

HB 2489

HD2

Measure Title:	RELATING TO JUVENILE JUSTICE.
Report Title:	Hawaii Youth Correctional Facility; Juvenile Justice; Recidivism; Appropriation (\$)
Description:	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, 2030. (HB2489 HD2)
Companion:	<u>SB3032</u>
Package:	None
Current Referral:	HMS/JDL, WAM
Introducer(s):	CARROLL



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

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

**SENATE HUMAN SERVICES COMMITTEE
SENATE JUDICIARY AND LABOR COMMITTEE
Senator Suzanne Chun Oakland, Chair
Senator Clayton Hee, Chair
Senator Josh Green, Vice Chair
Senator Maile Shimabukuro, Vice Chair**

**March 18, 2014
10:00 a.m. Room 016**

Chair Chun Oakland, Chair Hee, Vice Chair Green, Vice Chair Shimabukuro and members of the Senate Human Services and Judiciary and Labor Committees, thank you for scheduling a hearing on HB 2489 HD2 Relating to Juvenile Justice.

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



The Judiciary, State of Hawai‘i

Testimony to
The Senate Committee on Human Services
The Honorable Suzanne Chun Oakland, Chair
The Honorable Josh Green, M.D., Vice Chair

The Senate Committee on Judiciary and Labor
The Honorable Clayton Hee, Chair
The Honorable Maile S. L. Shimabukuro, Vice Chair

Tuesday, March 18, 2014, 10:00 a.m.
State Capitol, Conference Room 016

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, 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, 2030. (H.D. 2)

Judiciary's Position:

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



House Bill No. 2489, H.D. 2 Relating to Juvenile Justice
Senate Committee on Human Services
Senate Committee on Judiciary and Labor
Tuesday, March 18, 2014, 10:00 a.m.
Page 2

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



House Bill No. 2489, H.D. 2 Relating to Juvenile Justice
Senate Committee on Human Services
Senate Committee on Judiciary and Labor
Tuesday, March 18, 2014, 10:00 a.m.
Page 3

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.



House Bill No. 2489, H.D. 2 Relating to Juvenile Justice
Senate Committee on Human Services
Senate Committee on Judiciary and Labor
Tuesday, March 18, 2014, 10:00 a.m.
Page 4

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 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 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. 2, 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. 2.

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

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEES ON HUMAN SERVICES AND
JUDICIARY AND LABOR
ON
HOUSE BILL NO. 2489, H.D. 2

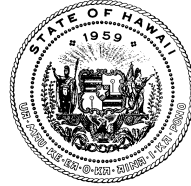
March 18, 2014

RELATING TO JUVENILE JUSTICE

House Bill No. 2489, H.D. 2, appropriates funds for FY 15 to the Family Court Division of the Judiciary and 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.

Sections 3 and 4 of the bill make appropriations of funds for FY 15 to the Family Court Division and to OYS. 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 Human Services
Senate Committee on Judiciary and Labor
HB2489, HD2, Relating to Juvenile Justice
Testimony of Linda Rosen, M.D., M.P.H.
Director of Health
March 18, 2014, 10:00 AM, Room 016

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.

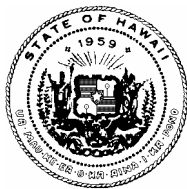
3 **Fiscal Implications:** Amount of fiscal impact unknown.

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

March 18, 2014

MEMORANDUM

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

The Honorable Clayton Hee, Chair
Senate Committee on Judiciary and Labor

FROM: Patricia McManaman, Director

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

Hearing: Tuesday, March 18, 2014; 10:00 a.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of this bill 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, respectively.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports H.B. 2489, H.D. 2, 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.



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

March 17, 2014

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

The Honorable Clayton Hee, Chair
Senate Committee on Judiciary and Labor

FROM: David Hipp, Executive Director

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

Hearing: Tuesday, March 18, 2014; 10:00 a.m.
State Capitol, Conference Room 016

PURPOSE: The purpose of H.B. 2489, HD 2 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. 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.

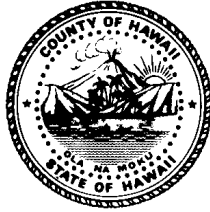
The sad truth is that many of these youth suffer from very serious substance abuse or mental health issues, and that need far outpaces availability for these critical treatments. The Working Group recommended investments in these treatments, a program to reinvest savings from the HYCF budget, as well 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.

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.

William P. Kenoi
Mayor



Walter K.M. Lau
Managing Director

Randall M. Kurohara
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokalole Hwy., Bldg. C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

March 18, 2014

The Honorable Suzanne Chun Oakland, Chair
and Members of the Senate on Human Services
The Honorable Clayton Hee, Chair
and Members of the Senate Committee on
Judiciary and Labor
Hawai'i State Capitol
415 South Beretania Street, Room 016
Honolulu, Hawai'i 96813

RE: House Bill 2489, HD 2

Aloha, Chair Chun Oakland, Chair Hee and Committee Members:

Mahalo for the opportunity to offer my strong support of House Bill 2489, HD 2 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.

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

Bernard P. Carvalho, Jr.
Mayor



Nadine K. Nakamura
Managing Director

OFFICE OF THE MAYOR
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite 235, Lihu'e, Hawai'i 96766
TEL (808) 241-4900 FAX (808) 241-6877

March 14, 2014

The Honorable Karl Rhoads, Chair
and Members of the House Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawai'i 96813

RE: House Bill 2489 and 2490 RELATING TO JUVENILE JUSTICE

Aloha, Chair Rhoads and Committee Members:

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

These types of programs will support our youth and provide them with safe within their communities, and offer them guidance and skills that they need to grow into contributing members to our society.

Aloha,

Bernard P. Carvalho Jr.
Mayor, County of Kaua'i

Bernard P. Carvalho, Jr.
Mayor



Nadine K. Nakamura
Managing Director

OFFICE OF THE MAYOR
LIFE'S CHOICES KAUAI
County of Kauai, State of Hawaii
4444 Rice Street, Suite 235, Lihu'e, Hawaii 96766
TEL (808) 241-4900 FAX (808) 241-6877

Theresa C. Koki
Life's Choices Kauai Coordinator

March 14, 2014

The Honorable Karl Rhoads, Chair
and Members of the House Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

RE: House Bill 2489 and 2490 RELATING TO JUVENILE JUSTICE

Aloha, Chair Rhoads and Committee Members:

Aloha and thank you for this opportunity to offer my support of House Bill 2489, which appropriates funds to the Family Court Division of the Judiciary and the Office of Youth Services to reduce juvenile delinquency recidivism by funding evidence-based programs practices and mental health and substance abuse treatment programs.

I would also like to support House Bill 2490, as it will enhance the juvenile justice system, strengthen juvenile probation by giving them tools needed to keep our youth safe. This HB will also improve communication and collaboration with our service providers and establish a juvenile justice oversight advisory council.

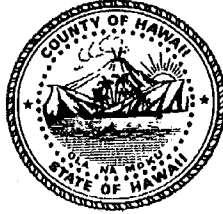
These programs will ensure that our youth have abundant opportunities to be safe, healthy, responsible, loved, and supported by their families and communities.

Aloha,

Theresa C. Koki
Life's Choices Kauai Coordinator

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908
(808) 934-3403
(808) 934-3503

WEST HAWAII UNIT
81-980 HALEKI'I ST, SUITE 150
KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
FAX: (808) 322-6584

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 2489 HD2

A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE

COMMITTEE ON HUMAN SERVICES

Sen. Suzanne Chun Oakland, Chair
Sen. Josh Green, Vice Chair

COMMITTEE ON JUDICIARY AND LABOR

Sen. Clayton Hee, Chair
Sen. Maile S.L. Shimabukuro, Vice Chair

Tuesday, March 18, 10:00 AM
State Capitol, Conference Room 016

Honorable Chairs Oakland and Hee, Vice Chairs Hee and Shimabukuro, and Members of the Committee on Human Services and the Committee on Judiciary and Labor, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 2489 HD2.

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. Thank you for the opportunity to testify on this matter.

Respectfully,

Mitchell D. Roth
Prosecuting Attorney
County of Hawai'i

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, Līhu'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, HD2
A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE

Justin F. Kollar, Prosecuting Attorney
County of Kauai

Senate Committees on Human Services and Judiciary and Labor

Tuesday, March 18, 2014
10:00 a.m., Room 016

Honorable Chairs Chun Oakland and Hee, Vice-Chairs Green and Shimabukuro, and Committee Members:

The Office of the Prosecuting Attorney, County of Kauai submits the following testimony in **support** of H.B. 2489, HD2, 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 24, 2014.

For these reasons, we **support** H.B. 2489, HD2 as written. We ask the Committees to **pass** the bill. Thank you for the opportunity to testify on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Justin F. Kollar", is written over a horizontal line.

Justin F. Kollar
Prosecuting Attorney
County of Kaua'i

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE RA-YZ

March 18, 2014

The Honorable Suzanne Chun Oakland, Chair
and Members
Committee on Human Services
The Honorable Clayton Hee, Chair
and Members
Committee on Judiciary and Labor
State House of Representatives
Hawaii State Capitol, Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Chun Oakland and Hee and Members:

Subject: House Bill No. 2489, H.D. 2 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. 2, 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. 2.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray", with a large, stylized flourish extending to the right.

Raymond Ancheta, Major
Community Affairs Division

APPROVED:

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

LOUIS M. KEALOHA

Chief of Police

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON HUMAN SERVICES

Sen. Suzanne Chun Oakland, Chair

Sen. Josh Green, Vice Chair

COMMITTEE ON JUDICIARY AND LABOR

Sen. Clayton Hee, Chair

Sen. Maile Shimabukuro, Vice Chair

Tuesday, March 18,, 2014

10:00 a.m.

Room 016

SUPPORT FOR HB 2489 HD2 - FUNDING JUVENILE JUSTICE

Aloha Chairs Chun Oakland and Hee, Vice Chairs Green and Shimabukuro and Members of the Committees!

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 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, 2030.

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 been told by women in the adult system that started at HYCF 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 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



Hale Kipa

615 Pi'ikoi Street, Suite 203 T 808 589-1829
Honolulu, Hawai'i 96814-3139 F 808 589-2610
E info@halekipa.org

Executive Staff

Punky Pletan-Cross
Chief Executive Officer

Jaque Kelley-Uyeoka
Deputy CEO

Dori Tyau
Director of Human Resources

Board of Directors

Luke W.T. Yeh
Chair

Scott W.H. Seu
Vice Chair

Zachary A. McNish
2nd Vice Chair

Greg J. Sitar
Treasurer

Susan Y.M. Utsugi
Secretary

Heidi Cregor
Past Chair

Brian Isobe
Past Chair

Paul Schraff
Past Chair

Galen Haneda

Sherrri-Ann Iha

Michael Magaoy

Karen Miller

Richard J. Sakoda

Zadoc W. Brown, Jr.
Neighbor Island Board Liaison

Andy Levin
Neighbor Island Board Liaison

March 15, 2014

TO: Committees of Human Services and Judiciary and Labor
FROM: Jaque Kelley-Uyeoka, Deputy CEO, Hale Kipa

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

Dear Senators Chun-Oakland, Chair; Josh Green, Vice Chair; Clayton Hee, Chair, Maile S.L. Shimabukuro, 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, HD with adequate funding to make a difference.

Thank you for your time.

Sincerely,

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





HAWAII SUBSTANCE ABUSE COALITION

HB2489 HD2 RELATING TO JUVENILE JUSTICE

SENATE COMMITTEE ON HUMAN SERVICES: Senator Suzanne Chun Oakland, Chair; Senator Josh Green, Vice Chair

SENATE COMMITTEE ON JUDICIARY AND LABOR: Senator Clayton Hee, Chair; Senator Maile S.L. Shimabukuro, Vice Chair

- Tuesday, March 18, 2014 at 10:00 a.m.
- Conference Room 016

HSAC Supports HB2489 HD2:

Good Morning Chairs Chun Oakland and Hee; Vice Chairs Green and Shimabukuro; 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.

The Hawaii Substance Abuse Coalition strongly supports implementation of the recommendations of the Hawaii Juvenile Justice Working Group to strengthen Hawaii's juvenile justice system by providing additional community resources for evidence-based substance abuse and mental health treatment.

- Substance abuse, family dysfunction, and trauma are frequently the underlying causes of juvenile arrests.
- It is estimated that eighty percent of all youth involved in the Hawaii juvenile justice system suffer from substance abuse problems.
- The number of community-based treatment options for juveniles is currently inadequate and needs to be increased statewide.
- Hawaii's substance abuse treatment programs use evidence-based practices to obtain measurable outcomes.
- Every dollar spent for substance abuse treatment for juveniles saves more than ten dollars as measured in terms of reduced cost of homelessness, delinquency and criminality, and prison beds.

HSAC supports the availability of increased resources for substance abuse and mental health treatment for juvenile offenders. Through increased community treatment options, juvenile offenders can be redirected into healthy and productive activities resulting in reduced recidivism.

Passage of House Bill 2489 HD2 will help to enhance the efficiency of Hawaii's juvenile justice system and directly benefit juvenile offenders and their families.

We appreciate the opportunity to submit written testimony.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: info@hysn.org

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 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 12, 2014

To: Senator Suzanne Chun Oakland, Chair
And members of the Committee on Human Services

Senator Clayton Hee, Chair
And members of the Committee on Judiciary and Labor

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

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

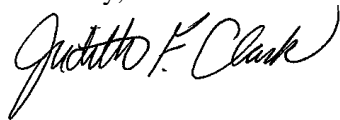
Many young people who commit crimes are in need of mental health and/or substance abuse treatment. If they receive appropriate therapy and supports, they are unlikely to engage in further criminal behavior. Instead they can become contributing members of our community.

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

HB2489

Submitted on: 3/17/2014

Testimony for HMS/JDL on Mar 18, 2014 10:00AM in Conference Room 016

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

Comments:

TO: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services
Senate Committee on Judiciary and labor

1

FROM: Jon K. Misura, M.Ed.

SUBJECT: HB2489, HD2 – RELATING TO JUVENILE JUSTICE

HEARING: Tuesday, March 18, 2014 @ 10:00 am.

State Capitol, Conference Room 016.

Aloha, Chairperson Chun Oakland and Committee Members,

Mahalo for the opportunity to express my support for HB2498, HD2 in both its intent and its specifics. As evidenced by the prior testimony given by others, it is obvious that a more cost-effective, enlightened approach to reduce the incidence of juvenile recidivism is necessary. The correlation between familial/communal problems, substance abuse, mental health issues, and acts of crime is undeniable. Further, the increasing prevalence of single parent homes, coupled with the constant bombardment of media messages celebrating excess material consumption and individual “entitlements,” has resulted in so many of our youth ending up in the juvenile justice system. While there is, in my opinion, no substitute for a solid, two-parent family to help guide adolescents/youth away from a life of crime, alcohol and drugs, and/or mental illness, absent them, concerned citizens must step in to fill the void.

The need for trained professionals from the fields of juvenile justice, mental health, substance abuse, social work, etc.,.. to help maintain these kids in communal rather than correctional settings requires consistent funding. Working together to address the varied needs of each individual and family, these “front-

line” troops can then employ evidence-based practices as needed, then adjust and modify them as needed, rather than locking them up and exposing them to more hardened individuals. But while EBP’s, research, and data collection are an integral part of modern day methods, one must not overlook the obvious factor in turning these kids into young, responsible adults. That would be adults making the kids feel safe, secure, and wanted; somebody who is not just a juvenile delinquent, reducing the likelihood of them engaging in negative acts towards self and others. While I did not have the time to find formal research studies backing this idea, common sense, intuition, and my informal research working daily with kids as a behavioral-mental health counselor leads me to this conclusion.

I hope, then, that you will do the right thing and pass this bill for the sake of society, its taxpayers, and most importantly, for those wayward youth who need it most. Changing negative to positive lives can help transform Hawaii one child at a time.

Mahalo,

Jon K. Misura

HB2489

Submitted on: 3/17/2014

Testimony for HMS/JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
jonathan wong	Individual	Comments Only	No

Comments: March 17, 2014 To All Concerned: I am writing to support HB2489 HD2 because it will provide earlier intervention for children struggling with family and school issues that may be considered violations of current law, i.e. truancy. Financial resources through programs of intervention may positively change life direction for youth experiencing trouble with the judicial system. Please pass HB2489 HD2. Mahalo, Jonathan Wong

**To the Joint Committees on
Human Services & Judiciary and Labor**

Date: Tuesday, March 18, 2014

Time: 10:00am

Place: Conference Room 016, State Capitol, 415 South Beretania Street

RE: Testimony in SUPPORT of HB2489 HD2 Relating to Juvenile Justice

To the Honorable Chair Oakland and Chair Hee, Vice Chair Green and Vice Chair Shimabukuro, and Members of the Committee on Human Services and Committee on Judiciary and Labor:

My name is Laurie Takeno and as a community resident of Honolulu, Hawaii, I offer this testimony in **strong support** of **HB 2489 HD2** related to Juvenile Justice.

I understand **HB2489 HD 2** is intended to appropriate funds to the Family Court Division of the Judiciary and Office of Youth Services to contract for mental health treatment, substance abuse treatment, and practices proven to reduce the likelihood of recidivism among court-involved youth or youth placed on probation. I am strong support of this bill because I have seen too many youth go through our juvenile justice system without the proper care and treatment they need to get on their feet and grow into healthy, responsible, and civic-minded adults. Our system of punishment without proper mental health treatment is costly and ineffective in both the short- and long-term.

Statistics show that many of the offenses committed by youth in Hawaii are non-violent (e.g., running away from home, truancy, drinking, and minor property damage/theft). I think all of us can relate to having been given second, third, and more chances when we've made mistakes, particularly as minors. Many of us have been spared the consequences of our actions because we had family or other support to fall back on. The majority of young people in the juvenile justice system lack this type of support (to no fault of their own, but as a result of choices other adults in their lives made that impacted them), and separates their paths from our own.

HB 2489 HD2 will ultimately create a space where many of these youth can finally encounter the kind of support they need to transform the trajectory of their lives. The best-practices utilized by the Office of Youth services will not only benefit the lives of our troubled youth, but will also provide a return on investment. Youth who are on the trajectory to adult prison can become contributing citizens and role models to other youth in need of someone who can empathize with and inspire them to make choices for the better.

For these reasons, I urge you to please **SUPPORT HB 2489 HD2**.

Sincerely,
Laurie Takeno
dunntakeno@gmail.com

Written Testimony in Support of
HB 2489 and HB 2659 Relating to Juvenile Justice

Senate Committee on Human Services
Senator Suzanne Chun Oakland, Chair
Senator Josh Green, Vice Chair

March 18, 2014
10am Room 016

Aloha Chair Chun Oakland and Committee Members:

Mahalo for all that you do to serve Hawai'i.

In this written testimony, I offer my strong support for House Bill 2659 and House Bill 2489 to appropriate funds to the Family Court of the Hawaii Judiciary and the Office of Youth Services to contract for much-needed mental health treatment, substance abuse treatment, and other practices that are effective in reducing recidivism for youth involved with the juvenile justice system. As a researcher for the University of Hawaii studying specializing in juvenile justice and a member of the Hawai'i Juvenile Justice State Advisory Council (JJSAC), I find the lack of access to adequate treatment for substance abuse particularly pressing for our local youth. Our research team completed a study on the Hawai'i juvenile justice system in 2012 and the findings showed that 80% of adjudicated youth in our sample had a history of substance abuse. Please pass HB 2489 and HB 2659 to help support our young people who face extraordinary challenges to realizing their extraordinary potential.

Thank you for this opportunity to testify.

Sincerely,
Tai-An Miao