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# JUVENILE JUSTICE STATE ADVISORY COUNCIL COMPLIANCE COMMITTEE

**May 30, 2013**
**10:00 a.m. to 1:00 p.m.**
**Haseko Center, Conference Room #1**
**820 Mililani Street, 6th Floor**
**Honolulu, Hawaii 96813**

## MINUTES

**Present:** Ronald Nakamichi, Chair
Lt. Everett Ferreira, MPD
Lt. Lucille Melemai, HPD, Hilo
Lt. Gary Saiki, Kauai Sheriff Commander
Lt. Todd Tanaka, KPD
Sgt. Barry Tong, HPD
Marsha Yamada, Juvenile Client & Family Services Administrator, 2nd Circuit

**Absent:** Jaque Kelley-Uyeoka, Hale Kipa, Deputy CEO Outreach

**Staff:** Ed Chargualaf, OJJDP Program Coordinator
John Paekukui, JJ Program Compliance Monitor
Leimomi Fernandes-Otake, JJ Administrative Assistant

**Guest:** Kaleve Tufono-Iosefa, Office of Youth Services CYP Specialist, Micronesian

**I. Call to Order**

Chair Nakamichi called meeting to order at 10:23 a.m. Nakamichi thanked members for attendance, welcomed new committee members, and made introductions.

Ed Chargualaf briefed committee on OJJDP Juvenile Justice Specialist position and federal grants: (1) Title V Incentive grants are for local delinquency prevention programs which is awarded to County of Kauai, (2) Title II Formula grants are for states, which established the council and sub-committees, and (3) Juvenile Accountability Block Grant (JABG) are awarded to the four counties. JJSAC and sub-committees are guided by the Coalition of Juvenile Justice (CJJ), which hold annual conferences and provides technical

assistance. Addressing state compliance issues are vital, because of the 20% penalty for the violation, and the requirement to use the remaining 50% to correct the violation.

John Paekuki briefed committee on compliance monitoring per the Juvenile Justice and Delinquency Prevention Act (JDP Act) of 1974 to address conditions of confinement of juveniles. The Act reauthorization is every four years, which was revised in 2002 and known as the JJDP Act of 2002. Paekukui is available to do trainings for STRIPES and frontline officers. Submission of the annual State Compliance Monitor Report to OJJDP, after the committee approval, the JJSAC Executive Committee and copies sent to the Governor and the County Commanders.

**II. Review Juvenile Justice State Advisory Council (JJSAC) Compliance Committee March 7, 2013 Minutes** **Attachment A**

Nakamichi asked for review of the March 7, 2013 minutes. Nakamichi noted page 3, typo of CALEA which stands for Accreditation for Law Enforcement Agencies. Lt. Ferreira noted page 5. B., 3 hired of 4 high schools and 1 hired of 6 middle schools. Marsha Yamada motioned to approve the March 7, 2013 minutes with changes, seconded by Ferreira, and the motion was passed unanimously.

**III. Committee Membership**

A. Honolulu Police Department - City & County of Honolulu

Paekukui introduced Sgt. Tong as the HPD representative, confirmed his five year commitment to the district, and to disseminate information countywide.

B. Sheriff

Paekukui introduced Lt. Saiki, Kauai Sheriff Commander as the meeting representative. Nakamichi asked for Saiki to be permanent. Chargualaf advised to ask for nomination and to vote. Members voted in favor and no nays. Nakamichi confirmed Saiki as Sheriff liaison to disseminate information statewide.

**IV. Training**

A. Strategies For Youth (SFY) vs. Connecticut Police Youth Development (Connecticut) **Attachment B**

Chargualaf disseminated comparison between SFY and Connecticut. Committee's decision to secure training, and the need to have Commanders buy-in or recommend another type of training. Paekukui attended the Connecticut training in Austin, Texas. Training costs and logistics were reviewed by the Committee and decided that the Connecticut training would be better suited for patrol officers and SFY for police management, probation officers, HYCF personnel, and other personnel who spend more time with juveniles.

Nakamichi recommends the 3-day Train-the-Trainers, and the need to secure a 5 year department commitment and for participating members ability to continue the training. Ferreira mentioned that Commanders makes the decision, and a letter should come from the committee.

Yamada stressed the need to help probation officers, staff in detention homes, and HYCF to re-connect with the youth. Nakamichi suggested the Connecticut training for law enforcement and SFY for counselors and others. Tufono-Iosefa agreed as the former HYCF Administrator, SFY is beneficial for facility officers handling youth such as HYCF and detention homes, and probation officers and counselors. Trainings are good for probation officers to experience what frontline police officers encounter.

Nakamichi confirmed Connecticut to meet the immediate need and SFY is second. **ACTION:** Chargualaf to (1) check on re-certification, (2) check if able to include probation officers in Connecticut training, and (3) letter from Compliance Committee Chair and OYS Executive Director to Commanders requesting training. **ACTION:** Paekukui to send Connecticut training copies for committee dissemination.

B. School to Prison Approach vs. Prison to School Concept
Chargualaf to continue to explore. SRO should educate students and parents on the law and its consequences, and to prevent from entering the juvenile justice system.

Ferreira mentioned SRO work with schools versus Chapter 19. The school atmosphere has changed due to recent school shootings. SRO work with youth and families, and serve as a mediation before arrest. Tong reported Oahu's SROs are DARE officers, who work with kids, and the school's safety managers, who are the head of security for the school.

Work is continuing on the CCI process for Oahu; Kauai County volunteered to participate during the presentation at the Chief of Police Summit. Maui is ideal, because the family court judge, prosecutor, and police are collaborating. Big Island recently established an Assessment Center that is operated by the Salvation Army through a subcontract with the Office of the Prosecuting Attorney. Officers drop-off youth to the Assessment Center for processing and other services.

Chargualaf disseminated the Ho`opono Mamo (CCI) brochure. Target start date is January 2014 within District 5-Kalihi. This process hopes to eliminate the need to arrest status offenders and certain minor law violators. Emphasized Senator Inouye's concern that once a youth is arrested, they cannot enter the military, or receive college scholarships.

Chargualaf reported the unveiling of the online youth directory; currently only on Oahu, but will include the other counties.

Yamada inquired Hilo Assessment Center success. Melemai reported less than 10 kids, some above intoxicated level, talking-story is successful and officers pleased to drop off youth.

**V. Compliance Update**

A. Hawaii State Compliance Monitoring Report **Attachment C**

Paekukui highlighted the State Compliance Monitoring Report. Page 3, 0 violations of removal of status offenders and non-offenders from secure detention and correctional facilities, because following federal rules. In past, given violations because of possession. In 2010, federal attorneys were wrong, because it is not a DSO, but a criminal offense.

Page 5, addresses site and sound separation and 0 violation for separation of juveniles and adults. This compliance is difficult with the old stations. Such as HPD, giving kids breathe testing; tester located in adult section. 1 violation can put out of compliance.

Page 7, 2 violations of removal of juveniles from adult jails and lockups. Good record, with over 3,000 kids statewide to not hold in excess of 6 hours. Attachment III explains the violations: (1) Due to Kauai Family Court Judge order minor to detention facility, held for 6 hours and 15 minutes because of the flight to Honolulu, and the shift switch of police officers. Saiki reported the Kauai Rule Exception will avoid future violations.

Paekukui reminded the release of juvenile from secured to non-secured will stop the clock. (2) Kaneohe held juvenile for 7 hours, because he was not familiar with the core requirements. District Commander confirmed training to avoid future violations.

Attachment V, although not a core requirement, federal request tracking of minors in possession offenses for alcohol and to maintain separate stats.

Tong motioned to approve the State Compliance Monitoring Report, seconded by Saiki, and the motion was passed unanimously.

**VI. Compliance Monitoring Visits**

Paekukui visit lock up facilities. Maui is not reclassified like Kauai and Big Island, but defined as a temporary holding versus judiciary for hearings. Attachment I of the report list facility types, monitored by OYS. Attachment II list the lock up facilities that meet the removal exception.

A. Contracted Provider List of Services **Attachment D**
Chargualaf disseminated OYS Provider List of Services and highlighted programs from residential living to emergency shelter, gang prevention, and the 11 OJJDP funded programs. Encourage program use by frontline police officers and to use as a resource to know where to place kids.

B. Hilo Assessment Center
Melemai reported the BIJAC Committee took 10 years to establish an assessment center. Welcoming environment, staff experienced to calm kids versus police interactions or in a hospital. Hope to add Kona as a second location. Assessment Center is 24 hours and working towards making contact with probation officers.

Committee decided to site visit the Hilo Assessment Center for the next meeting on Friday, September 6. **Action:** Leimomi Fernandes-Otake to book travel.

**VII. County Reports**

A. Big Island County - Melemai reported Robert Wagner is the new Criminal Investigation Captain. Department without a captain since beginning of year.

B. Maui County - Ferreira reported posting 1 counselor position in June.

C. Kauai County - Tanaka reported 3 SRO/DARE officers for high schools. Sgt. Mark Ozaki, who attended the December 3, 2012 facility site visits is the program lead.

D. Honolulu County - Tong reported 1 year in Central Receiving, and major transition: 19 new people, lost 3/4 of 1st watch, new Captain Castro from Kapolei, 1 new Lt., 1 new Sgt. and all new to work desk. Division to become in sync with juvenile compliance and arrest process. **Action:** Paekukui to coordinate Central Receiving Division training.

Noted huge influx of Micronesian juveniles in facilities, same juveniles, and now know by name. Micronesians arrested for being drunk. Crimes are elevating because of drinking, from runaways to petty assault and accelerating to robbery and car break-ins.

Tong reported problem contacting parents, which may take parents 3-4 hours to get to the station, although very close by. When approaching the fifth hour; decision to wait or ship to Hale Kipa due to the compliance violation versus returning to family.

Tong reported crime in Waikiki increased by Micronesians and hi-jacking kids at bus stops in Kaimuki. Tong reported the same for school absenteeism. **Action:** Chargualaf to provide Micronesian Cultural trainings.

E. Judiciary - Yamada reported Family Court Chief Browning's same message, only if appropriate place in detention. Be creative and not same old. See why juvenile not showing up for court and be more pro-active.

F. Sheriff - Nakamichi amended agenda to add F. Sheriff - Saiki to the County Reports. Saiki better understanding of committee, because sits on JCC with Teresa Koki , the Office of the Mayor. Interested in Connecticut training for police officers, and similar probation officers training for sheriffs, because handle juveniles after calmed down.

**VIII. Announcements**

1. Fernandes-Otake reviewed the established JJSAC Travel Procedures of September 26, 2012. Reminders to ensure travel information matches proper I.D., advance check-in to ensure scheduled flight departure, original receipts within one (1) week of the meeting date, and to advise if you already have per diem or travel reimbursement from your organization (including parking).

**IX. Next Tentative Meeting**

Friday, September 6, 2013 on Hilo, Site Visit of Hilo Assessment Center
**Action:** Chargualaf to coordinate Hilo Assessment Center visit to follow meeting.
**Action:** Melemai to confirm precinct conference room for meeting at 10:00 a.m.

**X. Adjournment**

Ferreira motioned to adjourn the meeting, and seconded by Yamada. There being no further discussion, the meeting was adjourned at 1:15 p.m.

Respectfully submitted,

Leimomi Fernandes-Otake

Leimomi Fernandes-Otake
Juvenile Justice Administrative Assistant