

February 17, 2021

Representative Sandra Feist
Representative Laurie Pryor
Minnesota House of Representatives

RE: H.F. No. 478

I write in support of a bill that seeks “Restorative justice for military veterans”.

We have asked a great deal from veterans over the last many years, most recently in Afghanistan and extending back throughout time, including my time in Vietnam in 1967-68. I am one of the lucky ones, came back with my faculties intact - many do not. So I support your efforts here. What we need are sincere, meaningful supports and interventions that go far beyond the glib, insincere *Thank You For Your Service* that is not helpful and can be condescending.

So, no one should quarrel with the fundamental purpose of this bill:

“It is in the interests of justice to restore a defendant who acquired a criminal record *due to a mental health condition stemming from service* in the United States military to the community of law-abiding citizens.” (Subd. 2, emphasis supplied).

A few specific comments:

- I like that you are providing “guidance to courts on sentencing veterans ... “.
- The standard you provide - that is, the court has to make findings by “clear and convincing evidence” is a very high standard - I might prefer a “preponderance of the evidence” standard, which might further the purpose of the legislation. (But I will concede that we are dealing with criminal law here, so I am somewhat sympathetic to that.)
- As a condition of probation, a court may order defendant to attend a treatment program. Are there sufficient treatment programs available throughout the state? If not, funding may be required to fulfill the purposes of the legislation. Similarly, a defendant may be “supervised by the veterans treatment court program” [Subd. 1 (I)] - is there one available in every county? There should be if this effort is to be truly meaningful.
- Similarly (and this goes to funding again), Subd. 4 authorizes “Any county or city may establish and operate a veterans pretrial diversion program ... “. Have they done that, is there funding for that? If not, the effectiveness of this legislation is significantly reduced.

I recommend the book [Broken Bodies Shattered Minds](#) by Dr. Ron Glasser.

This is a troubling topic and I often refer to a front-page article from the January 22, 2006 *New York Times*, describing a Marine who was wounded near the Syrian border and who came back partially blind and deaf - came back thinking he might talk about getting married. “But I didn’t come back,” he said.

So, thank you for your efforts.

James A. Strom
7284 Tartan Curve
Eden Prairie