

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**HOUSE BILL 440**

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

Sponsors: Representatives Cleveland and Shepard (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 30, 2021

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:



- 1           (1)    Mental health services.  
2           (2)    Drug treatment services, including random testing for substance abuse.  
3           (3)    Alcohol treatment services.  
4           (4)    Other services designed to address the specialized problems faced by veterans.

5           As a part of continued enrollment in the Veterans Treatment Court program, the  
6 defendant shall attend at least one court session per month. At each court session, the court shall  
7 inquire about the defendant's progress in the above-mentioned services as well as the defendant's  
8 overall participation in the Veterans Treatment Court program.

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

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

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