

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

**Senate Committees on Health and Human Services
and Judiciary**

Monday, March 25, 2024
10:30 a.m.

State Capitol, Conference Room 016, and Videoconference

Comments

**S.R. No. 122, 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**

Chairs San Buenaventura and Rhoads, Vice Chairs Aquino and Gabbard, and members of the Committees:

The Office of the Governor and Dr. Michael Champion, Senior Advisor for Mental Health and the Justice System, are spearheading a critical initiative in partnership with departments in the Executive Branch, the Judiciary, the counties, and community stakeholders. This initiative aims to assess and drive implementation of a targeted approach to improve Hawaii's statewide implementation of the Sequential Intercept Model and related continuum to provide off-ramps from the criminal justice pathway into services through upstream deflection/diversion, enhance services in jails/prisons, and support robust re-entry services. As the transition from the Department of Public Safety to the Department of Corrections and Rehabilitation unfolds, it is imperative that we support transformative needs for policy, projects, programs, and personnel.

Governor Green's policy priorities, which include affordable housing, homelessness reduction, and improved healthcare access, align closely with the goals of this initiative. The high prevalence of trauma and justice involvement among individuals experiencing behavioral health challenges necessitates a sustained commitment to redesigning our State's mental health and justice systems and where they intersect.

Governor Green is deeply committed to redesigning the continuum, which is why he has enlisted the expertise of Dr. Michael Champion to drive forward the necessary systems change. We are poised to take assertive action at a pivotal moment when the Governor's priorities on mental health, substance use disorders, homelessness, public health, and the justice system are aligned. The recent challenges posed by the COVID-19 pandemic and Maui wildfires have

Testimony of the Office of the Governor
S.R. No. 122
March 25, 2024
Page 2

further underscored the urgent need to address fragmented crisis care. It is evident that focused and strategic efforts are required to improve the system's responsiveness, improve access, and reduce disparities.

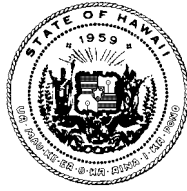
The Governor's Office recognizes the interconnected nature of these challenges and the need to develop a continuum, a comprehensive integrated system that spans all levels of intensity of care. To develop and implement solutions, Governor Green has assembled a team to collaboratively work with all branches of government and the community. This team includes the Office of the Governor's Homeless Coordinator, the Governor's Office of Wellness and Resilience, and the Senior Advisor for Mental Health and the Justice System. Our collaboration reflects a unique and significant opportunity for Hawai'i to implement effective trauma-informed solutions and foster transformative change within our systems now and in the years ahead.

SAMHSA's Sequential Intercept Model (SIM) serves as a guide for the Governor's plan for transformative change and a broader continuum. Our office will continue to work with the Department of Corrections and Rehabilitation, the Department of Human Services, the Department of Health, and the Judiciary to leverage data that resides within the respective departments. The Governor's Office, in summary, is working across all three branches of government to build a framework and establish a comprehensive trauma informed statewide approach to the interface of the mental health and justice systems.

Comprehensive system redesign and developing a comprehensive continuum that addresses the needs of a diverse community takes time. We have solutions now and emerging solutions as a direct result of ongoing collaboration with our partners. With the Legislature's input, we will continue to formulate and strengthen locally tailored solutions informed by proven national models. With City/County and State alignment on federally recommended frameworks, such as SIM and Housing First, the State of Hawai'i will achieve sustainable progress to serve those who are suffering and need our help most.

Thank you for the opportunity to submit testimony on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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March 24, 2024

TO: The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health & Human Services

The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

FROM: Cathy Betts, Director

SUBJECT: **SCR 135/SR122 – 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.**

Hearing: March 25, 2024, 10:30 a.m.
Conference Room 016 and Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) provides comments and defers to the Office of the Governor.

In July and August of 2023, DHS staff participated in two Sequential Intercept Model (SIM) mapping workshops. The SIM workshops provide a framework for community providers and stakeholders to identify the intersections between behavioral health and criminal justice, assess available resources, identify gaps in services, and support strategic planning. The six intercepts which are numbered and described as follows:

- 0 = Community Services
- 1= Law Enforcement
- 2 = Initial detention/initial court hearings
- 3= Jail and Courts
- 4 = ReEntry

5= Community Corrections.

The first mapping session was for the community at large; the 2nd mapping session addressed the specific needs of the justice-involved women. Families involved in the justice system often rely upon benefits and services provided by DHS in nearly every intercept. Improving accessibility and navigation for families involved in the justice system are strategic items that DHS is working on with the Judiciary, the Department of Corrections and Rehabilitation (DCR), the Department of Health (DOH), and the Governor's Office.

Also, with community partners, DCR, and the Department of Education (DOE), DHS efforts include strengthening community- and school-based family resource centers, including the visitation and resource center at Waiawa Correctional Center. Child Welfare Services and the Office of Youth Services are also working with the DOH to improve access to services for youth involved in child welfare or the juvenile justice system.

DHS Med-QUEST division recently submitted its 1115 Waiver to the Centers for Medicare & Medicaid Services that proposes to expand, amongst other things, certain Medicaid services to individuals involved in the justice system. DHS Med-QUEST already works with the Judiciary and DCR to enroll or reenroll eligible individuals in the Medicaid program so they can access prescription services and other health care needs when returning to or reentering the community.

Unfortunately, the August 8, 2023, wildfires redirected DHS staff and resources, delaying momentum with some of the tasks identified during the SIMs.

Having executive leadership at the highest level is needed to envision the broader system, guide cross-sector stakeholders, and assist with identifying and advocating for resources. Executive leadership is needed to clear the pathways to strengthen and create ways to coordinate a robust continuum of service delivery that preferably prevents or intercepts individuals and families earlier in their encounters with the mental health or justice systems. High-level leadership is needed to align the SIM process with broader goals and priorities of the mental health and health care systems.

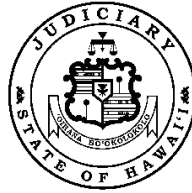
Additionally, the Governor's Senior Advisor for Mental Health and the Justice System participates along with the Office of Wellness and Resilience, DHS, DOE, DOH, the Executive

March 24, 2024

Page 3

Office on Early Learning, the Office of Youth Services, and community providers in Hawaii's National Governor's Association Youth Mental Health technical assistance cohort. The cohort is similarly working to align and prioritize the youth mental health needs, especially for vulnerable youth engaged in the foster care and juvenile justice systems. Strengthening the youth mental health system and providing services early to youth and their families, especially youth at risk of becoming involved in the justice system, may prevent further involvement with the justice system as an adult.

Thank you for the opportunity to provide comments on this resolution.



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Second State Legislature 2024 Regular Session

Senate Committee on Health and Human Services

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Monday, March 25, 2024, 10:30 a.m.

State Capitol, Conference Room 016 and Videoconference

by:

Brandon M. Kimura

Policy and Planning Department Director

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Concurrent Resolution 135, Relating to the Senior Advisor for Mental Health and the Justice System; Jail Diversion; Report; Senate Resolution 122, Relating to the Senior Advisor for Mental Health and the Justice System; Jail Diversion; Report

Purpose: 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.

Judiciary’s Position:

The Judiciary provides comments on this measure to share positive experiences with Dr. Michael Champion in his current role and his prior role as Medical Director at the Department of Health’s (DOH) Adult Mental Health Division.



Senate Concurrent Resolution 135 / Senate Resolution 122
Senate Committee on Health and Human Services
Senate Committee on Judiciary
Monday, March 25, 2024
Page 2

Since as early as mid-2019, Dr. Michael Champion's expertise has been invaluable to conversations on how to improve the State's response to those in the criminal justice system who are suffering from serious mental illness.

More specifically, the following is a non-exhaustive list of several key areas of Dr. Champion's integral involvement:

- In the Fall 2019, a statewide mental health summit was held pertaining to those suffering from serious mental illness in the criminal justice system. This was co-convened by Chief Justice Recktenwald and then-Governor Ige, and led by the Judiciary and DOH. Attendees from across the state included DOH and other Executive Branch administrators and staff, legislators, judges, police, prosecutors, defense attorneys, healthcare providers, services providers, and other interested stakeholders. At the time Dr. Champion was the Medical Director with DOH's AMHD. The feedback received during this Summit was considered by the Hawaii Mental Health Core Steering Committee, and helped to inform the recommendations made in their resulting report.
- Dr. Champion was a member of the Judiciary and DOH-led Hawaii Mental Health Core Steering Committee, which published a joint report in January 2020. This report provide a summary of efforts undertaken in other jurisdictions to improve government and community response to those justice-engaged individuals who suffer from mental illness. The report recommended legislative changes to strengthen the HRS Chapter 704 fitness and restoration process.
- In Fall 2022, mini-mental health summits were held in Honolulu, Lihue, Kahului, Kona, and Hilo, co-convened by the Judiciary and DOH, to allow for more location-specific conversations about governmental responses to those with mental illness. These mini-summits featured a national expert in this area, Miami-Dade County Judge Steven Leifman, to speak about post-booking jail diversion, and a broad cross-section of interested stakeholders in each location. These mini-summits resulted in interest from stakeholders to launch post-booking jail diversion programs, similar to what was established in Miami-Dade. Participants also gained a deeper understanding and appreciation for how having programs and resources available across the sequential intercept model aides in overall governmental response to those with mental illness. In this way, individuals with mental illness are provided opportunities to be steered away from the criminal justice system and connected with treatment options at varying intercept points (i.e., community, pre-booking, post-booking, etc.).
- In Spring 2023, a Hawaii delegation, comprised of stakeholders from the First Circuit, traveled to Miami-Dade County for a site-visit and deep discussions on the Miami



Senate Concurrent Resolution 135 / Senate Resolution 122
Senate Committee on Health and Human Services
Senate Committee on Judiciary
Monday, March 25, 2024
Page 3

model of post-booking jail diversion for those with serious mental illness. This contingent included prosecutors, deputy public defenders, lead judges, and DOH. With Dr. Champion's leadership and guidance, this site visit resulted in three collaborative agreements to begin a renewed post-booking jail diversion program in the First Circuit's district and circuit courts, and to increase understanding of high utilizers with great needs. The First Circuit Post-Booking Jail Diversion Program was launched in Spring 2023. Through partnership with the Honolulu Prosecutors, Office of Public Defender, DOH, DCR, and the Judiciary, the Post-Booking Jail Diversion programs continue and are being refined to maximize success and account for the needs of the various partners. The district court program has had a "pause" on accepting new admittees from July 2023 until April 2024, when the ORAS-CST assessment tool becomes available and when the prosecutors will resume their consideration of new participants to the program. Notwithstanding the pause on new admittees, the district court program's current participants continue to receive treatment and supervision and, since January 2024, three participants have successfully graduated from the program.

- More recently in 2024, taking lessons learned from the First Circuit's Post-Booking Jail Diversion Program and accounting for local resource needs, Dr. Champion has been in discussion with the Judiciary and other stakeholders about a possible expansion of the diversion program to other counties that have expressed an interest in such a program.

Dr. Champion's expertise, commitment, and efforts over the years has contributed significantly to State leaders' highly-nuanced understanding of pertinent mental health and justice issues, and the current broad lens through which we view the issues and their potential causes. The Judiciary continues to collaborate and partner with Dr. Champion, and would be pleased to provide any pertinent data that resides with the Judiciary when available.

Thank you for the opportunity to testify on this measure.