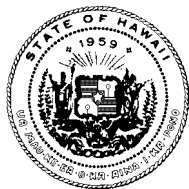


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 1, 2024

To: The Honorable Representative Della Au Belatti, Chair
House Committee on Health & Homelessness

FROM: Cathy Betts, Director

SUBJECT: **HB 1954 – RELATING TO THE COMMUNITY OUTREACH COURT.**

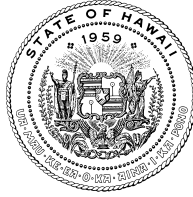
Hearing: February 2, 2024, 9:45 a.m.
Conference Room 329, State Capitol & Video Conference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure and defers to the Judiciary, the Prosecutor's Office, and the Office of the Public Defender.

PURPOSE: This bill permanently establishes and appropriates moneys for the Community Outreach Court as a division of the District Court of the First Circuit. Declares that the appropriations exceed the state general fund expenditure ceiling for 2024-2025.

This collaborative program brings the system stakeholders together and is an efficient use of resources to identify and meet the needs of individuals experiencing homelessness. The individualized and experienced team approach is more apt to recognize the underlying causes of the individual's situation and refer them to appropriate services and aims to prevent further involvement in the justice system.

Thank you for the opportunity to provide comments on this measure.



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Testimony of **John Mizuno**
Governor's Coordinator on Homelessness
Before the
House Committee on Health and Homelessness
February 2, 2024
9:45 a.m., Conference Room 329

In consideration of
House Bill No. 1954
RELATING TO THE COMMUNITY OUTREACH COURT

Aloha Chair Belatti, Vice Chair Takenouchi, and Committee Members,

I am writing in strong support of HB1954 to ensure that persons experiencing homelessness or who have recently experienced homelessness have access to the Community Outreach Court. I commend the legislature for establishing this program, and the judiciary for its efforts to reach those experiencing homelessness.

Over the course of six years, the Community Outreach Court has held court sessions throughout O'ahu in several locations, including: the Wai'anae coast, Wahiawā, urban Honolulu, and Windward O'ahu. The court has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers, and assisted more than six hundred participants with social services or referrals.

I have witnessed how the program benefits those who are experiencing homelessness. Many people who have lost their housing quickly accumulate citations, fines, and criminal records for nonviolent, misdemeanor offenses such as expired vehicle registrations, sitting or lying on sidewalks, or remaining in parks after hours. Fines and criminal history then become a barrier to employment and housing. For several individuals I know, old unpaid vehicle citations resulted in driver's license stoppers, which then deprived them of the ability to commute to work.

Community Outreach Court enables these individuals to clear these hurdles, and to do so in a place and manner that does not require them to travel long distances, or to leave their belongings behind for long durations. It is an essential service for those experiencing homelessness and I strongly support its permanent establishment.

Mahalo,

John Mizuno
Governor's Coordinator on Homelessness

JON N. IKENAGA
STATE PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

APPEALS SECTION
TEL. NO. 586-2080

DISTRICT COURT SECTION
TEL. NO. 586-2100

FAMILY COURT SECTION
TEL. NO. 586-2300

FELONY SECTION
TEL. NO. 586-2200
FAX (808) 586-2222



STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

HAYLEY CHENG
ASSISTANT PUBLIC
DEFENDER

HILO OFFICE
275 PONAHAWA STREET
HILO, HAWAII 96720
TEL. NO. 974-4571
FAX NO. 974-4574

KONA OFFICE
82-6127 MAMALAOHA HIGHWAY
P.O. BOX 1219
CAPTAIN COOK, HAWAII 96704
TEL. NO. 323-7562
FAX NO. 323-7565

KAUAI OFFICE
3060 EIWA STREET
LIHUE, HAWAII 96766
TEL. NO. 274-3418
FAX NO. 274-3422

MAUI OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. NO. 984-5018
FAX NO. 984-5022

February 2, 2024

Committee on Health &
Homelessness

Rep. Della Au Belatti,
Chair
Rep. Jenna Takenouchi, Vice Chair
415 South Beretania Street, Room 329
State Capital
Honolulu, HI 96813
via email: hltestimony@capitol.hawaii.gov

Re: Testimony in Support of H.B. 1954
Hearing: February 2, 2024, 9:45 AM

Dear Chair Belatti, Vice Chair Takenouchi and Committee Members:

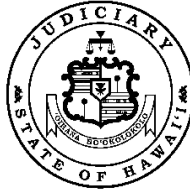
This letter is in support of H.B. 1954 which would permanently establish and appropriate moneys for the Community Outreach Court ("COC") as a division of the District Court of the First Circuit.

Since 2017, the Office of the Public Defender ("OPD"), the Department of the Prosecuting Attorney and the Judiciary have worked in concert to assist nonviolent offenders resolve pending and adjudicated offenses through alternative sentencing, including community service. COC has been instrumental in recalling and reducing the amount of outstanding and stagnant bench warrants and resolving thousands of pending cases with positive outcomes for both the offender and the community. The burden on law enforcement has been reduced through recalled bench warrants and penal summons that previously languished unserved. Participants who were previously unable to attend court due to financial and/or the inability to travel have attended court to address their cases. And both the community and offender benefitted greatly from completed community service.

COC provides a vital service to the community. Not only is the court able to clear thousands of unresolved cases that would have otherwise remained pending, but social service providers also assist COC participants at no cost to the taxpayer. By the time the participants graduate from COC, the graduates are entrenched in or one step closer to stable housing, employment and have had their legal matters resolved. These milestones are necessary to end the cycle of homelessness which COC is tackling, one participant at a time. The permanent establishment of COC is integral and necessary for our community.

Thank you for taking these comments into consideration.

Sincerely,
/s/ Taryn Tomasa
Deputy Public Defender



The Judiciary, State of Hawai‘i

**Testimony to the Thirty-Second State Legislature
2024 Regular Session**

House Committee on Health & Homelessness
Representative Della Au Belatti, Chair
Representative Jenna Takenouchi, Vice Chair

Friday, February 2, 2024 at 9:45 a.m.
State Capitol, Conference Room 329 & Videoconference

by

Brook Mamizuka
Probation Administrator

Bill No. and Title: House Bill No. 1954, Relating to the Community Outreach Court.

Purpose: Permanently establishes and appropriates moneys for the Community Outreach Court as a division of the District Court of the First Circuit. Declares that the appropriations exceed the state general fund expenditure ceiling for 2024-2025.

Judiciary's Position:

The Judiciary strongly supports House Bill No. 1954 with recommended amendments. This bill will provide much needed resources and funding to assist the community outreach court clients and operations. The court itself is faced with a number of challenges in terms of adequate staffing. This legislation will address the staffing concerns by increasing budgetary considerations for additional positions.

The Community Outreach Court (COC) clients are faced with quality-of-life offenses. They lack proper identification, have driver's license stoppers, lack transportation, lack housing, and face financial hardships. The COC provides vital client services that include identification, welfare assistance, housing, case management, cellular phone service, child car seats, and bus transportation. The COC partners with twenty four (24) service providers.



House Bill No.1954, Relating to Community Outreach Court
House Committee on Health & Homelessness
February 2, 2024
Page 2

Since 2017, through Act 55 (SLH 2017), the Judiciary, Office of the Prosecuting Attorney of the City and County of Honolulu and the Office of the Public Defender, State of Hawai'i have collaborated to address and resolve legal matters faced by many of Oahu's homeless population. Over the course of six years, the Community Outreach Court has held court sessions throughout Oahu in several locations, including: the Waianae coast, urban Honolulu, and Windward Oahu. The court has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers, and assisted more than six hundred participants with social services or referrals.

The Judiciary respectfully recommends the following amendments to the House Bill No. 1954:

- (1) The term "defense attorney" which appears on page 4, line 12 be replaced with the term "public defender".
- (2) "Section 4 - Rules," found at page 5, lines 4 through 6, be eliminated in its entirety. The consensus is that COC is a collaboration between the offices of prosecuting attorney, public defender and the Judiciary. While we are constrained by existing laws and rules of court, no additional specific rules need be formulated and adopted by the Supreme Court in order for COC to properly function.

Thank you for the opportunity to testify on House Bill No. 1954.

DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEBSITE: www.honoluluprosecutor.org

STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I



THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

THE HONORABLE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS
Thirty-Second State Legislature
Regular Session of 2024
State of Hawai'i

February 2, 2024

RE: H.B. 1954; RELATING TO THE COMMUNITY OUTREACH COURT.

Chair Belatti, Vice Chair Takenouchi, and members of the House Committee on Health & Homelessness, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony, **supporting in-part** H.B. 1954, and respectfully submits the attached **Proposed H.D. 1** for the Committee's consideration.

Please note, the Department certainly supports the Public Defender's desire to end their role as the "pass-through" entity for Community Outreach Court funding, and further supports any additional personnel needs, which the Public Defender, Judiciary, and this Department believe are necessary to continue to add more locations to the program. However, the Department **opposes** any portion of H.B. 1954 that seeks to refresh or reiterate the purpose and/or direction of Community Outreach Court; repeal Act 55, SLH 2017; or create a new chapter in the Hawaii Revised Statutes dedicated to this program.

If it's not broken, don't fix it.

Since 2016—and pursuant to law since 2017—the Community Outreach Court (aka Community Court Outreach) project has worked as a joint partnership between this Department, the Department of the Public Defender and the Judiciary, to assist certain non-violent individuals in the First Circuit, who have little or no income, and are thus unable to pay the fines on their (typically very long list of) past and pending traffic cases. *The overarching goal of this program is to "help [these] nonviolent offenders...to obtain basic services and necessities, like food and shelter"*¹ (emphasis added), with the added benefit of quickly and efficiently clearing large

¹ See Act 55, Session Laws of Hawaii 2017, p. 3, lns. 15-17. Available online at https://www.capitol.hawaii.gov/session/archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=718&year=2017; last accessed January 31, 2024.

numbers of cases from the District Court caseload, and large numbers of outstanding bench warrants, with minimal use of government resources.

In its current form, Community Outreach Court has already “addressed [meaning resolved and closed] more than [10,000] cases, recalled more than [900] bench warrants, lifted more than [6,000] driver license stoppers, and assisted more than [600] participants with social services or referrals.” (*See* H.B. 1954, p. 2, Ins. 18-21.) Currently, the program is operating at only three locations—Waianae, Honolulu and Kaneohe—but we understand there are plans to expand to more locations, or meet more frequently at the existing locations, to increase the program’s reach and capacity. That is the reason for requesting increased funding and personnel.

Given the program’s proven track record and success—under the existing parameters laid out in Act 55, SLH 2017—the Department respectfully asks that this Committee allow the Community Outreach Court program to continue to function effectively, and grow incrementally— under the existing parameters laid out in Act 55, SLH 2017—without further legislative fixes.

If it’s not broken, don’t fix it.

Based on our understanding, the Judiciary is permitted to create and/or participate in any specialty courts or projects that it chooses,² and does not need further legislative authority to do so. Moreover, nowhere in Act 55, SLH 2017, was it stated that Community Outreach Court was established only as a pilot project.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **respectfully asks this Committee to adopt the Proposed H.D. 1 below** (which shows language we would like deleted as stricken through, and language we would like added as underlined and bolded), in order to:

- provide the necessary funding and personnel for Community Outreach Court to continue to thrive;
- remove the Public Defender as the pass-through entity; and
- leave everything else about Community Outreach Court’s legislative parameters as-is, with the three partner agencies working toward further expansion of the program.

Thank you for this opportunity to testify on H.B. 1954.

² *See* “Special Projects & Events,” found under the Hawaii State Judiciary’s website, which lists “a few of the major projects currently in progress,” including DWI Court, Girls Court, Mental Health Court, and Veterans Treatment Court, none of which were legislatively created. Available online at https://www.courts.state.hi.us/special_projects/special_projects; last accessed on January 31, 2024. *Also see* “Specialty Courts and Programs,” under the Legislative Reference Bureau of Hawaii’s online guide regarding the Judiciary, listing the same specialty courts without any legislative creation, pp. 9-12 (labeled at bottom as pp. 192-194). Available online at: https://lr.b.hawaii.gov/wp-content/uploads/Judiciary_guide.pdf; last accessed January 31, 2024.

A BILL FOR AN ACT

RELATING TO THE COMMUNITY OUTREACH COURT.

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

1 SECTION 1. ~~The legislature finds that increased~~
2 ~~homelessness on the island of Oahu has led to more arrests and~~
3 ~~citations for nonviolent crimes. These crimes include drinking~~
4 ~~liquor in public; being in public parks after hours;~~
5 ~~trespassing; and illegal lodging on sidewalks, beaches, and in~~
6 ~~other public places. Many persons who receive citations are~~
7 ~~unable to attend court or have misplaced their paperwork due to~~
8 ~~the transient and unstable nature of homelessness. When a~~
9 ~~person fails to appear for court and has no known address, the~~
10 ~~courts are left with no option but to issue a bench~~
11 ~~warrant. This can be traumatic for the person and expends law~~
12 ~~enforcement officers' time and resources.~~

13 ~~— To help address these issues, the judiciary, office of~~
14 ~~the public defender, and department of the prosecuting attorney~~
15 ~~of the city and county of Honolulu established a community~~
16 ~~outreach court project to make court appearances more accessible~~
17 ~~to homeless persons. The legislature formalized the community~~
18 ~~outreach court in Act 55, Session Laws of Hawaii 2017. The~~

1 ~~court's goal is to assist nonviolent offenders who are charged~~
2 ~~with offenses that disproportionately impact the homeless~~
3 ~~community. Court sessions are held in community locations where~~
4 ~~large homeless populations are located. The court can resolve~~
5 ~~active charges and utilize alternative sentencing in cases where~~
6 ~~the offender is unable to pay fines and fees. Resolving a~~
7 ~~person's pending cases, and avoiding bench warrants, leaves the~~
8 ~~person in a better position to obtain basic necessities,~~
9 ~~including employment, income assistance, and housing. Community~~
10 ~~outreach court social workers can also assess the person to~~
11 ~~determine their need for mental health services, substance abuse~~
12 ~~treatment, sustenance or shelter assistance, or other~~
13 ~~appropriate social services. The social worker can also help~~
14 ~~arrange other referred services.~~

15 ~~—— The legislature recognizes that the community outreach~~
16 ~~court program has been successful. Since its inception, the~~
17 ~~program has addressed more than ten thousand cases, recalled~~
18 ~~more than nine hundred bench warrants, lifted more than six~~
19 ~~thousand driver license stoppers, and assisted more than six~~
20 ~~hundred participants with social services or referrals.~~

21 ~~—— Accordingly, the purpose of this Act is to permanently~~
22 ~~establish and appropriate moneys for the community outreach~~

1 ~~court as a division of the district court of the first~~
2 ~~circuit.~~ The purpose of this Act is to appropriate funding for
3 all current and newly requested community outreach court funded
4 positions and other program expenses, as that program was
5 established under Act 55, Session Laws of Hawaii 2017. The
6 funding requests for positions include fringe benefit
7 calculations.

8 SECTION 2. ~~The Hawaii Revised Statutes is amended by~~
9 ~~adding a new chapter to be appropriately designated and to read~~
10 ~~as follows:~~

11 "~~CHAPTER~~

12 ~~COMMUNITY OUTREACH COURT~~

13 ~~§ -1 Community outreach court; establishment.~~ (a) ~~The~~
14 ~~community outreach court is established as a division of the~~
15 ~~district court of the first circuit.~~

16 ~~(b) The community outreach court shall be held at any duly~~
17 ~~designated location within the first judicial circuit by any~~
18 ~~designated judge of the community outreach court.~~

19 ~~§ -2 Jurisdiction.~~ (a) ~~The community outreach court~~
20 ~~shall have concurrent jurisdiction with all district courts of~~
21 ~~the first circuit to consider and adjudicate nonviolent,~~
22 ~~non-felony criminal and traffic offenses, including traffic~~

1 ~~infractions under chapter 291D, charged to offenders deemed~~
2 ~~appropriate, after application and acceptance, for participation~~
3 ~~in the community outreach court.~~

4 ~~— (b) In any case in which it has jurisdiction, the~~
5 ~~community outreach court shall exercise general equity powers as~~
6 ~~authorized by law. Nothing in this chapter shall be construed~~
7 ~~to limit the jurisdiction and authority of any judge designated~~
8 ~~as a judge of the community outreach court on matters within the~~
9 ~~scope of this chapter.~~

10 ~~— § — 3 Principles and components of the court. — The~~
11 ~~community outreach court shall:~~

12 ~~— (1) Facilitate the early identification and timely~~
13 ~~placement of eligible offenders;~~

14 ~~— (2) Foster cooperation between the prosecuting attorney~~
15 ~~and defense attorney to resolve cases;~~

16 ~~— (3) Utilize alternative sentencing, including community~~
17 ~~service sentences, and support the offender's participation in~~
18 ~~programs based on the person's needs, including mental health~~
19 ~~services, substance abuse treatment, sustenance or shelter~~
20 ~~assistance, or other social services;~~

1 ~~—— (4) Establish a coordinated strategy to respond to an~~
2 ~~offender's compliance or noncompliance with the offender's~~
3 ~~sentence; and~~

4 ~~—— (5) Encourage partnerships between the court, public~~
5 ~~agencies, community-based organizations, and other entities, to~~
6 ~~maximize the court's effectiveness.~~

7 ~~—— § —4 Rules. The supreme court shall adopt rules~~
8 ~~regarding the administration, operation, and procedures of the~~
9 ~~community outreach court."~~

10 ~~—— SECTION 3. Act 55, Session Laws of Hawaii 2017, is~~
11 ~~repealed.~~

12 ~~—— SECTION 4. In accordance with section 9 of article VII, of~~
13 ~~the Constitution of the State of Hawaii and sections 37-91 and~~
14 ~~37-93, Hawaii Revised Statutes, the legislature has determined~~
15 ~~that the appropriations contained in this Act will cause the~~
16 ~~state general fund expenditure ceiling for fiscal year 2024-2025~~
17 ~~to be exceeded by \$, or per cent. The reasons~~
18 ~~for exceeding the general fund expenditure ceiling are that the~~
19 ~~appropriations made in this Act are necessary to serve the~~
20 ~~public interest and to meet the needs provided for by this Act.~~

21 SECTION 5~~3~~. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of \$854,900 or so much

1 thereof as may be necessary for fiscal year 2024-2025 to
2 establish permanent positions in support of the community
3 outreach court, including:

4 (1) \$96,100 each for four full-time equivalent (4.0 FTE)
5 court clerk positions;

6 (2) \$72,500 for one full-time equivalent (1.0 FTE) court
7 bailiff position;

8 (3) \$81,500 for one full-time equivalent (1.0 FTE) adult
9 client services branch judicial clerk V position; and

10 (4) \$105,500 each for three full-time equivalent (3.0 FTE)
11 adult client services position.

12 The sum appropriated shall be expended by the judiciary for
13 the purposes of this Act.

14 SECTION ~~6~~4. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$250,000 or so much
16 thereof as may be necessary for fiscal year 2024-2025 for two
17 full-time equivalent (2.0 FTE) deputy sheriff positions to
18 support the community outreach court.

19 The sum appropriated shall be expended by the department of
20 law enforcement for the purposes of this Act.

21 SECTION ~~7~~5. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of \$288,500 or so much

1 thereof as may be necessary for fiscal year 2024-2025 for
2 permanent positions in support of the community outreach court,
3 including:

4 (1) \$131,000 for one full-time equivalent (1.0 FTE) deputy
5 public defender;

6 (2) \$87,500 for one full-time equivalent (1.0 FTE)
7 paralegal; and

8 (3) \$70,000 for one full-time equivalent (1.0 FTE) social
9 worker or mental health worker, assigned to the office of the
10 public defender.

11 The sum appropriated shall be expended by the office of the
12 public defender for the purposes of this Act.

13 SECTION ~~8~~6. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$310,000 or so much
15 thereof as may be necessary for fiscal year 2024-2025 for
16 permanent positions in support of the community outreach court,
17 including:

18 (1) \$170,000 for one full-time equivalent (1.0 FTE) deputy
19 prosecuting attorney;

20 (2) \$80,000 for one full-time equivalent (1.0 FTE)
21 paralegal; and

1 (3) \$60,000 for one full-time equivalent (1.0 FTE) legal
2 assistant.

3 The sum appropriated shall be expended by the office of the
4 prosecuting attorney of the city and county of Honolulu for the
5 purposes of this Act.

6 SECTION ~~9~~7. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$40,000 or so much
8 thereof as may be necessary for fiscal year 2024-2025 for the
9 operations of the community outreach court, including security,
10 equipment, training, and other operational needs.

11 The sum appropriated shall be expended by the judiciary for
12 the purposes of this Act.

13 ~~SECTION 10. This Act does not affect rights and duties~~
14 ~~that matured, penalties that were incurred, and proceedings that~~
15 ~~were begun before its effective date.~~

16 SECTION ~~11~~8. This Act shall take effect on July 1, 2024.

INTRODUCED BY: _____



To: Committee on Health and Homelessness

Hearing Date/Time: Friday February 2 8:30 AM

Re: Testimony in Support of HB 1954

From: Heather Lusk, Executive Director at Hawaii Health and Harm Reduction Center

Dear Chair Bellati, Vice Chair Takenouchi and members of the committee

The Hawaii Health & Harm Reduction Center (HHRC) **strongly supports HB 1954** which appropriates monies and makes permanent the effective Community Outreach Court (COC). The COC, which has been part of a collaboration of the Public Defender, the Prosecutor's office and the Judiciary has provided alternatives for many people struggling with offenses related to being houselessness – park closures, traffic infractions and other non-felony offenses. These offenses make it challenging to house people and find employment and the COC allows people to conduct community service hours in order to clear their legal record and therefore make it easier to access other services.

HHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

HHRC is proud to host the Community Outreach Court once a month in our Kakaako offices and has been a supporter since the beginning of this innovative court. HHRC has seen the COC change lives, provide hope and empower clients to meet their goals. We hope you will agree that it deserves to be permanent and supported.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center



National Alliance on Mental Illness Hawaii
A State Organization of NAMI

TO: The Honorable Della Au Belatti
Chair, House Committee on Health and Homelessness
The Honorable Jenna Takenouchi
Vice Chair, House Committee on Health and Homelessness

FROM: Trisha Chung
Advocacy Manager, NAMI Hawaii

RE: HB 1954 – RELATING TO THE COMMUNITY OUTREACH COURT

HEARING: February 2, 2024 at 9:45 AM

POSITION: **NAMI Hawaii supports HB 1954**

NAMI Hawaii writes in support of HB 1954. We are grateful for the intentions and demonstrated outcomes of the community outreach court, and support the permanent establishment of this program as part of a strategy to reduce incarceration and promote diversion from further involvement in the criminal justice system for people with mental illness.

We believe in helping people with mental illness *while* preserving their dignity, and oppose the continued criminalization of people with mental illness. Mental illness is not a crime, but untreated symptoms and limited access to care lead many to involvement with the criminal justice system. Many of these individuals are held for committing non-violent, minor offenses and misdemeanors resulting from the symptoms of untreated illness (disorderly conduct, loitering, trespassing, disturbing the peace) or for offenses like shoplifting and petty theft.

Additionally, people with mental illness are overrepresented in the unhoused population: 1 in 5 people experiencing homelessness in the U.S. has a serious mental health condition (in contrast to 1 in 25 people nationwide). Homelessness has a profoundly negative impact on mental health, and children are especially susceptible to the psychological effects of homelessness and housing instability.

Public policies should invest in solutions that are evidence-based and help people with mental illness get on a path of recovery. Instead of charging people who are experiencing homelessness with crimes, we need to address their underlying need(s). We support investments in early intervention, comprehensive community mental health services, robust crisis response systems, and justice diversion strategies to decriminalize people with mental illness and connect them to care.

The community outreach court, with its demonstrated effectiveness in recalling bench warrants and connecting individuals to services, is such an investment, but it should not be the last and/or only step in helping those experiencing homelessness and mental illness.

In future, we encourage the establishment of more pilot programs to bolster the positive impacts of this program, such as assisted community treatment and behavioral crisis centers/respice centers, which will engage higher-need individuals in treatment so that efforts lead to long-term recovery beyond the period that the community outreach court is involved.

NAMI Hawaii has also submitted testimony in support of the companion bill, SB 2556. Thank you for the opportunity to provide testimony on HB 1954.

HB-1954

Submitted on: 2/1/2024 8:35:42 AM

Testimony for HLT on 2/2/2024 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Connie Mitchell	The Institute for Human Services	Support	Written Testimony Only

Comments:

IHS, The Institute for Human Services, supports the passing of HB1954.

To the Health & Homelessness, Judiciary, and Finance committees,

Aloha, my name is Summer Ledesma and I'm a leading Social Worker for the Judiciary's Adult Client Services Branch. I have worked alongside the Community Outreach Court (COC) team for the last eight months and observed the COC participant's success first-hand. I am in support of this bill.

The court struggles to expand without obtaining additional staff to help support the needs of this growing houseless population. Continuing the COC funding is essential to serving this population which offers these participants an opportunity to take the first step in rebuilding their lives. COC connects its participants to both legal and social service providers which is vital for the participant's success in finding housing, or a job, which in return ultimately removes some of the barriers keeping them on the streets. This program has the potential to branch out and cover more areas of the island with additional court staff and social workers to provide hands-on case management for this vulnerable, high-needs, and nonviolent offender population.

Respectfully,

Summer Ledesma