

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 196 Session of 2023

INTRODUCED BY COLEMAN, TARTAGLIONE, ARGALL, LANGERHOLC, MASTRIANO, DUSH AND CULVER, NOVEMBER 9, 2023

SENATOR BAKER, JUDICIARY, AS AMENDED, JUNE 4, 2024

A RESOLUTION

1 Directing the Pennsylvania Commission on Sentencing to conduct a
2 thorough and comprehensive study on the effects that post-
3 traumatic stress disorder or injury, military sexual trauma
4 and traumatic brain injury have on service members, veterans
5 and their families who are directly or indirectly involved or
6 implicated in any portion or component of the criminal
7 justice system.

8 WHEREAS, Post-traumatic stress disorder (PTSD) or post-
9 traumatic stress injury (PTSI) commonly affects veterans due to
10 their exposure to traumatic events during their military
11 service, including combat-related brain injuries; and

12 WHEREAS, For some veterans, these PTSD or PTSI symptoms might
13 contribute to their involvement in the criminal justice system;
14 and

15 WHEREAS, In recognition of the prevalence of adjustment
16 challenges among veterans involved in the criminal justice
17 system, various initiatives have been developed and implemented,
18 including veterans treatment courts, screening and assessment,
19 collaboration with the United States Department of Veterans
20 Affairs, access to mental health services, peer support

1 programs, trauma-informed trainings for criminal justice  
2 professionals and reentry programs; and

3 WHEREAS, Court diversion and mentoring programs have proven  
4 effective in helping veterans cope with challenges ranging from  
5 mental health to transitioning back into civilian life; and

6 WHEREAS, Sustained research and evaluation is needed to  
7 continuously improve data collection, identify, share and  
8 rectify programming gaps and barriers to services across and  
9 between all levels of government and involve community  
10 stakeholders regarding issues affecting veterans involved in the  
11 criminal justice system; and

12 WHEREAS, There is a growing recognition of the connection  
13 between the prevalence of PTSD or PTSI, traumatic brain injuries  
14 and military sexual trauma among veterans with readjustment  
15 issues, particularly with veterans involved in the criminal  
16 justice system; therefore be it

17 RESOLVED, That the Senate direct the Pennsylvania Commission  
18 on Sentencing to conduct a thorough and comprehensive study on  
19 the effects that post-traumatic stress disorder or injury,  
20 military sexual trauma and traumatic brain injury have on  
21 service members, veterans and their families who are directly or  
22 indirectly involved or implicated in any portion or component of  
23 the criminal justice system; and be it further

24 RESOLVED, That the Pennsylvania Commission on Sentencing  
25 conduct the study in collaboration with the Department of  
26 Corrections, the Department of Military and Veterans Affairs,  
27 the Pennsylvania Commission on Crime and Delinquency, the  
28 Administrative Office of Pennsylvania Courts and the Attorney  
29 General; and be it further

30 RESOLVED, That the Pennsylvania Commission on Sentencing

1 include all of the following information in the study:

2 (1) Each criminal case in this Commonwealth from 2016 to  
3 2021 in which the criminal offender is identified as a  
4 veteran, the severity of each offense, including the  
5 statutory grading, offense gravity score and prior record  
6 score, and the disposition of each case.

7 (2) Each criminal case in this Commonwealth from 2016 to  
8 2021 in which the criminal offender was summoned to a  
9 veterans treatment court.

10 (3) The amount of money necessary to establish  
11 additional veterans treatment courts across this  
12 Commonwealth.

13 (4) The number of criminal offenders identified as  
14 veterans from 2016 to 2021 that committed two or more  
15 offenses between 2016 and 2021 that did not arise out of the  
16 same criminal case.

17 (5) The current consideration of each criminal offender  
18 identified as a veteran with PTSD or PTSI, military sexual  
19 trauma or traumatic brain injury during the sentencing in  
20 this Commonwealth and nationwide.

21 (6) An evaluation of the thoroughness of the measures  
22 used to ensure the identification of each veteran summoned to  
23 the courts of common pleas and while incarcerated in a State  
24 or county correctional institution.

25 (7) The potential impacts on the criminal justice system  
26 and the timeliness of sentencing if courts are mandated to  
27 complete a clinical assessment of each criminal offender  
28 identified as a veteran for PTSD or PTSI, military sexual  
29 trauma or traumatic brain injury prior to sentencing to  
30 determine if the potential diagnoses should be considered

1 during sentencing when a professional clinical assessment  
2 does not already exist.

3 (8) The current health care treatment options available,  
4 including mental health treatment, for each criminal offender  
5 identified as a veteran with PTSD or PTSI, military sexual  
6 trauma or traumatic brain injury while incarcerated in a  
7 State or county correctional institution OR ENROLLED IN A <--  
8 VETERANS TREATMENT COURT.

9 (9) Additional health care treatment options that would  
10 be beneficial to make available for each criminal offender  
11 identified as a veteran with PTSD or PTSI, military sexual  
12 trauma or traumatic brain injury while incarcerated in a  
13 State or county correctional institution OR ENROLLED IN A <--  
14 VETERANS TREATMENT COURT;

15 and be it further

16 RESOLVED, That the Pennsylvania Commission on Sentencing  
17 submit a report on the study, including findings and  
18 recommendations, to the Senate no later than ~~six~~ 15 months after <--  
19 the adoption of this resolution; and be it further

20 RESOLVED, That upon the Senate's receipt of the report, the  
21 Judiciary Committee of the Senate be authorized to conduct  
22 hearings to elicit testimony, documents and other evidence  
23 relating to the findings and recommendations in the report.