

**2023 HAWAII ACCESS TO JUSTICE CONFERENCE**  
**“BUILDING TRUST AND UNDERSTANDING ABOUT CIVIL ACCESS TO JUSTICE”**

Friday, June 16, 2023

William S. Richardson School of Law, University of Hawai‘i

12:45 – 2:00 p.m.

**“Alternatives to Incarceration in the Juvenile Justice System”**

**[Carla Houser (RYSE – residential youth empowerment, youth experiencing homeless, support housing, education, development appropriately 14-29), Judge Jessi Hall (Special division, family court judge), youth representative (diversion specialist under RYSE, diverting from incarceration, criminal justice bachelor student)]<sup>1</sup>**

In 2018, Hawaii started working on the juvenile justice system to transform to a therapeutic, healing system which is opposed to incarceration. We observed a lot of youth in color and Native Hawaiian youth who carry historical trauma and trauma from parents and victimization. RYSE, Residential Youth Services and Empowerment, helps youth who experienced homelessness by offering access center and shelter services in Kailua, Oahu. Youth who are between 14 and 24 years old are welcome to seek services at the access center. RYSE observed disproportionately people coming from Waianae and Kalihi. RYSE provides safe and temporary living space and offers education, counseling, and life skills training.

In Judiciary, there have been several reforms of the juvenile justice system. In 2001, the Juvenile drug program has been implemented. Youth with substance abuse must go to court every week. In 2004, the girl’s court was created. We recognized that the traditional system does not work for girls. They must go to the court once a month to attend a class and run a cohort so that they can support each other. In 2010, the Juvenile Detention Alternative Initiative (JDAI) was implemented. JDAI focuses on rehabilitation and building skills for youth. Since JDAI was implemented, the incarceration rate of detention centers and Hawaii Youth Correctional Facility has positively changed. In 2013, substance use, mental health, and residential program has been implemented as a part of the juvenile justice reform. However, we do not have enough residential services for youth in Hawaii. It still exists as one of the biggest problems.

The current focus is to reduce court involvement for youth issues, create more resources for family, and refer to other agencies and community partners. Courts also want to show that they are helping and providing support for youth. Many people have stigma for dealing with the judiciary, so the courts try to remove the stigma. There is a program called “Sparks program.” The program helps youth to find their interest in their individual life. Once each of them determines what their spark is, they are offered to work with someone who has knowledge of the interest. In 2015, the truancy court was back. It expanded to three more schools to find barriers to

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<sup>1</sup> The attendee, Makoto Messersmith, prepared this summary based on the note.

families which have not been able to send the children to school. This program has been so successful, and no family needed to be brought to the court.

In the future, Judge Hall expressed her vision to have “culture court” to connect the youth back to their culture and community. In 2020, 4300 youth were arrested. 48% of them were either Native Hawaiian or Pacific Islanders. Judiciary extensively try to learn from successful courts for indigenous population in New Zealand, Australia, and Canada. We also must understand a difference between Native Hawaiian youth and Pacific Islanders. Some of them are not in their homeland. We need to learn how culturally they would address the youth because the western perspective does not work for those youth who have issues of behavior.