



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

CRIMINAL JUSTICE TASK FORCE

DATE: November 29, 2011
TIME: 2:00 p.m. - 3:30 p.m.
PLACE: Library, Office of Hawaiian Affairs
711 Kapi'olani Boulevard Suite 500
Honolulu, HI 96813

MINUTES

I. General information

A. Attending:

Dr. Kamana'o Crabbe – Director of Research for OHA
Judge Richard Perkins – Circuit Court Judge
Mike Broderick – YMCA / community rep, also former Family Court Judge
Jack Tonaki – Public Defender
Cheryl Marlow – Adult Client Services Branch Administrator
Tricia Nakamatsu – for Prosecuting Attorney, City and County of Honolulu
RaeDeen Karasuda, Ph.D. – Criminologist member selected by the Governor
Her work here is not representative or associated with her position at
Kamehameha Schools Bishop Estate

Jeff Kent – OHA Public Policy Advocate III

B. Sunshine Rules (Ernie Kimoto, OHA counsel):

Task force is "attached administratively to OHA" (see Act 170, p.2, line 22), so
Sunshine law applies; requires...

- public notice of meeting & items for discussion (ie agenda)
- attendance open to public (meeting of State body)
- "closed meetings" must be noted ahead of time & legitimate purpose for closing

OHA has comprehensive liability insurance for any task force errors / omissions

Can't discuss task force business if 3+ members in the same place at same time
Emailing okay but no board business like planning how votes will occur
No requirement to create by-laws re: quorum under Ch. 91 or relevant Act
UIPA also applies
Creation of bylaws, quorum and other procedural matters is up to the task force.
Currently running on honor system

C. Miscellaneous:

OHA budgeted \$75K. \$25K for mtg expenses, \$50K to fund pilot project (or research position, etc); can provide mtg location & all parking validation
Jeff Kent will prepare final report for Legislature (at least 20 days prior to 2013 session), subject to Task Force approval
Per Act 170, Task Force currently scheduled to end 8/1/13

II. Purpose / focus:

Started with OHA's call for policy shift, b/c of disproportionate representation
The purpose of the task force according to language from Act 170:

The purpose of this Act is to address the findings and recommendations of the office of Hawaiian affairs' study by creating a task force to formulate policies and procedures to eliminate the disproportionate impact of the criminal justice system on all individuals, with particular focus on Native Hawaiians.

Dr. Crabbe discussed the origins of the OHA study

OHA study origins date back to 2007 "quantitative" study done in 2007; "qualitative" research by interviewing ex-inmates & families

Judge Perkins: Per Act 170 (see p.2, line 12-14), purpose is to "identify strategies for reducing unnecessary contact with the criminal justice system"; thinks the OHA study brings up some good ideas / starting points

A. At-risk youth:

Jack Tonaki: Large factor is at-risk youth; starts with poverty, "never had a chance," etc; often 2nd or 3rd offense by the time anyone notices, so Defendant's likely facing jail time, & those same laws apply to all citizens
RaeDeen Karasuda working on project with children of incarcerated parents, also likes Drug Court or other programs for children; best to focus on 1 or 2 factors or projects b/c there's so many good ideas & not much implementation

Other ideas / programs:

- Ho'omauekeola
- Maui Economic Best – Marilyn Brown (Prof @ UH Hilo) did study
- Kassebaum studies – through Alu Like
- Ho'oike – by Alu Like, engage family in rehab of at-risk youth, using Ho'oponopono (but not necessarily all Hawn kids)
- Mark Kerring, restorative justice book

A. Data compilation:

Kamana'o Crabbe: No program that tracks rehab of released inmates & recidivism when applied with Hawaiian cultural programs / methods; possibly look

into creating standardized data collection for all agencies / bodies so everyone eventually looking at same info

Jack Tonaki: Corrections Population Commission might keep relevant data, but not sure if ethnicity is part of their data collection

No matter what method is used, ethnicity is generally based on self-reported info

B. Training for 'decision-makers':

Mike Broderick: Thinks there are unconscious underlying factors at all levels of law enforcement (police, prosecution, parole, etc); wants to keep focus on "disproportionate impact"—pre-arrest & post-arrest—which is different from diversion

OHA study p.35 notes "key limitations" of study...#3 states that no prior records of inmates were taken into consideration, which is HUGE factor in sentencing, but Broderick still believes unconscious/subconscious things going on that could be helped (or at least made conscious) by training for police officers, judges, parole officers, etc.

III. Future meetings / business:

Anticipate quarterly meetings, with additional meetings if necessary; regular communication by email; next meeting in Feb 2012

Mike Broderick: Task Force should have at least one meeting where public is specifically invited to come & give input on whatever

Jeff Kent will compile info re: all prog's mentioned in II-A above, & send to Task Force members for review / reference

A. Chairperson:

Act 170 (p.4, line 17-18) requires Task Force to select Chairperson among its members

Richard Perkins suggested keeping everyone as co-chairs, & just choose one person as "head co-chair" to facilitate things

Mike Broderick offered to serve as chair

General consensus among members that current "flow" works well, elect everyone as equal co-chairs, Jeff Kent did good job as facilitator