
A BILL FOR AN ACT

RELATING TO CRISIS INTERVENTION.

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

1 PART I

2 SECTION 1. The legislature finds that thousands of people
3 in the State are cited or arrested each year for such offenses
4 as drinking liquor in public; loitering in public parks after
5 hours; and camping on sidewalks, beaches, and other restricted
6 public places. Some cited individuals suffer from chronic
7 conditions relating to drugs, alcohol, or mental illness. Many
8 cited individuals do not appear in court, leading courts to
9 issue bench warrants for their arrests. Extensive time and
10 resources are expended bringing violators to court, creating an
11 endless cycle for the court system, prosecutors, and police.

12 In response to an influx of habitual offenders, mental
13 health service providers have been working with appropriate law
14 enforcement agencies and the criminal justice system to
15 implement crisis intervention programs. A critical member of a
16 crisis intervention team is the law enforcement officer. When
17 law enforcement officers are trained in mental health first aid



1 and crisis intervention, de-escalation and prevention efforts
2 have been successful.

3 Accordingly, the purpose of this Act is to:

- 4 (1) Establish the role of crisis intervention officers
5 within state and county law enforcement agencies; and
6 (2) Require the department of law enforcement to
7 coordinate the training of crisis intervention
8 officers for state and county law enforcement agencies
9 and with other appropriate service agencies.

10 PART II

11 SECTION 2. Chapter 353C, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 **"§353C- Crisis intervention training; crisis**
15 **intervention officers.** The department shall coordinate crisis
16 intervention training for state and county law enforcement
17 agencies and for crisis intervention officers as defined in
18 section 334-1. The department and county law enforcement
19 agencies shall identify one or more nationally recognized crisis
20 intervention organizations able to provide training and
21 certification for crisis intervention officers."



1 SECTION 3. Section 334-1, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 ""Crisis intervention officer" means a law enforcement
5 officer who has been trained pursuant to section 353C- to
6 recognize and communicate with a person in crisis or suffering
7 from some form of impairment, whether from dementia, Alzheimer's
8 disease, or any physical, developmental, cognitive,
9 psychological, or substance disorder influencing their
10 behavior."

11 SECTION 4. Section 334-59, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Initiation of proceedings. An emergency admission
14 may be initiated as follows:

15 (1) If a law enforcement officer has reason to believe
16 that a person is imminently dangerous to self or
17 others, the officer shall call for assistance from the
18 mental health emergency workers designated by the
19 director[-] or a crisis intervention officer. Upon
20 determination by the mental health emergency workers
21 that the person is imminently dangerous to self or



1 others, the person shall be transported by ambulance
2 or other suitable means[7] to a licensed psychiatric
3 facility or designated behavioral health crisis center
4 for further evaluation and possible emergency
5 hospitalization. A law enforcement officer may also
6 take into custody and transport to any facility
7 designated by the director any person threatening or
8 attempting suicide. The officer shall make
9 application for the examination, observation, and
10 diagnosis of the person in custody. The application
11 shall state or shall be accompanied by a statement of
12 the circumstances under which the person was taken
13 into custody and the reasons therefor, which shall be
14 transmitted with the person to a physician, advanced
15 practice registered nurse, or psychologist at the
16 facility.

17 (2) Upon written or oral application of any licensed
18 physician, advanced practice registered nurse,
19 psychologist, attorney, member of the clergy, health
20 or social service professional, or any state or county
21 employee in the course of employment, a judge may



1 issue an ex parte order orally, but shall reduce the
2 order to writing by the close of the next court day
3 following the application, stating that there is
4 probable cause to believe the person is mentally ill
5 or suffering from substance abuse, is imminently
6 dangerous to self or others and in need of care or
7 treatment, or both, giving the findings upon which the
8 conclusion is based. The order shall direct that a
9 law enforcement officer or other suitable individual
10 take the person into custody and deliver the person to
11 a designated mental health program, if subject to an
12 assisted community treatment order issued pursuant to
13 part VIII of this chapter, or to the nearest facility
14 designated by the director for emergency examination
15 and treatment, or both. The ex parte order shall be
16 made a part of the patient's clinical record. If the
17 application is oral, the person making the application
18 shall reduce the application to writing and shall
19 submit the same by noon of the next court day to the
20 judge who issued the oral ex parte order. The written
21 application shall be executed subject to the penalties



1 of perjury but need not be sworn to before a notary
2 public.

3 (3) Any licensed physician, advanced practice registered
4 nurse, physician assistant, or psychologist who has
5 examined a person and has reason to believe the person
6 is:

7 (A) Mentally ill or suffering from substance abuse;

8 (B) Imminently dangerous to self or others; and

9 (C) In need of care or treatment;

10 may direct transportation, by ambulance or other
11 suitable means, to a licensed psychiatric facility for
12 further evaluation and possible emergency
13 hospitalization. A licensed physician, an advanced
14 practice registered nurse, or physician assistant may
15 administer treatment as is medically necessary, for
16 the person's safe transportation. A licensed
17 psychologist may administer treatment as is
18 psychologically necessary."

19 PART III

20 SECTION 5. In accordance with section 9 of article VII of
21 the Hawaii State Constitution and sections 37-91 and 37-93,



1 Hawaii Revised Statutes, the legislature has determined that the
 2 appropriations contained in Act 164, Regular Session of 2023,
 3 and this Act will cause the state general fund expenditure
 4 ceiling for fiscal year 2024-2025 to be exceeded by
 5 \$ or per cent. This current declaration takes
 6 into account general fund appropriations authorized for fiscal
 7 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
 8 only. The reasons for exceeding the general fund expenditure
 9 ceiling are that:

- 10 (1) The appropriations made in this Act are necessary to
 11 serve the public interest; and
- 12 (2) The appropriations made in this Act meet the needs
 13 addressed by this Act.

14 SECTION 6. There is appropriated out of the general
 15 revenues of the State of Hawaii the sum of \$ or so
 16 much thereof as may be necessary for fiscal year 2024-2025 for
 17 the establishment of three full-time equivalent (3.0 FTE) crisis
 18 intervention coordinator positions, who shall be exempt from
 19 chapter 76, Hawaii Revised Statutes, to administer and
 20 coordinate the crisis intervention training program; provided
 21 that, upon approval from the director of law enforcement, a



1 crisis intervention coordinator may be removed by the director
2 of law enforcement; provided further that the director of law
3 enforcement shall determine the final salary of crisis
4 intervention coordinators.

5 The sum appropriated shall be expended by the department of
6 law enforcement for the purposes of this Act.

7 SECTION 7. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2024-2025 to
10 train and certify officers in:

11 (1) Mental health first aid, as managed, operated, and
12 disseminated by the National Council for Mental
13 Wellbeing; and

14 (2) The crisis intervention team model, as developed by
15 Crisis Intervention Team International.

16 The sum appropriated shall be expended by the department of
17 law enforcement for the purposes of this Act.

18 PART IV

19 SECTION 8. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 9. This Act shall take effect on July 1, 2050.



Report Title:

DLE; Crisis Intervention; Crisis Intervention Officers;
Training; Positions; General Fund Expenditure Ceiling Exceeded;
Appropriations

Description:

Requires the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers. Defines "crisis intervention officer". Establishes positions. Declares that the general fund expenditure ceiling is exceeded. Makes appropriations. Effective 7/1/2050. (SD2)

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