

Evaluators interviewed HGC participants and these are the sentiments expressed in the girls' own words:

- Saved my life
- Girls Court gave me permission to be good
- I was a year behind in school. Now I'm three credits from getting caught up and graduating next year. I got a job. They [Girls Court] just do so much encouraging things.

The future of Hawaii's most at-risk girls is at stake. Without continued funding of the HGC, the result will be the loss of a proven and effective service for female juvenile offenders and their families, and significant setback to gender responsive programming for the entire state of Hawaii. The HGC has contributed greatly to the state's capacity to provide effective gender responsive youth programming. With continued state resources, the Judiciary will be able to allow the Girls Court Program to continue its proven success to impact girls involved with or at risk for involvement with the juvenile justice system, assist all of Family Court in providing essential resources and to assist other state agencies and community groups in gender-specific and strength based programming. **The Hawaii Girls Court Works!**

The Judiciary, FB 2009-11 Program Justification

Program ID: JUD 310
Dept. Contact: Louise Crum

Program Title: Mental Health Court (MHC)
Phone No. 539-4573

Mission or Program Objective: To reduce incarceration and recidivism while working with community providers to provide supervision and effective treatment options instead of the usual criminal sanctions for offenders with mental illness. In doing so, the MHC improves public safety, reduces burdens on the island's criminal justice system, saves money by shortening incarceration time for clients and enables participants to be productive members of our community.

Program Budget			
MOF	FTE (P)	FTE (T)	FY09 Allocation
State General Funds	0	3	\$250,000
		500173 SW V	
		500060 SW IV	
		500455 SW IV	

Statute/Constitution: HRS 706-605.1: "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration." Act 120, Session Laws of Hawaii, 2006 – provides line item funding for this program

Mental Health Court reduces incarceration costs for the State of Hawaii while providing persons in the system with Serious Mental Illness (SMI) treatment, accountability and a future through strong partnerships with the Executive Branch and treatment providers that increase the likelihood of long term success. Research performed during the planning phase for this court indicated that diverting 30 nonviolent offenders with mental illnesses to treatment could save the jail system on Oahu \$90,882 in one year as well as provide better outcomes for persons with SMI and the community by significantly reducing recidivism.

Other highlights and savings include:

- 75% of our participants petitioned into MHC from OCCC.
- 75% of our participants petitioned in on a Track 4 (probation revocation).
- All participants have a severe and persistent mental illness and most have illegal substance use issues.
- February of 2008 was the first graduation - all graduates have had no incidents of recidivism and continue to be employed or are in stable housing and treatment for the first time in their adult life.
- 10 participants are on the graduation track for 2009.
- \$6,945 in restitution have been collected from our current participants. Currently there is no outstanding restitution owed.

Performance Measures: Length of jail time served, Recidivism, Cost Savings, Rewards & Sanctions, Clean & Sober Days, Housing, Employment, Quality of Life Indicator (QOLI) Time in each Phase, Number of Graduates, Admission to Completion Time, Mental Health & Substance Abuse Diagnosis, Services and Treatment, Percentage of Case Manager Participation

The Hawaii MHC works with felony clients who have severe and persistent mental illness to ensure that proper services are received so that once they graduate, they do not re-enter the criminal justice system. The outcome is clients that no longer pose a threat to public safety and are able to be productive members of the community. Untreated and lacking access to long-term care, people with mental illnesses often end up with symptoms and behaviors that result not only in jail time but

also in longer jail stays than those for non mentally ill felons that commit the same crime. About 5% of the general U.S. population suffers from a SMI, and roughly 16% of the U.S. prison and jail population does (U.S. Department of Justice). Jails and prisons, in fact, have been characterized by some as the replacement for the mental health hospitals of pre-deinstitutionalization days. Many of our clients, if unsuccessful, face open five-year terms at OCCC, which at a cost of more than \$100 per day (not including any special supervision or treatment for mental illness) would cost the state significantly more than the budget for the MHC. Researching a random sample of case files revealed that in the First Circuit, as is true in other states, recidivism among offenders with SMIs is high: recidivism results in more court time and more incarceration, and diminishes public safety. The best information available through case files for the court's target population suggests that even if clients do not serve the full open five year term most are sentenced to: Circuit Court offenders spent 221 days in jail, District Court offenders spent 6 days in jail, and Family Court offenders spent 72 days in jail.

Almost half of the persons with SMIs who are in prisons are there for nonviolent crimes, and they often were charged with more serious crimes than others who were arrested for similar behaviors (U.S. Department of Justice). They also are more likely to become victimized because of their heightened vulnerability, the lack of medication and treatment (both medical and psychological), and the absence of sound therapeutic facility design. Inmates with SMIs also tend to stay in prison longer than other inmates as they are more likely to get into fights, be charged with additional infractions, and be sanctioned under those charges. In fact, OCCC has been under federal investigation since 2005 for inadequate mental health care policies and practices. Only recently has OCCC agreed to changes in its mental health care policies and practices to address the U.S. Justice Department's concerns.

In short, persons with SMIs are not getting the treatment they need and thus are contributing to the overcrowding of prisons. As a response to these issues, communities around the U.S. are establishing MHCs to direct persons with SMIs from the criminal justice system—the “system of last resort”—to the community-based treatment they need for long-term health. The first MHC began in Broward County, Florida, in 1997; more than 100 such courts now exist all over the nation. Though most of these courts are not old enough to have completed long-term evaluations, preliminary results are promising.

- Broward County MHC has saved the county jail system at least \$1 million each year
- King County MHC in Washington—the nation's second oldest—reports that its graduates experienced a 76% decline in recidivism and a 91% decrease in jail time.
- Santa Clara MHC saved its county jail system an estimated \$1.3 million during its first two years of operation.
- And the most recent study from the RAND Corporation (2007) found that MHCs in Pennsylvania saved taxpayers \$3.5 million over a 2-year period.

MHC participants have a close relationship with the MHC court personnel and the MHC probation officer who ensure adherence to drug regimens, treatment protocols, terms and conditions of probation and achievement of recovery. The MHC uses its strong partnerships with the Adult Mental Health Division (AMHD) of the Department of Health to develop and provide treatment, housing and oversight for its clients and has developed excellent working relationships with the community to provide creative treatment regimens, sanctions and rewards to achieve success. As well as the highlights noted above, other points of interest include:

- Hawaii's MHC began accepting clients in May of 2005.
- Due to the challenges of this population, the ratio of probation officer to participant is 1:30.
- Currently, MHC has 31 participants, with four scheduled to petition in this month and six referrals scheduled for screening. All have been charged with a felony.
- The MHC has developed a well defined system of rewards and sanctions to encourage compliance.
- The MHC has four phases for the participant's progression with lessening degrees of oversight and a test between phases to assure completion of short term goals and court requirements.

Without the support and guidance of the MHC, these clients would probably continue to be in and out of the system for most of their life. The MHC has saved the state system hundreds of thousands of dollars in incarceration, hospitalizations, and other costs as well. The MHC has changed participants' lives by helping them reach recovery and become contributing and responsible citizens to the state of Hawaii. In the words of one of our graduates, "I used to get up in the morning and think of a hundred reasons to use drugs and now I get up and think of a 100 reasons not to."

The Judiciary, FB 2009-11 Program Justification

Program ID: 310

Program Title: Family Drug Court

Dept. Contact: James Lutte

Phone No. 534-6600

Mission or Program Objective: To ensure child safety by providing the opportunity to assist family members to become healthy, sober and positive parents through the provision of a seamless continuum of holistic, effective, culturally appropriate care for all life issues.

MOF	FTE (P)	FTE (T)	FY 2009 Allocation
State General Funds	5	1	\$626,320

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration." Act 120, Session Laws of Hawaii, 2006 – provides line item funding for this program

Performance Measures: Court Dates, Time to Permanency, Time to Family Supervision, Incentives, Sanctions, Chemical Dependency Treatment and Levels of Care, Drug testing, Clean days, Ancillary Services, Employment, Education, Recidivism, Cost Savings

Oahu Family Drug Court uses creative evidence based approaches to combat the drug abuse, child endangerment, and domestic violence epidemic in Hawaii resulting in a better life for families and children and a significant savings in State tax dollars spent on foster care and other long term consequences of this epidemic.

Key benefits of the Family Drug Court (FDC) are listed below followed by a short narrative that explains them more fully.

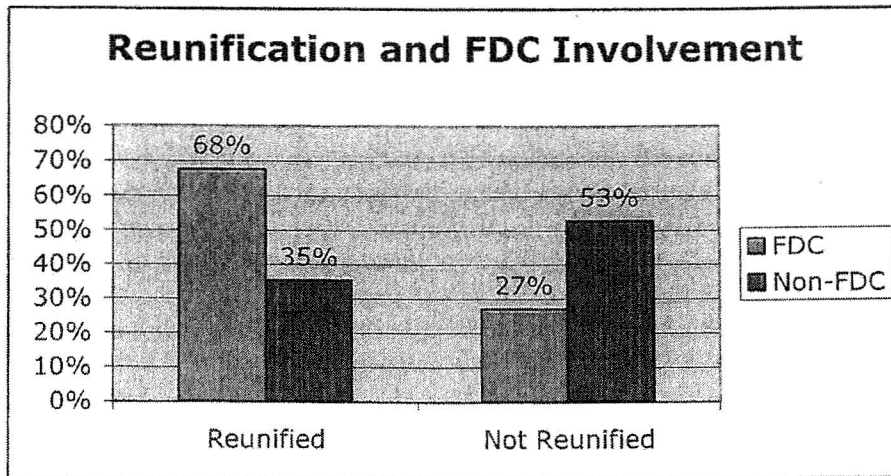
Key Benefits to the State of Family Drug Court

- **Children reunified with parents faster resulting in less social and emotional trauma that contributes to learning problems (68% families in FDC reunified as opposed to 53% not in FDC)**
- **Faster reunification results in significant savings in Foster Care costs (Savings FY 07/08 were estimated at \$698,475)**
- **Parents learn skills and demonstrate their ability to remain drug free**
- **Parents demonstrate**
 - **appropriate and improved parenting skills leading to greater family success and less educational and other problems**
 - **a decreased reliance on welfare**
 - **improved educational attainment or job skills related to gainful employment**
 - **secure adequate housing for their families**

The ultimate goal of the Oahu FDC is to enable an individual to achieve lasting abstinence and reduce recidivism with Child Welfare Services (CWS), while the immediate goals are to reduce drug abuse, minimize the medical and social complications of drug abuse and addiction, and improve the client's ability to function as a responsible, productive parent and member of society. The Court focuses on changing behaviors to promote healthy life styles which include appropriate parenting, education and employment.

The FDC provides, along with its partner agencies and groups (CWS, Department of Health, Guardians ad litem (GAL's) and private treatment providers), a blend of both a therapeutic approach and a judicial approach to the topic of child welfare (which necessarily includes aspects of child endangerment and child safety). A national crisis in foster care coupled with increases in drug abuse, domestic violence, homelessness, and poverty necessitated in the minds of many, both in Hawaii and elsewhere, a more creative approach to child-protection cases. The Oahu FDC is designed to help abused and neglected children by addressing parental substance abuse within the context of family court child-protection cases. These cases deal with custody and visitation disputes, abuse, neglect, domestic violence, dependency matters; and with petitions to terminate parental rights.

Adults and cases involved with FDC were more likely to be reunified with their children than those not involved with FDC.



As stated previously, reunification is one of the key objectives of the FDC program. More importantly, to have achieved reunification indicates improvement in multiple other areas, prerequisite to families regaining claim to their children. These include demonstration of: (a period of) abstinence from drugs and alcohol, appropriate or improved parenting skills, decreased reliance on welfare, improved educational attainment or job skills related to gainful employment, and the ability to secure adequate housing- also objectives of FDC.

This comprehensive approach is designed to not only help parents break the cycle of addiction, domestic violence, and child abuse and neglect, but also shortens out of home placement through ongoing intensive case monitoring by the case managers, CWS Social Workers, and GAL's. The preliminary data for FY 2007-2008 shows the following:

- Number of graduates: 18
- Number of children served: 139
- Average length of stay in FDC: 12 months
- Average number of day's children are in foster care with FDC: 225.5 days
- Average number of day's children are in foster care Non- FDC 326 days
- 225.5 days in foster care X \$50.00 per day X 139 children = \$1,567,225.00
- 326 days in foster care X \$50.00 per day X 139 children = \$2,265,700.00

Total cost savings to the state in foster care placement: \$698,475.00

The FDC provides the state with an extremely cost effective program to dramatically increase the success of families which results in a savings to the state as a result of a decreased need for foster care and further/more expensive services in the future.

The Judiciary, FY 2009 – 11 Program Justification

Program I.D.: 320 Program Title: Maui/Molokai Family Court Drug Court
Dept. Contact: Michelle Schroeder Phone No.: (808) 244-2884

Mission or Program Objective:

The mission of the Maui/Molokai Family Court Drug Court (FCDC) is to act quickly to protect children, reunite families, and promote safe and sober parenting by providing more comprehensive services, in a more expeditious manner, than the regular Child Welfare Services (CWS) calendar. This results in an increased chance for successful reunification within the mandated timelines of the Federal statute (Adoption and Safe Families Act), reduces recidivism, and reduces the costs associated with foster care placement.

Program Budget:

MOF: General Funds FTE(P) 2 FTE(T) 0 FY09 Allocation: \$328,976.00
1-SW V #500136
1-SW IV #59126

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

Performance Measures:

Prevent new drug/alcohol conviction or subsequent removal of children

- 0% recidivism within 6 months of graduation
- 0% recidivism within 1 year of graduation
- 5.8% recidivism within 2 years of graduation
- 100% of graduates have not been convicted of a new drug/alcohol offense or had their children removed within 1 year
- 94% of graduates have not been convicted of a new drug/alcohol offense or had a subsequent removal of their children within 2 years
- 80% of graduates that were admitted in Foster Custody status would have most likely gone to permanency without FCDC
- 66% of graduates that were admitted in Family Supervision status would have most likely resulted in foster custody without FCDC

Justification:

The FCDC serves the most challenging families, 80% of which would likely have ended in permanent custody with the state; thus increasing state expenditures for foster care placements. Goals include assisting participants in providing a safe family home, learning appropriate parenting skills, becoming productive members of the community, re-establishing positive sober relationships, and facilitating long lasting behavior change. In this way, the program helps reduce recidivism, and by extension pro-actively saves the state additional funds. CWS focus is child safety; FCDC focus is child safety and recidivism. This enhanced focus results in less CWS services, criminal justice services, and state sponsored medical care.

Rehabilitation:

The best course of treatment for those suffering from chemical dependency is to participate and successfully complete substance abuse treatment. FCDC provides a collaborative team approach, by integrating substance abuse treatment, intensive family therapy, parenting education, domestic violence services, and other community resources. This approach reduces/avoids duplication of services, and incorporates therapeutic incentives and sanctions to quickly reverse negative behaviors. Participants are closely monitored by the Court and appear before the Judge frequently to help ensure success.

Cost Effectiveness:

- The program has been able to avoid permanency and prolonged foster custody, thereby resulting in substantial savings in foster care placement expenditures and related costs. Foster care costs per child are over \$500 per month and over \$1000 per month for special needs children. Related costs include miscellaneous child needs, (clothing, school supplies, etc.) and supervised visitation services.
- The attorney costs associated with FCDC are only \$500 total for the length of a client's participation. The attorney costs for a regular CWS case ranges from \$2,500-\$5,500 from onset to termination.

Why this drug court:

- Participants are provided with an opportunity to enter into a successful recovery and create a sober support system for themselves and their children.
- FCDC accelerates the reunification process, so that children are not languishing in foster custody, bringing families together and saving the state money.
- FCDC averages 2 weeks or less between issuance of order for treatment/services and commencement of same. Regular CWS cases average 4.5 months between issuance of order for treatment/services and commencement. (This delay may also result in some parents not engaging in services at all or requiring additional treatment).
- FCDC assessment is more comprehensive and involves collateral interviews. This results in identification of issues that may not have been identified or identified much later, thus delaying reunification and case closure. This early identification allows for targeted early intervention/planning, thus enhancing the clients' chances for success. CWS assessments are brief and based on self report.
- Intensive family therapy, in the home or community, including nights, weekends and holidays, allows clients to engage and better utilize services. These specially trained therapists work with the client and their extended families to heal relationships, promote sober living, and interrupt the cycle of generational substance abuse.
- Participants are able to access substance abuse services quickly, when motivation is high.
- The program is holistic, not only focusing on substance use, parenting, and recidivism, but overall lifestyle changes. Employment and higher education are stressed throughout the program. Currently, 40% of program participants are attending college or working on their GED. These individuals not only have increased employment opportunities but also attain higher salaries and are able to be removed from the welfare system.
- We're out to build a recovery environment within our society. FCDC focuses not only on program participants as individuals, but as being part of a family system and the community.

Program ID/Title: Hawaii Drug Court Program
Dept Contact: Janice Bennett Phone No: 441-8901

Mission or Program Objective:

To channel nonviolent, pretrial and post-conviction defendants, who would otherwise be incarcerated, into a comprehensive and integrated system of judicial and treatment services. The Program supports the goals of the Judiciary by enhancing public safety and ensuring the equitable and expeditious resolution of cases. The Hawaii Drug Court Program is based on the belief that addiction is chronic and individuals are prone to relapse. However, individuals must be held accountable for their behaviors. Interventions must correspond to the offender's risk to the community without compromising public safety.

MOF: State General Funds FTE(P)12 FTE(T) 3 FY09 Allocation \$991,036.00

Position #	Position Title	FTE
59440	Section Administrator - SR26	1.0
59484	Program Supervisor - SR24	1.0
59475	Treatment Counselor - SR22	1.0
59476	Treatment Counselor - SR22	1.0
59478	Treatment Counselor - SR22	1.0
59479	Treatment Counselor - SR22	1.0
59529	Treatment Counselor - SR22	1.0
59561	Treatment Counselor - SR22	1.0
59480	SW/Supervising Officer - SR22	1.0
59481	SW/Case Manager - SR22	1.0
59486	Social Service Assistant - SR11	1.0
59568	Social Service Assistant - SR11	1.0

Temporary Positions - Dual Diagnosis Treatment Track

500175	Social Service Aide - SR9	1.0
500176	Social Worker - SR22	1.0
500177	Social Worker - SR22	1.0

Statute/Constitution: Act 25 of 1995 Special Legislative Session

Performance Measures: Take from annual report or refer to changes in LSI-R scores noted in text.

Justification: See below.

Why? The Hawaii Drug Court Program is a collaborative effort between the Executive, Legislative and Judicial Branches, and the Honolulu Police Department to address the immediate and extensive needs of substance abusing felony offenders. According to The National Association of Drug Court Professionals Facts on Drug Courts (2008), Drug Courts bring the full weight of all interveners (judges, prosecutors, defense counsel, substance abuse treatment specialists, probation officers, law enforcement and correctional personnel, educational and vocational experts, community leaders and others) to bear, forcing the offender to deal with his or her substance abuse problems. The premise for establishing the Program is that the existence of an effective drug court program allows the criminal courts to process drug-related cases more effectively, thus allowing non-drug cases involving custody defendants to be disposed of in a more timely manner, thereby further reducing the length of pre-trial confinement for violent offenders.

As a unique service within the Judiciary, the program provides both immediate access to the courts through the dedicated drug court judge and immediate access to substance abuse and mental health treatment, in-community supervision, and intensive case management through in-house counselors and case managers. It is the only non-residential substance abuse treatment program for offenders that provides treatment for 18 to 24 months with no wait list. The program also provides legal benefits such as dismissal of charges, expungement of arrest, and early release from probation to successful graduates.

The alternative to participation in the Program would be probation supervision with a referral to a community-based substance abuse treatment program. The most significant differences between the drug court program and community-based treatment are: 1) the drug court program does not have a wait list, the admission process is initiated by defense counsel or probation officers, and treatment begins the day after the petition hearing; 2) successful completion means the dismissal of charges and expungement of arrest, or early release from probation; and 3) drug court participants remain in treatment even if they relapse which allows them to continue to address their substance use and criminal behavior.

The problem?

According to information provided by American University (2008), incarceration of drug using offenders costs between \$20,000 and \$50,000 per person, per year. The capital costs of building a prison cell can be as much as \$80,000. In contrast, the Hawaii Drug Court Program costs about \$4,000 per offender, per year, when fully staffed.

1. In 2008, Adult Client Services reported 6,779 felony probationers. About 1,700 were considered high risk for criminal recidivism and about 50% of these (850) are estimated to have substance abuse problems.
2. About 40% (340) of those with substance abuse problems also have a co-occurring mental health disorder ranging from schizophrenia and bi-polar disorder, to clinical depression and post-traumatic stress related to domestic violence and other trauma.
3. Unlike community-based programs, the drug court program is designed to provide not only substance abuse treatment, but also address the offender's criminal thinking and mental health needs.

What's in it for me? Benefits of continuing the program?

Since inception, the program has admitted 857, graduated 577 (65% completion rate), and terminated 195. In FY 2008, there were 85 active cases and the program collected more than \$33,000 in fines, fees, and restitution. As of December 2008, there are 92 active cases and 68 cases pending possible admission. At the time of graduation, 100% of the client are in stable, clean, and sober housing, and are employed or in school. These and other positive changes are captured in the reassessment scores. At admission, the average risk score for criminal recidivism is 27 (high risk) and the average protective score is 13 (low). At the end of 18 months, the average risk score has been reduced by 48% (13), and the protective score has increased by 43% (30). In contrast, were these cases in the general probation population, a risk score of 13 and a protective score of 30 would qualify the case for banking, the lowest form of supervision.

How do I do this?

1. Drug Courts Work! The Hawaii Drug Court Program takes high risk offenders and provides 18 to 24 months of intensive substance abuse treatment and supervision using a cognitive-behavioral approach that result in changes so dramatic that many cases would qualify for banking, the lowest form of probation supervision.

2. The drug court program is designed to be a one stop shop. No other substance abuse treatment program provides such a diverse and intensive array of services:

- Intensive outpatient substance abuse treatment which also addresses the offenders' criminal thinking and criminal behavior,
- Intensive case management which includes employment and vocational assistance, referrals to and monitoring of clean sober housing, and the monitoring of payments regarding court-ordered fines, fees, and restitution,
- In-community supervision through voice identification curfew monitoring, electronic monitoring devices, and frequent and random testing for drug and alcohol use, and
- Close judicial supervision with immediate access to court-ordered sanctions for relapse or criminal behavior.

3. The Hawaii Drug Court Program was established by Act 25 of the 1995 Special Legislative Session. It has been in continuous operation since then.

4. Eliminating the Hawaii Drug Court Program would result in:

- 160 felony offenders (treatment capacity of the program when fully staffed) being sentenced to probation or prison. If sentenced to probation, they would still need treatment, thus flooding the community-based providers. If not sentenced to probation, these individuals may be sent to prison, thus adding to the problems of overcrowding and overtaxing of the limited substance abuse treatment resources in custody facilities.
- 12 lost positions. The Program is currently staffed by one administrator, one supervisor (vacant/frozen), six counselors, one social worker/case manager, one social worker/supervising officer, and two social service assistants. 50% of the clinical staff are State Certified Substance Abuse Counselors and as such, provide the Judiciary with substance abuse treatment expertise.

The Judiciary, FB 2009 - 11 Program Justification

Program I.D.: 320

Program Title: Maui/Moloka'i Drug Court

Dept. Contact: Barbara-Ann Keller, Administrator Phone No.: (808)442-3851

Mission or Program Objective:

The mission of the Maui/Moloka'i Drug Court Program (MDC) is to channel non-violent pre-trial and post-conviction substance-abusing defendants, who would otherwise be incarcerated in Hawaii's correctional system, into a comprehensive and integrated system of judicial and treatment services effective with substance-abusing offenders.

Program Budget

MOF: General Funds FTE(P) : 14 FTE(T) 0 FY09 Allocation: \$1,556,524

- 1 - SW VI, #500015
- 2 - SW V #s500179, 1 New, # not yet assigned
- 2 - Drg Crt SAC IV, New, # not yet assigned
- 5 -Drg Crt SAC III, Pos.#s 59746, #500099,
#500138,#500185,#500269
- 2 - Drg Crt SAC II, Pos. #s 59747, #500098
- 2 - Jud Clk II, #s500104, 1 new, # not yet assigned

Statute/Constitution : HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

Performance Measures

- Reduce recidivism and drug use
- 84% of graduates (including those who have graduated since 2001) have not been convicted of another offense. This statistic is based upon continuing review of Judiciary criminal justice data to maintain accuracy and validity.
- MDC statistics show that the average amount of time that graduates had negative testing results has been 584 days.
- Assist clients to become productive members of the community, re-establish supportive relationships with their families, and complete their court ordered obligations to the community and victims. Prior to graduation, all clients are required to:
 - Complete a minimum of 30 hours of service within the community/communities where the graduate committed the crime or in the victims' community.
 - Maintain full-time (35 hours or more) payroll employment or be attending college full-time (12 credits or more) for a minimum of 12 weeks prior to graduation.
 - Attain a minimum of a high school diploma or high school equivalency if not already having one.

- Complete all outstanding probation obligations in full including restitution unless a free-standing order is approved by the Court. The MDC statistics show that graduates in FY 2008 paid over \$27,000 in fines and fees which went into the State of Hawai'i General Fund.

Justification: "The Judiciary's usual way of doing business has not been as effective as drug courts with substance using criminal offenders"

√Crime:

- The MDC has a 16% recidivism rate. This includes close to 300 graduates since the first graduation in 2001. Recidivism is defined as conviction of any other criminal offense.
- The State Attorney General's Office recently disclosed that the recidivism rate for those on probation or parole has been more than 50%.
- Based upon the above comparison, the Judiciary's usual way of doing business is not as effective as drug courts.

√Rehabilitation:

- MDC has a completion rate of 60%, individuals receive on average treatment for 546 days.
- Nationally, the rate of completion of outpatient substance abuse treatment is 36% with individuals receiving an average rate of 46 days of treatment (SAMSHA, *Treatment Episode Data Set [TEDS 2005] Discharges from Substance Abuse Treatment Services*).
- Based upon the above comparison, the usual way of sending individuals to treatment is not as effective as drug courts.

√Cost effectiveness:

- Drug courts cost about one-fifth of the amount of keeping an individual in-custody. Incarceration costs almost \$30,000/year per individual.
- The average length of drug court is less than 2 years vs. an average 5 years of probation.
- Based on the information above, the Judiciary's usual way of doing business is not as cost effective as drug courts.

√What's special about the Maui/Moloka'i Drug Court vs. other drug court programs:

- MDC is the largest drug court within the entire state of Hawai'i. The program has maintained a wait list of individuals of 80 - 110 individuals consistently, even though being the largest in the State.
- The program continues to admit individuals that are severely mentally ill, those that have failed at all other programs, and those with the greatest needs.
- Employment and higher education are stressed throughout the program. Currently, 24% of program participants are attending college. These individuals not only have increased employment opportunities but also attain higher salaries. Only payroll employment is accepted. Often, individuals find themselves working their first non-cash paying job. With these payroll positions come payment of State and Federal taxes providing funds back into our communities.
- MDC focuses not only on program participants as individuals, but as being part of a system. Currently, 100 children are parented by program participants. The program continues to have a total of 80 or more adults (not current program

participants) attending bi-monthly "Friends and Family" group sessions to attain education and support, and to decrease the occurrence of generational substance use.

- Healthy lifestyles are concentrated on including smoking cessation, attaining health insurance, and regular physical and dental check-ups so long-term health costs decrease.

The Judiciary, FB 2009-11 Program Information

Program ID:330 (JUD 1009) Program Title: Big Island Drug Court, Third Circuit (Hilo and Kona)

Department Contact: Warren Kitaoka
Drug Court Coordinator

Phone Number: 808 938-6466

MOF
State Funding

FTE(P): 10
Adult
00059743 SW VI
00011995 SW V
00500111 SW IV
00500110 SW IV
00500112 SW IV
00500025 SW II
00500010 Clerk III
00059742 Clerk III
Juvenile
00500113 SW IV
00500012 SW IV

FY 2009 ALLOCATION:
\$712,515

PROGRAM OBJECTIVE: The mission of the Big Island Drug Court (BIDC) is to help address societal problems related to substance abuse in order to minimize their societal and economic costs, and to protect the Big Island community by providing timely and effective treatment for drug offenders with appropriate sanctions and incentives.

LEGISLATION

In December of 1999, Senate Concurrent Resolution No. 26, S.D. 1, requesting the Judiciary to Study the Feasibility of Establishing Drug Court on the Island of Hawaii (Big Island), was adopted. The Concurrent Resolution noted the significant increase in the number of drug courts nationwide, recognized the success of Hawaii's current drug court program, and identified an immediate need to expand Hawaii's Drug Court Program beyond the City and County of Honolulu to address drug use in other areas of the State. The Concurrent Resolution further acknowledged that establishing Drug Court on the Big Island would help to address the growing number of substance abuse cases in the county.

On January 28, 2000, the Chief Justice of the State of Hawaii, Ronald T. Moon, signed a Supreme Court Order of Appointment creating a Drug Court Coordinating Committee to assist in planning and enhancing drug courts throughout the State.

The Court was established in part to comply with Hawaii Revised Statutes 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise, and treat selected defendants in lieu of a sentence of incarceration."

OVERVIEW OF DRUG COURTS ACROSS THE NATION

Two-thirds of all adults arrested test positive for illicit drugs at arrest and the national recidivism rate for drug offenses is nearly 67%. According to SAMHSA 2007, 22.6 million Americans abuse or are dependant on alcohol and/or illicit drugs.

- 2,000 drug courts in existence or being planned across the nation. In 2005, more than 20,000 clean, sober, and law-abiding clients graduated from drug courts across the country.
- Treatment Research Institute at the University of Pennsylvania concluded that, to put it bluntly, we know that drug courts outperform virtually all other strategies that have been used with drug-involved offenders.
- Columbia University's historic analysis of drug courts concludes that drug use and criminal behavior are substantially reduced while offenders are participating in drug court.
- The U.S. Government Accountability Office (GAO) concludes after an extensive review that drug court programs substantially reduce crime by lowering re-arrest and conviction rates among drug court graduates well after program completion.

OVERVIEW OF THE BIG ISLAND DRUG COURT

The BIDD program is unique as it provides a so-called One Stop Drug Court Concept that services adults, juveniles, and their families. BIDD implemented operations island-wide (Hilo and Kona) in October 2002 (adults) and March 2005 (juveniles). The BIDD program is a one-year minimum for both adults and juveniles which provides a continuum of comprehensive services, substance abuse treatment, and intensive judicial supervision. The BIDD adult program services a hundred (100) clients and the juvenile program services sixteen (16) clients island wide.

Both BIDD adult and juvenile programs maintain the Core Goal of the Judiciary regarding quick disposition of criminal cases and immediate sanctions or warrants are issued for public safety concerns. Presently, both BIDD adult and juvenile programs handle the most serious cases from both Circuit Court and Family Court judges. The majority of the adult referrals from Circuit Court judges are cases where a defendant's probation is being revoked and the defendant is given a so called last chance to turn their life around or be sent to prison. The Family Court judges also refer juveniles who are in need of more intensive judicial supervision, in secured detention facilities, or are facing commitments to these facilities (DH or HYCF).

PERFORMANCE MEASURES

All adult and juvenile graduates have to obtained a CB, GED or high school diploma; establish stable living for 10-12 months; employed 3-5 months; paid off all fines, fees, and restitution; and are clean and sober.

Program Outcomes:

- Adult clients graduated: 85
- Recidivism rate for adult graduates: 7.06%
- Juvenile clients graduated: 10
- Recidivism rate for juvenile graduates: 0%
- Drug free babies: 9

COST SAVINGS AND REVENUES

- Unlike the national average of 50-60% recidivism rate for other criminal justice supervision programs, the BDC program's recidivism rate of the 85 graduates is 7.06%. This is even more astonishing when you consider that the program is dealing with the most difficult offenders who are either facing a prison term or given a so-called last chance. This saves the State of Hawaii the high cost of imprisonment.
- Restitution and fines paid by clients: Over \$150,000

JUSTIFICATION

Substance abuse continues to be a problem nationally and statewide. Research indicates that drug courts outperform virtually all other strategies that have been used with drug-involved offenders by the criminal justice system. Furthermore, the benefits of drug court programs are astounding in terms of saving money, reducing crime, and producing recovering tax-paying citizens. With over 2,000 drug courts nationwide, states are looking to ensure that drug courts exist as a hallmark of the criminal justice system rather than looking to eliminate them.

ATTACHMENT 1 THIRD CIRCUIT DRUG COURT COMMUNITY SUPPORT

The BIDD program has a very active Friends of Big Island Drug Court (501c3 non-profit organization) which assists both adult and juvenile clients with financial loans and grants to assist with housing/rent payments, tools for employment, tuition, essential clothing, airfare for travel for emergencies, and incentives for the clients. Due to the BIDD success, the Friends has received funds from various community organizations and private individuals, and the County Council approved a grant from the County of Hawaii.

Due to the support of the community, the clients and alumnus of the BIDD program has been willing to give back to the community. BIDD program clients have performed community service projects such as cleaning and repainting of rural courthouses in the Puna and Kohala District, Kawaihae Homeless Shelter Project, Hawaii Island Food Bank collection, and assisting the PTSA of Konawaena High School with painting of the library.

ACCOMPLISHMENT

1. Employment: BIDD clients have been awarded Employee of the Week, Month and Quarter, and also been promoted to supervisors and managers with local as well as nationally recognized business establishments.
2. Education: A BIDD client is a member of the Phi Theta Kappa, the National Honor Society of 2 year colleges for her outstanding academic recognition. Other BIDD clients have earned Honor Roll status at the community college and college level.
3. National Representation: A BIDD juvenile client was selected to represent that State of Hawaii at Washington D.C. for a National Network For Youth Symposium. The client did so well at the symposium that the congressional delegation that attended the symposium awarded her a Proclamation for her achievement and representation
4. State Award: A BIDD juvenile client was a Honorable Mention selection for the 2008 Hawaii Spirit of Youth Award who has made great strides despite involvement with the juvenile justice system. This award acknowledges an individual who exemplifies the importance of the rehabilitative focus of the juvenile system, as well as the power of personal achievement.

STATEMENT OF GRADUATES:

- From the moment I step into drug court, I knew it would change my life forever. Staff was sincere and wanted me to succeed but they wouldn't do it for me. I got sanctioned along the way, but that didn't make me want to go back to drugs.
- Drug Court saved me. I would have been in prison. I was like rock bottom. Now I'm on top.
- I'm just happy that there's drug court cause it's a positive thing. They're not there to catch you using drugs. They're here to help you.
- Drug Court not only kept me off drugs and alcohol, it rebuilt my life. If not, I'd be locked up, no job, no kids, no family.
- Drug Court is a good thing and changed my life. If I wasn't in Drug Court, I'd be still using and not have my life together and my family.

The Judiciary, FB 2009-11 Program Justification

Program ID 350

Program Title: Kaua'i Drug Court

Department Contact: Alton Amimoto

Phone: 808-651-4502, 808-482-2365

Mission Objective: The mission of the Kaua'i Drug Court is to divert non-violent substance abusing offenders to treatment and rehabilitation as an alternative to incarceration by providing a cost effective system that keeps substance abusing offenders productive and reduces recidivism while involving the community in the process.

Program Budget:

MOF	FTE (P)	FTE (T)	FY 09 Allocation
State Funds	Six	None	\$611,952
	5978 SW VI		
	500198 SW IV		
	500199 SW IV		
	59749 SW IV		
	500033 CSAC		
	59750 Clerk II		

Statute/Constitution: The Kaua'i Drug Court was established in 2004 to comply with Hawaii Revised Statutes 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

Performance Measures: All Drug Courts have participated in data collection and analysis, this material is available upon request.

Facts of the Kaua'i Drug Court:

- We have had 61 adult graduates. Of these 61, one has been re-convicted of a felony drug offense. We have had five juvenile clients graduate. None of the juveniles have been arrested for any felony level drug offense.
- Currently, we have 51 adult clients, with about four undergoing evaluation for program consideration. We have four juvenile clients.
- We have had at least four children born of parents while in the program, and have clients that are pregnant and/or have children.
- Each client that is not incarcerated (50+) saves about \$100 per day in prison expenses. So roughly, Drug Court saves \$5,000 per day in imprisonment costs. Every successful graduate saves the state untold thousands of dollars.
- If Drug Court were to be cut, our client population would be transferred to regular probation or incarcerated at a state facility. Both probation and jail are overcrowded.
- Additional information, clarification and references can be supplied if needed. Please contact program coordinator Alton G. Amimoto at (808) 651-4502 or at Alton.G.Amimoto@courts.state.hi.us.

The Judiciary, FB 2009-11 Program Justification

Program ID: 310

Program Title: Juvenile Drug Court

Dept. Contact: Joel A. Tamayo

Phone No: 534-6588

Mission or Program Objective: To channel non-violent, adjudicated minors in the juvenile justice system who would otherwise be incarcerated in Hawaii's correctional system, into a comprehensive and integrated range of judicial and treatment service.

Program Budget

MOF	FTE(P)	FTE(T)	FY09 Allocation
State Funds	00500044 SW VI	05305 JC I	\$899,212
	00059656 SW V	05306 JC1	
	00500046 SW IV		
	00500047 SW IV		
	00500048 SW IV		
	00500049 SW IV		
	00500050 SW IV		
	00500051 SW IV		

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."

Performance Measures:

- In a three year study (from July 2005 to June 2008), a recidivism rate of 16.7% has been documented for minors who graduated from the JDC program. A success rate of 83.3% is recorded.
- In a three year study (from July 2005 to June 2008), a recidivism rate of 33.33% has been documented for minors who were terminated from the JDC program. This is still a success rate of 66.67% who has not posted new convictions even after termination from the program!
- Since the inception of the JDC program on August 2001, a recidivism rate of 16% has been documented. That's a success rate of 84%!
- At the time of screening, almost all of the minors are neither in school or employed. All those screened need their High School Diploma or GED.
- At the time of graduation, 100% of them are either in school, in college or employed or has earned their high school diploma, GED, or CBase, or employed.

JUSTIFICATION: Success rates for JDC graduates are high, recidivism is low. Success rates for minors who were terminated from JDC appears high and recidivism rate is low (66.67% post no new convictions). It is apparent that they kept the positive skills they learned in the JDC program and used these skills even after termination from the program. The cost to put one minor in the JDC program is \$41 per day. The cost of

sending one minor to HYCF would be significantly higher although no daily cost for HYCF is available at this time. Therefore, a significant cost savings per client accrues to the state as a result of this program.

Since 2001, the Juvenile Drug Court Program provides early and consistent intervention for non-violent juvenile status offender and law violators who are drug abusers and diverts the juvenile from further involvement with the criminal justice system through a unique collaboration of judicial involvement and comprehensive treatment interventions.

Juvenile Drug Court is different and unique from other programs in a way that it combines both treatment and judicial services. The Juvenile Drug Court enables minors to pursue intensive judicial supervision and rehabilitation obtained during adjudication of status offenses and/or law violations. The drug court provides an invaluable alternative to lengthy court trials and incarceration of drug offenders, offers treatment that will prevent continued abuse and also serves as an example of the benefits of cooperation between government entities and the community in addressing a complex and vexing problem. JDC fosters and supports the integrity and collaboration of treatment and judicial services.

The aim of the Drug Court is to enhance the effectiveness of Hawaii's juvenile justice system and its substance abuse service delivery system and treatment through: 1) early intervention and increased diversion from incarceration to Hawaii Youth Correctional Facility and/or the adult prison system; 2) individualized assessment of drug problem; 3) increased access to continuum of drug treatment options – from routing urine testing to residential treatment and aftercare; and 4) judicial tracking and increased judicial involvement in monitoring treatment participation with the use of incentives for compliance and graduated sanctions for noncompliance.

- In a three year study (from July 2005 to June 2008); a recidivism rate of 16.7% has been documented for those who graduated. This is an 83.3% success rate.
- In a three year study (from July 2005 to June 2008); a recidivism rate of 33.33% has been documented for who were terminated from the JDC program. This is a success rate of 66.67% who has not posted new convictions even after termination from the program!
- Since the inception of the JDC program on August 2001, a recidivism rate of 16% has been documented. That's a success rate of 84%!
- Services provided by the Juvenile Drug Court program cost the state \$41 per day per minor, much less than if they were at HYCF.
- Currently, the JDC program has 20 minors who have been sentenced to HYCF via a stayed mittimus or who were incarcerated prior to entering the JDC program.

The JDC provides opportunities to juvenile offenders who abuse alcohol and other drugs to be treated in the community with minimal cost, decreasing the need for

incarceration. Successful intervention by the JDC is expected to have long term effects on prison overcrowding, probation and parole workloads, and case flow through the judicial system. The juvenile justice system also benefits. For the courts, there is the potential of earlier disposition of cases and fewer cases reaching trial status. For the correctional facility, fewer individuals will require detention or incarceration. Costs for these institutions are reduced and space can be used for those who truly require long term incarceration.

Cutting the JDC program may possibly transfer the cost to the core programs of Family Court – Intake and Probation Unit and Person In Need of Supervision Unit. With the possibility of a program cut, the minors will be transferred back to these core units. With this transfer back to the core units the integrity of the judicial services will be compromised. This will include an increase in the court calendar, an increase in the probation officer's caseload, and possible burden to the detention and prison facilities due to the high number of minors waiting for treatment placement in the community. This will also put a strain on the detention facility which would increase the cost to supervise the minors by increasing manpower and/or overtime pay. The detention facility would also lack the space to house these minors thus breaching a federal mandate to house minors in a suitable setting. Appropriate placement to the community resources may take a minimum of 2 weeks to be placed and possibly up to 2 months.

Immediate sanctions would also be compromised. It may take two to three weeks to have a minor calendared to appear before the Judge after committing an offense. It may take longer if the minor contests such offenses, thus postponing the sanction which demises the authority of the Judge and probation officer. Significant time and resources will have been spent before action will take place for the minor. With the JDC program, instant judicial and treatment services are addressed immediately and accordingly. This saves time and money and ultimately prison and detention space.

Immediate incentives and rewards are given, too to recognize good behavior at the JDC program. The JDC program follows evidence-based and best practices to ensure the minor responds accordingly. This provides a greater chance of success and achievement. Incentives range from verbal accolades to tangible incentives like gift cards. A minor in a "regular" court calendar only appears before the judge if an offense has been committed and is never calendared to appear before the judge if good behavior arises. Recognition for good behavior is desirable to increase the minor's achievement. When this is done, the cost is immeasurable. When a child is recognized for their achievements it benefits their parent(s), the school, the courts, and ultimately the community. The JDC program benefits from using this practice.

The Judiciary, FB 2009-11 Program Justification

Program ID

Program Title: Kaua'i Drug Court Juvenile Program

Department Contact: Alton Amimoto

Phone: 808-651-4502, 808-482-2365

Mission Objective: The purpose of the Kaua'i Drug Court Juvenile Program (KDCJP) is to reduce substance abuse and crime among juveniles, and to strengthen their 'Ohana by providing intensive judicial supervision with developmentally and culturally appropriate therapeutic interventions.

Program Budget:

MOF	FTE (P)	FTE (T)	FY 09 Allocation	
State Funds	Six	None	Payroll	\$431,952
			Other Funds	180,000

Please note that funding for the juvenile program is incorporated in the adult budget; these are the same personnel doing both the adult and juvenile programs.

Position Descriptions: Attached

Position Numbers:

Social Worker VI Position Number 59748

Social Worker 4 (3) Position Numbers 500198, 500199, 59749

Drug Court Certified Substance Abuse Counselor Position Number 500033

Judicial Clerk II Position Number 59750

Statute/Constitution : The Kaua'i Drug Court was established in 2004 to comply with Hawaii Revised Statutes 706-605.1(4)(a).

Performance Measures: All Drug Courts have participated in data collection and analysis, this material is available upon request.

Facts of the Kaua'i Drug Court Juvenile Program:

- We have had 5 juvenile clients graduate. None of the juveniles have been arrested for any felony level drug offense. We have 4 juvenile clients currently active.
- Frequent drug testing and intensive supervision are standard tenets of the Juvenile Program. School visits are regular, and are combined with GPS monitoring when deemed necessary.
- Working in conjunction with Family Court and the Mokihana Project (DOE, DOH), the Drug Court adds more enforcement into the treatment regimen specified by the team. Violations of rules mandated by the team can result in eventual detention. Positive behavior results in incentives such as gift certificates and movie passes being given to the clients. The incentives are provided by a non profit group, the Friends of the Kaua'i Drug Court.
- If we were to be cut, our client population would be transferred to regular probation, or incarcerated at a state facility, or set free.
- Additional information, clarification and references can be supplied if needed. Please contact program coordinator Alton G. Amimoto at (808) 651-4502 or at Alton.G.Amimoto@courts.state.hi.us.

The Judiciary, FB 2009-11 Program Justification

Program ID: 310

Program Title: Juvenile Sex

Offenders Unit

Dept. Contact: Russell Ho

Phone No.: 539-4473

Mission or Program Objective:

To ensure that sexually abusive youth are supervised and receive sex offender treatment to prevent future recidivism

MOF	FTE(P) 6	FTE(T)	FY09 Allocation
State General Funds	500201 SW V		\$385,888
	500202 SW IV		
	500203 SW IV		
	500204 SW IV		
	500205 SW IV		
	500206 SW IV		

Statute/Constitution: None

Performance Measures: None

JUSTIFICATION:

Scenes of explicit sexuality in theaters, television shows, and on the internet result in youth that sexually act out because they believe that these are behaviors and attitudes that are accepted in society. Youthful offenders that have gone untreated have become adult offenders that continue to prey on other victims in the community.

In the year 2000, juvenile sex related crimes appeared to be on the rise. This new area of dealing with sex offenders was a relatively new focus of concern and there was limited national literature on the dealing with these offenders in the juvenile arena. Two probation officers were assigned to begin work on these specific types of cases and to establish specific procedures to deal with sex offender cases in our court system. Their function would be to process these cases thru the Family Court judicial system, and to assess and evaluate the risks and needs for treatment of this population of juvenile sex offenders on Oahu. Research has indicated that juvenile offenders may be more responsive to treatment due to their emerging development, and they would benefit from the involvement of parents, care givers, and family members.

All the youth that have been referred for sex offenses participate in a clinical assessment. If deemed necessary, they are further involved in a psychosexual assessment to determine their risk of re-offending and/or whether they can be safely integrated into the community for treatment or if they require residential treatment. As a result, 80% have been determined to be in need of out-patient counseling and are supervised and treated in the community at a lower cost to the state.

Minors that are at risk and not amenable to services are sometimes committed to the Hawaii Youth Correctional Facility. To maintain these youths at the facility, the cost factor is approximately \$227 a day/\$18,000 annually. For youths that need residential treatment, Hawaii

utilizes two treatment facilities in this state: 1) Benchmark (locked residential treatment program) which has 10 beds at the cost of \$18,000 per juvenile (Note: This program is used by all juvenile circuits in the state and is always at capacity for the 10 month/24 month treatment.), and 2) Catholic Charities E Hou Hou Program (unlocked residential treatment program) which maintains 5 beds at a cost of \$15,000 per juvenile.

In 2004, a permanent unit was established to handle juvenile sex offenders. Two dedicated Family Court Judges and the specialized probation officers ensure compliance with therapeutic requirements and the evaluations have assisted the court to identify appropriate types and levels of care for this population. Juvenile Sex Offender cases are complex. Many times, the victims could be siblings, cousins, relatives, neighbors, or friends. Our statistics indicate that 50% of all our victims were 12 years-old and younger. Damage to these family dynamics are sometimes irreparable due to the family member victimization. Probation Officers not only try to assess and provide treatment to the offender, but are also involved with the family, neighbors, prosecutors, public defenders, outreach counselors in protecting the interests of the victim.

Probation Officer's work specifically with these cases and their families for a possible return after treatment to their home with an approved safety plan that ensures the protection of the victim, as well as the community. Presently, the four probation officers average 27 cases to supervise. Of the total, 14 cases are in residential placement.

Geographic Composition (Since 2000):

Gender: Male - 267 Female - 6 Total: 273 Juvenile Sex Offenders

Residence of offender

Central	Honolulu	Leeward	Windward	Total
49 (18 %)	66 (24 %)	123 (45 %)	35 (13 %)	273 (100 %)

Age of offender

10	11	12	13	14	15	16	17	Total
3 (1 %)	16 (6 %)	14 (5 %)	45 (16 %)	58 (21 %)	59 (23 %)	51 (18 %)	27 (10 %)	273 (100 %)

Based on the above, we would recommend the continuation of servicing cases with juvenile sex offenders. The specialized unit focuses on this special population but is not limited to only the offender. Safety of the community and the victim is always a standard that is considered when handling all cases.

Intensive supervision has proven successful in the development of the unit. 260 cases have been handled since 2000 with a 5% recidivism rate. This success rate rated favorably compared to the national norm which exceeded this number.

The Judiciary, FB 2009-2011 Program Justification

Program ID: Jud 310

Program Title: Probation Modification Project or
Hawaii's Opportunity Probation with Enforcement
(HOPE)

Department Contact: Janice Yamada

Phone #: 539-4527

Mission or Program Objective: HOPE offers an alternative to incarceration through swift and certain sanctions for probation noncompliance and effectively reduces the filings of Motions to Revoke Probation with underlying prison terms of up to 20 years. Support staff composed of probation officers, social service aides and part-time research aides have enabled the application of evidence based practices; random urinalysis testing; and the ongoing capacity to evaluate effectiveness. HOPE is applied to the highest risk of offender categories: sex offenders, domestic violence offenders, and high risk offenders who are failing on probation.

Program Budget:

MOF: Legislative appropriated funds

FTE (T): Position #: 500286 (Social Worker IV)
Position #: 500287 (Social Worker IV)
Position #: 500288 (Social Worker IV)
Position #: 500289 (Social Worker IV)
Position #: 500283 (Social Service Assistant IV)
Position #: 500284 (Social Service Assistant IV)
Position #: 500285 (Social Service Assistant IV)

PTE (T): Position #: 500297 (Research Aid)
Position #: 500298 (Research Aid)
Position #: 500297 (Research Aid)
Position #: 500297 (Research Aid)

FY09 Allocation: \$1,245,118.00

Statute/Constitution: HRS 706-605.1 "The judiciary shall implement alternative programs that place, control, supervise and treat selected defendants in lieu of a sentence of incarceration."
Act 120, Session Laws of Hawaii, 2006 – provides line item funding for this program

Performance Measures: Number of Clients in Program
Number of Appointments Per Client
Number of Appointments Missed
Percent of Appointments Missed
Missed Appointment Change Rate
Number of Urinalysis Scheduled per Client
Number of Positive Urinalysis
Percent of Positive Urinalysis
Positive Urinalysis Rate Change

Justification:

Hawaii's Opportunity Probation with Enforcement (HOPE) has received national attention because it is an innovative way to keep the highest risk probationers (sex offenders, domestic violence offenders and high risk drug offenders) compliant with the terms and conditions of their probation. More importantly, HOPE has provided an effective alternative to costly incarceration through swift and certain sanctions for probation noncompliance and has effectively reduced the filings of Motions to Revoke Probation which could result in prison terms of up to 20 years. The cost savings to have a convicted individual supervised on HOPE probation as opposed to placement in prison is significant. In Hawaii, the average cost to supervise an individual on probation is \$1.82 per day while Public Safety expends \$126.00 per day to maintain someone in prison and provide institutional programming.

Preliminary data from a HOPE study being done by researchers at Pepperdine University and the University of California, Los Angeles (UCLA) show new arrests for probationers in the control group to be 110% higher than the HOPE group. It appears that probationers monitored on the HOPE program have many fewer new arrests resulting in extremely high cost savings for the State of Hawaii.

Public safety is a major issue in Hawaii and we are always striving to have our probationers become productive and responsible citizens. Since HOPE began in 2004, as a pilot project initiated by Judge Steven Alm, 1,648 probationers have gone through the program and 1,369 are currently active (see Attachment A). All probationers are given a warning hearing where they are told what is expected of them and the consequences of non-compliance. If a probationer misses an appointment, has a positive drug test, or fails to attend treatment, he/she faces a bench warrant, immediate arrest, and a court hearing within 48 hours. At the court hearing, he/she is usually given a short jail term as a swift and certain consequence. Those individuals who are employed are initially given weekend jail terms so they do not miss work. All HOPE clients have random drug testing and must call in to a hotline on a daily basis to learn if they need to provide a urine sample. This is a plus for employers to know that their employees are going to work drug free which in the long term will save them time and money.

Previous probation practices of addressing numerous violations in a revocation hearing were ineffective and did not significantly impact behavior changes. In a 42 month HOPE study done by the State of Hawaii Attorney General's Office of the High Intensity cases, the process of pairing the violation with an immediate consequence through a Motion to Modify showed a 92.1% reduction in missed appointments and a 96.1% reduction in positive drug tests. By contrast, the control group, composed of non-HOPE offenders, had only a 14.3% reduction in missed appointments and no change in positive urinalysis (see Attachment B). Attachment C shows that the HOPE High Intensity cases combined with the Domestic Violence cases showed a missed appointment reduction of 92.1% and a 96.1% reduction in positive drug tests.

These positive results suggest an increased effectiveness and accountability of the probation system. HOPE probation staff work more closely with their offenders using motivational interviewing and cognitive behavioral therapy to effect offender change.

By staying sober, working with their probation officer, and attending treatment, HOPE Probationers have a better chance to change their thinking and attitudes and thus promote long term change.

HOPE Probation Study Groups "Hawaii's Opportunity Probation with Enforcement"

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

Judge	High Intensity (HI)		Domestic Violence (DV)		Regular Probation		Pending WH Verification	TOTAL	
	Active	Closed	Active	Closed	Active	Closed	ALL	Active	Closed
Judge Ahn	58	24	7	0	40	5	0	105	29
Judge Alm	384	110	57	8	123	11	2	564	129
Judge Border*	1	0	111	14	0	0	1	112	14
Judge Chan	69	17	2	1	17	1	0	88	19
Judge Lee	91	20	8	1	43	6	0	142	27
Judge Nishimura*	5	0	50	23	0	0	1	55	23
Judge Pollack	180	19	21	0	16	4	0	217	23
Judge Town	2	1	1	0	2	0	0	5	1
Judge Wilson	39	7	3	1	39	6	0	81	14
TOTAL	829	198	260	48	280	33	4	1,369	279
							District Court Cases	167	37

*Circuit Court Judge w/ District Court Cases

Control Groups	Active	Closed	TOTAL
High Intensity (HI)	6	72	78
Regular Probation	137	25	162

Maui Probation	Active	Closed	TOTAL
HOPE Cases	102	0	102

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HOPE Probation

PO Appointments & Urinalyses, High Intensity Cases: Study Group vs. Control Group

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

Study Group							Control Group							
6 Months	506	11,863	23.4	218	1.8	12.2	-85.0%	22.5%	7.1	8.7	80	13.3	915	69
12 Months	318	11,048	34.7	150	1.4	11.0	-87.6%	2.4%	5.8	5.9	79	24.6	1,330	54
18 Months	78	3,631	46.6	46	1.3	12.0	-89.5%	12.0%	5.3	6.0	93	35.5	1,561	44
24 Months	26	1,322	50.8	17	1.3	5.0	-74.5%	38.6%	4.5	6.3	81	44.6	1,293	29
30 Months	12	700	58.3	3	0.4	4.3	-90.0%	-0.7%	10.5	10.5	23	36.7	220	6
36 Months	8	457	57.1	1	0.2	3.6	-94.0%	-52.0%	22.2	10.7	13	40.7	122	3
42 Months	5	340	68.0	1	0.3	3.7	-92.1%	-14.3%	7.7	6.6	6	45.5	91	2
Urinalyses	# Clients	# UAs Sched	# UAs per Client	# Pos UAs	% Pos UAs	% Positive (Pre-Study Baseline)	Positive UA Rate Change	Positive UA Rate Change	% Positive (Pre-Study Baseline)	% Pos UAs	# Pos UAs	# UAs per Client	# UAs Sched	# Clients
6 Months	506	6,755	13.3	311	4.6	46.5	-90.1%	-3.9%	27.5	26.4	56	3.1	212	69
12 Months	318	6,315	19.9	229	3.6	41.1	-91.2%	-29.1%	27.9	19.8	64	6.0	324	54
18 Months	78	2,371	30.4	62	2.6	31.1	-91.6%	-31.8%	29.1	19.8	79	9.0	398	44
24 Months	26	764	29.4	17	2.2	25.7	-91.3%	-40.6%	25.0	14.9	41	9.5	276	29
30 Months	12	412	34.3	5	1.2	31.3	-96.1%	100.0%	0.0	5.1	4	13.0	78	6
36 Months	8	247	30.9	4	1.6	62.5	-97.4%	0.0%	0.0	0.0	0	12.3	37	3
42 Months	5	205	41.0	4	2.0	50.0	-96.1%	0.0%	0.0	0.0	0	13.5	27	2

Abbreviations: Appts = Appointments PO = Probation Officer Pos = Positive Sched = Scheduled UAs = Urinalyses

The blue-shaded cells indicate that, as compared to their counterparts in the Control Group, Study Group clients with 42 months of project exposure were on average scheduled for 49.5% more appointments, and 203.7% more UAs. It's also important to consider that UAs are scheduled randomly for the Study Group (clients receive only a few hours' notice) but in advance for the Control Group (clients receive approximately one month's notice). This arguably lends additional weight to the dramatic reduction in the rates of positive urinalyses for the Study Group (see the red-shaded cells).

Reductions in group size as project exposure durations increase reflect the loss of clients in the Control Group (due primarily to sentence expirations and transfers to the HOPE Project) and similar losses and, in particular, additions to the Study Group. The additions account for the comparatively larger proportions of Study Group clients with shorter project exposure periods (clients have not been added to the Control Group since the start of the project).

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HOPE Probation PO Appointments & Urinalyses, HI & DV Study Groups Combined

Source: Crime Prevention & Justice Assistance Division, Department of the Attorney General, State of Hawaii

HI & DV Study Groups Combined

3 Months	745	9,860	13.2	270	2.7	13.6	-79.9%
6 Months	586	13,268	22.6	248	1.9	12.8	-85.4%
9 Months	451	13,637	30.2	225	1.6	12.0	-86.2%
12 Months	352	12,215	34.7	174	1.4	11.5	-87.6%
15 Months	260	9,980	38.4	124	1.2	10.3	-88.0%
18 Months	96	4,459	46.4	54	1.2	13.1	-90.8%
21 Months	53	2,691	50.8	30	1.1	11.4	-90.2%
24 Months	34	1,728	50.8	22	1.3	8.3	-84.6%
27 Months	22	1,279	58.1	17	1.3	8.7	-84.6%
30 Months	14	796	56.9	4	0.5	6.7	-92.5%
33 Months	9	482	53.6	1	0.2	3.6	-94.3%
36 Months	8	457	57.1	1	0.2	3.6	-94.0%
39 Months	7	438	62.6	1	0.2	3.9	-94.2%
42 Months	5	340	68.0	1	0.3	3.7	-92.1%
Urinalyses	# Clients	# UAs Sched	# UAs Sched per Client	# Pos UAs	% Pos UAs	% Pos (Pre-Study Baseline)	Positive UA Rate Change
3 Months	745	5,496	7.4	375	6.8	51.3	-86.7%
6 Months	586	7,603	13.0	339	4.5	48.4	-90.8%
9 Months	451	7,886	17.5	311	3.9	47.2	-91.6%
12 Months	352	7,049	20.0	249	3.5	42.8	-91.7%
15 Months	260	5,848	22.5	182	3.1	37.8	-91.8%
18 Months	96	2,923	30.4	77	2.6	35.2	-92.5%
21 Months	53	1,696	32.0	43	2.5	38.4	-93.4%
24 Months	34	1,046	30.8	25	2.4	40.0	-94.0%
27 Months	22	772	35.1	21	2.7	37.0	-92.7%
30 Months	14	489	34.9	8	1.6	31.3	-94.8%
33 Months	9	246	27.3	4	1.6	62.5	-97.4%
36 Months	8	247	30.9	4	1.6	62.5	-97.4%
39 Months	7	238	34.0	4	1.7	50.0	-96.6%
42 Months	5	205	41.0	4	2.0	50.0	-96.1%

**Abbreviations: Appts = Appointments PO = Probation Officer Pos = Positive
Sched = Scheduled UAs = Urinalyses**

*Reductions in group size as project exposure durations increases reflect ongoing individual additions to the study group.
The additions account for the comparatively larger portions of clients with shorter project exposure periods.*

The Judiciary, FB 2009-11 Program Justification

Program ID:

Program Title: Human Resources
Department/Judicial
Education Office

Dept. Contact: Sharen Tokura/
Dawn Nagatani

Phone No.: (808) 539-4340

Mission or Program Objective:

Coordinate continuing legal education programs for judges and administer a statewide training and development program for Judiciary personnel.

Program Budget

MOF	FTE(P)	FTE(T)	FY09 Allocation
General Funds (A)	3.0 (#59495, EM 03) (#59496, SR 24) (#59296, SR 14)	0.0	\$176,089
General Funds (B)*			\$106,950
General Funds (B)**			\$ 35,000
TOTAL			\$318,039

*Hawaii State Benchbook expenses

**Conference/Symposium expenses

Statute/Constitution: Not applicable.

Performance Measures: (July 2007 – November 2008)

- Coordinated semi-annual judicial conferences, symposia, and specialized training sessions for 130 full-time and per diem judges (12 separate sessions).
- Designed four new staff education programs and presented 31 sessions attended by over 600 employees.
- Administered two federal highway safety grants for judges to attend out-of-state continuing education seminars, totaling approximately \$28,000.
- Released annual updates for each chapter of the Hawaii State Benchbook.

JUSTIFICATION:

- Administers a statewide continuing legal education program for eighty (80) full-time judges and fifty (50) per diem judges; administers a statewide training and development program for approximately two thousand (2,000) Judiciary employees.

- The community expects judges to quickly absorb and analyze information, to impartially apply the law, and to efficiently administer justice.
 - Judicial education programs help judges maintain these high standards by providing information about newly revised laws and trends in criminal, civil, and family law. They also afford judges opportunities to share experiences, techniques and courtroom practices.
 - Failure to provide continuing legal education services may affect the ability of judges to keep abreast of revised laws, sentencing/treatment options, and innovative courtroom practices that may reduce recidivism and better serve the public than traditional case management and adjudication methods.
- In-house judicial education programs provide cost savings by allowing a greater number of judges to attend multiple programs annually.
 - Failure to provide in-state training would necessitate judges traveling outside Hawaii to receive continuing legal education. Not including grant/scholarship subsidized travel, the Judiciary expended approximately \$41,000 for 22 judges to each attend one out-of-state education program in 2007.
 - In contrast, **all state judges** (including per diem judges) were offered **multiple in-state judicial education programs** at an approximate annual cost of \$35,000 for the conferences/symposia and an additional cost of \$83,000 for related expenditures (travel costs for neighbor island judges, per diem judge substitution, etc.).
- The JEO is the sole source of editorial and technical support for the Hawaii State Benchbook (HSB). The HSB allows judges to obtain immediate and practical guidance on how to proceed in certain courtroom situations. Failure to update the HSB may lead to decreased uniformity on the bench statewide in criminal and civil procedural matters, as well as reduced efficiency in the courtroom. Court users may experience delays in case adjudication as judges recess to research pertinent legal issues.
- Curricula are designed to assist Judiciary personnel in developing the skills and knowledge needed to effectively perform their job duties, and ensure that the courts employ competent, technologically literate, professional personnel.
 - Staff education programs provide court personnel with substantive and procedural knowledge specific to their job duties, including instruction in relevant legal terminology, concepts, and court procedures. They also provide opportunities to enhance supervisory, relational, and leadership skills in professional contexts to foster positive working environments, and develop in-house competencies for succession and career enhancement purposes.
 - Failure to provide adequate in-house training and development opportunities for court and administrative staff may result in court document processing delays, decreased efficiency, and reduced customer service.

The Judiciary, FB 2009-11 Program Justification

Program ID: JUD 601
Dept. Contact: Matt Mattice

Program Title: Judiciary History Center
Phone No.: 539-4998

Mission: The King Kamehameha V Judiciary History Center is an educational institution created to inform and provide learning opportunities about the judicial process and Hawaii's legal history. As the largest provider of civic education to public and private schools in the state, the Center promotes public awareness and understanding of the courts by operating a legal history museum, preserving important court-related documents, and providing civic education to students, teachers, the general public, and tourists. No other organization in the state provides the civic education services, including three national curriculum programs, provided by the center.

Program Budget:

MOF: General Fund **FTE(P):** 4 **FY09 Allocation:** \$243,773

Statute: Chief Justice William S. Richardson, concerned about the public's lack of civic knowledge, spearheaded the effort to create The Judiciary History Center to help citizens understand today's system of law.

The Center was established, pursuant to HRS chapter 6F, in 1990 to provide a "permanent institution with a professional staff, essentially educational in purpose ..." The Center was established in keeping with the legislature's recognition of "the importance of our judicial heritage as part of the historic and cultural heritage of the state." The legislature further recognized the need to "promote the educational, historical, and cultural interests of [our people] through an educational facility presenting the unique historical background of the Judiciary through exhibits and other activities."

Per HRS §6F-5, the Center's responsibilities include providing educational services to Hawaii's schools, conducting research in judicial history, and providing assistance to other public and private agencies involved in developing programs relating to the Judiciary.

Performance Measures: In FY 2008, over 34,000 visitors toured the Center, including 10,396 students. The Center was awarded approximately \$76,000 in federal funds to provide civic education programs and training to Hawaii's schools. Thirteen days of teacher training were provided to public and private school teachers free of charge. Hawaii's schools received 2,400 textbooks valued at \$41,696, also free of charge. A record 150 students participated in the *We the People* state tournament, a civic education program examining the U.S. Constitution and the Bill of Rights, and sixteen high schools competed in the Hawai'i State Mock Trial Tournament. Legal research resulted in the production of a short film documenting Martial law during WWII and its impact on Hawaii's youth. The first of two volumes of probate records from Kaula'i, dating 1853-1861, was translated from Hawaiian to English (constituting the 16th Hawaiian Kingdom court minute books so translated.)

Justification: According to the 2006 National Center for Education Statistics, only 22% of eighth graders and 27% of twelfth graders scored at the proficient level in Civics Assessment. A recent report by the Intercollegiate Studies Institute shows 71% adults tested on civic literacy failed. Compared to earlier generations of Americans, today's youth are less interested in public issues and feel alienated from formal politics. Young people are less likely to vote than older generations were at the same point in their lives.

The Judiciary History Center provides a crucial and unique role in providing civic education through a variety of programs. These programs demystify Hawaii's unique legal history and link the past to contemporary issues. The majority of the Center's civic education programs are federally funded, enabling the Judiciary to provide standards-based teacher training and textbooks to Hawaii's public and private schools at no cost to the State. The Center provides the following services:

- Free museum exhibitions and temporary exhibits.
- Free teacher workshops for public and private school teachers statewide.
- Free Professional Development Credits for public school social studies teachers.
- Free "High-Objective, Uniform State Standard Evaluation" credits for public school social studies teachers. (Used to obtain "highly qualified" certification.)
- Free textbooks for Hawaii's public and private schools.
- Films, curriculum, and publications documenting Hawaii's legal history and its relevance to contemporary Hawai'i.
- Preservation of historical court-related documents including translations of the Kingdom of Hawaii's court minute books from Hawaiian into English.
- Evening educational programs for Hawaii's visitors and the general public.
- Reference services for the researchers and the general public.
- Judiciary Speakers Bureau.

Testimonials from Recent Beneficiaries of the Judiciary History Center:

"It was very thoughtful of you guys to turn the courtroom into an education courtroom. I think that instead of learning history, we should play history. That way we have fun and have the story stuck in our heads." **Student at Kalakaua Middle School Student**

"More state courts should use the [Center] as a prototype for their own exhibits on the development of the court system." **Visitor from Seattle**

"I heard students using the language of democracy in their interactions outside of class. Students seemed more willing and able to discuss issues or problems and they seemed more confident. I enjoyed using the curriculum and I think that my students really learned about concepts and ideas they will use the rest of their lives." **Cindy Navarro-Bowman, Teacher at Honoka'a High and Intermediate School.**

Judiciary Program: VOLUNTEERS IN PUBLIC SERVICE (VIPS)

The Judiciary, FB 2009-11 Program Justification

Program ID: JUD 601

Dept. Contact: Faith Matsuwaka, Program Manager (Phone: 539-4881)

VIPS Mission and Program Objective

The legislature has recognized that “[t]he spirit of citizens volunteering their time and energy has been a fundamental ingredient to the birth of the democratic government.”

Through VIPS, volunteers assist and augment the services of the Judiciary to our citizenry. The VIPS Program facilitates and promotes opportunities for citizen involvement and participation within the Judiciary based on (1) Judiciary needs, and (2) the skills, talents, and interests of volunteers.

Program Budget:

MOF: General Fund FTE(P): 4.0 FY09 Allocation: \$185,959

Statutory Basis & Premises

Hawaii Revised Statutes, Chapter 90:

Thirty years ago, the Legislature enacted Act 10, State Policy Concerning the Utilization of Volunteer Services. This law authorizes government agencies to recruit, train, and accept the services of volunteers and reimburse volunteers for expenses. In enacting Act 10, the Legislature recognized that “[v]olunteers can contribute . . . to ameliorating our social, environmental, economic, and human problems [and that the state] should “support effective and full use of volunteers.”

In enacting Act 10, the Legislature intended to “foster the continuing development of volunteer programs” based on premises that are clearly applicable to the VIPS Program at the Judiciary, particularly:

- (1) Volunteers provide an extra source of caring that cannot be evaluated in monetary or material terms;
- (2) Volunteering provides citizens with an opportunity to be responsive to and supportive of the state government.

VIPS Operations

* VIPS recruits, screens, orients, and places volunteers at the District, Circuit, Family, and Appellate Courts throughout the year in various positions.

* Since 1971, high school and college students, unemployed/employed adults, retirees, and seniors serve in capacities such as docents, computer operators, clerical aides, probation case aides, advocates for victims of child abuse and neglect, facilitators for Kids First Program, proctors for law examinations, and other varied positions.

* VIPS identifies needs of the Judiciary through requests from individual departments or supervisors.

* VIPS presently provides assistance to more than 80 offices with volunteers.

* Myriad Benefits to VIPS: 1) citizens have an opportunity to gain knowledge and involvement with the legal system; 2) the level of services to the community and Judiciary clients are enhanced; and (3) court orientations help educate students/teachers/adults about the legal system and provide an opportunity for the public to learn about court operations.

Savings/Monetary Performance Measures:

During FY 2007-2008, 610 volunteers contributed 30,000 hours, totaling \$215,000 in-kind contributions.

During the current Fiscal Year, 586 volunteers have thus far contributed 14,000 hours, totaling \$101,000 in-kind contributions.

VIPS is projected to save more than \$200,000 in salaries for in-kind contributions from volunteer services in FY 2008-2009.

Non-monetary Performance Measures Germane to the Present Economic Crisis:

As the present economic crisis worsens, and the hiring freeze continues, reliance upon VIPS may become more acute. As specified above, the Legislature clearly recognized the importance of volunteers in terms of both the benefit to those volunteering their services, and those offices who have had the benefit of volunteers.

Testimonials from Judiciary offices using VIPS support the legislature's perspective:

"[Our volunteers] perform their duties professionally so we can trust that it is done properly and accurately. . . Without them, our unit could not maintain the level of work that we put out each week - we would not be able to keep up with the pace here. They are more valuable now as we are short-handed due to the hiring freeze."

District Court, Adult/Juvenile Community Service and Restitution Unit.

"I don't know what I would do without my volunteers. They are responsible individuals who play a vital role in the office functions. Their duties are substantial and aid in our

caseload. . . . The relationship is mutual as they feel a part of this office and know their work is valuable."

--- Office of Public Guardian

"[One of our volunteers] was a college student who was valuable and extremely beneficial to the office. . . . At the same time, the volunteer himself, gained skills which would benefit him in his future social work career

--- Adult Client Services Division

"The volunteers are invaluable during the law examinations. They assist in providing the needed security during the testing and the integrity of conducting the exams."

--- Bar Examination Branch

POTENTIAL BUDGET REDUCTIONS

FY 2010 - 2011

(Initial goal: FY10 \$8.290 million FY11 \$11.129 million to equal biennium budget request plus 20% of discretionary costs)

	<u>COA</u>	<u>First</u>	<u>Second</u>	<u>Third</u>	<u>Fifth</u>	<u>Admin</u>	<u>Total</u>	<u>Reduction</u>	
								<u>FY 2010</u>	<u>FY 2011</u>
GAL - Budgeted Amt		3,693,000	801,261	1,030,930	93,800		5,618,991		
20% reduction		738,600	160,300	206,200	18,800			1,123,900	
25% reduction		923,300	200,300	257,700	23,500				1,404,800
POS - Budgeted Amt		7,736,765	2,171,774	2,201,696	675,952	624,650	13,410,837		
25% reduction		1,934,200	542,900	550,400	169,000			3,196,500	
31% reduction		2,398,400	673,200	682,500	209,600				3,963,700
Per Diem Judges - Budgeted Amt		1,019,240	179,888	151,098	57,143		1,407,369		
30% reduction		305,800	54,000	45,300	17,100			422,200	
40% reduction		407,700	72,000	60,400	22,900				563,000
Juror Fees - Budgeted Amt		1,074,000	254,000	225,100	80,400		1,633,500		
33% reduction		354,400	83,800	74,300	26,500			539,000	
40% reduction		418,800	101,600	90,000	32,200				642,600
Overtime - Budgeted Amt	300	961,246	15,050	30,100	33,844	156,999	1,197,539		
40% reduction	100	384,500	6,000	12,000	13,500	62,800		478,900	
50% reduction	100	480,600	7,500	15,000	16,900	78,500			598,600
Travel	47,808	334,297	217,090	232,560	133,780	217,884	1,183,419		
56% reduction	26,800	187,200	121,600	130,200	74,900	122,000		662,700	662,700
Temporary positions									
Filled Budgeted		1,045,612		26,700	53,352	93,223	1,218,887		
Filled Unbudgeted	17,516	1,740,614	31,591	171,191		192,183	2,153,095		
10% or designated reduction	17,516	174,100	31,600	17,100		19,200		259,516	
14% or designated reduction	17,516	243,700	31,600	24,000		26,900			343,716
Vacant Budgeted		275,232					275,232	275,232	275,232

POTENTIAL BUDGET REDUCTIONS

FY 2010 - 2011

(Initial goal: FY10 \$8.290 million FY11 \$11.129 million to equal biennium budget request plus 20% of discretionary costs)

Permanent Position Vacancies	31,212	2,010,984	865,104	329,532	110,520	576,744	3,924,096		
10% reduction		201,100	86,500	33,000	11,100	57,700		389,400	
15% reduction		301,600	129,800	49,400	16,600	86,500			583,900
Other cur exp - identified by prog									
SC/ICA - various	241,000						241,000		
20% reduction	48,200							48,200	48,200
Law Library - Other, equipmt	1,292,143						1,292,143		
15% reduction	194,000							194,000	
20% reduction	258,000								258,000
OEAC - supplies, newsletter						125,675	125,675		
10% reduction						12,600		12,600	
15% reduction						18,900			18,900
History Center						28,392	28,392		
50% reduction						14,000		14,000	14,000
ITCD - service,maint. contracts						2,267,593	2,267,593		
05% reduction						113,400		113,400	
10% reduction						226,800			226,800
JERD						106,950	106,950		
Identified reduction						52,450		52,450	52,450
Additional reduction - First, Fifth									
6% reduction POS		464,200			40,600				504,800
10% reduction overtime		96,100			3,900				100,000
Operating Supplies	53,588	961,065	212,271	246,369	168,938	135,355	1,777,586		
15% reduction		144,200	31,800	37,000	25,300			238,300	
20% reduction		192,000	42,000	50,000	34,000				318,000
Repair and maintenance	72,108	2,115,164	267,791	107,612	280,676	944,521	3,787,872		
10% reduction		211,500	26,800	10,800	28,100			277,200	
20% reduction		423,000	53,600	21,000	56,100				553,700
TOTAL POTENTIAL REDUCTIONS	286,616	4,910,832	1,145,300	1,116,300	384,300	454,150		8,297,498	
TOTAL POTENTIAL REDUCTIONS	350,616	6,811,832	1,433,200	1,380,200	531,200	626,050			11,133,098

INITIAL REDUCTION GOAL WAS \$8.290 MILLION FY 2010 AND \$11.129 MILLION FY 2011

Hawaii
Immigrant
Justice Center

(Formerly known as Na Loia)
Serving Hawaii's Immigrant
Families and Children

LEGAL AID
SOCIETY OF HAWAII

VOLUNTEER LEGAL
SERVICES HAWAII



**TESTIMONY IN SUPPORT OF
HB300 - RELATING TO THE JUDICIARY**

February 3, 2009 at 2:00 p.m.

The Hawaii Immigrant Justice Center, the Legal Aid Society of Hawaii and Volunteer Legal Services Hawaii, together submits testimony in support of HB300 – Relating to the Judiciary and requests amendments.

In November 2007, the Access to Justice Hui, which included all three of our agencies, released “Achieving Access to Justice for Hawai'i's People,” a two-part report that included The Community Wide Action Plan: Ten Action Steps to Increase Access to Justice in Hawai'i by 2010 and The 2007 Assessment of Civil Legal needs and Barriers of Low- and Moderate-Income People in Hawai'i. The Assessment found that one out of every five low- and moderate-income residents in Hawai'i seeking legal services is unable to receive the assistance that they need and that one in three who seek assistance from legal service providers cannot be helped.

As the economy worsens the need for legal services increases, the services provided by our three programs, among others, is critical to providing a safety net of legal services to ensure access to the basic necessities. Our services provide protection from consumer fraud, access to public assistance; needed representation in family law cases; assistance to prevent homelessness, to eliminate legal barriers to employment, prevent child abuse and improve child outcomes, protection from domestic violence, human trafficking and sexual assault, and assistance with naturalization.

Since the 1970s, the state has supported civil legal services and found that they are critical to the community. While other legal services have a funding home, currently the legal services that our programs provide are without a home. As such, over the last four years, the legislature has provided a grant-in-aid to fund our programs through the Judiciary budget while we attempt to find the best home.

While we continue to work on finding the best funding home for our programs, we request that our GIA requests be added to the budget as follows:

Hawaii Immigrant Justice Center	\$292,000
Legal Aid Society of Hawaii	\$720,000
Volunteer Legal Services Hawaii	\$400,000

Thank you for this opportunity to testify.

Sincerely,

Robin Kobayashi
Executive Director
Hawaii Immigrant Justice Center
536-8826

Nalani Fujimori
Interim Executive Director
Legal Aid Society of Hawaii
527-8014

Moya Gray
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528-7051