

**How  
Hawaii Juvenile Justice State Advisory Council  
of the Office of Youth Services  
Is Working for the State of Hawaii's Youth**

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## **2013 Annual Report**

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# 2013 Annual Report

As prescribed by Section 233 (2)(3)(D)(ii) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

To the Governor of the State of Hawaii and the Legislature.

It is my honor to transmit the Juvenile Justice State Advisory Council's (JJSAC's) Annual Report for calendar year 2013. This report includes information pursuant to:

- OJJDP Annual Report – Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended; Public Law 93-415, section 207 [42 U.S.C. 5617].
- Juvenile Accountability Block Grants Program – Omnibus Crime Control and Safe Streets Act of 1968; Public Law 90-351, section 1808(b) [42 U.S.C. 3796ee-8(b)].
- Title V Incentive Grants for Local Delinquency Prevention Programs-JJDP Act of 1974, as amended; Public Law 93-415, section 503(4) [42 U.S.C. 5782(4)].

Respectfully submitted,



Edward Chargualaf  
Juvenile Justice Program Coordinator  
Office of Youth Services  
Office of Juvenile Justice and Delinquency Prevention



Community Prevention Program in Kauai

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**NEIL ABERCROMBIE**  
GOVERNOR



**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
**OFFICE OF YOUTH SERVICES**  
707 Richards Street, Suite 525  
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**DAVID HIPPI**  
EXECUTIVE DIRECTOR

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Aloha mai kakou,

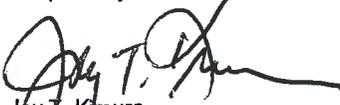
As the Hawaii Juvenile Justice State Advisory Council (JJSAC) Chair, this is to present the 2013 Annual Report. The report highlights the yearly activities of the JJSAC and the federal grants that are awarded by the Office of Justice Programs, U.S. Department of Justice, Office of Juvenile Justice and Delinquency prevention (OJJDP), which is overseen by the JJSAC and administered by the State of Hawaii, Department of Human Services, Office of Youth Services (OYS).

A summary of the JJSAC activities are as follows:

- Ensured compliance monitoring activities for the protection of youth within the juvenile justice system, and training to law enforcement officers statewide on the core protection requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974, as amended.
- Awarded a total of \$537,689.00 in grants from the Title II Formula Grants program, Title V Incentive Grants for Local Delinquency Prevention programs, and the Juvenile Accountability Block Grant (JABG). The federal grants fund statewide programs that provide prevention and intervention services to at-risk youth, enhanced delinquency prevention efforts, support system improvements, and promote continued accountability in the Hawaii's juvenile justice system. A total of approximately 1,622 youth were served at a cost of \$331.00 per child. Based on this, the JJSAC will continue to support programs such as the following. Oahu: the Juvenile Justice Center Diversion Program; the Kupuna Program at the Hawaii Youth Correctional Facility; and the Juvenile Detention Alternatives Initiative Reporting Center. Big Island: the Family Management Strengthening Program; the launch of the pilot Hilo Assessment Center; and the Mentoring Skills Building Program at West Hawaii Complex Area. Maui: the Maui Police Department Positive Outreach Intervention Program. Kauai: the Youth-on-Probation Program; the Teen Court; and the Kauai High School Alternative In-school Suspension Program.
- Dissemination of the Disproportionate Minority Contact study resulting in the development and implementation of a pilot civil citation initiative diversion program called Ho'opono Mamo, the new Hawaii Youth Diversion System (HYDS).
- The development of a Hawaiian curriculum called the Wahi Kana'aho which is a cultural healing and forgiveness process originating from the island of Molokai.
- The coordination of the Trauma-Informed Assessment of the judiciary juvenile detention facility and the Hawaii Youth Correctional Facility.
- Provided opportunities for the JJSAC Subcommittees to visit programs and services funded by OJJDP.

The JJSAC members share the same loyalty and commitment to improve the Hawaii juvenile justice system, and the foresight to help provide our Hawaii at-risk youth the opportunities to make better choices and to become productive and pro-social citizens. We seek your continued support to advocate for the development of programs intended to reduce youth contact with the juvenile justice system and from getting further into the Hawaii juvenile justice system.

Respectfully submitted,

  
Jay T. Kimura  
JJSAC Chair

**NEIL ABERCROMBIE**  
GOVERNOR



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December 17, 2013

Aloha JJSAC Members,

At this time last year, I reported to you the progress we, as partners, had been making in the field of juvenile justice. Thus, it is with much excitement and enthusiasm that I must report that this progress continues!

Before outlining the current "state of the state", please allow me to welcome our new JJSAC members: Patricia Niibu, Laverne Moore, Elizabeth Browning and Captain J Pedro. The infusion of members with experience in education, juvenile legal issues and law enforcement will only broaden our perspective on the issues our troubled and at-risk youth and their families face on a daily basis.

This past year has seen further strengthening of relationships between our primary stakeholders, and a greater recognition that incarceration is the least effective means of addressing juvenile delinquency. Specifically:

- There was a significant reduction in commitments to HYCF between FY'12 and FY'13. Furthermore, for this current fiscal year, commitments to date continue to follow a downward trend.
- Collaboration is ongoing with law enforcement, the prosecutors and Judiciary on how to more effectively address status offenses and first time misdemeanants.
- The Civil Citation Initiative designed to divert more youth from the court system has buy-in from all stakeholders and should be operationalized by this upcoming spring.
- The Mayor of Kauai, The Honorable Bernard Carvalho, is moving forward on plans to establish a substance abuse facility for youth on the Garden Isle.
- OYS and the Child and Adolescent Mental Health Division of the DOH have entered into a memorandum of agreement for the provision of mental health services for probationers who would not otherwise be eligible for CAMHD services.
- The Governor's Office has recommended an additional \$1.8 million in the OYS budget for the purchase of "front-end" services in FY'15. Furthermore, the Lieutenant Governor's Office has recommended supplementing the OYS budget by \$3.1 million to address after school programming for middle schoolers – an age group that represents the majority of first-time arrestees in our state.

Perhaps the most energizing development this year are the recommendations recently made by the Juvenile Justice Working Group – group appointed by the Governor this past summer.

At the invitation of the leaders of all three branches of our government, the Pew Charitable Trust partnered with our state – facilitating the working group's review of our juvenile justice system. The group's charge was

to develop policy recommendations to maximize the effectiveness of Hawaii's juvenile justice system, improve outcomes for youth and families, and ensure policies and practices are grounded in data and research. The following is a summary of the working group's policy recommendations:

1. Focus HYCF bed space on more serious juvenile offenders;
2. Clarify and strengthen juvenile parole and re-entry practices;
3. Clearly define diversion options for lower-level youth;
4. Maximize probation effectiveness in every circuit;
5. Equip probation officers with tools to manage youth behavior;
6. Increase collaboration with partner agencies; and sustaining effective practices.

With a JJSAC membership dedicated to juvenile justice reform, I am confident you will embrace the 24 policy recommendations, and will work within your communities and with your legislators to support these changes.

Furthermore, in this upcoming year, I look forward to the continued efforts of the five JJSAC Subcommittees in complying with the four core requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, and each Subcommittees' commitment to expanding front end services and support for our state's at-risk youth and their families.

In closing, let us never lose sight of our goal to maximize the opportunities for our youth to become productive and responsible citizens. Your commitment and energies to this end are so very much appreciated.

Mahalo,

**David Hipp**  
OYS Executive Director

- c: The Honorable Shan S. Tsutsui, Lieutenant Governor, State of Hawaii  
Tony Benabese, Board and Commissions Manager, Office of the Governor



Prevention & Accountability Subcommittee

## Hawaii JJSAC

### Hawaii Federal Juvenile Justice and Delinquency Prevention Programs 2013 Profile

With Hawaii's Governor-appointed Juvenile Justice State Advisory Council (JJSAC), funding support and technical assistance and training to address and strengthen Hawaii's juvenile justice system are made available through the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice. These are authorized by the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002. The JJDP Act is the only federal statute that protects youth physical and/or psychological harm in the juvenile justice system by requiring states/territories to comply with the following core requirements.

- 1) Deinstitutionalization of Status Offenders
- 2) Sight and Sound Separation of juvenile offenders from adult criminal offenders
- 3) Removal of juvenile offenders from Adult Jails and/or Lockups
- 4) Reduce or eliminate the disproportionate contact of minority youth in all decision points of the juvenile justice system (arrest through confinement).

Failure to comply with the core requirements above may result in the reduction, suspension, or termination of funds and could lead to legal ramifications.

The Department of Human Services, Office of Youth Services (OYS) is the Designated State Agency (DSA) responsible for the planning and administration of grant awards from OJJDP. The OYS in its efforts to address and strengthen its mandates to address Hawaii's juvenile justice issues blends state and federal funding streams to rehabilitate and supervise youth offenders and to coordinate and implement a continuum of services for at risk and court-involved youth in the juvenile justice system.

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## Programs

Current programs are funded with Title II Formula Grants Program, Juvenile Accountability Block Grant (JABG) Program, and Title V Community Prevention Program as briefly described in the following.

**Note:** Title V Community Prevention Program has been eliminated since Fiscal Year 2012 and yet to be restored; Juvenile Accountability Block Grant Program (JABG) was eliminated Fiscal Year 2014. Efforts to advocate for the restoration of these grant programs are being made through the National Coalition for Juvenile Justice (CJJ) and its members and affiliates.

**The Formula Grants Program** enable states/territories to meet and maintain compliance with the four core requirements of the JJDP Act regarding the arrest of juveniles and the over-representation of minority youth in the juvenile justice system. In addition, the Formula Grant provides funding support for delinquency prevention and improvement of the juvenile justice system. Hawaii has since been in compliance with the four core requirements as follows.

- Deinstitutionalization of Status Offenders (DSO);
- Separation of juveniles from adult criminal inmates (Sight and Sound Separation);
- Removal of juveniles from adult Jails and/or Lockups (Jail/Lockup Removal);
- Address to reduce, if not eliminate, the over-representation of minority youth at all decision-points in the juvenile justice system. This core requirement is referred to as “Disproportionate Minority Contact” or DMC. According to a study commissioned by JJSAC and OYS in 2012, Native Hawaiian youth are highly over-represented in the juvenile justice system especially at the point of arrest. A DMC study in 1995 showed similar findings and recommendations.

The 2012 DMC study is available at: <http://humanservices.hawaii.gov/oys/jjsac/>

Formula grant activities are as follows:

- **Reporting Center** program operated by C.A.R.E. Hawaii, a non-profit organization to serve court-involved youth on probation is a subcontractor of the Judiciary’s Family Court, 1<sup>st</sup> Circuit. This program was developed as a result of the Judiciary’s Juvenile Detention Alternatives Initiative (JDAI), an initiative of the Annie E. Casey Foundation. The objectives are to reduce the unnecessary use of secure detention and re-arrest rates by 40%. CARE Hawaii serves 6 youth on probation each month.
- **Kupuna Program** is operated by ALU LIKE, Inc., a non-profit community-based organization serves youth confined at the Hawaii Youth Correctional Facility (HYCF). Male and female offenders participate in cultural activities such as hula, mele, arts and crafts, talk story or performances by Hawaii’s elders or celebrities, etc. As of date, a total of 176 confined youth served.
- **Youth-on-Probation Program** is operated by Hale Kipa, Inc. in Kauai to assist court-involved youth successfully comply and complete their terms and conditions as sanctioned by the Family Court, 5<sup>th</sup> Circuit. A minimum caseload of 15 must be maintained on a daily basis. As of date, a total of 110 youth are being provided with services and another 20 youth are on a list waiting to be afforded the opportunity to participate. Plans are being considered to support the increase in youth on probation eligible.
- **Big Island Assessment Center** is operated by Salvation Army, a non-profit organization to divert youth from having contact with the court. Police are able to bring youth to a 24-hour single point of intake and assessment center for status offenders and certain minor law violators. Based on the assessment, youth with their families receive appropriate services or referred to case management organizations. As of date, a total of 64 are being provided with services.

- **Ho'opono Mamo** is a diversion system that allows youth in contact with police to participate in a new process that involves an Assessment Center, healing and forgiveness residential program, and community conferencing. A major significance of the diversion system is that status offenders will no longer have an arrest record and will be treated as such. Certain minor law offenders will also be eligible. The contract to implement the Ho'opono Mamo is in progress with the City and County of Honolulu, Department of Community Services, effective May 1, 2014 to April 30, 2016. The targeted location is in Police District 5, Kalihi to Moanalua area. A brief detailed description of this new process is described on page 15.

**The Juvenile Accountability Block Grant (JABG) Program** assist states/territories develop and implement programs that:

- Hold youth accountable for delinquent behavior through the imposition of graduated sanctions that are consistent with the severity of the offense.
- Strengthen the juvenile justice systems' capacity to process cases efficiently and work with community partners to keep youth from re-offending.

JABG activities are as follows:

- **County of Hawaii, Office of the Prosecuting Attorney**  
The county sub-contracted Hale Kipa, Inc., a non-profit community-based organization to implement a family management program for youth on probation. Program Coordinators with Hale Kipa are responsible for developing a team of community-based youth mentors capable of connecting and establishing strong relationship with youth and families and trained to provide a positive influence. Working as a team with probation officers and assigned youth monitor, a broad range of support services are coordinated and afforded to all participating youth and families. A total of 98 youth has been served as of date.
- **County of Maui, Police Department**  
The Maui Police Department offers a diversionary program that allows a youth arrested to participate in P.O.I. (Positive Outreach Intervention) Project. The project addresses the lag time between arrest and the youth's initial court hearing that could take up to 3 – 6 months. During the youth's participation, they must remain arrest free. A total of 107 youth has been served as of date.
- **City and County of Honolulu, Department of Community Services**  
Department of Community Services established the Juvenile Justice Center to divert first-time youth offenders referred by Honolulu Police Department and status offenders referred by the Family Court, 1<sup>st</sup> Circuit. The youth are held accountable for their action commensurate with the severity of their offense by making them aware and answerable for the loss, damage, or injury caused upon the victim and/or community. Services include counseling, life skills training, cultural activities, and other related activities. A total of 932 youth has been served as of date.
- **County of Kauai, Office of the Prosecuting Attorney**  
The county subcontracted with Hale Opio, Inc. to operate a Teen Court Program for youth offenders. Youth offenders who volunteer participate in a court of their peers rather than the traditional court system. A volunteer judge oversees the hearings and consequences include letters of apology, community service, and other character building skills development. A total of 49 youth has been served as of date.

**The Title V Community Prevention Program** is an incentive grant to support local communities in identifying risk and protective factors in order to effectively reduce delinquency and youth violence. Funding for the program has been eliminated since Fiscal Year 2012.

Title V Community Prevention Program activity is as follow:

- **The County of Kauai, Office of the Mayor** subcontracted Hale Kipa, Inc., a non-profit community-based organization to provide services to youth suspended from school over a period of 30 to 90 days. Services include tutoring, mentoring support, anger management, alcohol and substance abuse prevention and other related needs or issues of both the youth served and their families. A total of 80 youth has been served as of date.

Hawaii's Federal Juvenile Justice Funding Allocation

	<u>FY2009</u>	<u>FY2010</u>	<u>FY2011</u>	<u>FY2012</u>	<u>FY2013</u>	<u>FY2014</u>
Formula	600,000	600,000	600,000	400,000	404,225	400,000
JABG	374,700	359,400	268,864	173,413	133,464	-0-
Title V	33,486	84,945	50,000	-0-	-0-	-0-
	1,008,186	1,044,345	918,864	573,413	537,689	400,000

--FY2014 pending funding distribution by OJJDP

*On behalf of JJSAC and OYS, we encourage your kokua (support) and commitment to advocate for the introduction and passage of legislation that will prevent further harm to our keikis in the juvenile justice system and to restore the funding support to states/territories to Fiscal Year 2002 levels.*

*Investing in our youth now will eliminate or narrow the path to incarceration which is a costly solution for the State of Hawaii at more than \$199,000 per youth/year at the Hawaii Youth Correctional Facility (HYCF).*



Maui P.O.I. Project



Staff Loi Service Project in Oahu

## OJJDP

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has two primary responsibilities: to address the needs of youth who have come into contact with the juvenile justice system or are at risk of doing so and to protect children who are victims of abuse, violence, and crime. These purposes are closely connected. In fact, years of research demonstrate that many of the youth who enter the juvenile justice system have previously been exposed to violence.

In FY 2013, the Office provided funding to states to promote safe conditions for youth in confinement and reduce racial disparities through its Formula Grants program. In addition, OJJDP partnered with federal, state, local, and nonprofit providers to promote youth mentoring; protect young people from violence, abduction, and sexual exploitation; enhance family engagement in the juvenile justice system; and service youth in Indian country.

As OJJDP works to promote youth justice and safety, we never lose sight of the young victims, at-risk juveniles, and justice-involved youth who so desperately need assistance. After all, advocating for our country's most vulnerable children is not just a worthy cause—it is our mission.

In fiscal year (FY) 2013, OJJDP awarded nearly \$537,689.00 million in grants to help at-risk youth, protect children, and improve juvenile justice systems statewide. In addition to financial support, the Office also provided a wide array of resources to stakeholders.

The OJJDP and its responsibilities were created through the OJJDP Act.

### Juvenile Justice and Delinquency Prevention Act of 1974, as Amended Summary

#### The JJDP Act provides for:

- A nationwide juvenile justice planning and advisory system spanning all states, territories and the District of Columbia.
- Federal funding for delinquency prevention and improvements in state and local juvenile justice programs and practices; and
- **Operation of a federal agency, the Office of Juvenile Justice and Delinquency Prevention** dedicated to training, technical assistance, model programs, and research and evaluation, to support state and local efforts.
- Link to JJDP Act: <http://www.ojjdp.gov/about/jjdpact002titlev.pdf>

#### JJDP Act Statement of Principles:

- Keep children and youth out of the justice system: Whenever possible, keep children and youth out of the juvenile and criminal justice systems by addressing their needs and those of their families early and effectively.
- Ensure equity and competence: Do everything possible to ensure equity and competence with regard to race, ethnicity, culture, language, gender and sexual orientation, in legal representation before the courts and throughout all system practices and policies.
- Ensure responses appropriate to a young person's age and stage of development: Do everything possible to ensure that children and youth in the justice system are treated in an age-appropriate manner and provided with developmentally appropriate, evidenced-based services and supports. Ensure, when needed, that sanctions are appropriate to a youth's age and offense.
- Strengthen the federal partnership with state and local governments: Strengthen the federal role in supporting state and local needs by providing sufficient resources and appropriations for jurisdictions to effectively implement the JJDP Act, to fully comply with its core requirements/protections and to ensure state and local adherence to high standards of performance.

## Hawaii 2012 Compliance Update

The Act established four core requirements to ensure appropriate services, proper treatment and safe confinement of juveniles involved in the juvenile justice system, and to address the juveniles' rights to due process. Brief descriptions of the core requirements and OJJDP's most recent review as reported in the *2012 Hawaii Compliance Monitoring Report* are as follows:

Core Requirements of the JJDP Act	Compliance Status
<p><b>Deinstitutionalization of Status Offenders (DSO)</b></p> <p>Juveniles charged with status offenses, offenses which would not be a crime if committed by an adult, shall not be placed in secure detention or correctional facilities. Status offenses include but are not limited to truancy, running away, and minors in possession of alcohol.</p>	<p>The State is in full compliance with the DSO requirement.</p>
<p><b>Jail and Lockup Removal (Jail Removal, JLR)</b></p> <p>No juvenile shall be securely held in adult jails or lockups. Under the Reporting Exception, accused law violators may be held for up to six hours for the purpose of identification, processing, interrogation, transfer to a juvenile facility, or while awaiting release to parents/guardians.</p>	<p>The State is in full compliance with the JLR requirement.</p>
<p><b>Sight and Sound Separation (SSS)</b></p> <p>During the temporary period that a juvenile may be securely held in an adult jail and lockup, sight and sound contact is prohibited between the juvenile and adult inmates or trustees.</p>	<p>The State is in full compliance with the SSS requirement.</p>
<p><b>Disproportionate Minority Contact (DMC)</b></p> <p>States must address reducing the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, and jails and lockups, who are members of ethnic groups of such proportion which exceeds the proportion represented in the general population.</p>	<p>Based on the DMC plan submitted to the U.S. OJJDP from the OYS, Hawaii is currently in compliance.</p>

## Hawaii Compliance Violations in 2012

	Number of Violations	Rate of Violations*
Deinstitutionalization of Status Offenders	0	0.00
Sight & Sound Separation	0	n/a
Jail and Lock-up Removal	2	0.66

\*Rate is derived from the number of violations per 100,000 youths under the age of 18.

Since 1996, significant improvements have been achieved in meeting the federal mandates for deinstitutionalizing status offenders and jail removal. The following data compares the rates of violations from 2008-2012:

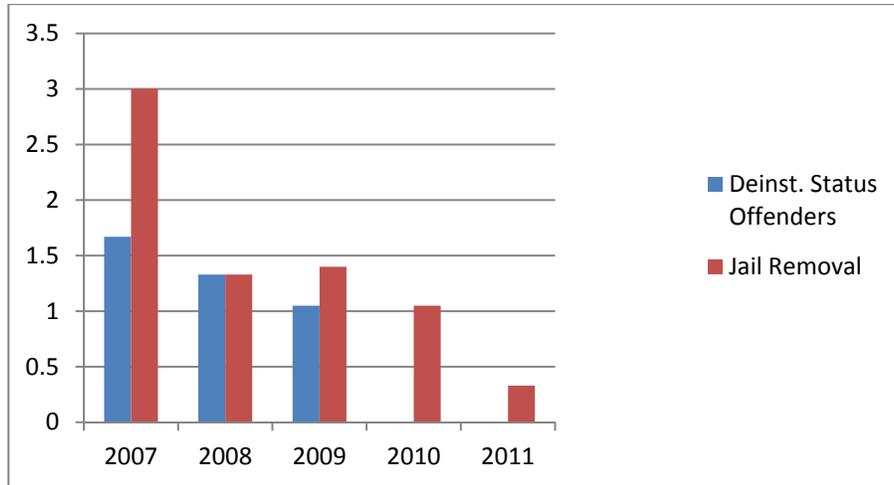
### *Comparison of Rate of Violations from 2008-2012*

Compliance Violations from 2008 to 2012	2008	2009	2010	2011	2012
Deinstitutionalization of Status Offenders	4	3	0	0	0
Jail and Lockup Removal	4	4	3	1	2

### *Comparison of Rate of Violations from 2008 to 2012*

Core Requirements	2008	2009	2010	2011	2012
Deinstitutionalization of Status Offenders	1.33	1.05	0.00	0.00	0.00
Jail and Lockup Removal	1.33*	1.40*	1.05	0.33	0.66

\*2008 and 2009 Jail and Lockup Removal rates are due to census adjustments.



**Table 1: Rate of Violations**

#### ***Disaggregating Minor in Possession Data from Deinstitutionalization of Status Offenders and/or Jail Removal Violations***

Based on new guidance from the OJJDP, states are no longer required to monitor juveniles accused of/adjudicated for minor in possession (MIP) of alcohol offenses as status offenders for the purposes of JJDP compliance. The OJJDP now considers youth charged with MIP of alcohol offenses to be accused delinquent offenders. This means that the states (1) may hold these youth securely in adult jails and lockups for up to 6 hours, provided that they are separated from adult inmates; (2) Facilities that have been given approval from the OJJDP to use the "Rural Exception" for individual jails and lockups may hold these youth in accordance with the Rural Exception requirements; and (3) states may hold youth charged with/adjudicated for MIP of alcohol offenses indefinitely in secured detention and correctional juvenile facilities.

To ensure that 2013 Formula Grant compliance determinations are made, all states must have disaggregated MIP of alcohol offenses from other violation data and report and submit the information to the OJJDP. States have been encouraged to continue to collect and report violations based on MIP of alcohol offenses.



# Ho'opono Mamo

## The Hawaii Youth Diversion System

An innovative collaboration connecting youth, families, communities and the juvenile justice system

*To see our children as precious as the lehua mamo flower and to help them chart a pono path in harmony with all their relations and with generations past and future.*

**Ho'opono Mamo** captures the spirit of a new juvenile justice diversion system designed to steer youth away from the juvenile justice system to a pathway of supportive programs to help them address those issues that may be leading to risky or harmful behavior. The goal is to offer youth the avenues to overcome challenges that lay at the root of their actions and to realize their own kuleana as valuable and gifted members of our communities.

Through the new Hawaii Youth Diversion System (HYDS), youth who would have previously been arrested for status offenses and first-time misdemeanor offenses will be given a citation with the opportunity to connect directly to a counselor and kūpuna or elder at an Assessment Center. Caring staff will help them chart positive steps with the support of family members, mentors, and community-based organizations of their choosing so they can better address the challenges they may be facing. For first-time misdemeanor offenses, youth can avoid having the citation proceed to an arrest if they complete their program plan. The goal is to support our youth in discovering their gifts and becoming engaged members of their communities.

This initiative follows a nationwide shift in juvenile justice policy based on successful models and the latest research on adolescent development. This shift is towards a more collaborative, restorative approach in order to address the "root" of the issues youths are dealing with, such as hardships at home, substance abuse, past trauma, depression, or difficulties in school. This model is family centered and youth driven with an emphasis on healing, restitution, forgiveness and reconciliation.

A multi-agency task force formed in January 2013 to design the system and oversee its implementation. The first phase will be developed in Honolulu Police Department District 5 (Moanalua to Kalihi) and launched in 2014. Once the system is in place and an initial evaluation is completed, the initiative will continue to develop and expand statewide.

## KEY COMPONENTS

We are an island society and the youth will determine its future. How we raise and nurture the next generation will steer the fate of Hawaii nei. Ho'opono Mamo is designed to catch those youth who may need greater guidance and support in their adolescent stage of development so they can reach their full potential and contribute to society. These are the key components of the Ho'opono Mamo diversion system from the point of police arrest:

### Assessment Center

All eligible youth will be brought by a police officer to the local assessment center where they will be met by a counselor and volunteer kūpuna. They will hear from the child and learn about their circumstances and challenges. They will also ask to hear from their parent/guardian. They will work with the youth to develop a plan of action, including restitution or apology as appropriate. Pathways can be as simple as a follow-up session or include extended programs depending on a

child’s needs and interests, with staff encouragement. Assessment Center staff will track the progress of the youth and assist with ongoing evaluation to continually improve system effectiveness.

**Mental Health and Substance Abuse Treatment**

Mental health and substance abuse treatment programs for youth are in short supply, especially residential programs. More programs, especially culture-based programs are needed. In the meantime, youth in need of these services will be guided to existing programs based on fit and availability.

**Wahi Kana’aho Cultural Learning and Healing Center**

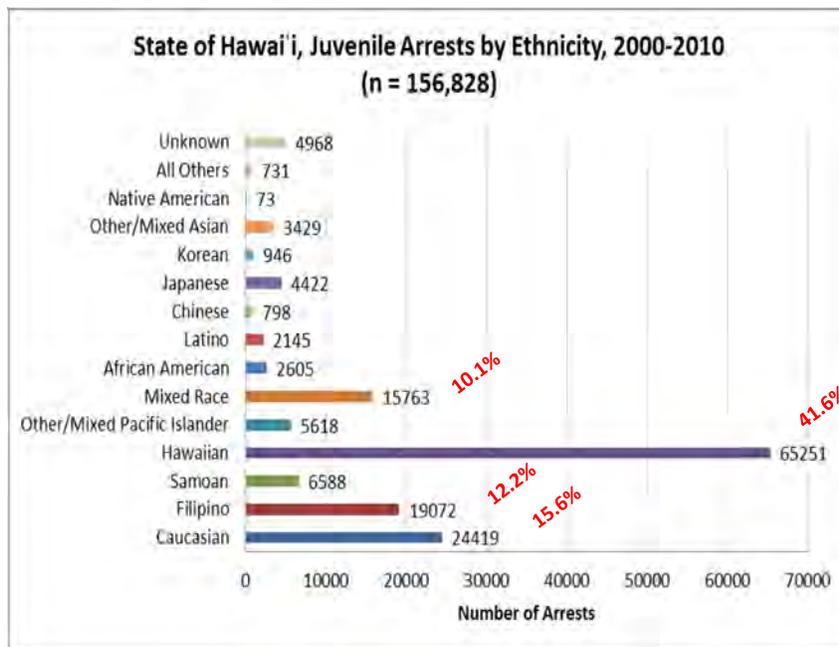
Youth facing broken relationships in the home or less severe substance abuse problems may choose this culture-based, ‘aina-based 21-day residential program that is being created as part of this initiative. It focuses on the healing arts of ho’oponopono, with an emphasis on emotional healing and deepening self-reflection and self-awareness. The program is designed to help youths gain the wisdom and skills to chart a path that is pono or ‘right.’ The curriculum emphasizes responsibility and positive reconnection to family, friends, and school.

**Ho’ala Conferencing Circles**

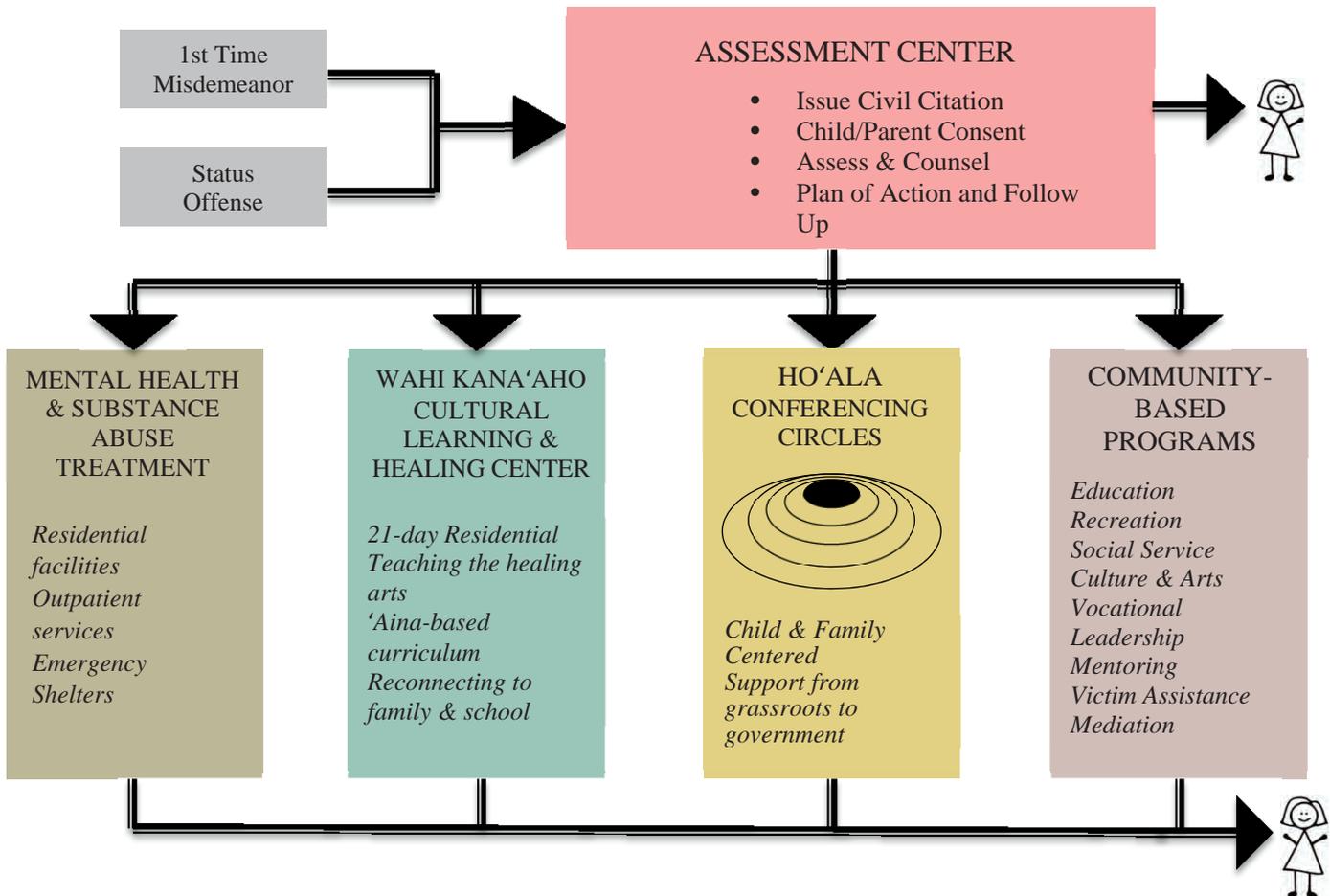
Youth may choose conferencing circles to establish a ring of support and mentoring to meet the goals that they set for themselves. Training and supervision for conferencing circles are being designed for this initiative. Ho’ala circles will include individuals that the youth selects, such as members of their ‘ohana and extended ‘ohana, counselors, ministers, service providers and others. A convener will help to facilitate a limited series of formal sessions with the intent that mentoring and cooperation among the supporters will continue into the future.

**Array of Programs and Services**

Whether at the Assessment Center or through the above mentioned program components, youth may explore a wide range of community-based services and activities that may help them chart a healthy and positive path. An online youth services directory at [hawaiiyouthdirectory.com](http://hawaiiyouthdirectory.com) is also available to help youth search for the activities and/or services that meet their needs and interests.



Source: State of Hawaii, Juvenile Justice Information System (JJIS), 2011.



## HO'OPONO MAMO Hawaii Youth Diversion System (HYDS) Process

- Police pick up juvenile for status offense or law violation
- Child is taken to police station to determine eligibility (status offense or 1st time misdemeanor offense with no prior law violation)
- If eligible, child is transported to an Assessment Center
- Child is issued a Civil Citation and invited to participate in Ho'opono Mamo with parent/guardian permission if needed
- Staff and kūpuna conduct culturally appropriate talk story-style assessment
- Youth with assistance of staff and kūpuna develop an action plan, including restitution
- Pathways can include:
  - ✓ Counsel and referral to programs and activities
  - ✓ Mental health and/or substance abuse treatment (residential or outpatient)
  - ✓ Wahi Kana'aho Cultural Learning and Healing Center (21-day residential)
  - ✓ Ho'ala Community Conferencing Circles
  - ✓ Wide array of community-based programs
- If youth completes their plan of action, a citation for a misdemeanor offense does not proceed to an arrest
- Assessment Center staff tracks the progress of youth
- Partner organizations & evaluators assess effectiveness and make improvements to the system

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## Juvenile Justice State Advisory Council Recommendations to the Governor of the State of Hawaii and the Legislature

The JJSAC proposes the following recommendations to the Governor of the State of Hawaii and the Legislature for consideration in the enactment of policies, programs and services to ensure continued support of Hawaii's youth and their families' juvenile justice and delinquency prevention needs. In essence, we should:

- Keep children and youth out of the juvenile justice system;
  - Ensure equitable and competent treatment for all justice-involved youth;
  - Ensure response appropriate to a young person's age and stage of development; and
  - Strengthen the state and county government, non-government organizations, and communities to prevent and/or reduce the number of youth entering the juvenile justice system.
  - Continuum of Care – support a wide selection of prevention and intervention strategies for youth offenders and families in collaboration with providers of educational, medical, mental & behavioral health, after school, workforce development services, and others, utilizing appropriate and applicable cultural-based practices. Also explore the need for co-curricular activities from athletics to music, art, or community service.
  - Alternatives to Locked Facilities – to develop and sustain community- and family-based alternatives to detention and correctional facilities, both pre- and post-adjudication.
  - Effective Re-entry and Re-connection – to help young people leave the system, return home and stay home. Provide effective reconnection to schools, families, community-based family support and/or counseling, jobs, and housing, upon release from locked facilities.
  - Reduce Over-representation of Minority Youth in the Juvenile Justice System – given the over-representation of Hawaiian youth in the juvenile justice system, specifically at the point of arrest, it is imperative to re-direct or re-invest state funds to implement system-changed designed to reduce the high incidence of these youth entering the system.
  - Ensure Safety – for all populations of youth, especially those who are most at risk of harm such as girls, lesbian, gay, bisexual and transgender youth, and those with serious mental & behavioral health concerns, must be safe when in the care or custody of the juvenile justice system.
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## Closing OYS Executive Director Remarks

“This past year has seen further strengthening of relationships between our primary stakeholders, and a greater recognition that incarceration is the least effective means of addressing juvenile delinquency” .

- David Hipp  
OYS Executive Director

## Which do you Prefer for our Kids?



## Hawaii 2013 JJSAC Membership

**Mr. Jay T. Kimura**

**Chair**

Hawaii County Prosecutor (retired)

2<sup>nd</sup> Term: 10/24/12 – 6/30/16

**Mr. Dexter R. Artienda**

**1<sup>st</sup> Vice Chair**

**Chair, Youth Committee**

Youth Member

Term: 10/1/10 – 6/30/14

**Ms. Melinda Montgomery**

**2<sup>nd</sup> Vice Chair**

**Chair, Prevention & Accountability Committee**

Program Coordinator, Hale Kipa, Inc.

Term: 3/28/12 – 6/30/16

**Ms. Christina Andersson-Reichert**

**Vice Chair, Prevention & Accountability Committee**

Clinical Director of Youth Services

Maui Youth & Family Services

Term: 3/28/12 – 6/30/16

**Ms. Kristina Maugalei-Nardo**

Youth Member

Term: 3/28/12 – 6/30/16

**Ms. Tai-An Miao**

**Chair, Ethnic & Cultural Diversity Committee**

UH Researcher and Graduate Student

Term: 3/28/12 – 6/30/16

**Ms. Laverne Moore**

Department of Education

McKinley High School Teacher, Special Education

Term: 7/1/13 – 6/30/17

**Ms. Patricia Niibu**

Department of Education

Lanai Elementary-High School teacher

Term: 7/1/13 – 6/30/17

**Judge Aley K. Auna Jr.**

Family Court of the Third Circuit

Term: 3/28/12 – 6/30/16

**Ms. Elizabeth Browning**

Law Student Graduate

Term: 11/26/13 – 6/30/17

**Mr. William J. Fernandez**

Judge (retired)

Term: 8/30/12 – 6/30/16

**Mr. Sterling Lee**

Fathers Education Specialist

Partners in Development, Ka Pa`alana

Term: 3/28/12 – 6/30/16

**Acting Major (Captain) J Pedro**

Honolulu Police Department

Term: 7/1/13 – 6/30/17

**Ms. Vanessa R. Pulido**

Youth Member

2<sup>nd</sup> Term: 9/30/13 – 6/30/17

**Mr. Elijah Spriggs-Kahalewai**

Youth Member

Term: 3/28/12 – 6/30/16

**Ms. Marsha T. Yamada**

Juvenile Client & Family Services

Administrator, Second Circuit

Term: 3/28/12 – 6/30/16

## JJSAC Member Bios

### Jay T. Kimura, Esq.

#### Chair, Juvenile Justice State Advisory Council

Jay Kimura has spent 31 years with the County of Hawaii, Office of the Prosecuting Attorney in various roles- serving as Deputy Prosecuting Attorney from December 1979 to May 1982, First Deputy Prosecuting Attorney from May 1982 to December 1992, and as the Prosecuting Attorney from December 1992 until his retirement in 2011. While at the Office of the Prosecuting Attorney, Kimura has tried various matters including traffic and murder-for-hire cases, served as the second-in-command of the Office, as well as overseeing the administrative activities.

Kimura holds a Bachelor of Arts degree in Sociology and Social Work from the University of Hawaii at Manoa and a Juris Doctorate from the California Western School of Law in San Diego, California. Kimura has also attended the College of Advocacy at the Hastings College of Law and completed the Executive Prosecutor course.

### Dexter R. Artienda

#### 1<sup>st</sup> Vice Chair; Chair, Youth Committee

Dexter Artienda is a student at the University of Hawaii at Manoa and is majoring in Political Science and Ethnic Studies. Artienda taught an Ethnic Studies Freshman Introductory Seminar course, which aimed to teach new incoming students the importance of diversity and minority groups. Aside from school, Artienda works two on-campus jobs, as a tele-counselor who contacts prospective students across the nation to attend the University of Hawaii at Manoa and as a student co-coordinator to help underrepresented students transition into college. In the last couple of years, Artienda was chosen to act as the Chair for the Youth Committee, spearheading meetings and activities in hopes of relieving the needs of those who are in the juvenile justice system.

### Melinda Montgomery

#### 2<sup>nd</sup> Vice Chair; Chair, Prevention and Accountability Committee

Melinda Montgomery has lived on Kauai since 1971 and has worked in the non-profit field for over 25 years. Montgomery has a Bachelor of Arts degree in Human Services from Marylhurst University and a Bachelor of Science degree in Business Management from the University of Phoenix. Montgomery is the Program Coordinator for Hale Kipa, Inc. on Kauai and Maui, an organization that works with at-risk youth and their families and especially the adjudicated youths. Montgomery is also the Chief Executive Officer for the Love the Journey, Inc., an organization that works with men and women who are transitioning from incarceration and who suffer from drug addiction, and a part-time Executive Director for a small creative arts program agency called the Circles of Light. Besides working in the non-profit world, Montgomery owns and operates several small businesses on Kauai, which include the Plantation Coffee Company, Green Path Landscaping, and the Montgomery Publishing Company, which Montgomery writes local youth children books.

Montgomery has many years of volunteer-service which includes the Kauai Hospice Sudden Death, "Beeper Team", a member of the Drug Prevention Coalition, the Citizens Review Panel, the Kauai County Correctional Center Volunteer, working with the incarcerated women, and the Office of the Mayor's Committee on the Status of Women. Montgomery won the "Humanitarian of the Year" award and the "Ho'okanaka Exceptional Leader" award.

### Christina Andersson-Reichert

Christina Andersson-Reichert supervises the Maui Youth and Family Services Prevention programs and the Adolescent Intensive Outpatient program. Andersson-Reichert has over 13 years experience working with adolescents and families in the substance abuse treatment field and is a Certified Substance Counselor (CSAC), since 2001. Andersson-Reichert graduated from the Argosy University with her Masters in Marriage and Family Therapy and is licensed in Hawaii.

**Judge Aley K. Auna Jr.**

Judge Aley Auna Jr. was born and raised in Hilo, Hawaii and appointed to the JJSAC in March 2012 with a first term until 2016. Judge Auna graduated from the Brigham Young University of Hawaii with a Bachelor of Science degree in Business Management, and holds a Juris Doctorate from the William S. Richardson School of Law at the University of Hawaii Manoa Campus. After graduation, Judge Auna spent five years in private practice in general litigation law. In 1988, Judge Auna was appointed as the Deputy Attorney General, an assignment which is now known as the Family Law Division. In April 2000, Judge Auna was appointed as the District Family Court Judge in the Third Circuit, which he continues to serve today.

**Elizabeth Browning**

Elizabeth Browning is a recent law student graduate from the William S. Richardson School of Law at the University of Hawaii Manoa Campus.

**Judge William J. Fernandez (Retired)**

Judge William Fernandez was born in Kapa`a, Kaua`i, and attended the Kamehameha Schools Kapalama Campus. Judge Fernandez earned his Bachelor of Arts degree and Juris Doctorate from Stanford University. While practicing law in Sunnyvale, California, Judge Fernandez also served on the City Council, term as Mayor, the Santa Clara County Drug Abuse Commission, and the Economic Opportunity Commission. The Drug Abuse Commission created the Methadone program in the jails and the set up of half-way houses for addicts. Judge Fernandez was appointed to the Municipal Court of Santa Clara County and later to the Superior Court where he served for thirty years.

Since retirement, Judge Fernandez is active in the Kamehameha Alumni Association, the Prince Kuhio Civic Club, the Black Robes and the Imua; also a board member of the Kaua`i Historical Society and the Council of Native Hawaiian Associations (CNHA); and a member of the Native Hawaiian Bar Association. Judge Fernandez is the author of a family memoir, "Rainbows Over Kapa`a", which is about the family movie theater in Kapa`a, Kaua`i and of the "Kaua`i Kids in Peace and War". Judge Fernandez also gives author Hawaiian history talks, "Poi to Pineapples" and "Sugar, Statehood, Sovereignty".

**Sterling Lee**

Sterling Lee is the Senior Pastor of the First Baptist Church of Pearl City. Lee oversees the day-to-day operations of the church, as well as the counseling programs. Prior to joining the First Baptist Church of Pearl City, Lee worked with students for the past 20 years in various capacities, from student minister to classroom teach; to coach; to mentor; and to counselor. Lee continues to lead the parenting workshops and family counseling at the Ke Kama Pono Safe House in Kalaeloa on the west side of Oahu.

**Kristina Maugalei-Nardo**

No bio available.

**Tai-An Miao****Chair, Ethnic and Cultural Diversity Committee**

Tai-An Miao is a community planner and a doctoral student in the Department of Urban and Regional Planning at the University of Hawai'i at Manoa. Miao received her Masters in Urban and Regional Planning from the University of Hawaii Manoa Campus. Miao's research general areas are in collaboration, community building and empowerment through planning, as well as in governance in multicultural societies.

**Laverne Moore**

Laverne Moore is a State of Hawaii Department of Education special education high school teacher at McKinley High School and serves on many educational organizations which address the disproportionate of minority youth in the educational system. Recently, Moore voted as the President of the Honolulu Chapter of the Hawaii State Teachers Association, serves as the Vice Chair of the National Asian Pacific Islander Caucus and serves as a national trainer for the National Education Association in cultural diversity, English as a Second Language, and other minority based programs, as well as provide statewide training for the Hawaii State Teachers Association to assist teachers with professional development service credits. In addition, Moore presently serves on the Hawaii State Teachers Association Board of Directors and is a former Director of the National Education Association Board. Moore was awarded the National Education Association Ellison S. Onizuka Memorial Award in 1996, because of her activities in the Asian Pacific Islander affairs which significantly impact education and the achievement of equal opportunity for Asians and Pacific Islanders. Moore has been a voice throughout her career for the equality of education for all youth and the recognition of cultural diversity across the educational system.

**Patricia Niibu**

Patricia Niibu has worked over 20 years as a social studies high school teacher for the State of Hawaii Department of Education. Currently, Niibu is a U.S. History, Psychology and Economics high school teacher at Lanai Elementary-High School. In Niibu's past experience on the Big Island, she held a teacher-mentee position with the Makali'i Voyaging group, which involved sailing, camping, building hales and studying the stars, wind and the aina with all ethnicity students. Niibu continues to serve as a class advisory and tasked with graduation projects. Niibu is the Lanai Chapter President for the Hawaii State Teachers Association and strives to make a difference in students' lives she touches, by helping them make a plan for their future.

**Acting Major (Captain) J Pedro**

Acting Major (Captain) J Pedro of the City & County of Honolulu, Honolulu Police Department is the statewide law enforcement representative.

**Vanessa Pulido**

Vanessa Pulido is a student at the University of Hawaii at Manoa and is striving to obtain a Bachelor of Science degree in Biology. Besides attending school, Pulido works as a student co-coordinator under the Student Equity, Excellence, and Diversity Program at the University of Hawaii at Manoa, which strives to reach out to students who are underrepresented and who are entering college for the first time. Pulido has been a youth member for JJSAC since her junior year of high school, became more interested in what JJSAC does for youth who are within the juvenile justice system, and looks forward to contributing ideas to the JJSAC Youth Committee.

**Elijah Spriggs-Kahalewai**

No Bio Available.

**Marsha Yamada**

Marsha Yamada was born and raised on Maui. Yamada graduated from Maui High School and went on to earn her Bachelor's Degree in Sociology and Associates degree in Liberal Arts with an emphasis in Administration of Justice from the University of Hawaii at Hilo. Yamada has been employed with the State of Hawaii Judiciary, Second Judicial Circuit since 1991 and has held various Judiciary positions from being a probation officer in the Juvenile Intake and Domestic Violence units to supervising the Special Services Branch. Yamada serves as the Administrator of the Juvenile Client and Family Services Branch, which includes the Juvenile Probation Department and the Family Court Drug Court. Yamada is married and has three children.

**Ronald Nakamichi, Chair, Compliance Committee**

Ronald Nakamichi was born and raised in Hilo, Hawaii and served the Hawaii County Police Department for 30 years, where he retired at the rank of the Assistant Chief. Assistant Chief Nakamichi is working on a contractual basis from the Big Island for the State of Hawaii, Department of the Attorney General in the Investigation Division. Assistant Chief Nakamichi has served two terms on the JJSAC and as the JJSAC Compliance Committee Chair, which he continues to serve now.



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## Partners Acknowledgement

We would like to acknowledge the following partners:

State of Hawaii Office of Youth Services  
State of Hawaii Department of Human Services  
State of Hawaii Child and Adolescent Mental  
Health Division  
State of Hawaii Department of Education  
Honolulu Police Department  
Hawaii State Judiciary  
State of Hawaii Department of the Attorney General  
University of Hawaii Department of Urban and  
Regional Planning

Office of the Prosecuting Attorney  
Office of the Public Defender  
City and County of Honolulu Juvenile Justice Center  
Epic `Ohana, Inc.  
Ho`oulu `Aina  
Susannah Wesley Community Center  
Hawaii County Police Department  
Maui Police Department  
Kauai Police Department  
Wayde Lee

..... and many other agencies and community organizations

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