



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

**NATIVE HAWAIIAN JUSTICE TASK FORCE**

DATE: April 3, 2012  
TIME: 2:00 p.m. – 4:00 p.m.  
PLACE: Library, Office of Hawaiian Affairs  
711 Kapi`olani Boulevard Suite 500  
Honolulu, HI 96813

**MINUTES**

Attendance:

Paul Perrone, Chief of Research & Statistics, Department of the Attorney General  
Jack Tonaki, Public Defender  
Honorable Richard K. Perkins, 1st Circuit Court Judge  
Tricia Nakamatsu, Deputy Prosecuting Attorney City & County of Honolulu  
Joe Booker, Deputy Director, Public Safety  
Cheryl Marlow, Adult Client Services Branch Administrator  
Michael F. Broderick, Chair (President, CEO YMCA of Honolulu) (Public member)  
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

Members of the public.

Excused

Dr. Kamana`o pono Crabbe, Ka Pouhana, OHA

**I. Minutes**

Task Force went over changes to the minutes from previous meeting. Paul had a number of suggestions.

**II. Juvenile Justice State Advisory Council Report Presentation**

“Disproportionate Minority Contact and Profile of Adjudicated Youth”  
Study commissioned by State of Hawai‘i Juvenile Justice State Advisory Committee  
Presented by:  
Karen Umemoto PhD  
Tai-An Miao MURP  
Edward B. Chargualaf Juvenile Justice Program Coordinator  
Wade Lee

The study used 11 years of arrest data, focusing on 2007-2009 then compared to the 11 years overall. They found that the point of arrest was 4 times higher for Native Hawaiians than white youth. Based on volume, arrest rates for NH was much higher. Task Force had questions on how race was determined, explanations for changes in rates among race. One major explanatory variable in addition to ethnicity –on probation at time of arrest

Also did a qualitative study that noted there was evidence of increased law enforcement attention based on negative stereotyping and confrontational interactions between Native Hawaiian youth and authority figures. Many of these issues are well known in this field. Having parents in the justice system, the colonial legacy of disenfranchisement, and inability of system to address underlying problems aggravated the issue. When compared to Non-Hawaiians, Native Hawaiians were twice as likely to have parents with criminal history, be out of parental control, and also have a sense of right and wrong.

Fixing disconnects in the system could help resolve some of these issues. Earlier use of services, more high-end services rather than using incarceration, analyzing the use and role of parole and taking a more restorative approach.

### **III. Juvenile Detention Alternative presentation by Judge Bode Uale**

Judge Bode Uale presented on the JDAI initiative.

Generally pretty low numbers in terms of comparison to other states. Problem is racial disparity. There’s been a movement to shift away from a punitive to a more understanding practice and only detain when necessary. Right now have 13 boys 8 girls, has been as high as 33/20ish. Last July they stopped using a process to detain status offenders and are developing pre-incarceration programs. Also working on a better inventory of existing programs and informing stakeholders of them.

### **IV. Summary of meeting task force members, duties--Sub-Committees**

After speaking with each task force member, Michael Broderick discussed the creation of sub-committees to give guidance on how to solve problems. The task force discussed making the following:

#### *Sub-Committee on Data*

Paul Perrone and RaeDeen Karasuda

Looking at accurate, uniform and relevant data collection. A way to inform better decision making.

#### *Sub-Committee on Alternatives to Incarceration*

Judge Perkins, Tricia Nakamatsu, and Jack Tonaki

This would include treatment programs, visitation protocols, reintegration issues

#### *Sub-Committee on Training*

Cheryl Marlow, Kamana`o Crabbe, and successor to Joe Booker (leaving for a new position in New Mexico).

Review the effectiveness and availability of programs like Trauma Informed Care, cultural competency, and bias training.

Cheryl Marlow volunteered to sit in on JDAI meetings. Jeff to work on executive summaries on available studies and other similar task forces in other states before next meeting.

#### **V. How to use task force funds**

The task force discussed what to do with the funding available. \$25k was set aside for the conference and \$50k for a project. Could hire a consultant to inventory programs, outreach, some sort of preventative services, or some sort of direct research? Task force decided to see what sub-committees report and see what comes out of the justice summit.

#### **VI. Justice summit planning**

The task force discussed the summit being planned. OHA is working on the planning and communications. One concern is that the task force is aware of problems, how to get to the solutions? The task force discussed that sharing experiences is a necessary part of the process, could learn something new, and shows the community that the task force is listening. It will get uncomfortable but it's also an opportunity to educate and to learn.

The size of the summit is dependent on site availability. Task Force discussed holding the summit in a different location on each day to reach a broader group of people.

#### **VII. Public Comment**

Kat Brady requested that task force materials like minutes, agendas, etc. made available. Would like introductions. Would like the task force to meet more. Suggested that the data sub-committee look into what the JRI folks did. Regarding mandatory minimums, it disproportionately affects women. Will look for source information and try to provide it to task force. Kat also provided information on a task force in Vermont doing something similar.

Jeff responded that he is working on getting the information available online and easier to access.

Moanike'ala Akaka, OHA Trustee from 84-96, discussed how OHA had a prison committee in the early 1990s and the same problems then are even worse now. She pegged the issue to institutionalized racism. She was part of a similar committee in the 1970s and had the same issues. In general, building prisons will lead to more imprisonment. There is a need for more restorative justice, from a cultural standpoint, solutions for non-violent criminals, drug treatment, community college programs rather than revert back to old ways.

Representative Hanohano commented that she is glad the group is meeting to work on these issues and echoes the same sentiments as the other speakers. Also mentioned the legislative efforts to establish a pu`uhonua which the task force might be interested in.

**VIII. Closing**

Task force agreed to meet on a monthly basis. Next meeting on 5/1/12 from 2-4pm at the OHA library.