

San Antonio Express-News

SERVING SOUTH TEXAS SINCE 1865

SPECIAL REPRINT

SUNDAY, MAY 1, 2005

1K



PHOTOS BY LISA KRANTZ/STAFF

Judge Peter Sakai reacts as his daughter, Elizabeth, 14, and wife, Raquel, joke at the dinner table.

Family man

Peter Sakai tries to be true to roots, job

By MARINA PISANO
EXPRESS-NEWS STAFF WRITER

Looking back, what he remembers most is feeling the searing heat and blowing dust and wondering why his father had stopped the old Chevy station wagon in this barren, godforsaken Arizona brush.

"Look around. I want you to see where I grew up," Yutaka "Pete" Sakai told his son.

It was a road trip from Texas taken by Peter Sakai and his parents in 1971, and by then, the barracks and fence

surrounding the three camps that made up the Poston Relocation Center not far from the California border were gone. The monument marking the spot wouldn't go up until 1992 as people here and elsewhere tried to come to terms with one of the more shameful incidents in the nation's history. But this was where, in 1942, Yutaka, then a teenager, and

SEE PAGE 2

CONTINUED FROM PAGE 1

his family were shipped from their Calexico, Calif., farming community with a few belongings, part of the evacuation and internment of West Coast Japanese Americans during World War II.

In the anti-Japanese hysteria following the attack on Pearl Harbor, people of Japanese heritage in the Western states — not only the issei immigrants from Japan but nisei, U.S.-born Japanese Americans such as Yutaka — were considered suspect. By presidential order, more than 120,000, young and old, were uprooted from homes and businesses and put into internment camps.

Descriptions of Poston, where the peak population hit almost 18,000, are bleak. In burning desert heat, internees tended agricultural fields, built adobe-brick school buildings for the children and lived as best they could. Yutaka graduated from Poston I high school in 1944 and joined the Army, going on to serve in Japan as an interpreter during the post-war occupation.

Afterward, Yutaka traveled the country, returned to California for a time, and then set off for South Texas. He settled in McAllen, married Rose Marie Kawahata, the daughter of Minoru Kawahata, a pioneering Japanese settler in Texas, and started farming a few miles outside town. Peter, the oldest of three boys and a girl, was born in October 1954.

To understand his father, his survivor's toughness and steely discipline in the face of hardship and racism, that edginess about him and the way he was driven to carve out his own piece of farmland in the Rio Grande Valley, the boy needed to see Poston. And in a way, to understand children's court Associate Judge Peter Sakai, the man who has helped rouse public attention to the troubling child abuse issue and the crisis in the state's child protective service system, it helps to know about Poston as well.



As Sakai sees it, "That (internment) experience has given me a perspective as an attorney, as a judge, as a person. I tend to be very sensitive to people's rights as guaranteed under the Constitution. We shouldn't take them lightly or be influenced by the prevailing mood."

For 10 years, Sakai, 50, has presided over children's court, an appointed position under 225th District Court Judge John Specia, a mentor and friend. With abuse numbers steadily mounting, Sakai has seen case after case of appalling mistreatment and brutality against children, babies and young kids. In 2004, Sakai as the solo judge and with Associate Judge Richard Garcia, who took over the second children's court in August, saw 919 new cases filed. That's almost double the 523 in 2003.

Friends and others ask how Sakai is able to do what he does every day without having the sheer weight of the family dysfunction and vicious acts overwhelm him. It's a question he asks himself and something he talked about during inter-



Snapshots of Sakai's own family: Peter at age 4 (left); with cousins around uncle Mitsuro Sakai — that's Peter holding his brother, Randy, on his lap (right); and his and Raquel's wedding day, March 14, 1982, with his parents, Rose and Yutaka 'Pete' Sakai (above right).

views over the past several months.

Consequences

Seated at his dining room table one evening after a heavy docket in court, he reflected on the enormous responsibility of protecting children while still fairly considering parental rights, families drowning in a generational stream of poverty, poor education, teenage pregnancies and every imaginable societal ill.

"This is a job that has life-and-death consequences," he said wearily. "But people don't understand that the toughest case isn't involving a child's death. The toughest case isn't horrendous sexual abuse or injury to a child. That kid is not going back to those parents. There's nothing you can do to rehabilitate those parents. The toughest cases are those where there's no doubt whatsoever of the parents' love and devotion, but they're so incapacitated by mental illness or mental retardation or drugs that they can't take care of themselves, let alone a child."

As his wife of 23 years, educator Raquel Dias-Sakai, put it,

her husband's passion for these problems goes beyond the courtroom. "The change I see in the past 10 years is that Peter has evolved as a judge. He has become an advocate for children."

Still, this past year has been especially dispiriting and difficult, testing Sakai's passion and commitment.

Eleven children died of neglect or abuse in Bexar County in 2004, according to the Texas Department of Family and Protective Services, deaths that prompted the governor to call for an investigation of overworked Child Protective Services caseworkers and moved lawmakers to introduce legislation to reform the underfunded and problem-plagued protective-service system.

Two horrible deaths in San Antonio shocked the community — the starvation death of Jovonie Ochoa, 4, on Christmas Day 2003 and the fatal beating death of 2-year-old Diamond Alexander-Washington in June 2004.

Although he had limited involvement in the first case, both had a profound effect on

CONTINUED FROM PAGE 2

Sakai.

“If you ask me what was the most horrible thing I’ve ever seen as a judge, it had to be the picture of Jovonie. That picture will haunt me forever. It reminded me of what I saw when I went to Washington and visited the Holocaust Museum,” he said, referring to a 2003 trip to receive the Congressional Angel in Adoption Award. “It was that kind of horror.”

Little Diamond died just six weeks after Sakai had ordered her returned to her mother, a decision based on the recommendations of a reunification caseworker, therapists and attorneys in the case. Diamond’s mother was charged with capital murder and could get the death penalty. Sakai was so devastated by the death that he took a sabbatical from court for a week to reflect on the case, and his job.

In addition, he asked for a review of the case, including his actions, to find out what went wrong. Directed by 73rd District Court Judge Andy Mireles (another friend and mentor), the chief juvenile probation officer for the county, David J. Reilly, conducted the review and issued a scathing report on a system that had failed tragically to protect Diamond and other youngsters.

“It (asking for a review) was a very courageous thing to do, and Peter’s anguish and honesty after Diamond’s death endeared him to the community,” Specia said. “A lot of the reforms that are currently going on in the CPS system were suggested by the report that David Reilly did at his request.”

Coming out of the Valley

Sakai grew up on his family’s McAllen vegetable farm, where the gospel of discipline, hard work, responsibility and humility were instilled as deeply as attendance at the Baptist church, where his father served as a deacon.

From a very young age, Sakai as the oldest child was



Sakai says goodbye to his mother, Rose Sakai, as she gets ready to return to her home in McAllen after spending a weekend in San Antonio.



Peter Sakai, just getting home from work, looks over Elizabeth’s math homework.

out in all weather doing chores and farm labor — sometimes before going to school. At 12, he ran the 250-acre farm for a couple of weeks while his father visited family in California.

“My dad was very strict and he would not allow us as children to just lounge around and watch TV,” Sakai recalled.

His parents spoke Japanese, English and Spanish. Sakai is conversant in Spanish but knows only a little Japanese. As one of the few Asian Americans at school, he felt the sting of racism.

“Some guys would ridicule and make fun of him,” recalled Ruben Castilla, a good friend since second grade. “He endured a lot of that. It takes a lot to make Peter mad, but there’s only so much you can take, and he’d get angry and stand his ground.”

Sakai came of age in turbulent times of counterculture rebellion, civil rights and Vietnam War protests and a boisterous Chicano movement in South Texas. At home, sister Kathy Sakai, a pharmacist in San Antonio, remembers he

was the big brother everyone looked up to and something of a rebel too.

“If my dad said something Peter didn’t agree with, he’d say something,” Kathy said. “There were some arguments. Out of all of us kids, he was the one who stood up for himself. But at the same time, my father saw in Peter a very mature, very confident kid.”

“We had some heated arguments about the Vietnam War,” Sakai said. “My dad was very conservative, pro-government, and I was an idealistic young kid who questioned authority.”

After graduating from McAllen High School in 1972, he attended Pan American University for a couple of years before heading up to the University of Texas at Austin to earn his bachelor’s degree. “I knew that if I was going to do anything, I had to get out of the Valley,” he said.

At the UT law school, Sakai met and forged strong friendships with Rodriguez and now-U.S. District Court Judge Orlando Garcia, among others. He worked to pay his way.

Life changes

When Sakai moved to San

Antonio in 1980, he landed a job in the appellate section of the district attorney's office. From there, he went on to the juvenile section, and a year later, he was made section chief, supervising prosecution of all the juvenile cases. His network of friends grew.

As attorney Ron Mendoza, a longtime friend, remembered, "We played a lot of softball at the D.A.'s office. Peter loves sports and he was a pretty decent player (pitcher)."

Life changed in 1981 when he met Raquel Dias — Rachel to family and friends. As she recounted, it wasn't exactly love at first sight. A co-worker invited Rachel to join her and friends, including Sakai, at the Fiesta Oyster Bake. Rachel found herself alone with Sakai. "Peter asked me if I wanted a beer, and I said, 'No, I only drink beer with food.' So he asked me if I wanted to eat some oysters and I said, 'No, I didn't eat oysters.'"

With characteristic humor and frankness, Sakai asked: "Then what are you doing here?"

With a groan, he recalled, "You know, she kept calling me Michael all night instead of Peter." Their next meeting at A Night in Old San Antonio went much better, and they started dating. Rachel, who grew up in Laredo, recalled her family's shock when they learned Peter was Asian.

But outspoken and confident, she overcame any doubts. The couple married in March 1982. Sakai agreed their children would be raised Catholic, Rachel's religion. He attends Mass but has not converted to Catholicism.

In 1983, Sakai hung out his shingle, doing criminal defense and family law in private practice.

Then in 1988, in addition to his practice, then-Juvenile Judge Tom Rickhoff appointed him part-time master in juvenile court, where it was his job to decide if children should be held or released from deten-



Sakai listens to an attorney's argument in a case in children's court. BELOW: Sakai listens intently as a case is argued in his court, which operates under 225th District Court.



tion. Sakai made an unsuccessful bid for 186th District Court in 1990.

He was happy in private practice, but in 1995, John Specia and Andy Mireles encouraged Sakai to apply for a job in a new court.

As Mireles explained, at the time, juvenile crime and child abuse and neglect cases were all on one docket and that became unwieldy as juvenile crime spiked in the early 1990s. He and Specia asked commissioner's court to split the docket and create a separate court for abuse.

They saw Sakai, with his

skill and sensitivity in dealing with juveniles, as a natural for associate judge.

The death of a child

Things went fatally bad with Diamond.

"I have no doubt whatsoever that I made the right decision in placing that child with the mom based on the evidence and information that was presented to me at the hearing," Sakai said. "The system broke down in oversight of the case and case management and the exchange of information that would have been so valuable.

"One of the main reasons for the sabbatical," he added,



A folder in Sakai's court — labeled 'Emergency Protection' — indicates the sort of cases the judge deals with daily. The emotions of the work can be overwhelming at times.

"was I needed to stop and reflect and in some way invoke my faith in God to say that I still had the strength, the wisdom, the want to continue to hear these cases — to make sure I hadn't hit a burnout. I needed to accept that tragedy is unavoidable in life and move on. After a week, I knew I had to get back to work."

Friends from in and outside the courthouse along with the public flooded Sakai with supportive phone calls and e-mails during that week.

Orlando Garcia was one. "I told him that obviously he was very saddened and hurt because he felt for that child. But I encouraged him to look at

the bigger picture and think about the successes — the things he did to make a difference in a child's life.”

State Rep. Carlos Uresti, D-San Antonio, a prominent voice on the child abuse issue and the effort to fund and reform protective services, also called him. “A year ago, Peter and I had no idea how we were going to get people to listen and get legislation. What is so sad is it took the deaths of children to get people to sit up and say, ‘Wow.’”

After the sabbatical, Sakai got a rejuvenating boost from county officials when Associate Judge Richard Garcia took over the second children's court. “Actually, we probably could use a third judge,” he said.

Also revitalizing for Sakai is the new 12,000-square-foot children's court on the third floor of the courthouse.

On a crowded docket day, Sakai's old 1,000-square-foot courtroom resembled a cramped train station at rush hour as a continuous procession of parents and attorneys were called in and stood before the bench to argue their points.

“Now they can have their day in court with calm and dignity,” he said.

Leaving the horror

The abuse cases continue to be disturbing. “I think part of what helps is I'm able to leave the horror at work,” Sakai said.

Not entirely, Rachel Sakai said. “Peter doesn't come home and unload. But it's there. ... And both of us respect the confidentiality of these cases.”

And there's the celebrity. “I don't try to seek it out. I'm just doing my job, but it's hard to stay grounded sometimes when people put you on a pedestal.”

How does he do what he does?

“I live with the guy, and sometimes I wonder how can he do it,” Rachel Sakai said.

Any answer has to include the things Sakai so often talks



Religious symbols adorn a dining room wall. Sakai attends Mass but has not become a Catholic.

about — family, balance, the sense of duty his father drilled into him.

“You ask me how I do this job,” he said. “I was taught you do what you have to do. You do the work, and you don't compromise your values.”

In his chambers late one afternoon, Sakai talked about the image of lady justice, blindfolded. “But justice isn't blind. I don't sit there blindfolded making mathematical decisions. ... You just hope you make the best decision for the children.

“Sometimes you make what you think is the best decision, and you pray,” he said.

Home is a 3,000-square-foot, two-story, red brick home, designed by Rachel and located in a gated community north of the city. Over the years, family life has always revolved around the kids and their school activities and sports.

Right now, George, 20, is away, studying and playing baseball at Dyersburg State Community College in Tennessee. Elizabeth, 14, is at Garner Middle School, where she runs track and plays the violin.

Most nights, the family cooks dinner at home, goes out to Asian restaurants or drives

to Central Market for sushi. He loves to barbecue. Rachel, an administrator for Harlandale School District, broils and braises.

Sakai's father died of a heart attack at 56 in 1983.

With his father's medical history and Sakai's middle-age spread, Rachel worries about her husband's health and tries to get him to walk in the evening.

“Sometimes I get home late and it's 9 o'clock when we eat,” he said. “I know that's not healthy, but even if it means having dinner late, we wait to have that family time.”

“Except when grandma is here, then we eat at 4 (p.m.),” Elizabeth joked.

“I like to eat early,” Rose Marie Kawahata Sakai said, smiling at her granddaughter.

Dinner table conversation often turns to politics. Sakai calls himself an independent but has voted Democratic more often than not.

His associate judge's salary is around \$95,000, but he lives simply. There's a 3-year-old Buick Century and 4-year-old Chevy Suburban.

Books on his nightstand point up what matters: staying grounded and beating down obstacles. One is a biography of L.A. Dodgers pitcher Sandy Koufax, remembered for not pitching in a 1965 World Series game because it was Yom Kippur. Sakai likes the fact that Koufax stuck to his values.

A recent read is Tim Russert's “Big Russ and Me.” “It's about what we as parents try to pass on to our children,” Sakai said.

He remembers his father's American dream was interrupted in that desert in Poston but not crushed. “(My father) was a rich man for all the things he went through. I think the harder the obstacles, the greater the sense of fulfillment. Maybe one of these days if I can get them together at the same time, I'll take my children out there.”