A BILL FOR AN ACT

RELATING TO JUVENILE JUSTICE REFORM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 352, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§352- Hawaii youth correctional facilities; Kawailoa youth and family wellness center; authority. (a) The Hawaii youth correctional facilities may operate and maintain the Kawailoa youth and family wellness center within the scope of the authority granted by the office of youth services pursuant to section 352D- , using funds appropriated or approved by the legislature for this purpose.

(b) Persons committed to the Hawaii youth correctional facilities shall be segregated from youth and young adults admitted to the Kawailoa youth and family wellness center. For purposes of this section, "young adult" has the same meaning as in section 352D-3."

SECTION 2. Chapter 352D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:
creation. (a) The office of youth services may create and
develop a central youth service center known as the Kawailoa
youth and family wellness center at the site of the Hawaii youth
correctional facilities. The office of youth services may grant
to the Hawaii youth correctional facilities the authority to
operate and maintain the Kawailoa youth and family wellness
center; provided that opportunities may be given to existing
state Hawaii youth correctional facilities civil service
employees to participate in the services and programs, as
specified in subsection (d), including discussing long-term
plans for employment and training opportunities to contribute
professionally to the program.

(b) A primary objective of the Kawailoa youth and family
wellness center shall be to prevent delinquency, as specified in
section 352D-7.

(c) The other objectives of the Kawailoa youth and family
wellness center shall be to:

(1) Offer residential programs in delinquency prevention,
including youth services, as defined in section
352D-3;
(2) Provide a wider range of informal dispositions, particularly alternatives to the juvenile justice system; and

(3) Develop an improved system of intake, assessment, and follow-up for youth at risk and young adults at risk.

(d) The Kawailoa youth and family wellness center services and programs may include but shall not be limited to mental health services and programs, substance abuse treatment programs, crisis shelters for homeless youth, crisis shelters for victims of human and sex trafficking, vocational training, group homes, day treatment programs, aftercare, independent and family counseling services, educational services, and other services and programs that may be required to meet the needs of youth or young adults.

(e) All youth at risk and all young adults at risk shall be eligible for services at the Kawailoa youth and family wellness center."

SECTION 3. Section 352-2.1, Hawaii Revised Statutes, is amended to read as follows:

"§352-2.1 Purpose. (a) This chapter creates within the department of human services, and [to be placed] places within
the office of youth services under the supervision of the
director and such other subordinates as the director shall
designate, the Hawaii youth correctional facilities, to provide
for the custody, rehabilitation, and institutional care and
services to prepare for reentry into their communities and
families, youth committed by the courts of the State.

(b) This chapter further creates within the department of
human services, and places within the office of youth services
under the supervision of the director and such other
subordinates as the director shall designate, and under the
supervision of the Hawaii youth correctional facilities, the
Kawailoa youth and family wellness center, to provide
prevention, rehabilitation, and treatment services and programs
for youth at risk and young adults at risk, to prevent
delinquency and reduce the incidence of recidivism among youth
and young adults in the State.

(c) The policy and purpose of this chapter is to
harmonize the sometimes conflicting requirements of public
safety, secure placement, and individualized services for law
violators in the custody and care of the director. To that end,
the director shall provide the opportunity for intelligence and
aptitude evaluation, psychological testing and counseling,
prevocational and vocational training, and employment counseling
to all persons committed to the Hawaii youth correctional
facilities[ ] and to all youth and young adults admitted to the
Kawaiola youth and family wellness center. Counseling services
shall be available to the committed or admitted person's family
during the term of commitment[ ] to the Hawaii youth
correctional facilities or admission to the Kawaiola youth and
family wellness center. The director shall coordinate services
provided to the facilities by other departments and agencies, to
realize these policies and purposes.

(d) For purposes of this section, "youth at risk", "young
adult at risk", and "young adult" have the same meaning as in
section 352D-3."

SECTION 4. Section 352D-3, Hawaii Revised Statutes, is
amended by adding a new definition to be appropriately inserted
and to read as follows:

"Young adult at risk" or "young adult" means any adult
between the ages of eighteen and twenty-four who has been
arrested, who has had contact with the police, who is
experiencing social, emotional, psychological, educational, or
physical problems, and who is no longer eligible for child
protective services provided by the State due to the adult's
age."

SECTION 5. Section 352D-4, Hawaii Revised Statutes, is
amended to read as follows:

"§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 and young adults identified with special education needs or actively receiving special education services, in accordance with the Individuals with Disabilities Education Act (20 U.S.C. section 1400 et seq.) 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."

SECTION 6. Section 352D-7, Hawaii Revised Statutes, is amended to read as follows:

"352D-7 Youth services centers; creation. (a) Beginning July 1, 1991, the office of youth services shall create, develop, and operate youth service centers throughout the State, including one or more in each county[→] and including the Kawailoa youth and family wellness center created pursuant to section 352D-[→]. This may be done either directly or by contract with private parties. Delinquency prevention shall be a primary objective of these centers. The population eligible for services at the centers [would] shall be all youths in need of services[→] and all young adults at risk. All referrals and admissions to a youth services center shall be voluntary. Centers [would] shall also develop individualized intake capabilities, program plans, delivery of services, and a
comprehensive referral network. The objectives of the youth
service centers shall be to:

1. Develop and implement programs in delinquency
   prevention;
2. Provide a wider range of informal dispositions,
   particularly alternatives to the juvenile justice
   system;
3. Develop an improved system of intake, assessment, and
   follow-up for youths including youth at risk, and
   for young adults at risk; and
4. Provide better coordination of juvenile justice and
   nonjuvenile justice services in order to reduce
   overlaps and gaps in services.

(b) Each center shall:

1. Be responsible for coordinating all services, justice
   system or [non-justice] non-justice system, both public
   and private, to the youth and young adults referred to
   it; and
2. Be responsive to the needs of its immediate community
   and offer an array of services that are tailored to
   the needs of its constituents.
(c) Every youth and young adult referred to a youth services center shall[, as soon as possible[,] be appropriately placed with a service provider and provided services[,] as soon as possible. The center shall develop procedures [which] that will [insure] ensure that appropriate service providers are available on a twenty-four hour basis for each youth[,] and young adult. The center may contract with [such] service providers for [such] provision of services.

(d) Each youth service center shall maintain a registry of every youth and young adult referred to it and shall monitor and supervise the follow-up services that are provided to the youth[,] or young adult. Each center shall be primarily responsible to [insure] ensure that [the] each youth is fully diverted from the juvenile justice system."

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 8. This Act shall take effect upon its approval.
Report Title:
DHS; DOE; OYS; HYCF; Juvenile Justice Reform; Kawaiola Youth and Family Wellness Center

Description:
Permits the establishment of the Kawaiola 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. Clarifies that the Department of Education shall be the sole provider of standards-based education for youth adults at risk and young adults identified with special needs or actively receiving special education services. (CD1)

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