

SUBJECT: Expanding placement options for veterans treatment court programs

COMMITTEE: Corrections — committee substitute recommended

VOTE: 9 ayes — White, Allen, Bailes, Bowers, Dean, Morales, Neave, Sherman, Stephenson

0 nays

WITNESSES: For — Jessica Frazier, Comal County District Attorney's Office; Kathleen Hamilton; (*Registered, but did not testify:* Alexandra Guio, Dallas County Criminal District Attorney John Creuzot; Tiana Sanford, Montgomery County District Attorney's Office; Anthony Elizondo)

Against — None

BACKGROUND: Government Code ch. 124 allows counties to establish veterans treatment court programs for certain individuals who are arrested for, charged with, convicted of, or placed on deferred adjudication community supervision for any misdemeanor or felony offense. These programs provide certain services to defendants who are placed in them by a court.

Government Code sec. 124.006 allows a veterans treatment court program that accepts placement of a defendant to transfer the defendant to another program located in the county where the defendant works or resides. If a defendant's criminal case is pending in a county that does not operate a veterans treatment court program, the court may place the defendant in a program in the county where the defendant works or resides. A defendant's supervision may be transferred only with the consent of both veterans treatment court programs, if applicable, and the defendant.

Some have noted that allowing the transfer of a veteran's case from one veterans treatment court program to another is beneficial but that some veterans reside in counties that do not accept case transfers or that do not accept felony or misdemeanor cases.

DIGEST:

CSHB 2481 would allow a veterans treatment court program to transfer the supervision of a defendant's case to a program in a county adjacent to the county in which the defendant worked or resided. If a defendant were charged with an offense in a county that did not operate a veterans treatment court program, the court in which the criminal case was pending could place the defendant in a program in a county adjacent to where the defendant worked or resided.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.