
A BILL FOR AN ACT

RELATING TO THE WOMEN'S COURT.

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

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

14 The legislature further finds that Act 243, Session Laws of
15 Hawaii 2022, established a three-year women's court pilot
16 program in the circuit court of the first circuit. This
17 program, known as Mohala Wahine, focuses on non-violent women



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

8 Accordingly, the purpose of this Act is to establish a
9 three-year women's court pilot program in the circuit court of
10 the second, third, and fifth circuits, which is intended to
11 acknowledge the distinct pathways that lead women into the
12 criminal justice system and address their individualized needs.

13 SECTION 2. (a) There is established within the second,
14 third, and fifth circuits of the judiciary the women's court
15 pilot program. The pilot program shall implement trauma-
16 informed and evidence-based practices, employ gender-responsive
17 programming, collaborate with stakeholders, and provide services
18 to women in the court system with the goal of diverting
19 participants from incarceration, supporting their success in the
20 community, and reducing recidivism.



1 (b) The services offered by the program shall address the
2 following areas:

- 3 (1) Trauma and mental health treatment;
- 4 (2) Family support, including parenting, education, and
5 relationship improvement;
- 6 (3) Life-skills training;
- 7 (4) Education and vocational training;
- 8 (5) Domestic violence prevention;
- 9 (6) Medical services and health education;
- 10 (7) Substance abuse detection, prevention, and treatment;
- 11 (8) Mentoring; and
- 12 (9) Housing support.

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2025-2026 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2026-2027 for equipment; mental health, substance abuse
18 treatment, and other services; and the establishment of seven
19 temporary positions as follows:

- 20 (1) full-time equivalent (FTE) social worker V
21 positions;



1 (2) full-time equivalent (FTE) social worker IV
2 positions;

3 (3) full-time equivalent (FTE) circuit court
4 clerk II positions; and

5 (4) full-time equivalent (FTE) judicial clerk
6 positions;

7 for the women's court pilot program established pursuant to
8 section 2 of this Act.

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

11 SECTION 4. The judiciary shall submit a report of its
12 findings and recommendations, including any proposed
13 legislation, to the governor and legislature no later than forty
14 days prior to the convening of the regular sessions of 2026,
15 2027, and 2028, regarding:

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



- 1 (5) The number of women who were removed from the pilot
- 2 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. This Act shall take effect on April 23, 2057,
10 and shall be repealed on June 30, 2028.



Report Title:

Women's Court Pilot Program; Report; Appropriations

Description:

Establishes a temporary three-year Women's Court Pilot Program within the second, third, and fifth circuits. Establishes temporary positions. Requires a report. Appropriates funds. Sunsets 6/30/2028. Effective 4/23/2057. (SD1)

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