

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35275-MS-83B (03/07)

Short Title: Establish Veterans Treatment Court. (Public)

Sponsors: Senators Pate, D. Davis, and Brown (Primary Sponsors).

Referred to:

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

4 The General Assembly of North Carolina enacts:

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

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

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

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

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

- 30 (1) The defendant is a veteran as defined by Section 1 of this act.
31 (2) In the case that participation in the program is a condition of probation, the
32 requirements of G.S. 15A-1341(a) are satisfied.
33 (3) In the case that participation in the program is pursuant to a deferred
34 prosecution agreement, the requirements of G.S. 15A-1341(a1) are satisfied.
35 (4) In the case that participation in the program is pursuant to the terms of a
36 conditional discharge, the requirements of G.S. 15A-1341(a4) are satisfied.



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

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

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

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

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