

HOUSE RESEARCH

Bill Summary

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Overview

This bill authorizes courts to order mental health treatment in lieu of criminal adjudication for members of the military and veterans with diagnosed mental health related injuries or conditions.

Section

1 Service members and veterans at arraignment.

Subd. 1. Evaluation; stay of adjudication; mental health treatment. Directs that when a defendant is being arraigned for adjudication in criminal court, the court must determine whether the person is a member of the military or a veteran and, if so, determine whether the person claims, or reasonably appears to the court to be suffering from any psychological injury or condition that may have been a factor in the person's criminal act. The bill directs the court, in such circumstances, to order the defendant to obtain a qualifying psychological evaluation of the injury or condition, unless such evaluation has already been obtained.

The bill further stipulates that, if by means of a qualifying evaluation, the defendant is found by the court to be suffering from a psychological injury or condition, then the court may, if it deems appropriate, stay adjudication of the conviction or the imposition or execution of sentence in lieu of ordering any available alternative treatment for the person's injury or condition.

Subd. 2. Treatment options. Directs the Commissioner of Veterans Affairs to consult with various other listed governmental and nongovernmental authorities to develop a list and brief description of treatment programs available to Minnesota courts as alternatives to the criminal adjudication of military members and veterans, for use when the court deems treatment appropriate.