

NOTE: MEETING MINUTES ARE IN DRAFT FORMAT AND HAVE NOT BEEN APPROVED BY MEMBERS OF THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE, AS SUCH, INFORMATION IN THE MINUTES HAS NOT BEEN APPROVED FOR CONTENT AND ACCURACY.

JUVENILE JUSTICE STATE ADVISORY COUNCIL  
Department of Human Services, State of Hawaii  
Office of Youth Services  
Executive Committee, 1<sup>st</sup> Quarter Meeting

Princess Victoria Kamamalu Building, Basement Conference Room 008-A  
1010 Richard Street, Honolulu Hawaii 96813-2940  
Thursday November 14, 2019  
9:00AM-10:15AM

Members Present: Delia Ulima (Chair), Major J Averell Pedro, Tai-an Miao (joined meeting at 9:28 a.m.)

Members Absent:

Members Excused: Susan Pirsch (Vice Chair), Noy Worachit

Guests Present:

Staff Present: Shannessy M. Ahu, John Paekukui, Norene Machida

DRAFT

AGENDA ITEM	DISCUSSION	RECOMMENDATIONS/ ACTIONS/CONCLUSIONS	PERSON(S) RESPONSIBLE	DATE DUE
I. Call to order/Establishment of Quorum	<ul style="list-style-type: none"><li>Meeting called to order at 9:16 a.m. by Chair, Delia Ulima</li><li>Quorum was not established (1-person short of quorum)</li><li>Introduction of attendees<ol style="list-style-type: none"><li>Delia Ulima-Chair</li></ol></li></ul>	For information only	Delia Ulima	

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	2. Major J Averell Pedro-Honolulu Police Department, Vice Chair-Compliance Committee 3. John Paekukui-Office of Youth Services 4. Shannessy Ahu-Office of Youth Services 5. Norene Machida-Office of Youth Services			
II. Consideration and Approval of Minutes for the following Meeting(s): August 14, 2019	(09:38) T. Miao moved to approve the minutes from August 14, 2019. Major Pedro 2 <sup>nd</sup> the motion. Motion carried and approved.	For information only		
III. Community Input <b>[Pursuant to section 92-3, Hawaii Revised Statutes, Community Members will have 3 mins. to speak, i.e. per person, per item, or written testimony can be submitted on agenda items]</b>	(9:17) No community in attendance			
IV. Subcommittee Discussion What's working/Challenges Suggestions/Ideas moving forward Subcommittee Discussion	(09:18) <u><b>Subcommittee challenges &amp; successes</b></u> <ul style="list-style-type: none"> <li>• <b>J. Paekukui Compliance Committee</b>              Major Pedro is acting Chair. A Chairperson needs to be elected or appointed by D. Ulima.             <ul style="list-style-type: none"> <li>○ 3 violations recorded last year. Letter sent to the judiciary as juveniles were held in detention facility for status offenses longer than allowed.</li> <li>○ Data is collected and reviewed as on-going. This year, 1 violation for the entire state is being investigated.</li> <li>○ Information is checked on juveniles brought in on a warrant to classify the violation as a status offense or criminal offense. In addition, juveniles</li> </ul> </li> </ul>		Brittney Foard	

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	<p style="padding-left: 40px;">arrested for status offenses may have another offense attached to it.</p> <ul style="list-style-type: none"> <li>○ State-wide annual compliance monitoring has been done on Maui and scheduled for the other neighbor Islands.</li> <li>○ Big Island had an audit by OJJDP, Brittney Foard and Tina Warner in 2019</li> <li>○ It has been brought to the attention of OJJDP for many years that court buildings should not be classified as lock-up's.</li> </ul> <p>(9:25) S. Ahu</p> <ul style="list-style-type: none"> <li>● S. Ahu asked if JJSAC would be interested in training on Compliance</li> </ul> <p>(9:26) D. Ulima</p> <ul style="list-style-type: none"> <li>● D. Ulima advised it would be helpful to get more information on the key points; what are lock-up's and what is a violation. A handout or chart would be a good reference.</li> </ul> <p>(9:33) Major Pedro</p> <ul style="list-style-type: none"> <li>● HPD has started adjusting their records management system to be in compliance as of Jan 1, 2020 of females who are arrested and are pregnant. HPD will be required to take them to the hospital first, before taking them into custody for processing. Law requires front hand cuff only and no leg shackles.</li> </ul> <p>(9:36) S. Ahu</p>	<p>Follow-up on OJJDP's review of classification of court buildings.</p> <p>Create reference sheet for Executive Committee on Compliance policies</p>	<p>J. Paekukui</p> <p>J. Paekukui</p>	

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	<ul style="list-style-type: none"> <li>• Working with the Judiciary and Hawaii Correctional Facility to update their policies when addressing females who are pregnant.</li> </ul> <p>(9:37) J. Paekukui</p> <ul style="list-style-type: none"> <li>• New law passed under Isolation that juveniles need to be checked every 15 minutes. Cameras are mainly used to check on the safety of the juvenile.</li> </ul> <p>(9:37) Major Pedro</p> <ul style="list-style-type: none"> <li>• HPD's policy is to record and check all adult and juvenile in-take every 15 minutes.</li> </ul> <p>(9:39)</p> <ul style="list-style-type: none"> <li>• <b>T. Miao Ethnic &amp; Cultural Diversity Committee</b> <ul style="list-style-type: none"> <li>○ Keeping abreast of recent data. Maria of JJIS (Juvenile Justice Information System) is out for several months and will meet with her upon her return.</li> <li>○ ACLU is joining the ECD meeting today as they have new legislation to introduce around disparities</li> <li>○ Discussing new membership</li> </ul> </li> </ul> <p>(9:40) D. Ulima</p> <ul style="list-style-type: none"> <li>• Is there any recent data and trends to report? Juvenile Detention Alternative Initiative (JDAI) did a recent audit. Is ECD able to request for this information?</li> </ul>	<p>Request for the recent audit from JDAI</p>	<p>T. Miao</p>	

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	<p>(9:41) T. Miao</p> <ul style="list-style-type: none"> <li>• VERA was the most recent collection of data reviewed. No other recent data and no change in the persistent trends with native Hawaiians. JDAI audits are not automatically sent but will follow-up on obtaining and reviewing the audit.</li> </ul> <p>(9:42) S. Ahu</p> <ul style="list-style-type: none"> <li>• Met with Maria of JJIS and asked if information can be automatically provided every quarter. Committee to discuss what set of data they would like to see. Also asked if data can be broken-down on what type of status offense and data definition on how agencies collect data.</li> </ul> <p>(9:43) D. Ulima</p> <ul style="list-style-type: none"> <li>• Would like to get more information and share with JJSAC on where does the data intersect with actual projects? What is going on with the initiates and who is leading it. This would help JJSAC to work together on discussions of status offenses, VERA, Ethnic Disparities and ending girl's incarceration and assist OYS</li> </ul> <p>(9:51) J. Pedro</p> <ul style="list-style-type: none"> <li>• Ho'opono Mamo (HM) in contract with Susannah Wesley Community Center took custody and allowed HPD to drop off juveniles who committed status offenses and if they voluntarily admit themselves into the program. This released HPD officers to get back on the road instead of waiting for parental approval to process the in-take and waiting for parents to pick them up. Juveniles who</li> </ul>			

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	<p>commit status offenses are not allowed, by law, to be kept in the station. The contract has since moved to CFS (Child and Family Services) who cannot take custody of juveniles. This has been a big change and challenge for HPD who needs officers on the road.</p> <p>(9:54) D. Ulima</p> <ul style="list-style-type: none"> <li>• Need to understand how the change in contract or policy happens or be involved in advocating because the outcome drastically changes and impacts HPD, the juvenile and their parents. What contracts can JJSAC involved in?</li> </ul> <p>(9:55) S. Ahu</p> <ul style="list-style-type: none"> <li>• Part of JJSAC involvement is to recommend and advocate on scope of service. OYS has a procurement process for RFP (Request for Proposals) which will go to the top bidder. Funding is a OJJDP (Office of Juvenile Justice and Delinquency Prevention) decision and committees can discuss opportunities and look at existing contracts every quarter to know what youth are being served, what type of services, any issues to be addressed or suggestions to amend the contract or if we need to RFP it again because another provider can meet the needs.</li> </ul>	<p>Send request to S.Ahu on subject matter so that information can efficiently be provided to committees for discussion</p> <p>Contracts that are not federally funded that JJSAC would like to review because it impacts the needs.</p>	<p>D. Ulima, T.Miao, S. Pirsch, N. Worachit, J. Pedro</p> <p>S. Ahu</p>	

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	<p>(9:58) T. Miao Prevention and Accountability committee use to have a reporting mechanism and they had the funding. Suggest walking towards getting the funding back.</p> <p>(9:59) S. Ahu Talks of Title V coming back, but some of it is earmarked</p> <p>(9:58) J. Pedro</p> <ul style="list-style-type: none"> <li>It's very important to address this issue with Ho'opono Mamo now. Soon the Queen Lili'uokalani Trust Youth Center will be completed with an Assessment Center. If they are assigned to take custody, the Central Patrol Bureau, who will be handling juvenile status offenders, will be diverting them there. This may or may not be contracted by OYS.</li> </ul> <p>(10:02) D. Ulima</p> <ul style="list-style-type: none"> <li>Who gives LTYC authority for assessment and custody intake?</li> </ul> <p>(10:03) J. Paekukui</p> <ul style="list-style-type: none"> <li>State will need to give legal authority to LYTC.</li> </ul>	<p>Discuss with Merton and address at the next JJSAC meeting or a separate meeting</p>	<p>S. Ahu</p>	

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	<p>(10:04) J. Pedro</p> <ul style="list-style-type: none"> <li>The original purpose of the Ho’opono Mamo Assessment Center was to carry out a diversion program for first time offenders and aid them from not going thru the juvenile system and/or ending up in prison. If they successfully complete the services their record would be expunged allowing them to pursue opportunities in school and/or a career. For the past 5 years where HPD has been involved, no records have been expunged. This makes it hard for HPD to support this program when they must inform the parents of this.</li> <li>Last year the request to change the law was directed to the Chair of Public Safety in the Senate, after many meetings with prosecutors and discussing with people in the judiciary. Their attorneys advised there was nothing incorrect with the law. If there is nothing wrong with the law, then the problem is in the process and how the Judiciary interprets the law and the how they consider the assessment center as a counsel and release adjudication. It is a record case and not a counsel and release, the juveniles are diverted.</li> <li>Oahu is the only Island that offers full diversion. Oahu mirrored Miami Dade County’s diversion program which was very successful in Florida. Neighbor Islands only have services in place before they must see a judge.</li> </ul>	<p>Find out who is the lead person at the Family court, reach out to Carol Matsuoka</p> <p>Discuss in JJSAC Full Body meeting for feedback, perspectives and help</p>	<p>D. Ulima, T. Miao</p> <p>D. Ulima</p>	



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	<p>(10:07) T. Miao</p> <ul style="list-style-type: none"> <li>• How can JJSAC be an influence in helping with this problem and the Judiciary. It should be brought up in the Full Body meeting. Each circuit may be different and it would be helpful to know how they handle first time juvenile offenders. Carol Matsuoka may be a good person to discuss this with again.</li> </ul> <p>(10:09) D. Ulima</p> <ul style="list-style-type: none"> <li>• It involves Ho’opono Mamo, HPD and the Judiciary and the Full-Body has committee members who can help interpret, give feedback and assist in addressing the problem.</li> </ul>			
V. Old Business	<p><b><u>Rebuilding Committees-Filling Vacancies</u></b></p> <p>(10:10) S Ahu</p> <ul style="list-style-type: none"> <li>• Wayde Lee and Chet Okayama will be sitting on the ECD committee as they are still interested.</li> <li>• Charity Dudoit is a new member on the P&amp;A committee</li> </ul>			

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VI. New Business	<p><b><u>JJSAC By-Laws</u></b> (10:14) D. Ulima Reviewed the By-Laws but will need to table the discussion to the next meeting.</p> <p>(10:15) S. Ahu Researched the coordination of JJSAC By-Laws and it is looks like it is like Idaho By-Laws</p>			
VII. Announcements	Topic deferred in interest of time			
VIII. Future Agenda Items	Topic deferred in interest of time			
IX. Next meeting	Topic deferred in interest of time			
X. Adjournment	The meeting was adjourned at 10:17 A.M.	For information only		