
HOUSE CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR'S SENIOR ADVISOR FOR MENTAL HEALTH AND THE JUSTICE SYSTEM TO FORMULATE A PLAN TO CREATE PLACES OF SHELTER FOR PERSONS UNDER CIVIL COMMITMENT AND FOR PERSONS WHO HAVE BEEN RECENTLY RELEASED FROM THE HAWAII STATE HOSPITAL AND ARE AT RISK OF RECIDIVISM.

1 WHEREAS, on February 5, 2024, the Senate Committee on
2 Health and Human Services and the House Committee on Health and
3 Homelessness held a joint hearing to discuss, among other
4 things, the use of behavioral health centers and hospitals to
5 house mentally ill criminal defendants; and
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7 WHEREAS, at the joint hearing, the Governor's Senior
8 Advisor for Mental Health and the Justice System presented the
9 Sequential Intercept Model, which illustrated points in the
10 system at which individuals with mental health issues move from
11 the care system into the criminal justice system, including a
12 person's initial contact with police, incarceration, and
13 release; and
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15 WHEREAS, in recent years, the Legislature has made various
16 efforts to fund intercept programs, including the Honolulu
17 Police Department's Health Threat Assessment Team and the
18 Judiciary's Community Outreach Court, but due to limited
19 coordination between State agencies, these programs have
20 resulted in no meaningful reduction in the State's jail
21 population; and
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23 WHEREAS, according to updates provided by the Department of
24 Health's Adult Mental Health Division, despite having the legal
25 framework and funding in place for new, court-ordered treatment
26 pathways, few individuals have successfully moved through the
27 programs, and only one person was successfully diverted from the
28 criminal justice system; and
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1 WHEREAS, at an October 20, 2025, hearing of the Senate
2 Standing Committee on Health and Human Services, the
3 Administrator of the Hawaii State Hospital testified that the
4 number of patients at the Hawaii State Hospital exceeded the
5 hospital's planned capacity; and

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7 WHEREAS, at that hearing, the Administrator of the Hawaii
8 State Hospital also testified that seventy-eight percent of the
9 hospital's population was either being evaluated for fitness to
10 proceed to trial or had been determined unfit to proceed to
11 trial; and

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13 WHEREAS, in 2026, S.B. No. 3142 was introduced as part of
14 the Governor's package to provide for civil protective custody
15 in lieu of arrest for the crime of dangerous intoxication, and
16 for mandatory treatment for the crime of dangerous habitual
17 intoxication; and

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19 WHEREAS, at a hearing on the measure, concerns were
20 expressed regarding the lack of suitable placements for persons
21 who are civilly committed or in civil protective custody, given
22 the full capacity at the Hawaii State Hospital; and

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24 WHEREAS, the Governor's Senior Advisor for Mental Health
25 and the Justice System is uniquely positioned to organize the
26 appropriate state agencies to formulate a plan to create
27 placements for:

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29 (1) Mentally ill individuals in the State's criminal
30 justice system, regardless of whether the person is
31 being evaluated to determine the person's fitness to
32 proceed to trial; and

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34 (2) Persons recently released from the Hawaii State
35 Hospital who are at risk of recidivism; now,
36 therefore,

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38 BE IT RESOLVED by the House of Representatives of the
39 Thirty-third Legislature of the State of Hawaii, Regular Session
40 of 2026, the Senate concurring, that the Governor's Senior
41 Advisor for Mental Health and the Justice System is requested to
42 formulate a plan to create places of shelter for persons under



1 civil commitment and for persons who have been recently released
2 from the Hawaii State Hospital and are at risk of recidivism;
3 and

4 BE IT FURTHER RESOLVED, that the Governor's Senior Advisor
5 for Mental Health and the Justice System is requested to submit
6 a report of any findings and recommendations, including any
7 proposed legislation, to the Legislature no later than twenty
8 days prior to the convening of the Regular Session of 2027; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to the Governor's Senior
12 Advisor for Mental Health and the Justice System, Administrator
13 of the Hawaii State Hospital, and Director of Health.

