

ACT 243

H.B. NO. 2421

A Bill for an Act Relating to Women's Court.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that there has been a significant increase in the number of women in Hawai'i jails and prisons over the past forty years, resulting in a higher proportion of women who are incarcerated. Research reflects that for women, histories of abuse, trauma, poverty, mental illness, sub-

stance use disorders, and unhealthy relationships intersect with their entry into criminal behavior. Women offenders also face unique barriers to success after incarceration. They are more likely to be primary caregivers for young children, have lower educational attainment, lack stable work history, and experience economic or social marginalization, which prevents them from having more positive outcomes.

The purpose of this Act is to establish a three-year women's court pilot program in the circuit court of the first circuit, which is intended to acknowledge the distinct pathways that lead women into the criminal justice system and address their individualized needs.

SECTION 2. (a) There is established within the first circuit of the judiciary the women's court pilot program. The pilot program shall implement trauma-informed and evidence-based practices, employ gender-responsive programming, collaborate with stakeholders, and provide services to women in the court system with the goal of diverting participants from incarceration, supporting their success in the community, and reducing recidivism.

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

- (1) Trauma and mental health treatment;
- (2) Family support, including parenting, education, and relationship improvement;
- (3) Life-skills training;
- (4) Education and vocational training;
- (5) Domestic violence prevention;
- (6) Medical services and health education;
- (7) Substance abuse detection, prevention, and treatment;
- (8) Mentoring; and
- (9) Housing support.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$695,236 or so much thereof as may be necessary for fiscal year 2022-2023 for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions as follows:

- (1) One full-time equivalent (1.0 FTE) social worker V position (\$62,136);
 - (2) Four full-time equivalent (4.0 FTE) social worker IV positions (\$52,200 each);
 - (3) One full-time equivalent (1.0 FTE) circuit court clerk II position (\$46,200); and
 - (4) One full-time equivalent (1.0 FTE) judicial clerk position (\$41,100);
- for the women's court pilot program established pursuant to section 2 of this Act.

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

SECTION 4. The judiciary shall submit a report of its findings and recommendations, including any proposed legislation, to the governor and legislature no later than forty days prior to the convening of the regular sessions of 2023, 2024, and 2025, regarding:

- (1) The status of the women's court pilot program;
- (2) The number of women accepted into the pilot program;

ACT 243

- (3) The number of women who were eligible to participate in the pilot program but who could not be accepted into the program because of program limitations;
- (4) The number of women completing the pilot program;
- (5) The number of women who were removed from the pilot program; and
- (6) Recommendations as to whether the women's court pilot program should:
 - (A) Continue as a pilot program;
 - (B) Expand to include additional participants;
 - (C) Provide additional services; or
 - (D) Be discontinued.

SECTION 5. This Act shall take effect on July 1, 2022, and shall be repealed on June 30, 2025.

(Approved July 6, 2022.)