
A BILL FOR AN ACT

ESTABLISHING THE SOCIAL WORKERS FOR PUBLIC SAFETY PILOT PROGRAM.

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

1 SECTION 1. The legislature finds that persons who are
2 chronically unsheltered, mentally impaired, or substance
3 addicted may be in need of rehabilitative assistance. These
4 persons often have multiple encounters with law enforcement
5 officers, who may lack the resources and training to effectively
6 assist them. Many chronically unsheltered, mentally impaired,
7 or substance addicted persons become repeat petty-misdemeanor
8 and misdemeanor offenders, cycling endlessly between jails,
9 hospital emergency rooms, and the streets. These persons may
10 struggle with rational decision making and effective
11 communication, and miscommunications during law enforcement
12 encounters can place the person, law enforcement officers, and
13 the community at risk.

14 The legislature also finds that social workers have the
15 training and expertise needed to provide rehabilitative help.
16 Social workers can assist chronically unsheltered, mentally
17 impaired, or substance addicted persons in accessing shelter,



1 psychiatric care, drug abuse treatment, or other assistive
2 services. Allowing a social worker to accompany law enforcement
3 officers on calls where the subject's mental health or housing
4 may be at issue can help lower arrest, incarceration, and
5 recidivism rates.

6 Accordingly, the purpose of this Act is to establish the
7 social workers for public safety pilot program within the
8 department of public safety, or its successor agency.

9 SECTION 2. (a) No later than _____ days after the
10 effective date of this Act, the department of public safety, or
11 its successor agency, shall design and implement a five-year
12 pilot program requiring social workers to accompany law
13 enforcement officers when responding to incidents where a person
14 may be unsheltered, substance addicted, or mentally impaired.

15 (b) A social worker shall be assigned to join law
16 enforcement officers in responding to each report of a person
17 who is:

- 18 (1) Reportedly engaged in disorderly conduct, as defined
19 in section 711-1101, Hawaii Revised Statutes;
20 (2) Seemingly substance addicted or substance impaired;
21 (3) Displaying signs of mental illness; or



1 (4) Experiencing homelessness.

2 (c) Participation in the pilot program shall be optional
3 for the detained person, who may choose not to interact with the
4 social worker.

5 (d) Notwithstanding any other law to the contrary and if
6 the law enforcement officers and social worker deem it
7 appropriate, the detained person may choose to follow the social
8 worker's recommendations in lieu of arrest or citation.

9 (e) The department of public safety, or its successor
10 agency, shall inform the following, in writing, once the pilot
11 program is operational:

12 (1) The governor;

13 (2) The lieutenant governor;

14 (3) The attorney general;

15 (4) The public defender;

16 (5) The prosecuting attorney in each county;

17 (6) The department of human services;

18 (7) The registered members of the criminal justice and
19 corrections section of the Hawaii State Bar

20 Association; and

21 (8) Homeless service providers in the State.



1 (f) The pilot program shall terminate after five years of
2 operation.

3 (g) The department of public safety, or its successor
4 agency, shall submit interim reports of its findings and
5 recommendations, including any proposed legislation, to the
6 legislature no later than twenty days prior to the convening of
7 the regular sessions of 2024, 2025, 2026, and 2027, and shall
8 submit a final report to the legislature no later than twenty
9 days prior to the convening of the regular session of 2028. The
10 reports shall include information and recommendations on the
11 efficacy and costs of the pilot program. The final report shall
12 also include a recommendation on whether the pilot program
13 should be made permanent.

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2023-2024 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2024-2025 for the social workers for public safety pilot
19 program, including the establishment of five full-time
20 equivalent (5.0 FTE) public safety social worker positions in
21 the department of public safety, or its successor agency.

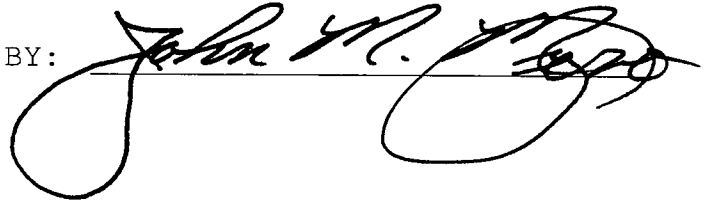


1 The sums appropriated shall be expended by the department
2 of public safety, or its successor agency, for the purposes of
3 this Act.

4 SECTION 4. This Act shall take effect on July 1, 2023.

5

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "John M. Papp", written over a horizontal line.

JAN 20 2023



H.B. NO. 775

Report Title:

Social Workers; Public Safety; Pilot Program; Reports; Appropriation

Description:

Establishes a 5-year social workers for public safety pilot program in the Department of Public Safety, or its successor agency. Requires social workers to accompany law enforcement officers in responding to incidents where a person may be unsheltered, substance addicted, or mentally impaired. Requires interim reports and a final report to the Legislature. Appropriates moneys for the pilot program, including the establishment of 5.0 FTE public safety social worker positions in the Department of Public Safety, or its successor agency.

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

