



The Judiciary, State of Hawaii

Testimony to the House Committee on Judiciary

The Hon. Karl Rhoads, Chair
The Hon. Sharon E. Har, Vice Chair

Thursday, February 6, 2014
2:00 p.m.
State Capitol, Conference Room 325

By
R. Mark Browning
Deputy Chief Judge, Senior Family Judge
Family Court of the First Circuit

Bill No. and Title: House Bill No. 2490, Relating to Juvenile Justice.

Purpose: To improve and enhance Hawaii's juvenile justice system.

Judiciary's Position:

The Judiciary strongly supports passage of House Bill No. 2490. The Preamble of this bill thoroughly explains the history, work, and conclusions of the Hawaii Juvenile Justice Working Group that was established in August of 2013 by Governor Neil Abercrombie, Chief Justice Mark Recktenwald, Senate President Donna Mercado Kim, and House Speaker Joseph Souki.

This testimony will not repeat the information already found in the Preamble. We respectfully note that this bill addresses recommendations listed in the Final Report of the Working Group, including:

- Recommendation 7: Clarify the Criteria Used to Release Youth from HYCF (13).
- Recommendation 8: Require the Creation of Offender Reentry Plans (13).
- Recommendation 9: Provide Clear Diversion Authority for Youth Who Do Not Need Justice System Interventions (14).
- Recommendation 10: Standardize Criteria for Informal Adjustment (14).
- Recommendation 11: Codify Current Administrative Monitoring Practices (14).



Recommendation 12: Provide for a Risk and Needs Assessment to Assist Judges in Disposition Decisions (15).

Recommendation 13: Use Risk and Needs Assessments to Drive Supervision (15).

Recommendation 14: Create Case Plans to Focus Probation on Successful Outcomes (15).

Recommendation 15: Require at Least One Home Visit for Probated Youth (16).

Recommendation 16: Provide Annual Training for Probation Officers (16).

Recommendation 17: Create Graduated Sanctions and Incentives for Probated Youth (16).

Recommendation 18: Invest in Proven Practices to Reduce Reoffending (16-17).

Recommendation 19: Establish a System of Earned Discharge for Youth to Incentivize Success (17).

Recommendation 21: Provide a Pathway to Earlier Referrals and Access to Mental Health Services (17-18).

Recommendation 22: Enhance Interagency Collaboration (18).

Recommendation 23: Implement a System of Performance and Outcome Measures (18-19).

Recommendation 24: Empower an Oversight Committee to Monitor Reforms and Report Outcome Measures (19).

The Working Group's Final Report clearly connects the dots between public safety, restricting HYCF to serious offenders, developing a continuum of services, expanding local alternatives based on evidence-based practices, and saving public monies by smart reinvestment. In particular to House Bill No. 2490, besides mandating specific best practices, care is taken to develop data that will inform future practices. Building on the data, the bill creates a system of reporting from the executive agencies and the family court. An oversight committee is created to receive, review, and act upon the generated reports and data.

The Working Group has performed a remarkable and tangible service for this state—not just for youthful offenders and their families—but for everyone. Everyone benefits when public safety can be strengthened and when children are given the tools to reach healthy and productive futures.

The Judiciary strongly supports the passage of House Bill No. 2490.

Thank you for the opportunity to submit testimony on this bill.