



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

**JUVENILE JUSTICE STATE ADVISORY COUNCIL MEETING**

September 26, 2014  
10:00 a.m. to 1:00 p.m.  
Haseko Center, Conference Room # 615  
820 Mililani Street, 6<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**AGENDA**

- I. **Call to Order**
- II. **Review Juvenile Justice State Advisory Council (JJSAC) June 13, 2014 Minutes** **Attachment A**
- III. **Office of Youth Services (OYS) Executive Director's Briefing**
- IV. **Juvenile Justice State Advisory Council (JJSAC)**
  - A. 2013 Annual Report
  - 1. 2014 Annual Report Contents **Attachment B**
  - B. Subcommittee Reports
    - 1. Compliance Committee
      - (a) Revised Guidance Policy
      - (b) PREA Update
        - (1) Application
        - (2) Governor's Response Letter
      - (c) Civics First Training
        - (1) Trainings – November 5-7, 2014
    - 2. Ethnic & Cultural Diversity Committee
    - 3. Prevention & Accountability Committee
    - 4. Youth Committee
- V. **Grants Management**
  - A. Federal Awards
    - 1. JJSAC Letter to Congress
    - 2. 3-Year Comprehensive Plan Input
    - 3. OYS FY15 Contract List by Circuits
      - (a) OYS Provider Quarterly Orientation Meetings
    - 4. Community Youth Justice Program List

- B. Bill 2490
  - 1. Tentative Proposed Program List
  - 2. HYCF Commitments for FY13 – FY15

**VI. Conferences, Trainings, Workshops**

- A. OJJDP Training Report – June 17-18, 2014
- B. CJJ Annual Conference Report – June 18-21, 2014
- C. OYS Conference – October 28, 2014

**VII. JJSAC Agenda**

- A. Bob Listenbee Conference Call – December 12, 2014 Meeting
- B. OJJDP Program Manager

**VIII. Announcements**

**IX. Next Tentative Meetings**

- Friday, December 12, 2014 – JJSAC Executive Committee Meeting
- Friday, December 19, 2014 – JJSAC Quarterly Meeting

**X. Adjournment**

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



Phone: (808) 587-5700  
Fax: (808) 587-5734

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

**JUVENILE JUSTICE STATE ADVISORY COUNCIL MEETING**

September 26, 2014  
10:00 a.m. to 1:00 p.m.  
Haseko Center, Conference Room # 615  
820 Mililani Street, 6<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**MINUTES**

**Present:** Jay Kimura, Chair  
Melinda Montgomery, 2<sup>nd</sup> Vice Chair, Prevention & Accountability Committee Chair  
Christina Andersson-Reichert, Prevention & Accountability Vice Chair  
Judge Aley Auna Jr.  
Elizabeth Browning  
Judge (ret.) William Fernandez  
Tai-An Miao, Ethnic & Cultural Diversity Committee Chair  
Laverne Moore  
Ronald Nakamichi, Compliance Committee Chair  
Patricia Niibu  
Captain J Pedro  
Vanessa Pulido  
Marsha Yamada

**Absent:** Dexter Artienda, 1st Vice Chair, Youth Committee Chair  
Sterling Lee - Excused  
Kristina Maugalei-Nardo  
Elijah Spriggs-Kahalewai

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

**I. Call to Order**

Chair Kimura called meeting to order at 10:05 a.m. and thanked members for their attendance.

**II. Review Juvenile Justice State Advisory Council (JJSAC) Attachment A  
June 13, 2014 Minutes**

Chair Kimura asked for the minute's adoption. Laverne Moore made a motion to approve the June 13, 2014 minutes, seconded by Patricia Niibu, and the motion was passed unanimously. No discussion.

**III. Office of Youth Services (OYS) Executive Director's Briefing**

Ed Chargualaf deferred the OYS Executive Director's briefing, because not available at this time and will refer to the report throughout the agenda.

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

**A. 2013 Annual Report**

Chargualaf reviewed the 2013 Annual Report, highlighted the OJJDP programs and noted funding to be reviewed throughout the agenda.

**1. 2014 Annual Report Contents**

**Attachment B**

Chargualaf discussed the activities and accomplishments may include: PREA and the 4 core requirements, Ho`opono Mamo, mentoring skills building program in West Hawaii DOE, Hilo Assessment Center, Maui POI expansion, and involvement of JJSAC and subcommittees in their respective regions and/or report of accomplishments.

Reported PEW came to assess how Hawaii is addressing our youth and made recommendations. Tai-An Miao noted PEW's work with the Reform and suggested an explanation of SAG and the PEW group because of its name. Chair suggested listing state programs. Judge Aley Auna suggested new bios and pictures. Chair asked for the 2014 Annual Report recommendations to be approved. Judge William Fernandez made a motion to approve the 2014 Annual Report recommendations, seconded by Judge Auna, and the motion was passed unanimously. No further discussion.

**B. Subcommittee Reports**

**1. Compliance Committee**

Ron Nakamichi reported no meeting or committee report.

**a) Revised Guidance Policy**

Chargualaf discussed the revised guidance policy disseminated at the OJJDP training and the follow-up conference call with Bob Listenbee, the OJJDP Administrator on August 14. A possible consideration for additional funds of \$75,000 to contract services or whatever is feasible to meet the revised guidance policy. The focus is on the "free to leave" rule definition and the penalties if not in compliance; which is a matter of time and when we need to be in compliance similar to PREA. Also the need for an additional \$70-\$75,000 to implement PREA.

The new policy will require non-secure facilities to make sure the child feels that they are "free to leave". A scenarios such a child comes in because tired of running, the police officer calls the parent to alert they have the child, but when the police officer turns away, the child walks out; the call to the parent is not what the child wants, so the child leaves which becomes an escape and a felony, instead of a status offense as a runaway. Captain J Pedro advised the child is not free to leave when in their custody and the child becomes their responsibility until released to someone. The new policy means that every status offenders who are not free to leave, becomes a violation.

**b) PREA (Prison Rape Elimination) Update**

**(1) Application**

Chargualaf reviewed the PREA application and coordinating with the Deputy Youth Facility Manager, Richard Mello and the Youth Facility Manager, Mark Patterson. The project will provide training for the PREA Coordinator, Mello and the training officers to learn about preventing, detecting, and responding to sexual abuse; training on victim counseling, crime scene investigations, screening tools, assistance with bargaining unit agreements, etc. The 20<sup>th</sup> National Symposium on Juvenile Services PREA Training for Trainers is in Greensboro, North Carolina in mid-October.

Penalized \$7,032.00, 5% of the Formula Grant application of \$400K; which the approved PREA application will be used for juvenile facilities training. The goal is to bring the PREA consultant to certify HYCF compliance. Judge Auna inquired why HYCF is not in compliance. Chargualaf responded must have PREA

Juvenile Justice State Advisory Council Meeting  
September 26, 2014 Minutes

policies and procedures in place. Paekukui reported PREA started in 2003, but the rules was released in 2013. PREA was to be implemented in early 2010 for 2012.

(2) Governor's Response Letter

Chargualaf disseminated and reviewed the Governor's PREA letter to Karol Mason.

c) Civics First Training

Chargualaf reviewed the Connecticut Police Youth Development Training application which was approved on August 28.

(1) Trainings - November 5-7, 2014

The trainings in Honolulu on November 5 (40 police officers); Big Island on November 6 (13 police officers, hope for 30); and Maui on November 7 (30 police officers). The Train-the-Trainers session to be scheduled after the holidays; expectations are those trained to train within 6 months. No cost to Hawaii other than providing the facility and the necessary equipment. Kauai is not included because did not respond after many attempts.

Moore inquired how do police officers interact with kids and if cultural relative to Hawaii. Paekukui responded with an example on YouTube regarding the theft of a bike: 1. The white boy attempts to steal the bike; few people got involved. 2. The African American boy attempts to steal the bike; within minutes, the police arrived to make an arrest. 3. The pretty girl attempts to steal the bike; men asked to help. The training is adjusted to the area and pictures changed to Hawaii local kids.

2. Ethnic & Cultural Diversity Committee

Miao reported Lei Nakamura of the City & County, Department of Community Services completed the subcontracts for Ho`opono Mamo to begin. Thanked Captain Pedro and the Honolulu Police Department for its great partnership and assistance to get the process in place.

Captain Pedro reported District 5 has a change of command, so meeting with the Major next week. Already started police officer procedures and will implement training next month to train the District 5 police officers. Three sergeants are assigned to handle the paperwork and one sergeant is part of the pilot team.

Miao reported continue trainings with services; working with DOE and Wayde Lee completed a counselor training at Farrington High School. Chargualaf reported Listenbee's interest in the Ho`opono Mamo pilot, which is featured in the DMC. Action: Chargualaf to email the DMC link.

3. Prevention & Accountability Committee

Melinda Montgomery reported no meeting. Responded to Moore's inquiry regarding truancy. The Youth on Probation Monitoring Program expanded, youth are in the system because of truancy and not doing well with DOE, so use competency based diploma program to meet the need.

4. Youth Committee

Chargualaf will work with Dexter Artienda to address the School-to Prison Pipeline as a project. Moore reported School-to-Prison Pipeline is a National Education Association issue and has research. Chargualaf would like a core group; Niibu and Moore volunteered to help Vanessa Pulido. Moore made a motion to adopt the School-to-Pipeline as a project for the Youth Committee, seconded by Pulido, and the motion was passed unanimously. No further discussion.

**V. Grants Management**

**A. Federal Awards**

Chargualaf summarized the awards. The JABG: FY2010 close-out on November 30, 2014, program monies at \$359,400; the FY11,12,13 total program monies encumbered at \$575,463; and JABG is eliminated in FY14.

## Juvenile Justice State Advisory Council Meeting September 26, 2014 Minutes

Highlighted a few of the programs such as POI in Maui, Teen Court in Kauai and Family Management in the Big Island.

The Formula: FY2010 close-out on September 30, 2014, program monies at \$510K; the FY11,12,13 program monies encumbered at \$1.2M; FY14 pending award of \$400K (reduction from \$600K and less the \$7,032 PREA penalty) and an extension of FY11,12.

The Title V: FY2011 close-out September 30, 2014; last grant award due to elimination. Title V is done, the award expire at the end of the month and added more monies to POI project to expand to the families.

### 1. JJSAC Letter to Congress

Chargualaf highlighted bullet points for the letter to congress and stakeholders; the importance of federal legislation for juvenile justice funding, the restoration of federal funds, and the federal reauthorization of JJDP. The JJDP of 1974 is the only federal statute to provide protection for youth entering the jjs, and the last reauthorization was in 2002. Action: Chargualaf to draft letters.

### 2. 3-Year Comprehensive Plan Input

Chargualaf reviewed the suggested citations, the need for SAG input for FY15, 16, 17 and to give input to the Executive Committee members for December 19 meeting. Review the study, make recommendations how to carry out specifics in Hawaii and prepare questions for Listenbee.

### 3. OYS FY15 Contract List by Circuits

Chargualaf reviewed the OYS contract and reported SAG members & subcommittees visited OJJD programs. As SAG members, need to bring community together and identify the gaps to work together. Judge Auna inquired the Sounding Joy contact for the Big Island. Action: Chargualaf to forward Sounding Joy contact information.

#### (a) OYS Provider Quarterly Orientation Meetings

Chargualaf highlighted the quarterly orientations with OYS providers. Completed Kona, Maui and Kauai. The next meetings are October 3 in Hilo and October 17 in Honolulu. Maui progressing in the juvenile justice needs; from the Police Department, probation, Christine Andersson-Reichert of Maui Youth & Family Services, and the prosecutor with the POI project. SAG's role is to bridge and strengthen; reminder of the Conflict of Interest agreement.

### 4. Community Youth Justice Program List

Chargualaf reported set aside \$100K to fund cultural programs from JABG FY10 and FY11, for a minimum \$100 to \$10K as incentive grants; selected providers to give financial and program report at the end of the project. Highlighted the funded programs and at least \$70K to small grants for grass root programs. Niibu inquired Luluku's location. Chargualaf responded the loi is in Kaneohe and 5 kids from 1st Circuit.

## B. Bill 2490

### 1. Tentative Proposed Program List

Chargualaf reviewed Bill 2490, the PEW legislative recommendations and potential programs. 17-member Juvenile Justice State Advisory Council appointed by the Governor (3), Legislature (2), Chief Justice (5), Superintendent of Schools (2), Executive Branch Departments (3), OYS Executive Director (1) and member from juvenile justice stakeholder groups appointed by OYS ED (1). The council to meet by September 30 and at least quarterly. Miao concerned about the same name.

Chargualaf noted Marsha Yamada on PEW working team. Representation from DOE, DOH, judiciary, Representative Mele Carroll and Senator Will Espero. Met in August and by December, the Bill was passed in legislature. As a result, judicial administrators to implement statewide operations to work as one system. Implemented mandated component to do home visits within 45 days of the probation to give the youth the

Juvenile Justice State Advisory Council Meeting  
September 26, 2014 Minutes

probation terms versus waiting until court. This gives the youth 1 month credit for every probation in compliance.

2. HYCF Commitments for FY13 - FY15

Chargualaf reported the reduction of HYCF commitments by circuits and significant changes. The population is 30 as of yesterday, from 80-90 in the past. The new Warden Patterson to share his vision to huli the system. Action: Warden Patterson to present at the December 19 meeting.

**VI. Conferences, Training, Workshops**

A. OJJDP Training Report - June 17-18, 2014

Chargualaf reported the training focus: 1. The revised guidance policy announced. 2. Separated the seasoned compliance monitors from the new monitors in the sessions. 3. Met with Karen Bachar, Hawaii Program Manager on several issues of compliance and funding. Bachar promoted to Senior Policy Advisor to Listenbee

B. CJJ Annual Conference Report - June 18-21, 2014

Chair reported similar comments of why the policy change and who made the decision to change the policy. Chargualaf advised other states are looking at the cost to possibly not accept federal funds. Reported Hill Day visit; met in person with Senator Mazie Hirono, who is on the Justice Committee which leads to the JJDP reauthorization. Also met with Representative Colleen Hanabusa and she was extremely informative. Miao reported the workshops to engage youth and hope to work with Eliza to grow the Youth Committee.

C. OYS Conference - October 28, 2014

Chargualaf extended invitation to the SAG to attend the Aloha Response Conference at Hale Koa which is coordinated through the AG Office. Action: Fernandes-Otake to disseminate the flyer.

**VII. JJSAC Agenda**

A. Bob Listenbee Conference Call - December 12, 2014 Meeting

Chargualaf confirmed Listenbee conference call on December 19 at the SAG meeting. Encourage the SAG attendance to meet the OJJDP Administrator. Action: Chargualaf to disseminate the PEW Final Report and the Ho`opono Mamo brochure for the SAG review.

B. OJJDP Program Manager

Chargualaf discussed the change of program manager because Karen Bachar promoted to Senior Policy Advisor to Listenbee as of August 10. The alternate Program Manager is Gwendolyn Williams and Program Manager for FY2011 JABG.

**VIII. Announcements**

No announcements

**IX. Next Tentative Meetings**

Friday, December 12, 2014 - JJSAC Executive Committee Meeting

Friday, December 19, 2013 - JJSAC Quarterly Meeting

**X. Adjournment**

Judge Fernandez made a motion to adjourn the meeting, and seconded by Moore. There being no further discussion, the meeting was adjourned at 12:42 p.m.

Respectfully submitted,



Leimomi Fernandes-Otake, Juvenile Justice Administrative Assistant