

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 440
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30218-NDa-137

Short Title: Add Veterans Treatment Ct in Judicial Dist 4. (Public)

Sponsors: Representative Cleveland.

Referred to:

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

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 States
7 and who was discharged or released from service under honorable conditions.
8 (2) Veterans Treatment Court program. – A therapeutic court, as defined in
9 G.S. 7A-272(f), that is designed to address the specialized problems faced by
10 veterans.

11 **SECTION 2.(a)** Veterans Treatment Court. – There is established one Veterans
12 Treatment Court program for the Fourth Judicial District. The goals of this court are to:

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

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

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

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

- 36 (1) Mental health services.



- 1 (2) Drug treatment services, including random testing for substance abuse.
2 (3) Alcohol treatment services.
3 (4) Other services designed to address the specialized problems faced by veterans.
4 As a part of continued enrollment in the Veterans Treatment Court program, the
5 defendant shall attend at least one court session per month. At each court session, the court shall
6 inquire about the defendant's progress in the above-mentioned services as well as the defendant's
7 overall participation in the Veterans Treatment Court program.

8 **SECTION 3.** Sections 1 and 2 of this act only apply to Duplin, Sampson, Jones, and
9 Onslow Counties.

10 **SECTION 4.** There is appropriated from the General Fund to the Administrative
11 Office of the Courts the sum of one hundred thousand dollars (\$100,000) in recurring funds in
12 each year of the 2021-2023 fiscal biennium to be used to fund a coordinator position to run the
13 Veterans Treatment Court program in the Fourth Judicial District.

14 **SECTION 5.** Section 4 of this act becomes effective July 1, 2021. The remainder of
15 this act becomes effective October 1, 2021.