
A BILL FOR AN ACT

RELATING TO THE WOMEN'S COURT.

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

1 PART I

2 SECTION 1. The legislature finds that there has been a
3 significant increase in the number of women in Hawai'i jails and
4 prisons over the past forty years, resulting in a higher
5 proportion of women who are incarcerated. Research reflects
6 that for women, histories of abuse, trauma, poverty, mental
7 illness, substance use disorders, and unhealthy relationships
8 intersect with their entry into criminal behavior. Women
9 offenders also face unique barriers to success after
10 incarceration. They are more likely to be primary caregivers
11 for young children, have lower educational attainment, lack
12 stable work history, and experience economic or social
13 marginalization, which prevents them from having more positive
14 outcomes.

15 The legislature further finds that Act 243, Session Laws of
16 Hawaii 2022, established a three-year women's court pilot
17 program in the circuit court of the first circuit. This



1 program, known as Mohala Wahine, focuses on non-violent women
2 who are at high risk of recidivism and in need of multiple
3 services such as substance abuse treatment, therapy, or housing.
4 The program began accepting participants in January 2023, with a
5 goal of admitting twenty women each year. As of August 2024,
6 twenty-three women are currently participating in the program,
7 with eleven participants in phase one of treatment and twelve
8 participants in phase two of treatment.

9 The purpose of this Act is to:

- 10 (1) Make the women's court pilot program in the first
11 circuit permanent;
- 12 (2) Establish a three-year women's court pilot program in
13 the circuit court of the Kona division of the third
14 circuit, which is intended to acknowledge the distinct
15 pathways that lead women into the criminal justice
16 system and address their individualized needs; and
- 17 (3) Require the judiciary to submit a report to the
18 legislature regarding the need for and the associated
19 costs of a pilot program for women's court in the
20 second and fifth circuits and Hilo division of the
21 third circuit.



1 PART II

2 SECTION 2. Act 243, Session Laws of Hawaii 2022, is
3 amended by amending section 5 to read as follows:

4 "SECTION 5. This Act shall take effect on July 1, 2022[~~7~~
5 ~~and shall be repealed on June 30, 2025~~]."

6 PART III

7 SECTION 3. (a) There shall be established within the
8 third circuit Kona division of the judiciary the women's court
9 pilot program. The women's court pilot program shall be under
10 the supervision of the big island drug court. The pilot program
11 shall implement trauma-informed and evidence-based practices,
12 employ gender-responsive programming, collaborate with
13 stakeholders, and provide services to women in the court system
14 with the goal of diverting participants from incarceration,
15 supporting their success in the community, and reducing
16 recidivism.

17 (b) The services offered by the pilot program shall
18 address the following areas:

- 19 (1) Trauma and mental health treatment;
- 20 (2) Family support, including parenting, education, and
21 relationship improvement;



- 1 (3) Life-skills training;
- 2 (4) Education and vocational training;
- 3 (5) Domestic violence prevention;
- 4 (6) Medical services and health education;
- 5 (7) Substance abuse detection, prevention, and treatment;
- 6 (8) Mentoring; and
- 7 (9) Housing support.

8 SECTION 4. The judiciary shall submit a report of its
9 findings and recommendations, including any proposed
10 legislation, to the governor and legislature no later than forty
11 days prior to the convening of the regular sessions of 2026,
12 2027, and 2028, regarding:

- 13 (1) The status of the women's court pilot program;
- 14 (2) The number of women accepted into the women's court
15 pilot program;
- 16 (3) The number of women who were eligible to participate
17 in the women's court pilot program but who could not
18 be accepted into the pilot program because of pilot
19 program limitations;
- 20 (4) The number of women completing the women's court pilot
21 program;



1 (5) The number of women who were removed from the women's
2 court pilot program; and

3 (6) Recommendations as to whether the women's court pilot
4 program should:

5 (A) Continue as a pilot program;

6 (B) Expand to include additional participants;

7 (C) Provide additional services; or

8 (D) Be discontinued.

9 SECTION 5. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so much
11 thereof as may be necessary for fiscal year 2025-2026 and
12 \$ or so much thereof as may be necessary for fiscal
13 year 2026-2027 for mental health, substance abuse treatment, and
14 other services; and the establishment of two temporary positions
15 as follows:

16 (1) One full-time equivalent (1.0 FTE) Kona drug court
17 probation supervisor position; and

18 (2) One full-time equivalent (1.0 FTE) peer specialist
19 position;

20 for the women's court pilot program established pursuant to
21 section 3 of this Act.



H.B. NO. 727
H.D. 1
S.D. 2

Report Title:

Judiciary; Women's Court Pilot Program; Reports; Appropriations

Description:

Makes the Women's Court Pilot Program in the First Circuit permanent. Establishes a temporary 3-year Women's Court Pilot Program within the Kona division of the Third Circuit. Requires reports. Establishes temporary positions. Appropriates funds. Sunsets 6/30/2028. Effective 4/23/2057. (SD2)

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