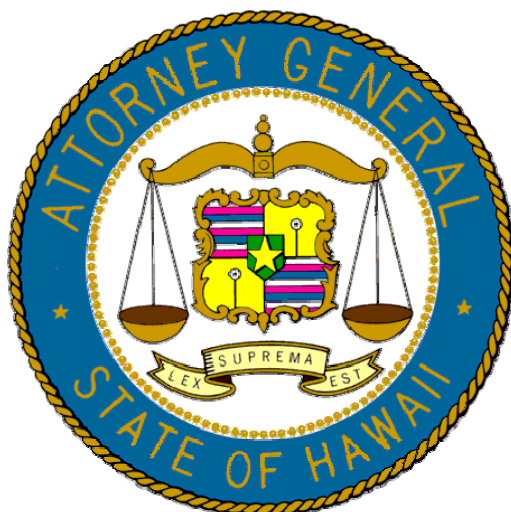


2005 ANNUAL REPORT

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**

November 2005

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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. Of the six priority areas, five priority areas were funded during this reporting period: drug interdiction and treatment, property crimes, prison overcrowding, system improvement, and violent crimes. While some priority areas such as system improvement and violent crimes were funded more heavily than others, the overall purpose of the grant was to create safer communities and improve the criminal justice system.

Byrne funds were used to address Hawaii's:

- Continuing efforts to reduce the supply of illegal drugs and to reduce the demand for drugs;
- 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); and
- Violent crimes, such as unsolved homicides, sexual assaults, and crimes against children.

This annual report reflects the results of projects funded from July 1, 2004 to June 30, 2005. Listed below in italics are some of the authorized purpose areas which Hawaii was approved to use Byrne funding. 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 Hawaii Narcotics Task Force seized almost three times more crystal methamphetamine (31,972 grams), than in the preceding reporting period (11,518 grams). During this reporting period, the task force also seized 4,480 grams of cocaine, 125 grams of heroin (twice the amount of the preceding reporting period), and 38,060 grams

of marijuana. One thousand, five hundred and eighty-three arrests were made, \$566,843 and 56 weapons were seized, and 28 vehicles were confiscated.

- The Statewide Marijuana Eradication Task Force weapon and currency seizures significantly increased a second year in a row. This task force seized 6,421 (up from 6,312) marijuana plots and 20 indoor marijuana grows in which 366,486 (up from 294,959) plants were destroyed. The estimated value of the eradicated marijuana was \$366,486,000. Seven hundred twenty-three arrests were made, \$670,278 (up from \$495,136) seized, and 28 weapons were confiscated.

Innovative programs that demonstrate new and different approaches to enforcement, prosecution, and adjudication of drug offenses and other serious crimes.

- The Maui Department of the Prosecuting Attorney completed its first year implementing a community prosecution program. Its sole community prosecutor was successful in developing a Kalama Park Action Team that worked to reduce crime, graffiti, and drug use in a 36.5-acre oceanfront public park located in Kihei, Hawaii. The community prosecutor mobilized community members, businesses, and county and state workers to focus on increasing public safety in the park, and to improve access and recreational use of the general park. The community prosecutor fostered a self-sustaining initiative that has suppressed illegal/nuisance activities, involved many facets of the government and community, and fast-tracked prosecution of criminals arrested in the targeted areas.
- The Hawaii County community prosecutors continued the activities funded in the previous two and a half years and offered community prosecution assistance island-wide. By partnering with the community and county and state agencies, the project staff continued to: 1) address drug houses by educating property managers and landlords on how to keep illegal activities out; 2) apply Hawaii's nuisance abatement law to close drug houses by leveraging community complaints against property owners; 3) conduct community education meetings on various aspects of the criminal justice system so citizens can better understand what to expect and how law enforcement works; 4) provide county agencies information in revising ordinances to reduce sometimes conflicting or ambivalent county rules that are difficult for police and prosecutors to enforce; and 5) target chronic offenders involved in property crime and when possible, seek tougher sentences on the community behalf.
- To establish Hawaii's community notification system of convicted sex offenders, commonly referred to as Megan's Law, the City and County of Honolulu Department of the Prosecuting Attorney was required to file civil petitions against convicted sex offenders to release sex offender registration information to the public. Due to the number of offenders this impacted, the Department of the Prosecuting Attorney placed higher priority on filing public notification petitions against sex offenders living in the community who were convicted repeat offenders, pedophiles, and sex offenders who were released from prison after serving their full sentence without receiving sex offender treatment; and sex offenders who had been committed to the Department of Health for physical or mental disease, disorder, or defect.

The civil sex offender public notification petitions filed on Oahu resulted in 74 petitions for public notification being granted, 5 petitions were denied, 136 petitions were pending, and 22 petitions resulted in the case being withdrawn due to mitigating factors: offender moving to another state, had passed away, etc. The City and County of Honolulu Department of the Prosecuting Attorney reviewed 367 files and 130 files were awaiting documents/review when Act 45 was enacted on May 9, 2005. Act 45 no longer required the special petitions and subsequent hearings that the project staff worked on.

- The Cold Case Squad began operating in October 2004 and worked to address unsolved (cold) homicide cases by increasing investigation and prosecution efforts through the specialized squad. The project sustained a squad staffed by three investigators working in conjunction with county police and prosecutors. Fourteen homicide cases from the counties were referred to the squad for investigation. Of the fourteen cases, the squad has closed three cases, and has identified culpable suspects in three other cases. The three closed cases have been referred to the Department of the Attorney General, Criminal Justice Division for prosecution.
- The Hawaii High Technology Crime Unit (HHTCU) continued to increase the effectiveness and efficiency of investigations and prosecutions of computer-related crimes in the State of Hawaii. HHTCU accomplishments included increasing the investigative capabilities of local law enforcement officers in the detection and investigation of computer-related crimes. HHTCU conducted 22 forensic examinations on hard drives and other removable media. In the area of Internet fraud or theft cases, HHTCU recovered approximately \$200,000 without prosecution. The number of felony prosecutions increased by 11 cases that included a Violation of Privacy in the First Degree case that resulted in a guilty conviction.

Programs designed to provide additional public correctional resources and improve the corrections system, including treatment in prisons and jails, intensive supervision programs, and long-range corrections and sentencing strategies.

- After a year of planning, the Judiciary began operating its first Mental Health Court on Oahu for adult offenders. The MHC accepted its first client in May 2005. During this reporting period, three clients have volunteered to participate in the implementation phase of the pilot MHC; five others are up for consideration. Approximately 30 clients are expected to participate in the MHC.
- To improve mental health services to incarcerated offenders at the Halawa Correctional Facility, the Department of Public Safety used grant funds to assess 62 individuals and provide treatment to 58 individuals. Among these individuals, 35 were identified with schizophrenia and other psychotic disorders, 13 with mood disorders, and 8 with anxiety disorders. One inmate refused treatment and one was unable to be treated due to time limitations. From this group, a total of 28 severe and persistently mentally ill individuals received case management services to better prepare them for their release to the

community; three returned to the facility due to violating parole; and one served his maximum sentence and was released.

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

- The Hawaii Criminal Justice Data Center (HCJDC) worked to develop and implement enhancements to the CJIS-Hawaii (the State's criminal history repository system) that has electronic interfaces and integration with other automated systems (police booking, prosecutor case management, court information, and corrections management) and the Green Box (an integrated Livescan electronic arrest/booking system). HCJDC worked with the Maui and Honolulu Police Departments during this reporting period to integrate the county police systems with CJIS so that all county arrest/booking information, fingerprints, and mug photos statewide can be transmittable electronically to the State's AFIS (Automated Fingerprint Identification System), CJIS-Hawaii, and the FBI's fingerprint identification system.

Programs to enforce child abuse and neglect laws, including laws protecting against child sex abuse, and promoting programs designed to prevent child abuse and neglect.

- The Honolulu Police Department, in their effort to respond to sexual exploitation of children via the Internet, has investigated eight child enticement and four child Internet pornography related cases. Additionally, seven other computer-related investigations involving harassment and unauthorized access involving children were conducted. Currently, there are 12 possible felony cases of Electronic Enticement of a Child that are pending further investigation.
- The Maui Police Department (MPD), in a similar effort to respond to sexual exploitation of children via the Internet, has trained officers in the "I-Look" training curriculum. The training covered on-line investigations of Internet predators. In the area of community education, the MPD also completed presentations on Internet crimes affecting children and Internet safety for parents, teachers, and school staff at Pukalani School and Haiku School in Makawao.

INTRODUCTION

Purpose

All activities funded under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program for the period July 1, 2004 to June 30, 2005 are covered in the 2005 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, CPJAD solicits not only criminal justice data but also information regarding agency and system needs. This information enables 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. 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 benefits from Byrne Memorial funds. Continuation and new programs were operational in the four county police departments, three county prosecuting attorney's 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 \$4,646,127.

Overview of Programs as Linked to State Strategy

The programs funded under the Byrne Memorial grant reflect the goals and objectives of Hawaii's 2001 multi-year strategy. 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, violent crimes (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. Key components in addressing the drug problem have been task force efforts in interdiction and marijuana eradication, and in the past, drug/alcohol assessments and treatment at various points in the criminal justice system.

One of the strategies to reduce prison overcrowding is to provide alternative or diversion programs that combine substance abuse treatment, mental health treatment, education/vocational assistance, and other enhancement components to improve the offender's ability to maintain a drug- and crime-free lifestyle while in the community.

The use of Byrne funds to address property crime highlights two concerns: 1) the level of property crime in Hawaii is great and 2) the restriction on Byrne funds to continue previously funded programs beyond the first 48 months. According to the FBI's Uniform Crime Reporting (UCR) Program, in 2003, Hawaii ranked second (for four consecutive years), while in 1999, Hawaii ranked tenth among the 50 states and the District of Columbia in overall property crime rates.

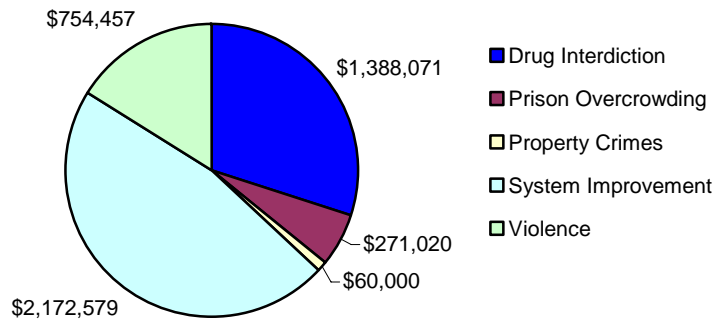
Since 2001, a very small portion of the grant funds has been awarded to projects that targeted property crimes. In the late 1990s, the State's strategy was to reduce property crime through the use of community policing and sting operations focusing on auto theft. Community policing promoted crime prevention activities such as community mobilization and crime prevention education. Special auto theft units were formed to assist law enforcement with surveillance and sting operations. However, 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, only one project at the Maui Police Department was funded.

Hawaii's violent crime rate among the 50 states and the District of Columbia has steadily increased in the last few years. In 2003, Hawaii ranked 38th; in 2002 ranked 41st; in 2001 ranked 42nd; in 2000 ranked 43rd, and in 1999 ranked 44th. During this reporting period, Byrne funds were used to improve the investigations of cyber enticement and child pornography cases, to improve law enforcement response to sex assaults and homicides, to provide the public access to sex offender information, and to provide intervention programs for incarcerated domestic violence offenders.

Percentage of Award Spent (1992-2004)

Program Areas	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Drug Interdiction & Treatment	36	42	25	34	29	25	32	27	35	33	26	21	29
Alternatives to Incarceration	2	5	15	11	16	21	3.5	20	7	11	3	15	5.8
Violent Crimes	22	28	30	32	31	21	33	21	16	23	10	2.25	16.2

Byrne Funds Allocated By Program Area July 2004 - June 2005



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 treatment services for offenders with mental illness,
- 3) moving community prosecution and Weed and Seed efforts forward,
- 4) improving the management of incarcerated and community supervised offenders statewide,
- 5) improving the counties' and state's response to computer-related crimes that includes crimes against children,
- 6) supporting multi-jurisdictional task forces to interdict drugs grown, manufactured or transported to Hawaii,
- 7) supporting the county prosecutor's effort to provide public access to sex offender information, and
- 8) solving cold homicide cases.

States are required to use at least 5 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 interfacing CJIS with the county police's computer systems so that fingerprints and offender information taken at the county level can be automatically interfaced with the State's AFIS (Automated Fingerprint Identification System), CJIS-Hawaii, and the FBI's fingerprint identification system.

Efforts to improve the criminal justice system's response to crime included community prosecution and the investigations of financial and computer crimes. For a fourth year, Byrne funds were used to support community prosecution programs to reduce drug and other crime rates in targeted communities.

While funding to reduce juvenile crime is relatively low, the GCOC requests that it remains on the priority list. The bulk of funding to address juvenile offenders comes from the State's Office of Youth Services. This agency administers federal and state monies related to youth.

Organization of Report

This report includes a brief description of each program area, including project goals, objectives, activities, performance measures, and accomplishments of programs funded by the Byrne grant from July 1, 2004 to June 30, 2005. The total funding for the program area is also reported. Projects funded with Byrne FY 2001, FY 2002, FY 2003, and FY 2004 awards were active during the reporting period.

While this is an annual report, some projects started after July 1, 2004 or ended prior to June 30, 2005. Therefore, some projects may not have been operational for 12 months. The funding amounts reported are the federal amounts awarded by CPJAD for the contracts that were active from July 1, 2004 to June 30, 2005.

EVALUATION PLAN AND ACTIVITIES

The evaluation plan of the Crime Prevention and Justice Assistance Division (CPJAD) 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 CPJAD. 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.

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. CPJAD staff held individual subgrantee training to review and implement the model.

In 2004, CPJAD planned and conducted an administrative and fiscal training for recipients of federal grant funds. Training was held on September 20, 2004 (Oahu), September

21 (Maui), September 22 (Hawaii), September 23 (Kauai), and September 29 (Oahu). Prospective recipients were invited to attend. The training covered basic grant writing, grantee responsibilities, and best practices in managing grant-funded projects. The Project Effectiveness Model was covered which highlights the importance of evaluating and reporting program outcomes and ensuring that performance data is collected in a timely manner.

DRUG INTERDICTION

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 canines 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 and FY 2003 funds totaling \$172,750; the Kauai Police Department received FY 2003 funds of \$24,000; and the Hawaii County Police Department received FY 2003 and FY 2004 funds totaling \$111,000. Total funding for the Hawaii Narcotics Task Force program was \$307,750.

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; and
- 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 (DEA) or the Federal Bureau of Investigation (FBI). 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, and
- types of training attended.

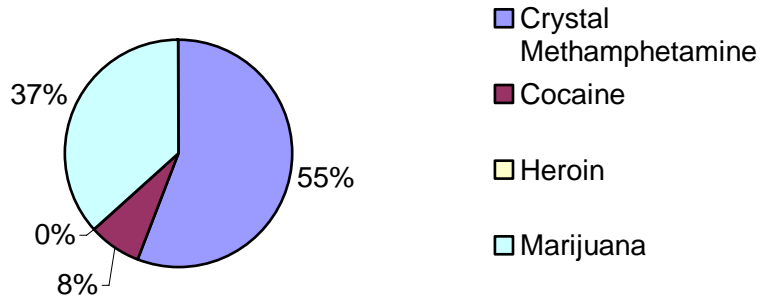
Accomplishments and Evaluation Results

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

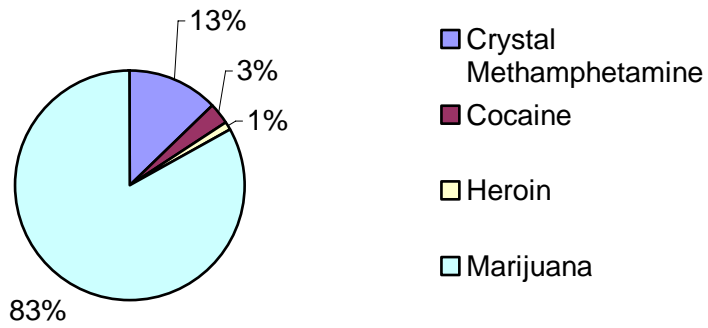
Hawaii Narcotics Task Force Drug Seizures in Grams, 7/1/2004 – 6/30/2005

AGENCY	Crystal Methamphetamine	Cocaine	Heroin	Marijuana
Hawaii County Police Dept.	29,997.75	4,084.41	13.60	19,643.18
Kauai Police Dept.	1,068.65	249.80	109.30	6,941.08
Maui Police Dept.	906.00	146.00	3.00	11,476.00
TOTAL	31,972.40	4,480.21	125.90	38,060.26

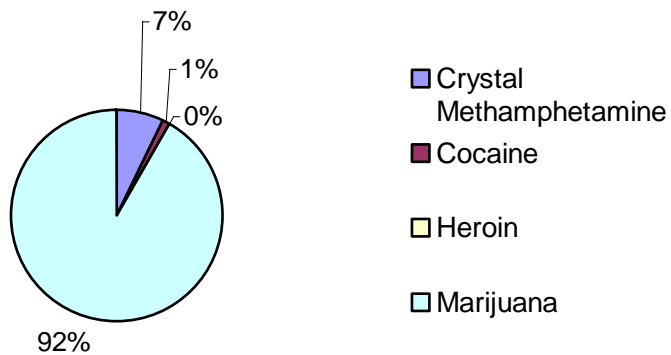
**Hawaii County Police Department
Drug Seizures by Percentages
July 2004 - June 2005**



**Kauai Police Department
Drug Seizures by Percentages
July 2004 - June 2005**



**Maui Police Department
Drug Seizures by Percentages
July 2004 - June 2005**



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

Hawaii Narcotics Task Force Arrest and Seizures, 7/1/2004 – 6/30/2005

AGENCY	No. of Arrests	Currency Seized (U.S. Dollars)	Weapons Seized	Vehicles Seized
Hawaii County Police Dept.	858	\$37,077	27	6
Kauai Police Department	184	\$155,782	7	17
Maui Police Department	541	\$373,984	22	5
TOTAL	1,583	\$566,843	56	28

The drug and asset seizures were the result of several significant operations. For example, Operation “Tap Out” culminated in September 2004 as a result of a lengthy crystal methamphetamine drug trafficking investigation that spanned over one year. The Maui Police Department (MPD) was the lead agency and the FBI served as the primary assisting agency. The Hawaii Narcotics Task Force (HNTF), including the Kauai Police Department (KPD), Hawaii County Police Department (HCPD), and MPD, provided personnel, with assistance from the Honolulu Police Department (HPD), for the electronic surveillance. The Drug Enforcement Administration (DEA) also assisted in the surveillance phase of the investigation.

All of the aforementioned agencies participated in the execution of the search warrants and arrest warrants on September 30, 2004 on the island of Maui. Other participating agencies included the Bureau of Immigrations and Customs Enforcement (BICE), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the Hawaii National Guard. As a result of the investigation, 11 search warrants were served – primarily in the Lahaina area of Maui (one search warrant each being served in the Haiku and Waiehu areas). Thirteen people were arrested and the following were recovered: over 1,045 grams of crystal methamphetamine, 129 grams of processed marijuana, 45 marijuana plants, 2 firearms, 3 computers, 3 cellular phones, and \$245,905 in U.S. currency. It should be noted that two of the suspects arrested were conducting their illicit business on Lanai but were arrested on Maui. The investigation is continuing, and it is anticipated that there will be additional arrests.

Also in September 2004, HNTF officers concluded a three-week long investigation involving suspected clandestine laboratories at three different residences in the Puna District on the island of Hawaii. With the assistance of the DEA and the ATF, task force officers served three search warrants in the Puna District and recovered laboratory equipment and chemicals used to manufacture crystal methamphetamine. Also found were approximately 10 grams of methamphetamine, 279 marijuana plants, 370 grams of dried processed marijuana, and a 30-30 rifle. Task force officers arrested eight individuals on manufacturing and possession of methamphetamine and marijuana charges. One of the individuals arrested was a former law enforcement officer.

In November 2004, members of the MPD Vice Division conducted a buy-bust operation in the Kihei area. The target of the investigation was a mid-level dealer who was selling large amounts of “ice” within Maui County. The suspect was arrested and approximately six ounces

of crystal methamphetamine and \$3,371 in U.S. currency were recovered. This investigation resulted in another search warrant on the Kihei residence of a large-scale dealer. Recovered in the second search were over eight ounces of “ice,” a little less than an ounce of processed marijuana, and \$3,000 in U.S. currency that was used to make an earlier drug purchase. The drug dealer was subsequently arrested. Both cases have been referred to Federal Court.

In January 2005, HNTF officers received information that methamphetamine was being distributed from a vehicle in the Puainako Town Center (island of Hawaii). Officers made contact with a 36-year-old male after a police canine alerted officers to the suspect’s 2001 Ford Expedition. HNTF officers executed a search warrant on that vehicle and were able to recover over 2 ounces of crystal methamphetamine, 3.1 grams of cocaine, and \$1,800 in cash. The male suspect and his 22-year-old passenger were arrested and charged with numerous drug offenses.

Finally, on the island of Kauai, HNTF activities in March 2005 included the following: 1) two adult females were arrested after execution of a search warrant; seized were 0.7 grams of “ice,” 15.9 grams of marijuana, and \$797 in cash; 2) an adult male was arrested, and seized were 4.3 grams of “ice,” 1.8 grams of marijuana, and 27.5 grams of Oxycodone pills; 3) an adult female was arrested after a buy-bust operation and the execution of a search warrant; seized were 2.6 grams of “ice,” 0.1 grams of Hashish, 6.5 grams of marijuana, 2 Oxycodone pills, and \$390 in cash; 4) three adult males were arrested after a controlled delivery was undertaken; after a search warrant was executed, the following were seized: 4,903 grams (10 pounds) of marijuana and a vehicle (valued at \$15,000); and 5) two adult males were arrested, and seized were the following: 2.5 grams of cocaine, \$5,236 in cash, and a vehicle (valued at \$25,000).

Regular task force meetings as well as special meetings to plan and discuss specific operations were held during the report period: July 1, 2004 (Oahu), October 20, 2004 (Oahu), March 23 – 24, 2005 (Kauai), and June 16, 2005 (Oahu). Task force members also regularly attend the quarterly WSIN/HIDTA meetings, meetings of the Marijuana Eradication Task Force and the Domestic Cannabis Eradication & Suppression Program (DCE/SP) meetings, and continue to work closely with relevant state, county, and federal law enforcement bodies throughout the State.

To keep abreast of trends and the latest investigative techniques, task force members attended the following workshops/training.

<u>Training</u>	<u>Date</u>	<u>Location</u>	<u># Attending</u>
ICCIU Training	8/2004	Honolulu	5
Asian Special Investigators Assoc. Conf.	9/2004	Calgary, Canada	2
Canine Handler Training/Certification	10/2004	Honolulu	1
CNOA Conference	11/2004	San Diego	4
WSIN Training	11/2004	Kauai	7
Financial Investigations	11/2004	Honolulu	2
CNCA Training Conference	1/2005	California	2
Operation Jetway Training	1/2005	Oregon	3
Indoor Marijuana Grow School	2/2005	Honolulu	4
CNCA/HIDTA Canine Training	2/2005	Honolulu	4
ICCIU Training	2/2005	Kona	12

MARITIME INTELLIGENCE AND ENFORCEMENT

Program Overview

A primary focus of the program has been to address the problem of maritime drug trafficking and drug activity in state and county harbors. Intelligence suggests that stringent airport and air cargo screening and increased security measures have discouraged drug traffickers from using airline carriers. According to the Department of Land and Natural Resources (DLNR), which has primary responsibility for the state's boating and ocean recreational programs, traffickers are beginning to rely on the maritime sector as a venue for the importation and distribution of illegal drugs. A primary objective of the project is to develop a baseline to document and identify the extent and magnitude of drug trafficking within the maritime sector and to pursue drug trafficking investigations in State recreational harbors and waters.

The DLNR (Division of Conservation and Resources Enforcement - DOCARE) received \$150,000 in FY 2004 funds for this project.

Goals and Objectives

The goal is to decrease drug trafficking and drug use in Hawaii's maritime sector including state harbors and facilities.

The objectives are:

- to attend interagency/task force meetings to obtain and share information and intelligence particularly regarding drug activity and trafficking in the maritime sector;
- to conduct surveillance and/or drug-bust operations or missions in state and county harbors and related maritime facilities;
- to arrest persons for illegally transporting, distributing, or using drugs;
- to make drug and asset seizures;
- to conduct informational/drug awareness presentations for the public/community and for other governmental agencies; and
- to provide training for DOCARE officers.

Program Activities

This is the first year of operation for the project. Understandably, the project experienced somewhat of a slow start. For example, although the official start date of the project was October 1, 2004, the contract for the project was not executed until December 2004. Currently, intelligence in the maritime sector is limited due, in part, to limited coordination and

collaboration among various local, state, and federal agencies. The project has been working to fill this void by increasing its enforcement presence in the maritime sector and by working for increased cooperation between the project and the Western States Information Network (WSIN) and the Hawaii – High Intensity Drug Trafficking Area (HI – HIDTA). The project reports that DOCARE has become a member of WSIN and HIDTA and continues to network with members of the Hawaii Narcotics Task Force (HNTF), Big Island Ice Task Force, Drug Enforcement Administration (DEA), U.S. Coast Guard, U.S. Customs and Border Patrol, and the National Park Service. Additionally, DOCARE has received authorization from the Criminal Justice Information System (Department of the Attorney General), WSIN, HIDTA, and Next Generation Network System to access and utilize their secured database systems for information/intelligence sharing. Requests for approval and acquisition have been initiated for needed communications equipment (computer hardware and software) and DSL services including systems installation. The project’s maritime enforcement efforts to deter drug activity within the state’s recreational harbor facilities have resulted in the initiation of several drug related investigations.

Performance Measures/Indicators and Evaluation Methods

- number and dates of coordinating and information/intelligence sharing meetings and the agencies participating;
- amount of relevant and credible information and intelligence obtained;
- number of cases/investigations initiated;
- number of persons arrested for illegally transporting, distributing, or using drugs;
- amount of drug and other assets seized;
- dates, type of training, and number of participants completing the training; and
- dates, type of audience, and number of participants for the informational/drug awareness presentations.

Accomplishments and Evaluation Results

- Information meetings were conducted in October 2004, November 2004, January 2005, and February 2005. Agencies in attendance included: DOCARE, DEA, U.S. Coast Guard, Hawaii County Police Department (HCPD), National Park Service, Hawaii National Guard Counter Drug Program (RAID), and U.S. Customs.
- According to the project, DOCARE continues to analyze all sources of information and intelligence received regarding drug trafficking activity in the State’s maritime sector. DOCARE has thus far been unable to identify the amount of information that is considered credible until this evaluation process is completed.

- The number of cases initiated: one case of promoting a detrimental drug (marijuana); one case of promoting a dangerous drug (heroin); two cases of promoting a dangerous drug (“ice”); two cases of possession of drug paraphernalia (ice pipe); and one case of possession of drug paraphernalia (syringe).
- No arrests have been made, however, an investigation conducted by DOCARE resulted in the deportation of a Filipino national found in possession of marijuana while working on a long line fishing vessel.
- DOCARE has not made any asset or drug seizures.
- Training completed:
 - Hawaii Island Methamphetamine Summit II Conference, October 22, 2004, 6 officers attended.
 - Hawaii County Police Department Inter-County Criminal Intelligence Unit Training Conference, February 23/25, 2005, 3 officers attended.
 - DEA Basic Narcotics Investigators School, March/April 2005, 3 officers attended.
- Informational and drug awareness presentations are in the final stages of planning and will be implemented in the near future.

POLICE AGAINST STREET SALES (PASS)

Program Overview

The Police Against Street Sales (PASS) project was designed to address the problem of street drug sales in Maui County. The Maui Police Department (MPD) Vice Narcotics Division has limited resources and personnel to properly address the problem of street drug sales. The unit has traditionally averaged only nine investigators for the entire county. For the past four years, the unit has been carrying an average of five investigator vacancies and has not had an expansion position for at least 10 years. Traditionally, the Uniformed Services Element such as the Community Police Officers and Patrol Officers have been ill equipped and trained to address the street dealer problem. These officers have only basic narcotics training and very little surveillance equipment. The PASS project has enabled police officers to augment the efforts of the vice division by conducting basic narcotics investigations. This pool of officers, working in conjunction with regular vice narcotics officers, has received appropriate narcotics training, resources, equipment, and supervision to help address this street drug sales problem.

The Maui Police Department received FY 2003 and FY 2004 funds totaling \$91,935 for this project.

Goals and Objectives

The goal is to disrupt illegal street drug sales within Maui County through a coordinated effort between the Maui Police Department Vice Narcotics Division and the Uniformed Services Bureau and the Investigative Services Bureau.

The objectives are:

- to train Uniformed Services and Investigative Services personnel to conduct “knock & talks” (when police ask permission to enter the person’s home to conduct a search without the need for a warrant), undercover buys, confidential informant buys, search warrants, case activation, and deconfliction;
- to certify Uniformed Services and Investigative Services personnel to conduct presumptive field tests on illicit drugs; and
- to assist Vice Division personnel in illegal drug investigations.

Program Activities

Vice Division personnel provided in-service training (conducting “knock & talks,” undercover buys, confidential informant buys, search warrants, case activation, and deconfliction) for departmental personnel from the Uniformed Services and Investigative Services Bureaus. Vice personnel have also provided certification on conducting the presumptive field tests for illegal drugs. The field test is required in court to establish probable

cause that the drug tested is a controlled substance. To be certified, officers must pass a four-hour course. Sixteen hours of training were needed to cover the training topics.

Eight MPD units (Districts I, II, III, IV, V, VI, Criminal Investigation Division, and the Juvenile Crime Prevention Division) were provided additional investigative equipment and resources. The following equipment has been purchased for surveillance, drug buys, photographing evidence and crime scenes, etc.: Sony digital cameras with infra-red and zoom capabilities, memory stick, battery, lens filter, soft case, and high-powered binoculars. Digital mouse card readers were purchased to provide the capability to download photographs from the digital camera to the computer to print photos of suspects, evidence, etc. Microscopes were also purchased to view marijuana. In addition to the presumptive field tests, officers must observe the cystolith fibers on the marijuana for court purposes. Microscopes are needed to conduct this examination. Color ink jet printers are needed to process photographic evidence, such as suspects, surveillance, drug buys, evidence, etc. Digital scales are needed to determine the weight of the drugs for court purposes. The weight of the drug is utilized in classifying the case.

When Uniformed Services and Investigative Services personnel receive complaints of a street drug sales problem, their respective commanders/supervisors assess the circumstances, and, if necessary, trained officers from those units may take appropriate action or may call the Vice Division to coordinate a joint plan of action. That action might involve a simple “knock & talk” or other action (e.g., surveillance, search warrant, etc.). It has been left to the discretion of the individual commanders to request assistance from the Vice Division (as each district or division has its own personnel or equipment limitations).

Performance Measures/Indicators and Evaluation Methods

- number of officers (Uniformed Services and Investigative Services personnel) who receive the in-service training in basic narcotics investigations;
- number of officers (Uniformed Services and Investigative Services personnel) who receive the in-service training in conducting presumptive field tests on illicit drugs; and
- number of illegal drug investigations.

Accomplishments and Evaluation Results

During this reporting period, a fourth PASS Training Class was conducted (November 9-10, 2004). As a result of the class, 23 officers and two deputy prosecuting attorneys were instructed on how to conduct “knock & talks,” undercover buys, confidential informant buys, search warrants, case activations, and deconfliction. All of the participants were also certified to conduct presumptive field tests on illicit drugs. During this project, 67 officers, 3 DLNR/DOCARE officers, and 2 deputy prosecuting attorneys have received the PASS training and certification. On April 22, 2005, nine Wailuku Patrol Officers in addition to ten Recruit School Officers were trained and certified to conduct the presumptive field tests.

Also during the reporting period, personnel from the Vice Division assisted Uniformed Services personnel in illegal drug investigations in all six districts in Maui County. This included assisting Districts II and VI in the month of July 2004; Districts IV and VI in August 2004; District V in September 2004; District I in January 2005; Districts I and IV in February 2005; District V in March 2005; Districts I and V in May 2005; and District V in June 2005. A total of 371 drug cases were initiated, and 207 suspects were arrested for involvement in illegal drug sales. Confiscated were 304.43 grams of crystal methamphetamine, 485.59 grams of marijuana, an assortment of cocaine, pills (e.g. Oxycontin, Zanex, Carisoprodol, etc.), and marijuana seedlings and plants.

Some examples of case investigation assistance include the following: 1) Molokai Patrol Officers conducted an “ice” investigation that led to the execution of three search warrants in March 2005; as a result of their investigation, one person was arrested for narcotics offenses; 2) in May 2005, once again on Molokai, patrol officers conducted a crystal methamphetamine investigation at Moomomi Beach Pavilion; three search warrants were executed – this resulted in the arrest of five persons; and 3) in May 2005, Lahaina Patrol Officers conducted a crystal methamphetamine investigation that resulted in the arrest of three males for various narcotics offenses.

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 and coordination being provided by the Drug Enforcement Administration (DEA) 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 2002 and FY 2003 funds totaling \$307,500; the Honolulu Police Department received FY 2001 and FY 2002 funds totaling \$213,486; and the Maui Police Department received FY 2003 and FY 2004 funds totaling \$134,400. The Department of Land and Natural Resources received FY 2003 funds of \$150,000. The Kauai Police Department received FY 2003 funds of \$33,000. Total funding for the Statewide Marijuana Eradication Task Force program was \$838,386.

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, and
- 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 rappelling 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, and
- 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 (DEA).

The DEA continues to serve as 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.

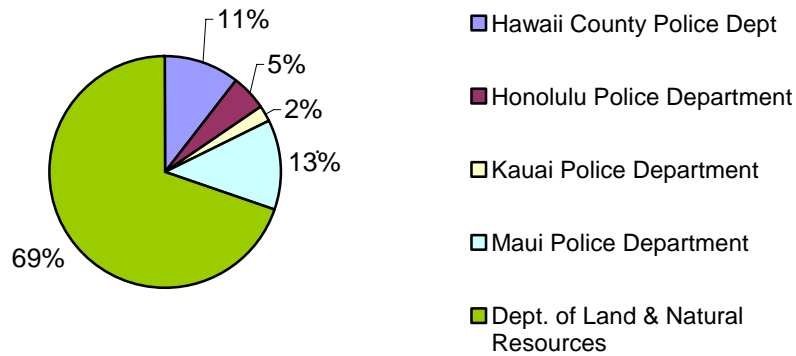
Each county conducted eradication missions with a minimum of three task force agencies participating and often with personnel from other counties. The Department of Land and Natural Resources eradicated marijuana from state lands, including native forests, watersheds, and other environmentally sensitive 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, 7/1/2004 – 6/30/2005

AGENCY	No. of Marijuana Plots	No. of Indoor Grows	No. of Plants Destroyed
Hawaii County Police Dept.	1,305	15	39,031
Honolulu Police Dept.	114	2	18,120
Kauai Police Dept.	90	1	8,055
Maui Police Dept.	467	2	46,149
Dept. of Land & Natural Resources	4,445	0	255,131
Total	6,421	20	366,486

The value of a marijuana plant is estimated at \$1,000. The total dollar value for the marijuana plants destroyed is \$366,486,000.

Percentage of Marijuana Plants Destroyed by Agency



Recent years have seen a decrease in the amount of marijuana plants destroyed. Because of past eradication efforts, marijuana is now grown in smaller plots and in more remote areas. This has resulted in increased effort with lower yields. The rental of private helicopter services remains 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, is normally 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 noise pollution, ignoring the privacy rights of residents, and for the escalating use of crystal methamphetamine (“ice”).

Statewide Marijuana Eradication Task Force
Arrests, Asset, and Weapon Seizures
7/1/2004 – 6/30/2005

AGENCY	No. of Arrests	Currency Seized	Weapons Seized
Hawaii County Police Dept.	588	\$104,387	20
Honolulu Police Dept.	8	\$3,520	0
Kauai Police Dept.	23	\$221,205	8
Maui Police Dept.	102	\$327,166	0
Dept. of Land & Natural Resources	2	\$14,000	0
TOTAL	723	\$670,278	28

During the report period, task force meetings were held in Kona, August 2004; Honolulu, November 2004; Honolulu, January/February 2005; and Honolulu, May 2005.

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 requirements, 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>
Inter-County Criminal Intelligence Unit Conference	8/2004	Kauai	8
Asian Special Investigators Association Conference	9/2004	Calgary, Canada	1
Rappel Masters Training	9/2004	Hawaii County	8
Basic Rappel Training	10/2004	Hawaii County	13
California Narcotics Officers Association Annual Campaign Against Marijuana Planting (CAMP) Conference	11/2004	San Diego, California	1
Helicopter Hoist Training	1/2005	Lake Tahoe, California	17
Indoor Grow Marijuana Training	1/2005	Honolulu	1
Intelligence Conference	2/2005	Honolulu	5
Rappel Training	2/2005	Kona	2
	2 and 3/2005	Kauai and Oahu	25

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

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's Community Correctional Center maintains a 50-bed substance abuse therapeutic community. The Department of Public Safety also contracts a 36-bed community transitional program on Oahu for 89 females requiring re-integration and substance abuse treatment services. Both programs are supported with state funds.

As of June 2003, the number of inmates housed in Hawaii's facilities was 3,950 (3,465 males or 88 percent and 485 females or 12 percent). The offenses for which women are incarcerated and treatment issues affecting them are different when compared to their male counterparts. Of the women incarcerated, approximately 14 percent are in custody for a violent offense compared to 27 percent of the men in custody for a violent offense. A greater percentage of women (33 percent) than men (16.76 percent) are held for a property offense, and 9.4 percent of all the female offenders in prison are in for a probation or parole violation compared to 17.6 percent of all male offenders.

With assistance from the National Institute of Corrections, 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 on Maui. In conjunction with the CARE initiative, the Hawaii Paroling Authority is using the Byrne grant to fund a supportive living program to help female parolees living on Maui 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 percent 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 percent will not recidivate three months post discharge; and
- 60 percent of the parolees will not have three consecutive positive drug urinalysis test results.

Program Activities

This is the project's second year in operation. Hawaii Paroling Authority contracted a non-profit service provider to provide housing and supportive living services for up to five female parolees on Maui. The project began in September 2002; however due to unanticipated delays, the service provider's contract did not go into effect until April 1, 2003. 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 three months post discharge; and
- number of participants who tested positive for marijuana, cocaine, amphetamine, and opiates.

Accomplishments and Evaluation Results

- Referral problems to the contracted services provider continued and impacted the number of females participating in the program. HPA also reported that other

services for female parolees that were not previously available were now available to assist this target population. By the end of March 2005, the project period, only six female parolees participated in the program since the service provider was contracted in April 2003.

- None of the female parolees returned to prison on a technical violation.
- None of the female parolees returned to prison for a new arrest.
- All six parolees completed the program (average length in the program is 6-9 months).
- None of the participants tested positive for drugs.

CORRECTIONS MENTAL HEALTH CASE MANAGEMENT

Program Overview

Inmates with mental health disorders are a growing concern facing jurisdictions across the United States; Hawaii is no exception. Persons with mental disorders are arrested at a higher rate than individuals who do not have a mental disorder. Individuals with mental disorders are at risk for incarceration for crimes committed as a direct result of co-occurring mental illness and substance abuse problems. Without the resources to provide case management, medication monitoring, and treatment for inmates with severe and persistent mental health disorders, there will be inadequate and incomplete patient information to provide meaningful discharge planning that would interface with the proposed community mental health resource solutions.

To address this problem, there were a series of discussions and collaborations among the various criminal justice agencies in Hawaii. The Hawaii State Department of Health (DOH) developed a four-year plan to build the community infrastructure necessary to service individuals with severe and persistent mental illnesses (SPMI). The infrastructure includes diverting the individual with SPMI away from correctional institutions and providing the necessary community services upon their release. As a partner agency, the Hawaii Department of Public Safety (PSD) developed case management infrastructure, resources, and processes to fully utilize, coordinate with, and contribute towards the success of these solutions. Adequate case management and discharge planning ensures that the identified patients receive available community resources.

The mental health case management would also assist in identifying necessary treatment opportunities during the patient's incarceration, which is an important aspect for successful community re-entry.

The Hawaii Department of Public Safety received FY 2002 funds in the amount of \$139,020.

Goals and Objectives

The overall goal of this project is to provide adequate mental health (MH) case management and discharge planning services to Halawa Correctional Facility (HCF) inmates with SPMI disorders to ensure successful re-entry into the community.

The objectives are:

- to identify all inmates with SPMI who are incarcerated at the HCF;
- to promote program and treatment opportunities that would prepare the mental health patient to transition back to the community;

- to assist these patients in their transition to the community by contacting community case workers or agencies to obtain the necessary community aftercare to help maintain their mental health and to reduce recidivism;
- to provide 100 percent of the HCF prison inmate population with diagnosis and treatment opportunities that prepare them for community for re-entry;
- to provide 100 percent of the HCF inmate population discharge planning upon their release to the community; and
- to reduce recidivism rates by 15 percent of all SPMI diagnosed inmates released from HCF.

Program Activities

The Corrections Mental Health Case Management project team (hereinafter “the team”) consists of a psychologist and one case manager. The team utilized the existing support system, which consisted of correctional officers, education, sex offender and substance abuse counselors, psychiatric social workers, facility case managers, psychiatrist, medical services, and clinical and outside agencies such as the Hawaii Paroling Authority and the Department of Health.

A review of the medical records using criteria developed by the DOH, Adult Mental Health Division (AMHD) and interviews with the psychiatrist and psychiatric social workers identified SPMI individuals. The different missions of PSD and DOH needed to be considered. If inmates who were scheduled to be paroled or who had served their maximum sentence were previous clients of DOH, then the process was seamless. However, if the individual was unknown by DOH, an assessment was required by DOH before an individual was eligible for community services established for SPMI individuals.

Administration and the team attempted to develop a model that would produce consistency in diagnoses. Research indicated that a Structured Clinical Interview for DSM-IV diagnosis (SCID) might provide the necessary information. After months of discussion, however, it was decided that the SCID would not be implemented due to time constraints, cost, and training. The team relied on a diagnosis from the psychiatrist. The psychologist initially implemented the MMPI. However, it was not useful as individuals were unable to read the questions and the MMPI was therefore discontinued. The psychologist utilized the facility’s existing Wechsler’s Adult Intelligence Scale (WAIS-R) to conduct assessment of cognitive functioning and achievement of the individual.

The facility case managers conducted a Level of Services Inventory-Revised (LSI-R) and the Adult Substance Use Survey (ASUS) once an individual was sentenced. The Woodcock Johnson III Educational and Cognitive Achievement Batteries were adopted by the team, in coordination with education, to provide an educational and cognitive assessment to complement the facility risk and substance abuse assessments.

Performance Measures/Indicators and Evaluation Methods

- number of HCF individuals with severe and persistent mental illness (SPMI),
- number of SPMI individuals treated by the team,
- number of SPMI individuals who were released to Department of Health (Adult Mental Health Division), and
- number of inmates from HCF with SPMI that are re-admitted into the system.

Accomplishments and Evaluation Results

Medical chart reviews of SPMI individuals were completed. The team initially identified 166 HCF inmates with mental disorders (excluding personality disorders) in the general population and those housed in special holding units, therapeutic units, and the infirmary. The screening process included a chart review, a pharmaceutical report, a physical examination, and a mental health assessment. A list of SPMI individuals was generated for input from the mental health team. Of this list, there were approximately 122 HCF inmates identified as SPMI. From this group, the team identified 78 individuals that were within two years of parole or were about to complete their maximum sentence.

The PSD offender tracking system helped to determine an individual's minimum sentence date and possible parole hearing date. Within the time constraints of the project, the team assessed 62 individuals and provided treatment to 58 individuals. Among these individuals, chart reviews indicated 35 were identified with schizophrenia and other psychotic disorders, 13 with mood disorders, and 8 with anxiety disorders. One inmate refused treatment and one was unable to be treated due to time limitations. From this group, a total of 28 SPMI individuals received case management services prior to release, 3 returned due to violating parole, and 1 served his maximum sentence and was released.

The treatment provided to these 28 HCF individuals with SPMI consisted of an individualized, integrated educational and cognitive behavioral approach. Aspects of the approach are based on recommendations by SAMHSA for a comprehensive continuous integrated system of care model (CCISC). Other treatment plans and/or clinical interventions were also tailored to meet the mental health needs of the individual.

As a pilot, the Corrections Mental Health Case Management project has experienced some growing pains, including finding the right staff positions, addressing personnel issues, and determining the best instruments to use to assess the patients' needs. In spite of the difficulties, the project is making progress in exploring what will make a positive difference in recidivism rates for inmates with SPMI. The project provided the opportunity to implement mental health case management and to determine whether case management positively impacts recidivism rates. Although it may be somewhat premature to determine the effectiveness of the project, PSD will continue to work with DOH and other criminal justice agencies to promote case management and treatment plans for inmates with SPMI.

MENTAL HEALTH COURT

Program Overview

Mentally ill criminal offenders impose an enormous burden on Hawaii's courts and correctional systems. These offenders continually re-enter the criminal justice system due to inadequate treatment. The lack of proper service resources, specifically, appropriate mental health case management, treatment monitoring, offender compliance, and discharge planning often result in these offenders de-compensating and re-offending. Consequently, this leads to court congestion, probation overload, and increased costs for public defenders, prosecutors, probation officers, and court staff. A multi-agency Mental Health Task Force on Oahu convened to discuss solutions to this problem. From these collaborative sessions, Hawaii's First Judicial Circuit Court investigated a potential court-based response.

Hawaii's First Judicial Circuit Court received grant funds in FY 2003 to create a plan to establish a pilot mental health court (MHC). The First Judicial Circuit Court also received FY 2004 Byrne funds to proceed from a planned design to a fully operational pilot project.

The Judiciary received \$48,750 in FY 2003 funds and \$124,500 in FY 2004 funds.

Goals and Objectives

The goal of the MHC project is to improve the Oahu court system's response to the criminalization of the seriously mentally ill, divert the non-violent mentally ill offender from further involvement with the criminal justice system, and reduce the long-term burden on Hawaii's court systems.

The objectives are:

- to develop the key elements of the program design, including the screening criteria, judicial and treatment of case management, graduated sanctions, termination criteria, and logistics of MHC scheduling;
- to develop evaluation procedures to measure the effectiveness of the MHC program;
- to provide training on treatment issues to the MHC (including the MHC team and MH task force);
- to ensure a continuum of services that allow client placements to match their needs;
- to assess existing data systems of the participating agencies and develop methods on collecting and sharing pertinent data among MHC team members and agencies;

- to increase the number of offenders with serious mental illnesses who are diverted to treatment;
- to reduce the number of days offenders with serious mental illnesses spend in jail;
- to reduce recidivism rates among offenders with serious mental illnesses;
- to exhibit clear communication, patience, and an understanding of mental illnesses in the court; and
- to improve collaboration among the First Judicial Circuit, Executive Branch agencies, county agencies, and non-governmental non-profit organizations that work with offenders with serious mental illnesses.

Program Activities

In the first half of the project, the activities involved the planning of the MHC and continued through the second half of 2005. Extensive research was conducted in multiple areas with assistance from the Judiciary's technology and judicial staff. The structure and process of the MHC, including client screening criteria, judicial and treatment case management, therapeutic approach, and supervision strategies were established. A draft of the eligibility criteria has been approved by the team. Ongoing discussions with Department of Health (DOH) representatives are helping to establish case management policies. Graduated sanctions and termination criteria have been agreed upon and finalized and the logistics of MHC referrals are ongoing.

The second half of the project primarily focused on the development of specific policies, procedures, and forms along with MHC team consensus regarding those policies and procedures. Monthly team meetings were held with multi-agency partners to discuss and approve eligibility criteria, eligible charges, team roles, program phases, incentives, and sanctions. From these discussions, a Policies and Procedures Manual was written, which will guide the implementation of the pilot MHC during its first year. An advisory board was created in March 2005 and will continue to meet quarterly throughout the life of the MHC.

The DOH, the Department of the Prosecuting Attorney, and the probation office are continuing discussions about the best methods of collecting and sharing pertinent data among the MHC team and agencies. The MHC staff developed consent forms and confidentiality policies to provide for the sharing of pertinent information between members of the MHC team.

Evaluation procedures to measure the effectiveness of the MHC program are ongoing. The MHC is considering utilizing part of a standard evaluation tool developed by SAMHSA and used by the Hawaii Jail Diversion Program. Using a similar evaluation tool will enable the programs to compare data, continue to learn from another, and refine processes/policies.

The MHC staff continues to work with the DOH Adult Mental Health Division (AMHD) to ensure timely and comprehensive assessment and treatment for all MHC participants. The full

AMHD menu of services will be considered for inclusion in each participant's individualized treatment plan. Potential participants continue to be referred and screened, admitted participants are oriented to the court and diverted to treatment, agency partnerships continue to be solidified, involved agencies contribute to and attend specialized training, and data continues to be collected in order to evaluate and improve the court.

Performance Measures/Indicators and Evaluation Methods

- Policies and Procedures Manual for the MHC and operational plan;
- number of training sessions, name of training, and training dates;
- identification of treatment programs and services on Oahu for mental health clients;
- status of data collection system;
- number of early screening and referrals; and
- number of offenders with serious mental illnesses who were diverted to treatment.

Accomplishments and Evaluation Results

A thorough review of existing diversionary and treatment programs and services was accomplished through extensive research and meetings with multi-agency partners. Other areas of research included: an assessment of the characteristics and profile of the target population, the number of treatment "slots" to be developed and/or purchased, and the impact of the MHC on jail beds. During the planning stage of the MHC, a file search indicated that those criminal charges that most likely will be eligible for the MHC revealed a possible 426 to 440 defendants per year, based on the best information available. However, acceptance into the MHC is determined through consensus by the team. Current team meetings indicate that not all previously identified criminal charges may be acceptable to the prosecutor's office for admittance to the MHC.

A MHC program coordinator was hired, program staffing and budgetary needs were assessed, and program policies and procedures were drafted. Ongoing meetings and discussions with various partner agencies, including the Departments of Health, Adult Mental Health Division and Public Safety and the Offices of the Public Defender and Prosecuting Attorney, have continued throughout the planning and operational stage of the program.

A training menu on treatment is ongoing. For the MHC team, the following topics include, but are not limited to: an overview of offenders with serious mental illnesses and co-occurring substance use disorders; a history of the paradigms currently used by criminal justice, mental health, and substance abuse systems (especially in Hawaii); an overview of other MHCs; and an overview of working with people with serious mental illnesses; the processes of the Oahu MHC (such as eligibility criteria and the referral/admissions process).

During the project period, three clients have volunteered to participate in the implementation phase of the pilot MHC; five others are up for consideration. Approximately 30 clients are expected to participate in the MHC. To date, the number of incarceration days saved varies from 10 days to a year per client depending on what the sentencing judge would do if the client were not accepted into the court. However, at this time it is too soon to determine any evaluation results. Multi-agency partners include the DOH, AMHD, the Office of the Public Defender, the Department of the Prosecuting Attorney, and Hawaii's First Circuit Court. These partner agencies are dedicated to seeing the MHC as a viable alternative means to address offenders with mental illnesses. In the long-term, the MHC could prove successful in relieving the burden that recidivism imposes on the courts and correctional systems.

PROPERTY CRIMES

INTERDICTION OF STOLEN PROPERTY

Program Overview

Maui County, like other counties throughout the State, has seen an increase in the number of property crimes committed. Property crimes in Maui County have resulted in an annual average loss of personal property ranging from currency to motor vehicles in excess of \$9 million from 1999 to 2002. The number of property crimes reported in 1999 was 6,487; 2000 was 7,054; 2001 was 7,883; and in 2002 the number was 7,793. Only 36 percent of the average dollar value of the property reported stolen was recovered during this same time period. Investigators are often stymied in their efforts to recover stolen property because investigations reveal that a majority of stolen property is sold, swapped, or traded immediately after being stolen.

The Maui Police Department (MPD), very much aware of the problems relating to investigating property crimes and recovering stolen property, recognizes the need to employ non-conventional methods to investigate these crimes. This project involves conducting covert operations utilizing special surveillance equipment to identify and apprehend those individuals responsible for the property crimes.

The Maui Police Department received FY 2003 funds of \$60,000 for this project.

Goals and Objectives

The goal is to increase the amount of stolen property recovered and to identify and arrest those individuals responsible for these property crimes.

The objectives are:

- to recover an identified dollar amount worth of stolen property,
- to make an identified number of arrests for property crimes in connection with the recovery of stolen property, and
- to return an identified percentage of recovered property to their owners.

Program Activities

The following major program activities will be conducted.

- Police officers in the Special Response Team/Special Crimes – Career Criminal Unit along with detectives from the Criminal Investigation Division will review property crime complaints and familiarize themselves with the types of property being reported stolen.

- Covert operations will be conducted utilizing special surveillance equipment to secure and recover stolen property and to identify and apprehend those individuals responsible for the property crimes.
- Records will be maintained of the stolen property recovered (through the use of identification photographs and written documentation) including detailed descriptions of the items.
- The stolen property will be safely secured and descriptions of the stolen property (photos and other written documentation) will be made available to the public. Through this process, the identified stolen property will be returned to the original rightful owners of the property.

Performance Measures/Indicators and Evaluation Methods

- value of the stolen property (expressed in U.S. dollars) recovered,
- number of arrests for property crime in connection with the recovery of stolen property, and
- percentage of recovered stolen property that has been returned to the original owners of the property.

Accomplishments and Evaluation Results

The concept for this project was to fund a simulated business to document and record purchases of stolen credit cards and property. The operation was compromised and due to concerns about safety, the police department terminated the project.

SYSTEM IMPROVEMENT

COMPREHENSIVE COMMUNITIES PROGRAM

Program Overview¹

The Comprehensive Communities Program (CCP) is a crime prevention and public safety initiative that seeks to improve the quality of life in a community. The three principles underlying the CCP approach to public safety are: partnership and collaboration, shared problem solving, and changing how public safety works.

CCP provides a framework for citizens, government agencies, and private organizations to work together to make a better life for everyone, no matter what the size of their community. It helps bring people together, enables them to define a meaningful role for themselves in solving a problem, and enables them to work on the problem through a deliberate planning and implementation process. A unique aspect of CCP is its emphasis on linking community policing and community mobilization in the neighborhoods. Community members and neighborhood groups work with police for mutual benefit and positive results. CCP also focuses on equal participation of those playing a role in the process. Each stakeholder, whether a store owner, a neighborhood resident, the licensing and inspection commissioner, or a neighborhood police officer, comes to the table with an equal vote.

Jurisdictions that use the CCP approach to public safety have developed or put their unique stamp on interventions involving community prosecution, drug courts, crime prevention through environmental design, community corrections, and similar programs that adhere to the underlying principles of CCP. Several of these interventions have been cited by CCP sites as promising approaches that other jurisdictions may be interested in learning more about and replicating.

Aggregate Funding Information

Four projects were funded. The Hawaii County Office of the Prosecuting Attorney was funded for two projects: a weed and seed project with \$52,222 from FY 2002 funds and a community oriented prosecution project with FY 2003 (\$200,001) and FY 2004 (\$183,380) funding. The Honolulu Police Department was funded for a weed and seed project with FY 2004 (\$119,997) funds. The Maui Department of the Prosecuting Attorney was funded a community prosecution project with FY 2003 (\$72,999) and FY 2004 (\$68,868) funding. Total program amount is \$697,467.

Program Description

Four distinct but similar projects operated in Hawaii County, Maui County, and Oahu utilizing the comprehensive communities program model. The four projects included:

¹ BJA Comprehensive Communities Program Monograph, April 2001, NCJ 184956.

Hawaii County: Weed and Seed and Community Prosecution
Maui County: Community Prosecution
Oahu: Weed and Seed

Locally, the community prosecution 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 and Seed program and since then has expanded to other Hawaii jurisdictions. Currently, community prosecution is operating in three of the four counties in Hawaii. Most of the programs continue to be funded with federal grants that include the Local Law Enforcement Formula Block program and the Byrne grant.

The American Prosecutors Research Institute (APRI), the National District Attorneys Association, and other jurisdictions that have successfully applied the community prosecution model, have provided Hawaii's community prosecutors with invaluable training and technical assistance. The arsenal of tools used by the community prosecutors includes nuisance abatement strategies, drug-free and prostitute-free zones, restorative justice, truancy abatement, and graffiti cleanup to improve neighborhood safety.

The Weed and Seed strategy² aims to prevent, control, and reduce violent crime, drug abuse, and gangs. The Executive Office for United States Attorneys provides U.S. Attorneys with general executive assistance and direction, policy development, administrative management direction and oversight, operational support, and coordination with other components of DOJ and other federal agencies.

At each Weed and Seed site, the local U.S. Attorney's Office plays a leadership role in organizing local officials, community representatives, and other key stakeholders to form a steering committee. The U.S. Attorney's Office also facilitates coordination of federal, state, and local law enforcement efforts so that sites effectively use federal law enforcement partners in weeding strategies. In some instances, the U.S. Attorney's Office helps sites mobilize resources from a variety of federal agencies for seeding programs.

The Weed and Seed strategy is a multilevel strategic plan that includes four basic components: law enforcement; community policing; prevention, intervention, and treatment; and neighborhood restoration. Four fundamental principles underlie the Weed and Seed strategy: collaboration, coordination, community participation, and leveraging of resources.

The major steps of CCP strategic planning³, whether utilizing the community prosecution or Weed and Seed strategy, includes:

- Convening a team of the jurisdiction's key stakeholders, including elected officials, community leaders, and those individuals and/or organizations that are influential in the jurisdiction's crime control and prevention efforts;

² OJP Community Capacity Program, Website at <http://www.ojp.usdoj.gov/ccdo/ws/welcome.html>

³ BJA Comprehensive Communities Program Monograph, April 2001, NCJ 184956.

- Developing a shared vision of the future, considering the history of the jurisdiction’s partnerships, politics, and processes as a context for the program;
- Gathering and analyzing data pertaining to the jurisdiction’s economic and social conditions, crime problems, and local public or private resources and programs that are or could be directed toward crime reduction;
- Developing goals and strategies for a crime control, crime prevention, and community organization effort that will address identified problems and contribute to achievement of the vision;
- Developing an action plan to carry out the strategies;
- Developing a plan to manage the implementation of the action plan; and
- Developing an evaluation plan.

The Hawaii and Maui County Prosecuting Attorneys and the Honolulu Police Department used an infrastructure to manage and support the implementation and operation of their plans. The infrastructure was comprised of several components, including the partnership structure, the type and level of partnership, the rules or procedures the partners have developed to conduct their collaborations, and the mechanisms used to share leadership and resources. Each CCP site developed a unique infrastructure based on its history, culture, level of sophistication, and economic outlook.

Goals and Objectives

The goal is to reduce property, violent, and drug-related crimes through the use of a comprehensive community approach in areas where crime is prevalent.

The objectives are:

- to expedite the removal of offenders through vertical prosecution and/or higher bail and standards for release;
- to reduce crime;
- to improve the quality of life for members in the communities where crime is prevalent;
- to increase the participation of community, business, non-traditional criminal justice partners in crime reduction and public safety efforts; and
- to increase crime prevention efforts.

Program Activities

Community Prosecution

The Maui community prosecutor completed its first year and was successful in developing a Kalama Park Action Team that worked to reduce crime, graffiti, and drug use in a 36.5-acre oceanfront public park located in Kihei, Hawaii. The community prosecutor mobilized community members, businesses, and county and state workers to focus on increasing public safety in the park and to improving access and recreational use of the general park. The community prosecutor fostered a self-sustaining initiative that has suppressed illegal/nuisance activities, involved many facets of the government and community, and fast-tracked prosecution of criminals arrested in the targeted areas. The community prosecutor's work entailed being responsive to the concerns and needs of the community and leveraging legal and non-legal resources.

The Hawaii County community prosecutors continued the activities funded in the previous 2.5 years and offered community prosecution assistance island-wide. By partnering with the community and county and state agencies, the project staff continued to: 1) address drug houses by educating property managers and landlords on how to keep illegal activities out; 2) apply Hawaii's nuisance abatement law to close drug houses by leveraging community complaints against property owners; 3) conduct community education meetings on various aspects of the criminal justice system so citizens can better understand what to expect and how law enforcement works; 4) provide county agencies with information on revising ordinances to reduce sometimes conflicting or ambivalent county rules that are difficult for police and prosecutors to enforce; and 5) target chronic offenders involved in property crime and when possible, seek tougher sentences on the community behalf.

Weed and Seed Strategy

The Honolulu Police Department (HPD) in partnership with the YMCA worked to reduce the number of property, narcotics, juvenile, and gambling-related crime in the three Weed and Seed sites on Oahu. The project removed repeat offenders from the targeted sites through arrest and prosecution, applied geographic restriction, and increased law enforcement's presence in the designated areas. The three Weed and Seed sites that are impacted by the project's activities are the expanded Kalihi to Atkinson Drive site, the Waipahu site, and the Ewa site. The project initiated a "Weed Task Force" consisting of police from HPD's Districts 1, 3, 5, and 8, the DEA, FBI, ATF, U.S. Attorney's Office, and state agents. Major activities include: 1) saturating the sites with police and targeting offenders, 2) utilizing undercover tactics to target drug dealers and couriers, 3) conducting sweeps to locate and arrest offenders with outstanding warrants, 4) conducting truancy sweeps, and 5) getting the community involved in the "National Night Out" campaign.

The Hawaii County Office of the Prosecuting Attorney hired a coordinator/community liaison to work with Pahoehoe's community, community police officers, and other law enforcement members to reduce the fear and crime rate in the Pahoehoe Weed and Seed district. The project, in its infancy stage, is tasked to reduce crime by: 1) increasing police presence in the designated

area, 2) improving communications between the community and police (community forum), 3) engaging in problem solving crime and crime related problems, 4) conducting community and crime prevention education, 5) coordinating neighborhood watch and citizen patrols, 6) addressing juvenile offenders, and 7) improving the prosecution of adult offenders.

Performance Measures/Indicators and Evaluation Methods

- number of offenders removed from targeted area through vertical prosecution and/or higher bail and standards for release;
- crime reduction efforts;
- quality of life improvements accomplished;
- number of community, business, non-traditional criminal justice partners involved in crime reduction and public safety efforts due to CCP activities; and
- number of crime prevention efforts.

Accomplishments and Evaluation Results

- Number of offenders removed from targeted area through vertical prosecution and/or higher bail and standards for release.

In December 2004, a Kalihi drug house was searched and four arrests were made for drug possession, drug paraphernalia, and contempt warrants.

In January 2005, eight juveniles were arrested in Ala Moana area for truancy, two juveniles arrested for underage drinking, and one adult arrested for contempt warrant.

In February 2005, during a truancy sweep, four juveniles were arrested for truancy and ten other juveniles were taken and returned to Campbell High School.

- Crime reduction efforts.

To combat the growing problem of agricultural theft, members of a volunteer Agricultural Theft Task Force were trained to monitor vendors selling produce and goods at community markets (a.k.a. farmer's markets). They monitored the vendors to ensure that the produce and goods being sold were from legitimate sources and were not stolen. The Agricultural Theft Task Force was formed in partnership with the local farmers, the Department of Agriculture, the Hawaii County Office of the Prosecuting Attorney, the Hawaii County Police Department, and the Farm Bureau. In July 2004, the volunteers began checking the vendors for proof of sale receipts from area farmers. Volunteers were trained to use non-confrontational techniques. The managers of the open markets cooperated in this effort and have assisted in the monitoring checks.

The Kalama Park Citizen's Patrol (KPAT) was established with policy and procedures completed to ensure that volunteers understood their role and responsibilities. The policy and procedures also ensure the safety of the volunteers. Kalama Park is considered a trouble area: stabbing death at the park, shooting at a police event, and arson at the skating rink. Donations from the community to support the citizen's patrol included 12 flashlights, locked cabinet from Kalama Villages to store citizen patrol equipment (flashlights, radios, report forms, etc.), and patrol shirts for the volunteers.

In March 2005, Ewa officers assigned to the Weed and Seed activities conducted police sweeps of the Hau Beach area in an effort to reduce illegal camping and drinking at the beach.

- Quality of life improvements accomplished.

In December 2004, Honolulu officers assigned to the Weed and Seed activities participated in Christmas celebrations that were attended by 250 public housing residents, while the Ewa officers participated in a Winter Dance co-sponsored with the Ewa Boys and Girls Club. Approximately 200 teens attended the dance.

In January 2005, KPAT met with an arborist to get advice on trimming trees and hedges. The park was closed since it was not maintained properly, however, with KPAT's effort the park reopened.

In January and March 2005, Honolulu officers assigned to the Weed and Seed activities organized morning basketball games at Dole Middle School. The officers were able to obtain donated basketball shoes for all of the students.

In February 2005, Honolulu officers assigned to the Weed and Seed activities provided a hotdog wagon and Keiki ID for a community clean up at Kuhio Park Terrace. Officers also assisted in a Valentine's Dance at Mayor Wrights Home that was attended by approximately 85 children.

In March 2005, the Honolulu officers assigned to the Weed and Seed activities attended Linapuni Elementary School's Spring Fair, a youth project for children held before Spring Break.

- Number of community, business, non-traditional criminal justice partners involved in crime reduction and public safety efforts due to CCP activities.

The Pahoia Weed and Seed program hired a site coordinator who began April 15, 2005. Some of the issues being tackled in the Pahoia area include: trespassing on homestead lands, illegal hunting, and use of firearms in residential areas. The Hawaii Office of the Prosecuting Attorney received a State Department of Transportation grant for Pahoia High School to participate in the "Shattered Dreams" drug and alcohol program that was conducted on April 28 and 29, 2005. The program was a joint collaboration with doctors from the Bay Clinic, and the Hawaii County Police and Fire Departments.

A statewide Landlord Training Program, “Keeping Illegal Activity Out of Rental Property,” was hosted by the State Attorney General, Hawaii Prosecuting Attorney, Maui Prosecuting Attorney, Hawaii Association of REALTORS®, Hawaii Real Estate Commission/Real Estate Education Fund, and the Hawaii County Office of Housing and Community Development with the assistance of the community prosecutors. State and county government officials partnered with Hawaii’s real estate industry leaders and brought the nationally recognized Landlord Training Program to Maui, Kauai, Hawaii, and Oahu. The training was presented by John Campbell of Campbell DeLong Resources, Inc. on July 15-21, 2004 with a total of 792 attendees. The dates of training, the training location, and number attended are: July 15, Maui 150 attendees; July 16, Kauai 100 attendees; July 19, Hawaii 120 attendees; July 20, Oahu 340 attendees; and July 21, Oahu supplemental session for public housing managers 82 attendees.

The first KPAT Citizen’s Patrol took place on October 15, 2004 with approximately 40 residents that included the police and the mayor and his wife. A neighborhood business donated the walkie-talkies to assist the citizen’s patrol.

On September 23, 2005, the Hawaii County Office of the Prosecuting Attorney held a “Communities Working Together” conference in Waikoloa, Hawaii. Approximately 135 residents, law enforcement officials from the county, state, and federal government, and community organizers attended. The day long conference covered community involvement in public safety; identity theft awareness; the public safe neighborhood federal program; Oahu and Maui community prosecution efforts; changing environmental design to prevent crime; planning effective public meetings; disaster preparedness at the neighborhood level; and conditions of bail; classes of crime; and community input to sentencing.

- Number of crime prevention efforts.

In November 2004, six officers in the Ewa Weed and Seed area participated in a mentoring training session sponsored by the Boys and Girls Club. The mentoring program will allow officers to work with young children in the area to help them stay away from drugs and gang activities.

“Shattered Dreams” is a live re-enactment program on the effects of a drinking and driving accident and the fall out that results in injury and death. The program allowed Pahoia High School students to process the heart-wrenching event as it unfolds and weigh the consequences caused by drinking. The program was held at Pahoia High and Intermediate School which has a high school class of approximately 400 students.

In January 2005, the Maui Community Prosecutor was highlighted in the *Maui News* as one of “10 Who Make a Difference.” Among the improvements made through the KPAT’s efforts are the reopening of Kalama Park’s skating rink, improving the park’s lighting, improving access to the park, and reducing the shrubbery where drug users hid.

In March 2005, the Honolulu officers assigned to Weed and Seed activities provided two information briefings to Kalakaua Homes residents and covered concerns regarding personal safety, home security checks, and forming a citizen's patrol.

CRIMINAL HISTORY RECORDS IMPROVEMENT

Program Overview

The purpose of this project is to develop and implement enhancements to the CJIS-Hawaii (the State's new criminal history repository system) that has electronic interfaces and integration with other automated systems (police booking, prosecutor case management, court information, and corrections management) and the Green Box (an integrated Livescan electronic arrest/booking system). When implementation is completed at Maui Police Department (MPD) and Honolulu Police Department (HPD), all arrest/booking information, fingerprints, and mug photos statewide will be transmittable electronically from these law enforcement agencies to the State's AFIS (Automated Fingerprint Identification System), CJIS-Hawaii, and the FBI's fingerprint identification system. At that point, the full integration of CJIS-Hawaii and AFIS for "Lights Out" identification can be implemented. The central component to this process is a server known as the Lights Out Transaction Controller (LOTC) that can transmit demographic information to CJIS-Hawaii and the fingerprint information to AFIS to trigger simultaneous searches in both systems to determine a positive identification.

The Hawaii Criminal Justice Data Center of the Department of the Attorney General, the sole recipient of the 5 percent set aside funds, received FY 2002 funds of \$150,824 and FY 2003 funds of \$152,250. Total funding during the report period was \$303,074.

Goals and Objectives

The goal is to improve the timeliness, completeness, and accuracy of offender identification and information processing.

The objectives are:

- to expand the electronic transmission of offender information, fingerprints, and mugshots to CJIS-Hawaii, the State's AFIS, and the FBI's IAFIS (Integrated Automated Fingerprint Identification System);
- to increase the knowledge of HCJDC staff in the technical architecture of CJIS-Hawaii; and
- to research delinquent dispositions in CJIS-Hawaii and to decrease the number of delinquent charges with pending or missing dispositions.

Program Activities

Hardware and software will be purchased and installed to implement enhancements to facilitate integration with other agency systems. 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.

The re-designed system will integrate or interface with the planned Records Management System (RMS) for Maui 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 the Maui Police Department.

A Cardscan device to digitize and electronically transmit fingerprints will be purchased for and installed at the Maui 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 available automated systems and, if necessary, through manual methods.

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; and
- number of delinquent charges at the beginning and end of the report period.

Accomplishments and Evaluation Results

Steps have been taken to expand the electronic transmission of offender information, fingerprints, and mugshots to CJIS-Hawaii, the State's AFIS, and the FBI's IAFIS. In November 2004, the procurement of an integrated Livescan unit and a Cardscan unit for the Maui Police Department (MPD) was initiated. The installation of equipment at the MPD main station was completed in December 2004. The installation was completed in preparation for the integration testing involving the MPD Records Management System (RMS), the arrest/booking system (Green Box), and the integrated Livescan. Similar work has been initiated at the Honolulu Police Department (HPD). Modifications were developed for the Green Box server to enable the importing of MPD RMS XML files and posting of the information to the Green Box database. This integration is necessary for the MPD booking information to be populated on the integrated Livescan and Cardscan units. Currently, the deployment of Livescans at MPD and HPD is planned for the fourth quarter of 2005.

To increase the knowledge of staff in the technical architecture of CJIS-Hawaii, a computer-based training course on the Java 2 Enterprise Edition (J2EE) environment was purchased for the systems development staff of the HCJDC. This training course specifically covered programming using Enterprise Java Beans – the lowest level components of the CJIS-Hawaii system that are responsible for all interaction with the database. Additionally, one

fingerprint technician attended a training class on advanced techniques for handling and processing latent fingerprints. Latent fingerprints are fingerprints recovered from crime scenes or evidence. These fingerprints require special handling and preparation before they can be digitized and processed through an automated fingerprint identification system. Finally, one systems analyst attended training on Microsoft Exchange 2003 in preparation for the upgrading of the agency's servers.

Steps have been taken to research delinquent dispositions in CJIS-Hawaii and to decrease the number of delinquent charges. Most of the court systems are accessible on-line and research has been initiated via query into the Hawaii Judicial Information System (HAJIS), the District Court Criminal System (DCCRIM), and the Traffic Violations Information System (TRAVIS) to address many of the court delinquencies. As of January 1, 2004, there were 60,079 delinquent dispositions in CJIS-Hawaii. Although there is no breakdown of how many of these charges would be available via an on-line court system, there are 44,654 delinquent charges attributed to the courts. For cases that are not available for research via the automated systems, efforts will be made with individual agencies to research manual files. In some instances, it may be necessary for the delinquent disposition researcher to go on-site to the user agency to assist with the manual research effort.

Currently, the delinquent disposition researcher has researched the court delinquencies with an arrest date from January 1, 1998 through the present for the Honolulu, Kauai, and Maui/Lahaina District Courts. In addition, new court delinquencies are continuing to be addressed on a weekly basis. The delinquent disposition researcher is also addressing the current re-sentencing judgments that are received from the Honolulu Circuit and Family Courts. These types of charges are not calendared in the automated court system, and although tedious, these charges must be manually entered.

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. The Financial Exploitation project was implemented on Oahu to improve the department's response to the misuse of a dependent adult's money and property. Funds from the project enabled DHS to hire a social worker, an investigator/auditor, and a social services assistant to augment the existing adult protective services staff on Oahu. The project staff 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 2002 funds in the amount of \$113,420 and received FY 2003 funds in the amount of \$122,283.

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 improve the state's response to incidents of financial exploitation of dependent adults by increasing the number of financial exploitation reports accepted by DHS by 12 percent in a 12-month period;
- to improve the quality of the investigations of the reports of financial exploitation accepted for investigation, through the use of an investigator/auditor to examine and evaluate documents and records;
- to increase the number of cases referred to law enforcement agencies involving the financial exploitation of dependent adults; and
- to increase community awareness in identifying and reporting the financial exploitation of dependent adults.

Program Activities

All intakes and cases investigated by project staff are entered into the department's automated information system. The project director reviews and evaluates the computer reports on a quarterly basis. These reports can be sorted accordingly by: geographic area, 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. Analysis of the data enables the department to target outreach efforts to further educate the community about financial exploitation.

The investigator/auditor assists the social worker in the investigation of alleged financial exploitation involving dependent adults by gathering pertinent facts leading to confirming or not confirming the alleged abuse. The social worker is responsible for initiating appropriate court action to prevent further abuse from occurring and to establish temporary or permanent guardianship for the protection of the client.

When evidence is found that a crime has been committed, 100 percent of these cases are referred to law enforcement agencies for prosecution of white-collar crime.

Performance Measures/Indicators and Evaluation Methods

- demographic data and summary data for financial exploitation cases, which are collected and analyzed on a quarterly basis;
- number and type of cases requiring the expertise of the investigator/auditor;
- number of cases referred to law enforcement agencies for criminal investigation; and
- number of community outreach and information sessions completed; and number of participants attended.

Accomplishments and Evaluation Results

The project staff investigated a total of 78 cases for financial exploitation. The investigator/auditor reviewed and evaluated financial documents in 56 of these cases. This included reviewing bank records and documents and working with banking institutions to determine the validity of alleged financial exploitation by individuals who had joint accounts with the clients or were representative payees for Social Security checks or pension checks.

In addition to assisting the project's social worker in the investigation of financial exploitation cases, the investigator/auditor assisted the other adult protective services workers in the unit when financial issues surfaced in the cases they handled. These cases generally involve a combination of physical, sexual, and psychological abuse as well as self-neglect and neglect by caregivers. Financial exploitation had not been reported in these cases, but concern for the victim's finances triggered a request to the investigator/auditor for his review of the financial documents to ensure that no abuse is occurring in this area. Approximately three to four of these cases were reviewed in the last six months of fiscal year 2005.

Intake information was given to the State Attorney General's Office, Medicaid Investigations Division (MID) for 78 financial exploitation cases investigated by the project staff. DHS, Adult Protective Services provides intake information on all of their cases to MID. The financial exploitation cases are part of these cases. MID is able to investigate and prosecute

cases where there is a contractual relationship to provide care for a fee. In fiscal year 2005, a total of 12 cases were reported to the Honolulu Police Department (HPD) for follow-up. HPD may be able to investigate cases where victims are living in their own homes with alleged perpetrators who are family members. Cases involving family members who are shown to be joint account holders with the alleged victim on bank accounts, family members who are named as representative payees for Social Security checks, have power of attorney, or durable power of attorney papers authorizing them to act on behalf of the alleged victims may not be investigated by either HPD or MID.

To increase community awareness, DHS held a one-day consultation and technical assistance training on Oahu. Participants included all APS workers, social services assistance, and their supervisors statewide, the Oahu APS nurses, the Victims of Crime Act Case Management for Elderly Victims of Crime project staff, the Financial Exploitation project staff, psychiatric consultant Dr. Vit Patel, and staff from the Adult and Community Care Services Branch Program Development Office.

Project staff conducted five community outreach and information sessions. A total of 132 individuals participated in these sessions during fiscal year 2005.

HAWAII HIGH TECHNOLOGY CRIME UNIT

Program Overview

Computers have become inextricably woven into our daily lives. With the increased availability of computers and Internet connectivity there is a corresponding increase in computer-related crimes. Computer crimes can be categorized in three areas: 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). In a 2004 Internet Fraud Report, there were 207,449 computer crime complaints filed with the Internet Crime Complaint Center.⁴ These filings were composed of fraudulent and non-fraudulent complaints primarily related to the Internet. However, statistics related to computer crime can be difficult to track since a majority of law enforcement agencies lack the necessary resources, knowledge, and skills to combat computer-related crimes.

The Honolulu Police Department White Collar Crime Unit is the only local law enforcement unit in the State that has personnel trained to investigate computer-related crimes and perform forensics analysis of suspect computers. No other local law enforcement agency has properly trained computer forensic examiners that could be qualified to testify as experts in a criminal trial. Therefore, 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.

The Department of the Attorney General 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 established a forensics laboratory to provide these agencies with the needed training in computer investigations and forensics analysis.

The HHTCU project received FY 2002 funds in the amount of \$190,716.

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;

⁴ The Internet Crime Complaint Center (IC3), formerly the Internet Fraud Complaint Center, is a joint project between the National White Collar Crime Center and the Federal Bureau of Investigation (FBI). The 2004 figures represent a 66.6 percent increase over the 2003 statistics showing 124,509 complaints.

- to increase the number of computer-related cases being investigated by state and county law enforcement; and
- to increase the number of computer crime cases being prosecuted by the State.

Program Activities

The Hawaii High Technology Crime Unit (HHTCU) consists of a staff of four, which includes a deputy attorney general, two investigators, and a half-time educational specialist/computer forensic examiner. Existing departmental personnel provide the necessary clerical/administrative support. HHTCU assembled a computer forensic laboratory to provide technical assistance and increase the investigative capabilities of local law enforcement in the detection and investigation of computer-related crimes. Computers were purchased during this project period to replace original systems. Drive-to-drive duplication devices were purchased for task force members on the neighbor islands to permit them to accurately and quickly capture contents of a suspect's hard drive with zero alteration for transport to the HHTCU forensic lab for examination. The forensic lab is staffed with two trained forensic examiners who have received their CompTIA A+ Certifications in hardware and operating systems; these examiners are undergoing a further certification as computer forensic examiners. The deputy attorney general assembled a Charging and Briefing Manual for unit personnel.

HHTCU continues to receive approximately 60 to 70 Internet fraud cases a month and numerous complaints on unsolicited email (SPAM) cases. However, given the magnitude of this volume, HHTCU investigations are limited due to staffing shortages and resources.⁵

HHTCU has partnered with the American Prosecutors Research Institute to develop a multidisciplinary training program for prosecutors, investigators, and computer forensic examiners to effectively prosecute computer-related offenses; training is scheduled to begin late November 2005.

HHTCU continues to participate in state, national, and international organizations targeting computer crime. Through this networking, HHTCU receives case referrals, especially in the identification of pornographic web sites originating in Hawaii. The unit's investigative staff is working to shut down such criminal activity.

HHTCU members participate in such organizations as the High Technology Crime Investigation Association International, Inc. (HTCIA), the International Association of Computer Investigative Specialists (IACIS), the various Internet Crimes Against Children Task Forces located nationally (including participation as a board member), and Infragard, which is a partnership between private industry and the U.S. government (represented by the Federal Bureau of Investigation) designed to encourage the exchange of technological information by the government and the private sector members. In January 2005, the deputy attorney general was cross-designated as Special Assistant U.S. Attorney for the U.S. Attorney's Office.

⁵ See Program Accomplishments and Results, number of investigations.

In community outreach, HHTCU has developed a high technology crimes website at www.hightechcrimes.com and commenced discussions on developing and implementing public service announcements on computer-related crimes. HHTCU also collaborated with ICAC and conducted about 170 group presentations reaching an estimated 6,800 attendees and attended about 10 public events reaching an estimated 1,280 attendees. HHTCU is participating in public awareness venues to educate the community and increase reporting of high technology crimes.

Performance Measures/Indicators and Evaluation Methods

- number and topics of trainings in the area of detection and investigation of computer-related crimes;
- number of federal, state, and county law enforcement agencies agreed 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; and
- number of computer-related criminal prosecutions.

Accomplishments and Evaluation Results

- Training Activities

Training activities in the areas of investigative techniques, Internet forensics, digital evidence, and identity fraud/theft are ongoing for HHTCU, local law enforcement agencies, and task force members so as to keep up to date with the different computer crimes and rapidly growing technologies. HHTCU hosted an Internet Forensic Tool Kit class for task force computer examiners.

- Statewide High Technology Crime Task Force

The Department of the Attorney General combined HHTCU and the Hawaii Internet Crimes Against Children Task Force (HICACTF) into a single unit entitled the Hawaii Internet and Technology Crimes Unit (HITEC) to unify the department's efforts in battling high technology crimes and Internet crimes against children. A Memorandum of Understanding (MOU) incorporating both units and their goals/objectives was circulated among 22 state, county, and federal law enforcement agencies to discuss the formation of a task force to increase the investigation and prosecution of computer-related crimes. To date, 18 law enforcement agencies have signed the MOU and are actively participating on the task force.

- Investigative Assistance

The HHTCU staff has provided technical assistance to investigate a computer-based crime or referred to an agency with the appropriate capabilities. Assistance included access to HHTCU special agents, HHTCU computer forensic examiners, HHTCU prosecutors, and a computer forensics lab. HHTCU has also outreached to federal law enforcement agencies and offered to assist in cases, which have been declined for federal prosecution due to thresholds.

HHTCU provided technical assistance and support on 24 occasions to task force members that involved active investigations, and partnered with ICAC on 13 occasions to provide technical assistance and support to combat Internet crimes against children.

HHTCU assisted investigations with law enforcement agencies on at least five occasions; and conducted investigations on approximately:

- One hundred and forty Internet fraud or theft cases,
- Two email harassment cases,
- Six identity theft cases,
- One computer damage case,
- Twenty-two unsolicited email cases,
- One violation of privacy in the first degree case,
- Three unauthorized access of a computer cases, and
- One cybersquatting case.

HHTCU has also collaborated with ICAC to investigate criminal computer activities that include:

- Four electronic enticement of a child cases,
- Twenty-nine child pornography cases,
- One sexual assault case; and
- One promoting prostitution case.

In five cases, HHTCU assisted in the recovery of digital evidence and execution of search warrants.

HHTCU covered the cost for the supervising deputy attorney general to attend the NW3C Economic Crime Summit in Tampa, Florida. The deputy was a conference presenter on “Identity Theft Prosecution Strategies.”

- Computer Prosecution

Other criminal cases investigated by HHTCU and case disposition:

HHTCU conducted 22 forensic examinations on hard drives and other removable media. In the area of Internet fraud or theft cases, HHTCU recovered approximately \$200,000 without prosecution.

The number of felony prosecutions increased by 11 cases; this includes one violation of privacy in the first degree case in the State of Hawaii that resulted in a guilty conviction.

INTEGRATED BOOKING SYSTEM EXPANSION

Program Overview

In November 2002, the State's new criminal history repository, CJIS-Hawaii, was implemented. CJIS-Hawaii has operational interfaces with police booking, prosecutor case management, court information, and corrections management systems. Future plans include interfaces with police records management, additional prosecutor and supervision/probation systems, and improved integration with the State's Automated Fingerprint Identification System (AFIS). An arrest/booking data entry application known as Green Box was integrated with the Livescan system to create an integrated arrest/booking system. This new system has been implemented at the Hawaii County Police Department (HCPD), the Honolulu Sheriff's Office, and the Kauai Police Department (KPD).

All arrest/booking information, fingerprints, and mugphotos are now captured and transmitted electronically from these three agencies to the State's AFIS, CJIS-Hawaii, and the FBI's Integrated Automated Fingerprint Identification System (IAFIS). Efforts have been initiated to expand this integrated arrest/booking system to the Maui Police Department (MPD) and the Honolulu Police Department (HPD). This is a critical and final piece as the use of the integrated arrest/booking system "sets the stage" to achieve the ultimate goal of fully integrating CJIS-Hawaii and AFIS for "Lights Out" identification and Fast-ID wireless field identification. To accomplish this, it is imperative that both MPD and HPD, who account for a significant number of arrests, convert their manual bookings to electronic via the integrated Livescan/mugphoto technology.

The Hawaii Criminal Justice Data Center of the Department of the Attorney General received FY 2002 and FY 2003 funds totaling \$700,000 for this project.

Goals and Objectives

The goal is to expand the use of the integrated arrest/booking system to MPD and HPD to enable the electronic capture and transmission of arrest/booking information, fingerprints, and mugphotos to local, state, and federal criminal justice agencies.

The objectives are:

- to purchase integrated Livescan/mugphoto equipment for MPD and HPD to electronically capture fingerprint and mugphoto images for all arrests;
- to upgrade the integrated arrest/booking system database server hardware and software to electronically process all arrests from MPD and HPD and from existing arrest agencies; and
- to modify the integrated arrest/booking software to electronically transmit arrest/booking, fingerprint, and mugphoto information to the MPD and HPD Records Management Systems (RMS).

Program Activities

Implementation of the project will involve the following activities:

- The purchasing, installation, and testing of integrated Livescan/mugphoto equipment at booking sites for MPD and HPD.
- The training of MPD and HPD officers/staff to use the integrated Livescan/mugphoto equipment.
- The purchasing, installation, and testing of additional disk storage space for the Archive/Mugphoto server.
- The completing of necessary software modifications to enable the integrated Livescan/mugphoto devices to electronically send/receive information from the arrest/booking module of the MPD and HPD Records Management Systems (RMS).
- The completing of necessary modifications to enable the integrated arrest/booking server to electronically transmit arrest/booking, fingerprint, and mugphoto information to the MPD and HPD Records Management Systems (RMS)

Performance Measures/Indicators and Evaluation Methods

- implementation of integration/interfaces between CJIS-Hawaii and the target agency system will improve the accuracy, timeliness, and completeness of information/data in CJIS-Hawaii;
- implementation of integration/interfaces between CJIS-Hawaii and the target agency system will improve the accuracy, timeliness, and completeness of information/data in the target agency's system;
- percentage of "Lights Out" identification processing resulted in identifications without direct operator involvement; and
- percentage of automated identifications transmitted to the booking officer within 15 minutes of the completion of fingerprint capture and demographic data entry.

Accomplishments and Evaluation Results

CJIS-Hawaii resides on a new technology platform that incorporates more robust software, hardware, and application programs to support a significantly expanded functionality not possible using the outmoded legacy mainframe repository system (OBTS/CCH). The use of imaging technology has enhanced the accuracy and completeness of the available information in CJIS-Hawaii. At the user level, the PC desktop application now provides an improved data entry vehicle through user-friendly screens and easier navigation. An important focus of CJIS-Hawaii

has been to significantly reduce manual data entry. To accomplish this, CJIS-Hawaii was designed using an architecture that supports improved electronic interfaces and integration with other automated systems. The focus of this project has been on expanding the use of the integrated arrest/booking system to MPD and HPD.

The status of these efforts include the following:

- No purchases of integrated Livescan units have been completed during reporting period. The purchase of these units is dependent upon the implementation of the MPD's Records Management System (RMS) that has been delayed until the last quarter of 2005.
- Initial development of a process on the integrated arrest/booking system server to accept and post MPD booking information has been completed. Final testing is pending the development and implementation of the export process on the MPD Records Management System (RMS).
- Processing to send information to the MPD and HPD Records Management Systems (RMS) has been implemented in the integrated arrest/booking system server.

INTERAGENCY COUNCIL ON INTERMEDIATE SANCTIONS

Program Overview

The Council's mission is to develop a shared vision for the enhancement of Hawaii'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 percent 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 pre-trial revocation within three years of onset of community supervision;
- That the system will adopt statewide adult offender assessment protocols. The empirically-based Level of Services Inventory-Revised (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 5-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 2003 funds in the amount of \$158,739.

Goals and Objectives

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

The objectives are:

- to develop the criteria for criminal justice contracted services;

- that Purchase of Service vendors and program specialists will gain skills and knowledge to improve services that target criminogenic behaviors, values, and attitudes;
- to improve the LSI-R assessment and protocol and quality assurance process;
- to improve the method used to match offender risks and needs to services;
- to improve interagency access to offender information.

Program Activities

The Council is in its third year of funding. The Council succeeded in training a significant number of correctional staff and private vendors in the use of the Level of Services Inventory-Revised (LSI-R), an advanced offender risk assessment tool. The assessment provides staff with a standard measure for offender risk to recidivate, with information to allocate available services, and with information to create offender service plans. Properly used, this assessment tool offers stakeholders and decision-makers accurate feedback for prioritizing available treatment funds, applying appropriate correctional sanctions, and measurement of offender progress through the criminal justice system.

In addition to having improved assessments in this phase, the Council has invested resources to train the correctional staff in communications skill for motivating offenders and in offender cognitive (COG) skills development. These techniques are important to reducing the influence of criminal thinking, a key factor to recidivism among offenders and to changing their behavior.

The project continued to build on the accomplishments made since its inception in 2002. The staff continued to work on matching the risk and needs of the assessed adult offender through a continuum of services and evaluating progress through scientific measurement of process and results. The Council worked towards instituting quality assurance of the various standards adopted and establishing a research infrastructure to measure whether the improvements sought are achieved.

One of the project researchers performed an analysis of the LSI-R proxy results from January 2003 to September 2004. A concern for ICIS is whether the proxy, and its corresponding weighted scale, is able to predict risk. Risk is measured via recidivism, defined as any new arrest or probation, parole, or pre-trial revocation within three years of the onset of community supervision. An initial test of the proxy supports its predictive validity. An outcome analysis of recidivism was conducted on all offenders who were administered a proxy between January 24, 2003 and April 9, 2004. Most offenders had at least a 6-month follow-up period. The results demonstrate a positive correlation between proxy score and recidivism. As the proxy scores increased, recidivism rates also increased.

The results further support the applicability of the proxy in establishing an administrative workload separation among offenders for priority of services. The rearrest information supports

the capability of the proxy to screen out offenders with a lower probability of recidivism, and thus separate the higher risk offenders for priority of services. Projected rearrest rates will follow the same pattern. This is especially important since Hawaii, as many other states, faces increasing caseloads without a corresponding increase in resources. Confronting this, along with the knowledge that a greater recidivism reduction can be realized through treating higher risk offenders, the proxy is an important tool for Hawaii.

Performance Measures/Indicators and Evaluation Methods

- criteria for criminal justice contracted services,
- number of service providers trained in the criteria for criminal justice contracted services,
- method used to improve the LSI-R assessment and protocol and quality assurance process, and
- status of interagency sharing of offender information.

Accomplishments and Evaluation Results

- Criteria for Criminal Justice Contracted Services

The criteria adopted by ICIS for criminal justice contracted services is the Correctional Program Assessment Inventory (CPAI). CPAI takes into account evidence-based practices to reduce offender recidivism.

CPAI is a tool that has been used for assessing correctional intervention programs. The CPAI assesses a program on six primary areas: 1) program implementation and leadership; 2) offender assessment and classification; 3) characteristics of the program; 4) characteristics and practices of the staff; 5) evaluation and quality control; and 6) miscellaneous items such as ethical guidelines and levels of support. Each section is scored as either “very satisfactory” (70 percent to 100 percent), “satisfactory” (60 percent to 69 percent), “satisfactory but needs improvement” (50 percent to 59 percent), or “unsatisfactory” (less than 50 percent). The scores from all six areas are totaled and the same rating scale is used for the over-all assessment score. Not all of the six areas are given equal weight, and some items may be considered “not applicable,” in which case they are not included in the scoring.

Initial training on the CPAI was provided by Edward J. Latessa, Ph.D. from the Center for Criminal Justice Research, Division of Criminal Justice, University of Cincinnati and was held in July 2004. Dr. Latessa conducted a follow-up site visit on September 27-28, 2004 in order to provide the 16 trainees with technical assistance on the management and application of the CPAI and to help ensure validity and reliability in the assessment process. Dr. Latessa reviewed the reports generated by the assessment teams, assisted in scoring, answered questions concerning the process and indicators, and formulated a process for future assessments. This included having the trainees working in teams to practice using the CPAI.

Subsequently, a multi-agency CPAI oversight committee was formed to coordinate site visits to volunteer service provider programs and to ensure quality control of the CPAI evaluation process and the resulting reports. By June 2005, seven CPAI reports on volunteer contracted services were completed or were in the process of being completed.

- Service Providers Trained in the Criteria for Criminal Justice Contracted Services

In June 2005, approximately 80 individuals representing 25 treatment providers (substance abuse, domestic violence, sex offender, transitional and vocational support services) and criminal justice agencies were gathered under the auspices of the Northwest Frontier Addiction Technology Transfer Center, SAMHSA; the Department of Health, Alcohol and Drug Abuse Division; and the Judiciary, Adult Client Services.

The purpose of the two-day seminar was to provide technical assistance and training in system improvement processes to agencies seeking to improve their Offender Treatment Services. Learning objectives of the sessions were to: 1) understand a process model for system improvement and the adoption of Cognitive Behavioral Treatment (CBT); 2) become familiar with key factors and principles for successful organizational change; 3) develop a plan for initiating a change process in their organization that reflects the principles of successful change; 4) identify potential barriers and plans for overcoming or reducing them in preparation to implement CBT in their organizations; and 5) appreciate the importance of organizational climate, culture, structure, and personnel roles in the successful adoption of CBT. The presenter/facilitators were Steve Gallon, Ph.D and Deena Vandersloot, M.Ed. of the NFATTC and Darin Kawazoe, M.A., CSAC, Consultant, Support Unlimited, LLC. This technical assistance and training folded together how CPAI, organizational change, and cognitive behavioral treatment are inter-related.

In April 2005, Dr. Harvey Milkman completed an intensive training and skill building with adult criminal justice treatment providers in the area of Cognitive Behavioral Treatment. The training was designed to provide vendors with the basic knowledge, skills, and attitudes necessary to deliver effective cognitive-behavioral treatment (CBT) to offenders. The CBT overview began with a review of the basic principles of evidence-based CBT for offenders, followed by a comprehensive overview of how CBT principles are applied to offenders who manifest problems in the broad domains of substance abuse and criminal conduct. The presentation then moved to a description of how CBT is applied to special offender populations, e.g., sex offenders, females, domestic violence.

- Method Used to Improve the LSI-R Assessment and Protocol

Since the project's inception, 325 correctional staff and private vendors have been trained in the use of the Level of Services Inventory-Revised (LSI-R). The training was conducted by locally qualified trainers and has resulted in a probation and parole staff certification rate of over 85 percent.

LSI-R training was held on Oahu from October 20 through October 22, 2004 during this reporting period.

As Hawaii validation efforts for the LSI-R proxy were collected and analyzed by the research team, a determination was made for the adjustment of the proxy scale, as the Hawaii offenders emerged as an older population as compared to the national average on which the initial proxy was based. The new proxy scale began to be utilized by staff in July of this reporting period.

The Council's goal is to lower scores on dynamic items through appropriate treatment (level of service), and hence overall risk levels, which will lead to a reduction in recidivism.

The offender classification level and scores that are being used to match offender to level of supervision and services is based on Hawaii's cutoff scores and is prescribed as follows: Surveillance is 36 or greater, High is 26-35, Medium is 21-25, Low is 19-20, and Administrative is less than or equal to 18.

In addition to the LSI-R training, ICIS requested and received support from the National Institute of Corrections to provide technical assistance to provide vendors and criminal justice staff the opportunity to work with Dr. Harvey Milkman on November 4, 2004 to learn about cognitive behavioral approaches and curriculum. A session on November 5, 2004 was held exclusively with the COG trainers to assist with the development of the criminal justice COG curriculum.

- Interagency Sharing of Offender Information

The project continues its contract with Cyzap which allows for a management information system (MIS) capable of communicating among agencies to facilitate sharing of offender information.

Continued funding has been utilized to maintain the LSI-R/ASUS licensure and related Cyzap web-enabled offender assessments and collection of information services and consultative services to build infrastructure and capacity for the Council's research and evaluation needs.

VIOLENT CRIMES

COMPUTER CRIMES AGAINST CHILDREN

Program Overview

The use of computers and the Internet in the sexual exploitation of children is a growing problem. Congress created the Internet Crimes Against Children (ICAC) Task Force Program to assist state and local enforcement agencies in developing an effective investigative response to the increasing number of children and teenagers using the Internet, the proliferation of child pornography, and the heightened online activity by predators searching for unsupervised contact with underage victims.

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 lure children in chat rooms. Electronic conversations targeting vulnerable children are often conducted through chat rooms, bulletin boards, and email.

The federal ICAC Task Force Program helps state and local law enforcement agencies develop an effective response to cyber enticement and child pornography cases. This help encompasses forensic and investigative components, training and technical assistance, victim services, and community education. Hawaii's ICAC task force is housed in the State Department of the Attorney General. The department works in collaboration and partnership with local task force members including the county police departments.

Enacted in 2002, Hawaii's law governing Internet crimes against children is covered by the Hawaii Revised Statutes, section 707-756, Electronic Enticement of a Child in the First Degree. The statute states that "(1) any person who, using a computer or any other electronic device:

- (a) Intentionally or knowingly communicates:
 - (i) With a minor known by the person to be under the age of eighteen years;
 - (ii) With another person, in reckless disregard of the risk that the other person is under the age of eighteen years, and the other person is under the age of eighteen years; or
 - (iii) With another person who represents that person to be under the age of eighteen years; and
- (b) With the intent to promote or facilitate the commission of a felony:
 - (i) That is a murder in the first or second degree;
 - (ii) That is a class A felony; or

(iii) That is an offense defined in section 846E-1;

agrees to meet with the minor, or with another person who represents that person to be a minor under the age of eighteen years; and

(c) Intentionally or knowingly travels to the agreed upon meeting place at the agreed upon meeting time; is guilty of electronic enticement of a child in the first degree.

(2) Electronic enticement of a child in the first degree is a class B felony. [L 2002, c 200, pt of §1]”

Aggregate Funding Information

Two projects, totaling \$129,045, were funded. The Honolulu Police Department received a FY 2003 award of \$46,875, and the Maui Police Department received FY 2002 funds totaling \$82,170.

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, and
- to increase the knowledge of the public on crimes against children via the Internet.

Program Activities

Computer systems were purchased and dedicated for the purpose of conducting Internet and computer-related investigations. Investigators acquired training on conducting cyber-enticement investigations and on computer forensics. Both proactive and reactive cases were initiated. Investigators were to also conduct sting operations on suspects using the Internet to lure children for sex or pornography. In reactive cases, investigators were to act on information provided by victims and witnesses.

Performance Measures/Indicators and Evaluation Methods

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

Accomplishments and Evaluation Results

Responsibility for the Honolulu Police Department project has been moved to the Criminal Investigations Division (White Collar Crime Unit). Because of this move, it has been necessary to train the assigned CID detectives to conduct these types of computer/online investigations. Training during the period has included training from the U.S. Department of Justice (Office of Juvenile Justice and Delinquency Prevention) on Internet Crimes Against Children investigative techniques. These trainings provided detectives with additional knowledge and improved techniques to conduct on-line investigations of Internet predators.

The unit continues to work closely with the Hawaii Internet Crimes Against Children Task Force (this has involved joint investigations with the Department of the Attorney General and the Federal Bureau of Investigation). The unit has investigated eight child enticement and four child Internet pornography related cases. Additionally, seven other computer-related investigations involving harassment and unauthorized access involving children were conducted. Currently, there are 12 possible felony cases of Electronic Enticement of a Child that are pending further investigation.

Project staff continues to research (and, if necessary, to purchase) appropriate equipment and accessories to keep abreast of current technology. Community outreach/prevention programs (Online Safety – Protecting/Safeguarding Hawaii’s Keikis) continue and have been provided for 18 public and private schools (ranging from grades four to ten). Additional presentations were conducted for Department of Education administrators, parent and teacher faculty groups, colleges, Boy Scout Troops, Community Watch Programs, and different business groups. Attendees at these presentations numbered over 2,000.

The Maui Police Department unit conducted one proactive child enticement investigation. The case involved the investigation of electronic enticement of a child and sexual assault. A search warrant was obtained and two computers were examined. The case will be referred for prosecution. Training for the involved officers has included “I-Look” training in Honolulu that provided officers with additional knowledge and improved techniques to conduct on-line investigations of Internet predators. Finally, presentations on Internet crimes affecting children and Internet safety were conducted for parents, teachers, and school staff at Pukalani School and Haiku School in Makawao. The unit has ordered and received needed computer

forensic hardware that has been used in the investigations. High speed Internet access has been used by the unit to conduct undercover operations/investigations on the Internet. Four laptop computers and wireless network hardware have been purchased allowing additional investigators to conduct undercover investigations. Cameras needed to document investigative activities and updated software and replacement hard drives have also been purchased for the project.

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. Table 1 shows a 22 percent increase in the number of reports filed by police between 2003 and 2004 under the Abuse of Family or Household Member (AFHM) statute, but the statistics must be taken with some caution for two reasons. Honolulu Police Department did a conversion of its reporting system that affected the reporting of this statute, and the 2003 data is considered an estimated number. In addition, Maui Police Department eliminated the inclusion of verbal abuse reporting, bringing it in line with the reporting methodology of the other three police departments. Both of these changes have resulted in a lower number of AFHM reports in 2003 and 2004. From the information provided, it appears that Hawaii County has the highest increase (39 percent) in reporting such abuse.

Domestic violence incidents could also be classified under a multitude of other related offenses, ranging from felony arrest for assault to a misdemeanor arrest for harassment, or a property offense (e.g., criminal property damage). Unfortunately these reports and arrests that involve domestic or family violence, particularly the felony level offenses, are not readily identified as such and therefore not included in the domestic violence statistics in Table 1. Non-reporting of incidents as domestic violence to law enforcement is due to a variety of reasons, such as fear of revictimization, cultural inhibitions, and frustration with the criminal justice response.

Table 1

REPORTS FOR ABUSE OF FAMILY AND HOUSEHOLD MEMBER⁶ - HRS §709-906						
Location	1999	2000	2001	2002	2003	2004
City and County of Honolulu	3,211	3,586	3,508	3,001	1,816 ⁷	2,416 ⁸
County of Maui	3,447	4,116	4,786	3,688	632 ⁹	648 ¹⁰
County of Hawaii	1,028	1,256	1,196	987	758	1057
County of Kauai	327	484 ¹¹	520	620	562	478
Total	8,013	9,442	10,010	8,296	3,769	4,599

Source: County Police Departments

⁶ Includes both male and female victims, and juvenile victims.

⁷ Honolulu Police Department converted coding for HRS section in 2003.

⁸ See above 7.

⁹ Maui Police Department eliminated inclusion of verbal abuse incidents in reporting.

¹⁰ See above 9.

¹¹ Missing July-September 2000.

The four county police departments have mandatory arrest policies for the Abuse of Household Member statute, which is a misdemeanor offense for the first conviction. In the 2002 Hawaii Legislative session, it became a Class C felony for any subsequent offenses of abuse of a family member that occurs within two years after a second misdemeanor conviction of this offense. The law enforcement standard for mandatory arrest for abuse of household members is “visible injury or complaint of pain.” Table 2 shows arrests under the AFHM statute decreased by 19 percent statewide from 2002 to 2004, after a three-year climb that peaked in 2001. The County of Kauai had a 58 percent decrease in arrests during this period between 2003 and 2004, while Honolulu County showed a decrease of 22 percent during the same period.

Table 2

ARRESTS FOR ABUSE OF FAMILY AND HOUSEHOLD MEMBER - HRS§ 709-906						
Location	1999	2000	2001	2002	2003	2004
City and County of Honolulu	2,365	2,333	2,276	1,848	1,816	1,416
County of Maui	610	654	704	561	556	508
County of Hawaii	600	666	691	626	616	558
County of Kauai	184	177	274	321	326	222
Total	3,759	3,830	3,945	3,356	3,314	2,704

Source: County Police Departments (1995); HCJDC (1996-2004)

The report and arrest rates for domestic abuse proportional to the population distribution are illustrated in the distribution of reports and arrests in Figure 1 below. The County of Hawaii has the highest report rate per capita, and all of the Neighbor Islands have a higher arrest rate for AFHM, in comparison with the City and County of Honolulu.

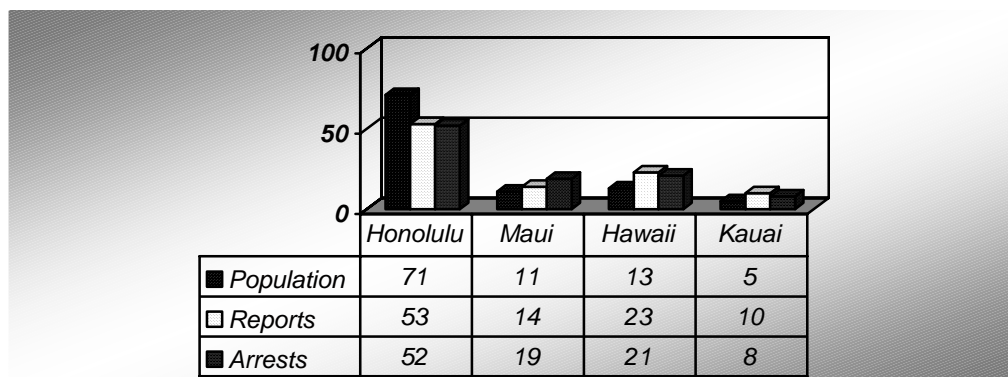


Figure 1. Distribution of Reports/Arrests (Percent) for CY 2004

The number and rate of domestic violence-related murders between 2002 and 2004 have been dramatically reduced by more than half (refer to Table 3). Firearms were used in almost half of these domestic violence murders.

Table 3

DOMESTIC VIOLENCE-RELATED MURDERS										
Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
No. of DV-related murders	16	8	8	6	7	10	8	7	3	2
DV-related murder rate, per 100,000 residents	1.4	0.7	0.7	0.5	0.6	0.8	0.7	0.6	0.2	0.2

Source: Department of the Attorney General (CPJA) and Hawaii State Coalition Against Domestic Violence

The Department of Public Safety received FY 2002 funds in the amount of \$94,588.

Goals and Objectives

The goal is to successfully reintegrate incarcerated male domestic violence offenders back into the community.

The objectives are:

- to reduce the level of risk for violent behavior toward women and children through participation in domestic violence intervention programs;
- to identify and treat high risk offenders for chemical addiction;
- to reduce the risk for abuse between fathers and their children by providing a father's parenting program; and
- to provide continuing substance abuse and domestic violence intervention services for offenders exiting jail and re-entering the community.

Program Activities

The Department of Public Safety (PSD) established a collaborative effort with the Family Court of the First Circuit to address the need for a continuum of intervention services for male perpetrators of domestic violence. Due to the significant decline in the number of misdemeanor domestic violence offenders referred, the project has incorporated sentenced felon probation violators into the program. The third and final year of this project sought to address the needs of sentenced felons serving one year or less for domestic violence or for violations of probation.

The project contracted the educational and cognitive services, including the substance abuse screening services. Delays in the initial start-up, particularly with the substance abuse assessment and treatment component, have resulted in several contractors completing their portion of the service contract prior to implementation of corresponding services that had yet to begin. PSD had allowed the contracted service agencies to conduct their own assessments and incorporate the information into client reports to PSD, as this has proven to be a more efficient use of providers' time and availability. Communication and participation with the adult probation office needed to be addressed in order for the project to improve coordination of offender 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:

- participation and completion rates in programs specified in service plan,
- reduction in risk for chemical abuse as measured on the ASI and through urinalysis,
- number of case conferences conducted per quarter,
- number of service plans and transition plans developed, and
- percentage of participants who either complete or do not complete programming or who violate probation orders.

Accomplishments and Evaluation Results

The program experienced a delay in obtaining purchase of services for the domestic violence intervention program. The parenting, substance abuse, and cognitive skills classes have been running at full class levels (60+ participants enrolled). The difficulty has been to get offenders to continue in-community treatment upon release. Without any sanctions for non-participation, community aftercare services have been poor. Public Safety is also trying to restructure its evaluation process, and the matter is still pending at this point.

HOMICIDES

Program Overview

Murder is one of the most egregious acts a person can commit against another human; a depraved indifference to human life. Because of its heinous nature, Hawaii has no statute of limitation for the prosecution of murder in the first and second degrees, for attempted murder, and attempted murder in the first and second degrees. State law requires that a person convicted of First Degree Murder or Attempted First Degree Murder shall be sentenced to life imprisonment without the possibility of parole. Part of the sentence (for offenders not sentenced under the repeat offender statute) includes a process to allow the governor to commute the sentence to life imprisonment with parole at the end of 20 years of imprisonment. Sentences for convictions of Second Degree Murder or Attempted Second Degree Murder may include life with or without the possibility of parole. In murder, the offender is found to have intentionally or knowingly caused the death of another. The lesser offense of Manslaughter is a Class B felony and is used when the offender's mind is considered less culpable.

In the 2002 *FBI Uniform Crime Report (UCR)*, Hawaii ranked 42nd in population among the 50 states, and 41st in Violent Crime Rate. For murder, Hawaii ranked 44th among all the states; or a murder rate of 1.9 per 100,000 resident population.

The murder rates have steadily declined over the last 11 years, with the murder rate the highest in 1995 at a rate of 4.7 per 100,000 population and the lowest in 2003 at 1.7 per 100,000 population.

Hawaii Murder Rates 1993-2003

Year	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Rate	3.9	4.3	4.7	3.4	4.0	2.0	3.7	2.9	2.6	1.9	1.7

2003 Crime in Hawaii

The clearance* rate has fluctuated over the last 11 years with a high of 100 percent in 1998 to a low of 62.5 percent in 2002.

Hawaii Murder Clearance Rate 1993-2003

Year	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Rate	73.3%	68%	83.9%	87.5%	72.3%	100%	79.5%	97.1%	90.6%	62.5%	72.7%

2003 Crime in Hawaii

*(*An offense is cleared by arrest when at least one person is arrested; charged with the commission of the offense; and turned over to the court for prosecution. An offense is cleared by exceptional means when the identity of the offender is known; there is enough evidence to support an arrest, charge, and turning over to the court for prosecution; the exact location of the offender is known; and for reasons outside the control of law enforcement, the offender cannot be arrested, charged, and prosecuted.)*

The characteristics of murder in Hawaii from 1998-2003 are highlighted in the following tables indicating the types of weapons used, the sex of murder victims and known offenders, and the relationship of murder victims to offenders. In the last six years, a third (34.63 percent) of the

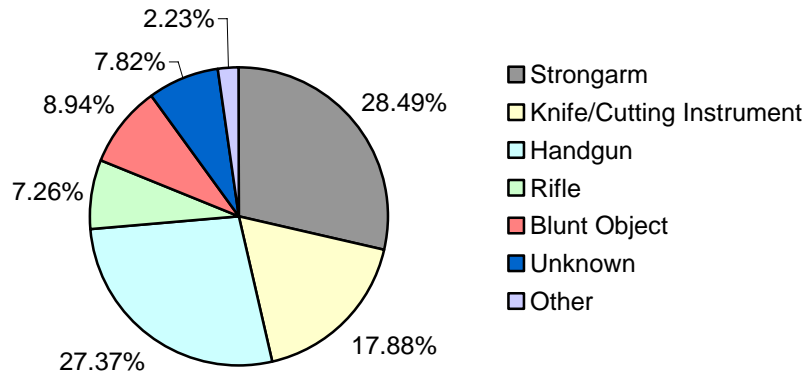
murders were committed with firearms; more than a quarter (28.49 percent) were committed by strongarm -- the use of hands, fists, feet, etc.; and 17.88 percent were committed with a knife or cutting instrument.

Weapons Used in Murder 1998-2003

Weapon Type	1998	1999	2000	2001	2002	2003	Total
Strongarm	10	10	8	8	7	8	51
Knife/Cutting Instrument	6	7	9	6	3	1	32
Handgun	4	20	5	6	6	8*	49
Rifle	2	1	3	2	5	0	13
Blunt Object	1	4	3	5	3	0	16
Unknown	1	1	4	3	0	5**	14
Other	0	1	1	2	0	0	4
Total	24	44	33	32	24	22	179

2003 Crime in Hawaii (*Number represents firearms; ** Number represents Other/Unknown)

Weapons Used in Murders by Percentages 1998-2003



Almost a third (31.5 percent) of all victims were female and less than 10 percent of the known offenders were women. Male victims made up 68.50 percent of the victims and 90 percent of the known offenders.

Sex of Murder Victims and Known Offenders 1998-2003

Sex	1998		1999		2000		2001		2002		2003		1998-2003	
	V	O	V	O	V	O	V	O	V	O	V	O	V	O
Male	17	22	31	29	22	28	21	32	16	19	17	16	124	146
Females	7	3	13	1	13	5	11	6	8	1	5	0	57	16
Total	24	25	44	30	35	33	32	38	24	20	22	16	181	162

2002 Crime in Hawaii (V = no. of victims; O = no. of offenders)

More than a third (33.14 percent) of the victims and offenders were acquaintances or friends and 22.65 percent were immediate family members or spouses. At least 14.36 percent of the victims did not know their offender.

Relationship of Murder Victims to Offenders 1998-2003

Relationship	1998	1999	2000	2001	2002	2003	Total
Acquaintance	7	21	8	11	8	5	60
Friend	4	1	0	0	0	0	5
Immediate Family	3	4	5	1	2	5	20
Stranger	3	5	7	5	3	3	26
Neighbor	2	0	0	0	0	0	2
Spouse	2	2	7	7	2	1	21
Unknown	3	9	6	3	7	6	34
Other+	0	2	2	5	2	2	13
Total	24	44	35	32	24	22	181

2002 Crime in Hawaii (+) boy/girlfriend, grandparent

The arrest of a murderer is the first, yet most important, step in the criminal justice system. Without an arrest, none of the accepted forms of punishment can be applied (*Analysis of Variation Affecting the Clearance of Homicides, C. Wellford, J. Cronin*). This program area supports the investigation and prosecution of homicides. The project funded in this program area will provide resources for specialized personnel, equipment, and training that was not previously available at Department of the Attorney General, Investigations Division. The program adopted a statewide, multi-agency, and multi-jurisdictional (federal, state, and county) approach to cold case homicide investigations.

One project was funded with FY 2004 Byrne funds in the amount of \$203,282.

Goals and Objectives

The goal is to increase the number of cold homicide cases investigated and prosecuted in Hawaii.

The objectives are:

- to establish a methodology for the investigation of cold homicide cases received from coalition members;
- to screen referred cases and if the case meets the project’s criteria, then the squad will investigate said case;
- to forward the case to the respective county prosecutor in cases where a suspect(s) has/have been identified and located;

- to provide technical assistance to coalition agencies conducting cold homicide investigations; and
- to provide specialized training to coalition members.

Program Activities

The Cold Case Squad began operating in October 2004 and worked to address unsolved (cold) homicide cases by increasing investigation and prosecution efforts through the specialized squad. The project sustained a squad staffed by three investigators working in conjunction with county police and prosecutors. The staff was successful in securing cooperative agreements with coalition members representing Honolulu, Hawaii, Kauai, and Maui County police departments and prosecuting attorneys from all counties. The squad worked to improve coalition members' investigative skills and to increase information sharing to move investigations forward. The squad hosted a two-day homicide training and provided technical assistance to coalition members as requested.

Performance Measures/Indicators and Evaluation Methods

- methodology adopted,
- number of cases investigated,
- number of offenders arrested,
- number of offenders prosecuted, and
- technical assistance and training provided to coalition agencies.

Accomplishments and Evaluation Results

The Cold Case Squad adopted a homicide methodology and the policies and procedures that were developed by the Northern Florida Cold Case Investigative Unit. This includes procedures for screening, reviewing and assessing the cases for solvability factors, and prioritizing cases based on limited resources. The methodology includes re-examining forensic evidence and re-interviewing individuals whose relationships with suspects may have changed and whereby they are now more cooperative with investigators.

Fourteen homicide cases from the counties were referred to the squad for investigation. Of the 14 cases, the squad has closed three cases and has identified culpable suspects in three other cases. The three closed cases have been referred to the Department of the Attorney General, Criminal Justice Division for prosecution.

The number of cases investigated/being investigated, by county:

Hawaii County - 4

Kauai County - 2

Maui County - 2

City & County of Honolulu - 6

The project has been in operation for nine months (October 2004-June 2005), and therefore, arrest and prosecution data do not exist.

The Cold Case Squad with the Naval Criminal Investigative Services sponsored a Cold Case Methodology and Protocol Training on November 8-10, 2004 in Honolulu. Over 100 county, state, and federal investigators and prosecuting attorneys attended.

Information from the April 2005 Cold Case Homicide Investigations, Methodology and Protocol training held in San Diego and attended by the squad's investigators was presented to coalition members.

The squad used DNA testing in four investigations to develop leads and identify culpable suspects.

SEXUAL ASSAULT MULTI-DISCIPLINARY RESPONSE

Program Overview

This collaborative project sought to bring together police, prosecutors, medical/forensic professionals, and sexual assault advocates from across the State of Hawaii in a comprehensive training setting. The focus of this effort is for these professionals to improve the delivery of services to victims of sexual assault and to increase offender accountability. The training will center on the specialized collection of forensic evidence to support sexual assault investigation and prosecution, the process to preserve and protect the custody of the evidence, and presentation of the forensic evidence in court.

The City and County of Honolulu, Department of the Prosecuting Attorney received \$33,000 in FY 2002 funds.

Goals and Objectives

The goal is to improve the delivery of sexual assault services within the criminal justice system.

The objectives are:

- to increase the law enforcement skill levels in the arrest and investigation of sexual assault crimes through attendance at specialized training;
- to increase the prosecutorial skills through attendance at specialized training sessions that adds charging, trial preparation, and trial tactics in sexual assault cases;
- to increase the medical/forensic response to sexual assault by providing training that addresses the collection of forensic evidence; and
- to conduct an evaluation and analysis of the impact of the various training components offered in the 2.5-day training conference.

Program Activities

The Department of the Prosecuting Attorney sponsored a 2.5-day statewide training conference on Oahu for police, prosecutors, medical/forensic examiners, and victim advocates. The first day provided breakout sessions for the various disciplines that provide basic and advance-level training on forensic investigation/examination, trial preparation, and victim response. Day two provided multi-disciplinary sessions for cross-over training in the same areas and preparation for the exercise on the next day. The third day consisted of a mock trial proceeding and critique, based on the roles for each discipline in such a setting. Instructors and facilitators were drawn from both national organization and local agency experts.

Performance Measures/Indicators and Evaluation Methods

- number of participants, and
- completion of survey soliciting participant pre- and post-conference information and skill levels.

Accomplishments and Evaluation Results

A total of 72 people attended the conference held on May 23-25, 2005 at a North Shore hotel on Oahu. More than half (45) came from Maui, Kauai, and Hawaii Counties, and included representatives from all four county police and prosecutor agencies, the Department of Human Services, four sexual assault victim service agencies, the Children's Justice Centers, and medical personnel from two hospital/clinical organizations.

More than half of the participants (57 percent) gave the overall conference an "excellent rating," and the remaining rated it as "above average" (35 percent) or "fair" (8 percent). The evaluation listed the cross-training and networking as being valuable in improving their work and the conference material providing a good resource to refer back to as needed. Participants requested that such training events be continued and expressed some frustration in not being able to attend other or more sessions based on interest, rather than discipline.

SEX OFFENDER MANAGEMENT

Program Overview

The Hawaii Sex Offender Treatment Team (SOTT) was established in 1986, when the Hawaii State Legislature provided the Department of Health with funding for sex offender treatment. SOTT representatives include the Judiciary (Adult Probation Division), the Department of Social Services and Housing (Corrections Division and Child Protective Services) now the Department of Human Services and Department of Public Safety, Department of Health (Mental Health Division), and the Hawaii Paroling Authority. SOTT was formed to address sex offender management and reentry issues and was tasked with designing, developing, and implementing a system-wide coordinated sex offender treatment program. The result of the work of this initial group was presented in the Hawaii Master Plan for Adult Sex Offender Treatment: An Integrated Model (January 1989). The Master Plan provided a blueprint for the coordinated delivery of adult male sex offender services across agencies. In 1992, the Hawaii State Legislature amended the Hawaii Revised Statutes by adding a new chapter “to continue the networking activities of these agencies to ensure that the master plan is successfully implemented through a coordinated approach.” The Department of Public Safety was designated as the lead agency, with the responsibility to facilitate SOTT and to provide administrative support. Over the years, support for this unfunded mandate deteriorated and state agencies that administer sex offender treatment and/or management services followed standards that began to differ from one another. Subsequently, implementing a statewide standard for sex offender treatment and management became increasingly more difficult to coordinate.

In the summer of 2003, William Woodward Associates conducted a study on the activities and services provided by SOTT members and on September 30, 2003, completed their report entitled, *Report on the Efficiency and Effectiveness of Hawaii’s Sex Offender Treatment*. The result of this critical review provided direction in how to move the state agencies towards an integrated, effective program for assessing, treating, and monitoring sex offenders.

Among Woodward Associates findings, they found that service providers were not using curriculum that research has shown to be effective in reducing recidivism and expressed concern about the inconsistency of information shared between criminal justice agencies and treatment providers and the lack of conformity in supervision across agencies. Woodward Associates posed a number of recommendations for improving the current provision of sex offender treatment in Hawaii.

The program strategy will reflect the recommendations of Woodward Associates. Updating and expanding the Master Plan and subsequent implementation manuals will provide the map for the future, through reviewing what has been accomplished since 1989, and identifying what more needs to be done to strengthen and support effective treatment for both juvenile and adult sex offenders in Hawaii. The project will be broken down into three subject areas: coordination and oversight of Master Plan update and implementation, assessment and treatment for sex offenders, and supervision of sex offenders in the community.

Therefore, funding for this program is to support a statewide coordinated effort to implement a standardized research-based sex offender treatment, supervision, and management program in Hawaii.

The Department of Public Safety received FY 2002 Byrne funds in the amount of \$47,040.

Goals and Objectives

The goal is to improve sex offender treatment services and supervision for juvenile and adult offenders.

The objectives are:

- to expand the membership of SOTT to include stakeholders not currently represented;
- to hire staff to provide professional support to SOTT;
- to develop a comprehensive assessment, treatment, and management plan to be utilized and adhered to by all community supervising officers and treatment providers;
- to develop standards for the assessment and treatment of sex offenders, for the use of the polygraph in monitoring offenders, and for supervision of sex offenders in the community;
- to select and implement assessment instruments utilizing both static and dynamic risk factors; and
- to train appropriate criminal justice and treatment provider staffs in assessment protocols.

Program Activities

To assist in the coordination and planning of the SOTT priorities and objectives, a coordinator was hired to help SOTT members with organizing statewide sex offender training and technical assistance and to work with SOTT to:

- define standards for the treatment of sex offenders;
- define standards for assessment of sex offenders utilizing both static and dynamic risk factors;
- ensure that all sex offenders are assessed using assessment instruments which are best at reducing recidivism;

- develop a comprehensive assessment, treatment, and management plan that is standardized across the State; and
- develop standards for information sharing between the various departments and the contracted providers.

Performance Measures/Indicators and Evaluation Methods

- list of new SOTT members;
- completion of an updated Master Plan;
- completion of a comprehensive assessment, treatment, and management plan;
- completion of standards in the areas defined above; and
- number of staff trained in assessment protocols.

Accomplishments and Evaluation Results

In February 2004, SOTT was renamed Sex Offender Management Team (SOMT) to better reflect the team's overall mission.

The new SOMT participants include the Department of Health, Child and Adolescent Mental Health Division, and the Judiciary, First Circuit (Oahu), Office of Children and Youth Services. The expanded membership reflects agencies that contract for juvenile sex offender treatment services.

The completion of an updated Master Plan; an assessment, treatment, and management plan; and assessment, treatment, and supervision standards will not be finished until 2006-2007. The project is in its initial phase of revising the Master Plan and revising its assessment, treatment, and supervision standards. A SOMT coordinator was hired in May 2005 to assist in this work. On July 13, 2005, the project executed a new cooperative agreement among the SOMT members. SOMT began making plans to bring in experts in sex offender assessment, treatment, and supervision that can advise and train SOMT members in standards that research indicates are the most effective with adult and juvenile sex offenders.

Training in sex offender assessment for adult offenders will be conducted later in August 2005. The risk assessment tools that are being adopted by SOMT are the STATIC-99 (which measures static risk factors such as criminal history), the STABLE-2000 (which measures personal attributes that identify risky life style for relapse and criminal problem), and the ACUTE-2000 (which measures short-term risks that are presently impacting the offender).

SEX OFFENDER REGISTRATION COMPLIANCE

Program Overview

The Jacob Wetterling Crimes Against Children and Sexual Violent Offender Registration Program was enacted in 1994 to increase public safety and to improve the monitoring of sex offenders. This federal legislation required states to establish registration programs for persons who have been convicted of certain sex crimes. Hawaii's Sex Offender Registry (SOR) and Notification program was enacted in 1997 under Act 316 (Chapter 846E) and is a lifetime registration program.

The information contained in the registration program is made available to all county and state law enforcement agencies having jurisdiction where the registrant expects to reside. The information is provided through the Criminal Justice Information System (CJIS), a Windows-based computerized offender information system. Hawaii's SOR is managed by the Department of the Attorney General, Hawaii Criminal Justice Data Center (HCJDC). The SOR is linked to the National Sex Offender Registration system managed by the Federal Bureau of Investigation.

The SOR provides to law enforcement the information to locate the whereabouts and movements of each person who has been convicted of a sexual offense, or is a sexually violent predator. In order to do this, Hawaii's SOR verifies the registration information every 90 days. The registry includes identifying information on the offenders; employment, home, and school addresses; vehicle information; conviction records; photo; and fingerprint.

Hawaii's response to sex crimes has been investigation, prosecution, correction, victim assistance, and sex assault treatment. With the implementation of the state's sex offender registration program, few resources have been dedicated to tracking and prosecuting sex offenders who violate the registration requirements. Hawaii currently has approximately 1,900 registered sex offenders. As of October 2002, 453 sex offenders have failed to register. As of November 2003, 476 did not complete the verification notice that they are required to update, sign, and return to HCJDC. This includes offenders who subsequently are incarcerated and are waived from completing the verification notice.

Megan's Law (sex offender public notification system) amends the Wetterling Program with regard to the disclosure of information collected by the state SOR program. The law gives states broad discretion to determine to whom notification should be made about offenders, under what circumstances, and about which offenders. Hawaii's public notification system was operational from 1998-2001 until the Hawaii Supreme Court ruled in *Eto Bani vs. Hawaii* that while the sex offender registration program was constitutional, the public notification provisions implicated liberty interests protected by the due process clause of the Constitution of the State of Hawaii. Therefore, they held that the notification provisions of HRS chapter 846E were void and unenforceable.

In response to the ruling, the Hawaii Legislature passed Act 234 in 2002 which requires the State to petition sex offenders to appear in civil court. Representing the State and responsible for these cases are the county prosecutors. The county prosecutors faced a backlog of

approximately 1,900 cases.

In the City and County of Honolulu, there are approximately 1,600 sex offenders registered; Maui County 160 sex offenders registered; and Hawaii County approximately 180 sex offenders registered.

The sex offender public notification system, once operational on the Internet, will include offenders where:

- (1) The offense involved the death or serious bodily injury of another person;
- (2) The offense resulted in sentencing under the repeat offender law, for offenses against children, elder persons or handicapped person; or sentence for felony extended terms;
- (3) The offender has inexcusably failed to comply with terms and conditions of probation or parole;
- (4) The victim was twelve years of age or younger at the time of the offense;
- (5) The offender either prior to or subsequent to the offense requiring registration under this chapter, has been convicted, found unfit to proceed, or acquitted due to a physical or mental disease, disorder, or defect, of a sexual offense or an offense against children, including all offenses occurring in other jurisdictions;
- (6) The offender has been convicted, found unfit to proceed, or acquitted due to a physical or mental disease, disorder, or defect, of a sexual assault as defined in section 707-730(1)(a) or an offense that is comparable in another jurisdiction;
- (7) The offender [who] has inexcusably failed to register as a sex offender or [who] is otherwise not in compliance with this chapter; and
- (8) The offender has been convicted of any crime since the conviction requiring the offender's registration.

Aggregate Funding Information

Three projects were funded with FY 2002 Byrne funds. The Hawaii County Office of the Prosecuting Attorney was funded with \$174,920, the Maui Department of the Prosecuting Attorney was funded with \$23,934, and the City and County of Honolulu Department of Prosecuting Attorney was funded with \$48,648. The total funding for sex offender registration compliance program was \$247,502*.

(* From June to September 2004, the three counties began work to file civil petitions for public notification. The projects ended with all three counties not spending most of their awards. The grant awards were to cover additional personnel cost and expert witness fees that were initially anticipated. However, difficulty filling the positions and with the passage of Act 45 on May 9, 2005, meant that the special hearings were no longer required and less funds than anticipated were spent.)

Goals and Objectives

The goal is to establish the state's community notification system of convicted sex offenders, commonly referred to as Megan's Law.

The objectives are:

- to reinstate the convicted sex offenders on the state's official website and make information about their whereabouts known to the public;
- to reduce the backlog of cases by the end of the project period; and
- to prevent additional sex offender cases from increasing the identified backlog of cases.

Program Activities

In June 2004, deputy prosecutors began filing petitions (beginning with Oahu) in civil court to prove by a preponderance of the evidence that the sex offender is within the class required to register under chapter 846E. The deputy prosecutors are required to prove by a preponderance of the evidence that public release of relevant information is necessary to protect the public. Sex offenders were provided the opportunity to present evidence to rebut the presumption and to show that s/he does not represent a threat to the community and that public release of relevant information is not necessary.

In each case, the State reviewed the facts; determined whether an expert was necessary and if so provided the expert with relevant documents and information. A Petition (or civil complaint) for a hearing was prepared and filed, and a hearing date set. The deputy prosecutors and investigators worked to locate the sex offenders, including offenders who have failed to register, and served the offender with the appropriate documents. The project staff then worked to locate, subpoena, and interview any other necessary witnesses. Finally, the State presented the evidence to the court, including expert testimony, and persuaded the court that the offender's information should be available to the public.

If the judge determined that the offender was not a threat, his/her relevant information was not made available to the public. If the judge determined that public release was necessary, then, depending on various conditions and factors listed within the statute, such release was for a period of ten years or life.

Accomplishing this required coordination with the courts to determine which judge(s) heard these petitions. Each hearing could take from 15 minutes up to several hours, depending on the evidence and testimony presented. The court in making its determination considered the following factors:

- (1) The offense involved the death or serious bodily injury of another person;

- (2) The offense resulted in sentencing under the terms of section 706-606.5, 706-660.2, or 706-661;
- (3) The offender has inexcusably failed to comply with terms and conditions of probation or parole;
- (4) The victim was twelve years of age or younger at the time of the offense;
- (5) The offender either prior to or subsequent to the offense requiring registration under this chapter, has been convicted, found unfit to proceed, or acquitted due to a physical or mental disease, disorder, or defect, of a sexual offense or an offense against children, including all offenses occurring in other jurisdictions;
- (6) The offender has been convicted, found unfit to proceed, or acquitted due to a physical or mental disease, disorder, or defect, of a sexual assault as defined in section 707-730(1)(a) or an offense that is comparable in another jurisdiction;
- (7) The offender has inexcusably failed to register as a sex offender or is otherwise not in compliance with this chapter; and
- (8) The offender has been convicted of any crime since the conviction requiring the offender's registration.

The statute on public access to registration information did not apply to offenders who were convicted of a single misdemeanor sexual offense. However, offenders convicted of multiple sexual offenses shall be subject to the civil hearing for public notification.

Performance Measures/Indicators and Evaluation Methods

- describe the criteria used to decide which offenders to pursue first for hearings including such factors as the age of the conviction, the types of underlying facts favorable to a finding of risk to public safety, whether the offenders were currently on probation or parole, the level of the offense, and the severity of the underlying crime;
- the extent to which hearings have been brought by county, and the number adjudicated to completion; and
- number of backlog cases prior to the first filing of special petition, and number of backlog cases remaining.

Accomplishments and Evaluation Results

Priority was given to filing civil petitions against sex offenders living in the community who are convicted repeat offenders, pedophiles, sex offenders who were released from prison after serving their full sentence without receiving sex offender treatment, and sex offenders who

had been committed to the Department of Health for physical or mental disease, disorder, or defect. Maui County also placed priority on convictions from 1990 to the present.

The civil petitions filed for public notification resulted in the following:

Oahu

Seventy-four petitions for public notification were granted, 5 petitions were denied, 136 petitions were pending, and 22 petitions resulted in “Other” (e.g., case withdrawn, offender in another state, etc.). 367 files were reviewed, 130 files were awaiting documents/review.

Hawaii

Sixteen petitions for public notifications were granted, none were denied, and 97 petitions were in process or pending.

Maui

One petition for public notification was granted, 4 petitions were pending. 16 offenders could not be located.

The investigations on backlogged unregistered sex offenders included:

Oahu

One hundred and one cases were processed which reduced Oahu’s backlog of 1,600 cases by 6.3 percent. Project staff confirmed the whereabouts of 103 sex offenders of which 42 were deported sex offenders, the whereabouts of 15 sex offenders who were in Federal or out-of-state custody, 21 sex offenders on parole out-of-state, and 25 sex offenders who were deceased.

Hawaii

The backlog of sex offender information that should be on public notification did not grow as petitions were filed against offenders recently convicted in new sex offenses. Of the 180 backlogged cases, there was a reduction of 16 cases (8.8 percent).

Maui

Of the 160 cases backlogged, there was a reduction of 1 case (less than 1 percent).

As the courts granted the petitions filed by the county prosecutors, the sex offender information was posted on the State website that hosts the public notification system.

On May 9, 2005, Governor Linda Lingle signed S.B. 708 into law (Act 45), which no longer required civil hearings as a condition for public notification of sex offender information. The State Attorney General announced on the same date that information on 1,400 sex offenders was available on-line at <http://sexoffenders.hawaii.gov/>