



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Finance

Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice Chair

Friday, March 31, 2017, 3:00 P.M.
State Capitol, Conference Room 308

by
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District Court of the First Circuit

Bill No. and Title: Senate Bill No. 718, S.D. 2, H.D. 1, Relating to the Community Court Outreach Project.

Purpose: Establishes a community court outreach project in the City and County of Honolulu, subject to the availability of funds and memoranda of agreements from the Judiciary, Prosecuting Attorney, and the Public Defender. Appropriates funds.

Judiciary's Position:

The Judiciary supports Senate Bill No. 718, S.D. 2, H.D. 1.

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

In his State of the Judiciary Address on January 25, 2017, the Chief Justice commended Honolulu Prosecutor Keith Kaneshiro and state Public Defender Jack Tonaki for putting these ideas into action through a program called Community Outreach Courts. The Chief Justice further stated, "The ultimate goal is to send the court and a treatment team out into the



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community and offer these nonviolent offenders an opportunity to resolve pending cases, obtain needed services, and move forward in their lives.”

On January 26, 2017, the Judiciary, the Department of the Prosecuting Attorney and the Office of the Public Defender, successfully held the first session of this court in Honolulu District Court. Subsequently, the Community Outreach Court was held on February 23, 2017 and March 23, 2017 in Honolulu District Court. As of March 23, 2017, 19 defendants have appeared before the Community Outreach Court in Honolulu with a combined total of 164 traffic and 71 petty misdemeanor/misdemeanor criminal cases. Of these cases, 116 traffic and 38 petty misdemeanor/misdemeanor criminal cases have been adjudicated.

The Judiciary remains supportive of the program as it is currently being developed and implemented at the Honolulu District Court, using existing resources.

In order to implement the mobile Community Outreach Court, it is estimated that it would cost approximately \$182,000 annually for the projected staffing:

- a) one (1) new, full-time program coordinator (Program Specialist II) to plan, develop, implement, and coordinate this court’s operations and activities with the Department of the Prosecuting Attorney, the Office of the Public Defender and various community organizations;
- b) one (1) new, full-time court clerk position (District Court Clerk II) to record and execute the court’s orders and dispositions;
- c) one (1) new, full-time court bailiff position (Court Bailiff II) to manage the court’s calendar and court proceeding;
- d) one (1) new, full-time social worker (Social Worker III) assigned to the Judiciary’s community service sentencing program to screen and coordinate the multitude of community services for the defendants with various government and private sector agencies, and monitor and report on the defendants’ compliance; and
- e) associated computer and peripheral equipment, and office supplies dedicated for this court’s disposition and remote connectivity to JIMS.

In addition to the \$182,000 annual cost, one-time equipment costs needed to support the staffing and mobilization are estimated at approximately \$8,000. Therefore, the Judiciary would require approximately \$190,000 for the first year the bill provisions are implemented, and \$182,000 each year thereafter. The Judiciary respectfully requests that any appropriation to



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implement the requirements of Senate Bill No.718, S.D. 2, H.D. 1 be in addition to its FY 2017-2019 Biennium Budget request.

This bill proposes to hold court sessions in non-traditional locations. However, court rules and procedures will still require that proceedings be recorded as the official court record and that a judgment of the court be given to the defendant. The safety and security of the court are imperative when holding court at locations which do not have all of the essential security measures in place found at the court buildings. To provide court security at the same level provided in Judiciary facilities, assistance from the Department of Public Safety will be required to ensure safety and security for the mobile Community Outreach Court. As such, the Judiciary respectfully requests that the appropriation for the Department of Public Safety be reinstated to provide the essential security measure for the Community Outreach Court.

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