

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

March 14, 2017

S.B. No. 718, SD1 RELATING TO COMMUNITY COURT OUTREACH
PROJECT

Chair Nishimoto and Members of the Committee:

We strongly support S.B. No. 718, SD1, which would establish a community court outreach project in the city and county of Honolulu. Honolulu's homeless situation is well documented and has been highly publicized. Accompanying the explosion in the homeless population has been a tremendous increase in criminal offenses which target homeless persons. The courts have seen a major increase in offenses such as trespassing, littering, sitting or lying on public sidewalks, urinating or defecating in public, unlawful camping and liquor in public places.

The increase in these offenses has impacted the court system and the prosecuting attorneys and public defenders. Many of those cited are not able to come to court or choose not to attend court for fear that they will be incarcerated. These failures become a vicious cycle – persons are cited because they have no place to call home, they are not able to attend court hearings and a bench warrant is issued due to their non-appearance in court. They become more fearful of the system, hide out in parks and feel they are on constant run from the authorities.

Outstanding bench warrants can prevent people from obtaining state identification, renewing drivers' licenses, qualifying for employment and obtaining housing. In other words, the vicious cycle of homelessness is sometimes perpetuated by legal problems arising out of citations which penalize various acts which would not take place but for the very fact that a person is living on the streets.

The Community Court Outreach Project is a collaborative effort by the Honolulu Prosecutor, the Office of the Public Defender and the First Circuit Court to assist non-violent offenders in the community in taking care of their legal problems so that they can "start off with a clean slate" and become productive members of the community once again.

The idea is to take the court into the community via a mobile court to assist needy community members in resolving their legal problems. This would be in lieu of persons having to come to the courthouse which is sometimes impossible because of distance or immobility of the defendant. We are hoping that this outreach effort, in addition to other homeless initiatives which are being implemented by the Legislature, the Governor's homeless coordinator and the

City and County of Honolulu will result in a major alleviation of this very complex issue which currently plagues our state.

Despite not obtaining funding for the Community Court in the 2016 legislature, the collaborators on this project continued their earnest efforts to get the project off the ground using existing resources. As of the date of this hearing, the Honolulu Community Outreach Court has held two court sessions. Eight participants have appeared before the court and about 100 citations and bench warrants have been disposed of in these sessions. The participants have been enthusiastic about the court sessions and seemed to be grateful for the services that were offered to them. Certainly, the potential of the Community Court can be gleaned from these inaugural court sessions.

We strongly support S.B. No. 718, SD1. Thank you for the opportunity to provide testimony in this matter.



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

March 15, 2017

TO: The Honorable Representative Scott Y. Nishimoto, Chair
House Committee on Judiciary

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: SB 718 SD1 – RELATING TO THE COMMUNITY COURT OUTREACH PROJECT

Hearing: Wednesday, March 15, 2017, 2:00 p.m.
Conference Room 325, State Capitol

POSITION: The Governor's Coordinator on Homelessness supports this bill, as it aims to divert homeless individuals from the criminal justice system and connect them to shelter and other social services. The State's strategy to address homelessness includes identifying and connecting with other systems that serve as "touch points" for the homeless, such as the criminal justice system, and aligning outreach and other services as particular entry/exit points (e.g. District Court) to divert individuals to housing. The Coordinator defers to the Judiciary, Department of Prosecuting Attorney, Department of Public Safety, and the Office of the Public Defender regarding appropriations and operational issues.

PURPOSE: The purpose of the bill is to establish a community court outreach project in the City and County of Honolulu, subject to the availability of funds and memoranda of agreements from the Judiciary, Department of the Prosecuting Attorney, and the Office of the Public Defender. The bill also appropriates funds to support a community court outreach project.

The State has adopted a comprehensive framework to address homelessness, which includes a focus on three primary leverage points – affordable housing, health and human services, and public safety. All three of these leverage points must be addressed to continue forward momentum in addressing the complex issue of homelessness.

The community court outreach project addresses the public safety component of the homeless framework. Many homeless individuals with outstanding bench warrants for unpaid criminal citations can be a major barrier to obtaining housing. The community court outreach project will prevent individuals from encountering these barriers by targeting individuals cited or arrested for nonviolent offenses that often result in bench warrants, and connecting these individuals to shelter and other social services. By providing needed services as an alternative to arrest or citation, the community court outreach project will divert individuals from the criminal justice system and create pathways to permanent housing.

Thank you for the opportunity to testify on this bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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**THE HONORABLE SCOTT NISHIMOTO, CHAIR
HOUSE COMMITTEE ON JUDICIARY
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai'i**

March 15, 2017

RE: S.B. 718, S.D. 1; RELATING TO THE COMMUNITY COURT OUTREACH PROJECT.

Chair Nishimoto, Vice Chair San Buenaventura, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of S.B. 718, S.D. 1.

The purpose of this bill is to recognize and address the impact that homelessness has had on our criminal justice system, to the extent that our courts are currently clogged with low-level, non-violent cases, in which the defendants are homeless. To do this, S.B. 718, S.D. 1, would implement a new and innovative means of bringing the courtroom into the community, for certain types of cases, in a collaborative effort between our Department, the Department of the Public Defender, and the Judiciary. Essentially, the Community Court Outreach Project would simultaneously:

- Decrease the backlog of pending, low-level, non-violent cases;
- Allow offenders to clear their pending cases;
- Provide court orders for counseling, treatment, and/or referral to homeless services, on a case-by-case basis;
- Provide consequences through community service instead of incarceration or fines.

The Project would begin with a four-year pilot program on the island of Oahu, with ongoing assessment and potential application for other islands thereafter.

Currently, our courts are seeing a large number of defendants, charged with low-level, non-violent crime, who are not appearing for arraignment or other hearings; this leads to a bench

warrant (for arrest) being issued by the court. If and when the defendant is subsequently arrested, they are either jailed overnight (unable to post bail) and sentenced to credit for time served, or fined, or released on recognizance. If released on recognizance, they may again fail to appear for their next hearing, and another bench warrant will have to be issued. Ultimately, these cases utilize a disproportionate amount of limited resources from all agencies involved, and clog our court calendars, without offering the defendant sufficient rehabilitation to prevent recurring offenses.

Under S.B. 718, S.D. 1, certain designated personnel from our Department, the Department of the Public Defender, and the Judiciary would officially set up a “mobile court” that could be convened in public schools, recreation centers, community health centers, or other community-based locations that are more convenient for selected defendants. Each case and defendant would be specifically reviewed and selected ahead of time, for participation in this program. The types of offenses that could likely be considered are:

- Parking violations (currently a total of 7,163 in our court system)
- Liquor in public place (2,173)
- Smoking violations (1,146)
- Simple trespass (1,312)
- Criminal littering (282)

All participating defendants would be represented by a Deputy Public Defender, and assisted by a social worker/advocate arranged by the Public Defender, both of whom would be present at the “mobile court” location. Appropriate sentences would be determined on a case-by-case basis, and would not include imprisonment, but may include a range of other options, such as court-imposed community service, mental health care and/or substance abuse treatment.

Because our Department, along with the Department of the Public Defender and the Judiciary have long recognized the issues that S.B. 718, S.D. 1 seeks to address, we have already begun exploring the potential for a Community Court Outreach Project on Oahu. After being awarded one of 10 federal grants in 2016—two year grant in the amount of \$200,000 annually—for planning, training and staffing this type of project, our three agencies initiated a test-run of the Community Court Outreach Project on January 26, 2017. Due to restrictions on the grant monies, the test-run was held at the Honolulu District Court at 1111 Alakea Street, Honolulu Hawaii.

For purposes of this “soft launch,” our Department and the Department of the Public Defenders selected four (4) defendants who voluntarily agreed to participate in the project. Between these four (4) defendants, fifty-three (53) different cases were consolidated and resolved through agreed-upon plea agreements that imposed community service work without incarceration. These charges ranged from low-level traffic offenses to minor nuisance cases. In the process, a total of nineteen (19) outstanding bench warrants were also addressed and resolved. Moreover, each defendant was able to speak with various service providers on-site, such as substance abuse or housing. Most importantly, each defendant was given the chance to clean their slate, give back to the community and finally have the chance to regain control of their life and start anew. **On February 23, 2017, court reconvened for the initial four (4) defendants to provide proof of compliance with the conditions of the plea agreement.**

Three (3) of the four (4) defendants had fully completed their community service work while the last defendant has not been allowed to start community service work, as his medical clearance is still pending. Additionally, on February 23, 2017, three (3) new defendants voluntarily agreed to participate and entered into the Community Courts Outreach Project. Between the three (3) defendants, fifty-six (56) cases were consolidated and resolved, while six (6) outstanding bench warrants were also addressed and resolved in court.

The Department is proud to be part of an innovative plan to address these various aspects of homelessness, while also maintaining respect for our criminal justice system and relieving some of the backlog that currently weighs on our court system. Homelessness should not equate to lawlessness.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports the passage of S.B. 718, S.D. 1. Thank you for the opportunity to submit testimony on this matter.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
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Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 718, SENATE DRAFT 1
RELATING TO THE COMMUNITY COURT OUTREACH PROJECT

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Judiciary
Representative Scott Y. Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair

Wednesday, March 15, 2017; 2:00 p.m.
State Capitol, Conference Room 325

Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Public Safety (PSD) **appreciates the intent** of Senate Bill (SB) 718, Senate Draft (SD) 1, which proposes to establish a community court outreach project and require the Judiciary to operate a mobile court that travels to community sites where defendants who have been cited or arrested for nonviolent offenses live or gather. PSD offers the following comments.

PSD appreciates that SB 718, SD 1 proposes a blank appropriation as may be necessary for fiscal year 2017 – 2018 and the same sum or so much thereof as may be necessary for fiscal year 2018 -2019 for PSD to provide security for the community court outreach project. PSD notes that if SB 718, SD 1 envisions two deputy sheriffs specifically assigned to this roving court, which would operate five days a week, then PSD's normal operational plan is to estimate for three (3) deputy sheriffs to assure that both positions are covered in the event of leave by either of the deputies prompted by sick, vacation, comp time, training, or other issues. Three deputy sheriffs for the first fiscal year would cost \$224,135. A patrol vehicle for the

deputy sheriffs to travel to the roving courts would cost \$43,000, for a total cost of \$267,135. Three deputy sheriffs for the second fiscal year would cost \$203,231. The difference in costs from the first to second year is based upon initial equipment issuance (uniforms, gun, badge, etc.) upon graduation from the recruit academy.

If, however, SB 718, SD 1 envisions two deputy sheriffs assigned to this roving court, acknowledging that only one deputy sheriff may be present if the other deputy sheriff is in training or on leave, then the cost for two deputy sheriffs the first year will be \$149,424, plus \$43,000 for the vehicle, for a total cost of \$192,424. The cost for two deputy sheriffs the second year will be \$135,488.

PSD further notes that deputy recruits train for six months prior to graduation from the Law Enforcement Recruit Academy. The next Law Enforcement Recruit Class is anticipated to start in May 2017, with graduation in November 2017. If, as this bill indicates, the alternative proposal is to use existing full time equivalent deputy sheriffs and use the appropriation for two new positions, then PSD would note that the Sheriff Division would anticipate personnel staffing issues and overtime costs, which are yet to be determined.

Thank you for the opportunity to present this testimony.

LATE



The Judiciary, State of Hawai'i

**Testimony to the
House Committee on Judiciary**
Representative Scott Nishimoto, Chair
Representative Joy A. San Buenaventura, Vice Chair

Wednesday, March 15, 2017, 2:00 PM
State Capitol, Conference Room 325

by
Calvin C. Ching
Deputy Chief Court Administrator
District Court of the First Circuit

Bill No. and Title: Senate Bill No. 718, S.D. 1, Relating to the Community Court Outreach Project.

Purpose: Establishes a community court outreach project in the City and County of Honolulu, from July 1, 2017 to June 30, 2020. . Requires, under the project, the Judiciary to operate a mobile court that travels to community sites where defendants cited or arrested for nonviolent offenses live or congregate and disposes of the cases after plea agreements have been reached by the Honolulu prosecuting attorney and public defender. Appropriates general funds. Takes effect on 1/7/2059.

Judiciary's Position:

The Judiciary supports Senate Bill No. 718, S.D. 1.

The district court criminal calendars include numerous cases involving nonviolent offenders, many of whom face multiple life challenges, such as substance abuse, mental health issues and the inability to provide themselves and/or their families with basic needs of food and housing. In an effort to address some of these cases, the community court outreach project ("community outreach court") would allow the Judiciary to collaborate with the Office of the



Senate Bill No. 718, S.D. 1, Relating to the Community Court
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Prosecuting Attorney, the Department of the Public Defender and various community organizations to provide meaningful solutions to the problems facing these nonviolent offenders and to prevent recidivism.

In his State of the Judiciary Address on January 25, 2017, the Chief Justice commended Honolulu Prosecutor Keith Kaneshiro and state Public Defender Jack Tonaki for putting these ideas into action through a program called Community Outreach Courts. The Chief Justice further stated, "The ultimate goal is to send the court and a treatment team out into the community and offer these nonviolent offenders an opportunity to resolve pending cases, obtain needed service and move forward with their lives."

Subsequently, on January 26, 2017, the Judiciary, the Department of the Prosecuting Attorney, the Office of the Public Defender, successfully held the first session of this court in Honolulu District Court. The next step is to mobilize this court into the community.

To implement and ensure the continuous success of this court, the Judiciary can provide: 1) a judge - for the community outreach court; 2) the ability to hold court sessions at locations (other than traditional courthouses) where offenders can more easily access court proceedings without taking time off from work, traveling substantial distances to traditional courtrooms and/or securing necessary child care; and 3) data on the progress of the community outreach court using the Judiciary's Information Management System (JIMS).

The Judiciary will also need the following to manage and staff this mobile community outreach court:

1) one (1) new, full-time program coordinator to plan, develop, implement, and coordinate this court's operations and activities with the Department of the Prosecuting Attorney, the Office of the Public Defender and various community organizations;

2) one (1) new, full-time court clerk position to record and execute the court's orders and dispositions;

3) one (1) new, full-time court bailiff position to manage the court's calendar and court proceeding;

4) one (1) new, full-time social worker assigned to the Judiciary's community service sentencing program to screen and coordinate the multitude of community services for the



Senate Bill No. 718, S.D. 1, Relating to the Community Court
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defendants with various government and private sector agencies, and monitor and report on the defendants' compliance; and

5) associated computer and peripheral equipment, and office supplies dedicated for this court's disposition and remote connectivity to JIMS.

Additionally, safety and security is a concern when taking the court staff to other locations away from traditional courthouses (similar to when hearings are held at the Hawaii State Hospital); therefore, assistance from the Department of Public Safety will be required.

Thank you for the opportunity to provide testimony on this measure.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY

Rep. Scott Nishimoto, Chair

Rep. Joy San Buenaventura, Vice Chair

Wednesday, March 15, 2017

2:00 pm

Room 325

SUPPORT - SB 718 SD1 - COMMUNITY COURT OUTREACH

Aloha Chair Nishimoto, Vice Chair San Buenaventura and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for two decades. This testimony is respectfully offered on behalf of the almost 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety. We are always mindful that approximately 1,700 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

Community Alliance on Prisons supports helping houseless individuals clear up outstanding warrants for non-serious offenses and we are happy to see the acknowledgement by both Chairs that this Honolulu pilot program can beautifully dovetail with Law Enforcement Assisted Diversion (LEAD) program to reduce the jail population. The SD1 allocates funds to the prosecutor and public defender and defects the date for further discussion.

The purpose of this program is to (1) Travel to communities where defendants who: (A) Have been cited or arrested for certain nonviolent offenses; and (B) Do not pose a threat to the public, and (2) Disposes of the cases of defendants who enter plea agreements after negotiations between the prosecuting attorney and public defender. This program will help those who have minor violations.

Another aspect of this measure that we respectfully ask the committee to consider is funding for the community services to which an individual's participation is mandated. Currently, this measure asks for funding for the prosecutor and the public defender. Since the services are mandatory, it is only fair that the service providers in the community be funded as well.

The success of the LEAD program in Seattle is because the participation in the program is voluntary. Research shows that voluntary treatment has better outcomes than mandatory/coerced treatment. SB 718 SD1 requires mandatory participation in programs.

As reported by the prosecutor, these violations include: parking violations (currently a total of 7,163 in our court system); liquor in public place (2,173); smoking violations (1,146); simple trespass (1,312); and criminal littering (282). In the first two community court sessions, over 100 cases of violations for 7 individuals were processed. This has saved the courts and law enforcement time and money.

The program is designed to decrease the backlog of pending, low-level, non-violent cases; allow offenders to clear their pending cases; provide court orders for counseling, treatment, and/or referral to homeless services, on a case-by-case basis; and provide consequences through community service instead of incarceration or fines.

This is a more humane way of addressing the issues of many in our houseless population. It can give hope to those who feel overwhelmed by their circumstances and promotes the Aloha Spirit that must be the guiding force in all decisions that we make.

Mahalo for this opportunity to testify in support of more humane treatment of some of the most vulnerable members of our community.



SB 718 Community Court Outreach: Judiciary to operate a mobile court that travels to community sites where defendants cited or arrested for nonviolent offenses live or congregate and disposes of the cases after plea agreements have been reached by the Honolulu prosecuting attorney and public defender.

HOUSE COMMITTEE ON JUDICIARY:

- Representative Scott Nishimoto, Chair; Representative Joy San Buenaventura, Vice Chair
- Wednesday, Mar. 15th, 2017: 2:00 p.m.
- Conference Room 325

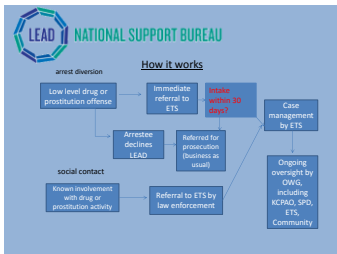
HSAC Supports SB718: ALOHA CHAIR NISHIMOTO, VICE CHAIR SAN BUENAVENTURA AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of over 30 non-profit alcohol and drug treatment and prevention agencies.

The Hawai'i Substance Abuse Coalition supports the criminal justice's systems response to minor nonviolent offenses that overburden the courts and law enforcement through a mobile court pilot program on Oahu.

The Law Enforcement Assisted Diversion (LEAD), a pre-arrest diversion program, also has the same objectives but utilizes case managers to divert people with minor offenses to appropriate treatment services. It will be critical for these programs to coordinate effectively to maximize results.

LEAD is the using program model that has shown promising success in diverting individuals engaged in low level substance abuse related criminal behavior to community treatment and case management services.

- *LEAD's goal is to improve public safety and public order, and to reduce the criminal behavior of people who participate in the program.* Other goals are to "reduce" number of people involved in low level offenses related to drug use, mental health, sex work and poverty; "undo" racial disparities in the criminal justice system; "sustain" funding for alternate interventions by reinvesting justice system savings; and "strengthen" relationships between law enforcement and community.



LEAD works by giving low-level drug offenders a choice: they can go the standard route of arrest-prosecution-incarceration, or be sent to a case-management program, which offers support services including transitional housing, counseling, job training and drug treatment.

LEAD, a community-based pre-arrest diversion program, is intended to be a more humane response to stopping illegal criminal activity (such as prostitution and theft) among low-level offenders with behavioral health problems. Current programs across the nation indicate that the majority of low level criminal activity is done by people struggling with addiction problems.

We appreciate the opportunity to provide testimony and are available for questions.

To: The Honorable Representative Scott Nishimoto, Chair, House Committee on Judiciary
The Honorable Representative Joy San Buenaventura, Vice Chair, House Committee on Judiciary

From: Action With Aloha

Re: Testimony in Support of SB718, Relating to the Community Court Outreach Project

Thank you for hearing SB718, which establishes a community court outreach project in the City and County of Honolulu from July 1, 2017 to June 30, 2020, and requires the Judiciary to operate a mobile court that travels to community sites where defendants cited or arrested for nonviolent offenses live or congregate and disposes of the cases after plea agreements have been reached by the Honolulu prosecuting attorney and public defender. We support this measure because we believe it will have a positive impact on our community.

Action With Aloha is an LLC that provides individual and/or group counseling aimed at overcoming problems associated with addictions and substance abuse utilizing a client driven holistic approach. Many of our clients are affiliated with the Judicial System; fines and convictions for minor offenses have led to their incarcerations. Often these incarcerations lead to job loss, homelessness, substance use and lack of appropriate treatment for mental illness, and can trigger a cycle that negatively impacts individuals, families, and the community. It is our hope that SB718 will help break this negative cycle. The mobile court can simplify the judicial process for individuals who have been cited or arrested for nonviolent offenses, allowing them to avoid incarceration and the associated detrimental effects that can last a lifetime.

Thank you for the opportunity to submit this testimony.



DOING THE
MOST GOOD

Founded in 1865

William Booth
Founder

Andre Cox
General

Kenneth Hodder
Territorial Commander

John Chamness
Lani Chamness
Divisional Leaders

Melanie Boehm
Executive Director

The Salvation Army

Addiction Treatment Services and Family Treatment Services

3/14/17

SB 718 Community Court Outreach: Judiciary to operate a mobile court that travels to community sites where defendants cited or arrested for nonviolent offenses live or congregate and disposes of the cases after plea agreements have been reached by the Honolulu prosecuting attorney and public defender.

HOUSE COMMITTEE ON JUDICIARY:

- Representative Scott Nishimoto, Chair; Representative Joy San Buenaventura, Vice Chair
- Wednesday, Mar. 15th, 2017: 2:00 p.m.
- Conference Room 325

The Salvation Army Addiction Treatment Services and Family Treatment Services Supports SB718:

The Salvation Army supports the response of the criminal justice system to minor nonviolent offenses that overburden the courts and law enforcement through a mobile court pilot program on Oahu.

The Law Enforcement Assisted Diversion (LEAD), a pre-arrest diversion program, also has the same objectives but utilizes case managers to divert people with minor offenses to appropriate treatment services. It will be critical for these programs to coordinate effectively to maximize results.

LEAD works by giving low-level drug offenders a choice: they can go the standard route of arrest-prosecution-incarceration; or be sent to a case-management program, which offers support services including transitional housing, counseling, job training and drug treatment. Current programs across the nation indicate that the majority of low level criminal activity is done by people struggling with addiction problems.

LEAD is using the model that has shown promising success in diverting individuals engaged in low level substance abuse related criminal behavior to community treatment and case management services.

- Current evidence-based practices for pre-arrest diversion of low level offenses follows the county-level LEAD project approach which includes the following components:
 1. Harm-reduction based intensive case management includes a direct linkage with (or a warm hand off) from law enforcement
 2. On-going case coordination between law enforcement and community-based case managers
 3. Coordinating committee comprised of law enforcement, prosecutor's office, public safety and community members such as the LEAD hui

Participating Agency



Addiction Treatment Services

3624 Waokanaka Street ♦ Honolulu, Hawai'i 96817 ♦Tel: (808) 595-6371 ♦Fax: (808) 595-8250

Family Treatment Services

845 22nd Avenue ♦ Honolulu, Hawai'i 96816 ♦Tel: (808) 732-2802 ♦Fax: (808) 734-7470

Visit us at: www.SalvationArmyHawaii.org



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Divisional Leaders

Melanie Boehm
Executive Director

The Salvation Army

Addiction Treatment Services and Family Treatment Services

4. Comprehensive data collection and program evaluation to identify elements of effectiveness

The Salvation Army will continue to join efforts with the LEAD Hawaii hui toward the successful implementation of evidence-based diversion efforts specifically in the area of providing substance abuse assessment and treatment services to this target population

Thank you for the opportunity to provide written testimony on this important bill.

Sincerely,

Melanie T. Boehm MA, LMHC, CSAC
Executive Director ATS-FTS

Participating Agency



Addiction Treatment Services

3624 Waokanaka Street ♦ Honolulu, Hawai'i 96817 ♦Tel: (808) 595-6371 ♦Fax: (808) 595-8250

Family Treatment Services

845 22nd Avenue ♦ Honolulu, Hawai'i 96816 ♦Tel: (808) 732-2802 ♦Fax: (808) 734-7470

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Committees: Committee on Judiciary
Hearing Date/Time: Tuesday, March 15, 2017, 2:00 p.m.
Place: Conference Room 325
Re: Testimony of the ACLU of Hawaii in **Support** of S.B. 718, Relating to the
Community Court Outreach Project

Dear Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.B. 718, S.D.1, which seeks to establish the Community Court Outreach Project.

This project will help to decrease the backlog of low-level, nonviolent cases and opens the door to a more community-based approach to justice. The ACLU of Hawaii strongly supports this measure, which allows for the referral of offenders to services and treatment rather than the imposition of fines or incarceration. Given that many of these offenders are unable to pay fines, and in light of the demonstrated efficacy of other alternative programs such as the Law Enforcement Assisted Diversion Program, a pre-arrest diversion program which the legislature intends to operate in coordination with the Community Court Outreach Project, we believe this project is a positive and necessary step forward.

For these reasons, the ACLU urges the Committees to support S.B. 718, S.D.1.

Thank you for this opportunity to testify.

Mandy Finlay
Advocacy Coordinator
ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522.5900
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E: office@acluhawaii.org
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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 9:20 PM
To: JUDtestimony
Cc: evernw@aol.com
Subject: *Submitted testimony for SB718 on Mar 15, 2017 14:00PM*

SB718

Submitted on: 3/13/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Evern Williams	Individual	Support	No

Comments:

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: Monday, March 13, 2017 7:58 PM
To: JUDtestimony
Cc: maukalani78@hotmail.com
Subject: Submitted testimony for SB718 on Mar 15, 2017 14:00PM

SB718

Submitted on: 3/13/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments: This bill will not only help the people who does not have transportation, but it also helps to take some burden off the heavy court calendar.

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: Monday, March 13, 2017 6:32 PM
To: JUDtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB718 on Mar 15, 2017 14:00PM*

SB718

Submitted on: 3/13/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 8:19 AM
To: JUDtestimony
Cc: lady.flach@gmail.com
Subject: *Submitted testimony for SB718 on Mar 15, 2017 14:00PM*

SB718

Submitted on: 3/14/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

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LATE

To: Representative Scott Nishimoto, Chair;
Representative Joy San Buenaventura, Vice Chair

Date: Wednesday, March 15, 2017
Time: 2:00 P.M.
Place: Conference Room 325, State Capitol

From: Tami Yamashita, Student Intern at Action With Aloha
tyamashi@hawaii.edu

Re: SB 718 Community Court Outreach

ALOHA CHAIR NISHIMOTO, VICE CHAIR SAN BUENAVENTURA AND DISTINGUISHED COMMITTEE MEMBERS, my name is Tami Yamashita and I am a MSW student intern at Action With Aloha, a private organization committed to serving those with substance abuse and mental health issues.

Action with Aloha supports the criminal justice's systems response to minor nonviolent offenses that overburden the courts and law enforcement through a mobile court pilot program on Oahu.

From my work at Action with Aloha and my studies at University of Hawaii at Mānoa, I am aware that there are many people who are incarcerated for nonviolent offenses and are released from jail or prison with not only their active addiction, but also other mental disorders that have been triggered by their incarceration. Programs that offer an alternative sentence to individuals with minor nonviolent offenses addresses their specific needs and manages the reasons behind their crime, which reduces future crimes and recidivism.

I appreciate the opportunity to provide testimony and am available for questions.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 10:21 PM
To: JUDtestimony
Cc: jerolynl@hawaii.edu
Subject: *Submitted testimony for SB718 on Mar 15, 2017 14:00PM*

SB718

Submitted on: 3/15/2017

Testimony for JUD on Mar 15, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
jerolyn laberinto	Action With Aloha	Support	No

Comments:

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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