

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
2nd Quarter Video/Audio Meeting
Hosted on Zoom
(Copy of audio link available upon request)

Tuesday, November 15 ,2022
9:00 a.m.-10:30 a.m.

Members Present: J Pedro, Major, Honolulu Police Department
Robert Pauole, Lieutenant, Juvenile Aid Section, Hawaii Police Department
Meridith Russell, Maui Family Court
Brandon Phillips, Acting Lt. JCPD Maui Juvenile Division
Aissa Nishiyama, Civilian Counselor, Maui JCPD
Jaque Kelley-Uyeoka, Hale Kipa
Phillip Humphrey, Hale Kipa
Geoffrey Hicks, Lieutenant, Maui Sheriff
Bobby Thompson, Sergeant, Kauai Patrol

Staff Present: Shannessy Ahu, Norene Machida, John Paekukui

AGENDA ITEM	DISCUSSION	RECOMMENDATION S/ ACTIONS/CONCLUSIONS	PERSON(S) RESPONSIBLE	DATE DUE
I. Call to order/Establishment of Quorum	<p>(9:09)</p> <p>Meeting called to order by Major Pedro</p> <ul style="list-style-type: none"> • Introduction of members and attendees: <p>Major Pedro, Honolulu Police Community Affairs Division Acting Lt. Brandon Phillips, Maui JCPD Aissa Nishiyama, Counselor, Maui JCPD Meridith Russell, Supervisor Child & Family Svc, Maui Family Court Lt. Geoffrey Hicks, Sheriff, Maui Family Court Jaque Kelly Uyeoka, Deputy CEO, Hale Kipa Phillip Humphrey, Program Coordinator, Hale Kipa Lieutenant Robert Pauole, Juvenile Aid Section, Hawaii Police</p>		Major Pedro	
II. Consideration and Approval of Minutes for the following Meeting(s):	<p>(9:09)</p> <p>Major Pedro call for approval of Minutes for May 10, 2022</p>			
III. Community Input [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]	No community input.			

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<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 2020 b. OJJDP proposed regulation update re: Guidance Manual 	<p>(9:11)</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 corrected in the minutes which read <i>“The Fed’s argue that this is considered a secure facility even though the juvenile can leave”</i> The correction is that this facility is a secure facility and that the juvenile is not able to leave on his own. Jaque motion to accept the minutes as corrected by John. Seconded by A/Lt. Brandon Phillips. No discussion, minutes approved as corrected. • Compliance Monitoring for 2022 Paekukui reported that there is one violation for the state at this time. A status offender detained in a police lockup is considered as two violations, DSO and JLR which are two different sections of the OJJDP Act. • During a recent visit to Hale Ho’omlu (Juvenile Detention Facility) there was one juvenile who had used his mother’s credit card to travel to Honolulu and was intercepted at the airport by Honolulu Sheriffs, held at the detention facility until arrangements were made and he was sent back to Connecticut. This is not a violation because of the Interstate Compact Agreement. 			

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	<ul style="list-style-type: none"> • Ms. Russell questioned the holding of the juvenile at the Detention Facility which was counted as a violation. Paekukui explained that that juvenile was held on a status offense for longer than 24 hours. • Ms. Russell also wanted to know that if the status offender was held on a Friday and released on a Monday, is that not a violation? Paekukui explained that the hearing must be held within 24 hours of being admitted to the facility. If the minor was admitted after court hours on Friday, he must have a hearing on Monday and can be held as long as it doesn't exceed 24 hours or released on Monday. 			
<p>V. County Reports:</p> <ul style="list-style-type: none"> a. Honolulu County b. Maui County c. Hawai'i County d. Kaua'i County e. Judiciary f. Hale Kipa g. Sheriff 	<p>(9:17)</p> <ul style="list-style-type: none"> 1. Major Pedro (HPD) He met with the Judiciary regarding the Family Court Assessment Center on Alder Street. For now, the Probation Officers will initiate the assessment and have court referrals. In the future, the Assessment Center may refer walk ins to the Court. This system hopefully will keep status offenders out of incarceration. Family Court also met with service providers to create a plan to refer juveniles through the assessment process and avoid arrests and incarceration. 			

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	<p>Ms. Russell asked if the police would drop off the juvenile at the center. Major Pedro said no that the courts are in the process of working on the referrals at this time and will later look into the police drop off as they are slowly working on the process of referrals to the courts. The court is looking at first time criminal offenders and status offenders for these referrals.</p> <p>Judge Viola assured him that they are looking at the expungement process. Major Pedro said he has 70 juveniles awaiting expungement of their records. Major Pedro also said that the families may seek a Class Action Suit.</p> <p>Ms. Russell asked to explain about the Civil Action Lawsuit. Major explained that the courts are looking at the fact that they have been adjudicated by the police and should be able to have their records expunged. "Adjudicated" means "counseled and released" by the police and HPD has stopped doing "counsel and release" in 2009. Since they have completed the process their rights to have the records expunged have not been completed yet.</p> <p>Ms. Russell asked why do they need their records expunged. Major Pedro explained that in 2014 the Late Senator Inouye was disappointed that the</p>			

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	<p>Military was not accepting individuals who had juvenile records and he pushed the state to have criminal citations process, so juveniles were able to have their minor records expunged and enter the military or colleges. Six or seven years ago they changed the law and Colleges no longer can ask that question. The focus became an issue when it was learned that the individuals being arrested were from the poor economic population and it was discriminatory matter. The federal government then rescinded the law for colleges; however, the military can still ask for juvenile arrests.</p> <p>Ms. Russell said that on Maui, she does the background checks, and the military is only interested in felony arrests.</p> <p>Major Pedro responded by saying that the military will ask and if they find that the individual said they weren't arrested and the military finds out that they were, the military will not accept them.</p> <p>(9:29)</p> <p>2. Maui Police</p> <ul style="list-style-type: none"> • A/Lt. Phillips reported that they revamped their KALO Program to the Family Strengthening Program. The affects of the Covid caused little interest in attending the program, so they revamped the lesson 			

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	<p>plan, kept the good, changed the attendance from 9 days to 5 days and now have three families in that program. They are trying out to see if the effects are positive.</p> <ul style="list-style-type: none"> • The POI (Positive Intervention Program) Program is going on fine with 40 participants now. • The SRO are taking cases from the schools and assisting the Criminal Investigation Division in handle some felony cases. <p>(9:31)</p> <p>3. Hawaii County Police Department: Lt. Robert Pauole Nothing to report at this time.</p> <p>(9:32)</p> <p>4. Kauai Police Department: Sgt. Bobby Thompson not available, was called to a last-minute assignment.</p> <p>(9:32)</p> <p>5. Hale Kipa: Jaque Kelley Uyeoka Information on data from Ho'okala and the K-Jac Programs. From August 1st to November 14, 2022: The Ho'okala Program received 5 youth from HPD, 2 for runaway, 1 Harassment, 1 Assault, 1 Robbery; 2 males and 3 females; 4 youths arrested in Honolulu and one in Ewa, 4 youth were released to legal</p>			

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	<p>guardians and 1 ran from their facility. They followed up 2 weeks later and contacted three families, 2 remained arrest free, and the one who ran from them was still on the run.</p> <p>K-Jack for District 5 (Kalihi) there were 47 civil citations issued of which 39 were first time offenders, 2 youths were cited 3 times, 4 youths were cited 2 times. 37 youths were for runaway, some for truancy, 2 for harassment, one for theft. Admitted 11 youth to the program where 3 successfully completed the program, they had to close the citations due to being unable to make contact with the families due to no one answering the phone, phone not in service, unanswered letters. 2 parents declined services. 1 youth relocated to mainland.</p> <p>They have opened up the “warm hand off” service, where the police can contact them and drop off the youth at the Makuahine Street house. They haven’t been getting a lot and she believes that the police were able to contact parents or take the truants back to school.</p> <p>Major Pedro will contact the Community Policing officers to ensure that the officers could drop off the</p>			

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	<p>youths at the Hale Kipa facility so they can be back on the road.</p> <p>May start on knocking on doors of the families but is concerned for safety reasons. May seek assistance from HPD in the future.</p> <p>(9:40)</p> <p>6. Sheriff Lt Hick not available</p> <p>(9:43)</p> <p>7. Maui Counselor Aissa Nishiyama reported that they rearranged their MOU to be better able to handle the workload because of the shortage of their staff. The POI Program is going well, but the KALO program is struggling now, and they hope to get a few referrals from the Courts.</p>			
<p>VI. Old Business:</p> <ul style="list-style-type: none"> • Naalehu Police Station 	<p>(9:41)</p> <ul style="list-style-type: none"> • Paekukui reported that during the last visit to the Naalehu Police Station that the new Captain there converted the juvenile holding room to a Lieutenant's office. • OYS sent a certification letter to the facility to remind the staff that should a juvenile need to be detained in secure custody, they can hold the 			

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Nominations	<p>juvenile in an adult cell, however, no adult inmate can be in the same area at the same time.</p> <p>(946) Paekukui reported that the Compliance Committee is still Without a Chair, Vice Chair and Recorder. Voting held and Major Pedro voted in as Chair and Lt. Hicks voted in as Vice Chair. The Secretary/Recorder position will be on hold. OYS will send out an email within the next few weeks to see if anyone would accept this position.</p>			
VII. Announcements:	<p>(9:51)</p> <ul style="list-style-type: none"> • 1. CJJ annual conference in May 24-26, 2023, in Washington DC • 2. 2023 OJJDP Conference: Not announced yet 			
VII. Next scheduled meetings for FYE 2021:	<p>(9:57)</p> <ul style="list-style-type: none"> • Next Meetings: (2ⁿ Tuesday) May 9, 2023 • Tuesday, August 8, 2023 • Tuesday, November 14, 2023 			
IX. Adjournment	<ul style="list-style-type: none"> • Meeting adjourned at 9:58 am by Major Pedro 			