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# A BILL FOR AN ACT

RELATING TO CRIMINAL JUSTICE.

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

1           SECTION 1. The legislature finds that Micronesians, Native  
2           Hawaiians, Pacific Islanders, and other people of color are  
3           overrepresented in the State's juvenile justice system.  
4           Intergenerational trauma, cultural disconnection, homelessness,  
5           and other factors can drive and contribute to juvenile  
6           offending. The legislature believes that to best address these  
7           disparities, reduce recidivism, and maximize rehabilitation,  
8           juvenile justice proceedings should be culturally responsive  
9           processes that address the social, psychological, emotional, and  
10          physical underlying causes of crime.

11          Accordingly, the purpose of this Act is to establish a  
12          four-year Pacific cultural court pilot program in the family  
13          court of the first circuit. The program will allow family court  
14          judges to give at-risk children of Polynesian and Pacific  
15          Islander descent the option of participating in an alternative  
16          sentencing program that relies on family and community



1 involvement, and culturally responsive approaches, to reduce  
2 recidivism.

3 SECTION 2. (a) There is established within the judiciary  
4 a four-year Pacific cultural court pilot program, to be designed  
5 and administered by the senior judge of the family court of the  
6 first circuit. The program shall:

7 (1) Attempt to maximize rehabilitation and minimize  
8 recidivism for juvenile offenders, including juveniles  
9 of Micronesian, Native Hawaiian, or Pacific Islander  
10 descent;

11 (2) Incorporate culturally responsive practices into  
12 juvenile court proceedings; and

13 (3) Take inspiration and ideas from New Zealand's  
14 Rangatahi courts, where juvenile court proceedings  
15 incorporate Maori and Pasifika cultural practices.

16 (b) The senior judge shall submit a report of the judge's  
17 findings and recommendations, including any proposed  
18 legislation, and recommendations on whether the program should  
19 be made permanent, to the legislature and the chief justice of  
20 the supreme court of Hawaii no later than twenty days prior to  
21 the convening of the regular session of 2028.




1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of or so much  
3 thereof as may be necessary for fiscal year 2023-2024 and the  
4 same sum or so much thereof as may be necessary for fiscal year  
5 2024-2025 for the Pacific cultural court pilot project  
6 established pursuant to this Act, including the establishment of  
7 one full-time equivalent (1.0 FTE) program coordinator position.

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

10 SECTION 4. This Act shall take effect on July 1, 2023.

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INTRODUCED BY:

  
JAN 23 2023



# H.B. NO. 864

**Report Title:**

Judiciary; Juvenile Justice; Family Court; Pilot Program;  
Appropriation

**Description:**

Establishes and appropriates moneys for a 4-year Pacific cultural court pilot program in the family court of the first circuit.

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

