

HCS SCS SB 118 -- VETERANS TREATMENT COURTS

SPONSOR: Kraus (Cox)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Judiciary by a vote of 8 to 0.

This substitute authorizes a circuit court or a combination of circuit courts to create a veterans treatment court. The court will handle cases involving substance abuse or mental illness of current or former military personnel. Circuit courts must enter into a memorandum of understanding with participating prosecuting attorneys, and other specified parties.

Veterans treatment courts may accept participants from other jurisdictions based on the unavailability of a veterans treatment court in the jurisdiction where the participant is charged and as long as other criteria are met.

The veteran treatment courts must refer participants to substance abuse and mental health treatments through the federal Department of Defense health care, Veterans Administration, or a certified community-based treatment program. Any statements made by a participant during treatment or reports prepared by the staff of the treatment program are not admissible as evidence against the participant in a judicial proceeding. The staff of a veterans treatment court must be informed of matters relevant to a participant's treatment, but the records and reports are to be treated as confidential and are not available to the public. The charges or penalty may be dismissed or modified upon the participant's successful completion of a treatment program.

PROPOSERS: Supporters say that the bill will allow for the establishment of veterans treatment courts. Some jurisdictions already have these courts, and a statewide standard for their operation is needed.

Testifying for the bill were Senator Kraus; Missouri Association of Criminal Defense Lawyers; and Dewey Riehn, Veterans of Foreign Wars.

OPPOSERS: There was no opposition voiced to the committee.