

STAND. COM. REP. NO.

2974

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2798
H.D. 3
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor and Health, to which was referred H.B. No. 2798, H.D. 3, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to establish a temporary Hawaii Veterans Treatment Court.

Your Committees received testimony in support of this measure from the Department of Veterans Affairs; Office of the Deputy Assistant Secretary of Defense; Judiciary; Office of Veterans Services; Mayor of the City and County of Honolulu; Military Officers Association of America, Hawaii Chapter; Oahu Veterans Center; The Chamber of Commerce of Hawaii; United States Veterans Initiative; theStrategist; and five individuals. Comments were received from the City and County of Honolulu Prosecuting Attorney.

Your Committees find that the State's prison system is severely overcrowded and that further alternatives to incarceration, including the provision of appropriate treatment and counseling and more intensive supervision, are needed. Successful intervention by the Hawaii Veterans Treatment Court is expected to have a long-term positive impact on prison overcrowding, the costs of high rates of incarceration, public



safety, probation and parole workloads, and case flow through the judicial system.

Your Committees are concerned that some veterans frequently behave disruptively or illegally and that these behaviors are commonly precipitated by, among other things, post-traumatic stress disorder as a result of combat service. Your Committees find that a specialized treatment court can best provide veterans with proper treatment.

Your Committees note that although the Judiciary did not advocate for the inclusion of appropriations to implement this measure in the Judiciary's budget for the 2012-2013 year, there is still time in this legislative session for the costs to be appropriated for in the supplemental appropriation budget bill for expenditures in the 2012-2013 fiscal year, provided that adequate information is obtained.

Your Committees have amended this measure by:

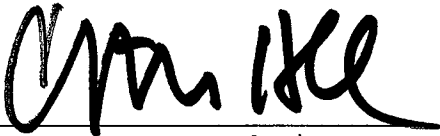
- (1) Inserting an appropriation amount of \$1; and
- (2) Requiring the Judiciary to:
 - (A) Submit to the Senate Committee on Ways and Means, a plan of implementation of the temporary Hawaii Veterans Treatment Court that shall include information on anticipated costs of operation and additional personnel and additional staffing that may be required of the county prosecuting attorneys and the State Public Defender to staff the new court in time for the anticipated costs to be included in the Judiciary's budget for the supplemental appropriation budget bill; and
 - (B) Enlist the assistance of the City and County of Honolulu Prosecuting Attorney and State Public Defender in formulating the plan of implementation.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2798, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B.



No. 2798, H.D. 3, S.D. 1, and be referred to the Committee on Ways and Means.

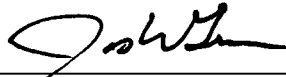
Respectfully submitted on behalf of the members of the Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor and Health,



CLAYTON HEE, Chair



WILL ESPERO, Chair




JOSH GREEN, M.D., Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* HB 2798, HD3	Committee Referral: PGM/JDL/HTH, WAM	Date: 3-21-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne	✓			
SHIMABUKURO, Maile	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	7	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes