

S.B. NO. 1444

JAN 22 2007

A BILL FOR AN ACT

RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY.

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

1 SECTION 1. Section 352-2.1, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) This chapter creates within the department of human
4 services, and to be placed within the office of youth services
5 under the supervision of the director and such other
6 subordinates as the director shall designate, the Hawaii youth
7 correctional facilities, in order to provide for the
8 incarceration, [~~punishment,~~] rehabilitation, and institutional
9 care and services to [~~reintegrate~~] prepare for reentry into
10 their communities and families, [~~children~~] youth committed by
11 the courts of the State."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.

15
16 INTRODUCED BY: _____

BY REQUEST

JUSTIFICATION SHEET

SB 1444

DEPARTMENT: Human Services.

TITLE: A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY.

PURPOSE: To clarify the purpose of committing youth to the Hawaii Youth Correctional Facility.

MEANS: Amend section 352-2.1(a), Hawaii Revised Statutes.

JUSTIFICATION: Current law defines the purpose of the Hawaii Youth Correctional Facility (HYCF) as "to provide for the incarceration, punishment, and institutional care and services to reintegrate into their communities and families, children committed by the courts of the State." Some of the terminology in the statement above is incompatible with the modern goals of a youth facility.

Clearly, incarceration is most often ordered to protect the community, but the activities within the facility are geared towards rehabilitation, not punishment. This proposal would replace the word "punishment" with "rehabilitation." The term "youth" is commonly used to refer to children age 12 years and over, the age group considered for placement at HYCF. Therefore, it is recommended that the word "children" be replaced with "youth." In addition and in keeping with current terminology used by the Office of Juvenile Justice and Delinquency Prevention, OYS recommends that the word "reintegration" be replaced with "reentry."

Impact on the public: None. While the purpose of youth incarceration will be clarified, practices in the juvenile justice system will not be affected.

Impact on the department and other agencies: None.

SB 1444

GENERAL FUND: None.
OTHER FUNDS: None.
PPBS PROGRAM
DESIGNATION: HMS 503.
OTHER AFFECTED
AGENCIES: None.
EFFECTIVE DATE: Upon approval.