
A BILL FOR AN ACT

RELATING TO THE SOCIAL WORKERS FOR PUBLIC SAFETY PILOT PROGRAM
FOR IMPAIRED OFFENDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that public safety
2 officers often lack the resources to effectively and
3 compassionately resolve the criminality of chronically
4 unsheltered homeless, mentally impaired, or substance addicted
5 individuals. Mentally impaired or addicted homeless can
6 unwittingly become repeat petty-misdemeanor and misdemeanor
7 offenders, cycled endlessly between jails, hospital emergency
8 rooms, and the streets. Without rehabilitation services they can
9 become increasingly more impaired and spiral into even worse
10 situations that put communities at risk. The tragedy in Diamond
11 Head where a mentally ill individual killed two police officers
12 and caused five homes to burn may have been prevented if
13 treatment or alternative rehabilitation options were available.

14 The legislature also finds that these individuals often
15 have multiple encounters with law enforcement however mental
16 impairments interfere with the ability of chronic homeless to



1 make rational decisions and communicate effectively.
2 Consequently, miscommunications may result in delayed treatment
3 and increased risk to responding officers and the community.

4 The legislature further finds social workers are
5 professionals trained in assisting such individuals. Allowing
6 social workers to accompany officers to incidents where the
7 subject's mental health may be an issue will result in increased
8 diversion to treatment including but not limited to, shelter,
9 psychiatric care, and drug abuse treatment, while lowering
10 arrest and incarceration rates.

11 The purpose of this Act is to establish the social workers
12 for public safety pilot program within the department of public
13 safety.

14 SECTION 2. (a) The department of public safety shall
15 establish a five-year pilot program to require social workers to
16 accompany public safety officials to respond to reports of
17 disorderly conduct, as defined in the Hawaii Revised Statutes
18 section 711-1101, and other offenses as deemed appropriate, when
19 it is indicated that persons involved may suffer from substance
20 addiction, mental illness, homelessness, or other catastrophic
21 afflictions.



1 (b) During or prior to dispatching public safety officers
2 to an incident, a social worker will be assigned to join the
3 response team when substance addiction, mental illness,
4 homelessness, or other catastrophic afflictions are indicated.

5 (c) Participation in the pilot program is optional for
6 detained individuals that may choose not to interact with the
7 social worker.

8 (d) Notwithstanding any other law to the contrary,
9 detained individuals may choose to participate in the social
10 worker pilot program and follow the social worker's
11 recommendations in lieu of arrest or citation by public safety
12 officials if deemed appropriate.

13 (e) The department of public safety shall inform the
14 following individuals in writing of the existence of the pilot
15 program:

- 16 (1) The lieutenant governor;
- 17 (2) The attorney general;
- 18 (3) The public defender;
- 19 (4) The prosecuting attorneys of each county;
- 20 (5) The department of human services;



1 (6) The registered members of the criminal justice and
2 corrections section of the Hawaii State Bar
3 Association; and

4 (7) Homeless service providers.

5 (f) The department of public safety shall submit interim
6 reports of the pilot program to the legislature no later than
7 twenty days prior to the convening of the regular sessions of
8 2021, 2022, 2023, and 2024, and shall submit a final report to
9 the legislature no later than twenty days prior to the convening
10 of the regular session of 2025. The reports shall include
11 information and recommendations about the efficacy of and the
12 costs associated with the pilot program. The final report shall
13 also include a recommendation on whether the pilot program
14 should be made permanent.

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2020-2021 and the
18 same sum or so much thereof as may be necessary for fiscal year
19 2021-2022 for the social workers for public safety pilot
20 program.



H.B. NO. 2729

Report Title:

Social Worker; Public Safety; Pilot Program; Appropriation

Description:

Establishes a pilot program in the department of public safety to hire five social workers to accompany officers on incidents involving persons that may suffer from substance addiction, mental illness, homelessness, or other catastrophic afflictions. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

