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# A BILL FOR AN ACT

RELATING TO THE WOMEN'S COURT.

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

1 PART I

2 SECTION 1. The legislature finds that there has been a  
3 significant increase in the number of women in Hawai'i jails and  
4 prisons over the past forty years, resulting in a higher  
5 proportion of women who are incarcerated. Research reflects  
6 that for women, histories of abuse, trauma, poverty, mental  
7 illness, substance use disorders, and unhealthy relationships  
8 intersect with their entry into criminal behavior. Women  
9 offenders also face unique barriers to success after  
10 incarceration. They are more likely to be primary caregivers  
11 for young children, have lower educational attainment, lack  
12 stable work history, and experience economic or social  
13 marginalization, which prevents them from having more positive  
14 outcomes.

15 The legislature further finds that Act 243, Session Laws of  
16 Hawaii 2022, established a three-year women's court pilot  
17 program in the circuit court of the first circuit. This



1 program, known as Mohala Wahine, focuses on non-violent women  
2 who are at high risk of recidivism and in need of multiple  
3 services such as substance abuse treatment, therapy, or housing.  
4 The program began accepting participants in January 2023, with a  
5 goal of admitting twenty women each year. As of August 2024,  
6 twenty-three women are currently participating in the program,  
7 with eleven participants in phase one of treatment and twelve  
8 participants in phase two of treatment.

9 The purpose of this Act is to:

- 10 (1) Make the women's court pilot program in the first  
11 circuit permanent;
- 12 (2) Establish a three-year women's court pilot program in  
13 the circuit court of the Kona division of the third  
14 circuit, which is intended to acknowledge the distinct  
15 pathways that lead women into the criminal justice  
16 system and address their individualized needs; and
- 17 (3) Require the judiciary to submit a report to the  
18 legislature regarding the need for and the associated  
19 costs of a pilot program for women's court in the  
20 second and fifth circuits and Hilo division of the  
21 third circuit.



1 PART II

2 SECTION 2. Act 243, Session Laws of Hawaii 2022, is  
3 amended by amending section 5 to read as follows:

4 "SECTION 5. This Act shall take effect on July 1, 2022[  
5 ~~and shall be repealed on June 30, 2025]~~."

6 PART III

7 SECTION 3. (a) There shall be established within the  
8 third circuit Kona division of the judiciary the women's court  
9 pilot program. The women's court pilot program shall be under  
10 the supervision of the big island drug court. The pilot program  
11 shall implement trauma-informed and evidence-based practices,  
12 employ gender-responsive programming, collaborate with  
13 stakeholders, and provide services to women in the court system  
14 with the goal of diverting participants from incarceration,  
15 supporting their success in the community, and reducing  
16 recidivism.

17 (b) The services offered by the pilot program shall  
18 address the following areas:

- 19 (1) Trauma and mental health treatment;  
20 (2) Family support, including parenting, education, and  
21 relationship improvement;



- (3) Life-skills training;
- (4) Education and vocational training;
- (5) Domestic violence prevention;
- (6) Medical services and health education;
- (7) Substance abuse detection, prevention, and treatment;
- (8) Mentoring; and
- (9) Housing support.

SECTION 4. The judiciary shall submit a report of its findings and recommendations, including any proposed legislation, to the governor and legislature no later than forty days prior to the convening of the regular sessions of 2026, 2027, and 2028, regarding:

- (1) The status of the women's court pilot program;
- (2) The number of women accepted into the women's court pilot program;
- (3) The number of women who were eligible to participate in the women's court pilot program but who could not be accepted into the pilot program because of pilot program limitations;
- (4) The number of women completing the women's court pilot program;



(5) The number of women who were removed from the women's court pilot program; and

(6) Recommendations as to whether the women's court pilot program should:

(A) Continue as a pilot program;

(B) Expand to include additional participants;

(C) Provide additional services; or

(D) Be discontinued.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2025-2026 and \$ or so much thereof as may be necessary for fiscal year 2026-2027 for mental health, substance abuse treatment, and other services; and the establishment of two temporary positions as follows:

(1) One full-time equivalent (1.0 FTE) Kona drug court probation supervisor position; and

(2) One full-time equivalent (1.0 FTE) peer specialist position;

for the women's court pilot program established pursuant to section 3 of this Act.



1       The sums appropriated shall be expended by the judiciary  
2 for the purposes of this Act.

3                                   PART IV

4       SECTION 6. The judiciary shall submit a report of its  
5 findings and recommendations, including any proposed  
6 legislation, to the legislature no later than forty days prior  
7 to the convening of the regular session of 2026, regarding the  
8 need for and the associated costs of a pilot program for women's  
9 court in the second and fifth circuits and Hilo division of the  
10 third circuit.

11                                  PART V

12       SECTION 7. This Act shall take effect on April 23, 2057;  
13 provided that part III shall be repealed on June 30, 2028.



**Report Title:**

Judiciary; Women's Court Pilot Program; Reports; Appropriations

**Description:**

Makes the Women's Court Pilot Program in the First Circuit permanent. Establishes a temporary 3-year Women's Court Pilot Program within the Kona division of the Third Circuit. Requires reports. Establishes temporary positions. Appropriates funds. Sunsets 6/30/2028. Effective 4/23/2057. (SD2)

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

