



The Judiciary, State of Hawaii

Testimony to the House Committee on Finance
Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice Chair
Monday, February 28, 2011, 12:30 p.m., Agenda #3
State Capitol, Conference Room 308

by
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LATE TESTIMONY

Bill No. and Title: House Bill No. 302, Relating to Probation Services Special Fund.

Purpose: Requires interstate transfer fees collected from offenders requesting transfer of their probation or parole supervision to the mainland to be deposited into the Probation Services Special Fund to be used to defray the costs of an Interstate coordinator.

Judiciary's Position:

The Judiciary strongly supports House Bill No. 302 which is part of the Judiciary's legislative package.

In 2008, the Hawaii State Legislature established the Interstate transfer fee (Section 353-B of the Hawaii Revised Statutes) that allows the Judiciary and the Hawaii Paroling Authority to assess a fee not to exceed \$200 for each application made by a parolee or probationer for a transfer out of the State of Hawaii to the mainland. The same bill also established a full time coordinator position for the Interstate Office to manage its activities; however, although the fees were to be deposited into the State General Fund, the legislature did not fund the position. In 2010, the legislature allowed the Judiciary to fund the position through the Probation Services Special Fund. Unfortunately, the revenue generated by the probation services fee on a yearly basis does not meet the yearly expenses and more revenue must be generated to support the cost of the Interstate coordinator. If the Interstate transfer fees are deposited into the Probation Services Special Fund it will help defray the costs of the position.

The State of Hawaii's Interstate Compact Office oversees the movement of probationers and parolees between Hawaii and the mainland while promoting public safety and protecting the rights of victims. Hawaii is a bifurcated state because probation and parole are under separate

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jurisdictions; however, the Deputy Parole Administrator reports to the Hawaii Interstate Commissioner, who is the Probation Administrator. As part of the compact, Hawaii follows the rules enacted by the Interstate Commission for Adult Offender Supervision. Currently, various staff is assigned to process interstate cases as well as perform other probation or parole activities. It is important to staff the Interstate Office with a full time coordinator to oversee all Interstate matters and to be the primary contact for Hawaii probation and parole staff as well as mainland staff to insure that transfer requests are screened carefully and processed on a timely basis. In the past, states have been assessed fines for not complying with the rules of the compact. In order to staff this position, it is imperative to have the Interstate transfer fee be deposited into the Probation Services Special Fund to help defray the costs of the position.

Thank you for the opportunity to testify on House Bill No. 302.