



LATE

The Judiciary, State of Hawai'i

Testimony to the House Committee on Judiciary

Representative Scott Y. Nishimoto, Chair

Representative Joy A. San Buenaventura, Vice Chair

Wednesday, February 1, 2017, 2:00 p.m.

State Capitol, Conference Room 325

by

Sidney H. Nakamoto

Probation Administrator, First Circuit

Bill No. and Title: House Bill No. 589, 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 (HOPE) program, which is an intensive supervisory program for persons on probation.

Judiciary's Position:

The Judiciary supports House Bill 589, 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



House Bill No. 589 Relating to the Judiciary (HOPE)
House Committee on Judiciary
February 1, 2017 2:00 PM
Page 2

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 House Bill 589.

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, February 1, 2017

2:00 p.m.

Room 325

SUPPORT for HB 589 - HOPE PROBATION

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 approximately 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,400 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 HB 589 that appropriates funds to retain mental health and substance abuse treatment for houseless participants in the HOPE program.

Hawai'i data from the Interagency Council on Intermediate Sanctions (ICIS) show that the state is making some progress to reduce recidivism, however, we still have a long way to go. Providing the mental health and substance abuse treatment services that individuals desperately need is important, but hard to maintain when some individuals live unsheltered with an uncertain future.

Our earnest hope is that Hawai'i will stop criminalizing people who face public health challenges and instead use our resources to actually lift people out of poverty.

HUMANIZE NOT CRIMINALIZE!

Mahalo for this opportunity to testify.



DOING THE MOST GOOD

The Salvation Army

Addiction Treatment Services and Family Treatment Services

1-31-17

Founded in 1865

William Booth
Founder

Andre Cox
General

James Knaggs
Territorial Commander

John Chamness
Lani Chamness
Divisional Leaders

Melanie Boehm
Executive Director

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 JUDICIARY:

- Representative Scott Nishimoto, Chair; Representative Joy San Buenaventura, Vice Chair
- Wednesday, Feb. 1st, 2017: 2:00 p.m.
- Conference Room 325

The Salvation Army Addiction Treatment Services (ATS) and Family Treatment Services (FTS) Supports HB589.

The Salvation Army ATS-FTS supports Project HOPE (Hawaii's Opportunity Probation with Enforcement). This program, launched by the First Circuit Court in 2004 allows for HOPE probationers to 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.

- HOPE is effective because if probationers are motivated yet unable to change by sanctions alone, HOPE allows for an opportunity to refer probationers 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 more responsive because the reality of immediate consequences. Improved outcomes are evident with the close and collaborative support of the court, the probation officer, the probationer, and the treatment center.
- Evaluation results indicate that HOPE 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 also cost-effective. When offenders do reoffend, the cost for incarceration is enormous, approaching \$50,000 per year. When HOPE uses sanctions as well as makes referrals 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.

Participating Agency



Aloha United Way

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



DOING THE
MOST GOOD

Founded in 1865

William Booth
Founder

Andre Cox
General

James Knaggs
Territorial Commander

John Chamness
Lani Chamness
Divisional Leaders

Melanie Boehm
Executive Director

The Salvation Army

Addiction Treatment Services and Family Treatment Services

The Salvation Army 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. This effective approach is proactive in addressing costs related to working with high needs populations and it also takes into account the effectiveness of using collaboration with community based social services to prevent recidivism.

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

Visit us at: www.SalvationArmyHawaii.org

Helping Hands Hawai'i

TESTIMONY IN SUPPORT OF HB589: RELATING TO THE JUDICIARY WRITTEN TESTIMONY ONLY

TO: Representative Scott Y. Nishimoto, Chair, Committee on Judiciary
Representative Joy A. San Buenaventura, Vice-Chair, Committee on Judiciary
Members of Judiciary Committee

FROM: Jan Harada, CEO, Helping Hands Hawaii

Hearing: **Wednesday, February 1, 2017, 2:00pm; CR 325.**

Chair Nishimoto, Vice-Chair San Buenaventura, and Committee members:

Thank you for the opportunity to provide testimony **in support** of HB589, which proposes to provide continued funding to the Judiciary's HOPE (Hawaii's Opportunity Probation with Enforcement) program for the provision of mental health counseling and drug dependence treatment for homeless participants.

Helping Hands Hawaii has been involved in working with homeless individuals and families for many years through our behavioral health and human service programs and community supports. Our services for homeless currently include access to needed public benefits (primarily SNAP), basic material items from our Community Clearinghouse, behavioral health case management and psychiatric services/supports for poor and homeless adults, representative payee services for adults with severe and persistent mental illness, and emergency financial assistance and financial literacy/education for individuals and families struggling to stay in or get into housing.

Working with individuals struggling with severe mental illness brings on many challenges in and of itself, without external factors. When working therapeutically with individuals that have committed a crime and are now a part of the criminal justice system, the need to coordinate with the Judiciary adds another level to ongoing case management needs. There is a need for support, the need for additional resources, services and a heightened need for monitoring behaviors. When the individuals we have worked with have gotten HOPE Probation, they have an extra level of care and service to increase success of completion, monitored accountability, and understanding of relapse in substance abuse and the need for second chances. This decreases recidivism and increases integration of changed behaviors. The service HOPE provides allows immediate action in situations where there is lack of compliance. The program assists the consumers we work with to be corrected behaviorally. If they struggle with self-motivation the external legal requirements while working with HOPE helps establish a reason to change behavior to be in compliance and integrate change at their speed.

We have found that individuals who are able to attend substance abuse treatment are more successful in combination with HOPE. With more resources, addressing the therapeutic and mental health of these individuals we believe there would be increased success. Our more successful consumers have been able to implement their own understanding of adherence and

accountability, quick reaction and consequences to substance use and behavior relapse. The chances given are beneficial to individuals who struggle to maintain behavior change. We would like to see an increased support of this program to support more holistic care in substance abuse treatment and increased counseling for the duality of legal responsibility and understanding of mental health challenges. We are in full support of this program and what it can provide to our clientele that struggle with mental health and legal issues.

An example of this program working would be one case we worked in partnership with HOPE probation. Client A had many hospitalizations, had been victimized in their drug-induced state and had struggled to maintain sobriety for more than a few days at a time. Client A got into legal trouble and was put on HOPE Probation with the intention of addressing Client A's substance abuse and mental health struggles. Client A was asked to be accountable by calling in every day and taking many random UA's (Urinalysis drug screenings). Client A failed several, which led to consequences. Each time, Client A had longer periods of sobriety and eventually was able to put together months of sobriety. This led to Client A being successfully housed and later finding employment. While Client A will always struggle with mental health challenges, Client A is able to function in society at an increased level of independence, in independent living, going to work daily and as a functional part of Client A's family.

Thank you for the opportunity to submit this written testimony in support of the HOPE program and HB589.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2017 9:49 AM
To: JUDtestimony
Cc: rkailianu57@gmail.com
Subject: Submitted testimony for HB589 on Feb 1, 2017 14:00PM

HB589

Submitted on: 1/31/2017

Testimony for JUD on Feb 1, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments: Fully support!!!

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



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 JUDICIARY:

- Representative Scott Nishimoto, Chair; Representative Joy San Buenaventura, Vice Chair
- Wednesday, Feb. 1st, 2017: 2:00 p.m.
- Conference Room 325

HAWAII SUBSTANCE ABUSE COALITION (HSAC) Supports HB589.

GOOD MORNING 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 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.

LATE

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2017 7:01 PM
To: JUDtestimony
Cc: blawaiianlvr@icloud.com
Subject: Submitted testimony for HB589 on Feb 1, 2017 14:00PM

HB589

Submitted on: 1/31/2017

Testimony for JUD on Feb 1, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments: We FULLY SUPPORT this excellent bill! H.O.P.E. is a successful program & a vital tool in the criminal justice system of which I am personally aware of. I only wish that the H.O.P.E. program was around when I FIRST was arrested on a minor offense, it could have deterred me from the more serious criminal oath I took, AFTER being confined with REAL CRIMINALS & GANGSTERS that showed me the allure of the criminal life. Please help us keep H.O.P.E. alive, we need to be "building people & not prisons" (a quote from Kat Brady, Community Alliance on Prisons). Mahalo.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov