

STAND. COM. REP. NO. 558-24

Honolulu, Hawaii

FEB 16, 2024

RE: H.B. No. 2159  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2159, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment and with the presentation of cases, unless declined by the petitioner;
- (2) Repeal language entitling the subject of a petition for assisted community treatment to legal representation by a public defender;
- (3) Provide a mechanism for the automatic screening of certain nonviolent defendants for involuntary hospitalization or assisted community treatment; and
- (4) Authorize courts to require certain probation violators to undergo a mental health evaluation and treatment program as a condition of continued probation.

2024-1535 HB2159 HD2 HSCR HMSO



Your Committee received testimony in support of this measure from the Judiciary; Department of Health; Office of the Public Defender; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Disability Rights Center; ACLU of Hawaii; and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

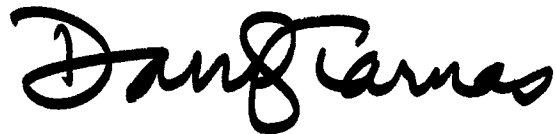
Your Committee finds that this measure would support criminal justice diversion programming to ensure that individuals who interact with the justice system receive timely and appropriate treatment for their behavioral and mental health challenges.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to consider making an appropriation of \$71,016 for the establishment of a law clerk position within the Judiciary for cases under chapter 704, Hawaii Revised Statutes, and the Circuit Court of the First Circuit Jail Diversion Program.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2159, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



DAVID A. TARNAS, Chair



