



**STATE SENATE**  
**DISTRICT 25**

**Senate Bill 157**

**Veteran Courts** There is a growing effort nationally, and in Oregon, to institute veterans' courts or dockets to allow district attorneys to send military members and veterans into treatment, rather than jail, when they commit a non-violent offense.

These courts are staffed by people who take into consideration the charges and challenges facing veterans who return home from war. They may allow some military members to enter into mental health diversion programs as treatment for non-violent infractions as opposed to automatically jailing the offender. There is a growing number of veterans entering the criminal justice system with serious mental-health and substance-abuse problems. Only about half of the more than 2.6 million Americans who have served in Iraq or Afghanistan have sought help for their psychological trauma, according to a 2012 assessment by the Institute of Medicine of the National Academies.

The law relies on the judgment of a prosecutor, who will determine, on a case-by-case basis, which defendants may be eligible for diversion. These prosecutors must consider, for example, whether a veteran who spent four years at a military base should be offered the same diversion opportunity as one who deployed twice to combat situations in Afghanistan or Iraq.

Prosecutors must decide how serious the crime must be before diversion is taken off the table and must consider the victim of the offense.

**Veteran Treatment Courts** Veterans charged with non-violent crimes who are in need of mental health or substance abuse treatment may be eligible for Veterans Treatment Courts. If a Veteran is eligible and there are resources in the veterans' area, the decision to go through treatment court is up to him or her. Veterans who choose treatment court are assessed by a mental health care provider. The provider decides what the Veteran's treatment needs are. Most veterans receive treatment through the VA network. Similar courts are already operating in Klamath, Marion and Lane counties. Deschutes County and Multnomah, are developing one.

Veterans Treatment Court allows veterans to remain in the community. A judge regularly checks on progress, though, while the veteran is in treatment. If the veteran fails to meet the requirements of the program, the Court will act. For example, if the Veteran fails drug screens or does not obey court orders, the Court will impose upon him or her such things as community service, fines, jail time, or re-arrest back through the legal system.

