

2003 ANNUAL REPORT

EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE FORMULA GRANT PROGRAM ACTIVITIES

STATE OF HAWAII

**DEPARTMENT OF THE ATTORNEY GENERAL
CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION
GRANTS AND PLANNING BRANCH**

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EXECUTIVE SUMMARY

This annual report reflects the cumulative results of Hawaii's state and county projects funded with the Edward Byrne Memorial Formula Grant.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, *et seq.*, as amended, establishes the Edward Byrne Memorial State and Local Law Enforcement Assistance Program. The Act authorizes the Bureau of Justice Assistance to make formula grants to states, for use by states and local units of government, for the purpose of enforcing state and local laws which establish offenses similar to those established in the Controlled Substances Act (21 U.S.C. 801 *et seq.*) and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. The Governor has designated the Department of the Attorney General to administer Hawaii's formula grant funds.

The Governor's Committee on Crime, the advisory body for the formula grant program, designated six funding priority areas. The priority areas are: drug interdiction and treatment, juvenile crime, property crime, prison overcrowding, system improvement, and violent crime. While some priority areas such as system improvement and drug crimes were funded more heavily than others, the overall purpose of the grant was to create safer communities and improve the criminal justice system. Of the six priority areas, five were funded. Property crime was the only priority area not funded during the reporting period covered in this report. However, efforts to improve the investigation of financial crime, which is property crime, instead fell in the area of system improvement.

Byrne funds were used to address Hawaii's:

- Continuing efforts to reduce the supply of illegal drugs in Hawaii and to reduce the demand for drugs,
- Growing problem with cyber crimes,
- Treatment gaps for offenders with special needs, and
- System Improvement needs (such as technological improvements, coordinated efforts to reduce duplication and gaps, working with communities, and capacity to target not only crime but the proceeds of crime).

This annual report reflects the results of projects funded from July 1, 2002 to June 30, 2003. Listed below in italics are some of the authorized purpose areas which Hawaii was approved to use Byrne funding, from fiscal years 2000 through 2002. Also listed are highlights of the project accomplishments.

Multi-jurisdictional task force programs to integrate federal, state and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

- The Statewide Narcotics Task Force seized 8,069 grams of crystal methamphetamine, 5,645.82 grams of cocaine, 104 grams of heroin, and 22,049 grams of marijuana. One thousand seven hundred and thirty-four arrests were made, \$465,647 and 24 weapons were seized, and 34 vehicles were confiscated.
- The Marijuana Eradication Task Force seized 6,151 marijuana plots and 3 indoor marijuana grows of which 262,373 plants were destroyed. The estimated value of the eradicated marijuana was \$2,623,730. Eight hundred two arrests were made, \$56,708 seized, and 4 weapons were confiscated.

Programs to target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories and cannabis cultivations.

- Two clandestine drug laboratories on Maui were investigated and dismantled. Hawaii and Maui Police Departments acquired new specialized response vehicles to ensure that safety standards are met for the community and responding law enforcement officers.
- Twenty-two presentations on the hazards and dangers of clandestine drug laboratories were made to schools, hotels, non-profit agencies, and government agencies.

Programs to identify and meet the treatment needs of adult and juvenile drug- and alcohol-dependent offenders.

- Maui Drug Court Cognitive Restructuring Intervention program provided cognitive behavioral classes to drug court participants incarcerated at Maui Community Correctional Center, and to program participants on community supervision. Of the 131 participants in the 3-6 month program, 103 successfully completed the curriculum during the reporting period.

Criminal justice information systems (including automated fingerprint identification systems) to assist law enforcement, prosecution, courts, and corrections organizations.

- The state's adult criminal record re-design system was completed and fully operational in November 2002. The new Windows based-system has been renamed, Criminal Justice Information System. In November 2002, there were 1,756,067 charges in the criminal history repository.
- The Sentencing Simulation Model project is tasked with building an automated sentencing simulation model based on data from the Judiciary, Hawaii Criminal Justice Data Center, Hawaii Paroling Authority, and the Department of Public Safety. The system is operational, resulting in a report, *Corrections Populations: Trends and Projections (1993-2007)* and the completion of three reports on legislative bills involving mandatory sentences. The Corrections Populations report can be downloaded at www.hawaii.gov/psd/cpmc/.

Programs to demonstrate innovative approaches to enforcement, prosecution, and adjudication of drug offenses and other serious crimes.

- The Hawaii County Police Department continued a seven member Sex Crimes Unit to investigate reports of sexual assault. The department investigated 363 sexual assaults of which 21% were accepted for prosecution.
- The Honolulu Department of the Prosecuting Attorney, expanded its community prosecution efforts to preventing and addressing juvenile delinquency problems in the Waipahu and Ewa districts. One 3½ hour truancy sweep resulted in 49 students being apprehended.
- The Hawaii County Community Oriented Prosecution Program continued its island-wide community prosecution program. Twenty-one communities are working with the community prosecution program. Community concerns include open air drug dealing and drug houses, agriculture theft, abandoned vehicles, vector and animal control, domestic violence, and building code violations.

Programs to provide alternatives to detention, jail, and prison for persons who pose no danger to the community.

- Due to a landmark partnership between the Judiciary, Hawaii Paroling Authority, and the Departments of Public Safety, Health, and Attorney General, the Interagency Council on Intermediate Sanctions was formed. In August 2002, a coordinator was hired to move the Council goals forward. In its first year, the project is in the process of implementing system-wide (in probation, parole, prison), the Level of Services Inventory-Revised (LSI-R) and the Adult Substance User Survey (ASUS), standardized offender assessment protocols. Technical assistance was provided by the National Institute of Corrections.

INTRODUCTION

Purpose

All activities funded under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program for the period July 1, 2002 to June 30, 2003 are covered in the 2002 State Annual Report as required under Section 522 (42 U.S.C. 3711 et seq.).

Administration of the Formula Grant Program

The Department of the Attorney General is the state agency designated to administer the Byrne Memorial grant. The Crime Prevention and Justice Assistance Division (CPJAD), which also manages the federal Victims of Crime Act Victim Assistance grant, the Violence Against Women Act (VAWA) grant, the VAWA discretionary grants, the Statistical Analysis Center grant, and the Residential Substance Abuse Treatment for State Prisoners grant, is responsible for the development of the strategy and for grant awards to state and county criminal justice agencies. It is advised by the Governor's Committee on Crime (GCOC), whose membership includes the state attorney general, two police chiefs, two prosecuting attorneys, a judge, the administrative director of the court, the directors of the Department of Public Safety and Department of Health, the chairperson of the Hawaii Paroling Authority, the superintendent of the Department of Education, and the U.S. Attorney (ex-officio member).

Distribution of Formula Grant Funds

In preparation for the submittal of its application for the Byrne Memorial funds, the Crime Prevention and Justice Assistance Division solicits not only criminal justice data but also information regarding agency and system needs. This information enables the CPJAD to identify unmet needs and gaps in services.

Based on the crime data and identified needs (gathered during the year prior to the implementation of a multi-year strategic plan) the GCOC determines priorities for the strategy. In September of each year, prior to finalizing the grant application, proposals are solicited from criminal justice and other government agencies to determine programs to fund.

A broad spectrum of Hawaii's criminal justice system benefit from Byrne Memorial funds. Continuation and new programs were operational in the four county police departments, three county prosecuting attorneys offices, the Judiciary (including Circuit and Family Courts), the Department of the Attorney General, the Department of Public Safety, the Hawaii Paroling Authority, the Department of Human Services, and the Department of Land and Natural Resources.

The total funding amount for the programs covered in this report is \$3,490,432.

Overview of Programs as Linked to State Strategy

The programs funded under the Byrne Memorial grant reflect the goals and objectives of Hawaii's multi-year strategy that started with FY 1997. The multi-year strategy seeks to address six priority areas that are affecting Hawaii's criminal justice system. The areas are drug interdiction and treatment, prison overcrowding, property crime, violence (domestic, child, and sex assault), system improvement, and juvenile crime.

To address drug issues, a sizeable portion of Byrne Memorial funds has been committed to drug interdiction and treatment. From 1992 to 2003, the average percentage allocated to drug interdiction and treatment is 30% of the program funds. Key components in addressing the drug problem have been task force efforts in interdiction and marijuana eradication, and drug/alcohol assessments and treatment at various points in the criminal justice system.

Hawaii continues to send a sizable portion (24%) of its inmates to out-of-state facilities. As of June 30, 2002, a total of 1,232 inmates were sent to out-of-state correctional facilities with 1,168 male inmates housed in Oklahoma and Arizona and 64 female inmates in Oklahoma. As of June 30, 2002, Hawaii's Department of Public Safety was housing 3,931 inmates while its capacity is supposed to be 3,487. While there are many factors that impact prison overcrowding (new laws, limited prison space and resources, aging facilities) drug abuse greatly impacts the rate of offenders coming into the Department of Public Safety. The Department of Public Safety reported to the U.S. Congressional Subcommittee on Criminal Justice, Drug Policy and Human Resource in 2000 that incarceration for drug related offenses increased from 170 inmates in 1994 to 546 inmates in 1999.

One of the strategies to reduce prison overcrowding is to provide alternative or diversion programs that combine substance abuse treatment, education/vocational assistance, and other enhancement components to improve the offender's ability to maintain a drug and crime-free lifestyle. The programs funded provide in-house and community-based treatment services to allow offenders to participate in treatment while being supervised in the community.

From 1992 to 2003, the average percentage allocated to prison overcrowding is 9.5% of the program funds. A decrease in funding level in FY 00 and FY 02 are due to several projects reaching the 48-month funding cap.

The use of Byrne funds to address property crime highlights two concerns. The level of property crime in Hawaii is great and the impact of Byrne funds targeting a specific property crime is easily lost in the crime rate. According to the FBI's Uniform Crime Reporting (UCR) Program, in 2001 Hawaii ranked second (for two consecutive years) while in 1999 Hawaii ranked tenth among the 50 states and the District of Columbia in overall property crime rates.

The State's strategy to reduce property crime was the use of community policing which promotes crime prevention activities such as community mobilization and crime prevention education, and law enforcement activities such as surveillance and sting operations. By 2001, all of the Byrne funded community policing projects reached the 48-month funding cap and Byrne-

funded efforts to disrupt illegal commerce related to vehicle thefts and burglaries ended. During this reporting period, no projects were funded.

Violent crime is a growing problem for our State. In 2001 Hawaii ranked 42nd in the violent crime rate while in 1999 Hawaii ranked 44th, and in 2000 43rd of the 50 states and the District of Columbia. The strategy focused on improving the investigations of child abuse, sex assaults, and homicides; child abuse reporting by mandated reporters; and intervention programs for domestic violence offenders. From 1992 to 2003, the average percentage allocated to violent crime is 22% of the program funds. The decrease in funding for this area is attributed to specialized police and prosecution projects targeting violent crime reaching the 48-month funding cap.

Percentage of Award Spent (1992-2003)

Program Areas	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Drug Interdiction & Treatment	36	42	25	34	29	25	32	27	35	33	26	21
Alternatives to Incarceration	2	5	15	11	16	21	3.5	20	7	11	3	15
Violent Crimes	22	28	30	32	31	21	33	21	16	23	10	2.25

To address system improvements, a sizeable portion of Byrne Memorial funds has been allocated to:

- 1) improving the state's criminal justice data system,
- 2) improving the efficiency and effectiveness of court proceedings,
- 3) moving community prosecution efforts forward,
- 4) improving the management of incarcerated and community supervised offenders statewide,
- 5) improving response to various types of financial and computer-related crimes, and
- 6) using a software program that can evaluate the impact of proposed policies on the criminal justice system.

States are required to use at least five percent of their formula grant awards for the improvement of criminal justice records. Accurate and timely information is vital for criminal justice agencies to make sound decisions that affect public safety. The re-designed Criminal Justice Information System (CJIS) is Hawaii's information system that maintains arrest, conviction, fingerprints, and status records of offenders. The criminal justice agencies rely upon this database to make crucial decisions. The program area focused on maintaining an updated, accessible, accurate, and reliable offender information system.

Efforts to improve the criminal justice system's response to crime included community prosecution and the investigations of financial and computer crimes. During the report period,

and for a second year, a large amount of Byrne funds were used to support community prosecution programs to reduce higher than normal crime rates in targeted areas.

To address juvenile crime, one project targeted drug use and delinquency. While funding for this area is relatively low, juvenile crime continues to be a priority area in the overall strategy to intervene in serious juvenile offenders. The State's Office of Youth Services is the agency which administers federal and state monies related to youth.

Summary of Federal/State Program Coordination Efforts and Activities

Since 1989 the agencies that administer the federally funded state drug prevention programs have been meeting monthly to discuss plans for the use of the federal funds, concerns related to coordination, and training and technical expertise. Together these agencies are called HI-NET (Hawaii Network of Federally Funded Drug Prevention Agencies). The major federal drug grants are administered by the following agencies:

- Safe and Drug-Free Schools and Community Grants
 - Department of Education, Office of Youth Services
 - Kamehameha Schools Bishop Estate (Native Hawaiian focus) through Pacific Resources for Education and Learning
- Substance Abuse and Mental Health Services Administration Grant
 - Department of Health
- Byrne Memorial State and Local Law Enforcement Formula Grant and Residential Substance Abuse Treatment for State Prisoners
 - Department of the Attorney General
 - Housing and Urban Development Grant
 - Department of Business, Economic Development and Tourism

In 2000, the Department of Health in collaboration with HI-NET, applied for a State Incentive Grant from the federal Substance Abuse and Mental Health Services Administration. A three-year, \$3 million award was received. The HI-NET members are part of a 32-member advisory committee, which provides direction to the project. The goals of the project are to develop a comprehensive strategy that reduces drug use by youth, implements research-based programs, and fills gaps in communities; and to coordinate and redirect prevention resources. To date, the effort has implemented research-based programs in 18 communities throughout the State. The work continues as the Committee and HI-NET review the outcomes. HI-NET met bi-monthly to continue to share information on agency planning efforts and is developing general outcome measures for substance abuse prevention for the State.

Organization of Report

This report includes a brief description of each program area, including project goals, objectives, performance measures, activities and accomplishments of programs funded by the Byrne grant from July 1, 2002 to June 30, 2003. The total funding for the program area is also reported. Projects funded with Byrne FY 2000, FY 2001, and FY 2002 awards were active during the reporting period.

EVALUATION PLAN AND ACTIVITIES

The evaluation plan of the Crime Prevention and Justice Assistance Division includes the following components:

- The project goals and objectives are reviewed upon the submission of an application for funding. CPJAD staff work with the subgrantees to develop appropriate and measurable goals and objectives.
- Progress reports must be submitted by the subgrantees every six months for the project duration and upon termination of the project. The reports are reviewed by CPJAD staff to ensure that sufficient information is contained in the reports to document project activities and whether progress is being made towards meeting the goals and objectives
- Quarterly monitoring of projects is the goal of CPJAD with a minimum of two site visits being required. Monitoring visits are documented on the Project Monitoring Report form. Other monitoring activities, such as telephone contacts and office visits, are recorded on the Monitoring (Non-Site) form.
- Subgrantees conduct a self-assessment upon termination of the project. The final report must document the achievement of the goals and objectives. Some subgrantees hire an independent consultant, using Byrne Memorial funds, to conduct an evaluation.
- CPJAD staff does a closeout report on each project, and makes an assessment whether or to what extent objectives were met, and what impact the project had.

Evaluations, in the form of self-assessments required of all projects funded by the Byrne Memorial formula grants, continue to be the primary source of evaluation findings for the Crime Prevention and Justice Assistance Division. The emphasis for evaluation activities during this reporting period focused on: (1) training of project personnel to improve their understanding and skills in analyzing and reporting the results of the data collected during the project period, and (2) developing and improving the reporting format for self-assessment.

One formal evaluation report was completed by the University of Hawaii, School of Nursing and Dental Hygiene, on the effectiveness of the Financial Exploitation Unit. The Byrne grant is funding the Financial Exploitation Unit. A copy of the report is located in the Appendix.

CPJAD continued its in-house evaluation efforts with the implementation of the Project Effectiveness Model, which is a guide to developing, managing, and assessing projects. The model was completed in May 1995. The basis for this handbook came from the Bureau of Justice Assistance publication, *Assessing the Effectiveness of Criminal Justice Programs - Assessment and Evaluation Handbook Series No. 1*, and the BJA workshop on Developing Assessment and

Evaluation Designs for Family Violence, which was held in Honolulu, Hawaii in March 1994. The CPJAD staff held individual subgrantee training to review and implement the model.

DRUGS

CLANDESTINE LABORATORIES

Program Overview

Response teams to address clandestine drug laboratories are in various stages of development in the counties of Hawaii, Kauai, and Maui. The teams consist of police officers, who are certified and equipped to enter clandestine laboratory sites. They work in conjunction with the Drug Enforcement Administration, the county fire departments, the Department of Health, and the Narcotics Enforcement Division of the Department of Public Safety.

Aggregate Funding Information

Three county police departments received a total of \$251,065 during the report period. The Hawaii County Police Department received FY 2000 funding of \$121,235, the Maui Police Department received FY 2000 and FY 2002 totaling \$77,330, and the Kauai Police Department received FY 2000 and FY 2002 funding totaling \$52,500.

Goals and Objectives

The goal is to ensure the safety of the public and law enforcement personnel during the investigation and dismantling of clandestine laboratories.

The objectives are:

- to reduce the danger to personnel who must respond to reports of clandestine laboratories
- to increase the capability of personnel to respond to clandestine laboratories
- to increase public awareness about clandestine laboratories--the dangers and indicators about the presence of laboratories
- to increase the number of arrests for drug manufacturing.

Program Activities

The Hawaii County Police Department, the Kauai Police Department, and the Maui Police Department have established response teams to investigate and dismantle clandestine drug laboratories. Leadership for the teams is provided by the vice sections of the police departments, but membership on the team can include officers from other sections, such as patrol. Team members have the required certification to investigate drug laboratories and the necessary specialized equipment. The response teams work in conjunction with the Drug Enforcement Administration, the county fire departments, the Department of Health, and the Hawaii High Intensity Drug Trafficking Area.

Performance Measures/Indicators and Evaluation Methods

- number of personnel who are trained and certified
- number of personnel who are re-certified
- documentation of injuries
- purchase of equipment
- number of presentations made
- number of individuals arrested for drug manufacturing

Accomplishments and Evaluation Results

During the report period, four complaints of clandestine drug laboratories were investigated. Two clandestine drug laboratories were investigated and dismantled, resulting in four arrests. The two dismantled labs were discovered in Maui County. No drug labs were dismantled in Hawaii County or Kauai.

Due to promotions and rotations, the number of certified members on the response teams has decreased. A total of 22 members are on the three response teams: 10 in the Hawaii County Police Department, 5 in the Maui Police Department, and 7 in the Kauai Police Department. Of the 22 members, 21 were re-certified in February 2003: 9 in the Hawaii County Police Department, 5 in the Maui Police Department, and 7 in the Kauai Police Department. Fourteen members have also completed on-the-job training in California. All of the response teams are in the process of recruiting additional members.

In addition to the required training, nine response team members attended the annual Clandestine Laboratory Investigators Association conference in Albuquerque, New Mexico in August 2002. Other training included the Ice Summit, August 2002, in Waikaloa, Hawaii; Pen Link training, September 2002, in Honolulu, Hawaii; DEA Drug Unit Commanders Academy, December 2002, in Quantico, Virginia; and the EPIC Clandestine Laboratory Seizure System training, February 2003, in Honolulu, Hawaii.

During the report period, 22 presentations on clandestine drug laboratories were made to various groups. The audience consisted of schools, hotels, non-profit agencies, government agencies, and community organizations. In-service training on drug laboratory recognition was also provided to recruit and recall classes.

General orders relating to the response of the police to clandestine drug laboratories were adopted by the Hawaii County Police Department and the Kauai Police Department. The Maui Police Department had previously adopted general orders. Specialized response vehicles were delivered to the Hawaii County Police Department in November 2002 and to the Maui Police

Department in April 2003. All three police departments have the basic equipment and supplies necessary to investigate and dismantle drug labs.

No injuries were reported during this period.

FORENSIC LAB ENHANCEMENT

Program Overview

The majority of the work for forensic laboratories involves the testing of illicit drugs, such as crystal methamphetamine, marijuana, heroin, controlled prescription drugs, and designer drugs, such as Ecstasy. Data collected between 1998 and 2000 indicated a steady increase in the number of cases assigned to the crime lab. Compounding the problem is the use of older and slower laboratory equipment. As a result, a backlog averaging six months exists.

The Hawaii County Police Department received FY 2002 funds of \$130,000 for one project.

Goals and Objectives

The goal is to increase the drug analysis productivity of the Hawaii County Police Department.

The objectives are:

- to decrease the amount of time required to complete drug analysis
- to increase the monthly case assignment clearance
- to reduce the number of cases pending completion

Program Activities

Three pieces of equipment, two Fourier Transform Infra Red (FTIR) Spectrometer Systems, and one Gas Chromatograph/Mass Spectroscopy (GC/MS) System with Autosampler capability, will be purchased by the Hawaii County Police Department. Three criminalists will attend training on the new instrumentation at the vendor's headquarters in Madison, Wisconsin. Drug libraries for the FTIR and GC/MS will be updated. Drug analysis and confirmation will be conducted on the new equipment.

Performance Measures/Indicators and Evaluation Methods

- comparison of the amount of time to complete drug analysis before and after the utilization of updated equipment
- comparison of the number of drug cases cleared before and after the utilization of updated equipment

Accomplishments and Evaluation Results

The Hawaii County Police Department has not yet acquired the equipment; therefore, there are no accomplishments to report. The purchase of the equipment has been put out to bid, and the opening of the bids was to have taken place during the last month of the report period.

HAWAII NARCOTICS TASK FORCE

Program Overview

The integral components of the Hawaii Narcotics Task Force (HNTF) are multi-agency efforts, airport interdiction, intelligence sharing, standardized training, the use of undercover officers, and the use of canine in the detection of drugs. Mid- to high-level distributors are targeted. Multi-agency efforts include the combined resources of federal and county law enforcement personnel, as well as the occasional use of state narcotics investigators. The major drugs in Hawaii are marijuana, crystal methamphetamine, cocaine, and heroin.

The lead agency of the HNTF is the Maui Police Department. The Honolulu Police Department participates in task force operations despite not receiving Byrne grant funds.

Aggregate Funding Information

Three projects received funding during the report period. The Maui Police Department received FY 2001 funds of \$73,125, the Kauai Police Department received FY 2001 funds of \$24,000, and the Hawaii County Police Department received FY 2001 and FY 2002 funds, totaling \$55,500. Total funding for the Hawaii Narcotics Task Force program was \$152,625.

Goals and Objectives

The goal of the Hawaii Narcotics Task Force program is to reduce the availability of drugs in Hawaii.

The objectives are:

- to meet at least quarterly,
- to make drug-related arrests,
- to make drug, weapon, and asset seizures,
- to provide training to task force members.

Program Activities

With the majority of drugs being imported into the State, the focus of the task force is mid- to high-level drug dealers. Operations are enhanced by utilizing multiple law enforcement agencies, consisting of at least one county police department and a federal agency, such as the Drug Enforcement Administration or the Federal Bureau of Investigation. The use of undercover officers from other jurisdictions has been an effective tool in infiltrating drug organizations. Canine units continue to play an important role in intercepting drugs. Ongoing training is an integral component of task force operations. Officers have attended local as well as out-of-state

training and conferences. Regular task force meetings are necessary not only to plan joint operations but also to discuss pertinent task force issues.

Performance Measures/Indicators and Evaluation Methods

- number of task force meetings held,
- number of drug-related arrests,
- types and amount of drugs seized,
- type and amount of asset seizures,
- types of training attended

Accomplishments and Evaluation Results

The amount of drugs seized by the three county police departments is shown in the table below.

Hawaii Narcotics Task Force Drug Seizures, 7/1/02-6/30/03

County	Crystal Meth	Cocaine	Heroin	Marijuana
Hawaii	6,886.68 grams	2,021.92 grams	104.50 grams	17,214.63 grams
Kauai	285.42 grams	38.90 grams	0.00 grams	581.20 grams
Maui	897.00 grams	3,585.00 grams	0.00 grams	4,254.00 grams
TOTAL	8,069.10 grams	5,645.82 grams	104.50 grams	22,049.83 grams

In addition to drug seizures, the three police departments reported the following accomplishments.

Hawaii Narcotics Task Force Arrests and Seizures, 7/1/02-6/30/03

County	# of Arrests	Cash Seized	Weapons Seized	Vehicles Seized
Hawaii	702	\$110,284.12	7	28
Kauai	118	\$ 96,644.00	16	2
Maui	914	\$258,719.00	1	4
TOTAL	1,734	\$465,647.12	24	34

The drug and asset seizures were the result of several significant operations. In January 2003 the Hawaii County Police Department and the Drug Enforcement Administration

intercepted a parcel destined for Hilo, Hawaii. Upon execution of a search warrant, the task force agents recovered 1,000 grams of crystal methamphetamine and 1,000 grams of cocaine from two coolers that were in the parcel. Also recovered in the residence was 170.1 grams of crystal methamphetamine and \$20,000 in cash.

The Maui Police Department and the Hawaii High Intensity Drug Trafficking Area Airport Task Force intercepted a parcel containing 2.2 pounds of cocaine in January 2003. During the investigation an additional .25 ounce of cocaine, drug paraphernalia, and 7 firearms were recovered.

In response to a report of shots being fired in the Wailea, Maui district, patrol officers confiscated a vehicle and subsequently referred the investigation to the Hawaii Narcotics Task Force. The investigation resulted in the recovery of 40 ml. of steroids, 215 tablets of steroids, \$91,161, and a handgun.

In March 2003, the Hawaii County Police Department, the Drug Enforcement Administration, and the U. S. Postal Service intercepted a parcel containing 6 pounds 11 ounces of crystal methamphetamine. The investigation also yielded 13.6 grams of cocaine, 7.6 ounces of crystal methamphetamine, and \$36,300 in cash.

Regular task force meetings as well as special meetings to plan and discuss specific operations were held during the report period: July 2002 in Honolulu, December 2002 in Hilo, February 2003 in Honolulu, March 2003 on Kauai, and April 2003 in Honolulu.

In order to keep abreast of trends and the latest investigative techniques task force members attended the following training.

<u>Training</u>	<u>Date</u>	<u>Location</u>	<u># Attending</u>
Canine Training	7/02	Honolulu, Hawaii	1
Semi-annual Inter-County Criminal Intelligence Unit (ICCIU) Conf.	8/02	Kihei, Hawaii	6
Counter Drug Investigations	8/02	Honolulu, Hawaii	2
ODV Field Drug Test Certification Training	9/02	Honolulu, Hawaii	3
Methamphetamine Investigations	9/02	Honolulu, Hawaii	3
California Narcotics Officers Assn. Conf.	11/02	Anaheim, California	3
Verizon's Communication Assistance for Law Enforcement Act	12/02	Honolulu, California	4
Asset Forfeiture Investigations	2/03	Honolulu, Hawaii	1
Semi-annual ICCIU Conference	2/03	Honolulu, Hawaii	17
U.S. Border Patrol National Canine Instructor Re-certification	3/03	El Paso, Texas	1
Basic Narcotics Investigations Law Enforcement School	3/03	Honolulu, Hawaii	2
13 th Annual WSIN/HIDTA Conference	4/03	Honolulu, Hawaii	2
Rules of Evidence	5/03	Hilo, Hawaii	4

STATEWIDE MARIJUANA ERADICATION TASK FORCE

Program Overview

The Statewide Marijuana Eradication Task Force is a multi-agency, cooperative effort to eradicate cultivated marijuana in Hawaii. Critical elements of the task force include joint missions, investigations, and surveillance; regular meetings; and ongoing and standardized training. The use of private and government helicopters is an integral component of eradication missions. Manual eradication is the primary method of crop destruction with herbicidal spraying being conducted only by the Department of Land and Natural Resources, Hawaii Branch. Members of the task force include personnel from county, state, and federal law enforcement agencies with leadership provided by the Drug Enforcement Administration through the Domestic Cannabis Eradication/Suppression Program.

Aggregate Funding Information

Five projects received funding during the report period. The Hawaii County Police Department received FY 2001 funds of \$151,500, the Honolulu Police Department received FY 2001 funds of \$37,500, and the Maui Police Department received FY 2001 funds of \$101,400. The Department of Land and Natural Resources received FY 2001 funds of \$37,500. The Kauai Police Department received FY 2001 and FY 2000 funds totaling \$33,000. Total funding for the Statewide Marijuana Eradication Task Force program was \$360,900.

Goals and Objectives

The goal of the Marijuana Eradication Task Force is to reduce the availability of marijuana in the State of Hawaii.

The objectives are:

- to maintain the statewide marijuana eradication task force
- to eradicate cultivated marijuana plants from public and private land
- to conduct joint eradication missions
- to make arrests for marijuana cultivation
- to seize assets

Program Activities

Bi-monthly meetings are held to schedule eradication missions, to discuss pertinent issues, and to inform members of upcoming training or significant events. These meetings are rotated among the four counties. Eradication missions that focus on crop destruction are held throughout the year. Indoor grows are confiscated upon the execution of search warrants.

Surveillance and investigations are also conducted. Training is an essential and regular component of the program, especially as it relates to rapeling from the helicopters.

Performance Measures/Indicators and Evaluation Methods

- number of task force meetings held
- number of training sessions held
- number of marijuana plots destroyed
- number of plants eradicated
- value of marijuana plants eradicated
- number of individuals arrested for cultivation of marijuana
- amount of assets seized

Accomplishments and Evaluation Results

Hawaii continues to rank among the top three states in the eradication of marijuana and is recognized annually for its efforts by the Drug Enforcement Administration.

The Drug Enforcement Administration (DEA) is the coordinating agency for the task force. Task force members include the DEA, U. S. Army, Hawaii County Police Department, Honolulu Police Department, Kauai Police Department, Maui Police Department, Department of Land and Natural Resources, Hawaii National Guard, Civil Air Patrol, and Department of the Attorney General.

Manual eradication is the primary means of destroying cultivated marijuana. When marijuana plots are spotted from the air, law enforcement agents are inserted into the marijuana patches to remove the plants, which are subsequently destroyed. Herbicidal spraying is conducted on state land by the Department of Land and Natural Resources in Hawaii County only. Indoor grow operations are also targeted.

Each county conducted eradication missions with a minimum of three task force agencies participating and often with personnel from other counties. The Department of Land and Natural Resources eradicated marijuana from state lands, including native forests, watersheds, and other environmentally sensitive areas, while the police departments destroyed marijuana on private lands. The results of the task force efforts are shown below.

Statewide Marijuana Eradication Task Force Activities, 7/1/02-6/30/03

Agency	# Marijuana Plots	# Indoor Grows	# Plants Destroyed
HI County Police Dept.	2,481	1	54,003
Honolulu Police Dept.	616	0	38,526
Kauai Police Dept.	681	1	30,566
Maui Police Dept.	763	1	78,988
DLNR*	1,610	0	60,290
Total	6,151	3	262,373

*data reflected is for Hawaii County only for the period 7/02-9/02; plant count from other counties are included with the police departments

The value of a marijuana plant is estimated at \$1,000 for a total of \$262,373,000.

A variety of factors contributed to the decrease in the amount of marijuana plants destroyed. Marijuana is grown in smaller plots and in more remote areas, resulting in increased effort with lower yields. The rental of private helicopter services is a significant cost. With only three government helicopters available from the DEA and the Hawaii National Guard, the task force agencies rely primarily on privately-owned helicopters. Hawaii County, which has the largest land mass, normally is the biggest contributor to the statewide marijuana plant count. Hawaii County, however, continues to encounter a highly vocal and persistent resistance to eradication activities. Eradication of marijuana on the Big Island has been blamed for not only noise pollution and invasion of privacy but also for the escalation in the use of crystal methamphetamine.

Statewide Marijuana Eradication Task Force Arrests, Asset and Weapon Seizures, 7/1/02-6/30/03

Agency	#Arrests	Currency Seized	Weapons Seized
HI County Police Dept.	423	\$ 0	0
Honolulu Police Dept.	99	\$ 465	0
Kauai Police Dept.	7	\$ 0	4
Maui Police Dept.	272	\$56,243	0
DLNR	1	\$ 0	0
Total	802	\$56,708	4

*data reflected is for Hawaii County only for the period 7/02-9/02; plant count from other counties are included with the police departments

During the report period, task force meetings were held in Honolulu, August 8-9, 2002; in Honolulu, November 11, 2002; on Maui, February 20-21, 2003; in San Antonio, Texas (during the annual DEA conference), April 15, 2003; and in Honolulu, May 16, 2003.

Training occurs on a regular basis, usually prior to each mission and includes areas such as rappelling, helicopter safety, aerial reconnaissance, tracking methods, safety observer requirement, etc. Training was provided in-house and by the DEA and the National Guard. Task force members also provided practical exercises for efficiency rating tests for private pilots. Task force members also attended the following training:

<u>Training</u>	<u>Date</u>	<u>Location</u>	<u># Attending</u>
Airborne Law Enforcement Association Conference	7/02	Tucson, Arizona	7
Hawaii Methamphetamine Summit	8/02	Waikoloa, Hawaii	6
Rappel Training	9/02	Honolulu, Hawaii	9
Campaign Against Marijuana Planting Conference	12/02	Lake Tahoe, California	5
Undercover Drug/Narcotics Investigations	12/02	Las Vegas, Nevada	2
Annual DCE/SP Conference	4/03	San Antonio, Texas	6
25 th Annual International Asian Organized Crime Conference	5/03	Boston, Massachusetts	3

Despite regular maintenance efforts, marijuana cultivation remains a significant law enforcement problem due to the profitability of growing and distributing the drug.

SUBSTANCE ABUSE TREATMENT

Program Overview

The lack of alcohol and drug abuse treatment for adult offenders continues to be an ongoing problem for health care and welfare professionals, public safety officials, treatment providers, and the general public. Local news frequently report the correlation of alcohol, drugs, and crime, and the impact it has on the user, their families, and the community. Most offenders wanting treatment compete for the few treatment spaces that are available through the Department of Health or the Judiciary. The Department of Public Safety is working to expand alcohol and drug abuse treatment for those incarcerated, however, the number of inmates needing treatment continues to outmatch available resources.

Due to the complexity of treating alcohol and drug abuse, many offenders are unable to remain alcohol/drug free even after several episodes of treatment. Studies confirm that abuse of alcohol and drugs cause severe mood changes, illicit paranoid and violent behaviors, hallucinations, cause or aggravate existing co-occurring disorders, and suicidal ideation. In addition to these concerns, parents with alcohol/drug problems are at higher risk for abusing and/or neglecting their children. Alcohol and drug dependency are also associated with other social problems such as poor family ties, delinquency, school problems, unwanted pregnancy, homelessness, financial problems, and unemployment.

There are approximately 15,500 adult offenders on probation in the State's Circuit and District Courts. This consists of roughly 1.3% of the State's population. Of the 15,500 probationers, approximately 63% (9,700) are on probation for felony offenses and are supervised by one of the four Adult Probation Divisions (APD). From January 1, 1998 to December 31, 1999, the four Adult Probation Divisions (APD) screened a total of 8,723 urine specimens of which 2,446 (28%) tested positive for drugs. APD screens for four major drugs: amphetamines, cannabinoid (marijuana), cocaine, and opiates. The most common drug found in those tested on Oahu was amphetamine while the most common drug found among those tested in the other three circuits was cannabinoid. The APD on Oahu supervises the largest number, nearly 6,000 of the felony probationers.

The Drug Court program on Oahu provides alcohol and drug abuse outpatient treatment for non-violent adult offenders awaiting trial or on probation. The program's initial evaluation showed promising results which helped the program gain statewide attention. Since the program began operating in December 1995, the program has enhanced the activities of the outpatient program in order to address the complex needs of drug-involved offenders. In FY 2000, the Judiciary expanded its support for Drug Court to include Maui, and in FY 2001 to include Hawaii and Kauai.

During this reporting period, Byrne funds were used to support specialized services for the Oahu and Maui Drug Court programs. The Oahu Drug Court built up its enhanced day treatment program for adult offenders needing additional assistance not previously available in the regular drug court program. The Maui Drug Court completed its second year of cognitive behavioral services to address the offender's anti-social and pro-drug attitudes and beliefs.

Aggregate Funding Information.

Two Judiciary projects were funded for total of \$216,373. Oahu Drug Court received FY 2000 in the amount of \$173,202 and Maui Drug Court received FY 2002 in the amount of \$43,171.

*Program Description for Drug Court Enhancement Project
The Judiciary, First Circuit Court*

The Oahu Drug Court program consists of four levels of care of which the grant-funded Day Treatment program is the third of four levels. The first level is the Interim Treatment service, the second level is the Intensive Outpatient program, and the fourth level is the Alumni (aftercare) program.

This project was proposed when it became apparent that treatment resources available to the core program were not adequate. Many of the clients terminated from drug court were in need of an integrated continuum of care, requiring not only substance abuse treatment, but skills for daily functioning. The Day Treatment program is for clients who are not able to comply with the requirements of the Intensive Outpatient program or who meet the DSM-IV criteria for abuse or dependence and are at high risk for criminal recidivism. This project also addressed the problem of high risk clients who were unemployed or had low education attainment that made it more difficult for them in the job market.

The Day Treatment program changed during the second year of Byrne funding from a single phase to a multi-phase program. Effective August 2001, the Day Treatment program worked with clients to shift from an external locus of control to an internal one through the cognitive behavior restructuring model. Therapy is on-going and case management services are maintained to ensure that client progress is made. This fourth and final year of Byrne funding continued the services that began in August 2001.

Goals and Objectives

The goal is to strengthen the effectiveness of the Oahu Drug Court Program and its substance abuse service delivery system.

The objectives are:

- 75% of the clients admitted to Phase I of the Day Treatment Program will succeed in moving to Phase 2.
- 50% of the clients who complete Phase I of the Day Treatment Program will graduate from the drug court program.
- 98% of the graduates who completed Phase I of the Day Treatment Program and who graduated will have completed the drug court program within 18 months after admission.

Program Activities

The curriculum adopted in August 2001 is based on the cognitive-behavioral model which research from the National Institute of Correction indicates is an effective means to reduce criminal recidivism.

The day treatment program consists of three phases. In Phase One (90 days), eight hours of treatment and case management services are provided daily, five days a week. Clients progressing to Phase Two (6-8 months) participate in nine hours of treatment services per week. In Phase Three, participants participate in five hours of treatment services per week.

Performance Measures/Indicators and Evaluation Methods

- number of clients admitted to the day treatment program
- number of clients that completed the treatment program
- number employed or engaged in vocational/educational training at the time of clinical discharged from day treatment
- number who are discharged without completing the program
- number and percentage of participants who complete Phase I and who graduate within 18 month of entry.

Program Accomplishments and Evaluation Results

- Thirty-eight clients were admitted to Day Treatment program for a total of 203 clients admitted since the program's inception.
- Of the 203 clients admitted into the program since its inception, 39 clients were accepted during the reporting period. Of the 203 clients, 178 clients successfully moved to Phase II with another 19 clients in the process of completing Phase I.
- During the reporting period, 1 client was referred to a residential treatment program, and 6 have absconded from the program.
- Twenty clients graduated from drug court in January 2003, of which all 20 began their treatment in the Day program.
- All of the clients were employed or engaged in vocational/educational training at the time of clinical discharged from Day program.
- Since the inception of the program, 19 of 203 clients were terminated from the program prior to completing Phase I. One client died and 18 were terminated for absconding from the program or committing new crimes.

- Forty-nine (26%) of the 185 graduates who completed Phase I did so within 18 months.

*Program Description for Maui Drug Court Implementation Project,
The Judiciary, Second Circuit Court*

The Maui Drug Court project was established to address the problem of drug use and drug related crimes occurring in Maui County. The following are the number of adult arrests for drug related crimes on Maui in 1999: 71 arrests for offenses related to drug manufacturing/sale, 309 arrests for drug possession, and 987 arrests for alcohol related offenses. This does not include arrests for property-related crimes and other offenses committed to support drug addictions or for offenses committed while intoxicated or on drugs. A survey of adult offenders on probation also indicates a substance abuse problem among this population. In June 1999, as many as 743 (66%) probationers on Maui reported using illegal drugs on an occasional to frequent basis with some to serious disruption in their lives. Also, 452 (40%) probationers had chronic drug-related problems requiring intervention and treatment.

The Maui Drug Court accepted its first client in August 2000. Similar to Hawaii's first drug court program, this program for adult offenders who have a Class C or Class B non-violent felony offense, who have no criminal history of violent behavior, have no firearm charge, and has a serious alcohol or drug problem. Priority is given to pregnant women, women of child bearing age, offenders with minor children, and offenders of Hawaiian descent. A full continuum of treatment services are provided, with 18 months the average stay in the program. Maui Drug Court completed its 3rd and final year in July 31, 2003. Grant funds were used to support the cognitive behavioral classes provided to drug court participants at the Maui Community Correctional Center and those out in the community.

Goals and Objectives

The goal is to improve the Maui Drug Court program by providing 85 drug court participants with opportunities to modify pro-criminal attitudes and beliefs to reduce recidivism and promote positive long-term choices.

The objectives are:

- at least 85 participants will be enrolled in the Cognitive Restructuring Intervention (CRI) classes of which 75% will successfully complete the 9 month program; and
- the number of participants who graduate from Maui Drug Court with no new arrest or charges will increase from the previous year from 45% to 55%.

Program Activities

The grant funds covered the salary of a full-time cognitive restructuring intervention program coordinator. The program was modified from a 9-month course to a 3-6 month course

to fall in line with the contracted substance abuse treatment services. The cognitive program for incarcerated offenders is 6 months with 3 months provided in-facility and 3 months post-release (in the community). For drug court participants, the course is 3 months.

The grant funds were exhausted in July 2003. The activities were continued with funds from the county and state and are being provided by the contracted substance abuse provider.

Performance Measures/Indicators and Evaluation Methods

- number of offenders admitted into the program
- number of clients who completed the curriculum.
- number of CRI participants that graduated from drug court have no arrest or new charges up to three months post-discharge
- percentage increase in the number of clients successfully graduating Maui Drug Court.

Program Accomplishments and Evaluation Results

- 131 offenders participated in CRI. (35% more than anticipated)
- Of the 131 CRI participants, 103 (79%) successfully completed the curriculum.
- Of the 27 CRI participants who graduated from drug court, none had any arrests or new charges three months post-discharge.
- The CRI project reported no criminal recidivism among its graduates three months post-graduation since its inception. It is also reported that the number of Maui Drug Court completions has risen 200% from the previous year.

JUVENILE CRIME

COMMUNITY PROSECUTION

Program Overview

In 1998, the Department of the Prosecuting Attorney for the City & County of Honolulu, played a significant role in creating a model for the State criminal prosecution for the Weed and Seed area in the Chinatown/Palama district. The Oahu Weed and Seed program is a federally recognized program supported by the U.S. Department of Justice and administered by Hawaii's U.S. Attorney. The key features of the model prosecution included a Weed and Seed Court, fast tracking Weed and Seed cases, removal of offenders from the designated area, and coordination with the Oahu Drug Court program for offenders in need of substance abuse treatment. In 1999, the Department of the Prosecuting Attorney used Byrne funding to help sustain the successes at the Chinatown/Palama site and to expand the Weed and Seed program to other locations.

The Weed and Seed program expanded to the Waipahu community in September 2000 and then to the Ewa/Ewa Beach community in February 2002. The Waipahu community is an economically depressed former sugar plantation town known for the highest juvenile crime rate. The Ewa/Ewa Beach community is located a few miles south of Waipahu and is geographically the largest of the Weed and Seed sites. The Ewa community and law enforcement identified juvenile crime, drug houses, and domestic violence to be among its serious problems.

The project expanded its efforts to address juvenile delinquency and crime during its second year of funding, a change from its first year which focused primarily on adult offenders engaged in prostitution, drugs, and gambling. During the project's third and final year of Byrne funding, schools within the Weed and Seed sites worked with the project to continue prevention and intervention programs to reduce juvenile delinquency and crime.

The Department of the Prosecuting Attorney, City & County of Honolulu, received FY 2002 in the amount of \$49,246.

Goals and Objectives

The goal is to improve the quality of life in targeted communities experiencing a higher than normal crime problem with an emphasis on juvenile offenders.

The objectives are:

- to sustain accelerated prosecution of cases to remove criminal from targeted areas.
- to continue a pilot crime prevention project that focuses on middle school at-risk students in the Waipahu community.
- to implement a strategic plan that addresses the significant juvenile delinquency issues in the Ewa community.

- to have 10 to 20 housing youth successfully complete the Drug Enforcement for Youth program.

Program Activities

The Weed & Seed strategy involves a two-prong approach. First law enforcement agencies cooperate in “weeding out” criminal from targeted high-crime areas. Second, “seeding” brings human services, crime prevention programs, and neighborhood revitalization initiatives to these areas. The grant-funded prosecuting attorney oversaw the project activities, attended community meetings as the department’s representative, and refined policies and procedures for the operation of the Weed and Seed prosecution track. The deputy also prosecuted cases in the Weed & Seed track and provided legal support and training to police in the three Weed & Seed sites.

To reduce the number of status (juvenile) offenders in the Ewa Weed & Seed site, the project with the Honolulu Police Department (HPD) initiated a Truancy Sweep. Campbell High School (CHS) in the Ewa site has an attendance rate of 90-98% for a student body of approximately 615 students. The federal No Child Left Behind mandate requires an attendance rate of 95%. In addition to truancy, the school reported problems with burglary and on-campus robbery. (Feeder school, Ilima Intermediate school reported mostly truancy problems.) Between 12-61 students are absent per day and 10-12 students are considered chronic truants.

The truancy sweep, held in February 2003, resulted in the apprehension of more than 70 students. The school gym was used to process and hold the youth. The detained students received a session on juvenile law and truancy by the Honolulu Police Department and parents were called to pick up their children and to meet with counselors. Criminal background checks were conducted to identify students who were on probation. In preparation for the sweep, procedures were developed for the school to petition truancy cases to Family Court.

In all, 73 students were picked up with 49 students from the off-campus sweep and 24 students while on campus without passes. Some of the immediate results from the sweep included improvement in school attendance and a significant decrease in juvenile property crime and truancy arrests for two weeks after the sweep.

The project worked with the police and Waipahu Intermediate School (WIS) to respond to juveniles who were intimidating, robbing, and assaulting students, and creating an atmosphere of fear for several months. Four juveniles were arrested, prosecuted and sentenced. The case resulted in three juveniles being returned to Samoa and one juvenile committed to the Youth Correctional Facility.

The project cross-trained the non-profit group Project Ho`omana to use Prosecutor’s and Advocates for Violence Education (PAVE) curriculum. PAVE is a violence prevention class on anger management, problem solving and decision-making, conflict resolution, empathy building, and staying away from drugs. The curriculum was developed so teachers and youth service providers can teach positive skills building to at-risk youth. In February 2003, 15 students from

WIS, mostly 8th graders participated twice a week. The majority of the participants were Filipino or Samoan students. The curriculum includes educational games and role-playing. Students also received tutoring assistance and attended field trips. The results of the two and a half month program included less participants engaged in fights, improved grade and class participation, improved peer relations, and promotion of 99% of the participants to the next grade.

The deputy prosecutor also continued as a mentor in the HPD sponsored, Drug Enforcement for Youth (DEFY). This nine-month crime prevention/intervention program teaches youth to resist the pressures of becoming involved with gangs, drugs and crime. Community deputy prosecutors and interested deputy prosecutors served as mentors for at-risk nine to twelve year olds residing in Weed and Seed sites. Twenty-five juveniles participated in DEFY, none were referred to Family Court while in the program, and all graduated to the next grade.

Performance Measures/Indicators & Evaluation Methods

- the juvenile delinquency and crime prevention efforts utilized to reduce status offenses
- a description of the juvenile Weed & Seed prosecution efforts
- number of cases processed in 2002 and 2003 in the Chinatown/Palama, Waipahu, and Ewa Weed & Seed sites

Program Accomplishments and Evaluation Results

Waipahu site: To reduce juvenile delinquency and crime, the project targeted four chronic juvenile offenders at WIS, conducted PAVE for a semester at WIS with 15 students, and continued its participation in the police mentoring program DEFY for at-risk youths living in high crime neighborhoods.

Ewa site: Project staff developed truancy protocol and conducted a truancy sweep in coordination with CHS. Forty-nine students were apprehended during a 3½ -hour sweep.

It should be noted that the number of juveniles charged under the Weed and Seed criteria is still low. According to Family Court probation, the strict charging criteria may be the reason for the low numbers. However, there has been no request to change current procedures.

The project staff worked with federal, county and state agencies, social service providers, businesses, and community members to expand the first weed and seed site to include Kalihi Valley and Atkinson Drive.

From June 2002 to December 2002:

272 cases (74 felony and 198 misdemeanor cases) from the Chinatown/Palama site, 67 cases (22 felony and 45 misdemeanor cases) from the Waipahu site, and 79 cases (15 felony and 64 misdemeanor cases) from the Ewa site* were processed in Weed & Seed Court. (*stats began 9/02)

From January 2003 to June 2003:

300 cases (77 felony and 216 misdemeanor cases) from the Chinatown/Palama site, 49 cases (14 felony and 35 misdemeanor cases) from the Waipahu site, and 93 cases (25 felony and 68 misdemeanor cases) from the Ewa site were processed in Weed & Seed Court.

PRISON OVERCROWDING

ALTERNATIVES TO INCARCERATION

Program Overview

The majority of the treatment, diversion, and re-entry programs for offenders for the State are located on Oahu, the most populated of the four counties. The continuum of treatment services, from residential to aftercare services and supportive living programs, are less available to offenders on Maui, Hawaii, and Kauai, and in isolated communities on Molokai and Lanai. Acquiring timely and accurate diagnosis and treatment are critical factors for whether the offender will succeed on community supervision, maintain employment, and develop healthy relationships. Other critical factors include identifying poly-substance abuse and mental health disorders, accessing support programs, and entering job development, vocational training, and job placement services.

While female offenders are one of the fastest growing populations in Hawaii's criminal justice system, programs are less available to them than to their male counterparts. Parity of treatment, diversion, and re-entry programs for women are crucial in ensuring that female offenders have the opportunity to successfully reintegrate back to the community. Substance abuse treatment services are more effective when provided in conjunction with services which improve parenting skills, provide job development/vocational training, help with financial management, and includes counseling for sex abuse, domestic violence, post-traumatic stress disorder, and other mental health services .

The Women Community Correctional Center has 15 therapeutic community treatment beds compared to the 200 beds at Waiawa Correctional Facility for men. Of the 3,477 inmates in July 1999, 383 (11%) were female. The offenses for which women are incarcerated and treatment issues affecting them are different when compared to their male counterparts. Of the women incarcerated, 14% (50 women) are in custody for a violent offense compared to 27% (883) of the men in custody for a violent offense. A greater percentage of women (33%) than men (16.76%) are held for a property offense, and 9.4% of all the female offenders in prison are in for a probation or parole violation compared to 17.6% of all male offenders.

With assistance from the National Institute of Correction, policymakers from the criminal justice system and various service providers on Maui initiated the Creating a Responsive Environment (CARE) for women policy group in an effort to address the growing population of female offenders. In conjunction with the CARE initiative, Hawaii Paroling Authority is using the Byrne grant to fund a supportive living program to help female parolees make the transition from prison to the community.

The Hawaii Paroling Authority received FY 2002 funds in the amount of \$83,250.

Goals and Objectives

The goal is to decrease recidivism among high needs female parolees.

The objectives are:

- 60% of the parolees will not return to prison on a technical violation or for a new criminal arrest or technical violation,
- of the program graduates, 80% will not recidivate 3 months post discharge.
- 60% of the parolees will not have 3 consecutive positive drug urinalysis test results.

Program Activities

This is the project's first year in operation. Hawaii Paroling Authority contracted a non-profit service provider to provide housing and supportive living services for up to 5 female parolees on Maui. The project began in September 2002, however due to unanticipated delays the service provider's contract did not go into effective until April 1, 2003. Currently only two females are participating in the program due to eligibility requirements. The parolees are receiving transitional living services which include housing, drug testing, substance abuse relapse prevention, job readiness training, cognitive behavioral sessions, anger management training, budgeting, leisure time management training, counseling on relationships, parenting classes, and daily living skills.

Performance Measures/Indicators and Evaluation Methods

- number of participants
- number of participants returned to prison on a technical violation or for a new criminal arrest
- number of participants who completed the program,
- number of participants who remain arrest free 3 months post discharge.
- number of participants who tested positive for marijuana, cocaine, amphetamine, and opiates

Program Accomplishments and Evaluation Results

- 2 are participating in the project.
- None of the parolees returned to prison on a technical violation.
- None of the parolees returned to prison for a new arrest.

- None completed the project (average length in the program is anticipated to be 6-9 months)
- None of the participants tested positive for drugs.

CORRECTIONS MENTAL HEALTH CASE MANAGEMENT

Program Overview

Prison overcrowding and the lack of mental health resources in correctional facilities make it difficult to provide adequate individualized mental health case management, counseling, medication and nutritional monitoring, and admission and discharge planning for incarcerated severe and persistently ill mental health patients (SMH). The lack of resources also makes it difficult for corrections personnel to interact and coordinate with community agencies that provide services for discharged SMH patients.

SMH patients require more attention and intervention than other incarcerated individuals. However, the lack of proper service resources, specifically, appropriate case management, treatment monitoring, patient compliance, discharge planning, and community transition often result in SMH patients de-compensating and re-offending when they return to the community. Byrne grant funding allows the Department of Public Safety (PSD) to provide appropriate case management and discharge planning services for SMH patients at Halawa Correctional Facility (HCF), Oahu community Correctional Center (OCCC), and at the Women's Community Correctional Center (WCCC). These services will assist inmates in their transition to the community and to help ensure follow-up community aftercare to reduce recidivism.

The Department of Public Safety received FY 2002 funds in the amount of \$312,425.

Goals and Objectives

The overall goal of this project is three-fold: (1) to identify all inmates with severe and persistent mental disorders; (2) to create treatment opportunities to prepare inmates to transition back to the community; and (3) to assist transition of these inmates by providing discharge planning to ensure community aftercare to help maintain their mental health and to reduce recidivism.

The objectives are:

- 50% of the jail and 100% of the prison inmate population with Axis I diagnosis (severe and persistent mental health disorders) will receive treatment opportunities that stabilize them for re-entry into the community,
- 50% of the jail and 100% of the prison inmate population with Axis I will receive diagnosis discharge planning in coordination with community case managers upon their release to the community, and
- to reduce current recidivism rates by 15% for all Axis I diagnosed inmates.

Program Activities

Because the Corrections Mental Health Case Management project is a first-time project, initial project activities have focused on such administrative matters as establishing positions and the recruitment and hiring of staff personnel for these positions. The staff will consist of a clinical psychologist, social worker (case manager), and a registered nurse assigned at each of the three correctional facilities (HCF, OCCC, and WCCC).

Performance Measures/Indicators & Evaluation Methods

- number of inmates with severe and persistent mental disorders;
- number of new admissions and re-admissions;
- number of inmates sentenced and transferred from OCCC to WCCC or HCF;
- number of inmates released from the system;
- number of inmates released to Department of Health (Community Mental Health);
- number of inmates from HCF or WCCC with severe and persistent mental disorders that are re-admitted into the system;

Program Accomplishments and Evaluation Results

The Corrections Mental Health Case Management project, which started in March 2003, has been experiencing difficulties in trying to recruit and hire staff for the project. Filling clinical positions has been difficult because of severe shortages of qualified professionals and higher private sector wages. An added difficulty is that the grant positions are not permanent. The department applied for a Health Professional Shortage Area status (HPSA). This designation was approved for two of the three correctional facilities for the project (HCF and WCCC). As a result of the HPSA status, applications were received from two clinical psychologists. Both applicants were interviewed and one was hired for HCF. There is a tentative start date of mid-October 2003.

The hiring of social workers for case management has been even more difficult. The Department of Human Resource Development screened 94 applicants for the Social Worker IV eligibility list. Only four to six of the applicants met the minimum criteria for classification as a SW IV, however, the applicants accepted positions elsewhere. The department is reviewing other options to fill the positions.

Other administrative work includes preparing and submitting an equipment request to the department fiscal office. The project reports that their computer hardware/software request has been approved and allotted. Work has also been completed on developing an orientation packet (for new staff). A tour of the three correctional facilities will be included as well as introductions

to key facility and other department personnel. The project is also in the process of securing classrooms at the facilities for group therapy sessions.

SYSTEM IMPROVEMENT

COMMUNITY PROSECUTION

Program Overview

Essential components of successful community prosecution include: direct interaction between the prosecutor's office and the community which results in a process through which the prosecutor and residents work together to identify problems and solutions; use of partnerships among public and private agencies and the community; a clearly defined geographic target area; emphasis on problem solving, public safety and quality-of-life issues; development of alternative, community-focused case disposition strategies; and on-going program assessment.

Locally, the program has mirrored national trends in progressing significantly since its inception. In 1998 community prosecution was introduced to Oahu as part of the Department of Justice, Weed & Seed program and since then has expanded to other Hawaii jurisdictions. Currently, community prosecution is operating in three of four Hawaii counties. Most of the programs continue to be funded with federal grants that include the Local Law Enforcement Formula Block program and the Byrne grant.

In the last three years, the American Prosecutors Research Institute (APRI) and the National District Attorneys Association have provided Hawaii's community prosecutors with training and technical assistance in community oriented prosecution. The arsenal of tools used by the community prosecutors includes nuisance abatement, drug-free and prostitute-free zones, restorative justice, truancy abatement, and graffiti cleanup to improve neighborhood safety.

Community prosecution is designated as part of Hawaii's system improvement strategy because of the changes to the criminal justice system that is required. The project is dependent on input and participation from the community, faith-based organization, schools, state and local government, businesses, and social service agencies. Community prosecution was also designated as part of the system improvement strategy as "prosecutor's transcend their traditional roles as case processors and forge partnerships with law enforcement, the community, and various public and private agencies to act as problem solvers. It involves traditional and non-traditional initiatives to work within a targeted community to prevent crime, thus reducing the number of arrests and prosecutions"-APRI.

Another community prosecution effort to reduce juvenile crime and delinquency can be found on pages 24 to 27.

Two projects were funded with FY 2002 Byrne funds for a total of \$349,488. Hawaii County, Office of the Prosecuting Attorney received \$178,041 and the Kauai Office of the Prosecuting Attorney received \$171,447.

*Program Description for Community Oriented Prosecution Program
Office of the Prosecuting Attorney, Hawaii County*

The Hawaii County Prosecuting Attorney's program is to reduce crime and improve the quality of life on the Big Island by empowering residents to develop solutions to crime problems; by educating residents on how they can address crime problems; and by involving the community in its use of the nuisance abatement law to tackle drug houses. The project focused on coordinating partnerships with residents, landlords, faith-based organizations, county agencies, and state agencies under both the Executive and Judicial Branches to deter, prevent, and respond to crime. The two deputy prosecuting attorneys for this project coordinated a cross-agency criminal justice response to community priorities; identified local public safety concerns; worked with community policing officers to educate, motivate, organize and mobilize communities; educated school age children about drug education and prevention; expedited screening of drug cases; and enforced drug nuisance abatement laws.

This is the project's second year of funding. The program operated islandwide with two deputy attorneys, an investigator, and clerical support.

Goals and Objectives

The goal is to improve the quality of life in Hawaii County and impact drug trends by increasing communities' involvement in the criminal justice system.

The objectives are:

- to educate 8 new community/business groups on local crime related problems and prevention methods,
- 60% of the residents involved feel that community participation is effective in reducing crime,
- of those communities with a clear problem statement, 50% will have documented progress made toward resolving the community problem that made their communities feel unsafe,
- to initiate actions to remove at least 5 drug houses.

Program Activities

The program determined that it would apply the community prosecution concept islandwide and unlike other community prosecution programs did not identify a specific targeted area to work on. The project built upon existing programs that had community participation interested in reducing crime. The police led community policing program, a multi-agency and community initiative called Community Empowerment Organization (CEO), and a new neighborhood watch coalition are three programs that facilitated early community discussions and participation. The philosophies of the three programs are similar in that they seek to improve

problem solving through community-oriented partnerships to enhance safe and healthy communities. Community policing , CEO, and the watch coalition also operate island-wide.

The project staff participated in 221 group meetings in the last year largely consisting of community members. The major concerns identified at these meetings continued to be crystal methamphetamine in their community, the negative impact of drug houses, and open drug dealing. Also identified were problems related to drug abuse such as thefts, nuisance behaviors (noise, poorly maintained areas), and domestic violence. Other concerns raised were agriculture theft, vector and animal control, abandoned vehicles, parking problems, building code violations, predatory lending, and dealing with mentally ill offenders.

The project completed a survey to measure the impact the program had on the various stakeholders including community members. The project is currently in the process of distributing the survey and collating the results.

The project has been developing a “community cookbook” to help community policing officers who frequently rotate assignments. The cookbook includes recipes on how to resolve common community problems or access resources. Recipes include procedures to closing dead-end road, how to amend county code that are antiquated and difficult to enforce, and acquisition of neighborhood watch signs.

The project staff completed a series of community trainings as part of its crime prevention effort. Trainings have been conducted with students, police, community groups, businesses, and civic organizations. The trainings included domestic violence awareness, drug awareness and prevention, shoplifting prevention, introduction to the legal system, and starting a neighborhood watch.

Among its accomplishments, the project worked with the Neighborhood Place, Community Empowerment Organization, Family Support Services, and former State Representative Virginia Isbell to help Hawaii Housing and Community Development Corporation (HCDC) address on-going crime, health, and safety issues that were occurring at a public housing facility under HCDC jurisdiction. The project also worked in a task force to rewrite the county ordinance on dealing with vicious canines.

The project conducted presentations on drug prosecution to ten communities, and on the Law Enforcement Coalitions legislative packages to the Ocean View Chamber of Commerce and members of the Puna Community Empowerment Organization.

The project was also involved in working with communities interested in applying for the federal Weed and Seed designation. This included working on determining community’s commitment, gathered crime and demographic data, worked with county police, mayor, and federal law enforcement agencies in preparation of sending a letter of intent to the Bureau of Justice Assistance.

Community-oriented prosecution was applied in cases where a small number of offenders were committing a large number of property crimes in targeted areas. The deputy prosecutors

used community input whenever possible in determining plea agreements and sentencing recommendations in these cases.

Performance Measures/Indicators and Evaluation Methods

- number of communities the community prosecution program is working with
- number of community meetings attended
- number of residents who feel that the program is working to reduce crime
- number of participants who participated in crime prevention programs
- number of nuisance abatement cases involving the community, the community prosecutors, and other agencies
- number of cases screened by the community prosecutors

Program Accomplishments and Evaluation Results

- Twenty-one communities are working with the community prosecution program. Some of the communities the project is working with include Kaloko Mauka, Waikoloa, Kealekehe, North Kohala, Waimea, Honoka`a, Waipio Valley, Ahualoa, Ookala, South and North Hilo, Puna, South Kohala, Hamakua, and Kau.
- Staff have attended at least 221 community-oriented meetings.
- The survey to measure the project's impact was distributed to community groups. The project is in the process of collecting and collating the surveys.
- The number of participants in the crime prevention programs is too numerous to count (hundreds). In addition to community members, the county deputy managing director, community police officers, business owners, non-profit organizations, state and county agencies, and members of the county council participated in organizing and/or attending crime prevention programs.
- The project has successfully cleaned up 7 known drug houses through nuisance abatement efforts and removed 2 open drug dealers.
- Sixty-one cases were screened by the community oriented prosecutors.

*Program Description for Kauai Community Prosecution Program
Office of the Prosecuting Attorney, Kauai*

In the Fall of 2001, the Kauai Community Prosecution Program targeted Kapa`a High School and worked to address on-campus problems that included drug use and distribution,

assaults and bullying, and truancy. The project followed similar principles of the Weed & Seed program to identify and target an area experiencing a high rate of drug and drug-related crimes, and to locate participants willing to collaborate and share resources to combat problems in the targeted area. Kapa`a High School (Kapa`a High) is the second largest of the three high schools on the Island of Kauai. The student enrollment from 1999-2001 averaged 1207 students.

According to the Department of Education, Kapa`a High serves a diverse student population with substantial numbers of students of part-Hawaiian, Caucasian, Filipino, and Japanese background. Families' socio-economic status ranges from low income to affluent. The percentage of students receiving free or reduced-cost lunch at Kapa`a High is 37.8%.

For the 2000-01 school year Kapa`a High had 181 student responsible for 356 suspensions. The other two high schools each had 120 students responsible for 169 suspensions (Kauai High) and 198 suspensions (Waimea High). At Kapa`a High, 52 suspension were for burglary, robbery, sale of dangerous drug type offenses; 19 suspensions were for disorderly conduct and trespassing; 135 suspensions were for class cutting, insubordination, smoking; and 39 suspensions were for contraband offenses (eg. possession of tobacco).

This is the project's second year of funding. The program operated with two deputy attorneys, an investigator, and clerical support.

Goals and Objectives

The goal is to improve public safety and the quality of life for the residents of Kauai County through a community-based prosecution program that utilizes problem solving partnerships and long-term solutions to criminal activity in a targeted area.

The objectives are:

- to address the major safety concerns impacting students and faculty at Kapa`a High School, specifically drugs, truancy, harassment, and vehicular traffic control,
- to reduce criminal activity or law enforcement referrals by 10% at Kapa`a High School, and
- to obtain convictions in 80% of cases prosecuted in the program.

Program Activities

The project staff participated in "War/Crisis on Drugs" meetings to improve the coordination of Kauai drug abuse efforts with the Mayor's office. The project coordinated with the police and Kauai Community Correctional Center to have inmates speak to students on the devastating effects of drugs and crime. The staff surveyed the Kapa`a High School faculty and staff to identify problems and solutions. And the staff participated in the police program called "Shattered Dreams" that featured a mock crash, trial, and funeral to demonstrate the legal and

social consequences of drunk driving. The staff met with school faculty and administrators, community organization groups including Kawaihau District Leader's Coalition, Kiwanis club, School Community Based Management, and PTSA. Work began to develop an ACCESS-based information system to track cases dispositions from the targeted area. Traffic enforcement efforts were conducted to reduce speeding and noise.

Performance Measures/Indicators and Evaluation Methods

- A description of long term strategy and accomplishments made.
- Comparison of statistical crime rates during the project period in relation to crime rates prior to implementation of the project.
- Records of disposition of convictions by incarceration, probation, and recidivism in subject cases.

Program Accomplishments and Evaluation Results

- Kapa`a High School Needs Assessment & Priorities:
 - I. Drug Dealing/Drug Abuse
Response needed for drug use and distribution on campus, hot spots on campus where drug activity occurs, students supplied by former students and/or by adult relatives.
 - II. Assaults/Bullying
Response needed for physical force or threats used during drug transactions; force or threats used by drug users against others.
 - III. Truancy/Trespassing
Response needed for students leaving campus with no consequences, students on suspension and on campus with no consequences, and problems with monitoring student activity.
 - IV. Training School Personnel
Training needed on DOE rules regarding juvenile delinquency and crime, on search and seizure laws, and on criminal justice proceedings.
 - V. Traffic
Response needed to address students speeding near/on campus and to protect the elementary students in the adjoining campus from reckless student drivers.

The project coordinated several drugs and crime presentations held at Kapa`a High School for more than 500 students in the 11th and 12th grades. Inmates in a recovery program at the Kauai Community Correctional Center spoke to students about the realities of doing drugs and the problems with being a criminal. The presentations were first held in a classroom and after receiving positive feedback expanded to larger assemblies.

The project worked with the police to coordinate a truancy sweep in April and May. One sweep resulted in 12 arrests.

From January to April 2003, 155 traffic citations were issued to curb the speeding and other vehicle violations in the targeted area. Enforcement citations included seatbelt enforcement, burning rubber, exhibition of speed, safety check violation, and illegal tinting.

Drug education presentations were made to community groups and to faculty and staff at Kapaa High School.

Project staff with the police, firefighters, and ambulance personnel was involved in a mock drama called Shattered Dreams. The program educated students to the pain and loss that can result from driving under the influence of alcohol or drugs.

- Project was unsuccessful in collecting statistical data from Kapa`a High School to establish a crime baseline to compare 2001 with 2002 and 2003.
- For the period of October 1, 2002 to March 31, 2003, 21 cases were prosecuted which resulted in 14 convictions. Forty-six arrests for truancy were referred to the Department of the Attorney General.

CRIMINAL HISTORY RECORDS IMPROVEMENT

Program Overview

The centralized automated system for the maintenance of adult criminal history is housed in the Hawaii Criminal Justice Data Center (HCJDC), Department of the Attorney General. The HCJDC also manages the Automated Fingerprint Identification System (AFIS), which is the centralized automated database of digitized fingerprints of arrestees. The criminal history records system has been in final phase of re-design, which was necessary to accommodate the increased needs of users in the criminal justice system and the public.

The Hawaii Criminal Justice Data Center of the Department of the Attorney General, the sole recipient of the 5% set aside funds, received FY 2000 funds of \$154,468 and FY 2001 funds of \$76,935. Total funding during the report period was \$231,403.

Goals and Objectives

The goals are to complete the re-design of the Offender-Based Transaction Statistics/Computerized Criminal History system and to implement enhancements to the re-designed system.

The objectives are:

- to install the required production environment
- to design, construct, test, and implement interfaces between the re-designed system and external agencies' systems
- to interface with external agencies Records Management Systems
- to increase the electronic transmission of offender information, fingerprints, and mugshots to the re-designed system and the AFIS
- to reduce the amount of charges with pending or missing dispositions

Program Activities

Hardware and software will be purchased and installed. The agency project team will work with the consultant in the installation and fine-tuning of the database. Advanced training is necessary for the project team so that they can effectively perform the database administration, monitoring, and support functions.

Fingerprint cards will be converted into electronic records. An archive workstation will allow authorized users access to the electronic fingerprint records.

Training on use of the new system will be provided to users, using the train the trainer approach.

The re-designed system will integrate or interface with the planned Records Management System (RMS) for Hawaii County. The integration/interface will require enhancements of both the re-designed system and the RMS. Testing of the integration/interface will be performed.

A LiveScan device to integrate the booking process will be purchased for and installed at either the Hawaii County Police Department or the Maui Police Department.

A CardScan device to digitize and electronically transmit fingerprints will be purchased for and installed at either the Maui Police Department or the Honolulu Police Department.

Data integrity checks will be run on a periodic basis to ensure that data converted from the Transitional system to the Core system is accurate and complete. Discrepancies will be researched and corrected. Delinquent dispositions will be researched primarily through the automated systems available and through manual methods when not available.

Performance Measures/Indicators and Evaluation Methods

- successful implementation of interfaces
- successful conversion of fingerprint records
- improvements in the timeliness, accuracy, and completeness of the criminal history and fingerprint repositories
- number of delinquent charges at the beginning and end of the report period.

Accomplishments and Evaluation Results

The re-designed system, known as CJIS-Hawaii, became operational on November 18, 2002. Upgrades to the application and database servers were installed, tested, and certified for production. User technical and security liaison staff were trained on workstation authorization procedures. Client software installation packages were finalized. The consultant performed fine tuning tasks prior to the implementation date and also monitored the database performance once CJIS-Hawaii became operational. The entire production environment was stabilized three weeks prior to operational date.

During October 2002 training on the use of CJIS-Hawaii was conducted for the user agencies. Training sessions were held in the four counties. A Help Desk to respond to user questions and problems was established at the Hawaii Criminal Justice Data Center once CJIS-Hawaii became operational.

Approximately 45,000 fingerprint cards were sent to the AFIS vendor for electronic conversion.

Prior to CJIS-Hawaii becoming operational, test data conversions were run. Data discrepancies and conversion issues were identified and data cleanup was completed. A data audit was run, and the identified discrepancies were resolved. Before and after implementation, the interface jobs were run in parallel on the former system and CJIS-Hawaii. Field comparisons were completed on updated records and discrepancies were corrected.

Requirements and analysis tasks were completed for interfaces between CJIS-Hawaii and the RMS for the Honolulu Police Department and the Hawaii County Police Department. The interface specifications were provided to both departments and the RMS vendors. The HCJDC also provided interface specifications to the Maui Police Department and the Kauai Police Department, both of whom developed Request for Proposals for RMS procurements.

Testing of the interface between the Honolulu Police Department's RMS and CJIS-Hawaii to transfer arrest and temporary restraining order data to CJIS-Hawaii began in June 2003. It is anticipated that the testing will be completed before the Honolulu Police Department's projected implementation date at the end of July 2003 for the RMS.

The HCJDC performed an analysis of the potential technical design and architecture for the Maui Police Department to determine how the integrated arrest and booking system would interface with the RMS. The HCJDC also performed an analysis to develop specifications on how the Honolulu Police Department's RMS would interface with the arrest and booking systems. The LiveScan devices have not yet been purchased and installed for either police department.

CardScan devices to digitize and electronically transmit fingerprints have not been purchased or installed at either the Maui Police Department or the Honolulu Police.

The most current information on pending or missing dispositions is for November 2002. With the implementation of CJIS-Hawaii in November 2002, many reports, including the one that generates the pending and missing dispositions statistics, are still being developed. In November 2002, there were 1,756,067 charges in the criminal history repository. Of that number, 166,458 (9%) had pending or missing dispositions.

FINANCIAL EXPLOITATION

Program Overview

The Department of Human Services (DHS) is required by state statutes to investigate incidents of dependent adult abuse and neglect, including financial exploitation. A dependent adult is defined as any adult, age 18 and older who, because of physical or mental impairment, is dependent upon another person, a care organization, or a care facility for personal health, safety, or welfare. Financial and economic exploitation is defined as the wrongful or negligent taking, withholding, misappropriation, or use of a dependent adult's money, real property, or personal property. The exploitation may involve coercion, manipulation, threats, intimidation, misrepresentation, or exertion of undue influence.

The Financial Exploitation project was implemented on Oahu to improve the department's response to misuse of a dependent adult's money and property. Grant funds have allowed the department to hire a social worker, an investigator/auditor, and a social services assistant to augment the existing adult protective staff on Oahu. The project team investigates reported incidents of financial exploitation and utilizes the skills of the investigator/auditor to examine and evaluate financial documents and records. Accounting and auditing support may be provided on an as-needed basis for adult protective services staff on the neighbor islands.

The Department of Human Services received FY 2001 funds in the amount of \$118,182.

Goals and Objectives

The overall goal of this project is to improve the State's response to incidents of financial exploitation of dependent adults as required by state statutes.

The objectives are:

- to increase the number of financial exploitation reports accepted by DHS by 12 percent or 57 reports,
- of the approximately 120 reports of financial exploitation accepted for investigation, at least 50% will be referred to the investigator/auditor to examine and evaluate documents and records,
- to refer to law enforcement agencies all cases of white collar crime, and
- to initiate monthly community outreach and information sessions on financial exploitation and reporting procedures to at least 300 persons.

Program Activities

The project experienced some delays in hiring the project staff. The social worker and social services assistant were hired in May 2002. The investigator/auditor was not hired until

July 2002. In addition to investigating cases, the project staff has been trying to publicize its services by meeting with various community groups, organizations, and public/private agencies. A project flyer has been developed and distributed. Finally, the project sponsored a statewide training workshop for all DHS adult services professional staff regarding the identification and investigation of financial exploitation.

All intakes and cases investigated by project staff will be entered into the department's automated information system. Special reports will be required on a quarterly basis to isolate cases involving financial exploitation, sorted by geographic area. The computer reports will show the number of reported incidents accepted or not accepted for investigation and the disposition of the cases.

Performance Measures and Evaluation Methods

- demographic data and summary data for financial exploitation cases will be collected and analyzed on a quarterly basis including, but not limited to, age, sex, ethnicity, marital status of the victim; age, sex, ethnicity of perpetrators; living arrangement and dependency status of victims; and confirmation status of the financial exploitation cases accepted for investigation
- number and type of cases requiring the expertise of the investigator/auditor on a monthly basis
- number of cases referred to law enforcement agencies for criminal prosecution on a monthly basis (court dates and outcome of court intervention); reasons for not referring cases to law enforcement will also be included; and
- number of community outreach and information sessions completed; number of participants attended

Program Accomplishments and Evaluation Results

The Financial Exploitation project has improved the DHS response to incidents of financial exploitation of dependent adults by increasing the numbers of reports accepted for investigation. The project also improved the quality of the investigations involving financial exploitation through the use of an investigator/auditor to gather, examine, and evaluate documents and records.

In the fiscal year ending June 30, 2002, DHS investigated 509 statewide reports of dependent adult abuse. Approximately 53 percent of these reports (271 reports) occurred on Oahu. Of this number, approximately 38 cases on Oahu were investigated for financial exploitation. In the fiscal year ending June 30, 2003, the department investigated 607 statewide reports of dependent adult abuse. Approximately 62 percent of these reports (374 reports) occurred on Oahu. Of this number, 88 cases on Oahu were investigated for financial exploitation by a social worker. This is an increase of 50 cases (231%) over the previous year. Of the 88 cases, 59 cases were further investigated by the project's investigator/auditor.

Examples of cases reviewed by the investigator/auditor include:

Caregivers that have control over a dependent adult's funds and the funds are not used for the dependent adult's benefit (i.e. the rent is not paid or medical supplies and/or medications are not purchased);

Family member has access to the dependant adult's credit card and makes purchases without authorization for goods which the victim cannot use; and

Caregiver has dependent resident write checks to the caregiver's previous landlord. The landlord cashes the checks and gives cash to the caregiver.

Procedural changes were instituted by DHS effective February 7, 2003 whereby adult protective services (APS) staff statewide are to report all incidents of adult abuse or neglect (whether accepted or not accepted for APS investigation) and all dispositions of APS investigations to the Medicaid Investigations Division (MID) of the Department of the Attorney General. For emergency assistance to protect the victim of abuse or if sexual abuse is suspected, the APS staff has been instructed to contact the police. Because of difficulties in referring cases directly to the Honolulu Police Department, staff from the Department of the Attorney General has been working with the project staff and the police to facilitate and clarify referral procedures.

The project provided 14 community outreach and informational sessions for 187 participants. The session provided information about dependent adult abuse and neglect. In addition to the community outreach, project staff conducted two one-day trainings in November 2002 on Financial Exploitation: Investigation and Case Development. Participants included county police personnel, deputy attorney generals and investigators, deputy prosecuting attorneys, and physicians and social workers from the Pacific Islands Geriatric Education Center.

FINANCIAL INVESTIGATION

Program Overview

Money laundering remains a major problem at the state, national, and international levels. It is a \$500 billion per year business. While drug trafficking remains the largest single generator of illegal proceeds and money laundering, the Financial Action Task Force (a 26-national organization created to address worldwide money laundering problems) has noted that there has been a significant increase in non-drug related crimes connected with money laundering. Money laundering hurts society by financing further criminal activity and seriously jeopardizes our economy. In the near future, it is anticipated that money launderers will be taking advantage of newly developing electronic commerce, such as stored value cards (often called “smart cards”) and the Internet.

In 1993, Operation Gateway was established to provide state and local law enforcement agencies with direct, on-line electronic access to its financial, commercial, and law enforcement databases to assist in efforts to prevent and detect money laundering and other financial crimes. In 1994, the Department of the Attorney General became the state coordinator for the U.S. Department of Treasury Financial Crimes Enforcement Network (FinCEN) that provides law enforcement agencies around the country with access to law enforcement, financial, and commercial databases. The Department of the Attorney General’s FinCEN and Financial Investigations Unit (FIU) provides direct access to these national data bases through the Gateway system and is the exclusive access point for state and county law enforcement agencies in Hawaii.

The Department of the Attorney General received FY 2001 funds in the amount of \$127,014.

Goals and Objectives

The overall goal of this project is to increase the effectiveness and efficiency of investigations and prosecutions of money laundering operations and other financial crimes.

The objectives are:

- to encourage and develop greater utilization of the databases accessible through Operation Gateway and FinCEN by state and county law enforcement agencies,
- to identify evidence of money laundering and other financial crimes, and prosecute those crimes,
- to coordinate investigations and prosecutions of money laundering and other financial crimes between the FIU and other federal, state, and county law enforcement agencies, and

- to strengthen laws against money laundering and other financial crimes through legislative initiatives.

Program Activities

The FIU, composed of a deputy attorney general, investigator-auditor, and investigator, continues to provide assistance and support to local law enforcement agencies needing to utilize the Gateway system in Hawaii. The unit has developed and provided training in the area of money laundering and other financial crimes. The FIU has been able to assist law enforcement to identify criminal activity with the use of Gateway data and to more effectively use the Gateway system to target money laundering and other financial crimes.

Performance Measures and Evaluation Methods

- number of agencies and requests for FinCEN database inquiries
- number of Suspicious Activity Reports filed by Hawaii financial institutions and the number of reports analyzed by the unit,
- number of cases prosecuted by the unit and the number of convictions obtained,
- number of investigations referred to other law enforcement agencies, and
- number of joint investigations in which the unit participated, and

Program Accomplishments and Evaluation Results

During this past reporting period, the FIU responded to 55 inquiries involving 127 subjects from approximately 12 different State and County law enforcement agencies. The FIU continues to maintain a reduced turnaround/response time a law enforcement request or inquiry on Gateway's financial records databases (was previously five (5) days – now two (2) days). FIU investigators are now able to make appropriate inquiries within twenty-four (24) hours of a request being received. Prior to the project, investigators assigned to make FinCEN/Gateway requests were busy with numerous other duties and were unable to expedite Gateway requests.

The FIU has begun proactive analysis of financial information obtained through Gateway/FinCEN databases. cursory checks are made of Suspicious Activity Reports (SARs) that deal with significant amounts of cash. Due to limited staff, the FIU currently only has the ability to do periodic reviews of these SARs. The FIU focuses its responses primarily on active ongoing investigations. The FIU has also joined the HIDTA Money Laundering/Asset Forfeiture Task Force, a multi-agency initiative co-sponsored by the U.S. Customs Service and Internal Revenue Service. The goal of the task force is to gather and analyze intelligence that will be used to identify and prosecute organizations that use real property to facilitate drug trafficking and money laundering activities.

The FIU is currently investigating six (6) cases involving potential theft, money laundering, and bribery involving both state and county employees. The first case involves theft by a state employee who received double paychecks for a 10-month period. The second case deals with contract fraud involving falsified work orders that generated bills for work that was never done. The third case involves the theft of trust funds by a mortuary home selling pre-need funeral plans. The fourth case involves koa wood that was logged without permission off of State land. The fifth case involves an attorney who took a substantial amount of money while working for a company that was in the process of liquidation. The sixth case involves the sale of promissory notes to investors.

One case involves a coordinated joint-effort with other law enforcement agencies. The case involves a state employee for the airports division who was in charge of the bidding process for airport work. Instead of going through the proper bidding/procurement process, the defendant would rig the process to allow job awards for friends. The theft amount is approximately \$8 million. In addition to the above cases, the FIU continues to provide assistance to the State of Hawaii Medicaid Fraud Unit, Tobacco Unit, and the Investigations Division of the Department of the Attorney General.

HAWAII HIGH TECHNOLOGY CRIME UNIT

Program Overview

Computers have become inextricably woven into our daily lives. In the U.S., 61 percent of all households have a personal computer and 84 percent of these households have access to the Internet. Of those households, 22 percent have more than one computer. Approximately 36 percent of the population has Internet access (almost 99 million people). With the increased availability of computers and Internet connectivity comes a corresponding increase in computer related crimes. There are three areas in which computers are involved: (1) computers as evidence (e.g., theft of computers, hardware, or software); (2) computers as the instrumentality (e.g., hacking, viruses, cyber stalking); and (3) computers as the repository of evidence (e.g., child pornography, billing records, emails).

Until recently, only three detectives from the Honolulu Police Department White Collar Crime Unit were trained to properly investigate computer related crimes and to perform forensics analysis of suspected computers. It became evident that a computer crime unit at the state level with properly trained investigators and the most up to date equipment and forensic capabilities would be necessary to help all counties as computer crimes continue to increase. Consequently, the Hawaii High Technology Crime Unit (HHTCU) was established to increase the investigative capabilities of local law enforcement in the detection, investigation, and prosecution of computer related crimes. Additionally, the unit has established a forensics laboratory and will provide needed training in computer investigations and forensics.

The HHTCU project received FY 2001 funds in the amount of \$205,454.

Goals and Objectives

The overall goal of this project is to increase the effectiveness and efficiency of investigations and prosecutions of computer related crimes in the State of Hawaii.

The objectives are:

- to increase the investigative capabilities of local law enforcement officers in the detection and investigation of computer related crimes,
- to create a Statewide High Technology Task Force,
- to increase the number of computer related cases being investigated by state and county law enforcement,
- to increase the number of computer crime cases being prosecuted by the State, and
- to develop legislative initiatives to address the needs of law enforcement in its efforts to combat computer crimes.

Program Activities

The Hawaii High Technology Crime Unit (HHTCU) is a first-time project. As such, initial project activities have focused on such administrative matters as the hiring of staff and ordering necessary forensic supplies/equipment for the new forensic laboratory. The unit will consist of two (2) investigators and one (1) deputy attorney general (half-time). Existing departmental personnel will provide necessary clerical/administrative support. In addition to investigations, the unit initiated work on establishing a statewide high technology task force and also has prepared a training program.

Performance Measures and Evaluation Methods

- number of law enforcement officers receiving training in the area of detection and investigation of computer related crimes,
- number of agencies agreeing to participate in a Statewide High Technology Crime Task Force,
- number of cases in which the Hawaii High Technology Crime Unit has provided investigative assistance to other agencies relating to computer crimes,
- number of computer related criminal prosecutions, and
- number and types of legislation developed to combat computer based crimes.

Program Accomplishments and Evaluation Results

The Hawaii High Technology Crime Unit (HHTCU) has been assisting the Department of the Attorney General in a theft case involving the use of computers. Specifically, HHTCU has been assisting in the recovery and examination of possible computer evidence in a case involving fraudulent contracts and alleged over billing by contractors. HHTCU has also investigated computer crime cases involving a computer virus, email harassment, and theft. In September 2003, HHTCU participated in a seminar hosted by the National Infrastructure Protection Center to inform other law enforcement agencies about HHTCU and State legal issues involving computer crime.

Work has also been initiated to create a statewide high technology taskforce. State, county, and federal law enforcement agencies have been identified and approached regarding the formation of such a taskforce. Surveys were conducted and compiled to assess the community's needs in investigating and prosecuting computer related crimes. A Memorandum of Understanding has been drafted and distributed to all participants. Subsequent follow up meetings and continuing collaboration efforts are anticipated.

HHTCU continues to participate in state, national, and international organizations targeting computer crime. HHTCU is looking into starting a High Technology Crime

Investigation Association International, Inc. (HTCIA) chapter in Hawaii to network with other professionals, both public and private, who are interested in this area and are located in Hawaii.

HHTCU is preparing two cases for trial and has investigated or is in the process of investigating 25 cases. One of the cases is for an Unauthorized Computer Access in the Third Degree.

Because the HHTCU project remains in its initial stages, relevant computer crime related legislation has yet to be identified. It is anticipated that as the project unfolds, such legislation will be developed and supported.

INTERAGENCY COUNCIL ON INTERMEDIATE SANCTIONS

Program Overview

The Council's mission is to develop a shared vision for the enhancement of Hawai'i's intermediate sanctions and to guide the collaborative effort to realize that shared vision. Council members consisting of the Departments of Public Safety, Health, Attorney General, and the Judiciary, continue a collaboration on sharing expenses and resources.

Assisted with a National Institute of Corrections (NIC) technical assistance grant, the Council met in December, 2001 and February, 2002 with NIC representatives, George Keiser, Mark Gornik, Brad Bogue and William Woodward, for initial implementation planning. The initial work by the Council reflected the following decisions on its goal, direction, and needs:

- That the vision of the Council is reduction of recidivism by 30% across all sectors of Hawaii's criminal justice system having jurisdiction for offenders;
- That recidivism would be defined as a new arrest, or probation, parole, or pretrial revocation within 3 years of onset of community supervision;
- That the system will adopt statewide adult offender assessment protocols. The empirically-based LSI-R and Adult Substance User Survey (ASUS) protocols will be used; and
- That the initial scope for the assessment protocols is statewide implementation of screening and LSI-R/ASUS for all adult felons and screening of adult misdemeanants for actuarial development.

The Council developed a 5-year strategic plan to implement a system-wide, standardized assessment protocols to match offender to level of supervision and services by identifying LSI-R risk factor severity to "what works" approach in services. The five-year plan also includes training for service providers in effective treatment programs that target risk factors to reduce offender recidivism. The Council's plan also includes studying and measuring the effectiveness of the offender assessment protocols, matching offenders with services, and program efficacy.

The Judiciary received FY 2000 in the amount of \$70,134

Goals and Objectives

The goal is to improve intervene is offenders' lives in ways that will reduce recidivism and future victimization.

The objectives are:

- by November 2002, implementation and installation of a systemwide LSI-R assessment protocol and quality assurance process for adult offenders,

- 80% of the targeted adult criminal justice professionals will complete LIS-R and ASUS training, and
- by March 30, 2003, the statewide approach to offender assessment will be operating in 75% of the system agencies.

Program Activities

The Interagency Council on Intermediate Sanctions (ICIS) grant-funded coordinator position was filled in August 2002. A project coordinator was necessary to ensure coordination between the number of executive departments, county offices, and the Judiciary could be accomplished. The coordinator is responsible for timely planning and coordination of participants and resources, to establish key working relationships among the participants, and to maximize the available federal assistance. One of the coordinator's major responsibilities during this reporting period was the statewide training of the LSI-R assessment and ASUS protocol. Training included staff from all of the probation and parole offices, the prison and jail facilities, and the pre-trial intake service offices.

NIC provided consultative services for implementation planning, training of LSI-R trainers, evaluation of LSI-R data, quality assurance services, and follow-up assistance.

Performance Measures/Indicators & Evaluation Methods

- number of personnel trained in LSI-R and ASUS.
- date of implementation of the LSI-R and ASUS for all felony offenders.

Program Accomplishments and Evaluation Results

- More than 20 criminal justice professionals representing Judiciary, Department of Public Safety, and Hawaii Paroling Authority were trained as LSI-R and ASUS trainers. These trainers then trained 327 staff personnel and private vendors from October to December 2002. Make-up sessions were conducted in January 2003 for personnel unable to attend earlier trainings. Therefore all of the staff were trained in LSI-R and ASUS.
- LSI-R and ASUS roll-out date has been postponed until March 2004 because an insufficient number of LSI-R and ASUS trained staff received the necessary certification. ICIS's goal is to have at least 80% of the personnel meet the proficiency levels of the LSI-R before officially starting. The new roll-out date is March 2004.

JUDICIAL SYSTEM IMPROVEMENT

Program Overview

Trial judges require access to guidance on how to proceed in certain courtroom situations that would provide them information such as standard uniform checklists, scripts, or colloquies to be used in criminal proceedings. Readily available and reliable information such as these would enable judges to carry out their responsibilities as well as assure compliance with relevant and often changing case law, statutes, court rules, ordinances, and administrative orders without resorting to cumbersome independent research on the law. In 1986, a hard copy benchbook entitled "*Hawaii Criminal Benchbook*" was developed for use by the Judiciary. This benchbook is now extremely outdated, and its loose-leaf format created a bulky size that made it difficult to be used directly on the bench. Judges could not easily retrieve the information they sought, and were forced to recess court in order to flip through pages to locate and review the appropriate sections. Many trial judges have resorted to creating their own benchbooks, but the lack of a mechanism to share this information results in a situation where there is no uniform reference on the bench and no assurance that the information contained in any individual benchbook is current and regularly updated.

This problem is intensified for recently appointed judges or current judges rotating to the criminal bench. New judges do not have a specific resource to consult with regarding the handling of court proceedings. Without a uniform benchbook readily available, many of the new judges are left to polling judges already on the bench and sometimes receive conflicting or outdated information. Judges that rotate from civil, family or other calendars are likely to spend a considerable amount of time reviewing material in order to make timely rulings that reflect all the relevant case law from the criminal bench.

Development of an electronic format to incorporate the information for a benchbook would enable judges to retrieve updated and accurate information from the bench. This would alleviate the need to recess court to engage in lengthy legal research and also ensure the accuracy and uniformity of their results.

The Judiciary will develop and implement an electronic benchbook for trial judges that will enable them to increase the level of efficiency and effectiveness of the trial proceedings. The benchbook will provide some synopses of relevant points as they apply to trial situations and allow judges to annotate information with their own notes, search for relevant information, and bookmark it for future reference. The use of a CD-ROM software will allow for regular updates during the year. A tutorial is also included that will assist in the training/orientation of recently appointed/rotated judges to the criminal bench by providing a comprehensive resource to consult with regard to handling court proceedings that reflect all of the relevant case law from the criminal bench.

The Judiciary received FY 2002 in the amount of \$108,375.

Goals and Objectives

The goal is to increase the effectiveness of delivery and use of standard information by judges on the bench.

The objectives are:

- to provide updated material to participating judges in the pilot group twice in the first year of the project,
- to provide updated material to participating judges in the pilot group twice in the first year of the project, and
- to increase the level of comfort and effectiveness of judges in trial proceedings in the courtroom.

Program Activities

Establish judicial committee and strategy for updating material; select vendor for software development; select judges for participation in pilot project; and purchase hardware equipment for implementation. Conduct initial survey to participating (Pilot Project) judges to gain qualitative information concerning their current practices and comfort level; conduct follow-up survey six months after implementation of electronic benchbook.

Performance Measures/Indicators and Evaluation Methods

- completion of strategy,
- completion/distribution of software for electronic benchbook,
- purchase and installation of laptop computers for pilot project personnel, and
- pre- and post-survey measurements.

Program Accomplishments and Evaluation Results

- A legal consultant has been contracted and has produced over half of the benchbook material.
- The software contractor has been selected and has incorporated the initial material into the first draft of the benchbook.
- The draft software has been installed into computers of the Benchbook Committee members for testing and editing.

SENTENCING SIMULATION MODEL

Program Overview

The Sentencing Simulation Model Project (SSMP) is a computer-based technique that can evaluate the impact of current policies and examine the likely outcome of proposed policy changes. It uses information from the criminal justice system (Hawaii Criminal Justice Data Center, probation, parole, prison & jails), integrates policies, and produces estimates of the outcome of these interactions in terms of correctional resources. Without a sentencing simulation model, the state has no dependable means to apply proposed changes to sentencing policy and forecast how those changes would have an effect on future population growth. The Texas Criminal Justice Policy Council, which for the last 12 years has operated a sentencing simulation model, provided Hawaii's Department of Public Safety and the Corrections Population Management Commission (CPMC) technical assistance to design and implement a Hawaii model

The Department of Public Safety received FY 2001 in the amount of 58,432 and FY 2002 in the amount of \$64,941 for a total of \$123,373.

Goals and Objectives

The goal is to improve criminal justice population forecasting for policymakers.

The objectives are:

- to develop a computerized sentencing simulation model that uses information about the criminal justice system, offenders, and sentencing practices to project the impact of current and proposed sentencing policy on criminal justice populations; and
- to maintain a sentencing simulation working group to identify strategies for forecasting growth and data that should be included in model.

Program Activities

The project is tasked with building an automated sentencing simulation model based on data from the Judiciary, Hawaii Criminal Justice Data Center, Hawaii Paroling Authority, and the Department of Public Safety. In its third year of funding, the project activities were primarily geared toward increasing data integrity and manipulating the retrieved data in a manner that is useable for the simulation model. The sentencing simulation model became fully operational in December 2002 and can perform case based simulations to provide policymakers and departments with timely information about the future of the State's correctional population. The collection and analysis of updated agency data, and inputting within the model will be on-going. The first two years were spent developing and implementing the computer system and interfacing it with offender information systems at the Judiciary, Departments of Public Safety and the Attorney General, and Hawaii Paroling Authority.

The project will continue to field and respond to inquiries from the Correction Population Management Commission for simulations on proposed legislation or policy decisions that impact corrections.

In consultation with Dr. Pablo Martinez of the Texas Criminal Justice Policy Council, the project reviewed the progress made on the development of the simulation model, worked on a baseline corrections population projections, and conducted cursory work on case-based modeling aspects of the model.

Performance Measures/Indicators & Evaluation Methods

- application of data to sentencing simulation model
- outcomes from the sentencing simulation working group

Program Accomplishments and Evaluation Results

In January 2003, the project completed its first annual report, *Corrections Populations: Trends and Projections (1993-2007)*. The general summary from the report is that the baseline projections indicate that past trends will continue in the same direction as the past, which mean prison, parole and probation will see an increased growth. However, growth is estimated to be slower than the previous five and ten-year periods. One of the notable findings is that admission to prison will gradually shift away from offenders sentenced directly from the courts, to parolees and probationers revoked and returned or re-sentenced to prison. The report cites that while the direct sentenced felons group is still projected to be the majority of admissions, the proportion of the two groups is estimated to begin approaching parity. The projected population ratio in 2007 is 53.1% for direct sentenced felons vs. 46.9% probation/parole violators. The average ratio over the past five years is 58.1% direct sentenced felons vs. 41.9% for probation/parole violations.

The project completed three simulations requested by state legislators. The simulations included two on mandatory minimum sentences for motor vehicle thefts, and another on prison projections for three-strikes legislation.

No Sentencing Simulation Working Group meetings were held during this reporting period. The members consist of agencies representatives who work directly with data and management information systems. Other meetings were held separately with group members to discuss agency specific issues and concerns. The next meeting is scheduled for July 2003.

VIOLENCE

COMPUTER CRIMES AGAINST CHILDREN

Program Overview

Computers and the Internet have provided sexual predators with another means to prey on children. Children are increasingly computer-literate, and many children use the Internet with little or no supervision. Pedophiles and child molesters are able to exchange child pornographic images and movies and to lure children in chat rooms. Electronic conversations are conducted through chat rooms, bulletin boards, and e-mail.

The use of computers and the Internet in the sexual exploitation of children is relatively new. To address the growing problem, Congress created the Internet Crimes Against Children Task Force Program to assist state and local enforcement agencies in developing an effective investigative response. Hawaii is a participant in the federal program. In June 2002 Hawaii enacted a law relating to the electronic enticement of a child, making such a crime a class B felony. The Hawaii law has yet to be tested.

Aggregate Funding Information

Two projects, totaling \$71,190, were funded. The Honolulu Police Department received FY 2001 award of \$30,000, and the Maui Police Department received a FY 2002 award of \$41,190.

Goals and Objectives

The goal is to reduce the incidence of child sexual exploitation in which the Internet is used.

The objectives are:

- to initiate proactive child enticement cases
- to identify individuals suspected of electronic exploitation of children
- to increase the knowledge of investigators on conducting computer-related investigations
- to increase the knowledge of the public on crimes against children via the Internet

Program Activities

Computer systems will be purchased and dedicated for the purpose of conducting operations. Investigators will acquire training on conducting cyber-enticement investigations and on computer forensics. Both proactive and reactive cases will be initiated. In reactive cases,

investigators will act on information provided by victims and witnesses. Investigators will proactively conduct sting operations on suspects using the Internet to lure children for sex or pornography.

Performance Measures/Indicators and Evaluation Methods

- number of suspects identified
- number of proactive cases initiated
- number of arrests
- number of investigators trained
- number of community presentations made

Accomplishments and Evaluation Results

A full time investigator from the Honolulu Police Department is co-located with the Hawaii Internet Crimes Against Children Task Force, working jointly with investigators from the state Department of the Attorney General and Federal Bureau of Investigations agents. As a result, five felony cases were made with five arrests. Two of the suspects have been indicted, and three of the cases are pending the grand jury. At least 60 reactive cases are pending, and 26 suspects have been identified.

In the four months since the program was established the Maui Police Department has assigned a part time investigator to the project. Computer equipment has been purchased, and a secure room to conduct operations has been designated. Presentations on Internet safety were provided at two schools.

Investigators attended the following training: Cyber 105, May 2003, in Fort Meade, Maryland; and Child Sexual Exploitation training, June 2003, in Honolulu, Hawaii.

DOMESTIC AND FAMILY VIOLENCE

Program Overview

Domestic violence, which includes the physical or extreme psychological abuse or threat of imminent harm between family or household members, has been expanded to include persons who have or have had a dating relationship under Act 186, effective June 7, 2000. Arrests under the Abuse of Family and Household Members (AFHM) statute (HRS § 709-906) decreased by 15% statewide from 2001 to 2002, after a two-year climb in arrests from 1999. Only the County of Kauai had an increase in arrests during this period (17%). Honolulu County showed a decrease of almost 19% between 2001 and 2002 arrests. Similar to the number of CY 2002 AFHM reports, the number of arrests represents the lowest over the eight-year period from CY 1995.

The arrest rate for domestic abuse under the AFHM statute appears higher in the Neighbor Island counties, in proportional to the population (see Figure 1 below). Maui County police reports include *both* verbal and physical abuse, but would average 18.6% if limited to physical abuse incident reports only, as done in the other counties. This figure would put it within the range of reporting with the other Neighbor Island counties.

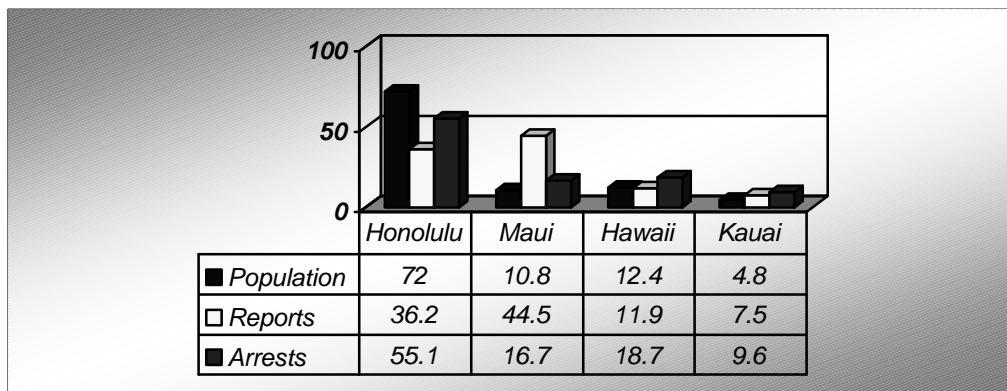


Figure 1. Distribution of Arrests/Reports for Abuse (percent) - CY 2002

In statistics compiled by the Department of the Attorney General and Hawaii State Coalition Against Domestic Violence (HSCADV) for the eleven-year period between 1992 and 2002, the number of “domestic violence-related” murders in Hawaii has steadily declined. Under the definition applied to this phrase, the data are based on a review of relationship circumstances, and include murders resulting from either child abuse or domestic violence, and count both victims and perpetrators in murder-suicide cases. Refer to Table 1 below.

Table 1

Domestic Violence-Related Murders, State of Hawaii, 1992-2002		
Year	Number of DV-Related Deaths	DV-Related murder rate, per 100,000 residents
1992	15	1.3
1993	11	0.9
1994	10	0.9
1995	16	1.4
1996	8	0.7
1997	8	0.7
1998	6	0.5
1999	7	0.6
2000	10	0.8
2001	8	0.7
2002	7	0.6
1992-2001	106	0.83

Source: Crime Prevention and Justice Assistance Division, Dept. Of Attorney General and HSADV

Aggregate Funding Information

Three projects were funded for a total of \$298,556. The Judiciary received FY 2000 funds in the amount of \$118,810 for a Family Court probation project and \$59,746 for an Adult Probation Unit. The Department of Public Safety initiated a violence reduction program for incarcerated domestic violence offenders with \$120,000 in FY 2001 funds.

*Program Description for the Domestic Violence Probation Project
The Judiciary, First Circuit Family Court*

Family Court of the First Circuit, Adult Services Branch project, Domestic Violence (DV) Probation, established an intensive supervision unit for domestic violence probationers to increase offender accountability through additional monitoring, drug testing and mandatory educational sessions. The clientele includes offenders convicted of misdemeanor domestic violence offenses and who have substance abuse problems.

Goals and Objectives

The goals are

- to increase the criminal justice system response to domestic violence perpetrators who have substance abuse issues,

- to increase offender accountability and compliance to terms of probation,
- to increase the offender competency level, and
- to maintain the safety of the community.

The objectives are:

- to provide training to staff on supervising and assessing probationers in substance abuse, to develop specific policy and protocol addressing agency collaboration and response to domestic violence cases,
- to refer probationers to substance abuse treatment, domestic violence intervention programs, and cognitive restructuring instructions,
- to decrease the number of probationers receiving substance abuse treatment, domestic violence intervention treatment, and/or cognitive restructuring techniques that will reoffend, and
- to increase probationer restitution compliance to victims.

Program Activities

The DV Unit ceased operations on June 30, 2002, based on a decision by the Judiciary's First Judicial Circuit Court Administration. There has been no activity relating to retaining the specialized DV Probation unit since that time, in light of the Judiciary's reorganization plan that went into effect in September 2002. Under the Judiciary's plan, the specialized DV Unit has been replaced by the new Adult Client Services Branch, which will have all probation staff trained to utilize a new LSI-R assessment tool to tailor appropriate services to domestic violence probationers. Discussion regarding the new objectives for this project has focused on upgrading probation services to DV probationers through this newly implemented LSI-R assessment and providing appropriate DV instruments ("trailers") for probation staff to use with these cases. Transition and responsibility were unclear for a number of months, as personnel have been reassigned roles or transferred to new units. As the project reached its 48-month cap in April 2003, remaining funding was transferred to the Managing High Risk Offender Project (see following project section) to utilize in the procurement of the assessment tool "trailer" for DV offenders.

Performance Measures/Indicators & Evaluation Methods

- number of probation staff trained on identifying and investigating domestic violence cases and substance abuse
- number and percentage of probationers who successfully complete substance abuse, domestic violence intervention, and cognitive restructuring programs,

- percent of probationers who are re-incarcerated during the project period.

Program Accomplishments and Evaluation Results

- In the remaining ten months of the project, no project activities were accomplished toward the existing project objectives, although discussions were held under the new Adult Client Services Branch to complete the transition of some of the projects objectives and activities to the Managing High Risk DV Offenders Project, as both are projects under this new branch.

Program Description for the Managing High Risk Domestic Violence Offenders The Judiciary, First Circuit Court

First Circuit Court, Adult Probation project, Managing High Risk Domestic Violence Offenders, established a correctional supervision model for felony-level repeat domestic violence (DV) offenders that complements the services of the Family Court project above. Emphasis is placed on increasing accountability and educational competency level of the serious offender, while maintaining the safety of the victim and community.

Goals and Objectives

The goals are:

- to increase the criminal justice system response to domestic violence perpetrators who have substance abuse issues,
- to increase offender accountability and compliance to terms of probation,
- to increase the offender competency level, and
- to maintain the safety of the community.

The objectives are:

- to provide training to staff on supervising and assessing probationers in substance abuse, to develop specific policy and protocol addressing agency collaboration and response to domestic violence cases,
- to refer probationers to substance abuse treatment, domestic violence intervention programs and cognitive restructuring instructions,
- to decrease the number of probationers receiving substance abuse treatment, domestic violence intervention treatment, and/or cognitive restructuring techniques that will reoffend, and

- to increase probationer restitution compliance to victims.

Program Activities

The project reported a total of 256 offenders placed under supervision during the project period. The First Judicial Circuit implemented a reorganized program between January and April 2003 under which all domestic violence offenders were maintained in one unit. All existing felony cases were transferred to probation officers in Supervision Section II, along with all new felony cases originating from circuit court for probation supervision. Absorbing the felony DV population into the already specialized misdemeanor population would ensure consistency in managing this population and provide DV intervention funding opportunities through existing purchase of services contracts.

Two initiatives, the Interagency Council on Intermediate Sanctions (ICIS) and Achieving Court Excellence (ACE), directly impacted and influenced the direction of this project. The ICIS focused on use of empirically-based tools to assess risk and to provide a matching of effective interventions that are based on “best practices” principles. The ACE reorganization provided the means by which all DV cases would be maintained under one umbrella. In February 2003 committees were formed in each of the four judicial circuits to oversee the implementation of the domestic violence assessment tools adopted by the ICIS. The primary assessment tools were the Level of Service Inventory – Revised (LSI-R) and the Adult Substance User Survey (ASUS), with the Spouse Abuse Risk Assessment (SARA) selected for the DV population. The committees are conducting monthly meetings to establish training and feedback on the implementation.

Performance Measures/Indicators & Evaluation Methods

- number and percentage of probationers who successfully complete domestic violence intervention and cognitive restructuring programs,
- percentage of probationers who make restitution,
- number and percentage of re-arrests or new charges for probationers during project period, and
- percent of probationers who are re-incarcerated during the project period.

Program Accomplishments and Evaluation Results

- Of the 140 ordered to enroll in DV intervention programs, 89 (63%) completed and 49 (35%) remain active, with 3 (2%) offenders terminated prior to completion. Formal training for cognitive restructuring techniques was suspended due to increased workload demands on probation officers in the Supervision Section II.
- Of the 34 offenders ordered to make restitution, all 34 (100%) have completed the

payment in full or continue to make payments as required.

- Only 2 (.78%) of 256 defendants were convicted of new offenses.
- Eight (3%) of 256 defendants had probation revoked and were resentenced to prison.

*Program Description for the REACH Program for Sentenced Male Perpetrators
Department of Public Safety*

The Department of Public Safety (PSD) established a collaborative effort with the Family Court, First Circuit to address the need for a continuum of intervention services for male perpetrators of domestic violence.

Goals and Objectives

The goals are:

- to establish a continuum of services at the Oahu Community Correctional Center for short-term domestic violence offenders sentenced six months to one year;
- to develop and implement an intensive education program to address short-term domestic violence offender needs in cognitive restructuring and violence reduction, chemical addiction, and parenting; and
- to reduce the number of re-offenses for probation violations, and violations of temporary restraining orders and protective orders, and increase the number of offenders who successfully complete probation.

The objectives are:

- to provide court-ordered domestic violence programming through contracted services with community based agencies adhering to the Hawaii Batterers Program Standards;
- to establish an integrated case management system for offenders transitioning back into the community;
- to screen for levels of risk in the areas of denial of domestic violence, stress and substance abuse; and
- to establish performance standards to evaluate offender progress in the program.

Program Activities

The project contracted the educational and cognitive services, including the drug screen component. Delays in the initial start-up have resulted in several contractors completing their portion of the service contract prior to implementation of corresponding services that had yet begun. PSD has combined the integrated case management team with the coordinating council for more efficient use of providers' time and availability. Communication and participation with adult probation office needed to be addressed to improve coordination of services.

Performance Measures/Indicators and Evaluation Methods

All demographic and program participation information will be recorded in the Correction Education Program Services, Student Management System (SMSII), available on-line to probation officers and service providers with password access to a secured server. Information will include:

- Reduction in risk for verbal and physical abuse as measured by the Domestic Violence Inventory,
- Participation in programs specified in service plan,
- Reduction in risk for chemical abuse as measure on the ASI, and
- Percentage of participants who do not complete programming or who violate probation orders.

Program Accomplishments and Evaluation Results

The program has had a total of 121 participants in the four programs (Cognitive Restructuring and Violence Reduction, Nurturing Fathers, Substance Abuse, and Breaking Barriers). Ninety-one service plans were developed, including 35 release plans. Thirty percent of program participants transitioned to community programs. During this period there were six (6) violations of orders, six (6) terminations in community programming, and three (3) returned to jail.

HOMICIDES

Program Overview

In East Hawaii there are 136 unsolved murder/manslaughter cases, dating back to 1968. Homicides are investigated by the Criminal Investigation Section, which is staffed with 10 investigators. Due to the lack of personnel, investigators assigned to property crime cases are sometimes called upon to assist in homicide cases. These investigators may not have the necessary experience and training in homicide investigations. Investigators are also responsible for collecting crime scene evidence, since the Hawaii County Police Department does not have technicians to complete the task.

The Hawaii County Police Department was awarded FY 2001 funds of \$102,000 for one project.

Goals and Objectives

The goal is to reduce unsolved homicides in Hawaii County and to increase the efficiency of violent crime investigations by improving the quality of investigations.

The objectives are:

- decrease the number of unsolved homicides by 4 during the project period,
- 80% of violent crime cases will be accepted for prosecution during the project period,
- increase the knowledge of patrol personnel within Area I of the Hawaii County Police Department on crime scene preservation, and
- work collaboratively with the Office of the Prosecuting Attorney to provide timely legal advice and victim witness services within 48 hours of a violent crime occurring.

Program Activities

A Violent Crime Unit, consisting of 4 investigators and two evidence specialists, would be established in the Hawaii County Police Department. The unit would develop and implement problem-solving strategies for all violent crime cases. Unsolved homicides will be reviewed to determine the feasibility of solving the cases.

Several tools will be used in the investigations. Crime scene software will be purchased and installed to track investigations. The computer system will also allow Internet access to conduct database searches for witnesses, suspects, and leads. Forensic equipment will be purchased to assist in the reconstruction of crime scenes. Forensic evidence analysis will be conducted on trace evidence, DNA evidence, and other evidence.

The Violent Crime Unit will attend training in topics such as forensic science, homicide investigations, and crime scene processing.

Performance Measures/Indicators and Evaluation Methods

- number of unsolved homicides reviewed and investigated
- number of cold cases solved
- number of violent crime cases referred and accepted for prosecution
- number of patrol officers trained
- number of investigators trained and type of training received
- hiring and training of evidence specialists
- number of victim/witnesses provided services within 48 hours

Accomplishments and Evaluation Results

The Hawaii County Police Department terminated the project, because meeting the objectives seemed unlikely, given the resources that were available. Due to a shortage of sworn personnel, a dedicated unit for cold cases did not materialize. In addition, efforts to hire evidence technicians to relieve the workload of the detectives were hampered by the protracted hiring practices of the county.

VIOLENT CRIME

Program Overview

The Byrne grant funded a specialized police sex crime investigation unit on the Island of Hawaii.

The Hawaii County Police Department continued its specialized Sex Crimes Unit and began its fourth and final year on December 1, 2002. The unit was formed in response to the number of sex assault investigations conducted by the Hawaii County police and the low percentage of cases accepted by the prosecutor's office from 1996 to 1998. In 1996, 343 sexual assaults were investigated of which 109 (32%) were accepted by the prosecutor's office as having sufficient evidence to prosecute. In 1997, 352 sexual assaults were investigated of which 92 (26%) were accepted as having sufficient evidence to prosecute. One hundred sixty sexual assaults were investigated in the first six months of 1998, of which 32 (19%) were accepted by the prosecutor's office for prosecution. In comparison, the rate of prosecution for sex assault cases investigated by the Honolulu Police Department, was 45% for both 1996 and 1997, and 48% in the first half of 1998.

Aggregate Funding Information

The Hawaii County Police Department received FY 2001 and FY 2002 funds in the amount of \$64,361 and \$65,020 respectively during the reporting period. The total funding for this program area was \$129,381.

Program Description for the Sex Crimes Unit, Hawaii County Police Department

The Hawaii County Police Department's Sex Crime Unit began operating on January 1, 2000. Profiles of past victims indicated that approximately 80% of the sex assault investigations were expected to involve victims who are children. Sex assault investigations are growing in complexity as advances in science provide newer facets of the sexual assault investigation. Consequently, the investigators were trained in the use of DNA in investigations, methods of detecting "date rape" drugs, drug related sexual assaults, and the use of interviewing techniques that strengthened the integrity of the case. The unit worked in collaboration with the prosecutor's office, sexual assault support services that included sex assault nurse examiners, Child Protective Services, and the Children's Justice Center. The unit in December 2001 worked to improve its capacity to investigate cybercrime; crimes committed by sex offenders who use the Internet to contact potential victims and solicit and trade child pornography.

Goals and Objectives

The goal is to improve the quality of the Hawaii County Police Department's investigations of sexual assaults against juveniles and adults.

The objectives are:

- to improve the rate of prosecutable sex assault investigations being submitted to the prosecutor's office by 10%,
- to provide eight detectives in the Sex Crimes Unit with specialized training in the area of sexual assault investigation,
- to provide bi-monthly in-service training for members of the patrol division,
- to insure the immediate "after-hour" response of detectives to reported sexual assaults, and
- to form a two-member computer crime investigation team.

Program Activities

The Sex Crimes Unit is comprised of eight detectives assigned to the specialized unit. Five detectives are assigned to East Hawaii which includes the county seat of Hilo. Three detectives are assigned to West Hawaii which includes the community of Kailua-Kona. Two of the eight positions are grant-funded positions. To improve the response to sex crimes, the unit has established a stand-by schedule for detectives to respond to off-hours complaints for both sides of the island. The unit also conducted bi-monthly in-service trainings for patrol officers. Patrol officers are usually the first responders and the training ensured that sex crimes were referred to unit for investigation, and victims were referred to resources for medical attention, counseling, and other auxiliary services.

The major part of the unit's work is the on-going investigation of sex crimes. While the quality of the investigations appears to be improving, quantifying this has proven difficult. The project envisioned that the increased number of cases accepted by the prosecutor's office would be indicative of better investigations completed. However, three major factors were not taken into consideration: the amount of time the prosecutor's office takes to determine if a case is prosecutable; the amount of time the detectives take to complete investigations; and the high number of Child Protective cases received against the comparatively low number that are referred to the prosecutor's office due to insufficient evidence or victim's refusal to say what happened.

The number of cases investigated by the unit remained relatively unchanged from the previous year. From June to November 2002, the unit investigated 189 sexual assaults of which 43 cases were accepted by the prosecutor's office for prosecution. From December 2002 to May 2003, the unit investigated 174 sexual assaults of which 36 were accepted by the prosecutor's office for prosecution. (It should be noted that it takes about a year before the unit is notified by the prosecutor's office if a case has been accepted.)

The Computer Crimes Investigators of the Sex Crimes Unit received training from various programs, from either a Law Enforcement entity (FBI, State AG's Office, HPD) or the

private sector (SEARCH, NW3C). There are presently two investigators who has been trained in the field of on-line investigations. One detective of the two detectives received further training as a computer forensic examiner. That detective recently started to conduct exams on cases, which range from Sex Assaults to Child Pornography.

Performance Measures/Indicators & Evaluation Methods

- number of sex assault cases investigated
- number of cases submitted to the prosecutor's office, and number accepted for prosecution
- number in-service training completed
- average time it takes to assign a detective to a reported sexual assault
- statistics of computer crime investigations as they relate to sexual assault, on-line predators, and protecting children on-line.

Program Accomplishments and Evaluation Results

- Three hundred sixty-three cases were investigated or are being investigated by the unit, of which seventy-nine cases (21%) were accepted for prosecution.
- Twenty-five in-service training were conducted with patrol officers. The topics included changes to age of consent statute, the role of the sex assault nurse examiners, patrol response to sex assaults, new sex crime referral forms, and child interview procedures. An eight-hour course on sex crimes was also given to all recruit officers.
- The unit responded to 35 after-hour sex assault calls. The average time for a detective to be assigned during off-hours by the unit's lieutenant was 5 minutes.
- One of the two trained investigators currently has three active cases (1-Sex Assault, 2-Child Pornography) in which he is conducting computer exams.

APPENDIX