

119TH CONGRESS
1ST SESSION

S. 2723

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to
modify the provisions relating to treatment courts.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 4, 2025

Ms. KLOBUCHAR (for herself and Mr. WICKER) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets
Act of 1968 to modify the provisions relating to treat-
ment 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 “Treatment Court, Re-
5 habilitation, and Recovery Act of 2025”.

6 **SEC. 2. TREATMENT COURTS.**

7 (a) IN GENERAL.—Title I of the Omnibus Crime
8 Control and Safe Streets Act of 1968 (34 U.S.C. 10101
9 et seq.) is amended by striking part EE (34 U.S.C. 10611
10 et seq.) and inserting the following:

1 **“PART EE—TREATMENT COURT DISCRETIONARY**
2 **GRANT PROGRAM**

3 **“SEC. 2951. GRANT AUTHORITY.**

4 “(a) IN GENERAL.—The Attorney General may make
5 grants—

6 “(1) to States, State courts, local courts, units
7 of local government, and Indian tribal governments,
8 acting directly or through agreements with other
9 public or private entities; and

10 “(2) to establish or enhance—

11 “(A) juvenile drug treatment courts that
12 serve teens charged with delinquency offenses
13 caused or influenced by a moderate to severe
14 substance use disorder or co-occurring mental
15 health disorder;

16 “(B) family treatment courts that serve
17 parents or guardians in dependency proceedings
18 facing allegations of child abuse or neglect
19 caused or influenced by a moderate to severe
20 substance use disorder;

21 “(C) Tribal healing to wellness courts that
22 serve Native Americans by providing healing
23 and communal practices to serve persons
24 charged with drug-or alcohol-related violations
25 of tribal laws;

1 “(D) impaired driving courts that serve
2 adults charged with repeated instances of driv-
3 ing under the influence of drugs or alcohol;

4 “(E) adult drug treatment courts that
5 serve as an alternative to incarceration for
6 adults with substance use disorders, including
7 co-occurring substance use and mental health
8 disorders; and

9 “(F) any other treatment courts that ad-
10 here to national best practice standards en-
11 dorsed by the National Association of Drug
12 Court Professionals.

13 “(b) LIMITATION.—Economic sanctions imposed in
14 this section shall not be at a level that would interfere
15 with the treatment and must conform to constitutional
16 standards including, but not limited to, an opportunity to
17 present evidence at a hearing regarding the participant’s
18 financial status and ability to pay.

19 **“SEC. 2952. ELIGIBILITY.**

20 “(a) DEFINITION.—In this section, the term ‘parti-
21 pant’ means an adult or juvenile in the court system
22 who—

23 “(1) has been diagnosed by a substance use
24 treatment professional as having a substance use

1 disorder or co-occurring mental illness and substance
2 abuse disorders;

3 “(2)(A) meets established eligibility criteria as
4 approved by the adult, juvenile, or tribal treatment
5 court team, that, at a minimum, includes the judge,
6 prosecutor, defense bar, and treatment community;
7 and

8 “(B) for family treatment courts, at a min-
9 imum, includes the judge, child welfare agency or
10 prosecutor, defensive bar, and treatment community;

11 “(3) has been determined, by the treatment
12 court team, not to pose a risk of violence to any per-
13 son in the program, or the public, if selected to par-
14 ticipate in the program; and

15 “(4) has not been charged with or convicted
16 of—

17 “(A) any sex offense (as defined in section
18 111 of the Sex Offender Registration and Noti-
19 fication Act (34 U.S.C. 20911)) or any offense
20 relating to the sexual exploitation of children;
21 or

22 “(B) murder or assault with intent to com-
23 mit murder.

1 “(b) DETERMINATION.—In determining whether a
2 participant meets the eligibility criteria, the treatment
3 court team shall take into account—

4 “(1) whether the participation of the partici-
5 pant in the program would pose a substantial risk
6 of violence to the community;

7 “(2) the criminal history of the participant and
8 the nature and severity of the offense for which the
9 participant is charged;

10 “(3) the views of any relevant victims to the of-
11 fense;

12 “(4) the extent to which the participant would
13 benefit from participation in the program; and

14 “(5) the extent to which the community would
15 realize cost savings because of the participation of
16 the participant in the program.

17 **“SEC. 2953. ADMINISTRATION.**

18 “(a) DEFINITIONS.—In this section:

19 “(1) MEDICATION FOR ADDICTION TREAT-
20 MENT.—The term ‘medication for addiction treat-
21 ment’ means the use of medications approved by the
22 Food and Drug Administration for the treatment of
23 substance use disorder.

24 “(2) STATE SUBSTANCE ABUSE AUTHORITY.—
25 The term ‘State substance abuse authority’ means

1 the State agency responsible for administering the
2 Substance Abuse Prevention and Treatment Block
3 Grant under subpart II of part B of title XIX of the
4 Public Health Service Act (42 U.S.C. 300x-21 et
5 seq.).

6 “(b) CONSULTATION.—The Attorney General shall
7 consult with the Secretary of Health and Human Services
8 and any other appropriate officials in carrying out this
9 part.

10 “(c) USE OF COMPONENTS.—The Attorney General
11 may utilize any component or components of the Depart-
12 ment of Justice in carrying out this part.

13 “(d) REGULATORY AUTHORITY.—The Attorney Gen-
14 eral may issue regulations and guidelines necessary to
15 carry out this part.

16 “(e) ADMINISTRATIVE COSTS.—

17 “(1) Not more than 10 percent of a grant made
18 under this part may be used for costs incurred to
19 administer such grant.

20 “(f) APPLICATIONS.—In addition to any other re-
21 quirements that may be specified by the Attorney General,
22 an application for a grant under this part shall—

23 “(1) explain the long-term strategy and detailed
24 implementation plan that outlines how the program
25 will—

1 “(A) serve treatment courts described in
2 2951(a)(2);

3 “(B) achieve the implementation of na-
4 tional best practice standards described in sec-
5 tion 2951(a)(2)(F); and

6 “(C) obtain the necessary support to con-
7 tinue the proposed program following the con-
8 clusion of Federal support;

9 “(2) certify that—

10 “(A) the program will not discriminate
11 based upon race, gender, gender identity, reli-
12 gion, national origin, sexual orientation, eco-
13 nomic status, or immigration status;

14 “(B) the program will provide adequate
15 protections for offenders’ right to competent
16 counsel;

17 “(C) evidence-based clinical assessment
18 will determine the level of care, and that evi-
19 dence-based substance use disorder treatment,
20 including medication for addiction treatment,
21 will be available if clinically appropriate;

22 “(D) substance use disorder treatment
23 providers and services are licensed or accredited
24 by the State substance abuse authority and that
25 State standards of care will be utilized;

1 “(E) there has been appropriate consulta-
2 tion with all affected agencies and that there
3 will be appropriate coordination with all af-
4 fected agencies, including State or local pros-
5 ecutors, the defense bar, law enforcement, pro-
6 bation, courts, State or local treatment agen-
7 cies, and other community services;

8 “(F) 1 or more designated judges are re-
9 sponsible for the program;

10 “(G) there is an inability to fund the pro-
11 gram adequately without Federal assistance;

12 “(H) Federal support provided will be used
13 to supplement, and not supplant, State, Indian
14 tribal, and local sources of funding that would
15 otherwise be available;

16 “(I) the payment, in whole or part, by the
17 participant of treatment costs and restitution,
18 to the extent practicable, shall be based on abil-
19 ity to pay and will not be at a level that would
20 interfere with program participation; and

21 “(J) impaired driving court applicants are
22 compliant with section 164(b) of title 23,
23 United States Code; and

24 “(3) describe—

1 “(A) the admission criteria to ensure
2 that—

3 “(i) the criteria are broad enough to
4 provide equal access for all individuals
5 under the treatment court’s jurisdiction
6 who are in high need of substance use dis-
7 order treatment based on evidence-based
8 clinical assessments;

9 “(ii) the individual circumstances of
10 each offender are considered as mitigating
11 or aggravating factors; and

12 “(iii) an evidence-based clinical as-
13 sessment is utilized to determine the level
14 of care;

15 “(B) the components of the program to in-
16 clude—

17 “(i) a process to ensure equivalent ac-
18 cess and retention in the program that in-
19 cludes collecting and examining access and
20 retention data to ensure unfair disparities
21 do not exist;

22 “(ii) substance use disorder or mental
23 health treatment for each participant
24 based on individualized assessments and
25 evidence-based treatment services;

1 “(iii) case management, relapse pre-
2 vention, education, vocational training, job
3 placement, housing placement, medical and
4 dental care, parenting programs, child
5 care, or other family support services for
6 each participant who requires such serv-
7 ices;

8 “(iv) diversion, probation, or other su-
9 pervised release;

10 “(v) evidence-based graduated re-
11 sponses;

12 “(vi) periodic and random testing for
13 the use of controlled substances or other
14 addictive substances; and

15 “(vii) the methodology that will be
16 used to evaluate the program’s process and
17 outcomes; and

18 “(C) the related governmental or commu-
19 nity initiatives that complement the program.

20 **“SEC. 2954. APPLICATIONS.**

21 “To request funds under this part, the chief executive
22 or the chief justice of a State, or the chief executive or
23 judge of a unit of local government or Indian tribal gov-
24 ernment, or the chief judge of a State court, or the judge
25 of a local court or Indian tribal court shall submit an ap-

1 plication to the Attorney General in such form and con-
 2 taining such information as the Attorney General may rea-
 3 sonably require.

4 **“SEC. 2955. FEDERAL SHARE.**

5 “(a) IN GENERAL.—The Federal share of a grant
 6 made under this part may not exceed 75 percent of the
 7 total costs of the program described in the application sub-
 8 mitted under section 2954 for the fiscal year for which
 9 the program receives assistance under this part, unless the
 10 Attorney General waives, wholly or in part, the require-
 11 ment of a matching contribution under this section.

12 “(b) IN-KIND CONTRIBUTIONS.—In-kind contribu-
 13 tions may constitute a portion of the non-Federal share
 14 of a grant.

15 **“SEC. 2956. DISTRIBUTION AND ALLOCATION OF FUNDING.**

16 “The Attorney General shall ensure—

17 “(1) all grants awards have in place a process
 18 to ensure equivalent access and retention in the pro-
 19 gram that includes—

20 “(A) collecting and examining access and
 21 retention data to ensure unfair disparities do
 22 not exist;

23 “(B) modifying the eligibility criteria, ad-
 24 missions protocols, and other program elements

1 to address disparities, enhance recruitment, and
2 improve retention;

3 “(C) continually monitoring whether racial
4 and ethnic minority and female participants
5 have equal access to the programs, receive
6 equivalent services in the programs, and suc-
7 cessfully complete the programs at rates equiva-
8 lent to non-minorities and males; and

9 “(D) admission criteria that serve individ-
10 uals with a high need of substance use disorder
11 treatment based on clinical assessments;

12 “(2) all grant awards—

13 “(A) use evidence-based clinical assessment
14 to determine the level of care for evidence-based
15 substance use disorder treatment, including
16 medication for addiction treatment, if clinically
17 appropriate and available; and

18 “(B) use substance use disorder treatment
19 providers and services are licensed or accredited
20 by the State substance abuse authority and that
21 standards of care of the State are used;

22 “(3) priority in funding is given to those appli-
23 cants that have demonstrated adherence to the prac-
24 tice standards established or endorsed by the Na-
25 tional Association of Drug Court Professionals;

1 “(4) all States, State courts, local courts, units
2 of local government, and Indian tribal governments
3 are provided with an opportunity to apply and be
4 considered for a grant under this part;

5 “(5) to the extent practicable, equitable geo-
6 graphic distribution of grant awards is made; and

7 “(6) training and technical assistance is avail-
8 able to States that applied and did not receive a
9 grant award.

10 **“SEC. 2957. REPORT.**

11 “(a) GRANT REPORT.—A State, Indian tribal govern-
12 ment, or unit of local government that receives funds
13 under this part during a fiscal year shall submit to the
14 Attorney General a description and an evaluation report
15 on a date specified by the Attorney General regarding the
16 effectiveness of this part.

17 “(b) EVALUATION.—The Department of Justice, Bu-
18 reau of Justice Assistance shall conduct a national multi-
19 site evaluation on the effectiveness of treatment courts to
20 be submitted to Congress within three years of enactment
21 of this bill. The evaluation shall focus on target popu-
22 lation, evidence-based substance use and mental health
23 treatment, including medication for addiction treatment,
24 recidivism, and program outcomes.

1 **“SEC. 2958. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
2 **UATION.**

3 “(a) TECHNICAL ASSISTANCE AND TRAINING.—The
4 Attorney General may provide technical assistance and
5 training in furtherance of the purposes of this part. All
6 training and technical assistance must adhere to the na-
7 tional best practice standards established by the National
8 Association of Drug Court Professionals or those approved
9 by the Department of Justice.

10 “(b) EVALUATIONS.—In addition to any evaluation
11 requirements that may be prescribed for grantees (includ-
12 ing uniform data collection standards and reporting re-
13 quirements), the Attorney General shall carry out or make
14 arrangements for evaluations of programs that receive
15 support under this part.

16 “(c) ADMINISTRATION.—The technical assistance,
17 training, and evaluations authorized by this section may
18 be carried out directly by the Attorney General, in collabo-
19 ration with the Secretary of Health and Human Services,
20 or through grants, contracts, or other cooperative arrange-
21 ments with other entities.

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section
24 \$100,000,0000 for each year for fiscal years 2024 through
25 2028.”.

