

HCS SCS SB 118 -- VETERANS TREATMENT COURTS

This bill authorizes a circuit court or a combination of circuit courts to establish a veterans treatment court upon the agreement of the presiding judges of the courts to provide an alternative to dispose of cases which stem from substance abuse or mental illness of current or former military personnel. A court must combine judicial supervision, drug testing, and substance abuse and mental health treatment to participants who have served or are currently serving in the United States armed forces, including members of the reserves, National Guard, or Missouri Guard. Each circuit court must establish conditions for referral of proceedings to the veterans treatment court and enter into a memorandum of understanding with each participating prosecuting attorney that may include other specified parties who are considered necessary. A veterans treatment court may accept participants from other jurisdictions based upon the residence of the participant in the receiving district or the unavailability of a veterans treatment court in the jurisdiction where the participant is charged under specified conditions.

Except for good cause found by the court, a veterans treatment court must make a referral for substance abuse or mental health treatment or a combination of substance abuse and mental health treatment through the federal Department of Defense health care, the Veterans Administration, or a certified community-based treatment program. Any statement made by a participant during treatment or any report prepared by the staff of the treatment program must not be admissible as evidence against the participant in a judicial proceeding. The staff of a veterans treatment court must have access to all records of any state or local government agency relevant to a participant's treatment, but the records and reports are to be treated as closed records and must be maintained by the court in a confidential file not available to the public. The charges, petition, or penalty may be dismissed, reduced, or modified upon the participant's successful completion of a treatment program. Any fees received by a court from a defendant as payment for a program must not be considered court costs, charges, or fines.