



The Judiciary, State of Hawaii

**Testimony to the Twenty-Fifth State Legislature, Regular Session of 2010
House Committee on Finance**

The Honorable Marcus R. Oshiro, Chair
The Honorable Marilyn B. Lee, Vice Chair
Wednesday, March 3, 2010, 1:30 p.m.
State Capitol, Conference Room 308

By

W. Tom Mick
Policy and Planning Department Head

Bill No. and Title: House Bill No. 2000, H. D. 1, Relating to the Judiciary

Purpose: To provide supplemental operating and capital improvement appropriations for FY 2011.

Judiciary's Position:

The Judiciary strongly urges your support of House Bill No. 2000, H. D. 1, which reflects the Judiciary's resource requirements for FY 2011. During the informational budget briefings to the members of the Senate Committee on Ways and Means and the House Committee on Finance on January 6, 2010, and the House Committee on Judiciary on January 19, 2010, we provided detailed information on our budget and supplemental request, the impact of recent budget cuts, and the potential costs to society and the State of further cuts to the Judiciary. Consequently, our testimony today will address only a few highlights.

As you know, the basis for a supplemental budget differs markedly from a biennium budget. The biennial budget concept is based upon the premise that planning, evaluation, prioritization, and appropriate resource allocation were done in the previous year and that supplemental budget resources will be requested largely to address unforeseen developments, inadvertent oversights, and special circumstances. However, the Judiciary is very aware of the State's economic situation and projected budget deficits for the fiscal biennium, and realizes that this is not a normal supplemental budget year where such supplemental budget requests can even



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be entertained. In fact, these conditions, in conjunction with legislative actions last year to reduce the Judiciary's FY 2010 budget base by \$11.5 million or 7.6% relative to FY 2009 and to eliminate 79 positions or 4% of the Judiciary's permanent workforce, have resulted in the Judiciary taking serious cost cutting measures. These include significantly reducing expenditures in such areas as purchase of service (POS) contracts (a \$3.5 million reduction or 26% of prior year expenditures in this area), guardian ad-litem/legal counsel services (a \$1.5 million reduction), temporary hire positions (a \$1.1 million reduction), overtime, electricity, repair and maintenance, and the use of per-diem judges. Further, in helping to contribute to our shared responsibility of balancing the state budget, the Judiciary adopted a furlough plan for all HGEA and related employees that was implemented on November 6, 2009 that will save approximately \$4.8 million this current fiscal year and about \$7.6 million in FY 2011. Also, although additional funding is needed to fully staff and operate our new Kapolei Court Complex and for various other important operational and safety matters, we have not requested any additional general funds in our supplemental budget request. Rather, our general fund budget request remains at the \$139 million provided during the last legislative session, which still represents a significant cut from our FY 2009 budget of more than \$150 million.

The impact of these budget and personnel reductions, together with the two-day-per-month furloughs, is being felt throughout the Judiciary and Hawai'i, especially considering that the Judiciary has no control over its workload and must now accommodate that workload with less financial resources, people, and work days. Significant trial and hearing scheduling problems have arisen as fewer days are available for scheduling, and because prosecutors, public defenders, and sheriffs do not necessarily have the same furlough days as each other or the Judiciary. With fewer days, court calendars are becoming overcrowded and, in some cases, jumbled with all different types of cases. The loss of staff positions has resulted in the remaining staff having to supervise/monitor much larger caseloads. For example, the Adult Client Services Branch, First Circuit lost 24 positions, many of which were in the Sex Offender and Domestic Violence Units. The loss of these positions has meant that some of the remaining staff personnel have caseloads as high as 180 to 1 for high and medium risk offenders, well in excess of the American Probation and Parole Association caseload standards of no more than 50 to 1 for these types of offenders.

While the reduction to the Judiciary's budget base affects all Judiciary programs statewide, it, as noted above, resulted in funding being cut for POS contracts by an overall 26 percent (\$3.5 million), and for treatment court and domestic violence services by about \$1.3 million and \$1.6 million, respectively. Some programs were eliminated while some others were significantly reduced. These cuts have led to fewer services being available and fewer clients served, and longer waits to access services, resulting in less adherence to program goals and a slow-down in admittance. They have also contributed to the loss of 10 or more staff in direct service to victims and perpetrators of domestic violence, resulting in a decrease in parenting



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groups, crisis intervention services, victim support, and batterers treatment; a 14% to 18% reduction in cases closed, cases opened, temporary restraining order (TRO) clients served at various sites, and victim services delivered; a 20% to 40% reduction in safety planning services and services to children exposed to domestic violence; an increase in wait time for batterers trying to enter services from one to two weeks in the best case, and two to five months in the worst case, which means more untreated batterers residing in communities, decreasing the safety of their victims and the community in general; a decrease in the number of sites available to obtain services for batterers, victims, or children – on the Neighbor Islands, this often means that services are unavailable unless the person seeking services has access to a car and is able to drive many miles; increases in requirements and fees for fee-for-services, making programs unavailable to those who cannot pay; a decrease in supervised visitations to 1.5 hours a week per family; a reduction in staff work hours; and waitlists for almost all services, including waitlists for TRO support and filings. Some of the people who will now not be served by these programs may remain incarcerated or may harm themselves or others, while those with a dual diagnosis of substance abuse and mental illness will likely not be served at all.

The work has not decreased in the Judiciary, yet the funding, personnel resources, and days available to do that work have all been reduced. With less time and people to do that work, as well as the additional work required to adjust schedules, trials, and hearings, stress, fatigue, and frustration have increased significantly among court staff, which, in turn, has led to errors, an inability to meet certain timeframes, and an overall decrease in morale. The public has also been deeply affected as waiting times to be serviced have doubled in some cases and as less days are available for the public to do business with the Judiciary.

While certainly there is an immediate economic impact from these reductions, much of the impact might not be felt until later years and will be borne by other agencies as well. For example, the treatment capacity of the Oahu Adult Drug Court dropped from 160 to 130 clients because of the budget reductions, with 30 people now on a wait list. Assuming that these 30 people are not admitted to the drug court program and are incarcerated at \$139 per day each (about \$51,000 per defendant per year), this would cost the State in excess of \$1.5 million for one year, or over \$600,000 more than the cost of the entire Oahu Drug Court operation for one year. If we were to experience future budget cuts that necessitated the closure of all the adult drug courts, and if we used the same formula and applied it to the 387 defendants currently enrolled in the adult drug courts statewide, it would cost about \$19.6 million to incarcerate everyone for one year, as compared to the entire adult drug court appropriation for FY 2010 of just over \$3 million. These potential costs to the State would multiply even more if further cuts meant closing our juvenile and family drug courts. Or, to cite another example, if the Judiciary had to discontinue the Project HOPE program due to lack of funds, where the average cost to supervise an individual on probation is \$1.82 per day, and instead incarcerate the 1,483 active



probationers at \$139 per day, it would cost the State \$75.2 million (1,483 X \$139 per day X 365 days), as compared to the total FY 2010 allocation of just under \$1 million for Project HOPE.

Recidivism (re-offense) and its effects and economic impacts also would not be felt until sometime in the future. Recidivism rates since inception for adult drug court clients range from 3.5% on Kauai to 16% on Maui, or an average low of 9.6% statewide, as compared to over 50% recidivism within three years for persons released from prison (per Bureau of Justice reports). Thus, for the majority of defendants who are incarcerated without the benefit of the drug court program, the doors of the courthouse and prisons become revolving doors with all the attendant costs that are incurred. Clearly, diverting defendants to drug treatment through our drug court programs, whether they be adult, juvenile, or family drug courts, potentially saves millions of dollars.

In summary, further cuts to staffing and treatment providers that service these specialty courts will result in vastly increased costs to the prison, welfare, law enforcement, social services systems, and judicial communities. Further reductions in these services will have an enormous impact on the ability of our community to remain safe and avoid an increase in crime and child abuse and neglect by repeat offenders. The increase of long-range social costs due to the inadequate provision of services and diversion options for children and youth is immense as these children and youth – if not worked with early – develop educational and behavioral problems and are more likely to matriculate to the adult criminal system. It should be noted that we are already seeing the effects of the economic downturn on crime and court filings as FBI statistics show that for the first half of FY 2009, property crime, violent crime, and arson increased on Oahu by 6% as compared to the first six months of FY 2008; and that from FY 2008 to FY 2009, new cases filed in circuit courts statewide increased by 6%, civil cases in district court by more than 10%, non-criminal traffic violations by 4%, and domestic abuse/protective order filings by 12%.

The Judiciary does have one special fund operating request for a ceiling increase of just over \$125,000 in its Probation Services Special Fund to pay for a full-time Interstate Compact Coordinator to handle all interstate compact matters related to the transfer of probationers and parolees between states, and to reimburse the general fund for fringe benefits for the five staff positions supported by this Fund. Capital Improvement Project (CIP) requirements still remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate. CIP funds are especially needed for repairs and improvements to our roof, lanai, and concrete terrace deck at Kaahumanu Hale (Circuit Court), and to our roofs, walls, and eaves at our Lahaina and North Kohala District Courts. Additional funds are required for other miscellaneous repairs and improvements at various Judiciary facilities statewide, but especially at historic Aliiolani Hale (Supreme Court). Moreover, while the population and the services provided by the Judiciary keep expanding and with the move of the detention facility, including much of the Family Court,



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to Kapolei in FY 2010, CIP funds are needed to continue the planning and design process for a new Judiciary administration building in Kapolei. This administrative facility is vital to ensuring that critical family court support staff is housed in the court complex. In total, the Judiciary is requesting almost \$35 million in CIP funds, of which about \$26 million is "lump sum" for Judiciary facilities, statewide.

The proposed supplemental budget is the Judiciary's best estimate of the resources necessary to maintain the integrity of the courts and to fulfill our statutory, constitutional, and public service mandates. The Judiciary respectfully requests your support of House Bill No. 2000, H. D. 1, which includes the Judiciary's supplemental budget request.

Thank you for the opportunity to testify on this measure.



The Children's Alliance
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Alfred Herrera, President
The Children's Alliance of Hawaii, Inc.

House Committee on Finance

Wednesday, March 3, 2010, 1:30 PM

Support of HB2000, HD1

Dear Chair Oshiro and Vice Chair Lee,

The Children's Alliance of Hawaii, Inc. encourages preserving the State Judiciary's budget and fully maintaining The Children's Justice Program/Children's Justice Centers of Hawaii.

The Children's Justice Centers of Hawaii provide a truly valuable and effective service to our child victims, their families, and the community at large. This program safeguards the integrity of child abuse investigations, especially the forensic interviews of alleged victims and witnesses to crime. It is done in a manner that is neutral and fair.

They also provide essential training opportunities for professionals involved with child abuse investigations.

Losing or downsizing this program will be a great injustice to our community, and most importantly to our already victimized children.

If you have any questions or require additional information, please do not hesitate to contact me.

Thank you for this opportunity to submit testimony.

03/02/2010

To: Hawaii State Legislature

From: Allison Seales, Ph.D.
Na Pu'uwai Native Hawaiian Healthcare System (Molokai)

Re: Testimony in Support of HB2000 HD1 for Hearing
RELATING TO DRUG COURT
Description: *Appropriate funds to support the Drug Court program.*

Thank you for considering House Bill 2000 HD1.

I support HB2000 HD1, a bill for an act that will appropriate funds to support the Hawaii Drug Court program. There is a desperate need for continued Drug Court programs across our state and this bill will do much to address this need.

I am writing to urge you to support funding for the Drug Court program. Drug Courts are a vital tool in combating drug abuse, addiction, and crime in our state and our nation.

Drug Courts are a collaborative, comprehensive, and proven effective resource to our national drug control strategy. In fact, there has been more research published on the effects of Drug Courts than on virtually all other criminal justice programs combined. That research includes a report by the Government Accountability Office (GAO) that concluded that Drug Courts reduce crime, recidivism rates for offenders, and save money for taxpayers. (GAO-05-219). Additionally, the Department of Justice issued a report confirming that Drug Courts are a critical part of our national strategy against methamphetamine abuse. Research continues to demonstrate definitive evidence for the efficacy and cost-effectiveness of Drug Courts. Recently the Urban Institute, in a report about the prospects of expanding Drug Courts, estimated a cost/benefit ratio as high as \$3.36 for every \$1.00 invested in treating drug-addicted offenders in a Drug Court program. When considering savings from reduced victimization and reduced healthcare service utilization, studies have reported an economic benefit as high as \$12 for every dollar invested.

It is an undisputable fact that Drug Courts work. These programs strike a proper balance between the need to protect community safety and the need to improve public health; between the need for treatment and the need to hold people accountable for their actions; between hope on the one hand and productive citizenship on the other. It is vital to our nation's families, communities, and drug control strategy to put a Drug Court within reach of every American who needs one. That is why I urge you to support bill HB 2000 HD1.

Maui Family Drug Court Program is a unique program that includes a behavioral health treatment component in assisting individuals in achieving sobriety and gaining skills to become confident, positive, contributing members of society. Most valuable is the power of the MFDC to also benefit individuals' families and support systems. I have personally seen how treating individuals has positively improved the behavior of their children and their parents. Treating one individual improves the lives of countless others in their support system by helping to lower their chances of being part of the generational cycle of drug/alcohol abuse and helping them to envision a positive, hopeful future.

In order to keep this valuable program in Hawaii, **I urge your support of HB2000 HD1.**

Thank you for considering funding for the Drug Court Program, an important and proven program

Sincerely,
Allison Seales, Ph.D.
Na Pu'uwai
Behavioral Health Program
P.O. Box 130
Kaunakakai, HI 96748

HB2000 HD1 RELATING TO JUDICIARY Appropriates funds to the Judiciary for FY 2010-2011. Effective December 21, 2008

HOUSE COMMITTEE ON FINANCE: Rep. Marcus R. Oshiro, Chair; Rep. Marilyn B. Lee, Vice Chair

Time and Place: Wednesday, March 3, 2010, 1:30 pm at Room 308

Hawaii Substance Abuse Coalition (HSAC)

Aloha, Chair Oshiro, Vice Chair Lee and Distinguished Members. My name is Alan Johnson, Chairperson of the Hawaii Substance Abuse Coalition, which is a hui of 20 treatment agencies throughout the state.

HSAC provides information that treatment saves dollars in the current year.

Judiciary faces pressing challenges due to substance use disorder addictions resulting in re-offending, probation violations, crime, domestic violence, child abuse, and a host of other safety issues to community.

Treatment now includes criminality as well as treating addiction from alcohol and substance use disorders. Licensed treatment centers are front line providers that divert offenders from incurring expensive jail or prison incarceration.

Treatment in Hawaii for Offenders saves dollars in the current year, not just future years. Treatment saves about \$2.00 to \$2.65 for every \$1.00 spent on treatment in the current year – and the savings are much larger when considering subsequent years.

Total savings, including current year, are reported to be up to \$7 dollars per \$1 dollar spent on treatment according to independently federally funded studies.

We recommend that strategically we consider safety, crime and cost as they correlate to outcomes to not reduce the Judiciary's budget for treatment. While we must reduce to survive, we want to strategically not reduce those who are doing the heavy lifting with cost cutting results.

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



WAOLANI JUDD NAZARENE SCHOOL

408 NORTH JUDD STREET • HONOLULU, HAWAII 96817 • TELEPHONE: 531-5251

March 3, 2010

Representative Marcus Oshiro
39th Representative District
Hawaii State Capitol, Room 306
415 South Beretania Street
Honolulu, HI 96813

Re: HB2000

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

I am a teacher at Waolani Judd Nazarene School. Our school has attended tours at the Judicial History Center twice. We went there last in February, 2009 in preparation for a trip that we took to Washington, DC. There was an excellent video and very informed personnel who explained about the history of land ownership in Hawaii. The Judicial History Center offers a mock trial (based on a real-life Hawaiian land ownership case from the 1800's.) The students (4th, 5th and 6th graders) were able to take part in the trial as the judge, jury foreman, jury members, plaintiff and defense attorney, court reporter and witness. The mock trial took place in a real courtroom. At the end of the trial, the "jury" left the room and deliberated and then returned with a verdict. The students were passionate about the issue and even those observing took sides in the case. After the trial a judge came in and explained what he does and answered questions the students had about the court system. The students totally "got it" and understood how a trial works and the kinds of issues you would bring to court.

This was an excellent way to teach children about the court system. Without the Judicial History Center, I don't think we could have accomplished the same thing in our classrooms. We had planned to attend the Judicial History Center tour every time we go to Washington, DC. I think that this is an excellent program for students even at the middle and high school levels. I have never heard of any other program like this one, or even seen videos teaching similar concepts. I have previewed and shown students many videos explaining the Supreme Court, but nothing is as effective as this was. Just the other day, one of the students who attended last year, asked if we would be going there again this year. It's pretty amazing that over a year later, a student would remember the event that vividly. Because this is also tailored to Hawaiian case law, it also makes it appropriate for Hawaiian students. About half of the students in our school are Native Hawaiian and the tour focuses around issues that faced the Hawaiian people when they were first introduced to land ownership.

Representative Marcus Oshiro
March 2, 2010
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For the reasons listed above, I urge you to please keep the Judicial History Center open for the children of Hawaii.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,

Debbie Kojima
Teacher

Daniel Uhrich, M.A., LMFT, QMHP
Intensive Family Therapist, Clinical Supervisor
135 S. Wakea St, Suite 208
Kahului, HI 96732

Testimony by:
Daniel Uhrich, M.A., LMFT, QMHP
HB 2000, HD 1

Position: Support

I am a licensed Marriage Family Therapist in the state of Hawaii. I am also the Clinical Supervisor for the Family Court Drug Court of the Island of Maui. I facilitate the Friends and Family Support Groups for the Maui Drug Court on Maui. I am a staunch advocate of the Drug Court programs in Hawaii.

Over the years we have seen a substantial decrease in the recidivism rate of substance abuse in the State due to the effectiveness of the Drug Courts. We have also noticed a decline in the multi-generational drug use culture and it's effects of violence, crime, and abuse of children. Less state dollars are spent on CPS and domestic violence issues, as well as the cost of incarceration, due to the decline in substance use and abuse.

The drug courts emphasize stable, secure living and work environments for the younger generations as well as the current generations of substance users who are trying to clean up their lives and become functioning members of our society. Drug Court participants are required to finish their High School education, further their education through vocational or college classes, become 100% legal in their transportation and licensure needs, pay off any and all outstanding debts to the State or County municipalities, and secure their family ties – all with amazing success due to the structure of the Drug Court programs.

Drug Court also helps with diagnostic measures of co-occurring disorders for clients. With ongoing therapeutic support, prescribed medications, and cognitive understanding, clients do not have to resort to illegal substances for "self-medication".

We in the Drug Court services field strongly urge continued funding of the Drug Court programs in the state of Hawaii. Let's all do our part to help live a cleaner Hawaii. If there are further questions, concerns, or clarifications of the Drug Court programs on Maui, please do not hesitate to call on me. I can be reached directly at (808)268-3435.

Sincerely,

Daniel Uhrich, MA, LMFT, QMHP

Lydee Ritchie, M.A., Licensed MFT
Intensive Family Therapist, Aloha House, Inc.
Maui Counseling Group
1787 Wili Pa Loop #7
Wailuku, HI 96793

Testimony by:
Lydee Ritchie, M.A., LMFT
HB 2000, HD 1
Position: **Support**

I am a Marriage Family Therapist licensed in the State of Hawaii. I work as an Intensive Family Therapist (IFT) for the Family Court Drug Court of the Island of Maui, providing treatment for up to three generations of family members at one setting in their homes. I also facilitate the Friends and Family Support Groups for the Maui Drug Court on Maui; and am a counselor at the Co-occurring Disorders (COD) Day Treatment Program under Aloha House, Inc. in Wailuku, Maui.

The entire family needs to be treated for addiction, its patterns and symptoms can be changed effectively with the help of FCDC's multisystemic wrap-around level of care and services. Over the years we have seen a substantial decrease in the recidivism rate of substance abuse in the State due to the effectiveness of the Drug Courts. We have also noticed a decline in the multi-generational drug use culture and its effects of violence, crime, and abuse of children.

The drug courts emphasize stable, secure living and work environments for the younger generations as well as the current generations of substance users who are trying to clean up their lives and become functioning members of our society. Drug Court participants are required to finish their High School education, further their education through vocational or college classes, become 100 percent legal in their transportation and licensure needs, pay off any and all outstanding debts to the State or County municipalities, and secure their family ties – all with amazing success due to the structure of the Drug Court programs.

Drug Court also helps with diagnostic measures of co-occurring disorders for clients. With ongoing therapeutic support, prescribed medications, and cognitive understanding, clients do not have to resort to illegal substances for "self-medication."

We in the Drug Court services field strongly urge continued funding of the Drug Court programs in the state of Hawaii. Let's all do our part to help live a cleaner Hawaii. If there are further questions, concerns, or clarifications of the Drug Court programs on Maui, please do not hesitate to call on me. I can be reached directly at (808) 270-3008.

Sincerely,

Lydee Ritchie, MA, Licensed MFT

Janet T. Davidson, Ph.D.
Assistant Professor, Criminology & Criminal Justice
Chaminade University of Honolulu

Committee on Finance

Hearing on Wednesday, March 3, 2010
1:30 P.M.
State Capital, Conference Room 308

HB 2000, HD1
SB 2148

To: Members of the Committee on Finance:

I am writing this testimony in support of continued funding for Girls Court, as well as all problem solving courts.

The program is a much needed gender specific program for girls in Hawaii and is one of the first in the nation. The program works to strengthen the pro-social bonds of the girls, increase their self-esteem and self-efficacy, and address other gender-specific problems that are often uniquely correlated with girls' and later women's' entrée into the criminal justice system. The program has a consistent history of demonstrated success. The most recent evaluation results show that girls who complete Girls Court realize the following: 94% reduction in runaways (which are often indicative of other serious underlying problems); 84% reduction in law violations; 79% reduction in shelter admissions; and a 66% reduction in detention home admissions.

These numbers suggest that the program is worthwhile not only terms of gender-specific and gender-relevant services for girls in the juvenile system, but also for public safety. I strongly urge your continued support for this program. Indeed, Girls Court was recently named a best practice in the deinstitutionalization of status offenders by the Office of Juvenile Justice and Delinquency Prevention – a very important distinction for this Hawaii-based program.

It certainly does not go unnoticed that these are trying economic times. As such, it is important to look at some findings that do serve to support problem-solving courts and related initiatives¹. Research on teen courts, for example, demonstrate an average reduction in crime of 14% with a corresponding \$11,401 savings in benefits to crime victims, \$5,507 benefits to taxpayers and a long term \$15,971 in overall benefits. Family-based therapy programs, which is part of the Girls Court Hawaii model, demonstrate an average reduction in crime of 13.3% and \$26,047 in benefits to crime victims and an overall \$12,254 in benefits to taxpayers.

The program is worthwhile not only terms of gender-specific and gender-relevant services for girls in the juvenile system, but also for public safety and long term savings. I strongly urge your continued support for this very important problem solving court.

Sincerely,

Janet T. Davidson, Ph.D.
Assistant Professor, Criminology & Criminal Justice
Chaminade University of Honolulu

¹ Drake, E.K., S. Aos, and M.G. Miller. (2009). "Evidence-Based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State." *Victims and Offenders* 4:170-196.

**TESTIMONY TO CHAIR MARCUS OSHIRO, HOUSE FINANCE COMMITTEE,
AND MEMBERS OF THE COMMITTEE, for the Committee Hearing on
Wednesday, March 3, 2010, 1:30 p.m.**

**RE: SUPPORT OF HOUSE BILL 2000, INCLUDING FUNDING FOR
THE JUDICIARY HISTORY CENTER**

**From: Hawaii Pacific University (HPU) Professor of Business Law
Melvin (Mel) Masuda, J.D., Yale Law School, Master's in Public Administration,
Harvard University—on behalf of the 1,500 HPU Students (and now Alumni)—
FROM ALL OVER THE WORLD—who have learned about Hawaii's unique
legal system and unique multi-ethnic culture of "Aloha" through visiting, on field
trips each semester, the Judiciary History Center located in the State Supreme Court
building, also known as Ali'iolani Hale**

**DEAR HONORABLE CHAIR OSHIRO AND HONORABLE MEMBERS OF
THE HOUSE FINANCE COMMITTEE:**

“Long long ago in a galaxy far far away”—in the 1960s, when most
of you were not yet born—I was one of two *Honolulu Advertiser* reporters covering
the State Legislature—at which time I had the pleasure and honor of knowing
as a friend Chair Oshiro's father, the architect of the Democratic Party in Hawaii,
Robert Oshiro. Now, many years later, having left the *Advertiser* to go on to
law school, and then to become a Professor of Business Law at Hawaii Pacific
University, I am writing to you in support of House Bill 2000, which includes
funding for the Judiciary History Center, for the following reasons:

For the past 15 years, at the rate of 100 students a year—a total of
1,500 students (most of whom are now Alumni, here in Hawaii and on the U.S.
Mainland and in Asia and Europe)—I have had the pleasure and the honor of

taking my HPU Business Law students on field trips each semester to the Judiciary History Center, located on the ground floor of the State Supreme Court building, very close to your legislative offices in the State Capitol, just a block away, makai of the King Kamehameha statue. Because the Judiciary History Center is located so close to you, if and when you get a chance, you should, please, stop by to see what the Center is and “is all about.”

You will be pleasantly surprised to see for yourselves that, on the Waikiki half of the ground floor of the building—also known as Ali’iolani Hale—Center director Matt Mattice has created a first-rate center recognized nationally and even internationally for its exhibits depicting and show-casing Hawaii’s unique-in-the-world legal system—from pre-contact (pre-Captain Cook) times of the Native Hawaiians to the present—and Hawaii’s unique culture of Aloha.

As you may know, 35 percent of HPU’s students come from right here in Hawaii (they often express surprise at learning facts about Hawaii’s legal system and cultures that they did not know about until their field trip to the Judiciary History Center); 35 percent from the U.S. mainland; and 20 percent internationally, from Asia and Europe. Over the past 15 years, a total of 1,500 of these college students have learned about Hawaii’s unique legal system and culture through listening to the expert lectures of Center director Matt Mattice and his staff of one education specialist and through seeing—up close and personal—the excellent exhibits

at the Center, including a diorama model of “Honolulu In 1850.” Most of these college students are now Alumni of HPU, either here in Hawaii or throughout the U.S. mainland and the world. I have received many letters and e-mails from these grateful former students—now alumni—and present-day students saying that their field trip to the Judiciary History Center is one outstanding event that they remember or will remember about their time at HPU!

As you may also know, my HPU college students (and alumni) are not the only ones who benefit from the very existence of the Judiciary History Center on the ground floor of Ali’iolani Hale: Testimony is being submitted by many other teachers from public and private schools attesting to the unique educational value and educational experience provided to their hundreds and even thousands of students by their own field trips over the years to the Judiciary History Center as well as the research resources made available by the Center to those students—and to my HPU college students over the years—to do Term Papers.

For the reasons stated above, I urge, please, that you, Chair Oshiro and The Honorable Members of the House Finance Committee, support H.B. 2000, keeping the funding of the State Judiciary Branch at the current level so that the Judiciary History Center—an invaluable asset to college students from Hawaii, the U.S. mainland, Asia, and Europe and to elementary, middle, and high school students here in Hawaii itself—can continue its unique mission. Mahalo nui loa!

Dear Representation Oshiro,

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level which includes funding for the Judiciary History Center (JHC).

I am an Associate Professor of American Studies at the University of Hawai'i at Manoa. I also direct the Museum Studies Graduate Certificate Program and am a member of the Executive Board of the JHC. My support of HB2000 comes from my experience as an educator of American Studies and Museum Studies and my ability to evaluate the quality of the educational programs offered by the center and the professionalism of its staff.

The JHC is one of the "leanest and meanest" educational centers in the islands. With an extremely small and highly committed staff, it offers an incredible array of educational opportunities and resources for students, teachers, and visitors—from on-site exhibits, informative films, to teacher workshops, curricula with prepared lesson plans, popular high-school mock trial tournaments, and impressive public lectures featuring prominent local and national scholars. During the 2008-2009 year it serviced a total of 35,848 people—an impressive feat for such a small organization!

The work of JHC is underappreciated and largely unrecognized. This is due, I suspect, to its modest physical presence and its focus on service. It is unlike other museum sites in town with a distinctive building and large object collection. What JHC offers is primarily "invisible." It empowers people with knowledge about the judicial process and Hawai'i's legal history. This invisible resource must be conveyed in thoughtful and engaging ways so that people (from elementary students to visiting adults) can appreciate the complexity and/or importance of our legal system and how it affects our understanding of what it means to be an American citizen. For example, through its exhibits and programs, JHC examines Martial Law during World War II and the internment of Japanese Americans. Last summer it helped teachers explore the relationship between the U.S. constitution and Native Hawaiian sovereignty through a three-day workshop. Teachers who attended were extremely excited and grateful to hear from Native and non-Native scholars. As a result, these teachers can now assist 7th and 8th grade social studies students understand questions about Native Hawaiian self-determination that were too complicated, perplexing, or controversial to address in the past.

The JHC has been involved in research and translation projects important to legal history in the islands (e.g., analysis of over 20,000 cases from Hawai'i State Archives, translation of probate records from Hawaiian to English). The staff's work in this area, together with its plans to renovate some of its permanent exhibits in the future (via external funding), will help solidify the uniqueness and importance of the center's work. As this modest center continues its local efforts, I believe it is poised to become more nationally and internationally recognized for its impressive representation and analysis of Hawai'i's legal history from pre-contact to the present.

Please continue to support the JHC with your funding. It is the only center of its kind in the islands—offering compelling ways to understand the importance of civic engagement and the complexity of the legal system in Hawai'i and the United States.

Sincerely,

Karen K. Kosasa
Associate Director, American Studies
Director, Museum Studies Graduate Certificate Program
Department of American Studies
324 Moore Hall
1890 East-West Road
University of Hawai'i at Mānoa
Honolulu, HI 96822

Tel: 808-956-8676
Email: kosasa@hawaii.edu

COMMITTEE ON FINANCE

Honorable Representative Oshiro, Chair
Other Honorable Committee Members

Wednesday, March 3, 2010
1:30 p.m.
Room 308

HB 2000 STRONG SUPPORT FOR TO PRESERVE JUDICIARY'S BUDGET

Sent to: PSMTestimony@capitol.hawaii.gov

I STRONGLY SUPPORT this measure providing funding for our state judiciary.

The Hawai'i state judiciary has been a leader in piloting programs that increase public safety by decreasing criminal recidivism. The programs also increase healing for victims and others harmed and traumatized by crime. Our judiciary is far more effective, and it costs much less, than our corrections system.

The savings that the judiciary provides our community, with its programs that demonstrate reduced recidivism more than our current Department of Public Safety's programs, is sufficient justification to provide the requested funding.

Our state courts have piloted evidence-based programs that prevent repeat crime. The projects have been reported around the world and are being replicated in other states and countries. The cost savings, now \$50,000 a year to imprison a single person, and preventing the serious harm caused to those hurt by crime, pays for more than these expenditures. The social costs of imprisonment are extremely high and were recently documented in a paper *Everyone Pays: A Social Cost Analysis of Incarcerating Parents for Drug Offenses in Hawai'i*, co-authored by Thomas Lengyel, of the American Humane Society, and University of Hawaii professor Marilyn Brown.

Additionally, the Hawai'i Friends of Civic & Law Related Education (www.hawaiifriends.org) has benefited from the assistance of the Judiciary History Center and its Director Matt Mattice in providing violence prevention and restorative justice programs. These programs have benefited thousands of youth and other marginalized people in our community for many years. These cost savings too here justify the judiciary's budget.

My experience working in the Hawai'i justice system includes being a lawyer since 1983, and a public health educator since 1996 doing programs, several of which were collaborations with the judiciary.

Thank you for this opportunity to testify and your hard work.

Please pass this measure and support our Judiciary in its work to help our community.

In support of HB-2000-401

March 1, 2010

To Whom It May Concern:

My success in the Family Court Drug Court has been a result of the combination of services that were provided to me. My name is Kristen Silva and I graduated in June of 2009. I have remained clean and sober and continue to practice good parenting. March 23 is my clean and sober anniversary. There isn't enough language that I could speak to stress the importance of keeping FCDC operating here on Maui. Though I will try. There are a few services that I would like to highlight for their usefulness in this assessment.

I believe that the longer I stayed in treatment for substance abuse the better my success rate to remain clean and sober after graduation. I was first introduced to Aloha House treatment in 1998. When I entered the program of FCDC in March of 2008 they opened the door for me to receive help. I was homeless and really desperate for help. I completed 87 days of residential treatment and I am forever grateful for that opportunity. Next I went to Malama Family Recovery Center and continued on a journey to reconnect with society. If I were not encouraged to participate in this plan of action I don't think I would have chosen it on my own. The process built stepping-stones to my being willing and able to handle life after FCDC.

The next service offered me a way to communicate with those people who are a part of my support network. My family therapist helped us understand addiction in the past and its affects on the family unit after recovery. Family therapy was an affective way to bring those people in my life together. I worked closely with my therapist and she kept me in sync with my goals in life. At times when I needed clarification on how to handle situations I received feedback. I think having a therapist improved my motivation to continue moving forward in the program. Her attitude was positive and we focused on my strengths that inevitably minimized my weaknesses. The process was sometimes intense and offered much needed healing. I never knew how many people I'd hurt until I uncovered all the damaged relationships of my past. I grew from the experience and realized that my choices today affect the outcome of tomorrow.

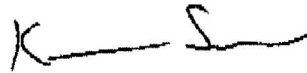
pg 1 of 2

On support of HB 2000 - HD1

Lastly the team of FCDC superiors without a doubt put me in right standings among the community. To explain this I followed the guidelines and did what was expected of me. I never cancelled appointments. I clearly did not know how to function in life anymore and they told me what to do. I needed structure and they provided it. I showed up for court and took care of my end. At times I felt their demands were more than I could bear. This is only because before I never dealt with situations in life. Meetings with case management kept me focused and motivated to keep up the good work. Before surrendering control my life was bound by destruction. My family was torn apart and I had no true friends. While in FCDC I made true friends and now have a beautiful relationship with my family. I continue to go to Multi-family group when my schedule permits just so others can see where their lives can be if they just allow it.

In my situation FCDC gave me a new life. I look back and I am grateful that they put me into residential treatment and told me where to go afterwards. They provided me with a professional therapist who guided me along the way. FCDC held me accountable to repair my past criminal and traffic record and encouraged me to become a better citizen. I knew I needed help and they organized a plan for me to get back into the stream of living again.

Sincerely,



Kristen Silva

(808) 463-0393

In Support of HB 2000 - HB 1

February 28, 2010

To Whom It May Concern,

My name is Michelle Kanada and I am a recent participant of the Maui Family Court Drug Court. I recently graduated the program on February 23, 2010. From my experience in the program, I found it to be a very helpful and supportive program.

My life before Maui Family Court Drug Court was so chaotic and dysfunctional. It was full of drugs, parting, lying, stealing, and hatred. I would never take responsibility for any of my actions or for my choices. I used to think that I could get away with anything. I never cared how anyone else felt. I never even cared how I really felt inside. All I seemed to care about is getting high.

My time during Maui Family Court Drug Court was a great experience. At first I didn't want to be in the program. I hated everything about it. But then I grew to appreciate the help that the Maui Family Court Drug Court team offered me. I can say that without Maui Family Court Drug Court I would've never gotten clean and sober. I also would've never gained my independence. I got to have a lot of structure and guidance from the team. They made me see what was best for me. I also got to learn boundaries, something that I never had. Maui Family Court Drug Court kept me on my toes. Making sure that I got everything done that was recommended of me and when I would forget to do something I would receive a consequence so that I could learn from it and hopefully next time I wouldn't forget to do it. I gained back custody of my son and finished all my treatment. I am now living at KHAO with my husband and my three children. I have grown a lot throughout this past year and five months that I've been with Maui Family Court Drug Court. I really support this program and believe that it is a very helpful program. I still want to attend their Family Groups to be a support and help out the new comers.

Today recovery is a part of my life. Without my recovery I would not be where I am today or accomplished the things that I have accomplished. I need to keep reminding myself about where I have come from and if I want to go back there. I know that I can never go back to my old life and still have what I have today. I love my life today and I wouldn't trade it for anything. I owe my thanks to Maui Family court Drug Court for not giving up on me and pushing me do the right things. I hope that you will keep on funding this program because it really does make a difference in people lives.

Thank You,

Michelle H.K. Kanada

Michelle H.K. Kanada

(808) 268-5498

To: House of Representatives, Committee on Finance
From: Joseph P. O'Brien Jr., Planner/Analyst, Us Air Force.
Date: March 3, 2010 at 1:30PM
Measure Number: HB 2000, HD1

I would like to thank the committee for their support of the Girl's Court program. Girl's Court provides the training and support to enable families with at risk teenage girls to turn them around and head them in the right direction.

My wife Myra and I were given the opportunity three years ago to bring our 15 year old niece into our home. Ceara had been a run away from her home for two years, was far behind in her schooling, and did not want to submit to adult supervision. Ceara did not want to be in school or in our home. We asked the police for assistance three times when Ceara ran away or was not able to manage her anger. We were beginning to doubt whether we could succeed in helping Ceara.

We found out about Girl's Court from a Court Officer in Family Court and requested that Ceara be admitted. She was assigned a Probation Officer, and a Therapist. For the next three years, we were immersed in training classes, community service and monthly court appearances where Judge Radius was firm but caring with all the girls. Ceara's therapist, Margaret Cadiz, and probation officer, Dayna Miyasaki worked closely with Ceara and gained her trust. It is due to their hard work that Ceara will graduate from Castle High School in May and will enroll in Honolulu Community College's culinary program.

I and my wife could not have helped Ceara achieve this success by ourselves. We owe a debt of gratitude to all the dedicated and professional employees and volunteers at Girl's Court.

Representative Marcus Oshiro, Chair
Representative Marilyn Lee, Vice-Chair
Finance Committee

House of Representatives of the State of Hawai'i

Lance D. Collins, Esq.

Wednesday, March 3, 2010
Support HB No. 2000, Relating to the Judiciary

My name is Lance D. Collins. I am an attorney in private practice on the island of Maui and testify on my own behalf. I support HB No. 2000.

I write to you today to give support the Judiciary and highlight a number of issues of special importance to me.

First, the Law Libraries and the Supreme Court Law Library is very important and a necessary part for equal access to justice in this state. Many small firms like mine rely on the Law Library for access to caselaw which our own firms simply cannot afford private subscriptions to. The Law Libraries also permit the public access to important law books and databases. Without the law libraries, access to justice would be severely curtailed.

Second, the Judiciary History Center plays an important role in both the education of the public regarding the history and development of our judiciary and with civil education programs directed out Hawaii's youth including the School Violence Prevention Demonstration Program, We the People competition, and Teaching American History.

Finally, as a practicing litigator, I can share with you the impact that the budget cuts on the judiciary have caused. Among my case load, I have a case that is about four years old that has been ready to go to trial since late last year. It has been delayed because of the backlog of criminal trials and was recently reset to February 7, 2011 – a year away. Many of my colleagues are reporting similar occurrences. The Judiciary allows economic, political and social life to function properly and it must be spared any further budget cuts.

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

Zale T. Okazaki
190 Kilea Place
Wahiawa, HI 96786

Via Hand Delivery Only

Rep. Marcus R. Oshiro, Chair
Committee on Finance
State Capitol, Room 6

Testimony regarding HB2000, HDI (HSCR 3256-10) and HB 2200
Hearing: March 3, 2010 at 1:30, Conf Room 308, State Capitol

I am a board member of the Friends of the Family Specialty Courts under which the Girls Court shelters. Girls Court serves at risk teens. The Honorable Karen Radius (Ret.) created and spear headed Girls Court and this program has successfully sought and assisted a number of female at risk teens since its inception. As a member of the Hawaii Women's Legal Foundation, I am the co chair of the grant committee and I became aware of Girls Court three years ago. I attended a graduation ceremony and that was one of the most inspiring ceremonies I had ever attended. I watched a mother stand up and explain how Girls' Court had saved not only her daughter's life but hers as well. Girls Courts challenges these at risk teens to become better than what they know and better than what they are. It was amazing to watch the girls bond together not only with the families but with each other. It gave me "chicken skin". HWLF then provided a micro grant to Girls Court and I later became a board member of FFOSC. Today, with the financial crises affecting all aspects of Hawaii, each interest is competing for government dollars. Why is Girls' Court different: because you can see in a semester what changes qualified and caring staff can make to one at risk teen. That change has a pond-effect of making changes in the family. I am not so naïve to think the change in a single life is sufficient. But think: on at risk teen is saved, and changes wrought within the family is correspondingly changed. The then former at risk teen then makes differences in each life she touches. A rather facile simplification but I hope my message gets across. If the State cannot help its children, who can? I ask for your continued support for Girls' Court.

Respectfully Submitted,


Zale T. Okazaki

COMMITTEE ON FINANCE

Rep. Marcus Oshiro, Chair

Rep. Marilyn Lee, Vice Chair

Wednesday, March 3, 2010

1:30 p.m.

Room 308

SUPPORT OF HB 2000 HD1 – JUDICIARY BUDGET

Aloha Chair Oshiro, Vice Chair Lee and Members of the Committee!

My name is Kat Brady and I am testifying in support of HB 2000 HD1 – the budget for the Judiciary.

It is amazing to me that 5% of the state budget goes to incarceration while a little more than half of that 2.6% - goes for justice. That tells a very sad story about Hawai'i's priorities.

I am here today to support the Judiciary, and especially, the Judiciary History Center, which is located in the historical building called Ali'iolani Hale and built by King Kamehameha V in 1874. The Judiciary History Center features exhibits and multimedia presentations on Hawai'i's legal history and landmark court cases. It houses exhibits on the transition from the Hawaiian kapu to a western judicial system, and Hawai'i under Martial Law. The Center's restored 1913 courtroom is used for mock trials. I remember the late Glenn Grant presenting the Massie case in that very courtroom. The Center preserves the history of Ali'iolani Hale and the Kamehameha Statue.

In step with the times, the Center has multimedia presentations on land-use law, water rights and a historic land tenure case – all very relevant and important to know about as these issues are still being litigated today.

The Center interfaces with the community by offering guided tours for school and community groups as well as public programs. Each year, the Judiciary History Center trains teachers on advocacy. I have assisted the Judiciary History Center with this training to help teachers understand the legislative process for the past several years

It has been said that ***Those who ignore their history are bound to repeat it.***

The Judicial History Center, located at the Hawai'i Supreme Court is a wonderful place to learn about the events that have shaped the Hawai'i we know today.

Please support the budget for this incredibly important resource for Hawai'i nei.

Mahalo for this opportunity to testify.

March 2, 2010

Dear Honorable Chair Marcus Oshiro:

I am writing in strong support of HB2000 urging the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

The Center was established by the Legislature twenty years ago as a unique educational institution to serve Hawaii's school children, residents and visitors alike. As the first executive director of the Center, I am proud to say that this institution has made a tremendous difference in the lives of thousands of school children, teachers, judges and lawyers who have experienced the Centers exhibits, mock trial experiential opportunities, teacher workshops and special programs resulting in a greater understanding and appreciation for the most misunderstood branch of government.

As Finance Chair, I know that you are facing some very extreme demands, however please take into account that the investment to create the Judiciary History Center has already been made. As the world changes at an alarming pace, this is the only place where we can go to learn about the important history and role of the Hawaiian courts. I ka wa ma mua, I ka wa ma hope. Our past holds the key to our future!

Please preserve funding for the Judiciary and for this exceptional and unique first rate educational institution that exists nowhere else in the world.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,

A handwritten signature in black ink, reading "Lani Ma'a Lapilio". The signature is written in a cursive, flowing style.

Lani Ma'a Lapilio

Dear Representative Oshiro:

My name is Pat Brandt and I am a retired state employee, currently working in the community on program development, strategic planning and dispute resolution.

I am writing in support of HB2000, urging the Legislature to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

The Judiciary History Center plays an important role in most times and is especially critical in these tough economic times. Their focus is on education, of the public and of our young people. We need to know and understand the importance of and the workings of government to be able to formulate our own individual and group solutions to the communities needs. In these times when people resort to finger pointing rather than collaborative problem solving, it is essential to understand the role of government and how we need to participate and become a part of the solution.

I have also work with the Center for Alternative Dispute Resolution, an office dedicated to finding collaborative solutions to very real problems within and between government agencies and offices by training staff in collaborative problem solving and dispute resolution processes.

These are but two of the essential services the Judiciary provides for the community. We know costs must be cut but both these programs are providing concrete tools for problem identification and solutions before they turn into costly, time consuming, relationship damaging scenarios that disrupt services and cost individuals (read "taxpayers") unnecessary damage control/reparation costs.

As a long time volunteer community mediator, I see the results of lack of education and trained support in case after case of misunderstandings or poor communication which grow into time consuming, often costly disputes that affect entire offices, families, neighborhoods. Disputants are getting younger. Imagine 8 and 10 year olds coming to the mediation center to resolve disputes. We can change that through the education and training provided by the (very small but effective) staffs of the Judiciary History Center and the Center for Alternative Dispute Resolution.

The educational programs that introduce our youngsters to the value of democratic government and encourage participation and the alternative dispute resolution training are cost efficient services operating with very small budgets and staff. Let's not lose them with an across the board slashing that tends to cripple the small but effective programs.

Thank you for allowing me to voice my support for the Judiciary budget.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 12:39 PM
To: FINTestimony
Cc: manning.taite@nalustudies.org
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Manning S. Taite III
Organization: NALU Studies
Address: 146 Hekili St., Ste 203 Kailua, HI96734
Phone: 808-398-2088
E-mail: manning.taite@nalustudies.org
Submitted on: 3/2/2010

Comments:
Please support the Girls Court program. It saves lives.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 2:28 PM
To: FINTestimony
Cc: williamsr001@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Rianna M. Williams
Organization: Individual
Address: 1121 Kaimoku Place Honolulu HI 96821
Phone: 808-373-1851
E-mail: williamsr001@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

I support HB2000 because the Judiciary History Center teaches Hawai'i children about jurisprudence at a level they can understand, plus it has excellent public programs I often attend. EVERY part of Hawai's history should be valued.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 1:47 PM
To: FINTestimony
Cc: skillman@hawaii.edu
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Teri Skillman
Organization: Individual
Address: 3176 East Manoa Rd. Honolulu, HI 96822
Phone: 389-4462
E-mail: skillman@hawaii.edu
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

I attended the free school tour at the Judiciary History Center in 2008. I was very impressed with the program and how students were encouraged to consider issues and take a stand through a mock court trial. The exhibits focusing on Hawaii's judicial history and the documentary films for the students to view are excellent. Loss of the Judiciary History will adversely affect Hawaii's students.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,
Teri L. Skillman

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 1:37 PM
To: FINTestimony
Cc: atfujii@hotmail.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Aric Fujii
Organization: Individual
Address:
Phone:
E-mail: atfujii@hotmail.com
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center

Thank you very much for considering my testimony in support of HB2000.

As a coach for the Kauai High School Mock Trial team, I can tell you that the History Center has consistently supported our program. We have placed second in the nation (only California was better that year) and we definitely could not have done it without their support.

Those who do not learn from history are condemned to repeat it.
Sincerely,

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 12:01 PM
To: FINTestimony
Cc: tomcoffman@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Tom Coffman
Organization: Individual
Address: 44-114 Bayview Haven Place Kaneohe, HI 96744
Phone: 808 247 8181
E-mail: tomcoffman@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

I have worked periodically with the Judiciary History Center since its inception. Most impressively, the Center educates 10,000 young people a year. Day in and day out it succeeds on this mission (where others often talk but fail). Its lectures and dialogues are lively and balanced. The exhibits are valuable and the historic courtroom functions as a theater verite. I also have shot parts of two films there, which I appreciate. Tom Coffman 3/2/10

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 2:38 PM
To: FINTestimony
Cc: kim_baker@notes.k12.hi.us
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position:
Testifier will be present: No
Submitted by: Kim S. Baker
Organization: Individual
Address:
Phone:
E-mail: kim_baker@notes.k12.hi.us
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

Every year our third graders at Mililani Mauka Elementary go to JHC for lessons on rules and laws and power with/without authority. It is a valuable excursion due to the lessons taught and information shared at JHC.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,
Kim S. Baker

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 2:58 PM
To: FINTestimony
Cc: nickdewitt@sbcglobal.net
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Nicholas DeWitt
Organization: Individual
Address: 66 Queen Street, Apt. 1502 Honolulu HI
Phone: 537-2627
E-mail: nickdewitt@sbcglobal.net
Submitted on: 3/2/2010

Comments:

I strongly support passage of HB 2000. I am on the Board of the Hawaii Judiciary History Center -- volunteering my time and enegry to this worthwhile organization. Hawaii has a unique history, told in no small part by the legal and judicial issues it has faced in the past 100 years. The HJHC provides education about Hawaii to youths, adults and visitors to the Center, and through its many outreach programs. It must be preserved and needs the funding that HB 2000 will provide. Thank you. Nick DeWitt

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 3:01 PM
to: FINTestimony
Cc: Joy_Buckland@notes.k12.hi.us
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Linda Joy Buckland
Organization: Individual
Address:
Phone:
E-mail: Joy_Buckland@notes.k12.hi.us
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

As a third grade teacher at Lunalilo Elementary School, I have taken my class to the Judiciary History Center for the past 6 years, along with the rest of the third grade teachers and students. We plan this field trip in conjunction with a trip to the State apitol to see the Senate and the House of Representatives.

It has been an extremely educational and enjoyable field trip to highlight the third grade HCPSIII standards for branches of the government. All our teaching efforts are highlighted when the students actually get to sit in an actual courtroom and are given extra information from the knowledgeable educational specialists at the Judiciary, or to see the legislature in action. Our school is a Title I school which means that a high percentage of our students would not have this kind of experience if it were not for our field trip. Their understanding of the workings of the government are greatly enhanced because of this real life event. It would be a terrible loss to have the budget cut for them any more than it already has been.

Sincerely,
L. Joy Buckland
Grade 3 Teacher
Lunalilo Elementary School

Dear Representative Oshiro:

I am writing in great support of HB2000.

Also, I urge the State of Hawai'i to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

The Judiciary History Center serves to educate Hawai'i's citizens of one the most fundamentals of the United States Constitution—due process of the law. Additionally, the Judiciary History Center offers a unique role in explaining the Hawaiian legal history.

Since we are Americans, this Center is a value that continues to educate everyone about our country, and especially in Hawai'i, this Center serves everyone by educating them of the judicial system and the significant role that Hawaiian history has played.

The Judiciary History Center's reach is too far and too substantial to lose with these budget cuts.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,

Stacy Hoshino

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 4:23 PM
To: FINTestimony
Cc: rrmetcalf@hawaiiantel.net
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Robin Metcalf
Organization: Individual
Address: 945 Wanaao Rd. Kailua, Hawaii
Phone: 808-721-3842
E-mail: rrmetcalf@hawaiiantel.net
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro,

I'm writing asking you to please support HB2000 and continue the level of support the Judiciary currently receives including maintaining the Judiciary History Center. As a homeschooler, the Judiciary History Center has been a wonderful resource for myself and many others. It's classic courtroom and hands-on education are an extremely valuable means of teaching all sorts of historical information. Please do not cut this incredible resource. Too much of our children's education is slipping away. Please don't allow this one to also.

Sincerely,

Robin Metcalf
Kailua, HI

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 5:01 PM
fo: FINTestimony
Cc: arndoris@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Doris Nye
Organization: Individual
Address: 73-4367A Huiilau St. Kailua Kona
Phone: 808-325-1789
E-mail: arndoris@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

I am writing in SUPPORT of HB2000. I urge the State to preserve the judiciary's budget at the current level which includes the funding of the Judicial History Center. The Center is too valuable for the education of our young population to be eliminated in a budget cut. My parents and older sister were interned during WWII first at Ft. Armstrong then Sand Island and finally at Honouliuli. Through presentations at the Judicial history Center I was able to carry the message of the pain and distress of innocent US citizens of German and Italian descent, the panic and terror of myself and my little sister--our ages 11 and 9 who were left as abandoned children after our family was taken away, and how we survived during the months while the rest of the family were in the camps. The subject of the internment of the Caucasians is just beginning to emerge. With the help of the Judicial History Center I was able to reach many teachers and other interested parties. Martial Law was discussed its positive and negative effects on the population. It is a part of history of which many are unaware of happening. Learning, must not be curtailed and eliminated through budget cuts. A population who forgets its past mistakes is bound to repeat them again in the future. This must not happen!

Thank you very much for considering my testimony of support of HB2000. Sincerely, Doris Nye

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 5:10 PM
To: FINTestimony
Cc: cashmans001@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: sandra cashman
Organization: Individual
Address: 59-575 akanoho place haleiwa, hi
Phone: 808 753-0492
E-mail: cashmans001@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

I strongly support the Judiciary History Center. They sponsor programs that are vital to the civic education of our students in Hawaii by providing high quality professional development opportunities for public and private school teachers throughout Hawaii. Thousands of elementary through high school students are impacted each year because of the excellence of programs such as We the People, the Citizen and the Constitution, Project Citizen, and the School Violence Prevention Demonstration Project. An investment in the Judiciary History Center is an investment in the future of Hawaii.

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 9:27 PM
To: FINTestimony
Cc: queena_yuen@notes.k12.hi.us
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Queena Yuen
Organization: Individual
Address:
Phone:
E-mail: queena_yuen@notes.k12.hi.us
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

I am a 5th grade teacher and annually takes my students on the free tour of the Hawaii Judiciary Center. The 5th grade students learn so much from this fieldtrip about the judiciary process. The guides have students do a mock trial in a courtroom which is something I can't do in my classroom. The free tour helps make what they learn in the classroom come to life. It is an invaluable experience for them.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,
Queena Yuen

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 8:49 PM
To: FINTestimony
Cc: Catherine.Levinson@hawaiiantel.net
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Cathy Levinson
Organization: Individual
Address:
Phone:
E-mail: Catherine.Levinson@hawaiiantel.net
Submitted on: 3/2/2010

Comments:

The Judiciary History Center enhances and provides vital support for law-related and civic education for teachers and students across the State through teacher-training workshops and online support to enable teachers to provide proven civic education programs for grades 5-12, to engage the students in We the People: the Citizen and the Constitution study and statewide high school competition, and other civic education programs backed by Congress. Further cuts in funding would jeopardize the quality of education of Hawaii's students and their life-skills as they move on to higher education and become voters.

Please do not cut funding for the Judiciary History Center's law-related and civic educational services.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 8:41 PM
To: FINTestimony
Cc: brownjrr001@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Robert Brown
Organization: Individual
Address:
Phone:
E-mail: brownjrr001@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center. My elementary school age grandson may well miss knowing firsthand the significance of our judicial system if there are further cutbacks to the center. Reading about it is one thing; experiencing it is another.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,
Robert Brown

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 8:21 PM
To: FINTestimony
Cc: laurarenrich@hotmail.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Laura Peterson
Organization: Individual
Address: POB 482136 Kaunakakai, HI 96748
Phone: 808-553-8381
E-mail: laurarenrich@hotmail.com
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

I have visited the judiciary center on multiple occasions and have benefited from the professional development programs that have been offered. The curriculum has enriched my classroom and increased the learning of my students. Taking these courses has also helped me to attain my goal of becoming Highly Qualified in the area of social studies. Their programs provide a diverse learning experience and include also funding for remote island teachers, who suffer from the lack of available professional development opportunities.

Thank you very much for considering my testimony in support of HB2000.

> Sincerely,
> Laura R. Peterson

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 7:08 PM
To: FINTestimony
Cc: cindynava@yahoo.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Cindy Navarro-Bowman
Organization: Individual
Address: Papa'aloa St. Papaaloa, HI
Phone: 808-987-3971
E-mail: cindynava@yahoo.com
Submitted on: 3/2/2010

Comments:

Please continue to support the Judiciary Center. I teach 7th and 8th grade students in Social Studies and have benefitted tremendously from the many wonderful educational opportunities they provide. I have improved my curriculum over the past five year, due a good part to the support to the teacher training and workshops they offer. It has changed the way I teach and my students are the better for it.

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 9:35 PM
To: FINTestimony
Cc: carolhas@hawaii.edu
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Carol Hasegawa
Organization: Individual
Address:
Phone: 845-9196
E-mail: carolhas@hawaii.edu
Submitted on: 3/2/2010

Comments:

I support HB2000 and the important work of the Judiciary History Center. I am a member and have attended many events, especially talks and presentations, that would not otherwise have found an accessible and comparable venue.

The JHC has already sustained substantial budget cuts. They have provided unique programming and need to continue their work which enlivens Hawaiian history in the schools.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 03, 2010 8:56 AM
To: FINTestimony
Cc: joylee@lejardinacademy.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Joyceline Lee
Organization: Individual
Address: 917 Kalaniana'ole Highway Kailua, HI
Phone: 721-4739
E-mail: joylee@lejardinacademy.com
Submitted on: 3/3/2010

Comments:

We are fifth grade teachers at Le Jardin Academy and writing in support of HB2000. We urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

The Judiciary History Center provided our fifth graders with an informative free school tour. Students learned about martial law in Hawaii during World War II, viewed actual artifacts, poke with a State Supreme Court Justice, and participated in a mock trial. Similar to the our annual visit to the State Capitol, this field trip to the Judiciary History Center is a key component in our efforts to bring to life what students learn about government in school. The children need to see how all three branches of government work to protect, support and enrich their lives and the lives of their families.

Thank you very much for considering our testimony in support of HB2000.

Sincerely,
Dale Coarsey, Suzie Gamble, and Joyceline Lee

FINTestimony

From: mailinglist@capitol.hawaii.gov
It: Tuesday, March 02, 2010 9:13 PM
To: FINTestimony
Cc: ahawken@pepperdine.edu
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM
Attachments: Hope Testimony Hawaiian Legislature March 3, 2010.doc

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: comments only
Testifier will be present: Yes
Submitted by: Angela Hawken
Organization: Pepperdine University
Address: 24255 Pacific Coast Highway Malibu, CA
Phone: 310-525-8318
E-mail: ahawken@pepperdine.edu
Submitted on: 3/2/2010

Comments:

HOPE: Overview of Evaluation Findings

Angela Hawken, Ph.D.
Professor of Economics and Policy Analysis
School of Public Policy
Pepperdine University
Malibu, CA

Testimony prepared for the Hawaii State Legislature

March 3, 2010

Non-violent drug offenders are rarely given straight jail time; they are typically placed under community supervision. This puts probation and parole departments on the front lines of the struggle to reduce drug dependence, but caseloads are growing and supervision and drug treatment resource are scarce. In this testimony, I describe findings of Hawaii's experiment with a structured testing-and-sanctions model (**H**awaii's **O**ppportunity **P**robation with **E**nforcement, known as HOPE) that has dramatically improved probationer compliance without draining department resources.

The Motivation for Programs such as HOPE

Referrals from the criminal justice system (CJS) account for 36% of substance abuse treatment admissions nationwide (SAMHSA, 2006). That proportion is growing with the expansion of drug diversion programs and drug courts. However, diversion programs and probation have a poor record of securing continuation in treatment; both the national TASC program and California's Proposition 36, the largest single diversion program, have treatment-completion rates of approximately 25%. Compliance under Proposition 36 is so poor that support among treatment providers for a change in the program to allow the use of short jail stays to motivate treatment compliance has grown to 80.1% (Hawken and Poe, 2008).¹

Most jurisdictions have a poor track record for supervising drug-involved probationers. Rather than consistently sanctioning probation violations, such as failure to adhere to conditions on illegal drug use and treatment attendance, the system tends to allow repeated violations to go unpunished and when punishments are meted out, they tend to be lengthy (and costly) jail or prison terms. Inconsistent punishment and long delays between the violation and the delivery of the sanction add to the inability to effectively change probationer behavior and sends a message to probationers that probation compliance is not a priority.

Most systems make poor use of available treatment resources. Previous studies have shown that CJS-referred clients have outcomes comparable to those of self-referred clients,

¹ Data are from the 2007 UCLA Provider Survey. The providers (n=87) constitute a representative sample of California treatment providers who serve Proposition 36 clients.

controlling for addiction severity at treatment entry, but rates of treatment entry among CJS-referrals are often low as the treatment mandate is not enforced. CJS referrals also include many offenders without diagnosable substance abuse disorders, thus wasting scarce treatment capacity and displacing voluntary clients in greater need of care.

From a strategic perspective, many experts believe that a probation system that consistently enforces conditions of probation, but with milder sentences, would be more effective in inducing behavioral changes than the current much more haphazard system. Hawaii has been the innovating state in this regard, and its experience with HOPE provided an opportunity to study the effects of a swift and certain sanctioning program.

The Theoretical Underpinnings of HOPE

HOPE consistently and rapidly delivers a modest sanction in response to *every* violation of a condition of probation. Drug testing with swift and certain sanctions has a strong theoretical basis for promoting behavioral change. Testing and sanctions programs that follow these basic tenets (clearly articulated sanctions applied in a manner that is certain, swift, consistent, and parsimonious) are research based:

A clearly defined behavioral contract

Probationers should be informed about the conditions for compliance with the terms of their probation and consequences for each violation should be carefully explained (Taxman, 1999). A clearly defined behavioral contract has been shown to enhance perceptions of the certainty of punishment which improves compliance (Grasmack & Bryjak, 1980; Paternoster, 1989; Nichols and Ross, 1990; Taxman, 1999).

Consistency

Agents in the criminal justice system and treatment providers need to enforce the stated rules (Harrell and Smith, 1996). The consistent application of a behavioral contract has been shown to improve compliance (Paternoster et al., 1997) and enhance perceptions of fairness (Taxman, 1999).

Swift delivery

Sanctions should be delivered in a timely fashion (Taxman, 1999). A swift response to infractions improves the perception that the sanction is fair (Rhine, 1993). The immediacy, or celerity, of a sanction is also vital for shaping behavior (Farabee, 2005).

Parsimony

Parsimonious use of punishment (i.e., the least amount of punishment necessary to bring about the desired behavior change) enhances the legitimacy of the sanction package and reduces the potential negative impacts of tougher sentences, such as long jail or prison stays (Tonry, 1996).

Results from the evaluation of HOPE

I was the principal investigator of two evaluations of HOPE, including a randomized controlled trial. These evaluations were conducted with support from the National Institute of Justice and the Smith Richardson Foundation and evaluation results were released in December, 2009. The formal evaluation of HOPE in the Integrated Community Sanctions probation unit began in June, 2007. This evaluation involved the retroactive analysis of administrative records and included a comparison group of similar probationers in the same unit. Two common criticisms of this study were: 1. the study did not include an experimental design and 2. the probation officers in the Integrated Community Sanctions unit managed caseloads that were smaller (about 80:1) than caseloads typically supervised in other jurisdictions. To address the caseload concern, and to improve the rigor of the HOPE evaluation methodology, we launched a second study (a true randomized controlled trial) in the Adult Client Services unit where caseloads (about 170:1) could yield findings more-relevant to other jurisdictions. The randomized controlled trial was launched in October, 2007 and entailed a one year study of probationers assigned to one of two conditions: 1) HOPE or 2) Probation-as-usual. Evaluation findings show that HOPE probationers in both units have reduced drug use, no-shows for probation appointments, new arrests, probation revocations, and days incarcerated, compared with probationers assigned to probation-as-usual.

In the Integrated Community Sanctions Unit, the rate of positive drug testing by fell 93 percent for HOPE probationers during the first six months (from 53 percent to 4 percent), compared with 14 percent for comparison probationers (from 22 percent to 19 percent). Only 40 percent of HOPE probationers had any post-warning violation within the first year; of those who had one violation, only half had a second violation; of those with two violations, only half (10 percent of the total) a third or subsequent violation. Thus HOPE identified a small minority of probationers who did not desist from drug use under sanctions pressure alone. I refer to this as the “behavioral triage” function of HOPE—the program identifies those most in need of treatment by documenting their actual conduct rather than relying on assessment tools (see Hawken, 2010). Similarly, we found large significant reductions in no-shows for probation appointments for probationers assigned to HOPE, but no meaningful improvement for the offenders in the comparison group.

From a cost perspective, the most meaningful finding is the large differences in revocation rates between HOPE and comparison offenders. Probationers assigned to HOPE were revoked only one-third as often as offenders assigned to the comparison group. We found large significant differences in the average number of prison-days sentenced (an average of 303 days for comparison probationers compared with 112 days for HOPE probationers). This translates into large savings on incarceration costs.

The randomized controlled trial of HOPE was implemented in the Adult Client Services unit and used an intent-to-treat design, i.e., all offenders assigned to the HOPE condition were included in the HOPE group, even if they failed to appear for their warning hearing to formally enter the program. This distinction had important implications for our study, as 30 percent of the offenders who had their probation revoked and were sentenced to an open term under HOPE had never appeared for a warning hearing. The results of the RCT are summarized in Table 1. There were large reductions in missed appointments, positive drug tests, recidivism, revocation and incarceration days.

Table 1. Summary of RCT Findings

| Outcome | HOPE | Control |
|--|-------------|----------------|
| No-shows for probation appointments (average of appointments per probationer)* | 9% | 23% |
| Positive urine tests (average of tests per probationer)** | 13% | 46% |
| New arrest rate (probationers rearrested) | 21% | 47% |
| Revocation rate (probationers revoked) | 7%*** | 15% |
| Incarceration (days sentenced) | 138 days | 267 days |

* The no-show results are calculated as follows: The percentage of missed appointments is calculated for each offender. The average of these percentages is reported in Table A2. This approach gives equal weight to each offender, irrespective of how many appointments were scheduled for that probationer. An alternative measure calculates the total number of missed appointments divided by the total number of appointments. Using this approach, the frequency of missed appointments was 5 percent for HOPE probationers and 18 percent for control probationers.

** Positive urinalyses results are calculated as follows: The percentage of positive urinalyses tests is calculated for each offender. The average of these percentages is reported in Table A2. This approach gives equal weight to each offender, irrespective of how many tests that probationer is subjected to. An alternative measure calculates the total number of positive urinalyses divided by the total number of tests. Using this approach the frequency of positive urinalyses was 9 percent for HOPE probationers and 41 percent for control probationers.

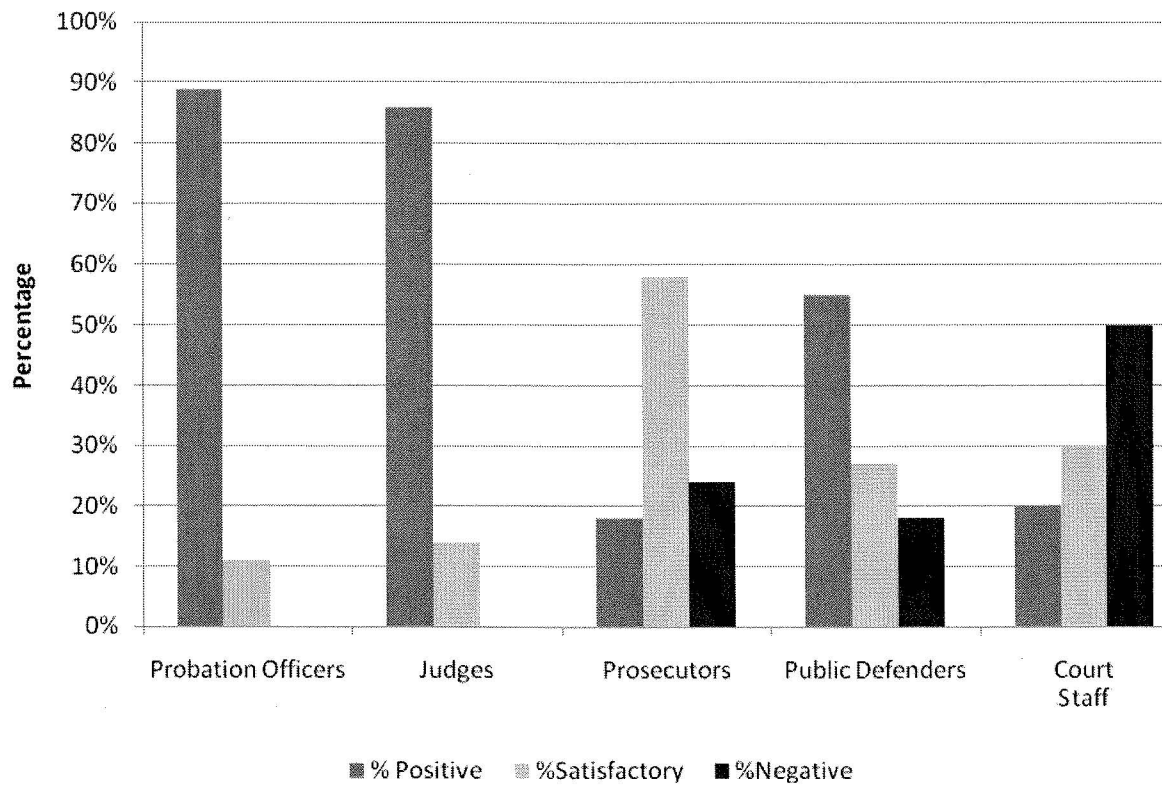
*** Thirty percent of the HOPE probationers who had their probation revoked had never appeared for their HOPE warning hearings. The revocation rate among those who appeared for a warning hearing was 5 percent.

An analysis of disaggregated data showed outcomes were robust across judges and across probation officers (similar outcomes regardless of their perceptions of the program). In our Process Evaluation of HOPE, we found that judges consistently sanctioned probationers in response to probation violations, but that the severity of the sanction was uneven. As offender outcomes were close to equivalent across judges, judges who issued longer sentences were unnecessarily adding to incarceration costs.

Our evaluation included surveys of key staff involved with implementing HOPE, and the HOPE probationers themselves. Surveys of key criminal justice agents found positive general perceptions of HOPE, with the highest levels of satisfaction reported by judges and probation officers (see Figure 1). Prosecutors were the most critical of HOPE, with close to 20% reporting negative perceptions of the program. “Net-widening” was the primary concern raised by prosecutors; that is, under HOPE some more serious offenders who would otherwise be incarcerated are allowed to remain in the community. These concerns could be mitigated by establishing eligibility guidelines that would exclude certain probationers from entry into HOPE.

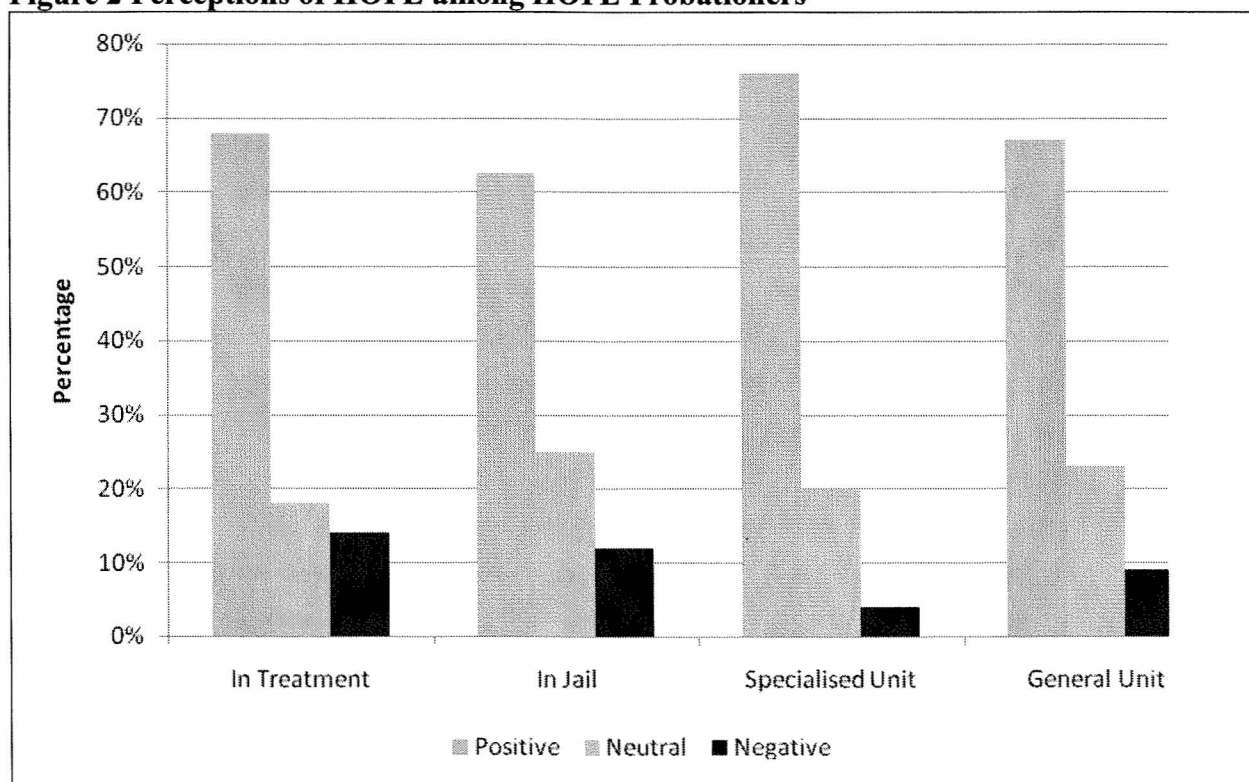
Four groups of probationers were surveyed (see Figure 2): in jail; in treatment; in community under supervision of the Specialized Unit; and in community under supervision of the General Probation Unit. Across supervision conditions, probationers reported positive general perceptions of HOPE.

Figure 1 Perceptions of HOPE among Criminal Justice Agents



Note: Data are from the 2008 HOPE Evaluation Stakeholder Surveys. Probation Officers (n=38); Judges (n= 7); Prosecutors (n= 12); Public Defenders (n=11); Court Staff (n=11).

Figure 2 Perceptions of HOPE among HOPE Probationers



Note: Data are from the 2009 HOPE Probationer Surveys. Four groups of probationers were surveyed. A total of n=211 probationers were surveyed. In Treatment (n=28); In Jail (n=16); In community supervised by Specialized Probation Unit (n=50); In community supervised by General Probation Unit (n=117)

Cost

The feasibility of HOPE as an alternative to existing methods of community supervision, will depend in part on whether it adds to, or rather subtracts from, the total costs of operating the criminal justice and treatment system. We are not yet able to assign a final value to the cost savings under HOPE, but can speak to the direction of the finding. Savings from prison days avoided dominate the HOPE savings and more than offset the increase in supervision and treatment expenditures associated with the program. For Adult Client Services (high risk, but lower risk than offenders in ICS) we estimated a savings in incarceration costs of \$4,140 per offender assigned to HOPE. For Integrated Community Sanctions (the higher-risk probationers) we estimated a savings in incarceration costs of \$6,157 per offender assigned to HOPE. These estimates are based on the conservative assumption that offenders sent to prison serve 50% of their term.

HOPE for All?

Our findings show that not all probationers succeed on HOPE. We found that a minority of probationers (28 %) did not respond to the credible threat of sanctions and accumulated three or more violations (of any sort). These probationers have identified themselves as either a. not amenable to supervision in the community or b. better suited to closer judicial monitoring such as that provided by a drug court. As such, HOPE should be part of a continuum of supervision options available.

Since most heavy illicit drug users move in and out of criminal-justice supervision, success in reducing their drug use via HOPE-style probation supervision could drastically shrink both the drug markets and the fiscal and human costs of drug law enforcement. There is no doubt that what has been achieved with HOPE in Hawaii is exceptional. But it remains to be seen whether the HOPE effects will generalize to other jurisdictions. Programs such as HOPE require that judges, probation officers, police, corrections officials, and treatment providers cooperate towards a common goal. An important feature of the Hawaii experience was the strong leadership that motivated and coordinated the implementation of the program. If such leadership is lacking, the expected potential of a HOPE program may not be realized. A number of states are now considering implementing HOPE models and much will be learned as the number of jurisdictions and evaluations increase. Our evaluation in Hawaii leaves us cautiously optimistic. If the Hawaii findings hold in other jurisdictions, HOPE-like principles might make “community corrections” once again a credible alternative to incarceration, reducing the need to continue the trend of rising incarceration.

References

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FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 3:24 PM
To: FINTestimony
Cc: ehawkins@jashawaii.org
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Edwin P. Hawkins
Organization: Japan-America Society of Hawaii
Address: 220 S. King Street, Suite 1501 Honolulu, HI
Phone: 524-4450
E-mail: ehawkins@jashawaii.org
Submitted on: 3/2/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center. Recently, the Japan-America Society of Hawaii (JASH) in partnership with Chief Justice Moon held a reception at the Hawaii State Supreme Court for our membership and guests. The purpose of this reception was to educate the members of JASH on the civic responsibilities of citizenship, history of law in Hawaii, and the legal experience of Japanese immigrants and early Japanese-Americans. The Judiciary History Center was crucial in educating the JASH members and their guests on how the State of Hawaii and its legal system interacted with their ancestors. Included in this educational program was a showing of a movie on the institution of martial law in Hawaii during WWII and how that affected the Japanese-Americans, including the suspension of constitutional rights. The presentations made such an impact on our Society and its members that we are now working with the staff of the Judiciary History Center to schedule a tour for our children who participate in our students programs. We also are looking to conduct comparative law programs for students on American and Japanese law for students in the Hawaii-Japan exchange program we also conduct, as Japan is in the process of looking to implement a jury system for its courts. The Judiciary History Center will play an important role in this process as well. We hope that the important Center will continue to be available for these and other future programs.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 03, 2010 9:48 AM
To: FINTestimony
Cc: buller.laura@gmail.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Laura Buller
Organization: Individual
Address: 2179 Kalae Hwy Kualapuu, HI
Phone: 808-658-5230
E-mail: buller.laura@gmail.com
Submitted on: 3/3/2010

Comments:

Dear Representative Oshiro:

I am writing in support of HB2000. I urge the State to preserve the Judiciary's budget at its current level, which includes funding for the Judiciary History Center.

As a Social Studies teacher at Molokai High School I have greatly benefitted from the programs supported by the Judiciary History Center. The professional development in understanding the US Constitution, Public Law and the Constitution of the State of Hawaii has allowed me to make the study of our State and Federal history more meaningful to my students. With out the opportunity to continue to travel to the Judiciary History Center and participate in the We the People programs, Participation in Democracy and the tours of Iolani Palace I would not have the opportunity to learn more about our government system and experience directly what the JHC has been and with your support of HB2000 will continue to be able to benefit from.

Thank you very much for considering my testimony in support of HB2000.

Sincerely,
Laura L. Buller

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 03, 2010 8:56 AM
To: FINTestimony
Cc: jan_harney@notes.k12.hi.us
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Jan Harney
Organization: Individual
Address: P.O. Box 709 Kahuku, HI
Phone: 293-1140
E-mail: jan_harney@notes.k12.hi.us
Submitted on: 3/3/2010

Comments:

Dear Representative Oshiro:

I support HB2000 and hope the State will preserve the Judiciary's budget at its present level which includes funding for the Judiciary History center. I am a social studies teacher at Kahuku High School and have attended numerous seminars and workshops that the Judiciary History Center has put on. They have all been excellent and have definitely been invaluable to my teaching. Thank you for considering my testimony.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Date: Wednesday, March 03, 2010 10:21 AM
To: FINTestimony
Cc: wongrachelles@hotmail.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: comments only
Testifier will be present: No
Submitted by: Rachelle Wong
Organization: Individual
Address: 408 N Judd St Honolulu, HI 96817
Phone: 531-5251 x2
E-mail: wongrachelles@hotmail.com
Submitted on: 3/3/2010

Comments:

I am a 4th grade teacher of a private school in Nuuanu. We have taken our students to the Judicial Center for many years, as it is a wonderful, practical, and relevant way for them to learn about and better understand our nation's judicial system. The movie and talk gives our students a great background of the judicial system in Hawaii. The court case that is presented always stimulates wonderful discussion. The mock trial the students participate in is not only a fun activity, but the role playing allows the students to better understand the court system. This is always a complex concept for our elementary students. Therefore we greatly appreciate the valuable learning experience our students receive from our Historical Judicial Center. I sincerely hope those involved in this hearing will realize the educational value of such a center for Hawaii's keiki.

Sincerely,
Rachelle Wong, 4th gr teacher

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 12:02 PM
to: FINTestimony
Cc: martinp005@hawaii.rr.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Pamela Martin
Organization: Individual
Address:
Phone:
E-mail: martinp005@hawaii.rr.com
Submitted on: 3/2/2010

Comments:

Please recognize that Hawaii's Judiciary has already taken so many cuts. You must provide the funding they need to continue their good work on nationally recognized programs and outreach to the community.

Thank for you this opportunity to speak on behalf of the Judiciary's Budget. My name is Gayle Lau and I am the administrator for Nuuanu Hale, a Medicare/Medicaid certified skilled- intermediate care facility. I have had to the opportunity to work with one of the Judiciary's programs, the Office of the Public Guardian (OPG) in their capacity as court-appointed legal guardians for incapacitated adults. Without the services of OPG many of our incapacitated senior citizens would be w/o an advocate or decision maker.

I know of a situation where a severely impaired resident had family but for whatever their personal reasons, no one came forward when the resident went to the hospital with a life-threatening injury. With no decision maker, the resident was kept on life support measures for weeks until OPG was appointed and served as emergency guardian. With their appointment, OPG was able to work with the physician to make appropriate medical treatment decisions in the resident's best interest. Unfortunately, the resident passed way but was kept comfortable and pain free in a dignified environment.

*Gayle Lau NHA
Administrator*

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 03, 2010 1:45 AM
To: FINTestimony
Cc: peterh@hawaii.edu
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Peter Hoffenberg
Organization: Individual
Address: 578D Hahaione Street Honolulu, HI 96825
Phone: 808-394-0727
E-mail: peterh@hawaii.edu
Submitted on: 3/3/2010

Comments:

I am writing in support of HB2000. Full funding of our Judiciary is essential for life here in Hawai'i to be safe, sensible, fair, and stable. Whether we are talking about the courts, or the Judiciary History Center, full funding is necessary. We have already damaged public education, one of the cornerstones of life here; let us not double the damage by wrecking the Judiciary. Please!

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 6:44 PM
to: FINTestimony
Cc: ajamaker@aol.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Patricia Wilson
Organization: Individual
Address:
Phone: 510-484-6682
E-mail: ajamaker@aol.com
Submitted on: 3/2/2010

Comments:

I am strongly in support of funding for Hawaii State Judiciary department.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 02, 2010 2:05 PM
To: FINTestimony
Cc: hansonrene@yahoo.com
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Laurene Hanson
Organization:
Address: 92-626 Aahualii Place Kapolei, Hawaii
Phone:
E-mail: hansonrene@yahoo.com
Submitted on: 3/2/2010

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, March 02, 2010 8:10 PM
to: FINTestimony
Cc: acama@hawaii.edu
Subject: Testimony for HB2000 on 3/3/2010 1:30:00 PM

Testimony for FIN 3/3/2010 1:30:00 PM HB2000

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Aimee Cama
Organization: Individual
Address: 3350 Wauke St Honolulu, HI
Phone:
E-mail: acama@hawaii.edu
Submitted on: 3/2/2010

Comments:

January 22, 2010

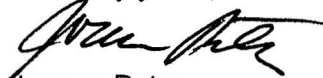
To Whom It May Concern:

I am writing in support of the Girls Court program from the perspective as a service provider and parent of a teenage daughter. I have had the pleasure of being involved with this "specialty" program under the Family Court system through my work as a Mental Health Care Coordinator having a handful of girls referred to this program with satisfactory results. It has been amazing to see the positive outcomes from such an intense, nurturing program ideology to service our high needs/high risk young girls who develop and become better females in our world.

As a parent with a daughter directly involved in Girls Court, I have seen first hand how the intensive monitoring, positive skill building, therapeutic interventions/support and collaborative efforts have paid off. Currently, my daughter's relationship with myself and other family members has improved tremendously with the additional support from the Girls Court staff (Judge, P.O., Therapist, other providers, facilitators, etc.). In addition, the program enlisted and presented wonderful workshops to improve and enhance our skills. A specialized program like Girls Court has the opportunity to assist the youth and their families towards healthier relationships and choices in their lives.

I highly recommend the continuance of this program (as well as other "specialty court" programs) that are developed to better meet the specific needs of the population they serve in the court system. We all know too well that there are just enough resources, time, staff, caseloads that the "regular" court staff to better serve these youth and their families. I am aware of the economic challenges facing us all. We must all be a part of the solution and find the way to sustain wonderful programs like the Girls Court program.

Sincerely yours,



Joanna Peter
COFGC - MHCC IV
Parent

House Finance Committee
Hearing 3/3/10 1:30 pm

VIVIAN FLASKAS

Re: HB 2000

1655 KANANI ST. #702

HONOLULU, HI 96814

Hawaii Legislature

Dear Legislature,

I would like to thank the State of Hawaii for having Girls Court. Like parents struggling with raising kids who are growing in a different world (high-tech & morally challenging), I am grateful and at awe that Girls' Court assisted me in preventing my at-risk daughter from becoming worst, or who knows following a criminal path.

My daughter is aware that the judicial system is the highest and that she cannot keep on running away and disobeying. I believe Girls' Court had minimized state expenses from constant calls to the police, and stays in DH. The preventive measures in place by Girls Court instills a youth's destructive behavior to correct itself before it becomes serious and expensive. My only wish that Girls' Court came to lines when girls by daughter in particular, was 13 when they learn to think independently.

In retrospect, most of the kids or even adults

who went astray and enters the judicial system in later life could have been prevented if something like what Girl's Court is doing were in place.

It will cost less for everyone to have Girl's Court in place even at an earlier age group. Think about it.

Sincerely,
Vivian Flaskas
VIVIAN FLASKAS

House Finance Committee
Re: House Bill 2000 H.D. 1
Hearing 3/3/10 1:30pm

Dear Legislator,

I am writing to you in hopes that the future of the Girls Court program will be continued. I am pleading that funding for this essential program be granted so that mothers like me would have this outreach resource to help their daughters and their families.

I know it is a great possibility that with your busy schedule and obligations elsewhere, my letter may be overlooked or even read at all. However, I am impelled to write in support of this program that has almost singlehandedly given me an enormous amount of information, knowledge, moral support, and most of all HOPE at a time when I felt all was lost and no one could help let alone begin to understand the difficulties I was facing. It is because of Girls Court that I now know that I am not alone. Our cohort introduced to me other mothers who were in similar situation who could relate. Help had finally arrived! It is because of the help my family and I received from Girls Court along with the collaborative efforts of various agencies and services that has improved our family life tremendously. I do not wish to even imagine what our lives would

be like had Girls Court not intervened.
I implore that additional funding be
granted so that this program may
continue its vital work in helping
young ladies and their families.

I hope that my voice, through the
words written in this letter be heard
and resound in support of Girls Court.
Thank you for your attention.

Sincerely,

Reyhan Jale

(Mother of Shyane)
(Girls Court, Cohort 6)