



**STATE OF HAWAII**  
**HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION**  
**E HUIKALA A MA'EMA'E NŌ**

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The United State Senate  
Committee on Indian Affairs  
Washington, DC 20510-6450

Re: Testimony on Justice and Safety for Native Children: Examining Title II of the Draft Native Children's Commission Implementation Act

Chair, Vice Chair, and members of the Committee,

Mahalo for the opportunity to share Hawai'i's story — a story of resilience, cultural strength, and the urgent need for federal systems to finally see and support Native Hawaiian children and families.

For generations, Native Hawaiian families have carried the weight of historical trauma, systemic inequities, and the erosion of traditional structures that once protected our children. Yet despite these challenges, our communities have never lost the belief that healing begins with culture, with family, and with the deep relationships that bind us to one another and to the land. This belief has shaped Hawai'i's justice reforms over the past two decades, and it is the reason our state has become a national example of what culturally grounded, trauma-informed systems can achieve.

In our Family Court system, we made a conscious decision to move away from punitive responses and toward practices that honor the cultural identity of our youth. Girls Court, for example, was built around the understanding that Native Hawaiian girls enter the system through pathways shaped by trauma, exploitation, and disconnection. By surrounding them with cultural mentors, deep family engagement, and trauma-informed care, we reached a ninety-day period in which not a single Native Hawaiian girl was incarcerated. That outcome was no coincidence — it was the direct result of centering culture, belonging, and healing in every aspect of our work.

Juvenile Drug Court followed a similar path. Instead of treating substance use as a moral failing, we recognized it as a symptom of deeper wounds. Ho'oponopono, (A Hawaiian cultural Restorative Justice Model), cultural identity work, and family-based healing became core components of the program. Youth who once cycled through detention began reconnecting with their families, returning to school, and rebuilding their sense of self.

Our adult specialty courts — Drug Court, Mental Health Court, Women's Court — extend this healing across generations. They address the trauma, substance use, and mental health challenges

that often begin in childhood and ripple through families. These courts demonstrate that when we treat people with dignity and cultural grounding, recidivism drops, families stabilize, and communities heal.

Across Indigenous homelands, our women have always been the carriers of culture, the anchors of family, and the protectors of identity. Native American, Alaska Native, and Native Hawaiian women hold the stories, the language, and the practices that sustain our Nations. Yet they remain among the most marginalized and least visible populations in federal and state systems. Nationally, Native American and Alaska Native women are incarcerated at **up to six times the rate of white women**, and Native Hawaiian women are similarly overrepresented in Hawai'i's correctional system. Even as Hawai'i has seen a meaningful decline in its adult female incarcerated population—contributing to a **32.9% statewide reduction in the prison population since 2015**—the women most impacted by these systems continue to be the least represented in the data that shapes federal policy.

This is the spirit of Tiwahe. And it is why Hawai'i's experience is so relevant to this Committee's work.

But even with these successes, Native Hawaiian women and children face structural barriers that no amount of local innovation can overcome. One of the most significant is the absence of consistent, accurate data. Unlike Tribal Nations, Native Hawaiians are not protected under the Indian Child Welfare Act. There is no federal oversight of child welfare outcomes, no mandatory reporting, and no inclusion in national ICWA datasets. Native Hawaiian children — one of the largest Indigenous populations in the United States — remain invisible in the very systems designed to protect Indigenous children.

Within Hawai'i, the picture is equally fragmented. Every state agency collects Native Hawaiian data differently. The Department of Health uses one set of categories, Human Services uses another, Corrections and Rehabilitation has a third, and the Judiciary uses several depending on the program. Most rely on self-identification, and none share a unified statewide method for tracking Native Hawaiian children across health, welfare, education, and justice systems. The result is a patchwork of incomplete data that makes it nearly impossible to measure outcomes, identify disparities, or allocate resources based on need.

Native Hawaiian children appear in the highest-risk categories across multiple systems — yet there are very few budgeted line items dedicated to reducing these disparities. They are visible in vulnerability but invisible in solutions.

This is why Titles II and III of the proposed bill are so important. A federal clearinghouse on Native children and a DOJ study on missing Native children must explicitly include Native Hawaiians. Without inclusion, federal findings will be incomplete, and Native Hawaiian children will once again be left out of national policy responses.

Section 304 is equally critical. The people best equipped to deliver culturally grounded, land-based healing — our kupuna, cultural practitioners, and Indigenous nonprofits — are often the least equipped to navigate Western grant systems. They carry the knowledge that keeps our youth

connected to identity and place, but they rarely have grant writers, fiscal officers, or compliance staff. Federal funding structures were not built for them, yet they are the backbone of the programs that work.

If Section 304 includes Native Hawaiian organizations, it will shine a light on these capacity barriers and help federal agencies design funding pathways that honor Indigenous knowledge rather than inadvertently excluding it.

At the heart of all of this is sovereignty. Tiwahe succeeds because it affirms that every Tribe — and every Indigenous people — must have the authority, resources, and flexibility to design services rooted in their own cultural upbringing. Healing cannot be standardized or imposed. It must be shaped by each Nation's worldview, values, and ways of restoring balance. For Native Hawaiians, sovereignty means ensuring that our cultural practitioners and Indigenous organizations are not just participants in program design — they are leaders.

Hawai'i's experience shows that when Indigenous communities lead with culture, family, and healing, outcomes improve and system involvement declines. Including Native Hawaiians in Tiwahe will not only strengthen our families — it will provide a proven model that can uplift Tribal communities nationwide.

Mahalo for your leadership and for your commitment to Native children across all Indigenous homelands. Hawai'i stands ready to partner with you in this work. For any questions, please contact Chair Mark Patterson at [mark.patterson@hawaii.gov](mailto:mark.patterson@hawaii.gov) or 808-587-4160.