

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

Testimony of **John Mizuno**  
Governor's Coordinator on Homelessness  
Before the  
**Senate Committee on Judiciary**  
February 1, 2024  
9:00 a.m., Conference Room 016

In consideration of  
**Senate Bill No. 2556**  
**RELATING TO THE COMMUNITY OUTREACH COURT**

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee Members,

I am writing in strong support of SB2556 to ensure that persons experiencing homelessness or who have recently experienced homelessness have access to the Community Outreach Court. I commend the legislature for establishing this program, and the judiciary for its efforts to reach those experiencing homelessness.

Over the course of six years, the Community Outreach Court has held court sessions throughout O'ahu in several locations, including: the Wai'anae coast, Wahiawā, urban Honolulu, and Windward O'ahu. The court has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers, and assisted more than six hundred participants with social services or referrals.

I have witnessed how the program benefits those who are experiencing homelessness. Many people who have lost their housing quickly accumulate citations, fines, and criminal records for nonviolent, misdemeanor offenses such as expired vehicle registrations, sitting or lying on sidewalks, or remaining in parks after hours. Fines and criminal history then become a barrier to employment and housing. For several individuals I know, old unpaid vehicle citations resulted in driver's license stoppers, which then deprived them of the ability to commute to work.

Community Outreach Court enables these individuals to clear these hurdles, and to do so in a place and manner that does not require them to travel long distances, or to leave their belongings behind for long durations. It is an essential service for those experiencing homelessness and I strongly support its permanent establishment.

Mahalo,

John Mizuno  
Governor's Coordinator on Homelessness



*The Judiciary, State of Hawai‘i*

**Testimony to the Thirty-Second State Legislature  
2024 Regular Session**

**Senate Committee on Judiciary**  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Thursday, February 1, 2024 at 9:00 a.m.  
State Capitol, Conference Room CR 016 & Videoconference

by

Brook Mamizuka  
Probation Administrator

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**Bill No. and Title:** Senate Bill No. 2556, Relating to the Community Outreach Court.

**Purpose:** Permanently establishes and appropriates moneys for the Community Outreach Court as a division of the District Court of the First Circuit. Declares that the appropriates exceed the state general fund expenditure ceiling for 2024-2025

**Judiciary's Position:**

The Judiciary strongly supports Senate Bill No. 2556 with recommended amendments. This bill will provide much needed resources and funding to assist the community outreach court clients and operations. The court itself is faced with a number of challenges in terms of adequate staffing. This legislation will address the staffing concerns by increasing budgetary considerations for additional positions.

The Community Outreach Court (COC) clients are faced with quality-of-life offenses. They lack proper identification, have driver's license stoppers, lack transportation, lack housing, and face financial hardships. The COC provides vital client services that include identification, welfare assistance, housing, case management, cellular phone service, child car seats, and bus transportation. The COC partners with twenty four (24) service providers.



Senate Bill No.2556, Relating to Community Outreach Court  
Senate Committee on Judiciary  
February 1, 2024  
Page 2

Since 2017, through Act 55 (SLH 2017), the Judiciary, Office of the Prosecuting Attorney of the City and County of Honolulu and the Office of the Public Defender, State of Hawai'i have collaborated to address and resolve legal matters faced by many of Oahu's homeless population. Over the course of six years, the Community Outreach Court has held court sessions throughout Oahu in several locations, including: the Waianae coast, Wahiawa, urban Honolulu, and Windward Oahu. The court has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers and assisted more than six hundred participants with social services or referrals.

The Judiciary respectfully recommends the following amendments to the Senate Bill No. 2556:

- (1) The term "defense attorney" which appears on page 4, line 12 be replaced with the term "public defender".
- (2) "Section 4 - Rules," found at page 5, lines 4 through 6, be eliminated in its entirety. The consensus is that COC is a collaboration between the offices of prosecuting attorney, public defender and the judiciary. While we are constrained by existing laws and rules of court, no additional specific rules need be formulated and adopted by the Supreme Court in order for COC to properly function.

Thank you for the opportunity to testify on Senate Bill No. 2556.

**JON N. IKENAGA**  
STATE PUBLIC DEFENDER

**DEFENDER COUNCIL**  
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**HONOLULU OFFICE**  
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**APPEALS SECTION**  
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**FAMILY COURT SECTION**  
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**STATE OF HAWAII**  
**OFFICE OF THE PUBLIC DEFENDER**

**HAYLEY CHENG**  
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January 30, 2024

Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair  
415 South Beretania Street, Room 016  
State Capital  
Honolulu, HI 96813  
[via email: JDCtestimony@capitol.hawaii.gov](mailto:JDCtestimony@capitol.hawaii.gov)

Re: Testimony in Support of S.B. 2556  
Hearing: February 1, 2024, 9:00 AM

Dear Chair Rhoads, Vice Chair Gabbard and Committee Members:

This letter is in support of S.B. 2556 which would permanently establish and appropriate moneys for the Community Outreach Court (“COC”) as a division of the District Court of the First Circuit.

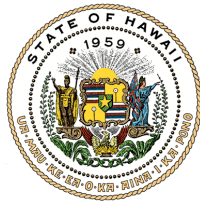
Since 2017, the Office of the Public Defender (“OPD”), the Department of the Prosecuting Attorney and the Judiciary have worked in concert to assist nonviolent offenders resolve pending and adjudicated offenses through alternative sentencing, including community service. COC has been instrumental in recalling and reducing the amount of outstanding and stagnant bench warrants and resolving thousands of pending cases with positive outcomes for both the offender and the community. The burden on law enforcement has been reduced through recalled bench warrants and penal summons that previously languished unserved. Participants who were previously unable to attend court due to financial and/or the inability to travel have attended court to address their cases. And both the community and offender benefitted greatly from completed community service.

COC provides a vital service to the community. Not only is the court able to clear thousands of unresolved cases that would have otherwise remained pending, but social service providers also assist COC participants at no cost to the taxpayer. By the time the participants graduate from COC, the graduates are entrenched in or one step closer to stable housing, employment and have had their legal matters resolved. These milestones are necessary to end the cycle of homelessness which COC is tackling, one participant at a time. The permanent establishment of COC is integral and necessary for our community.

Thank you for taking these comments into consideration.

Sincerely,  
/s/ Taryn Tomasa  
Deputy Public Defender

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



JORDAN LOWE  
DIRECTOR

MICHAEL VINCENT  
Deputy Director  
Administration

JARED K. REDULLA  
Deputy Director  
Law Enforcement

SYLVIA LUKE  
LT GOVERNOR  
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 2556  
RELATING TO THE COMMUNITY OUTREACH COURT  
Before the Senate Committee on Judiciary  
Thursday, February 1, 2024; 9:00 a.m.  
State Capitol Conference Room 016, Via Videoconference  
**WRITTEN TESTIMONY ONLY**

Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

The Department of Law Enforcement (DLE) **strongly supports** Senate Bill 2556.

This bill establishes the Community Outreach Court and provides funding for agencies and partners needed for the successful operation of the Community Outreach Court.

This bill is an important tool in criminal justice reform as this court is designed to identify needs of members of the community who due to their individual circumstances need additional assistance rather than incarceration and then allow partner agencies and participants in the Court to formulate a successful plan to get that assistance to those before the Court.

This bill includes and appropriation for two full-time equivalent deputy sheriff positions to support the Community Outreach Court ensuring availability of law enforcement presence when court sessions are held in community locations.

The DLE is asking for \$250,000 for this appropriation.

Thank you for the opportunity to testify in support of this bill.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEB: <https://honoluluprosecutor.org/>

STEVEN S. ALM  
PROSECUTING ATTORNEY  
LOIO HO'OPI'I



THOMAS J. BRADY  
FIRST DEPUTY PROSECUTING ATTORNEY  
HOPE MUA LOIO HO'OPI'I

THE HONORABLE KARL RHOADS, CHAIR  
SENATE COMMITTEE ON JUDICIARY  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawai'i

February 1, 2024

**RE: S.B. 2556; RELATING TO THE COMMUNITY OUTREACH COURT.**

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony, **supporting in-part** S.B. 2556, and respectfully submits the attached **Proposed S.D. 1** for the Committee's consideration.

Please note, the Department certainly supports the Public Defender's desire to end their role as the "pass-through" entity for Community Outreach Court funding, and further supports any additional personnel needs that the Public Defender, Judiciary, and this Department believe are necessary to continue to add more locations to the program. However, the Department **opposes** any portion of S.B. 2556 that seeks to refresh or reiterate the purpose and/or direction of Community Outreach Court; repeal Act 55, SLH 2017; or create a new chapter in the Hawaii Revised Statutes, dedicated to this program.

If it's not broken, don't fix it.

Since 2016—and pursuant to law since 2017—the Community Outreach Court (aka Community Court Outreach) project has worked as a joint partnership between this Department, the Department of the Public Defender and the Judiciary, to assist certain non-violent individuals in the First Circuit, who have little or no income, and are thus unable to pay the fines on their (typically very long list of) past and pending traffic cases. *The overarching goal of this program is to "help [these] nonviolent offenders...to obtain basic services and necessities, like food and shelter"*<sup>1</sup> (emphasis added), with the added benefit of quickly and efficiently clearing large

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<sup>1</sup> See Act 55, Session Laws of Hawaii 2017, p. 3, lns. 15-17. Available online at [https://www.capitol.hawaii.gov/session/archives/measure\\_indiv\\_Archives.aspx?billtype=SB&billnumber=718&year=2017](https://www.capitol.hawaii.gov/session/archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=718&year=2017); last accessed January 31, 2024.

numbers of cases from the District Court caseload, and large numbers of outstanding bench warrants, with minimal use of government resources.

In its current form, Community Outreach Court has already “addressed [meaning resolved and closed] more than [10,000] cases, recalled more than [900] bench warrants, lifted more than [6,000] driver license stoppers, and assisted more than [600] participants with social services or referrals.” (*See* S.B. 2556, p. 2, lns. 18-21.) Currently, the program is operating at only three locations—Waianae, Honolulu and Kaneohe—but we understand there are plans to expand to more locations, or meet more frequently at the existing locations, to increase the program’s reach and capacity. That is the reason for requesting increased funding and personnel.

Given the program’s proven track record and success—under the existing parameters laid out in Act 55, SLH 2017—the Department respectfully asks that this Committee allow the Community Outreach Court program to continue to function effectively, and grow incrementally— under the existing parameters laid out in Act 55, SLH 2017—without further legislative fixes.

If it’s not broken, don’t fix it.

Based on our understanding, the Judiciary is permitted to create and/or participate in any specialty courts or projects that it chooses,<sup>2</sup> and does not need further legislative authority to do so. Moreover, nowhere in Act 55, SLH 2017, was it stated that Community Outreach Court was established only as a pilot project.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **respectfully asks this Committee to adopt the Proposed S.D. 1 below** (which shows language we would like deleted as stricken through, and language we would like added as underlined and bolded), in order to:

- provide the necessary funding and personnel for Community Outreach Court to continue to thrive;
- remove the Public Defender as the pass-through entity; and
- leave everything else about Community Outreach Court’s legislative parameters as-is, with the three partner agencies working toward further expansion of the program.

Thank you for this opportunity to testify on S.B. 2556.

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<sup>2</sup> *See* “Special Projects & Events,” found under the Hawaii State Judiciary’s website, which lists “a few of the major projects currently in progress,” including DWI Court, Girls Court, Mental Health Court, and Veterans Treatment Court, none of which were legislatively created. Available online at [https://www.courts.state.hi.us/special\\_projects/special\\_projects](https://www.courts.state.hi.us/special_projects/special_projects); last accessed on January 31, 2024. *Also see* “Specialty Courts and Programs,” under the Legislative Reference Bureau of Hawaii’s online guide regarding the Judiciary, listing the same specialty courts without any legislative creation, pp. 9-12 (labeled at bottom as pp. 192-194). Available online at: [https://lr.b.hawaii.gov/wp-content/uploads/Judiciary\\_guide.pdf](https://lr.b.hawaii.gov/wp-content/uploads/Judiciary_guide.pdf); last accessed January 31, 2024.

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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~~  
11 ~~warrant. This can be traumatic for the person and expends law~~  
12 ~~enforcement officers' time and resources.~~

13           ~~— To help address these issues, the judiciary, office of~~  
14 ~~the public defender, and department of the prosecuting attorney~~  
15 ~~of the city and county of Honolulu established a community~~  
16 ~~outreach court project to make court appearances more accessible~~  
17 ~~to homeless persons. The legislature formalized the community~~  
18 ~~outreach court in Act 55, Session Laws of Hawaii 2017. The~~



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

~~15 — The legislature recognizes that the community outreach  
16 court program has been successful. Since its inception, the  
17 program has addressed more than ten thousand cases, recalled  
18 more than nine hundred bench warrants, lifted more than six  
19 thousand driver license stoppers, and assisted more than six  
20 hundred participants with social services or referrals.~~

~~21 — Accordingly, the purpose of this Act is to permanently  
22 establish and appropriate moneys for the community outreach~~

1 ~~court as a division of the district court of the first~~  
2 ~~circuit.~~ The purpose of this Act is to appropriate funding for  
3 all current and newly requested community outreach court funded  
4 positions and other program expenses, as that program was  
5 established under Act 55, Session Laws of Hawaii 2017. The  
6 funding requests for positions include fringe benefit  
7 calculations.

8 SECTION 2. ~~The Hawaii Revised Statutes is amended by~~  
9 ~~adding a new chapter to be appropriately designated and to read~~  
10 ~~as follows:~~

11 "~~CHAPTER~~

12 ~~COMMUNITY OUTREACH COURT~~

13 ~~§ -1 Community outreach court; establishment.~~ (a) ~~The~~  
14 ~~community outreach court is established as a division of the~~  
15 ~~district court of the first circuit.~~

16 ~~(b) The community outreach court shall be held at any duly~~  
17 ~~designated location within the first judicial circuit by any~~  
18 ~~designated judge of the community outreach court.~~

19 ~~§ -2 Jurisdiction.~~ (a) ~~The community outreach court~~  
20 ~~shall have concurrent jurisdiction with all district courts of~~  
21 ~~the first circuit to consider and adjudicate nonviolent,~~  
22 ~~non-felony criminal and traffic offenses, including traffic~~

1 ~~infractions under chapter 291D, charged to offenders deemed~~  
2 ~~appropriate, after application and acceptance, for participation~~  
3 ~~in the community outreach court.~~

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

10 ~~— § 3 Principles and components of the court. The~~  
11 ~~community outreach court shall:~~

12 ~~— (1) Facilitate the early identification and timely~~  
13 ~~placement of eligible offenders;~~

14 ~~— (2) Foster cooperation between the prosecuting attorney~~  
15 ~~and defense attorney to resolve cases;~~

16 ~~— (3) Utilize alternative sentencing, including community~~  
17 ~~service sentences, and support the offender's participation in~~  
18 ~~programs based on the person's needs, including mental health~~  
19 ~~services, substance abuse treatment, sustenance or shelter~~  
20 ~~assistance, or other social services;~~

1 ~~—— (4) Establish a coordinated strategy to respond to an~~  
2 ~~offender's compliance or noncompliance with the offender's~~  
3 ~~sentence; and~~

4 ~~—— (5) Encourage partnerships between the court, public~~  
5 ~~agencies, community-based organizations, and other entities, to~~  
6 ~~maximize the court's effectiveness.~~

7 ~~—— § —4 Rules. The supreme court shall adopt rules~~  
8 ~~regarding the administration, operation, and procedures of the~~  
9 ~~community outreach court."~~

10 ~~—— SECTION 3. Act 55, Session Laws of Hawaii 2017, is~~  
11 ~~repealed.~~

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

21       SECTION ~~5~~3. There is appropriated out of the general  
22 revenues of the State of Hawaii the sum of \$854,900 or so much

1 thereof as may be necessary for fiscal year 2024-2025 to  
2 establish permanent positions in support of the community  
3 outreach court, including:

4 (1) \$96,100 each for four full-time equivalent (4.0 FTE)  
5 court clerk positions;

6 (2) \$72,500 for one full-time equivalent (1.0 FTE) court  
7 bailiff position;

8 (3) \$81,500 for one full-time equivalent (1.0 FTE) adult  
9 client services branch judicial clerk V position; and

10 (4) \$105,500 each for three full-time equivalent (3.0 FTE)  
11 adult client services position.

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

14 SECTION ~~6~~4. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$250,000 or so much  
16 thereof as may be necessary for fiscal year 2024-2025 for two  
17 full-time equivalent (2.0 FTE) deputy sheriff positions to  
18 support the community outreach court.

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

21 SECTION ~~7~~5. There is appropriated out of the general  
22 revenues of the State of Hawaii the sum of \$288,500 or so much

1 thereof as may be necessary for fiscal year 2024-2025 for  
2 permanent positions in support of the community outreach court,  
3 including:

4 (1) \$131,000 for one full-time equivalent (1.0 FTE) deputy  
5 public defender;

6 (2) \$87,500 for one full-time equivalent (1.0 FTE)  
7 paralegal; and

8 (3) \$70,000 for one full-time equivalent (1.0 FTE) social  
9 worker or mental health worker, assigned to the office of the  
10 public defender.

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

13 SECTION ~~8~~6. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$310,000 or so much  
15 thereof as may be necessary for fiscal year 2024-2025 for  
16 permanent positions in support of the community outreach court,  
17 including:

18 (1) \$170,000 for one full-time equivalent (1.0 FTE) deputy  
19 prosecuting attorney;

20 (2) \$80,000 for one full-time equivalent (1.0 FTE)  
21 paralegal; and

1 (3) \$60,000 for one full-time equivalent (1.0 FTE) legal  
2 assistant.

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

6 SECTION ~~9~~7. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$40,000 or so much  
8 thereof as may be necessary for fiscal year 2024-2025 for the  
9 operations of the community outreach court, including security,  
10 equipment, training, and other operational needs.

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

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

16 SECTION ~~11~~8. This Act shall take effect on July 1, 2024.

INTRODUCED BY: \_\_\_\_\_



**To: Committee on Judiciary**

**Hearing Date/Time: Thursday, Feb. 1 2024 9:00 AM**

**Re: Testimony in Strong Support of SB 2556**

**From: Heather Lusk, Hawaii Health and Harm Reduction Center**

Dear Chair Rhoads, Vice Chair Gabbard and members of the committee

The Hawaii Health & Harm Reduction Center (HHHRC) **strongly supports SB 2556** which appropriates monies and makes permanent the effective Community Outreach Court (COC). The COC, which has been part of a collaboration of the Public Defender, the Prosecutor's office and the Judiciary has provided alternatives for many people struggling with offenses related to being houseless – park closures, traffic infractions and other non-felony offenses. These offenses make it challenging to house people and find employment and the COC allows people to conduct community service hours in order to clear their legal record and therefore make it easier to access other services.

HHHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

HHHRC is proud to host the Community Outreach Court once a month in our Kakaako offices and has been a supporter since the beginning of this innovative court. HHHRC has seen the COC change lives, provide hope and empower clients to meet their goals. We hope you will agree that it deserves to be permanent and supported.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center





Hawai'i

Committee: Senate Judiciary  
Hearing Date/Time: Thursday, February 1, 2024 at 9:00am  
Place: Conference Room 016 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of S.B.2556  
Relating to the Community Outreach Court**

### **Testimony of the ACLU of Hawai'i in Support of S.B. 2556 with Proposed Amendments**

Dear Chair Rhoads, Vice Chair Gabbard and Committee members:

ACLU of Hawai'i supports **S.B. 2556** that permanently establishes and appropriates moneys for the Community Outreach Court as a division of the District Court of the First Circuit.

We recommend the following amendments to build upon the success of the Community Outreach Court:

1. Expand eligibility criteria for acceptance into the Community Outreach Court;
2. Require the Judiciary to submit an Annual Report to the State Legislature highlighting demographic data relating to program participants (as well as persons rejected from the program), benchmarks and outcomes of the Community Outreach Court; and
3. Require the Judiciary to hire a third-party evaluator within three years to conduct a cost-benefit analysis of the Community Outreach Court.

Together, these recommended amendments will enhance transparency and accountability within the Community Outreach Court and provide lawmakers with critical data to evaluate program efficacy and future budget appropriations.

Sincerely,

**Carrie Ann Shirota**

Carrie Ann Shirota

Policy Director

ACLU of Hawai'i

[cshirota@acluhawaii.org](mailto:cshirota@acluhawaii.org)

American Civil Liberties Union of Hawai'i  
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[www.acluhawaii.org](http://www.acluhawaii.org)

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.*



National Alliance on Mental Illness Hawaii  
A State Organization of NAMI

TO: The Honorable Karl Rhoads  
Chair, Senate Committee on Judiciary  
The Honorable Mike Gabbard  
Vice Chair, Senate Committee on Judiciary

FROM: Trisha Chaung  
Advocacy Manager, NAMI Hawaii

RE: SB 2556 – RELATING TO THE COMMUNITY OUTREACH COURT

HEARING: February 1, 2024 at 9:00 AM

POSITION: **NAMI Hawaii supports SB 2556**

NAMI Hawaii writes in support of SB 2556. We are grateful for the intentions and demonstrated outcomes of the community outreach court, and support the permanent establishment of this program as part of a strategy to reduce incarceration and promote diversion from further involvement in the criminal justice system for people with mental illness.

We believe in helping people with mental illness *while* preserving their dignity, and oppose the continued criminalization of people with mental illness. Mental illness is not a crime, but untreated symptoms and limited access to care lead many to involvement with the criminal justice system. Many of these individuals are held for committing non-violent, minor offenses and misdemeanors resulting from the symptoms of untreated illness (disorderly conduct, loitering, trespassing, disturbing the peace) or for offenses like shoplifting and petty theft.

Additionally, people with mental illness are overrepresented in the unhoused population: 1 in 5 people experiencing homelessness in the U.S. has a serious mental health condition (in contrast to 1 in 25 people nationwide). Homelessness has a profoundly negative impact on mental health, and children are especially susceptible to the psychological effects of homelessness and housing instability.

Public policies should invest in solutions that are evidence-based and help people with mental illness get on a path of recovery. Instead of charging people who are experiencing homelessness with crimes, we need to address their underlying need(s). We support investments in early intervention, comprehensive community mental health services, robust crisis response systems, and justice diversion strategies to decriminalize people with mental illness and connect them to care.

The community outreach court, with its demonstrated effectiveness in recalling bench warrants and connecting individuals to services, is such an investment, but it should not be the last and/or only step in helping those experiencing homelessness and mental illness.

In future, we encourage the establishment of more pilot programs to bolster the positive impacts of this program, such as assisted community treatment and behavioral crisis centers/respice centers, which will engage higher-need individuals in treatment so that efforts lead to long-term recovery beyond the period that the community outreach court is involved.

NAMI Hawaii has also submitted testimony in support of the companion bill, HB 1954. Thank you for the opportunity to provide testimony on SB 2556.