
SENATE RESOLUTION

URGING THE GOVERNOR'S SENIOR ADVISOR FOR MENTAL HEALTH AND THE JUSTICE SYSTEM TO DEFINE THEIR ROLE AND TO PROVIDE AN ANNUAL REPORT TO THE LEGISLATURE ON THE PROGRESS THE STATE HAS MADE TOWARDS JAIL DIVERSION.

1 WHEREAS, the Governor's Senior Advisor for Mental Health
2 and the Justice System has an undefined role; and
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4 WHEREAS, the uniqueness and importance of having a position
5 in the Office of the Governor that is dedicated to mental health
6 and the justice system makes the Senior Advisor for Mental
7 Health and the Justice System a de facto lead on mental health
8 and the justice system initiatives for the State; and
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10 WHEREAS, on February 5, 2024, at a joint informational
11 briefing where participants were requested to bring data in
12 support of their presentation, the Governor's Senior Advisor for
13 Mental Health and the Justice System provided the Substance
14 Abuse and Mental Health Services Administration (SAMHSA) model
15 on jail diversion, but provided no other data; and
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17 WHEREAS, on February 5, 2024, the Department of Health
18 presented that, for a one-year period, only one percent of post-
19 booking jail diversion referrals were accepted; and
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21 WHEREAS, pursuant to Senate Concurrent Resolution No. 117,
22 S.D. 1, H.D 1 (2007), as former co-chair of the established task
23 force, Governor Green recommended community-based services to
24 avoid readmission to the Hawaii State Hospital and a community
25 secure residential program operated by CARE Hawaii, Inc. as a
26 form of jail diversion; and
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28 WHEREAS, by letter dated February 8, 2024, and at the
29 latest informational briefing, the Chairperson of the Senate
30 Standing Committee on Health and Human Services and the
31 Chairperson of the Senate Standing Committee on Commerce and



1 Consumer Protection requested: "As such, please provide to us
2 the following:

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- (1) A comprehensive chart, as promised in the informational hearing on February 5, presenting the various projects and programs that fit into your overall continuum;
- (2) The State's capacity in each service area, by agency, and the current state of those unmet needs; and
- (3) The Governor's plans to address that unmet need, including specific budgetary requirements;

15 Please include in such comprehensive chart, the jail diversion
16 programs in the Judiciary and the triage centers financed by
17 OHHS such as that run by IHS. Please also include within the
18 Governor's plans, his plan to reduce the population in the
19 Hawaii State Hospital"; and

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WHEREAS, on February 23, 2024, the Governor's Senior Advisor for Mental Health and the Justice System presented in response to the Senators' requests the Judiciary's report, which provided data on seven hundred and four mental assessments conducted, but otherwise provided no additional data on the various community programs funded since the 2008 report to the Legislature pursuant to Senate Concurrent Resolution No. 117, S.D. 1, H.D 1 (2007) and whether any of those programs fit into the SAMHSA intercept model; now, therefore,

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BE IT RESOLVED by the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, that the Governor's Senior Advisor for the Mental Health and the Justice System is urged to define their role and to provide an annual report to the Legislature on the progress the State has made towards jail diversion; and

38 BE IT FURTHER RESOLVED that the Governor's Senior Advisor
39 for Mental Health and the Justice System is requested to:

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- (1) Gather data on the various community programs funded by the Department of Human Services, Department of



1 Health, and the Judiciary, that provide various
2 services in the SAMHSA intercept model;

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4 (2) Provide an annual report to the Legislature to
5 include:

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7 (A) The identified programs, their capacities, and
8 detailed reasons for the high failure rate and
9 unmet needs;

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11 (B) Any proposed legislation; and

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13 (C) A review of all federal and state court cases and
14 constitutional, statutory, and rule changes
15 impacting the Hawaii Revised Statutes that relate
16 to mental health and involuntary transport,
17 examination, hospitalization, and treatment,
18 including assisted community treatment, as
19 proposed in Senate Bill No. 2992, S.D. 1, H.D. 1
20 (2024); and

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22 (3) Submit regular reports to the Chairperson of the
23 Senate Standing Committee on Health and Human Services
24 on the progress the State has made towards jail
25 diversion; and

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27 BE IT FURTHER RESOLVED that the Senior Advisor for Mental
28 Health and the Justice System's annual reports to the
29 legislature are requested to be made publicly available; and

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31 BE IT FURTHER RESOLVED that certified copies of this
32 Resolution be transmitted to the Governor and the Governor's
33 Senior Advisor for Mental Health and the Justice System.

