HOUSE RESOLUTION

REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO CONVENE A COMMITTEE TO IDENTIFY AT WHICH POINT VETERANS AND ACTIVE DUTY MILITARY PERSONNEL AND RETURNING RESERVISTS AND NATIONAL GUARD MEMBERS ENTER THE JUSTICE SYSTEM, AND HOW BEST TO ADDRESS THEIR NEEDS, INCLUDING DEVELOPING A VETERANS COURT.

WHEREAS, approximately 120,000 military veterans and 40,000 active-duty military live in Hawaii; and

WHEREAS, since September 11, 2001, members of the United States (U.S.) armed forces and reserves and the Hawaii National Guard have been engaged in combat in Afghanistan and Iraq at an unprecedented rate and pace; and

WHEREAS, recent research confirms that a significant number of soldiers -- in some estimates, one in five -- will return home from war with a combat-related mental-health condition, such as post-traumatic stress disorder, traumatic brain injury, military sexual trauma, substance abuse, and other mental and emotional health conditions; and

WHEREAS, according to conservative estimates by the National Coalition for Homeless Veterans, one of every three homeless men has put on a uniform and served this country; and

WHEREAS, Mental Health America of Hawaii has launched a Healing the Trauma of War project to identify the unmet needs of returning soldiers and their families, and to coordinate community discussions on how to address these needs; and

WHEREAS, in September 2009, Mental Health America of Hawaii contracted with the Strategist, a healthcare advisory firm, to assemble and lead an executive board of military, business, and community leaders to propose policy, program, and process changes to help National Guard and Reserve soldiers and their families after deployment, and since then, the Strategist has consulted with other states that have established special courts...
to deal appropriately with veterans and their cases by
connecting them with the services they need; and

WHEREAS, the first veterans court was established in 2008
in Buffalo, New York, and since then, similar models have
emerged in counties across California and Oklahoma and in the
states of Illinois, Nevada, Texas, and Alaska; and

WHEREAS, the veterans court in Buffalo began with a judge
who in his role as both the drug court and mental health
treatment court judge, identified veterans who were already on
his court docket, scheduled them to appear separately, and
staffed the hearing with a representative from the U.S.
Department of Veteran Affairs who was equipped with a laptop to
connect veterans, on-demand, with a wide range of support
services including healthcare insurance, mental health and
substance abuse counseling and treatment appointments, job
placement, housing assistance, school tuition scholarships, and
other federally-paid benefits and services from systems that
specialize in assisting veterans; and

WHEREAS, veterans courts strictly monitor the
rehabilitation progress of the veterans, then graduate them from
the judiciary process as law-abiding citizens who are able to
resume contributing positively to the community; and

WHEREAS, the veterans are also paired with peer mentors who
help keep them on track; and

WHEREAS, these courts - modeled as a hybrid between drug
court and mental health treatment court -- boast recidivism
rates that are far better than any other treatment court; and

WHEREAS, such a hybrid treatment court will save the State
as much as $50,000 for each convicted offender each year based
on national estimates; and

WHEREAS, a veterans court would also help a significant
portion of the homeless population through the intervention
provided, saving the State from the costs of related social
services; and
WHEREAS, the U.S. Congress (Congress) has recognized the success of these courts in effectively rehabilitating veterans by providing alternatives to incarceration; and

WHEREAS, veterans courts are primarily funded with federal dollars from various resources, and there is additional legislation moving through Congress that would provide matching funds for 75 cents of every dollar spent on veterans courts; and

WHEREAS, Hawaii has been at the forefront of developing and implementing innovative programs and treatment courts; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that the Chief Justice of the Hawaii Supreme Court is requested to convene a committee to identify at which point veterans and active duty military personnel and returning reservists and National Guard members enter the justice system, and how best to address their needs, including developing a veterans court; and

BE IT FURTHER RESOLVED that the committee include:

(1) Judges;

(2) The City and County of Honolulu Prosecuting Attorney, or designee;

(3) The Public Defender, or designee;

(4) A representative of the Hawaii Armed Forces; and

(5) A representative of veterans;

and

BE IT FURTHER RESOLVED that the Chief Justice is requested to submit a report of the committee's findings and recommendations, including any proposed legislation, to the
Legislature no later than 20 days prior to the convening of the 2011 Regular Session; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the United States Secretary of Veterans Affairs, each member of Hawaii's Congressional delegation, the Governor, Chief Justice, Director of Veterans' Services, Director of the Department of Veterans Affairs Honolulu Regional Office, and President of the Oahu Veterans Council.