



446302

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2020	.	
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Appropriations Subcommittee on Criminal and Civil Justice
(Brandes) recommended the following:

Senate Amendment to Amendment (251488)

Delete lines 5 - 66
and insert:

(a) "Defendant" means a veteran, a servicemember, a current or former member of any state National Guard, a current or former contractor for the United States Department of Defense, or a current or former military member of a foreign allied country, who has been charged with or convicted of a criminal offense.



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11 (b) "Participant agreement" means the agreement as set
12 forth in subsection (9) and any specific terms and conditions
13 applicable to the defendant. The term includes any modifications
14 made to the agreement under subsection (10).

15 (c) "Servicemember" means a servicemember as defined in s.
16 250.01.

17 (d) "Veteran" means a veteran as defined in s. 1.01(14),
18 regardless of the discharge or release condition of the veteran.

19 (e) "Veterans treatment court" means a specialized docket
20 administered by a court for veterans and servicemembers as set
21 forth in this section.

22 (3) AUTHORIZATION.—The chief judge of each judicial circuit
23 may establish a veterans treatment court.

24 (4) ADMISSION.—A defendant who meets the eligibility
25 requirements under subsection (8) may be admitted to a veterans
26 treatment court at any stage of a criminal proceeding.

27 (5) RECORD OF POLICIES AND PROCEDURES.—A veterans treatment
28 court shall create a record of the policies and procedures
29 adopted to implement subsections (6) and (7).

30 (6) KEY COMPONENTS OF A VETERANS TREATMENT COURT.—

31 (a) A veterans treatment court shall adopt policies and
32 procedures to implement the following key components, including:

33 1. Integrating substance abuse and mental health treatment
34 services and any other related treatment and rehabilitation
35 services with justice system case processing;

36 2. Using a nonadversarial approach in which the state
37 attorney and defense counsel promote public safety while
38 protecting the due process rights of the defendant;

39 3. Providing early identification of eligible defendants;



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40 4. Monitoring defendants for abstinence from alcohol and
41 drugs by frequent testing;

42 5. Providing ongoing judicial interaction with each
43 defendant;

44 6. Monitoring and evaluating the achievement of each
45 defendant's program goals; and

46 7. Forging partnerships among the veterans treatment
47 courts, the United States Department of Veterans Affairs, the
48 Florida Department of Veterans' Affairs, public agencies, and
49 community-based organizations to generate local support and
50 enhance the effectiveness of the veterans treatment court.

51 (b) In adopting policies and procedures under this section,
52 the court shall consult nationally recognized best practices
53 related to the key components of veterans treatment courts.

54 (7) SUPPLEMENTAL POLICIES AND PROCEDURES OF VETERANS
55 TREATMENT COURTS.—A veterans treatment court may adopt
56 supplemental policies and procedures to:

57 (a) Refer a defendant with a medical need to an appropriate
58 health care provider or refer a defendant for other appropriate
59 assistance, including assistance with housing, employment,
60 nutrition, mentoring, and education.

61 (b) Otherwise encourage participation in the veterans
62 treatment court.

63 (8) ELIGIBILITY.—

64 (a) A defendant may participate in a veterans treatment
65 court if:

66 1. The defendant has a mental health