

Introduced by

Representatives Schneider, Dockter, Eidson, Johnston, Kasper, Laning, Trottier, Vetter

Senators Heckaman, Hogan, Marcellais

1 A BILL for an Act to provide for a legislative management study of issues relating to criminal
2 defendants who are veterans or who are currently serving in the armed forces.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CRIMINAL JUSTICE ISSUES**
5 **RELATING TO DEFENDANTS WHO ARE VETERANS OR SERVING IN THE ARMED**
6 **FORCES.**

7 1. The legislative management shall consider studying, during the 2019-20 interim,
8 issues related to criminal defendants who are veterans or who are serving in the
9 armed forces, including:

- 10 a. Whether additional treatment and sentencing options should be considered if a
11 defendant is suspected of having posttraumatic stress disorder or other
12 behavioral health conditions;
- 13 b. Whether the additional treatment and sentencing options should apply to both
14 misdemeanor and felony offenses and, if applied to misdemeanor offenses, the
15 impact those additional cases would have on the courts and the department of
16 corrections and rehabilitation;
- 17 c. The point in the criminal proceeding at which the inquiry regarding the
18 defendant's behavioral health condition should be made;
- 19 d. What actions are being taken by other states' judicial and criminal justice systems
20 to address similar issues regarding criminal defendants who are veterans or who
21 are serving in the armed forces; and
- 22 e. What the state needs to do to ensure veterans and other armed forces personnel
23 with posttraumatic stress disorder or other behavioral health conditions are

- 1 handled appropriately in the state's criminal justice system and whether the
2 courts could be integrated into other specialty courts existing within the state.
- 3 2. The legislative management shall report its findings and recommendations, together
4 with any legislation required to implement the recommendations, to the sixty-seventh
5 legislative assembly.