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Office of Justice Programs

2013 JAN 10 PM 3: 28 Office of Juvenile Justice and Delinquency Prevention

Office of the Administrator

Washington, D.C. 20531

JAN 04 2012

Mr. David Hipp
Executive Director
Office of Youth Services
Hawaii Department of Human Services
707 Richards Street, Suite 525
Honolulu, HI 96813

Dear Mr. Hipp:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of Hawaii's 2011 Monitoring Report to determine the extent of compliance with Sections 223(a)(11), (12), and (13) of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended. This review resulted in the following findings:

- Hawaii is in compliance with the deinstitutionalization requirement of Section 223(a)(11) of the JJDP Act.
- Hawaii is in compliance with Section 223(a)(12) of the JJDP Act, which requires that juveniles not be detained or confined in any institution in which they have contact with adult inmates.
- Hawaii is in compliance with the jail and lockup removal requirement of Section 223(a)(13).

Each State receives 20 percent of its total Fiscal Year (FY) allocation for participating in the JJDP Act, and an additional 20 percent for each of the four core requirements with which they have demonstrated compliance. Therefore, based on the above findings, it is determined that Hawaii is eligible to receive 80 percent of the FY 2014 Formula Grant allocation related to compliance with Sections 223(a)(11), (12) and (13) of the JJDP Act of 1974, as amended. Notification of Hawaii's compliance with the disproportionate minority contact core requirement will be mailed to you under a separate cover.

Congratulations of your achievements. We are available to help Hawaii maintain compliance with all of the JJDP Act provisions. If you have any questions, please contact Thomas Murphy, your OJJDP State Representative, at 202-353-8734.

Sincerely,



Melodee Hanes
Acting Administrator

Enclosure: Status of Compliance

cc: Mr. Edward Chargualaf, Juvenile Justice Specialist
Mr. Wayde H. Lee, SAG Chair

STATUS OF COMPLIANCE

Juvenile Justice and Delinquency Prevention Act of 1974, as amended

SECTION 223(a)(11)

A determination has been made that Hawaii is in full compliance with the deinstitutionalization requirements of Section 223(a)(11) of the JJDP Act of 1974, as amended. This finding is based on the 2011 Monitoring Report data which indicated that no status offenders or nonoffenders were held in secure detention and correctional facilities in circumstances that violated Section 223(a)(11).

SECTION 223(a)(12)

The review determined that Hawaii is in compliance with Section 223(a)(12) of the JJDP Act, which requires that juveniles not be detained or confined in any institution in which they have contact with adult inmates. This finding is based on the 2011 Monitoring Report data which indicated that during a 12-month period, no juveniles were incarcerated in circumstances that violated Section 223(a)(12).

SECTION 223(a)(13)

Pursuant to the requirements of Section 223(a)(13), the review determined that Hawaii has an annual rate of .33 incidents of juveniles held securely in adult jails and lockups per 100,000 juvenile population. This is consistent with the established standard of a rate not in excess of nine per 100,000 juvenile population. In addition, an acceptable plan has been developed by Hawaii to eliminate the noncompliant incidents. Hawaii is in compliance with the requirements of Section 223(a)(13) of the JJDP Act of 1974, as amended, pursuant to the policy and criteria for de minimis exceptions published in the November 2, 1988, Federal Register (28 CFR 31).



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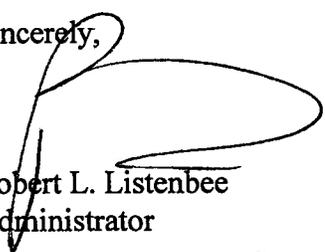
Mr. David Hipp
Executive Director
Office of Youth Services
Department of Human Services
707 Richards Street, Suite 525
Honolulu, Hawaii 96813-2938

Dear Mr. Hipp:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of the Disproportionate Minority Contact (DMC) component of Hawaii's Fiscal Year (FY) 2013 Title II Formula Grant Three-Year Plan. This review and analysis was conducted to determine the extent of compliance with Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended, which requires States to address juvenile delinquency prevention efforts and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who are exposed to the juvenile justice system. As a result of this analysis, it has been determined that Hawaii is eligible to receive the 20 percent portion of the FY 2014 Formula Grant allocation related to compliance with Section 223(a)(22).

Thank you for your continuing efforts in addressing DMC. We are available to help Hawaii maintain compliance with all of the JJDP Act provisions. If you have any questions, please contact Julie Herr, OJJDP Compliance Analyst, at (202) 353-9260.

Sincerely,


Robert L. Listenbee
Administrator

cc: Edward Chargualaf, Juvenile Justice Specialist
Wayde Lee, State Advisory Group Chair

Enclosure: Status of Compliance

STATUS OF COMPLIANCE

Juvenile Justice and Delinquency Prevention Act of 1974, as amended

Section 223(a)(22)

A determination has been made that Hawaii is in compliance with Section 223(a)(22) of the Juvenile Justice Delinquency Prevention (JJDP) Act of 1974, as amended, due to completing and/or adequately addressing the activities described in Hawaii's 2012 DMC Compliance Plan. This included: implementing key programmatic/system improvement strategies on the islands of Kauai, Maui, Hawaii and the city/county of Honolulu; continuing to support the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) sites, focusing on race, other inequities, and cultural biases from arrest to secure detention; continuing to fund the Kupuna (elderly) program by issuing an RFP to provide culturally-based restorative justice programs for youth returning to their communities; and continuing to advocate for the hire of a part-time DMC Coordinator. The State also submitted 2011 Relative Rate Index Spreadsheets statewide and for Kauai, Maui, Hawaii, and Honolulu as the state updates its data annually.

Hawaii's FY 2013 DMC Compliance Plan has identified the following activities it will address:

- Continue support for Hawaii's Juvenile Detention Alternatives Initiative (JDAI) including but not limited to an assessment of performance and funding support for day reporting centers;
- Continue to identify and develop programmatic and/or systems improvement intervention strategies within county jurisdictions based on the findings and recommendations of the 2012 DMC Assessment Study to include the development of assessment center for status offenders and certain law violators under the Civil Citation Initiative;
- Continue support to the Kupuna (elderly) Program at the Hawaii Youth Correctional Facility; and
- Continue to support the Ethnic and Cultural Diversity Subcommittee of State Advisory Group to maximize available resources, and to prevent duplication of efforts.