

STATE OF HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawai'i 96813

April 24, 2018

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

O'AHU

Consent to Five (5) Memorandum of Agreements between Department of Human Services, Office of Youth Services and (1) Residential Youth Services and Empowerment, Inc. (2) Youth Build Waimanalo (3) Ku Ae Hou (4) Hale Kipa, Inc., and (5) Partners In Development Foundation for use of portions of the Hawai'i Youth Correctional Facility, Kailua, Koolaulupo, O'ahu TMK (1) 4-2-006: portion of 002.

LEGAL REFERENCE:

Section 171-11, Hawai'i Revised Statutes ("HRS")

APPLICANT LESSEES:

Residential Youth Services and Empowerment, Inc. ("RYSE");  
Youth Build Waimanalo. ("YBW")  
Ku Ae Hou. ("KAH");  
Hale Kipa, Inc. ("HKI");  
Partners in Development Foundation ("PIDF");  
all domestic non-profit corporations.

LOCATION AND AREA:

Name	Location ( <b>Exhibit A1 &amp; A2</b> )	Program
RYSE	Panabode Cottage #6	Residential Homeless Youth Shelter for Young Adults, 18-24 years of age.
YBW	Gymnasium #8	Vocational educational for community at-risk youth.

KAH	Gymnasium #8	After school programs for community at-risk youth.
HKI	Observation and Assessment Cottage (Hookipa Mauka) #7	Commercially Sexual Exploited Children Residential Assessment Center.
PIDF	Pasture #5	Aina-based learning environment for at-risk youth populations utilizing horticultural-based approach.

Portions of Hawai'i Youth Correctional Facility ("HYCF") located at Kailua, Koolaupoko, O'ahu, identified by Tax Map Key: (1) 4-2-006: portions of 002

ZONING:

State Land Use District: Agricultural  
City and County of Honolulu: P-1

TRUST LAND STATUS:

Section 5(b) lands of the Hawai'i Admissions Act

DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: No.

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order 172 dated December 13, 1924, setting aside the land to the Department of Human Services, Office of Youth Services ("OYS"), for Girls' Industrial School.

TERM:

Three (3) years, tentatively.

COMMENCEMENT DATE:

To be determined by the Director of Human Services

RENT:

Rent shall be waived as OYS/HYCF is partnering with all non-profits in the management of at youth risk population as mandated by law.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

This action before the board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the

provisions of Chapter 343 environmental requirements apply to applicant's use of the land, the applicant shall be responsible for compliance with Chapter 343, HRS, AS AMENDED. See exemption notification attached Exhibit B.

DCCA VERIFICATION:

Place of Business Registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

REMARKS:

Governor's Executive Order No. ("EO") 172 was issued in 1924 to the Board of Industrial Schools for Girls Industrial School purposes. In 1937, EO 784 covering the spring reserve and the associated pipeline easement was issued to the same agency, which served as the water supply to the facility under EO 172. Currently, Office of Youth Services administratively attached to the Department of Human Services is the agency, pursuant to Chapter 352, HRS, responsible for the administration of the facility.

The Juvenile Justice System in Hawai'i is moving from an outdated punitive approach towards a variety of evidence-based intervention systems, including trauma-informed care, family engagement, gender-responsive and culturally competent services. This follows a nationwide juvenile justice reform that is finally recognizing the high failure rates of incarceration without proper treatment.

The Hawai'i Youth Correctional Facility is looking at ways to provide much needed services and treatment to help the youth and their families heal from various trauma that contributes to delinquency, reducing the need for costly incarceration and outsourcing of treatment to the mainland.

Additionally, as a result of Juvenile Justice Reform efforts in Hawai'i during the past ten years the juvenile incarcerated population at HYCF has been reduced by over 70%. This reduction resulted in HYCF closing two of its Correctional Structures (Hookipa Makai and Observation and Assessment Cottages) and is currently operating one correctional structure (Secured Correctional Facility).

OYS is requesting consent from the Board to enter into a memorandum of agreement with five (5) service providers named in the submittal, with each focused on a specific clientele. This is a three (3) year pilot program that will provide valuable information on how the state develops services for this high risk youth population. A brief description of the services for each of the non-profit entities is provided below.

Residential Youth Services and Empowerment

OYS requests to re-purpose the Panabode Cottage (Former School for Juvenile Incarcerated Girls) for another high risk population identified as Homeless Youth (ages 18-24). Both the juvenile justice and child welfare services systems have experienced transitional issues regarding supporting



youth aging out of systems of care when they reach the age of majority. With limited support and services after age 18, many former systems' youth can end up homeless, participate in illegal activities, and enter the adult criminal justice system.

Residential Youth Services and Empowerment (RYSE) is a non-profit agency helping homeless youth and young adults. RYSE is positioned to open an access center as part of the proposed Kawaihoa Youth and Family Wellness Center in Kailua, where disenfranchised youth will be able to sleep safely at night under professional supervision. In addition, they will receive: skilled medical attention, hot nutritious meals, clean clothes, laundry facilities, hot showers, personal lockers, counseling, job training and employment assistance, GED education, and nurturing by qualified, professional staff. Pending statutory authority to serve young adults, ages 18-24, RYSE will provide services to former youth transitioning from the juvenile justice and child welfare systems.

#### Youth Build Waimanalo and Ku Ae Hou

OYS plans to utilize its gymnasium program space for at-risk youth population within the Koolaupoko (Waimanalo, Kailua and Kaneohe) land division.

Youth Build Waimanalo has received a Federal Grant administered by the Hawai'i Department of Labor to teach vocational skills to at-risk youth in the community.

Ku Ae Hou is a faith based non-profit organization providing after school activities for at-risk youth in the community.

#### Hale Kipa, Inc.

OYS plans to re-purpose the Observation and Assessment Cottage for another high risk youth population identified as Commercially Sexual Exploited Children (CSEC). In 2014, the State Legislature passed a new law decriminalizing prostitution for minors. Subsequently, there has been a gap in services when youth are located and identified as CSEC. Police, the Department of Human Services, Child Welfare Services (CWS) and the CSEC service community have struggled to provide a residential program to receive and stabilize youth in a safe setting.

Hale Kipa, Inc. in partnership with HYCF has received a federal grant (Victims of Crimes Assistance) from the Department of Justice administered by the State of Hawai'i Department of the Attorney General to create and manage a Sex Trafficking Assessment Center. This 24/7 center will accept youth through CWS' auspices and stabilize youth during a time of crisis; evaluate and assess needed services; utilize a wraparound

case management model; and transition youth back into community within a projected 30 day period.

Partners in Development Foundation

Partners in Development Foundation (PIDF) is a non-profit organization that inspires and equips youth, families and communities for success, with the goal of overcoming difficult challenges in ways that would make them, in turn, teachers and helpers of others in need. In partnership with HYCF, PIDF proposes to utilize five (5) acres (pasture #5) as a pilot for Korean Natural farming to create an 'aina-based learning environment for at-risk youth populations. Mental health programming and vocational skill building will be part of the horticultural-based approach.

RECOMMENDATIONS:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200 of the Hawai'i Administrative Rules ("HAR") this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Consent to the execution of a Memorandum of Agreement between the Department of Human Services, Office of Youth Services and the Applicant Lessees described above, subject to any applicable conditions cited above which are by this reference incorporated herein and further subject to the following:
  - a. Review and approval by the Department of the Attorney General; and
  - b. Such other terms and conditions as may be prescribed by the Director of Human Services to best serve the interests of the State.

Respectfully Submitted,

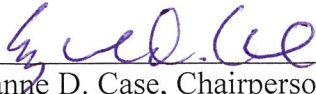


Merton Chinen  
Executive Director  
Office of Youth Services



Pankaj Bhanot  
Director  
Department of Human Services

APPROVED FOR SUBMITTAL:



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Suzanne D. Case, Chairperson  
Department of Land and Natural Resources





**TMK (1) 4-2-006: portion of 002**

**Exhibit A1**

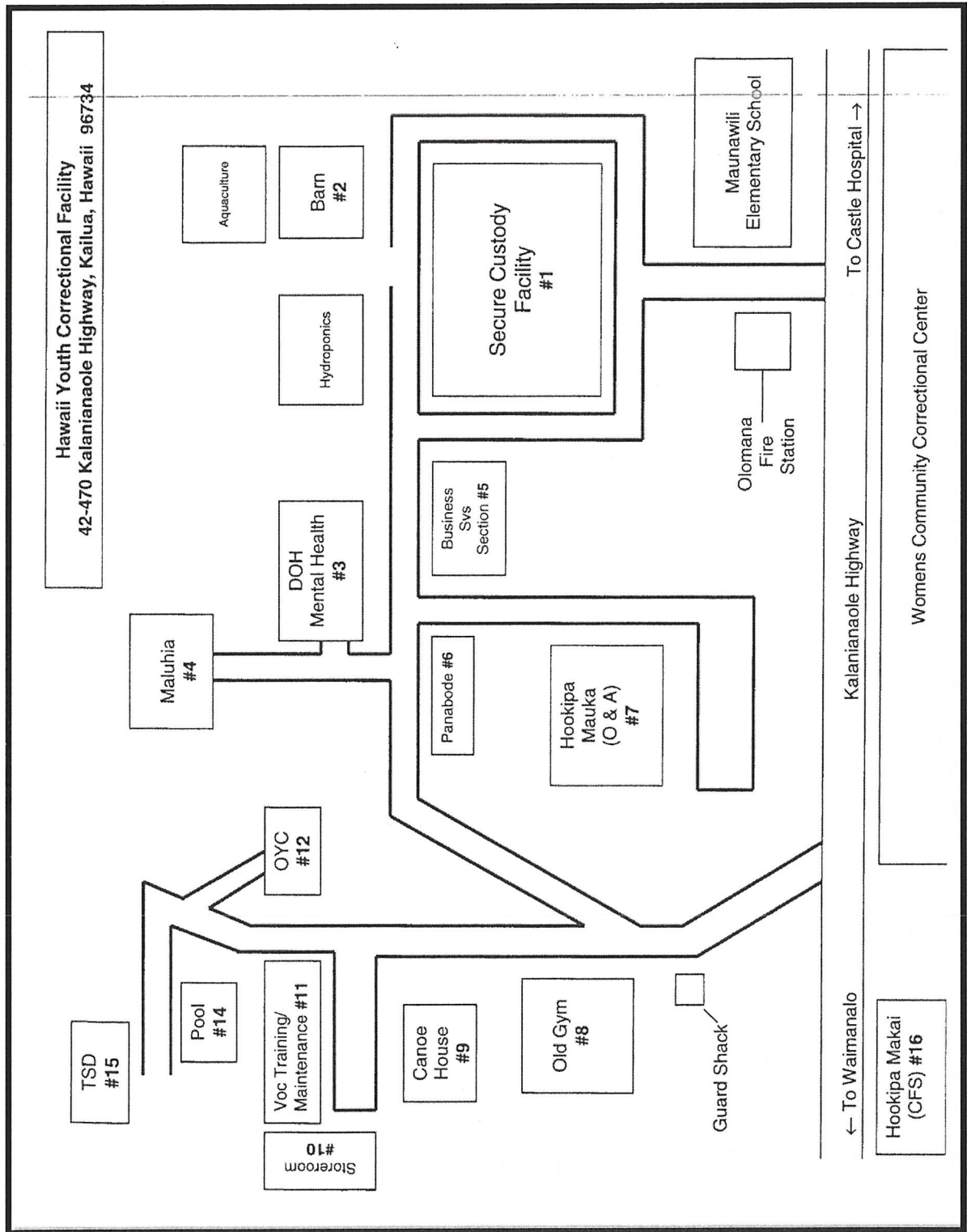


Exhibit A2



**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Consent to Memorandum of Agreements with Non-profit Corporations for the Use of Portions of the Hawai'i Youth Correctional Facility at O'ahu
Project / Reference No.:	EO 172
Project Location:	Kailua, Koolaupoko, O'ahu, TMK:(1) 4-2-006: portions of: 002
Project Description:	Enter into memorandum of agreement between the Office of Youth Services and the non-profit entities regarding the provision of services over portions of the Hawai'i Youth Correctional Facility in Kailua.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with Hawai'i Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 46, which states the "Leases of state land involving negligible or no expansion or change of use beyond that previously existing".
Cumulative Impact of Planned Successive Actions in Same Place Significant	Office of Youth Services plans to enter into memorandum of agreement with the social service providers regarding the use of portions of the Hawai'i Youth Correctional Facility. Activities to be conducted by the service providers will not be different from the use previously existing.
Significant:	
Actions May Have Significant Impact on Particularly Sensitive Environment:	No.
Consulted Parties:	Department of Land and Natural Resources, Land Division.
Recommendation:	It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

**Exhibit B**

