



Supreme Court — THE JUDICIARY • STATE OF HAWAII

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JUDICIARY COMM. NO. 2

Mark E. Recktenwald
CHIEF JUSTICE

December 14, 2018

The Honorable Ronald D. Kouchi
President
Hawaii State Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott K. Saiki
Speaker
House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Please find enclosed the Judiciary's *Report to the Thirtieth Legislature, 2019 Session on the Community Outreach Court Project*, as mandated by Act 55 (Senate Bill 718), Act 49 (House Bill 100), and Act 195 (SB 469), Session Laws of Hawaii 2017.

On behalf of our partners in the Community Outreach Court Project, the Office of the Public Defender and the City and County of Honolulu Department of the Prosecutor, the Judiciary expresses our appreciation for the Legislature's support in this endeavor.

As required by law, a copy of the report is also being transmitted to Governor Ige.

In accordance with Section 93-16, Hawaii Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: [http://www.courts.state.hi.us/news and reports/reports/reports.html](http://www.courts.state.hi.us/news%20and%20reports/reports/reports.html).

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Please accept our warm wishes for the holidays and a productive 2019 Session.

Sincerely,

Mark E. Recktenwald
Chief Justice

Enclosure

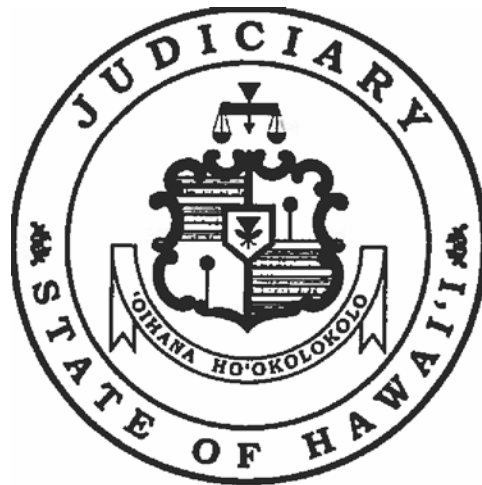
c: Hon. David Y. Ige
Hon. R. Mark Browning, Chief Judge, First Circuit
Hon. Lono Lee, Deputy Chief Judge, First Circuit
Rodney A. Maile, Administrative Director of the Courts
Legislative Reference Bureau Library

**ANNUAL REPORT TO THE THIRTIETH LEGISLATURE
2019 REGULAR SESSION**

ON

ACT 55, SESSION LAWS OF HAWAI'I 2017

A Report on the Community Outreach Court (COC)



Prepared by:

District Court, First Circuit

Submitted by:

The Office of the Chief Justice

The Judiciary, State of Hawai'i

December 2018

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ANNUAL REPORT FOR THE THIRTIETH LEGISLATURE

2019 REGULAR SESSION

ON

ACT 55, SESSION LAWS OF HAWAI‘I 2017

A Report on the Community Outreach Court Project

This report is respectfully submitted to the Thirtieth Legislature, 2019 Regular Session, as required by Act 55, Session Laws of Hawai‘i (SLH) 2017, by Chief Justice Mark E. Recktenwald and the District Court of the First Circuit.

SECTION I: EXECUTIVE SUMMARY

Establishment of the Community Outreach Court (COC)

The COC started in January 2017 as a collaborative pilot project among the Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu, and the Office of the Public Defender, State of Hawai‘i. The Prosecutor's Office received a grant for this project from the Center for Court Innovation. Although the Judiciary did not receive funding from this grant, it committed to participate in this project by utilizing existing resources, including designation of a COC judge.

The 2017 Legislature passed Senate Bill No. 718, C. D. 1, to further develop Hawai‘i's COC program. The bill was signed into law as Act 55, SLH 2017 by Governor David Ige on June 22, 2017 to take effect on July 1, 2017.

For FY 2017-2018 and FY 2018-2019, Acts 49 and 195 provided the following resources to implement a memorandum of agreement that was signed by the Judiciary, Prosecutor's Office, and Office of the Public Defender, as reported in the 2017 COC annual report to the Legislature:

- Judiciary: \$126,364 for administration and operation of the COC project (transfer by Office of the Public Defender per Act 49) for 2.00 permanent positions (Act 195, SLH 2017)
- Public Defender: \$154,000 for 3.00 permanent positions (Act 49, SLH 2017)
- Prosecuting Attorney, City & County of Honolulu: \$165,404 for 2.00 permanent positions (Act 49, SLH 2017)

Progress

Since January 2017, the COC project served the public as follows:

- COC sessions have expanded to two new locations outside of the Honolulu District Court. The court is held twice per month at the Honolulu District Court, once per month at the Wahiawā District Court, and once per month at the Wai‘anae Public Library.
- As of October 26, 2018, 53 COC sessions were held.
- As of October 16, 2018, 102 persons participated in the program and 1,145 cases were cleared.
- A total of 2,151.25 hours of community service were performed by 102 participants.
- Procedures have been developed to expand the mobile court to multiple locations.

Findings and conclusions

Building on its success in 2017, the COC continues to be successful in clearing cases and providing life-changing opportunities for its participants in 2018. As noted in the following section, many participants have obtained driver's licenses, housing or shelter services, and/or employment.

Overall, the Judiciary, Prosecutor's Office, and Office of the Public Defender have collaboratively made progress towards the development of a mobile COC and continue to meet the common goal of working with people who want to restart and improve their lives in our community.

The Judiciary continues to build on this collaborative effort and plans to expand the mobile COC to other areas on O‘ahu in order to be closer to the communities where its participants live and to increase access to court services.

SECTION II: COC BACKGROUND AND COMMUNITY OUTREACH COURT CONCEPT

Background

As noted above, the COC partners began collaboration on the Hawai'i COC project even before enactment of Act 55. Effective on July 1, 2017, Act 55 directed the Judiciary to administer and operate the COC project in the City and County of Honolulu to help nonviolent offenders who face problems such as homelessness and unemployment to obtain basic services and necessities like food and shelter, and to offer combined accountability and treatment options to offenders that would reduce crime and recidivism. As envisioned, the mobile court would travel to the communities where defendants are located, and convene court sessions in non-traditional court settings. The COC is structured to dispose of cases in which defendants, after negotiations between the Prosecuting Attorney and Office of the Public Defender, enter into plea agreements.

In addition to Act 55, Acts 49 and 195 were also enacted in 2017 to provide for funding and other administrative components for the COC and require the Chief Justice to include the COC project memoranda of agreement (MOA) in the annual report, if requested by the Office of the Public Defender.

Act 55 requires the Chief Justice to submit a report on the program to the Legislature and the Governor at least 20 days prior to the convening of the regular sessions of 2018, 2019, and 2020.

Community Outreach Court Concept

According to the National Center for State Courts¹ (NCSC), several states operate "homeless courts" in the United States. NCSC lists "homeless courts" as one of the "problem solving" courts described in its online Resource Guide to Homeless Courts:

Homeless Court programs often target homeless veterans, therefore their mission emulates Veterans Courts. Homeless Courts work closely with community shelters and other housing agencies and focus on promoting access to court. Homeless Courts frequently assist participants with outstanding criminal warrants and aim to reduce recidivism for nonviolent low-level offenders.

Programs listed by NCSC vary in terms of program entry processes, target populations, court locations, services offered, and partnerships. For example, Alabama's Turning Point Court is a collaboration between local non-profit social service agencies and local attorneys to assist homeless citizens within the City of Birmingham and surrounding areas transition back into society. In Houston, Texas, participants voluntarily sign up for Homeless Court by requesting the service from a local homeless service provider.

Hawai'i's COC started in the Honolulu District Court building in downtown Honolulu. The COC engages a social service or health care professional to provide services to defendants charged with the identified offenses who are willing to participate in the project. The target population is nonviolent offenders who face problems such as homelessness and unemployment. The court

¹ <https://www.ncsc.org/Topics/Alternative-Dockets/Problem-Solving-Courts/Homeless-Courts/Resource-Guide.aspx>

aims to help these individuals obtain basic services and necessities like food and shelter. Current services include connecting COC participants to shelters/housing, health services, identification documents, and employment.

Pursuant to Act 55, the Hawai'i COC's goal is to hold court sessions outside of the traditional court building to be closer to the target population and increase the likelihood of court appearance by defendants. The concept of a mobile court has been introduced internationally and domestically.

The COC does not want to criminalize homelessness, but rather connect homeless individuals to services through case managers, while providing accountability for outstanding charges and bench warrants. Homeless or nearly-homeless individuals with non-violent, non-felony offenses are eligible for COC. The majority face challenges with food, shelter, and employment.

Hawai'i's warm weather and public beach facilities contribute to the high homeless population. *Homeless Service Utilization Report Hawai'i 2015*² suggests that Hawai'i's homeless population is also found in rural areas, whereas the homeless populations in other States are typically concentrated in metropolitan areas. While most outreach courts in other states are held in one or two non-traditional locations within downtown or business districts, Hawai'i's mobile-COC has been developed to go beyond the downtown area to accommodate Hawai'i's distinct geographical challenges. The mobile COC, supported by the Legislature and Act 55, is responsive to Hawai'i's unique needs. Traveling to other areas on O'ahu to reach defendants in rural areas is an opportunity and challenge to the Hawai'i Judiciary, Prosecutor's Office, and Office of the Public Defender.

² https://manoa.hawaii.edu/news/attachments/pdf7933_6194.pdf

SECTION III: COC FUNDING AND OPERATIONAL MECHANISMS

Funding mechanism

Acts 49 and 195, SLH 2017 describe the COC funding mechanism and require that the Office of the Public Defender shall submit the MOA to the Legislature or may request the Chief Justice to include the MOA with the report. The MOA was submitted to the Legislature as part of the 2018 COC Annual Report.

Operational mechanism

Under the COC model, the court holds hearings on cases for which the Prosecuting Attorney and Office of the Public Defender have negotiated a plea agreement on the disposition of the defendants' outstanding charges and bench warrants. Only cases involving nonviolent, non-felony offenses under state law and city ordinance may be heard and disposed of under the program. Currently, two district judges are designated as the COC judge; one presides at the Honolulu District Court, and the other presides at the Wahiawā District Court and the Wai‘anae Public Library. In Honolulu and Wahiawā, the judges preside over COC sessions as part of their regular calendar and are physically bound to the court room. Having a dedicated judge enables the COC to be outside of the courthouse and become mobile.

Prior to Court

The Office of the Public Defender engages a social service or healthcare professional to provide services to defendants who are willing to participate in the program and be represented by the Office of the Public Defender. After consulting with the social service or healthcare professional, the Office of the Public Defender develops a list of the defendants who are potential participants in the program and transmits it to the Prosecuting Attorney. (See Appendix A: Office of the Public Defender's letter of comments and recommendations, for details.)

The Prosecuting Attorney selects defendants from the list who may be appropriate for participation in the COC program. The Prosecuting Attorney enters into plea negotiations with the Office of the Public Defender for disposition of outstanding charges and bench warrants. The Office of the Public Defender petitions the Court for defendants' change of plea and sentencing in COC. Proposed disposition of cases may include a fine, community service, court-ordered treatment, or other court-ordered conditions. The motion for change of plea is placed on the COC calendar with appropriate notice to the parties, and is subject to approval by the court.

Compliance

Once the plea negotiations are completed, the participant, the public defender, and the prosecutor appear before the COC Judge for approval. If the court accepts the plea agreement, the participant is sentenced and a return date is scheduled for proof of compliance (POC).

If the court orders community service, the participant needs to go to Judiciary's Adult/Juvenile Community Service and Restitution Unit (A/JCSRU) for community service placement. As a branch of the Judiciary, A/JCSRU's community service placement office is located in the Honolulu District Court building. COC Honolulu participants are able to visit the A/JCSRU

office after a court session. COC Wahiawā and COC Wai‘anae participants would need to travel to Honolulu for worksite placement. For COC Wahiawā and Wai‘anae participants, the A/JCSRU has also gone mobile and has been present at the Wahiawā District Court and Wai‘anae Public Library. This has been helpful to the participants living in rural areas with transportation issues.

Following the court appearance, participants will also meet with service providers to address other conditions of their sentence and determine whether other community resources are available. Resources could include medical or mental health treatment, residential and occupational placement, or other legal services by service providers.

At the POC hearing, both counsels have met with the participant and service providers to ensure the participant has met all the sentencing conditions. If a participant needs more time to complete the sentence, the court may grant additional time to complete any outstanding conditions.

To date, COC sessions have been held at three locations on the following dates:

	HONOLULU	WAHIAWĀ	WAI‘ANAĒ
2017			
January	Jan. 26		
February	Feb. 23		
March	Mar. 23		
April	Apr. 27		
May	May 11, May 18		
June	June 8, June 22		
Act 55 Becomes Law			
July	July 13, July 27		
August	Aug. 10, Aug. 24		
September	Sept. 10, Sept. 28		
October	Oct. 12, Oct. 26		
November	Nov. 9, Nov. 16		
December	Dec. 14, Dec. 28	Dec. 19	
2018	<i>*Scheduled court sessions through the end of 2018</i>		
January	Jan. 11, Jan. 25	Jan. 16	
February	Feb. 8, Feb. 22	Feb. 20	
March	Mar. 8, Mar. 22	Mar. 20	
April	Apr. 12, Apr. 26	Apr. 17	
May	May 10, May 24	May 15	
June	June 14, June 28	June 19	
July	July 12, July 26	July 17	
August	Aug. 9, Aug. 23	Aug. 21	
September	Sept. 13, Sept. 27	Sept. 18	Sept. 21
October	Oct. 11, Oct. 25	Oct. 16	Oct. 26
November	Nov. 8, Nov. 15*	Nov. 20*	Nov. 30*
December	Dec. 13, Dec. 27*	Dec. 18*	Dec. 14*

SECTION IV: PROGRAM MEASURES AND OUTCOMES AND PROGRAM QUANTIFICATION

Program measures and outcomes

The purpose of the COC is to be a mobile court that travels to the communities where its participants are located. Defendants eligible for participation may enter into plea agreements with the prosecutor, subject to approval by the court. To measure the effectiveness of COC, the Judiciary reports on the number of participants served and cases cleared. The following report covers dispositions during the period from January 1, 2017 to October 31, 2018.

Program quantification

The Judiciary reports the following data provided by the Prosecutor's Office and Office of the Public Defender. (Statistics are from January 2017 to October 2018.)

- COC sessions held: 53
- Persons participated in the program: 102
- Cases cleared: 1,145
- Community service hours performed by 103 participants: 2,151.25
- Driver's license stoppers lifted: 706
- Bench warrants recalled: 137
- Cases recalled from collections: 585
- Participants who obtained driver's license permits: 15
- Participants who obtained housing: 24 (14 obtained on their own)
- Participants who were sheltered: 13 (3 obtained on their own)
- Participants who are living with family/friends: 19
- Participants who obtained jobs: 23 (21 on their own)
- Participants who received Substance Abuse Assessment/Treatment: 17

Behind all of these numbers, there are real life stories. For example:

- Participant was housed with the great help of ALEA Bridge. In addition, the Legal Aid Society of Hawai'i assisted her with getting a copy of her marriage license from the mainland. After months of processing to get her marriage certificate, she finally got it and is now on her way to getting her driver's license.
- Participant was housed, currently renting a cottage through his boss, he is paying his rent through the work he does.
- Participant was chosen for Section 8 housing assistance, and reported at her recent COC hearing that she had an appointment to follow up.
- Participant got her driving permit and has an appointment in December for her road test. She mentioned that she is planning on applying for employment at Big City Diner.
- Participant is currently living with family in Las Vegas while the sister (also a former COC participant) works on finalizing housing placement with help from Hawai'i Health and Harm Reduction.

- Participant is working on finalizing housing placement with help from Hawai'i Health and Harm Reduction, currently looking at a house in Makakilo.
- Participant is currently living with friends and has obtained a job doing clerical work.
- Participant obtained housing and received Housing and Urban Development-Veteran Affairs Supportive Housing (HUD-VASH) with help from Hawai'i Health and Harm Reduction.
- Participant left for China last week to work as an instructor teaching English to students.
- Participant is currently living with family and working two jobs, one at the Hawai'i Convention Center, setting up for banquets, and the other doing recycling work.

In partnership with the Prosecutor's Office and Office of the Public Defender, the Judiciary hopes to continue expanding its services to improve lives of vulnerable individuals on O'ahu and increase accountability in the criminal justice system.

SECTION V. PROGRAM PROGRESS, CHALLENGES, AND OPPORTUNITIES

The Judiciary, the Prosecutor's Office, and the Office of the Public Defender have worked collaboratively to establish a COC program in response to the criminal justice system's heavy caseload of nonviolent, non-felony offenses that overburden the court and law enforcement. The "pilot" stage of the project started with the first COC session held in the Honolulu District Court on January 26, 2017.

Program progress

On June 22, 2017, Governor Ige signed Act 55, enabling legislation for COC operations, and signed accompanying Acts 49 and 195 respectively on June 21, 2017 and July 12, 2017. Since then, the Judiciary, the Prosecutor's Office, and the Office of the Public Defender have signed a COC MOA focused on meeting the requirements of these Acts. The Judiciary hired a COC Program Specialist II on October 27, 2017. Since the hiring of the Program Specialist, the Judiciary has made the following progress.

Expansion outside of the Honolulu District Court

Act 55 called upon the Judiciary to extend the services of the COC beyond the urban setting of the Honolulu District Courthouse. The COC was tasked with bringing services into O‘ahu’s rural communities, making the court more accessible for its target participants – specifically, misdemeanor offenders who are battling homelessness.

The COC approached this expansion in two phases. First, the court would be conducted in an established courthouse setting located in a more rural community outside of Honolulu. This would serve as a proving ground by which certain program parameters could be tested and recalibrated based on the results and challenges encountered by court staff and the COC team. The next phase would then be to take the COC entirely outside of a traditional courtroom and create a “mobile court” program that could be applied to any community across the island.

The first COC outside of the Honolulu District Court opened at the Wahiawā District Courthouse in December 2017 under the direction of Deputy Chief Judge Lono Lee and Deputy Chief Court Administrator Calvin Ching. This marked the beginning of Phase 1 of the COC expansion which involved the integration of court calendars. Nine months later, in September 2018, Phase 2 was successfully launched when the COC held its first mobile court session at the Wai‘anae Public Library. The library’s general meeting room, which had never before been used to conduct court proceedings, was set up as the main courtroom while adjacent areas within the library were used to provide meeting spaces for community service providers and court personnel. Since this successful launch, the COC is being held monthly at the Wai‘anae Public Library and locations within other rural communities have been identified for possible future expansion.

Expansion of community partners and outreach efforts

Connecting COC participants to social services is at the heart of the COC’s mission. The COC understands that connecting its participants to vital social services that are accessible in areas closer to where they live is perhaps the most vital piece of the rehabilitation process. Utilizing

the social services available – housing assistance, job placement, and obtaining identification – is a necessary step to complete the COC program and the best way to prevent or reduce recidivism amongst participants. Recognizing this, the COC has continuously developed new relationships with community partners across the island.

The Judiciary, Office of the Public Defender, and Prosecutor’s Office have also teamed up to regularly participate in community meetings and public outreach events in an effort to actively seek new potential participants for the program. Since early 2018, working with many non-profit service providers and government agencies, the COC team has attended recurring outreach and screening sessions at various locations in Wai‘anae, Wahiawā, Kailua and Hale‘iwa.

Additionally, the Prosecutor’s Office has made presentations for neighborhood boards to provide information on the COC and foster increased participation in the program.

The Judiciary’s scope of interaction ranges from the COC team joining outreach events/meetings to full integration (referring potential participants, organizing applicant assessment sessions, providing social services, and assisting court attendance). The growing list of community-based organizations that the COC has directly worked with includes the following:

Honolulu partners: Hawai‘i Health & Harm Reduction Center (former CHOW project), Institute for Human Services, Honolulu Police Department H.E.L.P.

O‘ahu-wide partners: Partners In Care, Volunteer Legal Services Hawai‘i, Legal Aid Society of Hawaii

Kailua partners: Day Break Church, YMCA (Windward Branch)

North Shore partners: Waialua Community Association

Wahiawa partners: ALEA Bridge, Surfing the Nation

Waianae partners: Catholic Charities Hawai‘i, U.S. Department of Veterans Affairs, Partners in Development Foundation, Hale Na‘au Pono, Honolulu Community Action Program, Wai‘anae Public Library

Development of logistics and procedures

As part of its expansion efforts, new procedures and logistics for the mobile-COC operation have been created.

The Judiciary’s Legal Documents Branch 2, which processes filed motions and calendars cases, established a new workflow to enable the mobile COC to operate smoothly outside of the District Court headquarters. Both the Judicial Services Branch, which manages the court clerks and court bailiffs, and the A/JCSRU, which assigns COC participants to community service work, have provided dedicated personnel to accommodate these mobile court operations.

These teams travel to the court locations on days when COC is held outside of Honolulu in order to ensure that the court services provided by the mobile court resemble typical operations in both quality and accessibility. The A/CJCSRU staff, for example, is able to work directly with mobile court attendees on site at the mobile court location so that by the time they leave the building,

they have been issued all the appropriate paperwork and are fully prepared to begin their community service assignment with the designated work provider.

Acquisition of supplies and equipment

Equipment including computers, printers, telephones, mobile wireless devices, specialized software, tables and chairs were acquired to enable the operation of the mobile COC. Having a fully connected and functional courtroom arrangement is necessary for effectively carrying out mobile courtroom operations. Laptops purchased for courtroom use were configured to enable secure access to the Judiciary's computer programs via Virtual Private Networks (VPN). Court staff, including bailiffs, court clerks and court operation specialists were trained in the use of computers and other equipment specifically configured for mobile court use.

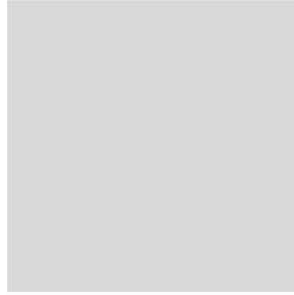
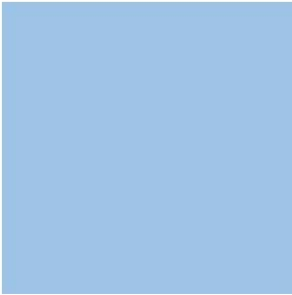
As the mobile court expands to additional locations, operational procedures will continue to be evaluated and refined to proactively address site-specific logistical challenges.

Expansion of marketing and public information efforts

Communication with community partners, service providers, and potential program participants is important to the continued success of the COC program, particularly with respect to the current expansion initiatives. Regular engagement with the public and potential program partners is a key factor in the COC's efforts to expand its footprint into more communities.

Updated brochures that include general program information and specific guidelines for the COC referral process have been created. Arrangements were made to allow supervised media access to the mobile COC's inaugural session in Wai'anae and informational articles related to COC operations are in process for publication on the Judiciary's website and internal intranet. A branding campaign also has been implemented, featuring a newly-created program logo, signage, and other updated marketing materials.

Positive media exposure for COC has been beneficial to the program's growth and reputation. This has created more attention for the program, allowing the COC team to disseminate information to a larger audience. Members of the COC team from the Judiciary, Office of the Public Defender and Prosecutor's Office have all worked with community partners to deliver informational presentations about the program and participate in meetings and public outreach events to address O'ahu's homeless issues. The Judiciary's public information officer regularly communicates with various media outlets to inform them of new goals or milestones and foster increased interest in the program. Notably, Deputy Chief Court Administrator Calvin Ching has recently participated in interviews with the *Honolulu Star Advertiser*, *Civil Beat*, Hawai'i News Now, and 'Ōlelo Community Media in order to apprise the public of recent initiatives and to share the Judiciary's philosophy that drives the COC.



Photos: Various Community Outreach Court activities performed in 2018.

Challenges

While traditional courtrooms provide essential resources such as personnel (court clerks, bailiff, judge, security), meeting areas (courtroom and client/service provider meeting room), and equipment (tables, chairs, recording devices, secured internet, computers, etc.), community-based locations do not provide these resources. Therefore, transportation of personnel and equipment into non-traditional court settings located within rural communities is essential and should be supported. The sustainability and further expansion of the mobile COC program will be dependent upon the availability and provision of these resources.

Personnel

Court clerks and a court bailiff are necessary for any effective court operation. Court clerks' functions include processing motions, calendaring cases, updating court records for disposition of cases, tracking sentencing compliance, and filing court recordings. The COC calendar creates increased workloads for clerks since many COC participants have a large number of cases (often more than 10) during a single session.

Duties of the bailiff include: transporting the court clerks and the court documents, maintaining order during court proceedings, distributing court documents to the participants, and explaining the next steps to the participants (e.g., meeting with A/JCSRU staff for community service work placement).

Security personnel are essential for ensuring security protocols are followed, operating and enforcing the court's entry and identification system, and preserving the peace by protecting all court users and property. Funding and long-term support will be necessary to hire properly trained security personnel and to coordinate with the Department of Public Safety to recruit sheriff services as needed.

Though the court clerks, court bailiff, and security personnel are essential to the COC operation, additional positions were not funded. During the 2018 legislative session, House Bill 2752 Relating to the Community Court Outreach Project was introduced, and the Judiciary submitted testimony in support and requested funds for these essential positions. However, the bill did not pass.

In its efforts to meet the objectives of Act 55, the COC program has had to draw from the Judiciary's regular staff. Regular court staff includes those from the Judicial Service Branch which provides court clerk and court bailiff services, Legal Documents Branch which provides pre- and post-court processing, and A/JCSRU, which places COC participants at community service work sites. Currently, staff for the COC operation phase II (Wai'anae COC) is drawn from the existing Honolulu District Court staff pool. Removing staff from an already-short staff pool adds heavy workloads to the remaining staff and affects the operation at the Honolulu District Court. Continued operation and further expansion of the COC mobile court will be dependent upon the availability of necessary staffing resources to effectively manage and administer court activities.

Venue/Facility

Facilities that can accommodate the mobile COC require adequate spaces for the courtroom, A/JCSRU staff, social service providers, and parking for all court attendees. Successful implementation of program goals also requires that mobile court facilities be located in areas close to where program participants reside. Most facilities, including the Hawai'i State Public Library System, require facility rental fees.

Equipment

Most equipment and supplies have been purchased for the COC expansion to Wahiawā and Wai'anae. However, there are recurring fees such as monthly internet and phone services that need to be accounted for. As the program continues to grow and expand its footprint in more communities, additional equipment will be needed, particularly for future mobile court operations.

Transportation

The mobile COC brings the court into the communities it serves. However, not all participants reside within walking distance or have reliable transportation to and from the court sites and/or assigned community service work sites.

Support is needed for transportation for staff to attend court sessions and meetings with social service agencies. The COC team conducts outreach sessions to screen and evaluate potential program participants and attend meetings to engage community partners. Vehicle rental fees and mileage reimbursement are required for the regular transport of staff and equipment to various locations island wide.

Currently, the Judiciary receives funding for two Program Specialist positions to administer the program and the Prosecuting Attorney and Office of the Public Defender receive funding for deputies and support personnel. However, in order to operate the mobile COC as a sustainable entity and further expand its services into additional communities, the resources outlined in this section require additional funding support.

Opportunities

Future growth

The Judiciary, the Prosecutor's Office, and the Office of the Public Defender have formed a dedicated collaborative team to deliver the COC program to meet the requirements set forth in Act 55. This team meets on a regular basis to review the status of COC calendars, track progress of court participants, and plan upcoming events and initiatives.

Because Act 55 calls for the development of a mobile justice system that travels to neighborhoods within O'ahu's rural communities, future growth of the program will build upon the recent successes of the COC's mobile court.

One way to further maximize the effectiveness of the mobile court concept would be to move the court session out of a rural courthouse and into a non-traditional setting within the same

community. For example, COC Wahiawā is currently held in Wahiawā District Court which is one of the “rural courts” on O‘ahu. These rural courts were originally established to increase access to court service in rural areas of O‘ahu. Moving the court from the Wahiawā District Courthouse to a non-traditional court setting within the Wahiawā community would allow the COC to be closer to the community. The benefits of moving the court to another location include: (1) returning Wahiawā District Court back to its regular calendar, (2) streamlining and focusing on the Wahiawā COC participants, (3) creating new partnerships with Wahiawā service providers, and (4) creating a less intimidating atmosphere for participants. COC is having ongoing discussions with ALEA Bridge, a non-profit social service provider based in Wahiawā, to locate a venue in the community to accommodate the mobile court operation.

Based on the same concept, the current COC operation at the Honolulu District Court Building held in Courtroom 7B may be moved to an alternate downtown location to extend the benefits of the mobile court to the Honolulu-based participants. Like the Wahiawā calendar, this would enable Courtroom 7B to return to its original schedule.

Another way to achieve future growth would be to bring COC into a new community. Ala Moana, Kalihi, Kaka‘ako, and Kāne‘ohe are all communities that have been discussed as possible sites for the next mobile court. COC is looking into the availability of facilities that are close to areas where potential participants reside and that may meet the programmatic requirements of the mobile court. The availability of social service providers to offer services to the COC participants within these communities is another key factor in identifying suitable sites for future mobile court operations. The team looks forward to building upon its existing relationships with social service providers who are rooted in these areas.

SECTION VI: SUMMARY OF FINDINGS AND CONCLUSIONS

The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law. Act 55 enables the Judiciary to continue its mission by increasing access to justice through court services provided by the COC program.

Between January 2017 and October 2018:

- The Judiciary has held 53 COC sessions.
- The COC cleared 1,145 cases and served 102 participants.
- Twenty-four participants obtained housing. (Fourteen obtained housing on their own.)
- Thirteen participants were sheltered. (Three obtained shelter on their own.)
- Nineteen participants are living with family/friends.
- Twenty-three participants obtained jobs. (Twenty-one obtained jobs on their own.)
- The COC Honolulu expanded to Wahiawā District Court in December 2017 and to Wai‘anae Public Library in September 2018.
- The COC established its mobile court operation and is seeking further expansion into other communities.
- The COC expanded its partnerships with social service providers in Honolulu, Wahiawa, and Wai‘anae and is creating new partnerships with service providers in communities that are suitable for the mobile court.

Due to the rapid growth and progress of the COC program, the Judiciary finds that additional positions need to be supported and respectfully requests funding for additional positions to expand and sustain the COC.

The Judiciary extends its appreciation to the Governor and the Legislature for their support in establishing the COC and looks forward to building upon the progress made in 2018 through the partnership with the Prosecutor's Office and Office of the Public Defender. The Judiciary also looks forward to expanding its opportunities within more communities in 2019.

**APPENDICES: COMMENTS AND RECOMMENDATIONS LETTERS FROM THE
PUBLIC DEFENDER’S OFFICE AND PROSECUTOR’S OFFICE**

Appendix A: Letter from the Public Defender’s Office

JOHN M. TONAKI
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OFFICE OF THE PUBLIC DEFENDER

October 31, 2018

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Community Outreach Court has successfully expanded beyond the Honolulu District Court. This specialty court now hold hearings at the Wahiawa District Court and at the Waianae Public Library. The expansion allows greater accessibility of the program to individuals who live in Central Oahu and West Oahu locations. Bringing the court into the community and outside of the traditional court setting breaks the intimidation and allow individuals to feel comfortable in taking care of their cases. The expansion also resulted in developing new partnership with service providers in the communities.

We continue our partnerships with Institute for Human Services, Hawaii Health & Harm reduction, Kalihi Palama Health Center, ALEA Bridge, Legal Aid Society, and HELP Honolulu. As a result from the expansion, we now work with Veteran's Affairs and Catholic Charities. Our partners are key in providing opportunities for the participants to be reintegrated back into society by helping individuals to be successfully housed or sheltered and assist with obtaining job placement. The Community Outreach Court continues to participate in outreach events with the service providers. This gives us a chance to reach out to individuals who may not have attended their appointment at the Public Defender's Office or are afraid to take care of their cases because they have bench warrants.

As the program continues, our goal is reach out to individuals in other communities that could benefit from this program. Some of the suggestions that may allow us to accomplish this goal is to create more partnerships with service providers in other communities that are not familiar with Community Outreach Court. Partnering with service providers bring a larger and stronger support system to the individuals in our communities. Establishing a strong relationship with the service agencies is one of the essential factors that could assist with expanding Community Outreach Court to another location.

We are looking forward to expanding the program beyond the Honolulu, Wahiawa, and Waianae region. We believe this will not only increase the chance for individuals to attend their court dates, but it will also increase awareness of the program in other communities and reach out to individuals who need the services.

Mahalo,
John Tonaki
Public Defender