



ATTACHMENT A

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

JUVENILE JUSTICE STATE ADVISORY COUNCIL
Racial and Ethnic Disparities (RED) Reduction Committee
QUARTERLY MEETING

September 29, 2016

8:00 a.m. to 11:00 a.m.

Department of Transportation, Airport Conference Room No. 4
400 Rodgers Boulevard, 7th Floor Inter-island Parking Structure, Honolulu, Hawaii 96819

Present: Tai-an Miao, Chair
Alley Auna
Sterling Lee
Viki Roemmmling
Esther Solomon

Staff: Cynthia Pierce, Juvenile Justice Coordinator
Ana Mejia-Vasconcellos, Juvenile Justice Program Specialist

Guest: David Hipp
Andrew Aoki
Brent Dillabough

MINUTES

I. Call to Order

A. Roll call /Introductions

Chair Tai-An Miao called the meeting to order at 8:05am and thanked members for joining the committee. Chair Miao asked members to introduce themselves and identify what they are bringing to the table.

Tai-An Miao is from Richmond, California. She has lived in Hawai'i for 20 years, spending time mainly at UH working with community planning around youth issues, the last 5 years working with juvenile justice research.

Ana Mejia-Vasconcellos is originally from Central America. Primary role in the Office of Youth Services (OYS) is contract management primarily with funds from the Office of Justice and Delinquency Prevention (OJJD). Work background has been focused on children and family community programming in the non-profit sector.

Cynthia "Cyndy" Pierce is the Juvenile Justice Coordinator and DMC Coordinator. Background has been in financing, business banking and then changed to social work, working with children and families.

Viki Roemmling works for the Maui Police Department, as a Civilian Counselor, supervises the counselor from the juvenile division of the department. Brings to the table knowledge of culturally based programming, currently two programs are being implemented and funded through OYS, the POI and Kalo programs.

Esther Solomon is from Hale Opio in Kaua'i and manages the Teen Court Program. Comes into contact with about 200 families every year, with misdemeanor offenses. Brings a lot of compassion and reassurance to the families.

Judge Aley Auna is a Family Court Judge from Kona, serving on the bench for 17 years. Previously he was a Deputy Attorney General representing primarily DHS, DOH and DOE. Judge Auna is originally from Hilo, brings a lot of experience working in juvenile justice and with youth and families. Has 6 children and 15 grandchildren.

Sterling Lee works with First Baptist Church in Pearl City, where he grew up. Has worked in juvenile justice programs in Kentucky and Hawai'i, started working with the DOE at alternative learning centers. Currently serves with non-profit agency, in an OYS funded program; parenting reunification program. The parents are guided with the youth through the juvenile justice system, so that when the youth transitions, the parents know what to expect. Also working with another organization dealing with human trafficking with teenage girls. Working with organizations it's about leveraging funding for needed services.

Andrew Aoki is from Moanalua and currently living in Kailua. He's with Islander Institute, working with the JJSAC over the last year, developing a plan and build capacity for JJSAC. Islander helps non-profits and foundations to build policies that are driven by communities. Aoki started his work at the YMCA, then last 25 years working with non-profits and foundations.

Brent Dillabaugh works with Islander Institute and is a full-time firefighter with the City and County of Honolulu. Prior to HFD, worked with Hawai'i Alliance for Community Based Economic Development (HACBED) for 10 years. Has 5 year old daughter and 4 year old son.

David Hipp works for the Family Intervention Services, Salvation Army on the island of Hawai'i. Originally from Florida and has been in Hawai'i for the past 7 years. Hipp has spent 26 years working with youth in the juvenile justice system.

II. JJSAC/RED Reduction Committee Chair's Briefing

A. Background & Overview of DMC/RED Efforts

Chair Miao stated her presentation will be in different order of agenda. First looking at Background and key terms, secondly reviewing lessons learned from the RED Practice Manual, thirdly a discussion about structuring the work of the Committee and lastly, reviewing findings from the 2012 DMC Report.

Chair Miao reviewed the structure of the Ethnic and Cultural Diversity (ECD) Committee, also referenced as Racial & Ethnic Disparities (RED) on the agenda. The committee is a standing committee of the JJSAC, along with Compliance, Prevention & Accountability and Youth

Committees. The OYS is the recipient of funds from the OJJDP and staff from OYS support the work being done by the JJSAC and committees.

The key terms that committee will become familiar with is Disproportionate Minority Contact (DMC), Racial and Ethnic Disparities (RED), Equality and Equity. Chair Miao asked members to state what they think is the difference between Equality and Equity. Esther Solomon stated that equity has more to do with opportunities. Hipp stated that equity is more leveling the plain field. Chair Miao stated that sometimes those two terms are used interchangeably. Equality tries to ensure that everyone gets the same things in order to enjoy full healthy lives, but can only work if everyone starts from the same place and needs the same things. Equity involves trying to understand and give people what they need to enjoy full healthy lives. The terms RED and DMC will be used interchangeably in the committee until DMC becomes extinct. Hipp commented that DMC is the language that is used in the OJJDP Act. Chair Miao referenced a publication titled, "Repairing the Breach" is a historical look at youth of color in the justice system. The author of the publication is James Bell from the Haywood Burns Institute, who led the JJSAC on a retreat earlier in the year.

Chair Miao referenced the handout titled "Overview of DMC/RED Reduction Efforts," which gives an overview of federal legislation and local efforts to address DMC, including OHA report and DMC report.

B. Lessons from RED Practice Manual

1. Guiding Values for Our Work

Chair Miao asked members and guest to read the Core Values of effective work to reduce RED. The language in the values is fairly new; OJJDP came out with Hallmarks of a Developmental Approach, meaning that youth should be looked as youth and individually. The last two values engaging families and communities and being culturally responsive and linguistically competent can be difficult depending on what kind of groups of youth and families the system is familiar with. Example provided of a program implemented by Susannah Wesley and the high number of Chuukese families. Some Counselors are familiar with the language and customs, for example entering a home on their knees when they first go to a family's home.

2. Goals of RED Reduction

Chair Miao referenced the handout titled, "The Juvenile Justice Process: Key Decision Points and Pathways Out." The first goal is looking at each decision point in the system and pathways out of the system. Chair commented that part of the committee's work is to look at data that shows the number of youth at each decision point and figure which area to focus on to divert youth out of the system. As the committee identifies the needs, it can determine how to work with other committees and identify how to utilize the limited resources. The second goal: reducing over representation of youth of color; a base line for native Hawaiian youth in most jurisdiction has shown over representation of this group. The Juvenile Justice Crime Analysis (2013) commissioned by JJSAC shows the proportion of Native Hawaiian youth in Honolulu County comprising 30% of youth out of the population. The arrest percentage is slightly higher, 40% showing Native Hawaiians detained and remains in the 40's in other points of the system. Third goal: reducing disparate treatment (greater likelihood of negative outcomes for youth of color). Example: looking at changing policies for school discipline policies; out of school suspensions. Last goal: reducing unnecessary entry and moving deeper into the juvenile justice system. Example: Issues

of girls running away, what are we going to do to keep this youth safe? Moving the girl to a secure confinement might often lead to more negative outcomes.

3. Effective Strategies to Reduce RED

Chair Miao showed the committee a slide titled, "Effective Strategies to Reduce RED," copy to be distributed to the committee members. The Diagram depicts a model that has been developed to reduce disparities. Chair Miao read each step in the model and referenced the handout "Overview of DMC/RED Reduction Efforts." The committee will be starting the third reduction cycle. ACTION: Chair Miao to send or provide a copy of the "Effective Strategies to Reduce RED" from the RED Practice manual.

C. Structuring our Work: Decision-Making, "Out of Meeting Time" & Follow-Up

Chair Miao commented that there won't be any decisions made at this meeting, but the goal is to be oriented to come out of meetings with clear decisions, having a plan to move forward. Acknowledged that everyone's time is valuable, committee can decide in the future how to move forward with email communications and timelines to respond. Aspires that the committee members come to the meetings asking questions, as the committee is learning together.

III. New Business

A. Role of OYS/JJP; DMC Coordinator

Pierce notified the committee members that the OYS is the designated state agency, which is responsible for planning and administering the requirements of the OJJDP Act. As part of the Act, states are required to establish an advisory group, known in Hawai'i as the council. Pierce is the DMC Coordinator as well as Program Specialist and works with JJSAC to achieve its goals and mission, including developing and revising the state's 3 year plan, participate in juvenile justice reform, make recommendations to the governor and legislature on matters affecting the juvenile justice system in Hawai'i.

B. Items to be discussed in upcoming RED Reduction Committee Meeting

1. OJJDP Funds

The OYS receives funding from OJJDP to support programs and efforts to address juvenile justice system statewide. Currently only receiving Formula funds.

2. Role of DMC Coordinator, as related to one of four (1 of 4) Core Values

The OYS has the responsibility to monitor and ensure that Hawai'i is in compliance with the four core requirements of the JJDP Act, which include Deinstitutionalization of Status Offenders (DSO), Jail Removal (JR), Sight and Sound Separation (SSS) and Disproportionate Minority Contact (DMC). As DMC Coordinator, Pierce is the liaison for Hawai'i in addressing the efforts to reduce the number of minorities in the juvenile justice system.

3. Upcoming Revision to Regulations/OJJDP 1994, reauthorization 2002

There's a nationwide dialog with the states regarding proposed regulations. The proposed regulations would impact many states, moving approximately 48 states to be out of compliance. The terminology of detained and confined is not clear with the proposed regulations. Pierce commented that OJJDP is accepting comments by federal registry by October 7, 2016. Hipp provided an example; when law enforcement takes a status offender to the police station, they are

supposed to be able to leave because the door is not locked, youth are not shackled. Listenbee's interpretation is such that unless you leave the door open and let the youth know that they are free to leave, then the situation would be looked at the youth being detained. Chair Miao asked if a determination will be made following the comment period. Pierce expressed uncertainty. Hipp commented that there will be a new Administrator with the new presidential administration.

4. New Policy Updates

Mejia-Vasconcellos reported that House passed the bill (H.R.5963), Supporting Youth Opportunity and Preventing Delinquency Act of 2016. The bill would reauthorize and amend federal juvenile justice programs for five years. The Senate Committee on the Judiciary approved its own reauthorization proposal, the JJDP Act of 2015 (S.1169), last year. The two bills are similar in many respects, but differ in the timing and level of reauthorization among other matters.

Mejia-Vasconcellos also reported that there is movement to reauthorize the Juvenile Accountability Block Grant (JABG). The OYS had received JABG funds years ago and stopped in year 2013. Policy updates will be provided when appropriate in future meetings.

IV. Announcements

A. Vera Institute Status Offense Reform Academy – Hawai'i application accepted. The Judiciary submitted an application for the Policy Academy and Hawai'i was one of five states chosen for the training. There are six individuals attending for the state. Chair Miao confirmed that the Vera Institute offers technical assistance for status offenses and other initiatives.

V. Strategic Plan

A. Islander Institute

Aoki provided the committee a background on the work that Islander Institute has been doing with the JJSAC. Aoki acknowledged that Ed Chargualaf had a goal of moving the JJSAC away from compliance and into engagement. Islander Institute began to work with the JJSAC during a retreat that took place during the month of February with training provided by the W. Haywood Burns Institute. Aoki highlighted the main take-away that came about at the training. James Bell from Burns Institute believed that Hawai'i can be a model for the nation, for the reason that it has all the players at the table. Burns Institute identified that the state's three year plan had too many priorities, which the JJSAC engaged in conversations to narrow the priorities during the second day of training. The JJSAC then came up with three priorities; 1) Compliance (addressing 3 out of the 4 core requirements), 2) DMC (addressing the 4th core requirement) and everything else would be under prevention. Aoki stated that he has been having conversations with the Prevention and Accountability Committee to narrow the priorities(s) further. Another highlight of the retreat was identifying that the JJSAC should move away from compliance and begin to move towards engagement with each other and with others in the state. Introduced that the Council had other tools other than funding to work with, for example making discoveries, decisions and changes, and act as experts and advocates of juvenile justice. The JJSAC was encouraged to develop a culture of inquiry, where they could be curious, challenge and become experts.

Islander Institute will be submitting revisions to the 3 year plan by the end of November. The draft of the plan was shared with the committee members, specifically emphasizing on the

priority focused on disproportionate minority contact. There is some potential overlap with the Prevention and Accountability Committee.

Auna inquired about adding the term "equally" to the purpose of the ECD Committee in the bylaw statement read by Aoki. Solomon inquired if the term "fairly" can be replaced by the term "equally." Hipp stated that youth are not treated equally, they are treated equitably and fairly but not equally, using example of youth who have committed different degree of offenses. Miao stated the point was taken, and we would like to see youth treated equally for same type of circumstances.

Aoki called attention to item 2.0 on page 5, the goals section. The four goals were identified; 1) re-define the problem, monitor its scope, identify trouble spots in the system, 2) educate stakeholders and engage in collaborative discussion about the problem of disparities, 3) address systemic problems with regards to disparities and 4) expand access and opportunities to groups facing disparities. The first goal is resetting the problem and goals and figure out how it's going to be monitored and measured. The next three are core functions. Ongoing education for stakeholders and policy makers, addressing the problem and creating opportunities for youth. Aoki asked the committee what disparate treatment they feel the committee is looking at. Hipp stated that it will be looking at ethnicities. Aoki stated that it is that and can be more, providing example that the bylaws has also added gender as a disparity. Solomon stated that there is different treatment even within the schools as far as how they are conducting disciplinary action. Hipp acknowledge the difference in probation for girls and boys, and how different the complexes handle disciplinary action within their schools.

Aoki asked the committee if they wanted to focus on an ideal of a fair and equitable system regardless of why it is unfair or unequitable or concentrate on particular categories, for example, race, ethnicity and others. The second option would limit the committee, but it would also focus the work to those categories. Auna stated that he would prefer to look at the disparities as a whole and not individual categories. Lee agreed by stating that looking at the whole is more manageable, when going into the second option, the committee might not have oversight certain areas like the DOE. Roemmling agreed, and stated that the counties already have had the conversation in regards to disparities. Aoki stated that the minimal focus is racial and ethnic disparities, then the committee has to decide if it is going to look at gender disparities as stated in by-laws. Auna stated that the committee will have to deal with gender as a core. Aoki asked if anyone wanted to make a case for adding to the focus already stated in the bylaws (racial, ethnic and gender). Solomon stated that the current stated disparities is plenty for now.

Aoki continued to explain the goals of the work plan concentrated for the ECD committee. Each goal contains an objective, measures of success and activities. The first goal is to review the findings of DMC report and provide a status update. Second goal is to settle on a committee name. Third will address systemic problems with regard to disparities. Last goal is to expand access and opportunities to groups facing disparities. Lee asked the committee if there is an ongoing assessment tool that different programs could utilize, for example measuring recidivism, parent participation, etc. Hipp commented that Act 201 measures recidivism, but it was difficult to define what recidivism was during its implementation stage.

Now that recidivism is defined and being collected, there is a lot of data that the act requires. Someone from Circuit 1 may be handling that data. Miao recommended asking Randi Cooper to identify who is collecting the data.

Aoki stated that over the next month, Islander will be working with Chair Miao to refine the plan and gather more information. The report will be submitted in format that makes sense to everyone.

VI. Next Tentative Meeting

JJSAC-RED Reduction Committee – Thursday, March 23, 2017 8am-11am.

VII. Adjournment

Auna made a motion to adjourn the meeting, and seconded by Lee. There being no further discussion, the meeting was adjourned at 11:00 am.

Respectfully submitted,



Ana Mejia Vasconcellos
Program Specialist