



**BJA FY 09 Recovery Act Edward Byrne Memorial
Justice Assistance Grant Program State Solicitation 2009-**



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*Type of Submission	<input type="radio"/> Application Construction <input checked="" type="radio"/> Application Non-Construction <input type="radio"/> Preapplication Construction <input type="radio"/> Preapplication Non-Construction
*Type of Application	New Type of Revision If Revision, select appropriate option If Other, specify
*Is application subject to review by state executive order 12372 process?	<input type="radio"/> Yes This preapplication/application was made available to the state executive order 12372 process for review on _____ <input checked="" type="radio"/> No Program is not covered by E.O. 12372 <input type="radio"/> N/A Program has not been selected by state for review

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Verify that the following information filled is correct and fill out any missing information. To save changes, click on the "Save and Continue" button.

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*Is the applicant delinquent on any federal debt	<input type="radio"/> Yes <input checked="" type="radio"/> No
*Employer Identification Number (EIN)	99 - 0267141
*Type of Applicant	State
Type of Applicant (Other):	
*Organizational Unit	Crime Prevention And J
*Legal Name (Legal Jurisdiction Name)	Hawaii Department of t
*Vendor Address 1	425 Queen Street
Vendor Address 2	
*Vendor City	Honolulu
Vendor County/Parish	
*Vendor State	Hawaii
*Vendor ZIP	96813 - 2427 Need help for ZIP+4?
Please provide contact information for matters involving this application	
*Contact Prefix:	Mr.
Contact Prefix (Other):	
*Contact First Name:	Ralph
Contact Middle Initial:	
*Contact Last Name:	Uyeoka
Contact Suffix:	Select a Suffix
Contact Suffix (Other) :	
*Contact Title:	Criminal Justice Plannir
*Contact Address Line 1:	425 Queen Street

Contact Address Line 2:			
*Contact City	Honolulu		
Contact County:			
*Contact State:	Hawaii		
*Contact Zip Code:	96813	-	2427 Need help for ZIP+4?
*Contact Phone Number:	808	586	0888 Ext: <input type="text"/>
Contact Fax Number:	808	586	1373
*Contact E-mail Address:	Ralph.K.Uyeoka@hawaii.gov		

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*Descriptive Title of Applicant's Project	
State of Hawaii FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program	
*Areas Affected by Project	
State and Counties	
Proposed Project	
*Start Date	October 01 2008
*End Date	September 30 2012
*Congressional Districts of	
Project	Congressional District 01, HI Congressional District 02, HI Congressional District 00, HI
*Estimated Funding	
Federal	\$ 6424438 .00
Applicant	\$ 0 .00
State	\$ 0 .00
Local	\$ 0 .00
Other	\$ 0 .00
Program Income	\$ 0 .00
TOTAL	\$ 6424438 .00

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Justice Assistance Grant Program State Solicitation 2009-**



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This form allows you to upload the Budget Detail Worksheet, Program Narrative and other Program attachments. Click the Attach button to continue.

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1 FY 2009 RECOVERY JAG APPLICATION (Attachment 1).pdf	<input type="button" value="Delete"/>
2 BUDGET AND BUDGET NARRATIVE (Attachment 2).PDF	<input type="button" value="Delete"/>
4 ABSTRACT (Attachment 4).pdf	<input type="button" value="Delete"/>
5 CERTIFICATIONS (Attachment 5).PDF	<input type="button" value="Delete"/>
3 REVIEW NARRATIVE (Attachment 3).PDF	<input type="button" value="Delete"/>
4 REVISED ABSTRACT (Attachment 4) 04.15.2009.pdf	<input type="button" value="Delete"/>
Click on the Attach Button to upload an attachment	<input type="button" value="Attach"/>

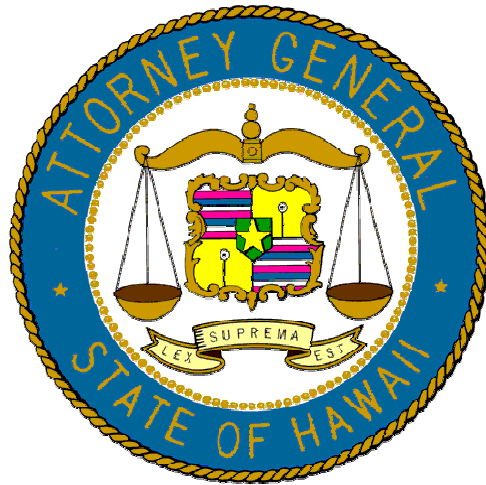
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**RECOVERY ACT:
EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT PROGRAM**



**FY 2009 GRANT APPLICATION
PROGRAM NARRATIVE
(Attachment 1)**

April 2009

**RECOVERY ACT:
EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT PROGRAM
FY 2009 GRANT APPLICATION
PROGRAM NARRATIVE**

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FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG)

REQUIRED DUNS NUMBER AND CCR

The DUNS number for the Department of the Attorney General (State of Hawaii) is 809935323.

The Department of the Attorney General (State of Hawaii) is currently registered in the CCR.

I. EXECUTIVE SUMMARY

The Bureau of Justice Assistance (BJA) requires applicants for the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program *“to submit a program narrative that describes the proposed program activities for the 4-year grant period. The narrative must outline the type of programs to be funded ... and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds.”*

The program narrative must include:

- Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation;
- States are encouraged, where possible and appropriate, to include an estimate of the number of jobs that will be retained or created for programs or projects undertaken with this funding;
- Organization capabilities and competencies, including a description of how the organization will track all draw downs and grant expenditures separately from other federal funding;
- Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits;
- Timeline or project plan identifying when the goals and objectives will be completed;
- Performance measures established by the organization to assess whether grant objectives are being met.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system from multijurisdictional drug and gang task forces to courts, corrections, treatment, and justice information sharing initiatives. JAG funded projects may address crime through the provision of services to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Established to streamline justice funding and grant administration, the JAG Program allows states and local jurisdictions to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are most needed.

A critical part of the program narrative is the identification and discussion of criminal justice program needs for the State. Hawaii’s program narrative addresses five (5) major crime priority areas. These priority areas are consistent with the following JAG purpose areas:

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

A variety of sources were used to obtain data to support selection of each priority area. These include the Uniform Crime Report, reports and data from applicable agencies, meeting directly with and obtaining input from agency personnel, staff participation in multi-agency criminal justice and drug meetings on specific topics, researched national data, and information from national and local trainings.

There may be some changes in these selected priority 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 FY 2009 JAG Recovery 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.

Finally, the FY 2009 JAG Recovery Program requires all applicants to certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act which requires detailed reporting (including reporting on subawards) not later than ten calendar days after the end of each calendar quarter. The required certification form has been signed and is included as part of the SAA application.

The grant program also prohibits a state or local government from receiving funds for an infrastructure investment (e.g., construction or major renovation of a correctional facility) unless a chief executive, as appropriate, certifies that the infrastructure investment has received the full vetting required by law and that the chief executive accepts responsibility that the infrastructure is an appropriate use of taxpayer dollars. The required certification has been signed and is also included as part of the SAA application.

II. INTRODUCTION

STATE ADMINISTERING AGENCY (SAA)

In each state, the Governor or other Chief Executive Officer designates a state agency (State Administering Agency or SAA) to apply for and administer these funds. Hawaii's SAA for the JAG Program, including the FY 2009 Recovery JAG, is the Department of the Attorney General. Specifically, the SAA is responsible for the following:

- Coordination of JAG funds among state and local justice initiatives;
- Preparation and submission of the state JAG application;
- Administration of JAG funds including establishing funding priorities, distributing funds, monitoring subrecipients' compliance with all JAG special conditions and provisions, and providing ongoing assistance to subrecipients;
- Submitting financial reports, programmatic reports, performance measure data, and subgrant information.

The Attorney General is the chief legal officer and chief law enforcement officer of the State of Hawaii. The Attorney General, appointed by the Governor, employs numerous attorneys and professional and support personnel to help carry out the responsibilities of the department. These include the following:

- Representing the State in civil and criminal cases when the State is a party;
- Investigating violations of state laws and initiating civil and criminal actions to enforce the laws or prosecute persons who violate them;
- Preparing legal opinions for the Governor, the Legislature, and the heads of state departments;
- Advising state officials on legal matters; and
- Defending and representing state officials and employees when they are sued for actions they have taken in connection with their state positions.

Within the department, primary responsibility for overseeing and administering federal grants falls with the Crime Prevention and Justice Assistance Division (CPJAD). This division serves as the primary unit providing the Attorney General with critical information and resources needed to address crime and crime prevention within the State.

Specifically, the Grants and Planning Branch of CPJAD identifies, applies for, and administers a number of federal grants (including the Edward Byrne Memorial Justice Assistance Grant (JAG), the Violence Against Women Act Grant, and the Victims of Crime Act Victim Assistance and Victim Compensation grants). The branch also administers the state Witness-Security Protection, Career Criminal, and Victim Witness Assistance programs.

The stated mission of the branch includes the following:

- To coordinate statewide criminal justice planning efforts and programs;
- To serve as a clearinghouse for information on financial and other resources that assist in improving the criminal and justice systems; and
- To seek and administer federal and state grants.

The Bureau of Justice Assistance (BJA) requires that the accounting systems of all recipients and subrecipients must ensure that funds from any award under the Recovery Act are not comingled with funds from any other source. The branch is aware and accepting of the new reporting requirements under the Recovery Act that differ from and expand upon OJP's standard reporting requirements. In particular, as mentioned earlier in this narrative, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting these and related Recovery Act reporting requirements.

The Department of the Attorney General, as the SAA for this grant, is aware that it will be responsible for the monitoring of subawards under the grant in accordance with all applicable statutes, regulations, OMB circulars and guidelines, including the OJP Financial Guide. As the primary recipient of the grant, the department will be directly responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

As the specific unit responsible for federal grant administration and management, the Grants and Planning Branch continues to monitor and track all relevant subgrantee programmatic and fiscal activity including grant expenditures, monthly draw downs of grant funds, submittal of designated quarterly expenditure reports, required quarterly Office of Justice Programs (OJP) fiscal reports (SF269 forms), and final fiscal reports required for proper closeout of grants. The branch will continue to utilize OJP accepted grant management procedures to oversee and monitor subgrantees under the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) program, just as it has for all other federal grants that the unit has been responsible for.

Specifically, the branch will be responsible for the separate tracking and reporting of FY 2009 JAG Recovery Act funds and outcomes. Under the Recovery Act, and its strong emphasis on accountability and transparency, funds from Recovery Act grants must be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

In summary, the Department of the Attorney General remains cognizant of the importance of and responsibility for the proper administration and management of the Recovery Act grant including maintaining complete and separate fiscal and administrative work files and records for each federal grant and the crucial importance of providing the BJA with all required reports, documents, and certificates as mandated under the FY 2009 JAG Recovery program.

PROJECT GOAL / OBJECTIVES

The BJA requires applicants for the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program to identify project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act and the likelihood of achieving such outcomes, such as job creation and preservation.

The project goal is to assist state and local efforts to prevent or reduce crime and violence in the State of Hawaii.

State of Hawaii project objectives under the FY 2009 Recovery JAG include the following:

- (1) To establish funding priorities, distribute funds, and provide ongoing monitoring and assistance to subrecipients;
- (2) To reduce the violent index crime rate by 5% for the State of Hawaii by September 30, 2012;
- (3) To reduce the property index crime rate by 5% for the State of Hawaii by September 30, 2012;
- (4) To preserve or retain an estimated 40 criminal justice-related jobs by September 30, 2012;
- (5) To create an estimated 10 criminal justice-related jobs by September 30, 2012.

TIMELINE

The timeline for the project is presented below:

Timeline / Implementation Plan

Goal	Objective	Activity/Task	Timeframe
<p>To assist state and local efforts to prevent or reduce crime and violence in the State of Hawaii.</p>	<p>(1) To establish funding priorities, distribute funds, and provide ongoing monitoring and assistance to subrecipients;</p> <p>(2) To reduce the violent index crime rate by 5% for the State of Hawaii by September 30, 2012;</p> <p>(3) To reduce the property index crime rate by 5% for the State of Hawaii by September 30, 2012;</p> <p>(4) To preserve or retain an estimated 40 criminal justice-related jobs by September 30, 2012;</p> <p>(5) To create an estimated 10 criminal justice-related jobs by September 30, 2012;</p>	<p>A variety of sources have been used to obtain data to support selection of each priority area. These include the Uniform Crime Report, reports and data from applicable agencies, meeting directly with and obtaining input from agency personnel, staff participation in multi-agency criminal justice and drug meetings on specific topics, researched national data, and information from national and local trainings.</p>	<p>March 2009</p>

		Use solicitation process to notify appropriate agencies that grant funding is available for FY 2009 JAG Recovery-related projects;	March 2009
		Applications are prepared and submitted to SAA for review and selection;	May 2009
		Designated review panels and staff review and score submitted applications;	May 2009
		Funding recommendations are prepared and submitted to Governor's Committee on Crime (GCOC);	May 2009
		Funding recommendations are reviewed by GCOC members;	June 2009
		GCOC meeting to present final recommendations to Attorney General; also, consideration of funding "appeals;"	June 2009
		Notification letters are mailed out to approved/funded projects;	June 2009
		Contracts are processed and executed;	July 2009

		Agencies to initiate full implementation of projects and begin drawdown of grant funds;	July 2009
		Quarterly financial and programmatic reports are due within 10 days after the end of each calendar quarter, starting July 10, 2009;	July 2009
		Second quarterly financial and programmatic reports are due by October 10, 2009 ... etc. (for lifetime of grant);	October 2009
		SAA to initiate project on-site monitoring (fiscal and programmatic); Every six (6) months, SAA to complete assessment on reallocation of grant funds;	December 2009

PERFORMANCE MEASURES

The inclusion of performance measures remains an integral part of the FY 2009 JAG Recovery program. To assist in fulfilling the accountability objectives of the Recovery Act, applicants who receive grant funding must provide data that measure the results of their work. Under the Recovery Act, required measures for awards include the following:

- Number of jobs saved (by type) due to Recovery Act funding;
 - Data provided by grantee would include:
 - The number of jobs that were prevented from being eliminated with the Recovery Act funding during the reporting period;
 - The number of jobs that were eliminated within the last 12 months that

were reinstated with Recovery Act funding during the reporting period;

- Number of jobs created (by type) due to Recovery Act funding;
 - Data provided by grantee would include:
 - The number of jobs that were created with Recovery Act funding during the reporting period;

The Department of the Attorney General is aware of the new performance measures specific to the JAG grant program that have been developed by BJA. SAA representatives from five states participated in the development process and worked with BJA staff and the National Criminal Justice Association to develop the performance measures. To develop a clear statement of JAG intent and purpose, the first task was to develop a logic model demonstrating how the JAG program fits within BJA's mission. The second task involved developing a rationale and guidance (framework) to develop the performance measures. The final task consisted of developing a performance measure matrix including performance indicators, output measures, and outcome measures.

It is also our understanding that additional performance measures, specific to the Recovery Act, will be forthcoming. BJA will notify all SAA's when these new performance measures are implemented.

The current SAA process involves requiring subrecipients to provide specific performance indicators and outcome measures in their applications. Applicants must delineate the performance indicators/outcome measures that will be employed by the project. The performance indicators/outcome measures identify the data that must be collected to determine whether stated goals and objectives have been met. Additionally, the performance indicators/outcome measure must have a logical link to project goals, objectives, and activities and must provide an explicit measure of effects or results. Applicants must also identify the individual(s) responsible for the data collection and analysis.

Finally, the SAA's FY 2009 JAG Recovery grant application form includes the following notation:

“By submitting an application, the applicant agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Department of the Attorney General – Crime Prevention and Justice Assistance Division or its designee.”

On the Part I. Title Page (face sheet) of the grant application, all applicants are required to mark a “Yes” or “No” box under line L. PERFORMANCE MEASURES. The line reads as follows: *“The applicant agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the Department of the Attorney General.”*

The Department of the Attorney General is aware of and intends to fully comply with all applicable BJA and Recovery Act requirements regarding performance measures.

PLANNING AND COORDINATION

As previously mentioned, a key mission of the Grants and Planning Branch is to coordinate statewide criminal justice planning efforts and programs. The Branch has evolved in the past decade. A primary focus has been administering federal grants to improve the criminal justice system. Today, the Branch is also a major resource for criminal justice and non-profit victim service agencies and helps to facilitate, support, and coordinate multi-disciplinary and multi-jurisdictional planning efforts. In some cases, agencies have requested Branch staff to lead or participate in these planning and coordination efforts; in other cases, the Branch has been a catalyst to initiate these efforts.

Presented below are relevant Branch planning and coordination efforts.

- **Interagency Council on Intermediate Sanctions (ICIS).** The Branch staff participated in the ICIS effort by providing assistance as requested and monitoring a Byrne/JAG grant that supported the effort. (*Note: see page 23 for description of ICIS*)
- **Correctional Program Checklist (CPC)** (formerly Correctional Program Assessment Inventory[®], CPAI). In an effort to improve the service and treatment response to reduce offender recidivism, ICIS has adopted the CPC to measure program integrity and quality. Branch staff is the lead member for the CPC Coordinating Committee. The committee is responsible for developing the processes for coordinating/assigning review teams, scheduling assessments, reviewing reports and responses, providing technical assistance to programs, and developing policies and procedures for program assessment. CPC members include representatives from the Departments of Public Safety, Health, and Human Services, the Judiciary, and the Hawaii Paroling Authority. Branch staff oversaw the completion of 2 program evaluations during FY 2008, for a total of 15 evaluations. The CPC is being 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. Staff coordinated a mandatory training for state-funded programs that provide services to offenders. The “Training on Evidence-Based Offender Programs” was held on August 22-23, 2007 at the John A. Burns School of Medicine. The training sought to build on three areas: 1) service provider’s core knowledge of evidence-based programs to reduce recidivism, 2) service provider’s understanding and application of risk assessment instruments, and 3) improving working relations between service providers, probation, parole, and corrections to reduce recidivism. One hundred thirty-one participants attended the August 22, 2007 training, and 115 participants attended the August 23, 2007 training. Sixty-seven public and private programs were invited to the training. The planning effort included securing the funding from 3 funding sources to cover the trainer’s fee and travel expenses and another 2 funding sources to offset a portion of travel expenses for neighbor island participants.

In addition to the training, the committee agreed that feedback and suggestions from the programs themselves could help to improve the CPC program evaluation process

and to identify the obstacles that are preventing agencies from moving toward evidence-based programs. Hence, staff coordinated four focus groups that included three focus groups on Oahu, Hawaii, Maui that consisted primarily of substance abuse treatment and sex offender treatment programs, and one focus group on Oahu held with Batterers Intervention programs. The information was compiled into an 18-page report “Focus Groups, Programs That Provide Services to Offenders”. The focus groups were held on October 26, 2007 and November 1, 2007.

- **Drug Interdiction Multi-jurisdictional Task Forces.** The Branch participates in quarterly meetings with the federally funded Hawaii Narcotics Task Force and the Statewide Marijuana Eradication Task Force. The task force meetings provide participants with the opportunity to share information, intelligence, and resources. A portion of these meetings is used for training purposes. Mission scheduling and operational tactical planning also take place during these meetings.
- **Community Prosecutors Meeting.** The staff coordinated and facilitated quarterly meetings with community prosecutors from Hawaii, Honolulu, the deputy attorney general assigned to the drug nuisance abatement unit, and the drug control liaison from the Lt. Governor’s Office to identify and share creative approaches to community prosecution and lessons learned. The meetings focused on legislation impacting community prosecution and drug prevention and intervention, coordinating law enforcement efforts, sharing outcomes of community centered efforts and sharing lessons learned. Staff coordinated with the community prosecutors and the Hawaii Association of Realtors® a statewide training event that was held February 21-22, and 25-26, 2008 on Hawaii, Kauai, Maui, and Oahu with approximately 500 attendees. The audience included public and private landlords, property managers, and law enforcement and public officials in attendance. A supplemental half-day training for 40 public housing managers was held on February 27, 2008 at the Honolulu Police Academy. This training was an effort to stop illegal drug activities and other criminal activities that threaten the health, safety, and welfare of residential neighborhoods. While the Attorney General and the County Prosecutors have the option of taking action against property managers and owners who permit the long term presence of illegal drug activity or other criminal activity on their properties, they would prefer to work with landlords to ensure problems never reach such a level.
- **Sex Offender Registration Tracking Team (SORT).** Branch staff provides grant support for the SORT, participates in SORT meetings, and provides technical support on responding to additional grant solicitations.
- **Statewide Forensic Sciences Laboratory Services.** The Branch initiated and facilitates quarterly statewide meetings for Hawaii forensic science laboratory services. The meetings are used as an opportunity to update and revise the State’s “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 encourage improved communication, coordination, and collaboration among agencies. The four police departments, the Honolulu Medical

Examiner's Office, the Narcotics Enforcement Division (PSD) and the Criminal Justice and Investigations Divisions (AG) continue to participate in the meetings. The participants have suggested possibly rotating the meeting sites (currently, the meetings have been conducted at the Leiopapa A Kamehameha Building). The group is interested in periodic site visits at the various participating agencies (e.g., Honolulu Police Department – Scientific Investigative Section, Department of the Medical Examiner – City and County of Honolulu, Department of Public Safety – Narcotics Enforcement Division, etc.) to observe and learn more about the practices and capabilities of these labs.

- **Police Training Directors Coalition.** The Branch Chief participates in quarterly meetings with the training directors from the four county police departments, the Dept of Public Safety, and the FBI. In the last year a prosecutor's representative joined the group to discuss multi-disciplinary trainings. The meetings provide a vehicle for the departments to discuss training issues, improve training, and share training opportunities and resources. In addition, recruitment and liability issues (as they pertain to training) are discussed. Trainings and resources provided by grant funded projects are brought to the Directors' attention.
- **Sex Assault.** The Branch is involved in numerous sex assault efforts. In FY 2004-05 the Branch assisted the Hawaii Coalition Against Sex Assault to develop a statewide strategic plan for the provision of services to victims of sexual assault. The plan was submitted to the 2005 Legislature for its consideration, with a recommendation to transfer oversight of services and funding for sexual assault programs from the Department of Health to the Department of the Attorney General. Act 133, effective July 1, 2005, included language that prevention and treatment programs are to be administered by the Department. As a result of Act 133, the 2006 Legislature put the sex assault funding in the AG budget rather than the DOH budget. The Master Contract for Sex Assault Services is with the Sex Abuse Treatment Center, which contracts with the sex assault crisis centers on the Neighbor Islands.

The Branch supported SATC's collaborative effort to produce law enforcement and prosecutor manuals that are guidelines for the investigation and prosecution of sex assault.

The Branch is also working with SATC in the multi-disciplinary statewide HSART (Hawaii Sexual Assault Response and Training Program) 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. Standardized protocols among police, prosecutors, service providers, and forensic examiners, will ensure that a sexual assault victim will receive a complete package of quality services regardless of the county in which the victimization occurred. Issues such as ensuring a sexual assault victim who does not initially want to file a police report can still receive a forensic examination at no personal cost are addressed.

The Branch continued its support for multi-disciplinary sexual assault efforts through its assistance and funding of the *Statewide Sexual Assault Multi-Disciplinary Training Conference*. The 3rd Annual training was held in Honolulu in October 2007. Funding has been provided, and a commitment received from the Maui Prosecutor's Office to plan the 4th Annual conference, which was held on Maui in September 2008. In addition to increasing the knowledge and skill base of participants, the conferences are an opportunity for networking, so that criminal justice personnel and service providers can establish relationships. This is especially vital considering the turnover of criminal justice and service provider staff working in this field. Branch staff provides technical assistance to this planning effort on an as needed basis. The Honolulu Prosecutor's Office is planning for the 5th Annual conference this Fall.

The Branch is represented on the Department of Health's Steering Committee to develop a strategic plan for rape prevention. This is funded by the Center for Disease Control's Rape Prevention and Education grant.

The Branch also participates in the Criminal Justice Interdisciplinary Training Committee (CJIT), led by the Criminal Justice Division's Hawaii Internet Crimes Against Children Unit to plan trainings dealing with internet crimes against children and child predators. Other members include the Community and Crime Prevention Branch, Missing Child Center Hawaii, Children's Justice Center, the FBI, the U.S. Attorney's Office, Federal Probation, the Honolulu Dept. of the Prosecuting Attorney, and the Sex Abuse Treatment Center.

Finally, for JAG solicitations, the Department of the Attorney General requires applicant agencies to provide information regarding other local or federal funding that is being sought to finance the project. This information allows the SAA to better coordinate use of the JAG grant. The SAA continues to initiate efforts to foster and encourage greater coordination among all of the subgrantees receiving federal funding assistance.

III. ANALYSIS OF NEED

This section, the core of the program narrative, provides an analysis of need for the programs selected for funding under the FY 2009 Recovery JAG Program. Hawaii has identified five (5) major crime priority areas. These priority areas are consistent with the following JAG purpose areas:

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

LAW ENFORCEMENT PROGRAMS

Hawaii law enforcement agencies continue to investigate and prosecute an array of crimes. Understandably, violent crimes (murder, forcible rape, robbery, and aggravated assault) remain a primary law enforcement focus.

The nature of crime in Hawaii is different from that of the U.S. in general. Index crime rates refer to the number of reported offenses per 100,000 resident population. According to *Crime in Hawaii 2007: A Review of Uniform Crime Reports*, violent crime nationally in 2007 accounted for 12.5% of the crime index, while only 6.3% of the crime index in Hawaii was comprised of violent crime.¹

According to the report, a total of 56,411 Index Crimes were reported statewide in 2007, yielding a rate of 4,395 offenses per 100,000 resident population. The reported violent index crime rate in Hawaii decreased 2.5% in 2007, and the reported property crime (burglary, larceny-theft, motor vehicle theft) rate decreased 3.2%. Hawaii's total and property index crime rates in 2007 were, respectively, 17.8% and 19.2% below the rates reported a decade earlier (1998). However, the violent index crime rate has increased 11.7% over the course of the decade.²

In 2007, of the 3,545 violent crimes reported: (1) aggravated assault accounted for 57% (2,021); (2) robbery accounted for 31.7% (1,122); (3) forcible rape accounted for 10.6% (377); and (4) murder accounted for 0.7% (25).³

¹ *Crime in Hawaii 2007: A review of Uniform Crime Reports, Department of the Attorney General, December 2008, p. 3.*

² *Ibid, p. iii.*

³ *Ibid, p. 7.*

Sexual Crimes/Offenses

Some of the most challenging violent crimes for law enforcement are sex crimes (adult and child victims). The involved units often work with sex assault nurse examiners, must understand the field of forensic medicine, utilize interviewing techniques to minimize victim trauma, and provide victim protection. The work can be emotionally draining and demanding. Hawaii's response to sex crimes has been investigation, prosecution, offender supervision, victim assistance, sex assault treatment, and specialized training and the need persists for resources and services in this area.

According to the *2007 Crime in Hawaii Report*, there were 377 reported cases of forcible rape in 2007. This represents a 3.6% increase from 2006 and a 7.1% increase from a decade ago (1998). The forcible rape rate increased 3.9% in 2007, however, comparing 2007 to 1998, the forcible rape rate decreased 0.7%. The forcible rape rates have remained relatively steady over the last 10 years. The forcible rape rate was the highest in 2001 with a rate of 33.4 per 100,000 population and the lowest in 2005 at 24.3 per 100,000 population.⁴

An emerging need appears to be **human trafficking**, a crime that has become the fastest growing criminal industry in the world. There is no universally accepted definition of trafficking for sexual exploitation. The term encompasses the organized movement of people, usually women, between countries and within countries for sex work with the use of physical coercion, deception, and bondage. Given the State's geographical location, Hawaii may represent an alluring locale for this growing criminal enterprise.

The State has seen the need to place special attention on **sex offender registration**. To ensure increased public safety and improved monitoring of sex offenders, the Adam Walsh Child Protection and Safety Act (P.L. 109-248) was signed into law in 2006. The Act organizes sex offenders into three tiers, and mandates that Tier 3 offenders (the most serious tier) update their whereabouts every three months with lifetime registration requirements. Failure to register and update information is a felony under the law. It also creates a national sex offender registry and instructs each state and territory to apply identical criteria for posting offender data on the Internet (i.e. offender name, address, date of birth, place of employment, photograph, etc.). With the implementation of the state's sex offender registration program, additional resources are needed to track and prosecute sex offenders violating the registration requirements.

There are a number of professionals working with **victims of sexual assault**. These professionals must understand the complexities related to identifying and serving the victim's needs and holding the offender accountable. These professionals, including the police, prosecutors, service providers, medical profession, and therapists/counselors, have expressed the need for up-to-date multi-disciplinary training to improve the delivery of sexual assault services within the criminal justice system.

Specific training needs include the following: (1) increasing law enforcement skill levels in the arrest and investigation of sexual assault crimes; (2) increasing prosecutorial skills through specialized training sessions that address charging, trial preparation and trial tactics in sexual

⁴ *Ibid*, p. 8.

assault cases; (3) increasing the medical/forensic response to sexual assault by providing training that address the collection of forensic evidence; (4) increasing the response skills of sexual assault victim service providers and advocates by providing training on victim involvement in the criminal justice system and other relevant topics.

Homicides / Gang Violence

Murder remains one of the most egregious criminal acts an individual can commit. Because of its heinous nature, Hawaii has no statute of limitation for the prosecution of murder in the first and second degrees, for attempted murder, and attempted murder in the first and second degrees. State law requires that a person convicted of First Degree Murder or Attempted First Degree Murder be sentenced to life imprisonment without the possibility of parole.

According to the *2007 Crime in Hawaii Report*, there were 25 reported cases of murder in 2007. This represents an increase of 13.6% increase from 2006 and an increase of 4.2% from a decade ago (1998). Although the murder rate increased 11.8% in 2007, this represents a decrease of 5% from 1998. The murder rates have steadily declined over the last 10 years, with the murder rate the highest in 1999 at a rate of 3.7 per 100,000 population and the lowest in 2003 and 2006 at 1.7 per 100,000 population.⁵

While gang membership by itself is not a crime, the crimes committed by gangs – drug trafficking, homicides, and various other violent crimes – usually bring gang members into the criminal justice system.

Readily available and reliable gang data are difficult to obtain on a national level. Since 1995, the National Youth Gang Center (NYGC) has conducted the National Youth Gang Survey (NYGS) of law enforcement agencies across the U.S. regarding the presence and characteristics of local gang problems. For the most recent survey (2006), it was estimated that approximately 785,000 gang members and 26,500 gangs were active in the U.S. in 2006.

Additionally, the National Drug Intelligence Center reports that state department of corrections data show that as of May 2008, approximately 123,000 documented street and prison gang members were incarcerated in state correctional facilities. Bureau of Prison data show that in August 2008, 24,163 of 201,000 inmates in federal prisons were identified as individuals with a Security Threat Group, including gangs.⁶

According to the National Drug Intelligence Center, gangs are becoming increasingly involved in drug trafficking, aided by their connections with drug trafficking organizations (DTO), particularly Mexican and Asian DTOs. National Drug Threat Survey (NDTS) data for 2008 indicate that gang influence over drug trafficking is increasing. According to 2008 NDTS data, 58% of state and local law enforcement agencies throughout the country report that street gangs are active in drug trafficking in their areas.⁷ Many gangs are expanding their influence

⁵ *Ibid*, p. 8.

⁶ *National Drug Threat Assessment 2009, National Drug Intelligence Center, December 2008*

⁷ *Ibid*.

over drug distribution to include more wholesale distribution and gaining access to international sources of supply for larger shipments of illicit drugs.

Locally, it also remains difficult to obtain reliable gang-related data and statistics. The *National Drug Intelligence Center – Hawaii Drug Threat Assessment* reports that there are more than 140 street gangs in Hawaii with over 1,500 members. Much of the gang-related crime is attributed to Filipino, Hispanic, Native Hawaiian, Samoan, and Tongan street gangs. The assessment report explains that these gangs distribute drugs at the retail level and that Hispanic street gang activity remains on the rise. Some street gang members are relocating from Los Angeles and San Francisco to Hawaii, particularly Honolulu.⁸ These gang numbers coincide with WSIN statewide data that has identified 141 gangs and 1,072 gang members.⁹

The *Honolulu Star Bulletin* reported in March 2006 that two members of one of the largest and most violent Hispanic gangs in the country were arrested on Maui. The Maui Police Department (MPD) gang detail identified the members as having an affiliation with the Salvadoran gang *Mara Salvatrucha*, also known as *MS-13*. Although neither man was arrested for offenses directly involving gang activity, federal officials said they were worried about gang member presence in Hawaii because of the violence to which *MS-13* has been linked.

The U.S. Attorney's Office explained that "*MS-13 smuggles illicit drugs, primarily powdered cocaine and marijuana, into the United States and are known to transport and distribute the drugs throughout the country. They are also involved in alien smuggling, assault, drive-by shooting, homicides, ID theft, prostitution operations, robbery, and weapons trafficking.*"¹⁰ According to the FBI, members of *MS-13* have threatened and attacked law enforcement officers including the execution of three federal agents. The organization reportedly has 30,000 to 50,000 members internationally, of which 8,000 to 10,000 are in the U.S.

⁸ *Ibid.*

⁹ *Western States Information Network (WSIN), WSIN Database Hawaii Statewide – Gang total, March 2009*

¹⁰ *Honolulu Star Bulletin (March 18, 2006)*

Property Crime

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 going down, such crimes remain a critical problem for the State and continue to warrant the attention of law enforcement.

In Hawaii, property crimes account for the overwhelming majority of the total crime rate. According to the *2007 Crime in Hawaii* report, property crimes represented about 94% of the total crime rate, while violent crimes made up approximately 6% of the crime rate. A total of 52,866 property crime offenses were reported compared to 54,708 in 2006, a 3.4% decrease. The property crime rate for the State was 4,119 per 100,000 residents. The clearance rate for property crimes offenses has been decreasing since 1998 when the rate was 17.6%; for 2007 the clearance rate was 11.6%.¹¹

The most recent crime report shows that Hawaii's property index crime rate in 2007 was 4,119 offenses per 100,000 residents. The report indicates that two of the three property index crimes decreased in rate in Hawaii during 2007: the larceny-theft rate fell 1.8% and motor vehicle theft rate fell by 18.5%. Offsetting this decrease was an increased burglary rate of 4.0% in 2007. Of the 52,866 property crimes reported in 2007, larceny-theft accounted for 70.9% (37,494), burglary accounted for 17.2% (9,089), and motor vehicle theft accounted for 11.9% (6,283). The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in 2007 was more than \$93 million.¹²

Cyber/Computer Crimes

While computers and the Internet have become a relatively inexpensive and widely used resource and tool, this new technology has also provided criminals with a new way to commit a variety of crimes – some old and some new. According to the FBI, cyber crimes include intellectual property theft, child pornography, cyberstalking, terroristic threats and acts, illegal copying and selling of music, movies, software or any other copyrighted or trademarked item, thefts of trade secrets, thefts of cable and satellite signals, and Internet fraud.

Statistics related to cyber crimes are difficult to obtain since many law enforcement agencies do not specifically track computer related crimes. The Internet Crime Complaint Center (IC3), which began operation in May 2000 as the Internet Fraud Complaint Center, was established as a partnership between the National White Collar Crime Center and the FBI to receive, develop, and refer criminal complaints regarding the rapidly growing arena of cyber crime. Since its inception, IC3 has received complaints across a wide variety of cyber crimes including: online fraud, intellectual property rights, computer hacking, economic espionage, child pornography, international money laundering, and identity theft.

¹¹ *Crime in Hawaii 2007: A review of Uniform Crime Reports, Department of the Attorney General, December 2008, p. 16.*

¹² *Ibid. p. 21.*

According to the “*IC3 2007 Internet Crime Report*” (the seventh annual compilation of complaint information), the following information is provided:¹³

- IC3 website received 206,884 complaint submissions;
- IC3 referred 90,008 complaints of crime to federal, state, and local law enforcement agencies;
- The vast majority of cases were fraudulent in nature and involved a financial loss for the complainant;
- The total dollar loss from all referred cases of fraud was over \$239 million with a median dollar loss of \$680 per complainant;
- Perpetrators were predominantly male (76%) and half resided in one of the following states: California, Florida, New York, Texas, Illinois, Pennsylvania, and Georgia;
- Although most of the reported perpetrators were from the U.S., a significant number were located in the United Kingdom, Nigeria, Canada, Romania, and Italy;
- Among complainants, 58% were male, nearly half were between the ages of 30 and 50, and one-third resided in one of the four most populated states (California, Florida, Texas, and New York);
- Electronic mail (74%) and web pages (33%) were the two primary mechanisms by which the individuals were victimized;
- Recent high activity scams commonly reported to the IC3 in 2007 were those involving pets, checks, spam, and online dating sites, all of which have proven effective as criminal devices in the hands of fraudsters.

Internet sex crimes against children also remain a serious problem. As Internet use has become widespread, concerns have emerged regarding sexual offenders who are using the Internet to commit crimes involving child sexual exploitation and child pornography. Historically, child predators found their victims in public places, such as schoolyards, parks, and shopping malls, where children tend to gather. With many children online today, the Internet provides predators with a new place – cyberspace – to target children for criminal purposes. These types of Internet sex crimes against minors continue to cause great concern among parents, law enforcement agencies, lawmakers, educators, and other child advocates and warrant continued law enforcement vigilance.

Finally, meetings with agency personnel also identified initial interest and resource needs in the following law enforcement areas: community policing resource centers, juvenile DARE and GREAT programs, outreach for elderly abuse, white collar crimes, improved forensic technology and services, upgraded police training and equipment, crime mapping, renewed police bicycle program, improved focus on environmental crimes, and a needed criminal justice case conflict and appeals unit.

¹³ *IC3 2007 Internet Crime Report, Internet Crime Complaint Center, p. 1.*

PROSECUTION AND COURT PROGRAMS

Hawaii's judicial branch is a unified state court system that functions under one administrative head, the Chief Justice of the Hawaii Supreme Court.

Court Services

All of the courts remain extremely active, and continued resources are needed to address the issues of pending cases, reduce slowdowns and delays, improve and strengthen court efficiency, and to streamline and support court services. During FY 2008, 635 primary cases were filed in the Courts of Appeal (Supreme Court, Intermediate Court of Appeals). Supplemental proceedings, which arise out of primary cases, are comprised of motions, special stipulations and applications for certiorari. At the end of the fiscal year, there were 678 primary cases and 53 supplemental proceedings pending in the Courts of Appeal.

Hawaii's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the Circuit Courts. Hawaii's trial courts function in four circuits that correspond approximately to the geographical areas served by the counties. The First Circuit serves the City and County of Honolulu. The Second Circuit serves the County of Maui, which includes the islands of Maui, Molokai and Lanai. The Third Circuit, divided into the districts of Hilo and Kona, administers the County of Hawaii. The Fourth Circuit is no longer used as a circuit designation. The Third and Fourth Circuits merged in 1943. The Fifth Circuit serves the County of Kauai, which includes the islands of Kauai and Niihau.

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. They also have exclusive jurisdiction in probate, guardianship and criminal felony cases, as well as civil cases where the contested amount exceeds \$25,000. Circuit Courts share concurrent jurisdiction with District Courts in civil non-jury cases that specify amounts between \$10,000 and \$25,000. Additional cases dispensed by the Circuit Courts include mechanics' liens and misdemeanor violations transferred from the District Courts for jury trials.

Filings in the Circuit Courts proper totaled 11,661 cases in FY 2008. Of the cases filed, 4,198, or 36%, were civil cases; and 4,480, or 38%, were criminal cases. During FY 2008, the Circuit Courts terminated 10,832 cases. At the end of the fiscal year, a total of 37,073 cases were pending in the Circuit Courts proper. This includes 2,754 inactive criminal cases and 5,438 criminal cases on deferred status.

Specialized Courts

There remains a pressing need for the resources and services for such nontraditional courts as Drug Courts and Mental Health Courts. In 1989, the Dade County Circuit Court developed an intensive, community-based, treatment, rehabilitation, and supervision program for felony drug defendants to address increasing recidivism rates. Today, there are more than 2,140 drug courts operating nationwide with another 284 being planned or developed.

In essence, **drug courts** divert non-violent, substance abusing offenders from jail and prison into treatment. By increasing direct supervision of offenders, coordinating public resources, and expediting case processing, drug courts can help break the cycle of criminal behavior, alcohol and drug use, and incarceration. Research is showing that drug courts reduce crime by lowering re-arrest and conviction rates, improve substance abuse treatment outcomes, and reunite families, all while producing measurable cost benefits.

Mental health courts link offenders who would ordinarily be incarcerated to long-term community-based, supervised treatment. Relying on mental health assessments, individualized treatment plans, and ongoing court monitoring, mental health courts seek to balance the mental health needs of offenders with public safety concerns. These courts share characteristics with jail diversion programs, specialized probation and parole caseloads, and numerous other collaborative initiatives intended to address the overrepresentation of mentally ill individuals in the criminal justice system.

Mental health courts were inspired by the movement to develop other problem-solving courts such as drug courts, domestic violence courts, community courts, and parole reentry courts. The overarching motivation behind these courts was the rising caseloads and increasing frustration with the standard approach to case processing and case outcomes, too often resulting in spiraling recidivism rates. In February 2001, the first juvenile mental health court opened in Santa Clara, California. Today, there are an estimated 150 mental health courts in the U.S. and dozens more are being planned.

Client/Offender Services

The Judiciary's Adult Client Services Branch oversees the effective administration of **adult probation programs** and services in accordance with statutory and administrative guidelines. The unit interacts with the courts, various state agencies, and a variety of non-court agencies and organizations throughout the state. The branch administers several major programs and provides intensive probation supervision for probationers who would otherwise have been incarcerated. Again, resources including adequate staffing levels are needed to ensure the provision of core services for probationers and other clients of the court. Additional resources are also needed for equipment, training, updated technology (e.g., electronic tracking devices), improved information management/sharing systems, and updated and validated assessment instruments.

In 2000, the Chief Justice established the **Interagency Council on Intermediate Sanctions (ICIS)** to reduce the statewide recidivism rate (at that time, 65.9%) by 30%. Recidivism is defined as a new arrest or probation, parole, or pre-trial revocation within three years of onset of community supervision. ICIS remains a collaborative effort of state and county government agencies including the Judiciary, Department of Public Safety, Department of Health, the Department of the Attorney General, the Hawaii Paroling Authority, Office of the Public Defender, Honolulu Police Department, and the Office of the Prosecuting Attorney – City & County of Honolulu. The ICIS strategic plan seeks to implement the systematic application of empirically based tools to assist in the management of offenders and to establish a continuum of effective services.

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

The Council continues to invest resources to train probation and parole officers in motivational skills and offender cognitive (COG) skills development. These techniques are important to modify criminal thinking, a key factor to reduce recidivism among offenders and to change their behavior. The staff continues to work on matching the risk and needs of the assessed adult offender, and training evaluators and service providers on evidence-based offender programs to reduce offender recidivism. The Council continues efforts to institute quality assurance for the various standards adopted and establishing a research infrastructure to measure whether the improvements sought are achieved.

Prosecutor offices in the State of Hawaii, as in most other jurisdictions, must cope with large and growing caseloads, limited staffing, and diminished resources. In Hawaii, each of the four counties (City and County of Honolulu on the island of Oahu, Hawaii County, Kauai County, and Maui County) has its own respective prosecutor’s office. In brief, the prosecutor offices are responsible for all prosecutions within their jurisdictions for offenses against the laws of the state and applicable county ordinances, rules, and regulations. The needs of the prosecutors involve such basic resources as adequate staffing, specialized deputy prosecutors to conduct vertical prosecutions (e.g., domestic violence, non-support prosecution, property crime prosecution, “ice” prosecution), equipment, training, resources for victim programs, updated technology, criminal justice information systems/management support, and resources for needed assessment and service centers.

CORRECTIONS AND COMMUNITY CORRECTIONS

Offender Treatment Services

In recent years, Hawaii has seen a modest growth in its felon population. A persistent concern revolves around the higher risk felony population and its impact on limited supervision and treatment resources. According to the Department of Public Safety, *2003 Sentencing Simulation Model Draft Report*, the size of Hawaii's sentenced felons in the criminal justice system (either under the jurisdiction of prison or being supervised in the community while on probation or parole) was projected to increase by 16.6%. It was predicted that the parole population would increase by 42.1% in the period 2004-2008.

Presented below is the last population project developed by the Department of Public Safety, Sentencing Simulation Model Project.

Population Projection 2004-2008

Year	Prison	Parole	Felony Probation	Total
2003	3,916	2,483	13,039	19,438
2004	4,272	2,686	12,825	19,783
2005	4,610	2,869	12,897	20,376
2006	4,928	3,074	13,129	21,131
2007	5,227	3,294	13,570	22,091
2008	5,449	3,529	14,031	23,009

Sentencing Simulation Model Project Annual 2003 Report-Draft

Note: Because of the lack of State funding, the Sentencing Simulation Model Project was discontinued in September 2004 (upon the exhaustion of federal grant funds). Consequently, no current/updated statistics based on this model are available.

While the Department of Public Safety, Judiciary, and Hawaii Paroling Authority are responsible for addressing any projected population growth, the agencies continue to struggle to manage existing high populations and must cope with current staff shortages, overcrowded facilities, dwindling resources, and limited funding for offender treatment services.

Prison overcrowding has been a challenging issue for the State. Since its inception, the Corrections Population Management Commission (CPMC) has made two recommendations concerning the maximum inmate population limits. The first, in 1995, determined the operating capacity of the combined correctional facilities to be 2,643 beds. A second, and more sophisticated, space analysis was completed in 2001. That report reconsidered the previous assessment of beds available in 1995 and included new beds added to the system since that time. The 2001 maximum population limit was set at 3,487.

In its Fiscal Year 2007 Annual Report, the Department of Public Safety reported that the inmate count was 6,045 (Fiscal Year 1997 count was 4,604). This included 5,288 incarcerated males and 757 females. To relieve overcrowding in PSD jails (community correctional centers), 200 inmates were housed at the Hawaii-based Federal Detention Center. The Legislature funded the transfer of Hawaii inmates to out-of-state facilities allowing the state to contract prison space

from facilities on the Mainland. As of June 2007, a total of 2,099 inmates were being housed in four different states.¹⁴

The CPMC concluded in the FY 2004 annual report:

“Serious overcrowding of Hawaii’s correctional system has continued over the past 25 years, with little indication that the inmate population growth will be curtailed in the near future. Prison overcrowding is controlled today by contracting with private prison vendors for beds located in Mainland facilities, with over 40% of Hawaii’s sentenced felons and parole violators placed out-of-state...”¹⁵

Mental Health Treatment/Case Management

Each year, a significant number of mentally ill offenders cycle through the criminal justice system. While incarceration is appropriate for some mentally ill offenders, incarceration makes little sense especially for those without violent histories. Incarceration involves significant costs and these custodial facilities are not designed to be therapeutic environments.

The *Center for Court Innovation* (the research and development branch of the New York State court system) reports:

“Mentally ill individuals with a criminal record are often placed in a lose-lose situation... While incarcerated, their condition tends to worsen. And upon release, they are often unable to access community treatment... Many community mental health centers are unprepared or unwilling to treat people who have criminal records. The results are painfully clear: many defendants with mental illness churn through the criminal justice system again and again, going through a ‘revolving door’ from street to court to cell and back again without ever receiving the support and structure they need. It is fair to say that no one wins when this happens – not defendants, not police, not courts, not victims, and not communities.”¹⁶

A significant number of inmates have mental health problems. The Justice Department’s Bureau of Justice Statistics (BJS) *2006 Special Report: Mental Health Problems of Prison and Jail Inmates*, estimates that half of all prison and jail inmates have a mental health problem, including 705,600 inmates in state prisons, 78,800 in federal prisons, and 479,900 in local jails. These estimates represent 56% of state prisoners, 45% of federal prisoners, and 64% of jail inmates. About 23% of state prisoners and 30% of jail inmates reported symptoms of major depression. An estimated 15% of state prisoners and 24% of jail inmates reported symptoms that met the criteria for a psychotic disorder.

¹⁴ *FY 2007 Annual Report, Department of Public Safety, p. 34.*

¹⁵ *FY 2004 Annual Report, Corrections Population Management Commission.*

¹⁶ *Criminal Justice Newsletter, Vol. 32, No. 6, April 2009*

The BJS special report found that female inmates had higher rates of mental health problems than male inmates (e.g., state prisons: 73% of females and 44% of males). Not surprisingly, about 74% of state prisoners and 76% of local jail inmates who had a mental health problem met criteria for substance dependence or abuse. State prisoners who had a mental health problem were twice as likely as those without to have been homeless in the year before their arrest (13% compared to 6%). Finally, only an estimated 1 in 3 state prisoners and 1 in 6 jail inmates who had a mental health problem had received treatment while incarcerated.

In Hawaii, the Department of Public Safety continues to grapple with the impact of an ever-increasing number of mentally ill persons incarcerated in the prison system. Meeting the mental health needs of this population remains challenging. An audit by the U.S. Department of Justice in 2007 identified needed areas for improvement, and the department is actively working to expand its mental health services. A mental health branch has been established and an administrator hired to help develop and implement a structured mental health care delivery system to address the treatment needs of inmates with serious mental illness.

Youth Services

The Office of Youth Services (OYS) was established by the Hawaii State Legislature in 1989 and is administratively placed in the Department of Human Services. The OYS provides and coordinates a continuum of services and programs for youth-at-risk to prevent delinquency and reduce the incidence of recidivism. The OYS also strives to provide a clear sense of responsibility and accountability for all youth services in Hawaii. Although a core responsibility of the OYS is to manage and operate the Hawaii Youth Correctional Facility (HYCF), the agency places great emphasis on providing and supporting “front end” prevention, diversion, and intervention services.

The primary purpose of the HYCF is to provide safe and secure housing for the most violent and dangerous juvenile offenders who pose a threat to the community. The HYCF provides a variety of counseling, treatment, and educational services within the facility to aid in the redirection and rehabilitation of each youth. The programs conducted within the facility are intended to be a part of this effort to provide guidance and opportunities for positive changes in the behavior of the youth. Needed HYCF improvements, some already being implemented, include the following:

- Improved parole/aftercare programs to reduce recidivism with greater focus on re-entry programs, employment, life skills, and character-building activities;
- Improved youth policy and grievance systems to meet national juvenile corrections standards;
- Improved due process system for parole revocation.

According to experts, one group of adolescents at great risk of failing to make the successful transition to adulthood are delinquent youth who end up in the “back end” of the juvenile justice system – in detention centers and other confinement facilities. A disproportionate number of these youth come from impoverished single-parent homes located in

ghetto neighborhoods and display high rates of learning disabilities, mental health, and substance abuse problems.

One pressing concern involves the continuing need for appropriate and multi-purpose diversion programs that rely on proven family and client centered interventions and create opportunities for positive youth development. Successful diversion programs prevent overcrowding at youth correctional facilities and help to keep young offenders out of the prison system altogether. Administrators continue to emphasize the need for alternatives to juvenile detention to reduce the unnecessary confinement of youth. No one benefits, least of all the involved youth, when individuals are inappropriately confined at these correctional facilities.

Reentry Programs/Services

Reentry involves using programs and services to promote the effective reintegration of offenders back to communities upon release from jail and prison. Reentry programming, involving a comprehensive case management approach, is intended to assist offenders to acquire the life skills needed to succeed in the community and become involved and productive citizens. A variety of programs are used to assist offenders in the reentry process including prerelease programs, drug rehabilitation, vocational training, education, and work programs. Reentry strategies must include prerelease assessments and services and utilize realistic transition plans that involve/include collaboration with other justice and community-based agencies and providers.

The continued need for reentry programs becomes obvious as communities struggle with spiraling recidivism rates. Each year, approximately 650,000 people are released from state and federal prisons and between 10 and 12 million more are released from local jails. The vast majority of these individuals struggle with substance abuse, lack of adequate training, education and job skills, an absence of employment opportunities, lack of housing, and health and mental health issues. It comes as little surprise that a large number of these people return to prison within three years of their release as a result of inadequate services and opportunities.

Reentry programs are designed to provide the following:

- Promoting the safe and successful reintegration of offenders into the community upon their release;
- Providing employment services, substance abuse treatment, housing, family programming, mentoring, victim services, and methods to improve release and revocation;
- Providing mentoring services to offenders – both adult and juvenile;
- Implementing family-based treatment programs for incarcerated parents who have minor children;
- Providing for enhanced reentry planning procedures; and
- Providing information on health, employment, personal finance, release requirements, and community resources.

Recently, a more focused approach to reentry has emerged in the form of reentry courts. Reentry courts offer the opportunity for more extensive management and treatment of offenders beginning at the sentencing phase. Reentry courts seek to promote offender accountability while providing treatment and services during the reentry process.

DRUG TREATMENT AND ENFORCEMENT PROGRAMS

Substance Abuse

The number of adult offender services that are required to successfully intervene and reduce substance abuse, and criminal attitudes and behaviors continue to outweigh available resources. Hawaii funds substance abuse treatment at various points in the system in its effort to reduce the social costs that accompany substance abuse. However, with limited resources and multiple stakeholders (treatment, prevention, interdiction), it is an ongoing effort to increase funding for offender services to reduce criminal recidivism.

The National Institutes of Health (NIH) reports that addiction affects over 23 million Americans – only about 10 percent are estimated to be receiving the help they need. With nearly one in ten Americans over the age of 12 classified with substance abuse or alcohol dependency, addiction continues to take a high health, emotional, and financial toll on the U.S. The cost of substance abuse and addiction has been estimated to exceed a half trillion dollars annually (health care, lost productivity, earnings, and law enforcement costs) in the U.S.

The Johns Hopkins University School of Medicine reports: (1) one in four U.S. deaths can be attributed to alcohol, tobacco, or illicit drug use; (2) excessive alcohol use is responsible for 100,000 deaths annually; (3) 16,000 deaths annually are due to illicit drug use, but this estimate is likely to be a conservative figure; (4) the economic burden of substance abuse to the U.S. economy is estimated at a staggering \$414 billion annually – alcohol abuse alone costs nearly \$166 billion each year; (4) illicit drug users make over 527,000 costly emergency room visits each year for drug related problems; (5) health care costs for employees with alcohol abuse problems cost nearly twice as much as those of other employees; (6) drug offenders account for more than one-third of the growth in the state prison population and more than 80 percent of the increase in the number of federal prison inmates since 1985; and (7) more than 75 percent of domestic violence victims report that their assailant had been drinking or using illicit drugs at the time of the incident.

It has been estimated that for every dollar spent on addiction treatment programs, there is a \$4 to \$7 reduction in the cost of drug-related crimes. With some outpatient programs, total savings can exceed costs by a ratio of nearly 12 to 1. Providing treatment for a person's substance abuse and addiction problems is not only a sensible decision with regard to the person's health and welfare, it is also a sound economic decision. Treating a person's substance abuse remains a crucial investment that can save the individual untold health, emotional, and financial costs.

The Arrestee Drug Abuse Monitoring (ADAM) program report (April 2003) provided a snapshot of persons coming into the Hawaii criminal justice system and the treatment services that are needed. The report indicates that of the 2,245 detained arrestees in Honolulu, 62.9% tested positive for one or more of the following drugs: cocaine, marijuana, opiates, methamphetamine, and PCP. More than a third (35.9%) of the detained arrestees in Hawaii

tested positive for methamphetamine, followed by 30.4% for marijuana, 22.6% for multiple drugs, and 15.8% for cocaine. Only 6.8% tested positive for opiates and .2% for PCP.¹⁷

The median percentage of the detained arrestees (from the 35 ADAM sites) at risk for drug dependence is 37.2%. The percentage of Hawaii's arrestees at risk for drug dependence is 41.5%. More than a third (37.1%) of the Hawaii detained arrestees reported that they received inpatient drug or alcohol treatment sometime in their life; 13% reported receiving such treatment in the last 12 months. Twenty-six percent also reported that they received outpatient drug or alcohol treatment sometime in their life; with 9.3% reported receiving such treatment in the last 12 months. Sixteen percent reported that they received mental health treatment sometime in their life; 4.2% reported receiving such treatment in the last 12 months.¹⁸

Drug Enforcement

The drugs most prevalent in Hawaii are crystal methamphetamine, cocaine, and marijuana. To a lesser extent, heroin, and club drugs, such as MDMA, GHB, and LSD, are also available. With the exception of marijuana, almost all of the other drugs are produced elsewhere and imported into the state.

In the last few years, **Methamphetamine**, in particular **crystal methamphetamine**, has posed the greatest drug threat to the State of Hawaii. Crystal methamphetamine produced in Mexico appears to be the most readily available, although California-produced crystal methamphetamine is also present. Methamphetamine from Asia is not as common as in the past. Mexican criminal groups dominate the transportation of crystal methamphetamine from the West Coast to Hawaii and the wholesale distribution of the drug within the state. The drugs are transported either by couriers on commercial airlines or by package delivery services.

After four years of intense community focus on Hawaii's "ice" problem, the number of arrests for the drug are in a downward trend. In addition to the reduced number of arrests, law enforcement officials also cite the rising cost of the drug (even as the quality of the "ice" on the streets is decreasing) as evidence that law enforcement efforts are succeeding. The Hawaii Narcotics Task force reports that more than 6,400 grams of ice were seized and 1,283 arrests were made in the State from July 2007 through June 2008. Those numbers are down from the 9,306 grams seized in FY 2007. The price of crystal methamphetamine has fluctuated in the past year (upward trend), a possible indication of decreased availability of the illegal drug. Last year, the price of a pound of crystal methamphetamine was about \$24,000. Currently one pound costs about \$30,000.

Marijuana continues to pose a significant threat to Hawaii. Cultivated perennially throughout the four counties, marijuana is distributed locally as well out of state. Processed marijuana is also imported from other states as well as from Canada. The price of Hawaii-grown marijuana, known for its potency and high quality, has remained fairly stable. An ounce of marijuana sells for \$400-\$800, while a pound costs \$6,000-\$9,000.

¹⁷ *Arrestee Drug Abuse Monitoring (ADAM), Program Report, April 2003.*

¹⁸ *Ibid.*

Cocaine appears to be growing in popularity, is readily available throughout the state, and is often used in conjunction with other drugs, including alcohol, heroin, and/or marijuana. The tourist industry appears to drive the demand for cocaine; therefore ounce-type dealers flourish in the bar, nightclub, and hotel scenes. A gram of cocaine sells for \$100-120, an ounce sells for \$1,100-\$1,500, and a pound costs \$13,500-\$25,000. Cocaine arrests in Honolulu have risen, probably resulting from the rising cost of “ice” and law enforcement efforts targeting that drug.

Most of the **heroin** seized in Hawaii is black tar heroin from Mexico, although some Southeast Asian heroin is also smuggled and distributed. The majority of the heroin is brought in from California, primarily Los Angeles, by Mexican organizations. A gram of black tar heroin costs \$150-\$200 and an ounce costs \$2,500-\$3,500. A gram of “China white” heroin costs \$200-\$300 and an ounce costs \$5,000.

The threat of **club drugs**, such as MDMA (Ecstasy), GHB, and LSD, is not as serious as the drugs listed above; however, Hawaii teenagers and young adults continue to use Ecstasy. Approximately 80% of the MDA consumed worldwide is produced in the Netherlands and Belgium. A tablet costs \$15-\$20. GHB is distributed in fitness clubs, since it is touted as a muscle-building supplement. LSD, which historically has been produced in Northern California, costs \$4-\$6 per hit and \$225-\$275 for a page (100 hits).

Results from the Hawaii Narcotics Task Force, a JAG-funded effort, are shown below.¹⁹

Hawaii Narcotics Task Force Arrests and Seizures, 7/1/07-6/30/08

County	# of Arrests	Cash Seized	Weapons Seized	Vehicles Seized
Hawaii	850	\$ 26,314	8	3
Kauai	157	\$ 28,829	17	25
Maui	276	\$139,838	0	8
TOTAL	1,283	\$194,981	25	36

Marijuana continues to lead all drug seizures, and processed marijuana is almost always found in conjunction with other drugs.

Hawaii Narcotics Task Force Drug Seizures, 7/1/07-6/30/08

County	Crystal Methamphetamine	Cocaine	Heroin	Processed Marijuana
Hawaii	5,537.57 grams	2,514.19 grams	130.14 grams	79,866.75 grams
Kauai	616.00 grams	20.00 grams	0.00 grams	18,350.51 grams
Maui	276.00 grams	15.00 grams	3.00 grams	8,042.00 grams
TOTAL	6,429.57 grams	2,549.19 grams	130.14 grams	106,259.26 grams

The prevalence of illegal drugs and the violence and crime associated with drug trafficking and the illegal drug industry continue to warrant the focus of law enforcement. In addition to supporting existing drug interdiction efforts, law enforcement has indicated a need to

¹⁹2008 Annual Report, Edward Byrne Memorial Justice Assistance Grant (JAG), Department of the Attorney General, September 2008, p. 24.

strengthen airport drug interdiction and to continue to strengthen interdiction efforts in the maritime sector. There was also interest in focusing on underage drinking.

PLANNING, EVALUATION, AND TECHNOLOGY IMPROVEMENT PROGRAMS

Criminal Justice Information Systems

Information technology systems include automated information systems used by the various criminal justice system components (law enforcement, courts, prosecution, corrections, probation, and parole). During the past decade, criminal justice agencies have come to rely on automation and information technologies to provide reliable, timely, and accurate offender and case based information. While most of these agencies have implemented these new technologies in the administration, management, and operations of their various responsibilities and tasks, not all upgrading has been completed or is fully functional. Integrating these often disparate technological systems has been challenging, time consuming and costly.

An example of current efforts in this area includes work to implement and refine CJIS-Hawaii. On November 18, 2002, the State's new criminal history repository, CJIS-Hawaii, was implemented. CJIS-Hawaii replaced the legacy mainframe repository known as the Offender-Based Transaction Statistics/Computerized Criminal History (OBTS/CCH) system. CJIS-Hawaii resides on a new technology platform.

The use of imaging technology has enhanced the accuracy and completeness of the available information in CJIS-Hawaii. CJIS-Hawaii has operational interfaces with police booking, prosecutor case management, court information, and corrections management systems. Future plans include interfaces with additional prosecutor and supervision/probation systems and improved integration with the State's Automated Fingerprint Identification System (AFIS). System enhancements will be required for these future interfaces and integration.

Another example is Hawaii's Juvenile Justice Information System (JJIS), a statewide information system that combines juvenile offender information from the police, prosecutors, Family Court, and Hawaii Youth Correctional Facility to track juvenile offenders. The JJIS is also the repository for statewide information on missing children. Responsibility for the JJIS lies with the Department of the Attorney General.

Current JJIS initiatives are to upgrade its system by implementing a newer and more technologically sophisticated platform, employ GIS capability, and expand analysis capacity. Additionally, in the next few years, JJIS will explore the possibility of expanding system applications to share relevant information between the juvenile justice agencies and health, social services, and education agencies.

The JJIS currently needs to modernize from a mainframe-based application to a browser-based application. This effort will build on three previous JJIS modernization efforts in which OJJDP grant funds were used to take the first steps in a successful technology update. This initiative will continue the application development effort to provide an appropriate test environment for the applications that have been developed for the Next Generation (NG). This testing will be necessary to ensure the delivery of reliable, available, and defect-free applications to the JJIS user community.

Integrated Booking System (Green Box)

In May 2001, the Green Box project was implemented and streamlined the manual booking process by creating a single point of data entry and image capture for the police officer. The offender's fingerprints and mugphoto are electronically captured through the integrated livescan unit and combined with the arrest/booking information to form a complete record. The fingerprint information is transmitted electronically to the Lights Out Transaction Controller (LOTC) where the automated identification process is performed. The LOTC is responsible for managing the entire identification process by requesting and receiving information from the State's AFIS, Green Box, and CJIS-Hawaii and using this information to make an identification decision. Once the decision is made, the LOTC is responsible for transmitting the appropriate fingerprint information to the FBI, the State's AFIS, and Archive systems. The mugphoto is electronically transmitted to the Hawaii Mugphoto System database, CJIS-Hawaii, and the county police system. The arrest/booking information is electronically transmitted to CJIS-Hawaii, and the appropriate police Records Management Systems (RMS).

This pilot project is particularly noteworthy in reducing the time to complete an arrest/booking by 50%, allowing the police officer to return to his/her law enforcement duties in significantly less time.

Due to the success of this pilot, the new integrated livescan units were installed at the Honolulu Sheriffs Division and the Kauai County Police Department (KPD) in February and March 2004, respectively. The Honolulu Police Department (HPD) completed their deployment in July 2007 and the Maui Police Department (MPD) just recently completed their deployment in February 2009. It can now be said that all law enforcement agencies statewide electronically capture and transmit fingerprint and arrest/booking information.

In June 2007, the Green Box system was integrated with the Message Broker system. The Message Broker is a combination of hardware and software that allows different agency systems to exchange information electronically with each other on an automatic or on-demand basis. The Green Box is now sending arrest/booking information to the Department of Public Safety (PSD) and the Hawaii County Prosecutors Office. In March 2009, the Judiciary's Judicial Information Management System (JIMS) Traffic module will be receiving arrest/booking information from the Message Broker

The Message Broker validated the technical feasibility of real-time electronic information exchanges. This success helped establish the foundation for Hawaii Integrated Justice Information Sharing (HIJIS) program where criminal and non-criminal justice agencies can electronically share information with each other.

It is planned that CJIS-Hawaii will be one of the pilot systems participating in the HIJIS program and because of the tight integration of the Green Box System with CJIS-Hawaii, Green Box must be included with CJIS-Hawaii. To effectively participate in the HIJIS program, CJIS-Hawaii and Green Box will require enhancements to conform to the standardized HIJIS technical architecture.

Firearms Registration

Currently, the four police departments are responsible for processing Permits to Acquire and Firearms registrations for their respective counties. They each have their own forms, procedures, and criteria for approving/denying Permits to Acquire. A significant issue with the current firearms registration process is the backlog of manual files. Manual checking of registration files is still necessary to ensure a comprehensive search is done. Another issue is the lack of automation to support the background check process for the Permit to Acquire. State and federal systems such as CJIS-Hawaii, the National Crime Information Center (NCIC), and the National Instant Check System (NICS) are accessed to provide necessary criminal and mental health information to support the permit approval/denial process.

In the past year, each police department has made progress in automating their Firearms Registration processing by utilizing their RMS. Each county police department's RMS contains a Firearms Registration function. Some also contain a Permit to Acquire function. The HPD's new RMS only maintains Firearm Registrations; Permits to Acquire are processed manually. The Hawaii County Police Department's (HCPD) and KPD's new RMS systems include both Permit to Acquire and Firearms Registration Processing. MPD is currently developing its new RMS, and it will contain both the Permit to Acquire and Registration Processing.

A critical component of the Firearms Registration subsystem in CJIS-Hawaii is to fully integrate/interface with the police department RMS systems to eliminate multiple data entry points and automate the gathering of firearms information from the different systems. This project will also undertake a large scale effort to convert the thousands of manually maintained paper registration forms that are currently located at each police department. Conversion of these forms is essential to providing the most complete, accurate, and timely Firearms Registration information to users statewide as well as nationally.

In addition to providing Firearms Registration information to users statewide, the Firearms Registration subsystem will also electronically transmit denied persons information from CJIS-Hawaii to NICS. This will enable the State to be a contributor as well as a user of NICS information and to continue its growth in participating in federal systems.

Criminal Justice Infrastructure Improvement/ Other Technological Needs

One very realistic concern of the State is to ensure the availability and operationality of the State's criminal justice information system despite the occurrence, for example, of various unexpected or unanticipated events. It remains critically important for the criminal justice system, at the county, state, and national levels, to have criminal justice information and identification systems remain operational through natural and man-made disasters. Specifically, this will probably involve providing processing capacity at an alternate or back-up site outside the State's computer center where the current system resides. Such an initiative would involve the capacity for timely identification of individuals at the point of contact through the use of wireless hand-held fingerprint capture devices and wired fingerprint capture devices.

Criminal justice personnel expressed the need for continued resource support for basic, core criminal justice-related information sharing services in addition to new system

improvements and enhancements necessary for keeping abreast of emerging technologies and system requirements and demands.

For example, the Automated Fingerprint ID System (AFIS) is a statewide system providing law enforcement personnel with continuous access necessary for booking individuals and for criminal identifications. Budget cuts may severely curtail service and system availability which could result in dire consequences for law enforcement personnel throughout the State. The Hawaii Criminal Justice Data Center (HCJDC) notes that budget cuts reducing needed staffing also threaten the Sex Offender Registry project. Other technology needs identified include electronic Habeas Corpus bench books for the Judiciary, fast ID wireless in the field for law enforcement officers, state ID records improvements in preparation for Real ID, data base enhancements and improvements for the Hawaii Paroling Authority, and forensic computer and cell phone support for the Honolulu Police Department.

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Position 1, each position entry limited to one line		
Position 2		
Position 3		
Position 4		
Position 5		
Position 6		
SUB-TOTAL		\$0.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Fringe benefit 1, each benefit entry is limited to one line		
Fringe benefit 2		
Fringe benefit 3		
Fringe benefit 4		
Fringe benefit 5		
SUB-TOTAL		\$0.00
Total Personnel & Fringe Benefits		\$0.00

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Travel entry 1, two lines per entry				
Travel entry 2				
Travel entry 3				
Travel entry 4				
Travel entry 5				
Travel entry 6				
Travel entry 7				
TOTAL				\$0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Equipment entry 1, one line per entry		
equipment entry 2		
equipment entry 3		
equipment entry 4		
equipment entry 5		
TOTAL		\$0.00

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Supply item 1, one line per entry		
supply item 2		
supply item 3		
supply item 4		
supply item 5		
supply item 6		
supply item 7		
supply item 8		
supply item 9		
		TOTAL \$0.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
four lines per entry, use boxes below or an additional page for more space if required		
		TOTAL \$0.00

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
Supply item 1, one line per entry	maximum of three lines		
Supply item 1, one line per entry			
Supply item 1, one line per entry			
Supply item 1, one line per entry			
<i>Subtotal</i>			\$0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
Consultant expense entry 1, one line per	maximum of three lines		
	maximum of three lines		
Consultant expense entry 1, one line per	maximum of three lines		
<i>Subtotal</i>			\$0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost
A competitive solicitation will be utilized, and the FY 2009 Recovery JAG grant award will be used to fund selected projects; SAA (Department of the Attorney General) will execute contracts for each of the selected sub-recipient;	\$5,781,994.00
maximum of four lines	
<i>Subtotal</i>	
TOTAL	
\$5,781,994.0	

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Administrative Funds (costs associated with administering the grant funds including personnel costs, equipment, supplies, and travel/training)	10% of Allocation (10% x \$6,424,438)	\$642,444.00
TOTAL		<u>\$642,444.00</u>

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
one line per entry		
one line per entry		
TOTAL		<u>\$0.00</u>

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$0.00
B. Fringe Benefits	\$0.00
C. Travel	\$0.00
D. Equipment	\$0.00
E. Supplies	\$0.00
F. Construction	\$0.00
G. Consultants/Contracts	\$5,781,994.00
H. Other	\$642,444.00
Total Direct Costs	\$6,424,438.00
I. Indirect Costs	\$0.00
TOTAL PROJECT COSTS	\$6,424,438.00

Federal Request \$6,424,438.00

Non-Federal Amount \$0.00

**FY 2009 RECOVERY ACT:
EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2009 APPLICATION**

BUDGET NARRATIVE (ATTACHMENT 2)

The FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) State Solicitation requires applicants to submit a budget narrative outlining how the FY 2009 Recovery JAG funds, including administrative funds, will be used to support and implement the program.

Hawaii's State Administering Agency (SAA) is the Department of the Attorney General. Under the FY 2009 Recovery JAG, the State allocation for the SAA is \$6,424,438. The grant program allows the SAA to use 10% of the state award for costs associated with administering the grant. The administrative amount for the SAA is \$642,444. The balance of the allocation, \$5,781,994, will be awarded to state and county agencies for selected criminal justice-related projects. After this is done, the number of funded personnel will be known.

The FY 2009 Recovery JAG administrative funds will be used by the SAA as follows: salaries for staff to administer the grant program; salaries for staff for research and evaluation; general agency operating expenses (equipment, supplies, postage, telephones, etc.); project monitoring and to provide training and other technical assistance to sub-grantees; to cover expenses incurred by the statewide advisory body (inter-island travel, supplies, materials, etc.); expenses for planning initiatives and coordination efforts and for evaluations and assessments; to provide information to criminal justice agencies statewide and applicable entities on topics and emerging issues relevant to the JAG program; membership in relevant national organizations (e.g., National Criminal Justice Association / NCJA); training, technical assistance, and resource materials (publications, reports, studies, evaluations, etc.); consultant services; and travel expenditures (for BJA regional/national meetings, training conferences/workshops, project monitoring, etc.).

**FY 2009 RECOVERY ACT:
EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2009 APPLICATION**

REVIEW NARRATIVE (ATTACHMENT 3)

The FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) State Solicitation requires applicants to submit information documenting that their JAG application was available for review “to the governing body of the state, or to an organization designated by that governing body, not fewer than 30 days before the application is submitted to BJA.” Documentation must also be submitted to show “that the application was made public and an opportunity to comment was provided to citizens and to neighborhood or community organizations to the extent the applicable law or established procedure makes such an opportunity available.”

Included in our review narrative are the following two documents:

1. A transmittal memorandum dated April 6, 2009 from the Attorney General, Mark J. Bennett, to the Governor of Hawaii, Linda Lingle, providing a copy of our FY 2009 Recovery JAG grant application for the Governor’s review; and
2. A photocopy of the Department of the Attorney General, Crime Prevention and Justice Assistance (CPJAD) website that makes available to the public a copy of the department’s “*FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG)*” application and a copy of the department’s public comment notice. Both documents were made available on the CPJAD website on April 8, 2009.

LINDA LINGLE
GOVERNOR



MARK J. BENNETT
ATTORNEY GENERAL


LISA M. GINOZA
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
425 QUEEN STREET
HONOLULU, HAWAII 96813
(808) 586-1500

April 6, 2009

MEMORANDUM

TO: The Honorable Linda Lingle
Governor of Hawaii

FROM: Mark J. Bennett
Attorney General 

SUBJECT: FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant
(JAG) Application

As required in the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) solicitation, we are providing a copy of our FY 2009 Recovery JAG application for your review.

The Edward Byrne Memorial Justice Assistance Grant (JAG) program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system from multi-jurisdictional drug and gang task forces to courts, corrections, treatment, and justice information sharing initiatives. JAG projects address crime by providing services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

If there are questions, please feel free to contact Lari Koga, Administrator, Crime Prevention and Justice Assistance Division at 586-1155.

Thank you for your assistance.

Enclosure

you are here: home » crime prevention and justice assistance division » main menu content » grants and planning

Grants and Planning

The Grants & Planning Branch maintains information on federal and state resources that may be available to assist in improving the criminal and juvenile justice systems, and seeks, applies for, and administers federal crime and crime prevention funding, such as the following:

- Edward Byrne Memorial Formula Grant
- Victims of Crime Act (VOCA), Victim Assistance Program
- Violence Against Women Act (VAWA) Formula Grant
- Residential Substance Abuse Treatment for State Prisoners

The Grants & Planning Branch works closely with the U.S. Department of Justice, in particular with the Bureau of Justice Assistance, the Office for Victims of Crime, the Office of Justice Programs, and the Office on Violence Against Women.

FY 2009 Recovery Act: Byrne Justice Assistance Grant (JAG)

APPLICATION FOR GRANT ANNOUNCEMENT - March 24, 2009 - The Department of the Attorney General has released the Application for Grant Instructions and Forms for the FY 2009 Recovery Act: Byrne JAG. The funds are to assist state, city, and county efforts to prevent or reduce crime and violence. Applicants are limited to Hawaii state and county government agencies and applications related to criminal justice functions and support. **The application deadline is May 6, 2009 at 4:00 p.m.**

- ▶ [FY 2009 Recovery Act: Byrne JAG Application Instructions](#)
- ▶ [FY 2009 Recovery Act: Byrne JAG Application Forms \(fillable MS Word file\)](#)

- ▶ [AG-CPJAD-VAWA-2008-WF Request for Proposals](#)

April 3, 2009

REQUEST FOR PROPOSALS

Victim Services for Adult Female Victims of Domestic Violence or Sexual Assault

RFP No. AG-CPJAD-VAWA-2008-WF

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, is requesting proposals from qualified applicants to enhance existing services or create new programs that provide victim services to adult female victims of domestic violence, sexual assault, dating violence, or stalking. The contract term will be for one year commencing July 1, 2009 or upon Notice to Proceed, whichever is later; extensions may be allowable and subject to prior written approval by the head of the state purchasing agency.[1] Multiple contracts may be awarded under this request for proposal.

Sealed proposals (one original and five copies) must be postmarked (United States mail) before midnight on May 8, 2009 or hand delivered by 4:00 p.m., Hawaii Standard Time (HST), on May 8, 2009 to:

Crime Prevention and Justice Assistance

[Crime Prevention & Justice Assistance Home](#)

[Research and Statistics](#)

[Community and Crime Prevention](#)

[Grants and Planning](#)

[Juvenile Justice Information System](#)

[Missing Children Center Hawaii](#)

[Attorney General Home](#)

Administrator of CPJA

[Lari Koga](#)

Quick Links

[State and County Crime Statistics](#)

[Hawaii Statewide Strategic Plan for Victim Services](#)

[The Future of Sexual Violence Programs in Hawai'i](#)

[Workplace Violence Manual](#)

[A Parent's Guide on Underage Drinking](#)

[CPJA Annual Report Fiscal Year 2007-2008](#)

Department of the Attorney General
Crime Prevention and Justice Assistance Division
235 South Beretania Street, Suite 401

Honolulu, Hawaii 96813

Attention: Ms. Kathy Mitchell

RFP# AG-CPJAD-VAWA-2008-WF

Proposals postmarked (United States mail) after midnight on May 8, 2009 or hand delivered after 4:00 p.m., HST, on May 8, 2009 will not be considered and will be returned to the applicant unopened. There are no exceptions to this requirement.

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, will conduct an orientation on April 22, 2009 from 2:00 p.m. to 3:30 p.m., HST. The location of the orientation meeting will be at:

Leiopapa A Kamehameha (State Office Tower)

235 South Beretania Street, Conference Room 302

Honolulu, Hawaii 96813

All prospective applicants are encouraged to attend the orientation. The deadline for submission of written questions is 4:00 p.m., HST, on May 1, 2009. All written questions will receive a written response from the State by May 6, 2009.

Inquiries regarding this RFP should be directed to the RFP Contact Person, Ms. Kathy Mitchell, Criminal Justice Planning Specialist, 235 South Beretania Street, Suite 401, Honolulu, Hawaii 96813, or may be made by telephone to (808) 586-1389 or fax (808) 586-1373.

Department of the Attorney General

Crime Prevention and Justice Assistance Division

web site (www.hawaii.gov/ag/cpja)

[1] The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the U.S Department of Justice, Office of Justice Programs, Office on Violence Against Women, and subject to the availability of Federal funds. No state funds are available for a contract issued under this RFP.

Public Comment: FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Application

As required by the Bureau of Justice Assistance (BJA) state solicitation for the **FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program**, the Department of the Attorney General (State Administering Agency for the grant) is making available for public comment a copy of the grant application. The period for public comment will run from April 8, 2009 through April 22, 2009.

Comments can be mailed to:

Department of the Attorney General

Crime Prevention & Justice Assistance Division

235 S. Beretania Street, #401

Honolulu, Hawaii 96813


Attention: Ralph K. Uyeoka

Comments can be emailed to: ralph.k.uyeoka@hawaii.gov

▶ [FY 2009 JAG Recovery Application -- For Public Comment](#) 

Navigating a Course for Peace, Domestic Violence Strategic Plan 2007-2012 (December 2006)

The 2005 Hawaii Legislature directed the Hawaii State Department of Health (DOH) to work with domestic violence service providers to develop a five-year strategic plan to reduce the incidence of domestic violence and to increase support to victims. The Hawaii State Coalition Against Domestic Violence, a statewide coalition of domestic violence service providers, was selected to develop the strategic plan, in collaboration with the DOH, Maternal and Child Health Branch. The plan is integrated in the 2007 DOH Annual Report for the Domestic Violence and Sexual Assault Special Fund.

▶ [Navigating a Course for Peace, Domestic Violence Strategic Plan, 2007-2012](#) 
The Strategic Plan starts on page 9 of the DOH Annual Report.

Hawaii Statewide Strategic Plan for Victim Services (October 2005)


This report was prepared through a collaborative statewide effort of both government and non-governmental organizations to highlight the special needs of underserved victims of crime in Hawaii, including tourist/visitors, immigrants or persons with limited English proficiency, persons with disabilities, and the elderly.

▶ [Hawaii Statewide Strategic Plan for Victim Services](#) 

Shaping Tomorrow: The Future of Sexual Violence Programs in Hawai'i (January 2005)





Under a Federal Violence Against Women Act (VAWA) Grant, the Department of the Attorney General convened a multi-disciplinary Sexual Violence Strategic Planning Group of state and local criminal justice personnel, sexual violence service providers, and government stakeholders to review and make recommendations on the current status of sexual violence programs and funding. The Sex Abuse Treatment Center of the Kapi'olani Medical Center for Women & Children served as the lead agency for this project.

The Sexual Violence Strategic Planning Group presents this document as a vision for the coordination and sustainability of sexual violence services throughout the State of Hawaii. The impact of sexual violence in our community is immeasurable. The planning committee considers this document a starting point for constructive dialogue.

▶ [Shaping Tomorrow: The Future of Sexual Violence Programs in Hawai'i](#) 

Edward Byrne Memorial Justice Assistance Grant Strategies


These documents are Hawaii's strategy for funding under the FY 2004 Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program, Omnibus Crime Control and Safe Streets Act of 1968, as amended, and Hawaii's application for FY 2005, FY 2006, and FY 2007 funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

- ▶ Edward Byrne Memorial State and Local Law Enforcement Assistance Program: Multi-Year Statewide Strategy FY 2004-2008 
- ▶ FY 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) Application 
- ▶ FY 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) Application 
- ▶ FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Application 

Annual Reports on the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program Activities

These annual reports reflect the cumulative results of Hawaii's state and county projects funded with the Edward Byrne Memorial Formula Grant and Edward Byrne Memorial Justice Assistance Grant.

During **FY 2007**, Byrne/JAG funds were used to address Hawaii's:


- Continuing efforts to reduce the supply of illegal drugs and to reduce the demand for drugs;
 - System improvement needs (such as technological improvements, coordinated efforts to reduce duplication and gaps, working with communities); and
 - Violent crimes, such as unsolved homicides, sexual assaults, and crimes against children.
- ▶ FY 2007 Report 

Also Available








- ▶ FY 2006 Report 
- ▶ FY 2005 Report 
- ▶ FY 2004 Report 
- ▶ FY 2003 Report 
- ▶ FY 2002 Report 
- ▶ FY 2001 Report 


State of Hawaii Strategic Plan for the STOP Violence Against Women Formula Grant

The Department of the Attorney General receives federal funds from the U.S. Department of Justice to address violent crimes against adult female victims of sexual assault and domestic violence. The Strategic Plan describes the scope of these problems in Hawaii and the state strategy to address them.

- ▶ Strategic Plan for the STOP Violence Against Women Formula Grant FY 2008-2011 

Also Available

- ▶ FY 2005-2007 
Note: This file includes a corrected figure for Table 11 on Page 15.
- ▶ FY 2003 Report 
- ▶ FY 2002 Report 
- ▶ FY 2001 Report 
- ▶ FY 2000 Report 
- ▶ FY 1999 Report 
- ▶ FY 1998 Report 

-
- ▶ Domestic Violence and the Criminal Justice System in Hawaii, December 1999 
Findings and Recommendations for Action Made to the Legislature of the State of Hawaii in Response to 1999 House Concurrent Resolution No. 65, HD1

**FY 2009 Recovery Act:
Edward Byrne Memorial
Justice Assistance Grant (JAG) Application**

ABSTRACT

Applicant: Department of the Attorney General (State of Hawaii)

Project Title: State of Hawaii – FY 2009 Recovery Act: Edward Byrne Memorial
Justice Assistance Grant (JAG) Program

The JAG Program allows states and local jurisdictions to support a broad range of activities to prevent and control crime based on local needs and conditions. The Department of the Attorney General, designated as Hawaii's SAA, has identified five major crime priority areas. These priority areas are consistent with the following JAG purpose areas: (1) Law enforcement programs; (2) Prosecution and court programs; (3) Corrections and community corrections programs; (4) Drug treatment and enforcement programs; and (5) Planning, evaluation, and technology improvement programs. Specifically, the JAG program will address, for example, sex crimes/offenses, homicides/gang violence, property crimes, cyber crimes, court services, specialized courts (e.g. drug and mental health courts), offender treatment services, mental health treatment/case management, youth services, reentry programs/services, substance abuse treatment, drug enforcement, and criminal justice information systems/ technological needs. The strategy will include, for example, using grant funds to ensure the availability of continued manpower, equipment, and training for our multi-jurisdictional drug task forces, provide for needed court services, support inmate programs and offender reentry training, education, and employment services, and provide needed hardware and software for our state criminal justice information systems. The project goal is to assist state and local efforts to prevent or reduce crime and violence in the State of Hawaii. Project objectives include the following: (1) Establishing funding priorities, distribute funds, and provide ongoing monitoring and assistance to subrecipients; (2) Reducing the violent index crime rate by 5% for the State of Hawaii by September 30, 2012; (3) Reducing the property index crime rate by 5% for the State of Hawaii by September 30, 2012; (4) Preserving or retaining an estimated 40 criminal justice-related jobs by September 30, 2012; and (5) Creating an estimated 10 criminal justice-related jobs by September 30, 2012. The department, cognizant of the importance of and responsibility for the proper administration of the JAG program, will provide BJA with all required deliverables including reports, documents, and certificates as mandated under the grant program. Finally, the department has ample experience working with criminal justice agencies on a statewide basis and facilitating multi-agency planning/coordination efforts related to crime and victim issues. The department will continue to emphasize coordination and collaboration as it works to implement and administer this new grant program.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Edward Byrne Memorial Competitive Grant Program

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).



Signature of Certifying Official

Mark J. Bennett

Printed Name of Certifying Official

Attorney General

Title of Certifying Official

Department of the Attorney General (Hawaii)

Full Name of Applicant Entity

APR - 6 2009

Date

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act – Edward Byrne Memorial Competitive Grant Program

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs ("OJP"), U.S. Department of Justice:

I have personally read and reviewed the section entitled "Eligibility" in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

Initial the statement that applies:



The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).



Signature of Certifying Official

Mark J. Bennett

Printed Name of Certifying Official

Attorney General

Title of Certifying Official

Department of the Attorney General (Hawaii)

Full Name of Applicant Government Entity

APR - 6 2009

Date



**BJA FY 09 Recovery Act Edward Byrne Memorial
Justice Assistance Grant Program State Solicitation 2009-**



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Assurances and Certifications

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To the best of my knowledge and belief, all data in this application/preapplication is true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

[Applicant Information](#)

[Project Information](#)

Your typed name, in lieu of your signature represents your legal binding acceptance of the terms of this application and your statement of the veracity of the representations made in this application. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the following:

[Budget and Program Attachments](#)

[Assurances and Certifications](#)

1. [Assurances](#)
2. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace requirements.](#)

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If you are an applicant for any Violence Against Women grants, this includes the Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act.

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*Prefix:	The Honorable <input type="button" value=""/>
Prefix (Other):	<input type="text"/>
*First Name:	Mark
Middle Initial:	<input type="text"/>
*Last Name:	Bennett
Suffix	Suffix: <input type="button" value=""/>
Suffix (Other):	<input type="text"/>
*Title:	Attorney General
*Address Line 1:	425 Queen Street
Address Line 2:	<input type="text"/>
*City:	Honolulu
County:	<input type="text"/>
*State:	Hawaii <input type="button" value=""/>
*Zip Code:	96813 - 2427

*Phone:	808 - 586 - 1292	Ext :	
Fax:	808 - 586 - 1239		
*E-mail:	Mark.J.Bennett@hawai		
<input checked="" type="checkbox"/> I have examined the information provided here regarding the signing authority and certify it is accurate. I am the signing authority, or have been delegated or designated formally as the signing authority by the appropriate authority of official, to provide the information requested throughout this application system on behalf of this jurisdiction. Information regarding the signing authority, or the delegation of such authority, has been placed in a file and is available on-site for immediate review.			

Save and Continue

OMB APPROVAL
NUMBER 1121-0140

EXPIRES 06/30/2009

STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).

5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. If a governmental entity:

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

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OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE CHIEF FINANCIAL OFFICER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance of Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a):

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal,

State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

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**BJA FY 09 Recovery Act Edward Byrne Memorial
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APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED April 08, 2009	Applicant Identifier
	1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name Hawaii Department of the Attorney General		Organizational Unit Crime Prevention And Justice Assistance Division
Address 425 Queen Street Honolulu, Hawaii 96813-2427		Name and telephone number of the person to be contacted on matters involving this application Uyeoka, Ralph (808) 586-0888
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 99-0267141		7. TYPE OF APPLICANT State
8. TYPE OF APPLICATION New		9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.803 CFDA: 16.803 - Recovery Act - Justice Assistance TITLE: Grants - State		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT State of Hawaii FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program
12. AREAS AFFECTED BY PROJECT State and Counties		
13. PROPOSED PROJECT Start Date: October 01, 2008 End Date: September 30, 2012		14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project HI01 HI02
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
Federal	\$6,424,438	

Applicant	\$0	Program is not covered by E.O. 12372
State	\$0	
Local	\$0	
Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$6,424,438	
N		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

Continue