

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
1010 Richard Street, Honolulu Hawaii 96813-2940

Compliance Committee Meeting
3rd Quarter Video/Audio Meeting
Hosted on Zoom
(Copy of audio link available upon request)

Tuesday, May 4 ,2021
10:00 a.m.-11:30 a.m.

Members Present: Lt. Sandor Finkey, Juvenile Aid Section, Hawaii Police Department
Judge Edmund Acoba, Kauai Judiciary
Sergeant Shane Yoshizawa, Maui Juvenile Division, for Lt. T. Gomez

Members Excused: Ms. Meridith Russell, Maui Family Court
Major J Pedro, Community Affairs Division, Honolulu Police Department
Lieutenant Terence Gomez, Juvenile Crime Prevention Division, Maui Police Department
Sergeant Daniel Olivera, Patrol Division, Kauai Police Department
Sgt. Geoffrey Hicks, Maui Sheriff Cellblock
Ms. Jaque Kelley-Uyeoka, Deputy CEO, Hale Kipa

Guests Present: Ms. Zoe Dym, Hawai'i Public Radio

Staff Present: Norene Machida, John Paekukui

AGENDA ITEM	DISCUSSION	RECOMMENDATIONS/ ACTIONS/CONCLUSIONS	PERSON(S) RESPONSIBLE
I. Call to Order/Establishment of Quorum <ul style="list-style-type: none"> • Introduction of attendees 	<p>(10:18)</p> <ul style="list-style-type: none"> • John Paekukui called the meeting to order at 10:18 am. There were no Chair or Vice Chair available. • There was not a Quorum. Meeting held for informational purposes only. <p>(10:18)</p> <ul style="list-style-type: none"> • Introduction of members and attendees: <ol style="list-style-type: none"> 1. Judge Edmund Acoba, Kauai Judiciary 2. Lieutenant Sandor Finkey, Commander, Juvenile Aid Section, Hawaii Police Department 3. Sergeant Shane Yoshizawa, Maui Juvenile Division for Lt. Terence Gomez 4. Ms. Norene Machida, Office Assistant, OYS 5. John Paekukui, Compliance Monitor, OYS 		
II. Consideration and Approval of Minutes for the following Meeting(s): <ul style="list-style-type: none"> • February 4, 2021 	<p>(10:19)</p> <p>No quorum established; Minutes tabled to next meeting.</p>		
III. Community Input [Pursuant to section 92-3, Hawaii Revised Statutes,	<p>Ms. Zoe Dym, a reporter at a local radio station attended, however, her computer does not have a microphone but able to join in through the chat box.</p>		

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<p>Community Members will have 3 mins. to speak, i.e., per person, per item, or written testimony can be submitted on agenda items]</p>			
<p>IV. New Business:</p> <ul style="list-style-type: none"> • Compliance Monitoring Updates: <ul style="list-style-type: none"> a. Compliance Monitor Report <ul style="list-style-type: none"> ○ Violations update for 2021 b. OJJDP proposed regulation update re: Guidance Manual 	<p>(10:20)</p> <p>Report on OJJDP Annual Compliance Monitoring Updates.</p> <ol style="list-style-type: none"> 1. Report on the 2020 compliance violations. <ul style="list-style-type: none"> • Paekukui reported on the 2020 violations: There were no violations during the federal fiscal year from October 1, 2019 to September 30, 2020. However, he will need to complete the visits to Honolulu and collect data from the facilities holding juveniles to conclude the compliance checks of Hawaii. • Compliance Monitoring for 2020 Paekukui reported that the monitoring for Oahu is now going on and have visited several locations. However, because of several islands being closed to visitors and difficulty in travel restrictions due to the Corona virus, OYS will schedule virtual tele conferencing to conduct the compliance monitoring via Zoom to the neighbor islands. • A check was made to OJJDP and the Guidance Manual has not been completed by their office at this time, and they will issue the manual when it is completed. 		
<p>V. County Reports:</p> <ol style="list-style-type: none"> a. Honolulu County Police 	<p>(10:23)</p> <ol style="list-style-type: none"> 1. Kauai Judiciary 		

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<ul style="list-style-type: none"> b. Hawai'i County Police c. Maui County Police d. Kauai County Police e. Hale Kipa f. Maui Judiciary g. Kua'i Judiciary h. Maui Cellblock 	<p>Judge Acoba asked for more information on the "Rural Removal Exception". John explained that the Juvenile Justice and Delinquency Act of 1974 provided States with a classification of the Rural Removal Exception. Hawaii has several counties with facilities that has been classified as rural removal exception facilities, which must be approved by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The Act was revised in 2018 and renamed the Juvenile Justice Reform Act of 2018 (JJRA-18). Because these counties are classified as Non-Metropolitan Statistical Area (population below a certain amount) they can be granted permission to hold juveniles arrested for a criminal offense for up to 48 hours and longer if weather conditions prevent transportation to a juvenile facility. Kauai has one facility, Maui has three facilities, and Hawaii County has six facilities that are classified as "Lock Ups" and designated as Rural Exception Facilities. These facilities can hold law violators for a first court hearing only. Status and non-offenders cannot be held in these facilities for any reason.</p> <p>Judge Acoba mentioned that they had an incident on Kauai where the police brought the juvenile to the court facility and the Senior Judge refused to accept the minor. John said that Kauai Police could have held the juvenile at the Lihue Police Station until</p>		

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	<p>court resumed and juvenile could have been admitted to court during normal court hours. It is possible that because of the turnover rate at the police facility, those in command were not aware of the Rural Exception.</p> <p>(10:16)</p> <p>2. Hawaii County Police</p> <ul style="list-style-type: none"> • Lt. Finkey reported that they normally do not have any problems with holding juveniles over the six-hour limit as they transport the juveniles to the Court who will take custody and transport to Honolulu’s Detention Home. <p>(10:22)</p> <p>3. Maui Police Department: Sgt. Shane Yoshizawa said that they have no problems with turning juveniles over to the Sheriffs.</p> <p>(10:26)</p> <p>4. Kauai Judiciary: Judge Acoba said that they issue a “Limited Warrant” for status offenders that is only served during business hours and the police will bring the juvenile directly to the Court. The Court will interrupt their calendar to address the status offense.</p>		

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VIII. Announcements: a. CJJ Conference in Washington D.C. June 7-11, 2021 b. OJJDP Conference TBA	(10: 45) <ul style="list-style-type: none"> • John reported that the CJJ Conference will start at 3:00 am to 11:00 am Hawaii Time. Shannessy Ahu has contacted CJJ to see if they will schedule some of their sessions at a later time for Hawaii. 		
IX. Next scheduled meetings: <ul style="list-style-type: none"> • Tuesday, August 10, 2021 • Tuesday, November 9, 2021 	(10:46) <ul style="list-style-type: none"> • Next Meetings: (2ⁿ Tuesday) Tuesday, August 10, 2021 Tuesday, November 9, 2021 		
X. Adjournment	Meeting adjourned at 10:48 am		