



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 8, 2023

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 that reads "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

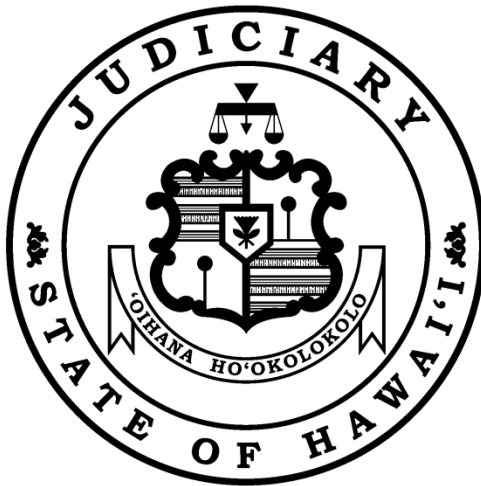
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**ANNUAL REPORT TO THE THIRTY-SECOND LEGISLATURE
2024 REGULAR SESSION**

A Report on the Women's Court Pilot Program

Pursuant to Act 243, SLH 2022



Prepared by:

The Judiciary, State of Hawai'i

December 2023

ANNUAL REPORT TO THE THIRTY-SECOND LEGISLATURE 2024 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 the Hawai'i's Women's Court is to assist and guide the participants in meeting their legal and statutory responsibilities and to facilitate change in the participants well-being by providing gender-responsive services that upholds 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.

Women's Court has come to be known as Mohala Wahine upon consultation with cultural experts in the community. Mohala Wahine means blossoming woman, and the blossoming of the program has begun. The Mohala Wahine program is staffed with a dedicated judge, program supervisor, four social workers, and a judicial clerk. A court clerk position remains unfilled. Mohala Wahine has reached many benchmarks concerning program development.

Program policies and procedures; partnerships with law enforcement, substance-use disorder treatment providers, and community agencies; program tracks for admissions; and phased goals have been completed. The Mohala Wahine program has three phases, which include: Phase One - Intensive Case Management and Supervision; Phase Two - Psychoeducational Group Work and Community Engagement; and Phase Three - Aftercare and Commencement.

According to best practices of the National Drug Court Institute (NCDI), the Mohala Wahine program is being evaluated by a third party, the Institute on Violence, Abuse and Trauma (IVAT), for effectiveness in addition to acquiring and utilizing a Data Information Management System (DIMS) to track progress and maintain accurate record keeping.

When a defendant applies for entry to Mohala Wahine, multiple assessments are conducted during the screening phase to ensure that the program is receiving appropriate referrals from defense attorneys. These assessments also inform case planning, which target the participant's specific needs and risks. A Trauma Assessment and Adverse Childhood Experiences Survey (ACES) further enhances the identification

of specific trauma needs that the participants will have to address in their recovery throughout the Mohala Wahine program by referrals to trauma-responsive providers in the community.

As of October 31, 2023, thirteen (13) women have been accepted and are active in the Mohala Wahine program, two (2) women have been accepted and are awaiting petitions to enter into the program, which totals fifteen (15) women accepted into Mohala Wahine/Women's Court.

Forty-six referrals were precluded (i.e., found to be ineligible for the program for various reasons), and nine women were eligible to participate but could not be accepted because of the pilot program's limitations.

Of the thirteen (13) active participants in the program, four (4) participants have phased up to Phase Two and ten (10) are currently in Phase One. The four (4) participants that have begun Phase Two are preparing to enter psychoeducational groups, which will continue for twelve (12) months and provide support and education. The curriculum of the groups are based on the following topics:

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

In addition to the aforementioned topics, the practice of traditional Native Hawaiian traditional hula and chant will be included in Phase Two of the group work. Hula and chant will complement the participants' learning and enhance the participant's well-being through physical and mental exercises, which include repetition of motion and memorization of words. The inclusion of a Native Hawaiian well-being framework called Kukulū Kumuhana will also be implemented to address holistic wellness (mind, body, and spirit).

As of October 31, 2023, there were no participants who were removed from the pilot program.

The following recommendations are being made regarding ACT 243, SLH 2022, the Women's Court/Mohala Wahine Pilot Program:

1. The pilot program should continue as it is essential in addressing the unique needs of women or participants who identify as women. Mohala Wahine provides a gender-responsive and trauma-informed program to provide women with specialized support through the justice system, potentially reducing recidivism and increasing the responsiveness to an over-represented population of Native Hawaiian women in the justice system of Hawai'i.
2. Affordable, sustainable housing for women is a constant barrier for successful integration into the community.

In summary, the Mohala Wahine program has received 56 referrals, 40 participants were precluded from the program, there are 13 active participants, 3 applicants are pending, 2 have been accepted and are awaiting petition into the program. The program staff have completed 56 assessments. Each assessment takes approximately two hours and consists of multiple screening tools that are used to identify needs and risks, and provides a comprehensive case plan for each of the women. The Mohala Wahine program is creating an environment of inclusion, respect, honesty, and aims to meet the gender-specific needs of women while maintaining a trauma-informed practice that adheres to best practices of specialty courts. This program needs to continue to provide valuable insights to underserved (women) and over-represented populations (Native Hawaiian women) in the justice system.