

JUDICIARY COMM. NO. 23



Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII

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Rodney A. Maile
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Brandon M. Kimura
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December 22, 2023

Via electronic submission

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott Saiki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

In accordance with House Concurrent Resolution No. 72, H.D. 1, Regular Session of 2023, the Judiciary is transmitting a copy of its *Report on the Office of Youth Services and Family Court of the First Judicial Circuit's Collaboration in Identifying Processes, Procedures, and Strategies for Partnering with Community Organizations to Maximize Rehabilitation and Minimize Recidivism for Juvenile Offenders*.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

A handwritten signature in blue ink that reads "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

Attachment

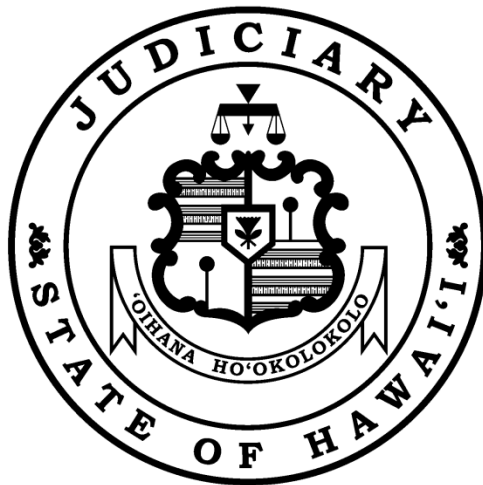
c: Legislative Reference Bureau Library

**REPORT TO THE THIRTY-SECOND LEGISLATURE
2024 REGULAR SESSION**

**A Report on the Office of Youth Services and Family Court of the First Judicial
Circuit's Collaboration in Identifying Processes, Procedures, and Strategies for
Partnering with Community Organizations to Maximize Rehabilitation and
Minimize Recidivism for Juvenile Offenders**

**In Accordance With House Concurrent Resolution No. 72, H.D. 1
and House Resolution No. 73, H.D. 1**

Regular Session of 2023



Prepared by:

The Judiciary, State of Hawai'i

December 2023

**REPORT TO THE THIRTY-SECOND LEGISLATURE
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**A Report on the Office of Youth Services and Family Court of the First Judicial
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**In Accordance With House Concurrent Resolution No. 72, H.D. 1, and House
Resolution No. 73, H.D. 1**

Regular Session of 2023

This report is respectfully submitted in accordance with House Concurrent Resolution No. 72, H.D. 1, and House Resolution No. 73, H.D. 1, Regular Session of 2023, urging the Office of Youth Services and the Family Court of the First Judicial Circuit to collaborate in identifying processes, procedures, and strategies for partnering with community-based organizations to maximize rehabilitation and minimize recidivism for youthful offenders. The Legislature also urged consideration of best practices and lessons from other nations and United States jurisdictions that have successful programs and requested the submission of a joint report. In lieu of a joint report, this report of the Family Court of the First Circuit essentially mirrors the relevant portion of OYS's Fiscal Year 2023 Annual Report, which includes a section reporting on our historical joint partnerships and current activities to support indigenous practices and opportunities for at-risk youth.

Beginning with the Juvenile Detention Alternative Initiative (JDAI) in 2009, juvenile justice reform efforts have been underway in Hawai'i, using current research and information on best practices for justice-involved youth and their families. Research shows that the unnecessary use of detention and incarceration is harmful to youth. Through collaborative community efforts, there has been a reduction in the use of detention and incarceration for non-violent youth in Hawai'i, without an increase in youth crime, demonstrating that community safety has not been compromised. Efforts to partner with both government agencies and community-based organizations have created meaningful "front end" prevention and alternatives to detention programs.

In 2014, the Juvenile Justice System Reform (ACT 201, SLH 2014) led by the Family Court, brought a paradigm shift from punitive models towards rehabilitation through therapeutic community-based programs and other alternative approaches to incarceration. The shift toward diversionary programs and partnerships with community-based organizations has resulted in a large reduction of youth involved in the juvenile justice system. Fewer youth are detained in the Judiciary's juvenile detention facility and fewer youth are committed to the Hawai'i Youth Correctional Facility (HYCF). Commitments have been reduced by 83% from 2009 to 2023 (193 vs. 33).

In 2018, Act 208 authorized OYS to create Kawaihoa Youth and Family Wellness Center (KYFWC) on the HYCF campus, as a central youth service center. The creation of KYFWC was the next step in the State's effort to transform the juvenile justice system away from punitive justice models to a system that heals and leads to improved community safety. KYFWC's vision is to be a pu'uhonua, for youth who face some of the most severe challenges of our time, by services and programs to include, but not limited to; mental health services, substance abuse treatment, crisis shelters for homeless youth and victims of human and sex trafficking, vocational training, group homes, day treatment programs, aftercare, family counseling services, educational services and other programs needed to meet the needs of youth and young adults.

Through the shared vision of OYS and the Judiciary to divert youth from the juvenile justice system, public-private partnerships were entered into in 2018, to provide services and programs to at-risk minors and young adults on the KYFWC campus. Currently, on-campus community-based organizations providing services are Residential Youth Services and Empowerment (RYSE), Hale Kipa, Partners In Development Foundation, and Kinai 'Eha.

HCR No. 72 and HR No. 73 urged OYS and the Family Court of the First Circuit to collaborate with the specific purpose of identifying processes, procedures, and strategies for partnering with community-based organizations to maximize rehabilitation and minimize recidivism for youthful offenders. OYS administrators Leanne Gillespie and Mark Patterson and Senior Family Circuit Court Judge Matthew Viola have met several times to discuss these efforts. In November 2023, a team from Family Court, OYS and Lili'uokulani Trust attended the Annie E. Casey Foundation's *The Five: Opportunities to Establish Equitable Youth Justice Systems* convening. This convening provided our Hawai'i team with an opportunity to learn about national innovative approaches to youth diversion, reflect on past and current efforts and begin planning for future joint initiatives for public-private partnerships.

As a result of these efforts, the Family Court of the First Circuit, OYS and community-based organizations, including Partners in Development Foundation (PIDF) and Lili'uokulani Trust, will launch a community-based cultural diversion pilot program. This program will be community-led by PIDF and focus on youth involved with the Family Court and utilize Office of Youth Services facilities on the KYFWC campus. The purpose of this program, which is based on Native Hawaiian cultural values, is to equip youth with skills and supports to reflect on their lives and transform and grow into the best version of themselves. The program will focus on justice-involved or at-risk youth, providing reflection and transformation through a cultural lens of preparing the land to grow food and transform themselves. The program is designed for youth ages 14-17 years and will run every Saturday for six weeks. The target date to launch the pilot program is February 2024.

Leveraging our current relationships and partnerships, the Office of Youth Services and Family Court look forward to 2024 to continue developing new partnerships and continue discussions in identifying processes, procedures, and

strategies for partnering with each other and community-based organizations to maximize opportunities for youth involved in the juvenile justice system.

We thank the Legislature for its ongoing encouragement and support of OYS's and Family Court's efforts to continue to improve our juvenile justice system.