H.B. NO. ²⁸⁰ H.D. 3 S.D. 1 C.D. 1

A BILL FOR AN ACT

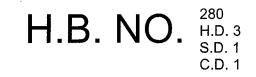
RELATING TO THE COMMUNITY OUTREACH COURT.

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

1 SECTION 1. The legislature finds that the worsening 2 problem of homelessness on Oahu has led to residents being cited 3 or arrested for drinking liquor in public, being in public parks 4 after hours, trespassing, illegal camping on sidewalks and other 5 public areas, and other nonviolent or status offenses. Many of 6 those cited are unable to attend court or have misplaced their 7 paperwork due to the transient and unstable nature of 8 homelessness. When a person fails to appear for court and has 9 no known address, courts are left with no option but to issue a 10 bench warrant.

Under Act 55, Session Laws of Hawaii 2017, the judiciary, office of the public defender, and department of the prosecuting attorney of the city and county of Honolulu established a community court outreach project. The goal of the community court outreach project is to assist nonviolent offenders who are charged with offenses that disproportionately impact the homeless community by making court attendance more accessible

2025-3488 HB280 CD1 HMS0

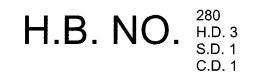


1 through holding court in community locations where offenders are found, resolving any active charges, and utilizing alternative 2 3 sentences such as community service work in cases where prior 4 court judgments could not be satisfied and offenders lack the 5 present ability to pay fines and fees. By resolving these 6 cases, the participants are in a better position to obtain basic 7 necessities such as jobs, income assistance, and housing. The 8 community court outreach project social worker assesses 9 offenders for participation in programs deemed appropriate based 10 upon an offender's need for mental health services, substance 11 abuse treatment, sustenance, shelter, or other appropriate 12 available social services and assists the offenders in obtaining 13 and voluntarily participating in these referred services.

14 The legislature finds that the community court outreach 15 project has been successful. Since its inception, the project 16 has addressed over ten thousand cases, recalled over nine 17 hundred bench warrants, lifted more than seven thousand driver 18 license stoppers, and provided assistance to over six hundred 19 participants at community-based sites in the judicial districts 20 where participants may live or have access to mental health 21 services, substance abuse treatment, sustenance, shelter, or

2025-3488 HB280 CD1 HMS0

Page 3



1	other social services and who have completed more than seven		
2	thousand community service work hours.		
3	Accordingly, the purpose of this Act is to permanently		
4	establish and appropriate funds for the community outreach court		
5	as a division of the district court of the first circuit.		
6	SECTION 2. The Hawaii Revised Statutes is amended by		
7	adding a new chapter to be appropriately designated and to read		
8	as follows:		
9	"CHAPTER		
10	COMMUNITY OUTREACH COURT		
11	§ -1 Definitions . As used in this chapter:		
12	"Community outreach court" or "court" means a division of		
13	the district court of the first circuit that shall address cases		
14	brought before it for nonviolent, nonfelony defendants in which		
15	the prosecuting attorney and public defender have reached plea		
16	agreements.		
17	"Prosecuting attorney" means:		
18	(1) The prosecuting attorney for the city and county of		
19	Honolulu; and		

(2)

1

280 H.D. 3 H.B. NO.

Any deputy prosecuting attorney of the department of 2 the prosecuting attorney of the city and county of 3 Honolulu. 4 "Public defender" means the public defender and any deputy 5 public defender of the office of the public defender, including 6 any court-appointed private attorney appearing on behalf of a 7 defendant based on a conflict with the office of the public 8 defender. 9 S -2 Community outreach court; establishment. The (a) 10 community outreach court shall be established as a division of 11 the district court of the first circuit. 12 (b) The community outreach court shall be held at any duly 13 designated location within the first judicial circuit by any 14 designated judge of the community outreach court. 15 S -3 Jurisdiction. (a) The community outreach court 16 shall have concurrent jurisdiction with all district courts of 17 the first circuit to consider and adjudicate nonviolent, nonfelony criminal and traffic offenses, including traffic 18 19 infractions under chapter 291D, charged to defendants deemed 20 appropriate, after application and acceptance, for participation

21 in the community outreach court.

2025-3488 HB280 CD1 HMSO

H.B. NO. ²⁸⁰ H.D. 3 S.D. 1 C.D. 1

1	(b)	In any case in which it has jurisdiction, the
2	community	outreach court shall exercise general equity powers as
3	authorize	d by law. Nothing in this chapter shall be construed
4	to limit	the jurisdiction and authority of any judge designated
5	as a judg	e of the community outreach court on matters within the
6	scope of	this chapter.
7	S	-4 Principles and components of the court. The
8	community	outreach court shall include the following components:
9	(1)	Emphasis on the early identification and timely
10		placement of eligible defendants;
11	(2)	Cooperation between the prosecuting attorney and
12		public defender to resolve cases;
13	(3)	Alternative sentencing of defendants, such as
14		community service and participation in programs based
15		upon the defendant's need for mental health services,
16		substance abuse treatment, sustenance, shelter, or
17		other social services and willingness to voluntarily
18		participate in those programs;
19	(4)	Establishment of a coordinated strategy by the
20		community outreach court to respond to a defendant's

2025-3488 HB280 CD1 HMSO

Page 6

H.B. NO. ²⁸⁰ H.D. 3 S.D. 1 C.D. 1

1 compliance or noncompliance with the defendant's
2 sentence; and

3 (5) Encouragement by the community outreach court of
4 partnerships between the court, public agencies,
5 community-based organizations, and other entities to
6 promote the court's effectiveness.

7 § -5 Court process. (a) The court shall hold hearings
8 at community sites to dispose of cases for which the prosecuting
9 attorney and public defender have negotiated and reached plea
10 agreements on the disposition of the defendants.

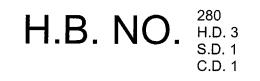
(b) The court may only hear and dispose of cases involving nonviolent, nonfelony offenses under laws of the State and ordinances of the city and county of Honolulu determined to be appropriate by the department of the prosecuting attorney of the city and county of Honolulu.

16 (c) The public defender shall engage a social service or
17 health care professional to provide outreach services to
18 defendants charged with nonviolent, nonfelony offenses who:

19 (1) Are willing to participate in the court;

20 (2) Are willing to be represented by the public defender;
21 and

2025-3488 HB280 CD1 HMS0



1 (3) May benefit from participation in the court. 2 After consulting with the social service or health care 3 professional, the public defender shall develop a list of the 4 defendants who are potential participants in the court and 5 transmit the list to the prosecuting attorney. 6 (d) Defendants on the potential participant list charged by the department of the prosecuting attorney of the city and 7 8 county of Honolulu shall be reviewed by the prosecuting 9 attorney, who will decide whether they should participate in the 10 court proceedings. The prosecuting attorney may enter into plea 11 agreement negotiations with the public defender for disposition 12 of those defendants accepted into the community outreach court. 13 (e) The plea agreement for a defendant may include a fine, 14 community service, court-ordered treatment, other court-ordered 15 condition, or any other action that the court has the authority 16 to take and deems appropriate. 17 (f) At the hearing, the court may finalize the plea

18 agreement by court order or judgment; provided that the court 19 shall not be bound by the proposed disposition in the plea 20 agreement."

2025-3488 HB280 CD1 HMS0

H.B. NO. ²⁸⁰ H.D. 3 S.D. 1 C.D. 1

SECTION 3. Act 55, Session Laws of Hawaii 2017, is
 repealed.

SECTION 4. There is appropriated out of the general
revenues of the State of Hawaii the sum of \$71,030 or so much
thereof as may be necessary for fiscal year 2025-2026 and the
same sum or so much thereof as may be necessary for fiscal year
2026-2027 for one full-time equivalent (1.0 FTE) deputy sheriff
position to support the community outreach court.

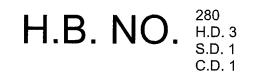
9 The sums appropriated under this section shall be expended
10 by the department of law enforcement for the purposes of this
11 Act.

12 SECTION 5. There is appropriated out of the general 13 revenues of the State of Hawaii the sum of \$45,000 or so much 14 thereof as may be necessary for fiscal year 2025-2026 and the 15 same sum or so much thereof as may be necessary for fiscal year 16 2026-2027 for one full-time equivalent (1.0 FTE) paralegal 17 position.

18 The sums appropriated shall be expended by the office of 19 the public defender for the purposes of this Act.

20 SECTION 6. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$90,000 or so much

2025-3488 HB280 CD1 HMS0



1	thereof as may be necessary for fiscal year 2025-2026 and the
2	same sum or so much thereof as may be necessary for fiscal year
3	2026-2027 as a grant-in-aid for one full-time equivalent (1.0
4	FTE) paralegal position.
5	The sums appropriated shall be expended by the office of
6	the prosecuting attorney of the city and county of Honolulu for
7	the purposes of this Act.
8	SECTION 7. This Act does not affect rights and duties that
9	matured, penalties that were incurred, and proceedings that were
10	begun before its effective date.

11

SECTION 8. This Act shall take effect on July 1, 2025.



Report Title:

Community Outreach Court; Establishment; Homelessness; Department of Law Enforcement; Office of the Public Defender; City and County of Honolulu Office of the Prosecuting Attorney; Appropriations

Description:

Permanently establishes and appropriates funds to the Department of Law Enforcement, Office of the Public Defender, and City and County of Honolulu Department of the Prosecuting Attorney for the Community Outreach Court as a division of the District Court of the First Circuit. (CD1)

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

