

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

April 3, 2018

TO: The Honorable Representative Sylvia Luke, Chair
Committee on Finance

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2791 SD2 HD1 – RELATING TO JUVENILE JUSTICE REFORM**

Hearing: Wednesday, April 4, 2018, 1:30 p.m.
Conference Room 308, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this administration measure and provides comments. DHS appreciates amendments made by House Committee on Health and Human Services, however, DHS clarifies that: 1) DHS did not request an appropriation of funds for operational costs for services for high risk youth; services for high risk youth are the purview of the Office of Youth Services (OYS) (see section 352D-4, Hawaii Revised Statutes (HRS)); 2) OYS is an attached agency to DHS for administrative purposes (see section 352D-4, HRS), 3) the powers, duties, and functions relating to the Hawaii Youth Correctional Facility are administered by OYS (see section 352-1, HRS), and 4) OYS/HYCF has requested appropriations through the budget bill, consequently this bill does not require an appropriation at this time.

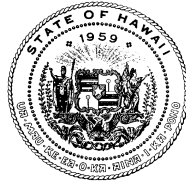
PURPOSE: The purpose of the bill is to amend chapter 352 and chapter 352D, Hawaii Revised Statutes, to establish the Kawaihoa Youth and Family Wellness Center, and transform the approach of juvenile justice to a therapeutic model. The Wellness Center will provide much needed services for at-risk youth 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 the young 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 the young 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 comments 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 Kailua Youth and Family Wellness Center," (See STAND. COM. REP. NO. 2487), DHS clarifies that while DHS will collaborate to the extent required, the principle authorities to discuss educational needs of individuals subject to this measure are the OYS and HYCF.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB2791 SD2 HD1
RELATING TO JUVENILE JUSTICE REFORM**

**REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE**

Hearing Date: 04/04/18, 1:30 PM

Room Number: 308

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

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

10 In summary, the Department of Health supports the intent of this measure 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.



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

Date: 04/04/2018
Time: 01:30 PM
Location: 308
Committee: House Finance

Department: Education

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

Title of Bill: SB 2791, SD2, HD1 RELATING TO JUVENILE JUSTICE REFORM.

Purpose of Bill: Establishes the Kawailoa Youth and Family Wellness Center within the Department of Human Services under the supervision of the Office of Youth Services and the Hawaii Youth Correctional Facilities. Appropriates funds to the Department of Human Services for the operational costs of an organization providing prevention, intervention, and group and individual counseling for high risk youth. (SB2791 HD1)

Department's Position:

The Department of Education (Department) SB 2791, SD2, HD1 is requesting an amendment to this measure to ensure appropriate educational services are provided to young adults receiving special education under the age of 22.

While SB 2791, SD2, HD1 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.

The Department suggests the following amendment to § 352D-4, HRS.

§352D-4 Establishment; purpose. There is established within the department of human services for administrative purposes only the office of youth services. The office of youth services is established to provide services and programs for youth at risk under one umbrella agency in order to facilitate optimum service delivery, to prevent delinquency, and to reduce the incidence of recidivism among juveniles through the provision of prevention, rehabilitation, and treatment services. The 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:

- (1) An integrated intake/assessment and case management system;
- (2) The necessary educational, vocational, social counseling and mental health services; provided that the Department of Education shall be the only provider of standards based education services for all youth adults at risk or young adult identified with special education needs or actively receiving special education services, in accordance with IDEA and all applicable federal and state educational requirements.
- (3) Community-based shelter and residential facilities;
- (4) Oversight of youth services; and
- (5) Other programs which encourage the development of positive self-images and useful skills in such youth.

The executive director of the office of youth services shall submit annual reports to the legislature no later than twenty days prior to the convening of each regular session, reporting the services or programs funded pursuant to this section, the number of youth served by each service or program, and the results of the services or programs funded.

To this end, on July 1, 1991, this office shall assume the responsibilities for juvenile corrections functions, which were temporarily placed in the department of corrections pursuant to Act 338 of 1987. These functions shall include, but not be limited to, all responsibilities, under chapter 352, for the Hawaii youth correctional facilities.

A collaborative partnership between the Department and HYCF as they develop Kawaihoa Youth and Family Wellness Center is strongly 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, SD2, HD1.

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.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

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

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

April 3, 2018

To: Representative Sylvia Luke, Chair
And members of the Committee on Finance

TESTIMONY IN SUPPORT OF SB 2791 SD 2 HD 1 RELATING TO JUVENILE JUSTICE REFORM

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports SB 2791 SD 2 HD 1 Relating to Juvenile Justice Reform.

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.

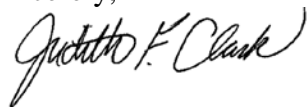
Since then:

- 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.

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.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Ty Cullen, Vice Chair

Wednesday, April 4, 2018

1:30 pm

Room 308

STRONG SUPPORT for SB 2971 SD2 HD1 - KAWAIILOA YOUTH & FAMILY CENTER

Aloha Chair Luke, Vice Chair Cullen, and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as the approximately 5,500 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,600 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

SB 2791 SD2 HD1 establishes the Kawaiiloa Youth and Family Wellness center and transforms the approach of juvenile justice to a therapeutic model.

Community Alliance on Prisons supports Hawai'i changing its approach to youth justice to a public health-focused model. This is a very ambitious project and we look forward to Hawai'i once again becoming a leader in juvenile/youth justice as we were back in the day.

Research has shown making the shift from a punitive system to a rehabilitative one that cares about the youth being served, has a tremendous and sometimes life-long effect on the person. When we start WORKING WITH our youth rather than WORKING ON them, we create an environment of caring, this is what allows change to happen. This is what our youth need. Open minds, caring hearts, and community support to guide them through this information-overloaded world.

Community Alliance on Prisons urges the committee to pass this important legislation. Mahalo for this opportunity to testify.

*The failure to invest in youth reflects a lack of compassion
and a colossal failure of common sense.*

Coretta Scott King

SB-2791-HD-1

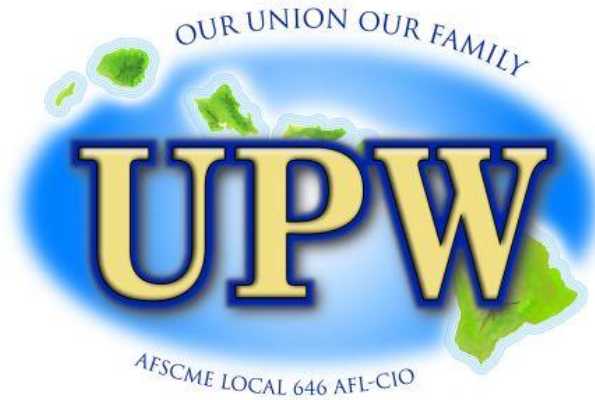
Submitted on: 4/2/2018 8:54:20 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

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

Comments:

We continue to STRONGLY SUPPORT this bill. Mahalo.



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

COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

DATE OF HEARING: Wednesday April 4, 2018
TIME OF HEARING: 1:30 p.m.
PLACE OF HEARING: State Capitol
415 South Beretania Street
Conference Room 308

**TESTIMONY ON SENATE BILL 2791 SD2, HD1 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 four counties. The UPW also represents about 1,500 members of the private sector.

The UPW opposes SB2791 SD2, HD1 for staffing issues and the absence of forthright plans and information regarding current BU-01 and BU-10 employees. Management of the Hawaii Youth Correctional Facility are reluctant to provide any training plans or organizational information to the UPW staff at the HYCF through the exclusive representative and the staff relationship to Kawaihoa Youth and Family Wellness Center. The UPW

staff seeks to be part of the solution to help our youth in Hawaii. The staff job description extends beyond incarceration tasks; it includes counseling of youth and listening to them at the HYCF. Many of the HYCF staff are parents who understand and relate to young persons in real life situations. They care about our youth.

In a previous hearing on HB2364, a companion bill to SB2791, the Committee Chair of the House Health and Human Services Committee directed the management of the HYCF to work it out with the UPW. In contempt of the Chair's direction, no worthwhile written information on staffing was shared. The UPW respectfully reiterates its original question, "What is the plan for the BU-01 and BU-10 employees at the HYCF in relation to the Kawaihoa Youth and Family Wellness Center?"

The UPW appreciates the opportunity to submit this testimony and wait for an official and detailed response from the HYCF in writing. Thank you for the opportunity to submit this testimony.

Helping Hawai'i Live Well

To: Representative Sylvia Luke, Chair, Representative Ty Cullen, Vice Chair, Members, House Committee on Finance

From: Trisha Kajimura, Executive Director

Re: TESTIMONY IN SUPPORT OF SB 2791, SD2 HD1 RELATING TO JUVENILE JUSTICE REFORM

Hearing: April 4, 2018, 1:30 PM, CR 308

Thank you for hearing **SB 2791, SD2 HD1** which establishes the Kawaihoa Youth and Family Wellness center and transforms the approach of juvenile justice to a therapeutic model.

Mental Health America of Hawaii is a 501(c)3 organization founded in Hawai'i 76 years ago, that serves the community by promoting mental health through advocacy, education and service. This bill supports the mental health of Hawaii's youth by offering them the opportunity to receive services that can help them to heal from past trauma and recover from mental illness that is most likely related to the cause of their involvement with the juvenile justice system. Investing in the mental health of these youth will help them to build the coping skills and emotional resources needed to transition successfully to the community, avoid future incarceration and hopefully thrive.

Hawaii is lacking in mental health and addiction treatment overall and particularly for youth. Adding this resource will be of tremendous benefit to at-risk youth in need.

Thank you for considering my **testimony in support of SB 2791, SD2 HD1**. Please contact me at trisha.kajimura@mentalhealthhawaii.org or (808)521-1846 if you have any questions.

SB-2791-HD-1

Submitted on: 4/3/2018 11:24:37 AM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	the Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Donovan M. Dela Cruz, Chair; the Honorable Gilbert S.C. Keith-Agaran, Vice-Chair and Members of the Committee on Ways and Means:

Good morning. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **SB2791 SD2 HD1** relating to DHS; QYS; HYCF; Juvenile Justice Reform; Kawaioloa Youth and Family Weilness Center; and an appropriation.

The OCC Legislative Priorities Committee is in favor of **SB2791 SD2 HD1** and support its passage. However, we are in agreement with **UPW and oppose any outsourcing of work involved in this project which would, otherwise, be historically performed by civil service staff.**

SB2791 SD2 HD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it establishes the Kawaioloa Youth and Family Weilness Center within the Department of Human Services under the supervision of the Office of Youth Services and the Hawaii Youth Correctional Facilities, and appropriates funds to the Department of Human Services for the operational costs of an organization providing prevention, intervention, and group and individual counseling for high risk youth.

The DPH Platform states that "[w]e believe that all families should have an equal opportunity to build their assets and become self-sufficient, and we support a strong safety net of programs that will afford them the opportunity to do so. We must protect our children, our future, from violence and neglect and provide them with a safe and healthy environment in which to grow and thrive. (Platform of the DPH, P. 4, Lines 184-187 (2016)).

We also support the establishment of adequate mental health and statewide drug rehabilitation programs set up in conjunction with policing policies aimed at enabling all that seek assistance to obtain whatever support assistance is needed to allow them to remain free of drug dependence. (Platform of the DPH, P. 7, Lines 382385 (2016)).

We support restorative justice that repairs the harm caused by criminal behaviors and reintegrates the offenders as contributing members of society. Likewise, we support opportunities for those who have been incarcerated to effect a smooth transition back into the community and make available health, educational, and other assistance programs needed to allow them to become productive and respected members of the community. (Platform of the DPH, P. 5, Lines 273-277 (2016)).

Given that **SB2791 SD2 HD1** establishes the Kawaiiloa Youth and Family Wellness Center within the Department of Human Services under the supervision of the Office of Youth Services and the Hawaii Youth Correctional Facilities, and appropriates funds to the Department of Human Services for the operational costs of an organization providing prevention, intervention, and group and individual counseling for high risk youth, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC on Legislative Priorities

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889



Residential Youth Services & Empowerment

April 3, 2018

TO: The Honorable Rep. Sylvia Luke
Committee on Finance

The Honorable Rep. Ty J.K. Cullen
Committee on Finance

FROM: Carla Houser, Executive Director
Residential Youth Services & Empowerment (RYSE)

SUBJECT: SB2791, Relating to Kailua Youth and Family Wellness Center

Hearing: Wednesday, April 4, 2018
State Capitol, Conference Room 308

POSITION: RYSE strongly supports this measure.

The proposed Kailua Youth and Family Wellness Center will provide more services for the Windward community and give youth island wide another much needed resource to end their homelessness, access mental health services and explore vocational opportunities.

As a homeless youth service provider, I have watched a growing numbers of youth take care of themselves on the street at a very young age for far too long. It is time we step up our efforts to deal with the problem and capitalize on the strengths and resiliency of our young people. The idea is to intervene early, with services targeted toward the particular needs of young people — before homelessness becomes chronic, and it's much harder to move them off the street.

Many of these youth have suffered high rates of trauma both on the streets and prior to becoming homeless. The recent UH Center on Family "Street Youth Study " indicated that 77.5% of the homeless youth survey had experienced verbal, emotional, physical or sexual abuse. Trauma has devastating and long lasting effort on a youth's health and well-being and adversely affects self esteem, the ability to

trust and relate to others or to manage a crisis. Because many homeless youth have experienced trauma, they become disconnected from family and social networks in their schools and communities.

Unlike other states with high rates of homelessness, Oahu has very few shelter options to offer homeless youth designed to meet their adolescent needs. For youth over 18, the current emergency shelter model offers only adult shelters, run by homeless adult service providers. These resources are not always a good fit for the needs of these transition-aged youth. Some homeless youth have developed a mistrust of services following negative experiences with adults and/or fear social service agency notification or legal intervention.

For those young people who did try to utilize the adult shelter services, unaccompanied youth ages 18-24, had the lowest rates of exits to permanent housing with only 26.1% successfully exiting compared to 49% of all homeless service users. (Yuan,S., Gauci, K.T 2017 Homeless Service Utilization Report: Hawaii 2016). This same report also revealed that 82% of Hawaii's transition age youth were living unsheltered.

The proposed Kawaihoa Youth and Family Wellness Center model will provide a much needed therapeutic system of services designed to provide supportive housing, behavioral health and vocational opportunities specific to the unique and varied needs of homeless and at risk youth. Through a collaboration of organizations and a coordinated system of care, this measure will provide temporary stable housing as well as supportive connections to caring adults and services that can guide at risk youth from the streets towards a productive life and brighter future.

Mahalo for the opportunity to submit testimony.

Sincerely,

Carla Houser

Executive Director, RYSE

SB-2791-HD-1

Submitted on: 4/2/2018 4:55:26 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

Comments:

SB-2791-HD-1

Submitted on: 4/2/2018 7:15:58 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Parsons	Individual	Support	No

Comments:

Senators,

I support SB2971 to support ho‘opono mamo through the establishment of the Kawaiiloa Youth and Family Wellness Center at the Hawaii Youth Correctional Facility. Certainly, the intent is to improve and enhance Hawaii's juvenile justice system by strengthening services available to prevent juvenile delinquency and recidivism and to support rehabilitation. This is achieved by reinvesting savings from the reduction of the number of youth in secure confinement at the Hawaii Youth Correctional Facilities into services to prevent juvenile delinquency, specifically mental health and substance abuse treatment and rehabilitation, and to provide a more successful and supportive community reentry transition.

This is such an important program, I urge you to continue to assess support this initiative.

Mahalo for the opportunity to present testimony on behalf of this important initiative.

HOUSE COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

NOTICE OF HEARING

Wednesday, April 4, 2018, 1:30 PM
Conference Room 308, Hawai‘i State Capitol

TESTIMONY IN SUPPORT OF SB2791 HD1

Relating to Juvenile Justice Reform

TESTIFIER:

Nicole Kaaina, Graduate Student
University of Hawai‘i at Mānoa, Myron B. Thompson School of Social Work

Honorable Chair Sylvia Luke, Vice Chair Ty J.K. Cullen and members of the Committees. I, Nicole Kaaina, **support** bill SB2791 HD1.

The purpose of this Act is to (1) Support ho‘opono mamo, the new Hawaii youth diversion system, through the establishment of the Kawaihoa youth and family wellness center operated and maintained by the Hawaii youth correctional facilities; (2) Improve and enhance Hawaii's juvenile justice system by strengthening services available to prevent juvenile delinquency and recidivism and support rehabilitation; and (3) Re-invest savings from the reduction of the number of youth in secure confinement at the Hawaii youth correctional facility into the provision of mental health and substance abuse treatment and rehabilitation services to prevent juvenile delinquency, and to provide a more successful and supportive community reentry transition.

Providing wellness opportunities and preventative programs for at-risk youth is necessary to ensure their well-being and will help set them up for success as adults. Many youth in the juvenile justice system are born into circumstances beyond their control and don't have the proper guidance, struggle with mental illness, or engage in substance use. These factors may contribute to making questionable decisions, which can put them in the system. The proposed establishment of the wellness center can help to change the life course of our youth in the system and will provide them an opportunity to learn from their mistakes and offer them a chance at rehabilitation.

The proposed amendments in SB2791 HD1 are the necessary steps that are required to help keep Hawaii's at-risk youth out of the juvenile justice system. Enhancing services and providing programs that support our at-risk youth can help them to avoid recidivism and give our youth hope for a better future thereby strengthening our communities. As adults, we have an obligation to care for our youth and support their safe transition back into the community.

Mahalo for the opportunity,

Nicole Kaaina

SB-2791-HD-1

Submitted on: 4/3/2018 12:15:25 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Janice H Taketa	Individual	Support	No

Comments:

OUr youth are our future and many of them need much more direct support than they are now getting. There is hope for our 18-24 year old homeless if we get them off the street and provide needed support

To the Finance Committee, Hawaii State Legislature, the honorable Sylvia Luke, chair

I write as an individual citizen and as a member of the board of RYSE, Residential Youth Services and Empowerment. I have been a volunteer serving a drop-in center for homeless youth for the past 14 years. In 2015 many volunteers saw the homeless crisis in our island was particularly impacting our youth. With the sweeps, they could no longer sleep on the beach or in the parks. When the center closed at 6 pm and all weekends, the young people were lost. We formed a non-profit to get a shelter for youth, ages 18 to 24. Not only could the youth sleep safely, but they could learn skills which would enable them to start a new life: education, job training, life skills and more.

Today, thanks to an MOU with the far-sighted Kawaiiloa Youth Wellness Center, RYSE has completely renovated one of the vacant buildings that stood in disrepair. RYSE has a program completely ready to go which is equal to if not surpassing most of the best youth access centers on the mainland. We have an outstanding, proven executive director who has years of experience. It would be a tragedy to let this opportunity for Hawaii pass by; it will be a major step in ending the cycle of homelessness in this very vulnerable population.

Mahalo for reading my testimony.

Jane S. Anderson

1010 Wilder Ave, Apt. 704

Honolulu, HI 96822

808-988-5164

SB-2791-HD-1

Submitted on: 4/2/2018 7:53:00 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Bail	Individual	Oppose	Yes

Comments:

As a resident of Olomana, the closest community to the proposed location for the Kawaihoa Youth and Family Wellness Center (KYFWC), I strongly oppose SB2791 on the basis that I have received absolutely no outreach about this project, the physical construction plans proposed, or information about the changes it will bring to our quiet neighborhood. I have not been contacted by the Hawaii Youth Correctional Facility or the legislators representing my district.

Reading the bill, the location of the KYFWC is not mentioned. Reading the bill, residents of our Olomana community would not know these expansions are proposed in our backyard. There is no disclosure in the bill of the intent to expand services or facilities at the HYCF adjacent to our neighborhood. Additionally, the bill does not clearly state the contemplated expansions. It is deceptive on its face and should be defeated for this reason alone.

As an environmental attorney, I know that the use of state lands and state funds requires environmental review under Chapter 343. To my knowledge, there has been no compliance with Chapter 343. The bill is defective in that it omits any mention of the requirement to conduct environmental review in compliance with Chapter 343. It is the purpose of Chapter 343 that policymakers be fully informed of impacts from a project such as this one. Part II of the SB2791 commits funding for operational costs. Our courts have long held that environmental review cannot follow funding and project commitments. SB2791 should also be defeated for the reason that there has been no compliance with Chapter 343.

An Environmental Assessment or Environmental Impact Statement must disclose the action and project. This has not been done and, as stated above, the extent of the KYFWC is not clear from the bill. Environmental review would also disclose impacts on socioeconomic conditions, impacts on public services facilities (such as Maunawili Elementary School and our Olomana community park), visual and aesthetic resources, noise and traffic. Most importantly, the environmental review would disclose cumulative impacts, adding the KYFWC impacts to those impacts already existing in our community from the HYCF.

Additionally, Mount Olomana is a state monument and a historic landmark on Oahu, as established by HRS 6E-32.5. That statute further requires that the state acquire lands

significant to the preservation of Mount Olomana as a historic landmark. Further expansion of services and facilities at HYCF is inconsistent with this goal. Consideration should be given to the existing mandate in HRS 6E-32.5 of acquisition of these lands for preservation.

It is my further understanding that there have been several closed door meetings in which the KYFWC proposal has evolved. This type of concealment from our community is reason alone to vote against SB2791. Without support from the Olomana community, it should be defeated. I ask that there be a unanimous vote against SB2791 for the reasons set forth above.

SB-2791-HD-1

Submitted on: 4/3/2018 10:54:44 AM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lucinda Namahoe	Individual	Oppose	No

Comments:

I am very much against this project. We have enough issues having the womens prison and the boys home in our area - there are breakouts often and as a resident in that area it is very scary. A number of years ago, 4 boys escaped and came thru our yard and took my boys clothes off my clothesline in order to get further away. My son came home to a neighbor tellingh him of the dangers and waiting while he first checked our house and then walked down to my moms. I realize ALL neighborhoods say not in our area however WE have already given enough! We are not safe now in our homes and will be even more unsafe with the proposed changes! PLEASE vote NO

LATE

SB-2791-HD-1

Submitted on: 4/3/2018 3:24:59 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lori Santi	Individual	Support	No

Comments:

As an educator for over 30 years here in Hawaii, I have seen the recent increase in homeless youth on the streets. As a female I find it terrifying to think that these youth have no where to turn. Statistics have shown homeless youth to be the largest growing population in the country. This bill gives us the opportunity to be proactive, not reactive to this problem. As a friend and supporter of the RYSE organization I have witnessed the response of all of the youth outreach support groups to this model. The time is now to support these youth before they are bound to a lifetime of homelessness.

LATE

SB-2791-HD-1

Submitted on: 4/3/2018 4:30:36 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

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

Comments:

I strongly support the transition of this facility to a therapeutic environment. Homeless youth deserve the chance to gain the skills and resources to become self-sufficient and fully participating members of our community.



Adult Friends for Youth

"Redirecting lives to stop Violence"

LATE

**PRESIDENT AND
CHIEF EXECUTIVE
OFFICER**

Deborah L.K. Spencer-Chun, M.S.W.

BOARD OF DIRECTORS

*Chair of the Board
Jason Shimizu*

*Vice-Chair of the Board
Carolyn Berry Wilson*

*Treasurer
Garret Iha*

*Secretary
Jean Palm McIntosh*

Directors:

*Steven M. Baldridge**

*Arnold M. Baptiste, Jr.**

Paul Cunney

Frank De Lima

Daniel Dolan

Dennis Francis

*Jeffrey A. Hawk**

*Bradford Harrison**

T. Michael Hogan

William M. Kawashima

Damien T.K. Kim

*Brad Myers**

*Margie C. O'Neill**

T. George Paris

Catherine Payne

ADVISORY COUNCIL

Jomer Domingo

Scott Fuji

Chelsey Ogata

Lorinda Riley

Chris Ulep

Rowel Yasay

BOARD OF ADVISORS

Dennis Lombardi

Dr. Kevin Lye

James K. Schuler

*Phil Shimmin**

Susan Spangler

FOUNDER &

PRESIDENT EMERITUS

Sidney M. Rosen, M.S.W., Ph.D

**Past Chair of the Board*

Submitted to Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Submitted by: Deborah L.K. Spencer-Chun
President and CEO of Adult Friends for Youth

Wednesday, April 4, 2018
State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen and members of the Committee on Finance. I am writing with reservations to SB 2791 for the following reasons:

1. According to the Pew Charitable Trust report, the intent of Act 201 was to "reduce the population in HYCF by 60%, enable the closure of two facilities on the HYCF campus, and produce savings of \$11 million in the facility's budget by 2019. In turn this will redirect the savings into effective community-based alternatives..." Since Act 201 the population at HYCF has reduced from 80 to approximately 20 youth. However, it is unclear as to whether or not any of the resources have been reduced relevant to this population. Moreover, this logically leads me to believe that the cost of \$200,000 to incarcerate a youth since the implementation of Act 201 has actually increased.

Note-

Less youth + no reduction in facility cost=higher cost per youth

80 youth incarcerated x \$200,000=\$16,000,000

With no changes in cost- \$16,000,000 divided by 20 = \$800,000 per youth

I would hope that this would not be correct. However, I have not seen monies redirected into community-based alternatives which leads me to believe this could be true.

2. Act 201 was also intended to divert youth from incarceration. Kawaioloa Youth and Family Wellness Center seems to be another name for incarceration via commitment or admittance (as noted). The bill does not clearly clarify the difference between HYCF and KYFWC as they have the same policy for commitment and admittance.
3. SB 2791 seems to have an underlining intent to change Act 201. However KYFWC does not share any evidence that it is an effective approach in preventing juvenile delinquency.

4. SB 2791 seems to have the intent to prevent juvenile delinquency and recidivism. However, it also incorporates or includes both homeless and youth being targeted for sex trafficking with foster youth being at higher risk. Are we to believe that youth who are victims of these circumstances are now juvenile delinquents because of their circumstances? Further, do we need to have them admitted into a facility on the campus of HYCF? I am concerned about the stigmatism it could unintentionally cause the youth.
5. Is there a need for the State to invest money into more facilities for youth located outside of their home communities? There are programs in each community capable to serve our youth which will also allow the youth better access to their support system(s).

I end my testimony with this:

“Through this package of policies, we can focus HYCF primarily on public safety issues, while expanding treatment and rehabilitation in our communities so that more youth can have a better shot at getting their lives on track,” said David Hipp, executive director of the DHS Office of Youth Services. (David served as the Director of OYS during of the passing of Act 201.)

SB-2791-HD-1

Submitted on: 4/3/2018 7:31:08 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

LATE

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

Comments:

A very innovative and cost effective means for our local government to reallocate resources to provide a more effective means to addressing issues associated with youth homelessness.

LATE

SB-2791-HD-1

Submitted on: 4/3/2018 8:55:54 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Beeman	Individual	Support	No

Comments:

As a teacher, mentor and coach that works with youth up to the age of 24, I see the need for a more therapeutic approach for at risk youth. We need more community based behavioral health and vocational services for our young people. Every day I see how substance abuse, family member incarceration, mental health and trauma impact the lives of our youth. I also see the positive effects of community support, youth specific services and mentorship have on the youth in our community. I strongly support SB 2791.

Mahalo for the opportunity to submit testimony

LATE

SB-2791-HD-1

Submitted on: 4/4/2018 9:59:28 AM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Philips	Individual	Support	No

Comments:

Aloha Chair Luke and House Finance Committee Members,

I urge you to pass this legislation. Hawaii has a long tradition of taking care of her children, a Youth Homeless Shelter will go a long way towards living up to this legacy. I've also had the opportunity to substitute teach at the Olomana DOE school, the area is beautiful and will make a wonderful location to house our most vulnerable population of homeless children.

Respectfully,

Carol Philips

LATE

SB-2791-HD-1

Submitted on: 4/4/2018 11:37:09 AM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mo Radke	Individual	Support	No

Comments:

Aloha Chair Sylvia Luke and House Finance members:

I strongly support SB2791 and the new Youth Homeless Shelter in Olomana, the Kawaiola Youth and Family Wellness Center.

We have a growing number of Homeless Youth and they are in need of these special services and support that RYSE offers to make sure their lives get off to a positive start.

Respectfully,

Mo Radke, Resident



Adult Friends for Youth

"Redirecting lives to stop Violence"

LATE

**PRESIDENT AND
CHIEF EXECUTIVE
OFFICER**

Deborah L.K. Spencer-Chun, M.S.W.

BOARD OF DIRECTORS

*Chair of the Board
Jason Shimizu*

*Vice-Chair of the Board
Carolyn Berry Wilson*

*Treasurer
Garret Iha*

*Secretary
Jean Palm McIntosh*

Directors:

*Steven M. Baldridge**

*Arnold M. Baptiste, Jr.**

Paul Cunney

Frank De Lima

Daniel Dolan

Dennis Francis

*Jeffrey A. Hawk**

*Bradford Harrison**

T. Michael Hogan

William M. Kawashima

Damien T.K. Kim

*Brad Myers**

*Margie C. O'Neill**

T. George Paris

Catherine Payne

ADVISORY COUNCIL

Jomer Domingo

Scott Fuji

Chelsey Ogata

Lorinda Riley

Chris Ulep

Rowel Yasay

BOARD OF ADVISORS

Dennis Lombardi

Dr. Kevin Lye

James K. Schuler

*Phil Shimmin**

Susan Spangler

FOUNDER &

PRESIDENT EMERITUS

Sidney M. Rosen, M.S.W., Ph.D

**Past Chair of the Board*

Submitted to Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Submitted by: Deborah L.K. Spencer-Chun
President and CEO of Adult Friends for Youth

Wednesday, April 4, 2018
State Capitol, Conference Room 308

Chair Luke, Vice Chair Cullen and members of the Committee on Finance. I am writing with reservations to SB 2791 for the following reasons:

1. According to the Pew Charitable Trust report, the intent of Act 201 was to "reduce the population in HYCF by 60%, enable the closure of two facilities on the HYCF campus, and produce savings of \$11 million in the facility's budget by 2019. In turn this will redirect the savings into effective community-based alternatives..." Since Act 201 the population at HYCF has reduced from 80 to approximately 20 youth. However, it is unclear as to whether or not any of the resources have been reduced relevant to this population. Moreover, this logically leads me to believe that the cost of \$200,000 to incarcerate a youth since the implementation of Act 201 has actually increased.

Note-

Less youth + no reduction in facility cost=higher cost per youth

80 youth incarcerated x \$200,000=\$16,000,000

With no changes in cost- \$16,000,000 divided by 20 = \$800,000 per youth

I would hope that this would not be correct. However, I have not seen monies redirected into community-based alternatives which leads me to believe this could be true.

2. Act 201 was also intended to divert youth from incarceration. Kawaioloa Youth and Family Wellness Center seems to be another name for incarceration via commitment or admittance (as noted). The bill does not clearly clarify the difference between HYCF and KYFWC as they have the same policy for commitment and admittance.
3. SB 2791 seems to have an underlining intent to change Act 201. However KYFWC does not share any evidence that it is an effective approach in preventing juvenile delinquency.

4. SB 2791 seems to have the intent to prevent juvenile delinquency and recidivism. However, it also incorporates or includes both homeless and youth being targeted for sex trafficking with foster youth being at higher risk. Are we to believe that youth who are victims of these circumstances are now juvenile delinquents because of their circumstances? Further, do we need to have them admitted into a facility on the campus of HYCF? I am concerned about the stigmatism it could unintentionally cause the youth.
5. Is there a need for the State to invest money into more facilities for youth located outside of their home communities? There are programs in each community capable to serve our youth which will also allow the youth better access to their support system(s).

I end my testimony with this:

“Through this package of policies, we can focus HYCF primarily on public safety issues, while expanding treatment and rehabilitation in our communities so that more youth can have a better shot at getting their lives on track,” said David Hipp, executive director of the DHS Office of Youth Services. (David served as the Director of OYS during of the passing of Act 201.)

SB-2791-HD-1

Submitted on: 4/3/2018 7:31:08 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

LATE

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

Comments:

A very innovative and cost effective means for our local government to reallocate resources to provide a more effective means to addressing issues associated with youth homelessness.

LATE

SB-2791-HD-1

Submitted on: 4/3/2018 8:55:54 PM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Beeman	Individual	Support	No

Comments:

As a teacher, mentor and coach that works with youth up to the age of 24, I see the need for a more therapeutic approach for at risk youth. We need more community based behavioral health and vocational services for our young people. Every day I see how substance abuse, family member incarceration, mental health and trauma impact the lives of our youth. I also see the positive effects of community support, youth specific services and mentorship have on the youth in our community. I strongly support SB 2791.

Mahalo for the opportunity to submit testimony

LATE

SB-192-SD-1

Submitted on: 4/4/2018 9:35:59 AM

Testimony for FIN on 4/4/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Ann Pahukoa	Individual	Oppose	Yes

Comments:

Out-planting thousands and thousands of native trees in our Natural Area Reserve Systems has had a major impact on the watersheds within our sacred Hawai'i. I oppose Senate Bill 192, as it will affect the funding for State conservation entities like NARS. This is a serious conservation system that gives back to our 'aina, restores our watersheds, and promotes sustainability for all of Hawai'i.