

**REPORT TO THE TWENTY-EIGHTH
HAWAII STATE LEGISLATURE**

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 352D-6(11), HAWAII REVISED STATUTES, Annual Report of the Office of Youth Services, ACT 151, SESSION LAWS OF HAWAII 1991, Hawaii Youth Correctional Facility, and SECTION 367D-8, HAWAII REVISED STATUTES, Gender-responsive programs for community-status female offenders and for female adjudicated youth.

DEPARTMENT OF HUMAN SERVICES

Office of Youth Services

December 2015

Section 352D-6(11), Hawaii Revised Statutes (HRS), requires the Office of Youth Services to submit an annual report to the governor and the legislature to include a review of the status of youth services within the State, and provide recommendations for priorities for the development and coordination of youth services.

Also included is annual report information in accordance with Act 151, Session Laws of Hawaii (SLH) 1991, (Hawaii Youth Correctional Facility) and section 367D-8, HRS, (Gender-responsive programs for community-status female offenders and for female adjudicated youth).

OFFICE OF YOUTH SERVICES (OYS)

Programs, Services, Achievements, and Looking Ahead

The Legislature established the Office of Youth Services (OYS) in 1989 to provide and coordinate a continuum of services and programs in every county for youth-at-risk, to prevent delinquency and reduce the incidence of recidivism. Although a core responsibility of the OYS is to manage and operate the state's only Hawaii Youth Correctional Facility (HYCF), the agency provided and supported "front end" prevention, diversion, and intervention services.

Programs & Service Areas

The OYS programs and service areas address youth needs ranging from prevention to incarceration and after-care. The foundation and working philosophy undergirding the continuum of youth services supported by OYS is the "Aloha Spirit" statute, section 5-7.5, HRS, which recognizes and emphasizes the essence of relationships between people as a critical factor in our State. OYS strongly believes that community is where our youth belongs and that deep connections, restoration, forgiveness, and healing emerges as the Aloha Spirit statute is considered and embraced. The following is a brief description of the programs and services the OYS provides statewide.

1) Life Skills Development

The Life Skills Development programs target youth that are involved, or at high risk for involvement, with the juvenile justice system. Programs are designed to increase protective factors and reduce risk factors for youth, families, and their communities through a variety of services that promote positive youth development and resiliency. Approximately 1600 youth statewide were served through 20 community-based programs.

2) Project-Based Cultural Programs

Project-based cultural programs provide learning environments that immerse youth in their values, heritage, cultures, landscapes, opportunities and experiences. The premise for culturally competent programs and services is the belief that continued learning and practicing of a native language and culture are fundamental prerequisites for nurturing healthy and responsive citizens, and contributes to the growth and harmony of the community. Culture is considered a protective factor that helps to promote positive health and an increased sense of

self and identity. Approximately 960 youth participated in 9 project-based cultural programs statewide.

3) Youth Gang Prevention and Intervention

Through a grant-in-aid, OYS administered youth gang prevention and intervention services. Services were provided by Adult Friends for Youth and included community mobilization efforts, strategies for gang prevention and intervention, and formal mediation services for youth gang members. Targeted youth were 11 to 18 years of age and engaged in either emergent or more established gang behavior. Approximately 43 youth were served.

4) Truancy Prevention and In-School Suspension

In collaboration with the Department of Education, the OYS offered services to enhance school engagement and performance to ensure educational success for at-risk youth and their families. Targeted youth were 10 to 18 years of age and at risk for truancy and chronic absences. Eight funded agencies provided services and activities for approximately 240 youth that promoted attendance, attachment, and achievement to ensure educational success.

5) Community-Based Outreach and Advocacy

The OYS provided intervention case advocacy services to youth whose unhealthy, risky behaviors placed them at-risk for initial or further penetration into the juvenile justice system. Four funded providers identified and engaged youth and family to provide attendant care services, intake and assessment, assist in creating a youth/family-driven service plan, to support youth/family in accessing services, and to provide follow-up to ensure services were properly provided. In FY 2015, the four OYS-funded providers served approximately 290 youth statewide.

6) Intensive Monitoring Program

Intensive Monitoring Program services is targeted for youth who have been adjudicated by the Family Court, and have been placed on probation with the goals to provide intensive supervision for youth, hold them accountable for their behavior and assist youth to be in compliance with the terms and conditions of probation. The service delivery approach includes involvement with the youth's family in supporting the youth's participation in activities that increase protective factors and decrease risk factors in various domains of the youth's life. Approximately 270 youth were served statewide in the four judicial circuits.

7) Day Treatment Center

Day Treatment Center services provides a community based, coordinated set of individualized treatment services, including educational, substance abuse, mental health, counseling, family intervention, psychosocial skills development, and community service on Oahu island. The target population for services are youth involved with the Family Court whose behavior

interferes with their daily functioning in a typical school, work, and/or home environment, and who need the additional structured education and treatment interventions of this level of care. Approximately 15 youth were served by one provider.

8) Parent Partnerships

Parent Partnerships services is a new service that OYS procured to provide varied activities to support families involved in the juvenile justice system of care to improve outcomes for youth and families. Parent Partners provided individual supports to parents, family support groups, assisted parents and families with navigating the system of care to meet the identified needs of the youth and families, and supported the “voice and choice” of the family during the wrap around process. A critical factor in supporting families to access the activities and services of the system of care is the relationship that develops between the family and the Parent Partners that is built on trust, safety and commitment. Approximately 30 family members and youth were served.

9) Community-Based Residential Services

Youth who cannot or will not remain at home were served by community-based residential programs that helped them prepare for return to community living. Programs focused on improving youths’ decision-making, social, and independent living skills, and enhancing their commitment to learning and education. Under the umbrella of 19 contracts, seven different providers offered a range of residential programs on all major islands. Approximately 235 youth were served in FY 2015 through the following residential programs statewide:

- Emergency Shelters for youth ages 10 to 18: Recently arrested status offenders, non-violent law violators, intoxicated, troubled, abused, or neglected youth requiring short-term shelter and related services that addressed a present crisis.
- Intensive Residential Services for youth ages 12 through 19: Youth involved with the juvenile justice system have priority for services, assessed as high risk in one or more areas of need and unable to function in a pro-social manner without constant supervision and support, and can benefit from highly structured residential services.
- Independent Living Programs for youth ages 17 to 22: Troubled, abused, neglected, or adjudicated, and lack the attitudes, skills, and resources for independent living.
- Statewide Ke Kama Pono (“Children of Promise”) Safe Houses are community-based residential alternatives for troubled youth who are at-risk of penetrating further into the juvenile justice system. A diversion from the institutional setting of the HYCF, the Ke Kama Pono program provides guidance and support for troubled youth in a highly structured, closely supervised rehabilitative

environment, while preparing the youth to reintegrate back into their respective communities.

10) Hawaii Youth Correctional Facility (HYCF)

The HYCF is a 56-bed facility whose primary purpose is to provide care and custody of at-risk youth committed to the State by the Family Courts. A safe and secure setting, the HYCF provides a variety of counseling, treatment, and educational services within the facility to aid in the redirection and rehabilitation of each youth ward. The programs conducted within the facility are intended to provide guidance and opportunities for positive behavioral changes.

11) Federal Grant Programs

In addition to the service areas, the OYS also oversees and manages a variety of federal grant programs that enable the State to improve the juvenile justice and education systems and/or implement youth programs and services to narrow the path to detention and/or incarceration. These federal grant programs come from the **Office of Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice**. In 1974, Congress enacted the federal Juvenile Justice and Delinquency Prevention (JJDP) Act to protect and promote safe conditions for youth as well as address their physical and emotional needs in the juvenile justice system. Statutorily, the administration of the provisions of the JJDP Act rests with the Office of Youth Services [see HRS §571-32(k) and HRS §352F-5(b)]. The State of Hawaii's compliance with the JJDP Act results in funding for juvenile justice programs from the OJJDP. Importantly, compliance with the JJDP Act protects the State from civil suits related to conditions of confinement litigation as the courts have found that jailing juveniles violates the 8th Amendment (Cruel and Unusual Punishment) and the 14th Amendment (Due Process). The following is a summary of the federal grant programs that supported services provided to over 3,000 youth and families statewide.

- **JJDP Act, Title II, Formula Grants Program** enables states to meet and maintain compliance with the four core requirements of the JJDP Act, support delinquency prevention efforts, and improve the juvenile justice system. The core requirements mandate the deinstitutionalization of status offenders, removal of law violators from jails and lockups, elimination of sight and sound contact between juveniles and adult offenders, and reduction of the disproportionate numbers ethnic minority youth who come into contact with the law. In addition, recent federal mandate requires compliance with the standards established by the Prison Rape Elimination Act (PREA).
- **Juvenile Accountability Incentive Block Grant (JAIBG)** provided funds to states and units of local government to promote greater accountability in the juvenile justice system. Through this program juvenile offenders were held accountable for their wrongdoing by individualizing their consequences, and by being made aware of and answerable for the loss, damage, or injury perpetuated upon victims.

- **U.S. Department of Health and Human Services--Title XX Block Grant.** The OYS utilizes funding from the Title XX Block Grant Program to provide services to at-risk youth and youth in need of foster care. A primary goal of this grant is to increase the level of self-sufficiency for youth and prevent institutionalization within the social welfare or juvenile justice systems.

OYS Achievements in FY 2015

- **System Improvement:** OYS continued to help spearhead the State’s effort in juvenile justice reform. Based on the comprehensive recommendations of the Hawaii Juvenile Justice Working Group, Act 201 (2014), signed into law on July 2, 2014. The law aims to reduce secure confinement, strengthen community supervision, focuses resources on practices proven to reduce recidivism. The Legislature appropriated an upfront investment of \$1.26 million for mental health and substance abuse treatment, delinquency interventions, and implementation of the reforms.

The policies contained in Act 201 advance priorities in three areas:

- ***Reduce the use of secure confinement and protect public safety***
Limiting space in expensive secure facilities to the most serious juvenile offenders will help Hawaii produce the greatest public safety benefit from the juvenile justice system. In addition, providing certain youth adjudicated for low-level crimes with the opportunity for early interventions will ensure that they are held accountable and that resources are put to their best use.
- ***Strengthen community supervision and probation practices***
Effective community supervision will allow Hawaii to maximize the public safety return on taxpayer investments in juvenile justice. By grounding probation practices in data and research, the state can better hold lower-risk youth accountable while reducing recidivism.
- ***Sustain effective practices and cultivate stakeholder collaboration***
Regular collection and analysis of data and outcomes are necessary to continue improving and maximizing public safety returns. By increasing avenues for collaboration across agencies, Act 201 (2014) allows for efficient system management and case planning, enhancing decision-making and resource allocation. A Juvenile Justice Oversight Advisory Council was established to oversee the implementation of the legislation.

The appropriation of \$1.26 million was expended and encumbered in FY 15 for the following programs and service areas, and reform activities:

- ***Project Kealahou, Child and Adolescent Mental Health Division, Department of Health***

Gender-specific, trauma-informed mental health services for approximately 100 adolescent females at-risk to penetrate the juvenile justice system on Oahu; and training for 200 juvenile justice system staff partners statewide - \$215,000.

- ***Mental Health and Substance Abuse services, Child and Adolescent Mental Health Division, Department of Health***
Services, including outpatient and residential placements, projected to be provided for approximately 44 youth in the juvenile justice system statewide - \$325,000.
- ***Intensive Monitoring Services for juveniles on probation status***
Through purchase of service contracts with a community-based agency, approximately 130 youth on Oahu and 70 youth on Hawaii Island were projected to be served to increase community supervision services for probation youth to increase compliance with terms and conditions of probation - \$315,000.
- ***Truancy Prevention/Intervention Supports and Services***
Through purchase of service contracts with community-based agencies on Maui, services focus on engaging students displaying truancy behaviors to improve educational outcomes. Programs are provided to Middle Schools and High Schools in the Maui Complex - \$155,000.
- ***Adolescent Community-Based Outpatient Treatment Services and Adolescent School-Based Outpatient Treatment services for substance abuse or dependence***
Through a purchase of service contract with a community-based agency, approximately 40 Hawaii Island youth were served through cultural and process groups, skill building, educational, recreation therapy, assessments, family counselling, testing and case management - \$75,000.
- ***Ancillary Services and Behavioral Intervention and Support System***
Development and implementation of a graduated response system to address behaviors of probation youth, and a process for awarding earned discharge credits for compliance and positive progress. Approximately 25 youth projected to participate statewide - \$40,000.
- ***Professional development training***
Professional development training to develop core competency for probation and other juvenile justice system staff statewide, including motivational interviewing, family engagement and wrap around, and cultural competency. Approximately 120 staff statewide are projected to be trained – \$94,075.

- ***Core Correctional Practices and Principles of Effective Intervention Working Group***
 Coordination and oversight to implement reforms and recommendations from Act 201 (2014). Monthly meetings of the working group and sub-committees address risk and needs assessments; standardization of probation terms and practices; graduated response system; professional development; interdepartmental cluster; data and performance reports; and appropriation - \$17,645.

In-Community Programs

OYS continued its partnership with the Hawaii County Office of the Prosecuting Attorney to implement a juvenile justice intake and assessment center in East Hawaii. The assessment center provides an array of services for at-risk youth who have been arrested for minor or status offenses, identifies their needs, and links them and their families with appropriate services.

On Oahu, OYS is in the implementation phase to establish a new juvenile justice diversion system. The diversion system is designed to steer youth away from the juvenile justice system to a pathway of supportive programs to help address 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. Youth who would have previously been arrested for status offenses and first-time misdemeanors will be given a civil citation with the opportunity to connect directly to an elder and counselor at an assessment center. The elder or counselor will help the youth find an appropriate pathway of actions or programs so youth can better address the challenges they face. For first-time misdemeanants, youth may avoid having the citation proceed to an arrest if they complete their program plan. The goal is to support our youth to become engaged, healthy, and contributing members of our society. This initiative follows a nationwide shift in juvenile justice policy based on successful models and the latest research on adolescent development. This policy shift is towards a more collaborative, restorative approach in order to address the "root" of the issues, 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.

OYS' continued collaboration with the Maui Police Department's P.O.I. (Positive Outreach Intervention) project added a new cultural component to strengthen the families of youth involved with the P.O.I. This program is a collaborative team approach with law enforcement and civilian personnel who engage with youth and families immediately following arrest, during the lag time between arrest and the initial court hearing. Youth and families participate in community service and cultural projects, and the program provides the opportunity for youth and juvenile justice personnel to interact in a non-threatening environment.

On Kauai, OYS continued support for the Kauai County Office of the Prosecuting Attorney's Teen Court Program. The diversionary program aims to provide an alternative process to hold youth accountable through a peer driven approach rather than the Family Court system. Collaboration with the Office of the Mayor to address youth suspensions from schools included providing services such as tutoring, mentoring, anger management, and substance abuse prevention.

The OYS continued collaboration with the Judiciary, the Family Court, and the Juvenile Justice State Advisory Council to continue the implementation of the Juvenile Detention Alternatives Initiative (JDAI) under the guidance of the Annie E. Casey Foundation. Implementation of JDAI core strategies help to eliminate inappropriate or unnecessary use of secure detention, minimize failures to appear and incidences of delinquent behavior, redirect public finances to successful reform strategies, improve conditions in secure detention facilities, and reduce minority over-representation in the juvenile justice system.

The OYS provided training opportunities to strengthen skill building and collaboration for providers and partners in the juvenile justice system. In October 2014, OYS in collaboration with the Attorney General's Office and the Coalition for a Drug-Free Hawaii presented a conference, "Creating an Aloha Response to Helping Hawaii's Youth and Families." In the fall 2014 and spring 2015, OYS sponsored training sessions with Dr. Thao Le, professor at the University of Hawaii, in skill building for mindfulness as a promising intervention in working with at-risk youth. Staff from both the private sector and state agencies participated in two 10 week training sessions to learn about and implement a mindfulness curriculum for youth. In May 2015, the Committee on LGBT Youth in Hawaii's Juvenile Justice System, presented a training conference to build competency in serving the lesbian, gay, bi-sexual, and transgender youth. The conference was attended by the major governmental departments serving youth, including the Departments of Health, Human Services, Education, and Judiciary. In June 2015, OYS presented a training on Hawaiian cultural healing activities with the Living Life Source organization.

The OYS continued to provide funding support for the Parent Project, an eight week parent training curriculum for parents of teenagers who may experience difficulties in various domains such as the family, peers, school and community, through collaboration with trained facilitators from the Department of Education. Parent Project sessions were implemented at various school locations on Oahu and Hawaii islands.

In collaboration with the Resources for Enrichment, Athletics, Culture and Health Program (REACH), the Lieutenant Governor's initiative to provide quality afterschool programming for middle schools, the OYS implemented the Legislature's (2014) appropriation of \$500,000 by funding services, activities, and programs in safe, structured learning environments in 11 schools.

The OYS also continued to work closely with the courts in all four judicial circuits to expand community-based treatment and monitoring as alternatives to confinement at the youth

correctional facility. The implementation of the Girl's Court in the 5th Circuit during the latter part of FY 15 was the fruition of planning and collaboration with the Judiciary that began in the prior fiscal year.

Hawaii Youth Correctional Facility (HYCF)

Admissions to the HYCF continued the downward trend in FY 2015 that saw total admissions drop by 20% compared to FY 14.

Additional programs and services continued to be developed and implemented to expand the rehabilitative opportunities available to youth. Activities such as slam poetry, yoga and creative writing and arts, and guide dog training have been implemented to help with personal and social skill building for the youth.

HYCF continued collaboration with Project Kealahou to enhance gender specific programming for incarcerated girls and continued to positively impact the youth at the facility. The project is funded by a federal grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) awarded to the Hawaii Department of Health. The project focus is two-fold: 1) advocates/counselors from the program work directly with the girls who have been the victims of trauma, and 2) it provides trauma-informed training for the Youth Correctional Officers to enhance their sensitivity to trauma-related issues and to broaden the skill base and knowledge of those who work with the female population.

The HYCF continues to evaluate operations against national standards, remedy deficiencies, and upgrade the quality of correctional programs and services. The recognized benefits from such a process include improved management, improved documentation and the demonstration of a "good faith" effort to improve conditions of confinement, increased accountability, enhanced public credibility, a safer and more humane environment for personnel and offenders, and the establishment of measurable criteria for upgrading programs and personnel on a continuing basis.

HYCF, with the support of the Office of Youth Services, continues to work closely with the courts to ensure that any commitment to the facility is one of "last resort," after all community-based services have been exhausted and is based on ensuring public safety. The identification of community based programs as alternatives to incarceration is ongoing. Furthermore, the expanded use of parole has shown to enhance youths' transition to their home communities and has had a positive impact on maintaining the facility's average daily population near its maximum capacity.

Major initiatives that HYCF administration continue to support and encourage include:

- Continue the development of facility Policies, Procedures and Practices that are juvenile justice appropriate standards.
- Provide ongoing staff training for HYCF direct care staff, social workers, and other staff on the best practices of juvenile justice/juvenile corrections. To better equip staff with skills and knowledge needed to provide a safe, secure and nurturing environment for the youth in the state's care and custody.

- Continue to strengthen communication between the Judiciary and State Agencies: Department of Health (DOH), Department of Education (DOE), Department of Human Services (DHS), OYS/HYCF and to ensure the delivery of appropriate services for youth in a seamless and collaborative manner.
- Continue planning for possible expansion of a service continuum at HYCF to include multiple pathways and programs for youth with substance abuse, mental health and/or other identified needs that may require additional resources and funding streams.
- Continue to enhance and expand in-facility programs and services to better prepare youth for reintegration back into community. For quality assurance, HYCF continues to monitor facility progress through a performance-based standards program to assess and evaluate facility progress and the conditions of confinement.

Building partnerships with various public agencies including DHS, DOE, DOH, Family Court, various county agencies, including law enforcement agencies, and non-profit agencies have continued in order to better coordinate the State's efforts in providing services to youth. A multi-disciplinary team approach, comprised of youth, parents, DOE, DOH, HYCF, contract service providers, are involved in the development of the youth's Individual Service Plan and reintegration back into the community. HYCF continues to provide an intensive aftercare/reentry program through the parole section for youth transitioning out of the HYCF and returning to their families/communities.

OYS Focus in FY 2016

In FY 2016, the Office of Youth Services is focused on the following goals to:

- Enhance services and programs to best meet the needs of adjudicated youth on probation; to prevent further penetration into the juvenile justice system; to reduce recidivism; and to maximize opportunities for youth to become productive, responsible citizens.
- Ensure adjudicated youth are placed in the least restrictive environment possible, without jeopardizing public safety, consistent with nationwide best practices.
- Ensure fair and equal treatment for all youth, regardless of race or ethnicity and reduce disproportionate minority contact at the decision making points in the juvenile justice system.
- Continue implementing the provisions of Act 201 (2014), to increase public safety, hold juvenile offenders accountable for their actions, and reduce costs to Hawaii taxpayers by maximizing the public safety return on Hawaii's juvenile justice investment.

- Continue to implement pilot Assessment Centers (with a civil citation component) to provide an array of services for juveniles who have been arrested or are at-risk for involvement with the juvenile justice system, including performing in-depth assessments, facilitating access to services, and developing connections with other community resources in a culturally appropriate manner.
- Increase community based, family-focused treatment interventions, with emphasis on culturally appropriate service delivery.
- Actively participate with DHS, DOE, DOH and the Judiciary to implement “Wrap Hawaii,” a collaborative pilot program to more effectively address the complex needs of at-risk youth through integrated case planning between agencies.
- Participate in the Juvenile Detention Alternatives Initiative (JDAI) Program that promotes detention reform efforts and alternatives to incarceration.
- Improve provider accountability to ensure that youth programs meet the needs of children and communities. Improve access to services and working relationships between stakeholders such as Family Court, Child, DOH-Adolescent, Mental Health Division, DHS-Child Welfare Services, and OYS through quarterly meetings hosted in each circuit.
- Collect outcome data to improve program performance and youth success.
- Prioritize youth needs and enhance fiscal responsibility to ensure that moneys are being directed to meet the most serious needs of youth.
- Continue to improve conditions and programs at the HYCF.

Provider Focus in FY 2016

In FY2016, OYS is focused on the following goals for service providers, to:

- Continue to provide leadership, coordination, technical assistance and training opportunities for providers, partners, and the community.
- Maintain continuity in programs and services for youth and their families.
- Explore partnerships with public and private funding resources to maintain and enhance service capacity for the community.