

REPORT TO THE TWENTY-NINTH HAWAII STATE LEGISLATURE 2018

IN ACCORDANCE WITH THE PROVISIONS OF:

Section 352D-6, Annual Report of the Office of Youth Services
Section 367D-8, Hawaii Revised Statute, relating to gender-responsive programs
Act 151, Session Laws of Hawaii 1991, Annual Report of Hawaii Youth
Correctional Facility
Act 281, Session Laws of Hawaii 2006, Non-School Hour Programs for Children
and Youth
Section 223 (a) (3) (D) (ii), Juvenile Justice and Delinquency Prevention Act of
1974, as amended 2002

**OFFICE OF YOUTH SERVICES
DEPARTMENT OF HUMAN SERVICES
December 2017**

A. 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. While a core responsibility of the OYS is to manage and operate the State's only Hawaii Youth Correctional Facility (HYCF), the agency also provides and supports "front end" prevention, diversion, and intervention services.

Programs & Service Areas

OYS focuses on programs and service areas that address youth needs that range 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, Hawaii Revised Statutes (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 2,275 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 is a fundamental prerequisite for nurturing healthy and responsive citizens, and contributes to the growth and harmony of the community. Identifying with one's culture is considered a protective factor that helps to promote positive health and an increased sense of self and identity. Approximately 322 youth participated in 9 project-based cultural programs statewide.

3) Truancy Prevention and In-School Suspension

In collaboration with the Department of Education (DOE), OYS offered services to enhance school engagement and performance to ensure educational success for at-risk youth and their families. Targeted youth were ages 10 to 18 and at risk for truancy and chronic absences. The

7 funded agencies provided services and activities for approximately 299 youth that promoted attendance, attachment, and achievement to ensure educational success.

4) Community-Based Outreach and Advocacy

OYS provided intervention case advocacy services to youth whose unhealthy, risky behaviors placed them at-risk for initial or further involvement with the juvenile justice system. Four contracted 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. Approximately 224 youth were served statewide.

5) Intensive Mentoring Program

Intensive Mentoring Program services are targeted to youth who have been adjudicated by the Family Court, and have been placed on probation or other status, with the goal 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 240 youth were served statewide in the four judicial circuits.

6) Parent Partnerships

Parent Partnerships services provide varied activities to support families involved in the Juvenile Justice system to improve outcomes for youth and families. Parent Partners provided individual supports to parents and family support groups. The Parent Partners assist parents and families with navigating the system of care to meet the identified needs of the youth and families, with an emphasis on supporting the “voice and choice” of the family during the wraparound 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 based on trust, safety, and commitment. Approximately 117 families were served statewide.

OYS continues 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 family, peers, school, and community, in collaboration with trained DOE facilitators. Approximately 13 family members participated in the Parent Project sessions.

7) Wraparound Services

Wraparound services target youth and their families involved in the juvenile justice system who experience very complicated situations that require intensive interventions and services with multiple state agencies. The wraparound planning process brings together people who are

natural supports to the youth and their families, as well as the professionals who provide services to the youth. The wraparound facilitator, navigator and Parent Partner, with the help of the parents and youth, identify strengths and underlying needs of the youth and family, and devise a plan of care that coordinates the various identified services and supports. The wraparound planning process includes both youth currently on probation, and also during the transition process when youth are discharged from HYCF and return to community. Wraparound services were provided to 16 youth and their families.

8) 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. Through 19 contracts, 7 different providers offer a range of residential programs on all major islands. Approximately 217 youth were served in State Fiscal Year (SFY) 2017 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 through 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 further involvement in 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 integrate back into their respective communities.

B. 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 custody of 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 ward. The programs conducted within the facility are intended to provide guidance and opportunities for positive behavioral changes. HYCF implemented the Roots of Success (ROS) program in SFY17. The ROS program is an empowering educational program that prepares youth from communities heavily impacted by poverty, unemployment, and environmental injustice for environmental careers and to improve conditions in their communities. Additionally, HYCF implemented an equine therapy

program that guides youth to interact with horses to improve youth's physical and mental health.

HYCF also continues to build partnerships with public agencies such as DHS, DOE, DOH, the Judiciary - Family Court, county agencies, religious-spiritual, and non-profit agencies. These partnerships lead to better coordination of the State's efforts in providing services to youth. During SFY17, staff and community stakeholders met to plan for a pilot project to provide a short-term residential assessment service at a non-secure structure at HYCF for youth involved in commercially sexually exploitation.

Based on a feasibility study, completed in December 2015 by Townscape, that assessed the potential to expand the programming and use of the facilities to address a broader target group beyond incarcerated youth, HYCF has been exploring pathways to become a place of healing and sanctuary, a Pu'uhonua in Native Hawaiian cultural tradition. A charrette or meeting of stakeholders was held in June 2017 as part of the next phase of planning with an architectural consultant.

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

- Continue development of facility Policies, Procedures and Practices that are Juvenile Justice appropriate.
- Provide ongoing Staff Training for HYCF direct care staff, social workers, and other staff on Juvenile Justice/Juvenile Corrections Best Practices. 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) and OYS/HYCF to ensure the delivery of appropriate services for youth in a seamless and collaborative manner.
- Continue planning for possible expansion of the 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 will monitor facility progress through a Performance-based Standards (PBS) program to assess and evaluate facility progress and the conditions of confinement. Participation with the PBS program will include a staff providing technical assistance in SFY18.

C. FEDERAL GRANTS

OYS also oversees and manages a variety of federal grant programs from the **U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP)**. The intent of these programs are to improve the juvenile justice and education systems, and to narrow the path to detention and/or incarceration through youth programs and services. 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 the physical and emotional needs of youth in the juvenile justice system. Sections 571-32(k) and 352F-5(b), HRS, place the administration of the provisions of the JJDP Act with OYS. The State’s compliance with the core requirements of the JJDP Act results in funding for juvenile justice programs from the OJJDP (see chart below). Compliance with the JJDP Act further protects the State from civil suits related to conditions of confinement, as the courts have held that jailing juveniles violates the 8th Amendment (Cruel and Unusual Punishment) and the 14th Amendment (Due Process).

Funding from the JJDP Act include Title II, Formula Grants Program, enable the State 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 mandates are: 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 statutes mandate compliance with the standards established as a result of the Prison Rape Elimination Act (PREA).

Core Requirements of the JJDP Act	Compliance Status
<p>Deinstitutionalization of Status Offenders (DSO) Juveniles charged with status offenses, offenses which would not be criminal if committed by an adult, shall not be placed in secure detention or correctional facilities. Status offenses include but are not limited to truancy, running away, and minors in possession of alcohol.</p>	<p>The State is in full compliance with the DSO requirement.</p>
<p>Jail and Lockup Removal (JLR) No juvenile shall be securely held in adult jails or lockups. Under the reporting exception, accused law violators may be held for up to six hours for the purpose of identification, processing, interrogation, transfer to a juvenile facility, or while awaiting release to parents/guardians.</p>	<p>The State is in full compliance with the JLR requirement.</p>
<p>Sight and Sound Separation (SSS) During the temporary period that a juvenile may be securely held in an adult jail and lockup, sight and sound contact is prohibited between the juvenile and adult inmates or trustees.</p>	<p>The State is in full compliance with the SSS requirement.</p>
<p>Disproportionate Minority Contact (DMC) States must address reducing the proportionate number of juveniles of respective minority ethnic groups, who are detained or confined in secure detention facilities, or in secure correctional facilities, or in jails and lockups, if such proportionate number exceeds the representative proportion of such minority groups to the general population.</p>	<p>Based on the DMC plan OYS submitted to the U.S. OJJDP, Hawaii is in compliance.</p>

Since 1996, the State has made significant improvements to meet the federal mandates for Deinstitutionalization of Status Offenders (DSO), Jail and Lockup Removal (JLR), and Sight and Sound Separation (SSS), and Hawaii continues to be compliant with the Disproportionate Minority Contact (DMC) requirement. Hawaii has been in compliance with all four core requirements of the JJDP Act for the past five (5)-years, from 2012 through 2016. The data below compares the number and rate of violations for DSO and JLR for the five (5)-year period, with no violations having been cited for SSS:

Comparison of Number of Violations from 2012 to 2016

Compliance Violations from 2012 to 2016	2012	2013	2014	2015	2016
Deinstitutionalization of Status Offenders	0	1	1	1	0
Jail and Lockup Removal	2	3	4	2	1

Comparison of Rate of Violations from 2012 to 2016

Core Requirements	2012	2013	2014	2015	2016
Deinstitutionalization of Status Offenders	0.00	0.33	0.33	0.33	0.00
Jail and Lockup Removal	0.66	0.99	1.21	0.66	0.32

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

D. OYS SFY 2017 SYSTEM IMPROVEMENT

OYS continued to spearhead the State’s effort in juvenile justice reform. Based on the comprehensive recommendations of the Hawaii Juvenile Justice Working Group, Act 201 (Session Laws of Hawaii (SLH) 2014). The intent of Act 201 (2014) was to reduce secure confinement, strengthen community supervision, focus resources on practices proven to reduce recidivism, and the Legislature provided 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 (2014) 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.

During SFY17, consultation, technical assistance, trainings and regular meetings were convened with the Judiciary and representatives from the Crime and Justice Institute to assist in the continued implementation of Act 201 (2014) to improve the juvenile justice system.

E. COMMUNITY COLLABORATION:

OYS work with youth requires a collaborative approach. Collaboration permeates all of the agency's major programs, including partnerships with state departments and branches such as DOE, DOH, Judiciary, and University of Hawaii, and county agencies with the police, prosecutors, and Mayors' offices. Below are a number of ways OYS collaborates with other government agencies to serve Hawaii's youth and their families.

- **Hawai'i Island**

OYS partners with the Hawai'i County Office of the Prosecuting Attorney to implement a juvenile justice intake and assessment center in East Hawai'i, and also West Hawai'i (in SFY 18). 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.

- **O'ahu**

OYS completed the pilot implementation phase to establish a new juvenile justice diversion system, Ho'opono Mamo, designed to steer youth away from the juvenile justice system to a pathway of supportive programs to help them address issues that may lead to risky or harmful behavior. Evaluation of the pilot project included positive outcomes in the following: improved relationships and communication between parent and child; youth resilience; expanded youth opportunities; strengthened parent resiliency; increased knowledge about the law and justice system. Based on promising results of the pilot

project, a Request for Proposal (RFP) was issued for the Ho'opono Mamo Juvenile Assessment Center for services to begin in SFY18.

- **Maui**

OYS expanded its collaboration with the Maui Police Department's Positive Outreach Intervention (POI) project by implementing services with juvenile justice reform funds for intake, assessment, and interventions for status offenders and minor law violators from 4:30 p.m. and 9:30 p.m. during the work week. The pilot project will increase access to immediate interventions for assessment, counseling, and referral with follow up services.

- **Kaua'i**

OYS provides support for the Kaua'i County Office of the Prosecuting Attorney's Teen Court Program. The diversionary program is an alternative process to hold youth accountable through a peer-driven approach, rather than the Family Court system. OYS continued funding of intensive monitoring services for youth on probation in collaboration with Family Court; additional funding, with juvenile justice reform funds, was also provided for a therapist to support the Family Court's Girl's Court.

- **Judiciary**

OYS continues to work with the Judiciary, the Family Court, and the Juvenile Justice State Advisory Council to implement the Juvenile Detention Alternative Initiative (JDAI) with the guidance of the Annie E. Casey Foundation. Implementation of JDAI core strategies helped 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.

OYS works closely with the courts in all four judicial circuits to expand community-based treatment and monitoring as alternatives to confinement at HYCF. OYS continued funding for the Girl's Court in the 5th Circuit, to provide a range of gender specific and strength-based programming with female juvenile offenders. The Girl's Court is composed of an all-female staff (Presiding Judge, Probation Officers, Program Coordinator, Therapist, etc.) that seeks to recognize the fundamental differences between male and female juvenile offenders, as well as the different pathways to delinquency, and to effectively address juveniles' significant needs to reduce recidivism and promote healing. Through juvenile justice reform funds, OYS will continue to fund therapeutic services for Girl's Court through SFY18.

- **Department of Health**

With juvenile justice reform funds, OYS supports Kealahou (formerly Project Kealahou), a program of the Department of Health, Child and Adolescent Mental Health Division (ACMHD). Kealahou provides outreach, training and gender-specific, trauma-informed mental health services for adolescent females in or at-risk of involvement with the Juvenile Justice System on Oahu. Through a memorandum of agreement and contract, OYS

collaborate with CAMHD to provide access to mental health services for youth involved with, or at risk for penetration into, the juvenile justice system who are ineligible for CAMHD services.

- **Resources for Enrichment, Athletics, Culture and Health Program (R.E.A.C.H.)**

OYS continued implementation of the Resources for Enrichment, Athletics, Culture and Health Program (R.E.A.C.H.), Lieutenant Governor Shan Tsutsui's initiative to provide quality afterschool programming for middle school students. There were 24 middle/intermediate schools statewide that were provided R.E.A.C.H funds, including two public charter schools. Programming included robotics, band, tutoring, athletics, cultural, health, and nutrition.

F. TRAINING

OYS provides training opportunities to strengthen skills and collaboration for providers and partners in the juvenile justice and other systems of care. During SFY17, Fred Luskin, Ph.D., Director of the Stanford University Forgiveness Project, conducted forgiveness training workshops on Kauai, Maui, Hawaii and Oahu, with over 275 participants. The workshops focused on teaching forgiveness methods as a life skill that can be learned and applied in professional and personal settings, and integrating the forgiveness approach within a restorative justice framework. Additionally, a training workshop to learn how to facilitate forgiveness training was conducted over a 2 month period for 10 participants by Fred Luskin, Ph.D., and Jed Rosen, MSW. In April 2017, OYS co-sponsored the conference, "Building Competency in Serving Lesbian, Gay, Bisexual, and Transgender youth (LGBT)", attended by over 200 participants. Funding and planning support was provided by the Committee on LGBT Youth in Hawaii's Juvenile Justice System and the Coalition for a Drug-Free Hawaii. Conference participants included staff serving youth from various State departments and the private sector.

Continuing the implementation of wraparound services for youth involved with the juvenile justice system, OYS sponsored Pat Miles, a nationally recognized expert of the wraparound service model, to provide training in wraparound and family engagement.

OYS sponsored training sessions statewide with Dr. Thao Le, professor at the University of Hawai'i, in skill-building for mindfulness as a promising intervention in working with at-risk youth. Over 150 staff from various youth and family serving agencies were trained on the mindfulness approach over the past 2 years.

In May 2017, OYS, in collaboration with the Coalition for a Drug-Free Hawai'i, began quarterly Aloha Response sessions for the youth-family serving community to better serve youth and families across various systems of care.

Lastly, OYS, through its program monitor (John Paekukui) overseeing compliance with core requirements of the JJDPA, provided training for 154 police officers.

G. OYS FOCUS IN SFY 2018

- Enhance services and programs to best meet the needs of adjudicated youth on probation; to prevent further involvement into the juvenile justice system; to reduce recidivism; and to maximize opportunities for youth to become productive, and 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/ethnicity, and reduce disproportionate minority contact at the decision making points in the juvenile justice system.
- Continue implementing the provisions of Act 201 (SLH 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 Assessment Centers to provide an array of services for juveniles who have been arrested or are at-risk for involvement with the juvenile justice system, by conducting in-depth assessments, facilitating access to services, and developing connections with community resources in a culturally appropriate manner.
- Increase community based, family-focused interventions, with emphasis on culturally appropriate service delivery.
- Actively participate with DHS, DOE, DOH, and the Judiciary to implement wraparound services 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, CAMHD, and DHS-CWS through 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 services and programs at the HYCF.
- Provide leadership, coordination, technical assistance, and training opportunities for providers, partners.
- Maintain continuity in programs and services for youth and their families.

- Conduct Request For Proposals procurement for community-based services, including Positive Youth Development, Project-based Cultural, Parent Partnerships, and Truancy Prevention.
- Explore partnerships with public and private funding resources to maintain and enhance service capacity for the community.