

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES

P. O. Box 339 Honolulu, Hawaii 96809-0339

December 26, 2018

The Honorable Ronald D. Kouchi President and Members of the Senate Thirtieth State Legislature State Capitol, Room 409 Honolulu, Hawaii 96813 The Honorable Scott Saiki
Speaker and Members of the House
of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

SUBJECT: Report in Accordance with Section 352D-6, Hawaii Revised Statutes, Annual Report of the Office of Youth Services; 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 Youth¹; Juvenile Justice and Delinquency Prevention Act of 1974, Section 223 (a)(3)(D)(ii), as amended 2002

Dear President Kouchi, Speaker Saiki, and members of the Legislature,

Attached is the following report submitted in accordance with:

 Provisions of Section 352D-6, Hawaii Revised Statutes, Annual Report of the Office of Youth Services; 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; Juvenile Justice and Delinquency Prevention Act of 1974, Section 223 (a)(3)(D)(ii), as amended 2002.

In accordance with section 93-16, HRS, copies of these reports have been transmitted to the Legislative Reference Bureau Library and the reports may be viewed electronically at http://humanservices.hawaii.gov/reports/legislative-reports/.

Sincerely,

Pankaj Bhanot

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Director

AN EQUAL OPPORTUNITY AGENCY

¹ Regarding the report required by Act 281 (SLH 2006): funding for non-school hour programs have not been appropriated since 2008; there is no report for this provision.

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Ecopy only:

Office of the Governor
Office of the Lieutenant Governor
Department of Budget & Finance
Legislative Auditor
Senator Russell E. Ruderman, Chair, Senate Committee on Human Services
Representative Joy A. San Buenaventura, House Committee on Human Services & Homelessness

REPORT TO THE THIRTIETH HAWAII STATE LEGISLATURE 2019

IN ACCORDANCE WITH THE PROVISIONS OF

Section 352D-6, Hawaii Revised Statutes, Annual Report of the Office of Youth Services

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 Youth¹

Juvenile Justice and Delinquency Prevention Act of 1974, Section 223 (a)(3)(D)(ii), as amended 2002

OFFICE OF YOUTH SERVICES DEPARTMENT OF HUMAN SERVICES December 2018

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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 belong 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 2312 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 492 youth participated in 9 project-based cultural programs statewide.

3) Truancy Prevention and In-School Suspension

In collaboration with the Department of Education, 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 251 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 301 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 237 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 of care 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 that is based on trust, safety, and commitment. Approximately 208 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 facilitators from the Department of Education. Approximately 35 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 helps coordinate the various services and supports that have been identified. The wraparound planning process helps 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 251 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 165 youth were served in FY 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 reintegrate back into their respective communities.

10) Hawaii Youth Correctional Facility (HYCF)

The HYCF is now a 30-bed facility whose primary purpose is to provide care and custody of atrisk 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 continued to implement programs to better serve the youth, including substance abuse services through collaboration with the Alcohol and Drug-Abuse Division,

Department of Health. Music therapy was provided with youth that showed promising outcomes.

A major milestone impacting HYCF was the passage of Act 208 by the 2018 Legislature, authorizing the establishment of the Kawailoa Youth and Family Wellness Center (KYFWC) on the HYCF campus. Act 208 expanded the range for services (mental health, substance abuse, homeless, sex trafficking, counselling, education) to young adults, ages 18 – 24, who may need additional assistance to make a successful transition from various systems of care, including mental health, child welfare, and juvenile justice. Planning to implement programs in FY 19 include a short-term assessment center for commercially sex-exploited youth; transitional housing and support services for young adults facing homelessness; vocational and educational support for youth/young adults; and natural farming activities training for youth.

Additionally, HYCF 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.

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 expansion of service continuum at HYCF to include multiple pathways and programs for youth and young adults 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.
- Prison Rape Elimination Act (PREA). HYCF participated in an audit to meet compliance with PREA. To address audit findings, HYCF developed and implemented a corrective action plan. The corrective action period ended on 12/8/2018, and HYCF is awaiting the final report.
- 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 FY 19.

11) Federal Grant Programs

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 is to improve the juvenile justice and education systems, and to narrow the path to detention and/or incarceration. 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 their physical and emotional needs in the juvenile justice system. Sections 571-32(k), HRS, and 352F-5(b), HRS, place the administration of the JJP 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 protects the State from civil suits related to conditions of confinement, as the courts have found 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**, which 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 because of the Prison Rape Elimination Act (PREA).

Core Requirements of the JJDP Act	Compliance Status		
Deinstitutionalization of Status Offenders (DSO)	The State is in full compliance		
Juveniles Charges with status offenses, offenses which	with the DSO requirement.		
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.			
Jail and Lockup Removal (JLR)	The State is in full compliance		
No juvenile shall be securely held in adult jails or lockups.	with the JLR requirement.		
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.			
Sight and Sound Separation (SSS)	The State is in full compliance		
During the temporary period that a juvenile may be	with the SSS requirement.		
securely held in an adult jail and lockup, sight and sound			
contact is prohibited between the juvenile and adult			
inmates or trustees.			

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.

Based on the DMC plan submitted to the U.S. OJJDP from the OYS, Hawaii is currently in compliance.

Since 1996, significant improvements have been achieved in meeting 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. For 2017, Hawaii continued to be in compliance with the JJDP Act, and in compliance with all four core requirements of the JJDP Act for the past five (5)-year period from 2013 through 2017. 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 2013 to 2017

Compliance	2013	2014	2015	2016	2017
Violations from 2012					
to 2016					
Deinstitutionalization					
of Status Offenders	1	1	1	0	0
Jail and Lockup					
Removal	3	4	2	1	0

Comparison of Rate of Violations from 2013 to 2017

Core Requirements	2013	2014	2015	2016	2017		
Deinstitutionalization							
of Status Offenders	0.33	0.33	0.33	0.00	0.00		
Jail and Lockup							
Removal	0.99	1.21	0.66	0.32	0.00		

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.

OYS Achievements in FY 2018 System Improvement:

OYS continued collaboration with the Judiciary 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 the law was to reduce secure confinement, strengthen community supervision, focus resources on practices proven to

reduce recidivism, and 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 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 allows for efficient system management and case planning, enhancing decision-making and resource allocation.

During SFY 18, consultation, technical assistance, trainings and regular meetings were convened with the Judiciary and representatives from the Crime and Justice Institute continued to provide technical assistance regarding implementation of Act 201 (SLH 2014).

COMMUNITY COLLABORATION:

The work of the Office of Youth Services with youth requires a collaborative approach. Collaboration permeates through the agency's major programs, including partnerships with state departments such as DOE, DOH, the Judiciary, University of Hawaii, and county agencies that include the police, prosecutors and Mayor's office. Below are several ways OYS collaborates with other government agencies to serve Hawaii's youth and their families.

Hawai'i Island

OYS continued collaboration with the Hawai'i County Office of the Prosecuting Attorney to implement a juvenile justice intake and assessment center in East Hawai'i. Funding to expand services to West Hawai'i was provided by OYS 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

Based on the promising results of the previous pilot project status, OYS began implementation of the 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 provided 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. Services in District 5 began in FY 18; replication of the service model in other districts on Oahu are being planned for the next fiscal biennium.

The Vera Institute completed its technical assistance and final report regarding improvement of services and systems in response to status offenders, more specifically runaways in the 1st Circuit. The report synthesized the information gathered during the project and identified recommendations for follow up, including continued collaboration, communication, and training for those providing services for youth. Additional recommendations identified practice, policy, and system-level areas that could be addressed to bring about more positive outcomes for runaway youth. OYS plans to convene a working group to implement recommendations in FY 19.

Maui

OYS continues to collaborate with the Maui Police Department's (MPD) Positive Outreach Intervention (POI) project, which addresses lag times with outreach services to youth between arrests and initial court hearings. OYS also funds the Kalo program with MPD, a cultural based program for at-risk youth and their families; the Kalo curriculum includes building family communication skills and relationships, increasing the youth's connection to the community and increasing cultural awareness and appreciation. Kalo collaborates with the DOE include serving youth of all ages, including youth under the age of 11 who are chronically absent from school and/or are at risk for expulsions.

Kaua'i

OYS continues to provide funding 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 also continued to fund intensive monitoring services for youth on probation in collaboration with Family 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 overrepresentation in the juvenile justice system.

OYS also continues to work closely with the courts in all four judicial circuits to expand community-based treatment and monitoring as alternatives to confinement at the youth correctional facility. OYS continued funding for a therapist with the Girl's Court in the 5th Circuit, to provide a range of gender specific and strength-based programming with female juvenile offenders.

Department of Health

OYS continued collaboration with Child and Adolescent Mental Health Division (CAMHD), Department of Health, through two services: Kealahou and Kaeru. Kealahou provides outreach, training and gender-specific, trauma-informed mental health services for adolescent females in or at-risk to penetrate the Juvenile Justice System on Oahu; Kaeru services target children and youth who are placed in out-of-state residential treatment facilities or at risk for placement, utilizing a strengths-based, solution-focused family team service model that features many components of the wraparound service model. OYS also continued to contract 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.

Training

OYS provides training opportunities to strengthen skills and collaboration for providers and partners in the juvenile justice and other systems of care. During SFY 18, OYS collaborated with DHS to provide forgiveness training workshops conducted by Fred Luskin, Ph.D., Director of the Stanford University Forgiveness Project. 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 the workplace. Additionally, a training workshop to learn how to facilitate forgiveness training was conducted over a 2 month period. A total of 146 participants were trained by the workshops.

OYS continued 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. Staff from both private and public agencies, representing various youth and family services were trained on the mindfulness approach, including Department of Health, Judiciary, Department of Education, County Police Departments, and social services.

OYS through its program monitor (John Paekukui) overseeing compliance with core requirements of the Juvenile Justice Delinquency Prevention Act (reauthorized by the 2002 U.S. Congress) provided training for 82 police officers.

In collaboration with the Coalition for a Drug-Free Hawai'i, training opportunities were provided for the youth and family serving community in multiple ways.

- Aloha Response sessions to better serve youth and families across various systems of care included Ho'oponopono/Forgiveness and Heart Math topic areas to over 70 participants from both private and public agencies.
- Training sessions were provided to 233 individuals to expand awareness of effective practices, strengthen strategic planning, and resource development for the Fetal Alcohol Spectrum Disorder community.
- Support for 2 youth trainers who shared the benefits of practicing mindfulness at the annual Institute for Violence and Trauma Conference was provided.
- Support for Azim Khamisa, founder of forgiveness and peace curriculums, to present at HYCF.

OYS Focus in 2019

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, DHS-CWS and OYS 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 and partners.
- Maintain continuity in programs and services for youth and their families.
- Conduct Request For Proposals procurement for community-based services, including residential, outreach and advocacy, and intensive mentoring services.
- Continue to explore partnerships with public and private funding resources to maintain and enhance service capacity for the community.