

114TH CONGRESS
1ST SESSION

S. 2120

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to carry out a program to support veterans in contact with the criminal justice system by discouraging unnecessary criminalization of mental illness and other nonviolent crimes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2015

Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, Mr. DURBIN, Mr. FRANKEN, Mr. SCHUMER, Mr. SANDERS, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. BENNET, Ms. BALDWIN, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to carry out a program to support veterans in contact with the criminal justice system by discouraging unnecessary criminalization of mental illness and other nonviolent crimes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Justice Out-
5 reach Act of 2015”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PROGRAM OF**
2 **COORDINATED OUTREACH FOR JUSTICE-IN-**
3 **VOLVED VETERANS AT RISK OF HOMELESS-**
4 **NESS.**

5 (a) PROGRAM REQUIRED.—

6 (1) IN GENERAL.—Subchapter III of chapter
7 20 of title 38, United States Code, is amended—

8 (A) by redesignating sections 2022 and
9 2023 as sections 2023 and 2024, respectively;
10 and

11 (B) by inserting after section 2021A the
12 following new section 2022:

13 **“§ 2022. Coordination of outreach for justice-involved**
14 **veterans at risk of homelessness**

15 “(a) PROGRAM REQUIRED.—The Secretary shall
16 carry out a program to support veterans in contact with
17 the criminal justice system by discouraging unnecessary
18 criminalization of mental illness and other nonviolent
19 crimes.

20 “(b) PARTNERSHIP.—The Secretary shall carry out
21 the program required by subsection (a) in partnership
22 with local law enforcement, judicial, and community-based
23 treatment and legal assistance organizations.

24 “(c) AUTHORIZED ACTIVITIES.—In carrying out the
25 program required by subsection (a), the Secretary may
26 conduct the following:

1 “(1) Training for police, prosecutors, courts,
2 public defenders, and other community-based sup-
3 port organizations on matters relating to psycho-
4 logical trauma associated with military service and
5 mental health and substance abuse services available
6 from the Department.

7 “(2) Support for courts and their officers, in-
8 cluding physical presence in the courtroom setting,
9 by facilitating mental health assessments, treatment
10 planning, referrals to Department services, or such
11 other services as may be requested by the courts.

12 “(3) Such other outreach and assistance as the
13 Secretary considers appropriate for the provision of
14 support described in subsection (a).

15 “(d) JUSTICE OUTREACH COORDINATORS.—(1) In
16 order to effectively assist veterans in contact with the
17 criminal justice system, the Secretary shall establish coor-
18 dinators to provide outreach under the program required
19 by subsection (a).

20 “(2) The Secretary shall ensure that each coordinator
21 established under paragraph (1) is knowledgeable about
22 psychological and psychiatric evaluation in relation to jus-
23 tice-based forensic matters, such as—

24 “(A) psychiatric diagnosis;

25 “(B) developmental disabilities;

1 “(C) medical issues, such as traumatic brain in-
2 jury;

3 “(D) competency and sanity;

4 “(E) neglect and abuse;

5 “(F) parental rights; and

6 “(G) life threatening issues, such as suicidality
7 and homicidally.

8 “(e) VETERAN IN CONTACT WITH THE CRIMINAL
9 JUSTICE SYSTEM DEFINED.—In this section, the term
10 ‘veteran in contact with the criminal justice system’ in-
11 cludes the following:

12 “(1) A veteran in contact with local law en-
13 forcement who can be appropriately diverted from
14 arrest to mental health treatment.

15 “(2) A veteran in local jail either pretrial or
16 serving a sentence.

17 “(3) A veteran in adjudication or monitoring by
18 a court.”.

19 (2) CONFORMING AMENDMENT.—Section
20 2023(f) of such title, as redesignated by paragraph
21 (1)(A), is amended in paragraphs (2)(C) and (3)(C)
22 by striking “section 2023” both places it appears
23 and inserting “section 2024”.

24 (3) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 20 of such title is

1 amended by striking the items relating to sections
 2 2022 and 2023 and inserting the following new
 3 items:

“2022. Coordination of outreach for justice-involved veterans at risk of homelessness.

“2023. Coordination of outreach services for veterans at risk of homelessness.

“2024. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions.”.

4 (b) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
 6 after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress
 7 a report on the program carried out under section
 8 2022(a) of such title, as added by subsection (a)(1).
 9 2022(a) of such title, as added by subsection (a)(1).

10 (2) CONTENTS.—The report submitted under
 11 paragraph (1) shall include an assessment of the following:
 12 lowing:

13 (A) The number of coordinators established under section 2022(d)(1) of such title, as
 14 added by subsection (a)(1).
 15 added by subsection (a)(1).

16 (B) The training of such coordinators.

17 (C) The capabilities of such coordinators.

18 (D) The capacity of the program carried
 19 out under section 2022(a) of such title, as so
 20 added, to meet the demand of veterans and
 21 courts for services under the program.

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