

Youth on the Run from Families and School:

The Problem of Status Offenders in Hawaii

by
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YOUTH ON THE RUN FROM FAMILIES AND SCHOOLS

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ACKNOWLEDGEMENTS

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

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

The responsibility for the analysis and the interpretation of these data rests with us.

EXECUTIVE SUMMARY

Introduction

The modern state seeks to provide services of many kinds to the children and youth of its communities. The juvenile justice system is primarily responsible for child victims of neglect and abuse, and children who commit crimes. There is a third category, who are neither victim or delinquent, children who are not living with their family or under the effective guidance of the family, who are not regularly attending school or are in violation of laws applying to minors only concerning curfew and the purchase of beverage alcohol. There are runaways, truants, curfew violators and children beyond the control of the parent, commonly called status offenders.

Status offenders are so designated by legitimate agencies of social control (the police, the Family Court) although they do not violate the penal code as it applies to adults and do not meet criteria for child protection. They become subject to formal control because they are not responsive to normal expectations defining the role of children and adolescents, namely that conduct be more or less in conformity with family and community standards for youth. Status offenders are children or youth who do not act like children or youth are expected to act. Although the immediate offenses are being on the run from family and school, the major reason for community concern is that such behavior is a threat to normal development of youth into productive adults. The whole point of childhood is development; the status offender is a youngster that somehow, in society's eyes, misses that point.

Hawaii Revised Statutes at 571-11 spell out what conduct constitutes status offenses and what may be done for the problems, chiefly borne by the offenders themselves. Our law reflects changes in US juvenile codes over the past century, reviewed in our report. Under the broad provisions of this body of law, our Family Court, the police, the recently established Office of Youth Services and a large number of private, not-for-profit human services agencies, together with major Executive Branch Departments of Education, Health and Human Services, seek to return the juvenile status offender to family life and school in an effort to promote the development of children and their progression to adult responsibilities. Not surprisingly, these many branches of government and agencies together pose major problems of coordination and

responsibility. Our report provides recent data on what is being done and how the problems appear to the men and women working with the problems.

Estimating Numbers of Cases and Patterns of Services

In Hawaii in recent years (1993-1996) status offenses averaged about 9000 arrests a year (9,163 in 1995, the last year on which complete, disaggregated data are available), constituting about 49 to 51 percent of all juvenile arrests in any given year. Unlike arrests for delinquencies, females are slightly above par in status offense arrests, averaging 52 percent over all. Like delinquencies and adult crime, native Hawaiian and part Hawaiian, Filipino, Samoan and African American youth are over-represented in cases sent to court, and, along with Caucasians, are over represented in arrests for status offenses.

The rate of status offense arrests is higher in Hawaii than in the US as a whole, and the rise in the State's juvenile arrests in recent years is almost entirely due to increases in status offenses, particularly runaway.

Over forty public and private agencies have a direct hand in identifying, providing services and asserting jurisdiction over status offenders. There is no common information system for the cases identified or served. There are no statewide counts of truancy. Arrest counts do not distinguish between individuals and repeat appearances. To get estimates of services to runaways, truants and curfew violators, we surveyed organizations which deal with the status offenders.

The Process

Service provision for status offenders is essentially a process of moving cases from a pick-up or arrest by police or school, up to an assessment or decision and then to a service designed to render the minor more tractable, reduce the conflict with the family, and return the youngster to the school if he or she still is enrolled. After that the level of immediate concern subsides (there is always another active case presenting itself) but the interest shifts to whether the youth is retained in the program, remains arrest free, develops or regains a satisfactory relationship with the family or some significant adult surrogate, and survives and progresses in school. Moving the status offense case is partly a matter of:

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

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

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

Finding the funds and the program vacancy for the referral, retaining the child in the program to which referred, and following through after program completion to assure reintegration with the family and the school (and not merely whether the case comes back as a law violation) are only infrequently documented in the record. Funds are scarce, staff time is short, and no decision is made without some priority being established. Since status offenders are not directly victimizing the community, that priority for receiving services often is determined by chronicity.

Our review of status offense cases reaching a final disposition in Honolulu Family Court 1993-94 showed a predominance of informal dispositions of status offenders. Review of a sub-sample of these cases followed to their 18th birthday showed a majority did not accumulate any subsequent law violations (delinquencies). However there were also a substantial number who continued to commit status offenses ~~however~~ and a minority who amassed an impressive number of both status offenses and law violations. The majority of dispositions of these offenders continued to be informal, but many youth ran from the referrals, for which the main sanction was protective supervision (a form of probation in which the youth remains in the community.) The effects of particular dispositions on the underlying family or school problems could not be determined by the data in these records.

Problems Seen by Service Providers

What are these underlying problems? When surveyed about what problems are faced by status offenders, the most frequently mentioned by the agencies were: conflicts of minor with his or her family, drug and alcohol use, school failure and non attendance, peer pressure, inactivity and lack of recreational facilities in some areas, teen pregnancy, and unmet psychological and

emotional problems. Looking at problems in delivering services the agencies produced answers which can be divided into five concept areas: *service related problems*, *family related problems*, *staffing problems*, *problems of difficult clientele* and "*other social problems*". Service related problems included simply a lack of referral options in particular areas of the State and services, if available, being reactive rather than proactive or preventive. The second problem area consists of dysfunctional, multi-problem families, with adult alcohol and drug use, long term unemployment, and parents who do not or cannot provide supervision and motivation to stay in school. Staffing related problems generally meant not enough staff and not being authorized to fill positions in a government office. The fourth problem was that some of the clients had undiagnosed emotional problems and learning disabilities, or in some cases, were manipulative and had learned to "work the system". Finally, agencies were sometimes overwhelmed by the evidence of problems of poverty and unemployment, lack of public transportation and collapse of traditional community values; especially in many non-metropolitan regions in the state.

The resources need cited most often was for increased services, specifically drug education and treatment; parent education and family counseling; temporary shelters for out-of-family youth; case management; and, prevention services. Increased budgets and funding (at least restoration of some particularly damaging cuts) and authorization to hire additional staff were mentioned by many. The need for increased inter/intra agency collaboration was stressed repeatedly. Increased communication between service providers and the public was identified as important to foster a greater understanding of the difficulty of providing services to status offenders rather than a public resentment that nothing is being done. Finally, agency personnel cited a need for early assessment and a collaborative model for funding and service provision.

Conclusions

The search for a reasonable basis for handling troublesome youth (status offenders) in Hawaii, as distinct from children meeting criteria for abuse and neglect and youth committing delinquent law violations, reproduces the national debate on jurisdiction over and response to such cases. A recent national assessment (Maxson and Klein 1997) has produced an interpretation of state statutory codes in terms of three models: *Normalization* minimizes the direct role of the juvenile justice system in disposing of status offenders, in effect advocating divestiture of the court in status offenses. Cases taken into custody by police would be directly

routed to a private service provider via a youth services agency acting as a broker for purchase of services for preventive and intervention programs. *Treatment* oriented state systems provide for early assessment and assignment of status offenders to programs of intervention, to which the court is not only a conduit but over which it has a monitoring function. The court and its probation staff determines if direct supervision is required to ensure the youth's compliance with program requirements, mainly to participate. This implies minimal sanctions but possibly staff secured custody for some cases. The *deterrence* model raises the priority of retention of cases in programs and abatement of repeat truancy and being beyond control of families, and sees the court's role as one of interrupting a likely progression from status offense to delinquency and adult crime. It contemplates modification of present bars against secure detention of status offenders and the use of sanctions for violation of valid court orders to ensure compliance with curfews and other community standards of youth conduct. These three models have various advocates. Hawaii is a mix of "normalization" and "treatment", but with little active use of "deterrence". The debate in the state is much more over the extent to which referral to remedial programs will be overseen and coordinated by the Court or Executive Branch agencies and how non-compliance with program requirements and persistence of runaway and truancy will be handled.

The private sector is the main provider of services to status offenders, but this is in part because of the important role played by government (the police, family court and OYS) in providing purchase of services contracts and diversion decisions. The private sector services are in turn dependent upon Federal assistance and state pass-through funding (e.g., Ho'okala) as well as local fund raising (e.g. Aloha United Way). Funding cuts on a Federal and particularly State level have reduced availability of program slots, and categorical criteria for program support have raised to a high art the ingenuity in depicting a case as falling into one or another category. There is dissatisfaction that resources for the protection of neglected or abused children are targeted for the very young, and that abuse or neglect of children in their teens is unlikely to receive attention from the agencies which are more alert to infants and young children. There is widespread dissatisfaction with fragmentation of responsibility and duplication of effort. The impact of reduced public funding is particularly felt in areas of the state outside of metropolitan Honolulu.

Regional variation of services is very significant. The difference between Honolulu and almost all other communities is quite tangible. Assignment of funds on a per capita basis is seen as insensitive to the higher rates of social problems in some areas. On the neighbor islands, often heavily impacted by closure of sugar and pineapple jobs, welfare dependency, the sinking purchase value of general assistance, and widespread unemployment coupled with a high cost of living, family problems are more acute. Additionally, the choice of referral options for troublesome youth is extremely limited.

Because of informality and dispersal of services, quality control and evaluation of program services impact are inadequate. The question of available slots to which to refer an active case has displaced the more fundamental question of will a particular program make a tangible improvement in the case? Follow up and evaluation designs are rare and measures of program outcomes, and cost-effectiveness or cost-benefit figures are very rare.

Although there is a widespread desire for a better coordinated system of handling youth who neither meet Child Protective Services (CPS) criteria for abuse neglect nor are arrested for predatory crime, there is not much consensus about next steps. There is little expressed interest or optimism among police or judges that locking up runaways or punishing truants will be effective, although some statements have recently been attributed to Honolulu's Office of the Prosecutor advocating more restrictive measures for all categories of misconduct. There is a reservoir of good will and pride about programs for providing services to individual youth and their families, particularly with Honolulu police and some private service providers around the state. There is a professional commitment to youth work and a strong interest in bringing about a more coherent and workable system of coordination within what will continue to be a mainly private services market. Nonetheless there is a strong feeling that families are often hard to bring into the treatment process, and there is much concern that wider community issues will eventually have to be addressed before youth problems will subside.

YOUTH ON THE RUN FROM FAMILIES AND SCHOOL: THE PROBLEM OF STATUS OFFENDERS IN HAWAII

Introduction

This report presents a review of a problem: the increasing difficulty of providing solutions to youth and their families in situations where the youth is running from the home, not attending school or is beyond the control of the parent as evidenced by curfew violations, underage drinking or complaints from the custodial parent. Reflecting an earlier legal climate, such conduct is termed "status offenses", since the acts are not law violations when done by adults. In this report we draw upon our review of statutes, of police, court and agency case statistics and interviews and surveys of persons and organizations who work with status offenders. The data for this report necessarily came from several sources, because of the extreme diversity of both the organizational responsibility for servicing status offenders and the levels (policy, case counting and service delivery problems) which were to be included. The report will:

- (a) provide a review of the directly relevant legal and social history of state jurisdiction over and responsibility for troublesome youth;
- (b) describe salient characteristics of youth who are involved in runaway, truancy and curfew violation;
- (c) estimate the proportion of police, court and agency caseloads accounted for by status offenses;
- (d) define the extent of the problem of status offenses in Hawaii through a review of surveyed referral sources and service providers concerning the ways they address (or fail to address) the problems of youth and their families who are embroiled in status offenses; and
- (e) identify gaps in current information availability and referral-services coordination.

The term "status offense" is a peripheral term, defining a set of behaviors as "offenses" only for juveniles, since they are not law violations of the penal code. On closer examination, status offenses are mostly reported running from family, chronic truancy from school or other conduct indicating the child is beyond the effective control of parents or other guardians. These specific actions, and behavior associated with them, are on lists of "at-risk" conduct. (Keith and

Perkins 1995, Dryfoos 1990, Schorr 1988) At-risk denotes *behavior choices* which are “health compromising, future jeopardizing” (Benson 1993)¹.

A History of Policy Towards Status Offenders

The special designation *status offender* derives from a process of distinguishing between criminal law violations and behavior which violates role expectations concerning children and youth.² Children and youth are, broadly speaking, to be part of a family unit, expected to be responsive to the care and supervision of their family, and to be attending school during daytime. The major obligations of the juvenile are defined in terms of responsiveness and proximity to adult family members and to school, while over time to be learning to take increasing responsibility for adult sexuality, productive employment and the establishment of their own conjugal families. Ideally, children acquire increasing independence of the direct controls of family and school, develop close interpersonal attachments in groups in which their parents have no part and move into a wider world leading to their jobs and families. The physical mobility of modern society, the increasing autonomy of individuals of all ages, the proliferation of ideas through the mass media, greater participation of mothers in the work force, have accelerated the pace of social independence, without creating alternative supports or employment options for juveniles. This fundamental process, the passage from childhood to adulthood, has never gone smoothly in any society of which we have knowledge. Nonetheless, custodial family adults are expected to provide care and supervision and to avoid extremes of exploitation or neglect; schools are expected to stimulate and instruct; communities are expected to provide at least reasonable prospects for getting work.

Status offenses, being chiefly youth running from families and school, are indications that this process has broken down and that reciprocal expectations are not being met. Increasingly agents of formal social control are called upon to intervene. Under stress, some children become alienated from family and schools and physically escape the regulation of both. Sometimes this

¹ The familiar, hyphenated “at-risk” adjective apparently dates from 1983 in a government pamphlet called *Nation At-Risk: The Imperative of School Reform*. “At-risk behaviors”, comment Keith and Perkins, “are any choices that potentially limit psychological, physical or economic well-being during adolescence or adulthood”. (Keith and Perkins 1993:31). Their list of 20 At-Risk Indicators includes many law violations (weapons use, theft, vandalism, drug use, underage drinking) as well as non-law violations (being sexually active, non use of contraceptives if active, depression, attempted suicide, group fighting, school absenteeism, desire to drop out of school, driving while drinking, bulimia and even non use of seat belts.) Family poverty is not on this list but appears invariably on inventories of at-risk attributes. This behavior is fairly widespread among youngsters. A study by Keith and Perkins grouped these 20 indicators into 8 more general domains and reported an increase in the number of indicators reported in a random sample of children in Michigan in grades 7 to 11, with 43 percent of 11th graders scoring at risk on 3 or more of the domains (Keith and Perkins 1993:32).

² “The distinction between a status offense and a delinquent offense did not enter into juvenile justice policy consciousness until the early 1960’s” (Rubin 1996: 46).

escape is from family conditions which are themselves abusive or neglectful or sometimes from conflict in which the children are as much throwaway as they are runaway. Often the juvenile runs not only from the problem but from the remedial or control efforts of the Court, various Executive Branch agencies or not-for-profit private service providers.

There is basic consensus that some type of intervention is needed, but little agreement on what kind or how much. The original juvenile court in America, established at the turn of the century, had very broad discretion for juvenile misconduct, whether or not a specific offense could be proven. This broad discretion was significantly abridged by the introduction of due process into juvenile justice, beginning in the 1960's. Further, the enactment of the Juvenile Justice and Delinquency Prevention Act of 1974 laid out Federal policy for distinguishing between criminal conduct and actions which are indications of a breakdown in the control and development of youth in the family and the school.³

The Office of Juvenile Justice and Delinquency Prevention (OJJDP), established by the Act, mandated that children, running from family and the school, must not be incarcerated and sanctioned in the same manner as delinquent law violators. Rather, youth beyond the control of their family or chronically truant from school were seen as somewhere between clear victimization of children who meet abuse or neglect thresholds of protection agencies, and youth who have been adjudicated for committing law violations. Persons in this intermediate status are subject to official sanctions but only while in the age interval officially designated as juvenile.

The policy which emerged toward this newly recognized category of status offenders in the early 1970s reflects the twin concerns that, on the one hand, the proper role of the State was to promote an increase in economic and social equality among lower income people and especially the ethnic minorities (best expressed in the War on Poverty efforts of the Johnson Administration), and on the other hand the belief that the imposition of the controls of law

³ Policy along these lines developed for years prior to the enactment of the OJJDP Act. A White House Conference on Children and Youth had been convened and reports issued every decade beginning in 1909. The Children's Bureau was created in 1912 and under John Kennedy, the Juvenile Delinquency and Youth Offense Act passed in 1961. The latter pushed both community development and educational reform and sought closer coordination of local agencies for youth services. To this process must be added disenchantment with the medical model, best reflected in the disappointing results of the Cambridge Somerville Youth Project (Powers and Witmer 1951) and the cautionary philosophy of labeling theory, which argued that deviant and criminal careers were shaped by encounters of designated offenders with social control (Lemert 1951, Becker 1963, Schur 1971). By 1967 these streams were brought out in the familiar multi-volume reports of the President's Commission on Law Enforcement and the Administration of Justice and the creation, shortly after, of the Law Enforcement Assistance Administration. The relatively greater influence of economic disadvantage and community disorganization on youth offense rates was the basic thrust of the sociology of the Chicago school (particularly the work of Shaw and McKay) and the politically germinal work of Cloward and Ohlin on the inverse relationship between "delinquency and opportunity".

enforcement and the courts, however benign in intent, were of uncertain value or may even have been perversely harmful in dealing with children in need of supervision.

The new OJJDP policy, however, shifted the emphasis calling for the diversion or removal of status offenders from the jurisdiction of the police and the court. Since the establishment of the Office of Juvenile Justice and Delinquency Prevention in 1975, and through its periodic mandates to states receiving Federal block grant funding for juvenile services, the thrust has been to distance status offenders from the immediate judicial gaze: deinstitutionalization of status offenders, removal of status offenders from jails, sight and sound separation from law violators, etc. However, there are some inconsistencies in policy. On the one hand, the family is traditionally regarded as the basic child rearing institution, and the school the vehicle for instruction up to young adulthood. Even problem children default to these traditional controls. It was a basic assumption, spelled out in the OJJDP, that labeling and side tracking youngsters as deviant should be avoided when possible. Deinstitutionalization, diversion and informalism were high priorities for status offenders.

On the other hand, the private sector was recognized as the appropriate source of remedial services for the youth on the run where families were unwilling or unable to provide them, and referral to outside services inevitably raises the question of sanctioning authority where juvenile compliance is insufficient. The extension of due process into juvenile justice in the major Supreme Court decisions of *Kent, Gault and Winship*⁴, constrained the hand of the court in intervention in alleged delinquency, but because status offenders have not committed law violations and do not face confinement, the requirements of *Gault* do not necessarily apply. Moreover, the concern that status offenders progress to delinquency and crime lead to recommendations for early intervention by the State. But since youth on the run also run from treatment programs and placements, there is often a major problem of how to retain recalcitrant youth in treatment or training programs before they commit a delinquent law violation. This in turn lead to calls from various public and private voices, including families of troublesome kids and from judges themselves, for continued judicial sanctions and active disposition of status offenders in the juvenile and family courts of the land.

The Issues: Initial Jurisdiction over Status Offenses, Referral to Services and the Question of Non-Compliance of the Minor with the Referral

There is great variation across the United States in how status offenders are handled. However, the juvenile court, in some degree, retains jurisdiction over status offenders in every state, although what they do with such minors also varies. Informality remains the dominant

⁴ *Kent v. United States* 383 US 541 (1966); in: *re Gault* 387 U.S. 1, (1967); in *re: Winship* 397 US 358 (1970).

mode, even in the changing climate concerning juvenile justice. Status offenses, particularly in their early manifestation, are not formally processed by the court. A recent study of statutory codes throughout the nation, circa 1987, led the researchers to conclude:

“Running away, truancy and incorrigibility are each placed in the status category in the juvenile legislation of more than two thirds of the states.” (Maxson and Klein (in press).

The move toward greater use of sanctions notwithstanding, states use the courts to divert status offense cases to services outside the immediate umbrella of the court. However, the proliferation of those services, and the issue of non compliance with services by either the minor or the family prompted one recent report to recommend:

“The need for close, working relationships between the [juvenile] court and agencies caring for children is greater than ever today”. *The Future of Children* 1996:6.

Thus, there are several problems concerning intervening in the at-risk (“future jeopardizing”) behavior of status offenders:

Early identification of runaways, truants and juveniles beyond control: *who are the status offenders and which branch of government or which agency in the Executive Branch makes that determination?*

Referral of status offenders to appropriate and effective programs: *which programs have openings and what funding is available currently to pay for sending status offenders anywhere and which office will make the referral?*

Retention of referred youth in the community programs and effective sanctions for instances of evasion of services: *what sort of leverage should be used to retain youth in programs while staying in compliance with the OJJDP mandate of not criminalizing status offenses?*

Evaluation of the outcome of program referral: *does the troublesome youth (the status offender) continue to be on the run from family and school after intervention? What outcome measures are appropriate, which are available, which must be put in place?*

The motivation for intervention is complex. It includes (a) a desire to address current distress of youth on the run, (b) a belief that runaway behavior will permanently displace youth from productive adulthood, (c) a belief that intervention is effective in reducing misconduct and (d) a belief that status offenders progress to law violation as juveniles and adults.

Estimating the Volume and Characteristics of Status Offenders in the United States

Two national surveys of runaways have been conducted to estimate the numbers and characteristics of runaways in the US. Unfortunately they give widely different numbers. In 1990 the NIMART study (National Incidence of Missing, Abducted, Runaway and Thrownaway Children) estimated 450,700 runaways and 127,100 thrownaway children, or 577,800 total. But in 1995 a group in North Carolina did another sample survey of youths aged 12 to 17 in households, shelters and on the street and estimated 2.8 million children had some runaway episode in the previous year. Whatever the number, few states have allocated funds for services to runaways, so client caseloads are not unbiased estimates. The Runaway and Homeless Youth Act (RHYA) establishes Federal funding for shelters and programs and for "transitional living" programs and housing (Public Law 93-415). The RHYA is administered by the US DHS through its Family and Youth Services Bureau.

There are no national estimates or uniform reporting of school truancy in the nation. Curfew violation arrests are reported, but curfews have been voted in by many municipalities in the past five years so that curfew arrests have grown rapidly. In 1995 more than 250 US cities had age-based curfews.

Juvenile Court statistics on dispositions regarding status offenses would be an under count. While many judges in various states joined together to press for relaxation of the original OJJDP mandate against detention of status offenders (resulting in the exception for violators of Valid Court Orders), the National Council of Juvenile and Family Court Judges affirmed the OJJDP philosophy in their 1990 report, stating:

"Court interventions [should] be a last resort used in cases where community services have failed. 'Incarceration', the judges concluded, 'does not work with these children and is not an appropriate response to their needs' (reported in Steinhart, 1996:91).

A recent policy review on the court concluded:

"...today the juvenile court still retains jurisdiction over status offenders in every state, although the processing of these cases varies from virtually no intervention in some locales to highly developed intervention programs in others. *Most status offenses are not formally processed by the court.* As many as 80 percent of all cases are diverted to community service programs or are handled in other forums without the filing of case petitions" (Stevenson et al 1996: 13).

ERRATA Replace page 13 with this correct table.

This is in line with a recommendation of the Center on the Future of Children:

“The first line of response to status offenses should be community and public services designed to help children and their families, with court intervention only *after services have been offered but have not been successful*; or if the child’s behavior continues to pose a threat to his or her own safety or well being” (Stevenson et al 1996: 15).

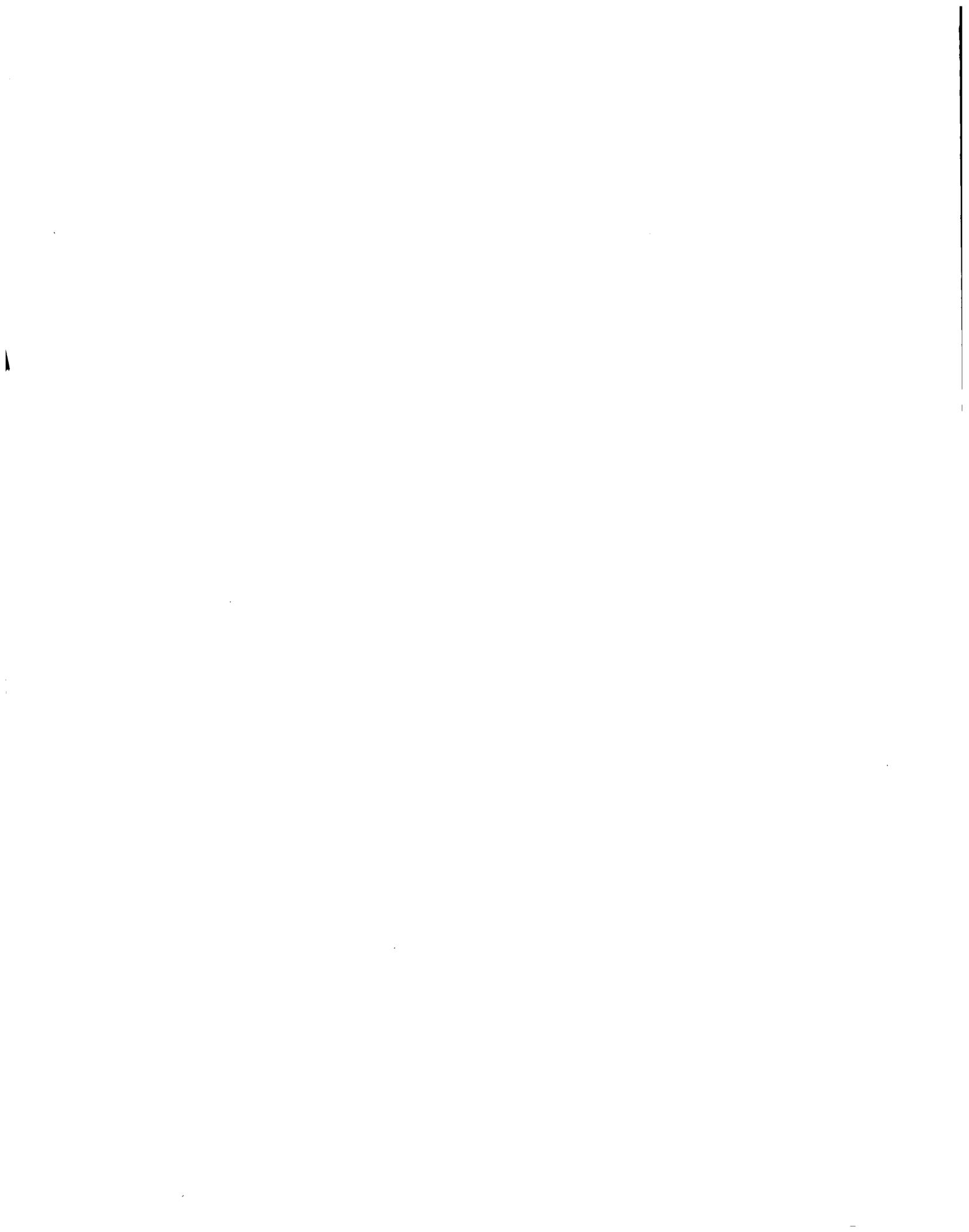
The *Sourcebook of Criminal Justice Statistics 1995* is itself indication of the decriminalization of juvenile status offenses. While there are data on delinquency cases, there are only a table of summary arrest figures on liquor law violations, curfew violation and runaway, with no data on truancy, or state breakdowns. There are no data on status offenses dispositions in juvenile courts. This is entirely consistent with the position of the Juvenile Justice and Delinquency Planning Act. Nonetheless, there are these arrest figures, shown in Table #1.

Table #1: U.S. Juvenile Arrests, 1993

OFFENSE	MALES	FEMALES	TOTAL	PERCENT FEMALE
Liquor Law Violation	58,698	23,326	82,024	28%
Curfew Violation	57,224	22,098	79,322	28%
Runaways	60,893	81,400	142,400	57%

Source: Data from Maguire, Kathleen and Ann L. Pastore 1996 *Sourcebook of Criminal Justice Statistics 1995* Washington DC: Bureau of Justice Statistics page 407

The national picture for juvenile court processing of status offenses is little better. A large but not precisely known proportion of police contacts with minors for truancy and other status offenses does not result in an arrest and referral to court. The table below is of cases petitioned to court for the years 1989 and 1993.



This is in line with a recommendation of the Center on the Future of Children:

“The first line of response to status offenses should be community and public services designed to help children and their families, with court intervention only *after services have been offered but have not been successful*; or if the child’s behavior continues to pose a threat to his or her own safety or well being” (Stevenson et al 1996: 15).

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Table #1: U.S. Juvenile Arrests, 1993

OFFENSE	MALES	FEMALES	PERCENT CHANGE
Liquor Law Violation	58,698	23,326	7.5%
Curfew Violation	57,224	72,382	26.5%
Runaways	60,893	65,193	7.1%

The national picture for juvenile court processing of status offenses is little better. A large but not precisely known proportion of police contacts with minors for truancy and other status offenses does not result in an arrest and referral to court. The table below is of cases petitioned to court for the years 1989 and 1993.

Table #2: Percent Change in Petitioned Status Offense Cases and Case Rates, 1989-1993

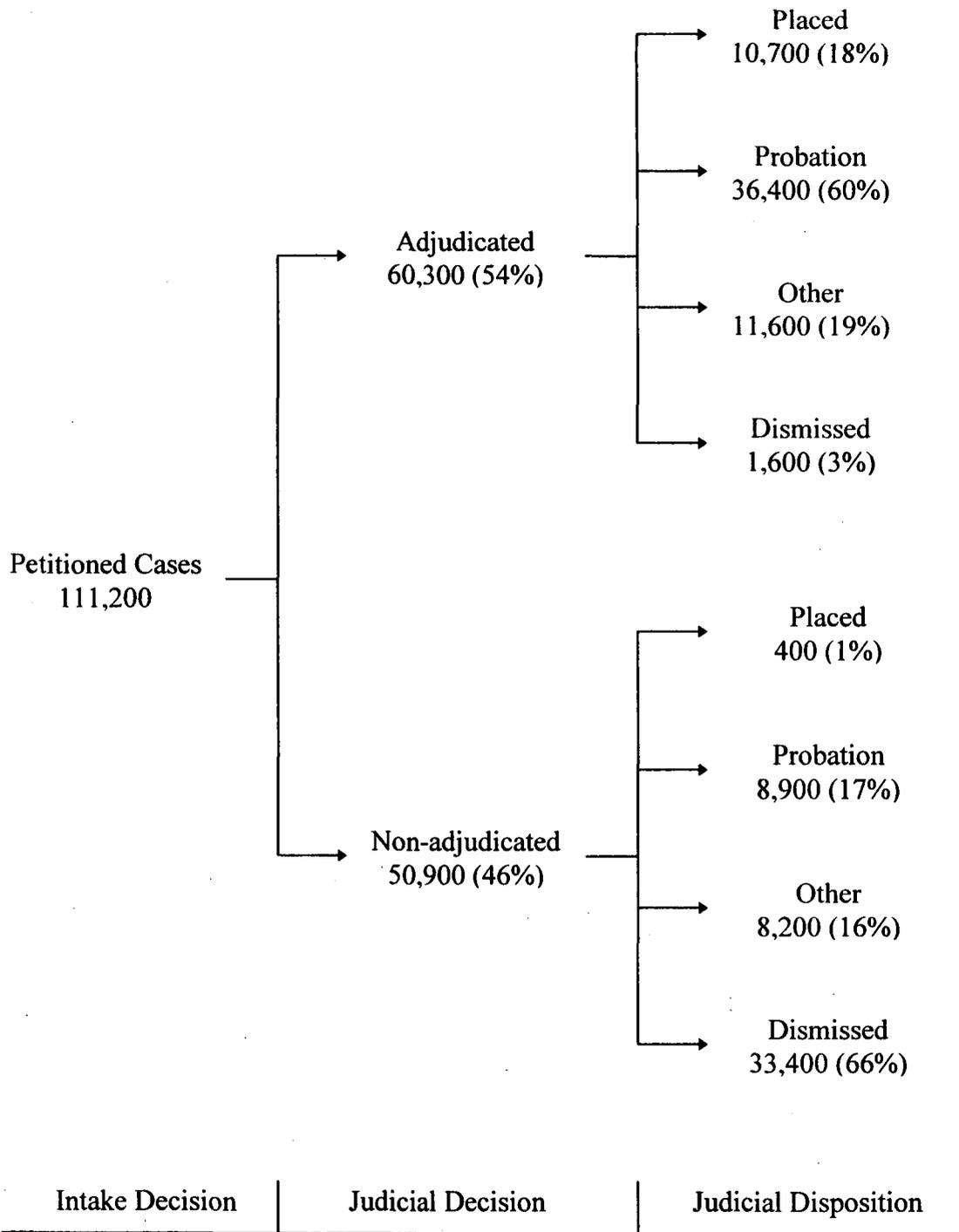
Offense	Number of Cases			Case Rates		
	1989	1993	% Change	1989	1993	% Change
Status Offense	81,000	111,200	37%	3.2	4.1	28%
Runaway	13,700	20,100	47	0.5	0.7	36
Truancy	22,800	33,900	49	0.9	1.2	38
Beyond Control	12,600	15,700	24	0.5	0.6	16
Liquor law violation	23,900	26,100	9	0.9	1.0	2
Miscellaneous	8,000	15,400	93	0.3	0.6	79

Case Rate = Cases per 1,000 youth at risk

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

There was a substantial increase in each of the status offenses, whether measured by count or by rate per 1,000 youth in the general population. Figure 1 shows dispositions of status offense cases petitioned to court in 1993. It can be compared with delinquency cases petitioned to court in the same year. The differences are clear: there are more than seven times as many delinquency cases petitioned to juvenile courts compared to status offenses ($789,300/111,200 = 7.1$). Placement out of home is more common for adjudicated delinquents; probation (or protective supervision), more common for status offenders. For non-adjudicated cases, probation is more common for delinquents, dismissal for status offenders (See Figure 1 and Figure 2).

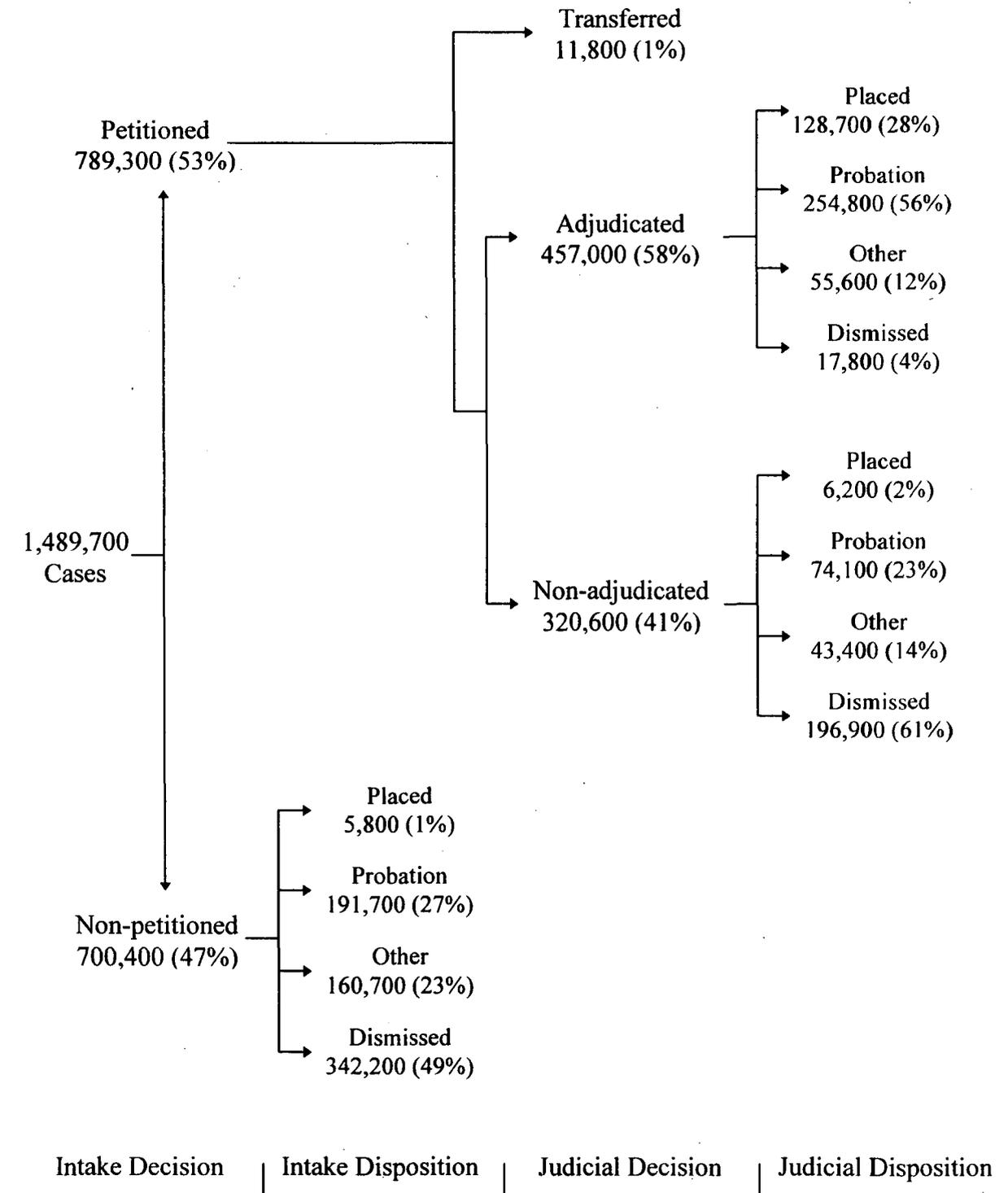
Figure #1: Juvenile Court Processing of Petitioned Status Offense Cases, 1993



Note: Detail may not add to totals because of rounding.

Source: (Butts, 1996) OJJDP Juvenile Justice Bulletin, "Offenders in Juvenile Court 1993."

Figure #2: Juvenile Court Processing of Delinquency Cases, 1993



Note: Detail may not add to totals because of rounding.

Source: (Butts, 1996) OJJDP Juvenile Justice Bulletin, "Offenders in Juvenile Court 1993."

In 1993 the National Center for Juvenile Justice estimated that 111,200 status offense cases were petitioned to juvenile courts. This was a 28 percent increase in the rate per 1000 youth. The growth in rate was greatest in truancy cases (a 38 percent rise) but the runaway rate rose by nearly as much, 36 percent. Together truancy and runaway cases are nearly half of the status offense cases. The remainder are classified as ungovernable, liquor law violations and miscellaneous offenses including curfew violation. The situations giving rise to such conflict are varied but appear to be centered on ineffective families, disorganized or under-resourced communities, and the failure of indifferent families or community alternatives to provide guidance in coping with structural disadvantages. "The picture that emerges from the results of our study is one of troubled youth who *are exposed to high risk environments before as well as after they leave home*. About half of those generally thought to be runaway could easily be classified as throwaway by their families" (Steinhart 1996: 93, emphasis supplied).

The figures obtained by surveying the states cannot be meaningfully combined to provide an average level of response however.

"Some states are more likely than others to prosecute [sic] status offenders formally in the juvenile court...These differences...are difficult to document because of a shortage or absence of accurate case data...for 1993 NCJJ reported that California, Florida and Illinois had status offense petition rates from .23 to .54 per 1000 youth in the state population. Far higher petition rates were reported by Kentucky (36.2 per 1000 youth), *Hawaii* (20.2), Ohio (16.4) and Arkansas (11.8)" (Steinhart 1996: 88, emphasis supplied).

Arrests are tracked for runaway, curfew violators and liquor law violations but truancy is not separately tabulated in Federal statistics, being usually included in "all other offenses". Taken together runaways, curfew and liquor violations account for 18 percent of all juvenile arrests for 1994 (Steinhart 1996: 89).

State procedures for status offenders currently reflect three influences: the effect of the JJDP Act of 1974 which offered financial incentives to states to remove status offenders from confinement; the reduction in general funding available for preventive programs or services to non law violators; and, the hardening of public policy toward youth crime. The reforms promised by the language of the JJDP Act were significantly diluted by failure to fund the alternatives to confinement.

"While detention levels declined swiftly [following the passage of the JJDP Act in 1974] national progress toward the establishment of alternative-to-detention programs for status offenders was quite slow...Several studies have found that, as a result of state deinstitutionalization laws, children who could no longer be

detained were being recycled or “re-labeled” as delinquent offenders so they could be housed in secure facilities [and] some minors no longer subject to detention as status offenders were being committed involuntarily and inappropriately to in-patient drug treatment facilities and psychiatric hospitals” (Steinhart 1996:91).

Moreover, some judges were unaccepting of the JJDP restrictions on the power of the court to detain status offenders, and in 1980 lobbied the Congress to amend the Act to permit detention of status offenders who violated a valid court order (VCO). Steinhart reports that between 1980 and 1988 the VCO exemption was employed in 38 states.

There was also a community backlash. Because states did not deliver the resources to service runaways, truants and others who were no longer to be detained, some states enacted laws to weaken the JJDP Act. The State of Washington provided for five day detention authority plus authorization for involuntary commitment to mental health facilities. The governor vetoed the latter provision, and the five day detention has been moot thus far because funds were not appropriated to build the crisis centers which were to receive them (Steinhart 1996).

Status Offenses in Hawaii

The terms *status offense* and *status offender* are used by courts and agencies to designate delicts or omissions which are lawful for adults but unlawful for juveniles. (HRS 571-11) The principal status offenses are *runaway*, *truancy* and *curfew violation*, but this category also includes terms such as *habitually disobedient*, *beyond parental control*, *incorrigible*, *Persons In Need of Supervision (PINS)*, and *liquor law violations* (when the perpetrator is under the age of eighteen years). In general, the terms refer to youth who are running to avoid the control of the conventional social institutions of the family and the school. In Hawaii, status offenses are the largest single category of juvenile arrests and are the majority of arrests for youth under 15 years of age. Girls are more represented in status offense arrests than in delinquency arrests and girls are the majority of runaways. In Hawaii, status offenders are drawn disproportionately from Hawaiian, part Hawaiian, Filipino, and Samoan youth.

There are many indications that youth on the run are seeking to escape seriously abusive, neglectful or dysfunctional households, or are in less drastic conflict with their families. There are indications that truants are seeking to escape both school requirements and school failure, that curfew violations and habitual disobedience represent a developmental alienation from and breakdown of normal community support and controls for child and adolescent development. Recent structural changes in the economy, effects on the family and ecological features of the cities make such breakdown more likely and its effects more pervasive.

Runaways are nearly twice as prevalent in Hawaii than the average for the United States. In Hawaii status offenders have increased at a much greater rate than juvenile arrests in general. Ironically, the resources for both addressing the causes of youth on the run and for reestablishing reasonable supervision of such youth are diminishing rather than expanding. The emphasis in Federal policy statements on youth is away from a focus on "best interests of the child" and in the direction of control and sanctioning of youth crime. The status offender is currently not the priority case of any agency. Childhood victims on the one hand, and predatory delinquents on the other, receive both protective and punitive attention because funds are available for agencies which target them. As how to fight youth crime becomes the debate, it is hard to pay for slots for the status offender. Yet OJJDP mandates concerning the separation of status offenders from law violators and from adult prisoners remain requirements of receiving formula grant funds.

Basically, the juvenile court has original jurisdiction over status offenders in all states but some states organize their efforts toward the assistance and control of status offenders under one of two primary authorities: the juvenile court or a non-judicial agency specializing in services for high risk youth. The State of Hawaii in recent years has developed a mixed model, involving the Family Court and the Office of Youth Services.

The Hawaii Family Court, established by statute in 1965, is a unified court, one of only six in the United States. It has four divisions dealing with domestic issues (divorce, paternity and child custody), crime (intra-family abuse), special cases (civil protection orders, adoption) and juvenile cases of delinquency, status offenses, dependency, detention and waiver to adult criminal court. HRS 571-11 gives the Family Court original and exclusive jurisdiction over any minor in the circuit who is determined to be neglected or deprived of education because of lack of care; beyond the control of his or her parents; not attending school; and, in violation of curfew. Under HRS 571-11 (2) (B) runaways are under court jurisdiction. Underage possession of beverage alcohol, where the defendant is under the age of eighteen, may be charged as a status offense under HRS 281-101.5. The Family Court calls upon its probation staff to carry out orders of court and to exercise supervision and make referrals of cases to service providers. The Family Court endeavors to "apply generally recognized social work and case management principles to all cases across all calendars" (Judge Michael Town 1994). Status offenders are a substantial part of their caseload. In 1993-94 the Family Court of the First Circuit had 1,667 status cases (individuals) reaching a final disposition. This was 43 percent of cases which did reach a final disposition in that year.

In 1989, in HRS 353D, the State of Hawaii established the Office of Youth Service (OYS), authorizing it to develop a "continuum of services for youth at risk", including status offenders. Strongly identified with a policy of minimizing long term commitments to

confinement and to the use of community based, decentralized services, OYS operates through the management of purchase-of-service contracts for prevention programs and for programs which provide supervision and treatment for referred youth. OYS also directly oversees the Hawaii Youth Correctional Facility.

Both the Family Court and OYS work with the police, schools and a wide range of not-for-profit service providers. The problems which confront both the court and OYS involve identification of realistic options for status offenders, deciding on detention and custody and monitoring and coordination of a wide variety of purchase of service (POS) contracts and the programs purchased under these contracts. Dissatisfaction over uncertainties of organizational responsibilities for status offense cases, recent shortages of funded services for status offenders and a recognition of the need for coordination of fragmented services led to the introduction of four bills in the 1995-6 legislative session (SB 2600, SB 2423, HB 2261, and SB 3193). None passed. At the present time the problem remains: to develop a more effective means of addressing the problem of runaways, chronic truants, curfew violation and complaints of children beyond the control of their family.

Defining Juvenile Status Offenses and Status Offenders

The definition of *status offenses* and the procedures for identifying youth as status offenders are set forth in the Hawaii Revised Statutes, 571-11 (2). That chapter defines the purpose of the Family Court and defines the powers of the state over status offenders. It holds that the Family Court was established "to promote the reconciliation of distressed juveniles with their families, to foster rehabilitation of juveniles in difficulty, render appropriate punishment to offenders and reduce juvenile delinquency" (571-1). The police may arrest a juvenile for a status offense under 571-31, which states that a child may be taken into custody by any police officer without an order of a judge when there are reasonable grounds to believe that the child comes within 571-11 (2). The clear thrust of the chapter for status offenders is informalism. Consistent with that, police regulations utilize diversion at the first or second arrest for status offenses such as truancy and runaway. (See below, discussion of the AKAMAI and Evening Counseling programs in the Honolulu Police Department). After two such arrests, the case is referred to Family Court. Chapter 571-31.5 provides for *informal adjustment* (a) when facts reasonably appear to establish *prima facie* jurisdiction, (b) the minor admits to the offense (c), where consent to the informal adjustment is obtained from the family or the minor. Informal adjustment is done by an authorized intake officer and may include community service, some dispute resolution, participation in an educational program designed to help the youngster in school.

Particularly with chronic cases, or where the minor has not complied with an agreement to participate in a program or a referral to a program, the court may adjudicate and place the minor on *protective supervision*, a legal status created by court order for status offenders, assigning the case to a program and/or a supervising juvenile probation officer. In the discussion which follows, the following terms are used to define status offenses.

Status offender (HRS 571-2) means any child coming within the family court's jurisdiction under 571-11 (2) (D), (E) or (F). Such child is distinguished from a law violator...and a neglected or abused child under section 571-11 (2) (A), (B) or (C). Status offenses apply solely to and can only be violated by juveniles, for example, curfew violation, truancy or runaway.

Truancy HRS 298-9 Skipping school or remaining on school campus but not attending classes is truancy. If a student is tardy for 4 hours or more or absent for 4 hours or more in the day, he or she may be taken into custody for truancy. (Education is mandatory through age 16).

Runaway HRS 571-11 Any child who voluntarily leaves home or custody of parent or guardian without permission. Police interpret it to mean if a child is supposed to be home at a certain time and fails to return, he or she can be reported as runaway.

Curfew HRS 577-16 A minor under the age of 16 may not legally be in a public place between 10 PM and 4 AM, unaccompanied by parent or guardian or an adult authorized by parent.

Beyond parental control HRS 577-6 All children during minority shall obey the lawful commands of their parents or guardians. HRS 577-7 states that parents shall provide, to the best of their abilities, for discipline, support and education of their children.

Injurious behavior (HRS 571-11) means behavior detrimental to self or others, but not criminal. Usually invoked against out of state runaways.

PINS HRS 571-11 Person in need of supervision, usually a child of 12 or younger accused of a law violation.

Prohibition involving minors HRS 281-101.5 (b) prohibits a minor from purchasing beverage alcohol or to have liquor in his or her possession in a motor vehicle or in any public place, except as an employee delivering it. Hence, a status offense when person is under eighteen years of age.

Educational neglect HRS 571-11 Children aged 6 through 17 years not registered in school or deprived of education by any person or agency.

The Court proceeds by responding to petitions, reviewing referrals at intake, informally adjusting or formally adjudicating minors and, if appropriate, invoking the authority of the court to impose protective supervision. In the tables which follow the following terms are used.

Adjudication A decision by a judge relative to a petition or a question of fact. In the present context, a judicial determination (judgment) that a youth is a status offender (or a delinquent), and is under the jurisdiction of the court.

Detention Placement of a youth in a restrictive facility or room; secure detention is confinement in a locked cell or handcuffed to a bench or other stationary object. HRS 571-31.1 does not authorize secure detention of a status offender, nor may they be detained in an adult cellblock.

Disposition Definite action on a particular referral, ordered by court.

Informal adjustment (HRS 571-2) A court offer of opportunity or aid on a voluntary basis, before and in lieu of formal processing.

Law violator A juvenile who has committed a felony, misdemeanor or petty misdemeanor as defined in the Hawaii Penal Code (HRS Title 37)

Minor In Hawaii, a person under the age of eighteen years.

Non-petition A case handled informally by a duly authorized court officer, resulting in some arrangement which settles the referral prior to or instead of filing a formal petition.

Petition (noun) A document filed in Family Court alleging that a juvenile is a status offender and asking that the court assume jurisdiction over said minor. (verb) To process by placing a case on the court calendar in response to a petition.

Placement An order of court removing a minor from the home and sending elsewhere to a residential facility or foster home.

Protective Supervision (HRS 571) A legal status similar to probation but for a status offender. Minor is permitted to remain in the home or in a community residential or nonresidential program under the supervision of the court and subject to return to the court for the period of protective supervision.

Referral A document or request, submitted to the Family Court which necessitates an action, disposition or other response to the matter.

Shelter (HRS 571-2) A physically unrestricting facility for temporary custody of youth pending court disposition.

The major status offenses are truancy, runaway, curfew violation, beyond parental control and underage drinking. Because truancy and runaways are by design handled informally on first

or even second contact, arrest and court data will necessarily be under-counts. Arrests are the beginning of an official record. An officer may take a minor into custody if there are reasonable grounds that the youth falls under HRS 571-11 (2) or has violated a court order or is to be taken in for questioning. An arrest warrant may be issued by a Family Court judge for a juvenile who is in violation of any provision of the Family Court act. The arresting officer must notify the parents or guardian of a field arrest or an arrest on warrant. A Juvenile Information Report is filed. The status offender may not be either fingerprinted or photographed. The minor is released to the custody of his or her parents. Status offenders are seldom detained, but, depending on the case, may be admitted to a shelter before returning to the family.

Estimating the Volume and Characteristics of Status Offenses in Hawaii

Arrests in connection with status offenses are a substantial part of all juvenile arrests in Hawaii. Table 1 shows reported arrests for status offenses (curfew, runaway, truancy and PINS) for 1993, 1994 and 1995 (and 1996 incomplete). The status offense totals for the first three years are 9,902, 10,373 and 9,163. The total juvenile arrests for those years are 19,249, 20,650 and 18,680 respectively. Thus it can be seen that in our state, status offenses are about half of the total juvenile arrests each year (for those years 51.4, 50.2 and 49.1 percent.)

Table #3: Juvenile Arrests in Hawaii 1993, 1994, 1995

Juvenile Arrests	1993	1994	1995
Total status offenses	9,902	10,373	9,163
All juvenile arrests	19,249	20,650	18,680
Percent of all juvenile arrests accounted for by status offenses	51.4%	50.2%	49.1%

Source: Department of the Attorney General, Crime Prevention and Justice Assistance Division, State of Hawaii, *Crime in Hawaii* (1993, 1994, 1995).

Other data indicate that, as is the case with delinquencies and adult crime, ethnic minorities form the bulk of the cases of status offenses arrested and referred to Family Court. Table #4 shows percentage each ethnic group forms of the State's youth population in 1990, and status offense arrests and petitions to Family Court, Honolulu 1993-4.

Table #4: Disproportionate Representation in Hawaii's Juvenile Justice System, 1993-94.

Ethnicity	Population at Risk	Status Offense Arrests	Status Offense Petition to Court
Hawaiian	.31	.37	.39
Caucasian	.15	.20	.10
Filipino	.12	.17	.16
East Asian	.15	.07	.05
Samoan	.02	.03	.05
African American	.01	.02	.02
Mixed/Other	.24	.15	.23

Source: Kassebaum, et al. (1995) *Assessing Disproportionate Representation of Ethnic Groups in Hawaii's Juvenile Justice System Phase II Report*. University of Hawaii. Center for Youth Research. Report No. 384.

Hawaiian, Filipino, Samoan and African Americans are over represented in cases petitioned to court, and, along with Caucasians, are over represented in arrests for status offenses. Mixed/Other are under represented in arrests but are at par in petitions to Family Court, and East Asians are under represented in both arrests for status offenses and petitions in court.

NOTE: Ethnicity is classified into seven categories: Hawaiian, part-Hawaiian; Filipino; Caucasian; East Asian (Chinese, Japanese, Korean), Samoan, African American and Mixed/Other. This, or any other classification, is complicated because of the traditionally high rate of inter-ethnic marriages and parenthood in our population. Classification follows the rules of the State's Health Surveillance Survey: if more than one ethnicity is mentioned and any of them is Hawaiian, the individual is classified part-Hawaiian. If more than one ethnicity is mentioned and none is Hawaiian, the individual is classified as Mixed. Single ethnicity is classified as Caucasian (white), Filipino, African American (black), Samoan. Chinese, Japanese and Koreans, major components in the general population, are infrequent in juvenile justice cases and are combined into East Asian. Ethnicities below one percent are combined into Other, and merged with Mixed. Multi-ethnicity in Hawaii and implications for measurement are discussed in our previous report, *Assessing Disproportionate Representation of Ethnic Groups in Hawaii's Juvenile Justice System*, 1995 Honolulu: Center for Youth Research pp. 1.4 to 1.19.

Our Family Court data and interviews deal with Truancy, Runaway, Curfew Violation, Beyond Parental Control and include liquor violations under Status Offense in general.

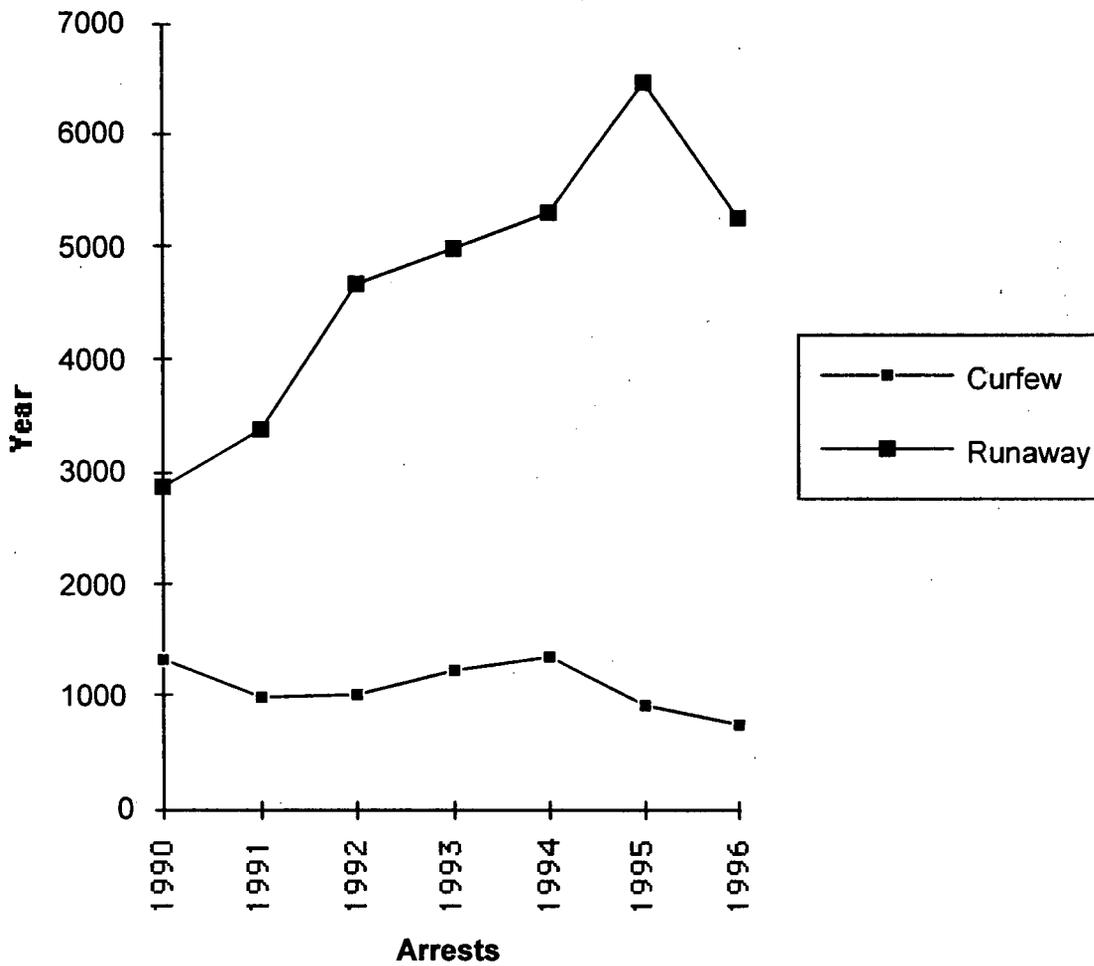
Underage drinking of alcoholic beverages is discussed in interviews but it is not as frequent a cause of arrests in Hawaii as it appears to be in national statistics.

Arrests for Runaway and Curfew in Hawaii, 1990-96.

Statewide from 1990 to 1995, the number of arrests for runaway increased and then declined back to about the 1994 level in 1996. Status offenses, if indexed by arrests, have been increasing in Hawaii during the 1990's, but with fluctuations. Curfew also went down the past two years 46%, starting in 1994 from its peak of 1,349 arrests (see Figure #3). Runaway arrests went down 18.5% from its high of 6,446 arrests in 1995. During the 1990's juvenile arrests rose in Hawaii, mostly reflecting this rise in arrests for these status offenses (see Chesney-Lind et al, 1997). To some extent this reflects a change in police policy favoring arrest for status offenses so they could reach youth with the AKAMAI and evening counseling programs on the theory that this might prevent more serious offenses later. The percentage of arrests for these two offenses (runaway and curfew violation) alone made up more than one third (34.5%) of the total juvenile arrests in 1995.⁵ The previous year it was 20.2%. Hawaii is higher than the US average, since status offenses have only constituted about 12% of all juvenile arrests.

⁵ Complete juvenile arrest statistics for 1996 were not available for comparison at the time of this publication.

**Figure #3: Arrests in Hawaii for Runaway
1990-96**



Source: Department of the Attorney General, Crime Prevention and Justice Assistance Division

Table #5: Arrests for Status Offenses by County and Gender, 1993-1996

	1993			1994			1995			1996		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
C & C Honolulu												
Curfew	287	156	443	276	110	386	181	114	295	192	100	292
Runaway	1455	2372	3827	1612	2582	4194	1736	2570	4306	1599	2377	3976
Truancy	1667	1126	2793	1871	1295	3166	1333	793	2126	--	--	--
PINS	141	85	226	165	127	292	157	101	258	--	--	--
Total	3550	3739	7289	3924	4114	8038	3407	3578	6985	1791	2477	4268
Hawaii County												
Curfew	49	27	76	26	12	38	51	36	87	68	53	121
Runaway	204	441	645	160	381	541	249	359	608	190	372	562
Truancy	114	135	249	202	80	282	119	62	181	--	--	--
PINS	0	0	0	0	0	0	0	0	0	--	--	--
Total	367	603	970	388	473	861	419	457	816	258	425	683
Maui County												
Curfew	168	79	247	125	66	191	206	84	43	76	38	114
Runaway	101	107	208	70	171	241	142	173	317	121	191	312
Truancy	NA	NA	NA	NA	NA	NA	NA	NA	NA	--	--	--
PINS	0	0	0	0	0	0	0	0	0	--	--	--
Total	269	186	455	195	237	432	348	259	360	197	229	426
Kauai County												
Curfew	275	187	462	430	304	734	221	176	397	124	83	207
Runaway	120	170	290	131	176	307	112	197	309	134	269	403
Truancy	254	182	436	419	302	721	157	139	296	--	--	--
PINS	0	0	0	0	0	0	0	0	0	--	--	--
Total	649	539	1188	980	782	1041	490	512	1002	258	352	610
TOTALS	4835	5067	9902	5487	5606	10373	4664	4806	9163	2504	3483	5987

Source: *Crime in Hawaii*, Department of the Attorney General, Crime Prevention and Justice Assistance Division. Truancy and PINS are from data provided by the Office of Youth Services.

This table also shows that, unlike delinquencies in which females are a relatively small proportion, in status offenses females are about half of the arrests (52.5 percent in 1995, 54 percent in 1994 and 51.1 percent in 1993, averaging about 52 percent overall).

Police departments provided information on arrests over the past four years by male and female. Unlike the earlier table, Table #5 shows a four year period and includes truancy and PINS (Persons in Need of Supervision for - Oahu only) as obtained by the Office of Youth Services directly from the police departments (note: Truancy and PINS are reported in "All Other Status Offenses" so OYS made a special request to obtain disaggregated figures for these two).

Table #5 does not show any remarkable trends over time. As expected, Oahu has the greatest number of arrests, around 70-77% of those statewide every year. In 1996, Oahu reported 71% of the runaway and curfew arrests. Variations by county could be explained by a number of different factors including the philosophy and policy and procedures of police departments regarding status offenders. For instance, Kauai appears to take more serious action with status offenders while the Big Island and Maui County may return them to their home or school, without an arrest.

Higher female rates of arrests for runaways and referrals for runaway to Family Court may reflect any or all of several gender related facts. If the probability of sexual abuse in the home is greater for girls than for boys, as seems likely from confirmed cases, then the relatively high percentage of females among runaways may be escapes from household abuse. Second, since female juveniles more often have relations with older males than juvenile males with older females, some female runaways may have left to be with a male. Third, if families are more restrictive of girls in general than they are of boys, the girls may be running to escape control. Thus, girls run for the same reasons as boys, i.e. to escape households, but because the control is more restrictive for girls, more of them run. This last explanation also is compatible with the fact that boys do run away, but not as often as girls.

Fewer girls are arrested for curfew violations, perhaps indicating that they are more controlled by families than boys. Boys may be arrested for curfew and loitering more often because they are simply out on the streets, or perhaps more suspicious to the public on the streets. The public may suspect serious delinquent activities by males out on the streets late at night (especially in groups); and therefore, report them to police when they might not report girls for the same.

The disproportionality of girls among runaway arrests and the high percentage of girls among status offense arrests in general is very much a matter of age. The greatest over representation of females occurs at ages 10 through 14 years, and declines regularly after that.

Table #6: Arrests by Gender and Age 1993-94

Gender	Age 10 to 14	Age 15	Age 16	Age 17
All Juvenile Arrests: Male	3262	2035	1880	1527
All Juvenile Arrests: Female	2848	1405	1054	603
Percent Female	46.6	40.8	35.9	28.3
Runaway: Male	957	508	478	296
Runaway: Female	1563	821	604	313
Percent Female	62.0	61.7	55.8	51.4
Curfew: Male	232	159	81	65
Curfew: Female	224	65	52	28
Percent Female	49.1	29.0	23.2	24.7

Source: Office of the Attorney General, cited in Kassebaum et al 1995

Truancy, as a problem, is probably understated in the statistics. The largest numbers reported by police are in the City and County of Honolulu, 2,126 arrests in 1995, compared to about 200-300 arrests in other counties. We know that many truants are returned to the school or home and on Oahu, a significant number are first sent to the Student Attendance Program (SAP), not arrested.

Prohibitions (Liquor Law Violations)

The Federal Government classifies youth liquor law violations as a status offense when the defendant is under age 18. Liquor law violations in Hawaii is a relatively small percentage of status offense arrests (386 out of a total of 6,832 arrests for status offenses, not counting truancy, which is not separately tabulated in arrest tables).

Table #7: Comparison of Runaway, Curfew and Prohibitions Arrests, 1995

Runaway	5,540
Male	2,239
Female	3,301
Curfew	906
Male	537
Female	369
Prohibitions (Liquor Law)	386
Male	295
Female	91

Source: *Crime in Hawaii*, 1995 Department of the Attorney General, Crime Prevention and Justice Assistance Division.

Truancy

There are no system wide aggregate data on truancy from schools in Hawaii. The Department of Education does not distinguish between excused and unexcused absence in its reports. There is also no standard definition of what exactly constitutes an episode of truancy, so reports submitted by schools only permit counting absences (which in 1993 averaged 6.2 percent for any given period).

The primary program for dealing with truancy is the School Attendance Program (SAP), a cooperative venture between the Honolulu Police Department and DOE on Oahu. SAP's primary goal is to reduce absences among participants by involving youngsters in orientations to the law (about truancy), by dealing with school problems and by educating parents about their responsibilities. For students referred to SAP but who fail to show, there is a referral to Level 2, which may involve an Evening Counseling Program, community service or other penalties. Repeated failure of the child to appear at SAP or continued school truancy results in the youth being ordered to Family Court. While SAP is widespread (56 schools participating in 1994-5), there has been no systematic evaluation. Even the flow of cases to Level 2 and 3 is difficult to monitor because referral to community service via Home Maluhia does not distinguish between SAP cases and others. The UH Youth Gang Project undertook a limited assessment of the SAP in one school. The report concluded that SAP has probably some reduction effect on both unexcused and excused absences, and no general deterrent (spill over) effect in the school (Chesney-Lind 1995 :39).

The SAP is a limited diversion program, since failure to attend or to respond (persistent truancy) moves the case into Family Court rather than into a school based program of incentives and sanctions.

Number of Status Offenders Served in Agencies

Over 40 departments of government and public and private agencies were asked to provide the number of status offenders they served in the fiscal year 1995-96 by the type of status offender. This proved difficult for almost everyone with the possible exception of the police. The numbers shown below are the best indication available at this time but the reader is cautioned on accuracy. When columns are blank, that indicates that the agency could not count those types of status offenders from their case files.

Note the relatively large numbers of cases arrested and the large number of referrals to Family Court compared to the small number of cases reported as status offenders of the caseloads of service agencies. That may be interpreted in two ways: first, many cases do not get picked up by any organized program after being diverted or counseled and released. Second, no common information system exists for tracking status offenders once they have left the legal system.

Table #8: Total Number of Status Offenders Served by Type and Agency, 1996 Fiscal Year

AGENCY	Runaway	Truant	Curfew	Other	Total
Police					
Honolulu AKAMAI	836	0	98	49	983
SAP	--	843	--	--	843
Even. Counseling	282	126	18	51	477
Hawaii	715	181	41	0	937
Maui	1421	728	290	12	2451
Kauai	502	150	135	0	787
Judiciary					
Family Court-Honolulu	2836	795	255	821	4707
Family Court-Hawaii	--	--	--	--	857
Family Court-Maui	*	114	191	640**	945
Family Court-Kauai	29	64	17	1	111
Department of Human Services - Social Services Division	0	20	0	40	50
Social Service Providers					
Boys and Girls Club Honolulu (Youth Service Center)	--	--	--	--	363
Maui Youth and Family Services					
a. emergency shelter	54	7	7	106	174
b. IHBS	--	--	--	--	20
Salvation Army Hilo Interim Home	--	--	--	--	230
Salvation Army Kona Interim Home					90
COYSA	--	--	--	--	79
CORE	--	--	--	--	211
Teen Intervention	5	--	--	--	5
Hina Mauka Teen CARE	--	--	--	--	--
Child and Family Services					100
The Casey Family Program	12	15	8	11	46
Helping Hands Hawaii	23	16	0	6	45
Hale Kipa	--	--	--	--	700
Salvation Army Honolulu TA Family Svcs.	--	--	--	--	--
Hale 'Opio	--	--	--	--	
Big Island Teen Court	--	--	--	--	254
Catholic Charities	--	--	--	--	-

*Maui County Family Court does not categorize by the status "Runaway".

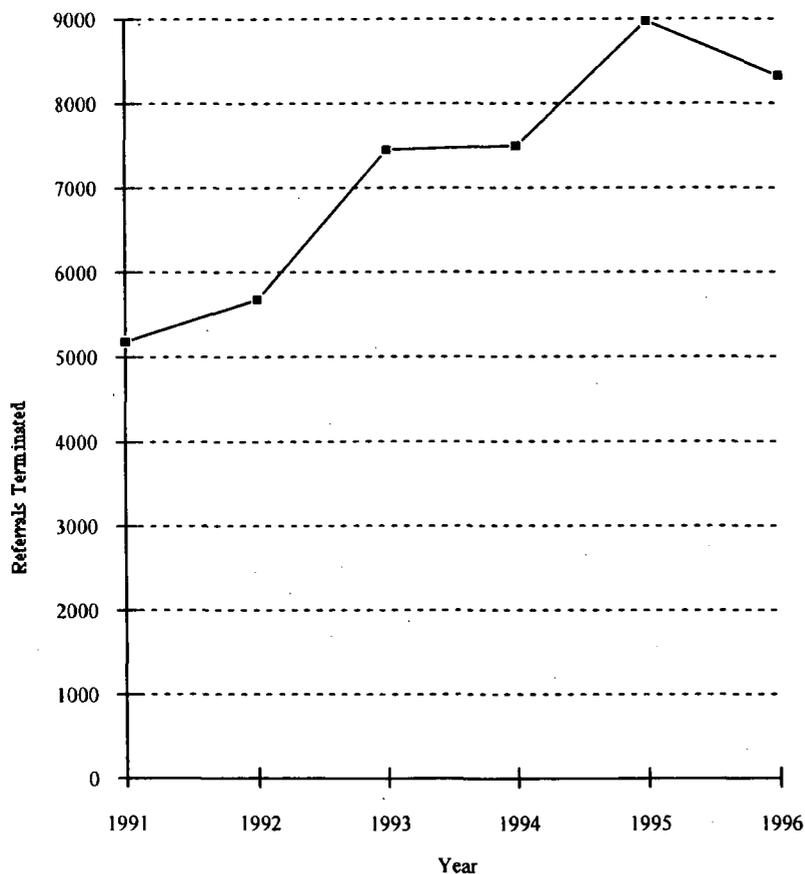
**Maui estimates that 97% of those "Other" category are "Beyond Parental Control", which would include runaways.

Status Offenders Processed in Hawaii

Family Court: Status Offenses 1991-1996

Status offense referrals which were terminated in Family Court statewide over a five year period show an upward trend from slightly more than 5,000 cases in 1991 to 9,000 in 1995 with a decline to slightly over 8,000 cases last year. Cases terminated provide a better assessment of the number of status offenders served in any one year than those filed or pending because one can definitely say what happened to the terminated case. The volume of status offense referrals reaching termination in Family Court rose steadily from 1991 to 1995, and moved downward last year. It is too early to tell if this is a longer term drop-off or a fluctuation only.

Figure #4: Status Offense Referrals Terminated in Family Court, 1991-96



Source: State of Hawaii Judiciary *Annual Reports*, 1991-96.

Status Offense Cases Reaching a Final Disposition in Honolulu Family Court

In the Family Court of Honolulu there were 3,846 juveniles for which a referral reached a final disposition between July 1993 and June 1994. For 2,179 cases, the referral leading to the most serious disposition was a delinquency (law violation), and for 1,667 cases (43.3 percent of all cases disposed that year) it was a status offense. By examining these cases it is possible to see the salient characteristics of status offense cases.⁶

Case Flow

Figure #5 is a schematic diagram which shows, in an approximate fashion, the flow of cases through three decision points in the Court, and numbers for the 1993-94 cases. At the intake stage, 2,179 cases are received with a law violation as the most serious offense and 1,667 cases where the most serious cause for referral was a status offense. Delinquency cases were much more likely to be petitioned to the court (79 percent) than were status offenses (43 percent). If petitioned however, more of the status offense cases were adjudicated as status offenders (80 percent) as compared with 55 percent of the delinquencies. If adjudicated, the status offenses cases were in only 8 percent of the cases detained or placed out of home, and the majority (80 percent) put on Protective Supervision, with the remainder getting Counsel and Release (12 percent). Delinquency is quite different, with 7 percent getting secure confinement, 10 percent getting detention or placement, 33 percent getting Probation and half (50 percent) getting Counsel and Release. We will compare status offenders to delinquency cases in the bi-variate tables to follow.

Table #9a shows, for Status Offenders only, the reason for the 1993-94 referral disposed. The most frequent reasons were being referred for truancy or non-attendance of school (661 or 39.7 percent of the individuals referred for status offenses) and runaway (636 or 38.2 percent). Another 98 or 5.9 percent were for curfew violation and 70 (4.2 percent) were classified as Beyond Control of Parents, Injurious Behavior or PINS (persons in need of supervision). There were also 111 who were Protective Supervision Violations (6.7 percent) and 91 (5.5 percent) PSV-DOE. Table #9a also shows the number of referrals for an individual as of that date. For 693 (41.6 percent) of youth, this is the only referral on the record (although there are likely initial police contacts which were not formalized and never reached the court.) For another 328 youth (19.7 percent) there was one other referral of record, for 302 (18.1 percent) there were three or four; for 241 (14.5 percent) there were five or more; and, for 103 (6.2 percent) of all

⁶ We later will report the update of these records on these juveniles to the end of 1996, and report on more detailed characteristics, from reading and coding social service notes in the hard copy of files of a sample of the cases.

Figure #5: Flow Chart of Juvenile Justice Processing
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

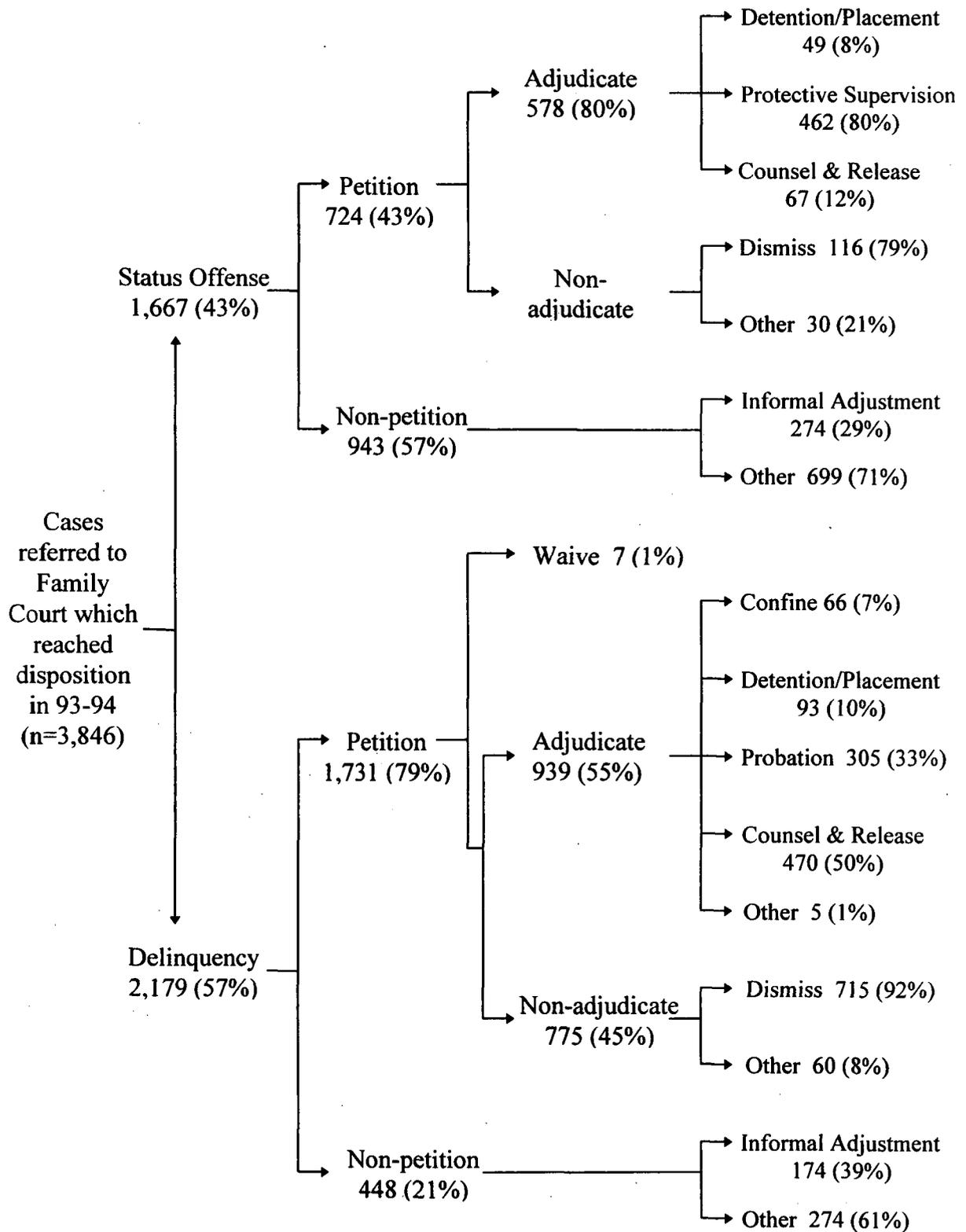


Table #9a: Percentage of Cumulative Number of Referrals by Offense for Status Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Cumulative Number of Referrals					Total N
	1	2	3-4	5-9	10 or more	
Runaway	48	20	16	12	5	636
Truancy	45	23	19	11	2	661
Curfew	55	18	15	10	1	98
Beyond cont'l/Other *	53	16	19	10	3	70
PS violation	--	3	12	42	43	111
PS violation -- DOE	--	22	35	34	9	91
<i>Total N</i>	<i>693</i>	<i>328</i>	<i>302</i>	<i>241</i>	<i>103</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.

-- no case in this category.

Table #9b: Percentage of Cumulative Number of Referrals by Offense for Delinquent Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Cumulative Number of Referrals					Total N
	1	2	3-4	5-9	10 or more	
Violent/Sexual assault	32	20	16	15	18	336
Assault 3rd degree	39	16	18	15	13	365
Burglary	35	15	16	16	19	177
Theft	50	16	15	10	8	761
Property damage	35	16	17	17	16	115
Other	46	20	14	11	10	244
Probation rules	2	1	6	24	67	181
<i>Total N</i>	<i>851</i>	<i>341</i>	<i>324</i>	<i>296</i>	<i>367</i>	<i>1998</i>

status offense cases) there were ten or more referrals (with a few individuals with totals from 25 to 56 referrals). The average case is a truant or runaway for whom in 1993-94 it was the only referral disposed in court, or there was only one other referral on the record. The children with ten or more referrals were disproportionately PSVs, as were the children with 5 to 9. A relatively low percentage of the cases were on legal status (17.3 percent) or had been on legal status but now inactive (6.5 percent), with three quarters (76.2 percent) never having been on legal status, (See Table #10a) and thus only 16.3 percent had any record off non-compliance with any previous court directive (Table #11a).

This is a young population. Nearly thirty nine percent (39%) were aged 10 to 14 years and another 26.5 percent were age 15. Most were classified as some-part Hawaiian ethnicity (38.6 percent) or Filipino (15.5 percent) or Mixed not part-Hawaiian (23.3 percent.) Only 88 youngsters (5.3 percent) were Chinese, Japanese or Korean, and only 165 (9.9 percent) were Caucasian. (Table #12a) Almost equal numbers were male and female (49.7 and 50.3 percent respectively). There were no large differences in age by gender, and except for slightly more Hawaiians among females, nothing differed in age by ethnicity (Table #13a and #14a).

Thus the status offenders in 1993-94 were young (even within the Family Court's juvenile cases), disproportionately local ethnic minorities, and were mostly juveniles without extensive records with the court to that date.

There are two important offense differences by gender: proportionately twice as many girls than boys are referred for runaway (49.9 percent of girls, 26.3 percent of boys), while considerably more boys than girls are referred for truancy (48.6 percent of boys and 30.8 percent of girls) (Table #15a). African Americans and Caucasians are more often in front of the court for runaway than any other ethnic group, while truancy rates for Samoans and Filipinos are somewhat higher than other groups (Table #16a).

Dispositions are divided up into Detention and Out of Home Placement, Protective Supervision, Counsel and Release, dispositions reserved for cases adjudicated as status offenders; Nonadjudicative Dismissal or Change of Venue (the minor moves out of state), which are for non-adjudicated cases, and Informal Adjustment and Non-petitioned Other, which are for cases that were not petitioned to the court at intake. Table #17a shows the dispositions by type of status offense. PSV-DOE and PSV are most likely to get further protective supervision, as are 41 percent of truancy cases. Most runaway cases are handled by non-petitioned other (68.4 percent) or informal adjustment (13.4 percent), as are curfew violation cases (68.4 percent and 16.3 percent respectively). By contrast 41 percent of the truancy cases got Protective Supervision. Both Detention and Placement and Protective Supervision are disproportionately

Table #10a: Percentage of Cases on Legal Status at Time of Disposition by Offense for Status Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Legal Status at Time of Disposition			Total N
	Active LS	LS closed	No previous LS	
Runaway	8	6	87	636
Truancy	6	6	88	661
Curfew	10	7	83	98
Beyond cont'l/Other *	9	10	81	70
PS violation	91	9	--	111
PS violation -- DOE	88	12	--	91
<i>Total N</i>	<i>288</i>	<i>109</i>	<i>1270</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.

-- no case in this category.

Table #10b: Percentage of Cases on Legal Status at Time of Disposition by Offense for Delinquent Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Legal Status at Time of Disposition			Total N
	Active LS	LS closed	No previous LS	
Violent/Sexual assault	16	13	71	336
Assault 3rd degree	14	12	74	365
Burglary	18	15	67	177
Theft	12	10	79	761
Property damage	15	13	72	115
Other	13	12	76	244
Probation rules	88	8	3	181
<i>Total N</i>	<i>435</i>	<i>244</i>	<i>1500</i>	<i>1998</i>

Table #11a: Percentage of Compliance with All Previous Conditions by Offense for Status Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Compliance with All Previous Conditions			Total N
	Partial compliance	Full compliance	No previous condition	
Runaway	11	19	70	636
Truancy	9	38	53	661
Curfew	14	16	69	98
Beyond cont'l/Other *	11	14	74	70
PS violation	68	23	10	111
PS violation -- DOE	48	25	26	91
<i>Total N</i>	<i>271</i>	<i>445</i>	<i>951</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.

Table #11b: Percentage of Compliance with All Previous Conditions by Offense for Delinquent Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Compliance with All Previous Conditions			Total N
	Partial compliance	Full compliance	No previous condition	
Violent/Sexual assault	23	35	42	336
Assault 3rd degree	22	34	44	365
Burglary	31	36	33	177
Theft	15	33	53	761
Property damage	23	39	38	115
Other	14	29	57	244
Probation rules	78	16	7	181
<i>Total N</i>	<i>522</i>	<i>701</i>	<i>956</i>	<i>1998</i>

Table #12a: Percentage of Age by Ethnicity for Status Cases:*First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994*

Ethnic Group	Age at Referral Received				Total N
	10-14	15	16	17-19	
Hawaiian	44	28	17	11	644
Samoan	47	21	21	13	88
Filipino	36	22	27	15	259
African-American	35	27	21	18	34
East Asian	26	30	34	10	88
Caucasian	34	21	27	19	165
Mixed/Other	35	26	24	14	389
<i>Total N</i>	<i>643</i>	<i>429</i>	<i>375</i>	<i>220</i>	<i>1667</i>

Table #12b: Percentage of Age by Ethnicity for Delinquent Cases:*First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994*

Ethnic Group	Age at Referral Received				Total N
	10-14	15	16	17-19	
Hawaiian	29	21	22	27	845
Samoan	29	17	25	28	211
Filipino	35	18	18	29	208
African-American	31	29	19	21	68
East Asian	27	20	23	30	136
Caucasian	35	21	16	28	262
Mixed/Other	33	21	20	26	449
<i>Total N</i>	<i>681</i>	<i>451</i>	<i>453</i>	<i>594</i>	<i>2179</i>

Table #13a: Percentage of Age by Gender for Status Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Gender	Age at Referral Received				Total N
	10-14	15	16	17-19	
Male	39	23	23	15	829
Female	38	28	22	12	838
Total N	643	429	375	220	1667

Table #13b: Percentage of Age by Gender for Delinquent Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Gender	Age at Referral Received				Total N
	10-14	15	16	17-19	
Male	29	19	21	30	1613
Female	37	25	20	18	566
Total N	681	451	453	594	2179

Table #14a: Percentage of Ethnicity by Gender for Status Cases:*First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994*

Gender	Ethnic Group							Total N
	Hawaiian	Samoaan	Filipino	African-American	East Asian	Caucasian	Mixed/Other	
Male	35	6	17	2	5	11	23	829
Female	42	4	14	2	5	9	24	838
<i>Total N</i>	<i>644</i>	<i>88</i>	<i>259</i>	<i>34</i>	<i>88</i>	<i>165</i>	<i>389</i>	<i>1667</i>

Table #14b: Percentage of Ethnicity by Gender for Delinquent Cases:*First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994*

Gender	Ethnic Group							Total N
	Hawaiian	Samoaan	Filipino	African-American	East Asian	Caucasian	Mixed/Other	
Male	39	10	10	3	6	12	21	1613
Female	39	10	8	2	6	13	21	566
<i>Total N</i>	<i>845</i>	<i>211</i>	<i>208</i>	<i>68</i>	<i>136</i>	<i>262</i>	<i>449</i>	<i>2179</i>

Table #15a: Percentage of Offense by Gender for Status Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Gender	Offense						Total N
	Runaway	Truancy	Curfew	Beyond control/ Other *	Protective supervision violation	PS violation -- DOE	
Male	26	49	8	6	5	6	829
Female	50	31	4	3	8	5	838
<i>Total N</i>	<i>636</i>	<i>661</i>	<i>98</i>	<i>70</i>	<i>111</i>	<i>91</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.

Table #15b: Percentage of Offense by Gender for Delinquent Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Gender	Offense							Total N
	Violent/ Sexual assault	Assault 3rd degree	Burglary	Theft	Property damage	Other	Probation rules	
Male	16	17	10	32	6	12	8	1613
Female	15	16	4	45	4	10	8	566
<i>Total N</i>	<i>336</i>	<i>365</i>	<i>177</i>	<i>761</i>	<i>115</i>	<i>244</i>	<i>181</i>	<i>2179</i>

Table #16a: Percentage of Offense by Ethnicity for Status Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Ethnic Group	Offense						Total N
	Runaway	Truancy	Curfew	Other *	Beyond Protective control/ supervision violation	PS violation -- DOE	
Hawaiian	38	40	7	4	6	5	644
Samoan	40	42	5	3	5	6	88
Filipino	29	45	6	3	7	10	259
African-American	65	18	6	6	6	--	34
East Asian	30	39	6	3	13	10	88
Caucasian	50	30	3	10	6	1	165
Mixed/Other	39	41	6	4	8	4	389
<i>Total N</i>	<i>636</i>	<i>661</i>	<i>98</i>	<i>70</i>	<i>111</i>	<i>91</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.
 -- no case in this category.

Table #16b: Percentage of Offense by Ethnicity for Delinquent Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Ethnic Group	Offense							Total N
	Violent/ Sexual assault	Assault 3rd degree	Burglary	Theft	Property damage	Other	Probation rules	
Hawaiian	14	17	8	34	5	11	11	845
Samoan	18	32	5	25	5	10	5	211
Filipino	16	14	6	36	6	15	6	208
African-American	34	16	4	28	2	13	3	68
East Asian	13	11	11	45	6	10	5	136
Caucasian	17	8	11	41	5	12	6	262
Mixed/Other	13	18	9	35	6	10	9	449
<i>Total N</i>	<i>336</i>	<i>365</i>	<i>177</i>	<i>761</i>	<i>115</i>	<i>244</i>	<i>181</i>	<i>2179</i>

Table 17a: Percentage of Disposition by Offense for Status Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Disposition							Total N
	Detention/ Placement	Protec- tive super- vision	Counsel & release	Dismissed	Non- adjudicated other	Informal adjustment	Non- petitioned other	
Runaway	3	8	5	6	1	13	65	636
Truancy	1	41	2	6	2	26	23	661
Curfew	--	7	5	3	--	16	68	98
Beyond cont'l/Other *	3	11	9	19	1	4	53	70
PS violation	18	51	9	12	8	--	2	111
PS violation -- DOE	3	77	7	11	--	--	2	91
<i>Total N</i>	<i>49</i>	<i>462</i>	<i>67</i>	<i>116</i>	<i>30</i>	<i>274</i>	<i>669</i>	<i>1667</i>

note: * Other includes injurious behavior and PINS.
 -- no case in this category.

Table 17b: Percentage of Disposition by Offense for Delinquent Cases:
First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Offense	Disposition				Counsel & release
	Waived	Confinement	Placement	Probation	
Violent/Sexual assault	4	3	6	15	27
Assault 3rd degree	--	4	3	10	30
Burglary	1	4	6	18	28
Theft	--	1	3	8	17
Property damage	--	1	4	18	27
Other	1	0	2	8	21
Probation rules	--	16	14	47	7
<i>Total N</i>	<i>17</i>	<i>66</i>	<i>93</i>	<i>305</i>	<i>470</i>

Offense	Disposition				<i>Total N</i>
	Petitioned Dismissed	other	Informal adjustment	Non-petitioned other	
Violent/Sexual assault	40	3	1	2	336
Assault 3rd degree	50	3	--	1	365
Burglary	29	3	5	7	177
Theft	27	3	17	25	761
Property damage	37	3	5	5	115
Other	37	1	10	20	244
Probation rules	5	8	--	3	181
<i>Total N</i>	<i>715</i>	<i>65</i>	<i>174</i>	<i>274</i>	<i>1998</i>

note: -- no case in this category.

imposed on cases with higher numbers of referrals, while Informal Adjustment and Nonpetitioned Other dispositions are more likely for cases with one or two referrals of record (Table #18a).

Comparisons of Status Offenders with Law Violators

The characteristics of the youngsters defined in 1993-4 as status offenders can be compared with a series of 2,179 youth who had at least one referral reach final disposition in First Circuit in 1993-94, where the most serious disposition was in connection with a law violation. In comparing law violators (Law Violator) with status offenders (Status Offender) similarities between cases designated as Status Offender and those designated Law Violator are impressive, but there are differences. Status Offenders are younger (64.3 percent of Status Offenders are age 15 years or younger, compared with 57 percent of Law Violator, Table #13a&b). While a majority of Law Violators are boys (74 percent), there is an almost even division among Status Offenders between boys (49.7 percent) and girls (50.3 percent) (Table #13a&b). The distribution of total referrals to court is similar for both. For about 39 percent of Law Violators and 41.6 percent of Status Offenders, the index offense is the only referral of record, and for another 20.6 percent of Law Violators and 19.7 percent of Status Offenders there is only one other referral. However at the upper end, 11.3 percent of the delinquents have ten or more referrals, while only 6.3 percent of the Status Offenders have that many (Table #9a&b). Somewhat fewer Status Offenders are on legal status than was true of Law Violators, but a majority of both (76.2 percent of Status Offender, 68.8 percent of Law Violator) had never been on legal status (Table #10a&b). Non compliance with previous court conditions is more common among Status Offenders than Law Violators, and of those with any prior conditions the ratio of compliance to non-compliance was greater (1.64 ratio of compliance to non compliance for Status Offenders, 1.34 for Law Violators, Table #11a&b).

Thus, youth whose most serious act in 1993-94 was a status offense were more often female, somewhat younger and had fewer previous referrals to court, had been less often on legal status and if subject to court conditions more often complied with them, than is true of cases of Law Violators.

The main difference between Status Offender and Law Violator of course is the conduct which brought them before the court (Table #15a&b). For Status Offenders, the greater representation of females is accounted for by the much greater number of runaways (half of the girls were runaways, 26 percent of the boys). Boys were more often truant (48.6 percent of boys, 30.8 percent of girls) or curfew violators (8.3 percent of boys, 3.5 percent of girls) or were Beyond Control or were Persons In Need of Supervision (PINS) (5.9 percent of boys, and 2.5

Table #18a: Percentage of Cumulative Number of Referrals by Disposition for Status Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Disposition	Cumulative Number of Referrals					Total N
	1	2	3-4	5-9	10 or more	
Detention/Placement	16	6	18	39	20	49
Protective supervision	21	21	26	24	9	462
Counsel & release	15	25	18	30	12	67
Dismissed	32	21	24	14	10	116
Non-adjudicated other	47	10	10	20	13	30
Informal adjustment	67	22	10	2	0	274
Non-petitioned other	52	19	15	10	4	669
Total N	693	328	302	241	103	1667

Table #18b: Percentage of Cumulative Number of Referrals by Disposition for Delinquent Cases:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Disposition	Cumulative Number of Referrals					Total N
	1	2	3-4	5-9	10 or more	
Waived	6	--	12	18	65	17
Confinement	5	--	3	9	83	66
Detention/Placement	5	5	11	32	46	93
Probation	8	7	14	26	45	305
Counsel & release	31	24	20	15	9	470
Dismissed	46	18	19	12	7	715
Petitioned other	26	17	14	15	28	65
Informal adjustment	71	21	5	3	--	174
Non-petitioned other	75	11	6	3	4	274
Total N	851	341	324	296	367	2179

note: -- no case in this category.

Table #19: Percent Distribution of Status Referrals on Petition/Non-petition, Adjudication/Non-adjudication, and Protective Supervision/Counsel & Release by Ethnicity, Age, Gender, Cumulative Number of Referrals, Legal Status at Time of Disposition, and Compliance with All Previous Conditions:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

	Status: Petitioned/ Non-pet. (N)	Status: Petitioned %	Status: Adjudicated/ Non-adj. (N)	Status: Adjudicated %	Status: PSV/C&R (N)	Protective Supervision %
Court Population	1,667	43.43	724	79.83	578	88.41
Ethnic Group						*
Hawaiian	644	45.03	290	82.07	238	89.08
Samoan	88	37.50	33	72.73	24	91.67
Filipino	259	42.08	109	82.57	90	94.44
African-American	34	29.41	10	70.00	7	85.71
East Asian	88	54.55	48	87.50	42	88.10
Caucasian	165	39.39	65	66.15	43	76.74
Mixed/Other	389	43.44	169	79.29	134	86.57
Age at Referral Received						*
10 - 14	643	43.08	277	82.67	229	92.58
15	429	44.76	192	83.85	161	89.44
16	375	47.73	179	77.65	139	84.17
17-19	220	34.55	76	64.47	49	77.55
Gender						
Male	829	43.67	362	78.45	284	89.08
Female	838	43.20	362	81.22	294	87.76
Cumulative No. of Referrals						*
1	693	23.67	164	68.90	113	91.15
2	328	43.60	143	81.12	116	85.34
3 - 4	302	57.62	174	82.18	143	91.61
5 - 9	241	70.54	170	87.06	148	86.49
10 or more	103	70.87	73	79.45	58	86.21
Legal Status at Time of Disposition						*
Active legal status	-	-	-	-	187	90.37
Legal status closed	-	-	-	-	61	63.93
	Status: Petitioned/ Non-pet. (N)	Status: Petitioned %	Status: Adjudicated/ Non-adj. (N)	Status: Adjudicated %	Status: PSV/C&R (N)	Protective Supervision %
No previous legal status	-	-	-	-	330	91.82
Compliance with All Previous Conditions						*
Partial compliance	-	-	-	-	161	84.47
Full compliance	-	-	-	-	145	82.07
No previous condition	-	-	-	-	272	94.12

note : * denotes a chi-square significance at $p < 0.05$;

"Protective Supervision" here includes "Detention/Placement".

Table #20: MCA Table of the Adjusted Effects of Ethnicity, Cumulative Number of Referrals, Legal Status at Time of Disposition, and Compliance with All Previous Conditions on Probability of Status Referrals on Petition, Adjudication, and Protective Supervision:

First Circuit Family Court, Honolulu, July 1, 1993 - June 30, 1994

Predictor Variable	Status: Petitioned/ Non-pet. (N)	Status: Petitioned Adjusted %	Status: Adjudicated/ Non-adj. (N)	Status: Adjudicated Adjusted %	Status: PSV/ C&R (N)	Protective Supervision Adjusted %
	<i>Court Population</i>	1,667	43	724	80	578
<i>Ethnic Group</i>						
Caucasian/East Asian		-		-	85	77
Other ethnic group		-		-	493	93
<i>Age at Referral Received</i>						
Below 17	1,447	45	648	83	529	92
17 - 19	220	27	76	62	49	82
<i>Cumulative No. of Referrals</i>						
1	693	23	164	68	229	88
2	328	43	143	81		
3 - 4	302	58	174	83	349	93
5 - 9	241	72	170	88		
10 or more	103	72	73	81		
<i>Legal Status at Time of Disposition</i>						
Active legal status		/		/	248	95
Legal status closed		/		/		
No previous legal status		/		/	330	89
<i>Compliance with All Previous Conditions</i>						
Partial compliance		/		/	161	85
Full compliance		/		/	145	78
No previous condition		/		/	272	96
<i>Caucasian/East Asian with Full Compliance of previous conditions</i>						
No		/		/	554	91
Yes		/		/	24	98
<i>Mixed/Other Ethnic Group with Partial Compliance of previous conditions</i>						
	Status: Petitioned/ Non-pet. (N)	Status: Petitioned Adjusted %	Status: Adjudicated/ Non-adj. (N)	Status: Adjudicated Adjusted %	Status: PSV/ C&R (N)	Protective Supervision Adjusted %
No		/		/	539	92
Yes		/		/	39	77

note: only statistically significant effects (chi square test at $p < 0.05$) are shown in the table;

/ denotes uncontrolled effect;

- denotes statistically insignificant effect;

two or more variables enclosed in a pair of shaded bars indicates that these variables are collapsed into one variable in the analysis;

"Protective Supervision" here includes "Detention/Placement".

percent of girls). Among Law Violators, girls are only 26 percent of all cases and are more often theft cases (44.5 percents compared with 31.6 percent of boys).

The court disposed of Status Offenders differently than Law Violators in most cases. More than half of the Status Offender cases which were disposed by court were through non-petitioned dispositions (56.4 percent compared with only 20.6 percent of Law Violators). Fewer Status Offenders received an adjudicated placement or protective supervision (34.5 percent compared with 43.7 percent of Law Violators). Many more Law Violator cases were given a non-petitioned dismissal than Status Offenders (35.8 percent of Law Violators compared with 8.6 percent of Status Offenders) (Table #17a&b).

Multivariate Analysis: the Effects of a Characteristic, Net of Other Effects

These many individual characteristics and two way comparisons may be redundant because some characteristics are intercorrelated (thus most Protective Supervision cases have multiple referrals), so dispositions are better grasped by looking at a multivariate analysis which examines the contribution of variables *net* of the contribution of other variables.

Multivariate analysis looks at an apparent association between an independent variable, like ethnicity, and a response variable, such as case disposition, while looking at other variables which can also affect the response variable. Ordinary least squares multiple regression is not appropriate for case disposition since the response variable is categorical rather than a continuous number. Logit regression is better for this when the response variable is dichotomous, and multinomial logit regression is used when there are three or more categories on the response variable, as in the disposition measure. The result of this analysis will be presented in a Multiple Classification Analysis table which shows the adjusted effect, in percent, of the predictor variables on the response variable. The predictors are thus shown as net effects. We tested the model by a two-tailed chi square test at a conventional level of confidence, the $p < 0.05$ level.

Table #19 shows the bivariate relation between court decisions on status offense cases in 1993-94, that is the probability of being petitioned, and if petitioned, whether adjudicated or non adjudicated. It also shows whether an adjudicated youth is placed in protective supervision or is counseled and released. The percents show that age is related to the probability of the case proceeding to a more restrictive intervention: while older youth are more likely to be adjudicated at the second stage, younger youth are more likely to be placed in a foster placement, residential programs or be given protective supervision. There are no gender effects and ethnicity differs only in the probability of being adjudicated. Decision to petition and decision to adjudicate are mainly affected by age and the number of referrals of record. For disposition, not being on legal

status and having more fully complied with previous conditions ordered by court, or having had no previous conditions at all, are likely to be rewarded by a less restrictive disposition.

When a multivariate model is examined, who gets the more severe sanctions? There are no detectable direct effects of ethnicity on the decision to petition status offenders to court. *The effect of a larger number of referrals of record is decisive.* There are no ethnic effects for the adjudication decision. For this analysis, dispositions of detention, placement and protective supervision were combined and contrasted with counsel and release. Caucasians and Chinese, Japanese and Koreans together showed a higher probability of getting counsel and release. In addition, protective status was more likely for a youth already on legal status at time of disposition (See Table #20).

The JUSTIS data system of the Court does not currently capture dynamic information about the family nor does it have narrative commentary from the Probation Officer who may exercise case supervision or protective supervision. This report will make use of a small sample of cases from this series, status offense cases in 1993-94, and will present information coded from a review of hard copy files.

File Review of a Sample of Status Offenses in First Circuit

Methodology

Case data on the status offender are hard to come by because of the labor cost and time involved in producing a special data set for research purposes in the courts. Only the Family Court of Honolulu has had an on-line data system; only this year are the other circuits being added to that computerized data system, not in time to be of help to this project, but definitely an improvement of the Judiciary's capability of providing case data in the future. The data we have presented were from a set of status offense cases reaching a final disposition in the First Circuit in 1993-94. We made some analysis of those data which had not been done earlier, and also used that series as a sampling frame for drawing a random sample of cases to be reviewed in hard copy files. With the cooperation and advice of a Family Court statistician, two research assistants reviewed and extracted information from those files and did statistical tabulations as well as narrative summaries and a critique of the data available in the files currently.

The data presented on case flow in Family Court (pages 34-50) are from the court's computerized information system. Only a limited number of items of information are captured in that system. In interviews, judges, agency officials and service providers frequently expressed the belief that status offenses are mainly expressions of problems in the minor's family and/or the

school situation. Their view is that if these problems are not effectively countered, it is only a matter of time before law violations bring the youngster in front of the court. Thus, the rationale for early intervention with status offenders is prevention of later delinquencies.

To obtain more information on these family and school problems, and in particular to see how these are taken into account in dispositions made, the subset of only those status offense cases from 1993-94 with two or fewer referrals reaching final disposition in Family Court was identified. From these relatively pure status offenses cases, cases were further sub-divided into runaways, truancy, curfew violation, children beyond control of their parents, and Protective Supervision Violations. From each category random samples of records were drawn, totaling 271 individuals. We obtained the approval of the court to review hard copy files to determine:

- did minors who had been identified and disposed for status offenses in 1993-94 subsequently return to court for further offenses, either status offenses or law violations?
- did the social service notes provide documentation of family and school problems for the minor?

Findings: Cases of Status Offenses Proceeding to Subsequent Offenses

Of 271 cases from 1993-94 drawn as a sample of hard copy records in spring of 1997, 117 or 43 percent had been destroyed in accordance with court regulations regarding retention of court records. (If a minor has a file with Family Court and reaches the age of eighteen with no law violations of record, the file may be destroyed, the computerized record remains). Presumably, the files destroyed were those of 1993-94 status offenders who did not go on to a law violation by age 18.

In addition to this presumptive sign that 43 percent of the sample had not gone on to law violations, the 153 files obtained were reviewed to determine how many showed no subsequent offenses (referrals to court), how many with status offenses only and how many with law violations. Of the files which had not been destroyed, 83 showed no subsequent law violations. Adding the files which were destroyed and the hard copy records which showed no law violations since the 1973-74 status offense, 200/271 or 73.8 percent had no subsequent law violations.

Subsequent status offenses were more common. We can of course make no assumptions regarding subsequent status offenses in the files which were destroyed, since they could have status offenses and still have been lawfully destroyed. Of the 153 cases with records, only 38

percent had no further status offense referrals, another 33 percent had one or two, 21 had 3 or 4 and 24 had anywhere from 5 to 24 status offense referrals.

Multiple status offenses tended to go with multiple law violations. Of those 83 youth with no subsequent law violation, 52 percent had no subsequent status offense referrals. Another 47 had one or two law violations, and only 23 percent of those had no status offense referrals, and 23 had 3 or more law violations, of whom only 17 percent had no status offenses.

Thus, our review of a sample of cases showed that a majority of cases disposed of a status offense in 1993-94, did not accumulate law violations over the next two years. There were a substantial number who continued to present status offense problems, and an active minority who amassed a combination of law violations and status offenses. There were more youth with only status offenses than there were youth with only law violations. This is shown in Table #21.

Table #21: Subsequent Law Violations

Subsequent status offenses	No Law Violations	One or Two Law Violations	Three or more Law Violations	Row Totals
None	43 (74%)	11 (19%)	4 (7%)	58 (100%)
One or Two	22 (44%)	20 (40%)	8 (16%)	50 (100%)
Three or more	18 (40%)	16 (36%)	11 (24%)	45 (100%)
Total cases	83	47	23	153

How the Court Handles Status Offenses

This may in part vindicate the court's policy of minimal intervention with the initial cases. The court diverted the initial referrals most of the time. Where there were law violations or where there was chronicity the court imposed both treatment and penalties. (The most common form of penalty by far is community service.) The early imposition of protective supervision (in 1993-94) was predictive rather than deterrent. Over half of those who were placed on protective supervision in 1993-94 were referred for four or more offenses afterwards. Of those who were not placed on protective supervision, about one third were not subsequently referred, and, on the other extreme, about one third had four or more subsequent referrals. In the absence of a controlled study the meaning is unclear. It can indicate that judges imposed more control on the cases which already looked more troublesome. It could mean that being on protective supervision increased the probability that violations would come to the court because

of greater information available to the probation officer. It could mean that protective supervision or probation is not particularly a deterrent of delinquent behavior. In the absence of a comparable control group it is not possible to say if the protective supervision deterred offenses, but such a study would be both possible and desirable.

The records of the 153 youth who had a status offense reach final disposition in 1993-94 were summarized on up to four offenses for each youth: (a) the disposition of the offense (if any) preceding the 1993-94 status offense; (b) the disposition of the index status offense in 1993-94; (c) the disposition of the first subsequent offense, if any, whether status or delinquency; and (d) the disposition of the second offense, if any, following the index offense. These dispositions (ranging from one to four for any one youth) were each coded into whether a dismissal, an informal adjustment or a more formal disposition utilizing protective supervision or probation, or finally placement. A profile was constructed of a total of 373 dispositions for these 153 individuals.

For three quarters of the 153 individuals all the dispositions were informal, i.e., did not involve adjudication or going on legal status. The remaining 25 percent of the cases involved legal status for the index status offense (19 or 12.4 percent of the total cases), another 12 or 7.8 percent received an informal disposition of the index offense followed by legal status of a subsequent offense, and for the remaining 12 percent, legal status for a prior offense, followed by either legal status or informal disposition of subsequent offenses. Referrals to a variety of private service providers and other services were made through informal and formal dispositions. Many of the youth apparently ran from these referrals, for which the court's main sanction was protective supervision. Since some of these were protective supervision violations already in 1993-94, it is an indication of the ceiling on the court's sanctioning powers for status offenders.

A more detailed study of dispositions is needed. On the basis of these data (both the large computerized sample and the small subsample of hard copy files reviewed), it would appear that the Family Court is pursuing a policy of diversion and "normalization" of status offense cases, endeavoring not only in the initial contact but in succeeding contacts to make referrals, involve the youth in informal adjustments and other voluntary arrangements in three quarters of the dispositions. In the remainder of offenses of this original cohort of status offenders, the court uses protective supervision or probation or a combination of the probation officer and community service in an effort to deter repeated offenses. For a substantial percentage of the cases reviewed, there was not a steady build up of later delinquency. Most of the cases seen by the court for status offenses only in 1993-94 did not come back to Family Court for a law violation. Most of the offenses which did come back continued to be dealt with by informal means, resulting in dismissal of charges. A small minority of cases (24 out of 153) accumulated an impressive string

of subsequent offenses (five to an extreme of 24) and received more formal control and penalties, but only two resulted in placement.

The Effect of Court Services on Problems Giving Rise to Status Offenses

Unfortunately reconstructing the effect of court dispositions on the factors contributing to status offenses is made difficult by the inconsistency with which the official record reports the family or school situation, the relationship of the minor to the parent or the minor's attitude to court supervision. Although the forms provide spaces for recording, they are often not filled out. In one third of the files reviewed there were no notations of the minor's attitude in any referral, and such information was complete on all referrals in only 17 percent of the cases. This was also a high proportion of missing information on the relationship of the minor with the parents.

Information on family composition indicates that most of the status offense cases did not live in households with two parents in 1993-94 (only 34.6 percent did so). Children lived with one parent (35.3 percent) or with one legal parent plus a partner (15.7 percent) or with other relatives (7.8 percent), with 6.5 percent of the records missing any information on family composition. Moreover, it is apparent that the composition of the household and the persons with whom the child lived changed over the course of the two or so years covered by the record. Information on relationships within the family is much more spotty. Only 26 or 17 percent of records noted any problems in school, but the remaining records could mean either no problems or no information about school problems.

The files do not currently provide information from which treatment, or the response to that treatment, can be assessed. With very high caseloads and limitations on time for documentation, it is unlikely that the file entry will improve across the board. Paperwork is the single most unpopular term in the caseworker's vocabulary, possibly because they already have so much of it. It is possible that a specific study could be conducted using a probability sample of cases for which a more detailed data collection form would be used, focusing on the components of treatment and controls and the response to it. This should, if possible, extend the record search to the adult criminal record. In any subsequent inquiry into program effect and any effort at coordination of services, such an option should be explored.

Interviews and Survey Results Concerning How Agencies Handle Status Offenders

Research Methodology: Key Informant Interviews and Surveys

A number of officials from government and private organizations were initially interviewed to obtain an overview of how status offenders are handled by the system and to lead the research team to agencies who would provide statistics on status offenders and how programs and services operate. These interviews, referred to as Key Informant Interviews, began in December after introductory letters were mailed by the Office of Youth Services to heads of Departments and agencies. The interviews served to sensitize the researchers to issues plus provide an occasion to ask for clearance to send surveys or get data from the respective information systems. It was a structured interview but in some interviews it was not deemed practical or useful to pursue some questions. Almost all Key Informant Interviews were recorded; a few people interviewed refused to be taped which of course was accommodated. At the completion of interviews with the appropriate personnel, each was asked to tell us names of others to interview and how best to obtain the information that was later collected in the survey questionnaires. Doing these interviews brought the project staff into all areas of the state, including Molokai and Lanai. A total of 47 Key Informant Interviews were conducted between December and April (see questionnaire and list of agencies interviewed in Appendix).

As stated, the agency personnel who received the survey questionnaire for more quantifiable information on status offenders were often referrals from those interviewed and also from a mailing list of the membership of Hawaii Youth Services Network, direct service providers for youth programs. These programs and offices were believed to have caseloads which included status offenders. In total, 42 were mailed in February and March and 33 were returned, with 28 of those reporting that they could complete the questionnaire (nine were not returned). This was a completion rate of 67% (see questionnaire and list of those mailed questionnaires in Appendix). It must be noted that the researchers did not send surveys to every organization that may be working with status offenders in Hawaii and this mailing list is not a comprehensive database on this population and its programs and services.

Some programs provided services related to runaways, homelessness or living-out-of-family, truancy and very problematic family relations. However, these organizations did not take referrals on the basis of status offenses, and did not classify cases in such a way that they could identify, without extensive work, the status offenders among their clientele. Most often the reason for non-completion was because they did not consider that they served status offenders, or if status offenders were part of their caseload, they could not quantify them or discuss them separately from their total caseload. Another reason was that they did not have the information

requested computerized or the staffing available to manually count status offenders in their records, although some agencies diligently worked to get this information manually.

Several problems were encountered in obtaining the information sought, especially questions about the numbers of status offenders served. Most often, agencies told us that they were unable to identify and/or count their clientele by the definitions for status offenders. For instance one agency summarized it this way: [Our]"mission is for seriously troubled kids but not defined as status offender except for those receiving specific federal funding like runaway and homeless. They come to the agency because they have run away but the reason isn't because they are a runaway. They have family problems like divorce or abuse "that's why they become a status offender." Several agencies like the YMCA simply said that they could not distinguish status offenders in their clientele from other youth at risk, and therefore, could not complete the questionnaire. Another of the major problems was that agencies stated that they would have to designate an employee to do manual counts from case files and this was not possible due to their workloads. A coordinated data management system would require a computerized system for record-keeping, accountability and evaluation. In most cases, agencies worked diligently to complete our questionnaire doing manually counts. Honolulu's Family Court, having many demands for reports and in the midst of adding other Family Courts to the data systems, gave our researchers a diskette for tabulation of the type and gender of status offender served. We surmise that when all other circuits are merged into the JUSTIS computerized data system, figures in cases served will be better from all islands. In the case of the Department of Education, aggregated data on truants was not collected and compiled, and the DOE could not extract such data from school records in response to our request.

Of those organizations which did define their work and caseloads as to some significant degree involved with status offenders, useful information was obtained. These surveys developed a summary picture, but the surveys also illustrate the distance yet to go before having a common information system within which to aggregate information about status offenders and the services they receive.

In the survey, "duplicated count" means that some individuals in the court caseloads are counted more than once, or some individuals are classified as both runaways and truants. Additionally, a "primary problem" is defined as the reason for the referral or major focus of the service or program. The "secondary problem" is a contributing factor in the case, but not the major reason for referral or the focus of service. Some respondents checked secondary to indicate that they saw an underlying problem more important than the act of runaway or truancy.

Description of the Problem of Status Offenders

Police

The Honolulu Police Department's Juvenile Division offers three different programs, AKAMAI, Evening Counseling and the School Attendance Program (SAP), to benefit status offenders and their families and they reported statistics from these programs. HPD also works with Oahu's Teen Court which is administered by the Department of Education.⁷

AKAMAI on Saturday mornings is primarily for runaways. Officers stated that runaway, curfew violation, and other status offenses (not truancy) are a primary problem with their agency's clientele. This project reports that 85% of their juvenile clients are runaway and 15% are curfew violators or other (Table #22). They served 836 runaways, 98 curfew violators, 49 other status offenses in 1995-96 for a total of 983 youth (unduplicated count).

The Evening Counseling Program serves first time law violators and second time status offenders and reported that 59% of their status offenders are runaway, 26% are truants and 11% are curfew violators or other.⁸ In 1995-96, 282 runaways, 126 truants or non-school attendees, 18 curfew violators and 51 other status offenders were served by the program for a total of 477 youth (unduplicated count).

The truancy section of HPD's Juvenile Services reported 843 truants in 1995-96. As would be expected, truancy is the primary problem of their clientele and 40% of their juvenile status offenders have problems because of being a truant. An estimated 1,500 youth (duplicated count) attended SAP sessions in 1995-96, according to HPD.

Hawaii County Police Department reported that status offenses are a primary problem with their clientele. The officers interviewed thought that runaways were more frequent than truants and school non-attendees and most cases are handled by the Patrol. Juvenile Division is given runaway cases if the Patrol does not find them within two weeks. Twenty per cent of their juvenile clients have problems because of runaway; 10% because of truancy and 10% because of curfew violations and other problems. In 1995-96, 715 were runaways, 181 were truants or school non-attendees, and 41 were curfew violators (duplicated count). They state that they serve individuals repeatedly.

⁷ Statistics on Oahu's Teen Court could not be retrieved from the computer system at the time of printing.

⁸ Minor law violators were not counted in these estimates.

Table #22: Percentage of Status Offender in Caseload by Type of Offense

AGENCY	Runaway %	Truant %	Curfew and Other %
Police			
Honolulu			
AKAMAI	85%		15%
SAP and Truancy Prev.		40%	
Evening Counseling	59%	26%	11%
Hawaii	20%	10%	10%
Maui	33%	11%	4%
Kauai	-	-	-
Judiciary			
Family Court -Honolulu	25%	20%	5%
Family Court-Hawaii	41%	41%	41%
Family Court-Maui	20%	20%	10%
Family Court-Kauai	2%	2%	1%
Department of Human Services - Social Services	4%	4%	2%
Social Service Providers			
Boys and Girls Club Honolulu (Youth Service Center)	95%	0	5%
Maui Youth and Family Services			
IHBS	10%	10%	10%
Emergency Shelter	31%	4%	65%
CORE	90%	90%	90%
COYSA	90%	90%	60%
Salvation Army Kona Interim Home	53%	1%	20%
Salvation Army Hilo Interim Home	63%	5%	32%
Teen Intervention Program	1%	0	0
Casey Family Program	no data	no data	no data
Child and Family Services	80%	60%	80%
Helping Hands Hawaii	25%	25%	10%
Hina Mauka Teen CARE	10-40%	10-40%	10-40%
Salvation Army Honolulu Family TA Services	no data	no data	no data
Hale Kipa	80%	75%	20%
Hale 'Opio	90%	85%	15%
Big Island Teen Court	20%	20%	20%
Catholic Charities	5%	5%	5%

Note: Some responded to this question as the percentage of their total youth clientele and others responded as the percentage of their status offender clientele.

Table #23: Number of Males & Females by Type of Offense

	Runaway		Truant		Curfew		Other		Total		Total
	M	F	M	F	M	F	M	F	M	F	M & F
AGENCY											
Police											
Honolulu											
AKAMAII	276	560	0	0	32	66	16	33	324	659	983
SAP	--	--	843 total		--	--	--	--	--	--	843
Evening Counseling	84	198	68	58	11	7	33	18	196	281	477
Hawaii	715 total		119	62	41 total		--	--	--	--	937
Maui	651	770	473	255	192	98	6	6	1322	1129	2451
Kauai	154	344	85	65	79	56	154	34	318	465	787
Judiciary											
Family Court Honolulu	1180	1656	462	333	156	99	441	380	2239	2468	4707
Family Court Hawaii	--	--	--	--	--	--	--	--	--	--	857
Family Court Maui	0		77	37	122	69	294	346	493	452	945
Family Court Kauai	29 total		64 total		17 total		1 total		111 total		111
Government											
Dept. of Human Services - Social Services Division			20 total				40 total		40 total		40
Social Service Agencies											
Boys & Girls Club Honolulu (Youth Service Center)									127	236	363
Maui Youth & Family Services:											
a) emergency shelter	29	25	5	2	6	1	56	50	96	78	174
b) IHBS											20
CORE									173	38	211
Salvation Army Hilo Interim Home									116	114	230
Salvation Army Kona											

Interim Home									34	56	90
Hina Mauka Teen CARE											
Child & Family Services									75	25	100
Helping Hands	15	8	10	6		0	0	5	1		
Casey Family Program	5	7	6	9	2	6	8	3			
Teen Intervention	0	5									
COYSA									48	31	79
Hale Kipa									325	375	700
Hale 'Opio									21	21	42
Catholic Charities											--

Table #24: Status Offender as a Primary/Secondary Problem

AGENCY	Runaway		Truancy		Curfew or Other	
	primary	secondary	primary	secondary	primary	secondary
Police						
Honolulu						
AKAMAI	X					X
SAP			X			X
Evening Counseling		X				
Hawaii	X					
Maui	--		--		--	
Kauai	X		X		X	
Judiciary						
Family Court Oahu	X		X		X	
Family Court Hawaii		X		X		X
Family Court Maui		X		X		X
Family Court Kauai				X		
Dept. of Human Services - CPS		X		X		X
Social Service Providers						
Boys & Girls Club Honolulu (Youth Service Center)		X				X
Maui Youth & Family Services						
a) emergency shelter	X		X		X	
b) IHBS		X		X		X
Salvation Army Hilo Interim Home	X		X		X	
Salvation Army Kona Interim Home	X		X		X	
Salvation Army Honolulu TA Family		X		X		X

Services						
CORE		X		X		
COYSA	X		X			
Teen Care		X		X		X
Teen Intervention Program		X				X
Helping Hands Hawaii		X		X		X
The Casey Family Program		X		X		X
Child and Family Services		X		X		X
Hale Kipa		X		X		X
Hale 'Opio	X		X			X
Catholic Charities		X		X		X

The Maui Police Department reported that it generally handles status offenders using their patrol officers. The arrest procedure for truants is as follows: for the first time offense, beat officers initiate the case and take the child back to school; the second time, the case is initiated, an arrest is made and the child is returned to school; the third time, the child is arrested and the parents are told to pick him or her up at the police station. MPD reported that the most serious cases are, in order of importance, beyond parental control, runaway, truants, and curfew. Beyond parental control includes calls from parents asking police to intervene. MPD has a juvenile counseling program and they recently initiated the Second Chance Program which is a Friday evening educational public awareness program provided to youths who are status offenders or minor law violators and their parents. The officers who work in juvenile crime are included in the Domestic Violence Unit which has one sergeant and two investigators and in Operations which has one sergeant and seven investigators. Juvenile Counseling has one counselor supervisor and three counselors.

Maui Police Department (which includes Molokai and Lanai statistics) reported that in its total juvenile caseload, 33% are runaways, 11% truants and 4% curfew violators or other. The police reported 1,421 cases of runaway, 728 cases of truant and non-school attendees, 290 curfew, and 12 other status offenses for 2,451 cases in 1995-96 (duplicated counts).

Molokai Police did not identify status offenders as a problem in their community, but that reflects the limited availability of police officers more than the troubled as the problem on Molokai. Truancy was described to us as high in other Molokai interviews. Not many Molokai youth run away but a few who have status offense problems on another island may be sent to live with relatives on Molokai. Truants are returned to school by police since no other programs exist for diversion of status offenders.

The Lanai Police reported that 7 to 10 status offenders were arrested last year. However, it usually handled truants informally, returning them to school or the home. A case worker is usually assigned to a status offender and they handle the case instead of the Family Court.

The Kauai Police Department reported that all status offenders are processed by the department. The police reported 150 truants and non-school attendees, 135 curfew violators, and 502 runaways in calendar year 1996 for a total of 787 cases (duplicated count). They report serving some of the same youth repeatedly. The juvenile counselor screens the cases and will handle them informally on the first, second and sometimes third offense and will be referred to Family Court with further contacts. A large number of these cases are the same individuals. If the youth has an open file with Child and Protective Services, he or she will be sent directly to that agency. The Department considers runaway, truancy and curfew violation to be primary

problems in their juvenile division. KPD has six officers in the Juvenile Division and a counselor and a secretary.

Family Court

The number of youth served by type of status offense for 1995-96 were provided by the JUSTIS system. The total number of status offenders handled by the First Circuit's Family Court for 1995-96 was 4,707 youth. Sixty per cent (60%) were runaway, 17% were truants, 11% were Protective Supervision Violation, 5% were curfew violators, and the remainder (7%) were all other offenses. The First Circuit Court in Honolulu reported that it had 503 Protective Supervision cases in 1996. Typically these are youth who have failed to comply with services to which they were referred earlier. Another 110 youth were cases for Protective Supervision-DOE. Females were slightly over half of all status offense cases which appeared in First Circuit Court, with more appearances for runaway and Protective Supervision Violation than for males. First time offenders would be diverted to other programs. Many youth are seen repeatedly.

The Non-Law Violators Unit (also known as Status Offender Intake) of Honolulu's Family Court reported that runaway, truancy, and curfew violations are a primary problem of their agency's clientele. The proportion of their clients have problems due to runaway (75%), truancy (20%), curfew violations and other (5%).

The Second Circuit Court on the Big Island has a Juvenile Services Branch which handles status offenders. The Court estimates that 41% of their juvenile clientele have problems because of status offenses. They are a secondary problem of the total clientele and they are usually diverted to programs or services. The total number of status offenders referred to the Court in 1995-95 was 857. The Judiciary has contracts with private providers and also performs fee for service contracts although funding for this is limited. First time status offenders on the Big Island go to Teen Court, a private organization affiliated with the YMCA and funded and monitored by the Judiciary, with 254 estimated as status offenders in 1995-96. The Family Court makes referrals to Ho'okala agencies on Hawaii--Salvation Army Kona and Hilo Interim Homes and claims to divert the majority of runaways to them. Truants are handled informally--picked up by police and returned to school or sometimes, the home. Non-attendance cases (60 or more days absent) appear in Court. Therefore, the Court sees non-attendance cases and a small percentage of runaways.

The Maui Family Court includes the islands of Maui, Molokai and Lanai and has status offenders handled with a broad range of family and children's services. The judge and administrator estimated that 10% of their total responsibilities are for status offenders, so that

they consider status offenders to be a secondary problem of their clientele. They estimate that 20% of their clientele have problems because of being a runaway; 20% for truancy; and 10% are curfew or other status offenses. The Court has purchase of service contracts with several youth service organizations but not specifically for status offenders. Maui reported that 945 status offenders were served in 1995-96. Slightly over half were males, 114 were truants or non-school attendees, 191 were curfew violators, and 640 were in the "Other" category, with an estimated 97% of those being "Beyond the Control of Parents" (this category includes runaways).

The Fifth Circuit Court on Kauai said that more truants are handled than runaways or others, and these are picked up by the police. The truant can be returned to school and commonly would have been picked up three or four times by the time they come to Court. Parents are phoned, in addition to a letter sent, and a probation officer has the parents and child come in for counseling. The school may be contacted. Runaways are handled in a similar procedure.

Kauai's Family Court reports 29 runaway, 64 truants and non school attendance, 7 curfew, and 1 other status offenses (unduplicated count). Approximately 5% of the juvenile clients were identified as having problems because of a status offense and the average number of contacts per individual in 1995-95 was one. The Family Court of Kauai stated that status offenses are a secondary problem of it's clientele. The Court supports not having status offenders handled in the court. They do report serving a few youth repeatedly.

Executive Branch Departments

The Department of Education provided information about its procedures and programs which address truancy.⁹ We made efforts to obtain statewide figures on truancy from the DOE and did not succeed. It was not possible to obtain aggregated data on truancy from the DOE because it does not differentiate between excused or unexcused absences and because it does not, apparently, maintain consolidated counts of truancy. Schools individually decide how to handle truancy, with in-school procedures or their own Saturday makeup classes (Waiakea, Hilo and Pearl City High Schools) for those who miss more than 6 hours of school a week. The School Attendance Program (SAP) is co-sponsored by the Department of Education and Honolulu Police Department for truant students (6 or more hours absent per week) and their parents for four hours on Saturday mornings.

⁹ The DOE does not have responsibility for other status offenses.

Previous reports on the State's Youth Gang Response System (Chesney-Lind, et al 1992, 1995, 1997) described SAP and evaluated its effectiveness in deterring truancy. The Department of Education statistics provided to the Youth Gang Response System evaluators showed that in 1995-96, 604 students from 21 high schools and 23 intermediate schools on Oahu participated in SAP (Chesney-Lind, et al 1997).

Data on truancy must be obtained from each separate school. It is, however, beyond the scope of this project to study attendance rates by school. Therefore, the only truancy data are from police arrests and the Court for educational neglect. The DOE files a petition with the court for school non-attendance when a child of school age ceases to be enrolled in school. The Attorney General represents the DOE in these cases in Family Court. In 1996, 110 cases were sent to Honolulu's Family Court (no statewide data available).

Recently, Project IMPACT (Innovative Measures for Prevention and Counteracting Truancy) a University of ~~Hawaii~~ ^{East} ~~School~~ ^{College} of Education project at Wai'anae High School and at feeder schools, uses monitors and school sanctions (class grades) to reduce absences. It is too early to estimate the effect of this large project.

Kauai has a three-year project funded by U.S. Department of Justice and developed by the Mayor's Office for Youth Crime Prevention which will target truancy and areas with fewer youth service programs. (Honolulu Star Bulletin. June 26, 1997:A10)

The Social Services Division, Child Welfare Services, of the Department of Human Services reported that their estimates on runaway and truants are from Court requests for assistance with the families (an inappropriate request according to DHS). Although status offenders are in their caseloads for child abuse and neglect cases, the only way to identify and count them is manually from case files. DHS said that status offenses are a secondary problem of their clientele, and then only when the case, typically a teenager or younger, is a child protection case. About 4% of their total caseload are truants, 4% runaways and 2% law violators. The data submitted were based on the population of abused and neglected, however, they noted that some of them may be runaways or truants. An estimated 20 runaways and truants each (duplicated count) were served in 1995-96. The Social Services Division stated that it served the same individuals repeatedly.

Molokai's Adolescent Day Treatment Program with the Department of Health works with runaways and truants who are high school students (currently 10 students are officially in their caseload with others informally handled) and are screened into that program by the DOE because of learning disabilities or severe emotional impairment. This school-based daytime care provides

counseling, time-out, and a place to rest on the Molokai High School campus. Molokai does not have a shelter. The Day Treatment Program is the only Molokai program which keeps records on status offenders served.

Social Service Providers

Statewide Agencies

The Casey Family Program reported that status offenses are a secondary problem of the youth they serve. They could not separate out status offenders within their juvenile clientele because the youth have multiple problems and violations. They did report that out of 52 minors in their foster care caseload, 21 have status offense problems. In 1995-96, 12 were runaways, 15 truants and non-school attendees, 8 curfew, and 11 other status offenses (duplicated counts). They serve individual youth repeatedly.

Child and Family Services reported that status offenses are a secondary problem of their clientele. The agency estimates that 80% of their juvenile clients are runaways, 60% truants, and 80% curfew violators. In 1995-96, they stated that 100 status offenders (unduplicated count) were served by their agency.

Helping Hands Hawaii reported that status offenses are a secondary problem of their clientele and that 25% are runaway, 25% are truant and 10% are curfew violators or other status offenders. In 1995-96 23 youth were runaways, 16 truants, and 6 other status offenses (total 45 unduplicated count). They do not serve individuals repeatedly. Big Brothers Big Sisters stated that only about 2% of their youth are status offenders and did not have further data which could be divided from their total clientele data.

Oahu

Hale Kipa reported that it operates eleven programs, several which have a focus on status offenders such as Ho'okala, emergency shelters, group homes, and family outreach. Ho'okala, which is described more fully later in this report, is used for police to bring youth to an agency for intake, assessment, and care. Hale Kipa regarded status offenses as a secondary problem of their clientele, meaning that more primary problems underlie runaway and truancy. Eighty per cent of the juvenile clients are runaway, 75% are truant, and 20% are curfew violators or other. Hale Kipa estimates that it serves 700 status offenders a year (duplicated count) and that it serves some individuals repeatedly.

Central Oahu Youth Service Association (COYSA) reported that they have a number of programs for all types of status offenders including those referred from Ho'okala which includes crisis intervention, and a residential program. Their survey returned covered only the residential program. They stated that all status offenses are a primary problem in their cases with 90% of their cases having runaways, 90% truant and 60% curfew violators or other. In total, they reported 79 status offenders served in 1995-1996 (duplicated count). They serve the same individuals repeatedly and say that approximately 12% are readmitted to the residential program.

The Adolescent Division of Kapiolani Medical Center reports that although it does not get referrals of youth for status offenses, the staff has conducted visits to HYCF for medical visits and to the Detention Home in their pediatric residency program. The Division sees a number of youths with history of status offenses, requested by families or doctors, not by state or government agencies. It was not possible to provide statistics and information specifically on status offenders.

KEY Project serves primarily runaways and truants in its programs like Hui Malama Ohana. Outreach services probably serve many status offenders but they are not identified as such. Only the 80-90 cases a year that are opened for case management note status offenses (about 30%).

Hina Mauka Teen CARE reported that their clientele's secondary problem is runaway and truancy and estimated that 10-40% are status offenders. They do not have statistics on this group in their caseloads, and do serve the same individuals repeatedly.

Hawaii - The Big Island

The Salvation Army Hilo Interim Home is one of the agencies contracted with the Office of Youth Services (using OJJDP funding) for Ho'okala, the intake, assessment and referral project. Services such as temporary shelter may be provided there. They reported that status offenses are about 70% of their caseload. They indicated that status offenses are a primary problem of their clientele. The proportion of their clients who have problems with runaway are 63%, curfew violations and other are 32%, and truancy are 5%. They could not divide out their individuals served by type of status offense but reported that a total of 230 were served in 1995-96 (unduplicated).

The Salvation Army Kona Interim Home also is contracted for Ho'okala and reported that they served 90 youth in the Ho'okala Project in 1996 (duplicated count, 68 unduplicated).

Ho'okala is 10% of their program whereas the emergency shelter is 80%. They reported that 53.3% of their juvenile clientele were runaway, 1.1% were truants and 20% were curfew violators or other. They report serving the same individuals repeatedly, with 13 of the 90 previously referred to Ho'okala.

Big Island Teen Court operates with teen peers as attorneys, judges, and jury to divert status offenders and minor law violators from Family Court. In 1996, there were 680 referrals, and fewer than 20% were status offenders.¹⁰ Sixty-eight runaways were in the program, 31 completed and the remainder were not served for various reasons. Of the 31 who completed the program, five repeated the offense.

Maui

Maui Youth and Family Services operates many programs and services for different types of status offenders. They serve 2,900 youth a year, not all status offenders, with the majority being 12-17 years of age. Two separate Maui Youth & Family Services' programs, the emergency shelter and the Intensive Home Based Services, reported data on their clientele. The emergency shelter reported that status offenses are a primary problem with their youth. Thirty-one per cent of their youth have problems due to runaway, 65% due to curfew violation or other, and 4% due to truancy. They reported that 54 runaways, 106 other status offenders, 7 truants and 7 curfew violators were served in 1995-96 (duplicated count). Finally, they reported serving the same individuals repeatedly. The IHBS served 20 status offenders in 1995-96 and reported that status offenders were a secondary problem of their caseload with 10% of their youth having a problem with these status offenses. They do not report serving an individual youth repeatedly.

Molokai

Molokai's organizations interviewed (Molokai Youth Center and Maui Kokua Services) did not distinguish status offenders from other troubled youth in their recordkeeping.

Lanai

Lanai's organizations interviewed (Molokai Youth Center and Maui Kokua Services) did not distinguish status offenders from other troubled youth in their recordkeeping. However, the Lanai Police Department reported that there was a total of seven to ten status offenders last year.

¹⁰ This information was obtained from the interview, not a returned survey questionnaire.

Kauai

Hale 'Opio, the largest service provider on Kauai, provides group home and emergency shelter services. Clients stay in the group home from between 6 months to one year depending on severity of need. Shelter services are provided as needed, up to 30 days at a time. Hale 'Opio states that runaway and truancy are primary problems in the population it serves, and curfew violation is a secondary problem. In their group home and emergency shelter services, 90% of its clients are runaway, 85% are truants, and 15% are curfew violators or others. In 1995-96, they served 21 in their group home and another 21 in their emergency shelter (unduplicated count). They do not serve the same individuals repeatedly.

Types of Programs and Services

Departments and agencies were asked during interviews and in the survey about the programs they offer which serve status offenders. The researchers were not attempting to document full descriptions of program services but get some understanding of the work done by these agencies which specifically targeted status offenders. Therefore, the information reported here is more of an overview than a complete picture of their programs and services.

Police

All interviews with police stated that typical procedures include some counseling to be provided to status offenders by police in all counties although Molokai and Lanai have less contact in general with status offenders. Honolulu Police Department has three separate programs directed to status offenders and their families. HPD's AKAMAI Youth Project was initially created in 1990 to address the reasons why juveniles were running away from home. Essentially, police bring parents and troubled youth together to provide services and they receive training, information, workshops, and referrals on laws affecting parents and minors, support services, communication techniques, homeless and street living, drug and alcohol use prevention, peer pressure and gangs. Brochures on non-profit services are provided. HPD's Evening Counseling Program provides counseling services for first-time criminal law violators and second-time status offense violators. The counseling provided is generally a one-time session held at the Honolulu Police Dept. HPD's Student Attendance Program (SAP) addresses truancy at intermediate and high schools (43 in 1995-96) with the coordination of the Department of Education. Students who miss a specific number of hours of school in a week are required to attend with a parent.

Hawaii County's Police Department offers PAGE (gang and drug prevention), DARE (drug prevention) , and PAL (athletic leagues) although none of these could be described as being specifically for status offenders.

Maui Police Department has a juvenile counseling program and recently initiated the Second Chance program, an educational public awareness program provided to parents and youths who are status offenders or minor law violators.

Molokai has two patrol officers and on any given watch status offenses receive less than adequate attention given crime and delinquency problems on the island.

Lanai police reported that 7-10 status offenders were arrested last year. However, they usually handled truants informally, returning them to school or the home. A Family Court judge only comes to Lanai once every other month.

Kauai's Police Department makes referrals to other agencies and holds a family consultation in the office when requested.

Family Court

Family Court in Honolulu stated that all resources which are available to law violators are available to status offenders except for probation and the Hawaii Youth Correctional Facility. A youth must be on protective supervision before services can be ordered. Most status offense cases seen in Family Court are Protective Supervision Violations, mostly runaways, or are then put on Protective Supervision because they have run away from services. The Court has no appropriate sanction for non compliance with referral or court order. The First Circuit Family Court refers youth and their families to services when these are available and seem appropriate. Family Court does not have staff to provide long term counseling, but it attempts to address issues in the Status Offender Seminar. They also provide crisis counseling, referrals to counseling, anger management classes, and drug assessments. In certain cases, they also facilitate short and long term out of home placements.

The First Circuit's Non-Law Violator Unit gets referrals from the Police and DOE, which are primarily status offenders but may include some law violators age 12 and younger. If the unit gets a combination law violator and status offender, it handles the problem leading to the status offense and transfers the case to Children and Youth Services, closing it at the Non Law Violator Unit. With the first referral, a "diversion letter" is sent to the custodial parent listing some counseling options and encouraging them to seek assistance. The second offense leads to a

second referral letter which invites the parents and child to a Status Offender Seminar, a two hour session at the Court which stresses communication skills and parenting. A third offense leads to a request to come speak with a Probation Officer. The fourth referral is also a visit to the Probation Officer. The fifth referral is notification of a scheduled court hearing date. In combination with the diversion programs, SAP, AKAMAI and Evening Counseling by Police, this could mean that a youth and custodial parents would appear for a formal Family Court hearing only after seven or eight contacts by Police and the Court. Family Court has Purchase of Service agreements with Hale Kipa and COYSA for shelters and residential placements. These must go through the Court. Other referrals are given to agencies, who do not have contracts but provide services, using other funding sources. The Non-Law Violator Unit reports that it does not have the staff or time to provide long term counseling so they refer out for those services.

Second Circuit Court on the Big Island has a Juvenile Services Branch which handles status offenders but they are a small part of the total clientele because status offenders are usually diverted to programs or services. The Court makes referrals to Ho'okala agencies on Hawaii-- Salvation Army Kona and Hilo Interim Homes and claims to divert the majority of runaways to them. Truants are handled informally--picked up by police and returned to school or sometimes, the home. Non-attendance cases (60 or more days absent) appear in Court. Therefore, the Court sees non-attendance cases and a small percentage of runaways. The Judiciary has contracts with private providers and also does fee for service contracts although funding for this is limited. First time status offenders on the Big Island go to Teen Court, a private organization affiliated with the YMCA and funded and monitored by the Judiciary. Teen Court reported that fewer than 20% of its referrals are status offenders.

Kauai Family Court has no special program for status offenders and the process is similar to the way law violators are handled. They report that by the time they receive a youth, he or she has had several contacts with the police. A court officer generally calls the family and youth for counseling and may contact the school. The court officer will then arrange an appointment to meet with the client and his/her parents/legal guardians to discuss ramifications and possible referrals to service providers for assistance in seeking more counseling or other services.

Maui Family Court does not have a specific unit related to status offenders. They are handled with the rest of Children's Services. The goal is to divert them out of the Court through the informal adjustment process. The clients are usually mandated by the Court into a purchase of service contractual program. These services include case monitoring, office visits, placement, and mandated counseling and consequences such as community service, if deemed appropriate. If there is non-compliance, the client violates status. If the youth has issues of troubles within the

family or serious behavioral problems he or she may be placed under the Court's jurisdiction for monitoring as Protective Supervision.

Executive Branch Departments

The Department of Education offers School Attendance Program (SAP) with the Honolulu Police Department (funded with a number of other prevention educational programs under the Safe and Drug Free Schools Title IV federal funding). Schools individually select the types of programs to address delinquency prevention and may also develop their own truancy prevention program. Once a student attends SAP, the vice principal is to monitor the child's attendance. At the school level, personnel have contact with runaways via counseling when they are returned to school. The school attempts to help the student achieve and reduce the stress that causes him or her to run in the first place. Sometimes there is contact with the family to facilitate communication. The DOE's goal is to handle the truant child and parents before they are required to go to Family Court, either through communication at the school or in SAP, and to transition the student back into school. If the judge in truancy cases refers the child back to the school the order is Protective Supervision-DOE.

The Department of Human Service's Social Services Division provides foster care shelter, payment for shelter, and coordination of services with Department of Health (mental health), Department of Education (education), and Judiciary (monitoring).

The Department of Attorney General, Family Services Division, handles court petitions filed by the DOE. A Deputy Attorney General appears in Court to represent the state agency, e.g., Department of Education, Department of Health and Department of Human Services.

The Department of Health's Family Guidance Centers, established under the Felix vs. Waihee consent decree, receive referrals from the school or parent and assigns a case manager to represent the youth and follow the adolescent's case from initial intake, assessment and evaluation through Family Court. Case files include the youth's legal history. The case manager attends the hearing and his/her assessment and recommendations for treatment is often followed by the probation officer and judge. If the youth has another legal problem, the probation officer is required to notify the case manager for reappearance at court. The case managers select from a variety of private and public services for the youth's referral and conduct follow-up. Some require payment by the Department of Health and a few are no cost. Services range from counseling and therapeutic treatment to wrap-around services and recreational and cultural activities.

Social Services Providers

Non-profit agencies generally offer outreach services, follow-up with some youth, counseling and therapy, and as appropriate, emergency residential services in a structured and nurturing environment. Activities are often aimed at increasing or developing coping, communication, and problem solving skills. A few agencies assist at HPD's AKAMAI sessions for provision of referral information to parents and children.

Statewide Agencies

Ho'okala, an interagency cooperative program for status offenders, started in 1993 with funding from OJJDP under the administration of the Office of Youth Services. Ho'okala is an important means of handling youth who cannot immediately be returned to their homes. Federal law prohibits the police from holding a status offense youth more than six hours. If a youth cannot be returned to the parents in that time period, he or she is taken to one of the contracted agencies (Hale Kipa on Oahu; Hale 'Opio on Kauai; Maui Youth and Family Services; and Salvation Army Kona and Hilo Interim Homes) for intake, assessment, and contact with the family. If the youth is not picked up by the parents or guardian, the shelter attempts to provide temporary housing through one of the categorical grants.

Oahu

Hui Malama Ohana is a collaborative effort between the KEY Project, Susannah Wesley, and Hale Kipa. It is a program that targets "at risk" youth, which includes status offenders for outreach services. There are no subcontracts between the three agencies; their working agreement is a joint venture. The three Executive Directors met and mutually agreed upon which agency was responsible for fiscal management and which agency would provide program management. Each agency is responsible for a geographic area on Oahu. The KEY Project covers Castle complex schools; Susannah Wesley covers Kalihi and parts of Waipahu and Ewa; Hale Kipa covers from Makiki to Downtown Honolulu. Each agency has an Executive Director, a Program Director, an Area Coordinator, and outreach workers that work within the joint venture.

CORE/SPECTRUM meets with probation officers of Family Court at meetings, teachers in schools, HPD AKAMAI Program with the Boys & Girls Program.

Catholic Charities provides family services such as intensive homebased services and individual and family counseling, therapeutic foster care (Na 'Ohana Pulama), and a family-based

treatment program for hard-to-place youth. Na 'Ohana Pulama provides treatment homes on Oahu and the Big Island for troubled youths as an alternative to a more restrictive setting.

Hawaii - The Big Island

The Salvation Army - Hilo Interim Home does intake and assessment; crisis intervention; intensive outreach including individual, group, and family counseling; conflict resolution; referrals to community resources; service planning; aftercare services; emergency shelter placements; case management; and has 24 hour availability to the police.

Salvation Army Kona Interim Home provides crisis intervention with families and reunification. They also refer to family services when available and to CPS and Family Court when appropriate. Staff members are liaisons with school counselors.

Teen Court on the Big Island is a private organization affiliated with the YMCA and funded and monitored by the Judiciary. The model is for teen peers to act as attorneys, judges and juries for first time law violators and status offenders. The youth makes a statement and if found guilty by the youth jury, a sentence which usually includes community service and subsequent service on a Teen Court jury is given. The Teen Court caseload is about 20% status offenders.

Maui

Maui Youth & Family Services provides shelter, food, transportation, recreation, life skills, counseling (individual, group and family), and assessment of immediate needs and long range needs. Their emergency shelter and Intensive Home Based Family Services (IHBS) provided information about their work with status offenders.

Kauai

Hale 'Opio has the Ho'okala Program for Kauai and operates residential, non-residential, and emergency shelter programs. Hale 'Opio formerly operated a home based prevention program, three year demonstration collaboration between the DOE, Family Court, and the Police. Status offenders consume approximately five percent of Hale 'Opio's total budget.

Molokai

Maui Kokua Services operates after school services for Child and Protective Services and Child and Mental Health Department . They do not serve status offenders. The Molokai Youth Center run by Alu Like offers mainly afterschool programs and activities and does have some daytime truants, in which case, parents are contacted. Queen Liliuokalani Children's Center works with families who have multiple problems and some youth may be runaways or truants. Their programs support traditional Hawaiian values through cultural orientation and history. Molokai agencies interviewed indicated a need for a resident probation officer, a shelter for youth on Molokai, and expansion of the Adolescent Day Treatment Program. Substance abuse treatment programs and greater parental involvement were also seen as needs.

Lanai

Lanai has no non-profit agencies whose primary work is serving at-risk youth. The Adult Mental Health Division of the DOH, the school, police, and DHS's Child Protective Services (for abuse and neglect) are involved, depending on the situation.

Budget and Staffing

Current Level of Support

As expected, most agencies had difficulty differentiating between the staffing and budget for status offender related programs and services and the agency's overall budget. For instance one service provider stated that "all programs provide services to status offenders" therefore the total agency and staff budget should be counted. Most attempted to provide information on the portion of their resources devoted to status offenders but some could simply not answer the questions. Of the 28 agencies responding, the staffing ranged from one to 100 with an average of around ten staff members. It is difficult to draw conclusions without considering the staff to client ratio or the overall size of the organization. The annual budget reported also varied widely from \$3,000 to \$2,500,000. One example of the difficulty in dividing out their resource allocation for status offenders was the Maui Police Department whose officers work in both the Domestic Violence and Operations Units and also do juvenile counseling. Personnel from those areas total 16 but the budget for those individual officers who work in multiple areas could not be determined. Some agencies consider their work with status offenders to be in-kind services supported out of other funding sources. In the case of HPD's truancy prevention program, SAP, the funding and staffing is in the Department of Education's contract with the State's Youth Gang Response System.

Expected Changes in Services or Level of Support

Agencies generally did not expect changes with their services for status offenders in the near future. Of the 28 agencies who completed the questionnaire, 19 expected the current level of support for status offenders in the next fiscal period to remain the same, five expected to have significant changes in the current level of support, and the others did not know. An example of a comment on this question was: "We never know until we get results of RFP funding which is dependent on state revenues."

Table 24 shows that twenty-two agencies expected to continue to provide the current level of services in the next year, two expected to reduce services, and the remainder did not know.

A few commented about uncertainties in funding and services. County police remarked on their recruiting and the size of future graduating classes as factors. A few non-profit agencies expected a decrease in revenues and resources, and others expected case management services in the Department of Health contracts to provide additional positions and funding.

Table #25: Expectations for Changes in Level of Support and Level of Services

AGENCY	Change Level of \$ Support	Change in Level of Services
Police		
Honolulu		
a. AKAMAI	No	No
b. SAP	No	No
c. Even. Counseling	No	No
Hawaii	Yes	DK
Maui	No	No
Kauai	No	No
Judiciary		
Family Court-Honolulu	No	No
Family Court-Hawaii	No	No
Family Court-Maui	No	No
Family Court-Kauai	No	No
Department of Human Services - Social Services Div.	No	No
Social Service Providers		
Boys and Girls Club Honolulu (Youth Service Center)	No	DK
Maui Youth and Family Services		
a. emergency shelter	No	Yes
b. IHBS	No	No
Salvation Army Hilo Interim Home	Yes	Yes
Salvation Army Kona Interim Home	Yes	No
COYSA	Yes	No
CORE	No	No
KEY Project	No	No
Teen Intervention	No	No
Hina Mauka Teen CARE	DK	No
Child and Family Services	Yes	No
The Casey Family Program	No	No
Helping Hands Hawaii	No	No
Hale Kipa	DK	No
Salvation Army Family TA Services-Honolulu	DK	DK
Hale 'Opio	No	No
Catholic Charities	No	No

Shortfalls in Services

Fixed Period of Time and Completion Rate

Fourteen of the 28 agencies said that they did not serve status offenders for a fixed period of time, while seven said they did and others did not respond. The shelters and residential treatment programs were more likely to be for a set period of time, ranging from 30 days to 16 weeks. Only five of those agencies could state the completion rate, reporting 73% to 95% completion. Few answers were given for why there was non-completion, however "elope from program or asked to leave for violation of major rules" were two reasons given by one service provider. One program was able to estimate the average length of contact with youth as being 10-15 hours per week. Another that operated a shelter stated the average contact period as two weeks to one month.

Recidivism and Repeat Services

Seventeen agencies provided recidivism rates, i.e., the percentage of youth who repeated the offense, for the status offenders served. This ranged from 5% to 85%. The Judiciary estimates ranged from 5% to 30%, with Honolulu's Family Court reporting the highest rate. Only the Honolulu Police Department gave estimates which ranged from 20% to 30% for their runaway program and 65-70% for their truancy program. The non-profit service providers gave estimates which ranged very widely, from 8% to 85% repeated these status offenses.

Table #26: Estimated Recidivism Rate

AGENCY	Estimated Recidivism Rate
Police	
Honolulu	
a. AKAMAI	20-30%
b. SAP	65-70%
c. Even. Counseling	45%
Hawaii	-
Maui	-
Kauai	-
Judiciary	
Family Court - Honolulu	30%
Family Court-Hawaii	20%
Family Court-Maui	15%
Family Court-Kauai	5%
DHS- Social Service Division.	
Social Service Providers	
Boys and Girls Club Honolulu (Youth Service Center)	30%
Maui Youth and Family Services	8%
a. emergency shelter	50%
b. IHBS	
Salvation Army Hilo Interim Home	20%
Salvation Army Kona Interim Home	17%
COYSA	12%
CORE	85%
Teen Intervention	-
Hina Mauka Teen CARE	-
Child and Family Svcs.	-
The Casey Family Program	-
Helping Hands Hawaii	50%

Table #26 (continued)	
Hale Kipa	30%
Salvation Army Family TA Services-Honolulu	-
Hale 'Opio	50%
Catholic Charities	-

Problems Presented by Status Offenders

When asked what issues are faced by status offenders, the most frequent problems were conflicts with parents (14 mentions), drug and alcohol use (10), school problems/failure/non attendance (6), peer pressure (4), teen pregnancy (3), inactivity and boredom (2), poor anger management (2), potential for abuse or neglect (2), psychological and emotional problems (2) and one mention each of the following: communication and problem solving skills, gangs, sexual orientation, poor self esteem, prostitution, economic problems, lack of social skills, physical violence, conduct disorder, suicide and depression, sexual behavior, oppositional defiance disorder, stealing, poor coping and knowledge that status offender is not a priority in Court.

Shortfalls and Gaps in Services

Agencies were asked in the survey about perceived shortfalls and gaps in services. Fifteen individual responses covered a range of problems with some consensus regarding resources, programs and treatment. Four Judiciary officials answered the following: lack of resources in general, lack of free counseling for substance abuse treatment especially for females, lack of residential substance abuse treatment, and lack of prevention programs prior to court referrals. Four police responses expressed shortfalls in parental skills education, communication skills education, the time available for sessions with families because of staffing and the sheer number of families who need assistance. Six social service providers stated that there are shortfalls in parent and youth skills builders for better relationships, parental accountability, educational programs or tutoring, the number and duration of services, mental health services, shelter, outreach, counseling, and substance abuse treatment, and the opinion that no one agency has primary responsibility for status offenders.

Problems With Handling Status Offenders

Table #27: Perceived Problems with Handling Status Offenders

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

In Table #27, problems in providing services to status offenders are listed. These problems were identified by service providers who were contacted for a Key Informant Interview (see Appendices: copy of KII and list of interviewees). Answers were obtained from questions 9 and 10 of the Key Informant Interview (KII). Question 9 from the KII asked interviewees if they felt the system was adequately handling status offenders or if there are problems posed by the system that are not being addressed by their specific programs. The vast majority of interviewees did not feel that the system adequately handles status offenders. Question 10 of the KII asked respondents to identify the most important problem in providing services or controls for status offenders.

The responses to these two questions were combined in this analysis because very few respondents felt confident in identifying the most important problem in service delivery. Most interviewees identified several problems with equal standing that impacted upon each other. In many cases interviewees identified problems that status offenders face, in addition to problems providing services to status offenders. Because of this, many of the problems identified may not necessarily reflect problems in service provision as such, but rather problems which are faced by the youth that may lead to their status offenses, and which need to be addressed by the services provided.

The table identifies 63 problems grouped under 12 problem "concepts." Each problem that was initially identified was listed. Whenever another respondent identified the same

problem, that response was tallied for the problem. Theoretically, any one problem could have been identified only once or as many as 47 times (the total number of individuals interviewed).

A separate file was established that categorized each response into a problem "concept" (see pg. 86 Problem Categorization). When a respondent mentioned a problem already identified, it was noted. The number in parenthesis next to each response indicates how many interviewees identified that particular problem. If there is no number next to a specific response, then that response was identified only once. The five most often cited problem concepts are problems that are "service related", "family related", "staffing related", "difficult clientele", and "other social problems".

The problem concept identified most often related to actual service provision problems. Identified "service related" problems included the following among others: lack of services in a particular area, inadequate existing services, time restraints when working with the youth, services that are reactive versus proactive or preventative in nature, and problems with office space. "Service related" problems were identified by more than half of the KII respondents.

The second most often identified concept related to the individual youths' families. One generic phrase that was categorized into this concept of family related problems was "dysfunctional families". Dysfunctional families were identified as those where substance or child abuse occurs, families that are headed by a single parent, or families that provide little or no supervision of their son or daughter. Also included in the concept of "family related" problems are issues such as working with the youth separate from the family, when the whole family may need services and difficulty contacting parents when their son or daughter commits a status offense. Finally, several respondents mentioned that they feel some parents do not see or stress the importance of education and of regular school attendance to their sons and daughters.

Problems that were categorized as "staffing related" followed closely behind those that were considered "family related." One quarter of the KII respondents indicated that their agency or department is understaffed. Apathy about working with status offenders, staff frustration when working with this population, and a feeling of not being "equipped to handle" status offenders, additionally, were categorized in the "staffing related" concept.

The fourth problem concept which emerged was classified as "difficult clientele", that is, perceptions that the status offender is not a client who engages the professional skills of a case worker. For example, the definition of status offender is problematic, that status offenders are not seen by service providers as individuals, that they turn out to have unidentified learning

disabilities, they require too much time to work with, they have no role models or mentors, and they "learn to work the system."

A fifth major category of problems identified in service provision to status offenders was "other social problems." Because many interviewees identified problems that status offenders face in addition to problems in service provision, this category seems to more accurately reflect problems of the youth versus problems in service provision. Several interviewees identified poverty and unemployment in the minor's family or community as problematic issues for the youth. Included in this category also were lack of social activities for the youth, abuse and neglect of the youth, collapse of traditional values, and lack of public transportation. Together these five categories account for 62% of the total problems mentioned.

Problem Categorization

Below is the complete description of responses and number of mentions by category.

Service related

- Lack of service options/unawareness of service options (17x)
- Not adequate (5x)
- Time constraints to work with SOs (4x)
- Services are reactive vs. proactive (2x)
- Size of island makes service provision difficult (2x)
- Office space lacking to do job
- OYS gets lost in govt. infrastructure (within DHS)
- No safe haven for victims of abuse
- Lack of permanency planning for youth
- Court just becomes a referral agency
- Working families can not get to services that are only provided during the day

Family related

- Dysfunctional families (8x)
- Lack of parental involvement/supervision (7x)
- Education not a priority according to parents (5x)
- Family needs services as well but they aren't getting them (3x)
- Lack of parental accountability (2x)
- Difficult contacting family (2x)
- Parents don't seem to care
- Youth looked at as separate from family vs. looking at family as a whole

Staffing related

- Understaffed providers (10x)
- No concern for SOs/don't want to work with them (5x)
- Frustration among staff when working with SO population (3x)
- Not equipped to handle SO population

Difficult Clientele

- Service providers don't look at each SO as an individual (4x)
- Definition of SO is problematic (3x)
- Require too much time to work with (3x)
- No role models or mentors (2x)
- SOs defined as rotten or demonized (2x)
- SOs are same youth over and over, not new offenders (2x)
- Learning disabilities not identified (2x)
- Service providers only look at deficits of youth vs. strengths
- SOs not a priority population
- Youth may be put back in home which isn't always good
- Lack of community integration post HYCF
- Higher numbers of female SOs
- Youth learn how to use the system to their advantage

Social problems

- Poverty and unemployment (7x)
- Lack of social activities for youth (5x)
- Abuse and neglect (2x)
- Collapse of traditional values (2x)
- Lack of public transportation

System related

- No systematic process to follow for service provision (3x)
- Informal work leads to under representation of SOs in statistics (2x)
- No identification or tracking of SOs (database) (2x)
- Families become welfare dependent (2x)
- No continuum of care for SO population
- Families don't understand system
- Categorical funding means agencies try to fit youth into certain slots

Sanction related

- Lack of/too late consequences (6x)
- Contempt of court - too extreme; won't be invoked (3x)
- Family Court not using its authority (2x)
- Punitive measures not effective

Collaboration

- No inter/intra agency coordination or collaboration (11x)
- Competition among non-profits for funding

Accountability

- No one agency/dept. taking responsibility for working with SOs (5x)
- No clarity on which agency/dept. is responsible for SOs (2x)
- Agency finger pointing about who is responsible for SOs
- SO population is so diverse that it is difficult for one agency/dept. to take responsibility

Recognition of extent/seriousness of SO problem

- Lack of recognition of seriousness of problem (3x)
- Problem of SOs is larger than people realize (2x)

Prevention related

- Lacking programs (4x)

Root cause

- Not investigated (4x)

Needed Resources as Identified in Interviews

Table #28: Resources Needed to Better Handle Status Offenders

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

In Table #28 resources needed to correct shortfalls in services to status offenders within each interviewee's agency or department were identified. The resources were identified in response to question 11 of the Key Informant Interview (see Appendix) as a follow up to the questions that asked interviewees to identify problems in service provision to status offenders. While not all of the interviewees identified resources or perceived needs to improve service delivery to status offenders, most interviewees did have suggestions in mind and actually identified several types of resources.

The first three perceived resource needs identified are general terms for three different categories that include several different, but related answers. These three categories are explained in more detail below. The remaining identified needs are self explanatory.

The resource need cited most often was *increased services*. Fourteen interviewees perceived a need for an increase in services in general. The following services were specifically mentioned by at least two of the interviewees: drug education, awareness and treatment; parent education; family counseling; outreach; shelter; case management; prevention; and the need for more facilities in which to provide services. The following specific services needed were mentioned once each: a Windward AKAMAI program; wrap around services; emergency care; 24 hour assessment services; educational programs; immigrant services; home visiting; adoption services; transportation services; foster care; and mental health services.

Perhaps surprisingly, perceived need of an *increase in funding* was mentioned by only ten respondents. One could infer, however, that by identifying a need for an increase in services to status offenders, the need for increased funding is automatic. Increased funding to specifically hire additional staff was mentioned by eight of the interviewees.

Finally, the need for *increased inter/intra agency collaboration* was identified several times. The emphasis on intra-agency collaboration came from a neighbor island in Maui County where policies and procedures are developed on Maui without the consideration of the neighbor island staff. Other respondents indicated that there was a need to increase interagency collaboration, coordination, and cooperation to avoid duplication of services to status offenders. Increased communication between service providers and the community was identified as a need in order to develop a greater understanding of the difficulty of service provision to status offenders rather than a resentment about "nothing being done about them." Suggestions to develop an interagency *early assessment tool* and a collaborative model for funding and service provision also fall into this category of identified perceived resource needs.

County Variations

Counties differ in their perception of problems in providing services to status offenders. Overall, urban areas have more of a problem with coordination of services that can lead to duplication of services. While at times in urban areas existing services are inadequate or incapable of reaching all the youth that need services, in the rural areas there is more of a problem with little or no services. This poses further problems because the youth needing services either have to fly to another island, which is a financial burden, or the youth just does not receive any services. In situations where the youth does not receive necessary services, the belief many rural service providers hold is that the youth's offenses will progress to law violations.

In examining each county individually, Hawaii County has several main problems. The sheer size of the island prevents many service providers from reaching youth in more isolated areas. There is no public transportation that allows the youth access to services, and obviously youngsters particularly the 14 and 15 year olds common in the status offender population, do not have their own vehicle. Social problems such as high unemployment and drug use in the youth's family or community were reported to interfere with the effectiveness of services to the youth. Finally, service providers in Hawaii County do not feel they receive a level of state funding that is proportional to their high level of social problems, i.e., higher rates of social problems per 1,000 residents should result in a larger share of state funds.

Problems faced by Kauai County are similar to Hawaii County in some ways. Kauai County is also faced with a deficiency of service providers on the island as well as pervasive unemployment, particularly since the hurricane, and poverty that impede service provision. Kauai County service providers often feel as if they have no recourse but to send a youth to Oahu to receive services.

The service providers main problems in the City and County of Honolulu revolve around collaboration and coordination of services. In urban Oahu there appear to be at least some of any kind of needed social service (i.e. drug addiction services, shelters, and recreational programs); however, because these multiple service providers do not routinely share information for whatever reasons, duplication of services is reported by many Honolulu County service providers. Most of these service providers point to confidentiality of records as one inhibitor of collaboration and a reason that duplication of services continues. Again, because client records are confidential, it is difficult to say definitively whether this is truly the case. In rural areas of Oahu, problems in service provision are related to insufficient services and difficulty accessing services due to the scarcity of transportation options.

Maui County's problems in providing services to status offenders are a combination of those faced by the urban and rural areas. On the island of Maui, which is obviously more urban than Lanai and Molokai, service provision problems are quite similar to those in urban Oahu, where collaboration is lacking. On Molokai and Lanai, the general feeling of service providers is one of overall neglect by the state in providing services to status offenders or any youth for that matter. Molokai cited the lack of a resident judge, a resident juvenile probation officer, the lack of any shelter for out-of-home youth, and some schools having no certified special education motivator.

Several times during interviews on these islands, the phrase "out of sight, out of mind" was repeated. This was translated to mean that because these islands do not have the "numbers" to warrant services, the state does not deem on island services as important. For instance, on Lanai, the youth are forced to go to Maui for services. This appears to cause dissension among service providers. For example, some service providers are frustrated with the police because they do not pick up youth that are beyond parental control. The police on the other hand do not feel they should pick up these youth because there are no services to take them to even if they do pick them up. It seems like agency personnel just deal with the situations of troubled youth the best they can with what resources are available and feel somewhat resigned to this fate.

Agencies Working Together

Referrals to Other Agencies

Agencies were asked to identify the other agencies they work with to provide services to status offenders and the referrals that they make. Twenty respondents mentioned a variety of agencies, some with which they have formal agreements and others they contact informally. Because they only had limited space on the questionnaire for this question, they most likely did not report every agency they work with regarding status offenders, just the ones that first came to mind.

Honolulu Police Department formally works with the Department of Education to provide SAP and also works with a number of private social service agencies who are resources for families attending Evening Counseling, SAP, or AKAMAI. The Boys and Girls Club of Honolulu has been the site for Saturday morning's AKAMAI. Referrals are made to Family Court in Honolulu if the juvenile has repeated offenses.

Hawaii County Police Department works with Salvation Army Hilo and Kona Interim Homes (the Ho'okala agencies) the Department of Human Services, Child Welfare Services, Family Court and the Department of Education to some extent for the PAGE program which is more gang and drug-prevention oriented, but addresses status offense problems as well.

Maui Police Department reported that it makes referrals to Maui Family Court and it works with Maui Youth and Family Services, the Ho'okala agency on the island.

Kauai Police Department also works with Family Court and works with Hale 'Opio, its Ho'okala agency, and Child and Family Services.

The First Circuit Court's Non Violators Unit in Honolulu said that it works primarily with private agencies such as Susannah Wesley Community Center, Kalihi Y Outreach, Hale Kipa Aftercare Program, and Partnership for Families. They refer to the Department of Health's Family Guidance Centers youth needing to be certified for special education. They utilize John Howard Association's Juvenile Anger Management Program under a POS agreement. If the family of a referred minor has medical insurance coverage for counseling they are encouraged to initiate services with a private psychologist or psychiatrist. The Unit has POS contracts with Hale Kipa and COYSA. The Family Court stated that it is difficult to refer status offenders to service providers that have limited space, particularly those who are not Purchase of Service contractors, especially if the case does not involve abuse/neglect or special education.

The Department of the Attorney General's Family Law Division works with the DOE and Family Court on Educational Neglect petitions filed. Recently (April 1997), these three agencies have been meeting to study and propose a better system for better handling these type of status offense cases.

Big Island Family Court works with The Institute for Family Enrichment (TIFFE) for homebound services, private practitioners or the Department of Health for mental health services, DHS for foster placement, and Child and Family Services.

Maui Family Court reported that contacts and referrals depend on the case situation and could likely involve contacts with the Department of Education, Department of Human Services (Child Welfare Services), and Department of Health mental health services.

The Department of Health works with private sector agencies (e.g., YMCA, Boys and Girls Club, Susannah Wesley, PACT, Salvation Army, Catholic Charities, Kahi Mohala, Castle Medical Center, and Nursefinders) and government agencies like Parks and Recreation, National Guard Youth Challenge Program and other training facilities.

CORE/SPECTRUM works with the Hawaii Youth Correctional Facility, Child and Family Services, John Howard Association, Bobby Benson Center, Salvation Army, Big Island Substance Abuse Council, the Department of Education, Office of Youth Services, Boys and Girls Clubs, Department of Health, Department of Human Services, and Maui Youth and Family Services.

Helping Hands Hawaii makes referrals to the Department of Health Family Guidance Centers.

Teen CARE reported that they make referrals to any agencies that might benefit clients including mental health professionals, anger management classes, and sex abuse treatment.

Maui Youth and Family Services reported that they work with a full range of community agencies serving youth and families which include: Family Court, Child Welfare Services, Department of Health, Department of Education, the police department, Family Peace Center, Youth Services Center, Independent Living Program and group homes.

The Salvation Army Kona Interim Home works with Child and Family Services Center for in-home counseling services; Kahi Mohala Crisis Service for mental health issues; Crisis

Line for help with short term counseling for youth and family (4-6 sessions free), Big Island Substance Abuse Center (BISAC) for out patient treatment and Alateen and Alanon.

The Salvation Army Hilo Interim Home works with many agencies: Department of Human Services' Child Welfare Services, Family Court, DOH Child and Adolescent Mental Health, Department of Education, police, BISAC and Castle Hospital drug programs, TIFFE (home based services), Alu Like, Parks and Recreation, Alternatives to Violence, Kuhikahi Mediation Center, Teen Court and various mental health providers.

The Molokai agencies interviewed identified these agencies as working together on the status offender cases if needed: DOH Adolescent Day Treatment Program, Queen Liliuokalani Children's Center, Maui Youth and Family Services, Department of Human Services' Child Welfare Services, Maui Kokua Services and the police.

Lanai Police Department and the Lanai School work together on status offender cases, when needed, and they may refer to DHS for child and protective services or the DOH Adult Mental Health professional.

Family Involvement in Status Offender Cases

The Courts, police departments and a number of social service agencies responded that they involve the families in their programs, either through required attendance, e.g., Court or in HPD's three diversion programs, or with in-home visits and counseling as is the case with agencies like Teen CARE, Helping Hands Hawaii, and Maui Youth and Family Services. Seven non-profit service providers said that they offer some family counseling and recognize the importance of working with the family unit. The Honolulu Family Court stated that it has no authority to require the family and minor to cooperate if the case is handled out of Court, but once a minor is taken into Court, the parents have no choice and are ordered to participate in various services.

Follow-Up with Status Offender Cases

Ten agencies responded to the question about follow-up with cases after initial services are provided. In some cases like with Maui Youth and Family Services, all clients who leave a shelter are referred to their outreach workers. Salvation Army Hilo Interim Home has aftercare follow-up contact to determine if the situation has been stabilized. The Salvation Army Kona Interim Home stated that in the Ho'okala project, there can be about three or four months in a combination of counseling and in-home work, using their staff and others like Child and Family

Services. After attendance at Honolulu's AKAMAI Project, youth are encouraged to obtain a free assessment/referral at Hale Kipa but this is not required to complete the program. With the First Circuit Court's Non-Law Violator Unit, if certain conditions were imposed on the minor, the case is monitored until the specified deadline for completion of the conditions. The Court tracks cases which recidivate after a letter, seminar or office visit.

Interagency Coordination: the Process of Working with Status Offenders

Looking for the System of Referrals: the Problem

Services for status offenders is essentially a process of moving cases from a pick-up or arrest by police or school, up to an assessment or decision and then to a service designed to render the minor more tractable, reduce the conflict with the family, and return the youngster to the school if he or she still is enrolled. After that the level of immediate concern subsides (there is always another active case presenting itself) but the interest shifts to whether the youth is retained in the program, remains arrest free, whether he or she develops or regains a satisfactory relationship with the family or some significant adult surrogate, whether the child survives and progresses in school. Moving the status offense case is partly a matter of

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

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

- retaining the youngster in some kind of program;
- ~~partly a function~~ of the effectiveness of the program itself; and,
- known only if there is a post-program follow-up and after care.

Finding the funds and the program vacancy for the referral, retaining the child in the program to which referred, and following through after program completion to assure reintegration with the family and the school (and not merely whether the case comes back as a law violation) are only infrequently documented in the record. Funds are scarce, staff time is short, and no decision is made without some priority being established. Since status offenders are not directly victimizing the community, that priority for receiving services often is determined by chronicity.

Status offenders are most frequently identified by coming to the attention of the police through an encounter on patrol (e.g. noting a minor in public place during school hours or after curfew) or much less frequently by coming to attention because of a complaint from the family or school (the latter via a complaint filed by the Attorney General's Office). There are several routes from the initial encounter however. The police may make one of three general decisions: Diversion (or Normalization), Treatment or Deterrence. (See Table #29)

Table #29: Three Philosophies of State Jurisdiction over Status Offenders

<p>Normalization: The name implies that the problem of juvenile misconduct can be solved by restraining the hand of legal authority and diverting the case to a private educational or social agency. The theory that youth should not be directly controlled but diverted without jurisdiction of the court</p>	<p>Treatment The theory that status offending behavior is a consequence of problems of socialization and family organization, which require control to deliver treatment. Treatment is a combination of police, court and probation with private agencies to correct problems in the child and the family. The Family Court makes referrals and court authority sustains participation in treatment.</p>	<p>Deterrence The theory that status offenses are the precursors of delinquency, a course of development which must be checked by intervention, sanctions and if need be, control from the justice system. The court orders participation in programs and sanctions non-participation by short term detention or more restrictive arrangements.</p>
<p>Pure form: Minimal use of police arrest; divestiture of court from initial jurisdiction over status offenders; autonomy of private service providers.</p>	<p>Pure form: Using the authority of the court only if the referral is not effective or if the child evades the program. Backstopping referrals with the resources of the court and probation.</p>	<p>Pure form: Detention for violation of valid orders of court; surveillance and sanctions to ensure participation and compliance with treatment program. The court is active from the beginning. There is no hard and fast line between status offender and delinquent.</p>

Source: Office of Juvenile Justice and Delinquency Prevention 1989 "Assessing the Effects of Deinstitutionalization of Status Offenders"

For runaways or truants, the police, after checking to see if there are outstanding violations or prior dispositions, may return the child directly to the family or the school: (that is particularly likely on the Neighbor Islands); they may divert directly to a social service agency, or they may refer to Family Court. The Family Court has its own cycle of diversion, treatment or deterrence. It may essentially return the case to the family if he or she is a first referral (via a so called Diversion Letter sent to the family). The court may divert to a social service agency as a Counsel and Release. Or the court may adjudicate the minor as a Status Offender and order treatment of some kind under Protective Supervision. In Honolulu, the Police, the DOE and the Family Court operate in all three areas of diversion, treatment and deterrence (See Table #30).

Table #30: Movement of Status Offense Cases Through Arrest and Court

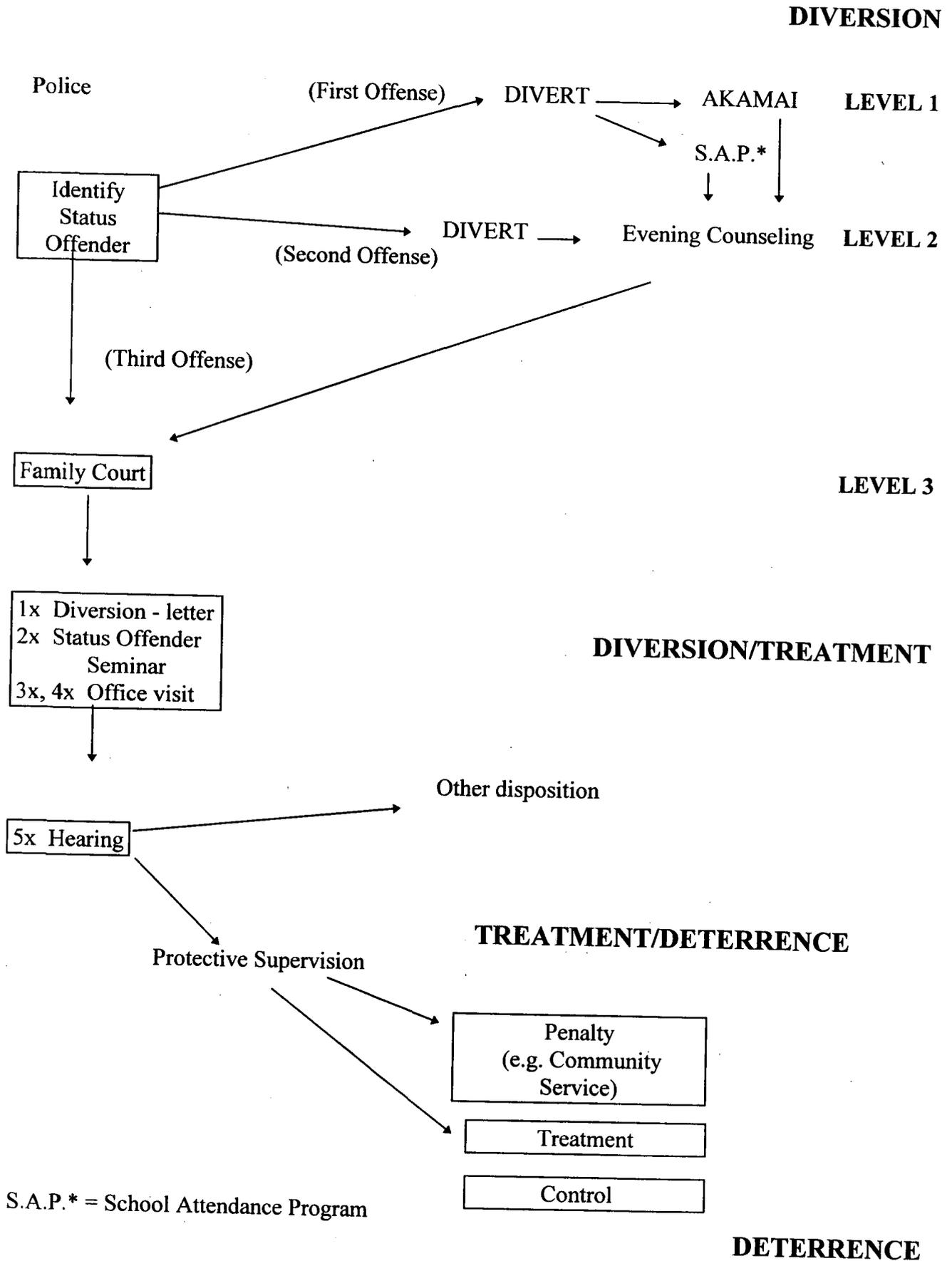
Contact Number	Referral Option	Fail To Appear?	Upgrade Option
1st Truancy arrest	School Attendance Program (SAP)	No Show	Evening Counseling
1st Runaway or other	AKAMAI	No Show	Evening Counseling
2nd Status Offense	Evening Counseling	No Show	Family Court
3rd Status Offense	Family Court: Diversion Letter		
4th Status Offense	Letter directing parents and child to Status Offender Seminar	No Show	Letter saying call for appointment with Juvenile Probation
5th Status Offense	Letter saying call for appointment with Juvenile Probation	No Show	Same letter
6th Status Offense	Same as Above	No Show	Court Order hearing scheduled before a judge
7th Status Offense	Court Order: hearing scheduled before a Judge		

NOTE: The Honolulu Police Department has established three levels of response to status offenses, including truancy. Level One, the AKAMAI Youth Project (for runaways and curfew violators) and the School Attendance Program (for truants). Level Two is Evening Counseling. Failure to appear at Evening Counseling or repeated offense will move case to Level Three, referral to Family Court.

The Police and the Family Court may be termed referral sources, sending individual cases to some destination, usually informally, but sometimes formally. To a lesser extent the DOE and the DHS may be referral sources but they, like OYS, are most importantly funding sources, paying for places for youth in programs via purchase of service agreements. The DOE and DHS may attempt to persuade the Court to provide controls to a case with whom these agencies may be embroiled. The service providers, largely private organizations, receive funding via POS contracts or sometimes fee for service. These service organizations are diverse and provide a diversity of services.

This arrangement can be diagrammed, showing different routes to a disposition. (See Figure #6).

Figure #6: General Flow of Cases to Dispositions



In all cases, the objective is to return the minor to the family and the school if possible, either directly or via a service which presumably provides immediate shelter and security or induces change. It is characteristic of the status offender however that usually more than one agency assumes some responsibility for the minor. Thus agencies work with other agencies, either concurrently or sequentially.

One hears service providers speak of "nobody's kid". It is of some consequence to a referral source or caseworker which kind of category their client occupies. For some, an overnight shelter is the extent of service. On the other end, since *Felix v. Waihee*, a DOH child might get a case coordinator and wrap around services. "Nobody's kid" is a case which has no fund category. These are references to categorical funding. Categorical funds means a finely tuned eligibility band such that, in order for a child to be covered by a funding source, the presenting complaint or reason for referral must fit certain criteria. For example, DHS requires the case be an active child protection case, meeting abuse/neglect threshold criteria; DOH will pay if a child can be interpreted as emotionally disturbed; OYS, intellectually committed to a policy of non-categorical intake, has still more general funds. A private service provider program may have to use Aloha United Way funds or try to get the parent to pay a daily fee. These various categories pay very differently. A service provider might, for basically the same bed, have to get only \$10 from a parent, might get \$95 from OYS, or if DOH accepted might get \$300 a day. Of course each source has its own reporting system, so multiple funding means multiple account books.

Funding exigencies create problems for service providers as well as funding sources. One respondent stated that a few years ago, if a 14 year old girl was in Waikiki without supervision we used to be able to get CPS for her, but today the child is probably not eligible. CPS is so understaffed that they do not take teenagers, whom, off the record, they say can run away but babies cannot. So it takes creative arrangements with cases to accommodate even minimally.

The distinction between general child welfare services and the special sector of child protection is important in referrals for status offenders. The primary focus of child services in DHS is on children who have been abused or neglected or who are at risk of such abuse and neglect. Although abused and neglected children may be truant or runaway, they receive CPS for the abuse and neglect, and then only if quite young. Children who do not meet this threshold are regarded as inappropriate referrals. The Family Court sometimes refers such status offenses to DHS. DHS believes these should be referred to OYS because DHS does not have a specific budget for status offenders.

Around the state however there are persons who would see DHS's role differently. Our impression from the interviews is that attempts to clarify agency roles and responsibilities, while on-going, have some way to go. This issue is driven by budget shortages and competition for scarce resources, and is not likely to yield to a solution which does not address the funding question.

The value of addressing the issue of interagency collaboration in spite of the problem of fiscal competition is that it is widely recognized that chronic status offenses are a manifestation of multiproblem families, drug and alcohol use of adults in the child's household, unemployment, parental indifference to the value of school attendance, ineffective controls and, in some areas, long term unemployment, job loss and community depression. As one judge remarked in an interview, a few hours of counseling on parenting skills will not affect this. He saw family and school problems as the loci of status offenses and would see value in a centralized, inter-agency supported assessment for every troublesome minor, to provide an early comprehensive determination of the major problem. This assessment then would be available to any agency or court which assumed responsibility for the case.

The System Flow or Process for Serving Status Offenders

Most agencies stated that the process for handling status offenders began with a police arrest which, would likely divert such occurrences or, without a diversion program, would move to Family Court, and only rarely with a school petition (in the case of non-attendance) to the Attorney General which would be heard in Family Court. However, there are many different paths described for the intake of a status offender into the juvenile justice system. In all cases, the usual objective is to return the child to the home or to school.

Some agencies interviewed saw themselves as the beginning of the process simply because of their own knowledge and experience with the system. The perceived paths also varied according to recent changes in programs, funding and procedures.

Since 1990, the Honolulu Police Department (HPD) and Department of Education co-sponsor the Saturday morning truancy program, School Attendance Program (SAP) and HPD co-sponsors the runaway program, AKAMAI with the Boys and Girls Club. These program's purpose is to divert youth and their parents from Family Court and lower the number of court referrals. HPD also operates Evening Counseling for status offenders (and some minor law violators) who did not attend the other programs or were re-arrested. Maui Police Department has started a similar educational awareness evening program for youth and parents, Second Chance,

combining AKAMAI and evening counseling concepts. Hilo, Pearl City, and Waiakea High Schools have their own truancy school on Saturday mornings.

Some arrests of status offenders are taken into police custody and handled informally by the officer on patrol or a juvenile officer or counselor and do not result in attendance at a program or a referral to court. In the smaller, more rural communities, the police said that no action was taken with a status offender returning them to home or school. Schools only refer the more serious truancy problems to police on in Hilo, on Lanai, and on Molokai. On occasion, the Lanai School refers youth to the Department of Health.

If a youth is arrested and there is a report of abuse or neglect, Child and Protective Services (CPS) in the Department of Human Services is contacted. CPS stated that they do not have the resources to handle older children and that there are a shortage of foster homes. Sometimes Protective Custody cases go to Child and Protective Service and come back to the court, where a new search for a referral option will begin.

Teen Court fits into the process on the Big Island and Oahu. The status offender appears in Court as teen peers act as attorneys, judges and juries. The youth must admit responsibility to the charge (plead), is heard by the youth jury, and then the sentence usually includes community service and subsequent service on a Teen Court jury. If the youth abides by the Court's order (usually community service and service to Teen Court as a juror) the arrest is expunged from the public record.

Non-profit agencies are involved on all islands. Ho'okala, the diversion program using police and emergency shelters is the most formalized system of non-profits serving status offenders. It began in 1993 with funding from OJJDP under the administration of the Office of Youth Services. Federal law prohibits the police from holding a youth more than six hours. If a youth cannot be returned to the parents in that time period, he or she is taken to one of the contracted agencies (Hale Kipa, COYSA, Hale 'Opio, Maui Youth and Family Services and Salvation Army Kona and Hilo Interim Homes) for intake, assessment, and contact with the family. If the youth is not picked up by the parents or guardian, or if the parent(s) cannot be located or youth refuses to return, the shelter attempts to provide temporary housing through one of the categorical grants.

Non-profit agencies like COYSA and Maui Youth and Family Services receive outreach referrals from schools, police, parents, youth themselves, and the Department of Health. They provide emergency shelter, counseling, sometimes monetary with parent and referrals to other services. One of the most commonly mentioned problems by those interviewed is that there are

not enough appropriate programs to which status offenders can be referred, that there are long waiting times, that categorical eligibility is sometimes unrealistic.

Once a youth appears in Family Court, referrals may be made to agencies which have contracts with the Court (see Children's Services Inventory), to the Department of Human Services if the case has abuse, or the Department of Health if the youth has emotional problems. (Probation officer's role here--informal adjustment --or as a monitor on protective supervision is to coordinate any program service they might have). The Family Courts on the Neighbor Islands seem to receive mainly referrals from the police (for example as Maui estimated 99% and 1% from DOE petitions). The judge may also handle the case in an individualized approach such as requiring that the youth perform community service or do a work project that will teach responsibility.

The Department of Education can be the first step in the process if they notify the police for truancy or file a petition with the Court. We were unable to obtain statistics on DOE petitions filed. Schools can now refer a child to the Family Guidance Centers, located within each school district, as established under the Felix vs. Waihee consent decree. The final desired step in the process for handling truant is the return of the student to the classroom.

Agencies described further links if the youth repeats the offenses and is re-arrested which could ultimately result in referral to Family Court and a court order to Protective Supervision.

Referrals are made to the Office of Youth Services who re-refer to programs under court assistance. This is particularly likely if they are older kids that CPS doesn't want.

There are no repercussions from court sanctions for the youth and their family if they do not comply with requirements of the program which is to provide the services.

Funding Flow

Agencies reported various funding mechanisms and flows. Most typically these involved county and state budgets for government departments and Judiciary and Purchase of Services (POS) contracts with non-profits administered through OYS, the Family Courts, and the Department of Health and the Department of Human Services (see Children's Services Inventory). In many cases, referral arrangements are "fee for service", meaning the government agency only uses the social service agency (and pays for the service) on a case-by-case basis. The State's Youth Gang Response System (YGRS) created by the Legislature in 1990 and administered by OYS funds a number of programs like SAP and outreach by agencies like Kalihi

YMCA and Susannah Wesley which serve status offenders among their clientele. The YGRS also funds some overtime hours for police in all counties to operate the special programs.

Agency personnel expressed their dilemma with what they called “categorical funding”, i.e., a child has to meet specific requirements or qualifications in order for the social service to use the money from a certain Department or agency. The amounts provided for the child depends on which agency funds the services. The youth needs to meet the requirements of one of the funding agencies or be considered “nobody’s child”, meaning there’s no agency which can fund the services and therefore private funding must be used. In those cases, some social service providers use Aloha United Way or their own private funds, if possible, to serve the youth. In their initial assessment, the social service has to find the most appropriate and legitimate funding source for each child and the reimbursement may be greater from one department, e.g., the Department of Health than another. This requires detailed planning, decision-making, record keeping and accounting. It also may mean that some children simply cannot be served unless an agency uses private funding or sliding scale payments from parents. According to those interviewed, this categorical funding procedure causes one of the most difficult obstacles for providing services for troubled youth.

Non-profit service providers were perplexed and dismayed about the funding mechanisms. One agency commented that emergency shelters spend too much time responding to DOH administrative rule changes. Another agency implied that the “fee for service” payment method allows the government department to save money but this diminishes the non-profit agency's budget. Yet, when asked if they expected further budget cuts, most of them said “no” and seemed hopeful that funding might even be increased through the Department of Health's new child and adolescent mental health system.

Project Ho'okala: Hawaii's Intake, Assessment and Referral System for Status Offenders

Project Ho'okala¹¹ is the OJJDP-funded formula grant program, founded in 1993, for 24-hour intake, assessment, and referral to address the inappropriate secure confinement of status offenders, and for some counties, non-serious law violators. The JJDP Act mandates that juvenile offenders cannot be held at police stations for over six hours, therefore, Oahu police take the juvenile to one of five Project Ho'okala social service providers: Hale Kipa (two sites), Hale 'Opio, Salvation Army Kona Interim Home, Salvation Army Hilo Interim Home, and Maui Youth and Family Services. Funding has continued with the federal formula grant appropriation

¹¹ The Hawaiian word which means “to forgive or release.”

of \$959,283 from January 1, 1995 to September 30, 1996. These agencies submit quarterly and annual reports to the Office of Youth Services to fulfill federal requirements. These reports are more detailed statistical accounts of the population served and the assessment of program services than is available from other records kept by the agencies surveyed. The data included is presented on Table #31 along with the annual totals for the Federal Fiscal Year, October 1, 1995 to September 30, 1996.

In FY 95-96, Ho'okala had 1,176 youth referred, 53% were male and the median age was 14. Nearly one fifth had been referred to Ho'okala previously and 70% had previous arrests.¹² A little over three per cent were multiple status offenders and about two per cent were a combination law violator and status offender. Thirty-one per cent were known to Family Court.¹³ A total of 868 or 74% were status offenders. Of those who reported the type of status offense (all but Hale 'Opio), runaways made up 38%; truants, 20%, beyond parental control, 14%, and curfew violators, 13%, with others for the remainder. The large majority were released to parents after the Ho'okala assessment. Of all referrals (not just status offenders), 26% were referred to shelter or out of home placement, 30% were referred to outside agencies.

The only Oahu Ho'okala agency, Hale Kipa, reported a total of 702 youth referred in FY 95-95. They were 60% of the total Ho'okala clientele for the State for that year. Nearly 60% were male and the median age was 15. Only one fifth had been referred to Ho'okala previously and 41% were known to Family Court. Seventy-seven per cent (538) reported a prior arrest. Status offenders were 79% of Hale Kipa's referrals. Runaways accounted for 38%; 28% were truants; 17% were curfew violators and the remainder fit into other types of status offenders. Fewer than two per cent had a combination of law violations and status offenses.

Maui Youth and Family Services served 96 youth, with the majority being males and a median age of 14. Status offenders were slightly over half of those served. Those youth (33 of the 50) were mainly referred for Beyond Parental Control, which is the category Maui Family Court also reports most frequently. None had a combination of status offense and law violation. Forty-five percent of the youth reported previous arrests, about one-third were known to Family Court and one-fourth were referred to a shelter or out of home placement.

¹² All reports of prior arrests in Ho'okala data are self-reported by the youth. Some caution should be taken in analysis because the youth may not have understood what constitutes an arrest as opposed to just being picked up or having some contact with police.

¹³ Known to Family Court is also self-reported information and could not be totally accurate. It could mean that the youth is known at the intake level or an active case, according to the youth's knowledge.

Table #31: Ho'okala Project Statistics for 1995-96

CASE DATA	Honolulu Hale Kipa	Maui Maui Youth & Family Svcs.	Hawaii Salvation Army Hilo Interim Home	Hawaii Salvation Army Kona Interim Home	Kauai Hale 'Opio	Total
Total Served	702	96	233	90	55	1176
Males	403	57	109	34	17	620 (53%)
Females	299	39	124	56	38	556 (47%)
Median Age	15	14	14	15	14	14.75
Law Violators	132	46	42	14	18	252 (21%)
Status Offenders	556	50	164	67	31	868 (74%)
Runaway	213	0	71	48	-*	332
Truancy	158	7	5	1	-	171
Beyond Parental Control	18	33	86	6	-	143
Curfew	97	6	2	8	-	113
Injurious Behav.	27	1	0	0	-	28
Prohibitions Inv. Minors (Liquor)	22	1	0	1	-	24
Multiple SO	21	2	3	0	-	26
Combo LV & SO	13	0	1	4	2	20
Abuse/Neglect	0	0	0	5	4	9
Other	0	0	26**	NA	0	26
Previous Referrals	140	15	60	13	6	234
Arrests-Self Rept.	702	96	233	90	49	1170
Prior	538	43	148	51	39	819
No Prior	145	44	87	37	6	319
Don't Know	19	9	7	2	4	41
Known to Family Court	286	32	7	23	19	367

Table # 31 (continued)

CASE DATA	<u>Honolulu</u> Hale Kipa	<u>Maui</u> Maui Youth & Family Svcs.	<u>Hawaii</u> Salvation Army Hilo Interim Home	<u>Hawaii</u> Salvation Army Kona Interim Home	<u>Kauai</u> Hale 'Opio	<u>Total</u>
Ref. to Shelter or Placement Out of Home	59	23	146	72	10	310
Closed	0	0	62	0	0	62
Pending	0	5	0	0	0	5
Don't Know	82	8	0	90	0	90
Other	287	7	51	0	2	347

*Hale 'Opio did not give a breakdown of the type of status offenders served; therefore, the overall totals by type of offense are underreported.

**All but one were PINS (persons in need of supervision).

Source: Annual and quarterly reports submitted to the Office of Youth Services by these youth service providers.

Salvation Army Hilo Interim Home served 233 youth, slightly more females than males and a median age of 14. Seventy per cent were status offenders, with 69% were Beyond Parental Control and 43% were runaways and 16% were in the "Other" category which included Persons In Need of Supervision (PINS). About one quarter of all youth served had previous referrals and 64% reported prior arrests. Only seven of the 233 youth were known to Family Court . A total of 63% were referred to a shelter or out of home placement.

Salvation Army Kona Interim Home served 90 youth, 56 females and 34 males with a median age of 15. Status offenders (67) were 74% of the youth served with most of those (48) being runaways. Thirteen of all youth had previously been referred to the agency. Slightly over one half reported prior arrests and over a quarter were known by Family Court. Eighty per cent were referred to shelters or out of home placement.

Hale 'Opio on Kauai served 55 youth, 38 females and 17 males. Over half (31) were status offenders but no breakdown was given on the type of status offender. Six of the 55 youth had previous referrals to this Ho'okala agency. Seventy one per cent (39) had prior arrests. Ten youth were referred to a shelter or out of home placement.

Referrals were usually by police with only a few which were parental or self-referral. Ho'okala agencies also reported statistics on the types of services which were referred youth.

Review of State Purchase of Service (POS) Contract Information

Information was sought on the agencies who are funded to work with status offenders and the sources of their state government funding. This was an attempt to better understand how many different agencies were funded, the amounts of funding, the sources of funding, and the geographical differences for program provision and funding. In particular, this exercise might have illustrated comments individuals have made in interviews and surveys regarding shortfalls and gaps in services for status offenders.

The Courts, Department of Health, and others were asked for the list of Purchase of Service (POS) contracts they administered but this information was obtained only from one Family Court. Fortunately, the Office of Youth Services shared its copy of a recent report, *Children's Service Inventory, 1996-1997*, by the Interdepartmental Cluster for Services to Children. A research assistant interviewed every department's listing and according to the brief

descriptions given, noted programs that appeared to serve status offenders, usually as part of a larger at-risk youth population. The following table was compiled, which gives some indication of which agencies provide programs and the Courts or Executive Branch Department which contracts with them for this service in 1996-1997. Admittedly, this may include some agencies who do not consider the contract to be primarily for status offenders and it may exclude others because the description did not present a clear enough picture that status offenders were served by that contract.

The Office of Youth Services provides the majority of Purchase of Service Contracts (30 of 71) to agencies statewide, mainly prevention and intervention, transitional living, outreach, youth service centers, and specifically, the Ho'okala program. Some agencies like the Boys and Girls Club of Honolulu, Susannah Wesley Community Center, Salvation Army Hilo and Kona Interim Homes, YMCA and Maui Youth and Family Services have multiple contracts administered by OYS. Maui Family Court provides 13 contracts, six of them to Maui Youth and Family Services, and Honolulu's Family Court provides the next highest number of contracts (12). Hawaii and Kauai Family Courts provide four and three contracts respectively to non-profit service providers on their islands. The Department of Human Services funds emergency shelters for COYSA, Hale Kipa, Hale 'Opio, Maui Youth and Family Services and Salvation Army Hilo and Kona Interim Homes. The inventory did not show many POS contracts for these youth from the Department of Health. The State Judiciary funded one sex offender treatment program by Catholic Services to Families. For a more complete analysis of Purchase of Service Contracts for youth programs and services, including budgetary allocations the *Children's Services Inventory 1996-97* should be more closely examined.

Table #32: Purchase of Service Contracts for Programs that Serve Status Offenders in Hawaii, 1996-1997.

Agency	Funding Sources					DHS	Judiciary	Dept. Health	HYCF
	OYS	Maui F.C.	Oahu F.C.	Hawaii F.C.	Kauai F.C.				
Adult Friends for Youth									
- outreach	X								
Bobby Benson Center									
- residential services			X						
Boys & Girls Club Honolulu									
- youth service centers	X								
- prevention (Kauai)	X								
- prevention (Oahu)	X								
Catholic Services to Families									
- foster homes			X						
- sex offender treatment							X		
COYSA									
- emergency shelter			X			X			
- in community treatment			X						
- outreach	X								
Child and Family Services									
- group home services			X					X	
- residential services		X							
Coalition for a Drug Free Hawaii									
- prevention	X								
CORE Hawaii									
- outreach and tracking	X								
Family Support Services/West HI									
- prevention (Hawaii)	X								
Habilitat									
- residential services		X	X						
Hale Kipa									
- emergency shelter			X			X			
- Ho'okala programs	X								
- independent living			X						
- outreach	X								
Hale Kipa - Kamala Homes									
- emergency shelter						X			
Hale Opi									
- emergency shelter					X	X			
- Ho'okala programs (Kauai)	X								
- residential services		X	X						
Intake Section									
- intake services (Kauai)					X				
John Howard Assoc. of Hawaii									
- transitional living	X								
KEY Project									
- outreach	X								
Kihei Youth Center									
- prevention (Maui)	X								
Kokua Kalihi Valley									
- prevention (Oahu)	X								
Maui Farm									
- independent living program		X							
- group home services		X							
Maui Youth and Family Services									
- emergency shelter						X			
- Ho'okala programs	X								
- independent living program		X							
- prevention	X								
- residential drug treatment		X							
- residential services		X							
- shelter services		X							
- substance abuse experiential		X							
- substance abuse treatment		X							
OYS, Dept of Human Services									X
Paia Youth Council									
- prevention	X								
Palama Settlement (Corbett House)									
- residential services			X						

Table #32: Purchase of Service Contracts for Programs that Serve Status Offenders in Hawaii, 1996-1997.

(Continued) Agency	Funding Sources							Judiciary	Dept. Health	HYCF
	OYS	Maul F.C.	Oahu F.C.	Hawaii F.C.	Kauai F.C.	DHS				
Parents and Children Together										
- prevention (Oahu)	X									
Salvation Army										
- residential services		X								
- residential services (2nd)		X								
Salvation Army Addiction Treatment										
- residential services			X							
Salvation Army Hilo Interim Home				X						
- emergency shelter							X			
- Ho'okala programs	X									
- outreach	X									
- youth service centers	X									
- prevention (Hawaii)	X									
Salvation Army Kona Interim Home				X						
- emergency shelter							X			
- Ho'okala programs	X									
- prevention (Hawaii)	X									
Supervision Section (Kauai)										
- probation services						X				
Susannah Wesley Community Center										
- outreach	X									
- prevention (Oahu)	X									
Topic, Inc.				X						
YMCA										
- in community treatment			X							
- outreach	X									
- prevention (Oahu)	X									
YWCA										
- prevention	X									
- Teen Court				X						

Source: Interdepartmental Cluster for Services to Children, Children's Service Inventory 1996-1997

Conclusions

1. Hawaii reproduces the national debate over status offenders.

The search for a reasonable basis for handling troublesome youth (status offenders) in Hawaii, as distinct from children meeting criteria for abuse and neglect and youth committing delinquent law violations, reproduces the national debate on jurisdiction over and response to such cases. A recent national assessment has produced an interpretation of state statutory codes in terms of three models: *normalization* minimizes the direct role of the juvenile justice system in disposing of status offenders, in effect advocating divestiture of the court in status offenses. Cases taken into custody by police would be directly routed to a private service provider via a youth services agency acting as a broker for purchase of services for preventive and intervention programs. *Treatment* oriented state systems provide for early assessment and assignment of status offenders to programs of intervention, to which the court is not only a conduit but over which it has a monitoring function. The court and its probation staff determines if direct supervision is required to ensure the youth's compliance with program requirements, mainly to participate. This implies minimal sanctions but possibly staff secured custody for some cases. The *deterrence* model raises the priority of retention of cases in programs and abatement of repeat truancy and being beyond control of families, and sees the court's role as one of interrupting a likely progression from status offense to delinquency and adult crime. It contemplates modification of present bars against secure detention of status offenders and the use of sanctions for violation of valid court orders to ensure compliance with curfews and other community standards of youth conduct. These three models have various advocates. Hawaii is classified by this study as "normalization" and "treatment", but with little active use of "deterrence". The debate in the state is much more over the extent to which referral to remedial programs will be overseen and coordinated by the court and how non-compliance with program requirements and persistence of runaway and truancy will be handled.

2. Status offenders are easy to find, hard to count

Counting status offenses is hampered by the informality of responses to this behavior. If there are aggregate data on truancy above the individual school level, we were unable to obtain them. Arrest figures under estimate truancy because of police diversion of initial reports, and only chronic long term non attendance is petitioned to the courts by the DOE. Runaways and curfew violations, along with truancy are a substantial part of both juvenile arrests and cases referred to court, although by reports they consume a small part of court resources. Youth referred for status offenses, like delinquents and adult offenders, are disproportionately ethnic minorities (Hawaiian, part Hawaiian and other mixed ethnicities, Filipino, Samoan) but, in rural areas, children of low income Caucasians are also over represented. Among runaways the number of

girls exceeds boys, a reversal of almost every other offense rate. Overall, half of the status offenders are girls.

Beyond counting status offenses, the evidence for a persistent type which can be called status offender is inconsistent. When a youth is charged with both status offenses and law violation, the cases is usually treated as a law violation. Many status offenses are not followed by law violations however. Our preliminary findings suggest that a majority of files opened for a status offense do not go on to include law violations before the age of 18, but that some do. Status only offense files tend to be brief and receive few services; files with law violations and status offenses tend to receive more services and to continue.

3. The private sector is the main provider of services to status offenders.

This is in part because the important role played by government (the police, Family Court and the Office of Youth Services) in providing purchase of services contracts and diversion decisions. The private sector services are in turn dependent upon Federal assistance and state pass-through funding (e.g., Ho'okala) as well as local fund raising (e.g. Aloha United Way). Funding cuts on a Federal and particularly State level have reduced availability of program slots, and categorical criteria for program support have motivated ingenuity in depicting a case as falling into one or another category. There is dissatisfaction that resources for the protection of neglected or abused children are targeted for the very young, and that abuse or neglect of children in the teens is unlikely to receive attention from the agencies which are more alert to infants and young children. There is widespread dissatisfaction with fragmentation of responsibility and duplication of effort. The impact of reduced public funding is particularly felt in areas of the state outside of metropolitan Honolulu.

4. Regional variation is significant.

Regional variation of services is very significant. The difference between Honolulu and almost all other communities is quite tangible. Assignment of funds on a per capita basis is seen as insensitive to the higher rates of social problems in some areas. On the neighbor islands, heavily impacted by closure of sugar and pineapple jobs, welfare dependency, and the sinking purchase value of general assistance, family problems are more acute, and the choice of referral options for troublesome youth is extremely limited.

We are not the first to realize that one does not understand the perspective and problems of service providers or agency personnel in communities like Molokai or Hilo by reading reports and having discussions in downtown Honolulu. The key informant interviews give very clear

indication of the shortages of resources in some areas, the problems of no public transportation in the hundred mile long ribbon which makes up Kona on the Big Island, the lack of full time, resident court or probation officers on Molokai, the demise of employment in plantation and mill in some regions, the impact of the conversion from plantation work to visitor industry work on Maui and the impact of illegal drug cultivation, use and trafficking in some areas around the state.

5. The problem retention in programs is crucial to the issue of jurisdiction.

The law removing status offenders from the track of dispositions of delinquent law violators protects non law violators from being unnecessarily drawn into justice agencies but it also creates a problem for how to handle non compliance with referrals. HRS 571-11 defines status offenses for Hawaii. HRS 571-31 provides authority to take the youth into custody, 571-31 (e) provides that a status offender may be held, following a detention hearing, in a shelter but may not be detained in a secure facility longer than 24 hours unless the child has violated a valid court order (VCO). It prohibits the use of general contempt proceedings except for adults. The VCO exception is a step toward sanctioning the status offender for non compliance, but is ambiguous.

“The chronic status offender has created a policy dilemma for juvenile justice officials over the appropriateness of employing confinement in a secure juvenile facility to intervene in the behavior of these youth....For some judges...the loss of an option to hold these youth means the loss of an opportunity to help them...the only alternative might be their continued placement and failure in inappropriate treatment settings or their release with the possibility that they will cause themselves or the community serious harm.” (National Criminal Justice Association 1995:43)

This same report sharpens the issue by quoting to two state plans for status offenders. The Illinois plan commented that “chronic runaways more than any other status offenders require a continuum of services if their needs are to be adequately addressed”. A Minnesota plan stated that “without a sanction for securely confining certain status offenders, these youths would not be available for or receptive to treatment” (National Criminal Justice Association 1995:45).

6. Services are a free market.

The provision of service to status offenders in Hawaii resembles more an open market of separate vendors than it does a coordinated organization like a department store. There is no single director or information counter one can go to find how many clients are served in a particular

way, or what is being offered to runaways or to curfew violators. There is nothing like quality control or pooling of funds on cases which draw services from more than one provider. Despite the universal view that status offenses are manifestations of family problems, not individual problems, files are organized by individual names and ID, and family data are virtually absent. The surveys are as useful for what they showed missing as for what information they provided. Because of informality and dispersal of services, quality control and evaluation of program services impact are inadequate. The question of available slots to which to refer an active case has displaced the more fundamental question of will a particular program make a tangible improvement in the case? Follow up and evaluation designs are rare and measures of program outcomes, and cost-effectiveness or cost-benefit figures are very rare.

7. There is a slowly emerging consensus on next steps.

Although there is a widespread desire for a better coordinated system of handling youth who neither meet CPS criteria for abuse neglect nor are arrested for predatory crime, there is not much consensus about next steps. There is little expressed interest or optimism among police or judges, that locking up runaways or punishing truants will be effective, although some statements from the Office of the Prosecutor advocate locking them up. There is a reservoir of good will and, particularly with Honolulu police and some private service providers around the state, pride about programs which provide services to individual youth and their families; nonetheless there is a commitment to youth work and a strong interest in bringing about a more coherent and workable system of coordination between what will continue to be mainly a private services market. There is a strong feeling that families are often hard to bring into the treatment process, and there is much concern that wider community issues which will eventually have to be addressed before youth problems will subside.



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APPENDIX A

Key Informant Interviews

(listed alphabetically)

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

Molokai Police Department - Molokai

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

Office of Youth Services - Oahu

Queen Lilioukalani Children's' Center - Molokai

Salvation Army Hilo Interim Home (3) - Hawaii

Salvation Army Kona Interim Home - Hawaii

Susannah Wesley Community Center - Oahu

APPENDIX B

The Key Informant Interview

Date _____ Department _____ Person _____

Position _____ Can we tape? (No play back to others)

We give respondent a brief introduction to the SOP and a legal definition of SO

1. Does this Department have a distinct program or assigned responsibility for working with cases of status offenses? [No: go to question # 12] [Yes]:

2. What is the name of that program?

3. What type of status offender is served?

What essentially is the nature of the services in this program?

4. Approximately how many youth are served in a year?

5. Do you keep records on cases?

If yes, are the records computerized?

If not, what kind of record system?

Does the department or program issue periodic reports?

6. What is the authorizing legislation for this program?

7. Who is in charge of this program? How many staff are directly involved?

8. How large a part of your Department responsibilities is this program?

[Are there any other separate programs in the Department which serve status offenders?

(repeat 2 through 8 above, as 2a through 8a, for as many as there are programs).

9. In your view, is the status offender adequately handled by this program, or are there *problems posed by the system which are not being addressed* by the program?

[Probe for specification of those problems]

10. What is the *most important problem* currently in providing services or controls for status offenders?

11. What *additional resources* would your Department need to correct any shortfall in services to SOs?

12. Does your Department have *sub-contracts* or other working agreements with other public or private organizations to provide specific services for SOs?

List each and briefly define or describe

13. What is the source(s) of *funding* for your Department's work with SO cases?

Department/State budget

Federal funds

Other (specify)

14. In your view, does one Department or branch of state government currently have *PRIMARY* (or lead) responsibility for policy and actions regarding status offenses?

If yes, which department?

15. Using the diagram [show] could you state how you see the current system for disposing of cases of status offenses?

POLICE	DEPARTMENT OF HEALTH	PRIVATE SECTOR AGENCIES (which)
---------------	---------------------------------	--

**ATTORNEY
GENERAL'S
OFFICE**

**FAMILY
COURT**

SCHOOLS

**OFFICE OF
YOUTH
SERVICES**

**OTHER
GOVERNMENT
AGENCIES which?**

USE ----> to mean "refers cases"
<---\$---- to mean "funding or contract link"

16. In the 1995-6 legislative session, did you happen to follow SB 3193 and some other bills proposing the transfer of initial jurisdiction of status offenders from Family Court to OYS? No ___ Yes ___ Did you favor or oppose? _____

Reasons for favoring or opposing

17. Could such a transfer of responsibility be made without a transfer of probation officers?

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

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

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

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

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

21. Overall, is there anything else you would care to say about what is the problem (if any) posed by runaways truants or children in need of supervision? That is, how big a problem are these youth?

22. We would like to survey staff in (Department) who have a direct supervisory role in services for runaways, truants, curfew violators, children in need of supervision, etc. Will you give approval for a short survey and phone follow-up interview, and send them a memo requesting cooperation in this survey?

[Show questionnaire]

Who should we contact?

NAME	Position	Phone
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APPENDIX C
Survey Questionnaire Mailed

**QUESTIONNAIRE ON STATUS OFFENSE
PROGRAMS & CASELOADS IN HAWAII**

Name of Organization _____ Your Name _____

Your Phone No. _____

1. Is your agency's responsibility for or provision of services to youth primarily for status offenders (runaway, truant, curfew violators, injurious behavior) or are status offenders a secondary problem of your clientele? (please check)

	<u>Primary Problem</u>	<u>Secondary Problem</u>
Runaway	_____	_____
Truant	_____	_____
Curfew Violation or Other	_____	_____

2. What proportion of your juvenile clients have problems because of being a runaway, truant, curfew violator or beyond the control of the family?

	<u>Percentage (%)</u>
Runaway	_____
Truant	_____
Curfew Violator or Other	_____

3. About how many such individuals received services in FY 1995-96? (We recognize that one youth may have a record for different status offenses. If this makes it impossible for you to break them out, a total can be given).

	<u>Runaway</u>	<u>Truants and Non-School Attendees</u>	<u>Curfew</u>	<u>Other Status Offenses</u>	<u>Total Status Offenses (if can't divide out)</u>
Males	_____	_____	_____	_____	_____
Females	_____	_____	_____	_____	_____
Total	_____	_____	_____	_____	_____

3a. Does this count any individual more than once? (Is this a duplicated or non-duplicated count?) Yes No

4. Do you serve the same individuals repeatedly? Yes No

4a. If yes, please estimate the average number of contacts per individual for FY 95-96? _____

5. Does your program enroll clients for a fixed period of time? Yes No. If No, skip to Q. 7. If yes, please complete the following:

5a. What is the expected length of stay? _____ days _____ weeks

5b. What is the completion rate? _____ # enrolled _____ # complete

5c. If there is non-completion, can you say what are the major reasons?

5d. Can you estimate an average length of contact with the client? (please specify if this is per session or meeting or over a certain period of time)

6. What are the issues faced by the status offenders in your program?

6a. Does your agency address these issues? If so, how?

7. What services are provided for these cases? (Please provide written materials, brochures, etc., if possible)

8. What other agencies do you work with or refer cases to, to provide these services?

9. Are clients' families directly involved in the services ___ Yes ___ No If yes, how?

10. Do you maintain follow-up on status offenders who have completed the program or service?
___ Yes ___ No

10a. If yes, what generally happens to them after completing the program?

10b. What would you estimate is the recidivism (repeat offense) rate for these youth?
_____ %

11. How do you assess the effect (outcome) of program services for these clients?

12. Are there significant gaps or shortfalls in services for status offenders? ___ Yes ___ No

12a. If yes, what?

13. Please provide your best estimates of the staff and budget for providing services for status offenders. (NOTE: These figures would not be identified with the agency in a report).

No. Staff _____ Approximate Budget Cost _____

14. Do you anticipate significant changes in the current level of support for status offenders in the next fiscal period? ___ Yes ___ No

14a. If yes, what? _____

15. Do you expect to continue your current level of service next year? ___ Yes ___ No

15a. If no, what do you estimate will happen to these clients? _____

Thank you for taking the time to provide this information. Please fax it to us at the Center for Youth Research, SSRI, 956-5950. If you have questions, you may call Patricia at 956-7360 or Nancy at 956-7405. It will be handled in strict confidence.

APPENDIX D

List of Agencies Mailed Survey Questionnaire (in alphabetical order)

Adult Friends for Youth *
Alu Like**
Big Brothers Big Sisters*
Big Island Teen Court**
Boys and Girls Club of Honolulu
Breakdowns for Youth at Risk (no longer in business)
Camp Mokuleia*
Casey Family Program
Catholic Charities
Central Oahu Youth Services Association (COYSA)
Child and Family Services
Coalition for a Drug Free America*
CORE/SPECTRUM
Department of Human Services, Social Services Division
Family Court of Hawaii (Big Isle)
Family Court of Honolulu- Non Law Violators Unit
Family Court of Kauai
Family Court of Maui
Hale Kipa
Hawaii County Police Department
Helping Hands Hawaii
Hina Mauka Teen CARE
Honolulu Police Department - AKAMAI Youth Project
Honolulu Police Department - Evening Counseling
Honolulu Police Department - SAP
The Immigrant Center*
Kahi Mohala*
Kalihi Palama Health Center**
Kapiolani Women's and Children's Medical Center -Psychiatry Dept.*
Kauai Police Department
KEY Project**
Kokua Kalihi Valley**
Maui Police Department
Maui Youth and Family Services, IHBS and emergency shelter
Office of Youth Services*
Salvation Army Hilo Interim Home
Salvation Army Honolulu Family TA services
Salvation Army Kona Interim Home
Susannah Wesley**
Teen Intervention Program
YMCA Outreach - Kalihi and Leeward*

*unable to provide information or not appropriate to their agency

**did not return questionnaire



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