

Honolulu, Hawaii
February 28, 2014

RE: H.B. No. 2490
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2490, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO JUVENILE JUSTICE,"

begs leave to report as follows:

The purpose of this measure is to enhance the existing juvenile justice system by, among other things:

- (1) Requiring the Executive Director of the Office of Youth Services to create a personalized reentry plan for all persons committed to the Hawaii Youth Correctional Facilities and specifying notice requirements related to the reentry plan;
- (2) Standardizing probation supervision requirements, including requiring probation officers to create an individualized case plan for each child placed on probation;
- (3) Authorizing probation officers to impose graduated sanctions for violations of, or award incentives to reward compliance with rules and terms of probation;
- (4) Establishing an earned discharge from probation program to incentivize compliance with rules and terms of probation;



- (5) Establishing a Statewide Juvenile Justice Interdepartmental Cluster to provide coordinated services to certain children under the jurisdiction of the family courts;
- (6) Specifying factors for the Executive Director to consider when granting parole;
- (7) Requiring the Board of Family Court Judges to provide guidelines and procedures necessary to implement a single statewide standardize tool to conduct risk and needs assessments to help reduce the likelihood of recidivism;
- (8) Requiring the Directors of the Family Courts of each circuit to establish a framework to guide probation officers in exercising discretion in providing informal adjustment;
- (9) Requiring the family courts to conduct a risk assessment for each child before disposition to assist the family courts in making an appropriate disposition, and to inform reentry and case plans;
- (10) Authorizing the court to suspend proceedings when the risk assessment indicates substance or mental health issues to allow for earlier treatment; and
- (11) Establishing a temporary Juvenile Justice Oversight Advisory Council to monitor and oversee the implementation of this measure.

The Office of the Governor; Judiciary; Office of Youth Services; Office of Hawaiian Affairs; Office of the Mayor of the County of Hawaii; Office of the Prosecuting Attorney, County of Kauai; Hawaii Youth Services Network; Community Alliance on Prisons; Drug Action Policy Group; and a few individuals provided testimony in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu provided testimony in opposition to this measure. The Department of the Attorney General, Department of Health, Crime Victim Compensation Commission, and a few individuals provided comments on this measure.

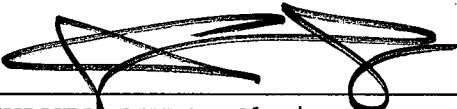


Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, for the purpose of facilitating further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2490, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2490, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



SYLVIA LUKE, Chair



