

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2569  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred S.B. No. 2569 entitled:

"A BILL FOR AN ACT RELATING TO THE COMMUNITY COURT OUTREACH PROJECT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a community court outreach project until June 30, 2020, in the City and County of Honolulu under the Judiciary to operate a mobile court that travels to community sites where defendants cited or arrested for nonviolent offenses live or congregate and dispose of these cases after plea agreements are reached by the City and County of Honolulu Prosecutor and Public Defender;
- (2) Require the Chief Justice to determine whether funds are sufficient to administer and operate the community court outreach program and enter into memoranda of agreements with the City and County of Honolulu Prosecutor and Public Defender;
- (3) Require the Chief Justice to submit annual reports to the Legislature and Governor regarding the program measures and outcomes, and any comments and recommendations; and



- (4) Appropriate funds to the Judiciary for the establishment, administration, and operation of the community court outreach project; and require the Chief Justice to transfer specific amounts to the City and County of Honolulu Prosecutor and Public Defender for project participation.

Your Committees received testimony in support of this measure from the Judiciary; Governor's Coordinator on Homelessness under the Office of the Governor; Public Defender; and Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committees find that hundreds of Honolulu residents are cited or arrested for nonviolent offenses that do not pose a threat to the public. Once these minor, nonviolent offenders are brought into court, the sentences imposed are often monetary fines because these offenses are not serious enough to warrant incarceration. However, most of the offenders who are fined are unable to pay the fines and remain in the system without a meaningful resolution that will prevent recurrence of the offenses or provide rehabilitative services. By establishing a community court outreach project within the City and County of Honolulu, this measure presents a combination of accountability and treatment options to offenders to reduce crime and recidivism.

Your Committees have amended this measure by:

- (1) Adopting the language suggested by the Judiciary that clarifies that the offenses covered under the community court outreach project are cases involving nonviolent, nonfelony offenses, rather than nonviolent offenses identified by the Chief Justice;
- (2) Deleting the appropriation amount to the Judiciary to administer the community court outreach project and the amounts to be transferred to the City and County of Honolulu Prosecutor and Public Defender for project participation;
- (3) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



Your Committees note that an appropriation of \$612,610 in general revenues is necessary for fiscal year 2016-2017 for the Judiciary to establish, administer, and operate the community court outreach project. Your Committees further note that of the total appropriation amount, \$170,000 is necessary for the City and County of Honolulu Prosecutor and \$200,000 is necessary for the Public Defender for program participation.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2569, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2569, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Labor and Ways and Means,



JILL N. TOKUDA, Chair



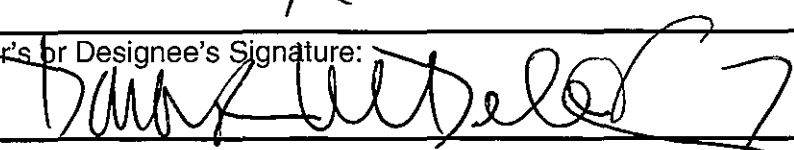
GILBERT S.C. KEITH-AGARAN, Chair





The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 2569</b>	Committee Referral: <b>SDL/WAM</b>	Date: <b>3/1/16</b>		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
RIVIERE, Gil	/			
TANIGUCHI, Brian T.				/
WAKAI, Glenn	/			/
SLOM, Sam	/			/
<b>TOTAL</b>	<b>8</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes