



## *The Judiciary, State of Hawai‘i*

### Testimony to the Thirty-Third Legislature, 2025 Regular Session

#### Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Wednesday, March 19, 2025, 9:45 a.m.

State Capitol, Conference Room 016

by

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**Bill No. and Title:** House Bill No. 727, H.D. 1, Relating to the Women’s Court.

**Purpose:** Establishes a temporary three-year women's court pilot program within the Second and Fifth Circuits. Requires the Third Circuit of the Judiciary and Big Island Drug Court to conduct an interim study to establish a blueprint for a women's court pilot program in the Third Circuit. Requires reports. Establishes temporary positions. Appropriates funds. Effective 7/1/3000. Sunsets 6/30/2028. (HD1)

#### **Third Circuit's Position:**

The Third Circuit supports the intent of this measure to expand the women’s court pilot project. However, the Third Circuit proposes amendments and modifications to this bill so that the pilot project can be implemented in the Third Circuit and can be successful in light of the lack of availability of community-based mental health services on the neighbor islands.

The Third Circuit respectfully requests the bill to be amended to reflect a two-year program for the Big Island. Attached to this testimony is a detailed proposal for the establishment of a two-year Women’s Court pilot project in the Kona Division of the Third Circuit Court. In order to successfully implement this Kona Women’s Court (“KWC”) program, this bill would need to be modified to: (1) establish a two-year women’s court pilot project in the Circuit Court of the Third Circuit; (2) provide for sufficient funding and staff to operate the program in Kona for the duration of the two-year pilot project; (3) permit the program to operate



as a separate program under the supervision of Big Island Drug Court (“BIDC”); (4) establish direct-provider positions and funding for direct services, which are otherwise unavailable on the Big Island; and (5) delete the provisions of the bill requiring the Second and Fifth Circuits to establish a three-year women’s court pilot project.

The Circuit Courts in the Third Circuit are structured very differently than those of the First Circuit. Due to the large size of Hawai‘i Island, the Third Circuit has two main courthouses housing Circuit Courts—one in Hilo and one in Kona. These courthouses are located 100 miles apart. The Circuit Courts in the Third Circuit are also dual-docket courts, meaning Circuit Court judges are responsible for hearing all case types, including criminal, civil, agency appeals, environmental cases, and more. Due to these practical restrictions on the courts’ calendar and the geography of the island, it has never been practical in the Third Circuit to have standalone specialty courts, as has been done successfully in the First Circuit. Nevertheless, the Third Circuit has a history of implementing successful treatment court programs, and the Judiciary now looks forward to the opportunity to build upon this history and establish a successful women’s court program in Kona.

Our proposal calls for the KWC program to be supervised by the Kona Division of BIDC. This administrative structure is similar to the other successful treatment court programs currently offered in the Third Circuit. Due to the success of the BIDC program, Veterans’ Treatment Court and Juvenile Treatment Court programs have also been implemented in the Third Circuit. These programs are not standalone courts, but rather operate as separate divisions of BIDC with their own programming, eligibility requirements, and procedures. The proposed KWC program would be the latest addition to these successful specialty court programs.

Accordingly, by situating KWC under the supervision of BIDC with our other treatment court programs, the existing BIDC structure and staff can be leveraged at the outset of the program, allowing us to supplement existing services with the additional resources to be provided by this bill. This structure will maximize existing resources and allow the program to focus its efforts on developing the programming and services that are at the heart of this pilot project. Additionally, to be an effective use of resources, the KWC program will require a critical mass of female probationers in West Hawai‘i who may be eligible for the program. The highest-risk justice-involved women in the Third Circuit (“Priority 1 participants”) are already participating in the BIDC program. Thus, our proposal calls for all fourteen (14) of the women currently participating in the Kona BIDC program to be screened for eligibility for the KWC program. During the course of the proposed two (2) year program, BIDC has approximately thirty (30) women designated as Priority 2 participants, which can be assessed for inclusion into the KWC program. This will allow the program to begin providing services to the target population immediately, instead of waiting for individual referrals to trickle in for a standalone program. If the pilot program is successful, the ultimate goal would be to expand the women’s court program to Hilo and make the program permanent after the end of the 2-year project period.



To be successful, the BIWC will require sufficient funding and positions, and a good prospect of recruiting qualified staff for those positions. The Judiciary's proposal contemplates a trauma-informed and gender-responsive program tailored to the unique needs of high-risk women, with robust mental health, therapeutic, and rehabilitative components. The proposal also calls for a cultural competency component and staff in peer support roles, with all programming to be provided in an atmosphere that holds women accountable while providing court-supervised treatment, opportunities, and resources.

A truly trauma-informed approach to this program will require extensive mental health counseling by trained psychologists, psychiatrists, and/or mental health counselors. These mental health services are severely deficient on Hawai'i Island, where a lack of community-based mental health providers often proves to be an insurmountable barrier to treatment. Moreover, our current BIDC staff are not equipped or sufficiently resourced to address these complex issues without comprehensive training. Thus, our proposal for a KWC has a strong focus on the development of mental health services, with the hiring of full-time equivalent providers, funding for the creation of new services, and training for program staff.

Similar to other specialty court programs, a one-size-fits-all approach is not always best. Circumstances on the neighbor islands may warrant different implementation and different resource requirements. Accordingly, we respectfully request modifications to this measure that will allow the attached KWC proposal to be put into action.

The Judiciary has consulted with the sponsors of this bill—Representative Linda Ichiyama and Representative Mahina Poepoe—in the development of the attached proposal. If the Legislature is supportive of this proposal, we welcome continued discussions during this session.

The Third Circuit and BIDC stand ready to assist the legislature in whatever policy decision is made, as long as we have the requested mental health professionals on contract or hired by the Judiciary, along with additional staff members to be hired by BIDC.

In addition, given the Third Circuit's willingness to pilot this modified Women's Court model, we would respectfully request that the Second and Fifth Circuits be deleted from consideration for this pilot project, at this time.

Thank you for the opportunity to offer testimony on this important bill.

**KONA WOMEN’S COURT:**  
**A Proposal for a Women’s Justice and Treatment Program in West Hawai’i**  
*Pilot Program: 2 Years*

**I. SUMMARY**

This proposal for the formation of a Kona Women’s Court (“KWC”) program as a 2-year pilot project. The effective implementation of this proposal would require amendments to the current bills that would permit the Third Circuit to implement its Women’s Court program under the umbrella of the well-established Big Island Drug Court (“BIDC”). By developing KWC under the pre-existing drug court program, the KWC pilot project will use the established structures of drug court as its “backbone”, thereby enabling the development of a successful program, notwithstanding the practical limitations of the Third Circuit’s dual-docket courts. Positioning the KWC program under the supervision of drug court will also guarantee the most effective use of resources and maximum benefit to the target population of women that the Women’s Court model aims to serve. The KWC program requires a critical mass of women participants, and all of the fourteen (14) women already participating in Kona BIDC are at high risk for recidivism, have high rates of substance abuse, and have high mental health needs. This proposal therefore envisions KWC as a division of Kona drug court with distinct eligibility requirements, gender-responsive programming, and mental health services and treatment options that are specially designed to address the needs of justice-involved women in Hawai’i Island’s rural community.

**II. PURPOSE**

A. Due to Resource Requirements and the Structure of the Circuit Courts in the Third Circuit, There Is a Need to Develop the Women’s Court Program under the Auspices of Big Island Drug Court.

The Circuit Courts of the Third Circuit are structured very differently from those in the First Circuit. There are only four (4) Circuit Court judges in the Third Circuit, and all of them, including the two (2) judges assigned to drug court, are responsible for hearing all case types, including all criminal and civil cases, agency appeals, environmental court cases, special proceedings, and more. Moreover, due to Hawai’i Island’s size, the Third Circuit is the only circuit with two courthouses housing Circuit Courts. These courthouses are situated nearly 100 miles apart, and each courthouse services distinct geographic areas of the island—the Hilo Circuit Court hears cases from East Hawai’i, including the districts of North and South Hilo, Puna, and Hāmākua, and the Kona Circuit Court hears cases from West Hawai’i, including the districts of North and South Kona, North and South Kohala, and Ka’ū.

Because of the Circuit Court’s dual-docket calendars and the geography of the island, it has never been feasible in the Third Circuit to have single, standalone specialty courts dedicated exclusively to the treatment court model, as has been done successfully in the First Circuit. Nevertheless, the Third Circuit has a long history of the successful

implementation of the treatment court model in spite of these limitations, beginning with the BIDD program.

Big Island Drug Court is a specialty treatment court first established in the Third Circuit over twenty (20) years ago, in 2002. The BIDD program is dedicated to reducing recidivism and supporting individuals with substance use disorders and co-occurring mental health issues, through a structured, evidence-based approach that integrates judicial oversight with intensive treatment, supervision, and accountability measures. BIDD operates programs in both Hilo and Kona, and it currently has over 100 participants, including twenty-five (25) women, engaged in substance use treatment, frequent drug testing, judicial monitoring, group activities, and supportive services designed to promote recovery and long-term stability.

Due to the success of the BIDD program over the years, the Third Circuit also implemented a Veterans' Treatment Court program in 2014, as well as a Juvenile Treatment Court program. These programs are not standalone courts, but rather distinct programs operated by drug court staff and stationed under the supervision of BIDD. This proposal seeks to add a Women's Court program to the quiver of specialty programming offered to probationers in West Hawai'i, under the auspices of Kona BIDD. If the pilot program is successful, the ultimate goal would be to expand the Women's Court program to Hilo and make the program permanent after the end of the 2-year project period.

As is so often the case in Hawai'i, a one-size-fits-all approach is not always best; circumstances on the neighbor islands are unique and differ from those on O'ahu. But with appropriate modifications to the proposed legislation and sufficient funding for services and positions, the Third Circuit will nevertheless be able to successfully carry out the purposes and intent of the proposed pilot project. By leveraging the existing BIDD structure and staff at the outset, the Third Circuit will be able to supplement existing drug court services in Kona with the additional services to be provided through this measure—services that justice-involved women on Hawai'i Island desperately need. Through a Women's Court program that is well-tailored to the Third Circuit's unique court structure, and, most importantly, that is responsive to the individual needs of justice-involved women, the Judiciary looks forward to the opportunity to participate in this revolutionary pilot project.

#### B. There Is a Need to Develop Critical Resources and Services in West Hawai'i.

Due to the severe shortage of community-based treatment options on Hawai'i Island, developing, creating, and sustaining community-wide resources and treatment capacity is critical to ensuring the success of the KWC pilot project. The lack of community-based mental health services on the island is particularly severe. In 2023, the final report of the Adult Mental Health Summit<sup>1</sup>, held by the Hawai'i County Mayor's Office, concluded that there are serious barriers to accessing mental health services island-wide,

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<sup>1</sup> The Adult Mental Health Summit included participants from a wide-range of community stakeholders, including government agencies such as the Department of Health.

and that there is a “lack of a comprehensive continuum of care”.<sup>2</sup> The group found that in Hawai‘i County, there is a “lack of alternatives to hospitalization or encounters with law enforcement when someone is experiencing a [mental health] crisis”, with the shortage of mental health providers in the community standing as a significant barrier to accessing treatment.<sup>3</sup> The group underscored the pressing need for funding to attract mental health professionals to Hawai‘i County and ensure retention.<sup>4</sup>

This shortage of community-based providers is particularly acute for justice-involved women, as the few existing providers are often reluctant to take on patients with justice-system involvement. The providers who do take on justice-involved clients already have overwhelming caseloads, which hinders their ability to provide timely and consistent treatment. The community-based providers available are also located off-site, creating practical challenges for patients who may not have access to reliable transportation or access to the technology needed for telehealth appointments. These providers also have established practices, and their ability to cater to the specific needs of women may be limited.

Only with funding to develop community resources and provide direct services in West Hawai‘i, will KWC be able to address the individualized needs of women with a trauma-informed and gender-responsive approach. Accordingly, KWC seeks funding to develop services in the following areas through contracted direct services and training for KWC staff:

- Timely Screening of At-Risk Women
- Mental and Behavioral Health Services, Including Psychiatric Care and Medication Management
- Access to Trauma-Informed Therapies that Meet Individual Needs
- Substance Use Disorder Treatment
- Peer Support
- Housing
- Cultural Activities and Practices
- Case Management Services
- Increased Testing and Laboratory Confirmation

In addition to the development of these critical services and treatment options for KWC clients, program participants would also have access to established Kona drug court resources through available community-based services. These existing services can provide classes, treatment, and support in the areas of domestic violence, including survivor counseling; education and vocational training; life-skill training, such as financial literacy classes; and family support resources, including parenting classes and

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<sup>2</sup> Hawai‘i County Office of the Mayor (2023). *Adult Mental Health Summit August 2023 – Summary Report*. Retrieved Feb. 11, 2025 from <<https://www.hawaiicounty.gov/home/showdocument?id=307444&t=638453177631770000>>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

relationship improvement resources. KWC probation officers would coordinate referrals to these community-based providers based on a risk-needs assessment.

The combination of these existing services with the new, direct services proposed herein will ensure that Women’s Court clients are receiving the support they truly require in light of their particular backgrounds and needs.

C. The Pilot Program Will Focus on West Hawaii’s Most At-Risk Women, While Offering Services to Priority 2 Women When Possible.

Currently there are fourteen (14) women participating in the BIDC program in Kona. These women are considered “Priority 1” clients, meaning they have been assessed as having a high risk for recidivism, high rates of substance abuse, and high mental health needs. These high-risk women nearly universally have histories of abuse, trauma, poverty, and other risk factors that intersect with their involvement in the criminal justice system. Women who have been incarcerated are more likely to report extensive histories of emotional, physical, and sexual abuse, with between 70% and 90% of incarcerated women reporting past abuse.<sup>5</sup> To illustrate this reality, of the fourteen (14) women currently in Kona drug court, all have a history of trauma, and (13) thirteen have a mental health diagnosis. These mental health diagnoses include serious conditions, such as major depressive disorder, post-traumatic stress disorder (“PTSD”), bipolar disorder, and borderline personality disorder, which require extensive and careful treatment and management.

On Hawai’i Island, women confronted with these challenges face unique barriers to treatment and recovery—and not only in the area of mental health services. Hawai’i County is a large, rural county spanning over 4,000 square miles<sup>6</sup>; many areas of the island are remote and have poor or nonexistent access to critical services, such as public transportation and medical care. Hawai’i County also has the highest poverty rate in the State at 13.8%, with an average household income of only \$68,399<sup>7</sup>—with the poorest areas of the County having a median household income of only \$50,313 per year.<sup>8</sup>

Hawai’i Island also has high rates of domestic violence. Between 2021 and 2023, there was over a 60% increase in the number of participants in programs aimed at the

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<sup>5</sup> *Childhood Trauma and Women’s Health Outcomes in a California Prison Population*, PubMed Central (Oct. 2006). Retrieved Feb. 11, 2025 from <<https://pmc.ncbi.nlm.nih.gov/articles/PMC1586137/#:~:text=One%20key%20finding%20from%20this,wo men%20in%20the%20general%20population>>.

<sup>6</sup> U.S. Census Bureau (2023). *American Community Survey 1-year estimates*. Retrieved Feb. 6, 2025 from Census Reporter Profile page for Hawaii County, HI <<http://censusreporter.org/profiles/05000US15001-hawaii-county-hi/>>.

<sup>7</sup> Hawai’i State Data Center, *Census Data Highlights* (Dec. 8, 2021), Retrieved Feb. 11, 2025 from <[https://files.hawaii.gov/dbedt/census/acs/acs2021/5yr/ACS21\\_5yr\\_highlights.pdf](https://files.hawaii.gov/dbedt/census/acs/acs2021/5yr/ACS21_5yr_highlights.pdf)>.

<sup>8</sup> U.S. Census Bureau (2023). *American Community Survey 5-year estimates*. Retrieved from Census Reporter Profile page for Ka’ū CCD, Hawai’i County, HI <<https://censusreporter.org/profiles/06000US1500191170-kau-ccd-hawaii-county-hi/>>.

prevention of domestic violence.<sup>9</sup> Child and Family Services (“CFS”) has reported that between 2018 and 2020, one domestic violence shelter in Hawai‘i County served more survivors than any other CFS shelter in the State.<sup>10</sup>

The problems of domestic violence, poverty, and a lack of access to employment opportunities, transportation, and mental health care are issues that disproportionately impact women, who are more likely to be victims of violence and are more likely to have dependent children in their care. In consideration of these social realities, closing the service gap for the most at-risk women in West Hawai‘i is imperative.

Due to their risk-factors, all Priority 1 women currently in Kona drug court would be assessed and considered for the expanded, gender-responsive and individualized services and programming to be offered through KWC. For the duration of the pilot project, any women referred to BIDC or Veteran’s Treatment Court in Kona would also be assessed for the Women’s Court program. However, due to the acute lack of community-based services on the Big Island, especially in the areas of mental health, the KWC staff would also seek to provide services to Priority 2 justice-involved women, who have lower risk factors, whenever possible.

Priority 2 women who would be considered for assistance would be women on supervision with Hawai‘i Intake Service Center (“HISC”) and women on regular probation in Kona who are not high enough risk or otherwise do not meet the eligibility criteria for referral to a treatment court program. These women also experience barriers to treatment and lack access to mental health services, including crisis stabilization, which can interfere with successful completion of probation. Currently, there are forty-five (45) women on supervision with HISC and thirty-seven (37) who are on regular probation supervision in Kona, for a total of eighty-two (82) Priority 2 women who could be assessed for mental health needs. The actual number of Priority 2 women who would be provided with treatment, services, or other interventions, such as trauma treatment, psychiatric medication, housing stabilization, case management, and linkages with other community-based services would be based on the results of individual assessments.

While the focus of the pilot project is to help the most at-risk women in West Hawai‘i, it is anticipated that KWC staff will be able to provide critical services to many of these Priority 2 women, and possibly even to some men, on a case-by-case basis. This will ensure that the program’s investments in direct services are utilized to their maximum potential and contribute to positive outcomes for the largest number of women.

#### D. The Program

##### a. *Eligibility Criteria & Disqualifications*

The Third Circuit’s vision for Women’s Court aims to utilize best practice standards from the treatment court model to address the needs of Priority 1 women in a gender-responsive format. Because KWC would be built on the foundation of BIDC, there is

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<sup>9</sup> *Domestic violence program enrollments spike on Big Island*. West Hawai‘i Today (Oct. 10, 2023). Retrieved on Feb. 11, 2025 from < <https://www.westhawaiiitoday.com/2023/10/18/hawaii-news/domestic-violence-program-enrollments-spike-on-big-island/>>.

<sup>10</sup> *Id.*

substantial overlap between the proposed eligibility criteria and exclusion factors for KWC and those of the drug court program.

The current, proposed eligibility criteria and disqualification factors for the KWC pilot project are as follows:

1. Proposed Eligibility Criteria:

- Must be at least eighteen (18) years old;
- Must reside in area supervised by Kona probation;
- Must have a history of or evidence of current substance abuse and/or mental health issues;
- Must be convicted of or on status for a felony offense;
- Must voluntarily agree to participate in Kona Women's Court; and
- Must fully participate in the Kona Women's Court screening process, including the LSI-R and be assessed as high risk for recidivism and as having high treatment needs.

2. Proposed Disqualifications:

- Convicted of any sex offense that requires or may trigger registration;
- Convicted of an offense that carries a mandatory prison sentence;
- Pending charges that would interfere with treatment court participation;
- Convicted of any previous or pending Class A felony;
- Convicted of a drug trafficking offense within the last ten (10) years;
- Is working as a confidential informant;
- Has been determined by the Kona Women's Court team to suffer from a mental illness or developmental disability that will not allow the defendant to complete the program requirements, but only when it is also determined that the defendant cannot be stabilized with the resources and services available; or
- Is presently on status for any violent offense, defined as:
  - i. Offenses that involve the discharge of a firearm or threat of harm with firearm;
  - ii. Any offense that involves death or that results in great bodily harm to the victim;
  - iii. Class B felony violent offenses (other than sexual offenses covered above).

Consistent with treatment court best practices, the eligibility criteria of BIDC is revised periodically to ensure that criteria are in line with current evidence and best practices. The eligibility criteria for KWC will also be subject to this periodic revision, to ensure that the program is meeting the needs of the target population. As such, the foregoing proposed eligibility criteria and exclusion factors are likely to change over time, especially if the pilot project is extended beyond the current 2-year proposal.

#### *b. Referral & Screening Process*

The KWC will accept referrals of women to the program in the same way that referrals are currently made to Kona's BIDC and Veteran's Treatment Court programs. These referrals are made by judges after defendants have been convicted of a crime, and while they are pending sentencing. The screening process will utilize best practices, including the Level of Service Inventory-Revised ("LSI-R") assessment tool, which is a standardized, evidence-based assessment tool widely used to identify an offender's risk of reoffending and to inform treatment and supervision plans. Because the Third Circuit's Women's Court structure would situate KWC under the supervision of BIDC, all women referred to Kona BIDC or Veteran's Treatment Court would also be automatically screened for eligibility for the KWC program. This allows for maximum flexibility and treatment options for high-risk women.

For example, if a woman is a veteran who would benefit from Veteran's Court programming, upon referral to Kona Veteran's Court, she would also be assessed for KWC eligibility automatically, without the need for an additional referral. If her risk-needs assessment shows she would also benefit from the services and programming of KWC, the proposed structure of KWC would allow such a woman to take full advantage of both programs simultaneously and seamlessly, without needing to choose one or the other.

#### *c. Court Sessions & Program Activities*

As with other treatment courts, and consistent with treatment court best practices, KWC would hold court sessions with the judge and other members of the Women's Court team, where all women admitted to the program would participate approximately twice per month. Along with group court hearings, KWC would provide group activities, including group therapy, cultural activities, and peer mentorship and support on a regular basis. Group sessions with the judge, as well as group programming, are essential to building trust in the program and in the justice system. Group programming also builds camaraderie and prosocial bonds between participants. These activities are also integral to fostering a safe, women-only environment where women can feel secure and comfortable sharing openly with their peers and program staff.

#### *d. Cultural Component*

Best practices dictate that culturally responsive evaluation and treatment planning are essential to successful treatment and recovery.<sup>11</sup> It is vital that the programming

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<sup>11</sup> See *Improving Cultural Competence*. Treatment Improvement Protocol (TIP) Series, No. 59. Center for Substance Abuse Treatment (US). Rockville (MD): Substance Abuse and Mental Health Services

offered by KWC is culturally sensitive and relevant to the needs of the women in the program. Over 44% of incarcerated women in Hawai'i are Native Hawaiian, despite making up only 19.8% of the state's total female population.<sup>12</sup> Therefore, the KWC envisions working with Cultural Advisors to make sure that goals and program content are culturally relevant to maximize the benefit of the program to Native Hawaiian women and women from other marginalized groups.

The Cultural Advisors selected will be well versed in dealing with multicultural groups of women who come from a variety of backgrounds. They will employ values universal to most (if not all) cultures, presented in a Hawaiian way. No particular religion will be forced, and the Cultural Advisors and KWC team will be as sensitive to as possible to all cultural groups.

#### E. Program Evaluation

Besides Hawai'i, there are only a few other jurisdictions in the country that have begun Women's Court programs. As such, there are no established best practices for Women's Court programs. The KWC team will therefore need to thoughtfully implement current treatment court best practices in the development of the program, such as the use of treatment interventions specific to women's issues, including treatment for PTSD and trauma. Because of the relatively novel nature of this trailblazing project, the program evaluation component will be extremely important and will involve careful study.

It is anticipated that an outside researcher may be invited to do a study on the KWC and assist with program evaluation, due to the impacts this program may have on national best practice standards. As such, the proposed budget included herein includes an amount for program evaluation.

#### F. Other Services

While the focus of the KWC pilot project will be on developing a comprehensive Women's Court Program for Priority 1 women in West Hawai'i, the hope is that the injection of funding and development of community-based resources through this program will benefit other justice-involved individuals, such as Priority 2 women—especially those needing critical mental health services. These “extracurricular” services would be offered on a case-by-case basis when determined appropriate by the KWC team, and only when doing so would not detract from the services needed for Priority 1 women in the KWC program.

Allowing the flexibility of providing services to individuals outside the KWC program will ensure that the resources furnished through this pilot project are being utilized to their

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Administration (US); 2014. Retrieved from National Library of Medicine – National Center for Biotechnology Information on Feb. 13, 2025 at <<https://www.ncbi.nlm.nih.gov/books/NBK248423/#:~:text=Just%20as%20culture%20shapes%20an%20individual's%20sense,be%20aware%20of%20how%20the%20client's%20culture>>.

<sup>12</sup> *Impact of the Criminal Justice System on Native Hawaiians*. OHA Fact Sheet. Retrieved on Feb. 11, 2025 from <[https://www.oha.org/wp-content/uploads/2014/11/factsheets\\_final\\_web\\_0.pdf](https://www.oha.org/wp-content/uploads/2014/11/factsheets_final_web_0.pdf)>.

maximum potential and can be adapted for a variety of individual cases and circumstances.

### III. The Court's Structure & Proposed Budget

#### A. The Team

Because the KWC pilot project will use the pre-existing staff and structures of the BDC program to address the needs of women already participating in drug court, the KWC team will consist of the dedicated team of BDC probation officers and staff, as well as specially trained professionals in direct service provider positions. Due to the lack of community-based service providers on the Big Island, discussed in detail above, funding sufficient to recruit and retain full-time mental health professionals, as well as funding for adequate training of program staff, are absolutely imperative to the success of the pilot project. Only through the development of new services will the KWC be able to guarantee that women in the program will have both access to necessary services and consistency of treatment.

Therefore, this proposal seeks funding for the following service provider positions and services:

1. **Women's Mental Health Professional (1FTE) (POS Contractor(s))**: KWC would seek to hire a Women's Mental Health Professional. This mental health professional would have a full-time equivalent ("FTE") position and would be assigned to the Keahuolu courthouse, to enable them to provide consistent and timely mental and behavioral health services. This mental health professional would ensure timely screening of at-risk women, including at the jail, at the courthouse, or in the community, and they would be able to provide treatment directly, including treatment for trauma, substance use disorder, and mental health issues specific to women. They would also be available to help stabilize justice-involved women, so that the legal process can take place and community-based treatments can begin. Additionally, this professional would be able to offer medication assisted treatment and a variety of therapies, including behavioral therapies, group therapy, and more. Having a dedicated, full-time Women's Mental Health Professional to provide direct services and assist clients with referrals and connections with longer-term treatment, crisis stabilization, case management, Department of Health services, and other community mental health resources is critical to ensuring continuity of care for women in the program.
2. **Women's Behavioral Health Beds (POS Contractor(s))**: To facilitate effective treatment, recovery, and case management, it is essential to have beds available in facilities that will provide support staff to address substance use issues and facilitate mental health treatment, including crisis stabilization and medication compliance. Currently there are no dual-diagnosis beds available to probationers in the Third Circuit. Funding for behavioral health beds would ensure that the highest-risk women have access to secure, women-only housing where they can receive support for all of their needs. With the funds

requested in the proposed budget outlined below, it is anticipated that one of the service providers already contracted to provide bedspaces to Kona drug court clients will be able to dedicate a house specifically for women in KWC—with anywhere from three (3) to six (6) bedspaces being reserved for KWC’s exclusive use at any given time.

3. **Cultural Practitioner(s) & Advisor(s) (POS Contractor(s))**: Best practices have long dictated that culturally responsive and culturally relevant evaluation, objectives, and treatment result in better outcomes for individuals receiving substance abuse and mental health treatment. KWC would utilize Cultural Advisors to run cultural activities and group sessions. Cultural Advisors would also assist the KWC team to ensure treatment goals and methods are culturally relevant, and that individual treatment plans and the services provided by the program are sensitive to participants’ backgrounds, beliefs, and practices, to the extent possible.
4. **Drug Court Peer Specialist(s) (1FTE) (POS Contractor(s))**: Mentorship plays a vital role in substance abuse treatment, because it provides a crucial layer of support, accountability, and shared experience for individuals in addiction recovery. While mentorship is considered a best practice in substance abuse treatment, it is particularly critical for women to have access to effective mentorship, as studies have shown that women are less comfortable talking about substance use than their male counterparts, and less likely to seek help or treatment.<sup>13</sup> KWC would hire former female drug court graduates in peer support roles to ensure that participants in the program receive mentorship that is responsive to the unique needs of women.

In addition to these essential positions, KWC will also seek funding for a Probation Supervisor position, as well as for funding for training of KWC staff.

5. **Kona Probation Supervisor (1FTE) (Judiciary Staff)**: Additional staffing within the probation division will be necessary to manage and implement KWC deliverables for program participants. There is already an existing gap in Kona probation, where the BIDC probation officers currently lack a supervisor. In all other probation divisions there is supervisor position for every 3-4 probation officers. The added supervision and administrative burdens of an additional treatment court program will necessitate that this gap in staffing be addressed.
6. **KWC Staff Training**: Within the first year of the pilot project, KWC would seek to have its team members participate in available local and online trainings. In year two (2) of the program, the Kona team, consisting of up to fifteen (15) team

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<sup>13</sup> See *Women’s barriers to specialty substance abuse treatment: A qualitative exploration of racial/ethnic differences*. PubMed Central (Aug. 2021). Retrieved on Feb. 13, 2025 from <<https://pmc.ncbi.nlm.nih.gov/articles/PMC7075735/>>.

members<sup>14</sup>, would travel to the national *All Rise* conference. *All Rise* is the national organization for training in the treatment court model<sup>15</sup>, and it is the author of the Adult Treatment Court Best Practice Standards—considered the gold standard for treatment courts nationally. Training and conference attendance is essential to ensure that the KWC program is implementing treatment court best practices, based on the most current evidence available. Additionally, as Hawai'i is one of the first states in the nation to implement a Women's Court program, conference attendance will provide significant opportunities to spread the Women's Court model to other jurisdictions.

Finally, the KWC program would seek to contract with vendors and providers to provide access to Moral Reconciliation Therapy (“MRT”) and increased drug testing and greater laboratory confirmation capacities. KWC is also seeking funding for technology to support program operations, including computer workstations, so that program participants can have reliable internet access.

7. **Moral Reconciliation Therapy & Training (Contracted)**: KWC will seek to contract with therapists who can provide MRT group sessions to program participants and train KWC staff in the MRT methodology. MRT is a cognitive behavioral therapy designed to address severe criminal thinking. It is effective in treating substance abuse, trauma, patterns of domestic violence, and other issues that intersect with women's involvement in criminal behavior. Studies have shown that offenders who receive MRT are far less likely to be re-arrested or re-incarcerated. One study that tracked nearly 1,400 participants over 20 years found that the use of MRT reduced the likelihood of an offender being re-incarcerated by nearly 30%.<sup>16</sup> By training the KWC staff in MRT, the program can build the capacity to sustainably provide justice-involved women with the tools needed to change their thought processes, make better decisions, and ultimately reduce recidivism.
8. **Increased Drug Testing & Greater Laboratory Confirmation Capabilities (Vendors)**: Funding for increased capacity and effectiveness of drug testing and laboratory confirmation will be essential to monitoring the compliance of

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<sup>14</sup> Teams would include the KWC probation officers, probation supervisor, assigned judge, service providers, and, funding permitted, the assigned Deputy Public Defender, Deputy Prosecuting Attorney, and Hawai'i Police Department Officer.

<sup>15</sup> *All Rise* began 30 years ago as the National Association of Drug Court Professionals. In 2023, the organization rebranded as “All Rise” to reflect the organization's focus on all treatment courts, including Family Treatment Court, DUI Court, Juvenile Treatment Court, and others.

<sup>16</sup> *20-year study finds MRT Cognitive-Behavioral Therapy reduces re-arrests and re-incarceration*. GEO Reentry Services (Sept. 30, 2011). Retrieved Feb. 13, 2025 from <<https://www.georeentry.com/20-year-study-finds-mrt-cognitive-behavioral-therapy-reduces-re-arrests-and-re-incarceration/#:~:text=After%2020%20years%2C%2094%25%20of,rate%20dropped%20significantly%20to%2061%25>>.

women in the KWC program and ensuring effectiveness of treatment. With the integration of critical mental health services and treatment through the pilot project, program staff will need the ability to confirm compliance with psychiatric and other prescribed medication through laboratory testing. The use of sweat patches and Smartstart technology for KWC will also ensure that participants can be adequately monitored for compliance with drug and alcohol conditions while in the community, when standard urine testing is not practical. For example, if a client needs to travel the mainland for medical treatment, currently there is no way to monitor her compliance during the travel period. With a sweat patch, the client’s probation officer would be able to verify compliance.

- 9. Technology:** As set forth in the proposed program budget below, funding is being sought for technology to support program operations, including computers for additional staff, as well as a computer workstation in the Kona probation waiting area. This workstation would be available for clients to use for job applications and searches, applications to educational and training programs, housing applications, and similar, essential administrative tasks. Many justice-involved women in our rural community lack reliable access to the internet at home. Internet access is required to do the most basic of tasks in our modern, digital world. Having computers available so that program participants have guaranteed access to the internet every time they come to court would be a significant step to closing this digital divide.

**B. 2-Year Pilot Program Budget**

**Two-Year Pilot Program Budget:**

	<b>Year 1</b>	<b>Year 2</b>	
<b>Services</b>	<b>Annual Cost</b>	<b>Annual Cost</b>	<b>Total Cost</b>
Women's Mental Health Professional (1FTE)	\$ 175,000.00	\$ 175,000.00	\$ 350,000.00
Womens Behavioral Health Beds	\$ 100,000.00	\$ 100,000.00	\$ 200,000.00
Kona Drug Court Probation Supervisor (1FTE)	\$ 85,000.00	\$ 85,000.00	\$ 170,000.00
Cultural Practitioner and Advisor	\$ 30,000.00	\$ 30,000.00	\$ 60,000.00
Peer Specialist (1FTE)	\$ 80,000.00	\$ 80,000.00	\$ 160,000.00
Moral Reconciliation Therapy	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00
Increased Drug Testing/Lab confirmation	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00
Training	\$ 5,000.00	\$ 42,000.00	\$ 47,000.00
Technology	\$ 4,900.00	\$ -	\$ 4,900.00
Program Evaluation	\$ -	\$ 10,000.00	\$ 10,000.00
<b>Total</b>	<b>\$ 514,900.00</b>	<b>\$ 557,000.00</b>	<b>\$ 1,071,900.00</b>

**Breakdown of Estimated Training Costs:**

<b>Training:</b>	<b>Cost</b>
Year 1: Local and Other Trainings	\$5,000
Year 2: Kona Team : All Rise National Conference (Washington DC)	\$ 42,000.00
<b>Total Training Cost:</b>	<b>\$47,000</b>

**Breakdown of Estimated Technology Costs:**

<b>Technology:</b>	<b>Kona Cost</b>
Computer Workstation (in Probation Waiting A	\$ 1,200.00
Computer for Kona Probation Supervisor	\$ 1,000.00
Printer for Kona Probation Supervisor	\$ 1,000.00
Cellphone for Field Work Kona Prob . Sup	\$ 500.00
Kona Laptop for Work in Rural Communities	\$ 1,200.00
<b>Total:</b>	<b>\$ 4,900.00</b>



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
**KA 'OIHANA OLAKINO**  
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**Testimony in SUPPORT of HB727 HD1**  
**RELATING TO THE WOMEN'S COURT**

SENATOR KARL RHOADS, CHAIR  
SENATOR MIKE GABBARD, VICE CHAIR  
SENATE COMMITTEE ON JUDICIARY

Hearing Date and Time: March 19, 2025, 9:45 a.m. Location: Room 016 & Video

1 **Fiscal Implications:** The Department of Health (“Department”) requests funding for this  
2 measure be considered as a vehicle to expand services, including staff support, provided it does  
3 not supplant the requests outlined in the Governor's executive budget request.

4 **Department Position:** The Department supports this measure and offers comments.

5 **Department Testimony:** The Adult Mental Health Division provides the following testimony on  
6 behalf of the Department.

7 The Department supports this measure which proposes to establish a three-year  
8 Women’s Court pilot program in the circuit court of the second and fifth circuits. The measure  
9 also requires the third circuit of the Judiciary and Big Island Drug Court to conduct an interim  
10 study to establish a blueprint for a women's court pilot program in the third circuit. The intent  
11 of the project is to implement trauma informed and evidence-based practices, employ gender-  
12 responsive programming, collaborate with stakeholders, and provide services to women in the  
13 court system with the goal of diverting participants from incarceration, supporting their success  
14 in the community, and reducing recidivism.

1 Mohala Wahine, which was established in the first circuit by Act 243, SLH 2022, has  
2 been operational since January 2023. In 2024, through our collaborative partnership with the  
3 Judiciary, the Department conducted 33 mental health screenings and 24 psychological  
4 assessments of participants for the program. The services offered by the program are  
5 comprehensive and provide an opportunity for participants to achieve meaningful and lasting  
6 recovery. The Department defers to the Judiciary on the feasibility of a pilot project and study  
7 implementation.

8 **Offered Amendments:** The Department requests a budget of \$801,802, which is based on the  
9 Department's staffing requirements for the operation of the existing Women's Court pilot  
10 project of the First Circuit. Each circuit would require the following:

- 11 1.0 FTE Clinical Psychologist [\$145,000] to conduct psychological assessments
- 12 1.0 FTE Social Worker/Human Services Professional IV [\$76,788] to conduct screenings
- 13 1.0 FTE Social Services Assistant V [\$45,216] to provide peer support

14 Thank you for the opportunity to testify on this measure.

JON N. IKENAGA  
PUBLIC DEFENDER

**DEFENDER COUNCIL**  
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**HONOLULU OFFICE**  
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**DISTRICT COURT DIVISION**  
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**FAMILY COURT DIVISION**  
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**FELONY DIVISION**  
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STATE OF HAWAII  
**OFFICE OF THE PUBLIC DEFENDER**

March 17, 2025

HAYLEY Y. C. CHENG  
ASSISTANT PUBLIC DEFENDER

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## **H.B. No. 727, HD 1: RELATING TO THE WOMEN'S COURT**

### **Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:**

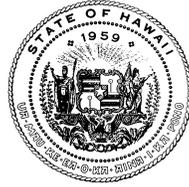
The Office of the Public Defender **strongly supports HB 727, HD1**. This bill establishes a three-year women's court pilot program in the Second and Fifth circuits, and requires the Third to conduct an interim study to establish a blueprint for a women's court pilot program. The Office of the Public Defender regularly represents women in the criminal legal system and knows first-hand the unique needs and issues facing these clients. Often their involvement in the criminal legal system is directly related to trauma, abuse, or unhealthy relationships, and they would greatly benefit from gender-responsive programming.

The implementation of the women's court program in the first circuit, known as Mohala Wahine, has been thus far successful, with the Office of the Public Defender representing most of the participants in the program. The collaboration with the court, the prosecutor's office, probation department, and service providers has allowed the women to receive focused services with the support and resources necessary to obtain positive outcomes.

Expansion to the other circuits would allow the program to assist more women in need and divert them away from incarceration.

Thank you for the opportunity to comment on this measure.

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 Judiciary**  
**In Support of H.B. 727 H.D.1**  
**RELATING TO THE WOMEN'S COURT**  
**March 19, 2025 9:45 a.m., Room 016 and Video**

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

**CHAIRPERSON**

Katherine Aumer, PhD

**1<sup>st</sup> VICE CHAIRPERSON**

Kathleen Merriam, LCSW  
CSAC

**2<sup>nd</sup> VICE CHAIRPERSON**

John Betlach

**SECRETARY**

Mary Pat Waterhouse, MHA  
MBA

**MEMBERS:**

Tianna Celis-Webster

Naomi Crozier, CPS

Lea Dias, MEd

Jon Fujii, MBA

Heidi Ilyavi

Jackie Jackson, CFPS

Christine Montague-Hicks, MEd

Ray Rice, MEd

Asianna Saragosa-Torres

Forrest Wells, MSCP, LMHC

Kristin Will, MAEL, CSAC

**EX-OFFICIO:**

Marian Tsuji, Deputy Director  
Behavioral Health  
Administration

**WEBSITE:**

scmh.hawaii.gov

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doh.scmhchairperson@  
doh.hawaii.gov

Hawaii law, HRS §334-10, established the State Council on Mental Health (SCMH) 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 Hawaii Advisory Commission on Drug Abuse and Controlled Substances and county service area boards on mental health and substance abuse.

Most of the State Council on Mental Health members support this measure. HB727 HD1 seeks to address the needs in Maui, Hawaii, and Kauai counties. The Women's Court is one of the specialty courts that can be life-changing for people with mental illness or substance use disorders who become involved in the criminal justice system. The Women's Court will primarily address those who suffer from high trauma.

Thank you for the opportunity to testify. Should you have any questions, please contact us at [DOH.SCMHChairperson@doh.hawaii.gov](mailto:DOH.SCMHChairperson@doh.hawaii.gov).

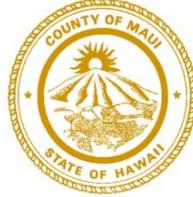
VISION: A Hawaii where people of all ages with mental health challenges can enjoy recovery in the community of their choice.

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.

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
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TESTIMONY ON  
H.B. 727 HD1  
RELATING TO THE WOMEN'S COURT

March 15, 2025

The Honorable Karl Rhoads  
Chair  
The Honorable Mike Gabbard  
Vice Chair  
and Members of the Committee on Judiciary

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of H.B. 727 HD1, Relating to the Women's Court**. This bill would, *inter alia*, establish a three-year women's court pilot program in the second and fifth circuits.

The Department of the Prosecuting Attorney, County of Maui supports this bill because it would provide a needed alternative to incarceration for women within the second circuit, particularly women with a high risk of recidivism and in need of services in addition to the substance abuse treatment already provided by the Maui Drug Court. We also support the program's use of trauma-informed and evidence-based practices.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports H.B. 727 HD1**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

Thank you very much for the opportunity to provide testimony on this bill.

**KIMO ALAMEDA**  
Mayor

**County of Hawai'i**  
**COMMITTEE ON THE STATUS OF WOMEN**

**KELDEN B.A. WALTJEN**  
Prosecuting Attorney

**Office of the Prosecuting Attorney**  
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Testimony Presented Before the  
Committee on Judiciary  
Wednesday, March 19, 2025, at 9:45 a.m.

By  
Farrah-Marie Gomes, Ph.D., Committee Member  
Hawai'i County Committee on the Status of Women

**HB 727 HD1 – RELATING TO THE WOMEN'S COURT**

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to testify in support of HB 727 HD 1 relating to the Women's Court. This measure would establish a temporary three-year women's court pilot program within the Second and Fifth Circuits, require the Third Circuit of the Judiciary and Big Island Drug Court to conduct an interim study to establish a blueprint for a women's court pilot program in the Third Circuit, require reports, establish temporary positions, and appropriate funds.

Established by HRS§367-4, the Hawai'i County Committee on the Status of Women (HCCSW) is charged with the duty and responsibility of developing information as the state commission on the status of women requires or as the committee deems advisable concerning the status of women within Hawai'i County; and other appropriate duties and responsibilities as may be deemed necessary. To this end, the HCCSW defers to the Judiciary as the subject matter expert on the details of this measure and provides this testimony in support for the following reasons.

The HCCSW, in advocacy for Hawai'i Island women who could benefit from this measure, sees this program as an alternative to incarceration for women and as importantly, supporting Hawai'i Island mothers, daughters, sisters, and friends. As a result of different life situations due to trauma, abuse, unhealthy relationships and more, many women on Hawai'i Island are in need of substance abuse treatment, mental health support, and assistance with navigating the criminal and social services systems.

With this measure, we ask that the vastness of Hawai'i Island, also known as the Big Island, be kept in mind. We encourage adequate support and funding for proper implementation to ensure access across the entire island.

Thank you for this opportunity to provide testimony on this measure that has great potential for assisting Hawai'i Island women in need.

**KELDEN B.A. WALTJEN**  
PROSECUTING ATTORNEY

**SHANNON M. KAGAWA**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



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## **OFFICE OF THE PROSECUTING ATTORNEY**

### **TESTIMONY IN SUPPORT OF HOUSE BILL NO. 727 H.D. 1**

#### **A BILL FOR AN ACT RELATING TO WOMEN'S COURT**

**COMMITTEE ON JUDICIARY**  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Wednesday, March 19, 2025 at 9:45 a.m.  
Via Videoconference and  
State Capitol Conference Room 016  
415 South Beretania Street

Honorable Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee on Judiciary, the County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in support of House Bill No. 727, H.D. 1.

House Bill No. 727, H.D. 1 establishes a temporary three-year women's court pilot program within the Second and Fifth Circuits, requires the Third Circuit of the Judiciary and Big Island Drug Court to conduct an interim study to establish a blueprint for a women's court pilot program in the Third Circuit, requires reports, establishes temporary positions, appropriates funds necessary to accomplish these goals.

The mission of the Hawai'i's Women's Court, now referred to as Mohala Wahine, is to assist and guide the participants in meeting their legal and statutory responsibilities and to facilitate change in the participants well-being by providing gender-responsive services that upholds the mission of the Hawai'i State Judiciary and the Adult Client Services Branch. Additionally, Mohala Wahine will seek to enhance community safety by reducing recidivism through evidenced-based, trauma-informed care, and cultural practices.

Hawai'i Island is at a substantial disadvantage to address crime motivators such as substance abuse, mental health, and homelessness, given our limited community resources and funding, geographic restrictions, limitations of court supervision authorities, overcrowded correctional facilities, understaffed law enforcement, and shortage of direct service providers. By supporting funding and staffing, for programs like Mohala Wahine which incorporates intensive case management and supervision, psychoeducational group work, community engagement, and aftercare and commencement, we hope to address jail overcrowding concerns, assist incarcerated persons reintegrating back into society, and reduce recidivism.

For the foregoing reasons, the County of Hawai‘i, Office of the Prosecuting Attorney supports the passage of House Bill No. 727, H.D. 1. Thank you for the opportunity to testify on this matter.



## **HB727 HD1 Women's Court**

### COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Wednesday, Mar 19, 2025: 9:45: Room 016 Videoconference

### **Hawaii Substance Abuse Coalition Supports HB727 HD1:**

*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 a 3-year pilot program and interim study for a gender responsive approach to women who are justice-involved.

Recovery can be complex because recovery involves a multitude of issues such as trauma, substance use disorder, mental illness, unhealthy relationships, domestic violence, sexual assault, and family law disputes. **Courts can ensure a collaboration with multiple providers** to implement evidenced-based behavioral health practices to support their full recovery and not return to incarceration.

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***Formal substance abuse with mental illness treatment, such as residential and intensive outpatient, is still the most effective approach to achieve functionality and lasting recovery for justice-involved women.***

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Substance use disorder coupled with mental health treatment 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. Gender-responsive women's courts are effective because they address the unique needs and challenges women face:

1. **Trauma-Informed Approach.** Women's courts often adopt trauma-informed practices, ensuring that the court process is sensitive to the emotional, psychological, and physical impact of trauma on survivors. This fosters an environment where women feel safe, heard, and respected.

2. **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.
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. 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.
4. **Specialized Training for Judges and Staff:** Judges, attorneys, and court staff in women's courts typically receive specialized training in gender dynamics, domestic violence, and trauma. This equips them to make informed, fair decisions and avoid perpetuating biases or re-traumatizing survivors.
5. **Integrated Social Services:** Women's courts often partner with social services, offering survivors access to counseling, housing assistance, legal aid, childcare, and job training. This holistic approach addresses the underlying issues that women face, helping them rebuild their lives.
6. **Empowering Women:** By creating a supportive and understanding environment, women's courts help survivors regain confidence, independence, and control over their lives, encouraging long-term recovery and stability while simultaneously holding perpetrators accountable while ensuring victim safety.

This focused approach ensures that justice-involved women 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.

**HB-727-HD-1**

Submitted on: 3/18/2025 9:25:14 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kori Weinberger	Testifying for West Hawaii Bar Association	Support	Remotely Via Zoom

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Members of this Honorable Committee,

As the Vice-President of the West Hawaii Bar Association and a former Drug Court prosecutor, I fully support the Third Circuit's proposal for the creation of a women's court program in Kona. The Big Island does not have a functioning mental health system. The lack of providers here means that even people like myself, with a good salary and benefits, struggle to find care locally. This lack of providers means that people who are struggling financially or who find themselves in a mental health crisis often have nowhere to go. These challenges can be insurmountable for many criminal defendants with mental health needs, and the impact on justice-involved women, who are often the sole caregivers to dependent children, can be catastrophic.

The proposal for a women's court in Kona would mean that new mental health providers could be attracted to the community, and these providers would be able to provide care to many women through the treatment court model. As a former drug court prosecutor, I have seen firsthand how effective the treatment court model can be.

I fully support the Third Circuit's proposal for a women's court pilot project in Kona, and would humbly ask this committee to allow this program to move forward and provide the funding for the mental health providers that this community so desperately needs.

Thank you for your time and for the opportunity to testify on this bill.

/s/ Kori Weinberger

# COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)

**LATE**

*Today's Inmate; Tomorrow's Neighbor*



## COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Wednesday, March 18, 2025

Room 016 & VIDEOCONFERENCE

9:45 AM

## STRONG SUPPORT FOR HB 727 HD1 - WOMEN'S COURT

Aloha Chair Rhoads, Vice Chair Gabbard and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the 3,720 Hawai`i individuals living behind bars<sup>1</sup> and under the "care and custody" of the Department of Corrections and Rehabilitation as of March 10, 2025. We are always mindful that 936 - 49.3% - of Hawai`i's male prison population (1,895) are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Mahalo for the opportunity to show our strong support for HB 727 HD1 that establishes a 3-year women's court project pilot program within the 2<sup>nd</sup> and 5<sup>th</sup> Circuit. It requires the 3<sup>rd</sup> Circuit and the Hawai`i Island Drug Court to conduct the an interim study to establish a blueprint for a women's court pilot program in the 3<sup>rd</sup> Circuit.

This bill acknowledges that women's pathways to incarceration are different and we are, therefore, happy to see trauma-informed and gender-responsivity being the focus for this court.

Judge Kim from Hawai`i Island has been at hearings helping O`ahu legislators understand the resource challenges of our neighbor islands. We know we don't have enough programs and services on O`ahu; this is magnified on our outer islands.

Community Alliance on Prisons commends Judge Kim for his belief that we can do more and his willingness to find ways to serve the people on our neighbor islands! Imua, Judge Kim!

We hope that WAM funds this important effort and that Hawai`i will reduce our current population of incarcerated women - 402 (10.8% of Hawai`i's incarcerated population) substantially!

Mahalo nui!

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<sup>1</sup> DCR Weekly Population Report, March 10, 2025

<https://dcr.hawaii.gov/wp-content/uploads/2025/03/Pop-Reports-Weekly-2025-03-10.pdf>

**HB-727-HD-1**

Submitted on: 3/16/2025 12:09:45 PM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colleen Rost-Banik	Individual	Support	Written Testimony Only

Comments:

Dear Committee on the Judiciary,

My name is Colleen Rost-Banik. I am a Sociology instructor at University of Hawaii, Manoa, and I facilitate a creative writing class at the Women's Community Correctional Center. I strongly support HB727, which establishes a pilot program of the Women's Court, with the expansion to neighbor islands. Having worked with numerous women at WCCC, I have heard countless stories about the challenging situations that they have had to navigate as victims/survivors of abuse while also trying to care for their children. Sometimes all of this is on top of substance addiction, often used as a coping strategy for the trauma they've experienced. Suffice it to say that many of the women who are incarcerated have lives that are extremely complicated. Women's Court is designed to take these complexities into consideration. Please support HB727. It will be a step toward ensuring the betterment of Hawaii's women and their families.

Mahalo for your consideration.

Colleen Rost-Banik, Ph.D.

**HB-727-HD-1**

Submitted on: 3/16/2025 3:10:56 PM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carla Allison	Individual	Support	Written Testimony Only

Comments:

I strongly support HB727 HD1.

Aloha my name is Genesis Kepo'o. I am writing in support of HB 727, relating to the importance of a Women's Court, here on the island of Hawai'i.

I am originally from the island of Kaua'i and moved to Hawaii island in 2002. I am the oldest of 3 and as such the burden of taking care of my younger siblings fell to me at a young age. Having to "grow up" at a young age, I got caught up with experimentation during middle & high school.

For most of my adult life I used off and on, until I couldn't. I found myself being arrested and having to navigate my way through the judicial system. I attempted to comply with regular probationary rules but found I just couldn't stay clean. During a revocation that had me spend 30 days in jail, I heard about Drug Court. Of course, it was "don't do it," "you'll never be able to get out of it," and so on.

I was ready to be done and move on with my life so when my probation officer brought up Drug Court, I jumped at the chance. I needed someone to hold me accountable and keep me on the right track. I graduated in May 2023 and have been able to remain clean. Drug Court helps to get you the tools you need to lead an honest & productive life. Since then, I have worked in a treatment center and currently work in the mental health field.

HB 727 is important to bring awareness to individual needs and how to lower recidivism. Women are hard wired to take on others' problems, stress, feelings, you name it, we want to fix it for you. With that mentality, anyone would crack. Women require more support whether we know it or not. By creating a Women's court, it would reduce the number of women in jail, keeping families together. Having Women's Mental & Behavioral Health available to help with SUD and mental health issues will help destigmatize getting help. There's nothing wrong with needing help, having it available would make it easier to get. It would create a safe place to find help.

There is nothing better than being able to talk with someone you know has come from similar situations as you and made it through the dark tunnel, back into the sun. Peer support and getting back to your roots are by far some of the best therapy there can be. Someone who can help you through those dark times by showing you the way. Recentering and getting back into cultural practices with a knowledgeable teacher can do more for mind, body, & spirit. For both women and men!

Please support HB 727, relating to Women's Court.

Mahalo,

Genesis L E Kepo'o

**HB-727-HD-1**

Submitted on: 3/18/2025 8:54:45 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rachel Thompson	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

I write in strong support of HB 727, which seeks to establish a Women’s Court pilot program in Kona within the Third Circuit Judiciary.

As a Deputy Public Defender serving justice-involved individuals on the Big Island, I have witnessed firsthand the challenges that women face in the criminal justice system—challenges that this bill seeks to address.

Women involved in the justice system, particularly those struggling with substance use, trauma, and economic hardship, have vastly different needs than their male counterparts. Yet, our system is not designed to provide the gender-specific support necessary to break cycles of incarceration.

The proposed Women’s Court would create much needed programs, focused on treatment, rehabilitation, and alternatives to incarceration, ensuring that justice-involved women receive trauma-informed, culturally appropriate, and community-based interventions. This proposal would provide a cost effective pathway to healing and restoration, rather than expensive and ineffective incarceration, offering services such as mental health and substance use treatment, housing assistance, and family reunification support.

By reducing recidivism and prioritizing rehabilitation over incarceration, HB 727 will increase public safety and strengthen our community. I respectfully urge this committee to pass HB 727 and invest in meaningful solutions that will improve outcomes for justice-involved women.

Mahalo for your time and consideration. I appreciate your commitment to equitable justice, and I am available for any further discussion.

Sincerely,

Rachel L. Thompson

**HB-727-HD-1**

Submitted on: 3/18/2025 9:05:14 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Hazlett	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

I write in strong support of HB 727, which seeks to establish a Women’s Court pilot program in Kona within the Third Circuit Judiciary.

As a Deputy Public Defender serving justice-involved individuals on the Big Island, I have witnessed firsthand the challenges that women face in the criminal justice system—challenges that this bill seeks to address.

Women involved in the justice system, particularly those struggling with substance use, trauma, and economic hardship, have vastly different needs than their male counterparts. Yet, our system is not designed to provide the gender-specific support necessary to break cycles of incarceration.

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By reducing recidivism and prioritizing rehabilitation over incarceration, HB 727 will increase public safety and strengthen our community. I respectfully urge this committee to pass HB 727 and invest in meaningful solutions that will improve outcomes for justice-involved women.

Mahalo for your time and consideration. I appreciate your commitment to equitable justice, and I am available for any further discussion.

Nicole L. Hazlett

Deputy Public Defender

**HB-727-HD-1**

Submitted on: 3/18/2025 9:25:37 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Emily Ovian-Kwiat	Individual	Support	In Person

Comments:

I am in full support of HB 727, Women's Court in Kailua-Kona. I have been a Drug Court Probation Officer for approximately seven years. I have worked directly with justice involved women and have seen the need for these types of services in our community.

**HB-727-HD-1**

Submitted on: 3/18/2025 9:30:45 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katherine Knezek May	Individual	Support	Written Testimony Only

Comments:

My name is Katherine Knezek May (PsychD, CSAC), and I am submitting testimony in strong support of HB 727, relating to a Women’s Court on the Big Island.

I have been a mental health and substance use treatment provider on Hawai’i Island for over 14 years and have worked closely with Big Island Drug Court, currently serving on the Board for the Friends of Big Island Drug Court. I have seen the positive impact that focused court systems can offer, but also the need for an increased focus on trauma informed systems within the justice system. This is particularly important for women who are justice involved, who often have experienced a disproportionate amount of trauma in their lives.

HB 727 would help establish a space where women can engage with the justice system in a more supportive environment, resulting in improved outcomes for the community in addition to making a difference to the lives of women in the justice system.

I ask lawmakers to approve this pilot program with HB 727.

Mahalo for your consideration,

Katherine Knezek May

Clinical Psychologist

**HB-727-HD-1**

Submitted on: 3/18/2025 9:39:56 AM

Testimony for JDC on 3/19/2025 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andi Pawasarat-Losalio	Individual	Support	Written Testimony Only

Comments:

Chairperson and Members of the Committee,

I am submitting testimony in strong support of House Bill 727 HD1, which seeks to expand the Women’s Court pilot program. As a professional that provides services for substance use disorder treatment continuum of care services, I have witnessed firsthand the unique challenges that justice-involved women face, particularly those with histories of trauma, substance use disorders, and economic instability.

Women in the criminal justice system often arrive there due to a confluence of systemic issues, including untreated mental health conditions, lack of stable housing, and experiences of abuse and exploitation. Traditional judicial approaches frequently fail to address these underlying factors, leading to higher rates of recidivism and continued involvement in the justice system. The Women’s Court model, offers a holistic and trauma-informed alternative that provides the necessary support for long-term success and reintegration into the community.

Through my work, I have seen that when women receive the necessary support—such as substance use disorder treatment, housing assistance, skill-building opportunities, and community support—they are significantly more likely to achieve stability and become contributing members of their communities. The expansion of this program, along with a study on implementation in the Third Circuit, would provide essential resources and alternative pathways for women struggling with the cyclical nature of incarceration. Furthermore, the proposed appropriations for mental health, substance use disorder treatment, and other rehabilitative services are crucial investments in breaking the cycle of incarceration, especially for women. Without stable housing and recovery-focused services, many women are released back into environments that do not support their rehabilitation, ultimately leading to reoffending.

I urge you to pass HB 727 HD1 to continue the critical work of providing solutions that address the unique challenges faced by women in the justice system. Expanding the Women’s Court model is a necessary step toward reducing recidivism, promoting stability, and fostering healthier communities across Hawaii.

Thank you for your time and consideration.

Respectfully submitted,  
Andi Pawasarat-Losalio

**HB-727-HD-1**

Submitted on: 3/18/2025 6:42:59 PM

Testimony for JDC on 3/19/2025 9:45:00 AM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara J. Service	Individual	Support	Written Testimony Only

Comments:

Please approve pilot programs for Women's Court on the Neighbor Islands as there exists now in Honolulu.

Barbara J. Service MSW

Child Welfare Supervisor (ret.)

Passionate Kupuna advocate