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# SENATE CONCURRENT 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



1 Chairperson of the Senate Standing Committee on Commerce and  
2 Consumer Protection requested: "As such, please provide to us  
3 the following:  
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5 (1) A comprehensive chart, as promised in the  
6 informational hearing on February 5, presenting the  
7 various projects and programs that fit into your  
8 overall continuum;  
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10 (2) The State's capacity in each service area, by agency,  
11 and the current state of those unmet needs; and  
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13 (3) The Governor's plans to address that unmet need,  
14 including specific budgetary requirements;  
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16 Please include in such comprehensive chart, the jail diversion  
17 programs in the Judiciary and the triage centers financed by  
18 OHHS such as that run by IHS. Please also include within the  
19 Governor's plans, his plan to reduce the population in the  
20 Hawaii State Hospital"; and  
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22 WHEREAS, on February 23, 2024, the Governor's Senior  
23 Advisor for Mental Health and the Justice System presented in  
24 response to the Senators' requests the Judiciary's report, which  
25 provided data on seven hundred and four mental assessments  
26 conducted, but otherwise provided no additional data on the  
27 various community programs funded since the 2008 report to the  
28 Legislature pursuant to Senate Concurrent Resolution No. 117,  
29 S.D. 1, H.D 1 (2007) and whether any of those programs fit into  
30 the SAMHSA intercept model; now, therefore,  
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32 BE IT RESOLVED by the Senate of the Thirty-second  
33 Legislature of the State of Hawaii, Regular Session of 2024, the  
34 House of Representatives concurring, that the Governor's Senior  
35 Advisor for the Mental Health and the Justice System is urged to  
36 define their role and to provide an annual report to the  
37 Legislature on the progress the State has made towards jail  
38 diversion; and  
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40 BE IT FURTHER RESOLVED that the Governor's Senior Advisor  
41 for Mental Health and the Justice System is requested to:  
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- 1 (1) Gather data on the various community programs funded
- 2 by the Department of Human Services, Department of
- 3 Health, and the Judiciary, that provide various
- 4 services in the SAMHSA intercept model;
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- 6 (2) Provide an annual report to the Legislature to
- 7 include:
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- 9 (A) The identified programs, their capacities, and
- 10 detailed reasons for the high failure rate and
- 11 unmet needs;
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- 13 (B) Any proposed legislation; and
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- 15 (C) A review of all federal and state court cases and
- 16 constitutional, statutory, and rule changes
- 17 impacting the Hawaii Revised Statutes that relate
- 18 to mental health and involuntary transport,
- 19 examination, hospitalization, and treatment,
- 20 including assisted community treatment, as
- 21 proposed in Senate Bill No. 2992, S.D. 1, H.D. 1
- 22 (2024); and
- 23
- 24 (3) Submit regular reports to the Chairperson of the
- 25 Senate Standing Committee on Health and Human Services
- 26 on the progress the State has made towards jail
- 27 diversion; and
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29 BE IT FURTHER RESOLVED that the Senior Advisor for Mental  
 30 Health and the Justice System's annual reports to the  
 31 legislature are requested to be made publicly available; and  
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33 BE IT FURTHER RESOLVED that certified copies of this  
 34 Concurrent Resolution be transmitted to the Governor and the  
 35 Governor's Senior Advisor for Mental Health and the Justice  
 36 System.

