

**THE AMERICAN LEGION
DEPARTMENT OF PENNSYLVANIA
DEPARTMENT EXECUTIVE COMMITTEE
RED LION HOTEL, HARRISBURG, PENNSYLVANIA
APRIL 4-5, 2020**

Resolution No. 1114

Submitted by: William Whitmoyer
Legislative Committee Chairman

- WHEREAS, Most veterans are strengthened by their military service, but the combat experience has unfortunately left a growing number of Veterans with issues such as Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), and one in five veterans has symptoms of a mental health disorder or cognitive impairment, and one in six veterans who served in Operation Enduring Freedom and Operation Iraqi Freedom suffer from a substance use issue; and
- WHEREAS, Research continues to draw a link between substance use and combat-related mental illness and mental health disorders common among Veterans, left untreated, can directly lead to involvement in the criminal justice system; and
- WHEREAS, **Veterans Treatment Courts** (aka Veterans Diversion or Specialty Courts), connected to the Courts of Common Pleas, assist veterans who are charged with crimes and are struggling with addiction, mental illness, and/or other service-related disorders, and come in contact with the criminal justice system; and
- WHEREAS, The Veterans Treatment Court model, based upon the successful drug-court model, requires regular court appearances, as well as, mandatory attendance at treatment sessions, frequent and random testing for drug and alcohol use, and participating Veterans receive support and guidance from veteran mentors, are supervised by specialized probation officers and receive treatment and support from the Veterans' Administration to address underlying problems often caused by service-related issues such as PTSD/TBI; and
- WHEREAS, Veterans respond favorably to this structured environment, given their past experiences in the Armed Forces; and
- WHEREAS, Without this structure, these veterans are likely to reoffend and remain in the criminal justice system; and

WHEREAS, A Veterans Treatment Court judge better understands the issues that a veteran may be struggling with, such as substance addiction, PTSD, TBI, or Military Sexual Trauma (MST), and a Veterans Treatment Court judge is also more familiar with the Veterans Health Administration, Veterans Benefit Administration, State Department of Veterans Affairs, Veterans Service Organizations, and volunteer veteran mentors and how they can all assist veteran defendants; and

WHEREAS, A Veterans Treatment Court judge, handles numerous veterans' cases and is supported by a strong, interdisciplinary team, so he or she is in a much better position to exercise discretion and effectively respond than a judge who only occasionally hears a case involving a veteran defendant; and

WHEREAS, Veterans Treatment Courts allow jurisdictions to serve a large segment of the justice-involved veteran population; and

WHEREAS, With nearly 800,000 veterans, Pennsylvania has the fourth-largest population of Veterans in the country; and

WHEREAS, Current access to Veterans Treatment Courts is limited to 25 of the 67 counties in the Commonwealth of Pennsylvania since Pennsylvania's first Veterans Treatment Court opened in Lackawanna County in November 2009; and

WHEREAS, The quality of justice should not be determined by where one lives; and

WHEREAS, One of the issues that has been raised during recent Veterans Suicide Roundtables held across the state by Senator Mike Regan is the lack of access to Veterans Courts and assistance for those Veterans who find themselves in trouble with the law as a result of service-related issues such as PTSD/TBI; and

WHEREAS, On December 12, 2019, Senators Mike Regan and Doug Mastriano introduced to the Pennsylvania Legislature, *Senate Bill 976; Regular Session 2019-2020, An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts*, legislation that will codify Veterans Courts into law, allow Veterans Courts to permit participation by Veterans from adjacent counties, and allow county common pleas courts that have other problem-solving courts to establish “Veterans Tracks” – programs that utilize some components of a Veterans Court; now therefore be it

RESOLVED, That The Pennsylvania American Legion Department Executive Committee in regular meeting assembled at the VIA ZOOM electronic meeting ~~Red Lion Hotel, Harrisburg, PA~~, April 4-5, 2020, does affirm its support for any legislation that expands accessibility to Veterans Treatment Courts throughout the Commonwealth; and be it further

RESOLVED, That The Pennsylvania American Legion Department Executive Committee expressly supports passage ~~of Senate Bill 976; Regular Session 2019-2020, an Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes~~, in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts; and be it further

RESOLVED, That The Pennsylvania American Legion Department Executive Committee calls upon the Pennsylvania General Assembly to expeditiously pass ~~Senate Bill 976; Regular Session 2019-2020~~, and encourages Pennsylvania Governor Tom Wolf to thereafter expediently enact it by signing it into law; and be it further

RESOLVED, That a copy of this resolution be forwarded to the members of both Chambers of the General Assembly of the Commonwealth of Pennsylvania for their immediate action; and be it finally

RESOLVED, That a copy of this Resolution be forwarded to Pennsylvania Governor Tom Wolf.

Approved as amended

APPROVED REJECTED _____ REFERRED _____ CONSOLIDATED _____ FILED _____

