
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO REVIEW
CONFIDENTIALITY LAWS PERTAINING TO COURT INVOLVED, MULTI-
AGENCY YOUTH.

1 WHEREAS, the United States Department of Justice's Office
2 of Juvenile Justice and Delinquency Prevention, in concert with
3 the United States Department of Education and the United States
4 Department of Health and Human Services' Substance Abuse and
5 Mental Health Services Administration, identified juvenile
6 information sharing as an essential tool to assist juvenile
7 justice, education, health, and other youth-serving agencies in
8 their efforts to improve services for at-risk and delinquent
9 youth and their families; and

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11 WHEREAS, the Office of Juvenile Justice and Delinquency
12 Prevention's Juvenile Accountability Block Grants program has
13 identified information sharing as one of its program purpose
14 areas, "establishing and maintaining interagency information-
15 sharing programs that enable the juvenile and criminal justice
16 systems, schools, and social service agencies to make more
17 informed decisions regarding the early identification, control,
18 supervision, and treatment of juveniles who repeatedly commit
19 serious delinquent or criminal acts"; and

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21 WHEREAS, in 2000, the Hawaii County Comprehensive Strategy
22 for Juvenile Justice recognized the need to establish procedures
23 and protocols to facilitate information sharing between county
24 and state agencies; and

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26 WHEREAS, in a study submitted to the Legislature for the
27 2007 Regular Session, the Hawaii County Office of the
28 Prosecuting Attorney determined that families and youth involved
29 with multiple agencies are often confused about which service
30 provider has responsibility for which problem area and, as a



1 result, information given to officers and program providers may
2 be miscommunicated; and

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4 WHEREAS, in 2007, the Big Island Juvenile Intake and
5 Assessment Center Committee developed an agreement for
6 interagency information sharing, in which participating agencies
7 recognized that working with mutual youth clients in a more
8 collaborative manner would ensure more efficient and effective
9 services for youth in Hawaii County; and

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11 WHEREAS, in 2010 and 2011, the Hawaii Mental Health
12 Transformation State Incentive Grant's Criminal Justice Task
13 Force, recognized the need for information sharing on juvenile
14 matters, that barriers currently exist that obstruct the sharing
15 of information, and that the Attorney General has done
16 preliminary work in researching the federal and state
17 confidentiality laws touching upon the many departments they
18 advise; now, therefore,

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20 BE IT RESOLVED by the House of Representatives of the
21 Twenty-sixth Legislature of the State of Hawaii, Regular Session
22 of 2011, the Senate concurring, that the Department of the
23 Attorney General is requested to:

- 24
25 (1) Review existing federal and state laws and agency
26 rules relating to confidentiality, privacy, and
27 privilege and their impact on interagency information
28 sharing; and
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30 (2) Make recommendations to better serve the youth of
31 Hawaii through appropriate and necessary sharing of
32 information involving the youth; and
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34 BE IT FURTHER RESOLVED that the Department of the Attorney
35 General is requested to submit its findings and recommendations,
36 including any proposed legislation, to the Legislature and
37 affected government agencies, including but not limited to the
38 Department of Human Services, the Department of Health, the
39 Department of Education, and the Police Department and the
40 Office of the Prosecuting Attorney of each county, not later
41 than twenty days prior to the convening of the 2012 Regular
42 Session; and
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1 BE IT FURTHER RESOLVED that certified copies of this
 2 Concurrent Resolution be transmitted to the Attorney General;
 3 the Director of Human Services; the Director of Health; the
 4 Superintendent of Education; the Chairperson of the Board of
 5 Education; and the Police Chief and Prosecuting Attorney of each
 6 county.

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OFFERED BY:

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