

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

Compliance Committee Meeting
Princess Victoria Kamamalu Building, Basement Level Conference Room
Thursday, February 27, 2020
10:00 a.m.-11:30 a.m.

Members Present: Captain Mikel Kunishima, Honolulu Police Department, Community Affairs, for Major J Pedro
Lt. Terrence Gomez, Maui Police Department, Juvenile Division
Sgt. Clyde Caries, Kauai Police Department, Patrol Division
Det. Gavin Kagimoto, Hawaii Police Department for Lt. Sandor Finkey
Ms. Meridith Russell, 2nd Circuit Family Court
Ms. Jaque Kelley-Uyeoka, Hale Kipa

Members Absent: Major J Pedro, 1st Vice Chair, Honolulu Police Department, Lt. Sandor Finkey, Juvenile Aid Section,
Hawaii County Police Department

Members Excused: Major J Pedro
Lt. Sandor Finkey

Guests Present: Randi Cooper, 3rd Circuit Family Court

Staff Present: John Paekukui, OYS, Compliance Monitor, Juvenile Justice Program

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AGENDA ITEM	DISCUSSION	RECOMMENDATIONS/ ACTIONS/CONCLUSIONS	PERSON(S) RESPONSIBLE	DATE DUE
I. Call to Order	(10:29 am) (Committee Chair, 1 st Vice Chair and 2 nd Vice Chair not available.) OYS Compliance Monitor John Paekukui called the meeting to order at 10:29 am.			
II. Review Juvenile Justice State Advisory Council (JJSAC) Minutes	Acting Chair Paekukui reported that there is no quorum at this meeting and tabled approval of the November 14, 2019 minutes. (Attachment A)			
III. Compliance Monitoring Updates	<p>Report on OJJDP Annual Compliance Monitoring Updates.</p> <ol style="list-style-type: none"> 1. Report on the 2019 compliance violations. <ul style="list-style-type: none"> • Paekukui reported a possible violation at a police station where the officer listed a runaway on the Detention Log. • Paekukui reported on the 2019 violations: There were three violations that occurred at the First Circuit Family Court’s Detention Facility where all three were minors being held for status offenses beyond the 24 hours allowed by the OJJDP Act. One minor requested to be held in the facility until she could be sent to a program and was held for seven days. Another minor was held at the request of a Family Court Judge for a hearing. The third minor was held at the request of her Probation Officer. OYS notified the First Circuit Judiciary of the violations and attached the federal legal opinions as well as Hawaii’s Supreme Court case opinion on this subject matter. 2. JJSAC Trainings <ul style="list-style-type: none"> • The Coalition for Juvenile Justice (CJJ) has scheduled their annual meeting for June 1st to 3rd of June 2020. Hawaii SAG Chair, Ms. Dalia Ulima is unable to attend and 1st Vice Chair Susan Pierce will attend in her place. OYS will be 	<p>Paekukui checked with the police station and learned that this juvenile was a runaway from the mainland, and there was a Warrant for her. The offense should have been Warrant arrest and this is not a violation of the Act because she is from a Compact State.</p>		

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	<p>sending members from its staff as well as SAG members which will be chosen at a later date.</p> <ul style="list-style-type: none"> • Juvenile Arrest Reports Unknowns: OYS is requesting that arresting officers obtain ethnicity of juveniles to be able to provide accurate data to OJJDP in order to address the Racial and Ethnic Disparities and provide programs to address this issue. Acting Chair Paekukui suggested that OYS develop a chart with the different languages listed where the juvenile can point out his language and the police can then list down the ethnicity of the minor. 	John Paekukui		
IV. Committee Member Reports	<p>Committee Members reports:</p> <ol style="list-style-type: none"> 1. Honolulu Police: <ul style="list-style-type: none"> • Captain Kunishima reported that the HPD was working with the Adult Friends for Youth on a Mobile Assessment Program. The program is set up to handle only status offenders and because it is mobile, they travel to different locations within the leeward district of the island and assist HPD by referring the families to participate in a counseling program without being referred to Family Court. They are also involved in the Ho’opono Mamo Program in District 5 (Kalihi) with Child and Family Services for juveniles arrested for the first time for law violations or status offenses and if they agree to completing the program will not be referred to Family Court. 2. Maui Police: <ul style="list-style-type: none"> • Acting Lieutenant Terrence Gomez reported that as of next Monday he will be the official commander of the Juvenile Division at MPD. He reported that both POI Program and the KALO Programs are still doing well with their diversion programs. 3. Kauai County Police: <ul style="list-style-type: none"> • Sgt. Clyde Caries related that the Prosecutor’s Office is still running Teen Court, which is doing well. 4. Maui Family Court: <ul style="list-style-type: none"> • Ms. Meridith Russell related that at a recent Maui community meeting the subject matter was of “Restorative Justice” was discussed and a group in the 			

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	<p>audience asked the people attending the meeting what was needed and how they could help. They volunteered to start a shelter for juveniles and have a 13-bed facility located in Wailuku. The facility was blessed by a Hawaiian practitioner, who offered to train the staff and juveniles of the culturally based practices. They have applied for state license to run a juvenile program in the county. They used their own funds to start up this program, and model it after the BIJAC Program on the Big Island.</p> <p>Lt. Gomez said that the Prosecutors Office had heard about the people and that there was a problem with this group at another state but did not have any specifics of that problem or if it was resolved. He will follow up and get more information regarding what issue was the concern of the Prosecutor's Office.</p> <p>5. Jaque Kelley-Uyeoka – Hale Kiap Attendant Care Program:</p> <ul style="list-style-type: none"> • Ms. Kelley-Uyeoka explained that the Attendant Care Program will take juveniles from Honolulu Police Department whenever the police were unable to locate the juvenile's parents, or if the parents were not able to pick up their child before the six-hour hold was up. Often, they will use social media to help them locate parents or other family members who would pick up the juvenile. Reported that during the period from October to December they had 14 referrals, however, one parent was able to pick up a child before that child was transported to Hale Kipa. From January and February they had 10 referrals. Majority boys and Chuukese and Hawaiian ethnicity being the most. <p>6. Hawaii County Police Department:</p> <ul style="list-style-type: none"> • Detective Gavin Kagimoto reported that he was sent to attend this meeting because Lt. Finkey was on another assignment. He did not have anything to report. Related that Lt. Finkey will be attending future meetings. 	<p>Lt. Gomes to follow up on information on group on Maui who may be starting a new juvenile program.</p>		
V. New Business	<p>1. The By Laws for the State Advisory Group calls for each Committee to have a Committee Chair, a 1st Vice Chair and a 2nd Vice Chair. At this time the Compliance Committee has a 1st Vice Chair, which is Major J Pedro from the Honolulu Police Department. There is no Chair and 2nd Vice Chair. Since we</p>			

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	<p>do not have a quorum at this time, we need to table the appointment until we have all members in attendance.</p> <p>2. Paekukui explained to the committee the new violation rates issued by OJJDP: Violation rates are determined by a Formula depending on the number of juveniles in the state. OJJDP uses the last census for the formula and Hawaii had 308,183.</p> <ul style="list-style-type: none"> • For DSO (status offenders held in secure custody) the rate is 5.85 which comes out to 18 violations, statewide. • For SSS (sight and sound separation from adult prisoners) the rate is 0.92. Paekukui reported that Hawaii couldn't have any violations, however, after the meeting a second look at this rate he discovered his errored in his calculations and Hawaii can have no more that 2 violations. A correction will be made at the next meeting. • For the JLR (jail and lockup removal) The rate is 7.04 or no more than 21 violations. 	Paekukui to correct rate for SSS.		
VI. Announcements	Paekukui reported that there will be a Coalition for Juvenile Justice, (CJJ) conference in June in Washington DC which will be attended by OYS Staff, Shannessy Ahu, Josue Osegueda, Merton Chinen, SAG Members, Susan Pirsch 1 st Vice Chair (SAG Chair Delia Ulima is unable to attend due to a prior commitment) and there are other members yet to be named.			
VII. Adjournment	Sgt. Caries made a motion to adjourn the meeting Seconded by Sgt. Gomez There being no further discussion, the meeting was adjourned at 11:48 a.m.			