

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB727
RELATING TO THE WOMEN'S COURT**

REPRESENTATIVE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date and Time: January 30, 2025, 2:00 p.m. Location: Room 325 & Videoconference.

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, third, and fifth circuits. The
9 intent of the program is to implement trauma informed and evidence-based practices, employ
10 gender-responsive programming, collaborate with stakeholders, and provide services to
11 women in the court system with the goal of diverting participants from incarceration,
12 supporting their success in the community, and reducing recidivism.

13 Mohala Wahine, which was established in the first circuit by Act 243, SLH 2022, has
14 been operational since January 2023. In 2024, through our collaborative partnership with the
15 Judiciary, the Department conducted 33 mental health screenings and 24 psychological
16 assessments of participants for the program. The services offered by the program are

1 comprehensive and provide an opportunity for participants to achieve meaningful and lasting
2 recovery.

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

- 6 1.0 FTE Clinical Psychologist [\$145,000] to conduct psychological assessments
- 7 1.0 FTE Social Worker/Human Services Professional IV [\$76,788] to conduct screenings
- 8 1.0 FTE Social Services Assistant V [\$45,216] to provide peer support

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



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Third Legislature, 2025 Regular Session

House Committee on Judiciary and Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Thursday, January 30, 2025, 2:00 p.m.

State Capitol, Conference Room 325 & Videoconference

by

Robert D. S. Kim

Chief Court Administrator

Third Circuit Court

Bill No. and Title: House Bill No. 727, Relating to Women’s Court.

Purpose: Establishes a temporary three-year woman's court pilot program within the second, third, and fifth circuits. Establishes temporary positions. Requires a report. Appropriates funds. Sunsets 6/30/2028.

Judiciary's Position:

The Judiciary supports the intent of this measure and proposes amendments and modifications based on unique circumstances found on the Big Island, and the structure of the state courts in the Third Circuit.

The Judiciary looks forward to opportunities to build upon the successful Women’s Court Pilot Program in the First Circuit that this measure represents. To be successful, Women’s Court requires sufficient funding and positions, and a good prospect of recruiting qualified staff for those positions. To be an effective use of resources, Women’s Court also requires a critical mass of female probationers who may be eligible for the program. Accordingly, the design of a program tailored to the unique needs of the population and with robust therapeutic rehabilitative components for women will be different on the neighbor islands than it has been on O‘ahu.

The circuit courts in the Third Circuit are structured very differently than that of the First Circuit. Circuit court judges are responsible for hearing all cases, such as criminal, civil, agency



appeals, environmental cases and more. The Big Island Drug Court (BIDC) is stationed in both Hilo and Kona. BIDC also oversees the Veteran's Treatment Court and the Juvenile Treatment Court.

The circuit courts on the Big Island are unable to manage another stand-alone specialty treatment court as represented by the template of the successful First Circuit program. However, creating a Women's Division of the Big Island Drug Court (BIDC) could accomplish the purpose. We could design a Women's Division that incorporates focused rehabilitative mental health treatment in light of emotional and often physical traumas, includes a cultural component, includes peer support, all in an atmosphere that holds women accountable while providing comprehensive court-supervised treatment, opportunities, and resources.

Accordingly, we respectfully request modifications to this measure to focus on launching a pilot program in the Third Circuit. Similar to other specialty court programs, circumstances on the neighbor islands may warrant different implementation and different resource requirements.

One possible approach would be to pilot a Women's Division attached to the current BIDC program, which currently includes twenty-five (25) women. By leveraging the existing BIDC structure and staff at the outset, it would allow us to supplement the existing services with any additional resources provided by this bill. This option would allow us to tailor to the distinct needs of women in the criminal justice system and expand to include women who are currently excluded from BIDC program participation.

As an example, we recognize that many women have histories of trauma and abuse, and one of the hallmarks of the First Circuit Women's Court Program is their trauma-informed approach. This trauma requires extensive mental health counseling by trained psychologists, psychiatrists, and/or mental health counselors. As such, our current BIDC staff are not equipped or sufficiently resourced to address these complex issues. The addition of resources for a Women's Division could be used to contract with or hire these trained professionals.

If the Legislature is supportive of the proposed approach, we welcome continued discussions this session, and the Third Circuit and BIDC could provide an outline that would be workable as soon as possible as to put in place a mental health program that would meet the desired goals of a Women's Treatment Court program.

In the alternative, the Legislature could direct the Third Circuit and the BIDC to conduct an interim study to establish a blueprint for the program and set forth the resource requirements, to be submitted for the next legislative session. The benefit of the study would be a more detailed proposal.



House Bill No. 727, Relating to Women's Court
House Committee Judiciary and Hawaiian Affairs
Thursday, January 30, 2025
Page 3

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

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

Rebecca V. Like
Prosecuting Attorney



Keola Siu
First Deputy
Prosecuting Attorney

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766
808-241-1888 ~ FAX 808-241-1758
Victim/Witness Program 808-241-1898 or 800-668-5734

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
Thirty-third State Legislature
Regular session of 2025
State of Hawai'i
January 27, 2025

RE: HB 727 Related to Women's Court

Dear Chair Tarnas:

Our Office supports HB 396 which would create a women's court pilot program in the second, third and fifth circuits.

I have had the opportunity to observe Women's Court in the First Circuit and have worked with the Honorable Trish Morikawa on the Women's Correction Implementation Commission. I was moved by seeing how the women in Women's Court supported each other. I appreciate that Women's Court takes into account the unique issues that women face. We see those unique issues in the cases we prosecute. In addition to histories of abuse and trauma, women are often the primary caregivers in their families. It is critical that justice involved women have the support and tools they need to become productive members of society. Women's court also helps stop intergenerational trauma.

I believe a similar program could be successful in the Fifth Circuit. Should such a program be established on Kauai, our Office offers our full support in making it a success.

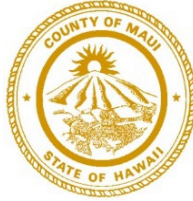
The Kauai Office of the Prosecuting Attorney submits this testimony in SUPPORT of HB 727.

Thank you for the opportunity to testify.

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAI'I 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON
H.B. 727
RELATING TO THE WOMEN'S COURT

January 27, 2025

The Honorable David A. Tarnas
Chair
The Honorable Mahina Poepoe
Vice Chair
and Members of the Committee on Judiciary and Hawaiian Affairs

Chair Tarnas, Vice Chair Poepoe, 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, Relating to the Women's Court**. This bill would establish a three-year women's court pilot program in the second, third 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**. 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.

COMMUNITY ALLIANCE ON PRISONS

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

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

Today's Inmate; Tomorrow's Neighbor



COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Representative David Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Thursday, January 30, 2025

Room 325 & VIDEOCONFERENCE

2:00 PM

STRONG SUPPORT FOR HB 727 – 3-YEAR PILOT WOMEN’S COURT PROGRAM WITHIN THE 2ND, 3RD, & 5TH DISRICTS

Aloha Chair Tarnas, Vice Chair Poepoe 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 3,717 Hawai`i individuals living behind bars¹ and under the “care and custody” of the Department of Corrections and Rehabilitation on January 20, 2025. We are always mindful that 928 - 29% - of Hawai`i’s imprisoned male population 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.

Community Alliance on Prisons appreciates this opportunity to share our strong support for HB 727 that establishes a temporary 3-year woman's court pilot program within the second, third, and fifth circuits, establishes temporary positions, and requires a report. Appropriates funds. Sunsets 6/30/2028.

¹ DCR Weekly Population Report, January 20, 2025

<https://dcr.hawaii.gov/wp-content/uploads/2025/01/Pop-Reports-Weekly-2025-01-20.pdf>

People's pathways to incarceration differ. Women are generally the main caregivers to their families and especially their children. This important program uses trauma-informed and evidence-based practices through gender-responsive programming, collaboration with stakeholders, and providing services to women in the court system with the goal of diverting participants from incarceration, supporting their success in the community, and reducing recidivism.

This program is vital and we are happy to see this bill expand the Women's Court Program to women on our neighbor islands in the second, third, and fifth circuits. Supporting women and families is a crucial step in building a safe, strong, healthy, and just Hawai'i.

Mahalo to the Judiciary for their support of this program and to the JHA committee for hearing this bill. We look forward to it crossing the finish line, especially after the Chief Justice's glowing report of the work accomplished by the Women's Court.

Mahalo nui for the chance to cheer on the Women's Court Project!



HB727 Women's Court

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Thursday, Jan 30, 2025: 2:00: Room 325 Videoconference

Hawaii Substance Abuse Coalition Supports HB727:

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 gender responsive approach to women who are justice-involved 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.

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.

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.



Committee on Judiciary and Hawaiian Affairs
Chair David Tarnas, Vice Chair Mahina Poepoe

January 30, 2025 at 2:00 PM 325 via Videoconference
HB 727 A Bill Relating to Women's Court

TESTIMONY

Stephen Munkelt, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The League of Women Voters of Hawaii supports BILL NUMBER HB 727

The League of Women Voters believes that evidence-based programs can reduce recidivism and provide a path to stable, successful reintegration in the community for women who have suffered a criminal conviction. Such programs are also fiscally responsible, as supportive services are far less costly than incarceration when a person reoffends.

SB 526 expands the pilot program begun in the first circuit in 2022 to three additional districts. When women get support dealing with addiction, abuse, and poverty through evidence-based programs, education, and training it benefits their children and families, neighbors, and the Hawai'i community at large. With this bill the lessons learned in the first district can be applied to bring successful outcomes to a larger number of women, for the good of all.

Thank you for the opportunity to submit testimony.

HB-727

Submitted on: 1/30/2025 12:49:43 AM

Testimony for JHA on 1/30/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carrie Ann Shirota	ACLU of Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe and Committee Members:

ACLU of Hawai'i supports H.B. 727 Relating to Women's Court that establishes a temporary three-year woman's court pilot program within the second, third and fifth circuits.

This pilot program will contribute to the mandate from the Governor, Legislature and community to divert people from our overcrowded jails, by providing the resources, health care, substance use treatment and other holistic support necessary for healing and transformation.

ACLU of Hawai'i recommends that criteria for admission into the Women's Court Program is expanded in order to divert more women from our carceral system. Please pass H.B. 727.

Mahalo,

Carrie Ann Shirota

ACLU of Hawai'i Policy Director

HB-727

Submitted on: 1/27/2025 12:00:25 PM

Testimony for JHA on 1/30/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

My name is Carla Allison, a 28 year resident of Honolulu, and I strongly support HB727.

HB-727

Submitted on: 1/28/2025 11:58:33 AM

Testimony for JHA on 1/30/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Aloha, Chair Tarnas, Vice Chair Poepoe, and members of the Committee,

My name is Carolyn Eaton. I am a resident of Makiki and I strongly support this bill to expand to Neighbor Island populations, the benefits of Women's Court. The 3-year pilot program establishes and funds temporary positions, as the 3-year pilot passed by Legislature for Oahu (Circuit 1) in 2022 has proven its advantages.

Mahalo for helping our state serve its women in this special way.

PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

APPELLATE DIVISION
TEL. No. (808) 586-2080

DISTRICT COURT DIVISION
TEL. No. (808) 586-2100

FAMILY COURT DIVISION
TEL. No. (808) 586-2300

FELONY DIVISION
TEL. No. (808) 586-2200

FACSIMILE
(808) 586-2222



STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

January 29, 2025

ASSISTANT PUBLIC DEFENDER

HILO OFFICE
275 PONAHAHAWAI STREET
SUITE 201
HILO, HAWAII 96720
TEL. No. (808) 974-4571
FAX No. (808) 974-4574

KONA OFFICE
75-1000 HENRY STREET
SUITE #209
KAILUA-KONA HI 96740
TEL. No. (808) 327-4650
FAX No. (808) 327-4651

KAUAI OFFICE
3060 EIIWA STREET
SUITE 206
LIHUE, HAWAII 96766
TEL. No. (808) 241-7128
FAX No. (808) 274-3422

MAUI OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. No. (808) 984-5018
FAX No. (808) 984-5022

H.B. No. 727: RELATING TO THE WOMEN'S COURT

Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs:

The Office of the Public Defender **strongly supports HB 727**. This bill establishes a three-year women's court pilot program in the second, third, and fifth circuits. 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.