
HOUSE CONCURRENT RESOLUTION

REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO
CONVENE A COMMITTEE TO IDENTIFY AT WHICH POINT VETERANS AND
ACTIVE DUTY MILITARY PERSONNEL AND RETURNING RESERVISTS AND
NATIONAL GUARD MEMBERS ENTER THE JUSTICE SYSTEM, AND HOW
BEST TO ADDRESS THEIR NEEDS, INCLUDING DEVELOPING A
VETERANS COURT.

1 WHEREAS, approximately 120,000 military veterans and 40,000
2 active-duty military live in Hawaii; and
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4 WHEREAS, since September 11, 2001, members of the United
5 States (U.S.) armed forces and reserves and the Hawaii National
6 Guard have been engaged in combat in Afghanistan and Iraq at an
7 unprecedented rate and pace; and
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9 WHEREAS, recent research confirms that a significant number
10 of soldiers -- in some estimates, one in five -- will return
11 home from war with a combat-related mental-health condition,
12 such as post-traumatic stress disorder, traumatic brain injury,
13 military sexual trauma, substance abuse, and other mental and
14 emotional health conditions; and
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16 WHEREAS, according to conservative estimates by the
17 National Coalition for Homeless Veterans, one of every three
18 homeless men has put on a uniform and served this country; and
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20 WHEREAS, Mental Health America of Hawaii has launched a
21 Healing the Trauma of War project to identify the unmet needs of
22 returning soldiers and their families, and to coordinate
23 community discussions on how to address these needs; and
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25 WHEREAS, in September 2009, Mental Health America of Hawaii
26 contracted with theStrategist, a healthcare advisory firm, to
27 assemble and lead an executive board of military, business, and
28 community leaders to propose policy, program, and process



1 changes to help National Guard and Reserve soldiers and their
2 families after deployment, and since then, the Strategist has
3 consulted with other states that have established special courts
4 to deal appropriately with veterans and their cases by
5 connecting them with the services they need; and
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7 WHEREAS, the first veterans court was established in 2008
8 in Buffalo, New York, and since then, similar models have
9 emerged in counties across California and Oklahoma and in the
10 states of Illinois, Nevada, Texas, and Alaska; and
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12 WHEREAS, the veterans court in Buffalo began with a judge
13 who in his role as both the drug court and mental health
14 treatment court judge, identified veterans who were already on
15 his court docket, scheduled them to appear separately, and
16 staffed the hearing with a representative from the U.S.
17 Department of Veteran Affairs who was equipped with a laptop to
18 connect veterans, on-demand, with a wide range of support
19 services including healthcare insurance, mental health and
20 substance abuse counseling and treatment appointments, job
21 placement, housing assistance, school tuition scholarships, and
22 other federally-paid benefits and services from systems that
23 specialize in assisting veterans; and
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25 WHEREAS, veterans courts strictly monitor the
26 rehabilitation progress of the veterans, then graduate them from
27 the judiciary process as law-abiding citizens who are able to
28 resume contributing positively to the community; and
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30 WHEREAS, the veterans are also paired with peer mentors who
31 help keep them on track; and
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33 WHEREAS, these courts - modeled as a hybrid between drug
34 court and mental health treatment court -- boast recidivism
35 rates that are far better than any other treatment court; and
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37 WHEREAS, such a hybrid treatment court will save the State
38 as much as \$50,000 for each convicted offender each year based
39 on national estimates; and
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41 WHEREAS, a veterans court would also help a significant
42 portion of the homeless population through the intervention
43 provided, saving the State from the costs of related social
44 services; and



1 WHEREAS, the U.S. Congress (Congress) has recognized the
2 success of these courts in effectively rehabilitating veterans
3 by providing alternatives to incarceration; and
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5 WHEREAS, veterans courts are primarily funded with federal
6 dollars from various resources, and there is additional
7 legislation moving through Congress that would provide matching
8 funds for 75 cents of every dollar spent on veterans courts; and
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10 WHEREAS, Hawaii has been at the forefront of developing and
11 implementing innovative programs and treatment courts; now,
12 therefore,
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14 BE IT RESOLVED by the House of Representatives of the
15 Twenty-fifth Legislature of the State of Hawaii, Regular Session
16 of 2010, the Senate concurring, that the Chief Justice of the
17 Hawaii Supreme Court is requested to convene a committee to
18 identify at which point veterans and active duty military
19 personnel and returning reservists and National Guard members
20 enter the justice system, and how best to address their needs,
21 including developing a veterans court; and
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23 BE IT FURTHER RESOLVED that the committee include:
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- 25 (1) Judges;
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27 (2) The City and County of Honolulu Prosecuting Attorney,
28 or designee;
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30 (3) The Public Defender, or designee;
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32 (4) A representative of the Hawaii Armed Forces; and
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34 (5) A representative of veterans;
35

36 and
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38 BE IT FURTHER RESOLVED that the Chief Justice is requested
39 to submit a report of the committee's findings and
40 recommendations, including any proposed legislation, to the
41 Legislature no later than 20 days prior to the convening of the
42 2011 Regular Session; and
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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the United States
3 Secretary of Veterans Affairs, each member of Hawaii's
4 Congressional delegation, the Governor, Chief Justice, Director
5 of Veterans' Services, Director of the Department of Veterans
6 Affairs Honolulu Regional Office, and President of the Oahu
7 Veterans Council.

