

Honolulu, Hawaii

Feb 12, 2010

RE: H.B. No. 2000
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2000 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide the Judiciary with the supplemental appropriations and authorizations for its operations and capital improvements for fiscal biennium 2009-2011 by amending the Judiciary Appropriations Act of 2009.

The Judiciary testified in support of this bill and reiterated testimony presented to the Committee during the January 20, 2010, informational briefing regarding the effects of budgetary cuts on services to the public.

While mindful of the State's economic condition, your Committee is concerned that across-the-board budgetary cuts to the Judiciary's budget that do not take into account unintended consequences may result in similar problems to those currently facing the Department of Education with regard to lost educational days for students due to "furlough Fridays."

Testimony from the Judiciary relating to the effects of budget reductions with respect to its "specialty courts" was very insightful.



The yearly cost for 387 adult inmates in the Adult Drug Courts is \$3.1 million. The yearly cost to incarcerate these same inmates is \$19,634,445 (\$139 per day, per inmate or \$50,735 per year, per inmate).

The yearly cost for 65 youth offenders in the Juvenile Drug Courts is about \$1 million. The yearly cost to incarcerate these same juveniles would be some \$6,595,550 (cost of Hawaii Youth Correctional Facility at \$278 per day, per offender or \$101,470 per year, per offender).

Hawaii's Opportunity Probation with Enforcement ("HOPE") court costs the State an average of \$1.82 per day of supervised probation, while incarceration costs \$139 per day. The cost to transfer all 1,483 active probationers in the HOPE program to incarceration would be about \$75.2 million.

According to the Judiciary, in addition to providing the State with significant savings, these specialty courts and their related programs are effective in markedly reducing recidivism for the individuals who complete their programs.

The Judiciary testified that it would require an additional \$1.3 million to restore funding and seven positions for the specialty courts, an additional \$1.6 million to restore funding for purchase-of-services contracts to deal with domestic violence, an additional \$160,000 in purchase of service contracts for the Maui/Molokai Drug Court (\$90,000), Girls' Court (\$60,000), and Oahu Family Drug Court (\$10,000).

Your Committee has decided not to increase the Judiciary's supplemental budget request with an additional \$2.9 million to restore full funding and services to the specialty courts and domestic violence programs, because it believes that your Committee on Finance is better suited to address this request and appropriately determine if there are sufficient funds available to restore these specialty courts and programs.

Your Committee has amended the bill by changing the effective date to December 21, 2058, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2000, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as H.B. No. 2000, H.D. 1, and
be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


JON RIKI KARAMATSU, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 326-10

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2000	Committee Referral: JUD, FIN	Date: 1/28/10
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	✓			
2. ITO, Ken (VC)	✓			
3. BELATTL, Della Au	✓			
4. CABANILLA, Rida	✓			
5. CARROLL, Mele	✓			
6. HERKES, Robert N.	✓			
7. LUKE, Sylvia	✓			
8. McKELVEY, Angus L.K.	✓			
9. MIZUNO, John M.	✓			
10. MORITA, Hermina M.	✓			
11. OSHIRO, Blake K.	✓			
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. WAKAI, Glenn	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia		✓		
TOTAL (16)	15	1	0	

The recommendation is: Adopted Not Adopted
 If joint referral, _____ committee acronym(s) did not support recommendation.

Vice Chair's or designee's signature: _____ *K. L. Ho*

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