A BILL FOR AN ACT

RELATING TO THE SOCIAL WORKERS FOR PUBLIC SAFETY PILOT PROGRAM FOR IMPAIRED OFFENDERS.

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

SECTION 1. The legislature finds that public safety officers often lack the resources to effectively and compassionately resolve the criminality of chronically unsheltered homeless, mentally impaired, or substance addicted individuals. Mentally impaired or addicted homeless can unwittingly become repeat petty-misdemeanor and misdemeanor offenders, cycled endlessly between jails, hospital emergency rooms, and the streets. Without rehabilitation services they can become increasingly more impaired and spiral into even worse situations that put communities at risk. The tragedy in Diamond Head where a mentally ill individual killed two police officers and caused five homes to burn may have been prevented if treatment or alternative rehabilitation options were available.

The legislature also finds that these individuals often have multiple encounters with law enforcement however mental impairments interfere with the ability of chronic homeless to
make rational decisions and communicate effectively.

Consequently, miscommunications may result in delayed treatment and increased risk to responding officers and the community.

The legislature further finds social workers are professionals trained in assisting such individuals. Allowing social workers to accompany officers to incidents where the subject's mental health may be an issue will result in increased diversion to treatment including but not limited to, shelter, psychiatric care, and drug abuse treatment, while lowering arrest and incarceration rates.

The purpose of this Act is to establish the social workers for public safety pilot program within the department of public safety.

SECTION 2. (a) The department of public safety shall establish a five-year pilot program to require social workers to accompany public safety officials to respond to reports of disorderly conduct, as defined in the Hawaii Revised Statutes section 711-1101, and other offenses as deemed appropriate, when it is indicated that persons involved may suffer from substance addiction, mental illness, homelessness, or other catastrophic afflictions.
(b) During or prior to dispatching public safety officers to an incident, a social worker will be assigned to join the response team when substance addiction, mental illness, homelessness, or other catastrophic afflictions are indicated.

(c) Participation in the pilot program is optional for detained individuals that may choose not to interact with the social worker.

(d) Notwithstanding any other law to the contrary, detained individuals may choose to participate in the social worker pilot program and follow the social worker's recommendations in lieu of arrest or citation by public safety officials if deemed appropriate.

(e) The department of public safety shall inform the following individuals in writing of the existence of the pilot program:

(1) The lieutenant governor;
(2) The attorney general;
(3) The public defender;
(4) The prosecuting attorneys of each county;
(5) The department of human services;
(6) The registered members of the criminal justice and corrections section of the Hawaii State Bar Association; and

(7) Homeless service providers.

(f) The department of public safety shall submit interim reports of the pilot program to the legislature no later than twenty days prior to the convening of the regular sessions of 2021, 2022, 2023, and 2024, and shall submit a final report to the legislature no later than twenty days prior to the convening of the regular session of 2025. The reports shall include information and recommendations about the efficacy of and the costs associated with the pilot program. The final report shall also include a recommendation on whether the pilot program should be made permanent.

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 2020-2021 and the same sum or so much thereof as may be necessary for fiscal year 2021-2022 for the social workers for public safety pilot program.
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 2020-2021 and the same sum or so much thereof as may be necessary for fiscal year 2021-2022 to fund five full-time equivalent (5.0 FTE) positions within the department of public safety to be known as public safety social workers pursuant to this Act.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2020.

INTRODUCED BY:
Report Title:
Social Worker; Public Safety; Pilot Program; Appropriation

Description:
Establishes a pilot program in the department of public safety to hire five social workers to accompany officers on incidents involving persons that may suffer from substance addiction, mental illness, homelessness, or other catastrophic afflictions. Appropriates funds.

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