



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



**Date:** 02/21/2018  
**Time:** 10:10 AM  
**Location:** 211  
**Committee:** Senate Ways and Means

**Department:** Education

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

**Title of Bill:** SB 2791, SD1 RELATING TO JUVENILE JUSTICE REFORM.

**Purpose of Bill:** Establishes the Kawaihoa Youth and Family Wellness Center and changes the approach of juvenile justice to a therapeutic model. (SD1)

**Department's Position:**  
The Department of Education (Department) supports the intent of SB 2791 SD1, with comments.

While SB 2791 SD1 addresses therapeutic measures, it is unclear how the proposed Kawaihoa 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.

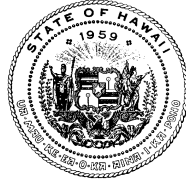
Young adults under the age of 22, who are eligible for special education, must still be provided all appropriate services, per their Individualized Education Program (IEP). In accordance with the Department's child-find responsibilities, any student under the age of 22, not currently eligible for special 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 special needs of current Olomana School students as well as those at the proposed Kawaihoa Youth and Family Wellness Center, will be supported.

A collaborative partnership between the Department and HYCF as they develop Kawaihoa 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 SB 2791 SD1.

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](http://www.hawaiipublicschools.org).



STATE OF HAWAII  
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**LATE**

**Testimony COMMENTING on SB2791 SD1  
RELATING TO JUVENILE JUSTICE REFORM**

SENATOR DONOVAN M. DELA CRUZ, CHAIR  
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: February 21, 2018,  
10:10 A.M.

Room Number: 211

1 **Department Testimony:** The purpose of this bill is to amend chapter 352 and chapter 352D,  
2 Hawaii Revised Statutes, to establish the Kawaiiloa Youth and Family Wellness Center, and  
3 transform the approach of juvenile justice to a therapeutic model.

4 The Department of Health supports the intent of this bill and provides comments. The  
5 Department of Health supports the intent of the legislation to divert at risk youth (ages 21 years  
6 and under) from involvement in the justice system and/or placement in out of state mental health  
7 facilities.

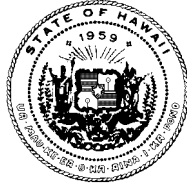
8 Currently, the Child and Adolescent Mental Health Division (CAMHD), a division of the  
9 Department of Health's Behavioral Health Administration, provides mental health prevention,  
10 assessment, and treatment services to over 2,000 children and adolescents with emotional and  
11 behavioral challenges and their families statewide. CAMHD also works in partnership with the  
12 Office of Youth Services (OYS) to provide behavioral and emotional health services to at risk  
13 youth placed at Hawaii Youth Correctional Facility (HYCF) via the co-located Family Court  
14 Liaison Branch (FCLB). Thus, the CAMHD is well-positioned to comment on this bill and has  
15 been in collaborative discussions with OYS regarding the therapeutic vision of Kawaiiloa's  
16 residential and/or intensive delinquency prevention programs. In initial discussions with OYS,  
17 CAMHD has identified several potential opportunities for CAMHD involvement at the Kawaiiloa  
18 facility:

- 1        1. Possible collaboration with OYS to develop a request for proposals process and contract  
2            with outside agencies for behavioral and emotional health services. This partnership  
3            would ensure that the Kawaihoa youth and families would be offered therapeutic  
4            treatment from providers who have been both screened through a rigorous evaluation  
5            process and have demonstrated experience in the management of residential emotional  
6            and behavioral health programs.
  
- 7        2. Possible provision of certain types of intensive evidence-based treatments to youth clients  
8            (21 years and under) at Kawaihoa, presenting with high-risk behaviors (e.g., suicidality,  
9            substance use, aggression).

10    In summary, the Department of Health supports the intent of HB2364 HD1 and has identified  
11    numerous opportunities for partnership with OYS, towards the goal of providing better services  
12    for our local youth and families.

13    Thank you for the opportunity to comment on this bill.

DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

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

February 20, 2018

**LATE**

TO: The Honorable Senator Donovan M. Dela Cruz, Chair  
Senate Committee on Ways and Means

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2791 SD1 – RELATING TO JUVENILE JUSTICE REFORM**

Hearing: Wednesday, February 21, 2018, 10:00 a.m.  
Conference Room 211, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this administration measure 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 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.

Regarding the notes of the Senate Committee on Human Services that "that the Department of Education has expressed the intent to meet with the Department of Human Services and Department of Health to clarify the educational needs of the youth and young adults at the proposed Kawaihoa Youth and Family Wellness Center," (See STAND. COM. REP. NO. 2487 ), DHS clarifies that while DHS will collaborate, the principle authorities to discuss educational needs of individuals subject to this measure are the Office of Youth Services and the Hawaii Youth Correctional Facility. Per section 356D-4, Hawaii Revised Statutes (HRS), the Office of Youth Services is an attached agency to DHS for administrative purposes. Section 356D-4, HRS, further provides that,

"[t]he office shall also be responsible for program planning and development, intake/assessment, oversight, as well as consultation, technical assistance, and staff training relating to the delivery of services.

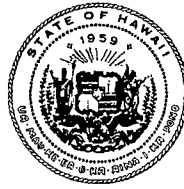
The office shall provide a continuum of services as follows:

...

- (2) The necessary educational, vocational, social counseling and mental health services[.]"

Further, section 352-1, HRS, defines that "the powers, duties, and functions relating to the Hawaii youth correctional facilities shall be administered by the office of youth services."

Thank you for the opportunity to testify on this bill.



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

February 20, 2018

**LATE**

TO: The Honorable Senator Donovan M. Dela Cruz, Chair  
Senate Committee on Ways and Means

FROM: Merton Chinen, Executive Director

SUBJECT: **SB 2791 SD1 – RELATING TO JUVENILE JUSTICE REFORM**

Hearing: Wednesday, February 21, 2018, 10:10 a.m.  
Conference Room 211, State Capitol

**OFFICE'S POSITION:** OYS supports the measure. The overarching goal of establishing the Kawaihoa 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.

OYS is consulting with the DOE and United Public Workers Union as part of a collaborative planning phase and process to address details of establishing the proposed KYFWC.

**PURPOSE:** The purpose of the measure is to establish the Kawaihoa 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.

**LATE**

TESTIMONY ON SB 2791 JUVENILE JUSTICE REFORM BEFORE THE SENATE  
COMMITTEE ON WAYS AND MEANS

February 21, 2018

10:10 am

Conference Rm. 211

Aloha Chair Dela Cruz, Vice-Chair, Keith-Agaran, and members of the Senate Committee on Ways and Means, **my name is Stephen Morse. I am the Executive Director of Blueprint for Change (BFC) and am here today to support SB 2791 Relating to Juvenile Justice Reform.**

Members, for the record, BFC is the fiscal, technical, and administrative support entity for seven Neighborhood Place centers statewide that provide support and strengthening services to families at risk of child abuse and neglect under a POS contract with the Department of Human Services. Historically, our work has focused on traditional risk factors for child abuse, including homelessness or unstable housing, unemployment and low incomes, substance abuse, chronic health problems, and physical disabilities. However, in 2014, after much research and analysis, BFC determined that one of the most severe risk factors for child neglect in the families we serve is that there is at least one parent who is incarcerated.

An estimated 2.7 million children nationwide have at least one parent that is incarcerated, and studies conducted by the National Fatherhood Initiative show that in terms of negative impacts on children, incarceration may be worse than the death of a parent or the divorce of parents. Even more disheartening is the evidence that children of incarcerated parents are more likely to become incarcerated themselves as teenagers or adults, thus continuing the “cycle of incarceration” that sadly becomes generational in some families.

The passage of SB 2791 is important for several reasons, most importantly, however, are the following: (1) the majority of the youth at HYCF are there because they were traumatized themselves at an early age and they need a safe place to heal, re-connect and resynchronize themselves into positive behaviors, learn skills, and become, “E Ho`okanaka,” persons of worth; (2) it will help implement the provisions of Act 117, Session Laws of Hawaii 2012, enacting a Pu`uhonua system throughout the State; and (3) converting HYCF into a Hawaiian Wellness Center, or Pu`uhonua, visitation centers will provide a friendly environment that will encourage families to visit their significant others more often, and national criminal justice data shows that incarcerated individuals who have maintained positive relationships, particularly with their families, throughout their incarceration are less likely to recidivate when they re-enter society; (4) the center will provide youth and their families with opportunities to receive information and referral and resource linkage services, guidance and counseling, and wrap around services to address issues relating to poverty; (5) the Wellness Center could also be staffed with kupuna and Hawaiian cultural practitioners who could provide Native Hawaiian youth and families with more relevant cultural counseling and problem-solving practices; and (6) the State can begin saving millions of dollars in the future by reducing our prison population and welfare costs.

Mahalo for allowing us to share this testimony with the Committees.