
A BILL FOR AN ACT

RELATING TO YOUTH.

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

1 SECTION 1. The legislature finds that Hawaii is one of the
2 safest and healthiest places in the nation for children and
3 youth. However, Hawaii's youth are not immune to daily threats
4 to their health and safety. Every year, youth run away from
5 homes where abuse, neglect, and domestic violence are
6 commonplace, or from schools where intolerable bullying becomes
7 a major barrier to educational achievement. Without access to
8 safe places, youth in these situations are vulnerable and may be
9 victimized by predatory adults who lure them into alcohol and
10 substance abuse or prostitution.

11 In October 2012, these concerns were discussed during the
12 annual children and youth summit sponsored by the legislature's
13 keiki caucus. In these discussions, youth expressed concerns
14 over a lack of safe places. Youth were interested in accessing
15 places where they could seek safety from intolerable home or
16 school environments without fear of being judged, detained, or
17 criminalized as a runaway. Youth also expressed interest in
18 being able to access other youth-specific advice, guidance,



1 programs, and services, including guidance and counseling for
2 suicide prevention, teen pregnancy prevention, tobacco use
3 cessation, and alcohol and substance abuse support. Finally,
4 youth wished to access safe places where they could have fun
5 without the fear of being harassed, bullied, or pressured by
6 other youth or adults. At the end of the summit, participating
7 youth identified the need for safe places as one of their
8 highest priorities.

9 The legislature finds that for the safety and wellbeing of
10 Hawaii's youth, youth in crisis should have access to safe
11 places and appropriate services. The legislature further finds
12 that it shall be the goal of the safe places and services
13 providers to reunite youth with their families whenever this is
14 determined to be safe for the youth.

15 Accordingly, the purpose of this Act is to:

16 (1) Require the office of youth services to coordinate a
17 five-year safe places for youth pilot program, to
18 coordinate a network of safe places which youth in
19 crisis, of at least fourteen years of age and under
20 the age of twenty-one can access for safety and to
21 obtain advice, guidance, and access to programs and
22 services;



1 (2) Establish the position of safe places for youth pilot
2 program coordinator;

3 (3) Establish a framework to allow youth in crisis under
4 the age of eighteen to consent to receive services
5 from a service provider of the safe places for youth
6 pilot program; and

7 (4) Appropriate funds for the safe places for youth pilot
8 program coordinator position and residential options
9 for the pilot program.

10 SECTION 2. (a) Beginning on July 1, 2015, the office of
11 youth services shall implement a safe places for youth pilot
12 program in partnership with private organizations. The primary
13 objective of the pilot program shall be to coordinate a network
14 that youth in crisis may access for safety and to obtain advice,
15 guidance, and access to programs and services. All youth in
16 crisis are eligible for the program's services.

17 (b) There is established the position of safe places for
18 youth pilot program coordinator. The coordinator shall:

19 (1) Coordinate a network of safe places for youth in
20 crises;

21 (2) Partner with an entity to maintain an updated listing
22 of safe places statewide;



- 1 (3) Provide ongoing training of school personnel,
2 community members, and service providers;
- 3 (4) Partner with the department of education, Hawaii state
4 student council, peer education programs, private
5 schools, and other youth services organizations to
6 build awareness of the safe places for youth network;
7 and
- 8 (5) Convene an annual meeting of service providers and
9 other interested parties to identify emerging needs,
10 provide feedback on the pilot program's effectiveness,
11 and provide an opportunity to recommend improvements
12 to the pilot program.
- 13 (c) The safe places for youth pilot program shall provide
14 access to and linkage with services and programs needed by youth
15 in crisis, including:
 - 16 (1) Domestic violence prevention or reduction;
 - 17 (2) Violence and trauma recovery and support;
 - 18 (3) Human trafficking resources and prevention;
 - 19 (4) Suicide prevention;
 - 20 (5) Resources targeted at teenagers, including teen
21 pregnancy prevention;
 - 22 (6) Tobacco use cessation;



- 1 (7) Alcohol and substance abuse support;
- 2 (8) Behavioral health counseling and education;
- 3 (9) Assistance for youth to achieve their educational and
- 4 vocational goals;
- 5 (10) Dating violence prevention; and
- 6 (11) Other relationship-building and life skills.
- 7 (d) Service providers may provide services to a consenting
- 8 youth in crisis who is less than eighteen years of age if the
- 9 service provider reasonably believes that:
 - 10 (1) The youth in crisis understands the significant
 - 11 benefits, responsibilities, risks, and limits of the
 - 12 service provider and its services and can communicate
 - 13 an informed consent;
 - 14 (2) The youth in crisis understands the requirements and
 - 15 rules of the service provider and services;
 - 16 (3) The service provider and services are necessary to
 - 17 ensure the safety and well-being of the youth in
 - 18 crisis; and
 - 19 (4) The service provider has conducted an assessment and
 - 20 determined that the youth in crisis does not pose a
 - 21 danger to self or to others persons at the safe place.
 - 22 If the service provider determines that admitting the



1 youth in crisis poses a danger, the service provider
2 shall report the matter to an appropriate agency.

3 (e) A youth in crisis less than eighteen years of age may
4 consent to the services of a service provider and related
5 services if the youth in crisis understands the benefits,
6 responsibilities, risks, and limits of the service provider and
7 services and the youth in crisis agrees to adhere to the service
8 provider's rules and cooperate and participate in those services
9 recommended by the service provider; provided that:

10 (1) The service provider has not, despite reasonable
11 efforts, been able to contact the parent, legal
12 guardian, or legal custodian of the youth in crisis;

13 (2) The service provider has made contact with the parent,
14 legal guardian, or legal custodian of the youth in
15 crisis, and the parent, legal guardian, or legal
16 custodian has refused to give consent and, based on
17 the information available to the service provider, the
18 service provider reasonably believes that the youth in
19 crisis would incur harm, or would be subject to
20 threatened harm, if the youth in crisis returned
21 immediately to the home of the parent, legal guardian,
22 or legal custodian; or



1 (3) The youth in crisis has refused to provide contact
2 information for the parent, legal guardian, or legal
3 custodian of the youth in crisis, and the service
4 provider reasonably believes that the youth in crisis
5 would incur harm, or would be subject to threatened
6 harm, if the youth in crisis returned immediately to
7 the home of the parent, legal guardian, or legal
8 custodian.

9 (f) Any consent given by a youth in crisis less than
10 eighteen years of age to a service provider shall be valid and
11 binding for the duration of the period for which the minor
12 wishes to receive services with respect to all services, as if
13 the minor had reached the age of majority.

14 (g) Service providers shall document in writing the
15 efforts made to contact the parent, legal guardian, or legal
16 custodian of the youth in crisis.

17 (h) Service providers shall report any suspected child
18 abuse or neglect to the department of human services or the
19 applicable police department in accordance with section 350-1.1,
20 Hawaii Revised Statutes.



1 (i) The office of youth services shall coordinate a
2 comprehensive network of safe places for youth to assist youth
3 in obtaining the advice and guidance they need.

4 (j) The safe places for youth pilot program shall cease to
5 exist on June 30, 2020.

6 (k) For the purposes of this Act:

7 "Safe places" means physical and virtual places of safety
8 for youth in crisis, and includes service providers.

9 "Service provider" means any individual, organization, or
10 agency designated by the safe places for youth pilot program
11 coordinator that maintains, operates, or provides services and
12 programs listed under subsection (c) to youth in crisis in the
13 normal course of the individual, organization, or agency's
14 duties, and maintains in good standing all licenses,
15 certifications, and requirements of an individual, organization,
16 or agency providing such services or programs to youth in crisis
17 under state law or rules, as verified by the coordinator.

18 "Youth in crisis" means a person who is at least fourteen
19 but less than twenty-one years of age experiencing a crisis
20 situation, including problems at home, issues at school, trouble
21 with peers, being thrown or locked out of the house, riding with
22 an unsafe driver, being in a dangerous situation on a date,



1 contemplation of suicide, sexual abuse, or alcohol or substance
2 abuse.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2014-2015 for the
6 position of safe places for youth pilot program coordinator and
7 temporary housing opportunities for youth in crisis who
8 participate in the pilot program.

9 The sum appropriated shall be expended by the office of
10 youth services of the department of human services for the
11 purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Office of Youth Services; Safe Places for Youth Pilot Program;
Appropriation

Description:

Requires the office of youth services to coordinate a five-year safe places for youth pilot program to establish a network of safe places where youth can access safety and services. Establishes the position of safe places for youth program coordinator. Allows youth in crisis under 18 years of age to consent to services in the safe places program. Makes an appropriation. Effective July 1, 2050. (SB2211 HD2)

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