

A Plan for Prevention, Resolution and Controls for the Problem of Youth on the Run

by

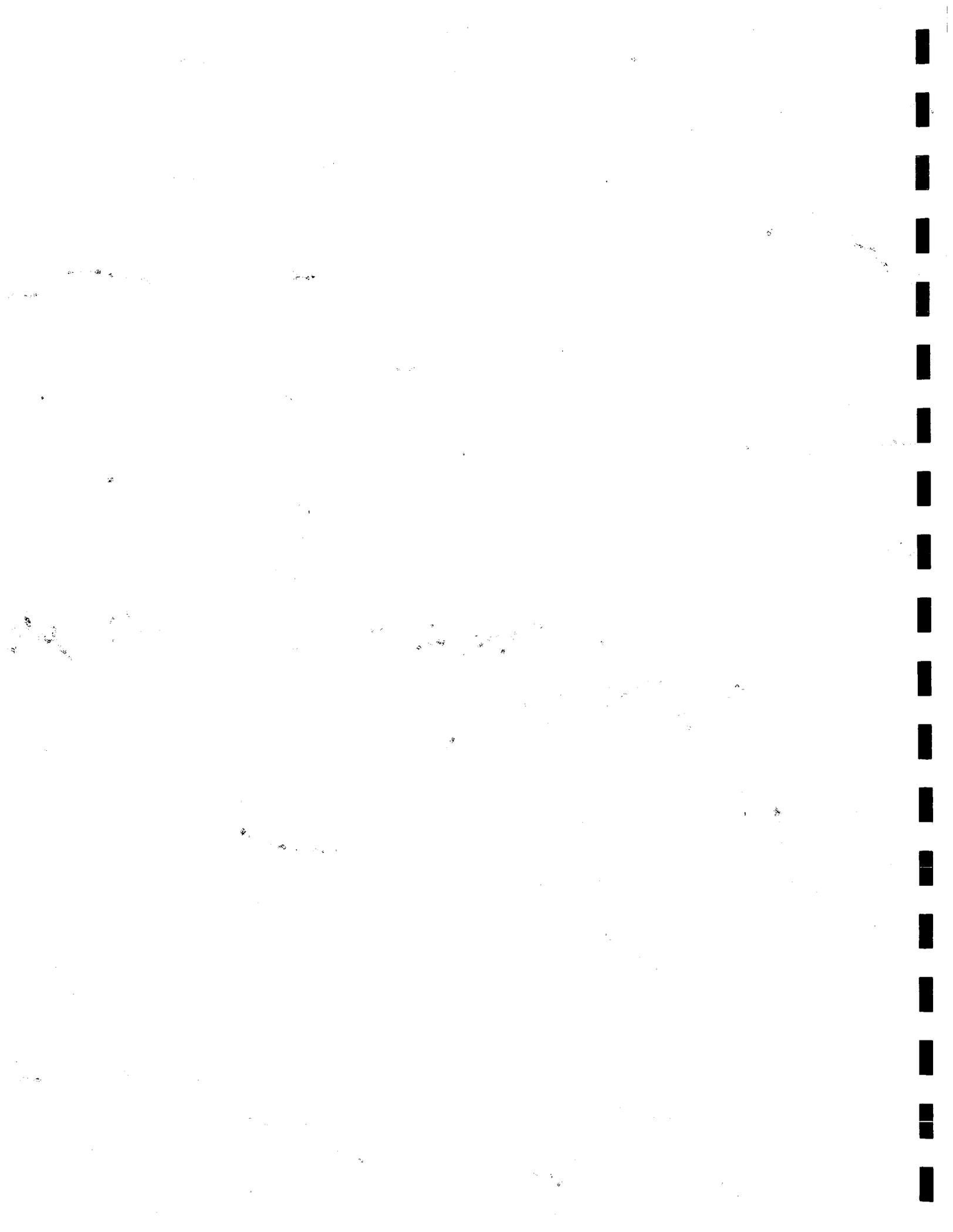
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PROBLEM OF YOUTH ON THE RUN**

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ACKNOWLEDGMENTS

To assemble information about a highly decentralized set of decisions and service referrals requires contacting many different government and private offices. In Appendix C and D of this report we list those offices in the Judiciary, the Police Departments, Executive Branch Departments and private agencies which participated in focus groups and key informant interviews. Virtually everyone we approached for information was responsive to our requests and took the time to instruct us about their operations. Often their office information systems did not permit full answers to our questions but the effort was made. Some individuals manually counted the status offenders in their case loads which was a tiresome but a much appreciated task.

We also greatly appreciate the candor with which several persons gave opinions critical of the current arrangements in place for handling status offenders and provided us with suggestions about who else to interview. Many have seen research projects come and go, nonetheless they gave freely of their time and opinions.

We wish to extend a special thank you for the extra assistance given to us by Carol Imanaka, Office of Youth Services; Lt. Art Ledward, Honolulu Police Department Juvenile Services Division; Judy Sakai, Hale Kipa; Annette Yamaguchi and the Leeward YMCA staff; Butch Gima, Lanai Counseling Services; Pat Reilly, Lanai School; Wayde Lee, Molokai Alu Like; Sharon Agnew, Kauai Mayor's Office for Youth Programs; Geraldine Ichimura, Department of Education; Margaret Blount, Department of Health Molokai; Bob Bonar, Hawaii Youth Services Network; Marlene Blair, Kukui Grove Movie Theater (Kauai); Calvin Fujioka, Social Science Research Institute; State Department of Health - Kona; Baldwin High School (Maui); Leeward Community College; Kauai Community College; University of Hawaii at Hilo; Mitchell Pauole Community Center (Molokai).



EXECUTIVE SUMMARY

Introduction

The State of Hawaii has been experimenting with better ways of responding to youth who commit status offenses since the 1960's. The creation of a unified Family Court in 1965; the establishment of the Office of Youth Services in 1989; later the Ho'okala program begun in 1993; the more recent Implementation Plan for the *Felix v. Waihee* Consent Decree; and, the Blueprint for Change program, all preceded this current project. These plans were put forward for various reasons, but all conceive of a target population for which services are currently inadequate or poorly coordinated. The goal of the Office of Youth Services and the Juvenile Justice State Advisory Committee (JJSAC), like the other initiatives mentioned, is to improve policies, procedures, and service provision to at-risk youth and their families.

The target population for this status offender project is a "gap group" which accounts for a substantial percentage of total juvenile arrests and cases referred to Family Court, but receives a small and declining share of the youth services budgets. The status offender population has grown in recent years, while the budgets for purchase of service contracts, which mainly provide what services are available, have been vulnerable to cost reduction efforts. Youth on the run from families and schools are sometimes referred to as "nobody's kids" because they do not necessarily meet categorical criteria for dependency, mental health and education, or law violator cases.

In 1996 the Office of Youth Services (OYS) and the JJSAC contracted with the Center for Youth Research, Social Science Research Institute, University of Hawaii, for a statewide study leading to a comprehensive plan for the improved delivery, coordination, and evaluation of services for, status offenders (runaways, truants, curfew violators or

beyond the control of parents). The first part of the study, based on a review of legal materials, an analysis of family court case data, interviews with administrators in youth-serving government agencies and private service providers, surveys of caseloads, and policies of those organizations, was reported to the OYS in *Youth on the Run from Family and Schools* (Kassebaum et al 1997). The current report carries those findings further based on information gathered in key informant interviews and a series of focus groups in all counties. A proposed comprehensive plan for the improvement of our current system of handling runaways, truants, and youth otherwise beyond control of their families is then outlined.

The data in this report come from mainly two sources: a set of interviews conducted with 47 key informants who were administrators of departments, agencies or agency programs, judges and in some instances administrators of private service providers. The other source was a series of eleven focus groups conducted in various communities on five islands.

Problems Assessed from Focus Groups with Handling Status Offenders

There is broad agreement among focus group participants that diversion and referral of status offenders to mainly non-profit private service providers is the prevailing policy for handling status offenders in all circuits. There was broad support for the policy but specific dissatisfaction with how that policy is working.

First, participants criticized the *lack of services provided by treatment and prevention programs*, which worsens increasingly with the decreasing amount of funds available.

Second, they discussed the *lack of coordination and collaboration* between service providers, the absence of an agency or department with primary responsibility

for providing services to status offenders, and the possible redundancy of services.

Some noted that *youth do not feel at ease in* the type of social exchanges and settings in which interviewing, assessment, advice about family or school takes place.

Participants were concerned about what they perceived as a *lack of school involvement in truancy*. Many participants felt that the schools are a crucial point of intervention, yet are not intervening effectively if at all.

The groups also cited *problems with the philosophy of diversion from the juvenile justice system*. Groups felt it was important to return youth home and to get the families involved in resolving underlying reasons for the youth's undesirable behavior. However, many of the groups were fairly vague as to what they meant by the extent of family involvement, and how it is to be pursued in dealing with the youth's problem.

Diversion also often leads to there being *no immediate ramifications or consequences for youth as well as parents*. Some of the groups addressed the fact that consequences, whether punitive or not, mean little to youth when they do not occur immediately after the offense.

Finally, many of the participants argued that in many status offense cases, *parents are the problem*. They believed that an important part of the problem is that youth are not supervised properly by their parents.

Problems Assessed from Key Informant Interviews with Handling Status Offenders

The key informant interviews conducted in the first part of this project identified shortcomings in the current system similar to those seen by the focus groups.

The problem identified most often in dealing with status offenders is related to actual service provision. "Service related" problems included the following: lack of services in a particular county or district in the State, inadequate existing services, time restraints when working with the youth, services that are reactive rather than proactive or preventative in nature, and problems with office space. "Service related" problems were identified by more than half of the respondents. The second most often identified type of problem related to the individual youths' families. One generic phrase used to refer to these problems was "dysfunctional families". Problems that were categorized as "staffing related" followed closely behind those that were considered "family related". One quarter of the respondents indicated that their agency or department is understaffed. Another problem identified was "collaboration". The interviewees saw no collaboration or coordination occurring between agencies. The "sanction related" problems category had the same number of responses as the "collaboration" issue. They said that consequences are nonexistent, not immediate, or ineffective.

Primary Responsibility for Status Offenders as Expressed in Key Informant Interviews

In the Key Informant interviews, respondents were asked whether a single agency should have jurisdiction over status offenders or whether the responsibility should be inter-departmental. The answers to these questions were mixed, with no consistent pattern. Out of the 41 respondents, 16 thought that there should be one branch of government with primary responsibility, while another 12 thought that it should be more than one branch. Thirteen did not comment or answer.

Those who said it should be one agency were asked to identify which agency should have primary responsibility for status offenders. Nine identified OYS while seven felt the Judiciary should be the agency with primary responsibility. Therefore, most who expressed opinions felt that only one agency should be responsible, but they were fairly divided on whether it should be OYS or the Family Court. Although the respondents did

not necessarily have an answer on how the cases should be handled, many agreed that there needs to be better cooperation between the different organizations.

Summary of Components Proposed in the Focus Groups

Table ES-1 is a compilation of the components of a plan proposed by the focus groups. All groups felt that a plan should stress the need for *parental responsibility*. Nine out of the eleven groups identified the need for *prevention*; *early assessment*; and, some sort of *alternative placement*, such as a *shelter* or a *safe house*. However, many of the components are interrelated, and therefore, they are all important.

Table ES-1: Number of Focus Groups which Mentioned Components of a Proposed Plan in their Discussion

Components of Proposed Alternatives	Number of Groups
Parental Responsibility	11
Prevention	9
Early Assessment	9
More Shelters/"Safe House"/Alternative Placement	9
Community Youth Service Center/Assessment Center	6
Diversion from Family Court	5
Coordination/Collaboration	5
Consequences/Sanctions	5
Third Party Evaluation-Follow-up	5
More Services	4
Sensitivity	3
Ohana Plan	2

Conclusion

Several planning efforts have been completed in Hawaii in the past six years, with a consistent set of recommendations: the need for increased coordination of an essentially free market human services system for various types of problems youth face; the need for a local (community and island level) Youth Service Center; the need for early assessment and early intervention when needed; and, the need for follow-up and evaluation of the effects of intervention. The Plan to be proposed for youth on the run from family and school is guided by these conclusions, which confirm the results of our own inquiry.

The Plan for Improving Service Provisions for Youth Who Commit Status Offenses

Introduction

The formulation of a comprehensive plan has been constrained by two considerations. First, our appreciation of the fact that State agency budgets have been reduced; that agencies have undergone reductions in force; that programs have been cut; and, that contract funds have been reduced for the private sector service providers. We have seen no sensible choice but to assume that any funding increases would have to be very strongly argued or widely desired, and that funding may not be available for any new proposal. Nonetheless, stark shortages in certain resources can only be corrected by allocation of funds so there are some recommendations which have spending increases implied.

Secondly, there is considerable variation in preferences for a plan expressed by the various agencies which deal with status offending youth. These have been summarized in the first part of the report. There is support for diversion, but impatience with high attrition of referrals to programs, and frustration in some areas of the State which have very limited options for referrals. There is a strong feeling that tangible consequences should more quickly follow an act such as truancy, leaving home, or being out of control of the parent, but no optimism that coercive controls would be effective in dealing with

running and truancy. As a result, what follows is a proposal to build on what is in place, rather than a major restructuring and expansion.

The proposal is in the form of recommendations, with examples of programs which are currently in place in Hawaii or which are possible examples to emulate from other states.

Major Points of a Comprehensive Plan for the Reduction of Status Offenses in Hawaii

1. At-risk youth, early onset runaways, truants, curfew violators and underage drinking cases are the target population of this proposed Plan and should be served by prevention programs.
2. Family Court, the Police, the Department of Education, and the Office of Youth Services should enter into a voluntary agreement to continue the policy of diversion of status offense cases to designated private service providers. Diversion to referrals outside of the juvenile justice system should continue to be the policy of the Police, with the concurrence of the Family Court, in each county by a memorandum of agreement. Where voluntary referrals prove ineffective, the case should be referred to the Family Court.
3. Early assistance (prevention programs) and early assessment should be provided each apprehended status offense case by private services organizations on contract with OYS or DHS.
4. Tangible consequences should quickly follow pick up of a juvenile for any status offense. Consequences include early assessment, temporary shelter if needed, active parental participation in the assessment and the referral; and, a clear statement of expectations for the minor.
5. Services should be planned and implemented by local communities to correct severe shortages of resources in some locales.
6. Youth Service Centers (YSC) should be expanded beyond the three now operated under contract with OYS. YSC's should as quickly as possible be established or incorporated into already existing Family Resource Centers on each island. The services provided should include preventive programs, early assessment, and should have temporary shelter capability.

7. Parental responsibility should be promoted for at-risk and intervention cases. Parental involvement should be a component of an expanded truancy reduction effort.
8. School Attendance Review Boards should be established in each school district. A special program for truancy among high risk youth is also recommended.
9. The Family Court and OYS should contract with independent organizations for program outcome evaluations and cost effectiveness analysis of major intervention programs.
10. Closer coordination of services requires local committees representing service providers. OYS and the Hawaii Youth Services Network should explore setting up a common case information data system to which would subscribe the private service providers for individual case services coordination and for aggregate data analysis.

INTRODUCTION

In 1996 the Office of Youth Services (OYS) contracted with the Center for Youth Research, Social Science Research Institute, University of Hawaii, for a statewide study leading to a comprehensive plan for the improved delivery, coordination, and evaluation of services for troubled youth, i.e., status offenders (runaways, truants, curfew violators or beyond control of parents). The first part of the study, based on a review of legal materials, an analysis of family court case data, interviews with administrators in youth serving government agencies and private service providers, and surveys of caseloads and policies of those organizations, was reported to OYS in *Youth on the Run from Family and Schools* (Kassebaum et al 1997). The current report carries those findings further, through a report on interviews and a series of focus groups in all counties and a proposed comprehensive plan for the improvement of our current system of handling runaways, truants, and youngsters otherwise beyond the control of their families. The joint responsibility of both reports of this study is to contribute to the understanding of:

- the nature and extent of the problem of services to troubled youth;
- issues and problems related to current services;
- components of a comprehensive system of services and controls;
- configuration of the proposed system; and,
- recommendations for change.

The Purpose of the Report and the Plan

The first report, *Youth on the Run from Family and School*, assembled and summarized data on current caseloads, procedures, and operational problems as seen by professional, top management, and supervisory personnel in the Family Court, Executive Branch agencies, and private service providers (Kassebaum et al 1997).

The Plan endeavors to be useful in two ways. First, the Plan should serve as a general outline of policy and options in dealing with youth on the run from families and schools. By laying out a map of intended interventions and desired outcomes, a plan can provide a standard by which to estimate whether, at any given point in time, efforts are consistent with policy, and whether outcomes and costs are justifying efforts.

Second, the Plan should be accessible to persons desiring to use the resources available in this area. This would not only include justice and treatment professionals and administrators, but also line staff and, conceivably the public, including families and youth directly involved in problems.

Of course a map is not the territory and a plan is not a trip. A plan can reflect experience and opinion but it must prove itself workable, effective, and cost beneficial if it is to be retained for long. The Plan must be proven to work or it will be replaced by yet other plans.

The major conclusions of the first report may help point to what a new plan must do. In our first report we concluded that, although the immediate offenses are being on the run from family and school, the major reason for community concern is that such behavior is a threat to normal development of youth into productive adults. The whole point of childhood is development; the status offender is a youngster who somehow, through his or her wrong decisions and/or because of the indifference or incapability of caregivers, misses that point. Therefore the Plan must promote the development of children and youth.

As will be shown in later sections, many groups reiterated the need for immediate consequences when a troubled youth runs. Among the most important of these consequences are early assessment of the precipitating problem, provision of shelter if return to the family is not feasible immediately, and the active involvement of the custodial parent. Therefore, the Plan must outline how minimal service deficiencies could be met.

Under the broad provisions of the law embodied in the Hawaii Revised Statutes, our Family Courts, the Police, the recently established OYS, and a large number of private, not-for-profit human services agencies, together with major Executive Branch

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Departments of Education, Health, and Human Services, seek to return the juvenile status offender to family life and school in an effort to promote the development of children and their progression to adult responsibilities. Not surprisingly, these many branches of government and agencies working separately or together toward this goal pose major problems of coordination and responsibility. The Plan must therefore improve coordination and accountability of these efforts.

However in achieving better coordination, agencies and organizations which serve the status offender must share data in a local network. Currently many private service providers appear to lack a modern data system with the capability needed. If staff time costs for manually pulling up data are too high, the service provider will probably not comply with information requirements for a coordinated system. Therefore, affordable options leading to a shared case information system for service providers which service youth on the run should be developed.

When surveyed about what problems are faced by status offenders, the most frequently mentioned by the agencies can be divided into five areas: service related problems, family related problems, staffing problems, problems of difficult clientele, and "other social problems."¹ The Plan must make it easier for agencies to identify these problems in providing services and controls and must increase the target population's access to services.

Service provision for status offenders is essentially a process of moving cases from an arrest or referral by the Police or the school, to an assessment or decision, then to

¹ Service related problems include simply a lack of referral options in particular areas of the State and services, if available, being reactive rather than proactive or preventive. The second problem area consists of dysfunctional, multi-problem families, with adult alcohol and drug use, long term unemployment, and parents who do not or cannot provide supervision and motivation to stay in school. Staffing related problems generally means not enough staff or not being authorized to fill positions in a government office. The fourth problem is that some of the clients have undiagnosed emotional problems and learning disabilities, or in some cases, were manipulative and had learned to "work the system". Finally, agencies were sometimes overwhelmed by the evidence of problems of poverty and unemployment, lack of public transportation, and collapse of traditional community values, especially in many non-metropolitan regions in the state.

a service designed to render the minor more tractable, reducing the conflict with the family, and returning the youngster to the school if he or she is still enrolled. Moving the status offense case is partly a matter of:

- persuading the youth to attempt a change;
- locating an appropriate program; and,
- getting the referral paid for by some funding source.

Whether this intervention is a demonstrable success in achieving the desired outcome (reunification with the family or parent, return to a school) is a consequence of:

- retaining the youngster in some kind of program;
- the effectiveness of the program itself; and,
- a post-program follow-up and after care.

Therefore, the Plan must reduce client attrition and raise ultimate effectiveness, not merely in avoiding further appearances in court, but in improving or eliminating the problematic situation from which the youth is on the run.

In summary, the Plan should:

- contribute to the development of children and youth into self sufficient, productive adults;
- improve coordination and accountability of organized intervention on their behalf;
- provide early assessment, shelter, and immediate family involvement;
- outline options for a shared case data information system for service providers serving troubled youth; and,
- reduce attrition in programs and assess the effectiveness of programs in eliminating the problematic situation from which the youth ran.

Content of the Present Report

In Part One of the present report, interviews with key informants and data from a series of focus groups will be drawn upon to summarize the current problems in delivery of services to runaways, truants, and otherwise beyond control youth. The focus groups will be drawn upon to provide proposed elements in an alternative procedure for dealing with troubled youth. The procedures followed in recruiting the participants and conducting the group sessions are stated in Appendix A.

In Part Two, relevant existing plans for the improved coordination of services to youth with specific problems are reviewed. Major initiatives for troubled youth elsewhere in the United States are also cited when relevant to the situation in Hawaii. Part Three is the recommended Plan for preventive and treatment services and social controls for status offenders in Hawaii.

**PART ONE: CURRENT AND PROPOSED SYSTEM
FOR STATUS OFFENDERS**

Section One: The Current Process for Dealing with Status Offenders

The following case was presented to nine focus groups consisting of professionals who deal with status offenders and two focus groups consisting of youth involved in the system:

“A fifteen year old girl is observed in a public park after 11 p.m. It is learned that she has left home because of a conflict between her and her mother and her mother’s live-in boyfriend but she does not allege assault. She states that she is unable to return to the home. It is later learned that she has been truant repeatedly in the past year, but not earlier. Please say how the girl is likely to come to be identified as a runaway, and what would be done, and by whom.”

The following description of the current procedure for dealing with such a case was elicited entirely from the accounts, whether fact or opinion, of the community focus groups. The view obtained is not necessarily the opinion of the researchers.

The Current System

Most of the groups agreed that the first contact would be a Police Officer for a curfew violation. However, especially in rural areas, a community member might see the youth, talk to her, and try to get her to go home. If this does not work, the community member might call the Police. *“The Police entrance point is a very important one to me...sometimes they just make decisions right there.”*² In other words, the Police have a great deal of discretion with respect to how they will handle the case, and oftentimes what they do varies by region. The hours for curfew ordinance vary by county, so in some counties this case would not be picked up by the Police for curfew violation unless there was a runaway report out on the girl. Also, if in talking with the youth, the officer finds evidence of abuse by her parents, then she would be referred to Child Protective Services (CPS) or the Police could initiate a Person in Need of Supervision (PINS) case. It would become a case only after investigation.

² All quotes from focus groups and key informant interviews are italicized throughout this report.

In any case, if she is apprehended, the first action for the Police Officer would be to call dispatch to look up the youth's record on the computer. This is to see if her parents have reported her as a runaway. If on Oahu she has a letter of apprehension on file or is on Serious Juvenile Offender status (previously arrested for certain law violations) she will go directly to the Detention Home and appear before a judge the next working day. If she has nothing on record and has not raised an issue of home safety, the officer will most likely take her home; the philosophy is to divert the youth from the criminal justice system. The officer may try to assess the situation; but not always. One youth on Oahu said that, "*Sometimes you'll try to tell the cop and he'll say, 'I asked you a question, just stay on the question. Now be quiet,'*" explaining that he thought that the Police are often unapproachable to report issues such as abuse. Youth in Kauai explained that another reason youth do not report abuse is that "*When you go back home, you're gonna get it just more, you know.*"

On Oahu, the officer may also choose to arrest the minor and refer her to the AKAMAI program. On Maui, they have a similar program called Second Chance which meets on Friday evening. One focus group on Oahu discussed the educational benefits of HPD's AKAMAI program and its use of several different agency resources through presentations, discussions, and referrals. If the minor has already participated in the AKAMAI program, she will be referred to the Evening Counseling program. If she has already been to Evening Counseling, she will be referred to Family Court. (However, the Oahu youth said that these programs are ineffective, mainly because they are run by the Police, people they feel they cannot trust or open up to.) In all of these efforts, the Police Officers try to get the families working together to assess and treat the problems. On Molokai and Lanai, the Police would continue to have discretion. There is no full time, resident Family Court or Probation Officer on either island. The sentiment was that Family Court would not resolve anything for status offenses there.

If the girl is Samoan on Oahu, the Police might refer her to the Hawaii Coalition for Samoan Youth's where she and her family might receive assistance from this

community-based program. If the girl is Hawaiian she might be referred to Alu Like on Oahu or Molokai. Their program also focuses on the family while addressing education and job placement.

Upon arrest, if the parents cannot be notified or if they refuse to pick her up, the officer will either try to locate another relative or take her to a Ho`okala Program. *"I see the job of the Ho`okala as a very, very important job. I think they should put more money in the Ho`okala Project and not to just assess [the child's situation] but to do some testing, too."* The Ho`okala programs are run by different agencies on each island.

On Molokai, a private agency, Maui Kokua Services, which provides after-hours coverage for CPS, maintains a confidential list of homes which have been previously investigated and authorized to provide shelter on an emergency basis. Some emergency shelters, namely on Maui and in Hilo, do have problems with bed capacity. Furthermore, the youth on Kauai reported that because there is such an abundance of paperwork for them and the counselors, youth oftentimes do not take advantage of this resource and resort to running away rather than deal with the shelter. One of the youth commented that, *"They should have a shelter for girls who want to run away, but don't really want to,"* for girls who want, *"to go to a place that makes them feel safe and makes them feel better...Sometimes they just don't know who to run to."*

At the shelter, the girl would be assessed during an intake interview. She would be asked why she ran away; her parents will be asked for their version when they are contacted. However, since the default is to divert and return a status offender home, the assessment interview is often not done the first time around. She may then be referred to other service providers, such as Susannah Wesley Community Center, Boys and Girls Club, YMCA, PACT, or a number of others depending on the problem, situation, and island. However, some parents are unable or unwilling to take their children to these services.

On Kauai, Hale 'Opio will talk with parents, to tell them that they need to apply for services with the Department of Human Service's Child Welfare Services, if they cannot afford the emergency shelter or group home. Starting in July, 1997, only the Department of Human Services (DHS) can make referrals to home-based services (Purchase of Services homebased contracts were retained only by DHS, not the Departments of Education or Health). Parents will still have to make an application at DHS. If they do not apply for public assistance the youth could still receive services, but parents can be charged with abandonment, which would then be a CPS case. The Ho'okala staff will follow-up on her progress once in two weeks.

In Hilo, the Salvation Army Interim Home or the parent, with the assistance of the staff, can call the Kahi Mohala crisis line. The crisis line has a 24 hour team that can help to stabilize the situation so the youth can return home. The crisis team can only assist when the youth is at the point of crisis, as determined by the youth and/or family and if the youth is non-violent. The team may provide four to six sessions to stabilize the situation and assist in making linkages to other resources on the island (the people in this group with experience with the crisis team said they thought it was cut down to only four sessions recently).

According to the group in Hilo, if all else fails, the Police can contact a Family Court Probation Officer who is on 24 hour call. At this point the Family Court would have to get involved because they have jurisdiction over status offense or PINS cases. The Court could then place the child on Protective Supervision status. The next working day, the Probation Officer (PO) would take the youth to Court where a Court social worker would conduct an assessment and possibly look for more permanent placement or shelter care. In the opinion of the Police, the PO's do not get involved as easily as that, even though that is the ideal.

The philosophy of the Family Court for status offenders is one of diversion and informal adjustment. An individual in Maui said, that of the status offender cases

referred to Family Court, 95 percent are informally adjusted at the intake level. *"It [the Court] is a referral program, a clearing house for the [Juvenile] Probation Department."* If she has never been to court before, the girl will be handled through an Informal Adjustment and referred to other agencies, depending on her offense. In some areas, such as Oahu, Kona, and Hilo, she would also have the opportunity to go to Teen Court. Some of the group in Hilo agreed that Teen Court was an effective next step, *"Teen Court has their success because they've got the ultimate threat of the regular Court, but it's more hands on."* Ho'oponopono, a traditional, cultural Hawaiian negotiation or resolution activity utilized in the Family Court was cited by an Oahu group as a good way to communicate and mediate in youth and family problems. However, the program is geared specifically to Hawaiians, which would require the creation of analogous programs for other ethnicities.

If the girl continues to be referred to Family Court for subsequent runaways, she could be placed on Protective Supervision and have a letter of apprehension put on file. She will be referred and ordered to participate in treatment services. She may also be ordered to perform community service or restitution as a condition of Protective Supervision. Again, the Family Court will try to get the family involved in the process. However, there is an inevitable delay between the offense and the court date.

Many of the groups showed dissatisfaction with the current system. The Kona group thought that there are no consequences for chronic, out-of-home life patterns for teenagers, either for the youth or for the parent. One group member from Oahu stated the problem of reoccurring status offenses: *"I suspect a major disposition that I keep hearing over and over again is the revolving door."* Claiming that the system does not address the problems at home, a youth from Oahu said, *"Some of the moms and dads don't care. They'll listen to the cop when he's there, but when he's gone they go back to the same. So when the kid comes back [from his punishment] he's back in the same environment."* If the girl in the focus group case example keeps running she might commit a law violation which could mean detention at Hale Ho'omalulu or being sent to the Hawaii

Youth Correctional Facility (HYCF). One of the Oahu groups believed that if the youth violated a court order he or she could be sent to HYCF: *“If it’s written down on your court order that you’re not supposed to run away anymore and you run away, that’s no longer a runaway, that’s a law violation...then they can be detained.”* Also, the youth from Kauai believed that if the girl has many referrals and refuses to change her ways, the Family Court can send her to Detention Home or HYCF for an extended period of time.

According to group participants, if at any time the minor alleges abuse and if abuse is confirmed or if the parents refuse to pick her up and are charged with neglect, the case will fall under the jurisdiction of the Department of Human Services. They will investigate the charges of abuse. From then on any services would be provided by CPS and funded through the DHS. The case will go to Family Court if there is a need to remove the youth from the home and place her in foster care. This is the least likely scenario because abuse is hard to confirm and youth are very unwilling to discuss such matters, especially with Police Officers who are often their first contact. Also, it was believed there are very few dependency cases accepted by CPS over the age of 12, because CPS workers feel that their mandate is to protect children who cannot protect themselves. One possible step on Kauai would be putting the youth in a “warm home”, which is a special emergency shelter in a foster home, preferred by DHS over a group home. One person thought that the child hesitates to disclose abuse, but CPS said that the child sometimes tells the “warm home” parents, then gets referred to CPS.

On the Big Island, some schools have truancy programs and would seek to counsel the child and the mother about school attendance. The first preference would be to get the girl to attend school regularly, but alternative education is a possibility. On Kauai, the school counselor would be called the next weekday, typically by Hale `Opio or whomever has the child overnight, to check on truancy and what the school knows about the problems. Hale `Opio would also work with the school on the truancy problem. However, it was said that parents can take the child out of a school because they are tired of hearing from the counselor or principal and then not re-enroll them elsewhere. In

Maui, if reported to the Police for truancy, the child may get school based counseling, but the school might make a referral to a community program. The Department of Education (DOE) on Molokai keeps status offenders out of the juvenile justice system; truancy and excessive absences remain an on-school campus matter. Furthermore, school officials are often frustrated when they attempt to file formal paperwork, only to have nothing happen for or the youth. However, the youth from Oahu were under the impression that the school did not mind truancy, because it gets unwanted youth out of school. *“Some schools are against you. You’re just there because you have to be. Sometimes when you’re caught for truant, they won’t call your parents to tell them you’re truant. They make like you’re in school...”*

Most of the groups cited problems associated with the parents, problems which are not addressed by the current system. The group in Kona thought many people were under the illusion that state agencies should control erring youth. *“I get calls every day, saying ‘What do I do with this kid? She will not go to school, she will not come home. I work two jobs,’ or, ‘I sleep in the evening, so she goes back out. I don’t know what to do.’”* This group believed that parents of runaway or beyond control children are not acting responsibly and that this failure to act responsibly is the main problem to be addressed. However the group in Kauai recognized that some parents are ignorant of the legal process: *“When a child goes to Family Court, there’s a lack of information about the general area of the court system, the rules, and until you’re in it going through the steps, you don’t know much about it.”* The group in Kona also thought that the problems might be the girls are associated with adult men, which is why they criticized the State for having set the age of consent for sexual relations at age 14.

The group in Kona also addressed the fact that adults and adolescents avoid each other. The community was said to have few social occasions which were not age segregated, at least for the families with status offense problems. For example, Little League Baseball and Soccer stop when the child is eleven. Adults and older youth do not share activities. There is no place within the communities for youth to hang out, no

public transportation and few recreational activities therefore, what they do is largely unseen and unsupervised by parents.

Most of the groups seemed to agree that no one particular agency or department has primary responsibility. According to one participant in Hilo, *“There’s a lead agency on paper, but trying to implement it is very difficult with all these things involved, all these agencies involved.”* The difficulty in sharing information or coordinating among public and private service providers and tracking youth was discussed in most of the groups. An individual on Kauai said that: *“Sometimes the left hand doesn’t know what the right hand is doing”* and the *“kids fall through the cracks.”*

Many groups seemed pleased with many of the current social services and just thought there should be more, especially for those youth who do not fit into specific categories. They also thought that services needed to be spread more equitably across communities. As a group participant on Oahu put it, *“I think for the most part it’s working fairly well with an exception of some gaps.”*

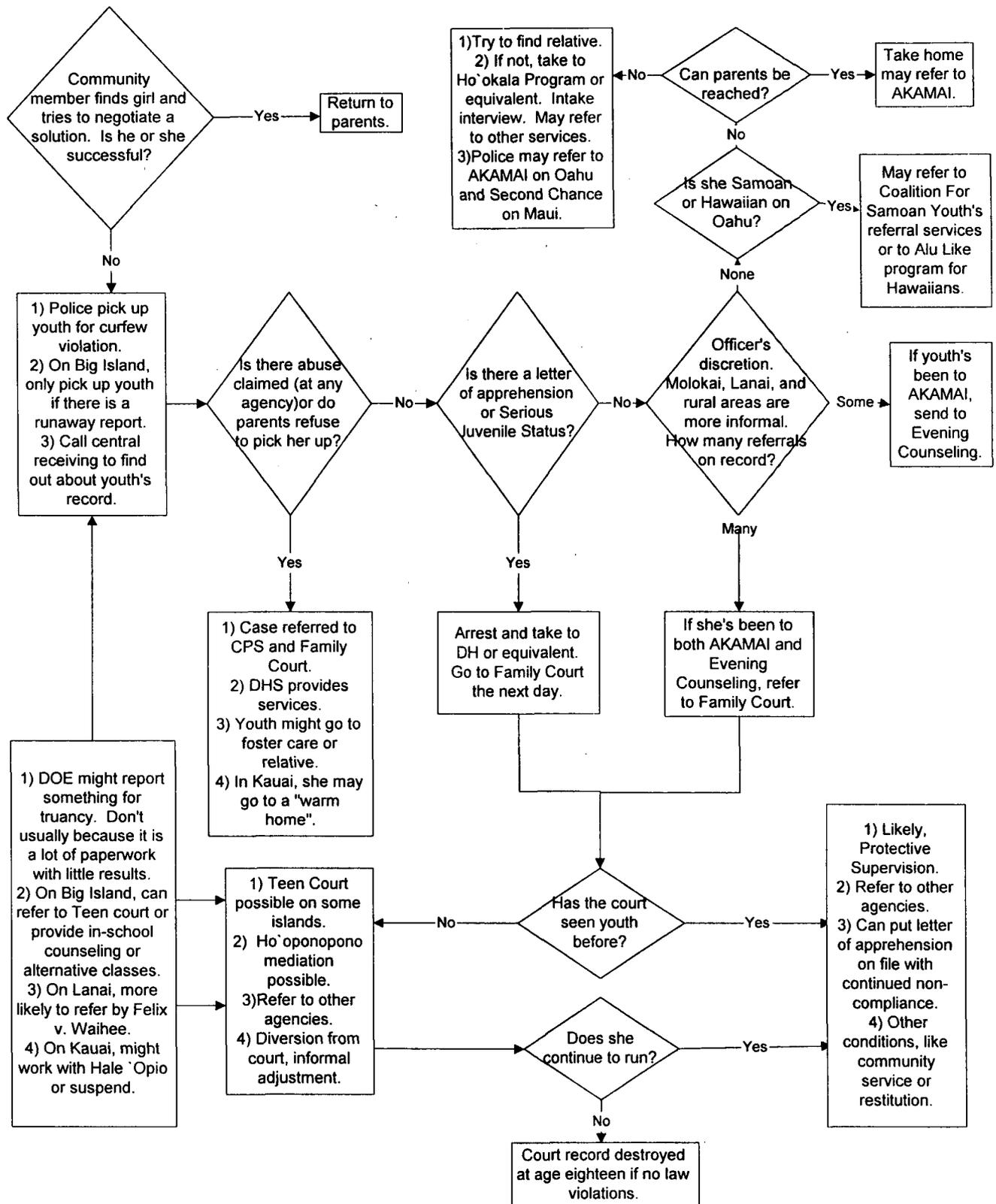
Several of the groups discussed how budget cuts affect program continuation. A participant on Kauai illustrated the problem: *“Anything that seems like it works, they take the funds away...from year to year to year.”* Budget concerns were stated again later in that discussion: *“You find something that works, something that is funded, and then there’s competition for the funding, it shifts somewhere else, or the focus changes, it all comes down to that.”* One example was the Choices parenting classes, previously offered by the YWCA.

One of the Oahu groups stressed the importance of categorical criteria for program and funding eligibility. If a case can somehow be defined as a Department of Health (DOH) case or CPS case, there may be ample funds. The need to fit a case to a categorical program criteria is an unfortunate reality: *“If the kid is already known to DOH or is the kid known to Family Court, or to DHS? ...if they are in those categories, that*

opens it up. If they aren't in those categories...the trend in the last year or so is to figure out how to get them into different categories."

Most of the groups agreed on this basic procedure for handling status offenders along with what they thought were the major problems. Figure 1 is a flow chart of the current procedure for handling the case study discussed by the focus groups. It incorporates the themes which were consistent between groups, along with the regional variations. It is a summary of the previous section, however, the previous section elaborates more on the issues. The flow chart starts on the left hand side with a community member, the Police, or the DOE and follows through to several possible outcomes.

Figure 1: Current System for Case Study



Summary of the Problems with the Current Procedure

Throughout the different focus groups, there were some emerging consistencies with regard to the perceived shortcomings of the current process. The following is a summary of those concerns.

First, participants criticized the insufficient supply or *lack of treatment and prevention programs*. Ho`okala programs are important because they provide some initial assessment, offer services, and attempt to mediate the situation, but they do not always provide direct services at intake. Shelter is not adequate in some districts. Hale Kipa staff only do one follow-up after two weeks, which Oahu group members thought was not enough. Youth on Kauai informed us that the paperwork that must be filed at shelters makes youth run rather than go to a shelter for services. The Kona and Maui groups reported that there is limited bed space at Kona Interim Home and at Maui Youth and Family Services. The Oahu youth group claimed that Hale Kipa is closed to youth who have run from it or who have committed law violations, including drug offenses. This is problematic considering the number of status offenders with drug dependence. There was a debate in one of the Oahu focus groups about whether a status offender could go to Detention Home for just a status offense if Hale Kipa did not have room. Police programs have only been a response to a system which lacks services, services which the Police feel they should not be responsible for. Probation Officers do not get involved as readily as the Police would like; the youth has to be on legal status (Probation or Protective Supervision). There are few social occasions which involve adults and youth, especially those prone to status offenses. Budget cuts and "turf wars" between agencies limit the extent of services. Youth have to be categorized according to funding to receive services, which means that those who cannot be put into a category will fall through the cracks.

Second, they discussed the *lack of coordination and collaboration*. No one agency or department has primary responsibility for providing services to status offenders. This makes it difficult for agencies to share information and work together

because of confidentiality issues which limits data that can be shared. This also makes it difficult to track youth and do follow-up. According to the Kauai group, cases are sometimes lost because youth go to family members or friends instead of to the authorities. Problems may grow to be serious because parents are not informed about the problems early enough. Parents and youth do not know enough about the laws and legal system or the services provided for status offenders. Further, agencies and departments are unaware of all the services available, which can lead to duplication of services. Processing through Family Court is slow, so problems can grow more severe or the final disposition is rendered after the youth has already changed his or her behavior. It was mentioned at the Hilo focus group that CPS does not get involved in status offense cases, and leaves most of the responsibility to the Hilo Interim Home.

Some focus group participants noted that youth lack people they can trust. According to some Police Officers and the youth in the youth focus groups, Police are ineffective when dealing with youth because the youths' impression of the Police is usually negative. Therefore, HPD diversion programs such as AKAMAI, Evening Counseling, and the School Attendance Program (SAP) may be more effective if they were run by another agency. Youth also have reservations about talking to Hale Kipa staff during the intake interview. Youth hesitate to tell CPS about abuse and CPS said that "warm homes" are a more effective way to get the youth to relax and talk. Although Family Court can force participation in counseling, the youth groups said it is not effective unless it is voluntary. Youth do not have a say, although they are usually the center of attention.

A fourth opinion that was held in the groups was the *lack of school involvement in truancy*. Teachers are discouraged from filing the abundance of paperwork required to report truancy, especially when they perceive that there are no consequences for the truants. The youth groups were under the impression that teachers and the schools do not want them to be in school anyway because they are perceived as disruptive or as taking too much of the teachers' time away from other students. The schools can make mental

health referrals as long as the youth meets the eligibility requirements of the Felix v. Waihee plan, but teachers do not understand all of the consent decree. The Hilo group was under the impression that it is difficult to involve the schools with status offenses.

The groups discussed *problems with the philosophy of diversion from the juvenile justice system*. The pervasive philosophy is to return the youth home and to get the families involved. However, many of the groups were fairly vague as to what they mean by the extent of family involvement. Sometimes diversion means that youth do not get adequate assessment at Ho`okala intake. Furthermore, family problems are often not fully addressed. The system was described by many as a “revolving door”. The groups in Kona and on Kauai agreed that community values are not addressed, i.e., community members are not involved in “our children’s” problems.

Diversion also often leads to there being *no immediate ramifications or consequences for youth as well as parents*. The Oahu youth group thought that stricter punishment is needed as an effective deterrence to running. Currently, youth quickly learn that they will not get into too much trouble if they run away or are truant. Suspension from school is not the answer, according to the Kauai group, because the youth get further behind in school and into more trouble out of school.

Finally, many of the participants argued that in many cases, *the parents are the problem and services must involve parents*. The group in Kona said that part of the problem is that youth are not restrained by adult supervision or disciplined so their problem behaviors escalate. Some parents want services while there is a crisis, and then they return to what they did before. Many groups mentioned that youth often “get better” only to return to a bad situation at home. Parents shirk their responsibilities and attempt to get state agencies to take care of their children, according to the Kona group and the Oahu youth group. The Kauai group thought that some parents withdraw their children from school so they do not have to listen to the counselors or principal. Most groups agreed that parents are not concerned about the behavior of their children, which means

they will be less likely to correct the behavior. The Kona group and some at the Oahu groups maintained that sometimes the parents use drugs or the youth learn to use drugs from their parents' example. However, the Hilo group pointed out that parents cannot always get or afford the necessary or mandated drug services. Furthermore, some parents do not know English and have problems communicating with officials.

To summarize, the main problems that the focus group participants raised are:

- *Lack of services;*
- *Lack of coordination and collaboration;*
- *Lack of people youth can trust;*
- *Lack of school involvement in truancy;*
- *Philosophy of diversion and informality;*
- *No consequences for negative behavior; and,*
- *The parents are often the problem.*

Problems with Handling Status Offenders Assessed from Key Informant Interviews

The key informant interviews conducted in the first part of this project elicited similar results as the Focus Groups with regard to problems with the current system. Forty-seven professionals in the Judiciary, Police, Government, and private service sector were interviewed. Table 1 shows the results of questions dealing with perceived problems with handling status offenders (see Kassebaum et al 1997 85-89 and Appendix). The following are explanations of the major problem with handling status offenders which were consistent for both the interviews and the focus groups.

Table 1: Perceived Problems with Handling Status Offenders

Problem cited	Judiciary	Police	Government	Service Providers	Row Totals
Service related	5	3	8	9	25
Family related	3	2	6	7	18
Staffing related	5	2	4	6	17
Difficult clientele	2	1	6	4	13
Social problems	3	0	2	6	11
System related	1	0	5	4	10
Sanction related	4	2	2	2	10
Collaboration	2	1	2	5	10
Accountability	1	2	3	3	9
Recognition	1	0	2	2	5
Prevention related	1	0	2	1	4
Root cause	2	0	0	2	4

Source: Kassebaum et. al., *Youth on the Run from Families and School*, p. 85, 1997.

The problem concept identified most often related to actual service provision problems. Identified “service related” problems included the following among others: lack of services in a particular area, inadequate existing services, time restraints when working with the youth, services that are reactive versus proactive or preventative in nature, and problems with office space. “Service related” problems were identified by more than half of the key informants. The focus group participants also thought that one of the problems with the current system is “service related”, specifically, that there are not enough services.

The second most often identified concept related to the individual youths’ families. One generic phrase that was categorized into this concept of family related problems was “dysfunctional families”. Dysfunctional families were identified as those where substance or child abuse occurs, families that are headed by a single parent, or families that provide little or no supervision of their son or daughter. Also included in the concept of “family related” problems are issues such as working with the youth separate from the family, when the whole family may need services and difficulty contacting parents when their son or daughter commits a status offense. Finally, several respondents

mentioned that they feel some parents do not see or stress the importance of education and of regular school attendance to their sons and daughters. Again, the focus group participants also thought that issues pertaining to families are not addressed even though they are very important.

Problems that were categorized as “staffing related” followed closely behind those that were considered “family related”. One quarter of the informants indicated that their agency or department is understaffed. Apathy about working with status offenders, staff frustration when working with this population, and a feeling of not being “equipped to handle” status offenders, additionally, were categorized in the “staffing related” concept. This is related to issues that the focus groups raised about service problems. Many brought up the point that there are appropriate services out there, they are merely underfunded and under-staffed.

Another problem concept was identified as “collaboration”. The interviewees saw no collaboration or coordination between agencies. One participant even stated that there is competition among non-profits for funding. Related to this is the concept category “accountability” in which no agency takes responsibility and there is no clarity about who should take responsibility. The focus groups agreed that these were difficult problems to overcome, but which must be addressed to provide services more effectively.

The “sanction related” problems category had the same amount of responses as the “collaboration” issue. They said that consequences are nonexistent, not immediate, or ineffective. This was also an issue for the focus groups. However, some went even further to suggest that parents as well as children should be sanctioned.

Section Two: Concerns about the Organizational System and a Status Offender Plan

Forty-seven individuals (Judiciary officials, Police, and many directors or program directors of government or non-profit agencies) were interviewed from December, 1996 through April, 1997. (Kassebaum et al 1997). Most of these key informants, depending on their time availability, were asked for their views on how the system for handling status offenders currently works, how it could work better, a preferred organizational structure, legislation regarding the system, and the usefulness of a written plan. In particular, they were asked about what organizational structure would provide the best system, if one lead agency should be responsible and if so, which one, and, if they followed past legislative efforts to transfer responsibilities for status offenders to the OYS.

The responses by individuals were coded, tallied and summarized. The responses to questions are divided by the agencies represented and are tabulated in Appendix H.

Past Legislative Action

During the 1995-96 Hawaii State Legislature, several bills were introduced regarding the process for handling status offenders and related juvenile justice issues. The one which dealt most closely with the present and a proposed system for handling status offenders was Senate Bill 3193 (Hawaii State Legislature 1996), a lengthy bill which combined a number of juvenile justice issues including the transfer of initial jurisdiction of status offenders from Family Court to the OYS. Two notable provisions of the bill were Youth Intake Centers that would operate 24 hours a day and the more controversial one, the transfer of juvenile Probation Officers from the Family Court to the OYS.

In order to learn more about the reactions to this bill and what transpired with it during the session, researchers read testimony on record in the Senate Judiciary Committee's Office. Opinion was divided, but the view favoring shared responsibility between OYS and Family Court for status offenders prevailed.

During the interviews, 41 individuals were asked if they followed Senate Bill 3193 and some other bills proposing the transfer of initial jurisdiction of status offenders from Family Court to OYS. If they did follow Senate Bill 3193, they were asked if they favored or opposed this legislation.

Overall, 11 of the 41 informants favored the bill, 14 opposed it, and 16 had either no comment or they did not follow it. Generally, most Executive Branch agencies and private social service programs favored the transfer to OYS, with greater support by the latter. However, most persons in the Judiciary did not favor the bill, thinking that they could handle the status offenders as well as any organization, if not better. Finally, the Police, except for HPD, who appeared to support the bill according to testimony on record, had little knowledge or opinion about SB 3193.

Those who were most outspoken against the bill worked in the State Judiciary. During an interview, one Judiciary respondent claimed that it was hard to support such a transfer because there was no money to fund the direct service programs for status offenders and their families and that many of the programs currently outlined in the Strategic Plan are not being implemented. One person questioned the competency of the agencies and their lack of resources, making a transfer of responsibility unattractive. Another person in the Judiciary stated that the OYS should not be the only agency handling status offenders.

One Judiciary respondent said that his recommendation would be that Family Court handle the serious juvenile offenders but not status offenders and that an interagency cooperative approach is needed:

"I think the idea to take the law violators away from Family Court is a bad idea. I think we do a pretty good job overall with those kids and those are the kind of kids who should be in Court answering for what they've done. . . Now, status offenders I've got no problem. If OYS or the Executive Branch can come up with a better idea as to how to handle these kids than what currently exists in Family Court, that's fine with me."

An employee of a service provider agency said that there was misunderstanding over the legislation; removal of authority from Family Court and transfer of employees was not a goal. The goal of the bill according to several people in social services, who supported it, was to reduce the ambiguity of responsibility. This person who basically supported the legislation said, *“Our push is just that whatever agency it is, that an agency be designated to handle status offenders.”* One perception of what happened with the legislation was that a legislator pushed for more than what was originally intended and the goal for a lead agency got lost in the larger bill that did not pass. There is still interest in trying to work out some arrangement whether or not it would require legislation:

“I think Family Court still could maintain responsibility over the adjudicated [law violator] youth and leave the status offenders to the OYS. I mean, there's gotta be a way this can be worked out without having to make major change, because I think that no matter what, for those who commit the law violations, you need the Judiciary; and, I think Family Court needs to be on top of that; and, to move it to the OYS to me doesn't make sense.”

Another social service provider said that the *“Judiciary's gotta stay in there. . . It's nice to think about having one giant mega-system covering all this different stuff, but I don't know if it works.”*

A government official said that the Juvenile Justice State Advisory Council asked for a resolution but a legislator suggested it be drafted as a bill. Thus, the idea for a continuum of care got merged with other bills and *“watered down”*, and *“the intent got lost in the shuffle.”* *“The bill ended up transferring some, if not all, of the juvenile justice system to OYS and we had mixed feelings about it.”*

A government department employee said that the legislation was favored so that the OYS would have greater accountability. Another government employee said that he could not understand *“the logic”* behind the legislation since OYS does not really have adequate staff (*“just the name”*) for the transfer of jurisdiction. He did not like *“the whole idea of that. It's like the treatment program without the treatment mentality.”* He

felt that once the youth requires treatment it should not be prevention or intervention services.

Transfer of Probation Officers

When asked if a transfer of responsibility from the Family Court to the OYS could be made without a transfer of Probation Officers, there was often uncertainty or no answers.³

Few of the Judiciary informants answered the question directly, with two judges believing that a transfer of Probation Officers would be necessary with this legislative change. A general tally of the responses indicated that 12 of 42 interviewed thought that a transfer of Probation Officers would be required, two thought the transfer could be done leaving PO's at Family Court, and 28 had no opinion or did not answer. Only two social service providers answered the question, both with different opinions.

The Police also did not have a response, except for one, who thought that Probation Officers would have to be transferred. Again, this question was rarely answered and when it was the responses were not clear.

One Judiciary official said, *"I think the PO's here are very committed as a group to what they're doing and I think it would be a mistake to transfer all of the PO's over to OYS."*

Some believed that opposition from Probation Officers and their union was an obstacle to the bill's passage:

"Many of them went in [to testify] and they were there opposing it because of their concern with their jobs, and they didn't want to make the move, etc. So, you know really it didn't go as well as it should have, because if it didn't affect their employment, they would have said, 'Yes there is a need for services to status [offenders],' but I think they were more concerned about their jobs and what it

³ Time limitations during the interviews also prevented some informants from responding to all questions.

would mean having to move from the Family Court over to the OYS. OYS really never said that was what they wanted, that's how [the bill was written].”

Another social service provider said that he opposed the legislation because OYS did not have the “*commitment or staff to handle the [responsibility], especially in the area of the probation.*” “*I don't think the Family Court would want to lose the Probation Officers.*” He thought that now when a child is referred to Family Court it is too late for OYS to be involved, since they require more than prevention services.

One government employee said that OYS now has responsibility for prevention, early intervention, and referral after a Family Court action (e.g., a stay at HYCF), but is not involved as the youth goes through court. She said that because Probation Officers are employed by Family Court it creates “*distinct breaks*” in the services because they have nothing to do with the youth after he or she leaves HYCF: “*Where does it leave the kids?*” She thought that Probation Officers would need to be transferred if the status offense cases are the responsibility of OYS.

Primary Responsibility for Status Offenders

The key informants were asked: “In your view, should one department or branch of government have primary responsibility for status offenders or should there be more than one? If one, why; if more than one, why?”

The answers to these questions were mixed, with no consistent pattern. Out of the 41 respondents, 16 thought that there should be one branch of government with primary responsibility, while another 12 thought that it should be more than one branch. Thirteen did not comment or answer.

Of those who said it should be one agency, nine said that OYS should be the agency with the responsibility, while seven felt the Judiciary should be the agency with primary responsibility. Therefore, most with opinions felt that only one agency should be responsible, but they were fairly divided on if it should be OYS or the Judiciary.

Although people did not necessarily have an answer on how the cases should be handled, many agreed that there needs to be better cooperation between the different organizations. One government employee thought that OYS currently has primary responsibility for status offenders in conjunction with Family Court.

Another government official felt that the primary responsibility should stay with probation or the Judiciary because the infrastructure was already in place, “but pump more money” into the Judiciary to better handle status offenders.

A social service provider said that it should be one agency because right now “*the youths just get bounced around; and if one agency were responsible for it you could follow through and then better see what the needs are; but right now you have to check with several departments to even know. . . I think OYS should be the one.*”

Another social service provider firmly believed that the OYS should be the only agency responsible for status offenders. He said that all prevention programs, services, and monies for status offenders should be under OYS: “*Anything dealing with youth should be OYS responsibility,*” including CPS. This person believed that OYS never received the funding that they should have received and that is why they are not fully in charge of all youth services.

A Police Officer said that the initial jurisdiction should be with the Family Court, but once it is determined that the case is strictly a status offense, then it should be sent to the OYS for primary responsibility. Family Court should have the records accessible to them to see if the youth has past criminal offenses. “*If they went straight to OYS, [the] Family Court record [is] not going to be available to them so there would be no way for them to check probationary status, well, they could probably check that, but I don't know if they'd be able to get a feel for what kind of criminal involvement this kid has. . .*”

A social service provider said OYS was created for prevention so that when a youth already has law violations, then the case should be in Family Court.

A government official believes that more than one agency should have responsibility. For instance, if the status offender is emotionally disturbed, he or she should be sent for services under the DOH. He did not think that one agency could handle all of the different duties with the multiple problems that the youth and families often have: "*There's nothing perfect about the system.*"

Is a Plan Needed?

Those interviewed were asked if they thought a written plan would be useful to clarify and improve services to status offenders. If they thought it would, they were asked about the way it would be used and if they did not think this, why not?

Twenty-six of 41 individuals interviewed thought that a written plan would be helpful, 10 had no comment or response, and 5 thought it would not be useful. All of the organizations seemed to provide similar responses on how to improve the system for status offenders. The most frequent responses about what a Plan should do were: 1) coordinate all the agencies; 2) explain what services are available to status offenders; 3) explain what will happen to status offenders and what is required of them and their families (for use by parents, status offenders, and agencies); 4) clarify what the system does to help people in the agencies, parents, and youth; and, 5) guide the youth and their families to contact the appropriate agencies.

Some saw a written plan as just a starting point, but that much more would have to be defined regarding coordination than could probably be spelled out in a plan. Others thought that if you clearly state who is responsible for what services and how the coordination will be done, then the plan could be useful. Most wondered whether a new plan would be given legislative support, with adequate funding, often citing the OYS Strategic Plan as an instance where State support was not sufficient to the mission. Some

thought that the plan would be better as a user-friendly tool for agency employees, parents, and youths to know where to turn for services. Informants described the confusion and lack of clear information for families who have entered the juvenile justice system.

One social service provider thought that the Plan should concern itself with specifics, and not be a long report that will “gather dust.” Another service provider thought that a written plan would be useful “*Combining all prevention programs to [under] OYS, that includes gang and drug prevention, monies for youth in DOH, DHS, and the Judiciary—anything dealing with youth should be OYS responsibility. . . Can OYS handle all of this, I don't know . . . you have to give them some money and staffing to handle the job.*”

Some in the Judiciary said that a Plan must develop from an agreement between the Judiciary and those with authority in social services, then a written plan would be useful. One Judiciary official commented: “*I have filing cabinets filled with plans [on juvenile issues].*” Another Judiciary official thought that a written working plan would be a “*good, starting place*” so that agencies would have something in common and something to talk about. One individual in the Judiciary did not want a written document that would set statewide sentencing guidelines because judges should have discretion to sentence on an individual basis. A different Judiciary official said that the Plan would be a good idea if the people were “*educated, trained, and bought into it.*”

Another Judiciary official endorsed early routine screening and assessment of troubled youth by an interagency team as a major feature of the Plan. He said, “*And as that's done we need to take very great care not to create a fifth bureaucracy within the system.*” He also recommended that there be one central assessment point for youth, where the extent of their problems are identified using a standard system of classification. Each youth's assessment should follow him/her to any agencies he/she receives services from. “*As it is now, they're being assessed by the DOH, the school's doing something,*

the Judiciary's doing something, it's all over the landscape." He thought that exchange of information between agencies on the youth is possible: *"It wouldn't be anything earthshaking for this to occur."* When questioned about the cost and feasibility of this assessment he said, *"Spend as much time as you can afford, right? If the State cannot afford to do a \$5,000 assessment on each on of these kids, fine, don't do that, do a \$1,000 assessment...Just do it as well as you can and don't do it five times."* The same person said that the intent for Youth Service Centers as described in the 1991 OYS Strategic Plan is unlikely to succeed at this time because of current funding: *"I think it would be a very huge mistake at this point for the OYS to attempt to try to create another State entity in each community just because we don't have that kind of money to spend...This [his recommended singular assessment to be shared across service agencies] is doing that plan really on the cheap."*

A Police Officer said that:

"At best, there needs to be a policy or to set up guidelines so that they know who's responsible for what. Somebody would have to think pretty hard if you could take a case that's a status kid and take it from Family Court over to OYS. They'd have to work really hard to figure out at what point to kick it over because there is room for either side to start going, 'Well, according to the rules, it's yours' and they're going to kick the case back and forth, so the plan would have to be flexible enough because you can't address every issue in a plan like that, and yet, somebody has to work on how to make sure that neither side abuses it to try to dump work off on the other... that would be hard, right?"

The Officer stated that it would be easier to process the youth if the youth has no criminal record, allowing the case to automatically go to OYS. However, if the youth has a criminal history, it gets more difficult handling the case because the Police are unsure about whether OYS or the Family Court has jurisdiction over the youth.

Two social service providers talked about the need for the plan to be flexible and appropriate to the needs of different geographical locations. In other words, if the population is smaller or if an area has more severe problems, it should have the problems addressed with adequate funding.

“If you have a State Plan, does it always mean then that Oahu will always get the bulk of the share [of the funding] or whether there's going to be really a decision made that, O.K. we've identified that Hilo, Maui, Kona have big need and even if they are a smaller place we need to give them a bigger chunk of the money to develop programs? . . . State guys are fine, but my experience is that that's all it is, it's just a plan, and there's no implementation system. I would like to see a Master [a knowledgeable neutral party] or whatever involved to seeing that's it's done and it's done in a way that meets the needs of the community. The State needs to make a commitment and it needs to develop a system where it looks at the whole status offender system and makes some priority decisions on what we're going to do as a State to deal with this particular problem. . . having been in the field for thirty years I really don't see anything that's really been done that's effective.”

Conclusion

The key informants provided a range of opinions about the organizational structure and a plan for services to status offenders. On several questions, many did not have an opinion and not all were asked the questions due to time limitations. Their opinions varied. Some felt that the system with responsibility divided between agencies works fairly well but could benefit from a written plan which more clearly delineates responsibilities. However, others felt that the responsibility for status offenders should be the sole responsibility of one agency. Those in social services were more likely to support a transfer of initial jurisdiction from the Family Court to the OYS, while the Judiciary and State Departments were more inclined for the responsibility to be shared. Most thought a written plan could serve a useful purpose for both agencies and families if it was clearly written and adopted by the parties involved. Overall, they thought that the system for serving status offenders could be improved, but they were not in agreement on who should have lead responsibility or how the coordination would be implemented.

Section Three: Proposed Alternatives from the Focus Groups

The following information was derived from eleven focus groups with participants from every island. Nine groups consisted of professionals and two consisted of youth involved in the system. The information obtained from these focus groups is presented in Appendix B. Participants were asked to create an improved procedure to deal with status offenders. Again, they were asked to use the case study from page 7 as an example. Although the groups found it difficult to lay out a clear and concise plan for dealing with status offenders, they did come up with many components they thought should be included in a successful plan. Their components include: parental responsibility; prevention; early assessment; more services; sensitivity; the Ohana Plan; more shelters; safe homes; placement alternatives; Community Youth Service Center or Assessment Center; diversion from Family Court; coordination and collaboration; consequences and sanctions; third party evaluation; and, follow-up. These components are elaborated below.

Table 2: Number of Focus Groups which Mentioned Components of a Proposed Plan in Their Discussion

Components of Proposed Alternatives	Number of Groups
Parental Responsibility	11
1) Involvement/Accountability	8
2) Inform about Laws and Services	7
3) Parenting Classes/Workshops	4
4) Legal Sanctions	3
Prevention	9
1) Community	3
a) Outreach	2
b) Recreation	3
c) Education/Employment	4
2) Parents	5
3) People Youth Can Trust	2
Early Assessment	9
1) By Service Providers	5

Table 2 Continued

2) By DOE/DOH	2
a) Felix v. Waihee consent decree	1
b) SARB	1
3) Of Family Situation	5
More Shelters/"Safe House"/Alternative Placement	9
1) Less Bureaucratic	4
2) Local Emergency Detention Center	1
3) Possible to go to a Friend/Family's House	2
4) Independent Living Homes	2
Community Youth Service Center/Assessment Center	6
Diversion from Family Court	5
1) Stage before Family Court	1
Coordination/Collaboration	5
1) Lead Agency	3
2) Database of Status Offenders	4
3) Comprehensive Resource Guide	2
Consequences/Sanctions	5
1) Youth	4
2) Parents	3
3) Immediate	2
4) Non-punitive	2
5) Boot Camps	1
Third Party Evaluation-Follow-up	5
More Services	4
1) Drug Treatment	1
2) HPD Services	2
Sensitivity	3
1) Police	3
2) Cultural	2
Ohana Plan	2

Parental Responsibility

All of the groups mentioned that one of the main problems with youth who commit status offenses is that the *parents do not take responsibility* for their children's actions. At one end of the spectrum, the group in Kona argued that many parents do not understand that they have a responsibility to keep track of their children. Therefore, they urged that parents be made *accountable* for the actions of the youth through *legal sanctions*, such as fines. While in the middle of the spectrum, the Oahu (6/19) group advocated "mandating" parental involvement for youth who have been referred by the Court or for families that have been assessed as needing services. The groups on Oahu (6/20), Kauai, Maui, and Molokai, along with both youth groups, agreed that parents need to be held accountable, but also that parents should be *involved* in the assessment and treatment of the youth's problems, because often the problems start in the home. However, the participants in Hilo did not completely blame parents because they believed that many parents cannot afford services that are necessary or mandated. The group on Molokai took parental responsibility to the opposite end of the spectrum with their *Ohana Plan* proposition which focuses on the extended family taking care of its own status offense problems without direct intervention from service providers, unless requested by the family.

The groups on Oahu (6/20), in Kona, and on Maui argued that there is a need for *parenting workshops* in order for parents to learn better parenting skills and how to better deal with their out of control children. Moreover, many of the groups said that parents need to be better *informed about laws and services* dealing with status offenses so that they can deal with the problems without involving the Police or Family Court.

Prevention

Nine of the eleven groups mentioned *primary and secondary prevention* as an important component of services for youth who commit status offenses. The group in Kona felt that this could be accomplished by three means: increase the age of sexual consent to keep girls from getting involved with adult men; increase *recreational*

alternatives for youth with constructive use of leisure time to keep them from getting bored; and, to get them involved with the community; and, *inform youth and their parents about laws and responsibilities, consequences of breaking the laws, and services available*. The groups on Kauai and Oahu (5/30) agreed with the last two of these imperatives, and added that the *DOE should be more active* in prevention and that *community members* should be more involved. The Oahu (6/25) group also concurred that more *social and recreation activities* in the various communities are needed to prevent youth from having too much spare time on their hands that could lead to them using this time unwisely. These activities can be located at various non-profit agencies and at expanded Youth Service Centers.

The group on Maui also thought that the public should be made aware of services before a crisis arises, and they also recommended providing basic medical care and health services to youth. Both youth groups said that youth need *people they can trust* and talk to in order to prevent them from running. Another form of prevention services mentioned by the Oahu (6/20) group was *outreach*, i.e., going out to find and help youth in trouble as opposed to them coming into an office voluntarily. Yet another form of prevention mentioned by that same group was *employment training* for youth to show them that they have options for their future. The Oahu (6/25) group mentioned employment training as a form of prevention as well.

Early Assessment

Nine out of the eleven groups argued that one of the keys to dealing with status offenders is *early assessment*. For many of the groups, this is a component that would be incorporated into a *Youth Service Center*, described on page 37. *Service providers* would be located in the center to assess the youth, the problems he or she may have, and the *family situation*. The Kauai professionals group said that assessment should start as early as grade school. One Oahu (6/20) group said that the schools are already utilizing the *Felix v. Waihee* consent decree in order to identify and treat potential problems before they escalate.

Another form of early assessment was identified by the Oahu (6/19) group through the use of a *School Attendance Review Board (SARB)* similar to what the DOE in Sacramento, California utilizes. The SARB would institutionalize the process for truants and mandate follow up by the DOE. It would conduct assessments on each child with whom it comes into contact. The SARB would be composed of representatives from probation, mental health, the schools, social services, and the youth's family. Each State agency or service provider would sign a working agreement to ensure collaboration. The concept of a SARB is more fully detailed in Part Three on page 82.

More Shelters, a "Safe House", or Alternative Placement

Nine out of the eleven groups said that there needs to be *more shelters and alternate places* for youth on the run to go while dealing with an adverse family situation. The youth groups were emphatic about this need, because they said that youth are usually running for a good reason, i.e., to get away from a bad situation at home or in school. They urged that the shelters be *non-bureaucratic* for the youth to want to use them and that there should be caring counselors who know how to interact effectively with the youth. A youth on Oahu recommended the Waikiki Youth Outreach Project as a good example of a non-bureaucratic place to go for housing assistance. Most of the professional groups agreed with the youth groups, although they thought that there also needs to be more third party intervention by service providers to help resolve the youth's underlying cause of behavioral problems. For the groups on Molokai and Maui, the shelter would be a place for youth to go while service providers, the family, and the youth attempt to work out the problems.

The group on Maui also thought that there should be a *local emergency Detention Center* for youth who are at risk to themselves or the safety of others. Then these cases should receive emergency court hearings within 48 hours. The group on Maui and the Oahu youth group also recommended that youth should have the option of *staying with a relative or friend* until the problematic situation is resolved. However, the group on Maui

stipulated that if the parent does not consent to a shelter, the youth would have to go home. Finally, a group on Oahu said that older youth should have the option of an *independent living home* if their family situation cannot be satisfactorily resolved. This home would provide youth with life skills necessary for living on their own in an environment free from the problems from which the youth ran.

Youth Service Center and Assessment Center

Six of the eleven groups said that there should be some sort of center, a *Youth Service Center or an Assessment Center*, which assesses then addresses the needs of youth who commit status offenses. Many of the groups had different names or no names for this center, however, the major components are basically the same. The group in Kona said that aside from going to the police there should be a resource where parents can seek help for a child beyond their control. They said that there are many parents in the area who would take advantage of *parenting workshops or support groups* along with *drug treatment* which would be located at the *Youth Service Centers*. Furthermore, they thought that preventative, *recreational* activities could originate at the center. For the group on Maui, the *Youth Service Center* would be a place for *assessment* of all youth who commit status offenses, rather than merely sending them home. They also thought that there should be beds for youth who felt they could not go home or for youth that the staff felt could not go home.

The Oahu (5/30) group's proposal regarding the *Youth Service Centers* seems to be a combination of what other groups have described. This group suggested that the *Youth Service Centers* be a *collaboration* of many different agencies, programs, and State departments that could provide the services to the youth and their families which they currently provide; however, services would be centralized all in one place. This way, the service providers, the youth's family, and the community in which the youth resides would know where to seek the necessary services. The service components proposed for the *Youth Services Center* include *recreation, outreach, assessment, case management* leading to linkages with community referrals, an on-going *information system*, and *law*

education. It was suggested that the OYS administer the *Youth Service Centers* through Purchase of Service contracts with collaborating agencies and programs.

Diversion from Family Court

Five of the eleven groups recommended that the policy of *diversion* continue. Most groups argued that the Family Court should only get involved when all other attempts to alleviate the situation have failed. Therefore, the Family Court should only be used to forcefully encourage the youth or his or her parents to participate in a treatment program. Most of the groups agreed that diversion should not mean that the youth's case is merely purged from the system, but that there is an attempt to seek a resolution utilizing options other than the court, such as referral to services. The group on Maui stressed that the youth should be returned to the home, but only with changes to the problematic situation from which he or she left. They hoped that family mediation services would help address and resolve these problems. The group in Hilo thought that there needs to be an *intermediate stage before Family Court* that has the threat of formal charges but without actually getting involved in the judicial process; they thought that Teen Court was a good example of this. On Molokai and Lanai, the Family Court does not have a very big presence, which necessitates diversion. The youth on Kauai went a step further to say that diversion programs are the only things that will work because youth do not respond positively to the threat of the Family Court.

Coordination and Collaboration

Five out of the eleven groups said that there needs to be an organized system of *coordination and collaboration* between agencies, State departments, and service providers that address youth needs. They do not feel that the current system is as effective at assessment and service provision as it could be if it were better coordinated. Although individuals rarely elaborated on the term "coordination", it is assumed that this would generally mean that agencies which service status offenders would have a more formal method of communication, and information and resource-sharing that would

improve their work and services for youth. Many of the groups thought that improved coordination could be accomplished through the *Youth Services Centers*.

The group on Kauai believed that by establishing a *lead agency* which handles all status offense cases, in their case either the Mayor's Office or the Office of Youth Services, *coordination* of services would improve. Two Oahu groups (6/19 and 6/20) agreed that by having one *lead agency*, coordination and collaboration of services would increase. The Kauai group also suggested there be a *Comprehensive Resource Guide* which could be used by all organizations, departments, agencies, parents, and community members detailing the services available. The group on Maui agreed that families should be made aware of services before a crisis arises and that this could be done through prevention programs starting in the early grades in school. The group in Molokai thought that all responsibility should be turned over to the Ohana, i.e., the extended family, which would coordinate any necessary action.

The youth group on Kauai argued that coordination could be possible by establishing a *database of youth who have committed status offenses* to include their program participation and results of their participation. All service providers would then have access to the database. The Oahu (6/25) and Hilo groups also saw the need for some sort of a status offender database to reduce duplication and improve coordination of services. However, the issue of confidentiality was raised in all three groups as an obstacle to be overcome before a database could be used throughout the system.

Consequences or Sanctions

Five out of the eleven groups said that *consequences or sanctions* for status offenses are needed. The group in Kona urged that both the *youth* and the *parents* receive legal consequences to deter negative behavior; they suggested charging parents a fine when they pick up their child for a status offense. The Oahu youth group agreed that the consequences should be of substantial weight in order to deter the youth. These youth suggested that offenders be sent to *boot camp* to provide structure in their lives and boost

self esteem. The Hilo group pointed out that some consequences have no “teeth” or are seen as rewards for negative behavior. They gave an example of a youth who is truant and receives suspension from school as punishment. The group did not think this action was punishment because the youth did not want to attend school in the first place.

Other groups, such as the Maui and Oahu (6/25) groups, did not believe that consequences imposed on youth with status offenses need be *punitive*, as long as they are *immediate*. And the group on Oahu explained that youth do not respond to punishment, not because it is not a deterrent, but because it occurs too far removed from the actual offense to mean anything to the youth. Therefore, they urged that consequences, whether punitive or more treatment centered, should occur as quickly after the offense as possible.

Third Party Evaluation and Follow-up

Five out of the eleven groups felt that there needs to be some sort of *third party evaluation of programs and follow-up of youth*. Many agreed that without follow-up for the youth, there is no way of knowing how well he or she responded to the program or services received. The Oahu (6/25) group discussed that evaluations of programs should not be outcome evaluations alone; rather, they should also include process evaluations. This group believed that two problems with outcome evaluations are that they may not reflect the preventative nature of the services received and they do not focus on other positive effects of the services on the youth’s behavior. For example, an evaluation that focuses solely on recidivism may not address the fact that while a youth is actively participating in a program the behavior is improved.

More Services

Four of the eleven groups agreed that there is a general need for *more services* for youth who commit status offenses. The group in Kona urged that *drug assessment and treatment programs*, especially for parents with drug problems must be established. One of the groups on Oahu said that there should be an extension of *HPD programs*, such as

SAP, AKAMAI, and Evening Counseling, run either by HPD or taken over by another agency, department, or organization.

Sensitivity

Both youth groups agreed that *Police Officers*, service providers, and family members should be more *sensitive* to youths' problems and attempt to learn how to deal with them more effectively through training. The Oahu (6/25) group agreed with the youth groups' recommendation that Police Officers receive training on adolescent development which would enable them to relate to youth and understand psycho-social problems that may occur during adolescence. This group also recommended that Police Officers be trained in *cultural sensitivity* or take interpreters with them when responding to calls that involve immigrant youth or families.

The Ohana Plan

The Ohana Plan was proposed by the group on Molokai and was also addressed to a lesser extent by one of the groups on Oahu. The Ohana Plan would begin with the first status offense. A core group, consisting of the nuclear and extended family and concerned service providers, would be assembled to address the youth's problems and behavior. A haku or po`o, a strong family member, would be identified to lead the ohana, i.e., family, in assessing the situation which caused the youth to commit a status offense. They would then resolve the situation by deciding on a solution, e.g., should there be punishment or restitution, how will it be accomplished, or are there family issues that need to be addressed? The ohana would have the help and resources from the core group, but would be responsible for arriving at a solution on their own. This plan is an example of extending full *responsibility to the family*.

Summary

Table 2 is a compilation of all the different components of a plan mentioned in focus group discussions. The table consists of twelve major issues explained in greater detail above. The table also includes the various sub-components related to the preceding

concepts. All the components and sub-components were italicized in the text. From this, it is apparent that the concepts are not necessarily distinct from each other. For example, the Ohana plan incorporates many of the other concepts, such as parental responsibility, diversion, and collaboration. Therefore, even though the table indicates that parental responsibility, prevention, early assessment, and shelters, safe houses, or alternative housing all have a great deal of support from these focus groups, many of the other issues are hard to separate from these.

Needed Resources as Identified in Key Informant Interviews

The key informant interviews from Phase I of this project produced similar views of what is needed to change the system. In Table 3, resources seen as needed to correct shortfalls in services to status offenders within each interviewee's agency or department are identified. The resources were identified in response to question 11 of the Key Informant Interview (Kassebaum et al 1997 89-91 and Appendix) as a follow-up to the questions that asked interviewees to identify problems in service provision to status offenders. While not all of the interviewees identified resources or perceived needs to improve service delivery to status offenders, most interviewees did have suggestions in mind and actually identified several types of resources. As with the focus group results, the need for "increased services" and "increased inter/intra-agency collaboration" were two most frequently mentioned problems. When compared, both tables are very consistent as to what is needed to improve the system which deals with status offenders.

Table 3: Resources Needed to Better Handle Status Offenders

Resources needed	Judiciary	Police	Govt.	Service Pros.	Totals
Increased services	5	4	9	9	27
Increased funding	4	2	6	4	16
Increased inter/intra agency collaboration	2	0	5	3	10
Increased social activities for youth	1	0	1	5	7
Increased DOE accountability	2	0	0	1	3
More creative approaches to problem solving	0	1	0	1	2
Separate detention facility for SOs	1	0	1	0	2
Additional training for staff	0	2	0	0	2
Increased collaboration w/ community	0	0	0	2	2
More systematic engagement of SO population	0	0	1	1	2
Increased family involvement	1	0	0	0	1
Increased options for consequences for SOs	0	0	0	1	1
Re-institute PINS statute	0	1	0	0	1

Source: Kassebaum et. al., *Youth on the Run from Families and School*, p. 89, 1997.

Section Four: Questionnaire Responses of Focus Group Participants

After the focus groups discussed the current proposed system, they were asked to fill out a questionnaire. The questionnaire was designed to gain information about the focus group participants' opinions regarding the magnitude of changes the participants perceive as necessary to improve the youth services system for status offenses. It was also developed to evoke opinions concerning current funding levels to youth service providers. Additionally, it provides data on opinions regarding which branch of government, the Judiciary through Family Court or the Executive through the OYS, should have primary and initial jurisdiction over status offenders. Finally, participants were asked their opinions as to the level of involvement that is desirable from the Departments of Education, Human Services, and Health in providing services to these youth. Table 4 is a tally of the focus group participants' questionnaire responses.

Table 4 includes eight of the eleven total focus groups. The eight groups consisted of professionals that work in some capacity with status offenders. There were 79 participants included in these eight groups. The responses from both youth groups and

responses from a small group of service providers, that served as the initial test group for the focus group format and questionnaire are not included because they had a different questionnaire from the rest of the groups.

Table 4: Questionnaire Responses of Focus Group Participants

Question & Possible Responses	Totals*	% of Total**
Q1: Possible improvements in the system (Group)		
Major changes are needed	48	61
Minor changes are needed	13	16
No answer or incomplete	18	23
Q1: Possible improvements in the system (Individual)		
Major changes are needed	40	50
Minor changes are needed	14	18
No answer or incomplete	25	32
Q2: Increases in the budget to increase services (Group)		
Major increases needed	42	53
Moderate increases needed	8	10
No increases needed; issue is coordination of existing resources	7	9
No answer or incomplete	22	28
Q2: Increases in the budget to increase services (Individual)		
Major increases needed	39	49
Moderate increases needed	14	18
No increases needed; issue is coordination of existing resources	5	6
No answer or incomplete	21	27
Q3a: Early assessment for all juveniles arrested for status offenders		
Yes	75	95
No	2	2.5
Undecided	2	2.5
Q3b: Family Court involved only if diversion is not effective		
Yes	44	56
No	21	26
Undecided	14	18
Q3c: Move original jurisdiction of SOs from Family Court to OYS		
Yes	28	35
No	20	25
Undecided	31	40
Q3d: DOE should be more formally involved with status offenders		
Yes	66	83
No	3	4
Undecided	10	13
Q3e: DHS should be more formally involved with status offenders		
Yes	54	68
No	11	14
Undecided	14	18
Q3f: DOH should be more formally involved with status offenders		
Yes	51	64
No	10	13
Undecided	18	23
* N=79		
** Percentages were rounded to total 100		

The first two questions of the questionnaire were posed with the intention of eliciting responses that the individual felt were the focus group's opinion and the individual's own opinion. The manner in which the first two questions were posed apparently was confusing to many of the focus group participants. Therefore, these two questions had a significant number of unusable responses.

Question One asked whether the group concluded that major, minor, or no changes at this time are necessary to provide more effective deployment of available services for status offenders. Overall, 61 percent of the respondents felt that their group reached the conclusion that major changes are needed to provide more effective deployment of available services. Sixteen percent felt that their group reached the conclusion that minor changes are needed. No one felt that their group reached the conclusion that no changes are needed at this time. Incomplete answers or no responses accounted for 23 percent of all responses.

Individually, 50 percent of the respondents thought that major changes are needed to provide more effective deployment of available services. Eighteen percent of the respondents felt that minor changes are necessary and 32 percent were incomplete responses.

Question Two asked participants their personal opinion and their group's perceived opinion about the need for budgetary increases to improve services to status offenders. Fifty-three percent of the respondents thought their group agreed major increases in budget were necessary. The group's opinion that moderate increases in budget are necessary was reported by 10 percent of the respondents. Nine percent of the respondents felt that their group came to the conclusion that the problem was not one of insufficient funds, rather coordination and allocation of existing funds.

On a personal level, 49 percent of the respondents felt that major budgetary increases are necessary to improve services to status offenders. Eighteen percent felt that

moderate increases are sufficient, while 6 percent believed the problems stem from coordination and allocation of existing resources. Twenty-seven percent of the responses for this question were incomplete or left unanswered.

Questions 3a through 3f asked only for each individual participant's opinion. The choices of responses were: yes, no, or undecided. Question 3a asked if *early* comprehensive needs assessments should be provided for all juveniles arrested or referred for running away, truancy, or being beyond control. A vast majority (95 percent) of the participants agreed with this idea. The remaining responses were evenly split between not agreeing with this idea and being undecided.

Question 3b asked if the Family Court should become involved only if an initial referral (diversion) is not effective or if the youth does not participate. Fifty-six percent agreed that the Family Court should become involved only at that point, while 26 percent disagreed. The remainder of the participants (18 percent) were undecided.

Question 3c queried the participants about moving original jurisdiction for juvenile status offenses cases (now vested in Family Court under HRS 571-11) to the OYS. The majority of participants (40 percent) were undecided. Thirty-five percent felt original jurisdiction should be moved to OYS, while 25 percent believe it should remain with the Family Court.

When asked whether the DOE, on both a school level and a departmental level, should be more actively and formally involved in the disposition of truants, an overwhelming majority (83 percent) felt that the DOE should be more actively and formally involved. Thirteen percent were undecided and only four percent did not agree with more actively and formally involving the DOE.

When asked about more actively and formally involving the DHS in services to status offenders, including cases which do not meet the criteria of abuse/neglect currently

used by CPS, a large majority (68 percent) again favored more involvement from the DHS. Eighteen percent were undecided where they stand on this issue, while 14 percent did not agree with more involvement from the DHS.

Finally, Question 3f asked if the DOH should be more actively and formally involved in services to status offenders, including cases which do not meet criteria for the *Felix v. Waihee Implementation Plan*. Sixty-four percent agreed that the DOH should become more involved, while 13 percent did not agree with this idea. Twenty-three percent of the participants were undecided.

In summary, the majority of people believe major changes are needed in both the procedures for responding to juvenile status offenses and the funding of youth service providers as well as the need for early assessment of all juveniles arrested or referred for status offenses. A majority also feel that the Departments of Education, Human Services, and Health, in that order, need to increase their active and formal involvement in services to status offenders. A small majority believe in involving the Family Court only if diversion is not effective. As for moving the original jurisdiction for cases of juvenile status offenses from Family Court to OYS, the majority is undecided or opposed.

Summary of Part One

The first section of Part One showed that although many of the participants agreed on how the current procedure operates, there was some confusion on a few points, e.g., can a status offender with no prior law violations go to a detention home? This shows that although the current system may work well, some key agencies are not fully informed about all the rules, laws, or policies of other agencies. Furthermore, parents and youth are rather uninformed about the current system.

Some focus group participants and key informants expressed the belief that while the system is acceptable, it generally needs refining; other participants said that there needs to be major changes. From the information gathered through the focus groups and

through the interviews, seven main problems with the current system emerged: lack of services; lack of coordination of services; youth do not feel as if they can trust or talk with adults; lack of school involvement with truancy cases; lack of control over youth because of the philosophy of diversion; no consequences; and, the parents are often viewed as the youths' major problem.

The key informant interviews in the second section of Part One provided more information about the organizational system. Furthermore, most groups generally perceived that a written plan, such as the one put forth in this report, would be helpful in alleviating many of the problems with the current process.

The third section of Part One reports the elements for a plan that were elicited from both focus groups and the interviews. There were definite emerging concepts with some regional variation. This indicates that all of the islands do not necessarily have the same needs or the means to address these needs. The elements derived from the focus groups are summarized in Table 2, and the concepts conceived in the key informant interviews are summarized in Table 3. There is marked similarity between the two tables.

Finally, the last section of Part One summarizes the results of the questionnaires from the focus groups. Again, the results are consistent with the information from the other sections. Most importantly from the information gathered by the questionnaires, most focus group participants agree that, there needs to be early assessment and the DOE should be more actively involved. The groups also said that the Departments of Human Services and Health (DHS and DOH) should be more actively involved with status offenders and diversion should be a priority.

Part Two identifies plans currently being implemented in the state that are parallel to the one that is proposed in Part Three and describes national concerns about dealing with youth who commit status offenses. Part Three attempts to utilize the elements and

concerns brought out from this report to propose a plan for dealing with youth who commit status offenses.

PART TWO: NATIONAL LEGAL ISSUES ON STATUS OFFENDERS AND HAWAII STATE PLANS ON YOUTH

Section One: Issues of National Importance

For more than twenty years, status offenses have occupied the judicial gaze in the Department of Justice, significantly affected by the establishment of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), but with significant input earlier and later.⁴ The experience of the fifty states is not uniform with regard to youth problems, nor are their statutes and responses. Yet, there is agreement of common problems regarding troubled youth, providing a challenge both to the non-judicial, youth serving organizations, increasingly pressed for support, and to the punitive, law and order policy proposals now formulated in Congress. The Plan in Hawaii will draw upon this wide experience hoping both to avoid problems encountered by other states and to utilize programs which have proven helpful.

Runaways

The term "runaway" includes a range of behavior from youngsters who are at a friend's house when they are not supposed to be, to the repeat runner fleeing a recurrent problem, to the thrown-away youth who has been evicted by his parents and does not contemplate a return. There are only fragmentary data on how many runaways return home on their own, how many repeatedly run, or how many are homeless.

Runaways comprised about 17 percent of all petitioned status offenders in juvenile courts in the U.S. in 1994 (by comparison truants were nearly 29 percent and under-age drinking of alcohol was 26.6 percent). But the nature of runaways poses problems of how to lawfully detain those who cannot safely be returned home. Thus,

⁴ See Kassebaum et al 1997 and Fetherston 1997 for a review of these issues.

runaways consume agency attention more than their percentage of all cases might suggest.

The absence of attractive shelters and detention facilities on a local level makes the handling of apprehended runaways a problem. One study of runaways in San Francisco and Los Angeles commented that "Because the facilities are non-secure and entail strict program rules (e.g. curfew, school attendance), many youth walk in the front door and out the back door" (Joe 1995 50). This survey of 855 runaway cases in San Francisco and Los Angeles found about 65 percent returned to their family or to the residence (group home or foster care) from which they ran. The study did not determine what happened after the child returned home.

The difficulty of retaining youth in programs to which they are diverted or referred has posed the strongest challenge to the theory of radical diversion and non intervention. "Children clearly endangered by their own or the acts of others must be protected and restrained at least long enough to secure proper care and services for them in a controlled and secure environment when necessary" (National Council of Juvenile Justice and Family Court Judges 1990).

At the same time, there is a solid basis of experiential data showing that incarceration should not be revived for runaway, truant, or beyond control youth. A study by the National Council on Crime and Delinquency in 1993 estimated that of 20,100 runaways petitioned to juvenile courts that year, 1,225 (6 percent) were in private facilities and 522 (2.6 percent) were in public facilities on a one day count. These facilities included unlocked group homes (Steinhart 1996 89). The OJJDP estimated in 1994, that 17 percent of petitioned runaway males and 14 percent of runaway females were detained temporarily at some time in that year. That figure is half the rate reported in 1985 (Butts et al 1996 43). Thus, almost all runaways are not in facilities, nor are they detained.

While the national priority for keeping runaway youth out of institutions is high, the policy is contested at the same time. There is considerable impatience with the diversion to nowhere, or repeated pickup and release of youth on the run, which characterizes some jurisdictions' experience with repeat runaways. However, there is no optimism for coercive means of detaining them in a lawful, local facility.

Are There Justifiable and Acceptable Ways of Detaining a Youth who Has Not Committed a Crime?

The passage of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1994, Public Law 93-415, 42 U.S.C. 5601 et.seq., introduced to the various states which adopted it over a period of years, mandates that:

- status offenders not be confined in secure facilities;
- juveniles be separated by sight and sound from adult prisoners;
- status offenders not be detained in adult jails or lockups; and,
- states develop and carry out plans to reduce over-representation of ethnic minorities in the juvenile justice system.

Nothing has mobilized opposition to the reforms of the juvenile justice system in dealing with status offenders as much as the prohibition against the detention of youth. Many persons in the field, who do not support the concept of locking up a youth for a status offense or locking up a youth in the presence of adults, express the frustration that there is no way of assuring the youth's safety or compliance with treatment. There are persistent demands for a means by which non-law violators, under special circumstances, could be held until a problem of their condition or situation is resolved.

At the urging of a number of judges, Congress amended the JJDP Act to provide an exception to the Deinstitutionalization mandate, allowing status offenders or non offenders to be detained or confined "upon a court finding that he or she violated a valid order of court" (National Criminal Justice Association (NCJA)1995 2-3).

"In 1992 the definition of 'valid court order' was amended to include a new requirement. Before a [exception for] VCO is issued, an appropriate public agency other than a court or law enforcement agency must review the behavior that caused the juvenile to be brought before the court, determine that all other dispositions, short of secure confinement, have

been exhausted or are inappropriate and submit to the court a written report containing the agency's conclusions" (NCJA 1995 21).

This requirement notwithstanding, it is reported that some states allow a status offender to be securely detained if he or she is a "threat to self or others, is not likely to appear at a subsequent hearing, or is at risk to be taken from the jurisdiction" (NCJA 1994 29).

OJJDP interprets the VCO exception as "obviating the need for courts to use their criminal contempt power as a means of obtaining compliance with court orders" (47 Fed Reg 21226 1982). Moreover the US Court of Appeals (Sixth Circuit) in 1994 held that a violation of the jail removal mandate, constitutes for the status offender, grounds for bringing an action under 42 USC Article 1983 (NCJA 1995 41). Essentially, this means that a civil suit can be brought against any department or agency that violates the youth's constitutional rights.

Thus, the chronic status offender who continues to evade parental supervision and participation in programs or placement to which referred provides a test of the state's capacity to intervene effectively in the situation of the troubled youth. While many youth respond to diversion and informal adjustment, repeated runaways require a continuum of services and a substantial improvement in their situation, but "agencies of the court, without a legal means of detaining these youth, will not find them [the youth] available for treatment" (NCJA 1995 45).

The State of Hawaii policy has complied with the restrictions on detention of status offenders.

Honolulu Police General Order No 93-10: "No juvenile may be confined in an adult cellblock unless the juvenile has been waived of Family Court jurisdiction."

Juveniles who cannot be detained at Hale Ho'omalulu (Detention Home) include: "Status Offenders, [unless] there is a letter on file, from the [Family] Court or Probation Officer, which authorizes the apprehension/detention."

However there is a second facility, Home Maluhia, that is “staff secured” (the only thing prohibiting youth from running from here is the staff, rather than a formal lock up) and might be legal for the detention of non-law violators. This is only on Oahu however. It is the policy of the judges in the Family Court, however, not to use detention for status offenders except in extreme circumstances.

This Family Court policy of informality is a fundamental point. Under the Hawaii Revised Statutes, the Family Court is oriented to informal means of handling referrals through Informal Adjustment:

“When a child reasonably believed to come within section 571-11 (2) is referred to an intake agency, informal adjustment may be provided to the child by an intake officer duly authorized by the family court, only where the facts reasonably appear to establish prima facie jurisdiction and are admitted, and where consent is obtained from the child’s parent, guardian or legal custodian and the child, is of sufficient age and understanding. ...”

“In the event resources and services for informal adjustment are not available, have failed, are reasonably believed to fail if attempted, or are unable to respond to the needs of the child, the intake officer shall proceed with formal action” (HRS 571-31.5).

This formal action is to place the minor on legal status and enlist the assistance of the juvenile probation staff in working with these youth, but a status offender is not put on probation; he or she is put on Protective Supervision.

“Probation means a legal status created by court order following adjudication in a case involving a violation of law...”

“Protective Supervision means a legal status created by court order not involving violations of law but where the legal custody of the minor is subject to change, whereby the minor is permitted to remain in the minor’s home or in a community residential or non residential program under the supervision of the court or an agency designated by the court and subject to return to the court during the period of Protective Supervision” (HRS 571-2).

Status offenders may be placed in shelters, but not in detention except under special circumstances.

“Detention means temporary care of children who require custody in physically secure facilities for their immediate welfare, for the protection of the community, while awaiting transfer to another jurisdiction or because of a violation of a family court order of probation or Protective Supervision. Shelter means temporary care of children in physically unrestrictive facilities pending court disposition.

In the above, protection of the community means threat from crimes of violence or property theft, for which previous control measures have failed. Immediate welfare means “minor is in danger and no parent known to the decision maker is willing and able to provide the type and degree of supervision necessary to protect the minor from that danger...In deciding about a status offender the child’s age, character and health can be taken into consideration, as can the interpersonal relationships between child and family and any previous histories of referrals to the court” (571-31.1).

The last phrase means that if the child has been referred before and is apparently repeating, detention is an option. Reasons for detention have to be stated. Providing the basis of the HPD Order cited above, HRS 571-32 (f) states:

“No child shall at any time be detained in a police station cell block or community correctional center for more than 12 hours except by the judge’s order in which the reasons therefore shall be specified, a child whose conduct or condition endangers the child’s own safety or the safety of others in the detention facility for children or in counties where there is no detention facility for children.”

This was changed to no more than six hours detention by Act 187. Therefore, the ordinary status offender without such an order may neither be locked up by police in the cellblock nor detained in a secure facility (Detention Home), but must go to a shelter, to foster placement, or some non-locked staff-secure facility.

The Problem of Securing Shelter and Compliance with Later Referrals

Interviews and focus groups repeatedly expressed the frustration felt by agency personnel and private service providers in securing the youth in order to get an assessment of the problematic situation to which the runaway is reacting. It is not necessarily a lack of shelter services that is problematic; rather, it is problematic obtaining the permission of the parent(s).

“The biggest problem is what do I do with this kid? I don’t have the legal authority [to hold them] because I’m not CPS, the court, or the State. I have a problem if I can’t find the parents. [The child] can’t be harbored in the shelter if the parents don’t want it and I can’t release [the child] to a

non-custodial person. The biggest problem we face at Ho'okala when the parents say 'we're not gonna take this kid back, you can have 'em.' Then I call CPS and they don't respond."

CPS does not respond because the case does not meet abuse/neglect threshold criteria. Therefore, for these initial referrals, there is no way to guarantee an assessment and compliance with referrals deemed necessary in the assessment.

Many respondents agree that intervention in the form of assessment and counseling for the whole family is needed to resolve the situation. However, there is difficulty in getting the youth to comply when the parents do not want to participate.

"I think family counseling at the earliest possible point between the child and the family to find out exactly what is the problem...[the girl] doesn't want to go home, she has been truant for the past year, what exactly is the problem? [But] the reality is that, in a case like this we don't even know if the parents really want to [go to counseling], and the current law in this state doesn't provide that the parents have to participate with the youth who is acting out...So if you're talking about family counseling you need to figure that out."

The respondent implies that there is a need to assure compliance in programs not only from the youth, but from the family as well. This could require changes in policy for addressing such problems.

Truancy

A recent OJJDP bulletin advances two broad influences on truancy: factors related to the school (effects of poor academic performance, threats to safety in the school, and poor techniques of the school for dealing with marginal or non attentive students) and factors related to the home and community (parental indifference to school demands, family health or financial problems, domestic violence, teen pregnancy, or negative peer influences) (Ingersoll and LeBoeuf 1997).

Communities are divided about whether, in the first incidence of truancy, parents have the responsibility over truant children, or whether the school administration and the

Family Court are needed to motivate or compel attendance in school. A private service provider commented:

"There's no teeth in any of the laws. If the kid's truant, the schools blow it off. The kids think being suspended from school because they're truant, is a vacation! There is no accountability for what they do [while suspended]. No place they have to go [when suspended] to make sure they're doing homework or getting whatever kind of counseling they need (drug counseling, counseling for sexual assault). There's nothing that they've gotta do to make up to get back into school. When they're suspended and they are cruising at the beach, they tell the cops to get out of their face because they're suspended."

Clearly the faculty and staff at the school may best address some of the factors related to truancy mentioned above. On the other hand, evidence that truancy may reflect indifferent or traumatic families make it likely those school personnel alone will not be able to reach the basic problems from which some non-attendance stems. The most serious aspect of chronic truancy is that it displaces the youngster from his or her educational track. This may have long term consequences on the adolescent's health and development, which in turn, may affect his or her employment opportunities and future income level. Furthermore, if a youngster is not in school and is too young to legally work, what is he or she doing? The fear is that they may commit other offenses.

Curfew for Youth

Curfew is a stipulated interval when the public, or some segment of it, is barred from public places and streets. Most families, with various degrees of rigidity set informal limitations on the hours in the night when children are at liberty. Recently municipal governments have instituted curfews for youth during certain hours, during which time individuals, within the age range of the curfew ordinance, may not be on the street. Ruefle and Reynolds (1996) report that of 200 large cities surveyed, 47 percent had curfews as of January 1990. However, in 1995, the figure was 73 percent.

The constitutionality of curfew restrictions has often been challenged, sometimes successfully. In order to have a curfew, the government must show a compelling interest

in a curfew because of the likely effects, and also have a specific focus to achieve those objectives.

“Law enforcement professionals generally view a juvenile curfew ordinance as an effective means to combat late evening crime. However, curfews are also intended to protect youth from becoming victims of crime” (OJJDP 1996 3).

Jurisdictions, which have withstood Court review of their curfew statute, had phrased their curfew law narrowly, with supporting evidence and specific objectives (OJJDP 1996).

In addition to constitutional compliance, curfews should be accompanied by activities designed to enhance the effects sought by curfew. Cities have set up curfew-related activities such as:

- “Creation of a dedicated curfew center or use of recreation centers and churches to receive juveniles who have been picked up by the police for violating curfew;
- Staffing of curfew centers with social service professionals and community volunteers;
- Intervention, in the form of referrals for juveniles and families;
- Dispositions and consequences for repeat offenders, including fines, counseling or sentences to community service;
- Recreation and jobs programs;
- Antidrug and antigang programs; and,
- Hotlines for follow-up services and crisis intervention” (OJJDP 1996 3-4).

Some cities have found that curfews reduce youth crimes, and most jurisdictions find it provides a point of leverage to move youth off the street if encountered late at night. It must be coupled with a range of disposition options for the Police, however. Particularly in low income neighborhoods, where evening recreation may not be possible in restricted living quarters, the curfew should be accompanied by some permissible and appropriate gathering place for youth.

Parental Responsibility

The interest in stirring more responsibility of parents for the conduct of their children has led some jurisdictions to conceive parental liability statutes,

providing for penalties to parents if their children are found responsible for actions which bring them repeatedly before the court. Typically, however, these statutes focus on delinquent law violations, not status offenses.

For example, in Wyoming, custodial parents may be liable for civil damages for shoplifting by their child, and some states have statutes holding parents liable for violation of child labor laws and school attendance. Cahn reports: "in Louisiana parents may be imprisoned for up to 30 days if, through criminal negligence, they allow their child to associate with a gang member, a drug user or someone who has access to an illegal weapon" (1996 409).

Between 1994 and 1996, parenting classes or counseling for parents was ordered for nearly 1000 parents for their children's conduct (Applebome 1996). There are practical difficulties in imposing such penalties however.⁵ Vagueness has led to some liability statutes being struck down. "...A Roanoke judge recently held that a statute which penalized a parent for 'insufficient control' of her child established a standard that is unconstitutionally vague" (Hammack 1995 A1).

Rather than imposing financial liability on parents, Cahn recommends instead:

"Early intervention with both the parent and the child and on solutions that involve collaboration with parents rather than coercion...Such solutions range from home visiting programs to Head Start to including parents at the dispositional stage of juvenile proceedings" (1996 402).

⁵ For a discussion of difficulties in enforcing parental liability statutes see Cahn 1996, Humm 1991 and Weinstein 1991.

Section Two: Other Current Plans for the Organization of Youth Services and Social Controls

No research breaks entirely new ground and this project more than most found itself running parallel or closely following other recent efforts at developing a comprehensive plan for some category of problem youth. We will examine only those of direct relevance to our own project because of similarity in target population, organizational problems addressed, or the agencies involved. The 1991 Strategic Plan of the OYS, the Implementation Plan for the *Felix v. Waihee* Consent Decree, and the Blueprint for Change are each large efforts at improving delivery of services to a target population, which both predate and overlap at least partially the target population with whom this project is concerned.

The State has been experimenting with better ways of responding to troubled youth since the 1960's. The creation of a unified Family Court in 1965, the establishment of the OYS, the Ho'okala program, the more recent Implementation Plan for the *Felix v. Waihee* Consent Decree, and the Blueprint for Change program all preceded the current project. These plans were put forward for various reasons, but all conceive of a target population for which services are currently inadequate or poorly coordinated.

The target population for this current project is a "gap group" which accounts for a substantial percentage of total juvenile arrests and cases referred to Family Court, but receives a small and declining share of the youth services funding. The troubled youth status offender population grew in recent years while the budgets for purchase of service contracts, which mainly provide what services are available, have been vulnerable to cost reduction efforts. Not meeting categorical criteria for programs dealing with adolescent dependency, mental health, education, or law violator cases, youth on the run from families and schools are sometimes referred to as "nobody's kids". A review of the previously identified service plans, which are currently being implemented, will clarify the task of crafting a plan for troubled youth in the late 1990's. They are briefly summarized in this section.

The OYS 1991 Strategic Plan

The document closest to the objectives of the current project is the Strategic Plan, published by the OYS (Hornby et al 1991). This document was familiar to the CYR research team, but it was repeatedly brought to our attention by participants in the focus groups and in interviews, who questioned why it is not currently being implemented as originally planned.

HRS Chapter 352D defines the powers of the OYS, created in Act 375, Session Laws of Hawaii 1989. The Strategic Plan for OYS, published in 1991, made “recommendations regarding the feasibility of transfer to OYS functions and services currently provided by the DOH, DHS and the Family Court, with the exception of probation and Protective Supervision.” An earlier plan developed by the National Center on Institutions and Alternatives (Karraker et al 1988) also had recommended a plan for building a community-based program for supervision of youth and restructuring funding.

The Strategic Plan considered three components of services for at-risk youth:

- local community based multi-factorial assessment centers where youth and families could apply for advice or assistance (Youth Service Centers);
- a continuum of services and referral options; and,
- a case management capability, which would coordinate and deliver appropriate services to individual cases (Hornby et al 1991 20).

Each of these service components was in place in 1991, yet had problems. The Strategic Plan mentions “formal categorization of eligibility for receipt of DHS services;” narrowness of focus of DOH mental health services; and, the proliferation of purchase of services (POS) contracts let by the major departments, often to obtain similar services from private providers are all interfering with the effectiveness of the system.

One of the main issues is the need to reduce fragmentation of services to youth. Furthermore, observing that the legislature and the governor had established the OYS to accomplish some consolidation of activities, the Strategic Plan goes on to recommend the transfer of diversion programs to OYS to achieve program coordination. In reviewing

these, the Strategic Plan recognizes inevitable departmental vested interests. It also recognizes the job control concerns of personnel, leading of resistance to the transfer proposal and an effort to continue existing allocation of responsibilities (and budgets) to the units which now enjoy such support. The Strategic Plan therefore proposed to replace categorical intervention with broader services. It listed six levels of intervention, from community preventive services for at-risk youth to incarceration for serious offenders, which would constitute a potential continuum of services that OYS would administer, citing the mandate provided in Act 375 in 1989. To accomplish this, it envisioned that OYS would have under its Director four regional directors, each overseeing one or more youth service centers, POS resources, community development capabilities, and a regional detention facility (Hornby et al 1991 81).

The Youth Services Center were to have been the key element in the front-end program to be implemented by OYS (Facility Technics 1994). The Strategic Plan contemplated a Youth Services Center catchment area about the size of a DOE School District (thus, implying there might be as many as nine Centers), with referrals from Family Court, the Police, schools, and social service agencies. The Youth Services Center would provide recreational and delinquency prevention activities; problem assessment for referred youth; and, a range of case management via contract services, out-of-home placements.

The mission for the Youth Service Centers was stated as:

“Provide a place and focus where children, youth and their families can gain access to a continuum of services, resources and opportunities that include prevention, intervention and community empowerment programs.”

Self referral for youth and families was to be encouraged, implying that the less restrictive aspect of formal control would be perceived by potential clientele.

“YSC’s must represent non-bureaucratic, safe places where young people can find the means to solve personal problems. Such help shall be equally available whether these youth drop in on their own accord, are introduced by an outreach contact or are referred by a government or community agency.” (Facility Technics February 1994 2).

OYS aspired to provide amelioration of the precipitating conditions for status offenses and unlawful acts as well as the ultimate reconciliation of youth and family, but it allowed for the possibility of “in the most difficult cases, referral back to the Court” (Hornby 1991 101). It proposed a schedule for bringing about the transfer of responsibilities, in four annual increments, to be fully implemented by 1993 (Hornby et al 1991 105 to 109, and tables pages 111-113). It anticipated a coordinator and staff for each YSC.

Preliminary staffing plans (1994) provide a total staff of 31 positions or 26.5 full time equivalents (FTE) for a full service YSC. A total of 4 staff (4.0 FTE) will be required to operate a satellite YSC facility, while 2 staff (1.5 FTE) can operate a mini-satellite YSC facility.

It is clear in mid 1997, that this grand design was never carried out. Nonetheless, the basic policy is in place. There are partnership arrangements with private service providers to operate a more limited version of Youth Service Centers, the Ho’okala program forms an indispensable element in the State’s responses to runaways, and the Strategic Plan is continually invoked in discussions concerning how the system could be improved.

Felix vs. Waihee Implementation Plan - November 1996

Following a class action law suit in 1994 against the State for “failing to provide adequate mental health services to children and adolescents in need of these services to benefit from their educational program,” and a resulting settlement and consent decree, a chain of effort was set in motion that is referred to as the Felix Plan (State of Hawaii 1995). The Felix Plan promises many things, setting out several objectives, which could be applied to planning services for troubled youth. First, the State undertakes to “work in partnership with families to develop and implement an individualized family service plan.” Second, the plan includes a means of evaluating the outcome of services, not merely to account for the expenditure of program funds. Thirdly, the plan will attempt to avoid multiple systems for delivery of services by assigning a case coordinator, “one

person accountable for insuring each case gets services needed.” (State of Hawaii 1995 2).

The plan commits, the DOE and the DOH, to joint responsibility for a wide range of mental health related services, including the following: prevention; early intervention; crisis intervention; outpatient services; day treatment; wrap-around services; intensive home based services; alternative families; intensive residential services; and, acute hospitalization (State of Hawaii 1995 7-9).

The Felix Plan approach to describing how these services will be delivered and coordinated, utilized what the planning team described as “45 hours of discussions” in 18 town meetings in ten communities throughout Hawaii in the fall of 1994. In this fashion they derived a list of perceived problems in service delivery. These problems include:

- increases in the number of single parent families, more latchkey children, and fewer opportunities for families to develop and maintain nurturing relationships;
- lack of locally planned and managed systems of care and a need for increased fiscal control of service resources to be vested in local service units;
- need for timely access to appropriate services from any location;
- too many different state agencies involved in the current system;
- the current array of services is inadequate;
- there is a need for training and staff development; and,
- there is, on the local level, inadequate funding (State of Hawaii 1995 11-12).

The Plan uses quite general language to forecast what will be done to address these problems. However, it seems reasonable to infer that the solution should lie along the following lines:

- development of a child and family centered, culturally sensitive, system of care;
- services which require removal of the child from his/her home will be considered only when other options have been tried;
- services to be delivered in a coordinated manner; and,
- families or surrogate families will be full participants.

These solutions will be implemented through prevention, screening and referral, early identification and intervention, strengths/needs-based assessment, individualized

service plans for each child and family, service coordination, resource development, and continuous monitoring. The monitoring is important, because the State is thereby committed to emphasizing client responsiveness and not simply services delivery.

The Felix Plan anticipates that it will develop at least four levels of service: an IEP (Individualized Education Program), a written statement of short term and annual goals and the specific services to be provided; an IFSP (Individualized Family Service Plan), a statement of how the child's family is to be involved (family meaning biological, hanai, adoptive, or foster family, and including extended kinship), an ITP (Individualized Transition Plan), for clients age 16 and younger, and a MO (Modification Plan), a plan for children who are not Special Education students.

There are specific features, which are distinctly applicable to the problem of troubled youth. In 1994, a five-year federal grant was obtained to develop a program named Ohana.

“A comprehensive, child and family centered, culturally sensitive array of local, community based mental health services for children, adolescents and their families in the Waianae and other Leeward Oahu communities...[it] utilizes extended families, cultural groups and churches, as well as more formal educational and mental health services. [Ohana features] single point of access, case coordination, child-centered focus of care and an emphasis on families and natural caregivers” (State of Hawaii 1995 35).

Because of the court-driven nature of the settlement, and the amount of funding resulting from the settlement, Felix has set a new standard for the scope of services delivery. Absent a massive lawsuit with similar sums at issue, a plan for troubled youth lacks such impetus. However, the ambitious outline of Felix, and the early enthusiasm over Ohana, are distinctly encouraging, because if better coordinated and more adequate care can be developed for providing mental health services for some very challenging young clients, it could very likely be done for runaways, truants, and out-of-control youngsters.

Blueprint for Change

A concurrent resolution in the 1994 Hawaii State Legislature created a task force to plan reform in CPS. Over 18 months, various focus groups and meetings, and nine work groups produced recommendations which were, in the 1996 Legislature, endorsed in Senate Bill 3042. This eventually became Act 302.

“The mission of the Blueprint for Change is to develop a family centered, community driven service delivery model that assures the safety and well being of children who have been identified as at-risk, abused and/or neglected (Blueprint for Change Task Force 1996 90).

The report draws upon 16 focus groups of Child Protective Service (CPS) workers, foster parents, Family Court judges, physicians, clients, and community advocates. They agreed that Hawaii needs services that range from prevention to intervention, but emphasize proactive services because of their savings. These would include diversion services, child protection, options for out-of-home placements, alternatives to out-of-home placements, family reunification, services which strengthen parenting skills, parental discipline, and school attendance.

To increase the services, it is necessary to create a new delivery system with oversight provided by a not-for-profit, non-governmental organization, statewide central intake, and “Neighborhood Places”. The Neighborhood Place would create, for each child client, a Family Team of staff and family members. They would draw upon a 24 hour phone line with rapid referral. There would be a shift away from defining workload in terms of number of cases, and replacing this with the concept of the family as a work unit. Total services provided would become the unit of evaluation measurement. Neighborhood Places would have a fiscal budget under their local control for meeting the incidence of abuse and neglect and for reducing risk.

Blueprint stated four key findings:

- Hawaii’s current system for abused and neglected children is fragmented and compartmentalized;
- the system lacks capacity to adequately respond to a growing number of at risk, neglected, and abused children;

- the system is too narrowly focused on intervention. Its resources are used up on the most traumatic cases, so there is little left for preventive service or early intervention; and,
- families and community groups are not part of the delivery of services in many cases.

Blueprint has solicited concept papers from local communities, and has received papers from six. It will be teleconferencing with these community groups, suggesting how the proposals could be improved. Soon it will be issuing invitations for some communities to apply for funds for a Neighborhood Place and for other resources. There may be two selected as sites. The Task Force expect local area variation in what is created and how it is operated. They are raising funds from local and national foundations, in addition to getting some funding from the DHS.

There are issues as yet unresolved. For example, should CPS have a place in the Neighborhood Place, or should it just refer cases and be on call? Should the Police have a presence in the Neighborhood Place, or might this chill the atmosphere for walk-ins?

Even at present, CPS diverts some referrals on Oahu that are not threshold abuse/neglect children, through a Purchase of Service Contract (POS) with Child and Family Services. Last year there were 195 families diverted by CPS (not serviced), of whom 71 (36 percent) were status offenders. There is some overlap of *Blueprint* with other planning efforts. "*Felix vs. Waihee* requires the State to provide educational and therapeutic services to children diagnosed as severely emotionally handicapped. There is a considerable overlap of CPS children and Felix children, possibly as much as fifty percent. It is important that these two efforts, which aim at increasing services to some of the same target population, interface as closely as possible since the same public agencies are involved (DOH, DOE, DHS)" (Blueprint for Change Task Force 1996 45).

The Problem of Teen Pregnancy and Parenting: a Community Strategy

In addition to the comprehensive service planning efforts which have just been reviewed, there are several other coalition efforts of more specific scope which are very relevant. The most important of these is the concern over teen pregnancy, which impacts

on school attendance and parenting. Nationally, adolescent pregnancy and parenting is a matter of concern. A recent Federal study reports that about 10 percent of all 15 to 19 year olds become pregnant in a year. About half (52 percent) give birth (about 14 percent miscarry and 34 percent abort) of whom 175,000 are 17 years of age or younger. The great majority of these very young mothers (80 percent) receive welfare or live below the poverty line. Sons of these young mothers are much more likely to be jailed as adults than children of mothers who were older at the birth of the son. Even after taking into account effects of demographic and social characteristics, there was a significant effect on subsequent incarceration of male offspring in younger mothers (Maynard and Garry 1997).

In 1994, the Office of Children and Youth (OCY), in the Governor's Office, put out a document designed to "serve as a catalyst for interested groups to begin collaborative processes of planning and implementing efforts that focus on the prevention of adolescent pregnancy and the issues surrounding pregnant and parenting teens" (Office of Children and Youth 1994 8).

This is a category of youth, which, like the runaway or truant youth, is not a major consumer of state and social welfare services. In 1992, teen mothers accounted for only six percent of Hawaii's total number of mothers receiving Aid to Families with Dependent Children (AFDC) benefits. AFDC benefits were paid to only one quarter (24 percent) of the State's teen mothers that year. Because of the difficulty of remaining in school or returning to school after giving birth, teen mothers are at high risk of lower education attainment resulting in later welfare dependency and lower lifetime earnings.

The OCY review suggests planning that first determines teen pregnancy prevention resources in local communities and in local organizations. Second, it assembles profiles of the target population, pregnancy rate and teens by high school districts. Thirdly, elements of a service system to be based in local communities, oriented to this target group are proposed.

The program is to be connected with the DOE to:

- promote special classes and support services to encourage full day school attendance by pregnant and parenting teens;
- provide/promote parenting workshops;
- expand Head Start; and,
- create special funding to help cushion the impact of Federal welfare reform on existing support programs.

Conclusion

Several planning efforts have been implemented in Hawaii in the past six years, with a consistent set of recommendations: institute system change to create effective, coordinated systems; increase human services for various kinds of problem youth; adopt and develop local (community and island level) service centers; conduct both early assessment and follow-up after services; and, evaluate the effects of the intervention. The Plan to be proposed for youth on the run from family and school is guided by these conclusions, which support the results of our own inquiry.

PART 3: THE PLAN FOR IMPROVING SERVICE PROVISIONS FOR YOUTH WHO COMMIT STATUS OFFENSES

Introduction

The formulation of a comprehensive plan has been constrained by two considerations. First, our appreciation of the fact that State agency budgets have been reduced; that agencies have undergone reductions in force; that programs have been cut; and, that contract funds have been reduced for the private sector service providers. We have seen no sensible choice but to assume that any funding increases would have to be very strongly argued or widely desired, and that funding may not be available for any new proposal. Nonetheless, stark shortages in certain resources can only be corrected by allocating funds to them. Because of this there are some recommendations which have implied spending increases.

Secondly, there is considerable variation in preferences for a plan expressed by various agencies which deal with status offending youth. These variations have been summarized in the first part of the report. There is support for diversion, but impatience with high attrition of referrals to programs and frustration in some areas of the State which have very limited options for such referrals. There is a strong feeling that tangible consequences should more quickly follow status offenses, but little optimism that coercive controls would be effective in preventing such acts in the future. As a result, what follows is a proposal to build on what is in place rather than restructuring and major expansion.

The proposal is in the form of recommendations, with examples of programs that are currently in place in Hawaii. Examples of other state's programs that Hawaii could emulate are also included.

Major Points of a Comprehensive Plan for the Reduction of Status Offenses in Hawaii

1. At-risk youth, early onset runaways, truants, curfew violators and underage drinking cases are the target population of this proposed Plan and should be served by prevention programs.
2. Family Court, the Police, the Department of Education, and the Office of Youth Services should enter into a voluntary agreement to continue the policy of diversion of status offense cases to designated private service providers. Diversion to referrals outside of the juvenile justice system should continue to be the policy of the Police, with the concurrence of the Family Court, in each county by a memorandum of agreement. Where voluntary referrals prove ineffective, the case will be referred to the Family Court.
3. Early assistance (prevention programs) and early assessment should be provided each apprehended status offense case by private services organizations on contract from OYS or DHS.
4. Tangible consequences should quickly follow pick up of a juvenile for any status offense. Consequences include early assessment, temporary shelter if needed, active parental participation in the assessment and the referral; and, a clear statement of expectations for the minor.
5. Services should be planned and implemented by local communities to correct severe shortages of resources in some locales.
6. Youth Service Centers (YSC) should be expanded beyond the three now operated under contract from OYS. YSC's should as quickly as possible be established or incorporated into already existing Family Resource Centers on each island. The services provided should include preventive programs, early assessment, and should have temporary shelter capability.
7. Parental responsibility must be promoted for at-risk and intervention cases. Parental involvement must be a component of an expanded truancy reduction effort.
8. School Attendance Review Boards should be established in each school district. A special program for truancy among high risk youth is also recommended.
9. The Family Court and OYS should contract with independent organizations for program outcome evaluations and cost effectiveness analysis of major intervention programs.

10. Closer coordination of services requires local committees representing service providers. OYS and the Hawaii Youth Services Network should explore setting up a common case information data system to which would subscribe the private service providers for individual case services coordination and for aggregate data analysis.

1. The Target Population for the Plan is Status Offenders and Youth At Risk

Status offenders are youth variously identified as runaway, truant, curfew violators, and children beyond control of families and school, but not law violators or dependency cases (HRS 571-11 (2)). In effect, Family Court and the Police define such troubled youth cases as status offenders if they are without a current law violation. Cases which present both law violations and behavior such as runaway and truancy, are almost always handled as law violations.

Since the term status offender has widespread use, in the Hawaii Statutes and in general publications, it has been used in our first report (Kassebaum et al 1997) and in this report. However, the thrust of the Plan is that the runaway, truant or beyond control youth is not yet an offender, but rather is attempting to deal with a very problematic life situation by running or by not attending school.

The overall objectives of the Plan are to facilitate family, community, and agency efforts to determine the basic features of that problematic situation; to intervene with minimal delay; to assess the outcome of that intervention; and, to thereby promote the development of youth into productive, self sufficient adults.

2. Developing Organizational Commitment

The Plan recommends that the Family Court and the OYS develop an agreement, which continues the policy of diversion for initial status offenders and commits the Court and OYS to expand diversion options. The agreement would be negotiated on both State and county or island level. The first phase of the Plan should be accompanied by a series of local level, inter-agency (including major private sector services providers) work

sessions to resolve specific administrative and coordination issues. The object of these sessions is to obtain the commitment of various agencies to the Plan on a local level.

The Family Court has jurisdiction over youth found in violation of the provisions the Hawaii Revised Statute 571-11 and would continue to do so under the proposed plan. Under HRS 571-48 (2) (B), the Family Court is already empowered with authority to vest legal custody of a status offender with OYS or any other agency licensed or approved by the State. The Plan recommends that diversion of initial and early status offense behavior should continue to follow the policy of the Police and the Family Court. Also, under HRS 352D, the OYS would retain responsibility for developing a continuum of services through purchase of service contracts, and through the contracting and oversight for expansion and funding of Youth Service Centers.

Both the Family Court and OYS have clear mandates under State statutes. Proposals in the past several years to bring about the divestiture of the Family Court's jurisdiction over status offenders have not been successful. Removing jurisdiction for status offenders would reduce the strength of an integrated Family Court. Moreover, it is questionable whether divestiture would increase meaningful diversion and informal dispositions of status offenders. Recalcitrant, repeat cases would eventually go to the Court. Therefore, removing Family Court judges as a resource for runaways and truants would seem to bring little compensating benefit.

A major problem for initial apprehension of runaway or truant youth is not a resistance to the idea of diversion, but a shortage of effective and available places to divert the case and follow up. The problem with the chronic status offender is that they not only run from family and school, but they leave treatment as well. The Family Court along with its Probation Officers is a resource which aids compliance, and should, therefore, continue to play a role in these cases, especially when follow-up is necessary. The interest of the OYS in developing a continuum of care would not seem to be compromised by the continued sharing of responsibility for status offenders by the Family

Court. It is likely that on the end of that continuum where the youth poses serious challenges to the program, such as retention, the formality of the Family Court are useful.

The strength of OYS is its extensive network of relationships with private sector organizations for prevention and intervention services for at-risk youth as well as its role in the Ho'okala program. The strength of the Family Court is that it is governed by law and has provisions for the adversarial method when due process questions are raised; it is also a court with multiple divisions handling, under one roof, a variety of abuse, neglect, dependency, custody, and juvenile behavior problems. That feature ought to be strengthened, not reduced. A combination of the preventive approach of OYS and the authority of the integrated Family Court has advantages over the dominance of either one.

Diversion is an option at arrest at Family Court intake where it is used to dispose of a case without petitioning the case to Family Court. The Plan endorses the current strong commitment of the Family Court and the Police to the diversion of status offenders, removing them as much as possible from formal processing in the juvenile justice system. Diversionary programs such as AKAMAI, Evening Counseling, and SAP are examples which are described in Kassebaum et al 1997 and Chesney-Lind et al 1992. We further recommend special training for Police Officers in the recognition of common youth problems at the point of arrest or contact. We also recommend an increase in options available to the officer for diversion, i.e., alternatives to institutionalization. In other words, there should be more ways in which to handle a case without commitment to confinement. With a policy of diversion, funds should be sought for two enhancements: training for Police Officers regarding youth behavior and diversion options, and an increase in the number and range of options for referral.

3. Early Assistance

Early assistance should be provided by designated treatment providers to youth referred from the Police or community outreach organizations. Early assistance includes prevention services, adolescent alcohol and drug treatment, crisis hotline on each island,

referrals of early teen pregnancy to medical services, and job training for school dropouts. The Plan recommends that prevention programs for at-risk youth be intrinsically part of any plan for troubled youth. The reduction of subsequent problems and costs of runaways, truants, and other status offenses requires assistance at the earliest manifestations of trouble. Prevention services are the earliest form of intervention. A prevention program is designed to minimize the risk level in youth identified as likely to experience future adverse events related to personal development, displacement from education, personal safety, substance abuse, or law violation.

Examples of Existing Prevention Programs

The OYS should continue to be the leader in proposing and promoting prevention programs to reduce the exposure of at-risk youth to debilitating family conflict, school failure or non-completion, alcohol and drug use, early teen pregnancy and parenting, gang affiliation, and running away. However, the DOH, the DOE, and a wide spectrum of private, religious, and charitable programs should also continue to be resources for prevention programs. Shortages of funds and the perceived need for more effective intervention should not distract attention from the fundamental good sense behind prevention programs. The infrastructure of family support, community development, and the creation of recreational activities must continue to be the foundation of any response to juvenile runaways and truancy. The form of prevention program depends upon local conditions and problem focus. The following are examples of sound programs: the Youth ATOD (alcohol, tobacco and other drugs) Prevention Program; Work Hawaii; the Youth Outreach (YO) Project; and the Kahi Mohala crisis line.

The Youth Gang Response System, funded and administered by OYS since 1990, is a consortium of many statewide non-profit and government prevention and intervention programs for youth at risk of gang involvement. An example of such a program is the School Attendance Program (SAP) for truancy run by the Honolulu Police Department and the DOE. The variety of recreational, social, and counseling programs are a response to the need for constructive activities for youth in communities. All funded agencies

participate in committees which coordinate and share information about the system. It is regularly evaluated by the University of Hawaii at Manoa's Social Science Research Institute.

The Youth ATOD Prevention Program (YAPP), which is operated by Alu Like Inc. on all neighbor islands, provides a combination of group activities, family contacts, and one-on-one mentoring and counseling. These programs are situated in small communities with few organized recreational activities for youth, little or no public transportation, and high percentages of low-income families. The YAPP sites vary, but all promote organized, alcohol-and-drug-free recreational events as well as mentoring and counseling mixed with the activities. Active youth committees are supervised by an adult coordinator who oversees the activities that the youth plan. While the objectives are preventive, the counselors/mentors sometimes help youth cope with acute problems of the child's own alcohol or drug use, substance abuse of adults in his or her family, disorder in personal relations, or school truancy and failure.

Alu Like is dedicated to the promotion of programs for native Hawaiians. Similar ethnic culture prevention programs should be considered, particularly for Samoan, Filipino, and Caucasian youth.

Job Training for School Drop Outs

Early assistance should anticipate the transition to young adulthood. The Plan recommends that a transitional job-training program should be incorporated into the programs operated by DOE or an appropriate agency, on contract from OYS or the Family Court. Securing and maintaining employment are crucial to any young person, but are especially important to the high-risk youth who are at risk of displacement from conventional supports (family and school) in the transition to adulthood. Job skills training for school dropouts is a further extension of services to avoid the displacement of youth from conventional development in adult roles.

A program which provides an instructive example is the Work Hawaii Program, operated by the City and County of Honolulu. It enrolls, among others, minors and young adults who have dropped out of school (or have been expelled) and who have current or reliably predicted joblessness. The program uses a combination of social skills training and work skills training. The 12-week program has attendance, punctuality, and sobriety requirements.

Alcohol and Drug Treatment for Adolescents

The project recommends that the DOH make available funds for adolescent and drug treatment programs. There is a serious shortage in this state of alcohol and drug use treatment programs suitable for adolescent clients. The Bobby Benson program is the only residential drug treatment center for adolescents in the State. Other services available through the Kalihi YMCA, which operates three programs, are extremely important but cannot suffice. The major drug of abuse among teens is alcohol, and for this problem, early drinkers have almost nowhere to go for assistance.

Health Screening, Pregnancy Advice, and Referral

The YO Project is equally funded by the Waikiki Health Center and Hale Kipa, with some supplemental private and AUW funds. These supplemental funds have become more important since state funding was drastically cut several years ago. YO features a drop-in clinic after school hours, offering counseling, recreation, showers, laundry facilities, food, referral, and some transitional housing. Its focus is on primary needs (food, medical and clothing) for mainly runaway and homeless youth. This type of program is widely perceived to be valuable and deserves to be replicated in other parts of the state.

Crisis Hotlines for Adolescent Problems

The Kahi Mohala Crisis Line in Hilo provides crisis intervention only. Its small team tries to defuse conflict situations (personal, school, and outside) and can refer cases which appear to be eligible for services under the provisions of the *Felix v. Waihee*

program. The Crisis Line can call on psychiatric help in an emergency and summon the Police if the crisis appears dangerous. This program is also perceived to be valuable and deserves to be replicated in other areas of the state.

4. Tangible Consequences

Being picked up by the Police, identified by the school as a truant, or being referred to Family Court must provide for consequences for the youth's undesirable action. There must be tangible, visible consequences for runaway, truant, curfew violating, and beyond control youth. Consequences need not be punitive, but must be experienced with minimal delay. Consequences require an active response and participation from both the youth and the custodial parent(s) or responsible family. If voluntary referrals are ineffective in resolving the problem, the Family Court would then be involved through petition, with the option of legal status and Protective Supervision for the minor.

Local Short Term Detention

Providing consequences for actions sometimes is frustrated by the minor's evasion of any intervention. The Family Court and OYS should explore options to establish a local, appropriate facility for emergency, short term detention for status offenders who are unwilling to remain in a shelter and who are in immediate risk if released in their present condition. The absence of any alternative ways of detaining a youth, who cannot return to his or her home, increases the pressures on being able to comply with OJJDP regulations on the use of confinement. In the long run, creating an option which would give neighbor island communities, especially, an alternative to sending youth to Honolulu protects the commitment to diversion, and to a community and home centered policy of response to status offenses.

5. Planning and Services Should be Locally Situated

Each local area (i.e. each island and eventually each school district or major community) should be the locus of organization. This implies that there should be local

input. Allocation of resources and services should be sensitive to area variation in type and extent of problems and availability of service options. There should be a multipurpose center (Youth Service Center) on each island, and eventually, in each major community or district. There should also be a visible and accessible program in each major school, which is concerned with preventing truancy and non-attendance and intervening in early school difficulties, which may lead to truancy or drop out. Area needs vary and committees of local residents with some voice in the planning and operation of services are necessary to have the specific needs recognized.

6. Youth Service Centers

The Youth Service Center, as outlined in the 1991 OYS Strategic Plan, should be expanded to provide for prevention services, early assessment, emergency shelter, and referrals on each island and eventually each school district. The Plan recommends that OYS should be enabled, over a period of time, to develop a multi-service facility on each island and as soon as possible in each school district. The features and staffing of a Youth Services Center are described in the OYS Strategic Plan (Hornby et al 1991).

Currently, three YSC's are operating at Washington Intermediate School, in Honolulu; at Kapa'a High School, on Kauai; and on the island of Hawaii, at Kea'au Intermediate School. All provide recreational opportunities, cultural programs, and, in the current year, a program for parents was begun. Case management was formerly available, but those positions have been eliminated. The Boys and Girls Club of Honolulu operates two of three programs through a purchase of service contract from OYS (Honolulu and Kauai YSC's). The third, on the Big Island, is run by the Salvation Army Hilo Interim Home via a subcontract with the Boys and Girls Club.

The YSC has features in common with other funded youth and family oriented multipurpose community centers, most notably Family Resource Centers. There is a possibility of receiving funding through the Family Preservation Initiative of DHS, but none of these programs currently receive this funding. The possibility of obtaining this

supplemental support or coordinating with these Family Resource Centers should be explored.

The services provided in a Youth Services Center would be determined to some extent by the needs of the area and the level of funding available to each area. First, there is in general a need for early assessment of youth, the family, and the situation. Early comprehensive assessment of youth, and in almost all instances, the custodial family should quickly follow contact and identification of a status offender. A second need is for emergency shelter or what is sometimes called a "Safe House". The Youth Service Center should have a small number of emergency shelter beds available for police or agency referral, and perhaps at least another one for walk-in clients.

7. Parental Responsibility Should be Promoted for At-Risk, Intervention, and Control Levels of the Plan

The project recommends that the DOE, with the participation of local churches, ethnic advocacy organizations (Hawaiian, Samoan, and Filipino), and other concerned organizations, should inaugurate a series of focus groups and support groups for parents and for families experiencing problems. The general theme would be active parental and family responsibility for child and youth development, rights of youth, responsibilities of minors, and school attendance. These topics may, however, not be the most salient problem facing a family. Identifying and assessing many of the family's problems would be a first step with dealing with the child's problem. Responsibility may extend beyond the single parent or the two parent nuclear family. Particularly if one or both custodial parents have behavior or substance abuse problems or criminal records, the wider, extended family must be drawn upon.

It is also possible, and has been recommended in some locales, that an ethnic, neighborhood Ohana could be evoked to provide a diagnosis of the precipitating problem situation and propose solutions or accommodations to the involved parties. This requires empowerment of local communities and relaxation of some legal rules concerning

confidentiality. In the Hawaiian and Samoan communities, there are cultural procedures and techniques believed to be effective in restoring deviant members to a harmonious relation. If this were possible in other communities, it would be a move toward a revitalization of local community values and informal controls as the basis of stabilization of youth, rather than simply the rule of law.

Family Responsibility, in Particular, Must Extend to Truancy Prevention

One indicator of a family's ability and willingness to assume responsibility for the behavior of children can be derived from their knowledge of their child's school non-attendance. The law requires that children be in school and that parents be aware of their school attendance. Therefore, the Plan recommends increased family responsibility be promoted in order to encourage more effective parenting regarding truancy.

8. Truancy Prevention

Failure to remain and advance in school is a general indicator of serious difficulty in skill development, and can deprive a youth of the qualifications for a mainstream role in the U.S. economy. Problems in the home or shortcomings in school may seriously depress performance and make class sessions punishing for the youth who cannot perform at the same level as other youth. When youth escape these problems by cutting classes or dropping out, the probability of a marginal position is greatly increased. Moreover, the youth who is not in school during the weekday is often at risk in an idle, unsupervised day; boredom is often cited by youth as a reason for getting in trouble (Joe et al 1994).

School Attendance Review Boards

Truancy reduction occupies a central place in the Plan proposed in this report. For this reason improvements for the collection of baseline data in Hawaii on this problem are essential. Following the lead of the US DOE and the OJJDP we recommend that the Hawaii DOE allocate or seek funds to inaugurate a program of School Attendance Review Boards (SARB). A SARB is comprised of a small number of representatives from youth serving organizations in each school district. The objective is to help truants

and parents prevent and resolve school attendance problems through the use of existing community and school resources. The SARB receives truancy referrals from school districts (where at least one conference with parent and teacher has been ineffective). The SARB would check facts regarding the youth and the truancy claim; schedule a meeting of parent(s) and child and school district representatives; and, develop a contract with referral to services, which is then monitored. If this does not restore school attendance, the case is referred to Family Court for enforcement of the compulsory school attendance law.

Truancy Reduction Among High Risk Youth

The project further recommends that the DOE obtain funding to invite applications from each school district to design, operate and evaluate a program to prevent or intervene in truancy of high risk youth. High risk youth are defined as minors 15 years and younger, with two of the four risk factors: poor school attendance, family problems, substance abuse, or legal status with the Family Court. An independent evaluator would evaluate the success of the program based on criteria which include school attendance, subsequent arrests or other referrals to court, and grade point average.

9. Evaluation of Outcome and Costs

The project recommends that the OYS and the Family Court should contract for third party evaluation to determine program outcome and cost benefit. A sample of all case interventions, from major funded programs, will be evaluated to determine the impact of the intervention, i.e., effectiveness to resolve the problematic behavior and situation. The evaluation of the intervention should typically be wider than simply the reduction of repeat arrests or the logging of a delivered service. The evaluation of outcome must include determination of whether the precipitating problem, which contributed to running, truancy or other misconduct, has been sufficiently remedied so that the minor's development can progress. The follow-up should be long enough to reveal if the action is repeated, if the child has returned to school or an educational alternative, and if a satisfactory home has been restored or provided.

The evaluation should also include, at appropriate times, cost benefit analysis and cost effectiveness of the program. (Note: Cost benefit analysis expresses both the costs and the outcomes in monetary terms. It is intended to show if direct and indirect program effects exceed the program costs. Cost effectiveness expresses the costs in monetary terms, but the effects are in substantive terms. Such analysis is important for youth programs where there is broad consensus about the desirability of objectives, and where program claims to produce an effect must be weighed against cost, not the value of the effort itself.)

Evaluation of programs will depend upon the provision of required cooperation with evaluation studies in contracts for services. This in turn necessitates adequate records on the client's characteristics, exposure to program, and participation among other information. Requiring service providers to prepare and conduct outcome evaluation is often a stimulus to good management and accountability.

10. Coordination and Data Management

The Plan recommends that OYS and the Hawaii Youth Services Network (HYSN), and other service providers not in the HYSN, arrive at an agreement concerning design and funding of a shared information system, using available software in stores and the Internet. Coordination of independent service providers has two requirements: communication between staff and a shared case information system. All four Family Courts have, or will shortly have their files on line in JUSTIC. Also the Juvenile Justice Information System (JJIS) is finally coming on line, first for cases that are entered from the Honolulu Police and the Honolulu Prosecutor, later the Family Court, First Circuit and eventually the Police, Prosecutors' Offices and Family Courts in the other counties. The JJIS will make it much easier to get a file on a youth having multi-agency contacts and dispositions, but under the state's current juvenile privacy statute, private service providers would not have access to it.

However, in achieving better coordination, all the agencies and organizations which have cases referred should adopt a common data format and share data in a network, commonly known as an intranet. Otherwise, the coordination is on a policy level, not on a case level. Some service providers and agencies either do not have a modern data system (some are manual) or the capability of quickly scanning their caseloads. If the staff time of pulling up information is too costly, the small agency will probably not comply with information requirements for a coordinated system.

The information system should minimize paperwork and must be easy to use. Portable computers or workstations and email could be used to transfer encrypted case data from office to office or to a central Youth Service Center or oversight organization. At each early assessment site, a file would be opened on a referral, which could be password protected, but fully or partially shared. The requirements of confidentiality would have to be legally reviewed. This is obviously a costs item, but without an information system which captures case level data and is reasonably up-to-date, coordination is more rhetorical than actual.

Conclusion

In the Introduction of this report, the planning effort was characterized as leading to several effects. It is appropriate to return to those aims in this concluding section.

The Ultimate Goal of the Recommended Plan is the Development of Youth.

The actions which constitute status offenses (running from the family, failing to attend school, and being without the supervision of a significant adult figure) are of concern because these actions progressively displace the subject minor from the normal course of personality and skills development. The transition from dependent child to independent adult requires the sponsorship and guidance provided by an emotionally significant family relationship as well as the intellectual and social training and preparation supplied by a good school. Children may experience stress in either or both, but to be permanently displaced imposes real obstacles to development and increases the

probability of a marginalized social position. Thus, reunification with the functional family and restoration to good standing in school are the objectives of intervention with status offenders. The recommendations of the Plan for early assessment, parental involvement in the intervention, and a more active local community effort to confront truancy in its early manifestations are aimed at interrupting a drift out of family membership and school completion. When the capabilities of the parent or family, or the relationship of the minor with the family have been too extensively compromised, or where the rupture of the minor with the school is irreparable, alternative placement and alternative education must be considered. This Plan accomplishes this with the retention of the Family Court for cases not responding to diversion and voluntary participation in programs.

Prevention Programs Are an Essential Component of the Recommended Plan.

Prevention programs are intended to contribute to the reduction of risk of the drift and displacement mentioned above. Also, early assessment may uncover a need for redirection in the child's development while there is still some flexibility for such a change. Because the child and adolescent are undergoing change at a rapid rate, this concern with stopping drift is more marked than with older offenders. There is no clear line between the clientele of prevention programs and youth in need of intervention. A recreational or outreach activity of a prevention program often identifies a youth in the midst of a problem concerning interpersonal conflict, a domestic dispute, or a rapidly deteriorating problem at school. The staff of prevention programs continually deal with those types of cases or refer them to a service better equipped to meet the needs of the youth. Troubled youth do not easily walk in to apply for services, and the experience of being taken into custody by the Police for a truancy or curfew violation further mobilizes defensiveness which inhibits a statement of the problem in which the youth is involved. The neutrality of the prevention program activity or staff often facilitates disclosures of the youth, which either lead to amelioration or a referral. The distinction between status offenses and law violations and the logic of diversion requires a close connection between prevention programs and other intervention.

The Plan Advocates Early Assessment of the Individual, Family, and School Situation of Each Status Offender.

Many professionals in key informant interviews and in focus groups have cited the value of early assessment. Early assessment is accomplished by an interview with the subject minor and may often include the custodial parent and an inquiry into the school situation. This assessment should lead to a statement of the precipitating problem and to a suggested resolution or referral of the minor, and other significant parties, to an intervention service. Active family involvement is important as a means of getting a solution which endures. The recommendation that Youth Service Centers be expanded on each island is intended to provide early assessment for each identified case.

The Plan Emphasizes the Need for Reduction of Program Attrition.

The tendency of a referred youth to prematurely terminate participation in a service program severely limits the likelihood that a program will significantly improve the youth's situation. The probability of a positive outcome and the possibility of evaluating the effectiveness of the intervention model both depend upon the client-youth having enough exposure to the program. Thus, the reduction of attrition is very important in the recommended plan. The general recommendation that programs and agencies should provide tangible consequences for both the youth and his or her family should encourage retention of a referred youth in a program. Follow-up and increased parental involvement can also help reduce attrition. The option of Family Court placing a recalcitrant youth on legal status (Protective Supervision) and the possibility of local temporary detention if a valid court order is violated are expected to increase compliance with referrals.

The Plan Provides for Coordination of Services.

A decentralized system of the Family Court, Executive Branch agencies and private service providers pose a challenge to coordination of services. Small agencies frequently have limited capacity for extracting a reasonably up-to-date file or summary and distributing it directly to concerned parties, as well as assembling a report on aggregate data. With a shared computerized data system in a local area network or using

email and encrypted files, service coordination is possible. Obtaining cooperation from busy small agencies will require offering a reasonable exchange for their labor input to a data system. Building a report writer into the software makes a direct contribution to the reduction of caseworker paperwork. The value of a data system for preparing reports and compliance with evaluation and funding requirements, in addition to the advantages to management, will hopefully motivate the cooperation of service agency staff and boards of directors.

The Plan Supplies Enhanced Accountability.

Review of contracts for a wide range of services is very difficult without accurate data on frequency of contact, client progress and total service delivered. A common data system, the memoranda of agreement between the major referral sources, the services providers and contracted independent program evaluation are needed. Such a system would enable decisions on budgets to be made more intelligently, would show geographic area variations in clients and services and would enhance the force of arguments in applications for external funding. A dispersed, multi-agency, system of services for status offenders requires organizational intelligence, that is to say information available on where a case is, what services the child is receiving, and how the child is complying with or resisting the expectations of the program. Enabling a status assessment to be made in real time, rather than scheduling hearings weeks ahead, makes possible a credible claim that the case is under control even if in the community. Maintaining the youth in the community with assurance of restored development and reasonable control is the bottom line for the system for responding to status offenses in Hawaii, which has been advocated by OYS and the Family Court and is the major premise of the Plan proposed in this report.

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APPENDIX A: FOCUS GROUP RECRUITMENT METHODOLOGY

Introduction

The interest of the first phase of this study was to determine policies and practices of agencies which service status offenders; it was also necessary to sample points of view from various locations throughout the state to obtain criticisms of current procedures and resources and to solicit conceptions of elements of a better alternative. Focus groups serve this purpose well. It is possible to bring together persons with common experience, which provides a starting point for group interaction, and to supply a task, which frames the discussion. With many people speaking to one another, there are opportunities for local points of view to be expressed which might not have been revealed in individual interviews.

Groups were recruited throughout the state, using offices and persons in the various geographical areas to refer likely participants. Bringing people into groups, which would take nearly two hours, was not an easy matter. Considerable effort was expended on telephoning and logistical matters. The people who came, however, were active, interested, and contributed to our understanding of the issues.

Prior to recruitment of focus group participants, locations and dates for each of the focus groups were secured. The Center for Youth Research (CYR) staff decided to hold most of the focus groups at either a community college, a high school, or a community center. It was established that the majority of the focus groups would meet at lunch time with lunch being provided by the CYR as an incentive to attend the meetings. Three focus groups were held in the evening with dinner provided by the CYR.

Recruitment of the focus groups began in early April. The CYR staff asked the OYS for an initial list of professionals who work with status offenders and could participate as focus group members or provide referrals to the focus groups. The list that was received from the OYS included individuals throughout the state who work in

government departments or agencies and individuals who work at private youth service agencies.

An invitation was sent to each of the individuals on the initial list and subsequent lists. The invitation included explanations of the focus group's purpose as well as the task to be accomplished at each group. The invitation asked for other referrals of potential focus group participants. Also included was a copy of the sample case that was developed by the CYR staff and would serve as the topic of each group's discussion (see page 7).

Potential participants were asked to send back a screening sheet to the CYR to confirm their participation and give the names and phone numbers of any additional referrals they could provide. This method of recruitment is referred to as a "snowball sampling" (Babbie 1995: 287). The screening sheet served a dual purpose; not only did it help to confirm group participation, it also assisted in ensuring that the group was well rounded with participants from different departments and agencies. When new referrals were received, the process began again. Confirmation letters with directions to the group meeting place were then mailed or faxed to each participant that was recruited.

In certain instances the CYR staff needed to recruit more actively for group participation. This meant that potential participants were called to follow up the invitation and were faxed additional information as the need arose. Occasionally, the CYR staff relied upon the phone book to recruit members from different organizations or state departments and agencies when it seemed as if all referral sources were exhausted.

Composition of the Focus Groups

There was a total of eleven focus groups. The first focus group was held at the OYS office with four individuals. These four individuals represented the OYS and the Hawaii Youth Services Network. They served as the test focus group to see if the group task was clear, if the questionnaire was understandable, and if the allotted time for each

group was sufficient. This proved to be a useful exercise for the CYR staff as changes were made to the questionnaire prior to using it with the remainder of the focus groups.

There were two youth groups. One group was held on Kauai and the other on Oahu. The youth were given an additional incentive of movie tickets to ensure their participation. Kauai and Oahu were chosen as the two sites for the youth groups because the cooperation of several residential programs was secured prior to scheduling the groups.

The remaining eight groups were composed of professionals from several private service providers and numerous state departments and agencies (see Appendix B). A minimum of two focus groups were held in each county. Focus groups were held on each island except for Lanai because of time and funding constraints. Fortunately, two individuals from Lanai were willing to attend other focus groups ensuring that Lanai would be represented in the focus group process.

The CYR staff took painstaking measures to ensure that each group had representation from individuals working in different agencies, departments, and organizations. This was done under the assumption that various individuals would have different perceptions regarding the task at hand, thus providing a more complete discussion. For example, if during the process of setting up the groups, one group appeared to have an overrepresentation of Family Court employees, the CYR staff would actively attempt to increase the representation from either the Departments of Education, Human Services, Health, or the private service sector.

Focus Group Techniques

Each focus group was facilitated by a team of two researchers from the CYR. In each team one member facilitated the group, while the other took notes. Team members took turns being the facilitator and note taker. At the beginning of each group, participants were asked for their permission to be taped, which would assist the CYR

staff in the write up of the report. The participants were assured that their comments would remain confidential and were asked to sign a consent form regarding the taping.

The facilitator then distributed a copy of the sample case (see page 7) that would be the focus of the discussion. The task of the group was to use the sample case to identify the way the case would be processed through the current system. The note taker from the CYR staff recorded each group's comments as diagrams of the current and proposed systems, clarifying throughout the meeting that what was written was true to the discussion. These diagrams and notes were displayed for the group on large newsprint.

Prior to adjourning the meeting, a questionnaire was distributed. The questionnaire was designed to quickly elicit conclusions on the content of what was discussed in the meeting. Participants were asked to fill out the questionnaire before leaving. Participants were thanked for their time and left after filling out the questionnaire.

Analysis

One team member (the facilitator) wrote a summary of the groups' discussion which included the groups' notes, the questionnaires' responses, and the tape recording. Following a structured outline, the facilitator summarized with quotes and close paraphrase, what the group believed to be the current procedures in the geographic area in which the group was located, what problems the participants saw, and what they would propose to improve the system in that area. The other team member then reviewed this summary. Differences of viewpoint, if any, were discussed and resolved. The use of a common group task for all groups, an outline for analysis, and cross checking between two observers at each group session, raised the likelihood that differences between groups reflected the groups' views rather than variation in what they chose to talk about or the opinion of a research staff observer.

APPENDIX B: FOCUS GROUP PROPOSED ALTERNATIVES WRITE-UP

The following information was derived from eleven focus groups with participants from every island. Nine groups consisted of professionals and two consisted of youth involved in the system. The information obtained from these focus groups is presented below. They were asked to create an improved procedure to deal with status offenders. Again, they were asked to use the case study as an example. We attempted to recount the groups as accurately as possible. Because of this, we did not leave out any information, including that which is questionable. Therefore, we must stress that the proposed alternatives in this section are the opinions expressed by the various focus group participants, not necessarily the opinions of the researchers or the OYS.

Oahu Focus Group 5/30/97

The group wanted the process to divert a case like the example from Family Court and use more social services to assist the child and family. The goals expressed were for family reunification, community empowerment, and informal processing outside of the legal system. As one group member stated:

“One of my frustrations is we’re so highly centralized and there’s such a dependence on authority.” Rather, they argued that we should turn *“the system on its head and look at communities taking much more responsibility for the children within the community...I don’t think that it’s out of line for a community to build these kinds of relationships.”*

The group advocated what is already in the OYS Strategic Plan and the plan for Youth Service Centers regionally, which has never been implemented: *“Shall we just turn the clock back seven years [sic] and pull out the Strategic Plan for the OYS? [laughter]...This is all that we’re talking about, that’s what it is.”*

One member advocated a proactive prevention model with community member intervention, an informal system using citizens, and possibly community policing and citizen patrols. A community person, the Police, or the family could refer directly to the Youth Services Center (one of many regional ones) which would include recreation,

outreach, assessment, case management, referrals, an on-going information system, and law education. AKAMAI, community policing and other programs or agencies (using Purchase of Service contracts) would be involved at the Youth Services Center which could then make referrals to non-profits where those staff would learn about the case from the information center and keep working on the case as long as necessary.

“If we had outreach workers working out of a Youth Service Center whose cases would then go into the Youth Service Center...then I kind of envision Ho`okala or those kinds of things there. You can do the assessment and have 24 hours available in that way and then case manage in a sense these cases as they go out to whatever resources you’d need to have someplace else, teaching them how get to the mental health system, just really be a resource for getting people all the kinds of things they need to have.”

If the youth has repeated “runs”, the case would come back for “more work”. They saw this as preferable to what is done now, because professionals would continue to try to reach the youth with some strategy or interest that might eventually be effective in returning him or her to the home and/or school. Non-compliance would result in more contacts with the non-profit organization until something was found to work, or the child became an adult. One person suggested that there could also be the 23 hour shelter similar to Tucson, Arizona, because they don’t need a license if they are not operating 24 hours.

The Family Court is not a part of this proposed system (the exceptions mentioned were when CPS would be involved when there is a danger to the child and/or educational neglect). OYS would be involved through administration of Purchase of Service contracts. The Police should be involved to educate the children (via AKAMAI, SAP, Evening Counseling) about consequences of possible escalation to more serious offenses, and this education could occur with Police at the Youth Services Center. *“...when you take it to Court, it’s just escalating the ante, and for a kid who runs in a response to what’s happening to them...a lot of kids just don’t take the threat. And the reality of getting locked doesn’t outweigh the need to run away.”*

One person described the proposed system in relation to the Youth Outreach (YO) Project for runaways administered by Hale Kipa and based out of the Waikiki Health Center: “[*The YO project*] is a nice model...there’s people out there, they’re savvy about kids, they know how to talk to kids and they know their community.”

This small group thought that this plan could happen even though it might require broad social change in local and State services and elements of change like neighborhood governance and resource reallocation. Attitude changes in the whole population and with public policy makers was also suggested. One person said that Hawaii needs a State policy for children and youth.

Another person pointed to indicators that segments of the community are emerging (the Pearl City Task Force, Kalihi churches) to work on important issues affecting youth and it was suggested that a Youth Service Center or new system be located where there are recent records of success. This brought on a discussion of the feasibility of a pilot project, a fully-funded and evaluated Youth Service Center in one community (maybe on a neighbor island).

Oahu Focus Group 6/19/97

Some participants advocated for mandating parental involvement with the youth when they have been sentenced or once the youth and family have been assessed as needing services. “[*The system seems to be all focused on the child. The family needs to be held accountable.*]” Many participants agreed that the parents are the cause of the problems of the youth and “[*The kids would have to be exceptional to rise above what the parents have given them in life.*]”

A recommendation to change the system’s whole philosophical approach was mentioned, namely, prevention. “[*We need to get the kids in kindergarten because by the time they are 15, it may be too late for them already.*]” A School Attendance Review

Board (SARB), such as in Sacramento, California, would be helpful. This would need to be implemented by each county and would intervene early on in the child's schooling or whenever necessary. According to the group, this would institutionalize the process for status offenders and mandate follow up.

"One of the beauties of the SARB is that it's mandated that the different service providers participate-- probation, social services, mental health, a parent representative, a school representative, get the teacher, the parent is there, the child is there and the chairman of the SARB has the power to have the school do certain types of things."

The SARB would do assessments as well. Private schools may be able to be included, too. It was suggested that a working agreement be developed between the agencies involved to assure collaboration.

The group believed that, while the SARB was a good idea to tackle, there also needed to be more shelters and Assessment Centers immediately along with statutory changes (none specifically mentioned) to ensure a continuum of care. It was felt that one agency or department should take the lead and many participants questioned why OYS was not doing that already. When pressed for which agency should take the lead with status offenders, most people in this group thought that OYS should take the lead since they were created for that role. One individual said the Probation Office should take the lead.

Oahu Focus Group 6/20/97

In the proposed system, the group stressed the need for prevention, especially preventing involvement in the criminal justice system, and also the need to change the focus of discussion from the youth to the family, and specifically the parents.

"You overlay these human issues with a whole bunch of labels--violation, status offense. What they are, are human beings with problems, that need their needs addressed. This [the current system] is a reactive model. You should go back to a preventative model, culturally sensitive, widely dispersed in the various communities, ethnically appropriate values."

One of the ways they discussed to have a more proactive system was to utilize the Felix v. Waihee consent decree. This would help to identify problems in the schools before they get serious. They suggested a "mirrored system" for those youth who have some problem, but do not qualify under the Felix v. Waihee consent decree. The "mirrored system" would have the capacity to refer to other agencies like the Felix vs. Waihee Implementation Plan. However, it would be for students who are not doing well in school, but have no apparent mental or medical problems. Then from the schools the youth could be referred to agencies.

The second area of prevention would be outreach programs, such as those run by the YMCA. Currently, the YMCA deals mostly with drug problems, but the rationale is to go out and find kids where they are. This would help to alleviate the problems with involving the Police department. The Police would still be able to pick up youth, but instead of arresting them, the group hoped to be able to establish an Assessment Center to which the Police could take them. In the end, the DOE, the outreach programs, the Police, and even the parents would all either take the youth or refer them to the Assessment Center without having to get them involved in the juvenile justice system.

The Assessment Center would be a central agency, possibly the OYS, which would assess the needs of all referred youth and then refer them to the proper agency. This would add the elements of coordination and collaboration missing in the current system. *"What I'm hearing is that most of the system is okay, we just may not be moving that fast...How you can address that is through collaboration."* Furthermore, it would be an information collection agency, to add to the ability to coordinate as well as the capacity to follow up on the progress of the youth.

If the youth is Hawaiian, they can be referred to Alu Like. This agency gets the family involved in the assessment and treatment of the problems, as well as holding the family accountable for the problems of the youth. Furthermore, Alu Like plans to

incorporate education and employment components to the program, to help give the youth better options for their future.

The group acknowledged that the programs run by the Police are useful, but should probably be run by some other agency and should be increased. The main purpose of the program should be to involve the family in the treatment process. The family was seen as needing services, not just the youth. *"The system reinforces that when the kid runs away, 'we [the shelter] don't want him anymore.'"* Instead of turning youth away from programs they have already completed, the group thought that programs should always be open to youth.

The group also expressed the need for shelters in which the youth can find a safe place with food and counseling, if desired, as an alternative to running away. This could be incorporated into the Assessment Center. Although the group conceded that lowering the age of emancipation would not be a good idea, they thought that there should be some Independent Living homes as an alternative to living in a dysfunctional home or in foster care. These homes would help give them the skills to live on their own.

Of course in abuse cases, CPS and Family Court would still play an important role. With more counseling services, it is hoped that the youth would be more comfortable talking about abuse. Also, if the youth or the family is unresponsive to these methods of diversion, Family Court would intervene.

One of the issues that needs to be confronted in changing the system is the issue of collaboration. Many said that collaboration would solve many problems. However, the question is then how specifically to collaborate. As one participant put it the proposed system is, *"simplistic ...collaboration is extremely difficult."* However, the group hoped that a central agency, such as OYS, would be able to coordinate efforts. Some in the group then expressed the belief that many other agencies would not want OYS or any other agency to take over funding for these programs. However, *"I don't*

think that it means that the funding would be transferred to OYS ...coordination efforts could be done through OYS." In the end, the topic was unresolved by the group.

A second issue discussed was that the problem is not just the structure, but the way that we look at and address the issue of status offense. One participant said that change would require that, *"The DOE would have to restructure its whole brain. At the highest level: the policy level."* Most agreed that the focus of the process should be taken off of the youth, which would require policy changes, such as changing the DOE policy of arresting school children for adolescent behavior.

They also thought that to make OYS, or any other agency, the central coordinating agency, would also require policy change. *"You almost have to threaten the agencies to work together."*

This group, like many of the other groups, expressed the desire to involve the parents. Some even went so far as to recommend parenting classes. However, many in the group quickly addressed the fact that the DOE cannot even implement sex education classes because of the opposition of some parents; parenting classes would have similar obstacles. However, it is possible to incorporate parenting skills (although they would not be named such) into family counseling. It requires that the agency gets the parents involved in counseling with the enticement of being able to better communicate and control their children.

Oahu Focus Group 6/25/97

In the proposed system, a community member or the Police would remain the first contact for the runaway in the park. The Police would refer the youth to a service provider in that particular community. The group acknowledged that this would require many more services located within neighborhoods and increased funding for those services. They also wanted more emergency shelters. In addition, they thought the

system required a broad range of social and recreational activities for prevention throughout communities, not just those funded by the OYS, e.g., scouting.

Because they are “a very important entrance” in the system, one group member strongly suggested that the Police have more training in child development and cultural awareness so that they would approach youth with a more positive attitude—“relationship building”. The training would also include information about the resources and services available. Another member suggested that a professional, particularly a bilingual staff member, from the service provider accompany the Police Officer to the youth’s home to explain the situation and talk with the family. They thought that this is especially important for immigrant families who may need translation, especially of the laws and about the resources.

Another element of the Plan is to provide 24 hours crisis services which would include the social services professional who could go with the Police to the home. The crisis workers would be from specific ethnic cultures, working with those ethnicities in their community. The importance of cultural and ethnic ties is one reason why organizations favor referring to the Hawaii Coalition for Samoan Youth.

The Plan would include the DOE initiating immediate consequences and following up closely with the truant child.

One member suggested having an intermediate stage before Family Court which would have the threat of court but would keep the youth out of the actual court process. This was not further developed in the discussion. They also wanted to minimize the formal court process for status offenders. *“As it goes through the system the kid is getting into more and more problems because it’s a prolonged waiting period ...interventions have to happen way before that to prevent the status offenders from entering the court.”*

One person described how a diversion program is preferable to Family Court and should help educate parents as well as the youth: *"You know I believe in utilizing so many services there, using it right...My knowledge is that a lot of those families don't really know that once you get in the [court] system it is hard to get out, a lot of education has to be done ahead of time...let the family know that once you get in it would be hard to get out."*

As the discussion continued, the group formulated a more specific Plan using a treatment team to do assessment on a youth who has repeated offenses.

"I would like to see a group of people work with those families and kids who keep repeating...do a real good assessment of those kids and find out what is it that's lacking. What is it that's not there that we can really do? Because in the system that I see now things are so scattered that no one is really looking at these families. You know, they keep repeating and repeating and repeating and they're just giving out referrals out to this and that...Because going to the court is not going to help either."

This proposed team might include professionals, community members and service providers (both state and private agencies and departments). *"It would save a lot of money to develop, to have a good team, to really look at different cases, especially those cases who are exhausting the system, in and out, in and out."* The DOH mental health and the CPS teams were cited as good models by one group member. The same person recommended that the OYS administer this treatment team approach. They agreed that greater funding would have be given to this approach.

Upon discussion of how they would tell if the program was effective, one person suggested that it be measured not just by negative factors like arrest but also by the positive behaviors and activities of the youth following the intervention, e.g., participation at the Boys and Girls Club.

The factors in place that could make this happen include our communities *"which are already very strong."* They supported using individual services in the communities to

lead prevention efforts in each individual community. They pointed to collaborative efforts which have already taken place like the intervention by several agencies and churches with gangs in the Mayor Wright housing last year: *“Everyone’s working toward some cause.”* Collaborative efforts will help people to meet each other and begin to work together. Changes in the way agencies work together were seen as possible even though there is *“A lot of politics and everybody has their own ideas.”* They liked the idea of centralized data collection and tracking of the youth but did not know how that would affect confidentiality.

One comment was on the problem that agencies receive court referrals but do not get the attached funding especially to do the necessary on-going casework. They suggested when the court requires community service, it should be more immediate instead of the time lags which often occur. Also, one person said that a Plan should incorporate an agency that links youth to jobs.

Hilo Focus Group 6/12/97

The group pointed to other efforts, such as the Blueprint for Change, a system change initiative on child abuse and neglect, that are trying to do something similar. *“Why can’t we look at other collaborative models already in the works and copy them?”* They also questioned, *“If OYS has identified what they want to do and they can tell anyone, or tell us here or tell us at another time that we get back together, that this is actually what we are looking at funding. Then there’s parameters of what can and can’t be done.”* Someone also mentioned looking at the original plan for OYS, because OYS was originally charged with the responsibility of taking the lead with youth services.

The group identified many issues that need to be addressed by a new system. Although a good program, Ho’okala should provide direct services at the time of intake and assessment, the most appropriate time to provide direct services. Furthermore, for youth who cannot go to a Ho’okala program, laws prohibit people or agencies from providing immediate, temporary shelter to a youth in trouble when parents cannot be

reached immediately or when parents refuse to take the child home. Also, the community and, to a lesser extent, agencies and departments involved with status offenders do not know about all the resources in the community, services provided by each agency or department, costs for service provision, or how they are structured (private non-profit, managed care, or for profit).

Parents were often blamed by our focus groups for the youth's problems, but this group pointed out that parents cannot always get to or afford necessary or mandated services, as they are no longer provided by welfare. For other parents, Courts cannot enforce the parents legal duties; *"The duties are there and the laws are there, it's a matter of how do we actually enforce it."*

It takes something drastic, such as actual abuse, to get CPS involved in a case. Also, there are no "teeth" in the laws or consequences of kids running away or being truant; *"The kids think being suspended from school because they're truant is a vacation. There's no accountability for what they do."* Many people do not understand the Felix v. Waihee consent decree and automatically assume either that there are diverse services or that the services are only for people with mental problems. Therefore, it is difficult to utilize this method for referring youth for services. Finally, some in the focus group said that the DOE employees cannot be freed from teaching to deal with status offender related projects or programs, to attend workshops, training, etc. If the teachers cannot be released to participate, these participants did not expect much from the DOE.

The main recommendation was for a crisis team that is centralized at an early Assessment Center. It would have to be available 24 hours a day, 7 days a week and work in collaboration with the Hilo Interim Home. The assessment team should be made up of people from all the different agencies and departments in the community and should include a case manager for each case to assure follow through. The team would assess the case then determine the level and type of intervention. Then direct services could be provided. There should also be crisis teams in the three distinct areas of need on the Big Island (Hilo, Kona, and Puna).

There would also have to be some system of communication for the different agencies involved. It was suggested that some type of computer system be developed, but confidentiality issues were brought up and the discussion went no further on this matter. It was mentioned that the Juvenile Justice Information System is currently being put into place, but will not be operable for some time. The group proposed "mandatory" prevention education programs in the schools that would begin in kindergarten and involve the parents right from the start of the child's school career.

Kona Focus Group 6/25/97

The group did not articulate a system to replace the current procedures. Instead, they advanced two general imperatives which they urged should be implemented in some manner, and several implications from these. Most in the group believed parents must be brought to take responsibility for their children's welfare themselves: "*parenting is a privilege, it's not just some ability anatomically presented to us.*" Parents must somehow be brought to realize that they, not the State agencies, have responsibility for the discipline of youngsters: "*you can legislate responsibility.*" The second general imperative was to create legal consequences for status offenses, both for the youth and the custodial family.

First and fundamentally, an alternative system should create immediate consequences for a confirmed runaway or a beyond control child or adolescent incident. The Police should have a place to refer the minor to for assessment regarding abuse or neglect, drug use, adult boy friend or other high risk influences, and basic emotional problems. The family would also be contacted for an account of the incident, i.e., the reasons for the youth's running. Such an account would include information on drug or alcohol problems of adults in the home, domestic violence or other family problems. Part of the immediate consequences doctrine is that an "appropriate agency" works out a plan involving both the youth and the family or parent and addresses the assessed problem(s). An appropriate agency was not spelled out but could be the Police (referring to the

Interim Home), or the Family Court, (referring cases to the Interim Home or Teen Court, CPS or the school). Finally, the consequences would have legal penalties for either adolescent or family refusing to participate. However, one participant noted that *"threats don't work, because every time you threaten and you don't follow through, you create more problems than you solve."* So another member said, *"there have to be structured consequences,"* to avoid this problem.

Second, the West Hawaii district should establish a Youth Services Center for walk-in youth or parental assistance, not requiring a Police or court referral. These services would include parenting workshops and support groups: *"We need a parenting group. I have six parents with their kids who would love to be in a support group for teens."* It would also include drug use assessment and treatment. Finally, there would be preventive and recreational programs for at-risk youth, because as one participant mentioned, *"that's what kids do; kids hang out. We as a community have a responsibility to have them someplace for them to hang out and give them something to do."* Currently, there is nothing provided by the community which means that parents have *"got to have the money...I know as a mother, I couldn't afford golf lessons and karate lessons for my kids, and I'm working."*

Third, the district should have a facility for drug use assessment and drug use abatement treatment. This is for two reasons: drug use among adults is perceived to be wide-spread, and drug and alcohol problems in the family are frequently from what youth are running. Also, drug and alcohol use by adults does not model appropriate behavior for the youth in the home: *"if they're [the parents are] out using, drinking, whatever, partying, what else are the kids going to learn?"*

Fourth, neighborhood level groupings should be inaugurated in which legal responsibilities of parents for children and adolescents are explained. Also concrete suggestions should be offered for common parent problems to retain the parent as the responsible party.

Lastly, it was generally thought to be desirable for the Legislature to increase the age of legal consent for sexual relations above the present age of 14 to create authority for prosecuting adults who consort or cohabit with children of 15 or 16 (in effect to create a statutory rape law). *"Kids get mixed messages...you can have sex whenever you want,"* but the same youth cannot miss curfew or be truant. The groups seemed to think that this shows the youth that their freedoms are inconsistent. Therefore, the age of consent should be higher to avoid having young women out late and truant in order to have relationships with older men.

In discussing the elements of the proposed system there was some tension between an emphasis on the fundamental need to get parents to re-assert responsibility for the supervision of their children, even into adolescence, and the creation of legal consequences for status offenses. It was implied that the legal consequences need not necessarily be punitive but must be tangible and involve the family, and these consequences, if possible, should encourage, back up and empower the family to exercise supervision: *"we have to empower these parents; we have to challenge them."* However, the agency must exert pressure on parents to take this responsibility for involvement in the adolescent children's lives.

Kauai Focus Group 6/10/97

Their proposed process would involve the parents, youth and the community; however, a specific plan did not materialize during the discussion. When asked which agencies would be in the system, one person said: *"I would put all of them in."* They strongly supported prevention, starting with parenting education and counseling: *"The parents are so involved in their own personal issues that the kids don't exist...parents have to have some counseling, some parenting education from the beginning...our system should put that in place someplace."*

They believed that community members should intervene in status offenses and not rely solely on the Police and court system: *“take responsibility for ‘our kids’.”* Children themselves working on this through peer education and programs like Teen Court would be valuable. They suggested starting in the home and working on solutions using community values: *“If it’s a community value that we do not tolerate truancy, the community can shape everything that happens from the Police department to the school.”*

A large portion of the discussion was about who should be responsible and what coordination should be required to handle status offenses. The Mayor’s Office was considered, especially since they are working to establish Community Action Boards; however, the Office did not want this issue to become political and did not think it should accept the full responsibility of coordinating youth services for Kauai. Instead, the Boards would enable the communities to work on a broad range of issues in their own way. The following reflects some of the frustration and hopes about coordination:

“We play this thing of going back and forth, and ‘it’s not mine,’ and ‘we have to engage this office to do this.’ ...It doesn’t matter who you work for; it’s our kids; it’s our community. Until we step up to the plate and take ownership of this in a different way, I don’t think there are effective solutions, and I can see why our kids are confused and reflect that back in the classroom...the communities have to come together and embrace their own children and bring those resources to them...and it could be done island-wide.”

There was disagreement about the level of involvement for the schools in parenting education. Some thought that it could be required of parents from the time their children enter preschool through high school, and feasible with adequate funding. Counselor positions would need to be restored in the budget and a curriculum developed: *“It’s gonna take a social worker to coordinate service planning for that one child who has been identified....This is where early intervention needs to take place. Now...you have two school counselors for 900 kids...that is impossible.”* Some group members thought that referral services for school officials without liability should be done. It was suggested that schools be the focal place to bring in services from all agencies and be coordinated on campus, but some did not agree that the school should be the coordinating

agency. Others thought that this type of values or character-building curriculum is more than schools can handle.

When asked what would happen to Family Court in their proposed system that is mainly prevention, one opinion expressed was *"No matter how good a system we set up, we're still going to have kids get to the Court."*

The group did not know if legislation would be needed to improve the system. One person suggested that the focus should return to the original OYS statute which gives them the authority to coordinate youth services. They thought that legislators should be more aware of community needs and the need for a coordinated system. They also thought the community needed to learn about what is available through service programs and agencies and that a comprehensive resource guide might be one tool. They suggested that churches should be a part of a system. Mandates for parent involvement, parental payments for services or imposed fines, separate alternative schools for chronic status offenders, more enforcement of current laws and statutes, and other ideas arose. The use of Comprehensive School Alienation Program funds "pooled" into one pilot project to help youth stay in school and succeed was discussed.

Maui Focus Group 6/13/97

The group said that runaway and other beyond control minors should have early assessment at the time of arrest and an interview by a neutral third party. The youth may not speak candidly to a Police Officer, and it may be a long time before the youth talks to a counselor if the youth goes home, so there ought to be someplace like Maui Mediation Services which could take a referral, do a quick assessment, and identify the situation from which the youth is running. Maui Youth and Family Services does an interview at intake and the organization has a person on 24 hour call, but unless the youth goes there, the interview would not take place. So the group proposed an early assessment interview for every status offender arrested or referred. If an interview is not possible at that hour, or if the condition of the youth makes an interview inappropriate, then the youth is put in

an overnight shelter or sleeps at home, but the youth must come in the next day for an interview. Shelter or other intervention could be provided, if the assessment indicates that the situation warrants it. The interview might lead to early discussion (mediation) with the family to bring about a return of the child with changes. The group urged not just the return of the youth to the home, but return with changes to the problematic situation.

Assessment should be done quickly, as close as possible to on the spot at the time of arrest. By the time a judge gets the case months have elapsed. Both systems might be used simultaneously, i.e., the early response of the Youth Services Center for status offenders or early onset law violators, and the Family Court for chronic cases and for serious delinquency offenses.

Maui Mediation Services does not operate on a 24 hour schedule, i.e., it is not on a crisis basis. Until a youth can be assessed each community needs a safe house for diversion. The group commented that the concept of a safe house was what led to the creation of OYS eight years ago: the State would establish multi-service centers in each major community or island for assessment by staff available to do on the spot interview, referral, and follow-up. *“Look at the Strategic Plan of OYS. It promised state support. But the state was not prepared to carry through. OYS is still a small agency with a small office in Honolulu.”*

More people in the group agreed Maui needs a staff secured detention center where they could retain a youth for awhile, and which might be attractive enough for the youth to stay for the short term. It would be a center for quick assessment for various referral sources, such as the DOE or the Police. There should be a walk-in shelter for youths who either do not want to or cannot safely stay at home, or who temporarily do not want to be at home, but who do not want to live on the streets. A non bureaucratic shelter where you do not need an arrest or a work-up at an agency to get a bed, but with a staff to keep it from becoming a crash pad. *“Most youths on Maui are resourceful, can stay with*

families of their friends, but these are not necessarily helping the problem the youth is running from."

There was one recommendation for establishing a conflict resolution service in the early grades, perhaps from kindergarten, to somehow include parents. The purpose would be preventive, to decrease interactions which are problematic in school. Also the prevention program would link with community organizations and get the public (family and youth) to know of the existence of services before a crisis arises. Services should be more proactive; families and youths should know where to go.

It was suggested that there should be a way to locate a sympathetic relative in the youth's extended family who would take a child who cannot go home. But the group voiced a counter opinion, or at least a qualification: if a parent with legal (natural) custody objects to the youth going to grandmother or aunt, Police must return the youth to the parent. Placing the youth with a relative will be an option only if the parent agrees.

Someone observed that families want services only during a crisis, but when the crisis is over, or seems to be over, they go back to their own life style. Two members told of a case involving a child, who from age 10 to 14, was a chronic runaway despite multiple arrests and referrals. Then they cited another case of a status offender who was finally temporarily detained in a cell block for a law violation and came out a changed youth. They asserted that the experience of lockup is sobering to some minors. [There was a clear difference of opinion in the group between those who wanted a court ordered referral and lock up if necessary, and those who believed this was not OJJDP policy, and that such a policy would flood the court.] *"You can make referrals but juveniles don't go to them."* One participant recommended that it must be mandatory, by court order, that the youth goes. However, someone else reminded that we must, *"recognize that there are thousands of status offender arrests in the state, to refer them all to court would overwhelm the Court."* It was also recognized by some that status offenders can only to a limited extent, be ordered to participate in a program. There is also a poor fit between the

juvenile justice process and status offenders. *"If you think you need court sanction for status offenders, you are talking about a whole new process which I don't think any community can afford anywhere. We have to develop other options that work."*

A detention option for status offenders is needed because *"some youths you do not want to have go home."* Late in the discussion, there was a request for a change in OJJDP rules, to allow a community to have a secure facility for status offenders where safety or intoxication or mental health needs necessitate holding on to the youth for a while. Also, where non-parental abuse, such as from adult boy friend (*"some of the girls are black and blue"*), or a youth coming down from a drug high, could be held. This should not require a court hearing, but could be an emergency option for Police or some other agencies. Such a facility would provide up to a 48 hour hold until an emergency hearing. Maui does not have that capability now.

It was observed that many youths in school have no medical coverage. There are youth with unmet medical and health needs who have never seen a doctor. It was noted that schools no longer have school nurses; it is now all under Public Health.

Molokai Focus Group 6/18/97

The group felt a "safe house" is needed for Molokai, i.e., if the child is in a dysfunctional family, there should be an alternative place to live while some agency works on the problem.

The group expressed agreement, but a second alternative was quickly proposed: it would be better to have a means to invoke *"the Ohana"* instead of a probation program. This elaborates the suggestions of other groups to "get the families involved." The Police or community member would refer to a service provider. As one member pointed out, *"they [the Police] may be the first one's involved, because they picked the child up, [but] the second involvement would be they [the Police] would be calling the parent...[so] no matter where we are [in the process]...the child has to go back to the ohana."* From this

point a “core group” would be assembled to which the child and her problems would be sent for review. The core group would then have authority to review and to deal with the problem. This core group would be temporary, consisting of the concerned parties plus resource people. Apparently the core group presumes a pre-existing community solidarity sufficient to sustain a problem solving temporary group. The group forms around a strong family member, the Haku or Po`o, because “*when you work with the ohana, you have to have somebody who is really strong,*” to be able to do what is right for the family and the child. The core group would start with the child’s immediate (natal) family and inquire into the problem which precipitated the running.

If the solution is not located there, it would go to an extended family, which might require consulting or constructing the genealogy of the child. The referring agency would have to find a strong relative of the child who would be prepared to act as the responsible party in an inquiry into the problem. One participant mentioned the size of the island and its inherent culture benefit the plan: “*because Molokai is small, if you tell me that’s my nephew, I’ll take care of him.*” The group could call upon resources, but would have to recommend a solution. This would be reported to the referring agency (the Police, CPS, etc.) It was implied that the referral source might approve or provide some assistance, but that the diagnosis and prescription was the work of the core group, arising from the Ohana. It was clearly implied that the social service agency would not decide what the child’s needs are. That is the fundamental difference. The goal is to make families more responsible.

One participant reminded the group that sometimes the family has problems sufficiently serious that they may prevent a family from solving the child’s problem: “*I like the fact that we can get families to try to get involved and try to resolve their problems, but sometimes you’re actually dealing with a nucleus and extended family with their own problems ...that they haven’t resolved.*” Sometimes this process uncovers further problems in the family, not directly involving the child. This must be dealt with if there is to be a solution. It was felt that if there were a widening circle of problems

uncovered, in the long run this would benefit the family by addressing these problems; *“it would make the family stronger in the long run.”*

There were none who spoke against the value of this approach, only various degrees of confidence that the family would be able to bring about a resolution of the problem which caused the runaway. Involving the family is said to be desirable by virtually everyone who has been interviewed, but just how much autonomy the family has in interaction with the agency or court is an important matter. For some, involving the family taxes some of the burden off the decreasingly funded service providers; *“the issue was how do we make families more responsible for themselves, make the community more responsible for themselves? Because the agencies are not going to be there, and they're overtaxed as it is.”*

In order for Ohana to work, current confidentiality rules would have to be relaxed. It was mentioned that a program in Denver now allows extended family to be contacted by judges. The lack of an on-island court and probation service would be an advantage since they are not there to displace or replace. Apparently CPS and DOH would cooperate in a move toward greater empowerment of the Ohana or extended families, and Alu Like and QLCC are already committed to this concept.

Oahu Youth Focus Group 6/26/97

In their proposed system, the youth thought that the first contact might still be the Police. However, they hoped that youth would be given more options to prevent the problems from getting into the justice system. For this, they said that two things were needed. First, the youth needed places to go, even if only for a night, to get out of a strained situation at home. *“Like a place a kid could go and not have to answer any questions. He could just go and crash. That way they would probably talk easier, because they wouldn't be asked all these questions.”* That brings up the second requirement in prevention; the youth need someone they can trust so they will talk about their problems.

One youth commented that “*When the cop picks her up, if she’s all high, yeah, do something. But if she’s just cruising, let her go. She’s not doing anything.*” However, the others quickly pointed out that she could get hurt being out by herself: “*She could get raped.*” Therefore, one option would be to have a shelter which youth could check into themselves, notify their parents that they are safe, have a safe place to sleep, and people there to help if the youth asks for it. The ongoing theme has been that the more freedom you give a youth, the more they trust you, and the more likely they will be to come to you for help. One youth said that the Youth Outreach project in Waikiki was a good example of a safe-house.

Another option which the youth proposed was to be able to go to a friend’s or family member’s house. Currently, any adult who harbors a reported runaway in their home can get into legal trouble. Therefore, the group said that current laws should be relaxed, so that all the youth needs to do is call their parents and tell them where they are. One youth said that his grandmother was one of the only people he trusts, and that he would go to her house when he had problems. This brought out the idea that youth often trust their family or extended family more than officials or counselors, and that an extended family member would be more likely to elicit information from the youth about abuse. However, a few in the group said that family members might be biased, and furthermore, unwilling to report their family problems to officials.

The youth would also be able to go to the Police for help. The group was fairly unanimous in their opinion that police officers need to be nicer to them and more understanding and sympathetic to their problems. If a youth goes to the Police or if the officer picks up the youth for his or her first offense, the group thought that the officer should take the youth home and try to work out the problems right then. They stressed the point that the officer should listen to the youth’s perspective.

The group seemed to identify two types of status offenders. The first type are those who just run for fun, to try something new, or to fit in with their friends. The other type are those who are running from a bad situation. These two types must be treated differently in order to be effective. The first requires focusing on how to change the youth's behavior, while the second requires a more holistic approach of addressing the family's problems. The group thought that at the first contact with the Police, the officer needs to assess why the girl is running. "She should go to the Police station. They should try to find out what's wrong...Should try to find out what's up with the boyfriend. Or the mom." That requires someone the youth can trust, and the group thought that would be an extended family member or someone in one of the shelters they recommended.

If it is found that there is abuse, the case would be referred to CPS. If the youth and the family are having problems, there would be some attempt at family counseling. One youth brought up the concept of boot camp which could be appropriate here. Boot camp would be a place where the youth would gain discipline, responsibility, and build self confidence, things which they may not get from their parents if there is a bad relationship. They will also build trust-relationships with their instructors who could be responsible for following-up on their progress. The program would be tough enough to be an adequate deterrent. The camp would also give the youth and his or her parents a chance to appreciate each other again because of the period apart.

The group stressed the fact that the parents' problems need to be addressed at the same time in order for the program to be effective. "*Some parents don't care. Some parents kick you out and then they call up the Police and report you as a runaway,*" just so they can have someone else deal with the problem. Therefore, while the youth is at camp, the parents would undergo counseling. It was not really mentioned, but the parents could be taught how to provide the proper structure for their children. They could also learn how to better communicate. Therefore, they would be better able to handle these problems on their own.

For the youth who do not have real problems at home, the camp would still be appropriate in reaffirming structure and consequences. *"They won't do it again. Makes them not want to do it again."* It would also help the youth to appreciate his or her parents more. In any case, the group thought that youth like this need some harder punishment, such as community service, for them to realize that they should not run.

Kauai Youth Focus Group 6/10/97

The overwhelming theme expressed by these youth was that they, as youth, need more options so that they can make better decisions about what to do with their lives. In the current system, adults and all the current agencies are making all the decisions for them and telling the youth what is going to happen. Along with this need for a greater sense of self-efficacy, the youth advocate a walk-in shelter with staff that the youth can trust to help them with their problems. *"The child needs to know that they have somebody to talk to, that they have somebody to look up to, to listen to them, to listen to what they say and how they feel. They need somebody to trust."*

The Police might still pick up the girl, but she would also be able to go to the shelter on her own. This would help keep youth out of the Police and Court system and reduce the amount of paperwork. *"The Police Officer should speak to her and ask her what the problem is. And they should come to a compromise. If it's a Police Officer that finds her. After he's gotten the whole story."* The agency the youth goes to should then try to work out a compromise between the youth and her parents, and would be able to address this immediately because there would be much less paperwork to fill out. This implies that the youth has some say in the matter. The emergency shelter could be a refuge for the youth to go while she works out her problems. There would be counselors there for the girl to talk if she wanted; they would be people to trust. According to the group, the parents should be held more responsible, should have to participate in counseling, and should be taken to Court if necessary. *"The family should be involved right from the start. There needs to be a place like Hale `Opio, without all the*

paperwork, to get the child someplace safe and deal with all the problems in the morning. You get so caught up in the paperwork that you kind of lose the focus."

The DOE would need to be more proactive in getting the youth back in school. The group agreed that education in Hawaii needed to be better funded above all. The schools could be a first line of defense in fighting these issues with education. *"Education is the key to all of this. If people were more educated, and more able to help themselves, they wouldn't have all the stress in life."* Furthermore, the group hoped that programs specifically for status offenders could be included in the broader issue of improving schools. There could be alternative classes for status offenders with more and better qualified teachers giving them more attention. Also, there would be more counselors at school for the youth.

Finally, the group thought that there could be a "Kid's Network", which would be a database of all youth involved in the system. *"The information should be more easily accessible. There should be a kid's network. Programs like this [Hale `Opio] should be able to get the information on the network without going through all the red-tape."* All agencies would have to record their interactions with these youth in the computer network, and then all agencies would have complete records of these youth accessible by computer. There was not complete consensus on this, as some of the youth expressed concerns about confidentiality. However, a network would enable agencies to more efficiently address the needs of these youth.

The youth thought that Family Court should be brought into the picture only as a last resort: *"Then my Probation Officer gets on my back. The system is always on my back, so I've got to do it."* However, they warned that any treatment forced upon the youth would not be as effective as if they do it voluntarily: *"I always lied to my court appointed counselor. I might as well play games...So that's not gonna work."* Therefore, their plan is to just keep offering the girl shelter and someone they can trust, and eventually she will talk and want to work things out.

Instead of wasting money making status offenses so serious with such serious consequences in the Court system and HYCF, it was proposed that the state spend the money on emergency shelters with good counselors: "*it'd probably be cheaper to have a shelter than locking them up.*" The group also thought that funding for the school system should increase, for it was mentioned a few times that Hawaii had the worst rated school system in the country. This is not merely an issue for those concerned with status offenders. However, this group proposed that some of the improvements to the system to deal with status offense could be made through school improvement, for example, more individual attention so that youth could have adults they can trust.

APPENDIX C: ORGANIZATION LISTING FOR FOCUS GROUPS

The following tables are a compilation of the organizations, departments, and agencies which were contacted in order to participate in the focus groups by island. With the exception of Lanai, there was at least one focus group on every island. Because of funding and time commitments, professionals on Lanai were invited to Oahu to participate and give their input rather than having a focus group on Lanai.

The tables present a complete listing of all organizations which were contacted. If they were represented at a focus group, they are marked with an asterisk. We have listed the organizations rather than the individuals involved for confidentiality reasons.

The tables indicate to what extent there was equal representation from Family Court, the Police, the DOE, the DHS, the DOH, and private service providers. The goal was to get at least one representative from each of these groups. We were, for the most part, successful.

From these tables, acceptance rates can be derived. As stated above, we did not list the individuals because of confidentiality reasons. In many cases, an organization was represented by more than one person. Furthermore, we often contacted more than one person from each organization to invite them to participate. However, our ultimate goal was to get even representation from many different agencies with varying opinions. Therefore, the unit of analysis is the organization rather than the individual which participated, and the acceptance rate can be measured by dividing the number of organizations which participated with the number of organizations which were invited.

The acceptance rates were 54 percent for Oahu, 63 percent for Hilo, 38 percent for Kona, 57 percent for Kauai, 64 percent for Maui, 63 percent for Molokai, and 100 percent for Lanai. Unlike other forms of research which may be completed at the participants' discretion, the focus groups could only be attended at the set time with the exception of

the Oahu focus groups, from which there were three to choose. Therefore, because of scheduling conflicts many who wished to participate could not.

It was stated repeatedly in the focus groups that there should be a reference guide of service providers handling status offenders. Since we contacted virtually all those organizations which deal with these cases, they have been listed as a quick reference.

Oahu

Organization	Address	Phone Number
*Alu Like	567 S. King St., Suite 400, Honolulu, 96813	535-6790 / 524- 1533
*Attorney General's Office- Crime Prev.	810 Richards St., 745, Honolulu, 96813	586-1092 / 586- 1097
*Boys & Girls Club Honolulu	1704 Waiola St., Honolulu, 96826	949-4203 / 955- 4496
*Child Protective Services (DHS)	420 Waiakamilo Rd. 300a, Honolulu, 96817	832-5184 / 832- 5669
*Community Service Sentencing	426 S. Queen St., Rm. 102, Honolulu, 96813	539-4800 / 539- 4834
*Detention Home	902 Alder St., Honolulu, 96814	591-2581 / 593- 2344
*Family Court	PO Box 3498 and 777 Punchbowl St., Honolulu, 96813	539-4483 / 539- 4402
*Hale Kipa	2006 McKinley St. and 2146 Damon St., Honolulu, 96822	955-2248 / 942- 0125
*Hawaii Youth Services Network	200 N. Vineyard Blvd., #415, Honolulu, 96817	531-2198 / 521- 3299
*Honolulu Police Dept.- Juvenile Service Division	801 S. Beretania St., Honolulu, 96813	529-3882 / 529- 3960
*Kalihi YMCA	1335 Kalihi St., Honolulu, 96819	848-2494 / 842- 7736
*Office of Youth Services	1481 S. King St., #223, Honolulu, 96812	973-9494 / 973- 9493
*Parents and Children Together	1475 Linapuni St., Honolulu, 96819	847-3285 / 841- 1485
*Prosecuting Attorney's Office	1060 Richards St., 9 th Floor, Honolulu, 96813	527-6403 / 527- 6561
*Public Defender's Office	1130 N. Nimitz, Suite A 135, Honolulu, 96817	586-2300 / 586- 2222
*Susannah Wesley Community Center	1117 Kaili St., Honolulu, 96819	847-1535 / 847- 0787
*Teen Court	4967 Kilauea Ave., Honolulu, 96816	594-0548 / 594- 0181
*Waianae High School	85-251 Farrington Hwy., Honolulu, 96792	697-7017 / 697- 7018
*Youth Outreach Project	415 Keoniana St., Honolulu, 96815	942-5858 / 942- 9633

Oahu Continued

*YWCA of Oahu	1040 Richards St., Honolulu, 96813	538-7061 / 545- 2832
Central Oahu Youth Services Association	66-528 Haleiwa Rd., Haleiwa, 96712	637-9344 / 637- 9344
Department of Education	637 18 th Ave., Blvd. C 2 nd Fl., Honolulu, 96816	733-4400 / 733- 4405
Department of Health	3627 Kilauea Ave., Rm. 101, Honolulu, 96816	733-9333 / 733- 9357
Dept. of Human Services-Soc. Serv. Div.	810 Richards St., 400, Honolulu, 96813	586-5704 / 586- 5700
Hawaii National Guard	PO Box 348, NAS, Barber's Point, 96862	684-9350 / 684- 9750
Hina Mauka Teen Care	45-845, Honolulu, 96755	233-1500 / 233- 1508
Ilima Intermediate School	91-884 Ft. Weaver Rd., Ewa Beach, 96706	689-8375 / 689- 0432
Immigrant Center	720 N. King St., Honolulu, 96817	845-3918 / 842- 1962
Kahi Mohala Hospital	95-761 Paikauhale St., Honolulu, 96787	677-2591 / 676- 5460
Kaimuki High School	2705 Kaimuki Ave., Honolulu, 96816	733- 4929
KEY Project	47-200 Waihee Rd., Kaneohe, 96744	239-5777 / 239- 3902
Leeward YMCA	94-366 Pupuanui St. #204, 96797	671-6495 / 671- 7985
Palama Settlement	810 N. Vineyard Blvd., Honolulu, 96817	845-3945 / 847- 2873
Prosecutor's Office	1060 Richards St., 10 th Fl., Honolulu, 96813	527-6494 / 527- 6831
The Casey Family Program	1848 Nuuanu Ave., Honolulu, 96817	521-9531 / 553- 1018
Waianae Coast Community Mental Health Center	86-226 Farrington Hwy., Wai'anae, 96792	697-3034 / 696- 5516
Work Hawaii	715 S. King St., 5 th Fl., Honolulu, 96813	523-4221 / 527- 6946

*Organizations which were represented at the focus group.

Hilo

Organization	Address	Phone/Fax Number
*Boys & Girls Club	100 Kamakahonu, Hilo, 96720	961-5536 / 961-5189
*Castle Counseling	101 Aupuni St., Suite 128, Hilo, 96720	935-3764 / 934-7407
*Hilo Police Department	349 Kapiolani St., Hilo, 96720	961-2254 / 961-2376
*Keaau Elem. and Int. School	16565 Keaau-Pahoa, Keaau, 96749	966-9313 / 966-9315
*Pahoa High and Int. School	15-3038 Puna Rd, Pahoa, 96778	965-8411 / 965-7740
*Prosecutor's Office	34 Rainbow Dr., Hilo, 96720	961-0466 / 961-2703
*Salvation Army Hilo Interim Home	PO Box 5085, Hilo, 96720	959-5855 / 959-7980
*Waiakea High School	155 W. Kawili St., Hilo, 96720	974-4839 / 974-4880
*YWCA-Hawaii Teen Court	165 Keawe St., Hilo, 96720	934-7792 / 935-6365
Alu Like	PO Box 606, Hilo, 96721	961-2625 / 935-6084
Hilo Dept. of Human Services	PO Box 1562, Hilo, 96721	974-6565 / 974-6575
Hilo Family Court	PO Box 1007, Hilo, 96721	933-1311 / 969-4914
Hilo High School	556 Waianuenue Ave., Hilo, 96720	974-4021 / 974-4063
Waiakea Settlement YMCA	300 W. Kanikaula St., Hilo, 96720	935-3721 / 969-1772
YWCA-Family Support	165 Keawe St., Hilo, 96720	935-7141 / 961-9174

*Organizations which were represented at the focus group.

Kona

Organization	Address	Phone/Fax Number
*Kona Family Court	77-6399 Nalani St. , Kailua-Kona, 96740	329-7377 / 329-3748
*Kona Police Department-Juvenile Aid	77-5221 Queen Kaahumanu Hwy, Kailua-Kona, 96740	326-4203 / 326-4236
*Konawaena High School	PO Box 689, Kealahou, 96750	323-3808 / 323-3319
*Queen Liliuokalani Children's Center	PO Box 2819, Kailua-Kona, 96740	329-7336 / 326-7587
*Teen Court	75-5759 Kuakini Hwy, Kailua-Kona, 96740	334-1624 / 334-0406
*West Hawaii Family Support Center	75-5759 Kuakini Hwy, Suite 203, Kailua-Kona, 96740	326-7778 / 326-4063
Community Policing Officers	74-5221 Queen Kaahumanu Hwy, Kailua-Kona, 96740	326-4646 / 327-3583
Department of Health-District Office	PO Box 220, Kealahou, 96750	322-0033 / 322-1715
Department of Human Services-Family and Adult Section	75-5995 Kuakini Hwy, Suite 529, Kailua-Kona, 96740	329-9344 / 326-7843
Island Crisis Help	75-5759 Kuakini Hwy, Kailua-Kona, 96740	329-6744 / 327-9399
Kamehameha Schools	78-6831 Alii Dr., Suite 232, Kailua-Kona, 96740	322-5400 / 322-9446
Mediation Center	PO Box 7020, Kamuela, 96743	326-2666 / 969-1772
Prosecutor's Office	PO Box 748, Kealahou, 96750	322-2552 / 322-6584
Salvation Army Kona Interim Home	74-5045 Hua Ola St. , Kailua-Kona, 96740	329-0559 / 329-8393
West Hawaii Child Welfare Services	PO Box 230, Captain Cook, 96704	323-2022 / 323-3415
West Hawaii Juvenile Justice Task Force	c/o Salvation Army Kona Interim Home	329-0559 / 329-8393

*Organizations which were represented at the focus group.

Kauai

Organization	Address	Phone/Fax Number
*Central/West Child Welfare Services (CPS/DHS)	3060 Eiwa St., Rm.104, Lihue, 96766	274-3320 / 274-3700
*Coalition for a Drug Free Kauai		
*Department of Health	3040 Umi St., Lihue, 96766	241-3565 / 241-3480
*East Child Welfare Services (CPS/DHS)	4-1579 Kuhio Hwy., 106, Kapaa, 96786	822-5988 / 823-0349
*Family Court Kauai	3059 Umi St., Lihue, 96766	246-3350 / 246-3367
*Hale `Opio Kauai	2959 Umi St., Lihue, 96766	245-2873 / 245-6957
*Kapaa Middle School	4867 Olohena Rd., Kapaa, 96746	274-3502 / 274-2508
*Kauai County YWCA	3094 Elua St., Lihue, 96766	245-5959 / 245-9561
*Kauai High School-Peer Ed. Prog.	3577 Lala Rd., Lihue, 96766	274-3160 / 274-3170
*Kauai Police Dept.-Juvenile Section	3060 Umi St., Lihue, 96766	241-6735 / 241-6785
*Mayor's Office-Youth Prog. Office		241-6240 / 241-6877
*Queen Liliuokalani Children's Center	4530 Kali Rd., Lihue, 96766	245-1873 / 245-2167
Alu Like Kauai	3129 Peleke St., Lihue, 96766	245-8545 / 245-1720
Boys & Girls Club Kauai	PO Box 1389, Kapaa, 96746	821-4406 / 823-8613
Child and Family Services	4375 Puaole Suite A, Lihue, 96766	245-5914 / 246-0133
Child Protective Services (DHS)	3060 Eiwa St., Rm. 102, Lihue, 96766	274-3322 / 274-3700
Department of Education-Special Services	3060 Eiwa St., Lihue, 96766	274-3504 / 274-3508
Parks and Recreation Services	444 Rice, Suite 150, Lihue, 96766	241-6670 / 241-6807
Prosecutor's Office	4193 Hardy, Unit 6N7, Lihue, 96766	241-6468 / 241-6466
Waimea High-Safety Action Team	PO Box 339, Waimea, 96796	338-6800 / 338-6807
Wilcox Health Services	3420 Kuhio Hwy., Lihue, 96766	245-1103 / 245-1171

Maui

Organization	Address	Phone/Fax Number
*Baldwin High School	1650 Kaahumanu Ave., Wailuku, 96793	984-5656 / 984-5674
*Department of Human Services	200 S. High St., Wailuku, 96793	243-7807 / 243-7165
*Family Court	2145 Main St., Suite 226, Wailuku, 96793	244-2770 / 244-2704
*Maui Mediation Center	515 Mahalani St., Wailuku, 96793	244-5744 / 242-8444
*Maui Police Dept.-Juvenile Section	55 Mahalani St., Wailuku, 96793	244-6480 / 244-6482
*Maui Youth and Family Services	PO Box 6, Paia, 96779	579-8414 / 579-8426
*Queen Liliuokalani Children's Center	1791 Wili Pa Loop, Wailuku, 96793	242-8888 / 242-1576
Kihei Youth Center	PO Box 1722, Kihei, 96753	879-8698 / 874-4087
Maui Kokua Services	PO Box 1237, Wailuku, 96793	244-7405 / 242-1469
Probation and Family Services, 2 nd Circuit	2145 Main St., Suite 226, Wailuku, 96793	244-2770 / 244-2777
Prosecutor's Office	200 S. High St., Wailuku, 96793	243-7777 / 243-7625

*Organizations which were represented at the focus group.

Molokai

Organization	Address	Phone/Fax Number
*Alu Like	PO Box 1032, Kaunakakai, 96748	553-5393 / 553-9888
*Child Protective Services (DHS)	PO Box 530, Kaunakakai, 96748	553-3681 / 553-3859
*Dept. of Education-Child Study Team		553-5387 / 553-3959
*DOH Adolescent Day-Treatment Prog.	PO Box 126, Maunaloa, 96770	567-6697 / 567-6697
*Foster Parent		553-5428 / 553-3585
*Maui Kokua Services	PO Box 199, Hoolehua, 96729	567-6096 / 567-6096
*Molokai High and Int. School	PO Box 158, Hoolehua, 96729	567-6112 / 567-6686
*Molokai Police Department	PO Box 9566, Kaunakakai, 96748	553-5355 / 553-3977
*Queen Liliuokalani Children's Center	PO Box 55, Kaunakakai, 96748	553-5369 / 553-5816
Hale Ho'okupa'a	PO Box 1812, Kaunakakai, 96748	553-3231 / 553-5474
Molokai Community Service Counsel	PO Box 1046, Kaunakakai, 96748	553-3370 / 553-3370
Molokai Youth Center	PO Box 392, Kaunakakai, 96748	553-3675 / 553-3676

Lanai

Organization	Address	Phone/Fax Number
Department of Education	Lanai High School, Lanai City, 96763	565-6184
Lanai Counseling Services	Lanai City, 96763	

*Organizations which were represented at the focus group.



APPENDIX D: KEY INFORMANT INTERVIEWS

(listed alphabetically)

Alu Like - Molokai
Big Island Family Court Judge - Hawaii (2)
Big Island Juvenile Services Branch Administrator - Hawaii
Big Island Police Department - Hawaii
Big Island Teen Court - Hawaii
Central Oahu Youth Services Associations (COYSA) - Oahu
Department of the Attorney General, Family Law Division - Oahu
Department of Education - Oahu
Department of Education - Lanai
Department of Health, Adult Mental Health Division - Molokai
Department of Health, Adult Mental Health Division - Lanai
Department of Health, Public Health Nursing - Lanai
Department of Human Services - Oahu (2)
Department of Human Services, Social Services Division, Child Welfare Services-Lanai
Department of Human Services, Social Services Division, Child Welfare Services-
Molokai
Department of Human Services, Social Services Division, Child Welfare Services - State
Hale Kipa - Oahu (2)
Hale 'Opio - Kauai
Hawaii Youth Services Network - Oahu
Honolulu Family Court Judge - Oahu (2)
Honolulu Family Court Non Law Violators Unit - Oahu
Honolulu Family Court Administrator - Oahu
Honolulu Police Department Juvenile Services Division - Oahu (2)
Kauai Family Court - Kauai
Kauai Police Department - Kauai
KEY Project - Oahu
Lanai Police Department - Lanai
Maui Circuit Court Judge - Maui
Maui Family Court Judge - Maui
Maui Family Court Administrator - Maui
Maui Kokua Services - Molokai

Maui Police Department

Maui Youth and Family Services - Maui

Molokai Police Department - Molokai

Office of Children and Youth, Office of the Governor - Oahu

Office of Youth Services - Oahu

Queen Lilioukalani Children's' Center - Molokai

Salvation Army Hilo Interim Home (3) - Hawaii

Salvation Army Kona Interim Home - Hawaii

Susannah Wesley Community Center - Oahu

APPENDIX E: POST MEETING REACTION QUESTIONNAIRE

This is anonymous. Only the CYR project staff will review the questionnaires, and no statement will be attributed to a named person. Please be frank, especially if your own view did not fully agree with the conclusion reached by the group.

1. Today's group discussion of possible improvements in the procedures for responding to juvenile status offenses such as runaway and truancy led to the conclusion

	Group opinion	My opinion
<i>major</i> changes are needed to provide more effective deployment for available services for such youth ("major" meaning changes in statutes defining court and agency jurisdiction and responsibility)	<input type="checkbox"/>	<input type="checkbox"/>
<i>minor</i> changes are needed ("minor" meaning inter-agency agreements on sharing of resources for particular cases, coordination procedures for keeping track of referrals and procedures for exchanging information about cases)	<input type="checkbox"/>	<input type="checkbox"/>
<i>no</i> changes are needed at this time ("no" meaning current procedures are sufficient if properly implemented and funded.)	<input type="checkbox"/>	<input type="checkbox"/>

COMMENT

2. Today's group discussion led to the conclusion that

<i>major</i> increases in budget for services to runaways and truant and beyond control children are required for any real improvement in services to status offenders	<input type="checkbox"/>	<input type="checkbox"/>
<i>moderate</i> increases in budget are required (some geographic areas or specific program shortfalls must be corrected)	<input type="checkbox"/>	<input type="checkbox"/>
<i>no</i> real increases in budget are necessary; the real issue is coordination and allocation of existing resources	<input type="checkbox"/>	<input type="checkbox"/>

3. Today's group discussion led to the conclusion that the following changes should be proposed through proper channels:

	Group opinion		My opinion	
<i>Early</i> comprehensive needs assessment should be provided for all juveniles arrested or referred for runaway, truancy or being beyond control.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The family or custodial parent must be more actively involved in the disposition of status offenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Family Court should become involved only if an initial referral (diversion) is not effective or if the youth does not participate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Original jurisdiction for cases of juvenile status offenses (now vested in Family Court under HRS 571-11) should be moved to the Office of Youth Services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Department of Education, on both a school level and a departmental level, should be more actively and formally involved in the disposition of truants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Department of Human Services should be more actively and formally involved in services to status offenders, including cases which do not meet criteria of abuse/neglect currently used by CPS.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Department of Health should be more actively and formally involved in services to status offenders, including cases which do not meet criteria for the <i>Felix v. Waihee</i> consent decree.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Further steps in the development of a plan for improving services to status offenders should proceed through temporary, local or county committees.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thank you for your time.

APPENDIX F: YOUTH QUESTIONNAIRE

Please circle below to tell us what you learned or now think about programs and services for runaways, truants, curfew violators and others who are status offenders.

1. I think that to make things work better for these youth we need:

Many changes

Some changes

No changes

2. My group thought that to make things work better for these youth we need:

Many changes

Some changes

No changes

3. I think that money for programs and services for status offenders should be:

A lot more

Some more

No more

4. My group thought that money for programs and services for status offenders must be:

A lot more

Some more

No more

5. Youth need adults asking what's wrong and giving them help before they get in bad trouble.

Yes

No

6. Parents or other adults must be involved to help the runaway or kids who skip school.

Yes

No

7. Young people will just grow out of these problems if you let them alone.

Yes

No

8. Running away from home and skipping school are not big problems for young people.

Yes

No

9. Youth should go to Family Court if they broke a law instead of just for running away or truancy.

Yes

No

10. Youth should have a greater say in whether or not they stay at home, stay out late or miss school.

Yes

No

11. Police should not bother youth for little things like running away and skipping school.

Yes

No

12. School should do more to help youth to keep them from skipping school or cutting class.

Yes

No

13. Social services (like the Boys and Girls Clubs or Y) should find out what's wrong with the runaway youth's and help.

Yes

No

14. It would be good to have more meetings to talk about youth and make a plan about what to do with kids that run away and skip school.

Yes

No

Thank you for your time.

APPENDIX G: QUESTIONNAIRE RESULTS BY FOCUS GROUP

The following sections are the results of the questionnaire by individual focus groups. Because the first two questions were intended to elicit what the respondent thought was the group opinion, the results have been reported by focus group in order to better understand the general sentiment of the group.

Oahu Focus Group 5/30/97 Questionnaire Results

All participants thought that early comprehensive assessment of needs were essential. Most thought that the Family Court should become involved only if an initial referral (diversion) is not effective or if the youth does not participate. Three of the four who completed questionnaires said that the original jurisdiction of cases for juvenile status offenses should be moved to the OYS. They believed that the other state agencies (DOH, DHS, and DOE) should be actively involved in a system that handles status offenders.

In the discussion, participants did not think it would take a large increase in funding or a statutory change to implement this Plan. The categorizing of funding and turf battles between departments were stated as problems. Reprioritizing resources from prison construction was suggested. In their individual questionnaire responses, the majority thought that a moderate increase in the budget would help address geographic differences or shortfalls.

Oahu Focus Group 6/19/97 Questionnaire Results

All nine of the participants felt that the group's opinion was that major changes are needed to provide more effective deployment of available services for status offenders. Seven of the respondents felt in their own opinion that major changes are needed, while one person's opinion was that only minor changes are needed. Seven of the respondents felt that the group's opinion was that major increases in budget for services to status offenders are required for any real improvement in services, while one person felt that the group's opinion was that moderate increases in funding were needed.

Another person felt that the group's opinion was that no increases in funding were needed. When asked about their personal opinion regarding funding increases, five of nine respondents felt that major increases are necessary and one person felt that minor increases are needed.

All nine of the respondents felt that early comprehensive needs assessment should be provided for all juveniles arrested or referred for status offenses. Six of the respondents felt that the Family Court should become involved only if an initial referral (diversion) is not effective or if the youth does not participate, two did not feel the Family Court should become involved, and one person was undecided. Less than half (three of nine) of the group thought that original jurisdiction for cases of juvenile status offenses should be moved to the OYS. Four did not think that original jurisdiction for cases of juvenile status offenses should be moved to the OYS and two were undecided. Seven respondents thought that the DOE on both a school and a departmental level should be more actively and formally involved in the disposition of truants, while two were undecided.

Over half (five of nine) of the respondents thought that the DHS should be more actively and formally involved in services to status offenders, including cases which do not meet criteria of abuse/neglect currently used by CPS. Two respondents did not think that the DHS should be more actively and formally involved in services to status offenders, and two respondents were undecided. Over half (five of nine) of the respondents thought that the DOH should be more actively and formally involved in services to status offenders, including cases which do not meet the criteria for the *Felix v. Waihee* consent decree, while two respondents did not agree, and again, two respondents were undecided.

Oahu Focus Group 6/20/97 Questionnaire Results

Eight out of the ten respondents reported that the group thought that many improvements are needed in the system. Six of the seven respondents personally thought

that major changes are necessary. All agreed that there needs to be major increases in the budget to bring about change. All but one agreed that early assessment is needed. Seven thought that Family Court should only be involved when diversion is ineffective. The group was fairly evenly split when asked if jurisdiction should go to OYS. Almost all thought that the DOE should be more involved with status offenders. Again, the group was fairly divided on whether DHS should be more involved outside of abuse and neglect cases. Finally, the majority of the group thought that DOH should play a more active role when addressing status offenders.

Oahu Focus Group 6/25/97 Questionnaire Results

In the post-meeting questionnaire, all three thought that either major or minor changes are needed to procedures for responding to juvenile status offenses and all thought that the group's opinion favored major changes. They also all thought that the group supported major budget increases for services. The respondents said that early assessment should be provided to all juveniles arrested or referred for a status offense and the Family Court should become involved only if an initial referral is not effective or if the youth does not participate. Two in the group had differed on the questions about the OYS having original jurisdiction over cases and one was undecided. All three thought that the DOE should be more actively and formally involved in the disposition of truants; two thought that DHS should be more actively and formally involved. Finally, two of the three thought that the DOH should be more involved with status offenders.

Hilo Focus Group 6/12/97 Questionnaire Results

From the questionnaire results, the participants' opinions were fairly equally divided on the need for either major or minor changes in procedures for responding to juvenile status offenses. Five thought that major changes were needed, while six thought that only minor changes were needed. This matched fairly closely with what they thought was the group opinion on that question; however, one person thought that the group opinion was that no changes were needed at this time. Slightly more individuals thought that major increases in funding were needed (5 of the 12) compared to three who thought

that only moderate increases would be necessary in the budget to provide these services. All twelve respondents said that early assessment should be provided to all juveniles arrested or referred for a status offense. Half disagreed with the statement that the Family Court should become involved only if an initial referral is not effective or if the youth does not participate; four agreed and two were undecided. Most were undecided (6 of 11) about the OYS having original jurisdiction over cases with three saying "no" and two saying "yes". The group was in agreement (11 of 12) on the issue of the DOE and DHS being more actively and formally involved in the system for status offenders, but only 7 of the 12 agreed that the DOH should be more involved.

Kona Focus Group 6/25/97 Questionnaire Results

Only eight of the nine participants filled out the questionnaire. Six thought that it was the group's opinion that major changes are needed in procedures dealing with status offenders, while one participant thought the group only wanted some changes. All five that gave their opinion said that major changes are necessary. All six who responded to the second question thought that the group's opinion was that major increases in the budget are needed. Six respondents also said that it was their opinion that major budget increases are necessary, while one said only some increases are needed.

All of the respondents agreed that early assessment is needed. Four said that Family Court should only be involved only when initial referral is not effective, while three disagreed. The majority of the group did not think that jurisdiction should be moved to OYS. The majority thought that the DOE and DOH should be more involved with status offenders. All agreed that DHS should be more involved in status offense cases.

Kauai Focus Group 6/10/97 Questionnaire Results

In the post-meeting questionnaire, a fairly equal number of participants thought that major or minor changes are needed (seven and eight, respectively) to procedures for responding to juvenile status offenses and most thought that their opinions on this

question were the same as the group's overall opinion. Several people (6 of 15) thought that the group supported major budget increases for services but only three had that personal opinion. Personally five individuals thought that moderate increases would be required. Four people thought the group's opinion was that no real increase was necessary, but only one held that personal belief. Virtually all respondents said that early assessment should be provided to all juveniles arrested or referred for a status offense. Nine of the 16 thought that the Family Court should become involved only if an initial referral is not effective or if the youth does not participate. The group was divided (7 yes, 7 no, and 2 undecided) about the OYS having original jurisdiction over cases. All but two thought that the DOE should be more actively and formally involved in the disposition of truants. Over half (9 of 16) thought that DHS should be more actively and formally involved (4 were undecided on this). Finally, 12 of 16 thought that the DOH should be more involved with status offenders.

Maui Focus Group 6/13/97 Questionnaire Results

The Post Meeting Reaction Questionnaire expressed a majority sentiment for a number of changes. Overall, on the question of whether the group concluded that major changes were required, of nine persons who responded to the question, eight felt their group saw major changes needed. But when asked for their own opinion, it was a split of seven in favor of major changes, four for minor changes. Of those who said the group concluded major changes were needed, four said they themselves saw only minor changes needed. There was less consensus of budget needs: six thought major increases in budget were needed, five thought either only moderate or no budget changes were appropriate. There was no consensus on what the group conclusion on budget had been.

Every participant, without exception (12), thought that early assessment was needed in the procedure for handling status offenders; nine of the twelve participants thought that DOE should be more actively and formally involved in truancy cases; ten of the twelve thought DHS ought to be involved with status offenders who did not meet CPS threshold criteria. A majority thought that DOH should be more involved with non-Felix

cases. The respondents were divided about the Family Court and OYS: five thought the Family Court ought to stay out unless diversion was ineffective, five disagreed, and two were undecided. Only four thought OYS should be given original jurisdiction over status offenders, two opposed such a move, and six were undecided.

Molokai Focus Group 6/18/97 Questionnaire Results

The questionnaires showed a strong sentiment for change in procedures. Of the eight who completed a questionnaire (out of a total of nine participants), seven felt the group had opted for major changes in procedure, one saw minor change. Only five gave a questionnaire response about own opinion, all endorsing major change. The group was divided in seeing a need for increases in budget, five seeing major funding increases needed, the remainder seeing only moderate or no increases needed. All but one participant saw the need for early assessment. All saw the need for greater involvement in the DOE in cases. A majority of respondents felt Family Court should be involved in status offenses only if diversion was ineffective (six yes, two undecided) and that DOH should be involved in non-Felix type cases (five yes, three no or no response). The group was divided on whether OYS should be given original jurisdiction over status offenders: four yes, three undecided, and one no response.

Oahu Youth Focus Group 6/26/97 Questionnaire Results

The majority of the group personally thought that major changes were needed, while the majority of the group thought that the group only wanted some changes. The group was evenly mixed on whether the budget for status offenders should be increased. Half of the group reported that early assessment is needed. A little more than half wanted Family Court involved in the process only when referring is not effective. The group was fairly mixed when asked if jurisdiction should be primarily with OYS. Over half of the group thought that DOE should be more involved with status offenders. A large majority thought that DHS should play a bigger role, even though this was not really addressed in the discussion. Finally, half of the group wanted DOH more involved in the process.

Kauai Youth Focus Group 6/10/97 Questionnaire Results

Most agreed that many changes would be necessary. Most agreed that the group had come to the consensus that some changes were needed to improve the system. Half of the group thought that money for programs and services for status offenders should be a lot more, while the other half thought that money should be only some more. Most thought that the group had agreed that there was only a moderate need to increase financing for programs and services. All agreed that youth need adults to ask them what is wrong and give them help. All but one agreed that parents or other adults must an active part in helping the status offender.

All of the group disagreed with the statement that young people will just grow out of these problems. Half of the group thought that running away and truancy are serious problems for young people. Most of the group thought that youth should only go to Family Court if they broke a serious law. Half of the group agreed that youth should have more freedom to chose what they do in cases which are now considered status offenses. Half of the group thought that the police should not be involved with status offenders. All agreed that the school needs to be more involved in preventing truancy. Only one disagreed with the statement that social service providers should assess the problems of the status offender and help them, and one person did not answer. All agreed that there should be more meetings such as this one to talk with youth about this issue and how to solve some of these problems.



APPENDIX H: TABLES OF QUESTIONS 16-20

This information was derived from the 47 key informant interviews. Because of time constraints during the interviews, not all of the key informants were asked every question. Therefore, the row totals do not add up to 47.

Question 16: In the 1995-6 legislative session, did you happen to follow SB 3193 and some other bills proposing the transfer of initial jurisdiction of status offenders from the Family Court to OYS?

Response to Question 16	Judiciary	Service Programs	Police	Government	Row Totals
Favored bill	1	5	0	5	11
Opposed bill	8	1	2	3	14
No comment or No response	2	5	4	5	16
Column totals with answers	11	11	6	13	41

Question 17: Could Such a Transfer of Responsibility be Made Without a Transfer of Probation Officers?

Response to Question 17	Judiciary	Service Programs	Police	Government	Row Totals
Yes, a transfer is possible w/o Probation Officers	0	2	0	0	2
No, a transfer is not possible w/o Probation Officers	2	2	1	7	12
No comment or No response	9	7	5	7	28
Column totals with answers	11	11	6	14	42

Question 18: In your view should ONE Department or branch of government have primary responsibility for status offenders or should there be more than one?

If ONE, why? If MORE THAN ONE, why?

Response to Question 18	Judiciary	Service Programs	Police	Government	Row Totals
One department or branch	3	6	3	4	16
More than one department or branch	4	2	1	5	12
No comment or No response	4	3	2	4	13
Column totals with answers	11	11	6	13	41

Question 19: [If ONE, ask:] which department and why that department?

[If more than one, ask:] which departments and how should services or records be coordinated?

Response to Question 19	Judiciary	Service Programs	Police	Government	Row Totals
OYS	1	5	1	2	9
Judiciary	1	0	2	4	7
More than one department	4	2	1	2	9
No comment or No response	5	4	2	5	16
Column totals with answers	11	11	6	13	41

Question 20: In your opinion, would a written plan (a document) be useful to clarify and improve services to status offenders? If no, why not? If yes, in what way would you see it used?

Response to Question 20	Judiciary	Service Programs	Police	Government	Row Totals
No, not helpful	3	1	1	0	5
Yes, helpful	6	8	2	10	26
No comment or No response	2	2	3	3	10
Column totals with answers	11	11	6	13	41

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support informed decision-making.

3. The third part of the document focuses on the role of technology in modern data management. It discusses how advanced software solutions can streamline data collection, storage, and analysis, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data security and privacy. It provides guidance on implementing robust security measures to protect sensitive information from unauthorized access and breaches.

5. The fifth part of the document explores the importance of data governance and compliance. It discusses the need for clear policies and procedures to ensure that data is used in a responsible and lawful manner, in accordance with applicable regulations.

6. The sixth part of the document discusses the role of data in driving innovation and growth. It highlights how data-driven insights can identify new opportunities, optimize processes, and create competitive advantages for the organization.

7. The seventh part of the document concludes by emphasizing the ongoing nature of data management. It stresses the need for continuous monitoring, evaluation, and improvement of data practices to ensure long-term success and sustainability.

