



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

April 1, 2014

TO: The Honorable David Y. Ige, Chair
Senate Committee on Ways and Means

FROM: David Hipp, Executive Director

SUBJECT: H.B. 2489, HD 2, SD 1 – Relating to Juvenile Justice

Hearing: Wednesday, April 2, 2014; 9:20 a.m.
State Capitol, Conference Room 211

PURPOSE: The purpose of H.B. 2489, HD 2, SD 1 is to appropriate funds to the Family Court Division of the Judiciary and the Office of Youth Services (OYS) to reduce juvenile delinquency and recidivism through evidence-based practices and mental health and substance abuse treatment programs.

OFFICE'S POSITION: OYS strongly supports H.B. 2489, HD 2, SD 1. On December 13, 2013, 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 the Hawaii Youth Correctional Facility.

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.

Following discussion with the Judiciary, represented by Judge R. Mark Browning, Deputy Chief Judge, Senior Family Court Judge, it has been agreed between the Judiciary and the Office of Youth Services that the bill should be amended as follows:

SECTION 2. (a) If there are unexpended funds after ~~After~~ the objectives and purposes of the appropriations made in the Hawaii youth correctional facility budget have been met due to average daily population reductions in the Hawaii youth correctional facility, these funds may be reinvested by the office of youth services in collaboration with the department of education, department of health or judiciary for front-end services for at-risk youth to reduce recidivism and the need for incarceration while still ensuring public safety. ~~in the last month of each fiscal year, the executive director of the office of youth services shall certify to the director of finance the amount of unexpended funds. No later than July 1 of each year, the~~

~~director of finance shall transfer the unexpended funds certified by the executive director of the office of youth services to the family court division of the judiciary to fund evidence based practices intended to reduce recidivism and improve outcomes for youth who otherwise would likely have been sent to the Hawaii youth correctional facility. The family court division shall divide the funds among the four judicial circuits in the following proportion:~~

~~(1) The first circuit: forty five per cent;~~

~~(2) The second circuit: twenty five per cent;~~

~~(3) The third circuit: twenty per cent; and~~

~~(4) The fifth circuit: ten per cent.~~

~~(b) The family court division The executive director shall submit annual reports to the legislature no later than twenty days prior to the convening of each regular session, reporting the services or programs funded pursuant to this section, the number of youth served by each service or program, and the case outcomes for youth.~~

In conjunction with H.B. 2490, HD 2, SD 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 and continuing to ensure public safety.

Thank you for the opportunity to present this testimony.

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
HOUSE BILL NO. 2489, H.D. 2, S.D. 1

April 2, 2014

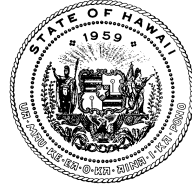
RELATING TO JUVENILE JUSTICE

House Bill No. 2489, H.D. 2, S.D. 1, appropriates funds for FY 15 to the Office of Youth Services (OYS) to reduce juvenile delinquency recidivism and to address mental health and substance abuse issues. Section 2 of the bill requires that in June of every fiscal year, the OYS shall certify to the Director of Finance the amount of unexpended funds (or program savings) generated by OYS due to the average daily population reduction at the Hawaii Youth Correctional Facility. In turn, the Director of Finance shall transfer these savings, no later than July 1, to the Family Court, which shall divide the funds among the four judicial circuits according to a percentage formula.

The Department of Budget and Finance does not take a position on the policy of additional services for juvenile delinquents; however, we would like to point out that the funding mechanism proposed in Section 2 of this bill is highly variable and does not provide a high level of certainty to the Judiciary in planning for, procuring and delivering services.

In general, the mechanism and process to transfer current year appropriations of an Executive Branch department to an operation of the Judiciary in the immediate following fiscal year does not appear to conform to the tenets of

the budget appropriation statute. Section 3 of the bill makes an appropriation of funds for FY 15 to the OYS; however, the bill does not appropriate funds to the Family Court Division. We strongly recommend that the Legislature make an appropriation of funds for future fiscal years, rather than attempting to transfer uncertain savings from OYS to the Family Courts. Any future program savings at OYS should simply lapse to the general fund.



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

In reply, please refer to:
File:

Senate Committee on Ways and Means

HB2489, HD2, SD1, Relating to Juvenile Justice

**Testimony of Linda Rosen, M.D., M.P.H.
Director of Health**

April 2, 2014, 9:20 AM, Room 211

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 office of youth services to reduce
5 juvenile delinquency recidivism through evidence-based practices and mental health and substance
6 abuse treatment programs.

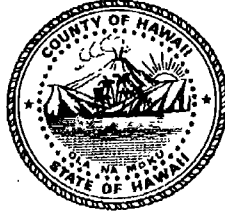
7 The department of health supports the work of, and appreciates serving on, the Hawaii Juvenile
8 Justice Working Group which helped develop this measure and others, to implement the Working
9 Group's recommendations to enhance the juvenile justice system.

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.

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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 2489 HD2 SD1

A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE

COMMITTEE ON WAYS AND MEANS

Sen. David Y. Ige, Chair

Sen. Michelle N. Kidani, Vice Chair

Wednesday, April 2, 9:20 AM
State Capitol, Conference Room 211

Honorable Chair Ige, Vice Chair Kidani, and Members of the Committee on Ways and Means, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 2489 HD2 SD1.

The purpose of this measure is to appropriate 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.

Many juvenile offenders suffer from serious substance abuse or mental health issues. It is vital to fund statewide practices that are proven to address these issues and reduce the likelihood of juvenile recidivism.

The Office of the Prosecuting Attorney of the County of Hawai'i supports the passage of House Bill No. 2489 HD2 SD1. Thank you for the opportunity to testify on this matter.

Respectfully,

Mitchell D. Roth
Prosecuting Attorney
County of Hawai'i



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

**Written Testimony in Support of
HB 2489 HD2 SD1 Relating to Juvenile Justice**

**SENATE COMMITTEE ON WAYS AND MEANS
Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair**

**April 2, 2014
9:20 a.m. Room 211**

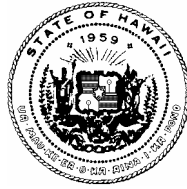
Chair Ige, Vice Chair Kidani and members of the Senate Committee on Ways and Means thank you for scheduling a decision making hearing on HB 2489 HD2 SD1 Relating to Juvenile Justice.

The Office of the Governor submits written testimony in **support** of HB 2489 HD2 SD1 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.

In August 2013, with the assistance of the Pew Charitable Trusts, my administration, the Judiciary and the Legislature convened a working group to review data and research and develop policy changes to improve and enhance our juvenile justice system.

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 HD2 SD1 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 HD2 SD1.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

April 2, 2014

MEMORANDUM

TO: The Honorable David Y. Ige, Chair
Senate Committee on Ways and Means

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 2489, H.D.2, S.D. 1 - RELATING TO JUVENILE JUSTICE**

Hearing: Wednesday, April 2, 2014; 9:20 a.m.
Conference Room 211, State Capitol

PURPOSE: The purpose of this bill is to appropriate funds to the Office of Youth Services to reduce juvenile delinquency recidivism through evidence-based practices and mental health and substance abuse treatment programs. Unexpended funds are to be transferred to the Family Court Division of the Judiciary to fund evidence-based practices to reduce recidivism and improve outcomes for youth.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports H.B. 2489, H.D. 2, S.D.1, which will provide funding for system changes recommended by the Hawaii Juvenile Justice Working Group. One of the recommendations of the Working Group which tasked to make policy recommendations that will move Hawai'i toward a more effective, equitable and efficient juvenile justice system, was to reduce the State's use of secure beds for lower-level juvenile offenders while still protecting public safety and increasing positive outcomes.

The funding requested in this bill is intended to reduce juvenile delinquency recidivism through evidence-based practices and mental health and substance abuse treatment programs. Many at risk or offending youth suffer from very serious substance abuse or mental health issues, and that need far outpaces availability for these critical treatments.

H.B. 2490 includes the system changes proposed by the Working Group that will improve our juvenile justice by enhancing services at the “front end” of our juvenile justice system and thereby reducing recidivism.

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



The Judiciary, State of Hawai‘i

Testimony to
The Senate Committee on Ways and Means
The Honorable David Y. Ige, Chair
The Honorable Michelle N. Kidani, Vice Chair

Wednesday, April 2, 2014, 9:20 AM
State Capitol, Conference Room 211

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 2, Senate 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. Effective July 1, 2014. (S.D.1)

Judiciary's Position:

The Judiciary strongly supports passage of House Bill No. 2489, H.D. 2, S.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



House Bill No. 2489, H.D. 2, S.D.1 Relating to Juvenile Justice
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of delinquency 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. 2, S.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.

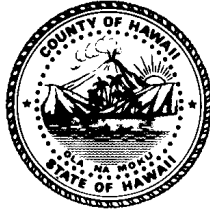
The Working Group's Final Report clearly connects the dots between public safety, restricting HYCF to serious offenders, developing a continuum of services, expanding local alternatives based on evidence-based practices, and saving public monies by smart reinvestment. The Working Group has performed 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 supports any proposed amendment that would authorize the OYS to reinvest unexpended funds, in collaboration with the Department of Education, Department of Health or Judiciary, for front-end services for at risk youth to prevent incarceration and reduce recidivism.

The Judiciary strongly supports the passage of House Bill No. 2489, H.D. 2, S.D.1.

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

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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April 2, 2014

The Honorable David Y. Ige, Chair
and Members of the Senate Committee on
Ways and Means
Hawai'i State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawai'i 96813

RE: House Bill 2489, HD 2, SD 1

Aloha, Chair Ige and Committee Members:

Mahalo for the opportunity to offer my strong support of House Bill 2489, HD 2 SD 1 that appropriates funds to the Office of Youth Services in the Department of Human Services to reduce juvenile delinquency recidivism through mental health and substance abuse treatment programs.

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



HAWAII SUBSTANCE ABUSE COALITION

HB2489 HD2 SD1 Juvenile Justice: Mental Health and Substance Use Disorder Treatment.

COMMITTEE ON WAYS AND MEANS: Senator Ige, Chair; Kidani, Vice Chair

- Wednesday, April 2, 2014 at 9:20 a.m.
- Conference Room 211

HSAC Supports HB2489 HD2 SD1:

Aloha Chair Ige; Vice Chair Kidani; 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.

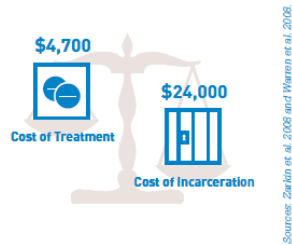
Parental substance abuse or criminal involvement, physical or sexual abuse by family members, and lack of parental involvement or supervision are all risk factors for adolescent substance abuse and delinquent behavior. Effective juvenile treatment requires a family- based treatment model that targets 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>

COMMITTEE ON WAYS AND MEANS

Honorable Senator David Y. Ige, Chairperson
Honorable Senator Michelle N. Kidani, Vice Chairperson
Tuesday, April 2, 2014
9:20 p.m.
Room 211

STRONG SUPPORT HB 2490, HD2, SD1 and HB 2489. HD2, SD1 - RELATING TO JUVENILE JUSTICE

We are a long time non-profit incorporated to improve the justice system by increasing civic engagement. We began in 1980 by providing a juvenile diversion pilot in collaboration with the family court of the first circuit. Since then we have designed, provided, evaluated, and published on numerous interventions for youth and adults harmed by crime and social injustice. We are frequently asked to contribute knowledge locally, nationally and internationally by organizations, scholars, practitioners, and students on our restorative justice, public health and solution-focused interventions.

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 remain 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 you 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 showing 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."

Loren Walker was a member of the task force that developed this legislation and is the executive director of Hawai'i Friends of Justice & Civic Education, which she has worked with for over 20 years.

Thank you for your time and efforts serving the public and our community.



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Andy Levin
Neighbor Island Board Liaison

April 1, 2014

TO: Committee on Ways and Means
FROM: Jaque Kelley-Uyeoka, Deputy CEO, Hale Kipa

RE: SUPPORT for HB 2489, HD2, SD1 Relating to Juvenile Justice

Dear Senators David Ige (Chair) and Michelle Kidani (Vice-Chair)

Thank you for allowing Hale Kipa to testify in support of this bill. Hale Kipa serves many youth who have been arrested and are in the juvenile justice system. Our services work towards assisting youth get on track with their family, education and positive community living. In addition, we provide a variety of monitoring and support services to ensure youth meet their probationary requirements and remain arrest-free. Ensuring programs, based on proven practices, to respond to youth's needs quickly and early in their juvenile justice system involvement could change the tide and result in less costly incarceration.

Concurrently, many of our youth are challenged though by mental health or substance abuse needs and without services in these critical areas, it becomes difficult for them to be able to meet their probation conditions and achieve their long-term goals. Services in these areas are lacking in the State which discourages any advances the youth and his family are working towards. Funding that will allow more youth to access mental health and substance abuse treatment will truly turn the trajectory for these young people and they are fully worth the investment.

Please consider passing HB 2489, HD2, SD1 with adequate funding to make a difference.

Thank you for your time.

Sincerely,

Jaque Kelley-Uyeoka, ACSW
Deputy CEO, Hale Kipa, Inc.



HAWAII YOUTH SERVICES NETWORK

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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 Mohala Behavioral Health
KEY (Kualoa-Heeia Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalihi 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

March 30, 2014

To: Senator David Ige, Chair
And members of the Committee on Ways and Means

Testimony in Support of HB 2489 HD 2 SD 1 Relating to Juvenile Justice

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 2489 HD 2 SD 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.

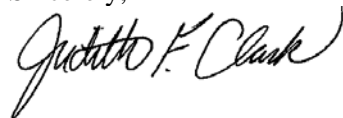
Many young people who commit crimes are in need of mental health and/or substance abuse treatment. If they receive appropriate therapy and supports, they are unlikely to engage in further criminal behavior. Instead they can become contributing members of our community.

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 when he first encountered the juvenile justice system, 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

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COMMITTEE ON WAYS AND MEANS

Sen. David Ige, Chair

Sen. Michelle Kidani, Vice Chair

Wednesday, April 2, 2014

9:20 a.m.

Room 211

SUPPORT FOR HB 2489 HD2, SD1 -*INVESTING* in JUVENILE JUSTICE

Aloha Chair Ige, Vice Chair Kidani 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 HD2, SD1 appropriates funds to the office of youth services to reduce juvenile delinquency recidivism through evidence-based practices and mental health and substance abuse treatment programs.

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.

Policymakers are always talking about addressing the front-end of crime. Well, ladies and gentlemen, here it is. This bill will fund the programs our youth desperately need to navigate our ever-changing and fast-moving world.

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 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 been told by women in the adult system who had started in the juvenile justice system that it *"was like going home, I knew everyone there"* when they were sentenced to HYCF.

Judge Browning testified that 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 drive our juvenile incarceration rates because of how the funding flows. This leads many youth into HYCF to access the services that should be available in the community. This leave the family court a paucity of, *or worse*, 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, especially on our other islands.

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

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Pauline.Pavao@usw.salvationarmy.org
Subject: Submitted testimony for HB2489 on Apr 2, 2014 09:20AM
Date: Tuesday, April 01, 2014 7:49:04 AM

HB2489

Submitted on: 4/1/2014

Testimony for WAM on Apr 2, 2014 09:20AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Pauline Pavao	The Salvation Army-Family Intervention Services	Support	No

Comments: The Salvation Army-Family Intervention Services, with services on the Big Island and Maui, strongly supports this measure and ask your support in passage of HB 2489, HD2, SD1....Mahalo

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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