

HB 1005 HD 1

MAKING AN APPROPRIATION FOR THE VETERANS TREATMENT COURT

Appropriates funds to the judiciary and the prosecuting attorney of the city and county of Honolulu to support the Veterans Treatment Court

PSM/JDL, WAM



The Judiciary, State of Hawai'i

**Testimony to the Senate Committee on Public Safety,
Intergovernmental and Military Affairs**
Senator Will Espero, Chair
Senator Rosalyn Baker, Vice Chair

and

The Senate Committee on Judiciary and Labor
Senator Gilbert S. C. Keith-Agaran, Chair
Senator Maile S. L. Shimabukuro, Vice Chair

Wednesday, March 18, 2015, 9:30 AM
State Capitol, Conference Room 016

by
Sidney Nakamoto
Adult Client Service Branch Administrator
First Circuit

Bill No. and Title: House Bill No. 1005, House Draft 1 Making an Appropriation for the Veterans Treatment Court

Purpose: Appropriates funds to the judiciary and the prosecuting attorney to support the Veterans Treatment Court. (HD1)

Judiciary's Position:

The Judiciary supports the intent of House Bill No. 1005, House Draft 1, and respectfully offers comments regarding only the proposed appropriation to the Judiciary for the Veterans Treatment Court (VTC).

House Bill No. 1005, House Draft 1 proposes an unspecified appropriation to support the Veterans Treatment Court (VTC). In this year's Judiciary's biennium budget request, House Bill 290, House Draft 1, we have requested \$91,437 in FY 2016 and \$106,116 in FY 2017 to fund two Social Worker positions and equipment for its Veterans Treatment Court in the First Circuit.



House Bill No. 1005, House Draft 1 Making an Appropriation for the Veterans Treatment Court

Senate Committee on Public Safety, Intergovernmental & Military Affairs

Senate Committee on Judiciary & Labor

Wednesday, March 18, 2015 9:30 AM

Page 2

The Judiciary respectfully requests that our current budget request serve as the primary vehicle to move this important program forward.

The VTC was established in part as a result of House Concurrent Resolution (HCR) 278 HD 1, SLH 2010. HCR 278 requested that the Judiciary explore the development of a VTC. The VTC began in 2011 with a three year grant from the Federal Government to serve those individuals from any branch of the military reserves. Subsequently, in the 2012 session, the Legislature authorized a Coordinator position, but did not fund it due to budget constraints at that time. The federal grant that currently funds the VTC's Coordinator position will terminate on September 30, 2015, therefore, it is crucial to the continuation of the VTC that this authorized Coordinator position receives permanent funding of \$40,959 in FY 2016 and \$56,202 in FY 2017. Funding and a position count for a permanent Probation Officer position are also requested so as to expand services and allow the court to enroll more felons and eventually those individuals convicted of misdemeanor crimes. The cost to fund the Probation Officer position, which includes equipment and software, is \$50,478 for FY 2016 and \$49,914 for FY 2017.

The VTC currently has 14 active clients and three being considered for admission. Providing permanent funding for the Coordinator and Probation Officer positions will allow for an increase to the number of veterans admitted to the program, improve public safety, and reduce recidivism and crime.

Thank you for the opportunity to testify on House Bill No. 1005, House Draft 1.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1005 HD1
A BILL RELATING TO MAKING AN APPROPRIATION
FOR THE VETERANS TREATMENT COURT

PRESENTATION TO
THE SENATE COMMITTEES ON PUBLIC SAFETY,
INTERGOVERNMENTAL AND MILITARY AFFAIRS,
AND
JUDICIARY AND LABOR

BY
BRIGADIER GENERAL ARTHUR J. LOGAN
ADJUTANT GENERAL
AND DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
March 18, 2015

Chair Espero, Chair Keith-Agaran, Vice Chair Baker, Vice Chair Shimabukuro and Members of the Senate Committees on Public Safety, Intergovernmental, and Military Affairs; and Judiciary and Labor:

I am Brigadier General Arthur J. Logan, State Adjutant General and the Director of the Hawaii Emergency Management Agency. I am testifying in **SUPPORT** of House Bill 1005 HD1.

The Veterans Treatment Court serves veterans who experience difficulties acclimating back into society after military service. Veterans who qualify must have cases in the Circuit Courts with misdemeanor or felony charges relating to mental health issues, including post-traumatic stress disorder, and substance abuse.

The Veterans Treatment Court emphasizes discipline and structure to support veterans through the process of recovery. The program includes mandatory attendance at treatment sessions and frequent and random testing for substance use. The court helps these veterans find housing and get job training. Veterans in the program are closely supervised and make regular court appearances to update their treatment.

The court pairs each veteran with a volunteer mentor – a fellow veteran from the same military branch. These mentors have an understanding of the difficulties these men and women face and help them through the recovery process.

If the veteran violates the terms of the program, then he or she is subject to immediate consequences and jail time to ensure accountability.

The Veterans Treatment Court has been a success since it began in 2013. The program's continuing success warrants funding to serve more veterans who deserve an opportunity to fully integrate back into society.

Thank you for allowing me to testify in **SUPPORT** of House Bill 1005 HD1.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1005 HD1
MAKING AN APPROPRIATION FOR THE VETERANS TREATMENT COURT

PRESENTED TO THE

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS

AND

COMMITTEE ON JUDICIARY AND LABOR

BY

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

March 18, 2015

Aloha Chairs Espero and Keith-Agaran, Vice Chairs Baker and Shimabukuro and respective Committee Members:

I'm Ron Han, Director of the State Office of Veterans Services (OVS). I appreciate this opportunity to support House Bill 1005 HD1. This measure would appropriate funds to the judiciary and the prosecuting attorney of the City and County of Honolulu to support the Veterans Treatment Court in Hawaii.

The Veterans Treatment Court (VTC) under the leadership of First Circuit Court Judge Ed Kubo treated 12 defendants in its first year of operation. The need to fully fund full-time employment authorizations is paramount as more attorneys submit applications for their clients to participate in the program.

This program has a very low recidivism rate, has garnered successes in dealing with veterans for various issues, and has established viable monitoring links towards rehabilitation. Over 100 VTC's across the nation have experienced a reduced number of repeat offenders, 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 impact or replace the priorities set forth in the Executive Budget.

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

Marlene Uesugi

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 14, 2015 11:40 AM
To: PSMTestimony
Cc: mjgolo@email.phoenix.edu
Subject: Submitted testimony for HB1005 on Mar 18, 2015 09:30AM

HB1005

Submitted on: 3/14/2015

Testimony for PSM/JDL on Mar 18, 2015 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Veterans Advisory Board	Support	No

Comments: The Advisory Board to the Office of Veterans Services strongly supports HB1005.

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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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 17, 2015 8:23 AM
To: PSMTestimony
Cc: tnakamatsu@honolulu.gov
Subject: Submitted testimony for HB1005 on Mar 18, 2015 09:30AM
Attachments: HB1005,HD1 150318 PSM-JDL veterans.court.doc

HB1005

Submitted on: 3/17/2015

Testimony for PSM/JDL on Mar 18, 2015 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Tricia Nakamatsu	Dept of the Prosecuting Atty, C&C of Honolulu	Support	Yes

Comments:

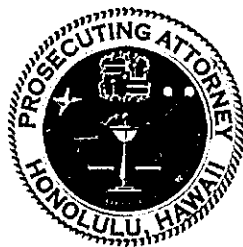
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DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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KEITH M. KANESHIRO
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ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE WILL ESPERO, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR**

**Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawai'i**

March 18, 2015

**RE: HB. 1005, H.D. 1; MAKING AN APPROPRIATION FOR THE VETERANS
TREATMENT COURT.**

Chair Espero, Chair Keith-Agaran, Vice Chair Baker, Vice Chair Shimabukuro, members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs, and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of H.B. 1005, H.D. 1.

The purpose of House Bill 1005, H.D. 1, is to provide adequate funding for Veterans Court, including dedicated funding of \$65,000 for the Department of the Prosecuting Attorney of the City and County of Honolulu to provide services for the program. This funding is necessary to allow our Department to assign a deputy prosecuting attorney to Veterans Court cases and court appearances--a deputy who could otherwise be handling a 'regular' caseload and 'regular' courtroom, to spread out the caseload for our other deputies--and also requires a significant amount of work-hours from our support staff. To date, no additional funding has been provided for this added responsibility, from any source, and this has presented a significant hardship for our Department.

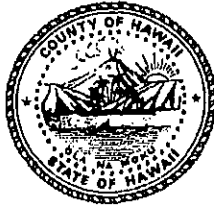
We kindly request a technical amendment on p. 1, lines 14-15 to read: "The sum appropriated shall be expended by the department of the prosecuting attorney of the city and county of Honolulu for the purposes of this Act."

Since the Judiciary first implemented Veterans Court in 2013, our Department has done its best to actively participate in this specialty court, in a concerted effort to provide veterans

with the care they need, while also addressing their offenses and minimizing recidivism. However, in order to sustain our Department's participation in Veterans Court, and for all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu respectfully asks that House Bill 1005, H.D. 1, be passed with an appropriation of \$65,000 and our suggested technical amendment, to maintain its ongoing participation in Veterans Court. Thank you for the opportunity to testify on this matter.

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 1005, HD1

A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE
VETERANS TREATMENT COURT

COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL AND MILITARY AFFIARS

Sen. Will Espero, Chair
Sen. Rosalyn H. Baker, Vice Chair

COMMITTEE ON JUDICIARY AND LABOR

Sen. Gilbert S.C. Keith-Agaran, Chair
Sen. Maile S.L. Shimabukuro, Vice Chair

Wednesday, March 18, 2015, 9:30 a.m.
State Capitol, Conference Room 016

Honorable Chairs Espero and Keith-Agaran, Vice-Chairs Baker and Shimabukuro, and Members of the Committee on Public Safety, Intergovernmental and Military Affairs, and the Committee on Judiciary and Labor, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony **and comments** in support of House Bill No. 1005, HD1.

Although this measure appropriates funds to the Judiciary and the Prosecuting Attorney of the City and County of Honolulu to support the Veterans Treatment Court, it does not currently provide dedicated funding for this Office's participation, nor does it require that this Office be afforded sufficient funding to maintain our ongoing participation. If the Committees are inclined to pass this measure, we respectfully ask that it be amended to specifically provide funding for our Office's involvement in Veterans Court.

Our office actively participates in this specialty court, in a concerted effort to provide veterans with the care they need, while also addressing their offenses and minimizing recidivism. However, this requires us to assign a deputy prosecuting attorney to those Veterans Court cases and court appearances -- a deputy who could otherwise be handling a 'regular' caseload and 'regular' courtroom, to spread out the caseload for our other deputies--and also requires a significant amount of work-hours from our support staff. To date, no additional funding has been provided for this added responsibility, from any source, and this can present a significant hardship for our Office.

In order to maintain our Office's ongoing participation in Veterans Court, and for all of the foregoing reasons, the Hawai'i County Office of the Prosecuting Attorney respectfully asks that House Bill 1005, HD1 be amended to provide funding for our Office, to sustain its ongoing participation in Veterans Court. Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mitchell D. Roth', written in a cursive style.

Mitchell D. Roth
Prosecuting Attorney
County of Hawai'i

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 14, 2015 12:53 AM
To: PSMTestimony
Cc: lawrence.enomoto@gmail.com
Subject: Submitted testimony for HB1005 on Mar 18, 2015 09:30AM
Attachments: JDL.pdf

HB1005

Submitted on: 3/14/2015

Testimony for PSM/JDL on Mar 18, 2015 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence Enomoto	VFW Hawaii State Legislative Liaison	Support	No

Comments:

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Headquarters: Department of State of Hawaii
438 Hobron Lane, Suite 407
Honolulu, Hawaii 96815

March 13, 2015

**Testimony in Support of HOUSE BILL 1005, HD1
Relating to making an Appropriation for the Veterans Treatment Court Before the
Senate Committee on Public Safety, Intergovernmental and Military Affairs, and the
Senate Committee on Judiciary and Labor
Hearing On Wednesday, March 18, 2015, 9:30 A.M.
In Conference Room 016**

Sen. Espero, Sen. Baker, Sen. Keith-Agaran, Sen. Shimabukuro and Committee Members,

The Department of Hawaii, Veterans of Foreign Wars of the United States (VFW) represents 3,800 members in 20 Posts located throughout the State of Hawaii. VFW is a federally chartered national association of soldiers, sailors, marines and airmen who have served the United States of America in wars, campaigns, and expeditions on foreign soil or in hostile waters.

H.B. 1005, HD1 Appropriates funds to the judiciary and the prosecuting attorney of the city and county of Honolulu to support the Veterans Treatment Court. (HD1)

VFW Hawaii concurs with the findings of the House Committee on Veterans, Military, & International Affairs, & Culture and the Arts: “that the Veterans Treatment Court is a successful program that has helped many veterans in Hawaii who have faced difficulties reintegrating with society following military service. Specifically, the program pairs veterans with a mentor who can help the veteran recover from difficult issues such as substance abuse or post-traumatic stress disorder.”

As one of those volunteer veteran mentors, I would urge your committees to appropriate sufficient funds to ensure that veterans who have been admitted into the Veterans Treatment Court program will be able to graduate after successful completion of the four-phase, 18- to 24-month long program of recovery. The first graduates of this Veterans Treatment Court program will be recognized on April 17, 2015.

VFW Hawaii members would appreciate your favorable consideration of this bill because it would give those veterans who have become involved with justice system the assurance that the Veterans Treatment Court will continue to track their progress toward full recovery and graduation.

Thank you for this opportunity to testify in support of H.B 1005, HD1.

Lawrence M.G. Enomoto

Lawrence M.G. Enomoto
VFW Hawaii State Legislative Liaison



HAWAII SUBSTANCE ABUSE COALITION

HB1005 HD1 MAKING AN APPROPRIATION FOR THE VETERANS TREATMENT COURT

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS:

Senator Will Espero, Chair; Senator Baker Vice Chair

COMMITTEE ON JUDICIARY AND LABOR: Senator Gilbert Keith-Agaran, Chair; Senator Maile Shimabukuro Vice Chair

- Tuesday, February 10, 2015 at 9:00 a.m.
- Conference Room 229

HSAC Supports HB1005 HD1:

Good Morning Chair Espero; Chair Keith-Agaran; Vice Chair Baker; Vice Chair Shimabukuro And Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than thirty treatment and prevention agencies across the State.

The Hawaii Substance Abuse Coalition supports the Veterans Treatment Court and makes the following recommendations.

The operations in Iraq and Afghanistan continue to strain returning veterans, and their families. Some have experienced combat exposure, and physical injuries, as well as post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI).

RECOMMENDATIONS

- The biggest need is to improve screening and access to care for alcohol-related problems among service members returning from combat deployments.
- Veteran Drug Courts biggest contribution, according to research, is to provide the opportunity for veterans to access treatment services.

Substance abuse is less common, but still a key concern.

- Illicit drug use is declining.
- Prescription drug abuse is increasing, doubling from 2002 to 2005 and almost tripling between 2005 and 2008.
- Alcohol abuse is the most prevalent problem and one which poses a significant health risk. 27% meet criteria for alcohol abuse and were at increased risk for related harmful behaviors (e.g., drinking and driving, using illicit drugs).
- Despite alcohol is a major concern among soldiers few are referred to alcohol treatment.

Alcohol is the biggest problem followed by prescription drug abuse for veterans but despite the major concern, few soldiers are referred to alcohol treatment.

- The Millennium Cohort Study—the largest prospective study in military history occurring from 2001 to 2022—suggests that especially deployed younger service members are at increased risk of heavy weekly drinking, binge drinking, and other alcohol-related problems.

Mental illness among military personnel is also a major concern.

- Studies indicate that 20% of active and 42% of reserve component soldiers require mental health treatment.
- Drug or alcohol use frequently accompanies mental health problems and was involved in 30% of the Army’s suicide deaths from 2003 to 2009 and in more than 45% of non-fatal suicide attempts from 2005 to 2009.

Drug courts have demonstrated effectiveness in addressing nonviolent crimes committed by drug abusers, ushering them into needed treatment instead of prison.

- Because the criminal justice system is a frequent treatment referral source for veterans, specialized drug courts for this population may give them the opportunity to access services and support they may not otherwise receive.
- Since New York pioneered the concept of a veteran drug court, it has spread so rapidly that by 2011 there were 65 courts in 20 states.

Research indicates that the focus is towards therapies for veterans who have multiple issues such as depression and substance abuse as well as early intervention for recently returning soldiers.

Advancing the Research

Federal funds are being expended to research the epidemiology/etiology, identification, prevention, and treatment of alcohol, tobacco, and other drug use and abuse, including illicit and prescription drugs, and associated mental health problems among active-duty or recently separated military troops and their families:

- Therapies for co-occurring disorders, such as depression and substance abuse;
- Effectiveness of early interventions for recently returning soldiers;
- Practices to reduce the high rates of smoking among returning military personnel; and
- Impact of a youth substance abuse prevention intervention designed for parents returning from deployment.

Veteran Drug Courts, if employed effectively, can contribute to the design and implementation of effective prevention and treatment interventions that can help safeguard the health and well-being of those who protect and serve our Nation.

We appreciate the opportunity to testify and are available for questions.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 15, 2015 12:13 PM
To: PSMTestimony
Cc: cazzbear@prodigy.net
Subject: Submitted testimony for HB1005 on Mar 18, 2015 09:30AM
Attachments: TESTIMONY HD 1005 HD1 Senate.doc

HB1005

Submitted on: 3/15/2015

Testimony for PSM/JDL on Mar 18, 2015 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Caz Ross	Individual	Support	No

Comments:

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TESTIMONY ON HOUSE BILL 1005, HD1
MAKING AN APPROPRIATION FOR THE VETERANS TREATMENT COURT

PRESENTED TO THE

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS

BY

Carswell J. Ross, Jr. M.A. Chief Master Sergeant USAF, Ret.
Wednesday, March 18, 2015

Chair Will Espero, Vice Rosalyn Baker and Committee members:

I Carswell Ross, retiree of the State Office of Veterans Services and the Air Force appreciate this opportunity **to support** House Bill 1005, HD1. This measure would appropriate funds to the judiciary and the prosecuting attorney of the City and County of Honolulu to support the Veterans Treatment Court in Hawaii.

I have personally witnessed the success of the Veterans Treatment Court (VTC) under the leadership of First Circuit Court Judge Ed Kubo. I saw individuals without hope respond positively when they were reminded that they had served in the military of the United States and what values had supported that choice. We should fully fund full-time employment authorizations as attorneys submit application for their clients to participate in the program.

This program has very low recidivism rates, has garnered successes in dealing with veterans for various issues, and has established viable monitoring links towards rehabilitation. Over 100 VTC's across the nation have experienced a reduced number of repeat offenders, thereby reducing our overall prison population.

Thank you for this opportunity to support work of the Veterans Treatment Court.