

Honolulu, Hawaii

February 16, 2018

RE: H.B. No. 2147  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2147, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to divert individuals with mental health or substance abuse challenges from the criminal justice system and connect them with community mental health services and related supportive services by:

- (1) Establishing a Pre-Arrest Diversion Pilot Project and specifying the principles under which the pilot project will operate;
- (2) Requiring the Department of Health community mental health services and the Department of Human Services to provide transitional housing, housing first, or other social services for the pilot project; and
- (3) Appropriating funds for the pilot project.

The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii and several concerned individuals supported this measure. The Office of Hawaiian Affairs, Department of Health, Department of Public Safety, Governor's



Coordinator on Homelessness, Hawaii Substance Abuse Coalition, and Drug Policy Forum of Hawaii offered comments.

Your Committee has amended this measure by:

- (1) Clarifying that the pilot program applies to individuals who commit nonfelony offenses;
- (2) Authorizing, rather than requiring, a deputy sheriff to either cite or arrest an offender, or refer the offender to the Department of Health if the offender has not had a conviction for a violent offense in the past three years;
- (3) Clarifying that no later than September 1, 2018, the governor shall assign a state executive branch officer to serve as the responsible state officer for the pilot project;
- (4) Replacing "offenses against drinking liquor in public or on a public place" to "offenses against the possession or consumption of liquor in public or on a public place"; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2147, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2147, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



