



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

January 31, 2018

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2364 – RELATING TO JUVENILE JUSTICE REFORM**

Hearing: Friday, February 2, 2018, 8:30 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill and provides comments.

PURPOSE: The purpose of the bill is to amend chapter 352 and chapter 352D, Hawaii Revised Statutes, to establish the Kawaihoa Youth and Family Wellness Center, and transform the approach of juvenile justice to a therapeutic model. The Wellness Center will provide much needed services for at-risk youth and young adults, including victims of commercial sexual exploitation of children (CSEC).

DHS supports the continuing efforts to reform the juvenile justice system, recognizes the need for additional services for at-risk youth and young adults in the community, and supports the development of a therapeutic model to address complex issues affecting our youth.

DHS Child Welfare Services Branch (CWS) had concerns regarding the mixture of minors with adult population. CWS met with the Office of Youth Services (OYS) and clarified with OYS that although the Kawaihoa Youth and Family Wellness Center would provide services to youth and young adults between the ages of eighteen and twenty-four, the crisis shelter for victims of human trafficking would be limited to minors. This separation is

necessary to ensure that these minor victims are not in residence or residential care with adults. CSEC victims who are minors and the young adult population at the Wellness Center will not be integrated, and provisions will be in place to separate participants from the various programs on the property to ensure that all of those being serviced on the property are safe.

Thank you for the opportunity to testify on this bill.



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

Date: 02/02/2018
Time: 08:30 AM
Location: 329
Committee: House Health and Human Services

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 2364 RELATING TO JUVENILE JUSTICE REFORM.

Purpose of Bill: Amends chapter 352 and chapter 352D, Hawaii Revised Statutes, to establish the Kawailoa Youth and Family Wellness Center, and transforms the approach of juvenile justice to a therapeutic model.

Department's Position:

The Department of Education (Department) supports the intent of HB 2364, with comments. While HB 2364 addresses therapeutic measures, it is unclear how the proposed Kawailoa Youth and Family Wellness Center will provide a quality standards based education and special education services to eligible at risk young adults between the ages of 18 and 24.

Young adults under the age of 22, who are eligible for special education, must still be provided all appropriate services, per their Individualized Education Program (IEP). In accordance with the Department's child-find responsibilities, any student under the age of 22, not currently eligible for special education and is suspected to have a disability, is entitled to an evaluation.

Currently, Olomana School provides a quality standards based education to students at the Hawaii Youth Correctional Facility (HYCF), Detention Home (DH), Home Maluhia, and Olomana Youth Center (OYC), with approximately 33 percent of the students receiving special education services. The Department is seeking clarification regarding how the educational needs of current Olomana School students as well as those at the proposed Kawailoa Youth and Family Wellness Center, will be supported.

A collaborative partnership between the Department and HYCF as they develop Kawailoa Youth and Family Wellness Center is encouraged to ensure that students receive a quality education as well as the supports and services necessary to earn a high school diploma, GED, certificate, or pursue post-secondary education and/or careers.

Thank you for the opportunity to provide testimony on HB 2364.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
OFFICE OF YOUTH SERVICES
1010 Richards Street, Suite 314
Honolulu, Hawaii 96813

January 31, 2018

TO: The Honorable John M. Mizuno, Chair
House Committee on Health and Human Services

FROM: Merton Chinen, Executive Director

SUBJECT: HB 2364, Relating to Juvenile Justice Reform

Hearing: Friday, February 2, 2018, 8:30 a.m.
State Capitol, Conference Room 329

OFFICE'S POSITION: OYS supports the measure. The overarching goal of establishing the Kawailoa youth and family wellness center (KYFWC) is to be a pu'uhonou, or place of healing, for youth and young adults. Many youth have experienced some form of trauma in their young lives that have negatively impacted their functioning and coping behaviors, resulting in their involvement with the juvenile justice, child welfare, mental health, substance abuse and other systems of care. Accessing appropriate services and programs to address root causes is critical to increase resiliency and protective factors for youth at-risk. Youth involved in one or more systems of care are often challenged in making connections, sustaining healthy relationships, and building academic/vocational/life skills; providing culturally-grounded, and therapeutically appropriate programming at KYFWC will help their journeys as they make the transition through young adulthood.

PURPOSE: The purpose of the measure is to establish the Kawailoa youth and family wellness center at the Hawaii youth correctional facility of the office of youth services to incorporate a more therapeutic and rehabilitative focus.

Thank you for the opportunity to present this testimony.

HAWAII YOUTH SERVICES NETWORK

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Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of
Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of
West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action
Network

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

P.A.R.E.N.T.S., Inc.

Parents and Children Together
(PACT)

Planned Parenthood of the
Great Northwest and
Hawaiian Islands

PHOCUSED

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community
Center

The Catalyst Group

January 31, 2018

To: Representative John Mizuno
And members of the Committee on Health and Human Services

TESTIMONY IN SUPPORT OF HB 856 RELATING TO HEALTH

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 2364 Relating to Health.

In 2014, the Hawaii Legislature enacted bills that defined beds in the Youth Correctional Facility as being for serious offenders only and allocated funds for mental health and substance abuse treatment.

Since then:

- The number of youth at Hawaii Youth Correctional Facility has declined to the lowest level ever – about 20 youth in a facility built for 60 that had 120 fifteen years ago;
- At the same time, the number of adolescents receiving services from the Child and Adolescent Mental Health Division has increased; and,
- The number of youth in out-of-state residential treatment has increased. Youth are only placed out-of-state if there are no appropriate services available in Hawaii.

Each year, youth who participate in the Children and Youth Summit at the Capitol, identify priority needs and issues that they believe our legislators should address. In recent years, mental health services have been one of their top priorities. Youth tell us that they need:

- Access to mental health services without parental consent and notification;
- Increased school-based counseling services;
- Support groups;
- Peer mentoring programs

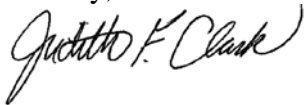
It is clear that increasing access to mental health and substance abuse treatment improves outcomes for youth in the juvenile justice system. Providing prevention and treatment services in portions of the facility no longer needed for court-sentenced youth makes sense.

HYSN has concerns about the accuracy of some of the information in the bill regarding youth crime and sex trafficking of youth, however:

1. So far as providers of outreach and other services to homeless youth can determine, the youth arrested for recent violent crimes in Waikiki were not homeless. Just because a youth hangs out in Waikiki at night, does not mean that he or she does not have a home that they can and do return to.
2. Only 5% of juvenile arrests in Hawaii involve some form of intimidation or use of weapons. This does not indicate that violent crime among our youth is a serious concern.
3. Only 13% of street youth who completed a 2016 survey stated that they had traded sex for food, money, drugs, or a place to sleep. Much of this sexual activity is what is known as “survival sex”, when a young person trades sexual favors for something that they need to meet their basic survival needs. Sex trafficking involves coercing or controlling the victim through physical abuse or through threats (for example, threatening to kill a family member). Both result in trauma to the youth, but the needs and issues are different and require different kinds of services.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director



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February 1, 2018

Committee on Health and Human Services
Rep. John M. Mizuno, Chair
Rep. Bertrand Koyayashi, Vice Chair

RE: HB 2364 RELATING TO JUVENILE JUSTICE REFORM----IN SUPPORT

Dear Representatives Mizuno and Kobayashi and Committee Members:

Thank you for the opportunity to provide brief testimony in support of HB 2364. This bill is an earnest and thoughtful attempt to build on the Legislature's Act 201 which implored the community to improve outcomes for Hawaii's youth in the juvenile justice system and expand community resources.

The suggested programs that may comprise the Kawaiiloa Youth and Family Wellness Center strive for many beneficial outcomes that include: maximizing the use of a beautiful and underutilized property (grounds of the Hawaii Youth Correctional Facility (HYCF)), offering a wide range of programming that service providers seek to better respond to the youth and their families, and preventing youth from further juvenile justice involvement and potential incarceration at HYCF. Concurrently the programming for young homeless adults allows these young people to have a safe environment where they can access assistance to locate employment and more permanent living situations.

Hale Kipa serves youth who could benefit from all the programs focused on homelessness, mental health, vocational training. Hale Kipa was also recently awarded some funds to actually provide specialized emergency shelter and related services to minor victims of commercial sexual exploitation/sex trafficking and hopes to house the program on the HYCF grounds and fulfill one of the initial initiatives. Providing an improved response to minor victims of trafficking will hopefully start the journey for youth to heal past trauma, repair relationships, develop more skills and enlarge their support systems.

Hale Kipa is excited about the vision of the Kawaiiloa Youth and Family Wellness Center, believe that the Office of Youth Services and Warden Patterson are dedicated to collaboration and partnership and has the potential to ensure we continue to support juvenile justice reform and provide our young people the support and programs they need.

Thank you again for the opportunity to testify.

Sincerely,

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

HB-2364

Submitted on: 1/30/2018 10:57:07 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

We are in STRONG SUPPORT of this AWESOME BILL! The "Wellness Center" idea is a major move in the right direction to improve the rehabilitational efforts of our troubled/at-risk youth. Mahalo.

HB-2364

Submitted on: 1/30/2018 10:58:06 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

The wellness center will bring about much need positivity.

HB-2364

Submitted on: 2/1/2018 7:55:27 AM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Munoz	Ho'ola Na Pua	Support	No

Comments:

This testimony is in support of HB2364. The proposed Kawaihoa Youth and Family Wellness Center will fill a gap by providing services to a population of at-risk youth/young adults that have “aged-out” of state systems of care such as juvenile justice, foster care and CWS services. The center will address the specific needs of that unique population of youth ages between 18-24, specifically homeless youth (ages 18-24) whose needs cannot be met at adult facilities, and young adults at risk that are having difficulty finding employment. The proposed vocational program addresses those needs, and can work hand in hand with the proposed residential homeless youth center for youth ages 18-24. The center will also help to serve and stabilize several at risk youth populations that include youth who have been victims of trafficking. Since mandated reporting has gone into effect, the amount of sexually exploited children has quadrupled. This bill is the follow on measure to ACT 201 which passed in 2014 to further juvenile justice reform in the State of Hawaii. ACT 201 has successfully diverted youth from the juvenile justice system as demonstrated by the current census trend of 20-25 youth committed at any point time, compared to a census trend just five years ago in 2013 of 75 youth committed at any point time. This is a 65% reduction. The diversion programs proposed at the Kawaihoa Youth and Family Wellness center will serve to reduce delinquency, reduce recidivism and act as a stop gap of services to prevent youth and young adults from ever having contact with the juvenile/adult correctional system and help to bring stabilization as preparation for longer term placement options can be explored.

HB-2364

Submitted on: 2/1/2018 1:14:39 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jan E. Hanohano Dill	Partners In Development Foundation	Support	No

Comments:

This will create a strong resource for our work with challenged youth. I strongly support this. Me ka mahalo.

HB-2364

Submitted on: 2/1/2018 12:47:02 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Letani Peltier		Support	No

Comments:

HB-2364

Submitted on: 1/31/2018 11:47:48 AM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Domestic Violence Survivor Advocate	Support	No

Comments:

LATE

HB-2364

Submitted on: 2/1/2018 4:24:19 PM
Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa		Support	No

Comments:

The State has made good progress in the area of juvenile justice, but there is still much to be done. The Kawaioloa Youth and Family Wellness Center is a critical next step in addressing the unmet needs of specific groups of youth. Kawaioloa is a truly visionary way of servicing youth and their families. Kawaioloa will provide comprehensive, culturally grounded, strengths based programs in a single multipurpose site that will help youth build a holistic sense of self and their capacity to be contributing members of their communities.

LATE

HB-2364

Submitted on: 2/1/2018 5:01:05 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
skip Adams		Support	No

Comments:

This bill provides our state a great opportunity to take proactive measures to assist our marginalized youth. As we are too well aware from the prodigious news coverage of the rampant issue of homelessness on our islands, we are leading the nation on homelessness on a per capita basis. This is not the image of aloha we want to put forth to the nation. This bill provides a great opportunity for us to take real constructive action in combating this problem. Instead of focusing our resources on punishment and corrective actions after these relegated members of our society have gotten into trouble we can get left of the "bubble" and focus our resources on assisting them on becoming productive members of society. It is more cost beneficial for us to work with these kids prior to them establishing a record. We as a state that focuses on community and compassion for our island ohana can provide a model for the nation on how to effectively turn the tide on this rampantly growing problem. In a time of limited resources, we need to focus those resources smartly, assisting our youth on making effective choices and becoming constructive members of society prior to them going down the road that potential has no good ending.

LATE

HB-2364

Submitted on: 2/1/2018 5:26:21 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jane Anderson	Friends of Youth Outreach	Support	No

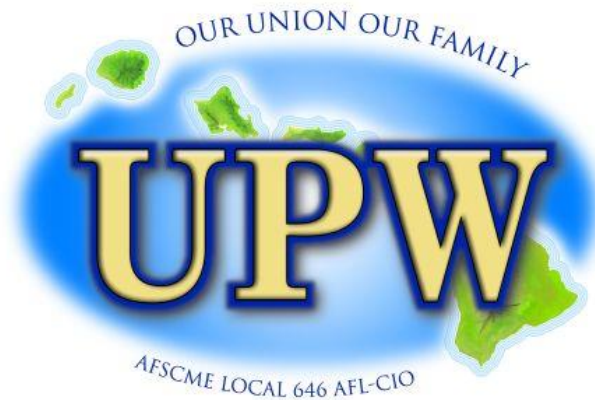
Comments:

As a teacher I have worked with students for over 35 years and know the difficulties young people can have even with solid family support. For the past 15 years I've volunteered with another population, youth who are lost and alone, often living on the streets. Many of them do end up being incarcerated at a young age which statistically often leads to a life behind bars. The idea of helping young people turn their lives around in a Wellness center is so wonderful, how we want to spend our tax dollars. We cannot think that just giving a roof to kids will set them free; they need the tools that a wellness center will provide to permanently turn a life around.

Please support this wonderful concept of HB2364.

Jane Anderson, Makiki

LATE



THE HAWAII STATE HOUSE OF REPRESENTATIVES
The Twenty-Ninth Legislature
Regular Session of 2018

COMMITTEE ON HEALTH AND HUMAN SERVICES
Representative John M. Mizuno, Chair
Bertrand Kobayashi, Vice Chair
Members of the Committee

DATE OF HEARING: Friday, February 2, 2018
TIME OF HEARING: 8:30 am
PLACE OF HEARING: State Capitol
415 South Beretania Street
Conference Room 329

TESTIMONY ON HOUSE BILL 2364 RELATING TO JUVENILE JUSTICE REFORM

By DAYTON M. NAKANELUA,
State Director of the United Public Workers (UPW),
AFSCME Local 646, AFL-CIO

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO. The UPW is the exclusive bargaining representative for approximately 12,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and the four counties. The UPW also represents about 1,500 members of the private sector.

HB2364 proposes to establish the Kawailoa Youth and Family Wellness Center at the Hawaii Youth Correctional Facility and in each county, to incorporate a more therapeutic and rehabilitative focus. It will transform the current correctional model into a more treatment oriented and collaborative and restorative justice model. The stated impact of this program is to improve and enhance Hawaii's juvenile justice system by preventing juvenile delinquency and lowering recidivism with support services for at-risk youth, including

homeless youth and sex-trafficked youth. Our Hawaii youth deserve the proper guidance, support and treatment to allow them to become law-abiding citizens and contributing members of society.

The bill proposes that the Office of Youth Services designate the Hawaii Youth Correction Facilities as the authority to establish, build, repair, maintain and operate the Kawaihoa Youth and Family Wellness Center. However, the bill does not include any organizational staffing plan that can be examined for potential adverse impact upon the members of Bargaining Unit 01 and Bargaining Unit 10. The bill also, does not include any training plans for BU-01 and BU-10 employees to implement the changes stated. It is crucial that any adverse impact upon these employees be immediately described and resolved before implementing these changes to the program. The employees at the HYCF are dedicated employees and desire to contribute to the well-being and redirection of our youth. These employees are an integral part of the success of the program to assist in establishing, building, maintaining and operating the Kawaihoa Youth and Family Wellness Center.

The non-inclusion of the staffing and training plans and description of the possible adverse impacts on employees, makes it extremely difficult for the UPW to support this bill without knowing how BU-01 and BU-10 employees will be affected and treated. The question is a fair one. The proposal is incomplete at best. We ask the Committee to require more transparency of the proposed changes.

Thank you for the opportunity to submit this testimony.

HB-2364

Submitted on: 2/1/2018 8:48:34 PM

Testimony for HHS on 2/2/2018 8:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Balkin		Support	No

Comments: