dependency or addiction and co-occurring mental illness and substance abuse problems*. As a result of this, some veterans or active duty servicemembers come into contact with the criminal justice system and are charged with felony or misdemeanor offenses. There is a critical need for the criminal justice system to recognize these veterans, provide accountability for their wrongdoing, provide for the safety of the public and provide for the treatment of our veterans.

“It is the intent of the General Assembly to *create specialized veteran and servicemember courts or programs* with the *necessary flexibility* to meet the *specialized problems* faced by these veteran and servicemember defendants.” (*emphasis added*)

6. In consideration of these grave matters, the Will County State’s Attorney’s Office through our Drug Court program has been coordinating placement into treatment for veterans with substance abuse issues, Post Traumatic Stress Disorder (PTSD) and other mental health disorders at both Edward Hines Jr. VA and North Chicago VA Hospitals since 2004 in cooperation with the Will County Center for Correctional Concerns.
7. On November 4, 2011, the Will County State’s Attorney’s Office applied for the new federal Veteran Treatment Court Planning Initiative facilitated by the National Drug Court Institute with a grant from the Bureau of Justice Assistance. Pursuant to the grant requirements, the State’s Attorney’s Office assembled a comprehensive team including: representatives from the Will County State’s Attorney’s Office; Lieutenant Dennis McWherter, Joliet Police Department and a Major in the U.S. Army National Guard; Father Ron Neitzke, mentor and pastor at St. Mary



Nativity Church; James Seminaroti, Veteran's Justice Outreach Specialist, Edward Hines Jr. VA Hospital; Cynthia Ketcham, Superintendent, Veterans Assistance Commission of Will County; Donna Fedesko, Center For Correctional Concerns; Dr. Joseph Troiani, Director of Behavioral Health Programs for the Will County Health Department; and the Will County Public Defender's Office. Our Will County team is on a waiting list to be granted a site visit at one of the five Mentor Veterans Treatment Courts across the country.

8. Veterans Justice Outreach Specialist Seminaroti and Superintendent Ketcham have been working with Will County in anticipation of the establishment of the Will County Veterans and Servicemembers Court.
9. A phenomenal resource will soon be available locally through an agreement between the United States Department of Veterans Affairs (VA) and Silver Cross Hospital to transform the emergency room at Joliet's former Silver Cross Hospital into a 60,000-square-foot "Mega Clinic" for area veterans and servicemembers and is expected to open in March 2013.
10. Chief Judge Gerald R. Kinney, Presiding Drug Court Circuit Judge Carla Alessio Policandriotes and Will County State's Attorney James W. Glasgow understand the urgent need to assist veterans and servicemembers.
11. Pursuant to 730 ILCS 167/15 the Chief Judge is given the authority to establish a Veterans and Servicemembers Court:

"The Chief Judge of each judicial circuit may establish a Veterans and Servicemembers Court program including a format under which it operates under this Act. The Veterans and Servicemembers Court may, at the discretion of the Chief Judge, be a separate court or *a program of a drug court* within the Circuit."

12. After assessing the initial need, staffing requirements and available resources, the Chief Judge has determined the initial Court will be most effective as a program of our Drug Court. The need for an independent Veterans and Servicemembers Court will be continually assessed with the goal of establishing an independent Court when it is determined to be necessary.
13. "Veterans and Servicemembers Court" means "a court or program with an *immediate and highly structured judicial intervention process for substance abuse treatment, mental health, or other assessed treatment needs* of eligible veteran and servicemember defendants that brings together substance abuse professionals, mental health professionals, VA professionals, local social programs and intensive judicial monitoring in accordance with the nationally recommended 10 key components of drug courts." (730 ILCS 167/10) The Key Components state:



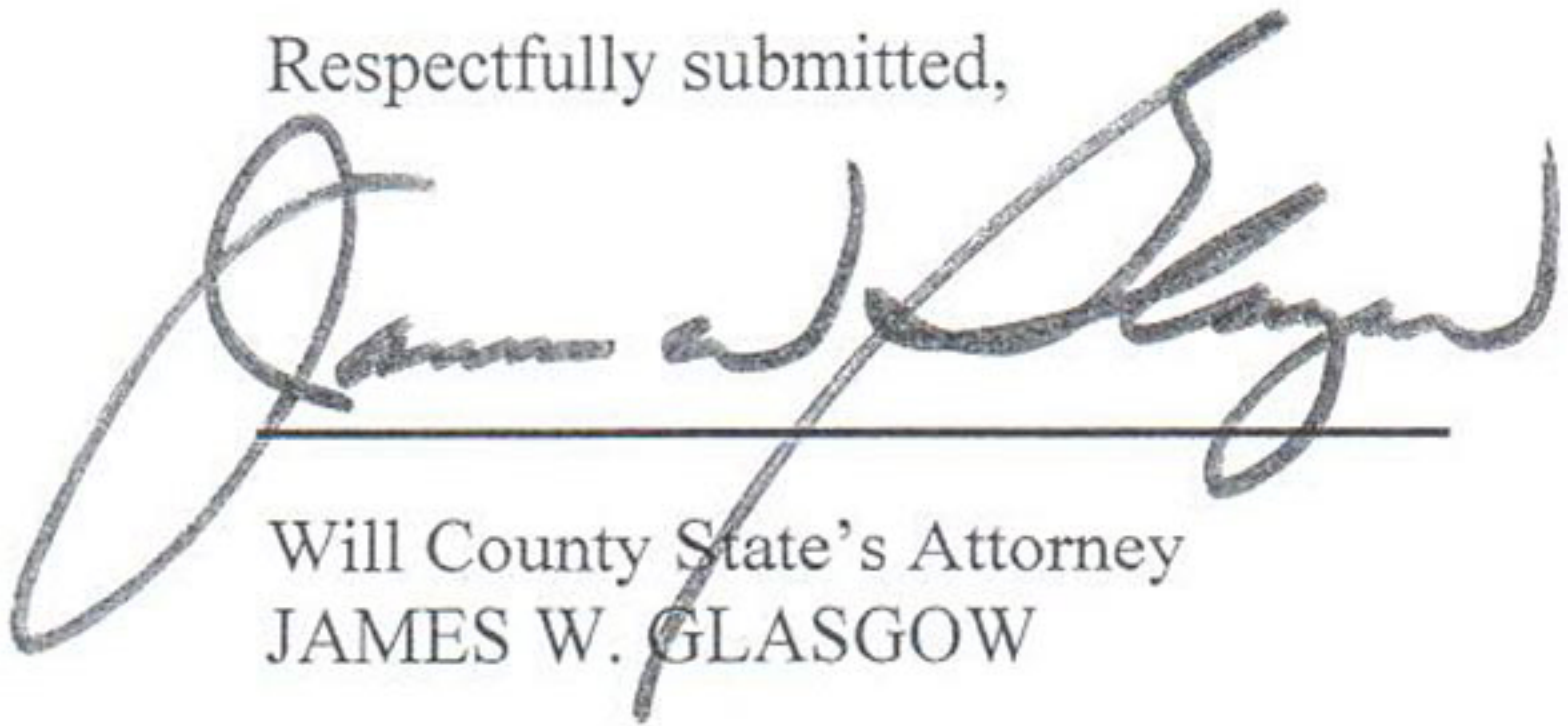
- i. Drug Courts integrate alcohol and other drug treatment services with justice system case processing.
  - ii. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
  - iii. Eligible participants are identified early and promptly placed in the drug court program.
  - iv. Drug courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.
  - v. Abstinence is monitored by frequent alcohol and other drug testing.
  - vi. A coordinated strategy governs drug court responses to participants' compliance.
  - vii. Ongoing judicial interaction with each drug court participant is essential.
  - viii. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
  - ix. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
  - x. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.
14. Will County State's Attorney Glasgow recognizes the statutory authority of the Chief Judge to establish a Will County Veterans and Servicemembers Court.
15. Chief Judge Kinney has delegated this duty to Circuit Judge Policandriotes in her role as Presiding Drug Court Judge to act on his behalf in this matter.
16. The Will County Veterans and Servicemembers Court, under the existing framework of the Will County Drug Court, will address the serious and specific needs of veterans and servicemembers in accordance with the Act.
17. The Court will assist veterans with honorable or general discharges or current members of the military who suffer from mental illness, mental disorder and/or substance abuse or other assessed treatment needs as a result of having served in a combat theater or in support thereof.



18. The Court will offer an inter-agency, collaborative, non-adversarial treatment strategy for veterans in the criminal justice system in both pre-adjudicatory and post-adjudicatory formats.
19. Each affected veteran will be provided with access to a network of local, state and federal veterans affairs agencies and departments in conjunction with social and legal aid agencies to assist with his/her specific issue(s).
20. The court will be committed to making certain that the veterans and servicemembers will be given every opportunity to manage their disorders, avoid a conviction and integrate successfully back into society.
21. Ultimately, the Will County Veterans and Servicemembers Court will uphold President Abraham Lincoln's promise "to care for him who shall have borne the battle."

**WHEREFORE**, James W. Glasgow, Will County State's Attorney, respectfully presents the Honorable Carla Alessio Policandriotes of the Twelfth Judicial Circuit Court of Illinois this Petition to establish the Will County Veterans and Servicemembers Court along with the attached Order implementing said court for her signature.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James W. Glasgow", is written over a horizontal line. The signature is fluid and cursive.

Will County State's Attorney  
JAMES W. GLASGOW

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