

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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SENATE BILL 643

Short Title: Establish Veterans Treatment Court. (Public)

Sponsors: Senators Pate, D. Davis, Brown (Primary Sponsors); Bryant, J. Jackson, Smith-Ingram, Van Duyn, Waddell, and Woodard.

Referred to: Rules and Operations of the Senate

April 5, 2017

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH A VETERANS TREATMENT COURT FOR THE FOURTH AND
EIGHTH JUDICIAL DISTRICTS.

The General Assembly of North Carolina enacts:

SECTION 1. Definitions. – The following definitions apply in this act:

- (1) Veteran. – An individual who served in the Armed Forces of the United States and who was discharged or released from service under conditions other than dishonorable.
- (2) Veterans Treatment Court program. – A therapeutic court, as defined in G.S. 7A-272(f), that is designed to address the specialized problems faced by veterans.

SECTION 2. Veterans Treatment Court. – (a) There is established one Veterans Treatment Court program for both the Fourth and Eighth Judicial Districts. The goals of this court are to:

- (1) Reduce alcoholism and other drug dependencies and to provide effective treatment of co-occurring mental health issues among program participants.
- (2) Reduce criminal recidivism.
- (3) Reduce the alcohol-related and other drug-related court workload.
- (4) Provide accountability for program participants.
- (5) Promote effective interaction and use of resources among criminal justice personnel, Veterans Administration and advocacy personnel, and community agencies.

SECTION 2.(b) At any time during a criminal prosecution in either the Fourth or the Eighth Judicial Districts, the prosecutor and the defendant may make a joint written application to the court seeking the defendant's participation in the Veterans Treatment Court program. The court may approve the application and order that the defendant participate in the Veterans Treatment Court program as a condition of probation, pursuant to a deferred prosecution agreement, or pursuant to the terms of a conditional discharge upon making the following findings:

- (1) The defendant is a veteran as defined by Section 1 of this act.
- (2) In the case that participation in the program is a condition of probation, the requirements of G.S. 15A-1341(a) are satisfied.
- (3) In the case that participation in the program is pursuant to a deferred prosecution agreement, the requirements of G.S. 15A-1341(a1) are satisfied.



1 (4) In the case that participation in the program is pursuant to the terms of a
2 conditional discharge, the requirements of G.S. 15A-1341(a4) are satisfied.

3 **SECTION 2.(c)** Under the Veterans Treatment Court program, the court shall
4 order that the defendant participate in one or more of the following services:

- 5 (1) Mental health services.
- 6 (2) Drug treatment services, including random testing for substance abuse.
- 7 (3) Alcohol treatment services.
- 8 (4) Other services designed to address the specialized problems faced by
9 veterans.

10 As a part of continued enrollment in the Veterans Treatment Court program, the
11 defendant shall attend at least one court session per month. At each court session, the court
12 shall inquire about the defendant's progress in the above-mentioned services as well as the
13 defendant's overall participation in the Veterans Treatment Court program.

14 **SECTION 2.(d)** Sections 1 and 2 apply only to the following counties: Wayne,
15 Lenoir, Green, Duplin, Sampson, Jones, and Onslow.

16 **SECTION 3.** This act becomes effective October 1, 2017.