

MAR 10 2023

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY, OFFICE OF THE PUBLIC DEFENDER, AND PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU TO ESTABLISH A PERMANENT COMMUNITY OUTREACH MOBILE COURT AND TO EXPAND ITS SERVICE TO ALL NON-VIOLENT HOMELESS INDIVIDUALS BY WORKING TOGETHER WITH COMMUNITY PROVIDERS AND SUBMIT THE PROTOCOL AND BUDGET FOR EFFECTIVE OPERATIONS.

1 WHEREAS, Act 55, Session Laws of Hawaii 2017 (Act 55),  
2 established the Community Court Outreach Project in the City and  
3 County of Honolulu to offer combined accountability and  
4 treatment options to offenders to reduce crime and recidivism  
5 and help nonviolent offenders who face problems such as drug  
6 abuse and mental health challenges to obtain basic services and  
7 necessities, like food and shelter; and

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9 WHEREAS, the purpose and goal of Act 55 was to address the  
10 issues facing homeless individuals who have contact with the  
11 criminal justice system; and

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13 WHEREAS, the stated purpose of the Community Court Outreach  
14 Project is to operate a mobile court that travels to communities  
15 where defendants have been cited or arrested for certain  
16 nonviolent offenses and do not pose a threat to the public and  
17 dispose of the cases for defendants who enter plea agreements  
18 after negotiations between the Prosecuting Attorney and Public  
19 Defender; and

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21 WHEREAS, as of February 2023, since the Community Court  
22 Outreach Project's inception, four hundred seventy people have  
23 participated in the program, 7,663 cases have been cleared, and  
24 5,645 community service hours have been completed; and

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26 WHEREAS, the Judiciary administers and operates the  
27 Community Court Outreach Project and the Prosecuting Attorney  
28 and Public Defender participate in the project; and



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2 WHEREAS, the Community Court Outreach Project has been  
3 successful in addressing nonfelony offenses for nonviolent  
4 offenders by recalling outstanding bench warrants and converting  
5 monetary fines to community service work hours in order to help  
6 clear the offenders' criminal or traffic matters; and  
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8 WHEREAS, the Community Court Outreach Project is uniquely  
9 positioned to not only resolve participants' pending criminal  
10 and traffic cases but also to address the personal and  
11 socioeconomic conditions that may be the root cause of  
12 participants' involvement with the courts; and  
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14 WHEREAS, unless these root causes are addressed,  
15 participants may not be able to break free of the cycle of  
16 homelessness or contact with the criminal justice system; and  
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18 WHEREAS, in order to break this cycle, it is critical that  
19 participants' individual needs be identified and assessed so  
20 that they may be referred to and connected with appropriate  
21 social service providers who are willing and able to assist them  
22 in addressing those needs; and  
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24 WHEREAS, the Legislature has provided and continues to  
25 provide funding for social service providers, including the  
26 Department of Human Services, Department of Health, Institute  
27 for Human Services, and Hawaii Health and Harm Reduction Center,  
28 some of which already have connections with the Community Court  
29 Outreach Project; and  
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31 WHEREAS, this body intends for these identified social  
32 service providers, as well as others, to coordinate efforts with  
33 the Community Court Outreach Project to provide needed services  
34 to the affected individuals who have contact with the Community  
35 Court Outreach Project; and  
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37 WHEREAS, while the Community Court Outreach Project has  
38 been successful, in order to reach its full potential, there  
39 must be coordinated efforts to reach agreements and  
40 understandings, which may be memorialized through memoranda of  
41 agreement or understanding between the Judiciary, Prosecuting



1 Attorney of the City and County of Honolulu, and Office of the  
2 Public Defender to identify the processes for:

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- 4 (1) Referring homeless nonviolent, nonfelony defendants to  
5 the Community Court Outreach Project;
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- 7 (2) Identifying the personal, socioeconomic needs for each  
8 participant, as well as the life skills that will  
9 provide a foundation for future success;
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- 11 (3) Referring each participant to appropriate service  
12 providers to address those identified needs and life  
13 skills;
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- 15 (4) Monitoring each participant's progress in identified  
16 life skill areas in order to successfully progress  
17 through the Community Court Outreach Project and set  
18 the participant up for success; and
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- 20 (5) Monitoring each participant's compliance with the  
21 terms and conditions of sentencing in their criminal  
22 or traffic case, and providing participants with  
23 sufficient time to comply, so that bench warrants,  
24 referrals to collection agencies, and imposition of  
25 additional license and registration stoppers can be  
26 avoided; now, therefore,

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28 BE IT RESOLVED by the Senate of the Thirty-second  
29 Legislature of the State of Hawaii, Regular Session of 2023, the  
30 House of Representatives concurring, that the Judiciary, Office  
31 of the Public Defender, and Prosecuting Attorney of the City and  
32 County of Honolulu are requested to establish a permanent  
33 community outreach mobile court and to expand its service to all  
34 non-violent homeless individuals by working together with  
35 community providers; and

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37 BE IT FURTHER RESOLVED that the Judiciary, Office of the  
38 Public Defender, and Prosecuting Attorney of the City and County  
39 of Honolulu are urged to identify processes and procedures to  
40 move the Community Court Outreach Project forward through  
41 memoranda of agreement or understanding, memorialized in  
42 writing, if deemed appropriate, to identify the processes:



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- (1) To improve the referral process to the Community Court Outreach Project;
- (2) To improve the needs assessment for project participants;
- (3) To refer project participants to and connect them with appropriate social service providers to assist in developing meaningful and longstanding relationships that will help project participants in the areas identified as requiring improvement or addressing; and
- (4) To appropriately monitor the project participants during their time with the Community Court Outreach Project and beyond to continue assisting them to strengthen those areas identified as needing strengthening and encouraging them to share information to help other future program participants in order to learn those processes and procedures that are most influential and beneficial for program participants' success; and

BE IT FURTHER RESOLVED that the Judiciary is requested to submit a report of its findings and recommendations regarding making the community outreach mobile court permanent and the protocol and budget for effective operations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chief Justice of the Hawaii Supreme Court, Prosecuting Attorney for the City and County of Honolulu, and State Public Defender.

OFFERED BY:

