



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
OFFICE OF YOUTH SERVICES
707 Richards Street, Suite 525
Honolulu, Hawaii 96813

**JUVENILE JUSTICE STATE ADVISORY COUNCIL
EXECUTIVE COMMITTEE MEETING**

September 12, 2012
9:00 a.m. to 12:00 p.m.
Haseko Center, Conference Room #1
820 Mililani Street, 6th Floor
Honolulu, Hawaii 96813

MINUTES

Present: Wayde Lee, Chair
Jay Kimura, 1st Vice Chair
Dexter Artienda, 2nd Vice Chair & Youth Committee Chair
Tai-An Miao, Ethnic & Cultural Diversity Committee Chair
Ronald Nakamichi, Compliance Committee Chair
Melinda Montgomery, Prevention & Accountability Committee Chair

Staff: Ed Chargualaf, OJJDP Program Coordinator
Christopher Lum Lee, JJ Program Specialist
John Paekukui, JJ Compliance Specialist
Leimomi Fernandes-Stark, JJ Administrative Assistant

I. Call to Order

Chair Lee called meeting to order at 9:00 a.m. Chair Lee welcomed Melinda Montgomery as the new Prevention & Accountability Committee Chair.

**II. Review Juvenile Justice State Advisory Council (JJSAC)
May 15, 2012 Minutes**

Attachment A

Jay Kimura motioned to approve the May 15, 2012 minutes, seconded by Melinda Montgomery, and the motion was passed unanimously.

III. Compliance Update

A. Site Audit of Facilities

John Paekukui started Honolulu compliance monitoring site visits and almost completed. Federal requires more checks involving verification of data and logs recorded in files. Big

Island and Kauai do not have logbooks because of computer database. After Oahu, will begin Big Island site visits in November because of training session.

B. Status of Core Requirements

Attachment B

Ed Chargualaf reported receipt of compliance determination letters for John Paekukui's three core requirements: 1) deinstitutionalization of status offenders, 2) sight and sound separation from adult offenders, and 3) jail and lockup removal. Disproportionate Minority Contact (DMC) is the forth compliance requiring states/territories to reduce over representation of minority in the juvenile justice system. Each compliance requirements represents 20% Federal funding, so we received 80% of the state's allocation.

Ed Chargualaf highlighted JDAI support for 2012 specifically for alternatives to detention and activities within the facilities. There is a need to identify programmatic and system improvement strategies at the pre-arrest stage; continue support of the Kupuna Program; and request for technical assistance from OJJDP.

C. Rural Exception for Hawaii and Kauai

Attachment C

John Paekukui reported Big Island and Kauai court buildings have the Rural Exception and can now hold juveniles overnight.

D. Disproportionate Minority Contact (DMC)

1. Planned Projects

Ed Chargualaf working to implement HYCF programs. Meeting next month with key players, David Hipp and hope to get staff buy-in to support the Heiau project. Groups are interested in HYCF Heiau Restoration, but the problem is the State AG \$1M liability insurance requirement. Jay Kimura suggested partnering with Alu Like who has insurance. Chair Lee's Big Island contact, Billy Fields builds heiaus, has a grant, tried going direct to HYCF, but faced the \$1M liability insurance problem.

To establish the Lua Practice, a leadership program and to connect to Hale Mua Practitioner when released. The kids are now negative warriors which the Lua Practice will change to positive warriors and connect them further to the Hale Mua in their respective community.

The Canoe Restoration is another project. Chair Lee contacted a canoe builder who suggested the kids restore the canoe at his Kailua shop. Uncertain of the number of kids that can participate, but hope to ask for a separate cottage for the project.

Ed Chargualaf mentioned the Restorative Justice Civil Citation Program incorporating the Assessment Center concept. This will provide a place for police to drop off kids and to get immediate assessment and appropriate services/referral. The alternative is to refer kids

to cultural based places such as the Loi, Heiau, restoration projects, etc. which includes Hawaiian cultural practices.

DMC meetings made in the various communities reveal organizations helping youth without any funding. Working with State Procurement Office (SPO) if we can provide incentive awards. An issue include not having the staff to handle fiscal matters or reports. A third party non-profit organization may resolve this issue. The target is court-involved kids to be diverted to their respective communities versus lockup.

2. Phase II Study Dissemination Project Update

Ed Chargualaf reported DMC contract with UH, Karen Umemoto and Tai-An Miao. DMC Study and Juvenile Justice Crime Analysis are posted on the DHS-OYS website under JJSAC. DMC contract with UH started January 1, 2011 to disseminate the findings of the study in order to get community feedback. The result is to strategically reduce DMC versus programs to address over representation. Meetings have been held with Office of Hawaiian Affairs, Kamehameha Schools/Bishop Estate, and neighbor island communities on the Big island, Kauai and Maui.

Tai-An Miao reported Legislature Joint Hearing in October with Senator Suzanne Chun-Oakland and Representative Faye Hanohano.

Dexter Artienda inquired about the formal public release status regarding the DMC Study. Ed Chargualaf reported the Governor's Office has yet to respond but will go ahead with the Legislature Briefing. Need to disseminate the report now versus shelving. People asked for the report after the OYS Conference, so it is posted in the DHS-OYS website with David Hipp's approval.

IV. Juvenile Justice State Advisory Council (JJSAC)

A. Membership

1. William Fernandez, Kauai

Attachment D

Ed Chargualaf reported William Fernandez is a retired Judge and spent time in California. Nominated from the Boards & Commissions. Chair Lee will call to official welcome to JJSAC. Attending JJSAC September 26, 2011 meeting as non-government member.

Ed Chargualaf reviewed standing committee chairs. Melinda Montgomery, Prevention & Accountability Committee Chair; Tai-An Miao, DMC Committee Chair; Dexter Artienda, Youth Committee Chair and JJSAC 2nd Vice Chair; Jay Kimura is the JJSAC 1st Vice Chair; and Ronald Nakamichi, Compliance Committee Chair.

B. Annual Report

1. Brief Bio of Members

Chris Lum Lee reported pending member's bios and only received a few responses.

2. Final Report (1st draft)

Chris Lum Lee reported server down, will complete draft for JJSAC meeting for initial feedback. Inquired printing quantity, binding, and PDF publishing. Dexter Artienda recommended both printed and PDF. Jay Kimura suggested using prison printing. Ed Chargualaf requested to get the minimum quantity with a maximum of 150. The purpose of the report is for the SAG members, standing committees, Governor, Legislature and grantees.

C. By-Laws

1. Term of JJSAC Officers

Chair Lee proposed that the outgoing officers help the new chairs transition.

Ed Chargualaf reviewed areas of concern –

1. The term of the officers to serve “1” year only. Question if enough time to implement action which is only four meetings. Suggest considering 2-year term for chairman, but ensuring term is not ending.
2. Subcommittees without a Chair or Vice Chair, the JJSAC Chair can designate a Chair. It is silent if the Chair has to be a JJSAC appointee. Would like to see comments.
3. The By-laws are State Statutes and the Board & Commissions Acts which governs JJSAC; must have non-government members with more than 50% non-government and include youth.

Ed Chargualaf emphasized term of officers and the standing committees are JJSAC Kulena. At one time, combined standing committees, but was not effective. Suggested to review By-laws for the Annual Meeting and to begin January 1, 2013.

Chair Lee proposed Ron Nakamichi attend Executive Committee and JJSAC as Compliance Committee Chair.

V. Grants Management

A. 2012 Grant Applications

Chair Lee extended mahalo to Ed Chargualaf for meeting the grant application deadlines. Ed Chargualaf reported Formula Grant was easy due to Chris Lum Lee doing certain grant sections, John Paekukui completing Compliance component and Leimomi Fernandes handling the format, completeness, and submission. Completed 3-year plan and the next two years to do only updates.

Ed Chargualaf provided grant management highlight:

For 2012, Formula Grant reduced to \$400K compared to last fiscal year of \$600K; JABG Grant award at \$173,413 compared to \$283K; and no Title V appropriations.

Chair Lee mentioned EUDL was once under JJSAC jurisdiction; but more for ADAD to handle, which he sits on the committee. Emphasized that if not in compliance, it effects JJSAC's funding. Propose EUDL become a JJSAC subcommittee to ensure in compliance and to not duplicate JJSAC serves. Ed Chargualaf is in discussion process. Former OYS administration in early 2000 transferred EUDL grant to ADAD, Dept. of Health.

B. OJJDP Program Audit Findings

Ed Chargualaf reported good OJJDP program audit. Findings to modify some forms which Chris Lum Lee completed and as of 9/4/2012, the audit is resolved.

1. Monitor site visit – identify grant award, what monitoring, funding source and how much on the form.
2. Audit requirements – regarding the Administration Assurance form which is handled by Fiscal; ask when the last audit was and insert copy into the file.
3. Delay to implement programs – recognized the State 2009 statewide reduction-in-force and the change of offices from OYS to DOD, then back to OYS; funds were not fully spent as a result of the transition – requested a 2011 to 2014 spending plan report.

C. FY 2013 Juvenile Justice Appropriations

Ed Chargualaf reported two bills out of House and Senate in Congress.

HR5326 –provide \$33M dollars for Formula Grant versus \$40M last year; and completely eliminates Title V and JABG programs.

S2323 – reverses Juvenile Justice Appropriation's downward trends. Provide \$55M for Formula Grant versus last year \$40M. \$30M for Title V and \$30M for JABG. Met with Senator Inouye at CJJ Hill Day, agreed to look into it, so Hawaii is not impact.

Chair Lee suggested writing to Congress for support. Ed Chargualaf mentioned OYS is a member of CJJ, a non-profit lobbying organization with over 3000 organizations. Letters sent to Congress because of the Budget Control Act – secret tradition in effect in January for all non-defense discretionary funding – education, social services, etc.

VI. Conferences, Training, Workshops

A. Briefing on Coalition for Juvenile Justice Conference (CJJ) Conference

June 21-24, 2012

Dexter Artienda reported Technical Assistant Training techniques for recruiting and retaining youth members. On the National Youth Executive Board and working with the Chair to implement a quarterly newsletter from each State via online or electronic.

Ron Nakamichi reported Strategies For Youth (SFY) presentation which works with Police Officers to address Youth Development. Lisa Thureau, Executive Director of SFY did a telephone conference call at the last Compliance Committee. The four police department counties are receptive and will inform administrators to attend SFY presentation at International Association Chief of Police Conference. Big Island Chief will attend per recommendation.

Ed Chargualaf explained SFY. John Paekukui did Connecticut training which is Youth Development trainer of trainers. SFY focus on brain development and targets competency versus cultural identity. Cost is \$75K and looking at private and other funding. There is a need to work with police officers because it effects compliance, and to help provide a working relationship by providing training to help understand kids so do not lockup kids.

Tai-An Miao commented SFY looks helpful to go hand in hand with DMC report recommendations of how police officers react to youth and their development.

Chair Lee reported the general session involving families in the juvenile justice, which propose as subcommittee to help families with incarcerated kids. A great tool of mana'o on how to maneuver and navigate youth through the difficult juvenile justice system and to understand the process. Chair propose to start a group of families helping families and to get a representative on JJSAC. Ron Nakamichi suggested adding family representation to the By-laws.

Ed Chargualaf highlighted families went through the system, but do not understand what youth go through because they cannot read or understand what they read. Need to look at families who went through the hardship, and make part of Ohana conferencing.

Georgia Judge worked with families and asked the panel how can you help me if parents don't participate? A case involving a sitter who accidently left child in the car, who died. Parents still very upset even though an accident. Judge asked what can be done. Family requested a memorial. Sitter charged, thanked Judge so she could do something, since can't bring back child.

Chair Lee discussed National Conference for State Legislature good stars alliance with Senator Suzanne Chun-Oakland and Representative Faye Hanohano. Holding conference for Legislature to understand and to support Juvenile Justice.

Chair Lee reported available grant money, but through Attorney General's Office which receives Bureau of Justice Assistance (BJA) grants. The grant combines the Edward Byrne and local law enforcement grants. A comprehensive State Plan is submitted which should include juveniles and not specifically for adult offenders. 60% of monies (over \$1M; \$2M

to \$3M) go to State Administering Agencies, similar to OJJDP's JABG program and 40% go to the counties. Counties must apply direct and not AG's responsibilities to get the counties to apply at BJA. Jay Kimura reported County of Hawaii has Chief of Police and AG rotate for Big island funding which is non-matching.

Action – Ed Chargualaf to review State Plan and find out which counties receiving funds.

Chair Lee recommended educating committee to keep all concerns to promote Legislature issues and propose a subcommittee.

Chair Lee reported OJJDP does not get non-defense funds such as the Boys & Girls funds. Prevention & Accountability Committee need to pull onboard to align.

Chair Lee reported Western Region Conference in Alaska after Labor Day weekend in September 2013.

Chair Lee discussed can't get kids in military due to record. Request to do something about it by removing kid's records, which the Civil Citation would resolve.

B. Presentation at Pacific Islanders Conference in Los Angeles, CA

Chair Lee reported DMC presentation to Hawaiian Civic Clubs resulted in attendance to present DMC data at mainland conference and OHA sponsored trip. The return flight is at 11:15 a.m., so Jay Kimura will conduct JJSAC meeting on 9/26/12.

C. Drug Identification and New Trends Training

Chair Lee completed four month training by Jackie Long, held on Molokai to teach techniques on how to identify youth on what drugs on and new treatments to adults, treatment centers, and police officers. The cost is \$2K per kid for an accurate assessment by looking at the dilated pupils to identify the drugs classification.

Chair Lee recommended training for police officers, probation officers and family court, as well as, service providers. Also contact people like guards, and detention centers versus the getting kids well model.

Chair suggested Prevention & Accountability Committee to attend CMI Curriculum Conference in San Francisco on 10/8 to 12/12. However, must be trainer of facilitators, before attend the conference.

VII. Announcements

A. Travel – Leimomi Fernandes reported travel improved and reviewed basic procedures for state procurement compliance. Original receipts; white charged voucher/pink rental car agreement; airport parking; roundtrip boarding passes; any

Juvenile Justice State Advisory Council
Executive Committee Meeting
September 12, 2012 Minutes

changes after booking to be handled direct and change fees at own expense; and deadline of one week submission to meet monthly PCard due date of the 18th.

B. Jay Kimura reported Big Island Asset Building for Youth which includes 40 Assets to address criminal justice issues. Research show if increase assets, will decrease negatives. Claire Roberts conducting trainings for the next 60 days to 60 people to get 20 train the trainers to spread the word in 60 days.

C. Chair Lee reviewed the upcoming meetings

1. Prevention and Accountability Committee Meeting – Wednesday, 12/5/12
2. Compliance Committee Meeting – Thursday, 12/6/12 Site Visit; Thursday, 1/10/13 Meeting
3. Ron Nakamichi inquired if JJSAC meeting time will return to 10:00 a.m.
4. Ron Nakamichi to report at JJSAC 9/26/12 meeting as Compliance Committee Chair

VIII. Next Meeting

Wednesday, December 12, 2012 Executive Committee
Wednesday, December 19, 2012 JJSAC Annual Meeting

IX. Adjournment

There being no further discussion, the meeting was adjourned at 10:46 a.m.

Respectfully submitted,



Leimomi Fernandes-Stark
Juvenile Justice Administrative Assistant