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# A BILL FOR AN ACT

RELATING TO THE COMMUNITY OUTREACH COURT.

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

1           SECTION 1. The legislature finds that increased  
2 homelessness on the island of Oahu has led to more arrests and  
3 citations for nonviolent crimes. These crimes include drinking  
4 liquor in public; being in public parks after hours;  
5 trespassing; and illegal lodging on sidewalks, beaches, and in  
6 other public places. Many persons who receive citations are  
7 unable to attend court or have misplaced their paperwork due to  
8 the transient and unstable nature of homelessness. When a  
9 person fails to appear for court and has no known address, the  
10 courts are left with no option but to issue a bench warrant.  
11 This can be traumatic for the person and expends law enforcement  
12 officers' time and resources.

13           To help address these issues, the judiciary, office of the  
14 public defender, and department of the prosecuting attorney of  
15 the city and county of Honolulu established a community outreach  
16 court project to make court appearances more accessible to  
17 homeless persons. The legislature formalized the community



1 outreach court in Act 55, Session Laws of Hawaii 2017. The  
2 court's goal is to assist nonviolent offenders who are charged  
3 with offenses that disproportionately impact the homeless  
4 community. Court sessions are held in community locations where  
5 large homeless populations are located. The court can resolve  
6 active charges and utilize alternative sentencing in cases where  
7 the offender is unable to pay fines and fees. Resolving a  
8 person's pending cases, and avoiding bench warrants, leaves the  
9 person in a better position to obtain basic necessities,  
10 including employment, income assistance, and housing. Community  
11 outreach court social workers can also assess the person to  
12 determine their need for mental health services, substance abuse  
13 treatment, sustenance or shelter assistance, or other  
14 appropriate social services. The social worker can also help  
15 arrange other referred services.

16 The legislature recognizes that the community outreach  
17 court program has been successful. Since its inception, the  
18 program has addressed more than ten thousand cases, recalled  
19 more than nine hundred bench warrants, lifted more than six  
20 thousand driver license stoppers, and assisted more than six  
21 hundred participants with social services or referrals.





1 (b) In any case in which it has jurisdiction, the  
2 community outreach court shall exercise general equity powers as  
3 authorized by law. Nothing in this chapter shall be construed  
4 to limit the jurisdiction and authority of any judge designated  
5 as a judge of the community outreach court on matters within the  
6 scope of this chapter.

7 § -3 Principles and components of the court. The  
8 community outreach court shall:

- 9 (1) Facilitate the early identification and timely  
10 placement of eligible offenders;
- 11 (2) Foster cooperation between the prosecuting attorney  
12 and public defender to resolve cases;
- 13 (3) Utilize alternative sentencing, including community  
14 service sentences, and support the offender's  
15 participation in programs based on the person's needs,  
16 including mental health services, substance abuse  
17 treatment, sustenance or shelter assistance, or other  
18 social services;
- 19 (4) Establish a coordinated strategy to respond to an  
20 offender's compliance or noncompliance with the  
21 offender's sentence; and



1 (5) Encourage partnerships between the court, public  
2 agencies, community-based organizations, and other  
3 entities, to maximize the court's effectiveness."

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

6 SECTION 4. In accordance with section 9 of article VII, of  
7 the Constitution of the State of Hawaii and sections 37-91 and  
8 37-93, Hawaii Revised Statutes, the legislature has determined  
9 that the appropriations contained in this Act will cause the  
10 state general fund expenditure ceiling for fiscal year 2024-2025  
11 to be exceeded by \$ , or per cent. The reasons  
12 for exceeding the general fund expenditure ceiling are that the  
13 appropriations made in this Act are necessary to serve the  
14 public interest and to meet the needs provided for by this Act.

15 SECTION 5. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$ or so  
17 much thereof as may be necessary for fiscal year 2024-2025 to  
18 establish permanent positions in support of the community  
19 outreach court, including:

20 (1) \$ each for four full-time equivalent (4.0  
21 FTE) court clerk positions;



1 (2) \$ for one full-time equivalent (1.0 FTE)  
2 court bailiff position;

3 (3) \$ for one full-time equivalent (1.0 FTE)  
4 adult client services branch judicial clerk V  
5 position; and

6 (4) \$ each for three full-time equivalent (3.0  
7 FTE) adult client services positions.

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

10 SECTION 6. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2024-2025 for  
13 two full-time equivalent (2.0 FTE) deputy sheriff positions to  
14 support the community outreach court.

15 The sum appropriated shall be expended by the department of  
16 law enforcement for the purposes of this Act.

17 SECTION 7. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2024-2025 for  
20 permanent positions in support of the community outreach court,  
21 including:



1 (1) \$ for one full-time equivalent (1.0 FTE)  
2 deputy public defender;

3 (2) \$ for one full-time equivalent (1.0 FTE)  
4 paralegal; and

5 (3) \$ for one full-time equivalent (1.0) FTE)  
6 social worker or mental health worker, assigned to the  
7 office of the public defender.

8 The sum appropriated shall be expended by the office of the  
9 public defender for the purposes of this Act.

10 SECTION 8. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2024-2025 for  
13 permanent positions in support of the community outreach court,  
14 including:

15 (1) \$ for one full-time equivalent (1.0 FTE)  
16 deputy prosecuting attorney;

17 (2) \$ for one full-time equivalent (1.0 FTE)  
18 paralegal; and

19 (3) \$ for one full-time equivalent (1.0 FTE)  
20 legal assistant.



1           The sum appropriated shall be expended by the office of the  
2 prosecuting attorney of the city and county of Honolulu for the  
3 purposes of this Act.

4           SECTION 9. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$                    or so  
6 much thereof as may be necessary for fiscal year 2024-2025 for  
7 the operations of the community outreach court, including  
8 security, equipment, training, and other operational needs.

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

11          SECTION 10. This Act does not affect rights and duties  
12 that matured, penalties that were incurred, and proceedings that  
13 were begun before its effective date.

14          SECTION 11. This Act shall take effect on July 1, 3000.



H.B. NO. 1954  
H.D. 1

**Report Title:**

Judiciary; Community Outreach Court; Homeless; Appropriation;  
Expenditure Ceiling

**Description:**

Permanently establishes and appropriates funds for the Community Outreach Court as a division of the District Court of the First Circuit. Effective 7/1/3000. (HD1)

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

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