

HCS HBs 309 & 73 -- VETERANS COURT PROGRAM

SPONSOR: Solon

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Veterans by a vote of 17 to 0.

This substitute establishes a Military Veterans and Servicemembers Court Program for specified veterans and servicemembers. The substitute:

(1) Authorizes the presiding judge of each judicial circuit to create the program and provide criteria for entry into the program. Those eligible would be veterans and servicemembers who are suffering from a military related mental illness, traumatic brain injury, substance abuse disorder, or psychological problems stemming from military service in a combat theater;

(2) Requires the court to give preference to specified treatment programs;

(3) Specifies the felonies that make a person ineligible to enter the program;

(4) Creates a veterans' treatment intervention program. The substitute establishes the requirements for a defendant to be admitted to the program and specifies the exceptions to admission. The charges are dismissed following a defendant's completion of the intervention program and may be expunged under certain circumstances;

(5) Creates a misdemeanor veterans' treatment intervention program. The substitute establishes the requirements for admission to the program. The misdemeanor charges are dismissed upon completion of the program and may be expunged under certain circumstances;

(6) Exempts treatment services provided by the United States Department of Veterans Affairs from specified contract requirements;

(7) Authorizes a judge to impose a condition of probation requiring the probationer to participate in a treatment program capable of treating his or her disorder. The substitute requires the court to give preference to certain treatment programs; and

(8) The Department of Corrections is not required to spend state funds to implement these provisions.

PROPONENTS: Supporters say that so many of our veterans are returning home with traumatic brain injuries, post traumatic stress disorder, and substance abuse problems that go unnoticed and untreated. Many of these veterans have brushes with the law and law enforcement fails to realize the problems may be caused by the offender's service overseas. Veterans' treatment courts will allow prosecutors and judges to take certain circumstances into consideration when dealing with veterans who have broken the law. By providing this intervention on behalf of veterans, it will provide them with the opportunity to get help with problems and rejoin society.

Testifying for the bill were Representatives Solon and Barnes; Dewey Rhein, Veterans of Foreign Wars of the United States, Missouri Department; Rich Heigert, American Legion and Missouri Association of Veterans Organizations; Missouri National Guard; Missouri Catholic Conference; Pat Roe Kerr; and Jim Young.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say this is a good approach to treat these individuals, but there needs to be a way to share information to make the veterans' treatment courts viable.

Testifying on the bill were Missouri Office of Prosecution Services; and Missouri Associate Circuit Judge Voluntary Fund.