

Honolulu, Hawaii

FEB 09 2021

RE: S.B. No. 386

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 386 entitled:

"A BILL FOR AN ACT RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP,"

begs leave to report as follows:

The purpose and intent of this measure is to protect youth from certain harmful conditions in the justice system by ensuring compliance with the Juvenile Justice Reform Act of 2018, codified under 34 U.S.C.A §11133, which requires the family court to make findings before a minor can be transferred to an adult facility.

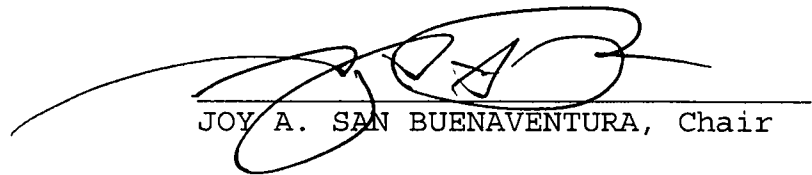
Your Committee received testimony in support of this measure from The Judiciary of the State of Hawai'i, Office of the Public Defender, Department of Human Services, Office of Youth Services, Hawaii Disability Rights Center, and one individual.

Your Committee finds that when a youth is transferred to the adult criminal justice system, the lifelong consequences of placement in the criminal justice system has a profoundly negative effect on both the youth and our community. There is an abundance of evidence that youth are fundamentally different from adults and are more likely to experience abuse, commit suicide, and be exposed to prolonged periods of isolation. Your Committee also finds this measure provides additional guidance and restrictions concerning any detention of a juvenile in an adult detention facility.



As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 386 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 386	HMS, JDC	02/04/2021

The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	5	0	0	0

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: 

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\*Only one measure per Record of Votes