

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE  
GRANT**



**MULTI-YEAR STATEWIDE STRATEGY  
FY 2010- 2014**

**September 2011**



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## EXECUTIVE SUMMARY

The Bureau of Justice Assistance (BJA) instructed the Edward Byrne Memorial Justice Assistance Grant (JAG) State Administering Agency (SAA) to develop a statewide multi-year strategy for control programs that intend to ensure coordination and a more effective functioning of the criminal justice system for the FY 2010 JAG award. JAG is intended to supplement, not supplant, non-Federal funds that would otherwise be available for activities described under the JAG program. This strategy covers the federal fiscal years 2010 to 2014. Hawaii's SAA is the Department of the Attorney General.

Hawaii's strategy includes supporting five federal JAG program areas. The five federal program areas are:

- **Law enforcement programs,**
- **Prosecution and court programs,**
- **Corrections and community corrections programs,**
- **Drug treatment and enforcement programs,**
- **Planning, evaluation, and technology improvement programs.**

A critical part of the strategy is the justification for the need of a program effort and the inadequacy of resources to deal with it. Hawaii's JAG strategy addresses six major criminal justice program areas that need resources in order to increase public safety: **violent crime, property crime, drug threats, drug related crime, offender recidivism and re-entry efforts, and technology improvement efforts.**

A variety of sources were used to obtain data to support selection of each criminal justice program area. This includes the Uniform Crime Report, reports and data from applicable agencies, survey of criminal justice needs, criminal justice strategic plans, staff participation in multi-agency criminal justice and drug meetings on specific topics, researched national data, and information from national and local trainings.

This plan also supports BJA's priority to encourage state and local planners to consider programs that are evidence-based and have been proven effective; in a difficult budgetary climate, it is critical that dollars are spent on programs whose effectiveness have been proven. However, the plan will be flexible to recognize that state and local programs can also be excellent laboratories for innovative programs that can be models for other states and localities addressing difficult problems.

There may be some changes in these selected program areas depending on the applications that are submitted and final funding decisions made by the SAA. However, this program narrative captures in broad scope the identified major criminal justice program needs that will be addressed through the JAG grant funds. If revisions are needed for the program narrative, the SAA will notify BJA and provide BJA with all relevant administrative or programmatic revisions, updates, or changes.

## I. INTRODUCTION

This document serves as Hawaii's JAG Strategic Plan. The Hawaii Department of the Attorney General has been designated as the administering agency for the federal Grant. The Department works closely with the Governor's Committee on Crime (GCOC) to develop a strategic plan and to review and select proposals for funding.

The GCOC is composed of representation of criminal justice agencies and interested stakeholders. The GCOC provides insight and input into crime problems in Hawaii, resulting in development of a strategic plan to address how to make improvements in the criminal justice system, sets priorities for use of the grant funds, and makes recommendations to the Attorney General regarding what grant proposals to fund, at what award amount. GCOC members are a resource, providing analytic information on crime topics within their jurisdiction.

The State Attorney General chairs the GCOC, which includes 11 representatives: two (2) Prosecuting Attorneys; two (2) Police Chiefs; one (1) Administrative Director of the Courts; one (1) Judge; three (3) Directors from Departments of Health, Education, and Public Safety; one (1) Chairperson of the Paroling Authority, and one (1) Public Defender. The U.S. Attorney is an ex-officio member of the GCOC. (See Appendix A for the GCOC membership roster.)

The GCOC met on August 24, 2011 to review, discuss, and approve the strategic plan. An emerging issue that may need to be addressed is juvenile crime. GCOC members requested that Department staff research issues related to juvenile crime to include the prevalence of juvenile crime in Hawaii (such as bullying), gaps and needs to address these problems, and available local, state, and federal resources. There is a concern that while the Office of Youth Services is responsible for providing and coordinating a continuum of services and programs for youth-at-risk to prevent delinquency and reduce the incidence of recidivism in Hawaii, the agency's operation has been significantly hampered by budget and staff reductions in the past few years. The strategic plan may be revised after the Department's findings are provided to the GCOC.

The strategic plan is organized as follows:

- **Data and Analysis** used to provide data and support the need for the programs selected for funding under the JAG Program.
- **Resource Needs** used to describe in general the resources the state uses to address problems identified in Data and Analysis. This section also describes the gaps in those resources that need to be filled.
- **Priorities** highlighted the main themes of the strategic plan which support the use of JAG funds for: evidence-based initiatives; a comprehensive response to sex assault or elder abuse; reducing drug threats and drug related crimes; reducing property crime; incorporating multi-agency collaboration to improve the criminal justice system; reducing recidivism rates; improving re-entry efforts; improving forensic science

capabilities; and improving records management systems and integrated justice information sharing.

- **Community Input** and delineating a process for incorporating such input in the strategic plan is a requirement of the FY 2010 JAG program.
- **Evaluation of Programs** utilized the Project Effectiveness Model, a model from the U.S. Department of Justice, Bureau of Justice Assistance that provides a guide for developing, managing, and assessing projects.
- **JAG Coordinated with State and Related Justice Funds** describes the effort to maximize the use of available federal and local justice funds.

## II. DATA AND ANALYSIS

This section is used to provide data and support the need for the programs selected for funding under the JAG Program.

### VIOLENCE

#### Sex Offenses

Hawaii’s law enforcement utilizes specialized police and prosecution units to investigate and prosecute violent crimes. Some of the most challenging violent crimes for law enforcement are sex crimes. These units may work with sex assault nurse/forensic examiners and must have basic knowledge in the field of forensic medicine, utilize interviewing techniques to minimize victim trauma, and provide victim protection.

The *2009 Crime in Hawaii Report* provides statistics on Part I Offenses (murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, and manslaughter by negligence) and Part II Offenses (all criminal offenses not classified as Part I offenses). There were 3,550 violent Index Crimes reported in 2009 in Hawaii, representing a rate of 275.6 offenses per 100,000 residents. In 2009, the rate of reported offenses for the violent Index Crimes of forcible rape and aggravated assault in Hawaii rose 6.1%, and 3.7% respectively.

#### **Part I, Forcible Rape reported and Part II, Adults Arrested for Sex Offenses, by County**

<b>2009 UCR Statistics</b>	Oahu	Maui	Hawaii	Kauai	Total
Part I Forcible Rape Reported	203	30	78	52	363
Adults Arrested for Forcible Rape	62	5	22	11	100
Part II Adults Arrested for Sex Offenses*	188	23	33	4	248

\* Includes indecent exposure, incest, statutory rape, any sexual assaults against males, other offenses against common decency and moral, and all attempts.

To increase public safety and to improve the monitoring of sex offenders, the federal Jacob Wetterling Crimes Against Children and Sexual Violent Offender Registration Program, enacted in 1994, requires states to establish registration programs for persons who have been convicted of certain sex crimes. Hawaii’s Sex Offender Registry (SOR) was enacted in 1997 under Act 316. Hawaii’s registry is a lifetime registration, unless after certain requirements are met, the offender successfully petitions the court to terminate the registration requirement.

As of March 2011:

- The total number of sex offenders in Hawaii’s SOR is 3,365. Of the 3,365 offenders, 1,971 offenders are living in Hawaii; Oahu (1,252), Hawaii (355), Maui (242), Kauai (122); 672 offenders are incarcerated; and 122 offenders have failed to verify their registration information. The remaining 600 are confirmed to be registered in another jurisdiction or deported.

- The total number of sex offenders on parole with the Hawaii Paroling Authority is 93: Oahu (54); Maui (18); Big Island (17); and Kauai (4).
- The total number of sex offenders on probation with the Judiciary's Adult Client Services Branch is 363: Oahu (267), Hawaii (74), Kauai (20), Maui (2). This includes probationers where the instant offense is sexual, as well as those who have had a previous sexual assault conviction. The number of offenders charged with a new sex crime was 2.
- The approximate annual cost for sex offender treatment services provided by the Judiciary is \$243,343: Oahu (\$67,313), Maui (\$40,000), Hawaii (\$95,000), and Kauai (\$41,030).

As of April 2011:

- The total number of sex offenders housed in the Department of Public Safety's correctional facilities is 625. This includes the Arizona private prison, the Women's Community Correctional Center on Oahu (WCCC), and the four furlough centers.
- Sex offenders enter into treatment when they are within two-to-three years of their scheduled parole date. The Sex Offender Treatment Program (SOTP) is not offered on the mainland, but it is offered at every facility in Hawaii that houses sex offenders, male or female. SOTP can take as long as two years to complete. All of the SOTP services are provided by contracted vendors.
- There were 128 inmates participating in SOTP. Of the 128 inmates in treatment, 87 inmates were attending SOTP at the Halawa Correctional Facility (HCF). The remaining inmates were in aftercare SOTP at the furlough centers, with 27 inmates at the Oahu Community Correctional Center (OCCC), 9 inmates at Maui Community Correctional Center (MCCC), 3 inmates at Hawaii Community Correctional Center (HCCC), and 2 inmates at Kauai Community Correctional Center (KCCC). Inmates may be placed on furlough until they are granted parole. Aftercare is provided at furlough sites to prevent any break in treatment services. There are currently two females housed at WCCC requiring sex offender treatment.

From January 1988 to December 2010, 1,135 sex offenders were tracked by the Department of Public Safety. Of the 1,135 offenders:

- 39 died in prison;
- 510 finished the core SOTP;
- 171 did some SOTP but did not complete the program;
- 454 were either placed on the waiting list, or were rejected for treatment (usually due to severe mental health disorders), quit, refused, or were waived or had SOTP unavailable at their facility during their years of incarceration.

- Of the 510 who finished SOTP, 194 (38%) returned to prison for technical violations or new crimes. Of the 194 returnees, 183 (94%) of the men returned on parole violations, 59 (30%) returned to prison on new non-sex crime convictions, 10 (5%) returned to prison on new sex offense convictions.
- Of the 625 who did not complete SOTP prior to release, 215 (34%) returned for a combination of categories, 157 (25%) for parole violations, 110 (18%) were convicted on new felony non-sex crime charges, and 23 (15%) returned on new sex charge convictions.
- Of the 510 treated sex offenders, 383 (75%) exited prisons by way of parole, whereas of the 625 untreated sex offenders, 225 (36%) exited prison by way of parole. Failing to complete SOTP is a major reason sex offenders are not granted parole.

### **Elder Abuse**

Little is known about elder abuse in Hawaii. A study commissioned by the Hawaii State Legislature in 2006 sought to determine the extent of abuse in the state. The study, published in 2007, found that the abuse-reporting rate for those aged 60+ was the 3<sup>rd</sup> lowest of any state in the nation. Of those cases in which abuse was investigated, the largest percentage of cases (30%) was of “neglect by others” followed by “poor self care” (24%) and “financial exploitation” (19%). Nationally, the most common type of elder abuse is “neglect” (58.5%), followed by “physical” (15.7%), “financial” (12.3%), and “emotional” (8.1%) (Facts About Law and the Elderly, American Bar Association, 1998).

The National Center on Elder Abuse defines seven different types of elder abuse: *physical abuse* (use of physical force that may result in bodily injury, physical pain, or impairment); *sexual abuse* (non-consensual sexual contact of any kind with an elderly person); *emotional abuse* (infliction of anguish, pain, or distress through verbal or non-verbal acts); *financial exploitation* (illegal or improper use of an elder’s funds, property, or assets); *neglect* (refusal, or failure, to fulfill any part of a person’s obligations or duties to an elderly person); *abandonment* (desertion of an elderly person by a person who has responsibility for providing care to the elder); and *self-neglect* (behaviors of an elderly person that threaten the elder’s health or safety).

Elderly individuals who are abused are often reluctant to seek assistance because, among other reasons, they may: 1) be afraid of retaliation or abandonment; 2) fear being put away (e.g., into a nursing or care home); or 3) be embarrassed about being perceived as a failed parent. The elderly who live with their families can also be socially isolated and have no one to act on their behalf. Sometimes, the very nature of the problem they may be suffering from (e.g., depression and/or memory loss) make them incapable of understanding and acting in an appropriate manner.

According to the U.S. Census Bureau, in 2009, 14.5% of the population in the State of Hawaii was aged 65 and older, compared to the 12.9% United States average, representing approximately 187,800 individuals. Many of them live at home with their families. While older

adults are living longer, many of them are also living with mobility and self-care limitations. Consequently, family and informal caregivers are increasingly involved in caring for the elderly.

Research findings on elder abuse reveal that about two-thirds of elder abuse perpetrators are family members, typically serving in a care giving role. It is recognized that long-term care giving often leads to burnout, and caregiver stress is often associated with elder abuse and neglect. National estimates of elder abuse and neglect range from 3% to 10% of the elderly population. This estimate could mean that there are as many as 6,000 to 20,000 elderly victims of abuse in Hawaii. In Hawaii, the Department of Human Services (DHS) is charged with the responsibility to investigate cases of dependent adult abuse. Specifically, Adult Protective Services (APS) is mandated “to provide crisis intervention, without regard to income, including investigation and emergency services to dependent adults who are reported to be abused, neglected, or financially exploited.” Dependent adults include those who are age 18 and older, are physically or mentally impaired, and/or have become dependent on their caregivers for personal health, safety, or welfare. Because of this dependence, these individuals are susceptible to and remain at especially high risk for elder abuse.

According to a 2007 report, *A Survey of Adult Protective Services and Elder Abuse in Hawaii and Nationwide*, Hawaii has a relatively low level of adult abuse reports, 1.58 per 1,000 adults, compared generally to other states and to other states of comparable population size. Among individual states for which data was available, there was a median abuse reporting rate of 5.71 cases per 1,000 adults age 60 and older. Hawaii’s reporting abuse rate per 1,000 adults age 60 and older was 4.87.

Caregiver neglect/abandonment, self-neglect, and financial exploitation are the three leading types of abuse reports that are investigated nationally and in Hawaii. Seventy-four percent of the reports investigated by DHS, Dependent Adult Protective Services (DAPS) branch involve a victim age 60 or older. Forty-four percent of investigations involve a victim age 80 or older. Hawaii is one of only two jurisdictions that have abuse reporting and investigation laws that can be interpreted to require both abuse and the imminence of further abuse to qualify for an investigation.

Financial exploitation comprises the third highest number of adult abuse investigations in Hawaii. The vast majority of the victims in those investigations are older adults. The 2010 Legislature passed a law that requires financial institutions to report suspected financial abuse of persons over age 62. This is expected to increase the number of financial abuse reports to be investigated by DAPS.

As reported by the Department of Human Services (DHS) FY 2010 Report, the Adult and Community Care Services Branch (ACCSB) provides Adult Protective Services to protect vulnerable adults by providing crisis intervention, including investigation and providing emergency services to vulnerable adults who are reported to be abused, neglected, or financially exploited by others or seriously endangered due to self-neglect. The July 2009 implementation of the expansion of the Adult Protective Services Law, Act 154, SLH 2008, required the DHS to reorganize existing resources and ACCSB staff. On Oahu, Hawaii, Maui, and Kauai, social work and nurse staff were trained to investigate and provide direct services to victims of vulnerable

adult abuse and neglect.

Elder abuse and evidence-based practices is just beginning to be explored in academic research. What we do know is that predictive policing can be useful for elder abuse prevention. Predictive policing when applied uses statistical data to predict micro-trends in crime before crime re-occurs. Community policing promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

## PROPERTY CRIMES

### State of Hawaii

In Hawaii, property crimes account for the overwhelming majority of the total crime rate. According to the *2009 Crime in Hawaii* report, property crimes represented approximately 93% of the total crime rate, while violent crimes made up approximately 7% of the crime rate. A total of 47,516 property crimes were reported in 2009 compared to 45,944 in 2008. Hawaii's Index Crime rate increased in 2009, up 3.3% from the rate reported for 2008.

As with most jurisdictions, Hawaii law enforcement continues to utilize crucial resources to combat property crime (including burglary, larceny-theft, and motor vehicle theft). Although there are indications that property crime rates have been declining, such crimes remain a critical issue for the State and continue to warrant the attention of law enforcement. In 2009, Hawaii's property index crime rate was 3,689 offenses per 100,000 residents. The property crime index rate per 100,000 residents in Hawaii has been steadily declining since 2000 (with the exception of 2008 where the rate per 100,000 residents was 3,567). In 2009, the percentage of Index Property Crimes cleared was 13.4%, the highest clearance rate reported since 2000.

Over \$87 million in property value was reported stolen in the State of Hawaii during 2009, up 2.4% from the figure reported for 2008. Of the total value stolen in 2009, 26.2% was recovered, down from 28.5% recovered in 2008.

#### Reported Offenses for Part I Property Crime 2002-2009

Property Crime	2002	2003	2004	2005	2006	2007	2008	2009
Burglary	12,722	11,409	10,719	10,073	8,755	9,089	9,404	9,244
Larceny-Theft	49,344	44,807	41,045	41,704	38,234	37,494	31,424	33,415
MVT	9,910	9,651	8,627	8,858	7,719	6,283	5,116	4,857
Total	71,976	65,867	60,391	60,635	54,708	52,866	45,944	47,516

*2009 Crime in Hawaii*

Property crimes under the FBI's UCR, Part II Offenses, include the crimes for embezzlement, forgery and counterfeiting, fraud, stolen property, and vandalism. Stolen property refers to the buying, receiving, and possessing stolen property, including attempts. In Hawaii in 2009, the largest number of arrests was for fraud (555), followed by vandalism (521), forgery (251), stolen property (120), and embezzlement (86).

## Counties

The 2009 property crime rates per 100,000 residents by county: City and County of Honolulu rate is 3,682 with a clearance rate of 11.8%; for Hawaii County rate is 3,269 with a clearance rate was 20.6%; Maui County rate is 3,997 with a clearance rate of 13.7%; and Kauai County rate is 4,248 with a clearance rate of 17.2%.

### City and County of Honolulu

In 2009, the total number of property crimes increased 5.0%. The number of reported offenses decreased in 5 of the 8 Index Crime categories and increased in the remaining categories. Robberies decreased 6.4%, burglaries decreased 5.8%, and motor vehicle thefts decreased 5.3%, larceny-theft increased 10.1%. The table lists the actual numbers of reported offenses, excluding traffic, in the City and County of Honolulu from 2002-2010. The population of the City and County of Honolulu increased 3.4% during this period, while the number of reported Index offenses decreased 23.0%. In 2009, there were 24.8% fewer property crimes than were reported in 2000.

The City and County of Honolulu's motor vehicle theft rate in 2009 was the highest in the State of Hawaii. The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in the City and County of Honolulu was \$62,690,248. Stolen property included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items. The total value of property stolen from robberies, burglaries, larceny-thefts, and motor vehicle thefts in the City and County of Honolulu in 2009 was \$65,062,727.

### Reported Offenses: Property Crimes, City and County of Honolulu 2002-2010

Property Crimes	2002	2003	2004	2005	2006	2007	2008	2009	2010
Larceny-theft	37,250	32,086	29,512	29,376	26,540	26,483	21,473	23,647	22,007
Burglary	8,932	7,967	7,240	6,209	5,482	5,777	6,370	5,999	5,760
MVT	8,488	8,253	7,367	6,798	6,288	4,937	3,938	3,729	3,901
Total	54,670	48,306	62,913	75,920	38,310	37,197	31,871	33,375	31,668

*2002-2010 Crime in Hawaii*

### Hawaii County

In 2009, 13.6% of Hawaii's population resided in Hawaii County. During 2009, 12.1% of the property crimes were reported in Hawaii County. Overall, the number of reported Index Crimes increased 4.7% in Hawaii County in 2009, with property Index Crimes up 4.5%. Hawaii County's total Index and property crime rates in 2009 were the lowest in the State of Hawaii.

The total value of property stolen from robberies, burglaries, larceny-thefts, and motor vehicle thefts in Hawaii County in 2009 was \$10,295,532. Stolen property included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items.

**Reported Offenses: Property Crimes, Hawaii County 2002-2010**

<b>Property Crimes</b>	2002	2003	2004	2005	2006	2007	2008	2009	2010
Larceny-theft	4,663	4,924	4,335	5,211	4,293	3,996	3,796	3,855	3,627
Burglary	1,539	1,437	1,162	1,837	1,426	1,381	1,208	1,415	1,141
MVT	513	477	432	759	608	542	490	473	487
<b>Total</b>	<b>6,715</b>	<b>6,838</b>	<b>5,929</b>	<b>7,807</b>	<b>6,327</b>	<b>5,919</b>	<b>5,494</b>	<b>5,743</b>	<b>5,255</b>

*2002 – 2010 Crime in Hawaii*

**Maui County**

In 2009, 11.1% of Hawaii’s population resided in Maui County. During 2009, 12.0% of the State’s total property crimes were reported in Maui County. From 2008 to 2009, the total number of reported property crimes decreased 6.1% in Maui County. Three of the property crime index categories decreased in 2009: burglary, 8.6%; larceny-theft, 6.4%, and arson, 22.4%. During the past 10, years, the population of Maui County increased 11.5%, and the total number of reported property Index Crimes decreased 19.0%.

The total value of property stolen from robberies, burglaries, larceny-thefts, and motor vehicle thefts in Maui County in 2009 was \$8,932,625. From 2008 to 2009, reported motor vehicle thefts increased 2.0% in rate. Comparing 2009 to 2000, motor vehicle theft rates increased 10.8%. The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in Maui County was \$8,892,331. Of the property stolen, including property taken in robberies, \$6,562,290 (45.3%) was recovered.

**Reported Offenses: Property Crimes, Maui County 2002-2009**

<b>Property Crimes</b>	2002	2003	2004	2005	2006	2007	2008	2009
Larceny-theft	5,416	5,761	5,333	5,678	8,207	5,056	4,437	4,155
Burglary	1,525	1,345	1,791	1,523	1,964	1,212	1,116	1,020
MVT	784	762	724	1,162	1,096	643	532	540
<b>Total</b>	<b>7,725</b>	<b>7,868</b>	<b>7,848</b>	<b>8,363</b>	<b>11,267</b>	<b>6,911</b>	<b>6,085</b>	<b>5,715</b>

*2002 – 2009 Crime in Hawaii. 2010 data not available at time of report.*

**Kauai County**

In 2009, 4.9% of Hawaii’s population resided in Kauai County, where 5.6% of the property crimes were reported. The total number of Index Crimes reported in Kauai County increased 3.7% from 2008 to 2009; and property crimes increased 3.8%. In 2009, the number of reported Index Crimes in Kauai County increased for four crime categories: robbery, 15.0%; aggravated assault, 16.4%; burglary, 14.1%; and larceny-theft 2.3%. The number of reported Index Crimes for the remaining four categories decreased in 2009: murder, 50.0%; forcible rape, 8.5%; motor vehicle theft, 26.3%; and arson 20.0%. Kauai County’s total Index, violent crime, and property crime rates in 2009 were the highest in the State of Hawaii. Over the past 10 years, the population of Kauai County increased 8.0%. During that same period, the total number of property crimes increased 10.2%.

From 2008 to 2009, reported motor vehicle thefts decreased 5.1% in rate. Comparing 2009 to 2000, the motor vehicle theft rate decreased 25.3%. The total value of property stolen from robberies, burglaries, larceny-thefts, and motor vehicle thefts in Kauai County in 2009 was \$3,397,030. Of the property stolen, including property taken in robberies, \$704,416 (20.7%) was recovered.

**Reported Offenses: Property Crimes, Kauai County 2002-2010**

<b>Property Crimes</b>	2002	2003	2004	2005	2006	2007	2008	2009	2010
Larceny-theft	2,015	2,036	1,865	1,439	1,889	1,959	1,718	1,758	1,652
Burglary	726	660	526	504	535	719	710	810	714
MVT	125	159	102	139	119	161	156	115	110
<b>Total</b>	<b>2,866</b>	<b>2,855</b>	<b>2,493</b>	<b>2,082</b>	<b>2,543</b>	<b>2,839</b>	<b>2,584</b>	<b>2,683</b>	<b>2,476</b>

*2002 – 2010 Crime in Hawaii*

## **DRUG THREATS<sup>1</sup>**

Methamphetamine (“ice”), in particular, crystal methamphetamine trafficking and abuse pose the most significant drug threat to Hawaii because of high levels of abuse and the drug’s association with much of the violent and property crime in Hawaii. Methamphetamine is identified more often than any other drug, including alcohol, as the primary substance of abuse for treatment admissions to publicly funded facilities in Hawaii.

The Office of National Drug Control policy authorized their director to designate areas within the United States which exhibit serious drug trafficking problems and harmfully impact other areas of the country as High Intensity Drug Trafficking Areas (HIDTA). The HIDTA program provides additional federal resources to those areas to help eliminate or reduce drug trafficking and its harmful consequences. Law enforcement organizations within HIDTA assess drug trafficking problems and design specific initiatives to reduce or eliminate the production, manufacture, transportation, distribution and chronic use of illegal drugs and money laundering. Hawaii was one the first states designated as a HIDTA region.

Mexican drug-trafficking organizations are expanding their methamphetamine distribution operations into Hawaii, leading to increased availability and lower wholesale-level prices, which decreased from \$25,000-\$50,000 per pound in 2008 to \$28,000-\$42,000 per pound in 2009. Hawaii law enforcement officers seized more than 245 pounds of ice methamphetamine in 2009, a significant increase from the 90 pounds seized in 2008. Most of the ice methamphetamine available in the area is smuggled from Mexico via the mainland’s west coast and from traditional production areas in California. High-potency d-methamphetamine is the predominant type of the drug available in Hawaii; however, HIDTA officials reported several seizures of lower-potency d-methamphetamine in 2009, particularly in Hawaii County.

Marijuana and its illicit cultivation along with marijuana trafficking are significant and ever-present drug threats to the region. Illegal cannabis cultivation operations are pervasive throughout the Hawaii, particularly in Hawaii County and Maui County. This situation is driven by the growing demand for high-potency marijuana, high levels of abuse, and the continued exploitation of Hawaii’s medical marijuana laws by illegal marijuana producers and drug traffickers. Current illicit cannabis cultivation is unable to meet rising demand for high-potency marijuana, and HIDTA officials report that increasing amounts of the drug are produced in California, Oregon, Washington, and Canada and regularly transported into the region by Mexican and Asian drug trafficking organizations and local Pacific Islander and Caucasian criminal groups. In 2009, HIDTA law enforcement officers eradicated nearly 65,000 pounds of marijuana with an estimated wholesale market value of more than \$311 million.

Funding and operating limitations placed on cannabis eradication programs, particularly in Hawaii County, have resulted in an overall decrease in the number of plants seized from outdoor grows. The number of outdoor plants eradicated in the state fell from 131,355 in 2007 to 102,398 in 2008 and 47,159 in 2009. This situation has prompted illicit growers relocating from the west coast of the U.S. mainland and local independent growers to establish more cultivation

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<sup>1</sup> Source: Hawaii High Intensity Drug Trafficking Area Drug Market Analysis 2010

sites in Hawaii. These individuals perceive that Hawaii has marijuana-friendly laws, resulting in a low risk of prosecution for illicit cannabis cultivation.

Indoor cannabis cultivation persists in Hawaii because growers can control conditions to produce high-potency marijuana, which commands premium prices in most drug markets. Indoor cannabis cultivators typically use advanced growing techniques that include lighting, irrigation systems, chemical fertilizers, and plant cloning. Indoor grow sites typically average fewer plants than outdoor grows and range in size from a single closet to entire houses or larger buildings that are converted into advanced grow operations. Annual seizures of indoor cannabis plants in Hawaii have varied greatly over the past five years, ranging from a low of 373 in 2008 to a high of 12,358 in 2006. Caucasian and Asian criminal groups and local independent dealers are the primary producers of high-potency marijuana from indoor cannabis cultivation sites.

Controlled prescriptions drugs (CPDs) and other illicit drugs vary throughout the Hawaii HIDTA region. CPDs are most easily and frequently obtained locally from unscrupulous physicians and pharmacies that prescribe and dispense large quantities of these drugs to customers who have no legitimate need. CPD abuse typically involves prescription opioids, primarily oxycodones, and crosses all demographic categories.

### **Emerging Drug Threats**

Additional emerging drug threats include *Salvia divinorum* (Salvinorin A or Divinorin A) that produces hallucinogenic effects. Street names include Maria Pastora, Sage of the Seers, Diviner's Sage, *Salvia*, Sally-D, and Magic Mint. Currently, neither *Salvia divinorum* nor any of its constituents, including Salvinorin A, are controlled under the federal Controlled Substances Act.

"K2" and "Spice" are the brand names of Synthetic Cannabinoid products sold as "herbal incense" in independently owned retail stores (herbal stores and smoke shops) and on Internet web sites and online auction sites. Users have indicated on Internet forum posts that highs last between 30 minutes and 2 hours and describe out-of-body experiences. Aside from the typical high, other effects may include vomiting, seizures, and breathlessness, and over-heating.

Mephedrone, also known as 4-methylmethcathinone (4-MMC) or 4-methylephedrone, reportedly causes effects described as a cross between those of methamphetamine and MDMA, producing euphoria, stimulation, and empathy. Some users report that crashes are more severe than with MDMA. Mephedrone is most commonly sold as a white powder or as capsules containing the powder but is also available in tablet form.

### **DRUG RELATED CRIME**

Ice methamphetamine contributes the most to violent and property crime in the Hawaii. According to the Western States Information Network (WSIN), there were 2,730 drug-related critical events in 2009, 42% (1,148) of which were methamphetamine-related. Each of the five Hawaii state and local law enforcement agencies responding to the 2009 National Drug Threat Survey indicate that methamphetamine is the drug that most contributes to violent and property

crime in their jurisdictions. Additionally, data from the Bureau of Alcohol, Tobacco, Firearms and Explosives show that 21 of the 44 cases investigated in Hawaii in 2008 were drug-related; of those, 15 were methamphetamine-related.

Home invasion robberies of illegal indoor cannabis grow sites are another concern for law enforcement agencies in the HIDTA region. HIDTA officials report that many of these robberies are repeat burglaries and rip-offs by rival traffickers that often go unreported because the victims do not want to alert law enforcement to their own illicit activities. Additionally, most illicit growers use rental properties for their cultivation operations. Once a property is vacated by the growers, the new tenants are still at risk of home invasion robberies because the property has been a known grow site.

Although not common, acts of violence between rival street-level drug gangs do occur. According to the 2010 Hawaii HIDTA Drug Market Analysis, in April 2009, two individuals affiliated with a gang from San Francisco, California, shot and killed a local rival gang member in the Chinatown area of Oahu. Both gangs were involved in crack cocaine distribution in addition to other criminal activities, including murder, kidnapping, prostitution, robbery, and gambling.

### **Multi-Jurisdictional Task Forces**

The Marijuana Eradication Task Force (METF) is comprised of the Kauai Police Department (KPD), Maui Police Department (MPD), and Honolulu Police Department (HPD). The county police departments coordinate joint operations and also participate in the Domestic Cannabis Eradication Suppression Program (DCE/SP). In 1979, the DCE/SP, coordinated by the U.S. DEA, began funding marijuana eradication programs in Hawaii. For over 30 years, the DCE/SP has leveraged their funding to incorporate county, state, and federal agencies into the largest joint effort to seize and disrupt marijuana trafficking in the region, to include the following agencies: county police departments, Department of Land and Natural Resources, Hawaii National Guard, and Department of Public Safety.

The Hawaii Narcotics Task Force (HNTF) is comprised of the Kauai Police Department (KPD), Maui Police Department (MPD), and Hawaii Police Department (HCPD). The task force targets middle-level to high-level drug traffickers in the State. The county police departments coordinate joint operations. In addition, the HNTF meet regularly with the Hawaii HIDTA for criminal drug trafficking intelligence sharing, specialized training for law enforcement and counter drug personnel, multi agency joint-operations planning and coordination, and access to additional federal funding opportunities geared toward specialized law enforcement initiatives to combat drug trafficking.

## Drug Seizure / Financial Impact: HNTF & METF

COUNTY	Years Reported	CRYSTAL METH *1 (g) = \$200 (\$SV)		MARIJUANA (PLANTS) *1 plant = \$1000 (\$SV)		MARIJUANA (PROCESSED) *1 (g) = \$120 (\$SV)		COCAINE *1 (g) = \$200 (\$SV)		HEROIN *1 (g) = \$125 (\$SV)		FINANCIAL IMPACT ON DRUG THREATS
		Seized (g)	\$SV	Seized (g)	\$SV	Seized (g)	\$SV	Seized (g)	\$SV	Seized (g)	\$SV	
HAWAII	2010	755.50	\$ 151,100	9657.00	\$ 9,657,000	64078.59	\$ 7,689,431	111.12	\$ 22,224	32.00	\$ 4,000	\$ 17,523,755
	2009	3945.60	\$ 789,120	19380.00	\$19,380,000	29305.44	\$ 3,516,653	6055.19	\$ 1,211,038	46.10	\$ 5,763	\$ 21,385,921
	2008	2849.62	\$ 569,924	9756.00	\$ 9,756,000	56395.46	\$ 6,767,455	2848.94	\$ 569,788	69.42	\$ 8,678	\$ 10,904,390
MAUI	2010	17209.00	\$ 3,441,800	46415.00	\$46,415,000	12386.00	\$ 1,486,320	2289.00	\$ 457,800	151.00	\$ 18,875	\$ 50,333,475
	2009	5786.00	\$ 1,157,200	20353.00	\$20,353,000	65760.00	\$ 7,891,200	3007.00	\$ 601,400	4120.00	\$ 515,000	\$ 22,626,600
	2008	259.00	\$ 51,800	33315.00	\$33,315,000	12547.00	\$ 1,505,640	182.00	\$ 36,400	3.00	\$ 375	\$ 33,403,575
HONOLULU	2010	NA	NA	3352.00	\$ 3,352,000	9.00	\$ 1,080	NA	NA	NA	NA	\$ 3,352,000
	2009	NA	NA	2064.00	\$ 2,064,000	29029.91	\$ 3,483,589	NA	NA	NA	NA	\$ 2,064,000
	2008	NA	NA	1398.00	\$ 1,398,000	10432.62	\$ 1,251,914	NA	NA	NA	NA	\$ 1,398,000
KAUAI	2010	3524.80	\$ 704,960	2602.00	\$ 2,602,000	20329.29	\$ 2,439,515	377.30	\$ 75,460	0.20	\$ 25	\$ 3,382,445
	2009	548.60	\$ 109,720	2456.00	\$ 2,456,000	24304.41	\$ 2,916,529	250.70	\$ 50,140	0.00	\$ -	\$ 2,615,860
(g) = grams (\$SV) = Appx. US Dollar Street Value (NA) = Not Applicable											<b>TOTAL</b>	<b>\$ 168,990,020</b>

Source: Hawaii Police Department, Maui Police Department, Honolulu Police Department, Kauai Police Department; \*HIDTA Drug Seizures / Street Values 2010

\$767,000 JAG Task Force Funding = \$168,000,000 Street Value of Drugs Seized

Based on the reported years in the above table, for every \$100 of JAG funding awarded to HNTF and the METF, approximately \$21,900 worth of drugs were seized and removed from Hawaii.

### Drug Trafficker Arrests and Non-Drug Seizures: HNTF & METF

COUNTY	Years Reported	Arrests	Firearms (Seizure)	Vehicles (Seizure)	U.S. Currency/Forfeiture (Seizure)
HAWAII	2010	546	0	0	0
	2009	559	0	0	0
	2008	621	0	0	0
MAUI	2010	576	15	7	\$ 199,231.00
	2009	817	1	0	\$ 380,280.00
	2008	353	0	12	\$ 552,919.00
HONOLULU	2010	15	1	0	\$ 40,000.00
	2009	19	11	0	0
	2008	15	3	0	\$ 118,895.00
KAUAI	2010	290	8	21	\$ 91,331.00
	2009	394	11	21	\$ 153,750.00
TOTALS		4205	50	61	\$ 1,536,406.00

Source: Hawaii Police Department, Maui Police Department, Honolulu Police Department, Kauai Police Department.

The data shows that over 4,200 drug traffickers were arrested, and over \$1.5 million cash and assets were seized by HNTF and METF personnel. In addition, 50 firearms and 61 vehicles were also seized by HNTF and METF personnel during a three-year period.

### OFFENDER RECIDIVISM AND RE-ENTRY EFFORTS

The number of adult offender services that are required to successfully intervene and reduce substance abuse, criminal attitudes, and behaviors continue to outweigh available resources. The State of Hawaii funds substance abuse treatment at various points in the system in an effort to reduce the social costs that accompany substance abuse. However, with limited resources and competing stakeholder interests (treatment, prevention, interdiction), it is a constant battle to increase funding for offender services to reduce criminal recidivism. Adding to the challenge of providing offender services is the progression of implementing evidence-based practices in virtually all sectors of the criminal justice system. Evidence-based practices include the use of actuarial offender risk assessment instruments, and cognitive and behavioral interventions for which systematic empirical research has provided evidence of statistically significant effectiveness as treatments for specific problems.

The National Center on Addiction and Substance Abuse (CASA) at Columbia University study, *Shoveling Up II: The Impact of Substance Abuse on Federal, State, and Local Budgets* (May 2009) provides the total amount spent by federal, state, and local governments on substance abuse and addiction. CASA reported that in 2005, federal, state, and local government spending on substance abuse and addiction was at least \$467.7 billion: \$238.2 billion, federal;

\$135.8 billion, state; and \$93.8 billion, local. Total government spending on substance abuse and addiction amounted to 10.7% of their entire \$4.4 trillion budgets.

Of every dollar federal and state governments spent on substance abuse and addiction in 2005, 95.6 cents went to “shoveling up the wreckage,” (activities *not* including prevention and treatment) and only 1.9 cents on prevention and treatment, 0.4 cents on research, 1.4 cents on taxation or regulation and 0.7 cents on interdiction. If substance abuse and addiction were its own state budget category, it would rank second just behind spending on elementary and secondary education.

In 2005, state governments including the District of Columbia and Puerto Rico, spent 15.7% of their budgets (\$135.8 billion) to deal with substance abuse and addiction- up from 13.3 percent in 1998.

The following represents Hawaii’s ranking out of the 47 reporting states (including Puerto Rico):

- Hawaii ranked 36<sup>th</sup> in terms of the burden of substance abuse and addiction on state budgets (11.1% of the state budget, and \$753 million dollars respectively).
- Hawaii ranked 45<sup>th</sup> with 0.06% of the state budget and \$4 million spent on substance abuse and addiction spending which includes prevention, treatment, and research.
- Hawaii ranked 42<sup>nd</sup> with a per capita spending of \$3.22 for substance abuse and addiction prevention, treatment, and research. The overall state average spending on prevention, treatment, and research per capita is \$10.64.
- Hawaii spends an average of \$585.62 per capita on spending related to substance abuse and addiction on state programs including justice, education, health, child/family assistance, mental health/development disabilities, public safety and state workforce. The overall state average is \$420.49.

According to a National Governor’s Association report on best practices, *Substance Abuse: State Actions to Aid Recovery* (2002), many of the problems associated with substance abuse and addiction can be minimized or prevented through state actions to coordinate public and private resources, build public awareness about the chronic nature of chemical dependency, invest in evidence-based prevention and treatment strategies, and improve access to treatment for current abusers.

### **Substance Abuse Treatment – Department of Public Safety**

Hawaii’s Department of Public Safety (PSD) identified 1,084 inmates screened as requiring substance abuse treatment based on Level of Service Inventory-Revised (LSI-R)/Adult Substance Use Survey (ASUS) scores for FY 2010. Of those screened 32.9% (356 inmates)

required Outpatient Treatment, 19.8% (214 inmates) required Intensive Outpatient Treatment, and 10.2% (108 inmates) required Residential Treatment.

The number of available substance abuse treatment services (spaces) available for PSD inmates fall below what is needed:

	<u>Available Spaces</u>	<u>Treatment Needed</u>
Outpatient	150 male, 50 female (200 inmates)	356 inmates
Intensive Outpatient	75 male, 15 female (90 inmates)	214 inmates
Residential	102 male, 50 female (152 inmates)	108 inmates

PSD cites Cognitive Behavioral Therapy combined with Social Learning Theory as the method that works best with the prison population. PSD utilizes the Risk, Need, Responsivity (RNR) method to address both criminality and substance abuse because it is evidence-based and has proven to be effective with PSD inmates.

Substance abuse treatment costs for PSD are covered by state and federal funding. The annual breakdown is:

State General Funds	\$2,718,207
Federal (RSAT) Funds	<u>\$ 172,159</u>
Total	\$2,890,366

### **Substance Abuse Treatment – The Judiciary**

Substance abuse treatment services for offenders on probation are administered by the Circuit Courts: First Circuit (Oahu), Second Circuit (Maui, Molokai, and Lanai), Third Circuit (Hawaii Island), and Fifth Circuit (Kauai). Each circuit has an adult drug court program it manages. The focus of this section is on non-drug court services and the availability of treatment for probationers.

#### *First Circuit (Oahu)*

For FY 2010, the First Circuit supervised approximately 13,957 felons and misdemeanants. It is estimated that 70% (9,500) of these offenders have some attachment to the use or abuse of substances. The First Circuit does not contract by levels of care, but instead by continuum of care. Residential care costs approximately \$5,000 per month, with Intensive/Outpatient care ranging from \$1,000 to \$2,000 per month. The estimated cost for one client for a full continuum of care to completion is close to \$15,000 to \$20,000, with lengths of stay varying from six to twelve months and including continuing care. Since treatment stays differ greatly amongst clients due to factors such as client need and relapse, it is difficult to tabulate the number of treatment beds/space that the total funds cover.

The First Circuit, Adult Client Services Branch (Probation) does not receive federal funds for substance abuse treatment. The average annual budget for substance abuse treatment is \$1,889,223; however due to budget shortfall, the treatment budget was cut by 30%. The current

budget for substance abuse treatment is \$1,322,456. The Judiciary requires its substance abuse treatment providers to apply effective research based practices in working with offenders. This also includes applying the principles of Risk, Need, and Responsivity, along with the use of Cognitive Behavioral Therapy and Social Learning Theory.

*Second Circuit (Maui, Molokai, Lanai)*

The current probation population for the Second Circuit is 2,900 offenders. Approximately 50% (1,450) of these individuals have some type of substance abuse issue or problem that requires a range of treatment services.

Substance abuse treatment in Maui County is limited. The Second Circuit contracts with one provider to provide various services including Outpatient, Intensive Outpatient, Residential, Aftercare, etc. The funds are not designated by type of service and can be used to purchase any of the aforementioned services. In addition, the Second Circuit contracts with another service provider to administer Outpatient, Intensive Outpatient, and assessment services on Molokai.

Based on current research, the Second Circuit finds that Cognitive Behavioral Therapy produces the best outcomes for changing behavior. The Maui-based treatment program utilizes cognitive-based curriculum with offenders and also incorporates criminogenic factors into their treatment approach.

The Second Circuit has limited funds available to cover treatment. Additionally, Second Circuit probation staff focuses on ensuring that offenders secure insurance through Med Quest, which assists in covering treatment costs or through other service agencies such as Care Hawaii, which provides funding for Intensive Case Management services that include substance abuse treatment at all levels.

*Third Circuit (Hawaii Island)*

There are approximately 4,000 offenders on probation in the Third Circuit. At this time, there is no way to extrapolate the estimated number of offenders that require substance abuse treatment from the database.

Service providers in Hawaii County are able to accommodate almost all types of referrals for service treatment, but the Third Circuit does not have residential treatment. Despite not having a true residential modality, the Third Circuit finds that if the offender can get into a supportive sober housing situation in conjunction with Outpatient treatment, this is the most effective method. In the rural community of Hawaii County, it is best to remove the substance abuser from the environment long enough for him/her to detoxify and learn relapse prevention skills, as well as to develop a sober support network. Another important factor is including the offender's family. One agency provides a "Family Night" so that families can process their issues, support one another, and learn to interact with the recovering family member. This is important because most offenders will return to their families. The most effective treatment employed by the Third Circuit is a culturally appropriate modality provided by an agency that

uses non-traditional funding. This program is based on Hawaiian values and takes its time to work with the substance abuser.

Third Circuit Adult Probation relies on insurance and/or the Department of Health, Alcohol and Drug Abuse Division (ADAD) funding and does not contract for substance abuse treatment. Third Circuit Drug Court contracts with three separate agencies to ensure that offenders are matched with the most appropriate substance abuse treatment provider. The Third Circuit Drug Court has received federal grants to provide substance abuse treatment services through the Hawaii County Prosecutor’s Office for the past four years.

*Fifth Circuit (Kauai)*

The current probation population for the Fifth Circuit is approximately 800 offenders. An estimated 40% (320) of these offenders require substance abuse treatment. The Fifth Circuit does not have individual contracts with providers for specific treatment services. The Fifth Circuit cites that there is no one size fits all treatment for any offender. Instead, treatment is based on need and severity of drug use, along with other issues such as cultural, ethnic, educational, gender, mental health, etc.

Recently, the Fifth Circuit was allocated \$20,000 in state funds for first-time drug offenders. Defendants referred to residential treatment may qualify for ADAD funds through Care Hawaii. All other treatment is paid for through the defendant’s existing health insurance (if any). There are no additional funds available for substance abuse treatment for the Fifth Circuit.

**Substance Abuse Treatment – Hawaii Paroling Authority**

The population of the Hawaii Paroling Authority (HPA) has been steadily decreasing over the last 10 years with an average 2,536 parolees for FY 2000 to FY 2006, and an average of 1,893 parolees for FY 2007 to FY 2010. As of February 2011, there are 1,870 parolees under supervision: 1,388 (Oahu), 229 (Hawaii), 194 (Maui), and 58 (Kauai).

**Total Parole Caseload FY 2001 through FY 2010**

FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
2,595	2,591	2,622	2,380	2,340	2,568	2,661	1,950	1,869	1,862

*Annual Statistical Report*

HPA estimates that about 8% (150) of the parolees require substance abuse treatment in a given month. The number of substance abuse treatment services (spaces) available for parolees are:

- Outpatient: 50 parolees
- Intensive Outpatient: 50 parolees
- Residential: 15 parolees

HPA contracts with four service providers for substance abuse treatment. HPA identifies the best substance abuse treatment methods for offenders on parole are those that utilize

evidence-based risk and deal with criminogenic risk, needs, and responsivity. The means of financing for HPA substance abuse treatment services is state general funds. The State appropriated \$702,000 to HPA for substance abuse treatment, a therapeutic living community, and a supportive living program.

### **Inmate Population**

According to PSD’s *10-Year Corrections Master Plan Update* (2003), in 2013, there is a projected annual average of 8,320 Hawaii prisoners with a projected system capacity need of 8,950 operational beds (4,863 Correctional Facilities, and 4,087 Community Correctional Centers).

#### **Hawaii Inmate Population 2008**

<b>Jail and Prisons</b>	<b>Location</b>	<b>Design Capacity</b>	<b>Operational Bed Capacity</b>	<b>Headcount</b>
HCCC	Hilo, Hawaii	206	226	282
KCCC	Lihue, Kauai	110	128	141
MCCC	Wailuku, Maui	209	301	309
OCCC	Honolulu, Oahu	628	954	1,123
Halawa Correctional Facility	Aiea, Oahu	586	1,124	961
Kulani Correctional Facility	Hilo, Hawaii	160	160	153
Waiawa Correctional Facility	Waipahu, Oahu	294	334	283
Women’s Community Correctional Center	Kailua, Oahu	258	260	230

Hawaii Department of Public Safety 2008 Annual Report. Headcount includes persons who were physically housed at correctional facility on the last day of each month.

In 2008, there were 3,482 inmates in Hawaii’s community correctional and correctional facilities. Prison overcrowding has resulted in an array of unanticipated consequences. Sixteen years ago, Hawaii’s prisoners were contracted out of state as a “short-term solution” to a major overcrowding problem. But the State has not found an alternative, and prisoners have been housed in Corrections Corporation of America prisons since 1998 for \$60 million a year. As of May 2010, Hawaii had 1,935 inmates in mainland facilities, all in Arizona, according to PSD’s Corrections Division. Saguaro Correctional Center houses 1,875 of the prisoners and 60 more are housed at Red Rock Correctional Center. For these inmates, the long distance separation and the high costs of staying in contact with positive family and community members add to the difficulty for re-integration efforts. Hawaii inmates who are exposed to mainland offenders associated with organized crime and violent gangs increase the likelihood that gang connections will be brought to Hawaii.

### **Mental Health Treatment/Case Management**

Each year, a significant number of mentally ill offenders cycle through the criminal justice system. Incarceration involves significant costs and these custodial facilities are not

typically designed to be therapeutic environments. Due to limited psychiatric treatment and services, it is not unusual to see mentally ill offenders deteriorate in prison. They are often released to the streets with limited discharge planning and few linkages with needed treatment, social welfare, housing, or employment services. Not surprisingly, many of these individuals eventually find themselves involved once again with the criminal justice system to repeat this entire process. Hawaii's Department of Public Safety has been undergoing improvements initiated in response to a Settlement Agreement between the Federal Department of Justice and the State. The improvements include the development and implementation of policies and procedures governing the treatment of mentally ill offenders, expansion of mental health staffing and improvements to medication administration.

In a report on mental illness in correctional facilities, the Justice Department's Bureau of Justice Statistics (BJS) *Special Report: Mental Health Problems of Prison and Jail Inmates* (2006), estimated that at midyear 2005, more than half of all prison and jail inmates had a mental health problem, including 705,600 inmates in state prisons, 78,800 in federal prisons, and 479,900 in local jails. These estimates represented 56% of state prisoners, 45% of federal prisoners, and 64% of jail inmates. An estimated 42% of inmates in state prisons and 49% in local jails were found to have both a mental health problem and substance dependence or abuse.

BJS reported that mentally ill state prison inmates are more likely than other inmates to be incarcerated for a violent offense; more likely than other inmates to be under the influence of alcohol or drugs at the time of the current offense; and more than twice as likely as other inmates to have been homeless in the 12 months prior to their arrest. Over three-quarters of mentally ill inmates have been sentenced to time in prison or jail or on probation at least once prior to the current sentence, and nearly 15% of state prison inmates received professional mental health therapy.

In April 2011, PSD's Corrections Health Care Administrator estimates that approximately 17-18% of Hawaii's male offender population and approximately 30% of the female population suffers from mental illness. This accounts for approximately 550 males and 164 females, respectively (excluding inmates housed in mainland correctional facilities). PSD provides treatment or oversight to approximately 90% of these individuals, while the remaining 10% refuse treatment. As mentioned earlier, PSD's mental health services have been undergoing improvements as a result of a Department of Justice Settlement Agreement. The PSD Corrections Mental Health Care Reform Program has resulted in an increase in the number of mental health staff at OCCC, an increase in programming (treatment groups) available to the inmates, and updated the policies and procedures relating to mental health care. The State is in the process of recruiting mental health staff for the other facilities statewide. Additional improvements at OCCC will be gradually implemented at all PSD correctional facilities statewide.

According to a 2007 Psychiatric Services report *Adapting Evidence-Based Practices for Persons With Mental Illness Involved With the Criminal Justice System*, a majority of persons involved in the criminal justice system meet the criteria for co-occurring substance use disorders, and mental illness, and because integrated treatments are effective in reducing substance use (this often entails the cessation of an illicit drug use), treatment for substance use disorders should

result in reduced criminal contact among persons with mental illness. For persons involved in the criminal justice system, the hypothesis underpinning effective interventions for co-occurring disorders can be stated as the following: interventions (at the program or provider level) that reduce substance use (licit and illicit) and improve levels of functioning among persons with co-occurring disorders will reduce both the frequency of involvement with the justice system and the time spent in justice settings or under correctional supervision.

The outcomes sought are reduced criminal activity (specifically the use of illegal drugs and violent behavior), fewer persons with co-occurring disorders at all points in the justice system, and improved reintegration of offenders with co-occurring disorders into community settings. Specific treatments within integrated programs include psychopharmacologic strategies, motivational interventions, and cognitive-behavioral interventions.

## **TECHNOLOGY IMPROVEMENT EFFORTS**

### **Forensic Science**

Hawaii's Department of Public Safety succinctly describes what forensic science is and what are the major needs impacting the field:

- Forensic science is the application of science to law, and forensic scientists play a pivotal role in the criminal justice system. Forensic scientists give court testimony as expert witnesses providing crucial information about the work they do at the crime scene and/or laboratory. The National Academy of Sciences (NAS) has identified the importance of accreditation, standardization and certification in the quality of the forensic science program. This requires that professional knowledge and skills for personnel must be maintained through training.
- Forensic science is a progressive and continually evolving field. Attendances at conferences and workshops help personnel keep abreast of new techniques, information and industry requirements. Training received by personnel also provides practical knowledge and skills necessary to effectively support their role in the criminal justice system. Attendance at training courses and conferences also establishes a valuable network of professional contacts, resources and references for laboratory personnel.
- Laboratory accreditation requires the implementation of a quality assurance program covering all aspects of the laboratory from management to technical procedures. It is required that an individual be assigned the role and responsibility of a laboratory quality assurance manager to oversee the quality assurance program of the laboratory. This person provides oversight to the laboratory's quality assurance program, monitors the quality activities of the management system, and has a key role in preparing the laboratory for accreditation.

The Department of the Attorney General, together with the five forensic labs operating in the State, has established the Consolidated Plan for Hawaii's Forensic Science Laboratories. Last updated in August 2009, the Plan describes the functions of the various laboratories and outlines a five-year plan for each individual department, specifically their intent to upgrade their respective forensic capabilities. Improvements to forensic capabilities include obtaining accreditation, expanding crime laboratories, hiring staff, appropriately certifying staff, seeking continuing education/training, and upgrading equipment. The Department of the Attorney General is the State Administering Agency for the U.S. Department of Justice, Paul Coverdell Forensic Science Improvement (Formula) Grant Program. The amount administered by the Department varies each year. In the last five years, the Coverdell awards included: FY 2007 \$96,594, FY 2008 \$99,337, FY 2009 \$140,397, FY 2010 \$199,728 and FY 2011 \$87,157 (pending).

For FY 2010, four of the five forensic science laboratories submitted an application for grant which totaled \$440,079. One laboratory (HPD) was selected which meant \$240,351 in requests were left unfunded.

For FY 2011, three of the five forensic science laboratories submitted an application for grant which totaled \$171,917. Two laboratories (HPD and HCPD) were selected which meant \$84,760 in requests were left unfunded.

### **Records Management Systems and Integrated Justice Information Sharing<sup>2</sup>**

The Department of the Attorney General, Hawaii Criminal Justice Center worked with state and local criminal justice agencies to conduct an overview of their records management systems to better determine the business needs for a statewide offender information sharing system. The effort began in 2007 and resulted in a 2008 Strategic Plan for the Hawaii Integrated Justice Information Sharing Program (HIJIS). The planning effort included representatives of relevant federal agencies with whom information sharing must also be shared. (The 2008 HIJIS Strategic Plan is available at <http://www.search.org/files/pdf/HIJIS-StrategicPlan-FINAL.pdf>.) The document created a vision and outlined a plan for information sharing that will ensure public safety, enhance the quality of decision making, and increase the efficiency of operations.

Justice agencies throughout the State of Hawaii are largely automated. Most have legacy case management systems and other information processing solutions that address many of their day-to-day operational needs. However, like other jurisdictions around the nation there is relatively little automated information sharing presently between agencies. This creates a problem for justice officials who make decisions regarding arrest, bail, sentencing, or release of a person that may be based on inadequate or inaccurate information. The 2008 HIJIS Strategic Plan identified the following findings:

- A significant volume of data is entered multiple times into multiple systems within agencies and between justice agencies at state and local levels throughout Hawaii;

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<sup>2</sup> Excerpts from the 2008 HIJIS Strategic Plan, Department of the Attorney General, HCJDC

- There are sometimes substantial delays and backlogs in getting data entered into operational systems;
- Delays in informational collection and sharing hinders proper cases processing in other agencies throughout the justice process;
- There is a considerable amount of faxing of data and forms and manually transporting data, reports, and forms between agencies;
- Sometimes data gets lost, misplaced, or misdirected between agencies hindering operations, delaying decision making and agency actions (e.g., court proceeding), and forcing practitioners to make decisions with incomplete information;
- There is significant expenditure of time and effort devoted daily to building court calendars and this requires an extraordinary level of orchestration between law enforcement, intake service centers, and prosecution, and the courts;
- The lack of a statewide warrants database means that people who are arrested may be released without custodial agency knowing whether they have an outstanding warrant in another jurisdiction;
- Users must remember multiple user names and passwords to access different systems, as well as procedures/function keys;
- Some data (e.g., parole) are not accessible by other agencies;
- Some data is available, but agencies must pay for access and/or reports (e.g., death certificates);
- Not all law enforcement and correctional agencies capture electronic mug shots or fingerprints. Some still take inked fingerprints and Polaroid photographs, which cannot be readily shared;
- Agencies are unable to immediately access conditions of supervised release and probation/parole.

2008 HIJS Strategic Plan outlines a governance structure that includes an Executive Committee of agency executives and leaders, and Operational Working Group of agency managers and operational practitioners, and a Technical Working Group of technology experts responsible for building and operating the information technology assets of participating agencies. The plan specifies the operational and technical requirements that were defined by justice users and technical experts and agreed upon by the Executive Committee and representatives of the Operational and Technical Working Groups. The requirements included but are not limited to business practices must be adopted by relevant agencies to ensure timely, accurate, and complete information collection and sharing.

Executive Committee and the Operational and Technical Working Groups formulated the following goals:

- Improve justice, public safety and homeland security by providing timely access to accurate and complete information, while protecting privacy, preventing unauthorized disclosures of information, and allowing appropriate public access;
- Improve efficiency of operations by reducing duplicate data entry, expanding information sharing capabilities, and providing broader access to relevant and appropriate information;

- Establish an integrated justice information sharing framework and statewide data sharing infrastructure;
- Build and support operational information systems in participating agencies that meet their operational needs and enable enterprise-wide information sharing;
- Provide sufficient and coordinated funding and other resources to support the HIJIS Program
- Provide greater transparency in decision making and operational justice practices throughout the State of Hawaii; and
- Implement information sharing technologies that support business agility to enable the HIJIS Program to be responsive to changes in business needs, including new and emerging operational requirements, as well as policy and legislative mandates.

### III. RESOURCE NEEDS

This section is used to describe in general the resources the state uses to address problems identified in Section II. Data and Analysis. This section also describes the gaps in those resources that need to be filled.

#### VIOLENCE

##### Sex Offenses

Under Hawaii Revised Statutes 846E, sex offenders are required to register in the State's Sex Offender Registry (SOR) and notification 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 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 fingerprints.

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.

Megan's Law (sex offender public notification system) amends the Wetterling Program with regard to the disclosure of information collected by a 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 the system was unconstitutional.

In response to the ruling, the Hawaii Legislature required the State to petition sex offenders to appear in civil court. Prior to the *Eto Bani* decision, due process was not required to place offenders on the State's sex offender public notification system. Representing the State and responsible for these cases are the county prosecutors. The sex offender public notification system, operational on the Internet, includes offenders where:

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

- 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;
- The offender has inexcusably failed to comply with terms and conditions of probation or parole;
- The victim was twelve years of age or younger at the time of the offense;
- 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;
- 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;
- The offender [who] has inexcusably failed to register as a sex offender or [who] is otherwise not in compliance with this chapter; and
- The offender has been convicted of any crime since the conviction requiring the offender's registration.

Currently the FY 2009 JAG-Recovery grant is helping to maintain and enforce the SOR requirements. Without dedicated funds, the program will have difficulty sustaining its efforts.

The statewide Sex Offender Treatment Team (SOTT) was established in 1992 by Act 164 to establish a statewide, integrated program for the treatment of sex offenders in the custody of the State to be implemented on a cooperative basis by the Department of Public Safety (PSD), the Judiciary, and the Hawaii Paroling Authority (HPA), and any other agency that may be assigned sex offender oversight responsibilities.

According to the Hawaii PSD's *2007 Annual Report*, the Sex Offender Treatment Program (SOTP) provides treatment programs for sex offenders at all facilities statewide except at the Waiawa Correctional Facility. The programs are 100% privatized, as all administrative and direct services are accomplished through contracts. Beginning in 1992, Hawaii's Parole Board decided to release only sex offenders who completed the SOTP program rather than release untreated sex offenders. In April 2011, 128 sex offenders were participating in SOTP. Beyond ensuring that sex offenders comply with the Adam Walsh Child Protection and Safety Act, Hawaii is the only state to track each offender's criminal history throughout their life after release, which allows the department to collect long-term recidivism data. National statistics suggest that 11% of sex offenders who receive treatment while incarcerated will commit a new sex crime within two years of their release. Hawaii's offenders do much better. Since 1988, 5% (10) of Hawaii sex offenders who received treatment have returned to prison for new sex crimes compared to the 15% (23) of Hawaii's sex offenders who did not complete treatment and had returned to prison for new sex crimes.

On average, an inmate will spend 16 to 22 months to completing therapy, although some have needed as long as three years to master the core concepts. Approximately 90 to 120 offenders participate in treatment each year, up sharply from just 28 offenders who entered treatment in 1996.

The cost of SOTP during a fiscal year includes treatment in groups of 10-to-12 participants and individual sessions when needed, but SOTP “treatment” also includes pre-treatment needs assessments, post-treatment risk assessments, polygraph exams, penile plethysmographs and family/spouse sessions. For FY 2011, PSD originally set aside \$445,000 for treatment and \$90,000 for assessments. Towards the end of the year, PSD needed an additional \$80,000 for treatment contracts.

The Department of the Attorney General is the administrating agency for the U.S. Department of Justice, Services•Training•Officers•Prosecutors (STOP) Violence Against Women Act (VAWA) Formula Grant. The grant encourages states to promote a coordinated, multidisciplinary approach to enhancing advocacy and improving the criminal justice system’s response to violent crimes against women; the development and improvement of effective law enforcement and prosecution strategies to address violent crimes against women; and the development and improvement of victim advocacy and services in cases involving violent crimes against women. Hawaii uses the funds to strengthen the State’s ability to respond to domestic and dating violence, sexual assault, and stalking by improving the criminal justice system, developing and providing better access to victim services, and increasing offender accountability.

### **Elder Exploitation Prevention**

The Department of the Attorney General funds the Case Management for Elderly Victims of Crime Project with the Victims of Crime Act (VOCA) grant funds. Funded since 2002, this project enables the Department of Human Services (DHS) Adult and Community Care Services Branch to provide case management and financial management services for individuals aged 60 or older who have been indentified or referred as victims of elder abuse. Referrals primarily come from the DHS Adult Intake Unit for victims of abuse who are not investigated by the Department because they do not meet the statutory criterion of a vulnerable adult in danger of abuse if immediate action is not taken. This project funds two social workers and a social service assistant position that provide individualized case management services to assist clients with accessing needed services, including financial management services.

In FY 2010, adult protective service reports were received and investigated on 1,065 vulnerable adults: 80% of the reports involved individuals age 60 and older; 170 (approximately 16%) of the reports investigated were confirmed for abuse, neglect, or financial exploitation.

Committed to fighting elder abuse and improving the quality of life for all seniors on Oahu, the Honolulu Department of the Prosecuting Attorney created the Elder Abuse Justice Unit in 2008 using existing staff resources. The Elder Abuse Justice Unit vertically prosecutes all felony elder abuse cases and is staffed by one full-time Deputy Prosecuting Attorney and one full-time clerical assistant. The Unit works with the Department’s Victim-Witness Counselors who provide advocacy services for each victim. Despite the small staffing numbers, the Deputy Prosecuting Attorney handles an increasingly large caseload and provides community outreach services by giving presentations to local organizations.

In 2011, the Hawaii County Office of the Prosecuting Attorney established an Elder Abuse and Exploitation Team to investigate and prosecute certain crimes against the elderly in Hawaii County. The goal of the team is to enhance awareness, prevention, and expedite prosecution of elder abuse and exploitation cases in Hawaii County.

Effective July 1, 2009, legislative changes to the APS statute (HRS Chapter 346, Part X) required the DHS to accept more reported incidents of suspected vulnerable adult abuse, neglect, and financial exploitation. During the State FY 2010 (July 1, 2009 to June 30, 2010), DHS experienced an increase of approximately 69% (1,065) in the number of investigated reports of vulnerable adult abuse over the 630 reports investigated in prior year.. This increase is directly attributed to changes in the APS law. In addition to this increase in the number of investigated reports, reductions in staffing within the APS program caused the caseloads per worker to be greatly expanded.

## **PROPERTY CRIMES**

### **County Efforts**

The police patrol units and the criminal investigation divisions are responsible for investigating property crimes. The police also collaborate with citizen groups, private businesses, and other government agencies to implement effective programs to reduce property crimes. Honolulu Police Department (HPD) has eight districts with its crime reduction units and various task forces, such as the Beach Task Force. Several crime reduction units also have specialized details, such as the Burglary-Theft Detail. The Criminal Investigation Division is made up of several details, including the Auto Theft Detail and the Forgery Detail. The Hawaii Police Department (HCPD) patrol is divided in eight districts, the Maui Police Department (MPD) patrol is divided in seven districts, and the Kauai Police Department (KPD) patrol is divided in three districts.

Several collaborative efforts involving communities include community policing, Neighborhood Security Watch Programs, citizen patrols, and the Federal Weed and Seed program. Community policing is a problem-solving philosophy that seeks community participation to work with police to address quality of life problems that includes property crime. It is a proactive approach to prevent crime and to reduce problems that contribute to crime. Some of the community policing programs include beautification efforts to remove graffiti or improve areas that are havens for criminal activity; business watch programs where police work with businesses to identify security vulnerability that can lead to theft and other property crimes; and crimes against tourist initiatives to educate tourists about properly securing their valuables while visiting Hawaii's many scenic points and attractions. Other well-known community policing programs include neighborhood watch and citizen patrols.

A Neighborhood Watch Program consists of organized groups of residents who watch out for criminal and suspicious behavior and report such incidences to the police to help prevent crime and to promote public safety. This approach can address all types of crime, but the primary focus is typically residential burglary and other crimes around the home, such as larceny and vandalism.

Community prosecution in Hawaii, similar to community policing, involves a long-term, proactive partnership between the prosecutor's office, law enforcement, community members, businesses, faith-based community, and public and private organizations, whereby the prosecutor's office helps solve community-identified problems, such as property crimes. The goal of community prosecution is to improve public safety and enhance the quality of life in the community. Community prosecution began in Oahu in 1997 and expanded to Hawaii County in 2002 and was operating in Maui County from 2003-2004.

While there are several enforcement initiatives available, the level of property crimes in Hawaii is not adequately matched by current resources.

Kauai County established a property crimes prosecution unit in May 2006. The Property Crime Prosecution Unit (PCPU) consists of a Special Prosecuting Attorney and a Special Investigator. The PCPU has the ability to process property crime cases efficiently utilizing vertical prosecution through the criminal justice system. Vertical prosecution means one prosecutor handling the case from issuance to final disposition. Benefits of vertical prosecution include streamlining the process for crime victims, more time efficiency for prosecutors, and overall improvement in case quality as the prosecutor is familiar with all individuals involved in the case.

## **DRUG THREATS**

There is a need for a sustained, coordinated, and comprehensive approach to drug threats in Hawaii. Prevention, enforcement, and treatment services are needed but are often provided as stand alone efforts due to stringent funding restrictions. And so, it is difficult to capture the various public and private funding streams that work to reduce illicit drugs that have included medical centers, insurance companies, private foundations, and state, county, and federal programs.

The number of government agencies involved in prevention and/or responding to illicit drug use remains high and includes the Departments of Education, Health, and Human Services, and the criminal justice agencies (county, state, and federal) which includes the police, prosecutor, courts, corrections, and community corrections. There is no Hawaii Drug Control Policy and hence, there is no strategy to provide a blueprint for reducing drug use and its consequences.

The 2010 Hawaii High Intensity Drug Trafficking Area Drug Market Analysis (Analysis) reports methamphetamine and marijuana abuse are the most critical drug concerns in Hawaii. High levels of methamphetamine abuse severely strain the resources of public health departments, treatment centers, and social services agencies in the state. Data from the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Episode Data Set (TEDS) reveal that methamphetamines/amphetamines were identified more often than any other drug, including alcohol, as the primary substance of abuse for treatment admissions to publicly funded facilities in Hawaii from 2004 through 2008 (the latest year for which data are available).

The 2010 Analysis also reported that methamphetamine-related domestic violence, child abuse, and child neglect place a burden on local foster care systems and social services. The number of treatment admissions for marijuana/hashish abuse is also very high, second only to the number of admissions for methamphetamine/amphetamine abuse. Seventy-seven percent of the marijuana/hashish admissions were for adolescents and young adults. Cocaine, heroin, CPDs, and other drugs are also abused throughout Hawaii, but to a lesser extent.

## **DRUG RELATED CRIME**

### **Multi-Jurisdictional Task Forces**

The rise in fuel prices for helicopters has increased the hourly rental costs for the METF. Typical marijuana eradication missions require helicopters for 8 hours or more, for multiple days. For many years, the Hawaii Air National Guard (HIANG), Counter Drug Program provided additional helicopter support as “spotters.” However, in 2011, HIANG Counter Drug Program was reduced in staff by 80% statewide. As fuel costs increase, METF faces the challenge of maintaining eradication efforts with decreased operational time utilizing only rented helicopters.

The popularity of “designer” drugs, such as synthetic cannabinoids, salvia, and mephedrone pose operational issues for HNTF. The methods of trafficking include Internet sales. As many of these drugs constantly change in chemical structure to avoid being classified as a “Schedule 1, II, III, IV” controlled substance, HNTF personnel need to be proactive in identifying traffickers of these synthetic drugs. Three key resource need areas are: 1) specialized training on emerging synthetic drugs and trafficking methods, 2) technical assistance and coordination to leverage task force resources, 3) development of data tracking methods for crime analysis and targeted deployment of resources.

For FY 2009, a new special provision for task forces was added to the JAG Program. The Center for Task Force Leadership and Integrity (CTFLI) was created to provide a federally required online training and certification for all multi-jurisdictional task forces receiving Justice Assistance Grant funding. Subsequently, the CTFLI online training was incorporated into the METF and HNTF requirements in Hawaii to comply with the new special provision. All members of a task force must complete the four certifications which are valid for four years from the date of completion.

JAG funding, including the Byrne Justice Assistance Grant (JAG) and the Byrne Justice Assistance Grant-Recovery (JAG-R), for HNTF and METF from FY 2006 to FY 2009 totaled approximately \$767,000. Some awards may be used for operations over a 1- to 3-year period. Awards include:

Honolulu Police Department

- METF \$120,000 (JAG)

Hawaii County Police Department

- HNTF \$113,885 (JAG-R) & 100,000 (JAG)

#### Maui Police Department

- METF \$58,037 (JAG-R) & \$87,183 (JAG)
- HNTF \$75,668 (JAG-R) & \$66,456 (JAG)

#### Kauai Police Department

- METF \$80,244 (JAG) HNTF \$68,212 (JAG)

### **Other Efforts**

The four police departments have established clandestine drug enforcement programs with trained personnel and OSHA-required equipment. The Narcotics Enforcement Division of the Department of Public Safety coordinates statewide training with funding from the Hawaii HIDTA and also has trained personnel.

Hawaii has four Weed and Seed sites: three on Oahu (Kalihi-Palama/Chinatown, Waipahu, and Ewa) and one on Hawaii (Pahoa). The federally-funded program will be ending and the local sites are working on sustaining the program and the improvements achieved.

Two of the four county prosecutors operate a community prosecution program. The general goal of the program is to reduce crime and fear and to enhance the quality of life in the community. In partnership with the community, other law enforcement, government and non-government agencies, problems such as illegal drugs that affect the community are solved. One strategy to address drug houses is the use of the State's drug nuisance abatement law. The law allows for civil complaints to be filed against landlords for drug activity on their property. Landlords who fail to comply with an injunction to stop the drug nuisance activity could have their property forfeited to the state.

In addition to the community prosecution program, the Department of the Attorney General in July 2003 established a drug nuisance abatement unit in response to the crystal methamphetamine problem impacting many of Hawaii's communities.

Shortage of personnel is a perennial problem for the police departments. Transfers, retirement, and out-of-state law enforcement opportunities compound the vacancy problem for not only the narcotics/vice divisions but for the entire department. Current training is necessary to keep up with the latest trends and technology. Fueled by huge profits, drug traffickers can quickly adapt their methods and locations.

## **REDUCING RECIDIVISM AND RE-ENTRY EFFORTS**

### **Interagency Council on Intermediate Sanctions**

In 2001, the Judiciary convened an Interagency Council on Intermediate Sanctions (ICIS) composed of representatives of the criminal justice system to reduce recidivism among its adult offenders and improve public safety. State and county agencies include: Judiciary, Department of Public Safety (PSD), Department of the Attorney General (AG), Department of Health (DOH), Office of the Public Defender, Hawaii Paroling Authority (HPA), Department of the Prosecuting

Attorney (DPA), and Honolulu Police Department (HPD). Under initial guidance from the National Institute of Corrections, ICIS adopted eight evidence-based principles that support effective interventions. They are:

- Assess offender risks and needs with actuarial risk assessments. ICIS has adopted, trained personnel, and uses the LSI-R/ASUS assessment tool statewide (Intake Service Center, probation, prison, and parole);
- Enhance intrinsic motivation of offenders with better communication skills. Motivational interviewing is used with offenders to get them to communicate better with their correctional officers;
- Target offender interventions (treatment/services): supervision and treatment are used for high risk offenders; interventions are for highest risk criminogenic needs; intervention programs must respond to the offender's temperament, learning style, motivation, culture, and gender; and the amount of duration of intervention must be appropriate;
- Skills training with directed practice using cognitive-behavioral treatment methods. Correctional officers offer "practice" to the offenders to respond in positive manner to situations;
- Increase positive reinforcement of offenders;
- Assist the offender in maintaining support from their natural communities;
- Measure relevant processes/practices in correctional and treatment services;
- Provide measureable feedback to all; this includes the offenders, officers, and treatment providers.

The ICIS also recognizes that by better assessing and identifying treatment needs for offenders, programs must address their criminogenic risks. Left unattended, the system will continue to see offenders return for new crimes and violations. Treatment programs therefore need to focus on specific factors that will statistically affect an offender's risk for recidivism. The following is a list from William Woodward of what treatment must do to reduce offender recidivism. William Woodward is a National Institute of Corrections consultant on effective offender programs who provided technical assistance to ICIS.

- Change antisocial attitudes;
- Change/manage antisocial feelings;
- Reduce antisocial peer associations;
- Promote familial affection/communication;
- Promote familial monitoring and supervision;
- Promote child/family protection;
- Promote identification with anti-criminal roles models;

- Increase self-control, self-management, and problem solving;
- Replace lying, stealing and aggression with more pro-social alternatives;
- Reduce chemical dependencies and substance abuse;
- Shift interpersonal and other rewards so that non-criminal activities are favored;
- Provide the chronically psychiatrically troubled with low pressure, sheltered living arrangement and/or effective medication;
- Insure that the offender can recognize risky situations and has a concrete and well rehearsed plan for dealing with those situations;
- Confront the personal barriers to service (client motivation, ground stressors, etc), and
- Changing other attributes of clients and their circumstances that, through individualized assessment of risk and need, have been linked with criminal conduct.

Under ICIS guidance, offender assessments are conducted at the earliest possible point in the system where cost-effective diversion options can be maximized, especially when an offender has an intact community support system or when his motivation for change is high. Once in the system, because of scarcity of resources, the focus is on the offender with high risks and needs. Research shows that high risk offenders benefit from intensive interventions and treatments and that low risk offenders do not.

Due to cuts in the state budget, ICIS agencies had to cut training of the probation and parole officers and reduce offender treatment. With less treatment services, it becomes important to maintain the skills of the probation and parole officers who work with the offender to reduce the offender's level of risk to recidivate.

### *Evidence-Based Offender Assessment Tools*

ICIS researched, tested, and validated several evidence-based assessment tools for Hawaii's offenders. PSD, probation, and parole now use the instruments as standard practice. All use the Level of Services Inventory-Revised (LSI-R) assessing risks and treatment needs. Adult Substance Use Survey (ASUS) is another actuarial assessment instrument for substance abuse assessment. Other evidence-based instruments also used for specialized offender populations include: DA, DVSI and SARA for domestic violence offenders; Static 99, STABLE, and ACUTE for sex offenders; and PCL for mentally ill offenders.

In order to utilize these tools, correctional field officers of the agencies were trained in the use of the tools, as well as evidence-based skills such as motivational interviewing, cognitive behavior skills. The use of Hawaii's Opportunity Probation with Enforcement (HOPE) court initiative assists in supporting offender behavior with positive/negative reinforcement and accountability.

Specialized assessments for female offenders are needed. Several years ago, through a federal grant, Maui probation and parole officers were involved in a national effort to develop an assessment tool for female offenders. Because of the lack of resources, the tool has not been

used and gender specific treatment and services to address the women's needs were not developed.

The Judiciary and the PSD contribute state general funds to maintain an electronic information system (Cyzap), which captures offender assessment scores, case plan, and treatment/services received and completed. This assists the probation, prison, and parole workers to track offenders on their improvement and coordinate resources. The JAG funds have supported training for community corrections and corrections personnel in the use of the assessment tools and the information system expansion.

Through the use Cyzap, community corrections and corrections staff share information on the treatment and services outcomes of the offender. As additional specialized offender assessment tools, follow up reports, and new demands are made on the system, resources will be needed to maintain and expand the Cyzap system. Cyzap is the sole statewide system for sharing and for measuring whether offenders' risk for criminal behavior is changing.

### *Measuring Program Integrity and Quality*

To improve the effectiveness of treatment to reduce offender recidivism, ICIS adopted the Correctional Program Checklist (CPC) to measure program integrity and quality. The CPC is used to assess adult substance abuse, domestic violence, and sex offender treatment programs to ensure that evidence-based practices are used and that a sound agency organization exists. ICIS member agencies share the oversight responsibilities of the CPC Coordinating Committee. The Committee is responsible to coordinate and assign interagency teams to assess treatment programs, schedule assessments, complete the reports, provide technical assistance to programs, and develop policies and procedures for program assessments. CPC members include representatives from the Departments of Attorney General, Public Safety, Health, and Human Services, the Judiciary, the Hawaii Paroling Authority, and U.S. Probation and Pre-Trial Services.

After several years of preparing ICIS member agencies to conduct CPC assessments, the first assessments were conducted in 2008. The CPC Coordinating Committee anticipates conducting 8 CPC assessments annually. The assessment report is followed by a meeting between the CPC Coordinator, program specialists, and the program director to discuss the CPC report and areas the program is likely to change in the coming year.

### *Investing in Research*

The Research Branch of the Department of the Attorney General analyzes the data for recidivism reports on a statewide basis. ICIS members can access information on whether their staff and the offenders under their supervision are seeing marked changes in overall risk and needs. There is one research analyst who does all the analysis and special reports for agencies as requested. More could be done to assist the agencies in looking at the outcomes and determining whether additional improvements are needed.

### **Department of Public Safety and Re-Entry**

PSD is in the process of reassessing its re-entry plan for inmates. It is reviewing its goals and objectives, policies, practices, processes, and assessment tools used. PSD is also looking at its data (recidivism, average length of stay, security levels). The intent is to present an updated plan with recommendations on changes and resource needs. Preliminary plans are to look at data to assess:

- Offender needs for services and treatment;
- Geographic areas that inmates are from or will return to; and
- Standard assessment tools and the collection of outcome data.

To assess offender needs, staff is reviewing assessment tools used as well as its relationship to the LSI-R and ASUS instruments; the types of services and treatment being offered at the facilities and whether the programs are evidence-based; case planning with inmates; outcome measures that will show improvements in the individuals thinking, behavior changes, and decreases in violent behavior. Geographic data will be used to assess services needed in the communities to which offenders will return. This entails working with communities to develop the support needed for individuals. Hawaii County's Going Home effort is being monitored as a model to work with communities to support re-entry efforts. Hawaii County received federal Second Chance Act funding for its re-entry efforts. On Oahu, three former Weed and Seed sites, with the support of the U.S. Attorney, are possible partners for community re-entry efforts.

Preliminary concerns are the transition efforts for inmates with mental health needs, domestic violence offenders, substance abuse treatment, and targeting misdemeanor and pre-trial offenders. Also cited was the need to expand program space within correctional institutions, increase program availability, training of program and security staff, and to support research and evaluation of the programs. Once the PSD re-entry plan is developed, resources for implementation efforts will be identified. Coordination within the correctional system and with community groups will need to be addressed.

### **Justice Reinvestment Initiative**

In an effort to improve Hawaii's prisons and criminal justice system, Governor Neil Abercrombie announced in June 2011 a collaborative effort called "justice reinvestment" to reduce the number of prisoners being sent out of state, lower recidivism, and prevent crime.

The initiative is a partnership between the State, the Council of State Governments (CSG) Justice Center, the Pew Center on the States, and the U.S. Department of Justice's Bureau of Justice Assistance (BJA). The State's Justice Reinvestment Working Group is comprised of state agency heads, legislative leaders, judges, prosecutors, and police chiefs. The group includes Governor Abercrombie, Chief Justice Mark Recktenwald, Senate President Shan Tsutsui and Director of Public Safety Jodie Maesaka-Hirata.

The Justice Reinvestment Initiative has a three-step approach which is currently underway:

- \* Analyze data and develop policy options. This includes a system-wide examination of the prison population, drivers of prison growth, and strategies used by policymakers.
- \* Adopt new policies and put reinvestment strategies into place.
- \* Measure performance of those strategies.

### **Specialized Treatment Services – Sex Offender**

The Sex Offender Management Team (SOMT) is an interagency group consisting of representatives from the Judiciary, PSD, HPA, DOH, Children Justice Center, and sex offender treatment providers that meets monthly to coordinate sex offender services for both adults and juveniles, and to collaborate to improve the services and training of personnel. The development of training curriculum and training of interagency personnel statewide is largely funded by federal discretionary grants. Without the grants, the interagency effort may waiver. Three research-based sex offender assessment tools (Static 99, STABLE, and ACUTE) are inputted in the Cyzap data base. Approximately 631 sex offenders are in the prison system, and 143 were in treatment. Sex offender treatment programs are offered in all 5 facilities except the Waiawa Correctional facility, and sex offender treatment budget is \$878,000. There were 353 sex offenders on probation in 2010 and approximately 91 referred to treatment or evaluation. The Judiciary has \$243,343 for contracted substance abuse treatment.

### **Specialized Treatment Services – Domestic Violence**

Domestic violence intervention programs are largely funded by the Judiciary with state funds and some federal grants. Probationers with a history of domestic violence are referred to seven agencies that have such programs. There are two on Oahu, and one on each neighbor island. On Oahu, Maui and Kauai 858 probation referrals were made to domestic violence programs during the last fiscal year and all were accepted by the programs. The Judiciary cited the need to educate criminal justice personnel on evidence-based treatment and guiding principles; the development of infrastructure (standardized monitoring tools) to assure consistency in programming, monitoring of batterer programs in each circuit; and evaluations of the effectiveness of programs. The psychoeducational method of some programs is questioned, as research indicates that emphasis on cognitive behavior is more effective. In the past, federal funds were used for such programs in the prison.

### **Specialized Treatment Services – Mental Health**

The DOH has several programs for the mentally ill offenders. HPD can access mental health practitioners through DOH for immediate assessments and referrals to mental health services, an evidence-based program, which should be made available statewide. DOH clinicians are available at jails and at the district court in Honolulu. An offender on probation or coming out of prison or on parole can access temporary housing and referrals to community mental health services. The housing program can accommodate approximately five individuals at a

time. Monitoring offenders on their referrals to community mental health centers may not be consistent due to the lack of health or correctional personnel.

### **Specialized Treatment Services – Substance Abuse**

The Judiciary, PSD, HPA, and DOH each control a portion of the funding for offender substance abuse treatment and transitional services. The Judiciary is responsible for probation services statewide. PSD is responsible for the state’s jail and felony inmate populations and pre-trial detainees.

Probation, parole, and prison substance abuse and treatment services are serving approximately 1,972 offenders annually, which represent only a fraction of the probation, parole, and incarcerated populations. In estimating the need and subsequent treatment service gaps, the DOH, *Statewide Substance Abuse Treatment Plan* (2000) reports 70% of the people entering Hawaii’s criminal justice system have a substance problem, and 85% of those incarcerated have a history of drug abuse. Using the ADAM statistics on Hawaii detained arrestees testing positive for drugs, the percentage is 62.9%

The crucial gaps identified by the DOH in their report and which continue to be relevant is the need for a system of graduated intermediate sanctions for non-violent drug abusers. In order to realize this, additional resources in supervision and treatment services are critical. More residential treatment beds and outpatient treatment services are also needed at each of the four phases of the criminal justice system: pre-trial diversion, probation, incarceration, and parole.

Hawaii Revised Statutes, Chapter 321-193.5 created the Interagency Offender Substance Abuse Treatment Coordinating Council to ensure compliance with the master plan developed under HRS 353G (development and implementation of offender substance abuse treatment programs). As the lead agency, the DOH facilitates and provides administrative support to the Council. The Health Department used \$20,934,023 in state funds for substance abuse treatment for their population. The \$7.17 million Substance Abuse Prevention and Treatment Block Grant program from the federal Department of Health and Human Services also covered the continuum of residential, day treatment, intensive outpatient, outpatient, and therapeutic living modalities. Clients must meet DSM IV criteria for substance abuse or dependence. Admission, continuance, and discharge are based on American Society of Addiction Medicine (ASAM) patient placement criteria.

Probation uses state funds of approximately \$1.4 million for substance abuse treatment for 200 felons (147 Oahu; 29 Maui; 14 Hawaii; 10 Kauai) for assessment, residential, day treatment, intensive outpatient, outpatient, and therapeutic living modalities. The HPA uses state funds for assessment intensive outpatient, and outpatient treatment for 36 parolees (18 Maui, 12 Hawaii, 6 Kauai) using state funds. The prison system has therapeutic community programs for felons who will be released within 2 years. The 9-12 month state funded programs are at the Waiawa Correctional Facility (102 beds at \$493,835 for staff and operations) and the WCCC (50 beds, \$322,000 state funded contract with Hina Mauka). State funds are also used for two transition programs (prison to community) at the WCCC (15 beds at \$54,218 for staff and operations, and \$76,000 for dual diagnosis and family therapy services), and the Laumaka Work

Furlough Center (32 beds at \$188,605 for staff and operations, and \$156,000 for job development and family therapy services). The WCCC also uses state funds (\$900,000) to contract for a 30-bed community transitional program on Oahu for females requiring re-entry and substance abuse treatment services.

There are adult drug courts operating in all circuits. This diversion program includes tracks for offenders post-arrest, and post-conviction, and probation and parole violators. The Maui Drug Court is the only program to have an in-house program for inmates at the MCCC; however it has a 13-month wait list. The Oahu Drug Court reported that because of less officers, they have 30% less electronic and voice monitoring of offenders. The Drug Court has been effective with providing drug treatment services to pregnant women and offenders with co-occurring disorders. The program capacity is approximately 320 non-violent offenders (Class B or C felons): 150 on Oahu, 100 on Maui, 50 on Hawaii, and 20 on Kauai. All are state funded.

## **TECHONOLOGY IMPROVEMENT EFFORTS**

### **Forensic Science**

There are five forensic laboratories operating in the State. Located on three islands, these laboratories include the only State operated laboratory located on Oahu and operated by the Department of Public Safety, the only medical examiner laboratory operated by the City and County of Honolulu, and three forensic science laboratories operated by local police departments on Oahu (the only full-service forensic laboratory in the State), Maui and the island of Hawaii.

Kauai Police Department does not have a forensic laboratory. The counties of Hawaii, Maui, and Kauai have coroner systems, rather than a medical examiner system.

The Scientific Investigation Section (SIS) of the Honolulu Police Department (HPD) maintains the only full-service forensic laboratory in the state of Hawaii. SIS consists of five specialized units: DNA/Serology, Drug Analysis, Firearms/Tool Marks, Trace Evidence, and Questioned Documents. The section serves a county population of more than 900,000 and is staffed with 14 crime scene unit personnel and 20 crime lab personnel. Although HPD is a county agency, SIS is often asked to assist other jurisdictions, including federal agencies (the Bureau of Alcohol, Tobacco and Firearms; the Department of Immigration and Customs Enforcement; various branches of the U.S. Military; and the Office of the United States Attorney) and law enforcement agencies located in the Pacific Basin (neighboring islands, Guam, Saipan, and Micronesia). The numerous outside agency requests indicate the level of reliance that the Pacific Basin law enforcement community has on the HPD's forensic services. The DNA Laboratory unit is currently ISO-accredited through Forensic Quality Services (FQS).

The Hawaii Police Department Crime Lab was established in 1977 to provide scientific support for criminal investigations and further assist outside agencies such as the County's Department of Liquor Control, the State Department of Land and Natural Resources, and the Federal Drug Enforcement Agency. The majority of the cases handled by the Crime Lab involve the testing of illicit drugs. The Crime Lab also conducts latent print examination/development, serial number restorations, and firearms test-fire for operability.

In 2005, state legislative funds were appropriated for the construction of a Narcotics Enforcement Division forensic laboratory in the Department of Public Safety. In 2006, building plans for the laboratory were initiated and construction started at the beginning 2011. Construction of the laboratory is nearing completion. The laboratory will have the capability to provide drug analysis services for all NED investigative cases involving the recovery of drug evidence. The new laboratory will also assist other local and federal law enforcement agencies with their drug investigations. Since 2009, NED has been functional and is in the process of achieving laboratory accreditation by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB) through their International Accreditation Program.

The City and County of Honolulu, Department of the Medical Examiner (ME) investigates sudden, unexpected, violent, and suspicious deaths. The purpose of such investigations is to discover, document, and preserve the medical, anatomic or evidentiary findings which enables the Department to determine, as required by statute, the cause of death, that pathology or injury which causes the heart to stop, the manner of death, and the circumstances surrounding the death as being accidental, homicidal, natural, or suicidal. The ME confirms or denies the accounts of how death occurred, and thus provides expert testimony in criminal and civil litigation. The ME is one of only 50 fully accredited by the National Association of Medical Examiners (NAME) and is one of the four offices having the longest continuously-earned accreditation by NAME. This accreditation is at risk due to declining operating budgets for staff training and continuing staff education. In 2009, the National Academy of Sciences stated, "No person should be allowed to practice forensic without certification." The ME also requires a cryostat, a device used to maintain cold cryogenic temperatures.

The Maui Police Department maintains a Crime Laboratory staffed by a Criminalist II, a Photo Laboratory staffed by an Evidence Specialist, Fingerprint Identification Technician, and an Evidence and Identification Technician.

The Department of the Attorney General operates the Hawaii Internet and Technology Crimes Unit (HITeC) separate from the forensic labs. The unit consists of an Internet Crimes Against Children (ICAC) Task Force and the Hawaii High Technology Crime Unit (HHTCU).

The ICAC Task Force focuses on crimes that include, but are not limited to, online enticement of children for sex, and the possession, distribution, and production of child pornography on the Internet.

HHTCU assists citizens and other law enforcement agencies in Internet and technology related crimes and combines local, state, and federal law enforcement resources in addressing technology related crimes. HHTCU investigates and prosecutes technology crimes against persons. These crimes include, but are not limited to, identity theft, check and checking account fraud, and Internet fraud.

Task force members includes the four county police departments, the Kauai Office of the Prosecuting Attorney, the Maui Department of the Prosecuting Attorney, the Sheriff Division, the Federal Bureau of Investigation, the Hawaii District U.S. Attorney's Office, the U.S Customs Service, the U.S. Postal Services, Air Force Office of Special Investigations, Army Criminal Investigation Division, and Navy Criminal Investigation Services.

The HITeC Unit has provided equipment, technical assistance and electronic evidence collection training for local and state investigators and training for local prosecutors. There is an on-going need for electronic evidence collection training for criminal justice personnel at the local and state level due to high attrition rates.

### **Records Management Systems and Integrated Justice Information Sharing<sup>3</sup>**

The initial focus of the HIJIS program is the primary justice agencies at the state and local levels: Law Enforcement, Courts, Hawaii Criminal Justice Data Center, Prosecution, Prison and Jails, Intake Services, Probation, and other justice (Victim Notification, Juvenile Justice, Intelligence Fusion Center and federal justice agencies) and non-justice agencies (e.g., Driver's License, Human Services Health Services). The HIJIS development will be closely aligned with other comparable information sharing initiatives contemplated and planned at the state and county level throughout Hawaii. The 2008 HIJIS Strategic Plan identifies following principles to guide development and implementation of the HIJIS Program:

- Data should be captured at the originating point, rather than trying to reconstruct it down the line. Collecting data at the originating point helps ensure both the accuracy of the information (it can be corrected at the source) and its timeliness.
- Data should be captured once and used many times. Rather than have agencies duplicate data which has already been captured and automated by others, efforts should be implemented that will enable users to share common information and thereby eliminate the potential of subsequent data entry errors and delays in processing.
- Integrated justice information sharing should be driven by the operational systems of participating agencies. Agencies should not have to enter data into their internal information systems, and then enter the same data into HIJIS in order to share with other authorized users. Instead, HIJIS will function to share data from the operational information systems operating within agencies.
- Justice agencies should retain the right to design, operate and maintain internal systems to meet their own operational requirements. The information sharing contemplated as part of the HIJIS Program is not designed to replace the internal information systems of each participating agency. Each agency should retain the authority to build, acquire, or otherwise implement information systems and resources that will meet their internal operational requirements. HIJIS will operate to facilitate the sharing of data between agency systems.

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<sup>3</sup> Excerpts from the 2008 HIJIS Strategic Plan, Department of the Attorney General, HCJDC.

- Security and privacy of information will be priorities in development of integrated justice information sharing capabilities. Expanding our information sharing capabilities underscores the importance of building robust security policies and implementation of effective technologies to ensure that only authorized persons are able to access systems and data for authorized purposes. Moreover, providing the ability to access and share information from multiple sources underscores the importance of enforcing policies to ensure the privacy and confidentiality of information.
- Integrated justice information sharing initiatives should be business driven and standards-based. Business requirements for expanded information sharing should drive the HIJIS Program, rather than simply the evolving capabilities of technology. Additionally, emerging national standards for information sharing should be adopted to facilitate greater agility in responding to changing requirements and emerging national programs.
- Integrated justice will build on current infrastructure and incorporate capabilities and functionality of existing information systems, where possible. Agencies have made significant investments in current information systems and data, and these investments should be leveraged in expanding our information sharing capabilities. Moreover, agencies should not lose any functionality of their existing system by participating in the HIJIS Program.
- Because of the singular consequences of decision making throughout the justice enterprise, establishing and confirming the positive identity of the subject is crucial. Implementing procedures and technologies that will ensure positive identification of the subject at every stage in the criminal justice process will help ensure the accuracy of decisions regarding life and liberty, and will foster respect for the justice enterprise.
- Integrated justice provides an important opportunity to analyze and reengineer fundamental business processes throughout the justice enterprise. Mapping the information exchanges among justice agencies, and between justice and non-justice agencies and other users, often identifies significant duplication in data entry, redundant processing, and circuitous business processes that are evidence of the piecemeal automation practices endemic in many jurisdictions. Careful planning and attention to detail in design sessions can illuminate fundamental flaws in information exchange that can be corrected in integrated systems development. Too often agencies have simply “paved the cow path,” rather than critically examining the dynamics of information exchange and building automation solutions that incorporate the reengineering of business processes.

#### **IV. PRIORITIES**

The data and analysis and the resource needs sections of the plan highlighted priority areas for use of Hawaii's JAG funds. Programs selected for funding should focus on:

- evidence-based initiatives,
- a comprehensive response to sex assault or elder abuse,
- reducing drug threats and drug related crimes,
- reducing property crime,
- incorporating multi-agency collaboration to improve the criminal justice system,
- reducing recidivism rates,
- improving re-entry efforts,
- improving forensic science capabilities, and
- improving records management systems and integrated justice information sharing.

## **V. COMMUNITY INPUT**

The strategic plan will be made available on-line for public comment and feedback. In 2012, a process for engaging local communities to actively examine the multi-year plan will be developed. Information from the communities will be documented and when applicable, may be included in the plan.

## **VI. EVALUATION OF PROGRAMS**

The Department of the Attorney General's Crime Prevention and Justice Assistance Division (CPJAD) will utilize its current procedures to monitor and assess federally funded projects. CPJAD will continue to apply the Project Effectiveness Model which requires five elements in an application for grant: a clear problem statement, goals and objectives to address the problem, program activities that provide the desired effect, a flow model to help assess the impact the activities are having on the project's objectives, and performance indicators to measure outcomes/outputs.

### **A. Project Goals and Objectives**

When an application is submitted to the CPJAD, the staff works with the agency in developing acceptable (meaningful and measurable) goals and objectives for the project, prior to project implementation. Performance indicators are defined in the application. Methods for the data collection and a description of the information collection of target populations are also to be included as part of the evaluation plan.

### **B. Project Monitoring**

The monitoring activities are part of the ongoing process evaluation of projects. During the life of the project, several products are produced to assess the implementation of the project (process evaluation).

- Each project is assigned an individual project number and a project file is created which includes sections for programmatic and fiscal information documentation.
- Site visit monitoring is done at least once a year for each project. A copy of the monitoring report is shared with the grantee for follow-up action as needed.
- Desk monitoring is completed which includes telephone contacts with grant recipients and reviews of required program and fiscal reports that are submitted by grant recipients.
- Agencies are required to submit a written progress report every six months to CPJAD that details activities and accomplishments toward project goals and objectives. Report form contains a section for the discussion of any problems in implementation and steps taken for resolution.
- Agencies are required to submit specific national performance measures as instructed by BJA.
- Technical assistance to project personnel is done as requested, or as deemed necessary by staff's monitoring. Agencies are invited to participate in local training and workshop events as appropriate to project activities.

### **C. Evaluation at the End of the Project**

A formal project closeout is conducted by the Department for each JAG-funded recipient. The closeout is an administrative process which ensures that the following requirements are met:

- a final expenditure report is received indicating the proper federal and match breakdown for expenditures;
- a final request for funds and cash balance report is received indicating that all federal funds have been received;
- an internal financial checklist is completed to confirm that the grant recipient's reporting of the match ratio agrees with the budget and meets the minimum requirements, that the grant recipients expenditures are within the administrative guidelines, and any refund (if applicable) from the grant recipient was received.
- an internal final project review report is completed to ensure that all final progress reports are on file; if a certification for transfer of property is appropriate is completed, an assessment is completed on whether goals/objectives were accomplished, partially accomplished, or not accomplished; and a check on whether all programmatic conditions have been completed.

## VII. JAG COORDINATED WITH STATE AND RELATED JUSTICE FUNDS

The Grants and Planning Branch that administers the JAG program and 10 other federal grant programs participates in 9 multi-agency planning and coordination efforts related to crime and victim issues. These efforts are systemwide or statewide and use a range of justice funds. To coordinate improvements in the criminal justice system, the branch acts as a clearinghouse for information on financial and non-financial resources available to the criminal justice and juvenile justice agencies, as well as to private, non-profit organizations which deal with crime issues. These efforts include:

### *Correctional Program Checklist (CPC)*

To improve the effectiveness of treatment to reduce offender recidivism, the Interagency Council on Intermediate Sanctions (ICIS) adopted the CPC to measure program integrity and quality. The CPC is used to assess adult substance abuse, domestic violence, and sex offender treatment programs to ensure that evidence-based practices are used and that a sound agency organization exists. Branch staff facilitates the CPC Coordinating Committee. The Committee is responsible to coordinate and assign interagency teams to assess treatment programs, schedule assessments, complete the reports, provide technical assistance to programs, and develop policies and procedures for program assessments. CPC members include representatives from the Departments of Public Safety, Health, and Human Services, the Judiciary, and the Hawaii Paroling Authority. This effort is sustained by the ICIS member agencies and justice grant funds awarded to the Hawaii Paroling Authority.

### *Statewide Forensic Sciences Laboratory Services*

Quarterly statewide meetings for Hawaii forensic science laboratory services are facilitated by staff to update and revise the “Consolidated State Plan for Hawaii Forensic Science Laboratories.” The meetings also serve as a forum to exchange information, discuss efforts to share limited resources, and to improve communication, coordination, and collaboration among agencies. The four police departments, the Honolulu Medical Examiner’s Office, the Narcotics Enforcement Division (PSD) regularly participate; the Criminal Justice and Investigations Divisions (AG) are also invited and attend as time permits. This effort is supported by the U.S. Department of Justice, Coverdell Forensic Science Improvement Grant.

### *Automated Victim Notification System*

Four years ago, Branch staff was a catalyst and provided assistance in working with Department of Public Safety (PSD) to develop an automated victim notification system in Hawaii. Staff provides technical assistance to PSD and is a member of the Hawaii SAVIN (Statewide Automated Victim Identification and Notification) Steering Committee. The system is now live. PSD also received a SAVIN grant (Branch staff drafted the application and provided technical assistance) from BJA for \$706,664 to supplement VOCA funding received from the Department of the Attorney General. Public service announcements have been run and the system was enhanced with the addition of foreign languages. PSD audits the system to ensure timely data entry from the facilities.

#### *Drug Interdiction Multi-Jurisdictional Task Forces*

Staff participates in quarterly meetings with the federally funded Hawaii Narcotics Task Force and the Marijuana Eradication Task Force. The task force meetings provide participants with the opportunity to share information, intelligence, and resources. A portion of these meetings are used for training. Mission scheduling and operational tactical planning also take place during these meetings. Officer and helicopter safety (including rappel safety) continue to be a primary focus of the meetings. The Statewide Marijuana Eradication Task Force is partially JAG-funded and partially funded by the U.S. Drug Enforcement Administration, Domestic Cannabis Eradication/Suppression Program.

#### *Police Training Directors Coalition*

Staff participates in quarterly meetings with the training directors from the four county police departments and prosecutor's representatives, the Department of Public Safety, and the FBI. The meetings provide a vehicle for the departments to discuss training issues, improve training, and share training opportunities and resources. Trainings and resources provided by grant funded projects are also brought to the directors' attention.

#### *Victim Witness Coordinators (VWC)*

The bi-monthly VWC meeting is facilitated by Branch staff. The meetings enable federal, state, and county criminal justice personnel to network and discuss victim services and issues. It also includes training sessions about victim activities in the different jurisdictions. Participating agencies include the four county victim programs, the Crime Victim Compensation Commission (CVCC), the U.S. Attorney's Office, the Federal Bureau of Investigation, PSD victim project, and Missing Child Center Hawaii. Funding from the DOJ, Office for Crime Victims, State Victim Assistance and the Compensation Formula Grant Programs support most of the state and county member agencies.

#### *Hawaii Sexual Assault Response and Training Program (HSART)*

Staff is working with the Sex Abuse Treatment Center (SATC) to improve and standardize sex assault forensic protocols throughout the state. SATC is the implementing agency for HSART that was convened under the Department's auspices. This effort is being funded by the DOJ, STOP Violence Against Women Formula Grant program.

#### *Criminal Justice Interdisciplinary Training Committee (CJIT)*

Staff participates in the CJIT meetings which are led by the Criminal Justice Division's Hawaii Internet Crimes Against Children Unit to plan training addressing Internet crimes against children and child predators. The Committee includes federal, state, county, and non-profit agencies.

#### *Domestic Violence Strategic Plan Implementation*

Staff participates in the oversight committee for the implementation of the Department of Health's Domestic Violence Strategic Plan. The implementation plan complements the resources that the Department administers for domestic violence victims and offenders.



# APPENDICES



## APPENDIX A

### Governor's Committee on Crime Members CY 2011 to CY 2012

**The Honorable David Louie**  
Attorney General  
Department of the Attorney General

**The Honorable Keith Kaneshiro\***  
Prosecuting Attorney  
City and County of Honolulu

**The Honorable Jodie Maesaka-Hirata**  
Director  
Department of Public Safety

**The Honorable Loretta Fuddy**  
Director  
Department of Health

**The Honorable Charlene Iboshi\***  
Prosecuting Attorney  
County of Hawaii

**The Honorable Gary Yabuta\***  
Chief of Police  
Maui Police Department

**The Honorable Rodney Maile**  
Administrative Director of the Courts  
The Judiciary

**The Honorable Darryl Perry\***  
Police Chief  
Kauai Police Department

**The Honorable Kathryn Matayoshi**  
Superintendent  
Department of Education

**The Honorable Richard Perkins**  
Criminal Administrative Judge  
Circuit Court of the First Circuit

**The Honorable Bert Matsuoka**  
Chairperson  
Hawaii Paroling Authority

**The Honorable Jack Tonaki**  
Public Defender  
Office of the Public Defender

**The Honorable Florence T. Nakakuni**  
(Ex-Officio)  
U. S. Attorney  
Department of Justice

(\*) Two police chiefs and two prosecuting attorneys serve on the committee and are rotated with the other police chiefs and prosecutors every 2 years. The police chiefs and prosecuting attorneys listed are for GCOC CY 2011 to CY 2012.



## **APPENDIX B**

### **FEDERAL FY 2007-2009 JAG PROGRAM AWARDS**

The project listings reflect specific projects funded by the federal FY 2007 through FY 2009 JAG funds. A multi-year strategic plan was not required for JAG awards from FY 2005-2009. The projects funded supported one of the five federal JAG program areas: law enforcement programs; prosecution and court programs; corrections and community corrections programs; drug treatment and enforcement programs; and planning evaluation, and technology improvement programs.

**FY 2007 Justice Assistance Grant Projects**

<b>FY 2007</b>	<b>Total</b> <b>\$1,930,733</b>	<b>Federal</b> <b>\$1,544,586</b>	<b>Match</b> <b>\$386,147</b>
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Grant Ends July 31, 2012

Agency	Active/Close	07-DJ-	Project	Pass-Thru	Total	Federal	20% Match
MPD	C	17	Hawaii Narcotics Task Force	*	\$12,460	\$9,968	\$2,492
	C	4	Marijuana Eradication	*	\$88,400	\$70,720	\$17,680
	C	10	Electronic Enticement of a Child	*	\$8,973	\$7,178	\$1,795
KPD	C	11	Hawaii Narcotics Task Force	*	\$19,969	\$15,975	\$3,994
HPD	C	6	Marijuana Eradication	*	\$109,140	\$87,312	\$21,828
	C	16	Marijuana Eradication	*	\$44,457	\$44,457	\$0
	A	18	Project Clean Sweep #2	*	\$93,888	\$93,888	\$0
HIPD	C	5	Evidence Specialist Pilot Program	*	\$126,115	\$100,892	\$25,223
HiPros	C	2	Non-Support Prosecution	*	\$107,884	\$86,307	\$21,577
	C	14	Non-Support Prosecution	*	\$69,323	\$55,458	\$13,865
JUD	C	7	Mental Health Court		\$180,608	\$144,486	\$36,122
PSD	A	8	Paperless Assessment of Needs		\$170,300	\$136,240	\$34,060
HPA	A	15	Evidence Based Training for Community Supervision Staff		\$49,785	\$39,828	\$9,957
	A	19	VCC/Video Conferencing Upgrade		\$4,706	\$4,706	\$0
AG	A	9	Criminal Justice Infrastructure Improvements		\$257,850	\$206,280	\$51,570
	C	1	Cold Case Squad		\$80,720	\$64,576	\$16,144
	C	3	Sex Offender Tracking	*	\$137,830	\$110,264	\$27,566
	C	12	Sex Offender Tracking	*	\$40,525	\$32,420	\$8,105
ADMIN			Administration		\$182,076	\$145,661	\$36,415
<b>Subtotal</b>					<b>\$1,785,007</b>	<b>\$1,456,616</b>	<b>\$328,391</b>
<b>Unallocated Amount</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total</b>					<b>\$1,820,770</b>	<b>\$1,456,616</b>	<b>\$364,154</b>

* Current County Pass Through	\$682,419	52.06%
Grant Award (-) Admin=	\$1,310,955	
Pass through Required	\$649,316	49.53%
Difference	\$33,103	2.53% <small>Exceeds minimum</small>

**Funded With Interest Earned**

Agency	Active/Close	07-DJ-	Project	Pass-Thru	Total	Federal	20% Match
HIPD	C	13	Hawaii Narcotics Task Force	*	\$53,125	\$42,500	\$10,625
HPA	A	19	VCC/Video Conferencing Upgrade		\$18,694	\$18,694	\$0
PSD	A	20	Medication Take Back Program		\$26,776	\$26,776	\$0
<b>Subtotal</b>					<b>\$98,595</b>	<b>\$87,970</b>	<b>\$10,625</b>
<b>Unallocated Amount</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total</b>					<b>\$109,963</b>	<b>\$87,970</b>	<b>\$21,993</b>

* Current County Pass Through	\$42,500	48.31%
Pass through Required	\$43,572	49.53%
Difference	-\$1,072	-1.22% <small>Below minimum</small>

**FY 2008 Justice Assistance Grant Projects**

<b>FY 2008</b>	<b>Total \$64,257</b>	<b>Federal \$48,193</b>	<b>Match \$16,064</b>
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Grant Ends September 30, 2011

Agency	Active Closed	08- DJ-	Project	Pass-Thru	Total	Federal	25% in-kind or cash Match
KPD	A	7	Hawaii Narcotics Task Force	*	\$21,336	\$16,002	\$5,334
	A	8	Hawaii Narcotics Task Force		\$4,585	\$4,585	\$0
HPD	C	4	Marijuana Eradication	*	\$91,668	\$68,751	\$22,917
MPD	A	1(2)	Neighborhood Crime Watch	*	\$48,763	\$48,763	\$0
Kpros	C	3	Property Crime Prosecution	*	\$93,125	\$69,844	\$23,281
HiPros	C	1	Non-Support Prosecution	*	\$100,000	\$75,000	\$25,000
HonPros	C	5	Multidisciplinary Sex Assault Training		\$70,435	\$52,826	\$17,609
AG	C	6	Criminal Justice Infrastructure Improvements		\$100,000	\$75,000	\$25,000
	C	2	Sex Offender Tracking		\$95,640	\$71,730	\$23,910
ADMIN	C		Administration		\$64,257	\$48,193	\$16,064
<b>Subtotal</b>					<b>\$689,809</b>	<b>\$530,694</b>	<b>\$176,898</b>
<b>Unallocated Amount</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total</b>					<b>\$689,809</b>	<b>\$530,694</b>	<b>\$159,115</b>

* Current County Pass Through	\$335,771	69.59%
Grant Award (-) Admin=	\$482,501	
Pass through Required	\$238,983	49.53%
Difference	\$96,788	20.06%

Exceeds  
Minimum

**Funded With Earned Interest**

Agency	Started Closed	08- DJ-	Project	Pass-Thru	Total	Federal	No Match
KPD	A	8	Hawaii Narcotics Task Force		\$12,302	\$12,302	\$0
<b>Subtotal</b>							
<b>Unallocated Amount</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total</b>					<b>\$12,302</b>	<b>\$12,302</b>	<b>\$0</b>

* Current County Pass Through	\$12,302	100.00%
Pass through Required	\$6,093	49.53%
Difference	\$6,209	50.47%

Exceeds  
minimum

**FY 2009 ARRA Justice Assistance Grant Projects**

<b>FY 2009-ARRA Total</b>		<b>\$6,514,438</b>
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Grant Ends February 28, 2013

Agency	Active Closed	09- SU-	Project	Pass-Thru	Federal
HiPD	C	20	Hawaii Narcotics Task Force	*	\$113,885
MPD	C	4	Hawaii Narcotics Task Force	*	\$75,668
	A	3	Statewide Marijuana Eradication Task Force	*	\$58,037
HPD	A	21	Forensic Examination of Digital Evidence in Criminal Investigations	*	\$280,398
	C	19	School Emergency Response Plan	*	\$5,626
HiPros	A	15	Court House Booking Project	*	\$99,000
Mpros	A	17	Juvenile Prosecution	*	\$328,012
HonPros	A	11	Honolulu Family Justice Center	*	\$150,000
KPros	C	14	Drug Prosecution Unit	*	\$117,000
	C	18	Property Crime Prosecution Unit	*	\$122,000
	C	1	Domestic Violence Prosecution Unit	*	\$72,000
DOH	A	13	Evidence Based Forensic Student Internship		\$207,230
DOE	A	24	Improving School Community Climate		\$173,030
HPA	A	16	HPA Database Enhancement		\$89,340
JUD	A	9	ICIS Management Information System		\$285,000
	A	8	SUCCESS		\$548,743
	A	7	Juvenile Risk & Needs Assessment		\$41,500
PSD	A	6	Hawaii County Re-entry Program for CODs	*	\$516,106
	A	22	LE Records Management & Evidence Documentation & Tracking System		\$350,000
	A	23	Moderate Risk Treatment Project		\$61,220
AG	A	10	Sex Offender Registration		\$668,382
	A	12	DNA unit		\$442,909
	A	2	Sustaining Next Generation JJIS	*	\$151,590
	A	5	Statewide AFIS/Disaster Recovery	*	\$763,199
ADMIN			Administration		\$632,619
<b>Subtotal</b>					\$6,352,494
<b>Unallocated Amount</b>					<b>\$71,944</b>
<b>Total</b>					<b>\$6,424,438</b>

Current County Pass Through	\$2,852,521	49.25%
Grant Award (-) Admin=	\$5,791,819	
Pass Through Required	<u>\$2,868,688</u>	49.53%
	\$16,167	Exceeds Minimum

**Funded With Interest Earned**

Agency	Active Closed	09- SU-	Project	Pass-Thru	Federal
<b>Subtotal</b>					<b>\$0</b>
<b>Unallocated Amount</b>					<b>\$90,000</b>
<b>Total</b>					<b>\$90,000</b>

Current County Pass Through	\$0	
Pass Through Required	\$44,577	49.53%

**FY 2009 Justice Assistance Grant Projects**

<b>FY 2009 Total</b>		<b>\$1,571,296</b>
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Grant Ends September 30, 2012

Agency	Active Closed	09- DJ-	Project	Pass-Thru	Total (Federal)
MPD	A	8	Hawaii Narcotics Task Force (HNTF)	*	\$ 66,456.00
MPD	A	7	Statewide Marijuana Eradiation Task Force	*	\$ 87,183.00
HonPros	A	12	Elder Abuse Prosecution	*	\$ 94,507.00
HiPD	A	4	Na'auao - Where Knowledge Is Learned	*	\$ 145,457.00
HiPD	A	10	Hawaii Narcotics Task Force (HNTF)	*	\$ 100,000.00
KPros	A	5	Drug Prosecution Unit	*	\$ 105,000.00
KPros	C	6	Property Crime Prosecution Unit	*	\$ 44,667.00
HiPros	A	13	Elder Abuse & Exploitation Project	*	\$ 150,000.00
KPD	A	2	Statewide Marijuana Eradiation Task Force	*	\$ 80,244.00
KPD	A	3	Hawaii Narcotics Task Force (HNTF)	*	\$ 68,212.00
HPD	A	11	Statewide Marijuana Eradiation Task Force	*	\$ 120,000.00
HPA	A	14	Evidence Based Training for Community Supervision Staff		\$ 49,785.00
DOE	A	9	Cyber Safety & Internet Crime Prevention and Awareness System		\$ 125,000.00
JUD	A	1	Maintaining SUCCESS		\$ 170,115.00
ADMIN			Administration		\$156,291
<b>Subtotal</b>					<b>\$1,562,917</b>
<b>Unallocated Amount</b>					<b>\$0</b>
<b>Total</b>					<b>\$1,562,917</b>

*Current County Pass Through	\$1,061,726	75.48%
Grant Award (-) Admin=	\$1,406,626	
Pass Through Required	\$696,702	49.53%
	<u>\$365,024</u>	Exceeds Minimum

**Funded With Interest Earned**

Agency	Started Closed	09- DJ-	Project	Pass-Thru	Total (Federal)
<b>Subtotal</b>					<b>\$0</b>
<b>Unallocated Amount</b>					<b>\$8,379</b>
<b>Total</b>					<b>\$8,379</b>

*Current County Pass Through	\$0	0.00%
Pass Through Required	\$4,150	49.53%