

Honolulu, Hawaii

Feb 9, 2012

RE: H.B. No. 2798  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Public Safety & Military Affairs and Health, to which was referred H.B. No. 2798 entitled:

"A BILL FOR AN ACT RELATING TO A VETERANS TREATMENT COURT,"

beg leave to report as follows:

The purpose of this measure is to address the disposition and treatment of criminal cases that involve veterans by establishing a temporary veterans treatment court at the state circuit court level.

The Adjutant General, Mayor of the City and County of Honolulu, Office of Veterans Services, Oahu Veterans Council Legislative Committee, Goodwill Industries of Hawaii, Inc., Papa Ola Lokahi, and the Strategist testified in support of the measure. The Judiciary, Department of Veterans Affairs Pacific Islands Health Care System, and the Vietnam Veterans Post 10583 of the Veterans of Foreign Wars testified in support of the measure, with amendments. The Office of Veterans Services testified in support of the intent of the measure. The Department of Defense State Liaison Office and the Military Officers Association of America, Hawaii Chapter, commented on the measure.

Upon consideration, your Committees have amended this measure by:

- (1) Expanding and clarifying the eligibility of veteran participation in the veterans treatment court to include

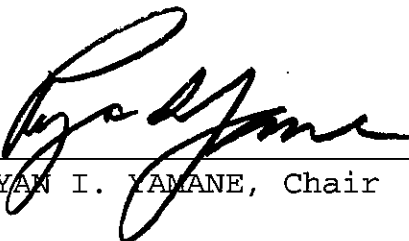


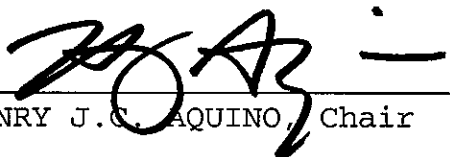
veterans suffering from substance abuse and chemical dependency; veterans suffering from service-related brain injury, rather than combat-related brain injury; and veterans arrested for or charged with any felony or misdemeanor offense, rather than a felony or misdemeanor that does not involve the use of force or violence;

- (2) Stating the rights of victims to attend the proceedings of the Hawaii veterans treatment court, provide testimony when and if appropriate, and receive full and timely restitution as applicable by the court;
- (3) Expanding the definition of "veteran" by deleting the requirement that a veteran be released honorably; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2798, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2798, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety &  
Military Affairs and Health,

  
\_\_\_\_\_  
RYAN I. YAMANE, Chair

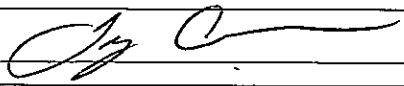
  
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HENRY J. C. AQUINO, Chair



HSCR 227-12

State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: HB 2798	Committee Referral: PBM/HLT, JUD, FIN	Date: 2/2/2012		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>PBM Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. AQUINO, Henry J.C. (C)	✓			
2. CULLEN, Ty (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. LEE, Marilyn B.	✓			
5. LUKE, Sylvia	✓			
6. OKAMURA, Tom				✓
7. SAIKI, Scott K.				✓
8. SOUKI, Joseph M.	✓			
9. TAKAI, K. Mark	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. FONTAINE, George R.	✓			
13. JOHANSON, Aaron Ling	✓			
<b>TOTAL (13)</b>	10	∅	∅	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				

