



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

**LIEUTENANT GOVERNOR'S
OFFICE**

JUVENILE JUSTICE STATE ADVISORY COUNCIL MEETING

'14 DEC 12 P1:37

December 19, 2014

10:00 a.m. to 1:00 p.m.

Mililani Building, Conference Room # 615

820 Mililani Street, 6th Floor

Honolulu, Hawaii 96813

AGENDA

- I. Call to Order**
- II. Review Juvenile Justice State Advisory Council (JJSAC) September 26, 2014 Minutes** Attachment A
- III. Office of Juvenile Justice and Delinquency Prevention Administrator**
- IV. Office of Youth Services (OYS) Executive Director's Briefing**
- V. Hawaii Youth Correctional Facility Warden Mark Patterson**
- VI. Juvenile Justice State Advisory Council (JJSAC)**
 - A. Membership - Elections
 - B. CJJ Fees – Special Conditions
 - C. 2014 Annual Report Draft
 - D. Website
 - E. Subcommittee Reports
 1. Compliance Committee
 - (a) Connecticut Police Youth Development Training
 - (b) Sheriff's Training
 - (c) PREA
 2. Ethnic & Cultural Diversity Committee
 3. Prevention & Accountability Committee
 4. Youth Committee
- VII. Grants Management**
 - A. Federal Awards
 - B. 3-Year Comprehensive Plan Report
- VIII. JJSAC Agenda**
- IX. Announcements**
- X. Next Tentative Meetings**

Friday, March 13, 2015 – JJSAC Executive Committee Meeting
Friday, March 27, 2015 – JJSAC Quarterly Meeting
- XI. Adjournment**



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MINUTES

Present: Jay Kimura, Chair
Marsha Yamada, 1ST Vice Chair
Melinda Montgomery, 2nd Vice Chair, Prevention & Accountability Committee Chair
Christina Andersson-Reichert, Prevention & Accountability Vice Chair
Dexter Artienda
Judge Aley Auna Jr.
Elizabeth Browning
Judge (ret.) William Fernandez
Sterling Lee
Tai-An Miao, Ethnic & Cultural Diversity Committee Chair
Laverne Moore
Patricia Niibu
Captain J Pedro
Vanessa Pulido

Absent: Kristina Maugalei-Nardo
Ronald Nakamichi, Compliance Committee Chair - Excused
Elijah Spriggs-Kahalewai

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

Guest: Dan Purcell

I. Call to Order

Chair Kimura called meeting to order at 10:08 a.m. and thanked members for their attendance. Chair asked guest to introduce self to the council.

**II. Review Juvenile Justice State Advisory Council (JJSAC) Attachment A
September 26, 2014 Minutes**

Chair Kimura asked for the minutes adoption. Christina Andersson-Reichert made a motion to approve the September 26, 2014 minutes, seconded by Laverne Moore, and the motion was passed unanimously. No discussion.

III. Office of Juvenile Justice and Delinquency Prevention Administrator

Ed Chargualaf introduced Robert Listenbee, the OJJDP Administrator, the staff and SAG members made introductions. Discussion began with the studies of the development approach to Juvenile Justice Reform and the implementation. Listenbee thanked members for the teleconference call, excited about what is going on in

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Hawaii and interested in how Hawaii is implementing the Juvenile Justice Reform, and the submitted questions is how OJJDP can better respond to support Hawaii.

Chargualaf requested clarification of the implementation phase plan; if it is for the next 3-Year Plan and to expand on the curriculum developing to be the hallmarks for an appropriate jjs approach. Listenbee responded in the beginning stages to develop the curriculum to be more user friendly for jj practitioners to use.

Listenbee talked about diversion out of the home ; how the child perceives the procedures, if it is fair and is it fair in the court. Also if a child is being trafficking; to treat as a victim versus as the offender. More involved in probation and how to improve the comfort of the kids; focus on programs for community re-entry. Noted corrective education of evaluating every child to get proper assessment and begin with training in the schools. Also how we transition kids back into the home; develop kids visit 24/7 in the detention facility then kids become more cooperative, healthy and a better process to handle their issues with training. Education package of kids come through the system only one time; focus on the prevention programs. Similar to the system Hawaii is adopting with the civil citation initiative and to encourage civil citation.

Chargualaf inquired about the demonstration projects criteria, if funding impacted and if Hawaii left out due to population; not use formula grant for demonstration projects. Listenbee to have the selection process respond. Chargualaf reported what incarcerated in the mainland versus Hawaii, the population of 200 is not the same impact in a Hawaii facility of a total of 40; the need to look at the balance versus only the numbers. Listenbee noted Indian Country, including Alaska of the children exposure; will go where the children are. Staff wants to come to Hawaii because of the Hawaii programs.

Chargualaf reported a change of mindset to stop locking up kids; concentration on programs in the front end. The need to tap into partnerships with the DOE, because of the School-to-Prison Pipeline to support the school initiative; tasking the Youth and DMC Subcommittee to focus on the initiative; what is preventing kids from graduating on time. Moore inquired how closely working with NEA, because need to work with the educators. Listenbee responded working with the advocates and need to check with NEA.

Listenbee reported Hawaii is the second SAG meeting call; eager to work with you and partners, and to share resources. Impressed with the fact reduced the number of juveniles in the jjs. Hawaii is heading in the direction to be a model; collect data of the transformation to share with rest of the country. Since the last conversation, the Civil Citation Program is positive and excited for the launch. Listenbee question how to become a model in the 3-Year Plan. Chargualaf called it Ho`opono Mamo to capture the intent of an assessment center; unique because of the cultural component, which is the host people's way of healing and forgiveness. Must forgive self before reach out. HPD onboard with the civil citation and if the kid succeeds, the record will be expunged. Status offenders, still return to the assessment center if did not commit a felony. Listenbee inquired how recording. Chargualaf responded just started, will have the evaluation component simultaneously; to assess the first year as to what works and what does not.

Shanetta welcome Captain Pedro to participate. Partner with law enforcement and comment working with educators to give teachers proper training to not call law enforcement. Chargualaf commented how challenging to establish a partnership with DOE. With 2 subcontracts in 2 different schools: 1 program for kids not going to school, because of their family support system. The other program in place soon to support the school initiative and to enhance DOE.

Chargualaf introduced Mark Patterson, HYCF Warden; vision to turn the facility into a healing center. Patterson is new to the youth facility, establishing relations with current staff, working on informed care (working on models to get there) and from intake to transition. The cultural concept is wili wili, Hawaiians call developing strands as child goes through the journey. At the same time, the cultural components, to develop other strands to deal with issues, which brought the kid to the place? Also developing a family strand component. Involving the staff and a lot of community, as well as academics from UH. Listenbee responded outstanding and noted the Pennsylvania Program to heal hurt people by Dr. Rich and

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Dr. Colburn; Stoneyh Foundation which is in 27 hospitals. Also working with Native Alaskan and American Indians with the wellness course; encourage the cultural component to benefit the family and find the children heal faster. Listenbee commend the march of vision and the cultural component. Completed audit, thrilled of the policy and Hawaii has come 360 degrees around. Listenbee appreciative of the meeting, can commit staff to visit to see firsthand what's going on in Hawaii. Since on the front line, people will want to know about the Hawaii program; encourage collecting data and do research. Look at the outcome measures, assessing long term for kids came into the system, mental health, addiction, dependent issue and help track kids as long as can. Report from 80 down to 23 to 25 in the facility.

Chargualaf inquired of the reauthorization; if go through, how restore funding back to Formula grants. Listenbee responded presenting the bill and not appear. \$150 million cap and not reestablish funds. Senate judiciary committee has constant discussions. Chair inquired if current federal funding to restore Title V funds. Listenbee responded current funding, some put under Title V from previous sessions. TTA team to look at the budget to answer what funding under Title V; response 1st week in January.

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

Chair deferred the OYS Executive Director's briefing, because not available at this time.

V. Hawaii Youth Correctional Facility Warden Mark Patterson

Chair welcomed Patterson; new to SAG, to OYS and 6 months at HYCF. Shared background as the former Warden at the Women Correctional Center for 7 years, by profession considers self as adult correctional officer, was a Captain at Halawa and OCCC. Excited to be at HYCF after working with men, learned their story what happened to them as a child and why ended where they did. Then worked with women and not only learned what happened to them when they were a child, but what's happening with their children. This lead to his interest to go to the source to work with the children and to see what the issues are. Now is to look at the whole family model and try to stop the intergenerational incarceration cycle.

Only have 25 kids in the facility; 5 girls and 20 boys. Remarkable after coming from 1000 or more beds and aware of the circumstances at HYCF. Look to the staff to make change and 2015 to initiate more family programs by bringing the families to the facility to engage in healing. Hope to grow and strengthen the transitional program so the youth does not return or go into the adult facility.

Patterson stressed work on a trauma informed cared platform which some kind of traumatic issues happened in child's life which parallels the mental health issues. Always posed the question at the women's facility if can be a place of healing? Pose the same question at HYCF. When look at a women or men, who has had traumatic experiences are ready for change when in the system because has had a life of traumatic experiences. The youth are fresh from the traumatic experience which leads to the impulsive behavior and not care. How to create a safe environment, so the child is willing to share, and address how we do things like care and the handling. Patterson posed the women facility that does not treat the men like this and the same at the juvenile facility, we do not treat the adults like this.

Patterson focus is on the staff to lower 88% of every child at HYCF to not end up in the adult system; result is the transitional and facility programs. Is HYCF relevant to the client, not violent, only 1-2% and YCOs for the runaways and truancy. What's the weakness of the system; mental health and substance abuse treatment and residential treatment. How begin to move the facility and YCOs to become residential treatment, mental health and substance abuse. Also the youth on probation to prevent from going in and out of the system. Put on staff, how we will develop this evidence base mainland program, but culturalize it. Also working with CAMD with the mental issues and people in the housing. Pose a gender program for the 6 girls, who are in the facility to protect them. Partnerships with UH to develop programs with culture and trauma informed care with judiciary.

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VI. Juvenile Justice State Advisory Council (JJSAC)

A. Membership - Elections

Chair asked for elections and announced the Executive Committee's Slate: Jay Kimura as Chair, Marsha Yamada as 1st Vice Chair to replace Artienda and Melinda Montgomery as 2nd Vice Chair. Chair asked for nominations from the floor. Judge Fernandez made a motion to close the nomination and to approve the slate, seconded by Pat Niibu, and the motion was passed unanimously. No discussion.

Chargualaf assumed Dexter Artienda reapplied for reappointment because his term expired June 30, 2014; extended 3 months to September 2014 at the June 30 SAG meeting and; assumed submitted application at the September 26 SAG meeting. Artienda to be independent and approved to be on the Youth Committee. Recommendation to combine the Youth with the Ethnic & Cultural Committee.

B. CJJ Fees – Special Conditions

Chargualaf discussed the CJJ membership fees and the new special conditions restriction by OJJDP to the 2014 Formula Grant Award regarding lobbying. Also reviewed the additional conditions, such as PREA and working with Patterson. Began with the guidance policy compliance issue of the 3 core requirements, DMC and now PREA. Referred to the importance of the CJJ Hill Day at the annual conference and the education of legislature. Moore made a motion to pay the CJJ fees and seconded by Judge Fernandez seconded, and the motion was passed unanimously. No discussion. Chair signed the CJJ invoice.

C. 2014 Annual Report Draft

Chargualaf reviewed the draft annual report and asked for input for final approval at the March SAG meeting. Fernandes-Otake asked for 1 paragraph bios by deadline. Action: Executive Committee write-ups to Miao for February 13, 2015 deadline to Fernandes-Otake.

D. Website

Fernandes-Otake highlighted the revamped Hawaii JJSAC website and asked for suggestions or input. Action: Members to submit input by February 13, 2015.

E. Subcommittee Reports

1. Compliance Committee

Chargualaf reported 4 compliance violations for 2014: (1) Hawaii County because Judiciary held juvenile in cell block for 8 hours while waiting for a court time. John Paekukui met with Randi Cooper; unaware of the time restriction and will coordinate schedule for early court appearances. (2) Kalihi Police Station held juvenile over 6 hours in secured detention; staff unaware of the rule. (3) Two juveniles held over 6 hours in Kalihi Police Station; a judge waived the 6 Hour Rule per a detective's request. After inquiry, the judge deciding was a per diem judge and unaware of the Federal Act. Paekukui provided in-service training for the Kalihi Police Station and informed the judge of the 6 Hour Rule.

(a) Connecticut Police Youth Development Training

Chargualaf reported training of 63 police officers statewide; 24 from Honolulu, 15 from Hawaii County (volcano affected attendance) and 24 from Maui. Kauai did not respond to the training. The training feedback was positive: 55 rated excellent, 15 good, and 1 fair. Chargualaf reported Maui's good interactions with the trainers and the reason Maui is hosting the facility for the 3-Day Train-the-Trainers over the dates of February 23-25. Training letter offer to the Chief of HPD and HCPD to attend the 3-Day training for officers attended the initial training. Result of training application submitted and Hawaii awarded for OJJDP TTA free training.

(b) Sheriff's Training

TTS for the Sheriff, immediate court hearing. Oahu sheriffs not trained in jjs; to meet the rural exception rule. Training March 3-12; Kauai, Honolulu, Hilo and Maui. Yamada is on the Compliance Committee and reported training is good for adolescent, especially during the first 24 hours. Maui statewide probation will

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attend the Sheriff training; due to the potential of violation for court schedule. Yamada to send numbers to Paekukui.

Chargualaf noted next training for patrol officers because felt should know how to approach a kid. Later part of next year to conduct SFY training on adolescent brain development, training for people with constant contact with kids; probation, facility and police officers.

(c) PREA

Chargualaf PREA's main person is Patterson. Conducted conference call with Eissa Rumsay, the OJJDP Program Manager, part of Bob Listenbee's staff with Patterson and Richard Mello to get reacquainted. Eliza volunteered to read and review HYCF PPA. Patterson commented 10-12 years behind; will be a safe environment if pass PREA from who escort girls, who in showers, no blind spots, and etc. in place to ensure additional safety factors. PREA to serve as an audit instrument to be in compliance and it takes time to adjust the physical structure. The policy and procedures are easy with the right people to manage program.

Chargualaf reported the PREA Act in 2003, then in 2010 want facilities to be in compliance by 2011. PREA is a huge standard for adults and juveniles. PREA applies to state operated and state funded facilities; not City & County. Recommended members to Google PREA and find the standards. Meeting every month; money for training and educational materials. The advantage is the Department of Justice are the training auditors; in training given hands on application of what learning. Asked other facilities to host and be a part of training; submitted application, if approved, group of 5-9 people, advantage can use findings/recommendations to our advantage. It is not an official audit. If selected as site, the audit in lateral part of March and end 2016 April. Chargualaf uncertain if Governor provide assurances every year; due August 2014, assure working towards compliance.

Patterson noted the sequential phasing, intake, assessment, to general population or mental health housing. General population turn into transition to leave and mental health housing can be put in the general population. Girls are in their own housing and waiting for AG on how to restart Kawaioloa Training for Girls. Programs to begin to sell products like beef, kids get vocational training, such as commercial kitchen experience and to use the training in every day/school to develop work ethic.

2. Ethnic & Cultural Diversity Committee

Miao excited about family opportunities for kids and meaningful ways to work with kids. Good news, the contract to begin in 6 to 8 weeks to recruit and hire staff. HPD started 4 weeks of training, set by Captain Pedro. Susannah Wesley will be in operations in a month. Action: Chargualaf to email soft opening specifics. Highlighted Wayne Lee trainings to Queens Conference Center's Mental Health and to Patterson at HYCF. Evaluation to measure outcomes so as a state here we are and where want to go.

3. Prevention & Accountability Committee

Montgomery reported meeting cancelled, no report.

4. Youth Committee

Last month meeting, working with DMC, School-to-Prison Pipeline; to work with different community organizations to collect data and the initiative. Chair asked to merge the Ethnic & Cultural Diversity with the Youth committee. Moore made a motion to approve to combine the Ethnic & Cultural Diversity (ECD) with the Youth committee, Laverne combine ECD with Youth, seconded by Niibu, and the motion was passed unanimously. No discussion.

VII. Grants Management

A. Federal Awards

Chargualaf reported Gwen Williams as the new Program Manager, because Karen Bachar promoted to Senior Advisor to Listenbee. As of September 30, \$6,831.99 returned; 1 program Title V, returning \$30.60. Senator Chuck is introducing SB378 for the Act re-authorization; the last re-authorized was in 2002. The bill is the protection of children in the system in all states.

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B. 3-Year Comprehensive Plan Report

Executive Committee assignments for the 3-Year Plan. Chargualaf: Juvenile Justice Reform: A Developmental Approach & Implementing JJ Reform: the Federal Role. Kimura: Historical Context; Current Practice in the JJS; Moving Forward; A Framework for Reform. Montgomery: Adolescent Development; Preventing Reoffending; Accountability & Fairness. Miao: Reducing Racial/Ethnic Disparities; Achieving Reform.

Chargualaf reviewed Chapter 6. OJJDP is just 1 of 5 under OJP; adults receive more funding than kids. Juveniles lack champions and the need for help from the community. Similar to Miao's work with Ho'opono Mamo, to flip the system to a community wide system and to reclaim our youth.

Disseminated handout to show OJJDP funding, took away 2% from research budget. Chargualaf reminded members of the late Senator Inouye's concern of why locking up kids; once the kid has a record cannot enter the military service or get college scholarships because juvenile records are not confidential. Chargualaf reviewed the FY2014 numbers. HYCF commitments are down.

VIII. JJSAC Agenda

Chargualaf asked for input and advice for next agenda.

IX. Announcements

1. Moore inquired what to address with the new legislature? Chargualaf responded Ho'opono Mamo, partnership between federal agency to get to this point. Full funded by state revenue funds; and to expand to Leeward and Windward. Captain Pedro commented program located in Central because of the established facility, not the highest arrest in District 5. District 8 has the highest arrest and no support in Waianae. Written in budget; internal to Budget and Finance, to the Governor and to the Legislature. Continued funding for PEW; Yamada \$1.26 million; majority effect November 1.

If public not feel safe, turn around. Success here to do with public safety. Chair commented jjs face same challenges like other systems. SAG moved to National Guard, then returned to OYS. Progressive state funds and federal funding.

Patterson commented on the juvenile reform being difficult compared to adults; leadership is the key, change the way does treatment and the reform to think outside the box. Chargualaf stressed most significant on the council with regards to jjs, all parents, know what need to be done, and kids well taken care of.

2. Miao shout out to recruit youth and invite to the March meeting.

3. Fernandes-Otake handed out 2015 meeting calendar.

4. Chargualaf reported the CJJ 2015 Conference on June 10-13, 2015 in Washington, D.C.

X. Next Tentative Meetings

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XI. Adjournment

Judge Fernandez made a motion to adjourn the meeting, and seconded by Yamada. There being no further discussion, the meeting was adjourned at 1:00 p.m.

Respectfully submitted,



Leimomi Fernandes-Otake, Juvenile Justice Administrative Assistant