

1 AN ACT relating to criminal justice services for veterans.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 26A IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, "veterans treatment court program" means any court*
6 *overseen by the Department of Specialty Courts within the Administrative Office*
7 *of the Courts which supervises substance use or mental health treatment for*
8 *current or former members of the active military, military reserves, or National*
9 *Guard, including state active duty.*

10 *(2) The Supreme Court of Kentucky shall administer the veterans treatment court*
11 *program to:*

12 *(a) Develop standards, establish program eligibility, and provide oversight;*

13 *(b) Define, develop, and gather outcome measures;*

14 *(c) Collect, report, and disseminate data;*

15 *(d) Sponsor and coordinate training; and*

16 *(e) Apply for, administer, and evaluate any grant for veterans treatment court*
17 *purposes.*

18 *(3) Nothing contained in this section shall confer a right or an expectation of a right*
19 *to treatment for an offender within the criminal justice system who is a current or*
20 *former member of the military.*

21 *(4) If a defendant has been accepted into the veterans treatment court program and*
22 *is supervised by that program as a condition of probation, the defendant shall not*
23 *be subject to the supervision of the Division of Probation and Parole during his*
24 *or her participation in the court program.*

25 ➔Section 2. KRS 533.015 is amended to read as follows:

26 Whenever a statute mentions probation, shock probation, conditional discharge, home
27 incarceration, or other form of alternative to incarceration, that alternative may include

1 **veterans treatment court**, a community-based, faith-based, charitable, church-sponsored,
 2 or nonprofit residential or nonresidential counseling and treatment program or drug court,
 3 and, upon petition by the defendant, the court may sentence or permit the defendant to
 4 attend that program. This program may also be used for pretrial release and pretrial
 5 diversion.

6 ➔Section 3. KRS 431.515 is amended to read as follows:

7 (1) All trial courts in this Commonwealth having jurisdiction of criminal causes shall
 8 provide such pretrial release investigation and services as necessary to effectuate the
 9 purposes of KRS 431.510 to 431.550, including KRS 431.518, and, where practical,
 10 to assist in the earliest possible determination of:

11 (a) Whether a person is a needy person under KRS Chapter 31; and

12 (b) Whether a person **is a current or former member of the military**~~has been in~~
 13 ~~combat~~ by asking the question, "Have you served in the National Guard or
 14 the United States Armed Forces ~~and been in combat?~~"?" during the pretrial
 15 release investigation.

16 (2) The Supreme Court may by appropriate rule or order establish and provide for such
 17 pretrial investigation and release services, including, where practical:~~[-, the -]~~

18 **(a)** Taking of financial statements, and the court's determination of whether a
 19 person is a needy person as provided in KRS 31.120; **and**

20 **(b)** **Procedures for contacting the Veterans Justice Outreach program within**
 21 **the United States Department of Veterans Affairs, or its successor.**

22 (3) Pretrial officers shall give contact information on:

23 **(a)** The Kentucky National Guard Family **Assistance Center**~~[Services Program]~~
 24 within the Kentucky Department of Military Affairs, **or its successor;**

25 **(b)** **The Veterans Justice Outreach program within the United States.**
 26 **Department of Veterans Affairs, or its successor;**

27 **(c)** **Kentucky's veterans treatment court program, where practical;** or

1 (d) Similar programs which provide~~[a full range of]~~ services for *current or*
2 *former members of the military;*~~[combat veterans]~~
3 to any person who states that he or she *is a current or former member of the*
4 *military*~~[has been in combat]~~, including an opportunity to call the program during
5 the interview.