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(Original Signature of Member)

112TH CONGRESS  
1ST SESSION

# H. R.

To provide grants to establish veteran’s treatment courts.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. CICILLINE introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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# A BILL

To provide grants to establish veteran’s treatment courts.

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 “Services, Education,  
5 and Rehabilitation for Veterans Act” or the “SERV Act”.

6 **SEC. 2. VETERAN’S TREATMENT COURTS.**

7 (a) DELEGATION.—The Director of the Office of Na-  
8 tional Drug Control Policy (referred to in this Act as the  
9 “Director”) shall delegate the authority to administer the

1 program and other such activities necessary to carry out  
2 this Act to the Department of Justice.

3 (b) GRANTS.—The Attorney General may make  
4 grants to States, State courts, local courts, units of local  
5 government, and Indian tribal governments acting directly  
6 or through agreements with other public or private enti-  
7 ties, for the purpose of developing, implementing, or en-  
8 hancing veteran’s treatment courts or expanding oper-  
9 ational drug courts to serve veterans.

10 (c) ELIGIBILITY.—Grants under this Act shall be  
11 made to veteran’s treatment courts and drug courts serv-  
12 ing veterans that effectively integrate substance abuse  
13 treatment, mental health treatment, mandatory drug test-  
14 ing, sanctions and incentives, and transitional services, in  
15 a judicially supervised court setting with jurisdiction over  
16 nonviolent, substance-abusing offenders that have served  
17 in the United States military.

18 **SEC. 3. GRANT AUTHORITY.**

19 The Attorney General may make grants to States,  
20 State courts, local courts, units of local government, and  
21 Indian tribal governments, acting directly or through  
22 agreements with other public or private entities, for pro-  
23 grams that involve—

24 (1) continuing judicial supervision over offend-  
25 ers with substance abuse or mental health problems

1       who are not violent offenders and have served in the  
2       United States military; and

3               (2) the integrated administration of other sanc-  
4       tions and services, which shall include—

5               (A) mandatory periodic testing for the use  
6       of controlled substances or other addictive sub-  
7       stances during any period of supervised release  
8       or probation for each participant;

9               (B) substance abuse and mental health  
10      treatment (such as treatment for depression  
11      and post-traumatic stress disorder) for each  
12      participant;

13              (C) diversion, probation, or other super-  
14      vised release involving the possibility of prosecu-  
15      tion, confinement, or incarceration based on  
16      noncompliance with program requirements or  
17      failure to show satisfactory progress; and

18              (D) programmatic, offender management,  
19      and aftercare services such as relapse preven-  
20      tion, health care, education, vocational training,  
21      job placement, housing placement, and child  
22      care or other family support services for each  
23      participant who requires such services.

1 **SEC. 4. APPLICATIONS.**

2 (a) IN GENERAL.—To request a grant under this  
3 Act, a State, State court, local court, unit of local govern-  
4 ment, or Indian tribal government shall submit an applica-  
5 tion to the Attorney General in such form and containing  
6 such information as the Attorney General may reasonably  
7 require.

8 (b) APPLICATIONS.—In addition to any other require-  
9 ments that may be specified by the Attorney General, an  
10 application for a grant under this Act shall—

11 (1) include a long-term strategy and detailed  
12 implementation plan;

13 (2) explain the applicant's inability to fund the  
14 program adequately without Federal assistance;

15 (3) certify that the Federal support provided  
16 will be used to supplement, and not supplant, State,  
17 Indian tribal, and local sources of funding that  
18 would otherwise be available;

19 (4) identify related governmental or community  
20 initiatives which complement or will be coordinated  
21 with the proposal;

22 (5) certify that there has been appropriate con-  
23 sultation with all affected agencies, specifically the  
24 Department of Veterans Affairs and the Department  
25 of Health and Human Services, and that there will

1 be appropriate coordination with all affected agen-  
2 cies in the implementation of the program;

3 (6) certify that participating offenders will be  
4 supervised by 1 or more designated judges with re-  
5 sponsibility for the veteran's treatment court pro-  
6 gram;

7 (7) specify plans for obtaining necessary sup-  
8 port and continuing the proposed program following  
9 the conclusion of Federal support; and

10 (8) describe the methodology that will be used  
11 in evaluating the program.

12 (c) CERTIFICATIONS.—Each such application shall  
13 contain the certification that the program for which the  
14 grant is requested shall meet each of the requirements of  
15 this Act.

16 **SEC. 5. FEDERAL SHARE.**

17 The Federal share of a grant made under this Act  
18 may not exceed 75 percent of the total costs of the pro-  
19 gram described in the application submitted under section  
20 4 for the fiscal year for which the program receives assist-  
21 ance under this Act, unless the Attorney General waives,  
22 wholly or in part, the requirement of a matching contribu-  
23 tion under this section. In-kind contributions may con-  
24 stitute a portion of the non-Federal share of a grant.

1 **SEC. 6. REPORTS AND EVALUATIONS.**

2 (a) REPORT TO ATTORNEY GENERAL AND THE DI-  
3 RECTOR.—For each fiscal year, each recipient of a grant  
4 under this Act during that fiscal year shall submit to the  
5 Attorney General, the Director, and the Secretary for Vet-  
6 erans Affairs a report regarding the effectiveness of activi-  
7 ties carried out using that grant. Each report shall include  
8 an evaluation in such form and containing such informa-  
9 tion as the Attorney General may reasonably require. The  
10 Attorney General shall specify the dates on which such  
11 reports shall be submitted.

12 (b) REPORT TO CONGRESS.—The Director, in con-  
13 sultation with the Attorney General, shall submit a yearly  
14 report on the effectiveness on the activities carried out  
15 under this Act to the House and Senate Committees on  
16 the Judiciary and the House and Senate Committees on  
17 Veterans Affairs.

18 **SEC. 7. DEFINITIONS.**

19 In this Act:

20 (1) VETERAN.—The term “veteran” means a  
21 person who served in the active military, naval, or  
22 air service, and who was discharged or released  
23 therefrom under conditions other than dishonorable.

24 (2) VETERAN’S TREATMENT COURT.—The term  
25 “veteran’s treatment court” means a program spe-  
26 cifically for veterans that meets the drug court cri-

1       teria established by the Violent Crime Control and  
2       Law Enforcement Act of 1994 (Public Law 103–  
3       322).

4           (3) VIOLENT OFFENDER.—The term “violent  
5       offender” means a person who—

6           (A) is charged with or convicted of an of-  
7       fense, during the course of which offense or  
8       conduct—

9           (i) the person carried, possessed, or  
10       used a firearm or dangerous weapon;

11          (ii) there occurred the death of or se-  
12       rious bodily injury to any person; or

13          (iii) there occurred the use of force  
14       against the person of another, without re-  
15       gard to whether any of the circumstances  
16       described in clause (i) or (ii) is an element  
17       of the offense or conduct of which or for  
18       which the person is charged or convicted.

19          (B) has 1 or more prior convictions for a  
20       felony crime of violence involving the use or at-  
21       tempted use of force against a person with the  
22       intent to cause death or serious bodily harm.

23   **SEC. 8. ADMINISTRATION.**

24          (a) CONSULTATION.—The Attorney General shall  
25       consult with the Secretary of Veterans Affairs, the Sec-

1   retary of Health and Human Services, and any other ap-  
2   propriate officials in carrying out this Act.

3       (b) REGULATORY AUTHORITY.—

4           (1) IN GENERAL.—The Attorney General may  
5   issue regulations and guidelines necessary to carry  
6   out this Act.

7           (2) PARTICIPATION LIMITS.—In addition to  
8   the general authority provided under paragraph (1),  
9   the Attorney General shall—

10           (A) issue regulations and guidelines to en-  
11   sure that programs authorized in this Act do  
12   not permit participation by violent offenders;  
13   and

14           (B) immediately suspend funding for any  
15   grant under this part, pending compliance, if  
16   the Attorney General finds that violent offend-  
17   ers are participating in any program funded  
18   under this part.

19       (c) GEOGRAPHIC DISTRIBUTION.—The Attorney  
20   General shall ensure that, to the extent practicable, an eq-  
21   uitable geographic distribution of grant awards is made  
22   under this Act.

1 **SEC. 9. TECHNICAL ASSISTANCE, TRAINING, AND EVALUA-**  
2 **TION.**

3 (a) TECHNICAL ASSISTANCE AND TRAINING.—The  
4 Attorney General may provide technical assistance and  
5 training in furtherance of the purposes of this Act.

6 (b) EVALUATIONS.—The Attorney General may pro-  
7 vide for evaluations in furtherance of the purposes of this  
8 Act.

9 **SEC. 10. FUNDING FOR THE NATIONAL DRUG COURT INSTI-**  
10 **TUTE.**

11 (a) COMPREHENSIVE, NATIONAL TRAINING AND  
12 TECHNICAL ASSISTANCE FOR DRUG COURTS.—The Na-  
13 tional Drug Court Institute in Alexandria, Virginia,  
14 shall—

15 (1) conduct national, comprehensive training  
16 programs for State and local communities for the  
17 purpose of improving the professional skills of drug  
18 court practitioners and enhancing the ability of  
19 State and local communities to expand drug courts  
20 to reach all addicted citizens in need of their re-  
21 sources; and

22 (2) provide national, comprehensive Technical  
23 Assistance to adult, juvenile and family dependency  
24 drug courts including a combination of information  
25 gathering, needs assessment, cultural proficiency,

1 analysis, problem solving, action planning, referral  
2 and follow-up.

3 (b) ANCILLARY PROJECTS.—The National Drug  
4 Court Institute in Alexandria, Virginia, shall complete an-  
5 cillary programs designed to facilitate the expansion and  
6 improvement of drug courts nationwide including—

7 (1) a Judicial Task Force to develop a transi-  
8 tion plan for new drug court judges;

9 (2) a resource center to maintain and distribute  
10 drug court evaluations reviewed in the National  
11 Drug Court Institute Review, and to request new re-  
12 search and evaluations for the drug court field;

13 (3) publishing annually the National Drug  
14 Court Institute Review to provide research, analysis,  
15 and commentary of importance to the drug court  
16 field; and

17 (4) searching drug court literature and identify,  
18 reprint, and disseminate important and relevant  
19 scholarship to the drug court field.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated to the Attorney General  
22 such sums as may be necessary to carry out this section.

1 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

2       Except for section 10, there are authorized to be ap-  
3       propriated to the Director such sums as may be necessary  
4       to carry out this Act.