THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 526

JAN 17 2025

A BILL FOR AN ACT

RELATING TO THE WOMEN'S COURT.

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

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

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

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

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

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

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

(1) Trauma and mental health treatment;

(2) Family support, including parenting, education, and relationship improvement;

(3) Life-skills training;

(4) Education and vocational training;

(5) Domestic violence prevention;

(6) Medical services and health education;

(7) Substance abuse detection, prevention, and treatment;

(8) Mentoring; and

(9) Housing support.

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

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

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

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

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

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

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

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

(1) The status of the women's court pilot program;

(2) The number of women accepted into the pilot program;

(3) The number of women who were eligible to participate in the pilot program but who could not be accepted into the program because of program limitations;

(4) The number of women completing the pilot program;

(5) The number of women who were removed from the pilot program; and

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

(A) Continue as a pilot program;

(B) Expand to include additional participants;

(C) Provide additional services; or

(D) Be discontinued.

SECTION 5. This Act shall take effect on July 1, 2025, and shall be repealed on June 30, 2028.

INTRODUCED BY: Michelle Nakasone

S.B. NO. 526

Report Title:
Women's Court Pilot Program; Report; Appropriation

Description:
Establishes a temporary three-year woman's court pilot program within the second, third, and fifth circuits. Establishes temporary positions. Requires a report. Appropriates funds. Sunsets 6/30/2028.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.