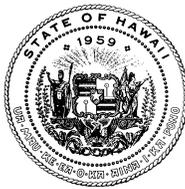


JOSH B. GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA
MOKU'ĀINA 'O HAWAI'I



Katherine Aumer, PhD
COUNCIL CHAIRPERSON
LUNA HO'OMALU O KA PAPA

STATE OF HAWAI'I
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
STATE COUNCIL ON MENTAL HEALTH
P.O. Box 3378, Room 256
HONOLULU, HAWAII 96801-3378

STATE COUNCIL ON MENTAL HEALTH
Testimony to the Senate Committee on Ways and Means
In Support of H.B. 280 H.D. 3 S.D. 1
RELATING TO COMMUNITY OUTREACH COURT
April 3, 2025 10:01 a.m., Room 211 and Video

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Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

Hawai'i law, HRS §334-10, established the State Council on Mental Health as a 21-member body to advise on the allocation of resources, statewide needs, and programs affecting more than one county as well as to advocate for adults with serious mental illness, children with serious emotional disturbances, individuals with mental illness or emotional problems, including those with co-occurring substance abuse disorders. Members are residents from diverse backgrounds representing mental health service providers and recipients, students and youth, parents, and family members. Members include representatives of state agencies on mental health, criminal justice, housing, Medicaid, social services, vocational rehabilitation, and education. Members include representatives from the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances and county service area boards on mental health and substance abuse.

The State Council on Mental Health ("Council") fully supports HB280 HD3. This legislation acknowledges the success of the Community Outreach Court (COC) project in O'ahu and takes a crucial step toward establishing it as a permanent program.

The Council recognizes that individuals experiencing homelessness or transience often encounter legal challenges stemming from circumstances beyond their control. A permanent COC provides an essential alternative to traditional legal proceedings, preventing unnecessary and costly entanglements with the criminal justice system. This approach prioritizes

public health, rehabilitation, and cost-effectiveness while ensuring that individuals receive appropriate support rather than punitive measures.

By solidifying the COC as a long-term solution, this measure not only enhances the well-being of affected individuals but also reduces strain on law enforcement, courts, and public resources. It represents a forward-thinking strategy that aligns with evidence-based practices for addressing homelessness and mental health challenges in our communities.

For these reasons, the Council strongly urges the passage of this measure. Thank you for the opportunity to testify in support.

VISION: A Hawaii where people of all ages with mental health challenges can enjoy recovery in the community of their choice.

MISSION: To advocate for a Hawaii where all persons affected by mental illness can access necessary treatment and support to live full lives in the community of their choice.



TESTIMONY IN SUPPORT OF HOUSE BILL 280 HD 3 SD 1
RELATING TO THE COMMUNITY OUTREACH COURT

Senate Committee on Ways and Means
Hawai'i State Capitol

April 3, 2025

10:01AM

Room 211

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Committee on Ways and Means:

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB 280 HD 3 SD 1 which permanently establishes and appropriates funds for the Community Outreach Court (COC) as a division of the District Court of the First Circuit. OHA appreciates measures such as these which shift the focus of the criminal justice system from punishment to rehabilitation. Native Hawaiians are disproportionately impacted by the system, comprising approximately 37% of the state's correctional facilities, while representing only 21% of the total state population.¹ Native Hawaiians also comprise 28 percent of the State's homeless population,² with Hawai'i at the highest rate of homelessness in the United States.³

The COC assists non-violent offenders who are charged with offenses that disproportionately impact the homeless community by making court attendance more accessible through holding court in community locations where offenders are found, resolving any active charges, and utilizing alternative sentences such as community service work in cases where prior court judgments could not be satisfied and offenders lack the present ability to pay fines and fees. By resolving these cases, the participants are in a better position to obtain necessities such as jobs, income assistance, and housing.

¹ "Creating Better Outcomes, Safer Communities – Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform to the Hawai'i Legislature – 2019 Regular Session," HCR 85 Task Force; Legislative Reference Bureau (December 2018) at p. xiii, https://www.courts.state.hi.us/wp-content/uploads/2018/12/HCR-85_task_force_final_report.pdf

² "2023 Point in Time Counts," Hawai'i Health Data Warehouse (June 29, 2023), <https://hhdw.org/na-2023-point-in-time-counts/>

³ "Which states have the highest and lowest rates of homelessness?" USAFacts (February 28, 2025), <https://usafacts.org/articles/which-states-have-the-highest-and-lowest-rates-of-homelessness/>

The community outreach court social worker assesses offenders for participation in programs deemed appropriate based upon an offender's need for mental health services, substance abuse treatment, sustenance, shelter, or other appropriate available social services and assists the offenders in obtaining and voluntarily participating in these referred services.

Since its inception in 2017, the community outreach court program has proven successful, addressing over 10,000 cases, recalling over 900 bench warrants, lifting more than 7,000 driver license stoppers, and providing assistance to over 600 participants at community-based sites in the judicial districts where participants may live or have access to mental health services, substance abuse treatment, sustenance, shelter, or other social services and who have completed more than 7,000 community service work hours.

For these reasons, the Office of Hawaiian Affairs urges this committee to **PASS HB 280 HD 3 SD 1**. Mahalo nui for the opportunity to provide testimony on this critical measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



RYAN I. YAMANE
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
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

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

April 1, 2025

TO: The Honorable Senator Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Ryan I. Yamane, Director

SUBJECT: **HB 280 HD3 SD1 – RELATING TO THE COMMUNITY OUTREACH COURT.**

Hearing: April 3, 2025, 10:01 a.m.
Conference Room 211 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill and defers to the Judiciary, the Offices of the Public Defender, and Prosecutors. The community outreach court process helps non-violent individuals address their pending legal issues, which can be barriers to employment or housing. The Community Outreach Court is a successful example of cross-branch collaboration aimed at reducing homelessness, and its success will also contribute to improving the public's trust in the government.

PURPOSE: This bill permanently establishes and appropriates funds for the Community Outreach Court as a division of the District Court of the First Circuit. Effective 4/23/2057. (SD1)

The Committee on Human Services & Homelessness amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Judiciary & Hawaiian Affairs further amended this measure by:

- (1) Providing that the Community Outreach 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;
- (2) Amending the process for the prosecuting attorney to select participants into the Community Outreach Court and enter into plea agreement negotiations;
 - (3) Authorizing the Judiciary, pursuant to its appropriation for the operations of the Community Outreach Court, to enter into intergovernmental agreements or memorandums of understanding with any agency of the State or the City and County of Honolulu for the purpose of collaboration, cooperation, coordination, combination of resources, funding distribution, or the administration of Community Outreach Court; and
 - (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Finance made further amendments by:

- (1) Changing the number of positions to an unspecified number; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on the Judiciary further amended the measure by:

- (1) Deleting language that would have included the Attorney General or any Deputy Attorney General within the definition of "prosecuting attorney";
- (2) Deleting language that would have appropriated an unspecified amount of funds for an unspecified number of Deputy Attorney General positions tasked with duties for the Community Outreach Court;
- (3) Inserting an effective date of April 23, 2057, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Third Legislature, 2025 Regular Session

Senate Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair

Senator Sharon Y. Moriwaki, Vice Chair

Thursday, April 3, 2025 at 10:01 a.m.

State Capitol, Conference Room 211

by

Thomas A. K. Haia

District Court, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 280, H.D. 3, S.D. 1, Relating to the Community Outreach Court.

Purpose: Permanently establishes and appropriates funds for the Community Outreach Court as a division of the District Court of the First Circuit. Effective 4/23/2057. (SD1)

Judiciary's Position:

The Judiciary continues to offer its strong support for and urges the passage of House Bill No. 280, H.D. 3, S.D. 1, Relating to Community Outreach Court. Community Outreach Court has been in existence as a Judiciary project since the passing of Act 55, Session Laws of Hawai‘i 2017. Since then, Community Outreach Court – referred to by many participants and former participants as COC – has helped hundreds of unsheltered and sheltered individuals and, ultimately, their respective families.

With the passage of House Bill No. 280, H.D. 3, S.D. 1, COC will become a permanent court, as opposed to a continued project. The legislature’s approval of House Bill No. 280, H.D. 3, S.D. 1 is essential for this to happen. The Judiciary strongly supports the passage of this measure and hopes COC will become a permanent court on July 1, 2025.



Since its inception under the late Judge Darolyn Lendio, COC has helped more than 600 participants, cleared nearly 11,000 cases, lifted more than 7,000 license stoppers, and recalled more than 900 bench warrants. These numbers show how COC helps all residents on O‘ahu. Here are two specific examples of how COC has had a positive impact on community members’ lives.

One of our graduates shared how as a single father of one, who was involved with Child Welfare Services (CWS), he and his son had to ride TheBus for two hours one-way in order to get his son from Mākaha to preschool in ‘Ewa Beach, then ride another hour to get to work, repeating the process – in reverse- in the afternoon. He further shared the need for him to meet with his CWS social worker and service providers to complete his Family Service Plan, all done by transporting himself and his son on TheBus. After graduating from COC, he shared how he was able to obtain his Hawai‘i driver’s license and – now – is able to commute through use of his own vehicle.

Another COC graduate, also a single father of two children, shared how he was homeless living in his car with his children, one of whom is diagnosed autistic. Every morning, he drove his children to school and would, oftentimes, be stopped and cited for driving with no license. Following his graduation from COC, he was able to obtain his driver’s license and became gainfully employed as an aide at his children’s school.

The Judiciary’s First Circuit Specialty Courts have held two Service Fairs and will be holding a third on May 22, 2025. Generally, these Service Fairs have been held on the lanai of Ka‘ahumanu Hale, but our upcoming Service Fair will be held at Kauikeaouli Hale on Alakea Street. During these Service Fairs, COC and other Specialty Court participants are welcomed to share stories and encouraged to visit and talk with and receive services from over 40 service providers in attendance. Additionally, donated household and clothing items and toys are offered to participants at no cost. Free showers through Project HiEHiE’s mobile shower facility and free haircuts by volunteer stylists are also offered to participants. It’s rewarding to observe attendees choose items of clothing for themselves and toys for their children, or have a hot shower and free haircut. It’s even more rewarding and exciting to watch the glee in the children’s eyes when they receive their new toy.

By taking COC into our communities where homeless individuals reside and we are committed to service, we – the COC team – are demonstrating our care and commitment for those less fortunate. It conveys a message that our participants are important and that COC partners recognize and “see” them in their environment, understand their predicaments, and are willing to work with them to move them forward into better circumstances. More often than not, our participants are thankful for the guidance, service, and willingness to address their legal troubles through creative and alternative sentencing, including community service work. After completing their community service work hours – or whatever their sentence requires – participants who graduate share their appreciation for the ability to address their needs through our court, its service providers and – most importantly – acknowledge that they felt seen and



understood, as evidenced through the two stories earlier shared. Furthermore, the participants are helping others by donating their time to places like Kealahou West O‘ahu, Catholic Charities, Goodwill, and other non-profit organizations and agencies where our participants are assigned to complete their work.

When COC participants are able and willing to share their stories, it becomes abundantly clear how important COC is to our entire community, not just those the court services. Moving this legislation forward to make COC a permanent court is essential to its continued success and growth.

The Judiciary continues to hold regularly scheduled meetings with our partners in COC, the Office of the Public Defender, and the Office of the Prosecuting Attorney, City and County of Honolulu. All three organizations recognize the importance of COC and its positive impact for our community, as a whole.

We, as a group, are looking to expand the reach of COC into communities not yet served including Wahiawā and the North Shore of O‘ahu. The stakeholders will continue to work cooperatively in order to provide our participants with the most appropriate available services and sentences to meet their needs.

While we appreciate the difficulty the legislature faces deciding which programs to fund each year, the COC partners believe that the benefits to our most vulnerable populations and the impact COC has made and will continue to strive to make, far outweighs the monetary cost. To this end, for the blank appropriations to the Judiciary included in this measure, we respectfully request the following amounts (bolded):

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of **\$49,380** 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 the operation of the Community Outreach Court, including:

- (1) **\$16,800** for security through a contracted service provider;
- (2) **\$360** for facilities and associated costs, including for use of the Waianae Public Library;
- (3) **\$17,580** for equipment, including laptops and mobile hotspots for internet access;
- (4) **\$9,840** for transportation costs, including a van and associated parking costs; and
- (5) **\$4,800** for other miscellaneous operational needs, including driver permit workbooks, printer cartridges, pencils, erasers, pens, markers, paper towels, and other office supplies.



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

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of **\$488,520** 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 to establish permanent positions in support of the community outreach court, including:

- (1) **\$64,404** each for two full-time equivalent (2.0 FTE) court clerk positions;
- (2) **\$59,508** for one full-time equivalent (1.0 FTE) court bailiff position;
- (3) **\$69,468** for one full-time equivalent (1.0 FTE) adult client services branch judicial clerk V position; and
- (4) **\$83,064** for one full-time equivalent (1.0 FTE) Social Worker V position; and
- (5) **\$73,836** each for two full-time equivalent (2.0 FTE) Social Worker IV positions.¹

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

For consistency with the amendments the Senate Committee on Ways and Means recently made to the Judiciary's budget (HB400), the Judiciary requests that the contemplated funding for deputy sheriffs be appropriated directly to the Department of Law Enforcement.

The Judiciary respectfully requests that any appropriation for this measure not supplant Judiciary priorities nor biennium budget requests.

Thank you for this opportunity to offer testimony supporting House Bill No. 280, H.D. 3, S.D. 1.

¹ We note that page 10, lines 4-6 includes a blank appropriation for FTE adult client services social worker positions. This is the 1.0 FTE Social Worker V and 2.0 FTE Social Worker IV positions referenced in this testimony.



HB280 HD3 SD1 Outreach Court

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Sharon Y. Moriwaki, Vice Chair

Thursday, Apr 3, 2025: 10:01: Room 211 Videoconference

Hawaii Substance Abuse Coalition Supports HB280 HD3 SD1:

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

HSAC supports Alternative sentencing of offenders for established needs for substance abuse treatment and mental health services following shelter or other social services.

Formal substance abuse treatment such as residential and intensive outpatient is still the most effective approach to achieve functionality and lasting recovery for offenders and community people.

Substance use disorder treatment coupled with mental health services is essential for offenders because it addresses the underlying issues that often contribute to criminal behavior and helps break the cycle of addiction and recidivism. Here's why this is important:

1. **High Rates of Substance Abuse Among Offenders:** Many offenders struggle with substance use disorders. Studies show that a significant proportion of crimes, including theft, assault, and drug-related offenses, are committed under the influence of drugs or alcohol.
2. **Reduces Recidivism:** Treating substance abuse can lower the likelihood of reoffending. Offenders who receive effective treatment are more likely to develop coping skills and lead crime-free lives after release.
3. **Addresses Root Causes of Criminal Behavior:** Substance abuse often coexists with mental health issues, trauma, or socioeconomic challenges.

Treatment programs can provide a comprehensive approach to addressing these interconnected factors.

4. **Improves Public Safety:** By helping offenders overcome addiction, substance abuse treatment reduces the risk of substance-fueled criminal activity, thereby improving community safety.

5. **Economic Benefits:** Providing treatment is often less expensive than incarceration. It also reduces the costs associated with repeated arrests, court proceedings, and imprisonment.

6. **Promotes Rehabilitation:** Substance abuse treatment supports offenders in reintegrating into society, securing employment, and rebuilding relationships, which are crucial for long-term success.

7. **Legal Mandates and Support:** Courts increasingly mandate substance abuse treatment as part of sentencing or probation, recognizing its importance in addressing criminal behavior effectively.

By addressing addiction, offenders are given an opportunity to rebuild their lives, contributing positively to society rather than being trapped in cycles of crime and incarceration.

We appreciate the opportunity to provide testimony and are available for questions.



HAWAII HEALTH &
HARM REDUCTION CENTER

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*"Reducing harm,
promoting health,
creating wellness, and
fighting stigma
in Hawai'i and
the Pacific."*

TESTIMONY IN SUPPORT OF HB 280, HD 3, SD 1

TO: Chair Dela Cruz, Vice Chair Moriwaki, & WAM Committee

FROM: Nikos Leverenz, Policy & Advancement Manager

DATE: April 3, 2025 (10:01 AM)

Hawai'i Health & Harm Reduction Center (HHHRC) **strongly supports** HB 280, HD 3, SD 1, which would appropriate funds and make permanent the Community Outreach Court (COC) as part of the District Court of the First Circuit. The Community Outreach Court has been a successful collaboration between the Judiciary, the Public Defender and the Honolulu Prosecutor's office along with support from community-based agencies such as HHHRC.

HHHRC is proud to have supported the COC from the beginning by providing on-site case management to the participants, and for the past year has hosted the COC in HHHRC's offices in Kaka'ako to make the court accessible to those needing its services in town. HHHRC has seen firsthand how participants of the COC thrive once their cases are resolved, and is also a site for the community-based hours that are needed from participants in order to satisfy their requirements. HHHRC has found it easier to house COC participants, and has seen the collaboration thrive to ensure some of our most vulnerable get the support they need. Our community needs this court to be permanent.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many determinants individuals impacted by poverty, housing instability, and other social of health. Many have behavioral health problems, including those related to substance use and mental health conditions, and have also been deeply impacted by trauma related to histories of physical, sexual, and psychological abuse.

Mahalo for the opportunity to provide testimony.

Opportunity for Youth Action Hawai'i

KAWAIILOA

April 3rd, 2025

Seante Committee on Ways and Means

Hearing Time: 10:01 AM

Location: State Capitol Conference Room 211

Re: HB280 HD3 SD1, Relating to The Community Outreach Court

Aloha e Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

On behalf of the Opportunity for Youth Action Hawai'i hui, we are writing in **support of HB280 HD3 SD1 relating to the community outreach court**. This bill permanently establishes and appropriates funds for the Community Outreach Court as a division of the District Court of the First Circuit.

Permanently establishing and funding a community outreach court specifically designed for individuals who cannot consistently attend court appointments is a meaningful step toward improving access and fairness in our justice system. Many people experiencing homelessness miss court dates not because they disregard their legal responsibilities, but because of persistent barriers such as lack of transportation, unstable housing, or a limited ability to communicate. When this happens, the resulting bench warrants can lead to further legal trouble and make it even harder for homeless individuals to gain stability.

By creating and adequately funding a permanent community outreach court, the state can help ensure that homeless individuals in these situations are given a fair opportunity to resolve their legal matters without the added burden of repeated warrants or escalating consequences. These courts can meet people where they are and offer a more flexible processes for connecting individuals to the services they need.

A community outreach court would not only help reduce unnecessary incarceration for non-violent offenses, but also increase the chances that individuals can successfully reintegrate into their communities. It can give people the space and support they need to focus on long-term goals like employment and housing, rather than being trapped in a cycle of court setbacks appearances and legal issues. Ultimately, a community outreach court can serve as a practical tool to improve outcomes for homeless individuals while easing pressure on the broader legal system. We encourage the state to act on this opportunity to invest in a solution that helps address the legal challenges tied to homelessness in a more ethical and supportive way.

Opportunity for Youth Action Hawai'i is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally informed approaches among public/private agencies serving youth.

Please support HB280 HD3 SD1.

1099 Alakea Street, Suite 2530 | Honolulu, Hawaii 96813 | (808) 447-1840

HB-280-SD-1

Submitted on: 4/2/2025 8:55:05 AM

Testimony for WAM on 4/3/2025 10:01:00 AM

Submitted By	Organization	Testifier Position	Testify
Jillian Anderson	Testifying for Waikiki Neighborhood Board	Support	Written Testimony Only

Comments:

The Waikiki Neighborhood Board stands in **support** of HB280 HD3 SD1.

The permanent establishment of the Community Outreach Court would allow the positive impacts made by the pilot project to continue indefinitely. A streamlined process and a tailored approach to its target population make Community Outreach Courts a fantastic alternative to the traditional legal system, particularly in outcomes for homeless individuals. The Community Outreach Court is the optimal combination of effectively using of our state’s resources while achieving better results.

For the First Circuit, which includes Waikiki, the permanency of the Community Outreach Court will allow our community to more effectively work with individuals who are homeless or have mental health challenges and set them on a path with fewer barriers to attaining stable, permanent housing and all the benefits that come with it.

The Waikiki Neighborhood Board asks for your continued support of this measure which would greatly benefit our community.