



Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII
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Rodney A. Maile
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December 9, 2022

Via electronic submission

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott Saiki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Act 243, Session Laws of Hawai'i 2022, the Judiciary is transmitting a copy of the *Report on the Women's Court Pilot Program*.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

A handwritten signature in blue ink, reading "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

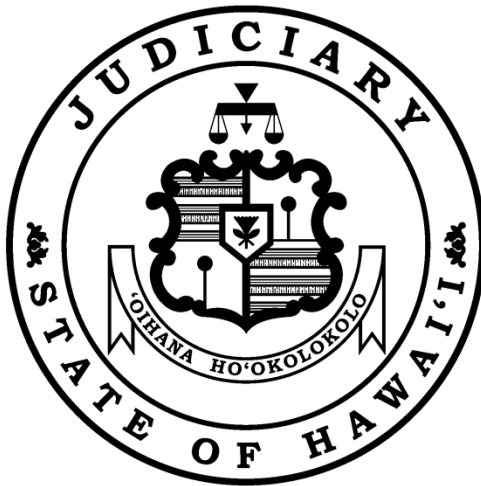
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**ANNUAL REPORT TO THE THIRTY-SECOND LEGISLATURE
2023 REGULAR SESSION**

A Report on the Women's Court Pilot Program

Pursuant to Act 243, SLH 2022



Prepared by:

The Judiciary, State of Hawai'i

December 2022

**ANNUAL REPORT TO THE THIRTY-SECOND LEGISLATURE
2023 REGULAR SESSION**

A Report on the Women's Court Pilot Program

Pursuant to Act 243, SLH 2022

The State of Hawai'i's Thirty-First Legislature enacted Act 243, which established a three-year Women's Court pilot program in the Circuit Court of the First Circuit. On July 6, 2022, Governor David Y. Ige signed into law Act 243. The mission of Hawai'i's Women's Court is to assist and guide participants in meeting their legal and statutory responsibilities and to facilitate change in the participants' well-being by providing gender-responsive services that uphold the mission of the Hawai'i State Judiciary and the Adult Client Services Branch. Additionally, Women's Court will seek to enhance community safety by reducing recidivism through evidenced-based, trauma-informed care and cultural practices.

The program will create a gender-responsive environment of wellness to address the unique needs of women in the criminal justice system and will provide trauma-informed care through comprehensive assessment, intervention, and referral to trauma-informed practitioners. Collaboration with community partners is important to meet the needs of the participants and to support their success in the community. The court will facilitate the accountability and progress of participants and coordinate services and treatment, with the ultimate goal of diverting the participants from further incarceration.

For regular sessions of 2023, 2024, and 2025, the Legislature requires the Judiciary to submit a report on the status of the Women's Court pilot program. Following is the Judiciary's report on the progress of the program and development of the curriculum.

Upon the implementation of the Act, Specialty Courts Judge Trish Morikawa, Adult Client Services Branch Section Administrator Saifoloi Aganon, and Adult Client Services Branch Probation Administrator Brook Mamizuka held numerous meetings to form the overall mission and goals of the program and the more specific criteria for selecting participants and establishing the program curriculum. A considerable amount of time, effort, and focus was also spent on selecting the assessments to be used to determine the risk and needs of the participants; creating a phase progression, including incentives and sanctions; obtaining a database to monitor the progress of the participants and the program; and identifying the various providers that can assist participants in the successful completion of the program.

The following eligibility and entrance requirements were established for Women's Court. An applicant is eligible for Women's Court if she is female or identifies as a female; over the age of 18 years; a resident of the island of O'ahu; charged with an eligible offense(s); willing to participate in the program; and has experienced trauma, abuse, poverty, mental illness, and/or substance use.

There are three tracks participants of Women's Court may enter:

- **Track 1 – Diversion Track, Pre-Plea/Pre-Adjudication.** Participant will not receive a conviction upon successful completion of Women's Court. Participant will have the opportunity to shorten her time under court supervision.
- **Track 2 – Sentencing Track.** Participant is awaiting sentence or was recently sentenced. Participant will be sentenced according to her status to either probation or deferral. Special sentencing pursuant to legislative acts may also be considered. Participant will have the opportunity to shorten her time under court supervision.
- **Track 3 – Post Sentencing Track, Participant Facing Re-Sentencing.** Participant is on court supervision and a "Motion for Revocation of Probation, Modification, or Set Aside" is filed and pending. Participant will be resentenced to a new term of court supervision and will have the opportunity to shorten her time under court supervision.

Meetings with various potential providers and community partners to discuss possible collaboration have also occurred. More specifically, the Judiciary has met with the Waianae Coast Comprehensive Health Center, Sex Abuse Treatment Center, Department of Health, and many other service providers. In-person visits to educational providers such as Honolulu Community College have taken place. A discussion with the Department of the Prosecuting Attorney and the Office of the Public Defender was also held. These meetings helped to form the basis of the program curriculum.

Mohala Ka Pua (Blossoming Flower) is a 10-12 month group process where the participants work on the program curriculum in addition to maintaining their own individual treatment and services. The group curriculum will address the following:

- trauma and mental health treatment;
- self-care;
- family support, including parenting, education, and relationship improvement;
- life-skills training;
- education and vocational training;
- domestic violence prevention;
- medical services and health education;
- substance abuse detection, prevention, and treatment;

- mentoring;
- housing support; and
- a cultural component.

Each component of the curriculum will include speakers on the topic and hands-on activities. For example, the cultural component will include the incorporation of Hawaiian chant and dance to facilitate participants' bio-psychosocial well-being.

Once funding for the program was received, the recruitment for social workers and clerical staff began and are currently being conducted. It is projected that staffing of the program should be completed by the end of the year. Program participants are anticipated to be selected by the end of the year as well. It is estimated that the Women's Court pilot program will start in the beginning of 2023 with approximately 20, high-risk/high-need women and that an increase in the numbers will occur as the program continues.

Finally, as noted previously, a data system is being researched and will be purchased to collect information and assist in the analysis of work of the program. The following are some of the data points to be collected:

- the number of women accepted into the pilot program;
- the number of women who were eligible to participate in the pilot program but who could not be accepted into the program because of limitations;
- the number of women completing the pilot program;
- the number of women who were removed from the pilot program;
- evaluation of the group process through pre- and post-tests.