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# A BILL FOR AN ACT

RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY.

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

1           SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4   **"CHAPTER**

5   **COMMISSION ON JUVENILE JUSTICE**

6           § -1 **Commission on juvenile justice; established.** There  
7 is established, within the department of human services, the  
8 Hawaii juvenile justice commission. The commission members  
9 shall be exempt from chapter 76. The operations of the  
10 commission on juvenile justice shall be funded by moneys  
11 appropriated to the department of human services.

12          § -2 **Powers and duties of the commission.** (a) The  
13 commission shall have oversight of the Hawaii youth correctional  
14 facility and the office of youth services. The commission shall  
15 serve as the policy making body for:

16           (1) Prevention, intervention, and diversion programs that  
17               deter youth from being incarcerated;



- 1           (2) Secure care services for youth incarcerated at  
2           correctional facilities in Hawaii; and  
3           (3) Parole and after care services so that incarcerated  
4           youth can transition successfully to the community and  
5           their families.

6           (b) In addition to any other powers provided by this  
7 chapter, the commission may adopt any rules, pursuant to chapter  
8 91, necessary to implement this chapter and do any and all  
9 things necessary to effectuate the purposes of this chapter.

10          (c) The duties of the commission shall include, but are  
11 not limited to:

- 12          (1) Developing policies and procedures in collaboration  
13          with the Hawaii youth correctional facility and the  
14          office of youth services to ensure that national  
15          standards and best practices requirements are  
16          implemented;  
17          (2) Developing and maintaining standardized practices for  
18          Hawaii's juvenile justice system for implementation by  
19          state and county agencies and private service  
20          providers;



- 1 (3) Maintaining a quality assurance system to actively  
2 review measurable outcomes of youth programs to meet  
3 national standards and best practices requirements;
- 4 (4) Conducting audits of the Hawaii youth correctional  
5 facility and the office of youth services as  
6 necessary, and submitting timely audit reports to the  
7 legislature;
- 8 (5) Conducting administrative investigations of critical  
9 incidents and personnel, as needed.
- 10 (6) Developing and implementing a juvenile justice  
11 strategic plan in collaboration with state, county,  
12 and private agencies that work with youth. The plan  
13 shall be submitted for public review and be updated no  
14 less than every five years;
- 15 (7) Collaborating with the university of Hawaii to develop  
16 a college of criminal justice with a juvenile justice  
17 component that undertakes research and program  
18 development, with the goal of providing candidates to  
19 work with juveniles in the criminal justice system.

20 **§ -3 Commission members; appointment and compensation.**

- 21 (a) The commission shall be comprised of five members. There  
22 shall be appointed one member from each of the four counties and



1 one member appointed at large. Members shall be appointed by  
2 the governor with the advice and consent of the senate for a  
3 term of four years. Two members shall be selected from a list  
4 of nominees submitted to the governor by the president of the  
5 senate and two members shall be selected from a list of nominees  
6 submitted to the governor by the speaker of the house of  
7 representatives. The governor shall appoint the commission  
8 members in the manner prescribed by section 26-34.

9 (b) The commission shall act by majority vote of its  
10 membership and shall establish its own procedures, except as may  
11 be provided by law. A majority of the commission shall elect  
12 one of its members to serve as the chairperson. The commission  
13 shall meet on a quarterly basis and receive \$100 compensation  
14 per meeting.

15 (c) The commission shall appoint an executive director to  
16 administer the operations of the commission. The executive  
17 director shall be exempt from chapter 76. The commission may  
18 appoint and employ other staff as necessary for the performance  
19 of the commission's powers and duties.

20 § -4 **Salary and duties of executive director.** (a) The  
21 commission shall define the executive director's powers and  
22 duties and fix the executive director's compensation. The



1 executive director and any staff shall be entitled to  
2 participate in any public employee benefit plan.

3 (b) In addition to the duties established by the  
4 commission, the duties of the executive director shall include,  
5 but not be limited to:

6 (1) Assisting in the development of policies and  
7 directives to ensure the well being of at risk and  
8 incarcerated youth and to preserve the civil rights of  
9 at risk and incarcerated youth;

10 (2) Obtaining and providing information on national and  
11 local standard practices and best practices, as well  
12 as the spectrum of services provided by the Hawaii  
13 youth correctional facility and the office of youth  
14 services; and

15 (3) Implementing the administrative and operational  
16 responsibilities of the commission.

17 § -5 **Annual report to the legislature.** The commission  
18 shall submit to the legislature and the governor an annual  
19 report no later than twenty days prior to the convening of each  
20 regular session, beginning with the 2007 regular session. The  
21 report shall include, but not be limited to:



- 1 (1) A summary of the commission's activities under this
- 2 chapter;
- 3 (2) A review of the status of youth services in the State;
- 4 (3) A review of the status of services provided by the
- 5 Hawaii youth correctional facility and the office of
- 6 youth services; and
- 7 (4) Recommendations for priorities for the development and
- 8 coordination of youth services."

9 SECTION 2. Chapter 352, Hawaii Revised Statutes, is  
 10 amended as follows:

11 1. By amending sections 352-1 to 352-5.5 to read:

12 "**§352-1 Definitions.** In this chapter, unless the context  
 13 clearly indicates otherwise:

14 "~~[Director]~~ Administrator" means the ~~[executive director of~~  
 15 ~~the office of youth services]~~ administrator of the Hawaii youth  
 16 correctional facility.

17 "Commission" means the commission on juvenile justice  
 18 established pursuant to section -1.

19 "Department" means the department of human services~~[+~~  
 20 ~~provided that the powers, duties, and functions relating to the~~  
 21 ~~Hawaii youth correctional facilities shall be administered by~~  
 22 ~~the office of youth services].~~



1 "Discharge" means the ending of the [~~executive director of~~  
2 ~~the office of youth services'~~] administrator of the Hawaii youth  
3 correctional facility's supervision of a person when the term of  
4 the person's commitment has ended or when the [~~director~~]  
5 administrator believes the purpose of the term of commitment has  
6 been achieved.

7 "Furlough" means an authorized absence of short duration  
8 from a youth correctional facility.

9 "Parole" means the conditional release of a person  
10 committed to a youth correctional facility whereby the person  
11 remains in the custody of the [~~director~~] administrator and under  
12 the supervision of the juvenile parole office.

13 "Term of commitment" means the time period during which  
14 family court retains jurisdiction over a person after  
15 adjudication. During the term of commitment, the family court  
16 may vest custody of the person in another person, organization,  
17 agency, facility, or other suitable entity.

18 **§352-2.1** [~~Purpose.~~] **Establishment; purpose.** (a) [~~This~~  
19 ~~chapter creates~~] There is established within the department of  
20 human services for administrative purposes only [~~, and to be~~  
21 ~~placed within the office of youth services~~] the Hawaii youth  
22 correctional facilities [~~under the supervision of the director~~



1 ~~and such other subordinates as the director shall designate,~~  
2 ~~the].~~ The Hawaii youth correctional facilities [~~, in order to~~]  
3 shall provide for the incarceration, punishment, and  
4 institutional care and services to [~~reintegrate into their~~  
5 ~~communities and families,~~] children committed by the courts of  
6 the State. The youth correctional facilities shall also provide  
7 after care services so that youth released from secure care may  
8 be reintegrated into their communities and families.

9 (b) The commission on juvenile justice shall have  
10 administrative and operational oversight of the administrator of  
11 the Hawaii youth correctional facilities. The commission shall  
12 appoint, without regard to chapters 76 and 89 an administrator  
13 who, under the direction of the commission, shall be responsible  
14 for the internal organization, operation, and management of the  
15 youth correctional facility.

16 [~~(b)~~] (c) The policy and purpose of this chapter is to  
17 harmonize the sometimes conflicting requirements of public  
18 safety, secure placement, and individualized services for law  
19 violators in the custody and care of the [~~director.~~]  
20 administrator. To that end, the [~~director~~] administrator shall  
21 [provide the opportunity for intelligence and aptitude  
22 evaluation, psychological testing and counseling, prevocational





1 ~~and vocational training, and employment counseling to~~ ensure  
2 that the youth correctional facilities and other needed  
3 correctional services meet the present and future needs of all  
4 persons committed to the Hawaii youth correctional facilities.  
5 ~~[Counseling services shall be available to the committed~~  
6 ~~person's family during the term of commitment.]~~ The ~~[director]~~  
7 administrator shall work with the commission to coordinate  
8 services provided to the facilities by other departments and  
9 agencies~~[, to realize these policies and purposes]~~.

10       **§352-3 Contracting with private agencies for residential**  
11 **youth facilities.** The ~~[department]~~ administrator may contract  
12 with private agencies to provide residential youth facilities.

13       **§352-4 Rules ~~[and regulations]~~** The ~~[director]~~  
14 administrator, in consultation with the commission, may adopt  
15 rules ~~[and regulations]~~ to carry out the purposes of this  
16 chapter. The rules ~~[and regulations]~~ shall be approved by the  
17 governor but shall not be subject to the public notice and  
18 public hearing requirements of chapter 91, or require  
19 publication in order to be valid and binding upon all committed  
20 persons and officers and employees of such facilities. The  
21 rules shall be filed with the office of the lieutenant governor



1 and be made available online on the State of Hawaii website  
2 [~~printed from time to time~~].

3       **§352-5 Staff standards and training.** The administrator  
4 may hire necessary staff without regard to chapters 76 and 89.  
5 The [~~director~~] administrator, in consultation with the  
6 commission, shall establish written standards of conduct and  
7 operation to govern each staff member during working hours. New  
8 staff members shall undergo initial training to prepare them to  
9 comply with the standards. Attendance at periodic training  
10 sessions shall be mandatory to increase staff members'  
11 effectiveness in carrying out their duties. For purposes of  
12 this section, "staff member" means any employee of the Hawaii  
13 youth correctional facilities who is directly involved with the  
14 treatment and care of persons committed to a facility.

15       **§352-5.5 Criminal history record checks.** (a) The  
16 [~~department~~] commission shall develop standards to ensure the  
17 reputable and responsible characters of staff members of the  
18 Hawaii youth correctional facility which shall include criminal  
19 history record checks in accordance with section 846-2.7.

20       (b) Staff members, as defined in section 352-5, including  
21 any new staff members, shall:



- 1 (1) Be subject to criminal history record checks in  
2 accordance with section 846-2.7; and  
3 (2) Provide consent to the [~~department~~] administrator to  
4 obtain other criminal history record information for  
5 verification.

6 New staff members shall be fingerprinted within five working  
7 days of beginning employment for the purpose of complying with  
8 the criminal history record check.

9 (c) The [~~department~~] administrator shall obtain criminal  
10 history record information through the Hawaii criminal justice  
11 data center on all staff members and new staff members of the  
12 Hawaii youth correctional facility. The [~~department~~]  
13 administrator shall conduct an annual name inquiry into the  
14 state criminal history record files.

15 (d) The [~~department~~] administrator may deny employment to  
16 a staff member or new staff member who was convicted of a crime  
17 other than a minor traffic violation involving \$50 or less and  
18 if the [~~department~~] administrator finds that, because of the  
19 criminal history record of the staff member or new staff member,  
20 the staff member poses a risk to the health, safety, security,  
21 or well-being of youths under supervision and confinement."  
22



1           2. By amending section 352-7 to read:

2           "**§352-7 Records.** (a) The [~~director~~] administrator shall  
3 [~~establish a~~] cause to be made a needs assessment of every youth  
4 admitted and shall prescribe a program plan based on the  
5 assessment results. A record of all facts relating to the  
6 admission, discharge, escape, death, medical and mental history,  
7 programs[~~r~~] offered and completed, and significant occurrences  
8 concerning a committed person.

9           (b) An exact account shall also be kept of all moneys  
10 received for work performed by the committed persons and from  
11 authorized sources for the use of any committed person, as well  
12 as of the expenditure of such moneys as shall be authorized from  
13 time to time by the [~~director.~~] administrator.

14           (c) The [~~director~~] administrator shall report any  
15 information collected, except psychiatric reports, to the  
16 juvenile justice information system. The date of preparation,  
17 the preparer, and the existence of a psychiatric report may be  
18 included in the juvenile justice information system."

19           3. By amending sections 352-12 to 352-16 to read:

20           "**§352-12 Segregation of committed persons.** Persons  
21 committed to the youth correctional facilities shall be kept  
22 segregated based on considerations including age, gender,



1 maturity level, attitude, behavior, offense committed,  
2 commitment period, and rehabilitation status.

3       **§352-13 Evaluation, counseling, training.** The [~~director~~]  
4 administrator shall provide [~~the opportunity for~~] intelligence  
5 and aptitude evaluation, diagnostic and psychological testing,  
6 supervision and counseling[~~7~~] services, treatment and  
7 rehabilitative services, prevocational and vocational training,  
8 and employment counseling to all persons committed to the youth  
9 correctional facilities. Counseling services shall be available  
10 for the committed person's family, including a reciprocal  
11 beneficiary, during the term of commitment.

12       **§352-14 Educational programs provided by the department of**  
13 **education.** (a) The department of education shall provide  
14 educational programs, ranging from basic, remedial, special and  
15 vocation education, for those persons committed to the youth  
16 correctional facilities. These educational programs shall be  
17 adapted to the needs of the persons committed as prescribed by  
18 the department of education in coordination with the [~~director.~~]  
19 administrator.

20       (b) The administrator shall develop an alternative  
21 education program with qualified staff. The pilot program shall



1 be established in collaboration with the commission and shall be  
2 implemented for a minimum period of five years.

3       **§352-15 Recreational and program activities.** The  
4 [~~director~~] administrator shall provide [~~the opportunity~~]  
5 opportunities for [~~the recreation of those persons committed to~~  
6 ~~the facilities.~~] recreational and other programs to effectively  
7 occupy the time of the youth placed in a facility under the  
8 facility's jurisdiction that promote the development of self-  
9 esteem and useful skills to prepare such persons in becoming  
10 productive members of the community. Work programs for such  
11 persons shall be established and may include farming, sewing,  
12 plant nursery, [~~and~~] animal husbandry[-], and other fields of  
13 industry so as to be competitive in today's job market.

14       **§352-16 Establishment of work release.** (a) The  
15 [~~director,~~] administrator, in accordance with rules [~~and~~  
16 ~~regulations~~] adopted by the [~~director,~~] administrator, may  
17 establish a work release plan for persons who are committed to  
18 the [~~director's~~] administrator's care and who are receiving care  
19 and treatment in a youth correctional facility; provided that  
20 such a plan shall not interfere with any educational program in  
21 which such persons may be enrolled.



1 (b) Under such a work release plan, any such person may be  
2 authorized to secure or continue in suitable employment outside  
3 of such youth correctional facility, and unless otherwise  
4 authorized by the department with respect to specific cases,  
5 return to and remain in such facility during non-working hours.

6 (c) Employment under such a work release plan may be at a  
7 wage less than the minimum wage authorized in chapter 387;  
8 provided that no more than five hours of a person's work week  
9 shall be paid at wages less than the minimum wage.

10 (d) It shall be the duty of the employer of [~~a person~~]  
11 persons participating in a work release plan to transmit to the  
12 [~~director~~] administrator earnings of such persons. The  
13 transmission to the [~~director~~] administrator of the earnings of  
14 such person shall operate to discharge such employer from any  
15 further obligation to such person except with respect to any  
16 taxes lawfully withheld from them wages of such person.

17 (e) The earnings transmitted to the [~~director~~]  
18 administrator by a person's employer under a work release plan  
19 shall be held to the account of such person."

20 4. By amending section 352-26 to read:

21 "**§352-26 Taking into custody and detaining persons for**  
22 **violations of terms and conditions of parole and furlough and**



1 **attempted escape.** (a) With respect to any person whose legal  
2 custody was vested in the [~~director,~~] administrator, who has  
3 been paroled or furloughed from a youth correctional facility by  
4 the [~~director~~] administrator and returned to the person's own  
5 home or other place within the community, the provisions of  
6 subsection (b) or (c) shall apply, if, in the opinion of a  
7 designated employee of the [~~department,~~] administrator, such  
8 person is in violation of the terms and conditions of the  
9 person's parole or furlough.

10 (b) In the case of a person under nineteen years of age,  
11 such designated employee may:

12 (1) Notify the [~~director~~] administrator or the  
13 [~~director's~~] administrator's designated agent of such  
14 alleged violation and, if the [~~director~~] administrator  
15 issues a written order to such effect, take such  
16 person into custody and place such person in such  
17 appropriate youth correctional facility as may be  
18 designated in such order until determinations as to  
19 such person's further care and treatment are made. In  
20 the event of retaking for an alleged violation of  
21 parole, the [~~director~~] administrator or the  
22 [~~director's~~] administrator's agent shall notify the





1 person, and the person's parent, guardian, or  
2 custodian of the right to legal counsel and to appeal  
3 the issuance and execution of such order. The office  
4 of juvenile parole shall hold a hearing within thirty  
5 days after the person's return to determine whether  
6 parole should be revoked. The juvenile parole office  
7 staff shall render reasonable aid to the person in  
8 preparation for the hearing.

- 9 (2) Take such person into custody and place the person in  
10 an appropriate youth correctional facility until  
11 determinations as to such person's further care and  
12 treatment are made by the [~~department~~] administrator  
13 if such employee has reason to believe that permitting  
14 such person to remain in the person's own home or  
15 other place within the community would be dangerous to  
16 the person or to the community or that such person is  
17 about to flee the jurisdiction of the department.  
18 Such employee, at the time of taking such person into  
19 custody, shall advise such person as to the specific  
20 terms and conditions of the person's parole or  
21 furlough which the person is alleged to have violated  
22 and of the person's right to legal counsel and appeal.



1 Provisions regarding possible parole revocation shall  
2 apply as enumerated in paragraph (1).

3 (c) In the case of a nineteen-year-old person such a  
4 designated employee may:

5 (1) Take the person into custody and place the person in  
6 an appropriate adult correctional facility if the  
7 alleged violation constitutes a crime and the  
8 [~~director~~] administrator has been notified and  
9 subsequently issued a written order to that effect.  
10 In the event of retaking for such an alleged violation  
11 of parole, the [~~director~~] administrator or the  
12 [~~director's~~] administrator's agent shall notify the  
13 person of the right to legal counsel and to appeal the  
14 issuance and execution of such order. The office of  
15 juvenile parole shall hold a hearing within thirty  
16 days after the person's incarceration in an adult  
17 facility to determine whether parole should be  
18 revoked. The juvenile parole office staff shall  
19 render reasonable aid to the person in preparation for  
20 the hearing.

21 (2) Notify the [~~director~~] administrator of an alleged  
22 violation of parole. The [~~director~~] administrator may



1 petition the family court for an ex parte order based  
2 on the alleged violation to take the person into  
3 custody and place the person in an appropriate adult  
4 correctional facility. The person shall be notified  
5 of the issuance and execution of such a court order  
6 and of the right to legal counsel and appeal. A  
7 juvenile parole office hearing shall be held within  
8 thirty days after a person's placement in an adult  
9 facility to determine whether parole shall be revoked.

10 (d) Any person whose legal custody has been vested in the  
11 ~~[director]~~ administrator and who has escaped from the facility  
12 may be taken into custody by a police officer or an employee of  
13 the ~~[department]~~ administrator without a warrant or an order  
14 issued by the ~~[director]~~ administrator and returned to the  
15 facility.

16 (e) When called upon by any designated employee of the  
17 ~~[department]~~ administrator, any police officer shall assist in  
18 taking a person into custody pursuant to the provisions of this  
19 section."

20 5. By amending section 352-30 to read:

21 "**§352-30 Delegation of responsibilities.** The ~~[director]~~  
22 administrator may delegate any of the ~~[director's]~~



1 administrator's responsibilities pursuant to this chapter to a  
2 representative of the [~~department~~] administrator except those  
3 that relate to discretionary discharge before the term of the  
4 person's commitment has ended."

5 6. By amending sections 352-6, 352-8, 352-9, 352-10,  
6 352-11, 352-17, 352-18, 352-19, 352-20, 352-21, 352-22, 352-23,  
7 352-24, 352-25, 352-26.1, 352-27, 352-28, 352-29, 352-31, by  
8 substituting the word "administrator" or like term, wherever the  
9 word "director" or like term, appears, as the context requires.

10 SECTION 3. Chapter 352D, Hawaii Revised Statutes, is  
11 amended as follows:

12 1. By adding a new definition to section 352D-3, to be  
13 appropriately inserted, and to read as follows:

14 "Commission" means the commission on juvenile justice  
15 established pursuant to section -1."

16 2. By amending section 352D-4 to read:

17 "[+]§352D-4[+] **Establishment; purpose.** There is  
18 established within the department of human services for  
19 administrative purposes only the office of youth services. The  
20 office of youth services is established to provide services and  
21 programs for youth at risk under one umbrella agency in order to  
22 facilitate optimum service delivery, to prevent delinquency, and



1 to reduce the incidence of recidivism among juveniles through  
2 the provision of prevention, rehabilitation, and treatment  
3 services. The office shall also be responsible for program  
4 planning and development, intake/assessment, oversight, as well  
5 as consultation, technical assistance, and staff training  
6 relating to the delivery of services. The commission on  
7 juvenile justice shall have administrative and operational  
8 oversight of the office of youth services.

9 The office shall provide a continuum of services as  
10 follows:

- 11 (1) An integrated intake/assessment and case management  
12 system;
- 13 (2) The necessary educational, vocational, social  
14 counseling and mental health services;
- 15 (3) Community-based shelter and residential facilities;
- 16 (4) Oversight of youth services; and
- 17 (5) Other programs which encourage the development of  
18 positive self-images and useful skills in such youth.

19 ~~[To this end, on July 1, 1991, this office shall assume the~~  
20 ~~responsibilities for juvenile corrections functions, which were~~  
21 ~~temporarily placed in the department of corrections pursuant to~~  
22 ~~Act 338 of 1987. These functions shall include, but not be~~



1 ~~limited to, all responsibilities, under chapter 352, for the~~  
2 ~~Hawaii youth correctional facilities.]"~~

3 3. By amending sections 352D-5 and 352D-6 to read:

4 "**§352D-5 Appointment of director; powers and duties.** (a)

5 The office of youth services shall be headed by an executive  
6 director who shall be appointed by the [~~governor~~] commission  
7 without regard to chapter 76. The executive director may  
8 appoint such other staff as may be necessary to carry out the  
9 duties of the office of youth services.

10 (b) The executive director, for the administration of the  
11 Juvenile Justice Delinquency Prevention Act, may employ any  
12 other staff without regard to chapter 76.

13 **§352D-6 [~~Organizational~~] Functions of office;**

14 **organizational structure.** (a) The office of youth services  
15 shall be composed of such divisions and sections as are deemed  
16 necessary by the executive director to:

17 (1) Provide diagnostic evaluation, treatment, and  
18 rehabilitation services for all youths referred to  
19 services provided by the office or placed in the  
20 office's custody by the family court;

21 (2) Provide supervision and counseling services for youth  
22 in [~~shelter or correctional facilities under the~~



1 ~~office's jurisdiction,]~~ shelters, including community-  
2 based facilities;

3 [~~(3)~~ ~~Provide educational, vocational-educational, and other~~  
4 ~~programs to effectively occupy the time of the youth~~  
5 ~~placed in a facility under the office's jurisdiction~~  
6 ~~which promote the development of self-esteem and~~  
7 ~~useful skills to prepare youths in becoming productive~~  
8 ~~members of the community;~~

9 ~~(4)]~~ (3) Provide continuous program planning, development,  
10 and coordination of youth services, including the  
11 coordination with other government and private social  
12 service agencies that work with youths to ensure that  
13 a full-range of programs is available and that such  
14 programs are consistent with the policy of this  
15 chapter and are not unnecessarily duplicative or  
16 conflicting;

17 [~~(5)]~~ (4) Provide prevention services to include a  
18 comprehensive intake/assessment and  
19 information/referral system throughout the State which  
20 shall access services to youth and their families;

21 [~~(6)]~~ (5) Provide a case management system based on the  
22 individual needs of youth which shall provide for in-



1 depth client assessment, appropriate service planning,  
2 and client advocacy;

3 ~~[(7) Provide for the implementation of chapter 352, youth~~  
4 ~~correctional facilities and other needed correctional~~  
5 ~~services, including ensuring that these facilities and~~  
6 ~~services meet the present and future needs of youth~~  
7 ~~under the jurisdiction of the youth correctional~~  
8 ~~facilities;~~

9 ~~+(8)]~~ (6) Facilitate the development of and, when  
10 appropriate, provide for training programs for persons  
11 offering services to youth at risk;

12 ~~[(9)]~~ (7) Provide for technical assistance and consultation  
13 to providers and potential providers;

14 ~~[(10)]~~ (8) Seek, apply for, and encourage the use of all  
15 federal funds for youth services and facilitate the  
16 coordination of federal, state, and local policies  
17 concerning services for youth; and

18 ~~[(11) Prepare and submit an annual report to the governor~~  
19 ~~and the legislature. This report shall include, but~~  
20 ~~not be limited to, a review of the status of youth~~  
21 ~~services within the State, recommendations for~~





1 ~~priorities for the development and coordination of~~  
2 ~~youth services; and~~

3 ~~(12)]~~ (9) Monitor, evaluate, and audit all grants,  
4 subsidies, and purchase of services under chapter 42D  
5 which relate to the office of youth services.

6 (b) The executive director, in collaboration with the  
7 commission, shall develop benchmarks for each function listed in  
8 subsection (a) in order to gauge its progress in its areas of  
9 responsibility."

10 4. By amending subsection (b) of section 352D-9 and  
11 section 352D-10 to read:

12 "(b) There shall be a combined meeting of all boards at  
13 least once a year. Each regional board shall advise the  
14 commission and the office on:

15 (1) General policies relating to the youth service system,  
16 including but not limited to planning, integration,  
17 development, and coordination to effectuate the  
18 purposes of this chapter;

19 (2) Monitoring and evaluating youth services as they  
20 relate to the coordination and integration of the  
21 youth service system within its region; and



1           (3) Any pertinent issue related to the youth service  
2                    system within its region.

3           [+]§352D-10[+] **Regional directors; powers, duties, and**  
4 **authority.** The executive director shall appoint a regional  
5 director in each county. Each regional director shall be exempt  
6 from chapter 76, and shall answer to the commission and the  
7 executive director. The regional director shall:

8           (1) Oversee the youth services centers located in the  
9                    director's region;

10          (2) Assist the executive director in coordinating,  
11                monitoring, and evaluating all programs and activities  
12                operated by the office within its region;

13          (3) Advise the executive director on any pertinent issue  
14                related to the youth service system within the  
15                director's region; and

16          (4) Provide staff support for the regional advisory board  
17                located in the director's region."

18          SECTION 4. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$            , or so  
20 much thereof as may be necessary for fiscal year 2006-2007, for  
21 the creation of the Hawaii commission on juvenile justice.



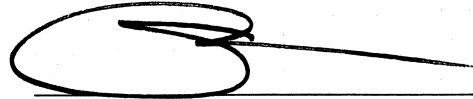
1           The sum appropriated shall be expended by the department of  
2 human services for the purposes of this Act.

3           SECTION 5. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 6. This Act shall take effect on July 1, 2006.

6

INTRODUCED BY:



Ali A. Gurek

*Armani Mouri*  
*Michael P. Kalibura*

JAN 18 2006



**Report Title:**

Youth Services; Hawaii Commission on Juvenile Justice

**Description:**

Creates a Hawaii commission on juvenile justice to oversee the Hawaii youth correctional facility and the office of youth services. Attaches for administrative purposes to the department of human services. Appropriates funds.

