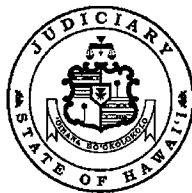


**SB 231**



## *The Judiciary, State of Hawaii*

**Testimony to the Twenty-Fifth State Legislature, Regular Session of 2009**

**Senate Committee on Ways and Means**

The Honorable Donna Mercado Kim, Chair

The Honorable Shane S. Tsutsui, Vice Chair

**Senate Committee on Judiciary and Government Operations**

The Honorable Brian T. Taniguchi, Chair

The Honorable Dwight Y. Takamine, Vice Chair

Thursday, March 5, 2009, 10:15 a.m.

State Capitol, Conference Room 211

by

Janice Yamada

Adult Client Services Branch Administrator

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**Bill No. and Title:** Senate Bill No. 231, Relating to Public Safety

**Purpose:** This bill authorizes the interstate application transfer fee to be deposited into the Judiciary's probation services special fund. It also authorizes a full-time coordinator position who oversees the transfer of probationers and parolees through the Interstate Commission for Adult Offender Supervision to be paid from the probation services special fund. It also limits expenditures from the probation services special fund to \$400,000 every fiscal year.

### **Judiciary's Position:**

The Judiciary strongly supports Senate Bill No. 231, Relating to Public Safety. During the 2008 Legislative session, Act 172, 2008 SLH (SB2083 SD2 HD1 CD1) was passed creating a full-time coordinator for the supervision of adult offenders to be appointed by the Judiciary. However, there was no funding appropriated to fill this position. Senate Bill No. 231 allows the coordinator position to be funded by monies from the probation services fee special fund. The coordinator is essential to the handling of all Interstate Compact matters relating to the transfer of probationers and parolees between states that also helps to insure public safety. The coordinator would also answer questions on interstate matters posed by the public, offenders, victims, and mainland jurisdictions. In addition, the coordinator would be responsible for insuring that the Judiciary is collecting the probation services fee from all mainland probationers



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transferring to Hawaii as well as assessing the supervision application fee on offenders who are requesting transfer of their supervision to mainland states.

The Interstate coordinator will be hired as a Social Worker IV, (SR-22) which will cost \$45,576 per year. However, this position will be of **no additional cost** to the Legislature since the funding will be through the probation services special fund. Senate Bill No. 231 authorizes the application fee paid by a parolee or probationer for a transfer out of the state to be deposited into the probation services special fund to support this position. In addition to this, the expenditures from the fund will be raised to \$400,000 to be able to support the position.

Currently, Hawaii supervises approximately 190 probationers and 58 parolees from the mainland. The Interstate Office also processes 20 incoming and/or outgoing cases a month in addition to responding to numerous phone calls or faxes on a daily basis. It is essential for the Interstate Office to have a full-time coordinator because much of the correspondence between Hawaii and the mainland is time-sensitive and needs to be processed quickly to insure that Hawaii is abiding by the rules of the interstate compact. It is also imperative to have someone overseeing the transfer of felons across state lines to insure public safety. It should be noted that both Pennsylvania and Texas were fined and monitored by the National Interstate Office because these states failed to abide with some of the compact rules. Designation of a coordinator who is responsible for all of the interstate cases and in regular communication with mainland states will help prevent future problems for the State of Hawaii.

Thank you for the opportunity to testify on Senate Bill No. 231.



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LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**HAWAII PAROLING AUTHORITY**  
1177 ALAKEA STREET, GROUND FLOOR  
Honolulu, Hawaii 96813

ALBERT TUFONO  
CHAIR

DANE K. ODA  
MEMBER

ROY W. REEBER  
MEMBER

MAX OTANI  
ADMINISTRATOR

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 231  
RELATING TO ADULT OFFENDERS; TRANSFER FEES  
AND PROBATION SERVICES SPECIAL FUND

HAWAII PAROLING AUTHORITY  
Max Otani, Deputy Compact Administrator

Committee on Ways and Means  
Senator Donna Mercado Kim, Chair  
Senator Shan S. Tsutsui, Vice Chair

Committee on Judiciary and Government Operations  
Senator Brian T. Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair

March 5, 2009, 10:15 a.m.  
State Capital, Conference Room 211

Chair Mercado Kim, Chair Taniguchi and Committee Members:

The Hawaii Paroling Authority supports Senate Bill 231, which allows interstate compact transfer fees that are collected from probationers and parolees to be deposited into the probation services special fund. The position for a full-time interstate compact coordinator was established last year, however, the position has not been filled due to lack of funding. This bill will ensure funding for this position and provide the resource the compact office needs to be in compliance with the interstate rules.

Thank you this opportunity to testify and we ask for your support in passing this bill.

WRITTEN ONLY

TESTIMONY BY GEORGINA K. KAWAMURA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE SENATE COMMITTEES ON WAYS AND MEANS AND  
JUDICIARY AND GOVERNMENT OPERATIONS  
ON  
SENATE BILL NO. 231

March 5, 2009

RELATING TO PUBLIC SAFETY

Senate Bill No. 231 authorizes the funding of the full-time coordinator position for supervision of adult offenders for the State Council for Interstate Adult Offender Supervision from the Probation Services special fund. The bill also changes the deposit of the application fee for a transfer out of the State by a parolee or probationer from the general fund to the Probation Services special fund.

We are opposed to this bill because it reduces general fund revenues by diverting the deposit of the fees from the general fund to the special fund. Considering the critical budget shortfall facing the State, it would not be fiscally prudent to implement measures that reduce general fund revenues at this time.

LINDA LINGLE  
GOVERNOR



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