

**STATE OF MINNESOTA**

**OFFICE OF OMBUDSPERSON FOR FAMILIES**

**BIENNIAL REPORT 2004-2005**

**TO THE GOVERNOR**

**SUBMITTED BY BAUZ L. NENGCHU, OMBUDSPERSON FOR ASIAN-PACIFIC FAMILIES,  
PURSUANT TO MINNESOTA STATUTE 257.0766, SUBD. 2**

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## **ACKNOWLEDGMENTS**

The Ombudsperson for Asian-Pacific Families wishes to thank the following individuals, social service agencies, and others for making this biennial report possible: the Honorable Gary Bastian, the Honorable Van DeNorth, Molly Heisenfelt, Katherine M. Conners, Yer Ly, Department of Human Services, Ramsey County Community Human Services, Washington Community Services, Anoka County Human Services, and Olmsted Community Services,

A special thanks to the entire Asian-Pacific Advisory Board for their commitment and continuing support of the Office of Ombudsperson for Families.

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## **INTRODUCTION**

Pursuant to Minnesota Statute 257.0766, Subdivision 2, the ombudsperson shall at the end of each year report to the governor concerning the exercise of the ombudsperson's functions during the preceding year. This report has been prepared as a biennial report combining years 2004 and 2005 to provide (1) data on Asian and Pacific Islander children in out-of-home care in 2003-2005, (2) a summary of the ombudsperson's activities in 2004-2005, and (3) a report on Asian juvenile delinquency.

### **1. MISSION STATEMENT**

The mission statement of the Office of Ombudsperson for Families is to ensure that children and families are protected by laws in all child placement proceedings conducted by public and private agencies and organizations.

### **2. WHAT IS AN OMBUDSPERSON?**

An ombudsperson is an independent governmental official responsible for reviewing government and government-regulated agencies in an effort to ensure that their practices are fair, reasonable, and appropriate. To do this, the ombudsperson:

- Receives complaints;
- Reviews, investigates, and if appropriate
- Makes recommendations to remedy the complaints.

(Minnesota State Ombudsman Services)

### **3. OFFICE OF OMBUDSPERSON FOR FAMILIES**

The Office of Ombudsperson for Families, an independent state agency, was created in 1991 under Minnesota Statute 257.0755 in response to requests from families, who had been negatively impacted by the intervention of social service agencies.

The main goal of the office is to ensure that all laws governing the protection of children and their families are implemented in a culturally competent manner and that decision-making processes are in compliance with the laws that protect children of color in the State of Minnesota.

#### **4. OMBUDSPERSON FOR FAMILIES**

Minnesota Statute 257.0755 Subd.2 states that the ombudsperson shall be selected by the applicable community-specific board established in section 257.0768. The ombudsperson serves in the unclassified service at the pleasure of the community-specific board and may be removed only for just cause. The ombudsperson must be selected without regard to political affiliation, and shall be a person highly competent and qualified to analyze questions of law, administration, and public policy regarding the protection and placement of children from families of color. In addition, the ombudsperson must be experienced in dealing with communities of color and knowledgeable about the needs of those communities. No individual may serve as ombudsperson while holding any other public office.

#### **5. COMMUNITY-SPECIFIC BOARD**

Each community-specific board consists of five members. Currently, there are five members of the Asian-Pacific Advisory Board who advise and assist the Ombudsperson in selecting matters for attention in their community, and in developing policies, plans, and programs to carry out the ombudsperson's functions and powers.

The five Asian-Pacific Advisory Board Members are:

- |  |   |
|--|---|
| (1). Linda Davis, Chairperson<br>MA Education<br>Educator Special Education  | (2). Daniel Lew, Attorney at Law<br>St. Paul Public Defenders<br>Office |
| (3). Gail Chang Bohr<br>Executive Director Children's Law<br>Center of Minnesota   | (4). Yoonju Park<br>Executive Director<br>Korean Service Center         |
| (5). Thanh Son (Lisa) Nguyen, Ph.D., DABPS<br>Senior Consultant (Service Effectiveness, Cultural Competency)<br>Amherst H. Wilder Foundation |   |

To fulfill their obligation, they also held joint meetings with the other three community-specific boards, at least four times per year. The Board Members advise the ombudspersons on overall policies, plans, protocols, and programs for the office, besides conducting their own quarterly meetings with the Ombudsperson.

The Ombudsperson is grateful to have them as her advisors, and for their commitment and continuing support of the office to help improve standards of competence, efficiency, justice, and protection of rights for all Asian-Pacific Families and their children in the State of Minnesota. For further information on the community-specific Board in regard to its memberships, meetings, and duties, refer to Minnesota Statute 257.0768.

## 6. JOB DESCRIPTION

On July 14, 2000, the Asian-Pacific Advisory Board revised the job description of the Ombudsperson to reflect changes in the position.

The four principal responsibilities of the revised job description for the Ombudsperson are the following:

- a). To monitor, as to ensure that State, county, and private social service agencies are in compliance with all child welfare laws impacting Asian-Pacific and children and families;
- b). To receive, investigate, and resolve complaints from any source concerning an action or an agency, facility or program;
- c). To heighten awareness and sensitivity of service providers, public policymakers, social service agencies, and local courts to diverse belief systems and family relationships as they impact the services provided to children and families; and,
- d). To prepare a comprehensive annual report in a timely manner to the Governor of the State of Minnesota, based upon empirical data, observations, and conclusion of the random sample assessing the "Challenges for Social Services Agencies in Serving Asian-Pacific American Families in the Next Millennium," including a summary of the activities of the Ombudsperson for the preceding year.

Simultaneously, five goals and objectives were identified as follows:

1. Identify those children and families who are under the jurisdiction of the Ombudsperson's oversight.
2. Select random population of children and families who are under the jurisdiction of the Ombudsperson.
3. Identify trends in child protection cases for Asian-Pacific children and families.
4. Identify the challenges for the third millennium that Asian-Pacific children and their families will face in the area of child protection and social services.
5. Present a quality report that makes quality recommendations to the Governor of the State of Minnesota identifying:
  - the challenges for social service agencies in serving Asian-Pacific families and children,
  - the services needed and service gaps,
  - the strengths and current benefits of the child protection system,
  - the weaknesses and shortcomings of the current child protection system; and,
  - a comprehensive policy recommendation for the next millennium.

## 7. WHO ARE ASIAN-PACIFIC MINNESOTANS?

<ul style="list-style-type: none"><li>• Afghanistan</li><li>• Australia</li><li>• Bangladesh</li><li>• Bhutan</li><li>• Brunei</li><li>• Burma (Myanmar)</li><li>• Cambodian</li><li>• China</li><li>• Cook Islands</li><li>• Federated States of Micronesia,</li><li>• Federated States of Midway Islands</li><li>• Fiji</li><li>• French Polynesia</li><li>• Guam</li><li>• Hawaii</li><li>• Hong Kong</li><li>• India</li><li>• Indonesia</li><li>• Iran</li><li>• Japan</li><li>• Kazakhstan</li><li>• Kiribati</li><li>• Kyrgyzstan</li><li>• Laos (Hmong and Lao)</li><li>• Macau</li><li>• Malaysia</li><li>• Maldives</li><li>• Marshall Islands</li></ul>	<ul style="list-style-type: none"><li>• Mongolia</li><li>• Nauru</li><li>• Nepal</li><li>• New Caledonia</li><li>• New Zealand</li><li>• North Korea</li><li>• Northern Mariana Islands</li><li>• Pakistan</li><li>• Palau</li><li>• Papua New Guinea</li><li>• Philippines</li><li>• Pitcairn Islands</li><li>• Samoa</li><li>• Singapore</li><li>• Solomon Islands</li><li>• South Korea</li><li>• Sri Lanka</li><li>• Tahiti</li><li>• Taiwan</li><li>• Tajikistan</li><li>• Thailand</li><li>• Tibet</li><li>• Tonga</li><li>• Turkmenistan</li><li>• Tuvalu</li><li>• Uzbekistan</li><li>• Vanuatu and</li><li>• Vietnam</li></ul>
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Source: Council on Asian-Pacific Minnesotans  
<http://www.capm.state.mn.us>

## 8. DATA ON ASIAN AND PACIFIC ISLANDER CHILDREN IN MINNESOTA

**Table 1**

**Minnesota Population Profiles: Asian and Pacific Islander children age 17 and under**

Number of Asian and Pacific Islander children				
by Age and Gender				
Age	Male	Female	All	Percent of Total Asian Population
Under 5 years	6,930	6,986	13,916	9.80
5 to 9 years	7,548	7,225	14,773	10.41
10 to 14 years	7,990	7,914	15,904	11.20
15 to 17 years	4,473	4,765	9,238	6.51
<b>Total Population of persons 17 years and younger</b>	<b>26,941</b>	<b>26,890</b>	<b>53,831</b>	<b>37.92</b>

Source: 2000 Census: State of Minnesota

**Table 2**

**Minnesota Population Profiles: Native Hawaiian and other Pacific Islander Children  
age 17 and under.**

Native Hawaiian and other Pacific Islander Children				
by Age and Gender				
Age	Male	Female	All	Percent of Total
Under 5 years	63	71	134	6.77
5 to 9 years	97	88	185	9.35
10 to 14 years	89	76	165	8.34
15 to 17 years	48	34	82	4.14
<b>Total Population of persons 17 years and younger</b>	<b>297</b>	<b>269</b>	<b>566</b>	<b>28.6</b>

Source: 2000 Census: State of Minnesota

## 9. DATA ON ASIAN AND PACIFIC ISLANDER CHILDREN IN OUT-OF-HOME CARE IN 2003 - 2005

**Table 1**

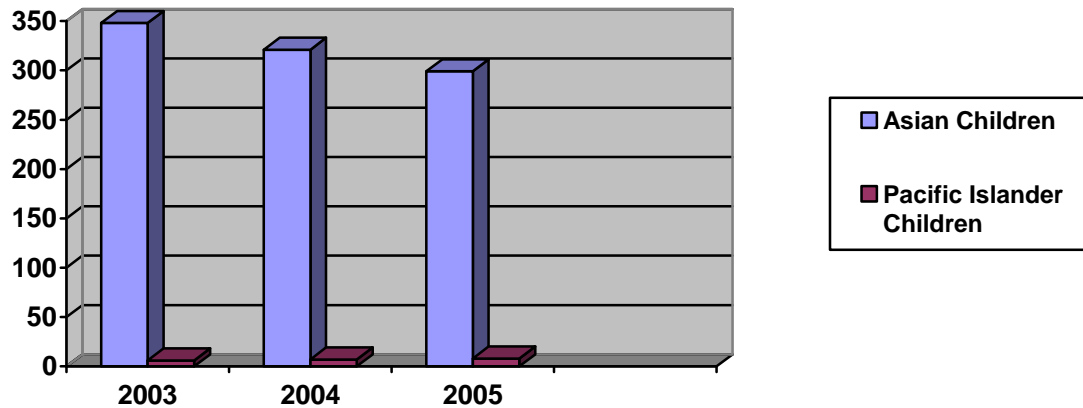
**Data on Asian and Pacific Islander Children in Out-of-Home Care in 2003 - 2005 in  
Minnesota**

Number of Children in Out-of-Home Care in 2003 - 2005						
Table 3						
	2003		2004		2005	
	Number of children in out-of-home care	Percentage of children in out-of-home care	Number of children in out-of-home care	Percentage of children in out-of-home care	Number of children in out-of-home care	Percentage of children in out-of-home care
<b>Asian</b>	348	2.3	321	2.2	299	2.0
<b>Pacific Islander</b>	6	0.0	7	0.0	8	0.1
<b>Total</b>	<b>354</b>	<b>2.3</b>	<b>328</b>	<b>2.2</b>	<b>307</b>	<b>2.1</b>
<b>Percentage of children in total population</b>	4.2	0.0	4.2	0.0	4.2	0.0

Sources: Department of Human Services: -Section II - 2003 Children in Out-of-Home Care  
 -Section II - 2004 Children in Out-of-Home Care  
 -Section II - 2005 Children in Out-of-Home Care

**Chart 1**

**Asian and Pacific Islander Children in Out-of-Home Care in 2003 - 2005**



Sources: Department of Human Services: 2003, 2004, and 2005 Children in Out-of-Home Care

Remark: In 2005, the number of Minnesota Asian children in out-of-home care was down 14 percent from 2003 numbers.

**Table 2**

**Counts of Asian and Pacific Islander Children in Out-of-Home Care in 7 Metro Counties and Olmsted County in 2002 - 2005**

Year	County	Asian	Pacific Islander	Total children
2002	Anoka	2	0	2
	Carver	1	0	1
	Dakota	14	1	15
	Hennepin	160	1	161
	Ramsey	175	4	179
	Scott	10	0	10
	Washington	9	0	9
	Olmsted *	14	0	14

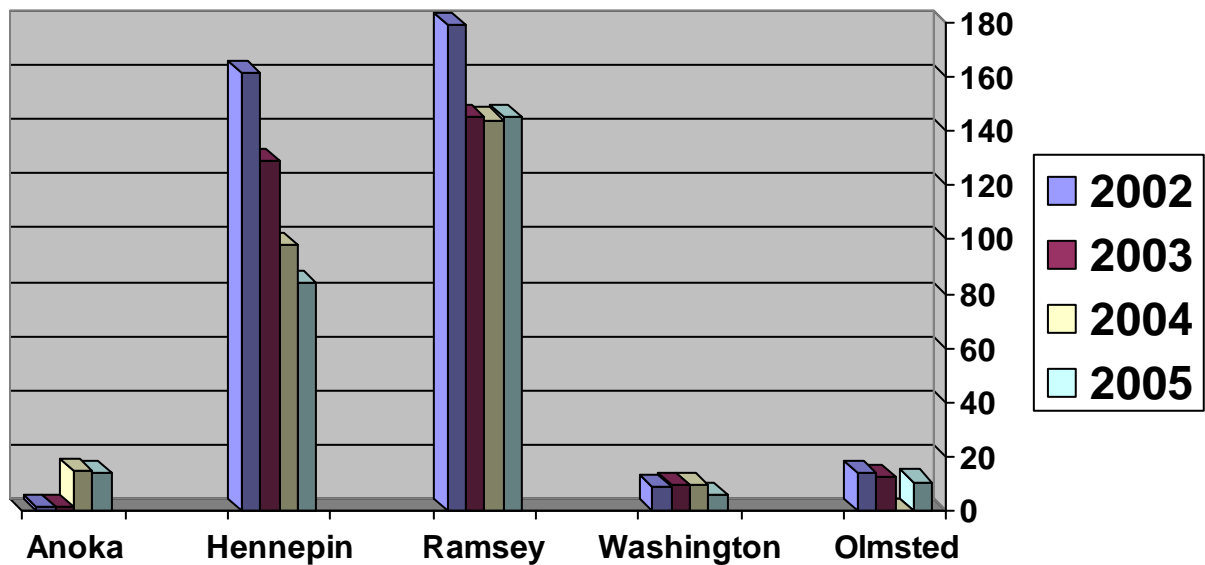
<b>2003</b>	Anoka	2	0	2
	Carver	2	0	2
	Dakota	9	2	11
	Hennepin	126	3	129
	Ramsey	145	0	145
	Scott	3	0	3
	Washington	10	0	10
	Olmsted*	13	0	13
<b>2004</b>	Anoka	15	0	15
	Carver	0	0	0
	Dakota	8	1	9
	Hennepin	95	3	98
	Ramsey	143	1	144
	Scott	1	0	1
	Washington	10	0	10
	Olmsted *	0	0	0
<b>2005</b>	Anoka	14	0	14
	Carver	2	0	2
	Dakota	7	1	8
	Hennepin	83	1	84
	Ramsey	143	2	145
	Scott	3	0	3
	Washington	6	0	6
	Olmsted*	11	0	11

Sources: Department of Human Services (DHS)

\*2002-2005 DHS Out-of-Home Placement Reports

**Chart 2**

**Asian and Pacific Islander Children in Out-of- Home Care in Anoka, Hennepin, Ramsey, Washington, and Olmsted Counties in 2002 - 2005**



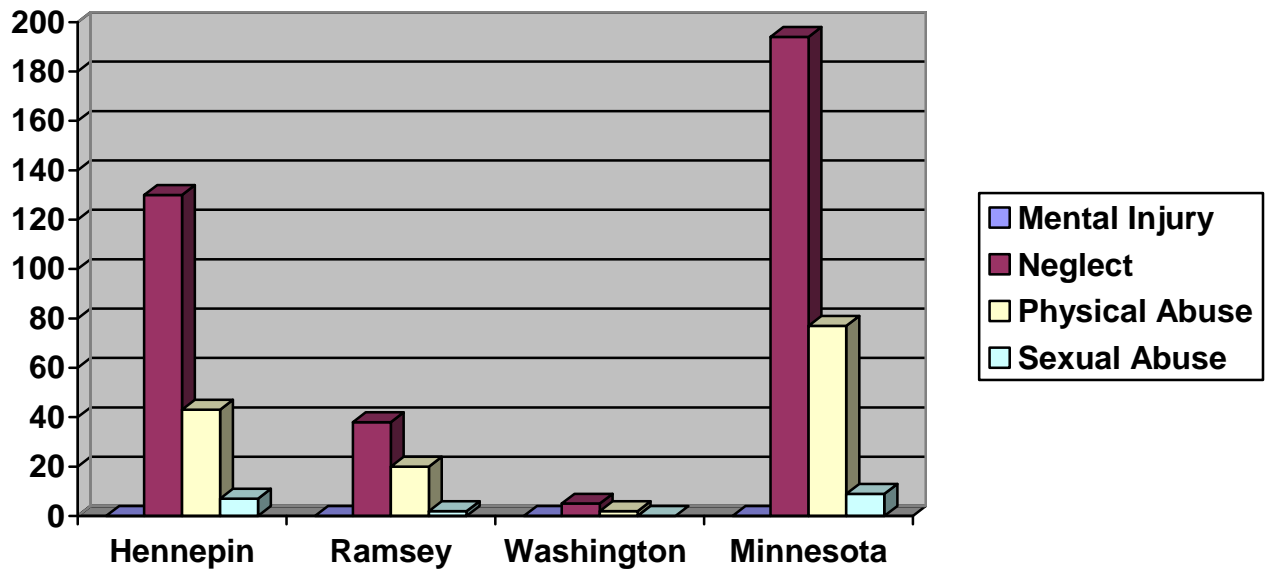
Sources: Department of Human Services (DHS)

\*2002-2005 DHS Out-of-Home Placement Reports

Remark: In 2005, the number of Asian and Pacific Islander children in out-of-home care in Hennepin County was down 47.8 percent from 2002 numbers. In Ramsey County, similarly the number was down 19 percent.

**Chart 3**

**Determined Asian and Pacific Islander Victims in 2001 by mental injury, neglect, physical abuse, and sexual abuse in Hennepin, Ramsey, and Washington Counties**

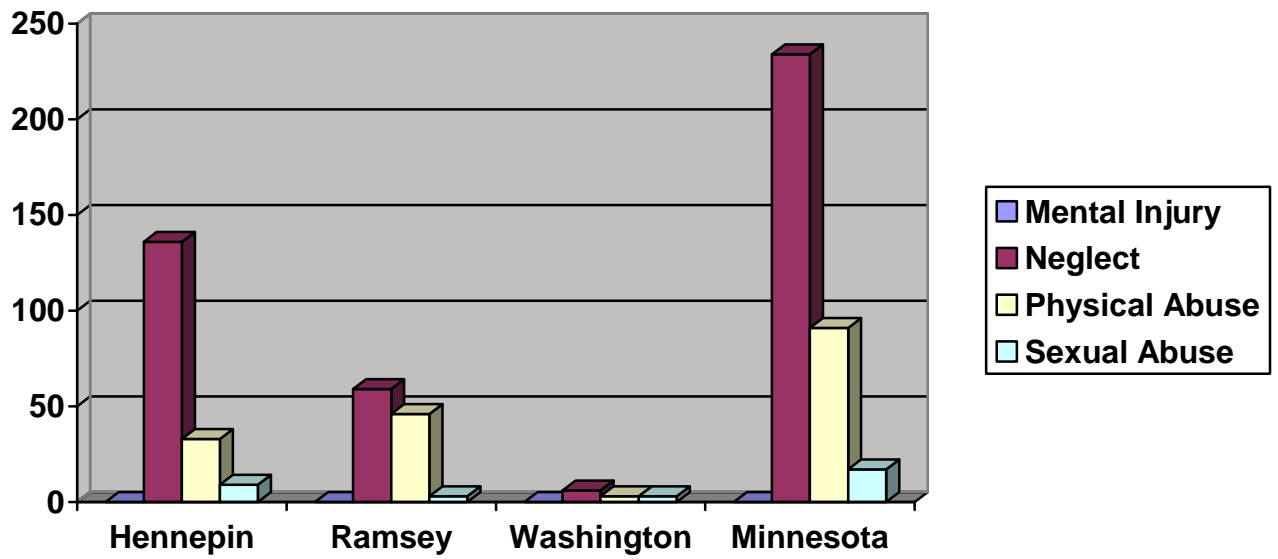


Source: Department of Human Services

Remark: In 2001, the number of determined Asian and Pacific Islander victims in “neglect” in Hennepin County was 70.8 percent higher than the number in Ramsey County.

**Chart 4**

**Determined Asian and Pacific Islander Victims in 2002 by mental injury, neglect, physical abuse, and sexual abuse in Hennepin, Ramsey, and Washington Counties**

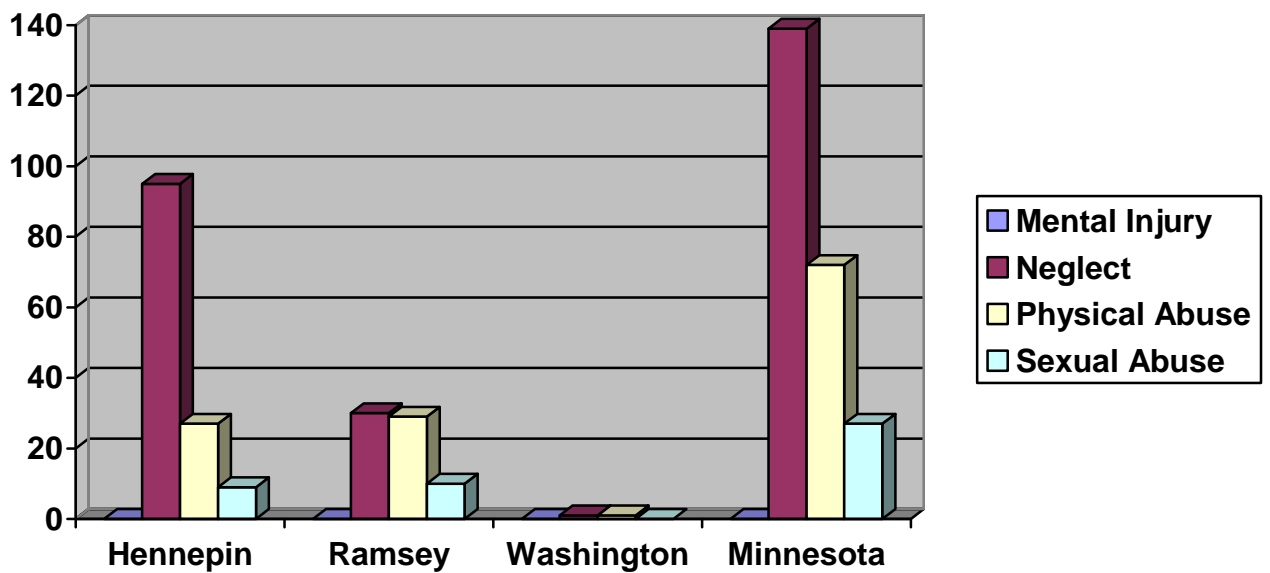


Source: Department of Human Services

Remark: In 2002, the number of determined Asian and Pacific Islander victims in “neglect” in Hennepin County was 56.6 percent higher than the number in Ramsey County.

**Chart 5**

**Determined Asian and Pacific Islander Victims in 2003 by mental injury, neglect, physical abuse, and sexual abuse in Hennepin, Ramsey, and Washington Counties**

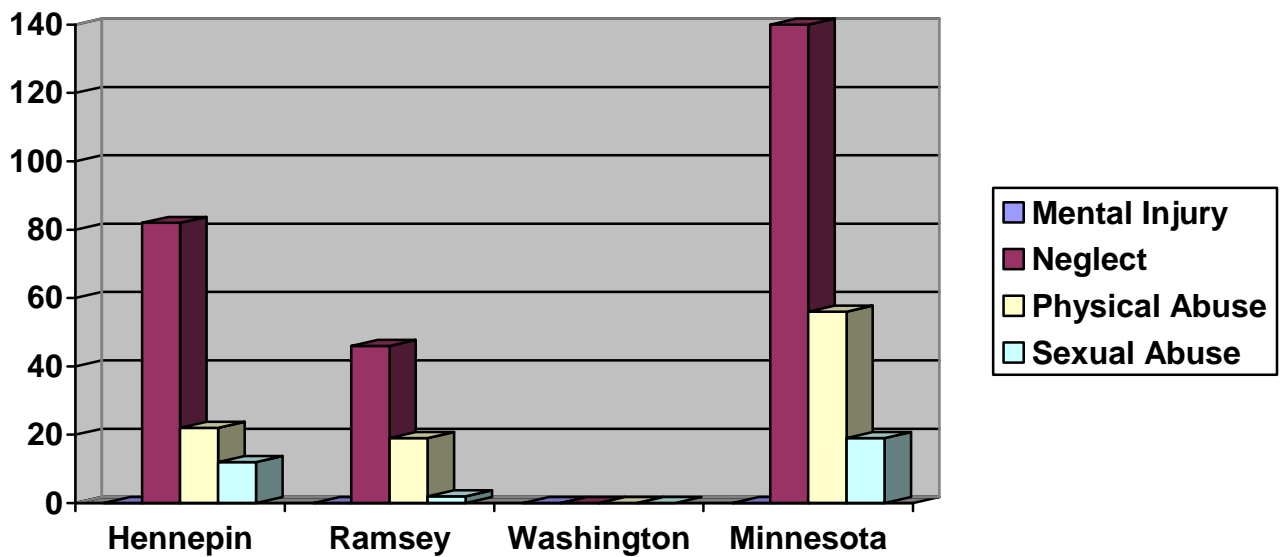


Source: Department of Human Services

Remark: In 2003, the number of determined Asian and Pacific Islander victims in “neglect” in Hennepin County was 68.4 percent higher than the number in Ramsey County.

Chart 6

**Determined Asian and Pacific Islander Victims in 2004 by mental injury, neglect, physical abuse, and sexual abuse in Hennepin, Ramsey, and Washington Counties**



Source: Department of Human Services

Remark: In 2004, the number of determined Asian and Pacific Islander victims in “neglect” in Hennepin County was 44 percent higher than the number in Ramsey County.

**Table 3**

**Minnesota Statewide Asian and Pacific Islander Children Report Categories of Reasons for Entry of Children in Out-of-Home in 2002 - 2004**

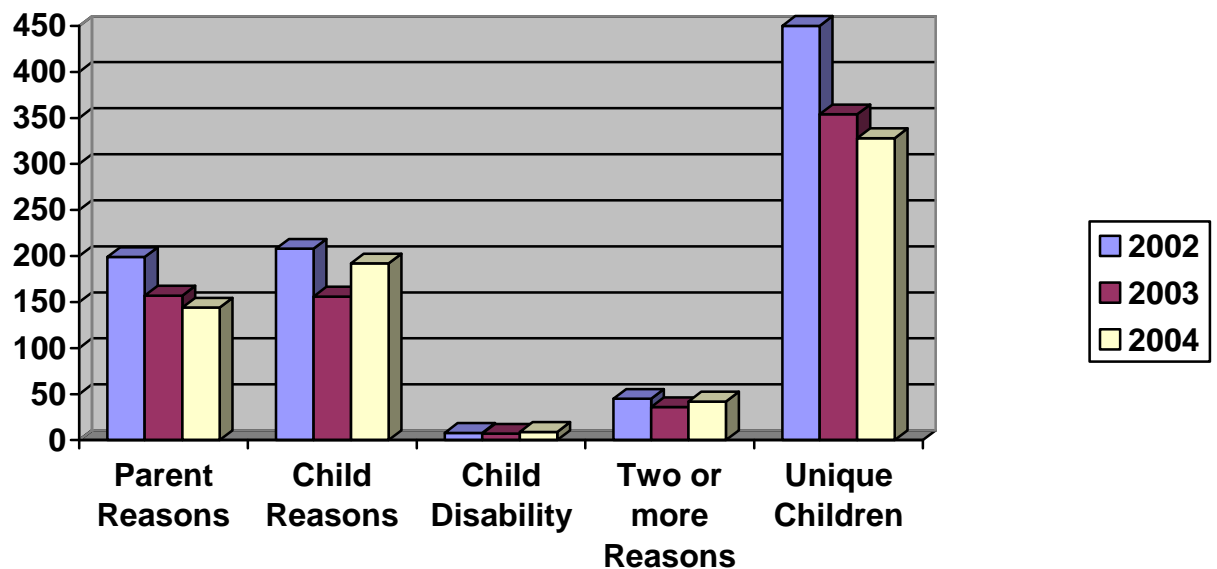
Categories of Reasons for Entry of Children in Out-of-Home Care					
Year	Parent Reasons	Child Reasons	Child Disability	Two or more Reasons	Unique Children
2002	199	208	8	45	450
2003	157	156	7	36	354
2004	144	192	9	42	328

Source: Department of Human Services: Children in Out-of-Home Care Reports 2002, 2003, and 2004.

Note: Kids are counted multiple times.

**Chart 7**

**Minnesota Statewide Asian and Pacific Islander Children Report Categories of Reasons for Entry of Children in Out-of-Home in 2002 - 2004**



Source: Department of Human Services: Children in Out-of-Home Care Reports 2002, 2003, and 2004.

Remark: In 2004, the number of "Child Reasons" for entry of Asian and Pacific Islander children in out-of-home increased to 25 percent over the number of "Parent Reasons."

## 10. SUMMARY OF OMBUDSPERSON'S ACTIVITIES IN 2004-2005

The following table tracks Asian and Pacific Islander populations in fifteen Minnesota counties. The largest population lives in Hennepin County and the second largest population lives in Ramsey County. The smallest population lives in Mower County.

<b>Asian and Pacific Islander Population by County</b>			
<b>Table 1</b>			
<b>County</b>	<b>Asian</b>	<b>Pacific Islander</b>	<b>Total</b>
<b>Anoka</b>	5,038	64	<b>5,102</b>
<b>Blue Earth</b>	1,000	35	<b>1,035</b>
<b>Carver</b>	1,096	10	<b>1,106</b>
<b>Dakota</b>	10,285	165	<b>10,450</b>
<b>Hennepin</b>	53,555	531	<b>54,086</b>
<b>Mower</b>	568	6	<b>574</b>
<b>Nobles</b>	830	15	<b>845</b>
<b>Olmsted</b>	5,305	41	<b>5,346</b>
<b>Ramsey</b>	44,836	323	<b>45,159</b>
<b>Rice</b>	826	24	<b>850</b>
<b>St. Louis</b>	1,333	54	<b>1,387</b>
<b>Scott</b>	1,946	27	<b>1,973</b>
<b>Stearns</b>	2,104	45	<b>2,149</b>
<b>Washington</b>	4,297	66	<b>4,363</b>
<b>Winona</b>	935	12	<b>947</b>

Source: Census 2000

In February of 2005, the Ombudsperson sent letters to three community human services agencies to request for alternative response case files since September of 2004 and traditional response case files on Asian and Pacific Islander families pursuant to Minnesota Statutes 257.0762. Data from the request is as follows:

- Received eleven copies of alternative response (AR) case files with no findings of maltreatment occurred and no need for child protective services and five closed traditional response (TR) case files with findings of maltreatment occurred and child protective services needed. Three of the five cases involved out-of-home placement of children with relatives.
- Nature of reports or allegations include: educational neglect of 9 year-old; physical punishment of 7, 9, 12, and 13 year-old; alleged child maltreatment by deliberately endangering children by allowing son, a convicted sex offender, to return home; infant

medical neglect and failure to thrive; neglect due to child injured in car accident as no child safety car seat was provided; physical abuse of infant; supervision and neglect issues; physical punishment of 13 year-old due to teen skipping school; physical punishment of 14 year-old due to oppositional and defiant behavior, skipping school, and dyed hair blonde; allegation of threats of violence; and disruptive relative custody due to teens' delinquent behaviors.

Examples of case scenarios:

- Corporal punishment: A frustrated mother used physical punishment to discipline her daughter when she found out that the pre-teen had been skipping school. The girl was picked up by a middle aged Caucasian male along with other Asian boys and girls from other places to be taken to his house for sexual exploitation.
- Neglect and supervision issues: A single mother left six children ages 9 months old to 10 years under the care of a preteen with developmental disability claiming she needed to do errands. The mother had a history of leaving children home alone.
- Disrupted permanency of relative transfer custody. The relatives relinquished their rights as legal custodians due to teens' delinquent behaviors (truant, runaway, defiant, and oppositional).
- Educational neglect due to excessive absences and tardies: There was a report of educational neglect of 12 and 13 year-old siblings. They were adjudicated children in need of protection or services. The record provided that due to language barriers, parent tried to call school staff but was unable to explain the purpose of her call; sometimes she left messages for the school bilingual staff but they did not return her calls; and she preferred to have a bilingual staff call her to explain the contents of the letter if school was to write a letter.

### **Number of complaints received and investigated from 2004 through 2005**

From 2004 through 2005, an estimate of the Ombudsperson's work time in percentage is as follows: Investigating complaints/court observations: 65%; task force groups/meetings: 30%; and community outreach: 5%.

The office received 24 complaints from 2004 through 2005 and investigated 13 cases. The nature of complaints received were: allegation of being mistreated by child protection worker such as disregarding parent's rights to be a party in the court process; teen opposed to family reunification with the alleged perpetrator; trial home placement and mental health issues; relatives of the parent (deceased) opposed the reunification of the infant with the alleged perpetrator; allegation of being mistreated by the assigned worker; issue of financial assistance for relative custody; drug problem and concern of potential parental rights termination; medical neglect; domestic abuse and failure to protect child from harm; physical punishment due to child wanting to sleep over at friend's house; neglect, supervision issues, and gambling problem; visitation rights and post adoption issue; and allegation of physical punishment of a 3 year-old.

An example of out-of-home placement case:

A single mother with limited English skills contacted the Ombudsperson requesting that her teen's worker be removed alleging that he mistreated her and her daughter; and, that he was manipulative, thereby causing more harm than being helpful to her and her family. She also claimed that the worker was disrespectful and rude. The mother wanted to know about her parental rights, to be involved in the welfare of her daughter, and to participate in the decision making process pertaining to the services to be provided including the placement of her daughter.

The Ombudsperson contacted the worker to hear his side of story and to inform him about the mother's request to have her case transferred to a different worker as well as to have her daughter be placed with a relative. The ombudsperson made arrangements for the mother to meet with the public defender then with the worker's supervisor. The placement with the relative did not take place; but, the supervisor granted the mother's request to have her case transferred to another worker based on her unique circumstances.

**Court Observation:** In January of 2005, the Ombudsperson observed a jury trial of a middle aged Southeast Asian man being charged of engaging child prostitution with two minors two years ago. The pimp (who was found guilty and is serving her time in jail) and the two girls were brought in to the courtroom to testify against the defendant. An interpreter was provided to the defendant during the entire trial. On the fifth day, the jury delivered the verdict; they found the defendant guilty of crime. At the trial, the girls testified that the pimp took them into her house. She and her boyfriend provided them with food, a place to stay, and helped them with their homework. In return, the pimp and her boyfriend demanded the girls have sex with older Southeast Asian men, whom they recruited from the funeral homes, to pay for their living expenditures. The girls admitted using methamphetamine provided by the pimp and her boyfriend.

The pimp explained in court that after she and her boyfriend were kicked out by the boyfriend's parents, they had no place to stay but to live in his car for sometime. She said it was her boyfriend who coerced her to prostitute for money. Later, they recruited run away Southeast Asian minor girls to prostitute. After finding one girl, they used her to get to her cousins or her friends at schools. The sentencing for this case was scheduled for April 2006.

#### **Conferences/Meetings:**

- **United States Ombudsman Association (USOA) 25<sup>th</sup> Annual Conference on October 19-22, 2004 in Portland, Oregon:** Attended the USOA 25<sup>th</sup> Annual Conference to further develop investigation skills about the different phases from pre-investigation stage to post-investigation stage; to deal with difficult and complex clients; and to learn about legal issues, proactive communication skills, and alternative ways to resolve complaints.
- **Structured Decision Making (SDM):** Reviewed the recommendations of the Institute of Applied Research and the Children's Research Center concerning potential improvements in the SDM Family Risk Assessment tool, application policy and training.
- **"Ending Racial Disparities Project" by Ramsey County Community Human Services Department Family and Children's Services Division:** Participated in Asian focus group to give input on: (1) the strengths of the child protection and out-of-home placement systems; (2) the federal, state or agencies policies or practices that contribute

or have contributed to these disparities; (3) recommendations to reduce and eliminate the existing racial disparities; and (4) the kind of support that the county staff need from the community to do their job.

- **Minnesota Drug Court Training and Development Conference:** Attended the conference on October 3-4, 2005 to learn more about effective and innovative adolescent treatment, the issues in pregnancy and parenting of women, alcohol and other drug abuse, and cultural competency in Drug Court.
- **Children's Justice Initiative (CJI) Regional Seminar:** Attended the CJI Regional Seminar sponsored by the Minnesota Supreme Court and the Minnesota Department of Human Services to learn about reasonable and active efforts on best practice basics and the adoption rules.
- **Hmong Women's National Conference:** Attended the conference on September 16-17, 2005 at the University of Minnesota to learn, share, and network in a cross-cultural environment where innovative survival strategies across generations and latest research were presented.

**Community outreach:** St. Paul Public Schools, 4<sup>th</sup> Annual Community Resource Fair, Ready 4K, United Cambodian Association of Minnesota, Resources for Child Caring, Association for the Advancement of Hmong Women in Minnesota, Head Start Program, Hmong American Mutual Assistance Association, Asian Women United of Minnesota, Korean Service Center, Mary's Place in Minneapolis, Hmong Professional Networking, and Public Defenders' Office Dispositional Advisors in St. Cloud.

**Community Service:** This office continues to provide internship opportunities to volunteer law students with a special interest in monitoring/observing court activities, doing intake/investigation on child protection matters, reviewing child protection cases, or conducting projects of their interest related to issues that may have an impact on Asian and Pacific Islander children and families.

From 2004 through 2005, the Ombudsperson wants to thank the following volunteer law students from the Minnesota Justice Foundation (MJF) who had contributed their valuable time, effort, and commitment to the work of the office: Elizabeth Kumagai-Metzger, Michelle Synarong, Nathan Vincent Gin, Chu Vu, Alan Garelick, Jenna Arntson, Katherine M. Connors, and Christine Steffen.

## 11. A REPORT ON ASIAN JUVENILE DELINQUENCY

From September through December of 2005, Katherine M. Conners from William Mitchell College of Law, conducted interviews with judges in Ramsey County Juvenile Court, probation officers, school personnel, and other professionals to compile a report about Asian juvenile delinquency in Ramsey County. The office was very fortunate to have her as a volunteer law student and appreciate her efforts, time, and contribution in making this report possible.

### Asian Juvenile Delinquency in Ramsey County

Juvenile delinquency in the Asian and Pacific Islanders community has increasingly become a concern for this office. While we deal with child protection cases, the fact is that a number of children we see under child protection eventually end up in a juvenile court. This report will examine the reasons why these children become delinquent, including who they are and what they are doing, what sort of services are currently being offered and the gaps in those services, and recommendations to improve the situation.

In Ramsey County, the court sees mostly Southeast Asian (i.e. Hmong) teens. The offenses the courts see are truancy, running away, shoplifting, prostitution, drugs, gang-related offenses, shootings, auto theft, etc. The girls typically are not involved in the more violent crimes. They are mostly truants, runaways, shoplifters, and drug runners for the gangs. The boys are also truants and runaways, but they are also involved in more violent crimes such as shootings, battery, assault, etc.

Below is the break down data on male and female Asian populations ages 9 to 17 in 2004:

**Table 1**

**Asian populations estimates in Ramsey County in 2004**

	MALE	FEMALE	TOTAL
<b>Population Ages 9 to 17</b>	<b>5,826</b>	<b>5,173</b>	<b>10,999</b>

Source: Easy Access to Juvenile Populations: 1990-2004  
<http://ojjdp.ncjrs.org/ojstatbb/ezapop>

The following table highlights the estimated arrests of person under age 18 in Ramsey County:

**Table 2**

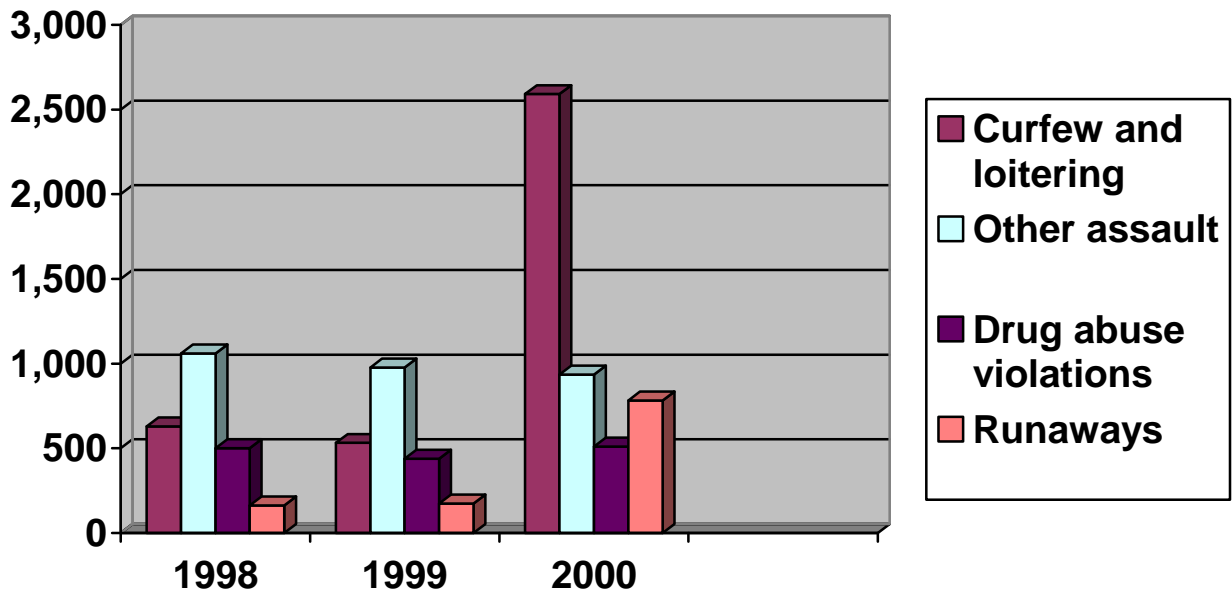
**Estimated arrests of person under age 18 in Ramsey County in 1998 - 2000**

	1998	1999	2000
<b>Coverage Indicator</b>	<b>99%</b>	<b>97%</b>	<b>98%</b>
<b>Total Crimes</b>	<b>8,316</b>	<b>7,493</b>	<b>10,541</b>
<b>Violent Crime Index</b>	<b>427</b>	<b>328</b>	<b>313</b>
Robbery	148	78	91
Aggravated assault	267	238	212
Forcible rape	12	12	9
Murder/nonneg.mans.	0	0	1
<b>Property Crime Index</b>	<b>2,531</b>	<b>2,168</b>	<b>2,171</b>
Larceny-theft	1,828	1,679	1,641
Motor vehicle theft	432	296	356
Burglary	202	142	119
Arson	69	51	55
<b>Non-index</b>			
Other assaults	1,060	976	935
All other offenses	737	836	1,211
Disorderly conduct	682	583	537
Liquor laws	644	529	520
Curfew and loitering	630	532	2,591
Drug abuse violation	501	439	510
Vandalism	471	437	542
Weapons	198	206	152
Runaways	163	174	782
Stolen property	65	89	65
Fraud	62	76	92
Others	145	120	120
<b>Population Ages 10 to 17</b>	<b>55,411</b>	<b>56,037</b>	<b>58,400</b>

Source: Easy Access to FBI Arrest Statistics: 1994-2002  
<http://ojjdp.ncjrs.org/ojstatbb/ezaucr/>

Chart 1

Estimated arrests of person under age 18 in Ramsey County for curfew and loitering, other assault, drug abuse violations, and runaways in 1998 - 2000



Remark: In 2000, the number of estimated arrests of person under 18 in Ramsey County for curfew and loitering increased to 387 percent and the number of runaways increased to 349 percent over the 1999 numbers.

There are a number of hurdles facing the Asian community that may contribute to the high number of delinquents. The underlying issue seems to be **the cultural gap** between parents and children. Teens are expected to stay at home to help their parents while they see their friends going to the mall, going to the movies, and having fun. Parents do not understand why their children want to go with their friends, and the children do not understand why their parents will not let them go. The children become alienated from their parents and decide to run away. But where can they go? Usually they end up in gangs, and when they get caught and brought to court, the parents seem to have one of two reactions: either they are angry at the court's involvement in their family, or they are fed up with the child and do not want to deal with them anymore.

A particular rising problem, recently featured in a series in the Star Tribune, is child prostitution. When young girls run away from homes, they become particularly vulnerable to preying males. They may get drugs from a gang member and then are later asked to pay up for them with their bodies. The girls are shamed, and they usually feel they have no choice but to continue because they can no longer return home after being forced into prostitution. The courts often see it when the girls are brought into court for truancy. They are missing school, and there seems to be a hint that the reason is that they are running with the gangs and being prostituted. However, since the girls refuse to report, there is little the court can do.

Once the children are in the system, there are added hurdles for parents and children to overcome. Quite often, the parents do not speak English, or not well enough to be able to fully understand what is happening to their child. The courts provide court interpreters, and there are a number of bilingual/bicultural probation officers, but **the language barrier** makes everything more difficult. If they want to meet with the public defender, they have to arrange for an interpreter. If they want to contact the probation officer or if the probation officer wants to contact them, they may need to arrange for an interpreter. Regardless of the situation, the language barrier necessarily makes the visits and calls less frequent.

The language barrier also makes it more difficult for the parents to learn and understand the system. If their child is assigned to programming as a part of their sentence, the parents may not understand the importance of that programming and therefore do not make an effort to ensure their child complies. Lack of understanding is synonymous with a lack of trust, especially when the parents believe that the problem is a family matter and do not understand why the court is involved.

Steps are taken to deal with these problems. As mentioned earlier, the court does provide interpreters so the parents or foster parents understand what is happening during the trial, and there are a number of Southeast Asian-speaking probation officers. The courts can issue a Hammergren Warning to children who are truant in order to compel them to go to school despite the fact that truancy is only a status offense. If a judge suspects a young girl is wrapped up in prostitution, they could issue a Hammergren Warning and require her to attend school. If she continues to miss school, the court can bring her back in for contempt of court and hopefully try to do something about the underlying issues. The Amherst H. Wilder Foundation, a nonprofit health and human services organization, provides functional family therapy designed to help children and parents communicate better. Teens get placed on probation so that the court can keep an eye on them and bring them back in if they start to slide backwards. For teens who are suspected of having a drug problem, the court or probation officers can refer them to the Drug Court, a one year program that gives the children the support they need to kick the habit.

Below is table 3 which highlights the data on Asian juvenile offense profiles in Minnesota for 1997, 1999, 2001, and 2003 from Census of Juveniles in Residential Placement Databook.

**Data on Asian juvenile offense profiles in Minnesota**

**Table 3**

Most serious offense	1997	1999	2001	2003
<b>Delinquency</b>	84	102	108	72
<b>Person</b>				
Violent Crime Index*	24	12	27	15
Other Person	9	18	18	6
<b>Property</b>				
Property Crime Index**	24	30	33	21
Other property	3	3	0	3
<b>Drug</b>	3	0	0	3
<b>Public order</b>	6	9	12	6
<b>Technical violation</b>	18	27	15	18
<b>Status offense</b>	3	6	6	6
<b>TOTAL</b>	<b>174</b>	<b>207</b>	<b>219</b>	<b>150</b>

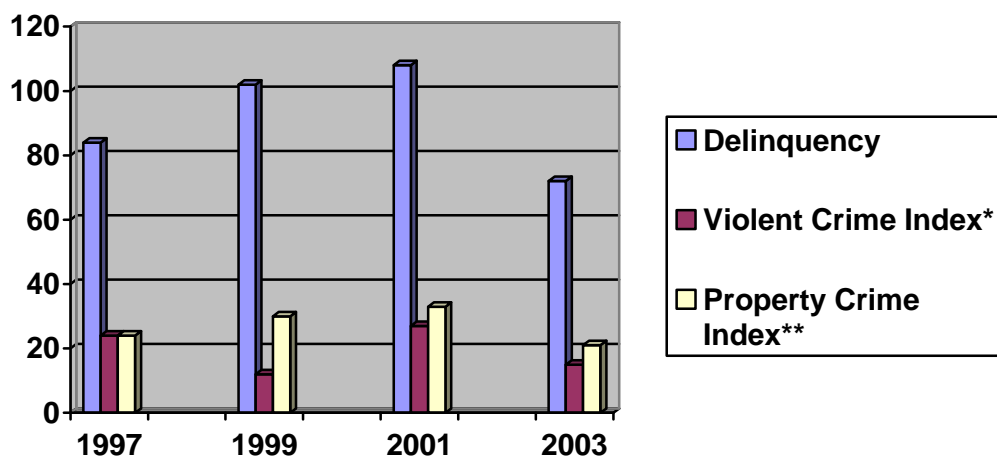
\*Includes criminal homicide, violent sexual assault, robbery, and aggravated assault.

\*\*Includes burglary, theft, auto theft, and arson.

Source: <http://ojjdp.ncjrs.org/ojstatbb/cjrp/>

**Chart 2**

**Asian juvenile offense profiles in Minnesota in 1997, 1999, 2001, and 2003**



\*Includes criminal homicide, violent sexual assault, robbery, and aggravated assault.

\*\*Includes burglary, theft, auto theft, and arson.

Source: <http://ojjdp.ncjrs.org/ojstatbb/cjrp/>

Remark: In 2003, the number of Asian juvenile offense profiles on delinquency was down 33 percent from 2001 numbers.

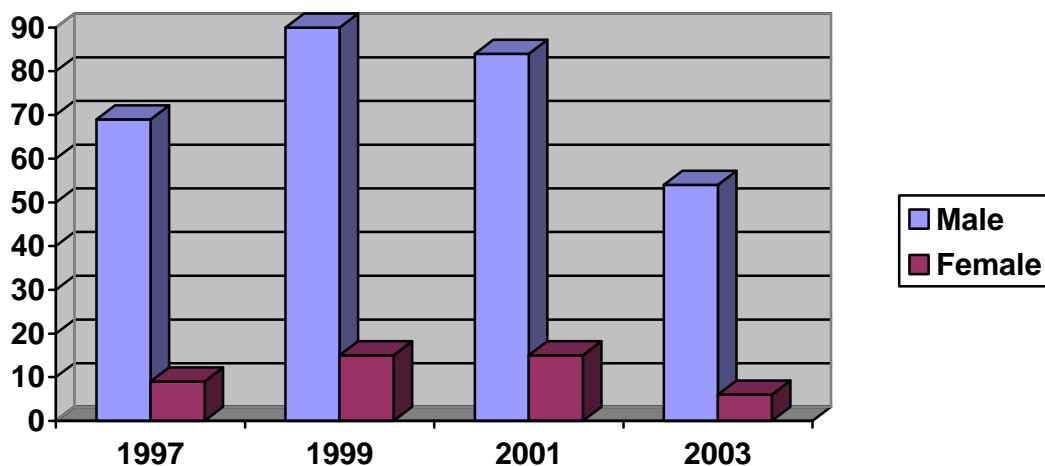
Table 4 highlights the data of Asian juveniles in residential placement based on gender and ages in Minnesota in 1997, 1999, 2001, and 2003.

**Data on Asian male and female juveniles in residential placement in Minnesota in 1997, 1999, 2001, and 2003**

<b>Table 4</b>				
	<b>1997</b>	<b>1999</b>	<b>2001</b>	<b>2003</b>
<b>Male</b>				
12 & younger	0	3	3	0
13	9	6	3	3
14	6	12	15	6
15	21	24	18	12
16	15	21	15	15
17	18	24	30	18
<b>Subtotal Male</b>	<b>69</b>	<b>90</b>	<b>84</b>	<b>54</b>
<b>Female</b>				
12 & younger	0	0	0	0
13	0	0	0	0
14	3	3	3	3
15	3	9	3	0
16	3	0	3	3
17	0	3	6	0
<b>Subtotal Female</b>	<b>9</b>	<b>15</b>	<b>15</b>	<b>6</b>
<b>TOTAL</b>	<b>78</b>	<b>105</b>	<b>99</b>	<b>60</b>

Source: Census of Juveniles in Residential Placement Databook.  
<http://ojjdp.ncjrs.org/ojstatbb/cjrp/>

**Chart 3 Asian male and female juveniles in residential placement in Minnesota  
In 1997, 1999, 2001, and 2003**

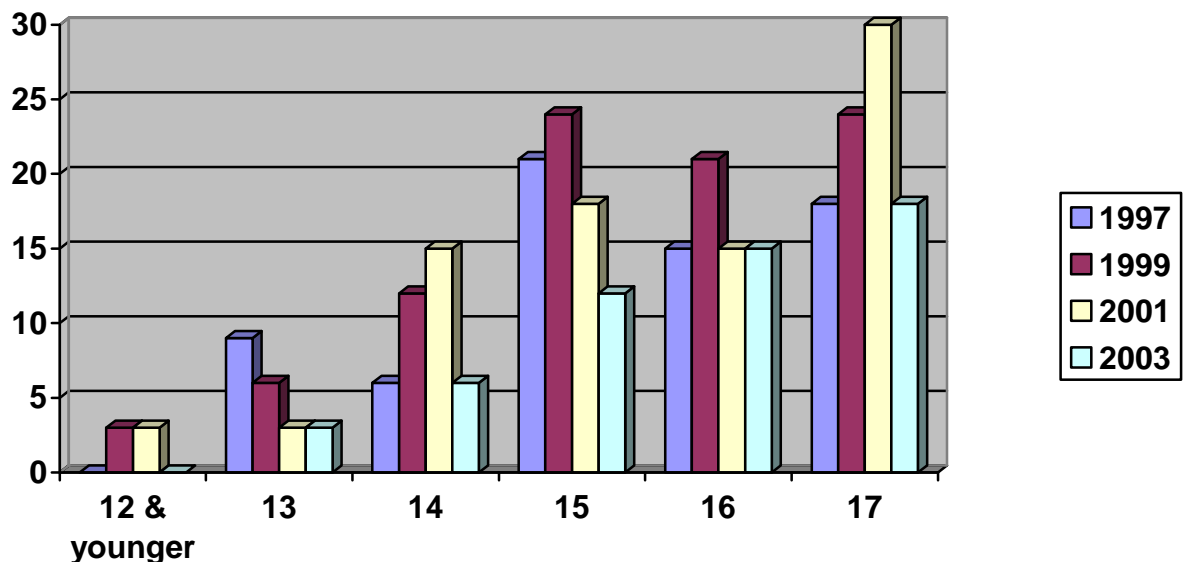


Source: Census of Juveniles in Residential Placement Databook. See <http://ojjdp.ncjrs.org/ojstatbb/cjrp/>

Remark: In 2003, the number of Asian male juveniles in residential placement in Minnesota was down 36 percent and the number of Asian female juveniles were down 60 percent from 2001 numbers.

**Chart 4**

**Asian male juveniles in residential placement in Minnesota in 1997, 1999, 2001, and 2003**



Source: Census of Juveniles in Residential Placement Databook.

<http://ojjdp.ncjrs.org/ojstatbb/cjrp/>

Remark: In 2003, the number of Asian male juveniles in residential placement in Minnesota was down 40 percent from 2001 numbers at age 17.

The Ramsey County Attorney's Office instituted the Truancy Intervention Program (TIP), which allows them to catch truancy early and try to address the problem with parents and without court intervention. Schools refer students to TIP when they miss one or more class periods on three days. TIP is a three-step process. First, an assistant county attorney meets with the student and the parents to emphasize to everyone the importance of school attendance. It can be the parents, just as much as the child, who do not understand why it is important for their child to attend school. Second, if the attendance problems continue, the parents and student will be required to attend a School Attendance Review Team (SART) hearing. The county attorney will negotiate a school attendance contract, and again the obligation of parents to send the child to school and child to attend school is emphasized. Third, if things still have not improved, the child may be prosecuted for truancy and assigned a probation officer. This program really tries to stem the problem before it gets out of control and allows the parents and children to actively participate in the process.

Below is the truancy data by ages on Asian-Pacific Islanders for school years 2003-04 and 2004-05 in Ramsey County.

**TIP only – referred to P/M, SART, and Court  
Truancy Data on Asian-Pacific Islanders**

**Table 5**

<b>School Year</b>	<b>Age 9</b>	<b>Age 10</b>	<b>Age 11</b>	<b>Age 12</b>	<b>Age 13</b>	<b>Age 14</b>	<b>Age 15</b>	<b>Age 16</b>	<b>Age 17</b>	<b>Total Asian</b>	<b>Percent</b>
<b>2004-05</b>	1	0	0	20	50	117	118	96	47	<b>449</b>	<b>20%</b>
<b>2003-04</b>	0	0	3	39	72	114	157	131	61	<b>577</b>	<b>21%</b>

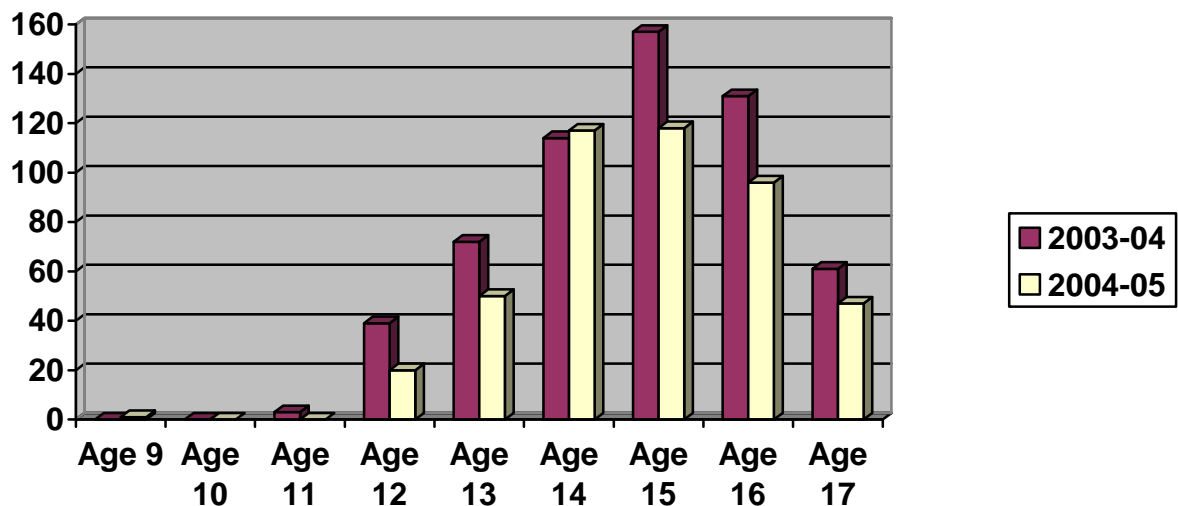
Source: Ramsey County Attorney Office Truancy Intervention Program

TIP= Truancy Intervention Program

P/M= Parent meeting

SART= School Attendance Review Team

**Chart 5 Ramsey County Truancy Data by Ages on Asian-Pacific Islanders for School Years 2003-04 and 2004-05**  
TIP only – referred to P/M, SART, and Court



Source: Ramsey County Attorney Office Truancy Intervention Program

Remark: For school year 2003-04, the highest truancy data on Asian-Pacific Islanders in Ramsey County was at age 15.

**Truancy Data on Asian-Pacific Islanders**  
TIP only – referred to P/M, SART and Court

**Table 6**

School Year	Asian-Pacific Islanders / Total of all races	Female	Percent	Male	Percent
2003-04	577 / 2762	245	42%	332	58%
2004-05	449 / 2258	197	44%	252	56%

Source: Ramsey County Attorney Office Truancy Intervention Program

Remark: For school year 2004-05, the number of truant males was down 24 percent and the number of truant females was down 20 percent from school year 2003-04 numbers.

These measures and programs are a step in the right direction; however, more definitely needs to be done, especially for the growing population of young girls who are being forced into prostitution. The girls need an alternative to running away. They need a place to go, such as a support group, in order to help themselves and each other find a way to deal with their home life. If we can help the girls confront the issues at home that are making it so difficult to live there, we can stop them from running into the hands of gangs and other predatory males. In particular, the Asian and Pacific Islanders community should mobilize a task force to address this issue and try to help these girls before they run. Agenda issues may also include ways to decrease demand as well as ways to stop girls from running.

Another measure that can be taken is to expand the scope and power of TIP. Other counties, especially Hennepin County, should adopt similar programs. In Ramsey County, schools have the option of participating in TIP; this should be made mandatory. Keeping children in school is a first step toward stemming delinquency.

Currently no culturally specific programming exists for chemical dependency for Asian teens. In addition, the Drug Court has no Southeast Asian-speaking staff members, nor are Asian teens being referred there proportionate to the total number of teens who are chemically dependent. Programs should be developed to bridge this gap in services.

As mentioned above, the heart of the issue seems to be **the culture gap and lack of communication** between the parents and the children. If the children were happy at home, they would not run away in the first place, opening themselves up to a host of bad choices. The Amherst H. Wilder Foundation offers functional family therapy, but there should be other places for parents to access help. In particular, schools are a great place for parents to meet and talk with other parents who may be dealing with the same problems in their own homes.

Community of Peace Academy, a charter school k-12, in Saint Paul offers child development education and parenting programming in English and in Hmong for their diverse population of parents. These sessions teach parents what is normal for children at different ages, how to set limits for their children without using force that may have been condoned in their home countries, and how to balance their children's responsibilities with having fun with their friends. This school also offers a Hmong Men's Group for teens to gather and discuss the issues they deal with every day as young Hmong men. This group has helped these teens move away from the traditional idea that they should not talk about feelings and start to deal with the problems facing the Hmong population.

Another way to help schools help children is to increase the communication between probation officers and schools when children are put on probation. The schools are not always informed, which makes it difficult to address the issues in concert with the justice system to help the child succeed.

While juvenile delinquency is a cross-cultural problem, there are issues that are specific to the Asian and Pacific Islanders community that need to be addressed to try to reduce the problem. Through support groups, programming, and increased cultural sensitivity, we can continue to strive to decrease the number of children entering the court system by dealing with the issues behind the delinquent behavior.

**Kind of Offenses:**

- Truancy
- Runaway
- Shoplifting
- Prostitution
- Drugs
- Gang-related offenses
- Shootings
- Auto theft, chop shops

**Existing Programs:**

- Aggression Replacement Training (ART)
- Truancy Intervention Program
- Functional Family Therapy – The Amherst H. Wilder Foundation
- Work Crews
- Probation
- Drug Court – not many Asian teens referred to this program

**Challenges with existing programs:**

- Language barrier
- Under-educated parents – they do not understand why the programs are important so do not compel their children to comply with the program standards
- No Southeast Asian-speaking staff on the Drug Court
- No culturally specific chemical dependency programs
- Lack of trust
- Lack of consistent programming for girls —programs dealing with runaways and the prostitution problem
- Parents do not understand the justice system, want their children to have maximum sentencing to nip things in the bud, but that is not always what is best for the child.

**Suggestions:**

- Culturally specific chemical dependency programs
- Hire Southeast Asian-speaking staff at the Drug Court and refer more Asian teens there
- Programming for parents to help them understand the importance of cooperation with the teen programs

- Programming to help parents understand the court system
- Support groups for young Asian girls
- Task Force to deal with the prostitution problem and make recommendations on decreasing incidences of runaways
- More training for Probation Officers and other workers who deal with Asian teens – culturally specific training
- Get schools involved in getting parents involved – offer programming that is in Southeast Asian languages
- Programs to help Southeast Asian parents assimilate to American culture
- Parenting programs to help Southeast Asian parents communicate with their children

## 12. STATUTE

### OMBUDSPERSON FOR FAMILIES

#### 257.0755 OFFICE OF OMBUDSPERSON; CREATION; QUALIFICATONS; FUNCTION.

Subdivision 1. **Creation.** One ombudsperson shall operate independently from but in collaboration with each of the following groups: the Indian Affairs Council, the Council on Affairs of Chicano/Latino people, the Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans.

Subd. 2. **Selection; qualifications.** The ombudsperson for each community shall be selected by the applicable community-specific board established in section 257.0768. Each ombudsperson serves in the unclassified service at the pleasure of the community-specific board and may be removed only for just cause. Each ombudsperson must be selected without regard to political affiliation, and shall be a person highly competent and qualified to analyze questions of law, administration, and public policy regarding the protection and placement of children from families of color. In addition, the ombudsperson must be experienced in dealing with communities of color and knowledgeable about the needs of those communities. No individual may serve as ombudsperson while holding any other public office.

Subd. 3. **Appropriation.** Money appropriated for each ombudsperson from the general fund or the special fund authorized by section 256.01, subdivision 2, clause (15), is under the control of each ombudsperson for which it is appropriated.

#### 257.076 DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of sections 257.0755 to 257.0768, the following terms shall have the meanings given them in this section.

Subd. 2. **Agency.** "Agency" means the divisions, officials, or employees of the state departments of human services and health and local district courts or a designated county social service agency as defined in section 256G.02, subdivision 7, engaged in providing child protection and placement services for children. "Agency" also means any individual, service, or program providing child protection or placement services in coordination with or under contract to any other entity specified in this subdivision.

Subd. 3. **Communities of color.** "Communities of color" means the following: American Indian, Hispanic-Latino, Asian-Pacific, African, and African-American communities.

Subd. 4. **Compadrazgo.** "Compadrazgo" is a kinship institution within the Hispanic-Latino community used as a means of parenting and caring for children from birth to adulthood.

Subd. 5. **Family of color.** "Family of color" means any family with a child under the age of 18 who is identified by one or both parents or another trusted adult to be of American Indian, Hispanic-Latino, Asian-Pacific, African, or African-American descent.

Subd. 6. **Facility.** "Facility" means any entity required to be licensed under chapter 245A.

Subd. 7. **Trusted adult.** “Trusted adult” means an individual recognized by the child’s parent or legal guardian, the child’s community, or both, as speaking for the child’s best interest. The term includes compadrazgo and other individuals with a kinship or community relationship with the child.

## **257.0761 ORGANIZATION OF OFFICE OF OMBUDSPERSON.**

Subdivision 1. **Staff; unclassified status; retirement.** The ombudsperson for each group specified in section 257.0755 may select, appoint, and compensate out of available funds the assistants and employees as deemed necessary to discharge responsibilities. All employees, except the secretarial and clerical staff, shall serve at the pleasure of the ombudsperson in the unclassified service. The ombudsperson and full-time staff shall be members of the Minnesota state retirement association.

Subd. 2. **Delegation to staff.** The ombudsperson may delegate to staff members any of the ombudsperson’s authority or duties except the duty of formally making recommendations to an administrative agency or reports to the office of the governor, or to the legislature.

## **257.0762 DUTIES AND POWERS.**

Subdivision 1. **Duties.** (a) Each ombudsperson shall monitor agency compliance with all laws governing child protection and placement, as they impact on children of color. In particular, the ombudsperson shall monitor agency compliance with sections 256F.07, subdivision 3a; 256F.08; 260C.215; 257.075; 260.751 to 260.835; and 260C.193, subdivision 3.

(b) The ombudsperson shall work with local state courts to ensure that:

- 1) court officials, public policymakers, and service providers are trained in cultural diversity. The ombudsperson shall document and monitor court activities in order to heighten awareness of diverse belief systems and family relationships;
- 2) experts from the appropriate community of color including tribal advocates are used as court advocates and are consulted in placement decisions that involve children of color;
- 3) guardians ad litem and other individuals from communities of color are recruited, trained, and used in court proceedings to advocate on behalf of children of color; and
- 4) training programs for bilingual workers are provided.

Subd. 2. **Powers.** Each ombudsperson has the authority to investigate decisions, acts, and other matters of an agency, program, or facility providing protection or placement services to children of color. In carrying out this authority and the duties in subdivision 1, each ombudsperson has the power to:

- 1) prescribe the methods by which complaints are to be made, reviewed, and acted upon;
- 2) determine the scope and manner of investigations to be made;
- 3) investigate, upon a complaint or upon personal initiative, any action of any agency;

- 4) request and be given access to any information in the possession of any agency deemed necessary for the discharge of responsibilities. The ombudsperson is authorized to set reasonable deadlines within which an agency must respond to requests for information. Data obtained from any agency under this clause shall retain the classification which it had under section 13.02 and shall be maintained and disseminated by the ombudsperson according to chapter 13;
- 5) examine the records and documents of an agency;
- 6) enter and inspect, during normal business hours, premises within the control of an agency; and
- 7) subpoena any agency personnel to appear, testify, or produce documentary or other evidence which the ombudsperson deems relevant to a matter under inquiry, and may petition the appropriate state court to seek enforcement with the subpoena; provided, however, that any witness at a hearing or before an investigation as herein provided, shall possess the same privileges reserved to such a witness in the courts or under the laws of this state. The ombudsperson may compel non-agency individuals to testify or produce evidence according to procedures developed by the advisory board.

#### **257.0763 MATTERS APPROPRIATE FOR REVIEW.**

(a) In selecting matters for review, an ombudsperson should give particular attention to actions of an agency, facility, or program that:

- 1) may be contrary to law or rule;
- 2) may be unreasonable, unfair, oppressive, or inconsistent with a policy or order of an agency, facility, or program;
- 3) may result in abuse or neglect of a child;
- 4) may disregard the rights of a child or other individual served by an agency or facility; or
- 5) may be unclear or inadequately explained, when reasons should have been revealed.

(b) An ombudsperson shall, in selecting matters for review, inform other interested agencies in order to avoid duplicating other investigations or regulatory efforts, including activities undertaken by a tribal organization under the authority of sections 260.751 to 260.835.

#### **257.0764 COMPLAINTS.**

An ombudsperson may receive a complaint from any source concerning an action of an agency, facility, or program. After completing a review, the ombudsperson shall inform the complainant, agency, facility, or program. Services to a child shall not be unfavorably altered as a result of an investigation or complaint. An agency, facility, or program shall not retaliate or take adverse action, as defined in section 626.556, subdivision 4a, paragraph (c), against an individual who, in good faith, makes a complaint or assists in an investigation.

#### **257.0765 RECOMMENDATIONS TO AGENCY.**

(a) If, after reviewing a complaint or conducting an investigation and considering the response of an agency, facility, or program and any other pertinent material, the ombudsperson determines that the complaint has merit or the investigation reveals a problem, the ombudsperson may recommend that the agency, facility, or program:

- (1) consider the matter further;
- (2) modify or cancel its actions;
- (3) alter a rule, order, or internal policy;
- (4) explain more fully the action in question; or
- (5) take other action as authorized under section 257.0762.

(b) At the ombudsperson's request, the agency, facility, or program shall, within a reasonable time, inform the ombudsperson about the action taken on the recommendation or the reasons for not complying with it.

## **257.0766 RECOMMENDATIONS AND PUBLIC REPORTS.**

Subdivision 1. **Specific reports.** An ombudsperson may send conclusions and suggestions concerning any matter reviewed to the governor and shall provide copies of all reports to the advisory board and to the groups specified in section 257.0768, subdivision 1. Before making public a conclusion or recommendation that expressly or implicitly criticizes an agency, facility, program, or any person, the ombudsperson shall inform the governor and the affected agency, facility, program, or person concerning the conclusion or recommendation. When sending a conclusion or recommendation to the governor that is adverse to an agency, facility, program, or any person, the ombudsperson shall include any statement or reasonable length made by that agency, facility, program, or person in defense or mitigation of the ombudsperson's conclusion or recommendation.

Subd. 2. **General reports.** In addition to whatever conclusions or recommendations the ombudsperson may make to the governor on an ad hoc basis, the ombudsperson shall at the end of each year report to the governor concerning the exercise of the ombudsperson's functions during the preceding year.

## **257.0767 CIVIL ACTIONS.**

The ombudsperson and designees are not civilly liable for any action taken under sections 257.0755 to 257.0768 if the action was taken in good faith, was within the scope of the ombudsperson's authority, and did not constitute willful or reckless misconduct.

## **257.0768 COMMUNITY-SPECIFIC BOARDS.**

Subdivision 1. **Membership.** Four community-specific boards are created. Each board consists of five members. The chair of each of the following groups shall appoint the board for the community represented by the group: the Indian Affairs Council; the Council on Affairs of Chicano/Latino people; the Council on Black Minnesotans; and the Council on Asian-Pacific Minnesotans. In making appointments, the chair must consult with other members of the council.

Subd. 2. **Compensation; chair.** Members do not receive compensation but are entitled to receive reimbursement for reasonable and necessary expenses incurred.

Subd. 3. **Meetings.** Each board shall meet regularly at the request of the appointing chair or the ombudsperson.

Subd. 4. **Duties.** Each board shall appoint the ombudsperson for its community. Each board shall advise and assist the ombudsperson for its community in selecting matters for attention; developing policies, plans, and programs to carry out the ombudsperson's functions and powers; establishing protocols for working with the communities of color; developing procedures for the ombudspersons' use of the subpoena power to compel testimony and evidence from non-agency individuals; and making reports and recommendations for changes designed to improve standards of competence, efficiency, justice, and protection of rights.

Subd. 5. **Terms, compensation, removal, and expiration.** The membership terms, compensation, and removal of members of each board and the filling of membership vacancies are governed by section 15.0575.

Subd. 6. **Joint meetings.** The members of the four community-specific boards shall meet jointly at least four times each year to advise the ombudspersons on overall policies, plans, protocols, and programs for the office.

#### **257.0769 FUNDING FOR THE OMBUSPERSON PROGRAM.**

(a) Money is appropriated from the special fund authorized by section 256.01, subdivision 2, clause (15), to the Indian Affairs Council for the purposes of sections 257.0755 to 257.0768.

(b) Money is appropriated from the special fund authorized by section 256.01, subdivision 2, clause (15), to the Council on Affairs of Chicano/Latino people for the purposes of sections 257.0755 to 257.0768.

(c) Money is appropriated from the special fund authorized by section 256.01, subdivision 2, clause (15), to the Council of Black Minnesotans for the purposes of sections 257.0755 to 257.0768.

(d) Money is appropriated from the special fund authorized by section 256.01, subdivision 2, clause (15), to the Council on Asian-Pacific Minnesotans for the purposes of sections 257.0755 to 257.0768.

#### **257.175 DUTIES OF COMMISSIONER OF HUMAN SERVICES.**

It shall be the duty of the commissioner of human services to promote the enforcement of all laws for the protection of defective, dependent, neglected, and delinquent children, to cooperate to this end with juvenile courts and all reputable child-helping and child-placing agencies of a public or private character, and to take the initiative in all matters involving the interests of such children where adequate executive officer and such assistants as shall be necessary to carry out the purposes of this section and section 257.33.

### 13. GLOSSARY

**Delinquent/criminal offense:** An offense that is considered illegal for adults.

**Status offense:** A non-delinquent/non-criminal offense; an offense that is illegal for underage persons, but not for adults.

**Curfew violation:** Violation of an ordinance forbidding persons below a certain age from being in public places during set hours.

**Running away:** Leaving the custody and home of parents or guardians without permission and failing to return within a reasonable length of time. (For running away from a facility, see Obstruction of justice.)

**Truancy:** Violation of a compulsory school attendance law.

**Age:** The juvenile's age on the date of the census (last Wednesday in October) calculated from date of birth.

**Asian or Pacific Islander:** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. The Asian area includes, for example, China, India, Japan, and Korea. Pacific islands include, for example, Samoa, Guam, and Hawaii.

Source: <http://ojjdp.ncjrs.org/ojstatbb/cjrp/asp/glossary.asp#Offense>

## **14. INTERVIEW QUESTIONS FOR THE JUVENILE DELINQUENCY REPORT**

1. What ethnic backgrounds are you seeing the most?
2. Can you estimate an age where you start to see problems? How old are most of the children you see?
3. Do you find that you see more males or females?
4. What delinquency issues do you see the most of? Which delinquency issues do you consider the biggest problems? In males? In females?
5. What sorts of services are offered to juveniles?
  - Diversion – is this effective?
  - Peer Court
  - Counseling
  - Extended Jurisdictional Juvenile Program
6. What gaps do you see in the services provided to juveniles? Are there some services that could be improved, or do you see a need for additional services that are not being offered?
7. Could you estimate the percentage of juveniles that end up in group homes? Foster care? Juvenile detention facilities? Residential treatment centers?
8. Could there be better training provided to probation officers, specifically culture specific training?
9. What challenges do you encounter when reviewing and approving case plans?
10. Are there any other challenges you come across with Asian juvenile delinquents?