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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
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.



930566

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. A
27 defendant seeking to participate in a veterans treatment court
28 must submit an application to the court. The court must review
29 each application and determine whether the defendant meets the
30 eligibility requirements in subsection (8).

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

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

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

37 1. Integrating substance abuse and mental health treatment
38 services and any other related treatment and rehabilitation
39 services with justice system case processing;



930566

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

43 3. Providing early identification of eligible defendants;

44 4. Monitoring defendants for abstinence from alcohol and
45 drugs by frequent testing;

46 5. Providing ongoing judicial interaction with each
47 defendant;

48 6. Monitoring and evaluating the achievement of each
49 defendant's program goals; and

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

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

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

61 (a) Refer a defendant with a medical need to an appropriate
62 health care provider or refer a defendant for other appropriate
63 assistance, including assistance with housing, employment,
64 nutrition, mentoring, and education.

65 (b) Otherwise encourage participation in the veterans
66 treatment court.

67 (8) ELIGIBILITY.—

68 (a) A defendant may participate in a veterans treatment



930566

69 court if:

70 1. The defendant has a mental health