



The Judiciary, State of Hawai'i

Testimony to the House Committee on Finance

Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Thursday, February 21, 2013, 2:00 p.m.
State Capitol, Conference Room 308

by
Lori Ann Okita
Chief Court Administrator, First Circuit

Bill No. and Title: House Bill No. 196, Relating to Veterans Treatment Court.

Purpose: Appropriates funds for positions to support a veterans treatment court in the first circuit.

Judiciary's Position:

The Judiciary strongly supports House Bill 196, which appropriates funds for positions within the Judiciary, Office of the Public Defender and the Department of the Prosecuting Attorney.

With federal grant monies, the Judiciary along with its stakeholders (Department of Veterans Affairs, Department of the Attorney General, Office of the Public Defender and Department of the Prosecuting Attorney) has worked in collaboration with each other, which resulted in the VTC holding its first hearing on January 4, 2013, and admission of its first clients on January 11, 2013.

In addition to dedicated full-time positions for the Office of the Public Defender and the Department of the Prosecuting Attorney, this bill requests funds for a dedicated VTC probation officer within the First Circuit. Federal grant monies awarded currently only provide for the funding of a VTC Coordinator (Coordinator), which is necessary to coordinate VTC program activities and treatment services for its clients. Currently, the Coordinator works with multiple probation officers to coordinate services and treatment for its clients. As caseload is expected to increase, a dedicated probation officer would allow the VTC to better serve its clients in such



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activities as attending court/team meetings, tracking client progress and providing the intensive supervision that is an important element of treatment courts. Without this position this role of oversight, court attendance and tracking as well as working with multiple probation officers to coordinate client supervision and activities will fall to the Coordinator, which will reduce the Coordinator's effectiveness in overall VTC program management and may affect the VTC's ability to meet its objectives in helping its clients achieve success in this court as well as possible growth and expansion of the VTC.

The Judiciary also recognizes that the VTC, with its weekly team meetings and hearings and more intensive client oversight, places additional need for resources from both the Office of the Public Defender and the Office of the Prosecuting Attorney. Therefore, this bill also requests funding to address their resource needs relative to their specific agencies.

Thank you for the opportunity to testify on HB 196.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 196 (HSCR291)
RELATING TO VETERANS TREATMENT COURT

PRESENTED TO THE

COMMITTEE ON FINANCE

BY

MR. RONALD P. HAN
DIRECTOR OF THE STATE OFFICE OF VETERANS SERVICES

February 21, 2013

Good afternoon Chair Luke, Vice Chairs Nishimoto & Johanson and Committee members:

I'm Ron Han, Director of the State Office of Veterans Services (OVS). I appreciate this opportunity to support the concepts in House Bill 196 (HSCR291). This measure would provide for the establishment of a temporary Veterans Treatment Court in Hawaii to include treating veterans that have been determined by VA as eligible for benefits. As noted, there are over 100 Veterans Treatment Courts and growing nation-wide. States which have instituted these programs have very low recidivism rates, have garnered successes in dealing with veterans for various issues, have established viable monitoring links towards rehabilitation, and have reduced the number of incarcerated veterans, thereby reducing our overall prison population.

We defer to the agency with direct responsibility for implementation of the Veterans' Treatment Court program.

The OVS supports the concepts and intent expressed in this measure as long as its implementation does not use State funds to establish the temporary court and does not impact or replace, the priorities set forth in the Executive Biennium Budget for Fiscal Biennium 2013-2015.

Thank you for this opportunity to speak on behalf of Hawaii's Veterans and their families.

Honorable Members of the Finance Committee:

I am writing in strong support of the funding of the Veterans Treatment Court. I have so testified on several occasions since discussion of the Court was first proposed over two years ago.

As of approximately one year ago, there were over 100 Veterans Treatment Courts in operation nationwide. The positive impact and success rate of such courts have been striking, with recidivism rates far below that of other special courts and of courts in general.

Each Veterans Treatment Court represents a collaboration between the local Judiciary and the Department of Veterans Affairs. However, the support for this Court given by the VA – Pacific Islands Health Care System (VA-PIHCS) is unique nationwide. One of the critical elements of the Court is the establishment of a mentorship program, which is developed established and run by a mentor coordinator. In every other jurisdiction the mentor coordinator is a volunteer. Here in Hawaii the VA-PIHCS has made this a permanent, salaried position at a relatively senior grade; this is indicative of the importance placed upon this position and the Veterans Treatment Court itself. This commitment is in addition to the provision of clinical services that characterizes all Veterans Treatment Courts.

The VA-PIHCS has been involved in the earliest planning for this Court, continues to feel it is an extremely important and impactful program and will continue its strong support of the Court.

Thank you for having given me the opportunity to present this testimony.

Kenneth A. Hirsch, MD, PhD
Acting Associate Chief of Staff for Mental Health
VA – Pacific Islands Health Care System
459 Patterson Road
Honolulu, HI 96819

To whom it may concern:

February 7, 2013

My name is Martin Coleman, a veteran of the U.S. Army, a former homeless veteran, and a former incarcerated veteran. I am writing to you in support of House Bill #196. I am a functioning member of society today, and an asset I believe, but only by the compassion and thoughts for my best interest that others had placed on me. One organization that placed an interest in my life the judicial system here in Hawaii. I was looking at spending "years" incarcerated, however there was a PD that noticed an error in the charges against me and the case was tossed out. I believe justice was served, the punishment fit the crime. And that is what I am supporting, House Bill 196, which is basically about taking care of the same people that protects our freedom, and our way of life. It's a great idea to have a veterans court, that has been proven, but the idea will not go far if we don't have able bodies to make sure it is run properly and effectively. I am not asking for preferential treatment for our veterans, only that the punishment fits the crime. We need staff that is familiar with the lives that our courts will have an impact on. We need staff members that are aware of the effects that PTSD may have on individuals.

This is a very important measure that has been addressed, undressed and re-addressed. It has been talked about at length, the pros and cons weighed, now it needs to be put into action. Please place yourself in that veterans boots when they were trained to sleep with one eye open to protect themselves, trained not to trust anyone, be suspicious of every vehicle that approaches you. How do you just shut that training off when you re-join society? The answer is, you don't. We ALL need to help with this transition. Not asking for special treatment, just justice. Does the punishment fit the crime?

I thank you for your time and consideration,

Sincerely yours,

Martin J. Coleman

"a concerned member of society"

Testimony to the House Committee on Finance

Thursday, February 21, 2013

1:30 PM

Conference Room 308

RE: HOUSE BILL NO. 196, RELATING TO VETERANS TREATMENT COURT

Chair Luke, Vice Chairs Nishimoto and Johanson, and members of the committee.

My name is Charles Ota and I am the Vice President for Military Affairs at The Chamber of Commerce of Hawaii (The Chamber). I am here to state The Chamber's *support* of House Bill No. 196, Relating to Veterans Treatment Court.

The measure requests that funds be appropriated for positions to support a veterans' treatment court (VTC) in the first circuit.

The judiciary has recognized the proven effectiveness of the veteran's treatment court system, as initiated by the court system in Buffalo, New York in 2008. The idea has been adopted by many of the states, especially in those such as Hawaii that have a high concentration of military veterans. The idea of utilizing volunteer veterans has been proven to be a most effective way to treat veterans in need of counseling and support.

The VTC system has been established in Hawaii and is currently in the process of phasing in operations. This measure will provide the funding identified by the First Circuit Court as being essential to completing the required steps to become fully operational.

In light of the above, we recommend the measure be approved.

Thank you for the opportunity to testify.



Hawaii Chapter, MOAA
P.O. Box 1185
Kailua, Hawaii 96734-1185

**Testimony of
Thomas Smyth
Military Officers Association of America, Hawaii Chapter
Before the
Committee on Finance**

Thursday, February 21, 2013, 1:30 pm, Room 308

HB 196 Relating to Veterans Treatment Court

Chair Luke, Vice Chairs Nishimoto and Johanson and Committee Members

Our chapter of 500 retired and currently serving officers of the Uniformed Services strongly supports HB 196, which appropriates funds for the Veterans Treatment Court. We particularly support additional staffing so this court can handle a growing number of cases.

Now more than five years after the first such municipal court was created in Buffalo, NY, there are nearly 200 cities, counties and states following that pattern, with more in planning stages. The reported results show great success in high graduation rates and far lower recidivism. These courts work, and with Hawaii's statewide judicial system, it will be even more equitable here. To our knowledge there have been no legal challenges to this type of specialty court and none are expected here. Many of those entering this type of court are already in our judicial system.

This proven method of handling the growing number of military veterans, often with significant mental conditions, provides for counseling, specific probationary aspects and importantly, peer mentoring. The result has been a decrease in repeat offenses and often a reduction in jury trials. This allows the judicial system and its related agencies, such as prosecutors and public defenders, to focus on more serious offenses and.

Thank you for the opportunity to provide testimony.

The Uniformed Service Member's Voice in Government
NATIONAL ASSOCIATION FOR UNIFORMED SERVICES
Hawaii Chapter (HI-1)

February 19, 2013

TESTIMONY IN SUPPORT OF HOUSE BILL 196
RELATING TO VETERANS TREATMENT COURT

.HOUSE COMMITTEE ON FINANCE

HEARING ON THURSDAY, FEBRUARY 21ST AT 1:30PM,
IN CONFERENCE ROOM 308

Aloha Chair LUKE and Vice Chair Nishimoto: Thank you for this opportunity to provide testimony in support of House Bill 196. The National Association for Uniformed Services (NAUS) is honored to be recognized as “The Service Member’s Voice in Government.” Here, in the great State of Hawaii, NAUS Hawaii Chapter (HI-1) serves at the pleasure of our nation’s largest per-capita uniformed service community.

NAUS Hawaii Chapter (HI-1) is extremely grateful for your efforts to appropriate funds to support the veterans treatment court, which is intended and to recognize the unique needs of veterans entering the criminal justice system with mental illness and substance abuse issues arising from their service to our country.

Providing this early intervention legislative protection in state law is much appreciated by our selfless emotionally wounded Veterans, and military/guard personnel and their family members and loved ones.

NAUS Hawaii Chapter (HI-1) respectfully urges your committee to consider passing House Bill 196 as written.

At your service,

D Egge

Dennis Egge; Chapter President



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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 3:16 PM
To: FINTestimony
Cc: ckgte@gmail.com
Subject: *Submitted testimony for HB196 on Feb 21, 2013 13:30PM*

HB196

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Kimbrough	Individual	Support	No

Comments:

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 3:31 PM
To: FINTestimony
Cc: alexander.t.eteuati@gmail.com
Subject: Submitted testimony for HB196 on Feb 21, 2013 13:30PM

HB196

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
alexander.t.eteuati	Individual	Support	No

Comments: As a Combat Veteran I know the sacrifice personally in regards to returning to a country that wishes you either died a hero's death in combat or revert to the pre-combat existence unchanged by the experiences. While this is an extreme situation this is how a lot of returning veterans feel about the civilians as a whole. Due to this it is not uncommon for a veteran to come afoul of the law. This Court and the support it needs allows those who selflessly served this country to get the help they need and to not feel as if they are the forgotten step children of America. I ask that you support this bill and fund these positions to help veterans.

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 9:51 AM
To: FINTestimony
Cc: erinann815@aol.com
Subject: *Submitted testimony for HB196 on Feb 21, 2013 13:30PM*

HB196

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
erin	Individual	Support	No

Comments:

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