



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

**Written Testimony in Support of
HB 2489 HD1 Relating to Juvenile Justice**

HOUSE FINANCE COMMITTEE
Rep. Sylvia Luke, Chair
Rep. Scott Nishimoto, Vice Chair
Rep. Aaron Johanson, Vice Chair

February 25, 2014
2:00 p.m. Room 308

Chair Luke, Vice-Chairs Nishimoto, Johanson and members of the House Finance Committee, thank you for scheduling a hearing on HB 2489 HD1 Relating to Juvenile Justice.

The Office of the Governor submits written testimony in **support** of HB 2489 HD1 Relating to Juvenile Justice. This measure makes an appropriation to the Family Court division of the Judiciary and the Office of Youth Services for evidenced-based practices and programs that will reduce youth delinquency as well as fund mental health and substance abuse treatment programs.

Due to the timing of submitting our supplemental budget to the Legislature in December, we did not have an opportunity to review this appropriation request from the Juvenile Justice working group in time to include in the executive budget. However, this request supports the policy recommendations proposed in HB 2490 HD1 and is an essential part of reforming our juvenile justice system. This appropriation will be used to fund evidenced-based practices, programs and treatment services for court-involved youth or youth who are on probation and give our Family Court judges additional options to refer troubled youth.

Thank you for this opportunity to provide testimony in strong support of HB 2489 HD1.



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Finance

The Hon. Sylvia Luke, Chair
The Hon. Scott Y. Nishimoto, Vice Chair
The Hon. Aaron Ling Johanson, Vice Chair

Tuesday, February 25, 2014
2:00 p.m.
State Capitol, Conference Room 308

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

Bill No. and Title: House Bill No. 2489, House Draft 1, Relating to Juvenile Justice.

Purpose: Appropriates funds to DHS/OYS and the Judiciary to fund evidence-based practices for mental health, substance abuse, and other strategies in order to reduce recidivism of youth who may otherwise be placed in HYCF. (H.D. 1)

Judiciary's Position:

The Judiciary strongly supports passage of House Bill No. 2489, H.D.1, appropriating funds to the Department of Human Services/Office of Youth Services and the Judiciary to fund evidence-based practices for mental health, substance abuse, and other strategies in order to reduce recidivism of youth who may otherwise be placed at the Hawai‘i Youth Correctional Facility (HYCF).

The Hawai‘i Juvenile Justice Working Group was established in August of 2013 by Governor Neil Abercrombie, Chief Justice Mark Recktenwald, Senate President Donna Mercado Kim, and House Speaker Joseph Souki. The mission of the Working Group was “to develop policy recommendations that will accelerate reductions in the state’s use of secure beds for lower-level juvenile offenders while protecting public safety and increasing positive outcomes for youth, families, and communities. The Working Group was charged with analyzing Hawaii’s data, policies, and practices; reviewing research on evidence-based principles and national best practices; and recommending policies that will move Hawai‘i toward a more effective, equitable



and efficient juvenile justice system (2).” The Working Group’s Final Report was completed on December 13, 2013.

This bill addresses a number of the Working Group’s recommendations, including:

- Recommendation 1: Focus HYCF Beds on More Serious Youth
- Recommendation 2: Reinvest the Savings in Local Alternatives
- Recommendation 3: Provide Funding for Critical Treatment and Services in Communities
- Recommendation 4: Refocus Efforts on Substance Abuse Needs
- Recommendation 17: Create Graduated Sanctions and Incentives for Probated Youth
- Recommendation 18: Invest in Proven Practices to Reduce Reoffending.

The Final Report contains the good news that both arrests and admissions to the Hawai‘i Youth Corrections Facility (HYCF) have significantly decreased in the past decade. However, many serious challenges remain and, while the state has made strides in establishing a continuum of services, the current profile of youth in HYCF, including many non-serious offenders and youth with little juvenile justice contact, is evidence of the need for sustained and increasingly significant improvements to this continuum. Besides the more obvious advantages relative to public safety and effective rehabilitation, in-community services make fiscal sense. “State leaders across the nation have recognized that combining a more focused use of secure facilities with a continuum of services for youth can result in less recidivism, more rehabilitation of youth, and lower costs for taxpayers (4).”

The Working Group’s close review and analysis of the available data yielded very specific conclusions, which will hopefully be extremely useful as lawmakers reach decisions regarding appropriations.

The Working Group’s recommendations, taken together, are projected to accelerate current trends, reducing the HYCF average daily population by at least 60 percent by 2019. These shifts in resources will allow the closure of the Ho‘okipa Makai cottage during the 2015 fiscal year, and in total are projected to save Hawai‘i taxpayers at least \$11 million over the next five fiscal years. The Working Group recommends that the state make targeted reinvestments – estimated at \$2 million per year – of these anticipated savings to strengthen juvenile probation and reduce recidivism. Some policy recommendations will require the rededication of existing staff time, while some require the use of reinvested funds. In either case, an investment now will produce significant returns for the foreseeable future in the form of reduced reoffending and more youth set on a path to productive, law-abiding lives (10-11).



At its core, probation provides critical in-community supervision that supports and sustains adjudicated youth in the community and out of secure facilities. Every child who is successful at probation is a child who is not in a secure facility.

Similar to HYCF, the number of youth placed on probation has also declined. However, that number has not decreased at a rate that matches the decrease in arrests. Also, the length that youth spend on probation has significantly increased, while the types of offenses have remained stable. A key finding of the Final Report is: “Overwhelmingly, juvenile justice system stakeholders provided information to the Working Group about the lack of a continuum of interventions for juvenile offenders and difficulty accessing the services that do exist (9).”

Two of the Working Group’s recommendations are particularly relevant to this bill. The findings related to these two recommendations are of such importance and such relevance to this bill that they are extensively quoted here:

Recommendation 3: Provide Funding for Critical Treatment and Services in Communities

The Working Group found that the overwhelming majority of all arrests of juveniles in Hawai‘i are for minor, non-violent offenses and status offenses. Stakeholders report that, often, the underlying causes of these offenses include family dysfunction, trauma, and substance abuse, which can go woefully unaddressed due to a lack of available services. The Working Group believes that these arrests often multiply and lead to the inappropriate and excessive involvement in the juvenile justice system.

The Working Group recommends that services to address these mental health and social issues be increased and addressed statewide, and that the necessary funding be allocated through one of the child-serving agencies, to meet the myriad of mental health and social needs that our at-risk youth and their families struggle with on a daily basis. The Working Group also finds a stated need from stakeholders for secure mental health treatment, and recommends support for this need.

Recommendation 4: Refocus Efforts on Substance Abuse Needs

The heavy toll from substance abuse issues found in many juvenile justice system-involved youth and their families is a significant burden. Working Group members estimated that 80 percent of youth involved in the Hawai‘i juvenile justice system suffer from substance abuse.

Abuse, dependence, and addictions are serious challenges for Hawai‘i, and if left untreated in our juvenile populations, it could lead to joblessness, homelessness, increasing rates of delinquency



House Bill No. 2489, H.D. 1, Relating to Juvenile Justice
House Committee on Finance
Tuesday, February 25, 2014, 2:00 p.m.
Page 4

and criminality, and additional prison beds. These outcomes could create significant costs that consume an inordinate percentage of our spending.

The Working Group found that a common denominator in many delinquent acts is substance abuse, making the dearth in available services all the more troubling. The Working Group recommends that resources be allocated to address substance abuse in Hawaii's four counties, including both residential and outpatient services (12).

House Bill No.2489 , H.D.1 is practically based on the Final Reports conclusion that: "Every dollar spent on secure confinement is a dollar Hawai'i could otherwise use to build the fully-resourced, evidence-based continuum of supervision and services for delinquent youth that was envisioned during the creation of the Office of Youth Services (OYS) in 1989 (1)." The bill contains an appropriations formula that provides incentive to both the DHS/OYS and the family court to apply evidence-based practices primed to prevent HYCF placements and to maximize utilizing in-community, local alternatives.

The Working Group's Final Report clearly connects the dots between public safety, restricting HYCF to serious offenders, developing a continuum of services, expanding local alternatives based on evidence-based practices, and saving public monies by smart reinvestment. The Working Group has performed a remarkable and tangible service for this state—not just for youthful offenders and their families—but for everyone. Everyone benefits when public safety can be strengthened and when children are given the tools to reach healthy and productive futures.

The Judiciary respectfully requests that any appropriation be in addition to the original Judiciary budget request contained in House Bill No. 1638, H.D.1 / Senate Bill No. 2084, and that this additional appropriation does not come with a corresponding reduction to any items already included in our base budget request.

The Judiciary strongly supports the passage of House Bill No. 2489, H.D.1.

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



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

House Committee on Finance

HB2489, HD1, Relating to Juvenile Justice

**Testimony of Lynn Fallin
Deputy Director of Behavioral Health**

February 25, 2014, 2:00 PM, Room 308

1 **Department's Position:** We support this bill provided that its passage does not replace or adversely
2 impact priorities indicated in our Executive Budget.

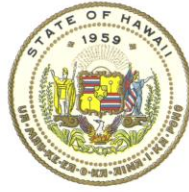
3 **Fiscal Implications:** Amount of fiscal impact unknown.

4 **Purpose and Justification:** This measure appropriates funds to the family court division of the
5 judiciary and the office of youth services to reduce juvenile delinquency recidivism through evidence-
6 based practices and mental health and substance abuse treatment programs.

7 The department of health supports the work of, and appreciates serving on, the Hawaii Juvenile
8 Justice Working Group which helped develop this measure and others, to implement the Working
9 Group's recommendations to enhance the juvenile justice system.

10 The department supports provision of behavioral health services to youth with mental health and
11 substance abuse challenges. The department has an array of substance abuse treatment services and
12 mental health services, including evidence based programs and services.

13 We thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
OFFICE OF YOUTH SERVICES
707 Richards Street, Suite 525
Honolulu, Hawaii 96813

February 24, 2014

TO: The Honorable Sylvia Luke, Chair
House Committee on Finance

FROM: David Hipp, Executive Director

SUBJECT: H.B. 2489, HD 1 – RELATING TO JUVENILE JUSTICE

Hearing: Tuesday, February 25, 2014; 2:00 p.m.
State Capitol, Conference Room 308

PURPOSE: The purpose of H.B. 2489, HD 1 is to appropriate funds to the Family Court Division of the Judiciary and the Office of Youth Services (OYS) to reduce juvenile delinquency recidivism through evidence-based practices and mental health and mental health and substance abuse treatment programs.

OFFICE'S POSITION: OYS strongly supports H.B. 2489, HD 1. On December 13th, a report was released to the Governor, the Legislature, and the Judiciary, which outlined several key data findings within our juvenile justice system that identified areas for improvement, and two dozen policy recommendations to increase the return on the investment Hawaii makes in its juvenile justice system.

The Working Group which issued this report was a 20-member bipartisan inter-branch group with stakeholders from every facet of juvenile justice, including the judiciary, law enforcement, prosecution, public defense, and community service providers. There were also 5 legislators, including the chairs from both the House and the Senate of the committees for public safety and human services, who served on the group.

The policy recommendations include targeted ways to enhance the effectiveness of juvenile probation, increase familial involvement throughout the juvenile justice system, provide for needed substance abuse and mental health treatments, and make better use of HYCF.

The sad truth is that many of these youth suffer from very serious substance abuse or mental health issues, and that need far outpaces availability for these critical treatments. The Working Group recommended investments in these treatments, a program to reinvest savings from the HYCF budget, as well as specifically targeting barriers to access and easing institutional processes to leverage currently existing resources as quickly as possible.

Further, the Working Group recommended that probation programmatic expenditures be focused on evidence-based practices, which are proven to reduce the likelihood of future reoffending in youth. Several recommendations focus on strengthening probation to ensure that probation is an effective response to juvenile delinquency and holds youth accountable while putting them back on the right track.

In conjunction with H.B. 2490, HD 1, we are confident that through these bills that our state can make both significant and long overdue strides in the field of juvenile justice by enhancing services at the “front end” of our juvenile justice system and thereby reducing recidivism.

Thank you for the opportunity to present this testimony.

Justin F. Kollar
Prosecuting Attorney

Kevin K. Takata
First Deputy



Rebecca A. Vogt
Second Deputy

Diana Gausepohl-White, LCSW
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766
808-241-1888 ~ FAX 808-241-1758
Victim/Witness Program 808-241-1898 or 800-668-5734

TESTIMONY IN SUPPORT OF
H.B. NO. 2489, HD1
A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE

Justin F. Kollar, Prosecuting Attorney
County of Kauai

House Committee on Finance

Tuesday, February 25, 2014
2:00 p.m., Room 308

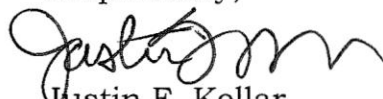
Honorable Chair Luke, Vice-Chairs Nishimoto and Johanson, and Committee Members:

The Office of the Prosecuting Attorney, County of Kauai submits the following testimony in **support** of H.B. 2489, HD1, Relating to Juvenile Justice.

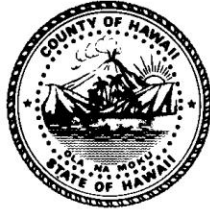
As grounds therefore, we cite to the reasons provided in the testimony of David Hipp from the Office of Youth Services, dated February 11, 2014.

For these reasons, we **support** H.B. 2489, HD1 as written. We ask the Committee to **pass** the bill. Thank you for the opportunity to testify on this matter.

Respectfully,


Justin F. Kollar
Prosecuting Attorney
County of Kaua'i

William P. Kenoi
Mayor



Walter K.M. Lau
Managing Director

Randall M. Kurohara
Deputy Managing Director

County of Hawai'i Office of the Mayor

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February 25, 2014

The Honorable Sylvia Luke, Chair
and Members of the House Committee on Finance
Hawai'i State Capitol
415 South Beretania Street, Room 308
Honolulu, Hawai'i 96813

RE: House Bill 2489, HD 1 and HB 2490, HD 1 RELATING TO JUVENILE JUSTICE

Aloha, Chair Luke and Committee Members:

Mahalo for the opportunity to offer my strong support of House Bill 2489, HD 1 that appropriates funds to the Family Court Division of the Judiciary and the Office of Youth Services in the Department of Human Services to fund evidence-based programs that will reduce juvenile delinquency recidivism, and House Bill 2490, HD 1 which will enhance the juvenile justice system, strengthen juvenile probation, enhance interagency collaboration and establish a juvenile justice oversight advisory council.

These types of programs will support our most vulnerable and challenged youth and provide them with the direction and skills they need to develop into strong adults that make positive contributions to our society.

Aloha,

Wally Lau,
MANAGING DIRECTOR

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE RA-YZ

February 25, 2014

The Honorable Sylvia Luke, Chair
and Members
Committee on Finance
State House of Representatives
Hawaii State Capitol, Room 308
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke and Members:

Subject: House Bill No. 2489, H.D. 1 Relating to Juvenile Justice

I am Raymond Ancheta, Major of the Community Affairs Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2489, H.D. 1, which appropriates funds to the Family Court and the Office of Youth Services to reduce juvenile delinquency recidivism.

The HPD recognizes that early and effective intervention with juvenile offenders greatly reduces the likelihood of reoffending. The development of such intervention programs in a manner that does not involve the arrest of the juvenile is important to avoid the negative impact of an arrest.

Thank you for the opportunity to testify in support of House Bill No. 2489, H.D. 1.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Ancheta", written over a horizontal line.

Raymond Ancheta, Major
Community Affairs Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoha", written over a horizontal line.

LOUIS M. KEALOHA
Chief of Police



HAWAII SUBSTANCE ABUSE COALITION

HB2489 HD1 Juvenile Justice: Mental Health and Substance Use Disorder Treatment .

HOUSE COMMITTEE ON FINANCE: Representative Sylvia Luke, Chair; Representative Scott Nishimoto, Vice Chair; Representative Aaron Johanson, Vice Chair

- Tuesday, Feb. 25, 2014 at 2:00 p.m.
- Conference Room 308

HSAC Supports HB2489 HD1:

Aloha Chair Luke; Vice Chair Nishimoto; Vice Chair Johanson and Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than twenty treatment and prevention agencies across the State.

In juvenile justice settings, it is estimated that 50-75% of juveniles were under the influence of drugs or alcohol at the time of their offense.

Virtually all justice-involved youth could benefit from prevention and/or treatment. While evidence-based assessments and treatment for juveniles exist; unfortunately, juvenile justice interventions are often variable, incomplete, and non-systematic at best.¹

Virtually every juvenile offender should be screened for drug abuse and mental disorders, and receive an intervention.

Treatment is well-positioned to capitalize on recent discoveries for brain targets that affect craving, euphoria, motivation, learning, memory, and inhibitory control—key contributors to addiction and relapse.

Customized treatments, involving effective medication and behavioral therapies, are innovative approaches that consider genetic variation, comorbid conditions (e.g., mental illness, chronic pain), and the addicted person's changing needs over time to counteract drug-induced changes in the brain and enhance behavioral therapies. Partnerships between community-based treatment and state programs significantly improve effectiveness.

Juveniles entering the criminal justice system can bring a number of serious problems with them—substance abuse, academic failure, emotional disturbances, physical health issues, family problems, and a history of physical or sexual abuse.

Given the high degree of emotional, physical, or sexual abuse, effective treatment and support services must be modified for their age and developmental stage. Assessment is particularly important, because not all adolescents who have used drugs need treatment. For those who do,

treatment can be integrated with juvenile drug courts, community-based supervision, juvenile detention, and community re-entry.

Families play an important role in the recovery of substance abusing juveniles, but this influence can be either positive or negative.

Parental substance abuse or criminal involvement, physical or sexual abuse by family members, and lack of parental involvement or supervision are all risk factors for adolescent substance abuse and delinquent behavior. Effective juvenile treatment requires a family-based treatment model that targets family functioning and the increased involvement of family members. Multi-systemic therapy, multidimensional family therapy, and functional family therapy show promise in strengthening families and decreasing juvenile substance abuse and delinquent behavior.²

Effective treatment of juvenile substance abusers often requires a family-based treatment model.

For juvenile offenders, treatments involve the family and address mental disorders in drug abuse treatment.

Many types of co-occurring mental health problems can be successfully addressed in standard drug abuse treatment programs. However, individuals with serious mental disorders may require a much more integrated treatment approach specifically designed for chronic conditions. Treatment alters attitudes, beliefs, and behaviors that support drug use by engaging the drug abuser in a therapeutic change process, which may include medications for mental illness. Evidence-based interventions include cognitive-behavioral therapy to help learn positive social and coping skills, contingency management approaches to reinforce positive behavioral change, and motivational enhancement to increase treatment engagement and retention.³

The largest economic benefit of treatment is seen in avoided costs of crime.



We appreciate the opportunity to provide testimony and are available for questions.

1. National Institute on Drug Abuse: Overview of Justice System Research Initiatives. Revised 2013. <http://www.drugabuse.gov/researchers/justice-system-research-initiatives>
2. National Institute on Drug Abuse: 2010 Strategic Plan. NIH Pub Number: 10-6119: September 2010. <http://www.drugabuse.gov/about-nida/2010-strategic-plan#treatment>
3. National Institute on Drug Abuse: Principles of Drug Abuse Treatment for Criminal Justice Population – A Research-Based Guide. NIH Pub No. 06-5316: September 2006/Revised January 2012: <http://www.drugabuse.gov/publications/principles-drug-abuse-treatment-criminal-justice-populations>

HAWAII YOUTH SERVICES NETWORK

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Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Child and Family Service
Coalition for a Drug Free Hawaii
Courage House Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Programs Hawaii
Family Support Hawaii
Hale Kipa, Inc.
Hale 'Opio Kauai, Inc.
Hawaii Behavioral Health
Hawaii Student Television
Healthy Mothers Healthy Babies Coalition
Hina Mauka Teen Care
Hui Malama Learning Center
Kaanalike
Kahi Mo'ohala Behavioral Health
KEY (Kualoa-Hee'ia Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kailihi Valley
Life Foundation
Marimed Foundation
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
REAL
Salvation Army Family Intervention Svcs.
Salvation Army Family Treatment Svcs.
Sex Abuse Treatment Center
Susannah Wesley Community Center
The Catalyst Group
The Children's Alliance of Hawaii
Waikiki Health Center
Women Helping Women
YWCA of Kauai

February 24, 2014

To: Representative Sylvia Luke, Chair
And members of the Committee on Finance

Testimony in Support of HB 2489 HD 1 Relating to Juvenile Justice

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 2489 HD 1 Relating to Juvenile Justice.

Youth who enter a juvenile prison are more likely to experience continued involvement in the juvenile and adult criminal justice system.

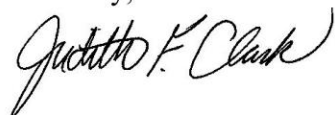
Many young people who commit crimes are in need of mental health and/or substance abuse treatment. If they receive appropriate therapy and supports, they are unlikely to engage in further criminal behavior. Instead they can become contributing members of our community.

A 17 year old boy was recently shot in the wrist when he assaulted police officers who were arresting him for running away from home. If he had been able to obtain timely and appropriate mental health services, this unfortunate episode could have been prevented. Instead, it appears that his family will have to place him in an out-of-state facility because no program in Hawaii is not able to provide the level of care he needs.

Hawaii's youth need and deserve adequate and appropriate mental health and substance abuse services to reduce and prevent juvenile crime. Prevention and treatment services cost less than incarceration and the value to our community is huge.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/email: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Nishimoto, Vice Chair

Rep. Aaron Ling Johanson, Vice Chair

Tuesday, February 25, 2014

2:00 p.m.

Room 308

SUPPORT FOR HB 2489 - FUNDING JUVENILE JUSTICE

Aloha Chair Luke, Vice Chairs Nishimoto and Johanson and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 Hawai'i individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HB 2489 HD1 appropriates funds to the family court division of the judiciary and the office of youth services to reduce juvenile delinquency recidivism through evidence-based practices and mental health and substance abuse treatment programs, respectively. Effective July 1, 2014.

Community Alliance on Prisons is in full support of this measure.

This important bill is about much more than the smart economics of providing an appropriate array of programming for our youth to address their pathways to crime. It is about growing a safe, healthy, and just community for all of us.

The Hawai'i Youth Correctional Facility was originally conceived as a small, 32-bed facility for those youth who committed more serious crimes and in need of more intensive treatment. HYCF was to be complemented by an array of community-based programs. Sadly, the program piece never happened.

Now we are sending low level youthful lawbreakers to HYCF at the whopping cost of \$200,000 a year and worse, getting them used to prison.

Research done by Dr. Marilyn Brown of UH Hilo entitled, *Motherhood on the Margins*, looked at all the women who were on parole at that time (the early 2000's) who had at least one child. Dr. Brown's research sadly revealed that 36% of those women started in the juvenile justice system.

We have heard stories of women at WCCC who started at HYCF that made us very sad. When asked how it was going into to adult prison after serving time at HYCF, most responded that it "was like going home, I knew everyone there."

Every year about 7,000 youth come before Family Court statewide. Eighty percent (80%) of those youth have substance abuse problems and sixty percent (60%) have mental health issues that need to be addressed. Currently there is only one residential treatment program for youth in Hawai'i and it is on O'ahu.

This bill addresses the screwy funding stream for services that leave the family court a paucity of or no options to help our youth. Family court judges have told me that they would rather send a youthful lawbreaker to a community-based program than to prison, however, the options are limited or nonexistent.

Let's fund programs that work to help our youth reach their highest and best potential.

Community Alliance on Prisons respectfully asks the committee to make this investment in Hawai'i's future.

Mahalo for this opportunity to testify.

*"There can be no keener revelation of a society's soul
than the way in which it treats its children."*

Nelson Mandela

finance8-Danyl

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 23, 2014 8:12 PM
To: FINTestimony
Cc: shaglund@hotmail.com
Subject: *Submitted testimony for HB2489 on Feb 25, 2014 14:00PM*

HB2489

Submitted on: 2/23/2014

Testimony for FIN on Feb 25, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
sue haglund	Individual	Support	No

Comments:

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To: FINTestimony
Cc: mauicrowe@gmail.com
Subject: Submitted testimony for HB2489 on Feb 25, 2014 14:00PM

HB2489

Submitted on: 2/22/2014

Testimony for FIN on Feb 25, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
james crowe	Individual	Comments Only	No

Comments: Please support HB2489 re: juvenile justice Imprisoning kids is the absolute worst choice. These kids can use some help, not to be shut up and shut out. The cost of \$200,000 would pay for strong corrective programs, could point them in the direction of being citizens, employees and eventually taxpayers.

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Cc: hlusk@chowproject.org
Subject: Submitted testimony for HB2489 on Feb 25, 2014 14:00PM

HB2489

Submitted on: 2/24/2014

Testimony for FIN on Feb 25, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Heather Lusk	Individual	Support	No

Comments: Please support HB 2489 HD1. We need evidence-based practices for our youth - especially to keep them out of the criminal justice system when possible. Family court reports that 80% of youth they see have substance abuse treatment needs, which are often at the root of their delinquency. Thank you for investing in our keiki!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 24, 2014 3:18 PM
To: FINTestimony
Cc: angelica.zabanal@gmail.com
Subject: *Submitted testimony for HB2489 on Feb 25, 2014 14:00PM*

HB2489

Submitted on: 2/24/2014

Testimony for FIN on Feb 25, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Angelica Zabanal	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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COMMITTEE ON FINANCE

Honorable, Sylvia Luke, Chair
Honorable, Scott Nishimoto & Aaron Ling, Vice Chairs
Tuesday February 25, 2014
2:00 p.m.
Room 308



STRONG SUPPORT HB 2490 & HB 2489– RELATING TO JUVENILE JUSTICE

Please pass these two bills with the three amendments to HB 2490 as suggested below:

1. Section 14 of the bill concerning HRS 571-48 (1)(B) should be amended to delete the provisions that juveniles whose probation has been violated or revoked, and juveniles under the jurisdiction of drug or girls court may be placed in the Hawai'i youth correctional facility (HYCF) when the court finds the youth is a "public safety risk." There is a plethora of evidence, and as this bill correctly finds, that "when less serious youth are placed in secure facilities, the risk of reoffending increases" (p. 2). Probation violations and revocations, and youth sentenced to drug or girls court are by nature "less serious offenders." The detrimental effects of incarceration on these youth remains true, even if a court believes a child poses a "public safety risk." Youth should not be incarcerated for any kind of status offenses.
2. Section 2 of the bill concerning reentry plans needs to be amended to include that youth must participate in developing her or his reentry plan. Individuals need to participate in their own reentry planning regardless of what professionals might think is "best" for them. Youth know more about themselves and their goals than anyone else no matter how "learned" the experts might be. If youth are included in making their reentry plans it is likely they will be more meaningful and ultimately more effective.
3. Throughout the bill there are numerous references to assessments based on the youth's "risks and needs." There has been tremendous development in social psychology in the last 15 years that show people are better served by identifying their strengths instead of only their weaknesses and problems. "Strength based assessments" exist, and all youth who come into contact with the juvenile justice system, need to have their strengths assessed. All references to "risks and needs" in the bill should be amended to: "strengths, risks and needs."

I was a member of the task force that developed this bill. For many years, I have studied, designed, and taught others about interventions for youth and adults that promote criminal and substance abuse desistance, and how incarceration affects people. For more on my work, publications, and teaching experiences please see www.lorennwalker.com.

Mahalo for your hard work to help youth in our state who become involved with the criminal justice system to find positive futures and to keep our community safe.

From: mailinglist@capitol.hawaii.gov
 Sent: Tuesday, February 25, 2014 10:51 AM
 To: FINTestimony
 Cc: pamelalichty@gmail.com
 Subject: Submitted testimony for HB2489 on Feb 25, 2014 14:00PM



HB2489

Submitted on: 2/25/2014

Testimony for FIN on Feb 25, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Lichty	Drug Policy Action Group	Support	No

Comments: The Drug Policy Action Group strongly supports this measure. Of the 7,000 youth in Family Court this year, a whopping 80% have substance use issues requiring treatment. This is further complicated by the fact that an estimated 60% have mental health problems. These are difficult issues to address, but we must fund programs that are based on science and research evidence if we are ever to stop the revolving door of our criminal justice system - especially for juveniles. We thank the Finance Committee for hearing this critically important measure and urge you to move it out today. Mahalo for the opportunity to testify.

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