

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE KARL RHOADS, CHAIR  
HOUSE COMMITTEE ON JUDICIARY  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawai'i**

February 14, 2013

**RE: H.B. 237, H.D. 1; RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED IN THE JUSTICE SYSTEM.**

Chair Rhoads, Vice-Chair Har, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of H.B. 237, H.D. 1. The original bill was part of the Department's 2013 legislative package.

The purpose of this bill is to address and curtail increases in juvenile crime, which have prompted business groups to request assistance in curbing crime against their establishments. Of particular concern is the number of incidents involving juvenile offenders as young as 12 years old, many of whom are being excluded from the public education system.

At the same time, the Family Court has begun a program called Juvenile Detention Alternative Initiative (JDAI), diverting students from detention because of a philosophical belief that juvenile detention is inappropriate for juvenile offenders. Unfortunately, there are not many alternative programs currently available for juvenile offenders. Thus, we are faced with the problem of addressing the safety of businesses and the community while Family Court diverts juvenile offenders to detention alternatives that are lacking or non-existing.

H.B. 237, H.D. 1 would provide funding for the Department of Education ("DOE") to establish and implement two (2) additional "alternative schools" for at-risk youth, to be located in the Leeward School District and Honolulu School District. While the Department defers to the DOE regarding exactly what would be entailed or necessary to implement these additional alternative schools, we recommend looking to the DOE's "High Core Program" (formerly known as Storefront School)—located in Central School District—as a prime model for duplication.

High Core serves students who are identified by their home-schools as severely alienated or at-risk, and specifically seeks to reduce or prevent student dropout in the school district. In addition to academics, High Core helps at-risk students to develop appropriate socio-emotional competencies and other self-development through guidance and counseling activities.

In this way, alternative schools can address the needs of individual students by providing non-traditional education in an actual school environment, by utilizing curriculum specially designed to be appropriate and relevant, with a committed and decisive effort to keep at-risk youth in the education system. We need to divert these youth from the juvenile justice system and continue to provide them with appropriate education.

Because High Core has had such success using a stand-alone facility for its programs, the Department would highly prefer that this be done for the alternative schools in Leeward District and Honolulu District as well. In particular, it appears that Queen Lydia Liliuokalani Elementary School campus may no longer be in use, shortly, so this may be a good location for the Honolulu District's alternative school.

Although the Department's primary role is to prosecute juvenile and criminal cases within the justice system, our overarching focus is on public safety for the community, and that starts with prevention and education. As such, the Department strongly supports the duplication and implementation of programs such as High Core, to assist at-risk youth before they ever become part of the juvenile justice system, or the criminal justice system.

Attached is the budget breakdown for one school—based on figures from High Core / Storefront—to estimate the anticipated costs. To fund two additional schools, the approximate cost would be \$1.4 million. In light of the much-higher costs of prosecuting, imprisoning, supervising and/or treating adult offenders, the Department strongly believes that the cost for these two alternative schools is a small price to pay, to educate our at-risk youth and provide hope to a generation of youth who may otherwise end up in our adult correctional system.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports H.B. 237, H.D. 1. Thank you very much for considering this matter.

PIE IN THE SKY...

SALARIES: (\*\*a necessity\*\*)

Counselor (1): \$55,104

Teachers (8): \$55,104 X 8 = \$440,832

Clerk Typist (1): \$29,396

TOTAL: \$525,332

A-1 FUNDS:

Part-time Teacher pay: \$ 96,044.76 (\*\*a necessity = \$72,359.18\*\*)  
For extended day for afternoon and night school

Workstudy: \$ 8,000

TOTAL: \$104,044.76 OR \$80,359.18

B FUNDS:

Educational Supplies: \$39,000

Alert Alarm: \$ 1,650

Fax line: \$ 700

Copiers (maintenance): \$ 5,000

Electricity: \$ 6,000

Telephones: \$ 2,600

Xerox: \$ 350

Typewriter (maintenance): \$ 920

Sprint (for long distance): \$ 6

Newspaper: \$ 72

TOTAL: \$56,298

GRAND TOTAL: \$685,674.76 OR \$661,989.18

CURRENT BARE MINIMUM NECESSARY:

SALARIES:

Counselor (1): \$55,104

Teachers (8): \$55,104 X 8 = \$440,832

Clerk Typist (1): \$29,396

TOTAL: \$525,332

A-1 FUNDS:

Part-time Teacher pay: \$ 65,405.88

B FUNDS:

Alarm:	\$1,650
Fax:	\$ 700
Copiers:	\$5,000
Electricity:	\$6,000
Telephones:	\$2,600
Xerox:	\$ 350
Typewriter (maintenance):	\$ 920
Sprint (for long distance):	\$ 6
Newspaper	\$ 72
TOTAL:	\$17,298

GRAND TOTAL: \$608,035.88

**Report Title:**

Honolulu Prosecutor Package; Appropriations; Grants; Department of Education

**Description:**

Appropriates funds to the department of education for two (2) alternative schools to provide ongoing education to juveniles involved in the justice system or at-risk of involvement in the justice system. Effective 7/1/13. (Proposed H.D. 2)

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# A BILL FOR AN ACT

RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED IN THE  
JUSTICE SYSTEM.

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

1           SECTION 1. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                           or so  
3 much thereof as may be necessary for fiscal year 2013-2014 for a  
4 grant-in-aid to the department of education, to establish and  
5 maintain an alternative school in the Leeward School District of  
6 Oahu, to provide ongoing education to juveniles involved in the  
7 justice system or at high-risk of involvement in the justice  
8 system.

9           Said funding shall be provided to the Department of  
10 Education for the sole purpose of establishing and maintaining a  
11 single alternative school in the Leeward School District of  
12 Oahu, which shall be an off-campus Alternative Learning Center  
13 (ALC) modeled after the High Core Program in the Central School  
14 District of Oahu. Applicable expenses may include utilities,  
15 curriculum, equipment, supplies and the hiring of necessary  
16 staff.

1           Similar to the High Core Program, the alternative school in  
2 Leeward School District of Oahu shall service at-risk students  
3 from all secondary schools in the District, who are referred by  
4 their home schools after all school level resources have been  
5 utilized. The alternative school shall offer a variety of  
6 programs to meet the particular needs of its students, including  
7 but not limited to full-time programs, before- and after-school  
8 programs, and twilight school programs. Alternative school  
9 participants shall be identified by one or more of the following  
10 criteria:

- 11           a. Ten or more unauthorized absences (current or previous  
12           quarter)
- 13           b. Academic failure in two or more courses (current or  
14           previous quarter)
- 15           c. Three or more disciplinary referrals; Chapter 19  
16           Disciplinary Referrals for A, B, C and D offenses
- 17           d. One or more grade levels behind, retention (from Grade  
18           K to current)
- 19           e. Adjudicated, involvement with the Juvenile Justice  
20           System (current status)
- 21           f. Other at-risk factor as determined by the home school

1           SECTION 2. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                   or so  
3 much thereof as may be necessary for fiscal year 2013-2014 for a  
4 grant-in-aid to the department of education, to establish and  
5 maintain an alternative school in the Honolulu School District  
6 of Oahu, to provide ongoing education to juveniles involved in  
7 the justice system or at high-risk of involvement in the justice  
8 system.

9           Said funding shall be provided to the Department of  
10 Education for the sole purpose of establishing and maintaining a  
11 single alternative school in the Honolulu School District of  
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14 District of Oahu. Applicable expenses may include utilities,  
15 curriculum, equipment, supplies and the hiring of necessary  
16 staff.

17           Similar to the High Core Program, the alternative school in  
18 Honolulu School District of Oahu shall service at-risk students  
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20 their home schools after all school level resources have been  
21 utilized. The alternative school shall offer a variety of  
22 programs to meet the particular needs of its students, including



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2 programs, and twilight school programs. Alternative school  
3 participants shall be identified by one or more of the following  
4 criteria:

- 5 a. Ten or more unauthorized absences (current or previous  
6 quarter)
- 7 b. Academic failure in two or more courses (current or  
8 previous quarter)
- 9 c. Three or more disciplinary referrals; Chapter 19  
10 Disciplinary Referrals for A, B, C and D offenses
- 11 d. One or more grade levels behind, retention (from Grade  
12 K to current)
- 13 e. Adjudicated, involvement with the Juvenile Justice  
14 System (current status)
- 15 f. Other at-risk factor as determined by the home school

16 SECTION 3. This Act shall take effect on July 1, 2013.

INTRODUCED BY: \_\_\_\_\_



*The Judiciary, State of Hawaii*

**Testimony to the House Committee on Judiciary**

The Hon. Karl Rhoads, Chair  
The Hon. Sharon E. Har, Vice Chair

Thursday, February 14, 2013  
2:00 p.m.  
State Capitol, Conference Room 325

**WRITTEN TESTIMONY ONLY**

by  
R. Mark Browning  
Deputy Chief Judge, Senior Judge  
Family Court of the First Circuit

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**Bill No. and Title:** House Bill No. 237, HD1, Relating to Alternative Schools for Juveniles Involved in the Justice System

**Purpose:** Appropriates funds to the Dept of Education for two additional alternative schools.

**Judiciary's Position:**

The Judiciary supports this bill. Due to their background that may include traumatic life experiences, dysfunctional families, early and ongoing neglect and abuse, and lack of school readiness, some youth are unable to succeed in the traditional school setting, despite their best efforts. Often, though, that same background prevents some youth from performing at their optimal level. This bill recognizes this unfortunate truth and will bring extra monies to assist these youth, to maximize their chances to develop into healthy and contributing members of this community.

Thank you for the opportunity to submit testimony on this bill.

NEIL ABERCROMBIE  
GOVERNOR



KATHRYN S. MATAYOSHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/14/2013

**Committee:** House Judiciary

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** HB 0237,HD1(hscr137) RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES INVOLVED IN THE JUSTICE SYSTEM

**Purpose of Bill:** Appropriates funds to the DOE for 2 additional alternative schools to facilitate the ongoing education of juveniles involved in the justice system. Effective 7/1/13.

**Department's Position:**

The Department of Education (Department) supports HB 0237,HD1 as it presents an opportunity for the Department to expand programmatic services for at-risk youth in the juvenile justice system by ensuring that they have access to appropriate educational and support services in an alternative learning center.



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**Wil Okabe**  
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**Joan Kamila Lewis**  
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**Alvin Nagasako**  
Executive Director

## TESTIMONY BEFORE THE HOUSE COMMITTEE ON JUDICIARY

DATE: THURSDAY, FEBRUARY 14, 2013

RE: H.B. 237 H.D. 1 – RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES  
INVOLVED IN THE JUSTICE SYSTEM

To The Honorable Chair Rhoads and Members of the Committee:

The Hawaii State Teachers Association (HSTA) **supports to H.B. 237, H.D. 1**, "Relating to Alternative Schools for Juveniles involved in the Justice System."

HSTA is the exclusive representative of more than 13,500 public and charter school teachers statewide. As the state affiliate of the 2.2 million member National Education Association, the HSTA supports H.B. 237, H.D. 1 which provides the means in the form of a grant-in-aid to the Department of Education for an alternative school in Leeward District.

HSTA believes in legislation that provides separate facilities for minors detained for criminal offenses from, those detained for status offenses. As such, these facilities should be separate from those for adult offenders.

While it is easy to focus energy only on successful students, HSTA feels that an equally important part of nurturing a safe school environment is the development and viability of a wide range of alternative education programs which help troubled students find positive and constructive ways to deal with anger, frustration, or alienation.

Further, HSTA believes that all methods of behavioral interventions should be exhausted before resorting to the exclusion of students in a school setting. This does not preclude the removal of the offender from the school setting in order to protect other students and school employees.

As such, HSTA supports **H.B. 237, H.D. 1**, "Relating to Alternative Schools for Juveniles Involved in the Justice System."

Thank you for the opportunity to testify.