

I'm testifying in my personnel capacity as a veteran, and as a supervising judge for The Dauphin County Veterans Court. My remarks to the committee are made in connection with matters about which I have acquired knowledge and expertise in the course of my judicial duties. Opinions and thoughts expressed in the remarks are my own and do not reflect the views of the Supreme Court, the Court of Common Pleas of Dauphin County, or the Administrative Office of Pennsylvania Courts.

After reviewing House Bill No. 231 of 2023, I was impressed with its obvious intent to assist troubled veterans. However, I do have some reservations as to possible unintended consequences. While serving with our Veterans Court, I developed a clear understanding of the special treatment needs that many of our Veterans have developed through their service to our nation, especially those who served in active combat zones.

On the other hand, since my primary duties lie with the Adult Criminal Docket in Dauphin County, I can also appreciate the challenge presented to the Court by Pennsylvania's Post Conviction Relief Act (PCRA) procedures. Although the PCRA process is essential to advance the interests of justice, it also is a mechanism which is frequently abused.

By creating a new avenue for advancing a PCRA claim, HB 231 allows veterans with "service-connected mental health disabilities" to pursue relief if those issues were not addressed at the trial/sentencing stages of their cases, it also potentially opens the floodgates for raising otherwise untimely appeal under the PCRA process. Obviously, there will also be a period of time when the trial and appellate courts have to deal with what actually constitutes a "service-connected mental health disability". Thus, of course, begs the question of how many veterans would actually be in a position to benefit from this proposed amendment to Post Conviction Relief Act, versus the magnitude of disruption which would occur to the already crowded PCRA process.

I certainly appreciate all that the General Assembly has done on behalf of our veterans, especially with making Veterans Court opportunities available on a regular basis, and I would be happy to assist you on future endeavors to advance veterans services.

Thank You,

Judge William Tully

-I would be happy to answer any questions you might have.