MANAGEMENT AUDIT OF THE

HAWAII YOUTH CORRECTIONAL FACILITY

A Report to the Governor and the Legislature of the State of Hawaii

Submitted by the

Legislative Auditor of the State of Hawaii
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FOREWORD

Institutionalization as a means of dealing with juvenile offenders has a long history in the United States and in Hawaii. At the same time, however, as an approach to the major societal problem of juvenile delinquency and crime, it has been torn between differing, and sometimes conflicting, philosophies and has often been the source of serious controversy.

Hawaii has a single statewide secure custody institution for juveniles. It is the Hawaii Youth Correctional Facility (HYCF), administered by the Department of Social Services and Housing through its Corrections Division. (The latter also has responsibility for all adult correctional facilities.) HYCF, no stranger to public consciousness, often becomes the object of media attention whenever its wards escape or reoffend or when juveniles of some notoriety are placed there.

In recent years, HYCF has also attracted legislative attention. Major revisions in the statutes relating to HYCF were included in the Juvenile Justice Master Plan enacted into law in 1980 (Act 303). As part of the same effort, the Legislature mandated construction of a new physical plant to replace the existing one because it was deemed so highly inadequate.

To assist the Legislature in assessing the role and performance of HYCF and in preparing itself to review any request it may receive for construction funds for the institution, the Office of the Legislative Auditor has conducted a management audit of HYCF.

This report contains the key results of the audit. It consists of four chapters: an introduction and three chapters of findings and recommendations. There is also a brief appendix setting forth the population characteristics of the institution at the time the audit was being conducted. As is our usual practice, the affected agencies were requested to submit their comments on the draft of the audit report. Their written comments are also included as part of the report.

We wish to acknowledge the cooperation and willing assistance extended to the audit staff during the conduct of the audit by the officials and personnel of all the affected agencies.

Clinton T. Tanimura
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December 1986

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Chapter 1

INTRODUCTION

This is a report of our examination of the management of the Hawaii Youth Correctional Facility (HYCF). The audit was conducted under the general authority granted the Office of the Legislative Auditor by Article VII, Section 10 of the State Constitution, which requires the Auditor to conduct post-audits of "transactions, accounts, programs and performance of all departments, offices and agencies of the State."

Objectives of the Audit

The objectives of the audit were:

1. To evaluate whether the policies and practices of HYCF are consistent with the facility's overall mission of protecting society while providing a safe and caring environment and access to required services for juveniles as set forth in Hawaii's statutes.

2. To evaluate whether the programs of the facility are effective in accomplishing their objectives.

3. To evaluate the organization and operations of HYCF to determine the extent to which the funds, facilities, personnel, and other resources are being managed and utilized efficiently.

4. To evaluate whether plans for new facilities are derived from adequate program planning and are consistent with current standards relating to juvenile correctional facilities.

5. If appropriate, to recommend changes or reassessments of HYCF's organization, policies and practices, programs, and facility plans.

Overall Perspective

Standing by itself on the rolling open fields below Mount Olomana in Windward Oahu, HYCF readily gives an impression of a distinct, fairly self-contained public function. Examining and evaluating its operations and accomplishments, based upon that impression, would seem relatively simple and uncomplicated. However, various factors, pressures, interests, expectations, and interagency relationships combine to create a highly complex institution.

Most of our attention did concentrate on such obvious concerns as education and training, health care and nutrition, security and discipline, fairness and guidance, organization and staffing, programming and treatment, physical plant and finances, and hearings and parole at HYCF. And we readily found room for improvement in those operational areas. Yet, the real problems appear to run much deeper.

It is necessary to recognize from the outset that HYCF is not an entity unto itself despite physical appearances. It exists and functions as part of a complex set of systems. First, it is an important segment in Hawaii's juvenile justice system which, in turn, constitutes part of the State's overall justice system. Second, within these overlapping justice systems, it is a correctional institution. As such, it forms an administrative unit under the Corrections Division of the Department of Social Services and Housing (DSSH), which also has responsibility for several adult correctional facilities.

Justice and correctional activities unavoidably touch a wide range of public programs at various levels—most prominently, public safety and welfare involving police, court, education, and health agencies. How professionals in these areas, as well as the general public and its elected representatives, conceptualize the problems which the corrections function is supposed to remedy goes far in shaping the objectives, the resources, and the expectations assigned corrections as a system and HYCF as a particular institution within that system.

As the tail end of the juvenile justice system, HYCF deals overwhelmingly with the system's failures. Assembled at HYCF are those youths who could not find their way through the difficult maze from childhood to maturity along paths prescribed by society. Assembled here are those who—for social or psychological or biological reasons—have not been able to adjust and adapt, the alienated misfits who more often than not got their errant start as victims of neglect and abuse in families burdened with many problems. Since chances of failure run high among these youths, health and education agencies find little institutional advantage in eagerly associating with this endeavor. Indeed, to a great extent their programs had already failed for these youngsters.

From decade to decade, attitudes and concepts about delinquency, crime, their causes and effects, as well as their appropriate disposition have varied widely among professionals within, or related to, the fields of welfare and corrections. Consequently, diagnoses, programs, and prescriptions (including kinds of facilities) have run the gamut from punishment to warehousing or safe custody to treatment or rehabilitation—always with some justifiable logic, yet without adequate evidence of what works best.

What we have, then, is a hodgepodge of research, popular beliefs (some of them myths), professional attitudes, and institutional strategies as foundations upon which an effective youth correctional facility is supposed to produce miracles after all other parts of the system have failed—and to do so with minimal resources and less than concerned community support.

Subsequent chapters spell out a bit more fully these conditioning factors influencing Hawaii's youth corrections program and its participants.

Report Format

The time frame of this audit is generally limited to fiscal years 1983–84 and 1984–85, albeit with recognition of conditions in earlier times. Where data were too voluminous, such as records of ward behavior, our time frame was limited to three months. Also, because ward population keeps changing, we had to select one day (September 17, 1984) as a basis for examining ward records and compiling facility statistics. Fieldwork occurred during the latter half of 1984 and early 1985. A revision of HYCF's policy and procedures manual issued in mid–1985 (while report writing was in progress) received due recognition.

In addition to this introductory chapter, our report consists of three major chapters delineated by major sets of problems. First come those associated with the historical and institutional context. Second, those confronting efforts to re–orient HYCF wards toward becoming productive, contributing citizens. And third, problems encountered by internal operations for which HYCF (or at least its parent, the Department of Social Services and Housing) holds primary responsibility. There is also a brief appendix which sets forth some characteristics of HYCF's ward population and staffing.

Chapter 2

BACKGROUND AND CONTEXT FOR YOUTH CORRECTIONS IN HAWAII

The Hawaii Youth Correctional Facility (HYCF) is the product of a long evolution of ideas and actions, of a repeating pattern of reform, failure, and new reform. This chapter briefly sketches where these ideas and reforms originated and what they have produced in Hawaii. It is from this evolution—from this record of largely trial and error in an ever-changing context—that today's policymakers and responsible program managers can better understand the conditions and problems facing Hawaii in the field of youth corrections and then chart courses of future action for dealing with these conditions and problems.

Summary of Findings

Viewed from an overall perspective, Hawaii's policies and practices relating to youth corrections lack clarity and consistency and fail to provide an adequate framework for effective program management. This is true despite recent legislation (Act 303 of 1980 as amended by Act 156 of 1985) aimed at enacting a juvenile justice master plan for Hawaii. More specifically:

1. This legislation leaves ambiguities regarding roles and interrelationships among the three departments directly involved in rendering services at the Hawaii Youth Correctional Facility—i.e., the Department of Social Services and Housing (DSSH), the Department of Education (DOE), and the Department of Health (DOH).

2. This legislation leans heavily toward a treatment approach to rehabilitating wards at the Hawaii Youth Correctional Facility. At the same time,

it reintroduces the concept of punishment back into Hawaii's juvenile justice system—a concept which was previously abandoned in the early 1900s when treatment of juvenile offenders first came into vogue as a conceptual framework for youth corrections.

3. Meanwhile, the three departments directly involved in dealing with the wards at the Hawaii Youth Correctional Facility continue to pursue what largely amounts to a strategy by default. Lacking concerted planning and programming (including problem clarification, resources recognition, and goal and option exploration), these agencies neither offer real treatment nor seek to impose punishment. Instead, they end up mainly running a holding or warehousing operation for the wards who are committed temporarily to their care.

Evolution of Juvenile Justice and Youth Corrections[1]

Programmatic, operational, and fiscal difficulties in youth corrections are nothing new in Hawaii or throughout the rest of the country. HYCF (and the juvenile justice system of which it is a part) has evolved through an American and English heritage of changing attitudes, legal developments, and social science

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1. This historical discussion is drawn from a number of sources. Some of the more prominent of these include the following: F. L. Faust and P. J. Brantingham (eds.), *Juvenile Justice Philosophy,* West Publishing Company, St. Paul, 1979; La Mar T. Empey (ed.), *Juvenile Justice: The Progressive Legacy and Current Reforms,* University Press of Virginia, Charlottesville, 1979; Neil H. Cogan, "Juvenile Law, Before and After the Entrance of Parens Patriae," *South Carolina Law Review,* Vol. 22, 1979, pp. 147–181; Patrick R. Tamalia, "The Recriminalization of the Juvenile Justice System—The Demise of the Socialized Court," *Juvenile and Family Court Journal,* May 1980, pp. 15–22; Myron Bennett Thompson, "A Study of the Growth of the Boys' Training School in Hawaii (1865 to 1939) From An Historical Standpoint," master's thesis, University of Hawaii, Honolulu, 1953; and Martin Guggenheim, "Juvenile Court," *New Catholic World,* Nov.–Dec. 1978, pp. 268–270.

concepts. Those members of society who either cannot care for themselves or who do not fit societal expectations have been the subject of *parens patriae*, whereby kings considered themselves fathers of their countries and assumed a parental guardianship over such persons (e.g., destitute widows, orphans, abused and neglected children, and law violators of minority age). However, while society has accepted responsibility for these wards of the state, it has seldom agreed on how to treat them.

At times in nineteenth century England and America, society placed these wards in workhouses. At other times, they were rented or apprenticed out to employers. Abuses discredited these solutions and sparked reforms. By the mid-1800s, one facet of a reform movement spreading across America to Hawaii called for separate incarceration of youthful offenders. These became "reformatories" to reorient juveniles toward useful productivity instead of merely to punish.

By the 1890s, some reformers opposed the application of adult justice to minors who, they believed, could not be held accountable by adult standards. Their view was that juvenile offenders raised in squalor and ignorance were victims in need of treatment and guidance. Other reformers sought a higher rate of incarceration for youthful offenders than juries were wont to impose on youngsters facing the harsh penalties then common in adult courts. These reformers saw anti-social behavior that required curbing and control for the good of society. All wanted remedies directed at an age when behaviors were believed to be still changeable. Turn-of-the-century progressive reforms brought widespread acceptance of a separate juvenile court, now generally called a family court. And with it came a preference for treatment along a medical model. Rehabilitation took priority, at least in theory though seldom fully in practice.

Court cases in the late 1960s dramatically challenged ongoing juvenile justice practices in America. In the most notable decision, *In re Gault* in 1967, the U.S. Supreme Court condemned practices carried on in the name of treatment which denied juveniles such basic adult rights as judicial procedure, legal counsel, proper notice, standards of evidence, cross-examination, appeal, and a presumption of innocence. As a result of those court decisions, juvenile proceedings once again started to resemble adult trials.

By the 1970s, a new wave of reform went so far as to deinstitutionalize all but the most incorrigible juveniles. But before the results of such change could be reliably evaluated, a counter wave sought to "get tough" by incarcerating an even greater proportion of adjudicated teenagers.

For well over a century, the basic problem has revolved around the objectives of making juvenile justice beneficial for youthful offenders while at the same time protecting society from the those youths. To strike a balance between these objectives in the context of different types of juveniles in trouble has been the dilemma. Such juveniles can be grouped into three categories: those who have committed a crime, those who have been victims of abuse or neglect, and those who have committed acts wrong only for minors and not for adults. These latter acts, or "status offenses," include rebelliousness against parents, truancy from school, curfew violations, and running away.

In the medical model perspective, since all troubled youths need help, treatment should prevail regardless of which category a juvenile falls into. A rationalization for this view comes from the difficulty in delineating between these three categories. Neglected/abused children frequently have school problems. Turned off by school, they resort to truancy. That in turn increases opportunities for further status offenses and eventually criminal activity.

Other kinds of delineations arise in juvenile justice and quickly generate their peculiar difficulties for those trying to formulate and implement workable programs. How, for instance, to administer justice fairly when a young first-time offender commits as heinous an act as an older, multiple repeat offender? How to determine at what age a youngster might properly be held fully accountable? How to reckon the culpability of a youthful offender's family, school, and community for the juvenile's behavior? And how to reconcile a juvenile with family, community, and victim so as to restore a workable social harmony and overcome bitterness?

Alternative approaches. Juvenile justice has long faced a choice among several alternative approaches: (1) It could punish. But that presumes an effective way to distinguish between youthful victims and youthful offenders. (2) It could simply "warehouse" youths--that is, protect society by keeping those with criminal tendencies out of circulation for a few years and hope that they do not reenter crime once out on the streets as adults. (3) It could seek to correct a wayward or mixed-up youth through one form of treatment or another. Various forms of rehabilitation have held favor at various times, such as forced labor, vocational training, and psychiatric counseling. Or (4) it could rely on community groups and conscientious individuals (be they teachers, ministers, athletic coaches, ethnic leaders) to provide--unstructured--the guidance, friendship, role model, support, and affection every youth needs to grow into a productive adult.

Each of these options has advantages and drawbacks, though in different degrees to different people. Each might benefit some individuals, yet prove ineffectual or detrimental to others or to society. While punishment might placate public outrage, it shows little evidence of resolving underlying problems. Warehousing does not pretend to deal with problems, placing its priority on hopes of curtailing crime--though at a high financial burden. Moreover, it risks turning out

offenders who act even more dangerously as adults for having been locked up so long with other criminal types. Treatment might accomplish some long-term good--provided those running such treatment programs could determine what really does ail each individual and could then devise effective individualized workable regimens at a cost society could afford.

For many troubled youths, nonbureaucratic community efforts do seem to work well. But for a persistent offender who has severe problems--who is beyond informal help--the risks and uncertainties tend to run too high. Incarceration of some form becomes unavoidable. Consequently, for the kind of juvenile who ends up at HYCF, mostly the first three options exist: whether to punish, to warehouse, or to treat while in residence.

The importance of recognizing these options as distinct options lies in the fact that each requires a different mix of facilities, programs, and staffs. Trying to combine them places a severe strain on both professionals and agencies as well as on their wards.

Evolution of the Hawaii Youth Correctional Facility[2]

HYCF had its start soon after corrections facilities exclusively for juveniles made their debut on the mainland. HYCF can trace its roots back to the Keoneula Industrial and Reformatory School created by Kamehameha V in 1864 and placed administratively under the Kingdom's Board of Education. The board leased nine

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2. This description is drawn largely from "A Study of the Growth of the Boys' Training School in Hawaii (1865 to 1939) From An Historical Standpoint," by Myron Bennett Thompson, master's thesis, University of Hawaii, Honolulu, 1953.

acres in Kapalama, initially for 15 boys and 2 girls, and had them grow taro, vegetables, and bananas. In 1903, the boys' portion of the institution moved to farm land at Waialee on Oahu's north shore where wards could learn "habits of industry." Farming activities were intended as much to make this facility self-supporting as to provide therapy and training for the wards. Reports about the Waialee institution refer to conditions as always overcrowded.

The Waialee Industrial School remained on the north shore until 1950, undergoing a name change in 1931 to the Waialee Training School for Boys. Jurisdiction shifted from the Board of Education to the Board of Industrial Schools in 1915 and the Territorial Department of Institutions in 1939.

Meanwhile, female wards moved from Kapalama to Moiliili, then in 1920 to the Maunawili Training School in Kailua. In 1931, when the boys' institution underwent a name change, the girls' facility became the Kawailoa Training School. In 1950, the Territory built a new facility for boys across from the girls' facility in Kailua. All Waialee operations then transferred, and the name changed to Koolau Boys Home.

In 1961, all operations (for both boys and girls) came under a combined administrative unit with a new name, the Hawaii Youth Correctional Facility, under a newly reorganized Department of Social Services.

Frequent instances of escape from HYCF and periodic demands for reform of that institution marked the 1970s, particularly in response to news media coverage about instances of brutality there. That era happened, however, to correspond to a growing nationwide movement to deinstitutionalize juveniles in custody. Consequently, no significant changes in operations occurred on the presumption that HYCF would soon phase out.

Act 303 of 1980: The Juvenile Justice Master Plan for Hawaii

In 1980, Hawaii's State Legislature enacted a greatly revised statutory provision for juvenile justice through Act 303, referred to as "a master plan for the juvenile justice system for the State of Hawaii." Its Section 8 (now Chapter 352, HRS) deals specifically with youth correctional facilities and replaces decades of incremental amendments with a more coherent set of directives.

Act 303 adds numerous new provisions for the entire juvenile justice system as well as for the correctional facility. With regard to the latter, it calls for standards and training of staff and spells out an intake process. It requires periodic review of persons committed and establishes a more elaborate parole arrangement including maintaining and updating records of parolees and making efforts to fit individuals back into their community through suitable residential, employment, and related services. It also sets up a Community Services Section to handle work release programs in place of what was previously termed "put out to labor." Act 303 of 1980 further indicates that age, maturity, attitude, offense, and commitment period should constitute considerations in segregating wards while at HYCF. It also prescribes recreational and educational programs as well as evaluation, counseling, and training for those committed to HYCF.

Certain provisions, however, leave room for some uncertainties to arise. On one hand, the Director of DSSH is specifically assigned responsibility for all aspects of juvenile corrections including programs of education and health care. On another hand, DOE is designated by name to provide an educational program adapted to the needs of the wards at HYCF as prescribed by DOE in coordination with the Director of DSSH. However, no similar statutory reference is made to the DOH with respect

to the provision of health and mental health care services even though DOH has long had at least one member of its mental health staff stationed at HYCF.

In short, the specific roles of DSSH, DOE, and DOH and interrelationships among these three departments in the area of youth corrections are not precisely prescribed under Act 303, but rather are largely left to be worked out among the three parties as best they can. Predominant responsibility in this regard rests, of course, with DSSH.

Act 303 also creates a philosophical or conceptual ambiguity regarding the State's intended approach to the handling of wards committed to HYCF. From the foregoing description of the act's provisions relating directly to HYCF, it can be seen that these provisions lean quite heavily toward a treatment approach aimed at rehabilitating HYCF's wards. Under other sections, the act also retains earlier provisions which hold that adjudications of youths under the juvenile justice system do not constitute determinations of guilt or convictions insofar as the regular system of criminal justice is concerned. At the same time, however, one of the stated purposes of the legislation is to "render appropriate punishment to offenders." The ambiguity thus created is further heightened by not defining what is meant by appropriate punishment or reconciling the imposition of punishment with a system which does not find guilt or convict offenders.

Act 156 of 1985, which amended Act 303, represents an attempt to deal with this conceptual difficulty. Yet it, too, does not resolve the basic problem. Based upon a recommendation to the Legislature from the Juvenile Justice Interagency Board, this most recent legislation redefines and elaborates upon the purposes of HYCF. Thus, the institution is now "to provide incarceration, punishment, and institutional care and services to reintegrate into their communities and families, children committed [to HYCF] by the courts of the State of Hawaii." To this end,

DSSH is mandated to: (1) provide to the wards intelligence and aptitude evaluation, psychological testing and counseling, prevocational and vocational training, employment counseling, and intra-family counseling; and (2) coordinate services provided to HYCF by other departments and agencies.

Act 156 further recognizes that it puts HYCF in the position of having "to harmonize the sometimes conflicting requirements of public safety, secure placement, and individualized services [for wards]," but it provides no guidelines for achieving such a harmonization. Moreover, it does not define what is meant by punishment, indicate how punishment might be differentiated from treatment, or establish any type of schedule of punishments to fit particular offenses. Even more significant, it still leaves in doubt how the concept of punishment can be reconciled with the concept that juveniles are not to be found guilty or convicted of crimes.

In summary, Act 303 leaves open to debate the question of whether the function of HYCF is: (1) to treat and rehabilitate; (2) to punish; or (3) to somehow both treat and punish, which may turn out to be no more than a warehousing of wards. So long as ambiguity continues to surround this key question, the institution remains under a severe handicap in trying to give direction and meaning to its program and in working out relationships with other affected agencies.

At the same time that it was reshaping the statutory framework for Hawaii's juvenile justice system, the Legislature also showed its concern regarding HYCF's physical facilities. Recognizing the extent to which the existing facilities had been allowed to deteriorate, the Legislature mandated action to begin immediate refurbishment of these facilities. While providing funds for major repairs, the Legislature also declared six years ago that, even with such restoration, the Koolau facilities would become "totally inadequate" within the next five years. Accordingly, the Legislature appropriated funds to start planning for a new facility

which it anticipated would be ready for use by the time the old buildings would no longer be considered acceptable.

These legislative actions taken in 1980 constitute the most recent concerted attention given to youth correctional matters at the legislative level in Hawaii. This audit focuses, then, on these legislative actions and on whatever follow-up efforts have been undertaken by the affected agencies since the 1980 legislation was adopted.

Implementation of Act 303 of 1980

With the billing of Act 303 of 1980 as Hawaii's juvenile justice master plan, it might be presumed that the agencies directly involved in youth corrections would get together to devise an overall approach to the implementation of the youth corrections portion of the total plan. By this means, they would be able to assess where they stood relative to the plan's provisions relating to youth corrections, identify possible problem areas (such as the previously described lack of clarity and consistency within the legislation itself), set objectives, and formulate more specific plans for overcoming problems and actually implementing the legislation.

However, there has been no concerted planning or programming for youth corrections in the wake of Act 303's passage, either at an interdepartmental level or even within DSSH. Except for the repair and renovation of facilities as mandated and funded by the Legislature and for the formal creation of a Community Services Section within HYCF, the 1980 legislation appears to have had little impact upon operations or interdepartmental relationships at HYCF.

For example, there have been no meetings or ongoing efforts at the top management or policymaking levels among DSSH, DOE, and DOH to map out any overall strategy for dealing with the youths who end up being committed to HYCF.

Hence, there have been no organized interdepartmental activities aimed at identifying and clarifying program problems and issues, at assessing and marshalling available resources, and at exploring various options in terms of goals and methods.

The same largely holds true within DSSH itself. As the agency with by far the greatest responsibility for administering the youth corrections program, it should naturally take a leadership role in planning and programming. However, we could find little evidence of any extensive attention given to policy direction for HYCF either at the departmental level in DSSH or even at the divisional level of the Corrections Division. This neglect may derive in great part from the fact that recent problems relating to adult corrections loom so much larger and more severe than those affecting HYCF as to distract attention from the latter. At the same time, however, the departmental and divisional administrators should recognize that failure at the youth corrections level cannot help but increase problems at the adult corrections level by allowing more youthful offenders to continue to feed into the adult system.

This is not to say that some changes and improvements have not taken place since 1980. For the most part, however, these have taken place on a narrow basis and at the operational level within HYCF and have depended mainly upon the initiative of particular individuals. For instance, the appointment of a new principal several years ago to head the DOE's educational programs at HYCF has resulted in greatly improved relationships between HYCF and DOE personnel at the institution. By all accounts, the improvement has been due to the personality, talent, and drive of the person involved. On the other hand, DOH has actually cut back since 1980 on the amount of its resources allocated to HYCF, and relationships between it and HYCF can only be termed strained at best.

The net result is that while Act 303 may lean heavily toward a treatment approach to rehabilitating the wards who are committed to HYCF, the underlying strategy of the institution has continued to go in a markedly different direction. The actual strategy pursued by DSSH, DOE, and DOH at HYCF does not offer real treatment or even seek to impose punishment. Similarly, it does not utilize community involvement, another option under Act 303. Instead, what the lack of planning and programming at HYCF has produced is an underlying strategy by default. That strategy is simply to hold in secure custody or warehouse those youths who are sent to HYCF by the courts until the youths are discharged or have to be released because they have reached the maximum age to be confined in a youth correctional facility.

Warehousing is, of course, the easiest of all strategies. As the line of least resistance, it takes no extra effort and forces no one to stand up for change. It simply allows things to go on, largely as they have been, each agent (even the most conscientious of state employees) restricted to a mere segment of what is in reality an extremely complex, interrelated, and hence difficult range of tasks and difficulties.

In the following chapters of this report, we note numerous specific shortcomings in the current management of HYCF. However, these deficiencies, even in total, do not constitute the real problem. Moreover, remedying them in themselves will not likely produce an effective youth corrections program for Hawaii. The State does have conscientious employees at HYCF, but by themselves they cannot resolve the major problems plaguing the institution. They cannot for lack of a far clearer policy line to follow and a truly concerted effort by top level legislative, judicial, and executive branch policy formulators and decisionmakers to carry out a well grounded program of youth corrections. Despite the State's

extended efforts directed at developing a general plan and various functional plans for Hawaii, the whole area of justice—including juvenile justice—is absent from these plans. Hence, Hawaii still lacks an overall functional plan for adult and juvenile justice.

Priority attention, therefore, needs to be directed toward the formulation and development of an adequate policy and program framework within which all affected agencies can work together and be evaluated on the basis of achieving clearly established youth correctional goals, objectives, and modes of operation.

Recommendation

As a matter of first priority, we recommend that top level policy and decisionmaking attention be given to the formulation and development of a specific policy statement upon which to construct a workable program framework for youth corrections in Hawaii. This is essential so as to provide program managers with the necessary foundation upon which to base their operational plans and activities. They need to know unmistakably if the intent and main thrust of state action in this field is: (1) to rehabilitate—either institutionally or through the use of community resources or through some combination of those two; (2) to punish, which would appear to require a judicial process which determines guilt and metes out penalties; (3) to warehouse; or (4) to somehow productively meld together rehabilitation, punishment, and warehousing. Then, after one of these alternative courses is determined, they need to know what are considered to be the preferred or acceptable means for carrying out the selected purpose.

There are several ways this recommendation might be carried out. These include the following:

- *The Department of Social Services and Housing could take the leadership and convene a task force made up of representatives of affected agencies and groups to focus on this matter and to come up with appropriate recommendations to be submitted to legislative, executive, and judicial decisionmakers for ultimate review and approval.*
- *The Juvenile Justice Interagency Board, which was created by Act 303 of 1980 to promote the implementation of the juvenile justice master plan and to advise affected agencies concerning general policies for cooperation and coordination in the juvenile justice field, could be given the assignment of studying this matter and coming up with a recommended course of action.*
- *The Legislature could create a special interim committee and provide it with the necessary resources to examine the issues involved and formulate recommendations for overall legislative, executive, and judicial consideration and follow–up action.*

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Chapter 3

PREPARATION OF WARDS FOR THEIR RETURN TO THE COMMUNITY

Whether the primary goal of the Hawaii Youth Correctional Facility (HYCF) is to treat, to punish, or simply to warehouse those juveniles who are committed to it by the courts, the affected youths are all destined to leave the institution and return to the community after what for most of them is a relatively short stay (only a few remain longer than two years). Upon making this return, all are faced, usually sooner than later, with the need to find a place to live, secure an income, acquire basic necessities, and engage in interpersonal relationships with other members of the community. If they cannot accomplish these basic acts of life in legitimate and socially acceptable ways, they are almost sure to seek to do so in ways which society finds highly undesirable. Either they will function positively and productively, or they will perform in a negative and detrimental manner.

Complicating this situation is the fact that these youths come to HYCF under a severe handicap. Already the private and public instruments for assisting youths to reach maturity along socially approved lines--such as families, neighborhoods, educational institutions, churches, health care agencies, and youth organizations--have failed to reach and assist those youths in the normal and expected manner. In effect, then, HYCF becomes a last chance for these youths before they enter the world of adulthood. What happens at HYCF either can turn these youths around and enable them to cope successfully as adults or can result in dumping misfits upon the community who will continue to be menaces to themselves and those around them.

Viewed in this perspective, what happens at HYCF in such areas as education, vocational training, counseling, recreation, and health care becomes crucially important. This is obvious, of course, where rehabilitation is the objective. However, even under punishment and warehousing approaches it is essential not to turn loose persons who are woefully unprepared to meet the minimum needs and realize the minimum satisfactions of daily life.

This means that the life preparation activities at HYCF take on added significance and often warrant an investment of far more resources than might normally be allocated to such activities. Moreover, since all facets of a ward's experience at HYCF interrelate and interact, they demand a fully concerted approach—something which is exceedingly difficult to attain where objectives are unclear and multiple agencies are involved. Effective provision of services in these areas, therefore, presents formidable challenges—challenges to professional thinking, to agency interests, and to political processes.

This chapter examines what so far has been attempted and accomplished in terms of services aimed at returning wards to the community as called for under Act 303 of 1980, Hawaii's juvenile justice master plan. In particular, we review the performance of the Department of Education (DOE), the Department of Health (DOH), and the Department of Social Services and Housing (DSSH), especially HYCF's Community Services Section (CSS) which was set up under Act 303 to give specific and coordinated attention to this area of concern.

Summary of Findings

The Hawaii Youth Correctional Facility continues to fall far short in preparing its wards for their return to the community. Programs in this important area still

lack integration and comprehensiveness; efforts of the several different affected agencies still lack cohesion and coordination. More specifically, we find as follows:

1. Instead of giving special attention and support to the basic education program at the institution, the Department of Education treats it as a stepchild. While some improvements have recently been made in education services, they are due largely to individual efforts and not to any overall concerted plan or program.

2. To the extent it is carried out, vocational education operates in a gray area between the Department of Education and the Hawaii Youth Correctional Facility and remains largely unrelated to real conditions in Hawaii's workplace.

3. Despite Act 303's increased emphasis on juvenile parole and its creation of the Community Services Section to strengthen the reintegration of the Hawaii Youth Correctional Facility's wards back into the community, very limited resources have been committed to this effort, and very little progress has been made toward achieving a positive transition from institutional to community life.

4. Family involvement, much less community involvement, in the institution's programs and activities is perfunctorily minimal at best; the Department of Health has failed dismally in providing a critically needed mental health program at the Hawaii Youth Correctional Facility.

5. The provision of medical and dental care to the wards at the Hawaii Youth Correctional Facility, primarily through contract services, is generally quite adequate. There is a need, however, for an infirmary and for an adequate health education program.

General Situation Regarding

Implementation of Act 303

In passing Act 303 of 1980, the Legislature not only decried the very inadequate manner in which HYCF was preparing wards to return to the community,[1] but also expressed strong support for a "total constructive treatment" approach to the handling of these youths. To this end, it created a Community Services Section "to coordinate the placement of [wards] in educational, vocational, and work release programs and residential placement."[2] It also called for strengthening HYCF's parole program and mandated the provision of a wide range of services, including evaluation, counseling, training, education, recreation, in-facility work, and work release.

At the time this legislation was enacted, both DOE and DOH personnel were stationed at HYCF and were directly involved in dealing with the wards at the institution. In Act 303, specific provision is made for DOE to continue to provide educational programs for the wards, but no reference is made to DOH. The latter omission reflects a general tendency of the legislation to overlook any role for DOH in the entire juvenile justice system. For example, no provision is made for DOH to be represented on the Juvenile Justice Interagency Board, which was created by Act 303, although DOE and most of the other affected agencies are so represented.

Whether specifically mentioned or not in Act 303, however, it would appear that all agencies involved in any way in the provision of treatment services to the

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1. As stated by the Senate Judiciary Committee in its report on the bill, "the Committee noted a distressing lack of ingenuity and attention applied toward in-facility and out-facility treatment of these youths. A state of general malaise pervades the facility, adversely affecting both staff and committed individuals."

2. Section 352-23, HRS.

wards at HYCF should also be involved in the implementation of this legislation as it relates to the institution's treatment program. This is especially true when it is recognized that very close interrelationships and interactions take place among all aspects of what the wards experience while in the institution.

Based upon our examination, however, there has been very little concerted effort directed toward improving HYCF's treatment approach since the passage of Act 303. As a consequence, the institution is still falling far short of adequately preparing its wards for their return to the community.

For instance, no truly productive action has been taken at the policymaking level among DSSH, DOE, and DOH to effectuate a comprehensive and integrated approach to the treatment of the wards.[3] Even at the operational level within HYCF, matters affecting interagency relationships continue to be handled on an ad hoc and piecemeal basis. As a result, programs in this important area still lack integration and comprehensiveness, and interagency activities still lack cohesion and coordination. Specific shortcomings in this regard are discussed more fully in the following sections of this chapter.

Educational Foundation

At the time of our audit, about a third of the wards at HYCF had been certified by DOE as requiring special educational services. For the most part, the

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3. An interagency group representing the three departments did submit a report in 1984 embodying what it called an "action plan for a coordinated, integrated, and comprehensive program for incarcerated youth at . . . HYCF." However, this effort has produced little, if anything, in the way of substantive results insofar as HYCF's treatment program for its wards is concerned. It has not had any discernible impact on the day-to-day operations of the institution.

rest had problems with formal education in some way or other. Whether such troubles stem from biological factors (hearing, eyesight, hyperactivity, limited learning abilities, neurological disorders), social discouragement, or psychiatric disabilities, they can and frequently do deeply affect and shape how the affected individuals seek to cope with an incomprehensibly complex, often frightening world and all that must be learned to succeed in it.

Because the kinds of individual problems vary so differently among wards and their learning development ranges so widely, customary classroom approaches must give way to more individualized instruction. Moreover, since traditional classroom strategies have already largely failed for these students, different educational strategies would appear essential. By necessity, then, the main method of instruction at Olomana School pursues a diagnostic–prescriptive model.

Each student takes a diagnostic test--generally the Peabody Individual Achievement Test--upon entering. With a level of performance thus identified, educators can prescribe appropriate levels and areas of instruction for each student. Special education students have individualized education programs. The principal in charge at the time of our audit emphasized direct teaching and increased teacher–student contact. Students committed to HYCF for 30 days or less do not enroll in the school but receive tutoring for an hour or so per day in their cottages.

Olomana School resembles nothing else in the DOE system. Although it has a principal, that position must administer three other educational units: (1) the Olomana Youth Center (OYC), an off–campus alternative learning center for alienated regular students in the Windward District, which is also located on the HYCF campus but at some distance from the cottages and Olomana School; (2) the

small educational center for DOE students confined to Hawaii State Hospital in Kaneohe; and (3) the educational center for juveniles confined at the Detention Home in Honolulu. In all other schools, the Department of Accounting and General Services provides and maintains the physical plant for DOE's educational operations. At HYCF, DSSH provides and maintains the plant (a converted cottage) and is responsible for necessary security, an ever important consideration.

Unavoidably, security intrudes onto educational efforts. The school building, for instance, must remain locked and be guarded by youth correctional officers at all times when in use. Because the automobile mechanics and carpentry classes are taught away from the school building and do not enjoy similar security protection, only wards in a minimum security category may participate in them.

As a result of these peculiar conditions, DOE must share its authority and responsibility for educational services with HYCF. Section 352-14, Hawaii Revised Statutes, directs DOE to take into consideration the unique needs of HYCF's wards and to coordinate with HYCF's administration. Fulfillment of that directive, however, has depended more on personalities than on a well structured and efficiently managed institutional arrangement between DOE and HYCF.

Under the principal in charge at the time of this audit,[4] morale among teachers had improved markedly. Previous strains between DOE and HYCF staffs have diminished, with joint efforts occurring and even some financial aid coming to the school from HYCF. Wards enter "behavior management contracts" to regulate their conduct and which now grade academic performance weekly. Tutoring in basic

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4. This principal has now taken a Department of Education state office position effective April 1, 1986.

skills and instruction in art and photography are provided after school, the latter by volunteer teachers. In 1984, 18 students actually graduated from high school, and all of them passed the Hawaii State Test for Essential Competencies.

Legislative authorization for a permanent vice-principal at Olomana School should enhance stability by providing a back-up in the event there is a change in principals, such as occurred in early 1986. However, impediments stemming from a grossly inadequate physical plant remain and grow worse--a fact beyond the control of either DOE or HYCF administrators. Space for both teachers and students is cramped. Unlike other DOE schools, Olomana School still has no school library, only the small and very inadequate institutional one provided by HYCF. The principal and school secretary must be housed at OYC located at some distance from Olomana School. Opportunities for vocational education also remain quite limited under those conditions. HYCF's severe limitations on physical exercise mean Olomana School lacks a much needed physical education program too.

Despite improvements, Olomana School's hybrid designation under DOE's compensatory education program has actually seen a shortchanging of its funding. It does not have a full complement of teachers to assure complete coverage of all courses called for in DOE's foundation program at the secondary level. Not designated a true special school, Olomana does not qualify for school priority funds enjoyed by other schools. Moreover, Olomana receives a flat amount of funds for supplies and equipment rather than the per student formula used elsewhere. And so where extra support would appear most essential, a less than equal share has had to do. In a very real sense, Olomana School remains a stepchild in the overall DOE system.

Vocational Training

For juveniles typically not oriented in an academic direction, vocational education would appear a natural area of interest and course of instruction to follow. One would expect it to take preeminence in efforts toward rehabilitation and preparation of wards for satisfactory functioning once released from HYCF. Certainly the Legislature appears to have expected such an emphasis in light of its provisions for work release in Section 352-16, HRS. Similarly, Section 352-13, HRS, specifically directs DSSH to provide an opportunity for aptitude evaluation, vocational training, and employment counseling to all persons committed to HYCF.

Traditionally over the decades, HYCF administrators have sought to instill proper attitudes toward, and habits for, work through tending cattle and pigs and such institutional maintenance functions as groundskeeping, sewing, and minor repair, renovation, and maintenance work. The Legislature, however, cited these activities under Section 352-15, HRS, titled "recreation and program activities." Legislators apparently recognized quite well that for whatever therapeutic advantages such involvement might offer, those are only tangential to true vocational training.

Routine institutional-related tasks might keep wards busy, especially during summer recess, and give them a chance to earn some money. But they readily become make-work tedium for lack of immediate gratification, much less future meaning. In short, such tasks do little, if anything, to increase marketable skills and experience. Due to limited needs, security requirements, and lack of instructional orientation among HYCF employees conducting them, those jobs which do hold some potential—such as automotive repair, plumbing, and carpentry—can accommodate at most only a few out of all who need and want such experience. Moreover,

Olomana Cottage wards have been left largely on their own to decide whether or not they will participate in work experience activities. Thus, during the summers when CETA funds were available to pay for such work, these wards participated. However, as soon as the CETA funds dried up, most of them dropped out. In contrast, Kaala Cottage wards have continued to participate whether or not they were paid under the CETA program.

In short, there appears a marked contrast between legislative directions and what actually occurs at HYCF. While legislative emphasis focuses on rehabilitation, the institution remains glued to operational needs. Perhaps the central problem here lies in the absence of a precisely stated set of expectations suitable for definitive evaluation.

A vocational training program commensurate with HYCF's assignment might involve a series of steps along the following lines:

1. A system for evaluating the needs, deficiencies, aptitudes, and attitudes of each ward relative to career fields. Unless those responsible for a program know what human resources and obstacles they have to work with, they can hardly formulate and implement a productive effort.

2. A systematic, ongoing assessment of trends and opportunities in the job market. Little but frustration can be gained from training people for skills that lack job opportunities.

3. A concerted approach to prepare wards not just with marketable skills but with a positive orientation toward themselves, toward society, toward employers, and toward further education.

4. Finally, a close integration between basic education in Olomana School and both vocational training and work assignments at HYCF.

Unfortunately, these elements do not characterize what exists at HYCF. Instead of aptitude testing appropriate for wards, HYCF relies on an occupational therapist at Olomana Youth Center and the pre-vocational assessments she administers to all special education students. She also sees other students who are referred to her. These pre-vocational assessments, however, do not tie in with the kinds of work opportunities available within this institution. Work assignments have largely followed an arbitrary or traditionalist pattern--sewing for girls and animal care for boys. Moreover, HYCF and DOE have taken few, if any, steps toward exploring what alternative forms of vocational education might prove suitable within HYCF (given its legitimate concerns for security) and within both the capabilities of the wards and their likely job prospects outside. In summary, responsibility for vocational education and training remains poorly defined between DOE and HYCF with neither agency, singly or jointly, performing effectively in this area.

Parole, Placement, Follow-Up

Parole has long provided a useful form of transition from incarceration to full freedom in the community. Unlike unsupervised release, parole allows a responsible public agency to retain some degree of control over a juvenile ward or adult convict. In this way, that agency might test to make certain a parolee can adjust back into society. If he or she cannot, the agency can immediately return that person to an incarcerated status without need of a new court process.

With supervision made possible through parole, a paroling agency can work with family, employer, and other community agencies as well as with the parolee--even to prohibiting association with persons who might exert a detrimental

influence on the parolee. If the parole agency and process were so inclined, its staff could also use this period to gather information on what programs during incarceration offer optimal chances of solid preparation for eventual release.

In concept, the greater a ward's problems, the greater the need for employing a range of services, including parole, as a means to transition. In Hawaii, in contrast, the less the need, the more likely parole and helpful preparation will occur: Those wards facing the most formidable obstacles receive little or no transitional preparation and find themselves ineligible for parole. They simply complete their term or reach a designated age, then return to the community "cold turkey."

Actually, the legislatively adopted Juvenile Justice Master Plan of 1980 expanded the expectations for parole by creating a Community Services Section and placing the parole function with it (Sections 352–23 and 352–24, HRS). Act 303 assigned to the parole office these duties: assist in locating appropriate residential placement; assist in obtaining suitable employment; assist parolees in adjusting to community life and its resources; maintain records about parolees (including their health, conduct, and environment as well as work and residential history); collect data; and make investigations. CSS also acquired such tasks as coordinating educational, vocational, work release, and residential placement programs. Moreover, it seems the most logical entity to conduct family counseling as mandated by Section 352–13.

Instead of an expansion in this aspect of corrections as Act 303 intended, parole and work release have actually declined. During FY 1974–75, 51 percent of those wards discharged from HYCF left via parole. By FY 1983–84, that segment had dropped to only 22 percent. The average daily percentage on parole in

FY 1983–84 ran at only 24 percent, down from 39 percent in FY 1979–80. By January 1985, the proportion had slid to half that of FY 1983–84. Consequently, parole officers began getting assigned to other duties within HYCF.

Immediately a question arises: How could the caseload drop so markedly at the same time that tasks assigned expanded significantly under Act 303? One explanation given indicated that wards were now receiving longer sentences; another, that increased public attention has made HYCF more cautious about releasing wards early.

The cautious hesitancy to utilize parole has made no improvement in recidivism. In the most recent year encompassed by our audit, FY 1983–84, recidivism ran higher than six of the previous ten years. It also had the highest percent of paroles revoked in any of the previous ten years, almost double that decade's average.

A study issued in 1984 by the Youth Development and Research Center at the School of Social Work, University of Hawaii, found no significant difference in rates of recidivism among 570 HYCF youths whether they had been paroled or simply discharged between the years 1974 and 1978.[5] It found that 74.9 percent were rearrested at least once, 53.7 percent were convicted on at least one additional offense, and 33.3 percent were again incarcerated. Information on experience since Act 303 was passed in 1980 is extremely limited, but that which is available does not indicate any great improvement in the record.

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5. Jack Nagoshi, Director, Youth Development and Research Center, School of Social Work, University of Hawaii—Manoa, *Recidivism of Dischargees from the Hawaii Youth Correctional Facility—1974–1978,* Report No. 296, Honolulu, April 1984.

For example, based on HYCF's intake–discharge flowsheets for the four fiscal years from 1980–81 through 1983–84, the percentage of HYCF parolees returned to the institution for minor or major violations of their paroles ranged from a low of 59 percent to a high of 67 percent—not appreciably different from the rates experienced during the preceding six fiscal years. For those whose paroles were actually revoked during these same four years, the percentage ranged from a low of 22 percent to a high of 42 percent—again, not markedly different from prior experience. Indeed, the 42 percent recorded in FY 1983–84 reflected a ten–year high for parole revocations. Data on HYCF dischargees who are subsequently arrested and convicted as adults are not readily available, but recent news reports on persons arrested or convicted with relation to various criminal activities have contained the names of a number of wards who were at HYCF when fieldwork for this audit was being conducted.

Currently, for wards deemed good prospects for parole and so scheduled for early release, HYCF mandates a "Community Living Skills" class with an emphasis on securing employment. But for those wards deemed dangerous or not otherwise eligible for parole, no such preparation for discharge is required. They simply reach a designated date and go out. Although Section 352–13 calls for family counseling and supposedly makes it available throughout a ward's term at HYCF, most families meet a counselor once at best. Yet, for many wards, their troubles may well have begun at home and could be aggravated upon return if not corrected.

Parole officers could play an important feedback role for ensuring a more effective treatment program within HYCF as a whole. That could come about in conjunction with their efforts to place parolees in jobs. A study of adult offenders from prison during 1978 and 1979 and tracked until January 1984 found that

employment appeared a key factor in determining whether or not a person returned to criminal activity.[6] Only 19.1 percent of those rearrested had jobs whereas 79.1 percent of the rearrested were unemployed (1.7 percent were unknown). We see no reason to suspect a markedly different pattern for ex-wards of HYCF.

Individual and Family Counseling

Youngsters are not likely to end up in HYCF unless they are seriously mixed up in some way. They generally have been unable to make the normally expected social, psychological, and cultural adjustments between childhood and adulthood. Whether they had endured family strains, had inappropriate or undesirable models at home, lived in a culturally marginal milieu, or suffered some sort of biological/neurological dysfunction that left them less than fully able to control themselves in relation to other people and other people's property—or some complex combination of these kinds of impediments to normal acculturation—they desperately need to change. Helping such persons appears to require penetrating diagnosis, empathetic interaction, effective action programming, and perceptive monitoring and follow-up.

This form of treatment concerns learning abilities and work attitudes and skills as well as medical (biological and neurological) and sociological profiles. The heart of beneficial treatment lies in problem identification. And problem identification for people mixed up enough to reach HYCF definitely deserves more than a perfunctory operation. Yet, that is what it rates now. HYCF staff seem to

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6. Hawaii, Department of the Attorney General, Justice Data Center, *Re-Arrest After Release From Prison, CYs 1978-79,* 1984, p. 8.

recognize this situation accurately but are preempted by DOH staff. Ironically, it is the DOH staff, the supposed specialists in this field, who do not acknowledge how disturbed HYCF wards tend to be. Perceptions differ markedly among those holding different portions of the treatment net. Consequently, the problems of many wards go undiagnosed.

Various forms of counseling exist at HYCF. Inherent in the form of teaching pursued at Olomana School, tutorial and remedial counseling necessarily occur. Supposedly, CSS's parole staff should advise and counsel wards for return to community life and jobs. Apparently, some of the most communicative "counseling" which wards experience at HYCF happen informally between wards and HYCF staff. (The seamstress, for instance, reportedly has demonstrated an exemplary talent for reaching these youngsters; yet, she is denied recognition by the personnel system for her contribution and remains a seamstress.) And cottage treatment meetings enable wards to meet together with a varied team of professionals.

Any integration of these various forms of counseling and treatment appears more coincidental than planned and programmed. The difficulty begins, apparently, with the 1970 cooperative agreement between DOH and DSSH. Under it, DOH is supposed to supply to DSSH's entire Corrections Division "appropriate mental health consultation, mental health programs of treatment and service, and mental health program research and evaluation." Unfortunately, this cooperative agreement does not go beyond generalities and acknowledges no specific needs for HYCF. Despite legislative criticism of unsatisfactory results from this arrangement, it was not updated relative to Act 303 of 1980.

Since this agreement recognizes no particular problems or needs for HYCF, it outlines no operational objectives and provides no program design. Then, when

perspectives (as well as responsibilities) differ between HYCF and DOH staffs, a basis for resolution remains nebulous and the wards suffer. Because responsibility is to some undelineated extent shared between HYCF and DOH, neither assumes full responsibility. HYCF staff feel their hands are tied because they are not professionals in mental health. Lacking any burden for the full picture at HYCF, the staff of DOH lack a sense of any real involvement or urgency. If DOH provides appropriate support in this field, all is well and good. But if DOH fails to do so, as appears to be the case, then HYCF acts as though nothing can be done but to continue to ask DOH for help.

The full-time psychological consultant assigned by DOH to HYCF operates in almost total remoteness from the agency which pays him and in almost equally total independence of the agency responsible for what he does. The few hours per week spent at HYCF by one of DOH's psychiatric consultants are not enough to allow for the development of any close interaction or teamwork with HYCF's staff.

Despite the emphasis of national standards[7] as well as local standards on early and comprehensive assessments of incoming wards, the psychological consultant often fails to make psychological assessments of HYCF's wards. When he does, it is frequently on a delayed, perfunctory, and inadequate basis. He makes virtually no use of psychological or intelligence testing. To a great extent, he isolates himself from the treatment process at HYCF and from the staff members who must work with the wards on a day-to-day basis. He views his role primarily as

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7. U.S., Department of Justice, Office of Juvenile Justice and Delinquency, *Standards for the Administration of Juvenile Justice: Report of the National Advisory Committee for Juvenile Justice and Delinquency Prevention, July 1980,* p. 392.

a consultative one and renders very limited direct services to the wards. He has exerted no effort to involve the families of wards in the counseling or treatment of wards. In short, he does not function as a real or meaningful part of an overall treatment team.

Unless this jurisdictional barrier separating DOH personnel from the rest of the staff at HYCF is removed and unless mental health services become an integral part of HYCF's total package of rehabilitation, the comprehensive and integrated approach to ward treatment envisioned in the national standards and in Act 303 will not be effectively achieved at HYCF. The barrier is unlikely to come down until both HYCF/DSSH and DOH can agree on what role DOH should play within HYCF and can reach accord on some measurable standards by which performance can be evaluated and enforced. If that cannot be achieved, then a totally new arrangement for mental health services must occur.

Standards proposed in 1980 by the National Advisory Committee for Juvenile Justice and Delinquency Prevention call for group as well as individual therapy and suggest that psychiatric services focus primarily on diagnosis and training of corrections staff members who have daily contact with wards. They call, too, for a thorough and comprehensive assessment of a ward's problems upon arrival at a corrections center so that treatment might proceed appropriately on a team basis. Mental health therapy should also involve a ward's family as much as possible. These national standards agree with those recommended by Hawaii's Juvenile Justice Task Force in 1977.

The thrust in both sets of standards aims at preparing wards to return to their communities with enhanced self-reliance and positive attitudes toward social relationships there. Moreover, Section 352-22 of Act 303 requires periodic

re-evaluations (no less than every six months) of each ward's personal and family situation as well as progress achieved. In ongoing practice, family involvement in counseling tends to be limited to a few occasions, if any at all, rather than to be carried out as a continuing process.

Actually, we found inadequacies (some of them blatant) throughout the mental health and counseling area. Psychiatric assessment upon arrival consists of an interview devoid of any forms of testing, much less a check for medically related factors. Supposedly, these interviews occur within two weeks of a ward's arrival. Of 38 wards whose records we examined, only 28 had an intake evaluation in their files. Of these 28, only 11 were reported to have been performed within those first two weeks following admission. Only half—19—received the benefit of intake evaluations within four weeks of arrival. For two wards, six months elapsed; for one other, ten months went by before an evaluation was made.

Moreover, not all of those evaluations were conducted by the psychological consultant assigned to HYCF even though the procedures call for him to make the assessments. While it should not be necessary for him to duplicate previous efforts which remain valid, he should at least review the prior evaluations and indicate their relevance to the situation of the wards at HYCF. Even this he does not do. In any case, the brevity and lack of specificity evident in the write-ups render them of doubtful value for DOH as well as for HYCF staffs in formulating and implementing individualized treatment programs.

A sharp cleavage between DOH and HYCF staffs over the nature of mental health among wards throws up further roadblocks to effective treatment. As psychologists and psychiatrists, DOH staff say they are trained to deal with persons who suffer from neuroses and psychoses; they concede they do not know how to

treat conduct disorders and thus maintain they should not be expected to do so. They further maintain that only a small percentage of the wards at HYCF, probably under 5 percent, exhibit the classical symptoms of neuroses or psychoses. Accordingly, they feel their expertise should be focused primarily on this limited group. In fact, then, the vast majority of wards lie beyond the scope of their competence and responsibility. If any other counseling is needed, this is viewed as being the responsibility of the social workers—regardless of how few or how overworked the social workers may be.

Yet in dealing daily with their wards, HYCF staff know that mental health constitutes a formidable problem. From years of experience with both DOH staffs and wards, HYCF personnel rightly harbor grave doubts about what DOH can do.

DOE screening for special education needs also identifies a far higher rate of mental health trouble among wards than DOH will admit to—46 percent at the time of our review of HYCF files. Ironically, for even that 5 percent of wards recognized by DOH staff as properly needing psychiatric help, treatment given remains minimal (mostly through medication) and not evaluated for effectiveness. On the other hand, when one DOH therapist attempted to conduct group counseling by using incentives for participation, HYCF staff resisted allowing someone other than an HYCF employee to dispense what limited rewards are practical in such an institution, given the ever preeminence of security considerations.

If mental health care falls badly short while wards are in residence, follow-up after-care is nonexistent. Yet, a ward's troubles do not terminate upon reaching age 18 or 19. Nevertheless, HYCF makes no effort to ascertain what happens to former wards, not only to help them stay out of trouble but to improve the program at HYCF for succeeding wards. Although the interdepartmental cooperative

agreement provides for joint planning, research, and evaluation of services, none occurs. Given the fact that so little is known in this field about what programmatically works, the need looms exceedingly great. Despite this, both staffs concentrate so fully on day-to-day activities as to leave no time for long-range planning, monitoring, and feedback, much less for research.

Health Care

For the most part, HYCF provides a reasonably adequate level of medical and dental care. A resident nurse works a regular shift during the week but is also on call after hours to deal with emergencies. A private physician visits weekly, and a half-time dentist treats wards at the facility. Acute emergency cases go to nearby Castle Hospital. HYCF utilizes private physicians as required to take care of specialized needs. According to the HYCF staff, this medical and dental care accorded the wards while at HYCF probably exceeds what many of them receive at any other time during their minority. This is reflected in the amount of corrective dental and surgical work performed on the wards while at HYCF.

This service could, however, benefit from a concerted effort to obtain medical and dental records for care prior to commitment. No regularized procedure is in place to assure the transmittal of available records at the time of admission. As a result, HYCF often has to scramble as best it can to obtain relevant information although records are available elsewhere in the juvenile justice system. Closer cooperation and coordination between HYCF and the family courts would help to solve this problem.

HYCF also lacks an infirmary. In the absence of such a facility, HYCF must either leave wards in the hospital or utilize the isolation cells in the cottages to

provide a place for recuperation. The first alternative not only is costly but also may require HYCF to provide needed security at the hospital. The second alternative also has serious drawbacks. Besides space availability problems, the punitive purpose and design of the cells do not make them conducive to recuperation. It is for reasons such as these that the medical care standards recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention in 1980 call for an infirmary at institutions like HYCF.

Probably the most serious weakness in HYCF's approach to health services, however, is the institution's failure to provide any sort of a health education program. The need for such a program is great because many of the wards seem to be woefully uninformed about and lacking in appreciation of the importance of proper health care. Many also seem to be unaware of the broad range of health services available in the community for dealing with the various physical and mental health problems which adolescents experience.

For such juveniles, then, health education becomes an important tool for preventive health care. This is recognized in the previously mentioned health care standards recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention which stress the need for comprehensive health education programs in juvenile correctional institutions. Despite this obvious need, however, HYCF's Medical Services Office has no organized plan for disseminating health education information to the wards.

Most noteworthy in any comparison between the rather successful provision of medical and dental care and the pathetic mental health situation at HYCF is the marked difference in how those services are provided. HYCF handles most medical and dental care through contracts or part-time employment arrangements with

private sector providers. In contrast, mental health services, such as they are, come through an obsolete cooperative agreement between two state agencies. Since the director of DSSH's contracting authority has been deemed flexible enough to contract for medical and dental services from the private sector, there would appear no necessity for HYCF to remain wedded to a very unsatisfactory arrangement with DOH simply because it has existed so long. Rather, it may well be very worthwhile to expand the coverage of contract services at the institution, especially in the mental health field. In this regard, it should be noted that many mainland jurisdictions, the family courts, DSSH, and even DOH itself, make extensive use of private sector contractors for various types of treatment and care services.[8]

Recommendations

To achieve better preparation of the wards at the Hawaii Youth Correctional Facility for their return to the community, we recommend as follows:

1. The Department of Education should recognize the special and unique conditions at the Hawaii Youth Correctional Facility and should develop, in conjunction with the Department of Social Services and Housing, an appropriate educational plan and program for dealing with these special and unique conditions. Such a plan and program should include the establishment of appropriate

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8. For an up-to-date brief summary of efforts in other states to utilize smaller, more personalized community programs in lieu of juvenile correctional institutions, see the article by Mary Fairchild in the May/June issue of *State Legislatures* entitled "Turning Troubled Kids Around." In some jurisdictions, privatization of juvenile corrections has been carried to the point where the construction and operation of juvenile correctional facilities themselves have been let out by contract to private enterprise.

administrative and organizational arrangements and the allocation of adequate resources to allow proper attention and direction to be given to the provision of educational services at the institution.

2. The Department of Social Services and Housing and the Department of Education should jointly devise a unified and consistent approach to the provision of prevocational and vocational education and training services for wards at the Hawaii Youth Correctional Facility which will mesh effectively with the institution's educational program and will extend all the way from early testing and assessment of interests, aptitudes, and capabilities through job training, experience, and placement after release from the institution.

3. The Hawaii Youth Correctional Facility should give far greater operational emphasis to parole as a means of easing the transition of wards back into the community. More specifically, all wards—not just a selected few—should receive training specifically directed toward readjusting and getting jobs; similarly, all wards upon release should receive home counseling, job placement support, and follow-up care as may be appropriate to their needs. If present statutory age limits create a jurisdictional problem in this regard, then legislative amendment should be sought to allow parole supervision to be exercised for at least one year after release from the Hawaii Youth Correctional Facility.

4. Mental health care should be viewed as central to the rehabilitation of the wards at the Hawaii Youth Correctional Facility; it should not be limited to those few with identifiable psychoses and neuroses. This may require the services of other professionals besides psychiatrists and psychologists. In any event, the affected professionals should serve as full participating members of the treatment teams set up to deal with the wards. If the required services cannot be obtained from the

Department of Health, as seems to be the case, then the Department of Social Services and Housing should contract with the private sector to obtain these services in the same manner it currently contracts for medical and dental services.

5. The Hawaii Youth Correctional Facility should move as expeditiously as possible to establish an adequate infirmary at the institution and to develop a proper health education program for its wards. Similarly, it should seek to establish a regularized procedure with the family courts under which all available medical and dental records will be transmitted automatically to the Hawaii Youth Correctional Facility when wards are committed to the institution.

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Chapter 4

INTERNAL OPERATIONS OF THE HAWAII YOUTH CORRECTIONAL FACILITY

Regardless of what its main purpose or program emphasis may be, the Hawaii Youth Correctional Facility (HYCF) remains an institutional operation and must attend to those various functions which characterize such institutions. HYCF must process into its system those wards who are committed to it. It must house and feed these wards. It must also provide some sort of organizational discipline as well as maintain security so as to protect both the wards and the general public. To accomplish these basic functions, HYCF must recruit, train, guide, and direct a staff which is suitable to meet the needs of its particular type of institution. It must also maintain, and--at appropriate intervals--refurbish, remodel, or rebuild its physical plant. All of these activities, in turn, necessitate planning, programming, financing, and operational management.

The previous chapter focuses primarily on the "product" of what HYCF does--namely, on what it does to affect the behavior and skills of the wards so as to prepare them for their return to the community. This chapter addresses more the housekeeping aspects of the institutional experience.

Summary of Findings

The underlying confusion and uncertainty noted in earlier chapters concerning the central mission of the Hawaii Youth Correctional Facility also plague its

internal management. As a consequence, disjointed action and following the course of least resistance also characterize these aspects of the institution's management as illustrated by:

1. A largely passive, impersonal, inadequate, and inconsistent approach to the provision of intake, residential care, food, and recreational services.

2. Forms and procedures for internal discipline which fail to integrate with rehabilitative efforts and a disciplinary system which is confusing and inconsistent.

3. An approach to organization and personnel management (encompassing recruitment, training, policy guidance, direction, and compensation) which is generally unrelated to coping with and meeting the peculiar needs of juvenile wards in an institutional setting.

4. A planning for legislatively mandated replacement of physical facilities which has neither addressed adequately the operational needs for alternative orientations nor moved ahead at the pace intended.

5. The neglect and resultant secondary status of the youth correction program within the Department of Social Services and Housing (DSSH) and its Corrections Division and the failure to recognize and deal with the unique needs and conditions for treating juveniles.

General Situation Regarding the Hawaii Youth Correctional Facility's Internal Operations

In the preceding chapter we point out that the passage of Act 303 in 1980, affirmed by legislative declaration to be a juvenile justice master plan for Hawaii,

has not produced much significant change in HYCF's approach to its treatment of its wards. This is true despite the fact that the Legislature found the then existing approach to be seriously deficient in many areas and despite the fact that it also made provision for a much more aggressive, comprehensive, and integrated approach to treatment.

The Legislature in 1980 also found HYCF's physical plant and many aspects of its internal operations to be seriously deficient. Accordingly, it also made provision for improvements in these areas. Our examination reveals, however, that actual accomplishments have fallen far short of legislative expectations.

Generally, the passage of Act 303 has not had a marked impact upon HYCF's internal operations. With regard to the HYCF physical plant, urgently needed repairs and renovations of existing facilities have been made, but the new facility which the Legislature hoped would be ready for occupancy within five years is still in the early planning stages six years later. In fact, at the time this report was being written, the project had been put on hold until questions concerning its relationship to a proposed new women's correctional facility at the same site can be resolved.

On the whole, the Department of Social Services and Housing, its Corrections Division, and HYCF itself have all tended to follow the course of least resistance—namely, to continue doing things in much the same way they have always been done. Whenever changes have been made, they have largely been carried out on an ad hoc, disjointed basis with no overall plan or set of clear objectives. Specific shortcomings are described briefly in the following sections of this chapter.

Inadequate Approach to the Provision of Basic Services

Intake, residential care, food, and recreation represent services which are basic to any type of youth correctional program where institutional confinement may be involved. Although they are primarily housekeeping in function, they also exert a tremendous impact upon the wards because of their very pervasiveness in the lives of these confined individuals. Hence, how they are handled can significantly influence whether an institution's overall program takes on the guise of being treatment, punishment, or merely warehousing.

At HYCF, the provision of these services tends to be performed in a manner which is largely passive, impersonal, inadequate, and inconsistent. As a consequence, they help to make the institution more of a warehousing operation than anything else. For most youths, the experience of being at HYCF is much more likely to seem like a form of punishment than a form of treatment based on the way these services are provided.

Intake. Problems begin with the intake process and the way this process is treated in HYCF's internal policy and procedures manual. Instead of stating for employees what results are sought in terms of fitting newly arrived wards into HYCF's institutional system and initiating an optimal rehabilitative program as soon as possible for each ward, the manual simply states that the objective is "to delineate procedures for the reception of wards being committed to the Facility." The document does not set forth any basic philosophy underlying the intake process or differentiate whether the intent is merely to exert and maintain firm control over the wards or to move from a firm control mode to a rehabilitative mode as expeditiously as possible.

Furthermore, the revised policy and procedures manual treats intake and the work of the cottage program committees in quite a disjointed and uncoordinated manner even though the program committees are responsible for much of the intake decisionmaking, such as determining the security status and treatment program for each ward. For one thing, the membership of the program committees is left quite vague, with no assurance that either Department of Education (DOE) or Department of Health (DOH) personnel assigned to HYCF will be represented on them. For another thing, reference is made to a "Treatment Team," but without defining the membership of such a team or explaining its functions. No clear guidelines are provided to indicate how or when intake might lead or blend into regular programming for the wards.

This uncertainty may explain or be the root cause of a greater weakness in the intake process—namely, the protracted length of time it can take to complete the process. For example, it can take 60 days or more before the first treatment meeting is held for a ward and planned treatment can begin. As indicated in the preceding chapter, psychological evaluations of wards may not be made for as long as six months or a year after the ward is admitted and in a number of instances are not made at all. In addition, the intake process lacks a fully developed and well coordinated information system whereby all pertinent data on each ward are brought together on a timely basis and made accessible to all parties having a legitimate need for such information.

Similarly lacking is any systematic effort to evaluate the intake process itself so as to determine if it is functioning effectively or can be improved. In short, there is an absence at HYCF of a well-defined, goal oriented intake process geared

to facilitating this aspect of the institution's internal operations. Needed improvements in this area, if carried out, should facilitate the implementation of indicated improvements in other areas of the institution's operations.

Residential care. A residence is more than a structure where wards sleep and eat. Much of their leisure time occurs here. Under the unit management system (in place during our audit), discipline and much of the programming for rehabilitation also take place within the residential cottages. Despite plans to centralize and standardize security and residence operations, much non-school activity happens within the cottages on a largely decentralized basis.

Except for the girls' cottage (which used to be the HYCF administrator's residence and has been remodeled for its present use), the cottages do not provide an environment conducive to rehabilitation. Built to promote secure custody and subjected to many years of hard wear, they are generally grim and depressing. Moreover, in being overcrowded, they prevent adequate segregation according to age, type of problems, etc. Nor do they allow wards any real privacy.

The social worker in each cottage completes an assessment for each new ward on a form entitled "Caseworker's Objectives." It describes the ward's character, case history, family assessment, vocational interest, education, mental health diagnostic impressions, identified needs, plans for the ward (such as transfer to state hospital, prepare to return to natural or foster parents, etc.), and objectives to be accomplished during commitment. Treatment meetings involve the cottage administrator, social worker, parole counselor, the ward, and perhaps the ward's parents.

The cottage administrator, social worker, and parole counselor also hold meetings weekly on general cottage problems in addition to meetings requested by

wards to change their control status. Olomana School's counselor, on her own initiative, attends the program and treatment meetings to provide school input. A third type of meeting, that of the adjustment committee, focuses on major misconduct reports. Conspicuously absent from all of these meetings is the Department of Health's psychological consultant.

Despite the creation under Act 303 of 1980 of a Community Services Section which is supposed to direct and coordinate rehabilitation programming for the wards, much of the actual decisionmaking affecting ward programming takes place on a decentralized basis within the separate cottages. During our review of HYCF's operations, we found that quite marked differences exist among the three cottages in philosophical approaches and in operating practices with respect to handling both wards and staff members. Such differences tend not only to frustrate an overall approach to the rehabilitation of wards but also to promote confusion and discontent among the wards and staff members.

Generally speaking, then, HYCF still has no clear conception of what it wants or intends to achieve with respect to its residential care of wards. Each cottage is largely left to function on its own with no guidelines as to how residential care might fit with or contribute to the punishment or rehabilitation of the types of youths who are committed to HYCF. Without any clear direction in this area, it becomes impossible to expect any positive or consistent results.

Food. Increasing evidence suggests a direct and important link between what people eat and how well they can cope with the world. This is especially true for growing youngsters. Diet, especially if high in sugar and chemical preservatives, can effect hyperkinetic, even anti-social behavior. Hence, it should be a matter of

keen concern in a corrections facility.[1] Yet, the state nutritionist has found an inadequate diet fed to HYCF wards.[2] Short on vitamin C-rich fresh fruits and vitamin D-rich milk, HYCF serves canned fruit high in sugary syrups. Instead of extensive provision of fish and poultry, wards frequently receive red meat and chemically processed meats. Despite recommendations from the state nutritionist, that poor diet has continued largely because HYCF has no nutritionist involved in planning a wholesome, balanced diet on a day-to-day basis. Meals at HYCF are planned by cooks. At least HYCF's administrator did reduce the serving of pastries to once a week, but this falls short of what is needed.

Even if the meals were balanced, at the time of our audit the number per week was less than adequate, especially for growing teenagers. The long-standing practice was to give wards only two meals per day on weekends and holidays, thereby violating basic standards for hours between meals. However, we understand that recently the number of meals served on weekends and holidays has increased.

Recreation. Growing youngsters need healthy recreation, too. Unfortunately, the unavoidable demands for security curtail many kinds of outdoor activity most of the time. All the more reason, then, for a well planned set of alternative forms of activity to fill an enlarged need. But here again, a make-do approach prevails.

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1. Standards recommended by the National Advisory Committee for Juvenile Justice and Delinquency Prevention call for a licensed dietician to supervise the planning and preparation of food at juvenile correctional institutions and recommend adherence to the most current edition of the "Recommended Dietary Allowance of the Food and Nutrition Board."

2. In February 1984, the Hawaii Youth Correctional Facility received an evaluation of its menus from the Nutrition Branch of the Department of Health.

Each cottage has a therapist in charge of recreational activity and the clubroom. Games, table tennis, and billiards are available there, along with television. Center courtyards in the two male cottages have provisions for volleyball and basketball. A swimming pool, gym, and outside play areas, though shared with the women's correctional facility, are available sometimes; also there is a sewing workshop. But generally, wards must have a minimum or medium control status to avail themselves of these opportunities.

The recreational (and social) highpoint at HYCF centers on Hawaiian canoeing. On his own time, an Olomana School teacher interested the young men in racing an outrigger canoe. At the time of our audit, they were industriously building a second canoe. Almost everyone at HYCF (staff and wards) has taken an interest in this activity. Unfortunately, only a small fraction of them can get directly involved--only 14 of the 70 to 80 male wards. Other team efforts, such as in organized sports, have enjoyed less encouragement and hence have brought less positive benefits.

With far fewer female wards to deal with, correctional officers and recreation therapists have found it easier (and safer) to take the girls to town and beach or even to a movie than to do so with the boys. When the recreation therapists are off-duty (usually Sundays, Mondays or Wednesdays, and holidays), no one is present to organize activities in the cottages. Moreover, they tend even to lock up the clubrooms, further curtailing what limited options wards have for filling a purposeless day. And as noted earlier, DOE has not provided a physical education program for the wards at Olomana School.

These problems particularly affect the male cottages. They each have a social worker and a recreation therapist as well as cottage administrator. Yet, the general

practice is for these professionals to follow an office-like work week where, except for the recreation therapists, their on-duty hours tend to coincide with hours the wards are in school while their off-duty time occurs when the wards are confined to their cottages. In the case of the recreation therapists, their hours are from 1:00 to 9:45 p.m., but they are off duty during many of the days when the wards have lots of free time and when the other professionals are also off duty. With some rescheduling, it would appear that fuller coverage could be provided on the part of these professionals.

Given the very positive impact that volunteer effort in canoeing by one teacher has made, we find it difficult to understand why HYCF has not campaigned for other volunteers and why it does not hire college athletes part time--especially during periods of school recess, weekends, and summers, and when recreational therapists are off duty--to provide positive role models as well as to give some useful instruction in recreational activities. As true with so many areas of HYCF's activities, recreation does not seem to be viewed as a vital part of an overall, integrated approach to dealing with the wards.

Inequities between cottages. With much of the control of day-to-day life at HYCF decentralized to the staffs at the separate cottages, differences in operating rules have naturally arisen and at the time of our audit constituted serious inequities. For instance, we found Kaala Cottage had its clubroom open 20 hours a week whereas Olomana Cottage opened its clubroom 38 hours and Hookipa, 24 hours. Where Kaala Cottage charged 50 points a week to use this clubroom, Olomana Cottage only charged 35 per week, and Hookipa charged none.

Supposedly, HYCF should attempt to build a more positive relationship between wards and their families. For many wards while incarcerated, their

primary link to family is the telephone, especially so for wards from neighbor islands. Yet, impediments are imposed on that link in the form of forfeiting good record points otherwise usable for canteen items. But again, each cottage imposes quite different conditions. Wards in Kaala Cottage had to pay 200 points a month for the same phone privileges for which wards in Hookipa paid only 50 points.

Both to remedy such inequities between cottages and to consolidate administration, HYCF's administrator has made moves to centralize the management of all corrections officers. Unfortunately, such a change runs the danger of diminishing positive one-to-one relationships now more possible, in theory at least, between cottage based staff and individual wards. Fully evaluating how positive such relationships might be lay beyond the capabilities of this audit. However, considering the rate of staff turnover and from what could be observed, few such irreparable values appear threatened by ending the unit management format; its time seems to have passed. What really seems needed is an institutional approach which is comprehensive and integrated and is also oriented toward meeting the total needs of the wards.

Security and Discipline

Probably the most difficult aspect of operating a facility that incarcerates humans lies in maintaining discipline. Youths end up incarcerated largely because they are undisciplined and disorderly. Assembling a group of such persons can only compound the difficulties. On the other hand, if internal discipline and order are slackened, the results could become dangerous to those incarcerated as well as to those who work there and to society in general. Yet, if the use of restraints to

impose control comes to dominate other considerations, the results could become no less dehumanizing and counterproductive.

The challenge lies, then, in not only finding an optimal balance, but using human nature to generate positive forms of relationships which achieve social order without brutalizing force. That can become a superhuman task if the institution is not exceedingly well organized and if it is not operated by well-trained, highly motivated, quality staff. Here we examine how well organized HYCF is for this challenge; the next section of this chapter considers the staffing aspect.

Security at HYCF involves difficulties for staff even beyond that of an adult prison. It has no perimeter fence, and guards do not carry arms. Yet, some of the wards are physically large and strong, and some have long records of crime and violence. Escape constitutes an ever enticing attraction. Restraints of some form seem unavoidable; the public--especially nearby residents--certainly do not want wards running loose.

Security and discipline encompass several important factors. At HYCF (as at many such institutions) these involve a classification of wards by their degree of safety, codified rules for behavior and punishment, a system of hearings and awarding of punishment, physical restraints for those beyond normal control (for those who endanger themselves or others), and some degree of organization among wards for self-policing. In each of these areas we found glaring examples of dysfunctional operations and either abuses or insufficient safeguards against potential abuses.

Risk classification. Unlike adult male convicts who are evaluated first and then classified for security control purposes, HYCF wards automatically receive a tight security classification upon arrival, and only later are evaluated. Despite a

supposedly common system for classifying wards, female wards receive distinctly different treatment from males--especially with regard to shackling, the most obvious sign of one's classification. Although each cottage has its own "program committee" to set classifications, wards remain largely unaware and uninformed about the functioning of these committees.

HYCF uses four levels of security (or danger) for its risk classification. They are maximum, close, medium, and minimum. All wards upon arrival go into the close category and then with good behavior over time drop to succeeding less restrictive levels as they prove their real degree of risk. Only the most unmanageable and dangerous person moves into the maximum level. Each level is most effectively illustrated by how shackling and movement occur among males; females are seldom shackled.

Those at maximum level are shackled at all times and for the most part kept isolated. A male ward at the close level must wear shackles every time he leaves his cottage, such as to go to school. At a medium level, a ward can work and engage in activities without shackles but cannot leave the HYCF grounds. Someone in a minimum class is free of shackles and may leave the facility for supervised activities and even home furlough.

Wards gain or lose points depending on their behavior and performance in both school and work assignments. Points earned not only translate into clubroom use, telephoning home, and buying from the canteen, but also affect risk level determinations.

Codified rules. Instead of a single set of formally adopted rules and procedures for behavior and discipline, HYCF operates with two sometimes contradictory sets, neither of which was designed or formally adopted to serve the

particular conditions and needs of a youth correctional program. The "Inmate Handbook," provided to wards, was designed for adults in prison. Much of it is quite inapplicable, and all of it is written for adults, not young persons. HYCF does have its own "Policy and Procedures Manual" for internal use, but it lacks official recognition and is not provided to wards.

Consequently, wards must depend on verbal communications from cottage administrators and guards. A rather wide diversity of rules, procedures, and judgments between cottages and even between individuals results. Nine years ago the Juvenile Justice Task Force recommended strongly that HYCF have its own formally adopted comprehensive set of uniform rules and that those rules should be relevant and be provided to each ward in a form he or she can understand. That recommendation has yet to materialize. What governs the disciplinary system at HYCF fulfills none of those criteria. In short, wards at HYCF are handed a raft of rules and procedures which really do not affect them while not receiving any explanation of many of the procedures which do directly govern them.

Disciplinary hearings. All groups of interactive humans require rules of some sort to regulate behavior. And rules necessitate some means for achieving compliance. For most people most of the time, rewards provide sufficient incentives, and rewards are usually obvious enough in normal society. For those who, for whatever reason, cannot readily adapt to the behavioral expectations of their group in general, punishments become unavoidable. Places of incarceration have traditionally found punishment a necessary means for maintaining order.

But the inequitable distribution of power inherent in a prison setting opens wide possibilities for abuse. Rules must govern the administrators of justice as well as those incarcerated. Such rules should include a firm responsibility to wards to

provide them clearly stated standards of behavior; clearly stated charges of infractions; sufficient time and opportunity to prepare a defense; consistent and equitable hearing procedures, appeals, and review; and humane forms of punishment intended to achieve positive rather than only negative objectives. Not only must these rules inhibit capriciousness by administrators and guards; they must eliminate favoritism, inequitable treatment, and connivance.[3]

Unfortunately for HYCF, these safeguards are absent. To a large extent, this is due to the ambiguity and confusion over which document should prevail when one was written for adults, not juveniles, but was adopted while the other lacks official status and is kept out of wards' hands. The handbook deals with misconduct related to adult corrections while the policy manual leaves quite fuzzy both what constitutes serious misconduct and what the applicable punishments should be. The two documents differ also over rules of evidence, over findings, and over appeals. The resulting confusion is ripe for abuse and inequities, and that is what has happened.

Supposedly, wards must receive a written notice of offenses no less than 24 hours before being heard by their affected cottage adjustment committee. But in 71 percent of the 187 cases we studied, hearings occurred on the same day the charges were made, in violation of the rules. By never observing the 24-hour rule, Olomana Cottage accounted for more than 60 percent of the noncomplying cases.

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3. National standards in the corrections field devote considerable attention to disciplinary procedures and the need to protect the constitutional rights of inmates and wards while maintaining institutional security. This summary of rules is drawn primarily from two sources: (a) "Federal Standards for Prisons and Jails" of the U.S. Department of Justice, and (b) "Standards for the Administration of Juvenile Justice" of the National Advisory Committee for Juvenile Justice and Delinquency Prevention.

Besides needing time to prepare a defense, a ward should receive specific written charges. Thirty-nine percent of these cases, however, left the section for charges blank on DSSH Form 3800-a (Notice of Report of Misconduct). In an additional 7 percent, that section simply quoted a rule number without specifying how the individual had violated it. Olomana Cottage failed to complete the forms correctly in 87 percent of its cases.

Counsel for those charged. Where a substantial loss of rights and where serious punishment might occur, the accused in our system of justice has rights to a fair and impartial hearing and to counsel in preparing and conducting his or her defense. That concept applies as well to persons held in incarceration. Actually carrying out that concept, however, can and does generate problems. Not all wards can afford legal representation by attorneys; either inequities would arise or the State would incur the cost of providing attorneys for all others. Moreover, if wards had attorneys to represent them at disciplinary hearings, HYCF staff would similarly require legal counsel, at further public cost.

In addition, making a legal proceeding out of a disciplinary action would complicate and delay the process so much as to make it not worth bothering with in most cases. And a means for maintaining internal order would be lost. On the other hand, most wards need some kind of help in these situations. Unfortunately, the two documents covering discipline fail to clarify how this need might be handled satisfactorily. They simply give HYCF's administration the authority to decide when to permit and when to deny professional representation, even when to authorize the use of "counsel substitutes" from among the HYCF staff and other wards.

Faced with inevitable biases and natural self-protection by all parties (wards and staff alike) within HYCF, how can a ward find help? That remains quite uncertain. After all, HYCF provides no training for anyone to undertake the rigors of representation. Were there at least consistency, this situation might be tolerable though not desirable. But again the pattern ranges widely between cottages. Overall, 36 percent of the cases were granted use of legal counsel. Not one such permission occurred at Olomana Cottage, whereas all cases at Hookipa received permission for counsel.

Disciplinary sanctions. Minor misconduct can be dealt with on the spot with verbal reprimands or counseling, "fines" (loss of good conduct points), and denial of privileges for a short time. Major offenses can range from murder, sexual assault, arson, and rioting to abusive language toward staff, tatooing, smoking in prohibited areas, to minor property damage. Most major offenses involve fighting, assault, escape, extortion, bribery, indecent exposure, gambling, intoxication, and being unsanitary. These major violations, requiring more severe penalties, necessitate hearings.

As noted for other aspects of discipline at HYCF, the basic problem for sanctions also lies in the two documents (the manual and handbook) which are supposed to provide guidance for wards and staff alike. Inconsistencies appear with regard to loss of points, length of time for loss of privileges, and length of confinement in isolation. Besides differences over sanctions, the handbook does not even define such terms used as fines, suspended sentences, and detention. Although the manual prescribes a two-day limit on restrictions of privileges, Kaala Cottage imposes sanctions up to six days while Olomana extends them to seven

days. In the handbook, cases may be referred to the program committee but without the procedural safeguards established for adjustment committee hearings.

By allowing cottage program committees and cottage administrators, as well as HYCF administrators, to reverse any actions taken by the adjustment committee, the manual weakens that committee and casts serious doubt on its hearings process. Certainly, nobody should operate without a higher reviewing authority, but that reviewing process should benefit from a clearly spelled out appeals process. It does not at HYCF. Furthermore, the policy manual fails to establish any sort of graduated scale of penalties to fit the varying degrees of seriousness among different types of misconduct. The handbook does establish a descending scale of maximum limits on disciplinary segregation but leaves all other penalties quite open-ended.

Faced with such nebulous guidelines, each cottage goes its own way. Only Kaala uses a form of isolation known as "confinement to the corners." Hookipa relies heavily on deducting points. Although Olomana Cottage has the highest rate of not guilty decisions, it tends to impose the stiffest penalties in terms of confinement to a separation room. Although all three cottages deduct points, such fines in Hookipa and Olomana translate to twice as much deprivation as in Kaala when differences in earning power among the three cottages are taken into account (cottages differ in the amount of points that can be earned for the same activity). Olomana Cottage averaged 41 hours of confinement per instance of major misconduct compared to Kaala's 26-hour average; 684 points in fines per instance of major misconduct as against 292 points at Kaala. Kaala's penalties appear more uniform than Olomana's whose penalties ran either very heavy or surprisingly light.

Sanctions in Olomana Cottage for one level of misconduct tended to be more severe than sanctions imposed at Kaala for more serious offenses.

Both Olomana and Kaala practice extensive confinement--up to 72 hours in isolation *prior* to a determination of guilt. Then, if the ward is found not guilty, he has already served his punishment just as if he were guilty.

Fifty-four percent of all disciplinary cases occurred in Kaala Cottage and 40 percent in Olomana during the period of our study. In 1983, 56 percent occurred in Kaala, 39 percent in Olomana. For 1982, 66 percent in Kaala, 32 percent in Olomana. (Of the 192 cases we could analyze during those first 10 months of 1984 in our primary investigation, 21 were found not guilty.)

We were not surprised to find a large proportion of major misconduct in Kaala Cottage because it houses the older males who, in the aggregate, brought worse records from the outside. Yet, an incongruency stood out: Kaala has had a declining number of cases and a declining proportion of misconduct whereas Olomana Cottage, housing the younger males usually with less serious offense records, has experienced an increasing proportion of all misconduct at HYCF. At the same time, Olomana Cottage recorded the toughest penalties and the most frequent rate of denying counsel. Kaala's record, by comparison, appears more liberal. That means, apparently, that the toughest penalties were going to the less hardened wards and had a worsening record to show for it.

Part of the difference here might stem from Kaala's having its own definite set of rules on how points are awarded and how sanctions are imposed. Olomana does not. Moreover, Olomana Cottage makes the recreation therapist responsible for adjusting fines, a most difficult position for any staff member to overrule other

staff. Kaala treats misconduct cases referred from school with the same severity as for those occurrences within the cottage; Olomana does not.

None of these differences between cottages relates to the differences in their respective wards. They stem directly from differences in administrators. And such differences can loom large because the overall HYCF administration allows inequities to occur.

Isolated confinement. HYCF's staff uses confinement in isolation for internal control and punishment quite extensively. While the National Advisory Committee for Juvenile Justice and Delinquency Prevention strongly warned against the use of isolated confinement other than in extreme cases, we found that 82 percent of all disciplinary punishments within HYCF involved this form of sanction. And as already indicated, that sanction frequently occurred *before* a hearing to determine guilt.

Not only does the overuse of a sanction tend to diminish its effectiveness, isolation as a punishment is quite susceptible to abuse. Whereas the policy manual provides for reading materials for wards in isolation, for example, HYCF staff tend not to provide such materials.

Given the psychological and emotional problems plaguing most wards, their behavior more than likely manifests deep-seated problems. Locking a ward up will not make those problems go away. It certainly does not treat them. Lack of professional services to address and treat those mental health needs may explain some of the large number of major misconducts (almost five a week) and part of the problem of staff having to resort to the isolation unit time and time again.

If treatment really does constitute the central objective at HYCF, the internal discipline should directly and demonstrably relate to that treatment. However, with

staff so ill-prepared to comprehend and implement the complex and highly sophisticated demands of treatment, it is not surprising that heavy reliance is placed on sanctions. In short, the overuse of confinement reflects HYCF's apparent basic orientation of merely warehousing wards for the course of their court commitment there.

An additional problem arises from using isolation as punishment. For lack of an infirmary, HYCF must make its isolation rooms do double duty, both to contain the sick and to inflict punishment. That confuses further what is punishment and what is treatment.

Use of wards to control other wards. The National Advisory Committee has also recommended unequivocably against using some wards to control other wards. That practice, long used in adult prisons, has a notorious record of abuse: soon the prison is run by convict bullies who eventually control the guards. These dangers are no less great where those wards most capable of organizing and controlling other wards are themselves the worst bullies. Needless to say, abuse in such a situation can become counterproductive to any alleged goals about rehabilitation; wards learn precisely the wrong lessons.

Olomana Cottage has used wards to supervise other wards for some 17 years. Responsibility for cleaning the clubroom was rotated regularly among wards at the time of our audit, but two wards were designated as clubroom orderlies. In effect, this meant they exercised supervision over the other wards in carrying out the cleanup activities. Out of this arrangement, a bully did come to dominate to the point that even the youth corrections officers (YCOs) had to admit there were some detrimental results. This situation cleared up only when that "toughest guy in the

dorm" transferred to Kaala Cottage after a string of exceedingly flagrant violations of HYCF rules. Most glaring in this incident was the revelation that YCOs had not only gambled with the bully but actually owed him money. The cottage administrator who condoned this situation has since retired, but this does not guarantee that the problem will not recur.

YCOs are warned against behavior towards the wards that could compromise their authority and responsibility. A letter from the First Deputy Attorney General dealing quite pointedly with this subject is included in the orientation packet for new YCOs. It explains how wards will watch for any chance to compromise staff so as to gain privileges. Once compromised, a YCO jeopardizes the very integrity and fiber of a disciplinary system. Without integrity, respect is lost. Without respect, control erodes. Without control, guards in effect become inmates and inmates become guards.

Organization and Staffing

Avoiding conditions such as those described above presumes, of course, that HYCF's operational staff and YCOs possess superior qualifications, training, organization, and leadership—and correspondingly high enough salaries. Unfortunately, these attributes frequently do not exist despite conscientious, competent efforts by particular individuals.

National standards call for "youth counselors" instead of guards and for "persons who demonstrate the potential for a high level of enthusiasm, sensitivity, and energy in working with adjudicated juveniles." National standards also emphasize training programs that encompass such matters as the causes of delinquency and family conflict, crisis intervention techniques, cultural and ethnic

backgrounds of wards, and the requirements for security and supervision. These rest on the concept that the major function of juvenile corrections is rehabilitation. Needed are personnel who can interact in a positive manner with, and set a good example for, the juveniles who end up in correctional facilities.

Unfortunately, the central goal for HYCF remains unclarified, and hence personnel expectations blur. YCOs do receive some training, but along with adult corrections officers in a program designed especially for the latter and unrelated to the former. Nowhere in the YCO class specifications can one find an explicit statement that these positions should be viewed primarily either as guard jobs or as youth counselors. Their real purpose goes unspecified. In contrast, class specifications for adult corrections officer clearly indicate that security and custodial duties predominate. Class specifications for YCO positions speak in terms of supervising group living, assisting in adjustment, and providing routine guidance. In contrast, the position descriptions emphasize mostly security work for YCOs.

This confusion stands out starkly in attempts by DSSH to obtain higher salaries for YCOs. Instead of demonstrating to the Department of Personnel Services (DPS) and the Public Employees Compensation Appeals Board (PECAB) that the responsibilities and qualifications for YCOs were unique and deserve consideration on their merits, DSSH claimed that YCOs should receive remuneration as guards comparable to adult corrections officers who are armed and face greater dangers. Not unexpectedly, both DPS and PECAB, as well as the collective bargaining unit involved, rejected that argument. PECAB did leave the door open to DSSH to make a claim based on differences rather than similarities between the two kinds of corrections officers.

One difficulty encountered by personnel management at HYCF is its decentralized structure. Operating on a unit management concept where each

cottage functions largely unto itself, recruitment, training, and management on a concerted basis leave much to be desired. A YCO recruited by one cottage and trained in its peculiar methods finds it difficult to transfer elsewhere. Promotions come from within albeit without training for supervisory responsibilities. Each cottage administrator seeks recruits who fit his or her concepts, thereby perpetuating ingrown ideas and practices.

Not only is the training of YCOs not relevant to a juvenile facility, a recruit's participation is neither graded nor used to weed out those whose attitudes and capabilities might not suit a juvenile treatment program. Indeed, there are no standards set for passing the few training courses that are given.

On-the-job training customarily consists of placing a recruit on the easiest shift (10 p.m. to 6 a.m.). Those hours have the least challenges and so provide the least chance to test a recruit's suitability during his or her probationary period. For years, HYCF had $10,000 in its budget for training. Most of that money, however, went for overtime pay. As a consequence, the Department of Budget and Finance has markedly reduced this amount so that the resources available for training are now more limited.

Additional problems arise with evaluation. Not only do YCOs lack performance standards tailored for juvenile work (as distinct from security functions at an adult prison), tasks peculiar to HYCF—such as counseling hardened youths, communicating with teenagers, crisis intervention, and detecting cultural nuances underlying behavioral problems—are neither taken into account nor evaluated. Furthermore, there exists no training program to prepare YCOs for promotion to supervisory positions. Even though a revised policy and procedures manual came out

during the course of our audit, with only minor exceptions did it change personnel management practices. Adequate personnel management, therefore, remains a serious problem for HYCF.

Planning and Management

Act 303 of 1980 mandated development of a new youth correctional facility. Before plans could reach fruition, however, Hawaii's adult correctional facility for women relocated onto the same grounds as HYCF. Since its needs are urgent too, and since special care must be taken to meet federal requirements about keeping juveniles and adults separate, progress came to a halt. To complicate matters further, five buildings at HYCF got listed on the register of historic places and thus became ineligible for demolition. Any future plans must work around them even though they are largely unoccupied.

More important in the long run, HYCF lacks certain fundamental requisites for designing and constructing a new physical plant. In keeping with the architectural principle that form should follow function, HYCF's management mode and central objective should take priority consideration in any designing of a future facility. Yet, the management model for current and future operations, along with alternative models, received cursory treatment at most. This neglect might stem from HYCF's limbo status relative to its requested reorganization plan, already two years with the Department of Budget and Finance.

No discussion of costs appears in the project development report either. Consequently, it is impossible to determine whether or not cost considerations and efficiency have played a role in conceptualizing new plans. Most important, the physical plant should serve the purposes and peculiarities of the program it would

house—taking into account those aspects of juvenile corrections which are distinct from adult corrections. Until that program has achieved full clarification, as well as agreement on its mission and optimal ways to fulfill it, physical planning amounts to putting the cart before the horse. Indeed, HYCF still really needs to determine whether it truly intends to treat, to punish, or merely to warehouse those wards committed to its custody and care.

In the meantime, the wards must continue to cope with and the staff must continue to work in structures which are deficient and arranged according to an archaic and inadequate site plan. Even if program improvements are made, they will continue to be seriously hampered so long as the institution remains confined in its existing facilities.

It is apparent that all previous milestones for the planning and construction of a new youth correctional facility have fallen by the wayside. What is particularly distressing is that there appears to be no great urgency to put the development of the facility on track again. The multi-year program and financial plan of the executive branch, which currently extends to FY 1990-91, does not project *any* capital investment expenditures for the juvenile correctional facilities program. To get back on track, the new facility should be assigned a high priority on the basis of its own need and merit and not be tied down to the priority and timetable of the women's facility. DSSH officials should reprogram planning and construction, subject all implementation actions to strict and extraordinary project controls, and present to the 1987 legislative session a capital budget which reflects an urgent—albeit realistic—plan to fulfill the 1980 legislative mandate to develop a new facility.

General Neglect of Youth

Corrections at Higher Policy Levels

To a great extent, the floundering that has occurred at HYCF since the passage of Act 303 in 1980 and the institution's general failure to achieve any significant improvements in its programming since then reflect the lack of attention HYCF has received from higher policy levels within DSSH and its Corrections Division during this period. Over the ensuing years since 1980, HYCF has received minimal direction and support at best from these higher administrative levels.

Preoccupation with adult corrections offers an explanation, if not an excuse, for this general neglect of youth corrections by DSSH and the Corrections Division. The period since 1980 has been a time of stress, strain, and turmoil within Hawaii's adult correctional system. Faced with a burgeoning prison population and an inadequacy of facilities and staff to handle such a workload, the adult corrections system has been plagued with overcrowding, inmate unrest, major prison shakedowns, staff disciplinary problems and staff turnover, and lawsuits resulting in court ordered improvements. Compared to such problems involving thousands of adult prison inmates, the problems at HYCF involving fewer than a hundred juvenile wards at any one time naturally tended to get pushed to the bottom of the department's and division's priority lists.

This lack of priority shows up in various ways. One significant example is provided by the manner in which the planning for a new youth correctional facility has been handled. Despite clearly expressed legislative desires for early action on this project, very slow progress has occurred. In fact, as already indicated, the project has been completely sidetracked pending action on the much higher priority

women's prison which is now slated to be built on HYCF's Koolau site. The Corrections Division's employee training program offers another example of HYCF's low priority. Despite significant differences existing between the adult and juvenile correctional situations, the only training course offered to HYCF's youth corrections officers is one designed for and dominated by adult corrections officers. No attempt is made to provide specialized training to meet the unique conditions found in the juvenile corrections area.

While this higher level neglect of HYCF may perhaps be understandable, it still should not be quietly accepted or allowed to continue. After all, it is from the ranks of juvenile offenders that many new recruits enter into the world of adult crime. Only by stemming this flow can our society hope to find any long-range solutions to the problems of adult crime and adult corrections.

Possible solutions. There are several possible solutions to this problem of neglect of youth corrections. One might be to take steps to make sure sight of and attention to youth corrections is not lost within the Corrections Division itself, such as by designating some high official in the division to be specifically in charge of youth corrections and to be responsible for achieving designated objectives with respect to this particular program area.

A more promising approach, however, would be to separate youth corrections from adult corrections and create a new youth correctional administrative entity within DSSH. By this means, separate and continuing attention could be focused upon the problems, needs, and opportunities in the field of youth corrections without

constantly being subjected to the competing and often overwhelming demands of adult corrections.[4]

Recommendations

With the objective of improving the internal operations of the Hawaii Youth Correctional Facility and thereby provide more effective support for the institution in programming for its wards, we recommend as follows:

1. The Hawaii Youth Correctional Facility should review and revamp as appropriate its provision of intake, residential care, food, and recreation services so as to integrate these services fully into the institution's overall programming approach in dealing with its wards. If the institution's main objective seeks to rehabilitate the wards, then all of these services—even punishment—should be designed and carried out so as to facilitate and promote rehabilitation in its fullest multidimensional sense. This means not only developing proper policies and procedures but also marshalling the necessary resources actually to effectuate such policies and procedures.

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4. Still another approach would be to follow the example of some other jurisdictions and to consider contracting out the entire juvenile corrections function—including plant construction as well as program development and operation—to a private sector provider of this kind of service. So-called privatization of the corrections function is gaining increasing attention and acceptance throughout the country. Although it, too, presents various problems and challenges and by no means guarantees a trouble-free approach to corrections, it does appear to offer some advantages in terms of greater flexibility and faster action. Act 303 of 1980 empowers the Department of Social Services and Housing to contract for youth correctional facilities, but this alternative has never been pursued in terms of purchasing services on a complete program basis. Separation of juvenile corrections from adult corrections might enable and encourage more attention to be given to this alternative.

2. The Department of Social Services and Housing, with full participation by the Hawaii Youth Correctional Facility, should develop and formally adopt a single, explicit, and understandable set of policies and procedures specifically for the juvenile corrections program, particularly with reference to internal disciplinary matters within the Hawaii Youth Correctional Facility. Copies of the formal policies and procedures should be provided to both wards and staff and should periodically be reviewed with them.

3. Implementation of the formally adopted policies and procedures should be uniform throughout the Hawaii Youth Correctional Facility, and the institution's chief administrator should be fully responsible for how all the cottages function and for achieving consistency in practice among them.

4. The Department of Social Services and Housing should arrange for a systematic evaluation (by outsiders with expertise in the area of youth corrections) to be made of how effective or ineffective various forms of internal sanctions are in maintaining order and helping toward rehabilitation within the Hawaii Youth Correctional Facility—sanctions such as shackling, isolation, and fines. Subsequent evaluations should consider how well the institution's administration has reacted to earlier findings and recommendations.

5. The Department of Social Services and Housing should establish a form of organization and a system of personnel management for the Hawaii Youth Correctional Facility which will be goal oriented and will facilitate the attainment of the institution's designated objectives. If the main aim is rehabilitation, then the staff should be recruited, trained, organized, compensated, directed, and evaluated in terms of how they function to enhance rehabilitation.

6. The Department of Social Services and Housing should expedite, but at the same time ensure the adequacy of, the planning for replacement facilities for the Hawaii Youth Correctional Facility so that an early move can be made to better suited structures. A capital budget for the new facilities should be developed for consideration by the 1987 legislative session. Underlying the budget, of course, should be a clear definition of what the corrections program really seeks to achieve, the identification and assessment of alternative means for carrying out this overall goal, and the establishment of definite program plans and objectives (including how other agencies should interface with and support the Hawaii Youth Correctional Facility).

7. The Department of Social Services and Housing should give more adequate attention and support to its juvenile corrections responsibility. This probably can be best achieved by administratively separating youth corrections from adult corrections so that independent attention can be focused on the specific needs of the Hawaii Youth Correctional Facility.

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RESPONSES OF THE AFFECTED AGENCIES

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COMMENTS ON AGENCY RESPONSES

Copies of a preliminary draft of this report were transmitted to the Director of Social Services and Housing, the Director of Health, the Superintendent of Education, and the senior judge of the First Circuit Family Court who is also chairman of the Juvenile Justice Interagency Board. As is our practice, we asked the heads of the affected agencies to provide us with their comments on the recommendations contained in the audit report.

A copy of the transmittal letter to the Director of Social Services and Housing is included herewith as Attachment 1. Similar letters were sent to the other parties involved. The Director of Social Services and Housing submitted a response dated November 7, 1986, which is included here as Attachment 2. The Director of Health by a letter dated November 5, 1986, submitted a response which had been prepared by the chief of the courts and corrections branch of the Mental Health Division of the Department of Health. These two letters are included here as Attachment 3. The Superintendent of Education submitted a response dated October 20, 1986, which is included as Attachment 4, wherein he accepts the recommendations directed towards the Department of Education. No written response was received from the senior judge of the First Circuit Family Court and chairman of the Juvenile Justice Interagency Board.

Generally, the responses express some agreement with our recommendations. However, the responses from the Department of Social Services and Housing (DSSH) and the Department of Health (DOH) raise points which warrant further comment. Our comments regarding these two responses are set forth below.

Department of Social Services and Housing. Viewed from an overall perspective, the points raised by the department do not refute the validity or appropriateness of the basic questions and problems we have identified or the central observations we have made about the Hawaii Youth Correctional Facility (HYCF). We appreciate the numerous statements contained in the response concerning corrective actions at HYCF, but we note that many of these remain at a planning state or are only still under consideration. It is also difficult to determine from the department's response which of its reported corrective actions represent new programs and procedures and which are only belated efforts to do what should have been done long ago. The importance of HYCF and the seriousness of some of its problems require greater urgency in accomplishing needed changes, and we hope that the department will now give improvements to the facility and its program the priority they deserve.

Department of Health. The response of the Department of Health confirms what we had already observed—that the department's psychologists and psychiatrists feel professionally competent to deal with only a small segment of the wards at HYCF and hope that some other professionals will take up the remainder of the responsibility which DOH has dropped. Anomalously, however, the department then suggests that given more funds, it might do more. Not explained is how it can do more if what is needed has been beyond the realm of its professional expertise all along.

Similarly, the response indicates that more testing is not done on the wards at HYCF not only due to a lack of resources but also because it is not needed. However, it then goes on to say that more testing will be done as more resources are made available for this purpose. In still another such anomalous comment, the

response points out that university studies found doubtful results from group therapy within correctional institutions, yet concedes that self-help groups do exert some benefit in dealing with delinquent behavior.

What comes through, in effect then, is the prospect that the the mental health program will continue to be more of the same--which is very little. For improvements to be forthcoming, an entirely different approach may be needed. In our report, we recommended that if the required mental health services cannot be obtained from DOH, as seems to be the case, then DSSH should contract with the private sector to obtain these services in the same manner it contracts for medical and dental services. In its response, DSSH did not address this particular recommendation, but we now believe more strongly that it merits serious consideration.

ATTACHMENT 1

THE OFFICE OF THE AUDITOR
STATE OF HAWAII
465 S. KING STREET, RM. 500
HONOLULU, HAWAII 96813

CLINTON T. TANIMURA
AUDITOR

October 1, 1986

COPY

Mr. Franklin Sunn, Director
Department of Social Services and Housing
Liliuokalani Building
1390 Miller Street
Honolulu, Hawaii 96813

Dear Mr. Sunn:

Enclosed are two copies, Nos. 4 and 5, of our preliminary report on the *Management Audit of the Hawaii Youth Correctional Facility.* We call your attention to the recommendations affecting your department which are made in Chapters 2, 3, and 4 of the report. If you have any comments on the recommendations, we ask that you submit them in writing to our office by October 31, 1986, for inclusion in the final report.

The Governor, the presiding officers of the two houses of the Legislature, the Superintendent of Education, the Director of Health, and the Chairman of the Juvenile Justice Interagency Board have been provided copies of this preliminary report.

Since the report is not in final form and there may be changes to it, access to this report should be restricted to those officials whom you might wish to call upon to assist you in the review of the report. Public release of the report will be made solely by our office and only after the report is published in its final form and submitted to the Legislature.

We appreciate the assistance and cooperation extended to us by officials and staff members of your department.

Sincerely,

Clinton T. Tanimura

Clinton T. Tanimura
Legislative Auditor

Enclosures

ATTACHMENT 2

GEORGE R. ARIYOSHI
GOVERNOR

FRANKLIN Y. K. SUNN
DIRECTOR

RICHARD PAGLINAWAN
DEPUTY DIRECTOR

ALFRED K. SUGA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF SOCIAL SERVICES AND HOUSING
P. O. Box 339
Honolulu, Hawaii 96809

November 7, 1986

RECEIVED
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OFC. OF THE AUDITOR
STATE OF HAWAII

Mr. Clinton T. Tanimura, Legislative Auditor
The Office of the Auditor, State of Hawaii
455 South King Street, Room. 500
Honolulu, Hawaii 96813

Dear Mr. Tanimura:

Reference: Management Audit of the Hawaii Youth Correctional Facility

Thank you for providing us an opportunity to review your preliminary report on the Management Audit of the Hawaii Youth Correctional Facility (HYCF). We believe that your report is accurate in many areas and correctly identifies some dilemmas that face the HYCF in determining what should be the proper approach in caring for the wards placed at the facility. Three state departments share the responsibility of delivering services to a most difficult population under a mandate that is self-contradictory. While these factors could result in serious program deficiencies, we do not feel the situation is as grim as the audit suggests.

Some of the shortfalls of the audit are due to the introduction of services and programs subsequent to site visits by your staff in 1984. Also, we find that some recommendations are made with incomplete development of relevant issues.

We would like to take this opportunity to respond in detail to your audit and its recommendations according to your chapter headings, excluding your introductory chapter.

BACKGROUND AND CONTEXT FOR YOUTH CORRECTIONS IN HAWAII

In developing the background and context for youth corrections in Hawaii, the report accurately reported the historical account of corrections in the country, the philosophical approach to corrections, and the physical administrative changes occurring to the HYCF. However, it failed to report the community perspective of the HYCF before Act 303 was enacted in 1980.

The Hawaii Criminal Justice Standards and Goals--Juvenile Justice, May 1977, developed by a Task Force consisting of both Criminal Justice Agency and Community Agency representatives states "The Hawaii Youth Correctional Facility is envisioned as an alternative program available to the court, but an alternative that, hopefully, is used sparingly. It is seen as a 'last resort' measure: A placement that is utilized primarily for the protection of the community, and a placement for juveniles who need a controlled setting, recognizing that various voluntary agencies have failed to reach the juvenile. HYCF, therefore, must have staff that is most capable in dealing with these juveniles, and programs that can meet individual needs."

The first objective of the audit was to evaluate whether the policies and practices of HYCF were consistent with the facility's overall mission of protecting society while providing a safe and caring environment and access to required services for juveniles as set forth in Hawaii's statutes.

Much is said about the lack of services and inadequate programs but very little is said about our success or lack of success in protecting society. Nothing of real substance is mentioned.

It should be noted that during the years 1974 through 1984 the number of escapes per year was reduced from 238 to 13--a dramatic reduction. If escapes are a measure of the quality operations of a facility, HYCF has improved its operations.

Act 303 and Act 156 formalized both the public safety demands and the individual services demands in more specific terms. However, as pointed out in the audit, the above legislation had some shortcomings:

1. Ambiguities were left concerning the service roles and interrelationships of the Department of Social Services and Housing (DSSH), the Department of Education (DOE), and the Department of Health (DOH). We believe the audit should have assessed the impact of Act 303 permitting Family Court to place wards at HYCF as a condition of probation for up to one year. Instead of restricting short-term commitments, it promoted short-term commitments--a measure ignoring the position of the 1977 Hawaii Criminal Justice Standards and Goals--Juvenile Justice Report, page 95. The Task Force discouraged the mixing of minority and short-term commitments together. The report went on to say that,

"It confuses the treatment program for juveniles as well as the role of the HYCF."

2. "Punishment" was reintroduced back into Hawaii's juvenile justice system although a treatment approach was heavily supported by the legislation. This conclusion fails to recognize that youths are committed to the HYCF as punishment and not for punishment. In other words, commitment to the HYCF in and of itself constitutes punishment.

3. The audit indicts the three servicing departments for pursuing largely a strategy by default for lack of concerted planning and programming, thus not offering real treatment or imposing punishment.

As stated above, the incarceration at HYCF is the punishment. At the programmatic end, we disagree with the view that our efforts are primarily fragmented and reactive. In recent years, the DOE, DOH, and DSSH have worked together to develop a more integrated and cohesive approach to overall facility programming. There has been on-going dialogue and a concerted effort by all three servicing departments to work towards a holistic approach that addresses the diverse needs of our wards. DSSH has been greatly pleased with the continued cooperation and commitment displayed by DOE and DOH as we strive to improve overall facility programming.

With respect to specific demands of Act 303 as outlined on page 12 of the audit report, HYCF/Corrections Division (CD) has met many of its demands:

1. CD has completed a "Standards of Conduct Handbook" and provided attendant training for all staff.

2. An intake process is administered utilizing YCF 26 at initial intake and medical examination generally within 48 hours of commitment; school testing within a week of commitment; psychological assessment immediately as warranted or in any case within two weeks of commitment; briefing by the social worker and orientation by the shift supervisor upon commitment.

3. Wards are reviewed at intervals not to exceed six months as to their circumstances, their treatment progress and ultimately their qualifications for parole.

4. Parole eligibility criteria have been established and the preparation of a release plan demanded besides imposition of a monitoring system warranted by the individual case following parole.

5. Special Foster Parents' placement is an option that can be exercised for wards with special needs who qualify for placement.

6. Our Fee-For-Service Job Training Program is another option for eligible wards.

7. Our Community Living Skills Program is also conducted a minimum of twice a year to train wards in applying for jobs and sustaining themselves on the job.

8. Vocational assessment, counseling, and job placements are promulgated by our Employment Services Specialist IV.

9. Our work furlough program is also available for qualified wards.

10. The Community Services Section and our Office of Juvenile Parole were established in 1982 as mandated by Act 303, HRS 352-23 and 24, SLH 1980, and is coordinating services to our wards and have developed vocational/educational/individual counseling, pre-release services and residential programs as needed.

11. Training is being provided in computer literacy and baking at HYCF through contracted instructors.

12. Individual and group counseling is being provided by the Hawaii Counseling and Education Center with the capacity to provide family counseling effective September of 1986.

13. A drug educational program is currently being provided by Hina Mauka.

14. CPR training was also provided wards resulting in 26 of 30 wards being certified in August, 1986.

15. DOE has just received a federal grant for $25,000 to implement a program to develop Individual Transition Program Plans to reintegrate older wards (18- to 19-year-old wards) into the community. The expected accomplishment of this one-year project is: Half as many HYCF students at Olomana School will make unsuccessful transitions to post-institutional settings as a result of the coordination of services afforded by the Individualized Transition Programs.

16. DOH has plans to place a half-time psychiatrist at HYCF from December 1, 1986, to provide 16 hours of service per week in contrast to the 4 hours a week currently provided by a fee-for-service psychiatrist.

On the basis of the above activities, we take issue with the contention that the "strategy is simply to hold in secure custody or warehouse those youths who are sent to HYCF by the courts until the youths are discharged or have to be released because they have reached the maximum age to be confined in a youth correctional facility" (page 17 of the audit report).

We frankly admit that many wards are detained at HYCF all the way up to their maximum age for incarceration. However, we would like to inform the auditor that we house youths committed for heinous crimes such as homicide, rape I and robbery I. Victims have been maimed or hospitalized in other offenses. About 25 percent of our wards have been classified dangerous. Because all of them excluding short-termers have been committed as a last resort by the courts, they frequently have less than a year to do before their commitment term expires. It just doesn't give us enough time to sufficiently impact his/her behavior for us to feel comfortable about paroling that youth back into the community prior to the expiration of their commitment term. Hawaii Revised Statutes 352-25 declares unequivocably that "no furlough, parole, or discharge shall be granted unless it appears to the director that there is a reasonable probability that the person will not violate the law and that the person's release is not incompatible with the welfare and safety of society."

Recommendation:

Priority top level policy and decision making attention be given to the formulation and development of a specific policy statement upon which to construct a workable program framework for youth corrections in Hawaii.

RESPONSE:

The Department has already addressed this need through the formulation of the Tri-Agency Committee in 1983. This Committee came about as a result of House Resolution 322 (1983) requesting that DOE study the benefits and feasibility of a twelve-month school year and a longer school day for the youths who attend Olomana School at HYCF. Members consisted of top level administrators from DSSH, DOE, DOH, the Family Court, plus a representative each from the Juvenile Justice Interagency Board and the League of Women Voters. While the original committee was established by DOE, DSSH assumed responsiblity for the continuation of its work after the response to HR 322 was completed. The goal of the Committee is to operationalize the Action Plan that was developed as part of the response to HR 322.

The vehicle to address the formulation and development of a specific policy statement upon which to construct a workable program framework for youth corrections in Hawaii exists in the Tri-Agency Committee.

PREPARATION OF WARDS FOR THEIR RETURN TO THE COMMUNITY

COMMENTS

Education as a program is given top priority at HYCF. However, like other schools, education is diploma or certificate oriented--not community living oriented. Many youths have failed the traditional school system and are far behind in their credits. What appears required is a drastically different orientation towards education for our kinds of youth. The need to provide instruction on community living skills is apparent. Vocational education, health education and development of communication skills, problem solving skills, anger lessening skills, and survival skills should play a more prominent part in the educational program.

Several years ago, in an effort to focus on vocational training for our wards, representatives from the Job Corps, the Honolulu Community College, the Job Resource Center, and Olomana School convened to provide some dialogue. One major conclusion from that dialogue was the feeling that prevocational skills should be the emphasis for our wards. Wards were not pre-disposed to the world of work. They needed to develop work disciplines--regular work attendance, ability to work with various supervisors, a concern for safety, the ability to put in an 8-hour day, the ability to work with minimum supervision, the ability to finish a job that they start, the knack to be accountable for tools, ability to follow instructions, etc. This was the general consensus. Most of our wards lack maturity and serious motivation for work. They don't know what it means to work at a job for 8 hours a day. Nevertheless we have provided training for individual wards on a selective basis over and above the baking and computer training classes we've provided at HYCF.

Some have gone to the Employment Training Office operated by the Community Colleges for training in auto-body fender; some have received training in landscaping; some received training in food services at McDonald's but most of them did not last more than a few weeks. They were more pleasure oriented than work oriented.

With respect to the marked parole caseload drop noted on page 32 of the audit report, four major factors contributed to the drop:

1. The termination of continued court jurisdiction over long-term commitments effective July 1, 1978.

2. The enactment of Act 303, SLH 1980 which included Hawaii Revised Statutes 352-25 which permits the director to furlough or parole any person in his custody for good reasons but also emphatically mandates, "No furlough, parole, or discharge shall be granted unless it appears to the director that there is a reasonable probability that the person will not violate the law and that the person's release is not incompatible with the welfare and safety of society."

3. The development of the Serious Juvenile Offender Classification Scale in September of 1982 and its associated procedures to identify "dangerous" offenders.

4. The increased number of more serious offenders who are committed to HYCF which prohibit early parole.

The termination of court jurisdiction in 1978 resulted in administrative accountability for all treatment and release decisions that were formerly borne by the courts for five years. Policies and procedures were drafted that imposed behavioral, treatment, and confinement standards prior to placement on parole consideration status that made it difficult to be paroled.

When HRS 352-25 went into effect in 1980, it further retarded the parole process because it heightened the risk of liability. We are dealing with the worst of the offenders that enter the Juvenile Justice system who "are often the most recalcitrant and incorrigible of society's youth (Standing Committee Report No. 440-80, page 23). The risk of re-violations of the law is high. For fear of the risk involved and our inability to comfortably assure freedom from law violations and compatibility with the welfare and safety of society, we have been reluctant to parole wards especially if they have been identified as "serious juvenile offenders."

The development of the Serious Juvenile Offender Classification Scale further heightened our apprehensions about our youths as we systematically assessed their adjudicated offenses, their abusive family backgrounds, their assaultive history, their lack of remorse for criminal activity, their attraction to weapons, their lack of deterrence from previous commitments, and their threatful diagnoses by competent mental health professionals.

More serious offenders involved in chronic criminal offenses who express no guilt feelings about the harm to others or the taking of other's property are being committed. We are confronted with the task of servicing the 5 percent of the total number of juveniles who enter the Juvenile Justice System who have not benefited from the other community services available to the Family Court. They represent the worst of the cases confronted by the court. These are the cases we have to do with--not the typical delinquents that respond to probation services, crisis intervention, shelter home services, in-community mental health services or in-community treatment programs like Palama Settlement or Salvation Army Facility for Children. The courts utilize community resources for these cases. They only send the worst offenders to us when they've exhausted their resources or when the youth has been involved in a serious enough case that constitutes the youth a threat to society requiring incarceration. The Serious Juvenile Offender Classification Scale makes an objective assessment of our wards' unique circumstances and identifies most of our wards as serious juvenile offenders. We are reluctant to release our wards on parole because their propensity to law violations is so high.

According to a survey of adult prisoners several years ago, recidivism remained fairly high until age 27. Intervention while incarcerated took many forms but no single method impacted the behavior of the adults.

Recidivism dropped from age 27 for some reason. It's believed that by that time they lost the energy they once had for illegal activities or they became more adept in using others for illegal activities. Our wards are still full of energy and are excitement prone with a lack of seriousness about them that characterizes adolescents in general. They represent a high risk group for unauthorized activities. If our wards are to be paroled, we must take risks but HRS 352-25 hinders that process. This addition to Chapter 352 governing the HYCF was formerly only mandated for adults under HRS 353-69. We are dealing with juveniles who need to be tested and serviced in the community while still under our jurisdiction.

Recommendation No. 1: The Department of Education should recognize the special and unique conditions at the Hawaii Youth Correctional Facility and should develop, in conjunction with the Department of Social Services and Housing, an appropriate educational plan and program for dealing with these special and unique conditions. Such a plan and program should include the establishment of appropriate administrative and organizational arrangements and the allocation of adequate resources to allow proper attention and direction to be given to the provision of educational services at the institution.

RESPONSE:

From our perspective, DOE has recognized the special and unique conditions at HYCF. A prime example is the DOE's award of a $24,996 grant from the National Institute of Corrections for FY 1986-87. The award is to establish, implement and evaluate a program entitled, "Luna A'e (Achieving Mastery): A Transitional Project for Students at Hawaii Youth Correctional Facility." The expected result of the program is: Half as many HYCF students at Olomana School will make unsuccessful transitions to post-institutional settings within one calendar year following transition from HYCF. This program is premised on the need for interagency cooperation and is solidly supported by DSSH and DOH.

Another area that has gotten considerable attention from DOE is the feasibility of providing year-round schooling at the facility. DOE is currently conducting a study on this issue, looking towards operating year-round schools on a trial basis in a number of districts. The Olomana Schools would be a target site should DOE's preliminary study show the project is a viable one. Results of the study are expected in April, 1987, and if DOE decides to implement the idea, it will be effective Fall 1987.

Recommendation No. 2: The Department of Social Services and Housing and the Department of Education should jointly devise a unified and consistent approach to the provision of prevocational and vocational education and training services for wards at the Hawaii Youth Correctional Facility which will mesh effectively with the institution's educational program and will extend all the way from early testing and assessment of interests, aptitudes, and capabilities through job training, experience, and placement after release from the institution.

RESPONSE:

We are for the most part in agreement with this recommendation and have identified vocational education and training as priority areas. This is not to imply that efforts have not already been initiated to improve vocational programs. However, we still have far to go.

Recommendation No. 3: The Hawaii Youth Correctional Facility should give far greater operational emphasis to parole as a means of easing transition of wards back into the community. More specifically, all wards--not just a selected few--should receive training specifically directed toward readjusting

and getting jobs. Similarly, all wards upon release should receive home counseling, job placement support, and follow-up care as may be appropriate to their needs. If present statutory age limits create a jurisdictional problem in this regard, then legislative amendment should be sought to allow parole supervision to be exercised for at least one year after release from the Hawaii Youth Correctional Facility.

RESPONSE:

We agree that parole should be given far greater operational emphasis as a means of easing transition of wards back into the community. Pre-dischargees are also participating in our Community Living Skills Program now to prepare them for getting jobs and keeping jobs.

Ideally, all wards upon release should receive home counseling, job support and follow-up care as may be appropriate to their needs. At the same time, this must be accomplished with minimum threat to the community. All wards cannot be released into the community with minimum threat to the community.

A legislative amendment to allow parole supervision to be exercised for at least one year after release from the HYCF portends more problems than solutions.

1. Recidivism for our high risk population has been demonstrated to be high--71 to 74 percent according to a study by the Youth Development and Research Center.

2. Majority age is 18 in Hawaii thus subjecting persons 18 or over to criminal prosecution by adult courts.

3. Prosecution of wards who commit offenses after 18 will subject them to dual jurisdiction which handicaps appropriate management of such wards and could deny them certain rights afforded adults such as bail, supervised release and release on their own recognizance.

4. Wards under parole supervision after age 19 cannot be detained at HYCF and, on constitutional grounds, are not recommended for detention at adult facilities for technical parole violations according to the attorney general's office

Accordingly, release must be selective if release is to be secured before the expiration of their commitment term. Other agencies are available for counseling and job placement for those few that are detained until discharged at the expiration of their commitment term. We cannot be all things to all people. However, we will make every effort to parole wards who do not represent a serious threat to the community. For those who do, every effort will be made to provide them community living skills and orient them to community resources before their release from our jurisdiction at 18 or 19.

Recommendation No. 4: Mental health care should be viewed as central to the rehabilitation of the wards at the Hawaii Youth Correctional Facility; it should not be limited to those few with identifiable psychoses and neuroses.

RESPONSE:

We agree mental health care should be central to rehabilitation of wards. More can be done to improve services to our wards. DOH plans to place a half-time psychiatrist at HYCF from December 1, 1986, to provide 16 hours of service per week in contrast to the 4 hours per week currently provided through the fee-for-service psychiatrist. More services such as group therapy, staff services, and services at the school will be written into the job description.

Current services reflect a more supportive role by the DOH. The fee-for-service psychiatrist has been very cooperative in visiting wards at the cottage to counsel them; conferring with staff each day of his visit and monitoring the medicated wards weekly. The psychological reports have also been more descriptive of needs to be addressed. In addition, two therapists from the Hawaii Counseling and Education Center have been secured to provide regular individual and group counseling services for our wards.

There is still much more to be done to improve the quality of mental health services here at the HYCF but family counseling services, mental health input at treatment/program meetings, staff services, and psychological services shall be addressed. Input on the job descriptions for the mental health consultants assigned to HYCF will be sought to harmonize our expectations.

There is a need for assessing the impact of services, long-range planning, feedback and research. Such activities are needed but the branch lacks the manpower and expertise for these pursuits. Additional qualified staff must be secured for these activities. A juvenile planner based at HYCF would be one solution to this problem.

Recommendation No. 5: The Hawaii Youth Correctional Facility should move as expeditiously as possible to establish an adequate infirmary at the institution and to develop a proper health education program for its wards. Similarly, it should seek to establish a regularized procedure with the family courts under which all available medical and dental records will be transmitted automatically to the Hawaii Youth Correctional Facility when wards are committed to the institution.

RESPONSE:

This recommendation contains three subsections that will be addressed separately.

a. Infirmary. The development of an infirmary for an institutional population of less than 100 is just plain unjustifiable. It makes no fiscal sense to develop an in-facility hospital that would be empty the majority of the time. We recognize the need to segregate

youths who are ill, but must consider more sensible alternatives, such as isolation rooms (not to be confused with detention space).

During FY 85-86, twelve youths were hospitalized, with an average length of stay of 3-4 days. Most of those youths would have required hospitalization even with an infirmary available at HYCF. In light of this, we seriously question the practicality of this recommendation.

b. Health Education Program. We agree with the need of this program. DOE is already providing this through their Guidance/Health Class.

c. Medical Records. The need for proper records is agreed, but to infer they would be available at Family Court is misleading. Such records are not readily available to the Family Court. Medical history is an important part of the intake process and additional records are requested as the need arises. Pre-existing conditions are treated with input from the wards' family physician.

INTERNAL OPERATIONS OF THE HAWAII YOUTH CORRECTIONAL FACILITY

Findings:

The underlying confusion and uncertainty noted in earlier chapters concerning the central mission of the HYCF also plague its internal management. As a consequence, disjointed action and following the course of least resistance also characterize these aspects of the institution's management as illustrated by:

Finding No. 1: A largely passive, impersonal, inadequate, and inconsistent approach to the provision of intake, residential care, food, and recreational services.

RESPONSE:

1. The intake procedure is set forth in HYCF Policy and Procedure No. 1.16.55 for the purpose of getting certain things done just as any institution does automatically. This applies whether a child is registered at school or admitted to a hospital. Certain procedures must be observed and certain forms completed. Whether a service is passive or impersonal should not be assessed by reviewing policies and procedures but by reviewing the service being rendered. It is people who make a service passive or impersonal. Our intake workers do not recall any auditors personally involved in observing them conduct intake services.

   The auditor inadvertently believes that planned treatment does not begin until after the first treatment meeting is held. Real treatment is afforded wards from the time of commitment. Medical, suicidal, educational needs are assessed by independent professionals from date of commitment and accommodated independently and through case review at the weekly program meetings. The 60-day period affords us time to assess the ward's true behavior which is not manifested at the onset of commitment.

   Membership of the program committees does not assure that DOE and DOH personnel will be represented. No agreement to assure their presence exists. The treatment team concept began when the court still retained "continued jurisdiction" over our long-term commitments from 1972 to 1978. HYCF, Olomana School and Juvenile Parole which was a branch at that time were formally ordered by the court to jointly develop a treatment plan for individual wards. We continued to meet as the treatment team even after the court terminated their "continued jurisdiction" over our wards. No formal agreement was sought to establish the membership or delineate its functions. We cannot formally specify anything concerning other agencies without first formalizing an agreement. Programming is on an individualized basis and is a function of the program committee. Emphasis is

given to expedite regular programming as soon as possible. Most of the time, the major program assignment is school since children are required to be in school until age 18.

2. Uniform residential care is being addressed through developing policies and procedures and providing training to make operations in the cottages more consistent.

3. Food has been of concern to us. More fowl, fresh vegetables and fruits are being added to the diet.

4. Recreation is an area that can be developed further. A request was submitted several years ago to establish another recreation position to serve as a vacation/day off reliever but the request was not approved. We will ask again in the next biennium budget request. Currently, when the corrections recreation specialist is off, youth corrections officers monitor the wards in the recreation room.

Finding No. 2: Forms and procedures for internal discipline which fail to integrate with rehabilitative efforts and a disciplinary system which is confusing and inconsistent.

RESPONSE:

An established overall functional statement just for HYCF would help to integrate internal discipline with rehabilitative efforts. This need is still being addressed. The inconsistencies in the disciplinary system have not gone unnoticed. Uniform sanctions applicable for offenses committed by juveniles are being prepared. Training for this and other inconsistencies is also being considered.

Finding No. 3: An approach to organization and personnel management (encompassing recruitment, training, policy guidance, direction, and compensation) which is generally unrelated to coping with and meeting the peculiar needs of juvenile wards in an institutional setting.

RESPONSE:

The finding is generally correct. The central goal for HYCF has not been addressed adequately. Security and custodial services have long been the priority. Recruiting, training, policy guidance and direction conform to that priority. Job descriptions for the Youth Corrections Officers also conform to that priority. Meeting the peculiar needs of juvenile wards may not always be the priority observed in a correctional setting for the following reasons:

1. The custodial classification of the ward may prohibit access to certain services or programs.

2. The mission of the facility might be subverted if certain action is taken, condoned, or not taken in deference to the peculiar needs of an individual ward.

3. Taking some action with one ward to service his/her need may jeopardize the security and well-being of other wards or sacrifice services to the majority of wards.

4. Staff shortages or shortcomings may prohibit certain services or programs for an individual ward.

Orientation of new youth corrections officers now requires placement at each residential cottage one month at a time on a rotational basis so recruits can learn the routines of each cottage. In addition, a new employee orientation program has been drafted in policy and procedure format to guide the new staff through his/her duties and responsibilities with regular monitoring and monthly testing to ascertain his/her grasp of duties and responsibilities and knowledge of the rules and regulations.

Training until a year and a half ago was sporadic concentrating on basic correctional techniques. Training has now been given priority status and staff are scheduled to attend. More recently, Dr. William Perry has been contracted by the Office of Children and Youth to develop a training program for youth corrections officers. Areas to be considered for training include: Understanding the juvenile offenders; working with the juvenile offenders; special issues (identifying and managing suicide risk; signs of mental illness; homosexuality and other issues of sexual identity; relationship between depression and anger; ethnic factors; understanding mental health treatment, etc.); YCO self-management; understanding the juvenile justice system; YCO job awareness; general communications/teamwork/group problem solving/supervision skills; and security/custody. March 15, 1987 is the amended due date for the draft staff development and training design and for the implementation plan for the training demonstration. January 15, 1988 is the amended deadline for completion of the demonstration of the training design.

Finding No. 4: A planning for legislatively mandated replacement of physical facilities which has neither addressed adequately the operational needs for alternative orientations nor moved ahead at the pace intended.

RESPONSE:

We take issue with this statement for a number of reasons. You imply, on page 71, that the relocation of the women to the HYCF grounds halted work towards developing a new youth correctional facility. That is incorrect. The project development report (PDR) continued as if no relocation had taken place. As to the claim that the PDR does not address "operational" needs, we do not understand the justification of that statement and would need clarification to adequately respond. The draft PDR was carefully reviewed by the Juvenile Justice Interagency Board and the Tri-Agency Committee.

Revisions were made based on comments resulting from these reviews. Both groups were eventually satisfied that the Department had in fact developed well articulated program goals and objectives. As for the slow "pace" of the planning, we do agree that it has been problemmatic. This pace, though, is not always under the control of DSSH.

Finding No. 5: The neglect and resultant secondary status of the youth correction program within the Department of Social Services and Housing (DSSH) and its Corrections Division and the failure to recognize and deal with the unique needs and conditions for treating juveniles.

RESPONSE:

The position of the Department is that there has been no "willful" neglect on its part. True, the youth facility has not merited the attention given the adult system, but neither has it demanded it. The Department has had considerable confidence in the ability of the administration found at HYCF. Despite the findings purported in your report, HYCF has improved in many areas over the past ten years. The Department certainly recognizes the unique needs and conditions for treating juveniles.

Recommendation No. 1: The Hawaii Youth Correctional Facility should review and revamp as appropriate its provision of intake, residential care, food, and recreation services so as to integrate these services fully into the institution's overall programming approach in dealing with its wards. If the institution's main objective seeks to rehabilitate the wards, then all of these services--even punishment--should be designed and carried out so as to facilitate and promote rehabilitation in its fullest multidimensional sense. This means not only developing proper policies and procedures but also marshalling the necessary resources actually to effectuate such policies and procedures.

RESPONSE:

We agree with this recommendation. Some overall approach in dealing with wards is crucial to the operations of the facility. At the same time, we cannot ignore our responsibility to protect society. A new approach foreign to the traditional approach will always require staff education and training in addition to development of policies and procedures and marshalling resources. The task is formidable but not impossible.

Recommendation No. 2: The Department of Social Services and Housing, with full participation by the Hawaii Youth Correctional Facility, should develop and formally adopt a single, explicit, and understandable set of policies and procedures specifically for the juvenile corrections program, particularly with reference to internal disciplinary matters within the Hawaii Youth Correctional Facility. Copies of the formal policies and procedures should be provided to both wards and staff and should periodically be reviewed with them.

RESPONSE:

The HYCF operates under two sets of policy and procedures: the first are the overall policies which apply to all facilities, regardless of population type, and the second are those polices that are specific to the operation of the youth facility. Divisional policies address issues found within our legislative mandates, constitutional and statutorial rights of incarcerated persons, record keeping, health and safety needs, etc. We are bound to abide by laws, codes and regulations that require adherence for sound basic facility management. For those practices that are more specific to addressing the programmatic needs of a particular population found in an institution, a separate set of policies and procedures are developed. Therefore, HYCF has its own policies that apply to the youth population only. We recognize the need to further develop and refine the HYCF policies and have been in the process of doing so in the past year. HYCF will still be responsible for implementing Divisional policy, but will also have the benefit of distinct policies that address the unique needs of incarcerated youth. Disciplinary matters, in particular, have received priority attention.

Recommendation No. 3: Implementation of the formally adopted policies and procedures should be uniform throughout the Hawaii Youth Correctional Facility, and the institution's chief administrator should be fully responsible for how all the cottages function and for achieving consistency in practice among them.

RESPONSE:

We agree that implementation of formally adopted policies and procedures should be uniform throughout the HYCF and that the chief administrator should be fully responsible for how all the cottages function and for achieving consistency in practice among them.

Policies and procedures in draft form are being circulated to cottage administrators to provide input before finalizing the policy and procedures. Cottage administrators are meeting to identify inconsistent procedures and efforts are being made to reconcile differences. Line staff are being required to read the policies and procedures but regular training by supervisors is necessary to educate the line workers. Accountability is also being emphasized.

Recommendation No. 4: The Department of Social Services and Housing should arrange for a systematic evaluation (by outsiders with expertise in the area of youth corrections) to be made of how effective or ineffective various forms of internal sanctions are in maintaining order and helping toward rehabilitation within the Hawaii Youth Correctional Facility--sanctions such as shackling, isolation, and fines. Subsequent evaluations should consider how well the institution's administration has reacted to earlier findings and recommendations.

RESPONSE:

Knowledgeable, qualified people particularly versed in adolescent behavioral management in a decentralized correctional setting would be welcomed to evaluate the effectiveness or ineffectiveness of our internal sanctions subsequent to program adjustments following development of an overall approach to youth corrections. The need for an overall approach to youth corrections is already substantiated by the audit report. We support that. We also believe that our employees are capable of meeting the new demands imposed by an established overall approach to youth corrections. It will require mass reorientation, re-education, and retraining, but staff development and retraining following establishment of an overall approach should take priority over evaluating internal sanctions.

The sanctions demanded by the new overall approach may differ considerably from the sanctions currently utilized. An evaluation now would not be as meaningful as the one conducted following establishment of an overall approach and accommodating revisions in program operations.

Recommendation No. 5: The Department of Social Services and Housing should establish a form of organization and a system of personnel management for the Hawaii Youth Correctional Facility which will be goal oriented and will facilitate the attainment of the institution's designated objectives. If the main aim is rehabilitation, then the staff should be recruited, trained, organized, compensated, directed, and evaluated in terms of how they function to enhance rehabilitation.

RESPONSE:

It appears your staff has determined what the facility's "main aim" should be--rehabilitation. We are not in agreement that our mission is so clearly refined and defied. In the audit's introduction the objects of the project are identified. The first objective identifies "the facility's overall mission of protecting society while providing a safe and caring environment and access to required services for juveniles as set forth in Hawaii's statutes." This reflects the mandated purpose of HYCF as defined in Chapter 352, Section 352-2.1(a), HRS:

> This chapter creates within the department of social services and housing, under the supervision of the director and such other subordinates as the director shall designate, the Hawaii youth correctional facilities, in order to provide for the incarceration, punishment, and institutional care and services to reintegrate into their communities and families, children committed by the courts of the State.

Public safety is clearly the first purpose of the youth facility. That requires a secure setting and a security staff.

Yet, in our commitment to do far more than simply "warehouse" wards, the need for expanded training for youth correctional officers has taken a priority position not just at the facility, but at the Divisional level. As indicated above, new training is currently being developed to realize the full potential of YCO's as part of the overall "treatment" team. And we will continue to pursue our previous goal of upgrading YCO pay.

Recommendation No. 6: The Department of Social Services and Housing should expedite, but at the same time ensure the adequacy of, the planning for replacement facilities for the Hawaii Youth Correctional Facility so that an early move can be made to better suited structures. A capital budget for the new facilities should be developed for consideration by the 1987 legislative session. Underlying the budget, of course, should be a clear definition of what the corrections program really seeks to achieve, the identification and assessment of alternative means for carrying out this overall goal, and the establishment of definite program plans and objectives (including how other agencies should interface with and support the Hawaii Youth Correctional Facility).

RESPONSE:

We have submitted a Capital Improvement Project request for the FY 1987-89 budget for funds to design and build a new youth facility. When the HYCF project development report was completed in 1984, DSSH asked the Department of Accounting and General Services to put the next stage, the master planning, on hold until a PDR for a new women's facility could be completed. This was because the Department believes that the two facilities can share support services (e.g., food service, facility maintenance, laundry, etc.) that would reduce both construction and yearly operational costs. The women's PDR is completed and the master planning of a shared facility is under way.

As for the latter part of this recommendation, we find that these questions on program plans and objectives have already been addressed. Please review the HYCF PDR.

Recommendation No. 7: The Department of Social Services and Housing should give more adequate attention and support to its juvenile corrections responsibility. This probably can be best achieved by administratively separating youth corrections from adult corrections so that independent attention can be focused on the specific needs of the Hawaii Youth Correctional Facility.

RESPONSE:

The Department cannot agree that youth corrections should become a separate division. The size just does not justify the recommendation. However, your report does make many valid points (though not always for valid reasons) concerning the need for a more distinct separation in our attitude toward the juvenile system. With the Tri-Agency Committee, many of these concerns will be addressed and workable solutions developed.

SUMMARY:

We believe the Hawaii Youth Correctional Facility is in a position to benefit from your observations and recommendations. Please give due consideration to our response that the conditions presented of the Hawaii Youth Correctional Facility might be accurate.

Sincerely,

Franklin Y. K. Sunn

Franklin Y. K. Sunn

ATTACHMENT 3

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

Leslie S. Matsubara
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HAWAII 96801

November 5, 1986

In reply, please refer to:

RECEIVED
Nov 7 11 33 AM '86
OFC. OF THE AUDITOR
STATE OF HAWAII

Mr. Clinton Tanimura
Office of the Legislative Auditor
465 S. King Street
Honolulu, Hawaii 96813

Dear Mr. Tanimura:

Following receipt of the preliminary "Management Audit of the Hawaii Youth Correctional Facility", dated October, 1986, I immediately asked staff of the Mental Health Division, and in particular the Courts and Corrections Branch to write a response commenting specifically on the various points contained within the report. I have attached Dr. John J. Blaylock's letter to you with the Mental Health Division's comments and concerns.

Without question, we do have serious reservation about many of the specific allegations and comments made within the report. I urge you to review and reassess the content areas referred to in Dr. Blaylock's letter. Hopefully, some moderation and modification can be made.

Please let me know if any further follow up to this matter is necessary.

Sincerely,

LESLIE S. MATSUBARA
Director of Health

Enclosure

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

LESLIE S. MATSUBARA
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
MENTAL HEALTH DIVISION
COURTS & CORRECTIONS BRANCH
3627 KILAUEA AVENUE
HONOLULU, HAWAII 96816

October 31, 1986

In reply, please refer to:
File:

Mr. Clinton Tanimura
Office of the Legislative Auditor
465 S. King Street
Honolulu, HI 96813

Dear Mr. Tanimura:

The Department of Health has forwarded your letter and the preliminary report on the management audit of the Hawaii Youth Correctional Facility to me for reply. It has been reviewed by our Courts and Corrections staff.

First, we commend your efforts in undertaking such a task. As you are aware, any correctional institution faces an almost formidable task of dealing with the most difficult people in our society. We commend many of your recommendations for improving the Hawaii Youth Correctional Facility (HYCF).

However, we would like to take issue with your statements and conclusions regarding mental health services. One main criticism of the mental health services at the HYCF appears to be the lack of recognition by the mental health professionals as to the severity of the mental health problems of the wards. On page 23, you state "The Department of Health (DOH) has failed dismally in providing a critically needed mental health program at the HYCF. Again, on page 36, you state "Ironically, it is the DOH staff, the proposed specialists in this field, who do not acknowledge how disturbed HYCF wards tend to be." It has become a well documented fact in experience and in the literature throughout the nation that traditional mental health services as offered by psychologists and psychiatrists have not been effective in treating a number of behavioral problems. These include substance abuse, sexual addiction and crime and delinquency. There is a massive, well respected work on Criminal Personality by Samenow that clearly describes this population and concludes that psychiatrists and psychologists have very little to offer in their traditional roles. Mental health professionals are, indeed, able to help psychotics, the depressed patients and those who attempt suicide, but it is abundantly clear that most severe cases of crime and delinquency that end in institutions represent an addiction that is beyond the scope of psychiatric and psychological techniques. This is very similar to the substance abuse situation that requires techniques other than those offered by psychiatrists and psychologists. It would be a serious mistake to assume that if each ward in the HYCF had more services from psychologists and psychiatrists, it would add significantly to the solving of the problems of the delinquents.

An excellent study was conducted by Dr. Kassenbaum at the University of Hawaii in which he studies the effects of group therapy inside correctional institutions. He concluded that there was no evidence that this type of therapy made any significant difference on the recidivism rate. It would not only be wasteful, it would be ethically unprofessional to offer services that have clearly been shown to be ineffective.

We do not take the position, however, that "nothing can be done." We believe (similar to the substance abuse problem) that self-help groups and other types of approaches can and do have an effect on delinquent behavior. In the past we have made suggestions to the Corrections Division about the use of such approaches on outward bound programs. We do have several ideas as to what might be effective in helping hardcore delinquents but by and large, these ideas have not been funded or seriously considered.

Your comment on page 37 that ..."the psychological consultant often fails to make psychological assessments of HYCF wards. When he does, it is frequently on a delayed, perfunctory, and inadequate basis." This type of statement represents a lack of information as to the services at HYCF as well as a serious lack of information about the use of psychological testing. Assessments are not made on incoming HYCF wards if there is a recent, valid evaluation that was done by the DOH psychologist and psychiatrist at the Family Court. Each ward upon entering the institution, is evaluated or reviewed to see if mental health assessment is needed or has recently been completed. Previous mental health evaluations are taken into consideration by the staff at HYCF. It is difficult to believe that such criticism (i.e,, perfunctory and inadequate) could be made without consulting an independent mental health professional. We would be interested in knowing which professional made this determination.

A second statement involves the use of psychological testing. On page 37, you state, "He (the psychologist) makes virtually no use of psychological intelligence testing." Lack of testing at the Facility is the product of two factors. First of all, there is a shortage of services and we have had to reduce our efforts to those that are most effective. Secondly, it should be strongly emphasized that the use of psychological tests is not required in most cases. The majority of clinical psychologists do not believe psychological testing is a necessary tool in assessing the problems of most individuals. Psychological testing is not routinely done on mental patients at the Hawaii State Hospital. It is not routinely done by most psychologists in private practice. We will work toward obtaining more testing services when resources are available. Testing should not be used routinely unless we are provided with a significant increase in professional resources.

You state on page 37 that "The full-time psychological consultant assigned by DOH to HYCF operates in almost total remoteness from the agency which pays him and in almost equally total independence of the agency responsible for what he does." It is very difficult for us to find any basis whatever for his statement. The psychologist maintains active weekly visits to the Diamond Head Courts and Corrections Office and he attends monthly meetings with the mental health staff. In addition, the Chief of the Courts and Corrections Branch makes

periodic visits to the HYCF. The psychologist at HYCF meets regularly with the facility staff and virtually all of his work is integrated with the staff activities at the HYCF.

For your information, we have made attempts in the past to work with families of the residents. We have found this a most difficult task due to the fact that most of these families are not intact and in many instances there is literally no one to work with who is motivated enough to attend sessions. This is one area that we would like to improve and with additional staff, this would be a top priority.

With the serious budget restrictions that we have faced in the past few years, it has been impossible to provide the type of mental health programs that could be provided. As a result of this, we have had to withdraw our efforts and focus on the residents of the HYCF who are clearly and unquivocally mental health problems. This includes the psychotics, the suicides, etc. We would seriously appreciate it, if in your recommendations, you included a review of salaries for psychiatrists and psychologists and a review of the amount of monies committed by the Legislature for mental health services at the Youth Facility.

On page 40, you state "From years of experience with both DOH staff and wards, the HYCF personnel rightly harbor grave doubts about what DOH can do." This statement is blatantly false. The HYCF staff routinely and regularly makes demands and gets results from the DOH staff regarding suicide attempts, unusual behavior episodes, opinions as to dangerousness and opinions as to readiness for release and changes in classification. There is abundant evidence that instead of grave doubts about what DOH can do, there are serious expectations and requests for our services often beyond the state of the art. Again, on page 40, it is stated that the service involving medication is not evaluated for effectiveness. Wards at the HYCF who are placed on medication are carefully monitored by the psychiatrist and if the medication is not effective and the wards cannot be maintained at the HYCF, they are transferred to the Adolescent Unit at Hawaii State Hospital. This type of error raises serious question as to the validity and credibility of the report.

On page 44 in the recommendations section, you state that "Mental health care may require the services of other professionals besides psychiatrists and psychologists." The Department of Health and the Corrections Division recognized in the beginning that most of the counseling and basic services to the inmate should be provided by social workers hired by the Corrections Division. The DOH was to supply the types of professionals who were not available in the Department of Social Services & Housing. This included psychiatrists and psychologists. We have never pretended to be able to provide the basic counseling services needed by inmates at Oahu Community Correctional Center and the HYCF. We thus, concur with your statement that other professionals besides psychiatrists and psychologists would be needed in order to address the counseling needs of the residents.

For your information all mental health followup services for residents of correctional institutions are provided (when appropriate) through the Mental Health Division clinics rather than by the institutional mental health professionals.

GEORGE R. ARIYOSHI
GOVERNOR

ATTACHMENT 4

FRANCIS M. HATANAKA
SUPERINTENDENT

RECEIVED
OCT 22 10 32 AM '86
OFC. OF THE AUDITOR
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P. O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

October 20, 1986

RECEIVED
OCT 22 10 34 AM '86
OFC. OF THE AUDITOR
STATE OF HAWAII

Mr. Clinton Tanimura
Legislative Auditor
State of Hawaii
465 South King Street
Honolulu, HI 96813

Dear Mr. Tanimura:

Thank you for the opportunity to review your preliminary report on the Management Audit of the Hawaii Youth Correctional Facility.

The report is very comprehensive and it reinforces the notion that the operations of the Hawaii Youth Correctional Facility are highly complex, requiring the coordinated efforts of various state agencies for optimum operation. I accept the recommendations directed toward the Department of Education, and I am committed to working with other agencies to bring about improvement in the delivery of services to the wards of the facility.

Throughout the report, reference is made to the ambiguity that surrounds the question of whether the function of HYCF is: 1) to treat and rehabilitate; 2) to punish; or, 3) to treat and punish. I concur that this ambiguity must be resolved in order for the DOE to take more definitive actions.

We are undertaking a study regarding the feasibility of operating the educational program at HYCF on a year-round basis. Hopefully, this study will be completed and presented to the Board of Education sometime in the Spring. In this regard, it would be helpful if a contextual definition of "vocational education" could be provided to us.

Thank you again for this opportunity to review and comment.

Sincerely,

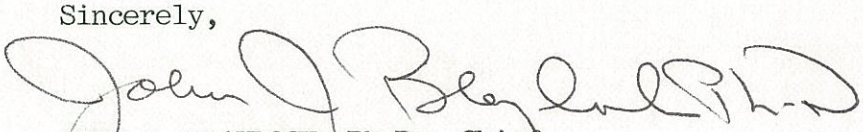
FRANCIS M. HATANAKA
SUPERINTENDENT

FMH:arw

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

We trust these corrections and suggestions will be included in your final report, otherwise we would take serious exception to your report being considered a valid representation of the mental health services at the HYCF. Our staff will be available for further discussion regarding this critical issue as to the need for mental health services at the HYCF. We do concur that more mental health services can be useful and can be integrated into the total program at the HYCF.

Sincerely,



JOHN J. BLAYLOCK, Ph.D., Chief
Courts and Corrections Branch

JJB/vyt

APPENDIX

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POPULATION CHARACTERISTICS AT THE HAWAII YOUTH CORRECTIONAL FACILITY

This brief section displays the numbers and characteristics of wards and staff which compose the total population at the Hawaii Youth Correctional Facility (HYCF). Because these data continually change from day to day, we selected one date, September 17, 1984, to obtain a representative set.

On that day, HYCF was responsible for 93 juveniles ranging in age from 13 to 19 years. Only 81 were actually physically present: 11 were on parole or home leave and one was a paroled juvenile from another state assigned courtesy jurisdiction to HYCF under the terms of an interstate compact agreement. Six were short-termers with commitments running from 30 to 365 days. Fifty-nine had been committed to age 18; 27 to age 19.

Seven wards were girls; 86, boys. For the 92 local wards, ages at time of commitment ran: 1 at age 12; 6, age 13; 13, age 14; 21, age 15; 25, age 16; 21, age 17; and 5, age 18. Fifty-seven percent held a minimum control status; 15 percent were in the medium control category; and 28 percent were under close control. None was at maximum because this category was not established until mid-1985. Of the 92 committed from Hawaii, 54 percent had previously spent time at HYCF. Their collective offenses totaled 123: 23 for assaults on persons (rape, murder, assault, etc.); 87 for assaults on property (robbery, burglary, car theft, and theft); and 13 for a wide variety of other offenses.

Data on ethnic composition are less than meaningful because everyone with any Hawaiian ancestry, no matter how little, fell into a catchall category of "part-Hawaiian." Over half of all wards were so listed. Consequently, other ethnic groups tend to be grossly underrepresented in the statistics, a situation which has prevailed for more than a century of recordkeeping.

In addition to the Department of Health's psychological consultant and the Department of Education's 7 full-time and 6 part-time teachers, HYCF is authorized 90 full-time equivalent Department of Social Services and Housing staff—approximately one staff for every ward. Actual personnel include: 6 administrators; 2 medical slots filled by several professionals; 10 recreational therapists, social workers, and employment specialists; 7 clerical; 51 correctional officers; and 19 other support and operations personnel. Some are part time. As a 24-hour per day, 7-day per week operation, however, HYCF must allocate those personnel resources so as to have at least a minimum staff on duty at all times. Most of the staff work a normal daytime, Monday through Friday, work week.