



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Finance

Representative Sylvia Luke, Chair

Representative Ty J. K. Cullen, Vice Chair

Wednesday, March 1, 2017, 11:00 AM - Agenda #1
State Capitol, Conference Room 308

by

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Probation Administrator, First Circuit

Bill No. and Title: House Bill No. 589, House Draft 1 Relating to the Judiciary.

Purpose: Appropriates funds to the Judiciary to retain mental health services and substance abuse treatment for the Hawaii's Opportunity Probation with Enforcement program, which is an intensive supervisory program for persons on probation. (HB589 HD1)

Judiciary's Position:

The Judiciary supports House Bill 589, House Draft 1, which provides an appropriation for mental health counseling and drug dependence treatment for homeless participants in the judiciary's HOPE program. The appropriation will serve to augment opportunities for improved impact upon offender outcomes.

HOPE Probation was created by Judge Steven S. Alm in the First Circuit in 2004, and is a probationer-centered, collaborative strategy among the judge, probation, defense, prosecution, corrections, law enforcement, and treatment providers to effect positive behavioral changes in probationers. The HOPE strategy targets higher risk/higher needs probationers by using swift, certain, consistent, and proportionate jail sanctions for noncompliance with probation conditions to hold offenders accountable while the probation officer and the judge both maintain a working alliance with the probationer. Within the framework of evidence-based principles for effective interventions, HOPE assists probationers in the change process in a caring and supportive environment to help probationers succeed in probation and in life.

Research on HOPE had shown startling results in a gold standard, randomized control trial in 2009, and continues to show positive results seven years later. The 2009 study showed that HOPE probationers, when compared to those on regular probation, were 55% less likely to be



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arrested for a new crime, 72% less likely to use drugs, 61% less likely to miss appointments with their probation officer, and 53% less likely to have their probation revoked. As a result, they were sent to prison for 48% fewer days, saving taxpayers millions of dollars.

A seven-year follow up study in 2016 of the same cohort group (most of whom were no longer on probation) showed that HOPE probationers had 22% fewer new charges filed against them (including a 55% reduction in new drug charges). HOPE probationers also continued to show more success in staying in the community as they were 50% less likely to be returned to prison (13% vs. 27%), at the cost of \$51,000 per year per inmate in Hawai'i.

HOPE's success has led to the growth of approximately 250 HOPE-like sites, nationwide. It is also supported by the Bureau of Justice Administration in the form of annual grant funds to implement HOPE. HOPE has also drawn international interest from Sweden, Canada, England, Australia, Japan, and Brazil.

There are approximately 2,300 offenders on HOPE in Honolulu currently, and, of those, 93 are considered high risk and homeless, and who present with substance abuse and/or co-occurring disorders.

The Judiciary's only concern regarding any additional funding is that it does not come with a corresponding reduction to any amount already included in our base budget.

Thank you for the opportunity to testify on this measure.



HB 589 HOPE Appropriation: Appropriates funds to the Judiciary to retain mental health services and substance abuse treatment for the Hawaii's Opportunity Probation with Enforcement program, which is an intensive supervisory program for persons on probation.

HOUSE COMMITTEE ON FINANCE:

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HAWAII SUBSTANCE ABUSE COALITION (HSAC) Supports HB589 HD1.

GOOD MORNING CHAIR LUKE, VICE CHAIR CULLEN AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide hui of over 30 non-profit alcohol and drug treatment and prevention agencies.

The Hawaii Substance Abuse Coalition (HSAC) supports Project HOPE (Hawaii's Opportunity Probation with Enforcement). This program, launched by the First Circuit Court in 2004, is the first of its kind in the nation. Probationers in HOPE receive swift, predictable, and immediate sanctions - typically resulting in several days in jail- for each detected violation, such as detected drug use or missed appointments with a probation officer.

HOPE refers to treatment for those offenders who are motivated yet need more help than sanctions.

- One of the reasons that HOPE is most effective is because offenders realize that if they are motivated yet unable to change by sanctions alone, HOPE will refer them to treatment. Mandated treatment can be effective. Treatment combined with sanctions from HOPE produces better outcomes than just treatment alone.
- Treatment agencies report that outcomes with HOPE probationers have been very positive. HOPE probationers are definitely more responsive because the reality of immediate consequences helps to motivate probationers to be more engaged in treatment, which results in improved outcomes.
- Evaluation results indicate that HOPE, by imposing sanctions and utilizing treatment for probation violators, is highly successful at reducing drug use and crime, even among difficult populations such as methamphetamine abusers and domestic violence offenders.
- Project HOPE when supported by treatment is most cost-effective. When offenders do reoffend, the cost for incarceration is enormous, approaching \$50,000 per year. When HOPE uses sanctions as well as refers to treatment for those who are motivated but not drug free through sanctions alone, the result is that a very few are incarcerated. As a front line response and alternative to

expensive incarceration, the savings per year are tremendous and also have future savings. Even more, those in recovery become productive tax payers.

HSAC supports funding for a continuum of care (e.g., outpatient and residential substance abuse treatment) for substance use disorders and mental health counseling for participants of the HOPE program. As treatment providers, we look forward to working with HOPE to reduce the number of probationers that are re-incarcerated due to revocation of their probation status.

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