

ORIGINAL

STAND. COM. REP. NO.

1392

Honolulu, Hawaii

April 6

, 2001

RE: H.B. No. 1000
H.D. 1
S.D. 2

Honorable Robert Bunda
President of the Senate
Twenty-First State Legislature
Regular Session of 2001
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
H.B. No. 1000, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose of this measure is to provide the necessary appropriations and authorizations for the operation of and capital improvements for the Judiciary for fiscal biennium 2001-2003.

The Judiciary submitted testimony in support of this measure.

Your Committee has carefully reviewed and analyzed the funding adjustments requested by the Judiciary and amended the Judiciary budget accordingly.

Your Committee is increasing the Judiciary's operating budget by \$6,800,000 in general funds for fiscal year 2001-2002 and by \$7,300,000 in general funds for fiscal year 2002-2003. Your Committee notes that part of the increase, \$5,100,000, is for salary adjustments due to collective bargaining for the Judiciary's personnel.

According to Malcolm K. Sparrow, professor at Harvard University's John F. Kennedy School of Government, government agencies need to "pick important problems and fix them." While



this seems like an easy task, your Committee recognizes that this is an extensive process that includes how and who will identify the problem, who will determine the importance of the problem, and how the problem will be fixed.

Your Committee acknowledges that the Judiciary has picked an important problem, namely, too many repeat offenders with little room for incarceration. Your Committee recognizes the Judiciary's ongoing effort to fix this problem through the Judiciary's search to find cost-effective options to incarceration.

To this end, your Committee has determined that resource allocation should go towards the two most critical areas of concern for the Judiciary in fixing the problem, its Drug Court program and its staggering caseload for adult probation. These critical initiatives help to divert people from the State's overcrowded prison system and re-establish offenders as productive members of our society.

The Judiciary's Drug Court program serves as an effective means of curtailing recidivism, and provides a cost-effective option to incarceration. Through early intervention, individualized assessment, extensive substance abuse treatment programs, and increased judicial involvement, the Drug Court is currently realizing these positive effects on Oahu and Maui. Your Committee is expanding the Drug Court program to all judicial circuits, by appropriating an additional \$617,000 in fiscal year 2001-2002 and an additional \$1,300,000 in fiscal year 2002-2003. Your Committee feels that enhancing this positive and cost-effective alternative to prison will help the State to fix an important problem.

Probation serves an alternative to incarceration if sufficient resources are allocated to provide the staff and services to ensure that former offenders abide by the terms of probation so that the public is safe and the probationers are making positive contributions to the community. An increase in felony convictions has over-burdened the State's probation system. To address this expanding workload, your Committee is appropriating additional resources in the amount of \$697,774 in fiscal year 2001-2002 and \$703,723 in fiscal year 2002-2003 to add fourteen adult probation officers. Your Committee is also appropriating an additional \$202,390 in fiscal year 2001-2002 and an additional \$173,540 in fiscal year 2002-2003 to increase



the number of Family Court probation officers to help deal with problems in the Third Circuit. Your Committee feels that providing the proper level of service to high-risk offenders will help to decrease recidivism and keep more individuals out of prison.

Your Committee recognizes that the Judiciary incurred cost savings and increased safety through the Judiciary's video conferencing system. Your Committee has appropriated \$90,000 in fiscal year 2001-2002 and \$100,000 in fiscal year 2002-2003 for the maintenance and upkeep of this important public service. The video conferencing system is used in the First and Third Circuits, and soon will expand to include other circuits. Many court operations utilize video conferencing, including arraignment and plea hearings, criminal administrative motions hearings, witness testimony for grand jury proceedings, and pre-sentence interviews. Video conferencing alleviates the necessity of transporting defendants, proving to be not only more cost-effective, but also enhancing public safety.

In the area of capital improvements, your Committee is providing \$8,400,000 to complete construction and provide equipment and furniture for the new Kauai Judiciary Complex. This funding is necessary for our citizens on Kauai to enjoy a modern, full-service facility that will allow the Judiciary to provide convenient and efficient services to Kauai.

A new facility is currently being constructed for the Ko'olaupoko District Court to serve the Windward Oahu area. Your Committee is providing \$775,000 for equipment to facilitate the opening of the facility. An additional \$500,000 is provided for construction to integrate upgraded technological features into the facility.

Your Committee is also providing \$3,000,000 for various renovations, improvements, and upgrades to non-itemized Judiciary facilities statewide. This funding will allow the Judiciary to start projects including the remodeling of buildings to make efficient use of available space, increase accessibility, and continue essential safety improvements.

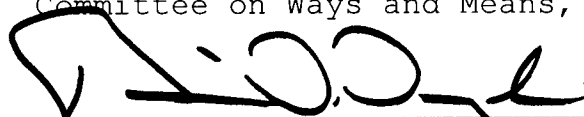
As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1000, H.D. 1, S.D. 1, as amended herein, and recommends that



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it pass Third Reading in the form attached hereto as H.B.
No. 1000, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


BRIAN T. TANIGUCHI, Chair