

CONCURRING OPINION BY FOLEY, J.

I concur because the record in this case lacks clear and convincing evidence that Doe was "imminently and substantially dangerous to self or others," as these terms are defined in HRS § 334-1. I find it unnecessary to engage in a discussion on the constitutionality of Hawai'i's statutes governing involuntary civil commitment as set forth in HRS Chapter 334. The constitutionality of these involuntary civil commitment proceedings are not called into question in this case. Because the State failed to meet the statutory standard for the involuntary civil commitment of Doe, it is also unnecessary to address Doe's constitutional argument that her racial slurs were protected speech.