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# 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 suffer from a  
3 substance use disorder may be in need of rehabilitative  
4 assistance. These persons often have multiple encounters with  
5 law enforcement officers, who may lack the resources and  
6 training to effectively assist them. Many chronically  
7 unsheltered persons, persons experiencing a mental health  
8 crisis, or persons with substance use disorders become repeat  
9 petty-misdemeanor and misdemeanor offenders, cycling endlessly  
10 between jails, hospital emergency rooms, and the streets. These  
11 persons may struggle with rational decision-making and effective  
12 communication, and miscommunications during law enforcement  
13 encounters can place the person, law enforcement officers, and  
14 the community at risk.

15           The legislature also finds that social workers have the  
16 training and expertise needed to provide rehabilitative help.  
17 Social workers can assist chronically unsheltered persons,



1 persons experiencing a mental health crisis, or persons with  
2 substance use disorders in accessing shelter, psychiatric care,  
3 drug abuse treatment, or other assistive services. Allowing a  
4 social worker, also referred to under the State's position  
5 classification system as a human service professional, to  
6 accompany law enforcement officers on calls where the subject's  
7 mental health or housing may be at issue can help lower arrest,  
8 incarceration, and recidivism rates.

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

12       SECTION 2. (a) No later than        days after the  
13 effective date of this Act, the department of public safety, or  
14 its successor agency, shall design and implement a five-year  
15 social workers for public safety pilot program that authorizes  
16 social workers or human service professionals to be on call or  
17 ready to accompany law enforcement officers when responding to  
18 incidents where a person may be unsheltered, suffering from a  
19 substance use disorder, or experiencing a mental health crisis.



1 (b) A social worker or human service professional may be  
2 assigned to be on call to join law enforcement officers in  
3 responding to each report of a person who is:

4 (1) Reportedly engaged in disorderly conduct, as defined  
5 in section 711-1101, Hawaii Revised Statutes;

6 (2) Seemingly suffering from a substance use disorder;

7 (3) Displaying signs of a mental health crisis; or

8 (4) Experiencing homelessness.

9 (c) Participation in the pilot program shall be optional  
10 for the detained person, who may choose not to interact with the  
11 social worker or human service professional.

12 (d) Notwithstanding any other law to the contrary and if  
13 the law enforcement officers and social worker or human service  
14 professional deem it appropriate, the detained person may choose  
15 to follow the social worker's or human service professional's  
16 recommendations in lieu of arrest or citation.

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

20 (1) The governor;

21 (2) The lieutenant governor;



- 1 (3) The attorney general;
- 2 (4) The department of human services;
- 3 (5) The public defender;
- 4 (6) The prosecuting attorney in each county;
- 5 (7) The registered members of the criminal justice and  
6 corrections section of the Hawaii State Bar  
7 Association; and
- 8 (8) Homeless service providers in the State.
- 9 (f) The pilot program shall terminate on July 1, 2026.
- 10 (g) The department of public safety, or its successor  
11 agency, shall submit interim reports of its findings and  
12 recommendations, including any proposed legislation, to the  
13 legislature no later than twenty days prior to the convening of  
14 the regular sessions of 2024, 2025, 2026, and 2027, and shall  
15 submit a final report to the legislature no later than twenty  
16 days prior to the convening of the regular session of 2028. The  
17 reports shall include information and recommendations on the  
18 efficacy and costs of the pilot program. The final report shall  
19 also include a recommendation on whether the pilot program  
20 should be made permanent.



1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2023-2024 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2024-2025 for the social for public safety pilot program,  
6 including the establishment of five full-time equivalent (5.0  
7 FTE) public safety social worker positions or human service  
8 professionals in the department of public safety, or its  
9 successor agency.

10 The sums appropriated shall be expended by the department  
11 of public safety, or its successor agency, for the purposes of  
12 this Act.

13 SECTION 4. This Act shall take effect on June 30, 3000.

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**Report Title:**

Social Workers; Public Safety; Pilot Program; Law Enforcement Officers; Reports; Appropriation

**Description:**

Establishes a 5-year social workers for public safety pilot program in the department of public safety, or its successor agency. Authorizes social workers or human service professionals 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 funds for the pilot program, including positions. Sunsets 7/1/2026. Effective 6/30/3000. (HD1)

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

