

Honolulu, Hawaii

FEB 17, 2012

RE: H.B. No. 2798
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2798, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to enhance the effectiveness of the criminal justice system in regards to veterans of war and their unique needs by creating the Temporary Hawaii Veterans Treatment Court.

The Judiciary, Department of Defense, Department of Veterans Affairs Pacific Island Health Care System, Papa Ola Lokahi, Military Women of America, The Chamber of Commerce of Hawaii, Oahu Veteran's Council, theStrategist, Military Officers Association of America, Hawaii Chapter, and numerous individuals testified in support of this measure. Vietnam Veterans Post 10583 of the Veterans of Foreign Wars testified in support with amendments to this measure. The Office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy, and Department of the Prosecuting Attorney provided comments on this measure.

Your Committee has amended this measure by:

- (1) Establishing that the transfer of a veteran's case from the regular court system to the Temporary Hawaii Veterans Treatment Court needs to be approved by the prosecuting attorney, except that where the veteran is



on probation with the court to which the veteran is petitioning for transfer, then approval of the transfer shall be left to the court;

- (2) Revising the definition of "veteran" to include those who have been federally activated and upon release from active duty are eligible for services from the United States Department of Veterans Affairs;
- (3) Changing the effective date to January 7, 2059, to promote further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2798, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2798, H.D. 2.

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



GILBERT KEITH-AGARAN, Chair



