



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
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February 9, 2009

TO: The Honorable John M. Mizuno, Chair
House Committee on Human Services

FROM: Martha T. Torney, Executive Director

SUBJECT: **HB 1102, RELATING TO RECORD CHECKS FOR THE OFFICE
OF YOUTH SERVICES**

Hearing: Monday, February 9, 2009, 8:15 a.m.
State Capitol, Conference Room 329

The Office of Youth Services strongly supports House Bill 1102, an Administration bill to allow the Director of Human Services to conduct child abuse and neglect record checks on current and new employees of the Hawaii Youth Correctional Facility. This amendment to Section 352-5.5, Hawaii Revised Statutes, will assist the State in achieving substantial compliance with Provision 26 of the Memorandum of Agreement between the US Department of Justice and the State of Hawaii concerning conditions at HYCF.

The Hawaii Youth Correctional Facility (HYCF) is responsible for the safe and secure custody of youth committed to its care by the Hawaii Family Courts. Section 352-5.5, Hawaii Revised Statutes (HRS), requires criminal history record checks be conducted in accordance with section 846-2.7, HRS, to ensure the reputable and responsible characters of current and new staff members of the HYCF.

There is no requirement, however, for review of the Child Abuse and Neglect (CA/N) registry to determine if current or new employees have been investigated for actions against children by Child Welfare Services of the Department of Human Services.

A history of abuse and neglect could pose a risk to the health, safety, security, and well-being of youths under supervision and confinement of the HYCF. Therefore, it is recommended that child abuse record checks be conducted on all current and new employees of the HYCF.

Thank you for the opportunity to present this testimony.