



The Judiciary, State of Hawai'i

Testimony to the House Committee on Judiciary

Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair

Friday, February 8, 2013, 2:00 p.m.
State Capitol, Conference Room 325

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) have 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 activities as attending court/team meetings, tracking client progress and providing the intensive



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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.

**Testimony of the Office of the Public Defender, State of Hawaii,
to the House Committee on Judiciary**

February 8, 2013

H.B. No. 196: RELATING TO VETERANS TREATMENT COURT

Chair Rhoads and Members of the Committee:

We support H.B. No. 196 which would appropriate funds to support the veterans treatment court in the First Circuit. As a result of the United States' involvement in two wars over the past decade, a new group of veterans is returning home and many are facing problems adjusting to civilian life. Many are suffering from post-traumatic stress disorder, depression, substance abuse and various other mental health conditions. Due to these conditions, some veterans have found themselves in the criminal court system.

The first veterans court was established in Buffalo, New York in 2008. The court was designed to recognize the unique needs of veterans and to assist them in getting through the justice system while meeting their individual needs and maintaining their dignity. In essence, veterans court provides assistance to veterans in their times of need in recognition of their service to our country.

The Office of the Public Defender is proud to participate in this very worthy project. However, our office, like many other government offices, is stretched to the limit in handling its many obligations. Therefore, H.B. No. 196, in Section 3, requests funding for a deputy public defender position to support the veterans treatment court. This attorney will provide legal advice to the participants in the court. The deputy public defender will be in charge of screening applicants, tracking those who are accepted into the program, preparing petitions for admission and other accompanying legal documents, making all court appearances with participants, advising participants on legal matters, attending veteran's treatment court team meetings, and representing participants during the levying of sanctions. Without this additional position, it will be impossible for the Office of the Public Defender to provide support to the veterans court without taking away from other current caseload obligations that it has.

Thank for the opportunity to comment on this measure.



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 Judiciary**

Friday, February 8, 2013, 2:00 pm, Room 325

HB 196 Relating to Veterans Treatment Court

Chair Rhoads, Vice Chair Har 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.



Vietnam Veterans Post 10583 of the Veterans of Foreign Wars

PO Box 94-1020 Puana Street, Waipahu Hawaii 96797-4303

January 8, 2013

Testimony of Rene A. Berthiaume, USMC, Commander VFW Post 10583, Vietnam Veterans' Post

House Committee on Judiciary

Chair Rhodes & Committee Members

Thank you for the opportunity to testify in **support** of HB196 relating to the Veterans Treatment Court.

We are in support of the Veterans Treatment Court (VTC) in Hawaii and it's objectives of working with our veterans who have had problems readjusting to civilian life after serving their country. There are now well over a 100 Vet Courts throughout the country. These courts have been very successful in turning around the lives of many of our veterans as an alternative to entering our prison system. This program can help the eligible veteran return to being a productive member of our community as well as providing relief to over-crowded prison system and would be an overall benefit for our community. The Federal Department of Veterans Affairs has been very supportive in this effort by committing the Veterans Justice Officer and at least one other staff position to assist and support this effort.

Thank you again for allowing me to testify in support of HB196.

har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 8:00 AM
To: JUDtestimony
Cc: mikepeacock@hawaiiivet2vet.com
Subject: Submitted testimony for HB196 on Feb 8, 2013 14:00PM

HB196

Submitted on: 2/8/2013

Testimony for JUD on Feb 8, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Peacock	Hawaii Vet 2 Vet	Support	No

Comments: This approach or type of court has a positive track record in other parts of our Nation and will be a positive addition to the tools that are available to help restore or place Veterans on a positive life path.

Please note that testimony submitted less than 24 hours prior to the hearing , improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 3:49 PM
To: JUDtestimony
Cc: erin.rutherford@catholiccharitieshawaii.org
Subject: Submitted testimony for HB196 on Feb 8, 2013 14:00PM

HB196

Submitted on: 2/6/2013

Testimony for JUD on Feb 8, 2013 14:00PM in Conference Room 325

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

Comments: I strongly support this bill which will give support to the veteran's treatment court. i currently supervise a homeless veteran's housing program which assists with putting homeless or at-risk veterans into permanent housing. i strongly wish to create a working relationship with the veteran's treatment court so that i can collaborate with them in taking the incarcerated veterans and getting them into permanent housing, while the treatment court addresses other needs that the veteran may have. this treatment court is a wonderful initiative to give veterans an alternative to incarceration and a second chance at stabilizing their life and being successful. i truly hope that you pass this bill and grant funding to the veteran's treatment court, as this is something that will allow us to help serve the people that truly served their country.

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har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 08, 2013 7:21 AM
To: JUDtestimony
Cc: pikotherapy@gmail.com
Subject: *Submitted testimony for HB196 on Feb 8, 2013 14:00PM*

HB196

Submitted on: 2/8/2013

Testimony for JUD on Feb 8, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Karla Silva	Individual	Support	No

Comments:

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