

NEIL ABERCROMBIE  
GOVERNOR



PATRICIA McMANAMAN,  
INTERIM DIRECTOR  
PANKAJ BHANOT  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 8, 2011

**MEMORANDUM**

TO: Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services  
  
Honorable Wil Espero, Chair  
Senate Committee on Public Safety, Government Operations, and  
Military Affairs

FROM: Patricia McManaman, Interim Director

SUBJECT: **S.B. 1294 - RELATING TO THE TRANSFER OF YOUTH TO AN  
ADULT CORRECTIONAL FACILITY**

Hearing: Tuesday, February 8, 2011; 1:15 p.m.  
Conference Room 016, State Capitol

**PURPOSE:** The purpose of S.B. 1294 is to repeal section 352-28, Hawaii Revised Statutes, which authorizes the Executive Director of the Office of Youth Services, with the approval of the Family Court, to transfer a committed youth from the Hawaii Youth Correctional Facility to an adult correctional facility for disciplinary or other reasons.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) strongly supports this Administration bill.

This proposed bill will ensure that youth committed to the Hawaii Youth Correctional Facility will not be transferred, for disciplinary or other reasons, to adult

correctional facilities where they would be exposed to serious adult offenders and subjected to possible physical, mental, and sexual assault.

In addition, the proposed bill will simplify the State of Hawaii's efforts to comply with the federal Juvenile Justice Delinquency Prevention Act (JJDP) which requires "sight and sound" separation between juvenile and adult offenders. Violation of this requirement would jeopardize future federal funding.

Thank you for the opportunity to provide comments on this bill.

NEIL ABERCROMBIE  
GOVERNOR




DAVID HIPPI  
ACTING EXECUTIVE DIRECTOR

Phone: (808) 587-5700  
Fax: (808) 587-5734

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**OFFICE OF YOUTH SERVICES**  
820 Milliani Street, Suite 817  
Honolulu, Hawaii 96813

February 3, 2011

TO: The Honorable Suzanne Chun Oakland, Chair  
House Committee on Human Services

FROM: David Hipp, Acting Executive Director 

SUBJECT: **SB 1294**, Relating to the Transfer of Youth to an Adult Correctional Facility

Hearing: Tuesday, February 8, 2011; 1:15 p.m.  
State Capitol, Conference Room 016

The Office of Youth Service (OYS) supports Senate Bill 1294, Relating to the Transfer of Youth to an Adult Correctional Facility, which would repeal HRS §352-28 which authorizes the Executive Director of the Office of Youth Services, with the approval of the Family Court, to transfer a committed youth from the Hawaii Youth Correctional Facility to an adult correctional facility for disciplinary or other reasons.

This proposed bill will ensure that youth committed to the Hawaii Youth Correctional Facility will not be transferred, for disciplinary or other reasons, to adult correctional facilities where they would be exposed to serious adult offenders and subjected to possible physical, mental, and sexual assault.

In addition, the proposed bill simplify the State of Hawaii's efforts to comply with two of the four core requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDP), specifically that:

- no juvenile may be detained or confined in any adult jail or lockup (with the exception that juveniles accused of a crime may be held for up to six hours for processing)
- juveniles being securely detained must be "sight and sound" separate from adult detainees.

Thank you for the opportunity to provide comments on this bill.

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Suite 203, Honolulu, Hawai'i 96817

Phone/E-mail: (808) 533-3454/communityallianceonprisons@hotmail.com



## COMMITTEE ON HUMAN SERVICES

Sen. Suzanne Chun Oakland, Chair

Sen. Les Ihara, Jr., Vice Chair

## COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPS & MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Michelle Kidani, Vice Chair

Tuesday, February 8, 2011

Room 016

1:15 pm

**SB 1294- STRONG SUPPORT**

[HMSstestimony@Capitol.Hawaii.gov](mailto:HMSstestimony@Capitol.Hawaii.gov)

Aloha Chair Chun Oakland, Chair Espero and Members of the Committees!

My name is **Kat Brady** and I am the **Coordinator of Community Alliance on Prisons**, a community initiative working on prison reform and justice issues in Hawai'i for more than a decade. We respectfully offer our testimony always being mindful that Hawai'i has some 6,000 people behind bars with approximately 1,750 individuals serving their sentences abroad, thousands of miles away from their loved ones and homes.

SB 1294 repeals section 352-28, Hawaii Revised Statutes, which authorizes the executive director of the office of youth services, with the approval of the family court, to transfer a committed youth from the Hawai'i Youth Correctional Facility to an adult correctional facility for disciplinary or other reasons.

Community Alliance on Prisons stands in strong support of this measure. Hawai'i's correctional facilities are not equipped or staffed to handle youthful lawbreakers.

Mahalo for the opportunity to testify.