

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

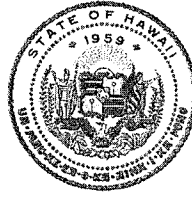
**JUVENILE JUSTICE STATE ADVISORY COUNCIL  
EXECUTIVE COMMITTEE MEETING**

**September 11, 2015  
10:00 a.m. to 1:00 p.m.  
Mililani Building, 6<sup>th</sup> Floor, Conference Room 610  
820 Mililani Street, Honolulu, Hawaii 96813**

**AGENDA**

- I. Call to Order**
- II. Review Juvenile Justice State Advisory Council (JJSAC) Executive Committee June 19, 2015 Minutes** Attachment A
- III. Compliance**
  - A. PREA Update
- IV. Juvenile Justice State Advisory Council (JJSAC)**
  - A. SAG Retreat
  - B. Ho`opono Mamo Progress Update
  - C. Subcommittee Reports
    - 1. Compliance Committee
    - 2. Ethnic, Cultural Diversity & Youth Committee
    - 3. Prevention & Accountability Committee
- V. Grants Management**
  - A. Reauthorization
  - B. 3-Year Comprehensive Plan Report
- VI. JJSAC Agenda**
- VII. Announcements**
- VIII. Next Tentative Meetings**
  - Friday, December 11, 2015 – JJSAC Executive Committee Meeting
  - Friday, December 18, 2015 – JJSAC Quarterly Meeting
- IX. Adjournment**

*The meeting is open to the press and public. For more information, contact Leimomi Fernandes-Otake, Juvenile Justice Administrative Assistant at (808) 587-5700.*



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**MINUTES**

**Present:** Jay Kimura, Chair  
Melinda Montgomery, 2<sup>nd</sup> V.C., Prevention & Accountability Committee Chair  
Tai-An Miao, Ethnic & Cultural Diversity Committee Chair  
Ronald Nakamichi, Compliance Committee Chair

**Absent:** Marsha Yamada, 1st Vice Chair, Youth Committee Chair - Excused

**Staff:** Ed Chargualaf, Juvenile Justice Program Coordinator  
Leimomi Fernandes-Otake, JJ Administrative Assistant

**I. Call to Order**

Chair Kimura called meeting to order at 10:15 AM.

**II. Review Juvenile Justice State Advisory Council (JJSAC) Executive Committee June 19, 2015 Minutes** **Attachment A**

Chair asked for review of the June 19, 2015 minutes. Melinda Montgomery motioned to approve the June 19, 2015 minutes with corrections, seconded by Ronald Nakamichi, and the motion was passed unanimously. No discussion.

**III. Compliance**

**I. PREA Update**

Chargualaf reported conference call with PREA Technical Assistance (TA) in late August. Approved TA for review of policies and procedures which Richard Mello, the PREA Coordinator. Suggested Mello to meet with the union to work on the definitions; Mello to amend changes. Upon agreement, will transmit the policies and procedures to the Moss Group; wrote the PREA standards. Action: Chargualaf to report results at the SAG meeting.

Chargualaf met with Mello's PREA's team, from within the organization at HYCF. Due to a complaint, the union stopped the team's involvement, because not part of the job description. Dave Gasper, who assisted with BIJIAC is helping Mello. PREA posters and videos in place for youth at intake entry and need to train the staff on PREA.

Chargualaf reported the last 3 year cycle to be in compliance ends August 20, 2016. Uncertain what the Department of Justice (DOJ) will do, if not in compliance or whether they will keep penalizing for non-compliance. The City & County of Honolulu Detention Home does not need to be in compliance with PREA. The Formula Grant is penalized \$7,032 this year and \$6,333 for the next fiscal year. Shelly Nobriga of Public Safety is a certified auditor and may use her team to reduce the audit cost. The DOJ certified trainers' audit is almost \$15K, excluding expenses.

The hands-on field training site application was not selected and Gasper advised against resubmission until HYCF's policy and procedures are in place. The Governor issued assurance that Hawaii will be in compliance for both the adults and juveniles. The adult facilities are in compliance, but gets penalized because the juvenile facility is not in compliance. The Governor can make the decision to not penalize the PSD grants; but to penalize only the juvenile facility.

#### **IV. Juvenile Justice State Advisory Council (JJSAC)**

##### **A. SAG Retreat**

Tai-An Miao working with Chargualaf on OJJDP TTA through Burns Institute, the consultant to plan a SAG retreat. Chargualaf clarified the retreat is to engage SAG with the reforms: Day 1 is the basics and the SAG's role; Day 2 is interactive, the vision, how to engage with the community and the 3-year Comprehensive Plan. Miao noted the importance of the SAG's role to prepare for the next shift, members to take leadership roles to write the 3-year Comprehensive Plan. Day 2 includes what submitted in the plan and what SAG should be doing. Action: Miao to work with Burns Institute on specific retreat dates.

Chargualaf asked committee to make recommendation for the \$20K budget. The last SAG Retreat was held in 2006 at the Waimea Plantation. Miao requested Montgomery to invite Kauai youth; if interested in SAG to build the youth committee. Chair approved Kauai recommendation for the SAG meeting. The Executive Committee to debrief after the retreat to work on the subcommittees and setup the infrastructure for the next 6 months; work with the independent consultant, Bob Edgar. Chair recommended to include the new Executive Director (ED) or Acting ED. Action: Chair to make Kauai Beach recommendation to the SAG.

##### **B. Ho`opono Mamo Progress Update**

Miao reported August 20, 2015 implementation with 170 referrals from HPD. The evaluation team to pull the recidivism and work with DOE to get the attendance. The partners are working out components: the Kupuna piece, accredited social work and the cultural folks; to get more referrals to Wayde Lee. Chargualaf noted the partners are meeting to pull the Kupunas in this month and Susannah Wesley (SW) got reaccreditation.

SW served a lot of status offenders; some cases are runaways. Now looking at what the status offenders look like; what are the indicators and to re-educate, especially the law enforcement because question why keep bringing back the kids if the program is good. SW can now work with parents to deescalate the situation, provide support system in prostitute cases and youth know who to go to for support.

Chargualaf meeting with Child Welfare and SW next week to address foster care youth; to provide one holistic or team approach. Nakamichi inquired the Child Welfare reaction.

Chargualaf responded foster parents are willing to work with the Assessment Center, but often call Child Welfare to let them know about the situation; the social worker tells the foster parents to go to court instead. Child Welfare is not willing to let go of the cases.

Similar situations in the beginning of the Big Island Assessment Center (BIJAC) until Child Welfare got onboard when advised will reduce the funding; also the same with probation. The need to visit the BIJAC, because Pauline Pavao retired. Hope to set November date for the partners to report to SAG. Action: Chargualaf to set Ho`opono Mamo preliminary presentation to SAG and Subcommittees. Chair asked to invite Stuart Okumura from JJIS to the December SAG meeting. Action: Miao to invite Okumura to the December SAG meeting.

Chargualaf working with Mike Goodman, a law student on qualifications for expungement. Discussion to ask if police discretion to counsel and release without an arrest on the record. Can the same concept occur at the assessment center occur. Clarification for Goodman; police has the option to not arrest but to counsel, and to release to the assessment center for status offenders, then should not have a record. Minor violators, go to the station for booking. To draft a form with simple instructions for parents to expunge or youth at age 19 to expunge the record. Chair reported at age 25 (possible only for the Big Island), the records are supposed to be expunged; still have a record of the arrest, but the name is removed (only a number for the circumstances of why arrested).

Montgomery inquired if the assessment center is open 24 hours; Miao responded only a paper citation issued because may not be open at the time of arrest. During the summer only paper citations to call into the assessment center; uncertain if it is because the police officers are new. The assessment center is open 12:00 PM to 8:00 PM, 6 days a week; may adjust time because of early morning arrests. Chargualaf reported police officers can use Hale Kipa Ho`okala to use as an emergency shelter. BIJAC is ideal with the Salvation Army emergency shelter next door.

### C. Subcommittee Reports

#### 1. Compliance Committee

Nakamichi highlighted discussions of the issue of holding juveniles between the police and the sheriffs. Paekukui submitted a statewide MOA and to follow-up with Chinen. Chair inquired the island of concern; Nakamichi responded the Big Island does not have a HYCF agreement.

Nakamichi reported Paekukui to conduct sheriff trainings on lockup procedures; next week in the Big Island, then Kauai, Oahu and Maui. Also the Annual Compliance Monitoring Report format changed to electronic and the period to calendar year; January 31, 2016 is the deadline.

The Maui Police Department (MPD) extending the POI project to Molokai; the Molokai officers are being trained. Chargualaf reported Viki Roemmling, of MPD submitted a \$16K proposal to extend to Molokai; working with Prevention & Accountability Committee to increase the budget. The MPD will train the Kauai Police Department on the Connecticut Youth Development training. The Big Island Police Department requested MPD training format.

The Waianae Police Station is completed with state of art sight and sound equipment. Stressed the judiciary and sheriff's role to report statewide and to disseminate information.

## 2. Ethnic, Cultural Diversity & Youth Committee

Miao teleconference calls with Eliza Browning, regarding consulting with the community justice network for youth; a strategy to rebuild and hope to work with Kim Riviera to recruit youth. Chargualaf advised to use the CJJ handbook to get youth voice, what's their focus and what to address; begin with the subcommittee. Also 1/5 of SAG to be youth; if 15 on SAG, need 3 youth.

## 3. Prevention & Accountability Committee

Montgomery highlighted Dr. Meripa Godinet's JJCA presentation; she will do a PPT presentation at the SAG. Committee to be more aggressive with the legislature and polices that affect youth; to submit a resolution and draft by next meeting. A list of contract providers to present at SAG; 2DOE contracts are problematic, because do not report or submit invoices. Rewritten committee bylaws for SAG approval. Voted to change meeting date to Fridays.

Chargualaf reminded the committee's role to follow-up on the OJJDP rule: if fund a project and the first 2 years only show satisfactory performance, on the 3rd year can choose not to continue funding. Committee to make recommendation to SAG for action to whether terminate the contract or do 3<sup>rd</sup> year contract; to occur 6 months prior to end of the contract. This is to provide funding to other providers, because the providers are the same from 1999 and 2000. The programs are not bad, but how to align with the current issues and evaluate effectiveness.

The same for 4<sup>th</sup> year proposals; to make a new proposal versus the original proposal. The 4<sup>th</sup> year to note how more effective or how make impact in the community; what doing, how more substantive and if things changed.

Montgomery highlighted Christina Andersson-Reichert's OJJDP site visit of MPD POI; doing awesome and reported 134 served, of which 60% are male. POI has 5 juvenile counselors, and 9 police officers. The funding is for police officers' overtime because staff do it after hours; also support youth activities and supplies. Kawewehi Pundyke does the loi and is the HYCF parole officers. When the program first started, dealt with 16 year olds; now seeing younger kids from 12 and 13. Chargualaf opened program to serve families, self-referrals and walk-ins.

## V. Grants Management

### A. Reauthorization

Chargualaf updated the senate bill 1169 is bipartisan and still active; hope congress to address this month. A house bill wanted to defund appropriations for juvenile justice; while HB 2728 introduced by Representative Bobby Scott and four co-sponsors for the reauthorization. Chargualaf reported Montgomery and Prevention & Accountability Committee to monitor and send out action alerts from CJJ; also to send alerts to Representative Mark Takai and Senator Mazie Hirono.

Chargualaf summarized the priorities of the 3-Year Comprehensive Plan Report: 1. Compliance with 3 Core Requirements. 2. Overrepresentation of minority in the system. 3. Status Offenders. 4. Probation. 5. Alternative to Detention. 6. Prevention. 7. Girls in the JJ System. 8. Substance Abuse and Mental Health.

Also selected 3 areas for programs funded: 1. Delinquency Prevention – can be anything from schools, courts, law enforcement agencies, child protective agencies, mental health agencies, welfare services, health care agencies and private nonprofit agencies. 2. Diversion Program – to

divert youth from entering jjs, include restorative justice programs such as youth or teen courts, victim-offender mediation and restorative circles, align with Ho`opono Mamo, and authorized programs. 3. Alternative to Detention or Incarceration – community and home based alternative to incarcerations, including youth who need temporary placement such as crisis intervention, shelter and after-care and for youth who need residential placement.

The funding is 5% to SAG and 10% to Planning and Administration, which funding can be moved and flexible. The 3rd required funding is the compliance monitoring, and the activities to inspect facilities and provide trainings. When the 2015 award before October 1 is approved, will be effective last year, October 1, 2014 because combining grant awards into one for 6 years.

Announced a new JJP Specialist onboard, September 16, who worked for a private downtown company, and Merton Chinen is the acting Executive Director. Asking committee and SAG to approve the reorganization chart to establish JJS as a separate unit, the OJJDP Compliance Division, which by statute, the OYS is responsible to address jjs. In practice, the JJS report to the Executive Director; but technically, the organizational chart reflect JJS reporting to Chinen, Program Development Officer. SAG support is to make it formal to transmit the reorganization chart to PERS or to the Governor to make it solid. Currently, JJS use some state monies for Ho`opono Mamo and the Kauai Girl's Court; request state monies allocation and the federal monies will be an additional bonus. Committee agreed to the reorganization. Chair inquired any changes with funding to reduce number of kids from PEW. Chargualaf responded \$1.2 M committed to judiciary, which should have JJSAC say. Miao inquired if the PEW JJSAC will present to SAG. The statute or budget can say money goes to JJS unit for discretion.

DHS Director, Dr. Rachael Wong has no problem and supports the reorganization when David Hipp mentioned it at the meet and greet meeting to separate the OJJDP unit; just to separate from Professional Development Officer to the Federal Compliance Office for the kids.

## **VI. JJSAC Agenda**

Committee reviewed and approved the SAG agenda.

## **VII. Announcements**

1. Chair reported nationally is raising the age of juveniles to 25; this is an old Hawaii law.

## **VIII. Next Tentative Meetings**

Friday, December 11, 2015 - JJSAC Executive Committee Meeting

Friday, December 18, 2015 - JJSAC Quarterly Meeting

## **IX. Adjournment**

Nakamichi made a motion to adjourn the meeting, and seconded by Montgomery. There being no further discussion, the meeting was adjourned at 12:55 p.m.

Respectfully submitted,



Leimomi Fernandes-Otake, Juvenile Justice Administrative Assistant