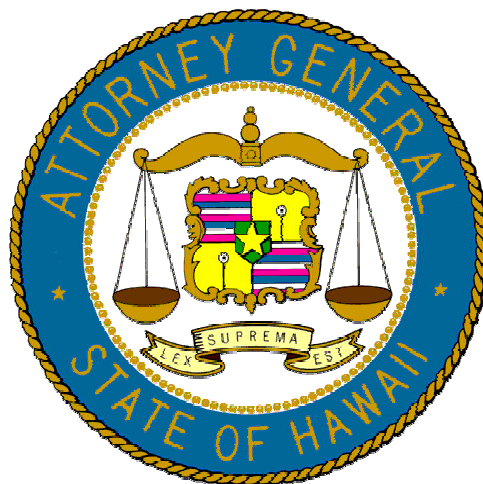


**EDWARD BYRNE MEMORIAL STATE AND LOCAL  
LAW ENFORCEMENT ASSISTANCE PROGRAM**



**MULTI-YEAR STATEWIDE STRATEGY  
FY 2004-2008**

**March 2004**

**MULTI-YEAR STATEWIDE BYRNE PROGRAM STRATEGY  
FY 2004-2008  
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## I. EXECUTIVE SUMMARY

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The Bureau of Justice Assistance directs that every four years the State Administering Agency (SAA) for the Byrne Assistance grant develop a statewide strategy for drug and violent crime control programs that intend to improve the functioning of the criminal justice system, with an emphasis on drug trafficking, violent crime, and serious offenders. This strategy covers the period fiscal year 2004 to 2008. Hawaii's SAA is the Department of the Attorney General.

A critical part of the strategy is the justification for the need of a program effort and the inadequacy of resources to deal with it. Hawaii's Byrne strategy addresses five major crime priority areas that need resources in order to increase public safety: **offender services** to reduce recidivism (includes drug treatment), **violent crime, cyber crimes, property crimes, and drug interdiction**.

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

Hawaii has designated programs (under the priority areas) that it plans to fund. Hawaii's strategy includes 13 programs to address the five priority areas and a requisite criminal justice records improvement program. The 13 programs are:

- Substance Abuse Treatment
- Alternatives to Incarceration
- Mental Health Treatment/Case Management
- Sex Offender Management and Treatment
- Elder Abuse
- Homicides
- Cyber Crimes
- Property Crimes
- Organized Crime/Narcotics
- Marijuana Task Force
- Community Prosecution
- Drugs and Other Serious Crimes
- Criminal Justice Record Improvement

These selected programs may change depending on the final funding decisions made by the SAA and approved by BJA. The SAA will, as required, provide BJA with annual updates if the strategy changes or programs are added or eliminated.

This multi-year Byrne strategy supports and is consistent with several of the goals of the state Drug Control Strategy and the priorities in the National Drug Control Strategy; thereby increasing resources to deal with issues related to drug treatment and interdiction.

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## II. DATA AND ANALYSIS

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

### OFFENDER SERVICES

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 competing interests among stakeholders (treatment, prevention, interdiction), it is a constant battle to increase funding for offender services to reduce criminal recidivism. The proverbial pay now or pay later often drives discussion on funding offender treatment and services. Others believe that we cannot pay for more and that the cost is already high.

The National Center on Addiction and Substance Abuse (CASA) at Columbia University study, *Shoveling Up: The Impact of Substance Abuse on State Budgets* (January, 2001) provides one of the first comprehensive analysis of the cost of substance abuse and addiction to each state budget. The report only covered state costs. This three-year study provides an analysis that states spent \$81.3 billion in 1998 to deal with this issue—13.1% of their budgets. Even more striking is that of every dollar spent on substance abuse, 96 cents went to “shovel up the wreckage” in state programs and only 4 cents went to prevent and treat the problem. Hawaii ranked seventh among the states in the study with a per capita spending of \$368 on programs designed to prevent and treat substance abuse or deal with its consequences. The national average is \$299. For each substance abuse dollar spent in Hawaii, 98 cents was spent for public programs in adult corrections, juvenile justice, judiciary, public safety, and health. Forty-five states, the District of Columbia, and Puerto Rico responded to the survey.

In an unprecedented effort, CASA looked at 16 areas of state spending including criminal and juvenile justice, transportation, health care, education, child welfare, and welfare to determine how many taxpayer dollars the states spent to deal with the financial burden of substance abuse. CASA found that this \$77.9 billion burden was distributed as follows:

- \$30.7 billion in the justice system (77% of justice spending).
- \$16.5 billion in education costs (10% of education spending).
- \$15.2 billion in health costs (25% of health spending).
- \$7.7 billion in child and family assistance (32% of child/family assistance spending).
- \$5.9 billion in mental health and developmental disabilities (31% of mental health spending).
- \$1.5 billion in public safety (26% of public safety spending) and \$400 million for the state workforce. Public safety costs are those other than criminal and juvenile justice and courts, e.g. special drug enforcement programs, and highway safety and accident prevention programs.

The report finds that one of the great opportunities to reduce crime is to provide treatment to drug and alcohol abusing prisoners.

### **Substance Abuse Treatment**

The 2000 Arrestee Drug Abuse Monitoring (ADAM) program report (April 2003) provides 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 less than a third (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.

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.

### **Alternatives to Incarceration**

The overall forecast of Hawaii's felon population in the next five years (2004-2008) is for modest growth. Of particular concern are 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 is projected to increase by 16.6% in the next five years (2004-2008). This is up slightly from the 13.5% increase experienced in the previous period, from 1999-2003.

It is predicted that the parole population will increase by 42.1% in the period 2004-2008. This is assuming current policies and practices continue throughout this timeframe.

The report indicates that in 2003 there were 13,039 felony probationers. The projection is for growth at low levels similar to the trends seen in the past five years. It is expected that the population will increase by 992 felony probationers by 2008, an increase of 7.6% during the next five years.

The prison population (sentenced felons, and probation and parole felons revoked and returned to prison) projection for 2004-2008 is for an increase by 19.7% in the next 3 years and 29.5% after 5 years.

### 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*

While the Department of Public Safety, Judiciary, and Hawaii Paroling Authority are responsible for addressing the projected growths, the agencies are struggling to manage the current populations and address current staff shortages, overcrowded facilities, and limited funding for offender treatment services.

Prison overcrowding has resulted in unanticipated consequences. As of June 2003, Hawaii's Department of Public Safety had an operating bed capacity of 3,487. However, the number of inmates housed in Hawaii's facilities was 3,950 (3,465 males, 485 females). The Legislature funded the transfer of Hawaii inmates to out-of-state facilities allowing the state to contract prison space from facilities in Oklahoma and Arizona. By June 2003, 1,292 inmates (1,228 males and 64 females) were being housed on the mainland and 61 inmates were housed at the Federal Detention Center on Oahu. For out-of-state inmates, the long distance separation and the higher cost (that many cannot afford) to stay in contact with positive family and community members do not bode well for re-integration efforts. Local inmates exposed to mainland offenders associated with organized crime and violent gangs also increase the likelihood that connections made will be brought to Hawaii.

### Mental Health Treatment/Case Management

Each year, a significant number of mentally ill offenders cycle through the criminal justice system. 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. Because of limited psychiatric treatment and services, it is not unusual to see mentally ill offenders deteriorate in prison. They are often released to the streets with limited discharge planning and few linkages with needed treatment, social welfare, housing, or employment services. Not surprisingly, many of these individuals eventually find themselves involved once again with the criminal justice system to repeat this entire process.

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.”*

*(Criminal Justice Newsletter, Vol. 32, No. 6, April 2002)*

In its first comprehensive report on mental illness in correctional facilities, the Justice Department's Bureau of Justice Statistics (BJS) *1999 Special Report: Mental Health and Treatment of Inmates and Probationers*, estimated that 283,800 mentally ill offenders are incarcerated in our country's prisons and jails. BJS found that 16% of State prison inmates, 16% of those in local jails, and 7% of Federal inmates are mentally ill and need mental health services. The Bureau also estimated that some 16% or 547,800 probationers are mentally ill and needing treatment.

In Hawaii in 2001, the Department of Public Safety indicated there were 596 offenders with mental health problems in correctional facilities. Circuit Court Probation reported that 429 probations required mental health treatment, with 2,404 additional cases considered marginal (client had mental health issues, but the problem may not be manifested at a particular time).

BJS reported that mentally ill State prison inmates are more likely than other inmates to be incarcerated for a violent offense; more likely than other inmates to be under the influence of alcohol or drugs at the time of the current offense; and more than twice as likely as other inmates to have been homeless in the 12 months prior to their arrest. Over three-quarters of mentally ill inmates have been sentenced to time in prison or jail or on probation at least once prior to the current sentence. Updated data presented in the BJS report *Mental Health Treatment in State Prisons, 2000*, estimates that nearly 13% of State prison inmates receive mental health therapy or counseling services and approximately 10% receive psychotropic medications.



## VIOLENCE

### Sex Offenses

Hawaii's law enforcement utilizes specialized police and prosecution units to investigate and prosecute violent crimes. Some of the most challenging violent crimes for law enforcement are sex crimes (adult and child victims). These units may work with sex assault nurse examiners, understand the field of forensic medicine, utilize interviewing techniques to minimize victim trauma, and provide victim protection. The work can be emotionally trying and slow.

The *2002 Crime in Hawaii Report* provides statistics on Part I Offenses (murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, and manslaughter by negligence) and Part II Offenses (all criminal offenses not classified as Part I offenses). Nationally, Hawaii ranked 33.4 in 2001 for forcible rape crimes. The number of reported forcible rapes decreased 10.5% from 2001 to 2002 from 409 to 372. Comparing 1993 to 2002, the forcible rape rate decreased by 11.8%. The statistics for Part I, forcible rape reported and Part II, adults arrested for sex offenses, by county are:

<b>2002 UCR Statistics</b>	Oahu	Maui	Hawaii	Kauai	Total
Part I. Forcible Rape Reported	304	10	35	23	372
Percentage Change of Reported Forcible Rape from 2001	+2.1%	-81.2%	-49.4%	-51.8%	-45%
Adults Arrested for Forcible Rape	101	4	7	8	120
Part II. Adults Arrested for Sex Offenses*	287	17	34	31	369

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

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

The *Registered Sex Offenders in Hawaii Report* (May, 2002) by Chaminade University, states that the statewide SOR contains 1,458 registered sex offenders consisting of 1,446 male and 12 female offenders. Sixty-five percent (955) reside on Oahu, with 14% (204) residing on Hawaii, 10.8% (157) on Maui, and 4.5% (65) on Kauai. Almost a third of the offenders (32.3%) are between the ages of 40-49. Of the offenders in the registry, 10.9% were convicted for Sex Assault in the First Degree, 25.3% for Sex Assault in the Second Degree, and 24.5% for Sex Assault in the Third Degree. Of the offenders in the registry, 13.8% were convicted under the combined category of Rape that represents all degrees of rape, as they existed prior to the statutory reform of Hawaii's sex offenses in 1987.

The approximate number of sex offenders currently on community supervision is 406. Hawaii Paroling Authority has 81 sex offenders managed by three parole officers. The Judiciary, Adult Client Services, has approximately 325 sex offenders managed by 3.5 probation officers.

The number of inmates in sex offender treatment as of March 2004 is 140. Treatment services are currently provided in five facilities with the core treatment program provided at Halawa (23 inmates) and Kulani (76 inmates) Correctional Facilities with aftercare programs provided at the Oahu, Maui, and Hawaii Community Correctional Centers. Treatment capacity may decrease to 110 treatment slots if additional treatment funding is not made available by the 2004 Legislature.

### **Elder Abuse**

The number of elderly and dependent adults continues to grow as our population ages. Accompanying this growth in numbers is a corresponding increased risk for elder abuse. Because of their physical and mental limitations and dependence on others, this population is at high risk for abuse. Elder abuse in domestic settings (i.e., in a person's own home, apartment, or other non-institutional living arrangement) or in residential long-term care facilities (i.e., personal care homes, homes for the aged, assisted living facilities) remains a serious problem affecting hundreds of thousands of older Americans.

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

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

In Hawaii today, there are about 207,000 adults 60 years and older. Many of them live at home with their families. A good portion (about 15%) live alone. While older adults are living longer, many of them are also living with mobility and self-care limitations. Consequently, family and informal caregivers are increasingly involved in caring for the elderly.

Research findings on elder abuse reveal that about two-thirds of elder abuse perpetrators are family members, typically, serving in a caregiving role. It is recognized that long-term

caregiving often leads to burnout, and caregiver stress is often associated with elder abuse and neglect.

National estimates of elder abuse and neglect range from 3% to 10% of the elderly population. This estimate could mean that there are as many as 6,000 to 20,000 elderly victims of abuse in Hawaii. In 2001, the Department of Human Services investigated 480 cases; in 2002, 509 cases; and in 2003, 607 cases of dependent adult abuse and neglect. Of these, the vast majority were elderly victims. Like the tip of an iceberg, these elder abuse cases investigated probably represent only a fraction of the potential cases of elder abuse and neglect. The national multiplier factor is that for each case investigated there are from 5 to 14 unknown cases. Regardless of whether one uses the population based national estimate or the multiplier factor of number of cases investigated, it is clear that many cases of elder abuse are not being addressed.

In Hawaii, the Department of Human Services is charged with the responsibility to investigate cases of dependent adult abuse. Specifically, Adult Protective Services is mandated “to provide crisis intervention, without regard to income, including investigation and emergency services to dependent adults who are reported to be abused, neglected, or financially exploited.” Dependent adults include those who are age 18 and older, are physically or mentally impaired, and/or have become dependent on their caregivers for personal health, safety, or welfare. Because of this dependence, these individuals are susceptible to and remain at especially high risk for elder abuse.

In the fiscal year ending June 30, 2002, the Department of Human Services investigated 509 reports of dependent adult abuse statewide. The vast majority involved elderly victims. Approximately 53% of these reports (271 reports) occurred on Oahu.

## **Homicides**

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

In the recent *2001 FBI Uniform Crime Report* (UCR), Hawaii ranked 42<sup>nd</sup> in population among the 50 states, and 42<sup>nd</sup> in Violent Crime Rate. For murder, Hawaii ranked 37<sup>th</sup> among all the states; or a murder rate of 2.6 per 100,000 resident population.

The murder rates have steadily declined over the last 10 years, with the murder rate the highest in 1995 at a rate of 4.7 per 100,000 population and the lowest in 2002 at 1.9 per 100,000 population.

**Hawaii Murder Rates 1993-2002**

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

*2002 Crime in Hawaii*

The clearance\* rate has fluctuated over the last 10 years with a high of 100% in 1998 to a low of 62.5% in 2002.

**Hawaii Murder Clearance Rate 1993-2003**

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

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

The characteristics of murder in Hawaii from 1998-2002 are highlighted in the following tables indicating the types of weapons used, the sex of murder victims and known offenders, and the relationship of murder victims to offenders. In the last five years, a third (33.9%) of the murders were committed with firearms; more than a quarter (27%) were committed by strongarm - the use of hands, fists, feet, etc.; and almost 20% were committed with a knife or cutting instrument.

**Weapons Used in Murder 1998-2002**

Weapon Type	1998	1999	2000	2001	2002	Total
Strongarm	10	10	8	8	7	43
Knife/Cutting Instrument	6	7	9	6	3	31
Handgun	4	20	5	6	6	41
Rifle	2	1	3	2	5	13
Blunt Object	1	4	3	5	3	16
Unknown	1	1	4	3	0	9
Other	0	1	1	2	0	4
<b>Total</b>	24	44	33	32	24	57

*2002 Crime in Hawaii*

Almost a third (32.7%) of all victims were female and 10.9% of the known offenders were women. Males victims made up 67.3% of the victims and 89% of the known offenders.

### Sex of Murder Victims and Known Offenders 1998-2002

Sex	1998		1999		2000		2001		2002		1998-2001	
	V	O	V	O	V	O	V	O	V	O	V	O
Male	17	22	31	29	22	28	21	32	16	19	107	130
Females	7	3	13	1	13	5	11	6	8	1	52	16
Total	24	25	44	30	35	33	32	38	24	20	159	146

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

More than a third (37.7%) of the victims and offenders were acquaintances or friends and 22% were immediate family member or spouse. At least 14.4% of the victims did not know their offender.

### Relationship of Murder Victims to Offenders 1998-2002

Relationship	1998	1999	2000	2001	2002	Total
Acquaintance	7	21	8	11	8	55
Friend	4	1	0	0	0	5
Immediate Family	3	4	5	1	2	15
Stranger	3	5	7	5	3	23
Neighbor	2	0	0	0	0	2
Spouse	2	2	7	7	2	20
Unknown	3	9	6	3	7	28
Other+	0	2	2	5	2	10
Total	24	44	35	32	24	159

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

## **CYBER 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 of committing a variety of crimes – some old and some new. These crimes include fraud, theft, computer intrusion, computer or Internet-related extortion, cyber stalking, identity theft, Internet fraud, and Internet crimes related to child pornography and exploitation. Cyber crimes involve:

- o Computers as the instrumentality – e.g., hacking, viruses, cyber stalking; and
- o Computers as a repository of evidence – e.g., child pornography, billing records, emails.

Statistics related to cyber crimes are difficult to obtain since many law enforcement agencies do not specifically track computer related crimes. However, each year, for the past six years, the FBI's Computer Intrusion Squad of San Francisco along with the Computer Security Institute (CSI) have conducted a survey of computer security professionals from around the country. The 2001 Computer Crime and Security Survey was completed with 538 responses from American computer security practitioners working in corporations, government agencies, financial institutions, medical facilities, and educational institutions. The purpose of the survey was to identify the level of security awareness and to determine the scope of computer crime in the U.S. These survey results illustrate that computer crimes continue to increase and the financial toll continues to mount.

Highlights of the 2001 Computer Crime and Security Survey include the following:

- o 85% of respondents (primarily large corporations and government) detected computer security breaches within the last 12 months;
- o 64% reported financial losses due to these computer breaches;
- o 35% were willing and/or able to quantify their financial losses. The losses from 186 respondents totaled over \$377 million;
- o 75% reported their Internet connections as frequent points of attack;
- o 36% reported the intrusions to law enforcement;
- o 94% reported detecting computer viruses;
- o 40% reported detecting system penetrations from outside their systems;
- o 23% suffered unauthorized access or misuse and 27 % were unsure if this was occurring;
- o 90% of those attacked reported vandalism; and
- o 13% reported theft of transaction information.

Another source of information for cyber crimes is the Internet Fraud Complaint Center (IFCC) which is a web site dedicated to accepting complaints about fraud over the Internet. The IFCC, a joint project between the National White Collar Crime Center and the FBI, referred 48,252 computer-fraud complaints to federal, state, and local law enforcement agencies in 2002, up from 16,775 in 2001. As has been the case since IFCC began operations in 2000, Internet fraud was by far the most reported offense, comprising a majority of all referred complaints. These fraud cases involved a dollar loss of \$54 million with a median dollar loss of approximately \$300 per complaint.

According to the FBI, nationwide computer-related complaints have increased 300%. Hawaii had the second-highest per-capita number of computer-fraud complaints in the country in 2002. With about 400 computer fraud complaints reported to the fraud center, Hawaii was the second highest per capita in the U.S. for Internet fraud complaints, second only to the District of Columbia. The center also processed an additional 36,920 complaints in 2002 for other computer-related crimes such as computer intrusions, unsolicited emails, and child pornography.

About 60 FBI specialized cyber squads have been established throughout the country. 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.

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.

According to the U. S. Department of Commerce, by the end of 1998 more than 40% of American homes had computers and 25% had access to the Internet. By 2005, the organization ProtectKids estimates that 77 million children will be online.

The extent of the computer crimes against children in Hawaii and nationwide is unknown. Hawaii's child abuse statistics, which indicate that almost 90% of the perpetrators are family members, do not reflect computer-related crimes against children.

## PROPERTY CRIMES

### State of Hawaii

In Hawaii, property crimes account for the overwhelming majority of the total crime rate. According to the *2002 Crime in Hawaii* report, property crimes represented 95.7% of the total crime rate, while violent crimes made up 4.3% of the crime rate. A total of 71,976 property crime offenses were reported compared to 62,830 in 2001, a 12.7% increase. The property crime rate for the State was 5,781.7 per 100,000 residents. The clearance rate for property crimes offenses has been decreasing since 1998 when the rate was 17.6%; for 2002 the clearance rate was 9.2%.

#### Reported Offenses for Part I Property Crime 1993-2002

Property Crime	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Burglary	13,310	14,029	13,832	12,781	12,741	11,169	9,421	10,665	11,162	12,722
Larceny-Theft	51,912	55,260	59,907	54,701	48,984	43,914	40,458	43,254	44,925	49,344
Motor Vehicle Theft	5,283	6,383	8,199	7,157	6,468	5,594	4,660	6,114	6,743	9,910
Total	70,505	75,672	81,938	74,639	68,193	60,677	54,539	60,033	62,830	71,976

*2002 Crime in Hawaii*

The number of reported motor vehicle thefts in 2002 is the highest in a ten-year period. The number of burglaries is the highest since 1997, and the number of larceny-thefts is the highest since 1996.

Although ranked 42<sup>nd</sup> in population size in 2001, Hawaii has the 2<sup>nd</sup> highest property crime rate in the nation. For specific property crime offenses, Hawaii was ranked 1st for larceny-theft, 10<sup>th</sup> for burglary, and 6<sup>th</sup> for motor vehicle theft.

#### State Ranking by Property Index Crime Rates 2001

Rank	Larceny-Theft	Burglary	Motor Vehicle Theft
	State	State	State
1	Hawaii	North Carolina	Arizona
2	Oregon	Florida	Nevada
3	Arizona	New Mexico	Washington
4	Washington	Mississippi	Maryland
5	Florida	Tennessee	California
6	Texas	Louisiana	Hawaii
7	Louisiana	Arizona	Florida
8	Utah	Oklahoma	Michigan
9	New Mexico	Texas	Missouri
10	Nebraska	Hawaii	Tennessee

*2002 Crime in Hawaii*



## Counties

By counties, the 2002 property crime rates per 100,000 were City and County of Honolulu, 6,101.4 with a clearance rate of 7.6, Hawaii County, 4,338.0 with a clearance rate of 21.0, Maui County, 5,759.0 with a clearance rate of 9.0, and Kauai County, 4,781.0 with a clearance rate of 12.9.

### Property Crime Rates by Counties 2002

Property Crimes	City & County of Honolulu	Hawaii County	Maui County	Kauai County
Property Index Crimes	6,101.4	4,338.0	5,759.0	4,781.0
Larceny-Theft	4,157.3	3,012.4	4,037.6	3,361.4
Burglary	996.9	994.2	1,136.9	1,211.1
Motor Vehicle Theft	947.3	331.4	584.5	208.5

*2002 Crime in Hawaii*

### City and County of Honolulu

In the City and County of Honolulu, the number of property crimes increased 18.2% from 2001. Property crimes made up 95.5% (54,670) of the index offenses as compared to violent crimes, 4.5% (2,601). Of the 54,670 property crimes reported, 16.3% (8,932) was for larceny-theft, 69.1% (37,250) was for burglary, and 15.5% (8,488) was for motor vehicle theft.

### Property Crimes, City and County of Honolulu 2002

Property Crime	Number of Offenses	Value of Property Stolen	Percent Cleared
Larceny-theft	8,932	\$24,090,110	8.9%
Burglary	37,250	\$16,119,346	4.5%
Motor Vehicle Theft	8,488	\$ 6,937,705	5.5%

*2002 Crime in Hawaii*

The motor vehicle theft rate increased 49.1% from 2001 to 2002, and the 2002 rate is the highest since 1975.

The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in the City and County of Honolulu was \$47,147,161. Property stolen included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items. Of the property stolen, including property taken in robberies, \$5,856,065 (12.3%) was recovered.

### Hawaii County

In Hawaii County, the number of property crimes increased 0.1% from 2001. Property crimes made up 96.8% (6,715) of the index offenses as compared to violent crimes, 3.2% (221). Of the 6,715 property crimes reported, 69.4% (4,633) was for larceny-theft, 22.9% (1,539) was for burglary, and 7.6% (513) was for motor vehicle theft.

### Property Crimes, Hawaii County 2002

Property Crime	Number of Offenses	Value of Property Stolen	Percent Cleared
Larceny-theft	4,633	\$2,375,211	22.4%
Burglary	1,539	\$1,501,963	15.7%
Motor Vehicle Theft	513	\$ 821,398	24.2%

*2002 Crime in Hawaii*

The motor vehicle theft rate increased 2.2% from 2001 to 2002, and the 2002 rate is the highest since 1990.

The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in Hawaii County was \$4,698,572. Property stolen included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items. Of the property stolen, including property taken in robberies, \$596,602 (12.7%) was recovered.

### Maui County

In Maui County, the number of property crimes decreased 2.0% from 2001. Property crimes made up 96.7% (7,725) of the index offenses as compared to violent crimes, 3.3% (261). Of the 7,725 property crimes reported, 70.1% (5,416) was for larceny-theft, 19.7% (1,525) was for burglary, and 10.1% (784) was for motor vehicle theft.

### Property Crimes, Maui County 2002

Property Crime	Number of Offenses	Value of Property Stolen	Percent Cleared
Larceny-theft	5,416	\$3,538,919	7.4%
Burglary	1,525	\$3,841,603	9.8%
Motor Vehicle Theft	784	\$7,043,590	8.6%

*2002 Crime in Hawaii*

The motor vehicle theft rate increased 38.1% from 2001 to 2002, and the 2002 rate is the highest since 1979.

The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in Maui County was \$14,424,112. Property stolen included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items. Of the property stolen, including property taken in robberies, \$6,562,290 (45.3%) was recovered.

### Kauai County

In Kauai County, the number of property crimes decreased 21.5% from 2001. Property crimes made up 94.1% (2,866) of the index offenses as compared to violent crimes, 5.9% (179). Of the 2,866 property crimes reported, 70.31% (2,015) was for larceny-theft, 25.3% (726) was for burglary, and 4.4% (125) was for motor vehicle theft.

### Property Crimes, Kauai County 2002

Property Crime	Number of Offenses	Value of Property Stolen	Percent Cleared
Larceny-theft	2,015	\$996,144	13.2%
Burglary	726	\$596,874	9.2%
Motor Vehicle Theft	125	\$663,612	30.4%

*2002 Crime in Hawaii*

The motor vehicle theft rate increased 29.0% from 2001 to 2002, and the 2002 rate is the highest since 1993.

The total value of property stolen from burglaries, larceny-thefts, and motor vehicle thefts in Kauai County was \$2,256,630. Property stolen included money, jewelry, clothing, motor vehicles, office equipment, television/radio, firearms, household goods, consumable goods, livestock, and miscellaneous items. Of the property stolen, including property taken in robberies, \$655,539 (29.0%) was recovered.

### Part II Property-Related Offenses

Property crimes under the FBI's UCR, Part II Offenses, include the crimes for embezzlement, forgery and counterfeiting, fraud, stolen property, and vandalism. Stolen property refers to the buying, receiving, and possessing stolen property, including attempts. Adult arrests for the crime of forgery steadily increased in Hawaii from 1993-2002.

In Hawaii in 2002, the largest number of arrests was for forgery, followed by vandalism, fraud, stolen property, and embezzlement.

### Adult Arrests for Property-Related Offenses, 1993-2002

Type	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Forgery	295	378	368	416	410	382	345	437	563	533
Fraud	568	565	532	567	596	543	440	433	518	499
Embezzlement	74	76	59	63	53	36	35	38	41	60
Stolen Property	190	181	317	248	192	135	75	93	136	189
Vandalism	639	686	629	549	507	428	423	441	469	509

*2002 Crime in Hawaii*

### At-Risk Population: Dependent Adults

The Department of Human Services, Adult Protective Services (APS) is currently operating a Byrne-funded Financial Exploitation project to investigate financial exploitation of dependent adults. The project has resulted in more than doubling the number of investigated financial exploitation cases. In the fiscal year ending June 30, 2002, APS investigated 509 statewide reports of dependent adult abuse. The vast majority involved elderly victims. Approximately 53% of these reports (271 reports) occurred on Oahu. Of this number, approximately 38 cases on Oahu were investigated for financial exploitation. In the fiscal year ending June 30, 2003, the department investigated 607 statewide reports of dependent adult abuse (an increase of 11% over the previous year). Approximately 62% of these reports (374 reports) occurred on Oahu. Of this number, approximately 82 cases on Oahu were investigated

for financial exploitation. This is an increase of 44 cases or 116% over the previous year's numbers (38 cases). Since the start of fiscal year 2004 (July 1, 2003), there have already been an additional 21 cases opened for investigation. While national estimates of elder abuse and neglect range from 3 to 10% of the elderly population, there is no data as to the estimated number of elderly and/or dependent adult victims of financial exploitation/property crimes in Hawaii.

## DRUG INTERDICTION

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

**Methamphetamine**, in particular **crystal methamphetamine**, poses 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.

The price of crystal methamphetamine has decreased in the past several years, a possible indication of increased availability. The availability and use of the drug is also found in the 2000 Arrestee Drug Abuse Monitoring (ADAM) program report (April 2003). Of the 2,245 detained arrestees in Honolulu more than a third (35.9%) of the detained arrestees in Hawaii tested positive for crystal methamphetamine. In 1999 on Oahu, the price of a gram of crystal methamphetamine was \$200-\$300, an ounce was \$3,500-\$5,000, and a pound was \$40,000. Currently one gram costs \$100-\$200, an ounce costs \$2,200-\$3,000, and a pound costs \$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.

**Cocaine** remains popular and 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.

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, the use of Ecstasy has increased in Hawaii among teenagers and young adults. 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 Byrne-funded effort, are shown below.

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

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

Seizures of crystal methamphetamine exceeded other types of drugs confiscated with the exception of processed marijuana, which is almost always found in conjunction with other drugs. Hawaii County, in particular, has a major influx of crystal methamphetamine.

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

County	Crystal Methamphetamine	Cocaine	Heroin	Processed Marijuana
Hawaii	6,886.68 grams	2,021.92 grams	104.50 grams	17,214.63 grams
Kauai	285.42 grams	38.90 grams	0.00 grams	581.29 grams
Maui	897.00 grams	3,585.00 grams	0.00 grams	4,254.00 grams
TOTAL	8,069.10 grams	5,645.82 grams	104.50 grams	22,049.83 grams

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### III. RESOURCE NEEDS

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

#### OFFENDER SERVICES

##### Substance Abuse Treatment

The Judiciary, the Department of Public Safety, Hawaii Paroling Authority, and the Department of Health each control a portion of the funding for offender substance abuse treatment and transitional services. The Judiciary is responsible for probation services statewide. The Department of Public Safety is responsible for the state's jail and felony inmate populations and pre-trial detainees. Described below are the programs some of which are multi-agency and others are agency specific.

*Interagency Council on Intermediate Sanctions (ICIS).* Based on research findings, future criminal behavior can be predicted on the basis of empirically derived factors. Since 2000, the Judiciary, the Hawaii Paroling Authority, and Departments of Public Safety, Attorney General, and Health have been working on improving the assessment of offender risk and need, and implementing a continuum of services that matches and serves the risk-based needs identified in the assessments. Matching offenders with appropriate treatment, offender services, and supervision resources can reduce criminal recidivism among offenders and maximize the criminal justice (police, prosecution, court, probation, parole, prison, and jail) resources. This interagency cooperative is a statewide effort with a goal to reduce recidivism (criminal and revocation of probation/parole) 30% by 2007.

ICIS has selected the Level of Services Inventory-Revised (LSI-R) for screening, risk assessment, and treatment needs. ICIS is also working on a comprehensive information system that cuts across agencies (Judiciary, Public Safety, and Parole) to track offender substance abuse history and progress. ICIS is funded by the Byrne Formula grant with additional funding to support training and the use of the LSI-R from the Department of Health, Department of Public Safety, Judiciary, and Hawaii Paroling Authority.

*Interagency Offender Substance Abuse Treatment Coordinating Council (Council).* Hawaii Revised Statutes §321-193.5 designates that the Hawaii Paroling Authority, Judiciary, Departments of Health, Public Safety, and Human Services, and other agencies assigned oversight responsibilities for offender substance abuse treatment by law or administrative order, shall establish a coordinating body through an interagency cooperative agreement to oversee the development and implementation of offender substance abuse treatment programs in the state to ensure compliance with the intent of the master plan developed under HRS 353G. The Council is to include a representative from a community-based prisoner advocacy group, a substance abuse treatment provider selected by the director of health, and an ex-offender selected by the director of public safety. As the lead agency, the Department of Health acts as facilitator and provides administrative support to the Council. In 2003, the Council worked on tracking first-

time, non-violent offenders enrolled in substance abuse treatment and means of financing their utilization of substance abuse treatment services; developing an inventory of statewide substance abuse treatment services for offenders; and developing a statewide plan for substance abuse treatment for offenders. The development of an inventory of services and a statewide plan for substance abuse treatment for offenders is being done in collaboration with ICIS.

*Adult Drug Courts.* This program is operating in all four (Oahu, Maui, Kauai, and Hawaii) judicial circuits in Hawaii. The program began with the Oahu Drug Court in 1996, and expanded with Maui Drug Court in 2000. The diversion program includes tracks for offenders post-arrest, and post-conviction, and probation and parole violators. The Maui Drug Court is the only program thus far to have an in-house program for inmates at the Maui Community Correctional Center. The adult drug court program has been effective with providing drug treatment services to pregnant women and working with offenders with co-occurring disorders. The program capacity is approximately 320 non-violent offenders (Class B or C felons) with room for 150 on Oahu, 100 on Maui, 50 on Hawaii, and 20 on Kauai. All of the adult drug court programs are funded with state funds.

*Integrated Case Management.* This program provides a continuum of substance abuse treatment, integrated case management services, and safe, clean and sober housing within each of the four counties for the offender (probation, parole, furlough, pre-trial supervised release) populations. The \$2.19 million (for 2001) has been earmarked to provide integrated case management services for 241 offenders, safe, clean and sober housing for 223 offenders, and substance abuse treatment for 241 offenders. The numbers served by county are 134 (Oahu), 54 (Maui), 40 (Hawaii), and 13 (Kauai). This program is managed by the Department of Health and is being funded under Act 259, Session Laws of Hawaii 2001, for the fiscal biennium 2001-2003.

*Purchase of Services with State and Federal Funds.* Purchase of services is contracted services paid for by state agencies.

*Probation* State funds from the Judiciary cover the cost for 200 adult felons (147 Oahu, 29 Maui, 14 Hawaii, 10 Kauai) statewide for services that include substance abuse assessment and continuum of residential, day treatment, intensive outpatient, outpatient, and therapeutic living modalities.

*Corrections* State funds from the Department of Public Safety cover Level II (outpatient treatment) services for 564 inmates (467 Oahu, 71 Hawaii, 26 Kauai). Incarcerated male and female felons are eligible for Level II services. Additional state funds cover substance abuse treatment, individual family therapy, and aftercare for another 26 sentenced male and female felons incarcerated at the Kauai Community Correctional Center.

A community-based alternative to incarceration program covers (contingent on availability of state funds) an 8-bed program for sentenced female felons. The substance abuse and re-integration program is located in Hawaii and managed by the Hawaii Community Correctional Center.



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

The Department of Justice, Serious and Violent Offender Reentry grant covers substance abuse, mental health, and reintegration services for 225 adult offenders at Maui Community Correctional Center. The funding is available for three years beginning in 2002.

*Parole* State funds are covering the cost for substance abuse assessment, intensive outpatient and outpatient treatment, and other ancillary services for 36 parolees (18 Maui, 12 Hawaii, 6 Kauai). Funding for this program is contingent on continuing appropriations from the state legislature.

A pilot program for female parolees on Maui is being funded by the Byrne Formula grant. The 5-bed program serves female parolees needing transitional services to reintegrate back to the community. The program began in March 2003.

*Department of Health* Part of the \$7.2 million Substance Abuse Prevention and Treatment Block Grant program from the U.S. Department of Health and Human Services cover the continuum of residential, day treatment, intensive outpatient, outpatient, and therapeutic living modalities. Clients must meet DSM IV criteria for substance abuse or dependence. Admission, continuance, and discharge are based on American Society of Addiction Medicine (ASAM) patient placement criteria. The Department of Health estimates that 24% of the admissions are adults referred by criminal justice agencies.

The approximate number of offenders served through purchase of services contracts with the Judiciary, Department of Public Safety, and the Hawaii Paroling Authority is 1,124 offenders. The total amount of these contracts is \$4,273,095.

*In-house Services Funded with State and Federal Funds.* State employees provide the following in-house services:

*Corrections* State funds from the Department of Public Safety covers the cost to maintain the therapeutic community program called KASHBOX. The 200-bed therapeutic community is located in the Waiawa Correctional Facility on Oahu. The program is 9-12 months long and is for felons within two years of their release.

The Department of Justice, Residential Substance Abuse for State Prisoners grant funds a reintegration program for offenders with substance abuse problems. Participants are required to complete either the Level II treatment or KASHBOX program to be eligible. The men's program is a 32-bed program located at Oahu Community Correctional Center, and the women's program is a 15-bed program located at the Women's Community Correctional Center.

The 40-bed therapeutic community adjunct program to the KASHBOX program in the Waiawa Correctional Facility serves parolees who are returned to prison due to substance abuse.

The approximate number of offenders served through in-house services provided by the Department of Public Safety is 402 offenders. The total amount for the in-house services is \$1,505,900.

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

### **Alternatives to Incarceration**

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

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

- Change antisocial attitudes,
- Change/manage antisocial feelings,
- Reduce antisocial peer associations,
- Promote familial affection/communication,
- Promote familial monitoring and supervision,
- Promote child/family protection,
- Promote identification with anti-criminal role models,
- Increase self-control, self management, and problem solving,
- Replace lying, stealing, and aggression with more pro-social alternatives,
- Reduce chemical dependencies and substance abuse,

- Shift interpersonal and other rewards so that non-criminal activities are favored,
- Provide the chronically psychiatrically troubled with low pressure, sheltered living arrangement and/or effective medication,
- Insure that offender can recognize risky situations and has a concrete and well rehearsed plan for dealing with those situations,
- Confront the personal barriers to service (client motivation, ground stressors, etc), and
- Changing other attributes of clients and their circumstances that, through individualized assessment of risk and need, have been linked with criminal conduct.

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

The Department of the Attorney General, Crime Prevention and Justice Assistance Division, established the *Mental Health Working Group* (MHWG) to provide information, expertise, and access to relevant resources to better address the needs of the mentally ill involved with the criminal justice system. Participants of the working group are representatives from the Department of Health, Department of Public Safety, Hawaii Paroling Authority, Housing and Community Development Corporation of Hawaii, Honolulu Police Department, Department of the Prosecuting Attorney, City and County of Honolulu, and the Office of the Public Defender.

Although the criminal justice system has a developed a response to deal with seriously mentally ill (SMI) offenders, services for non-seriously mentally ill (NSMI) offenders have been fragmented. For many NSMI offenders (often misdemeanants), incarceration makes little sense. Housing these offenders in prisons or jails is expensive, often little treatment is available at these facilities, and most are released back to the streets with little or no discharge planning. Not surprisingly, many end up back in court to repeat this “revolving door” process. To address this problem, the Department of the Attorney General, with the assistance of the MHWG, solicited proposals to produce a system-wide report on the NSMI in the criminal justice system. The consultant’s report, released in February 2003, included the following recommendations: (1) establishing a “one-stop” multi-service shelter for NSMI offenders; (2) establishing a Mental Health Court; (3) providing specialized training for law enforcement officers; (4) establishing a “bridge fund” for health care coverage for released offenders to ensure a continuum of mental health care/treatment; and (5) developing strategies to eliminate legal barriers to the sharing of case information between state departments.

The MHWG met with the consultant to discuss the recommendations. While recognizing the merit of the recommendations, the MHWG focused on what could immediately be addressed. This included support for the pending Mental Health Court, identifying available resources, and improving case management.

The Department of Human Services (Housing and Community Development Corporation of Hawaii) receives:

- \$262,051 from City and County of Honolulu (Supportive Housing Program) for homeless individuals at MECC/Ka Hale A Ke Ola, a chemical dependency/relapse program;
- \$94,070 from City and County of Honolulu (Supportive Housing Program) for homeless with severe mental illness;
- \$103,960 from HUD for homeless with severe mental illness (Steadfast – Kulalani Group Home);
- \$169,000 from State Homeless Shelter Stipend Program for individuals with mental illness (Mental Health Kokua);
- \$70,000 from State Homeless Shelter Stipend Program for individuals with mental illness (Steadfast Housing Development Corporation of Hawaii).

The lack of mental health resources in corrections makes it difficult to provide appropriate individualized mental health case management and discharge planning services for mentally ill offenders. This results in fragmented and missed treatment opportunities throughout the correctional system and weak transitional or follow-up services for these offenders once they are released back into the community. According to the Department of Health, FY 2004 appropriations for the Adult Mental Health Division (AMHD) include over \$53 million for community mental health centers, other community services, and courts and corrections (only about \$478,000 designated for this area).

## **VIOLENCE**

### **Sex Offenses**

Under Hawaii Revised Statutes 846E, sex offenders are required to register in the state's Sex Offender Registry (SOR) and Notification program. The information contained in the registration program is made available to all county and state law enforcement agencies having jurisdiction where the registrant expects to reside. The information is provided through the Criminal Justice Information System (CJIS), a Windows-based computerized offender information system. Hawaii's SOR is managed by the Department of the Attorney General, Hawaii Criminal Justice Data Center (HCJDC). The SOR is linked to the National Sex Offender Registration system managed by the Federal Bureau of Investigation.

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

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

Megan's Law (sex offender public notification system), amends the Wetterling Program with regard to the disclosure of information collected by a state SOR program. The law gives states broad discretion to determine to whom notification should be made about offenders, under what circumstances, and about which offenders. Hawaii's public notification system was operational from 1998-2001 until the Hawaii Supreme Court ruled in *Eto Bani vs. Hawaii* that the current system was unconstitutional.

In response to the ruling, the Hawaii Legislature required the state to petition sex offenders to appear in civil court. Prior to the Eto Bani decision, due process was not required to place offenders on the state's sex offender public notification system. Representing the state and responsible for these cases are the county prosecutors. The county prosecutors are facing a backlog of approximately 1,900 cases. The sex offender public notification system, once operational on the Internet, will include offenders where:

- (1) The offense involved the death or serious bodily injury of another person;
- (2) The offense resulted in sentencing under the repeat offender law, for offenses against children, elder persons or handicapped person; or sentence for felony extended terms;

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

While there are few resources to enforce the SOR requirements and proceed with the public notification civil proceeding, there are also gaps in the probation and parole oversight of the sex offenders on community supervision. The *2003 Efficiency and Effectiveness of Hawaii's Sex Offender Treatment* report by William Woodward indicates that the ratio of community supervision workers (parole, probation) to sex offenders is too high with a caseload of approximately 100 offenders to each probation officer. Subsequently only a few home and employment checks are being completed. The ideal caseload to manage this special population should not exceed 25 sex offenders per officer. In evaluating the statewide Sex Offender Treatment Team (SOTT), Woodward recommends additional resources for administrative oversight of the SOTT, smaller caseloads for officers, technical assistance and training for SOTT members, and evidence based treatment curricula and polygraph examiners.

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

### **Elder Abuse**

The Elder Abuse Working Group, an informal network of agencies, was established by the Department of the Attorney General, which currently administers grant funds for three elder abuse projects: (1) Financial Exploitation Project through the Department of Human Services (Byrne grant funding), (2) Case Management for Elderly Victims of Crime Project through the Department of Human Services (VOCA grant funding), and (3) Sentinel Project through the Executive Office on Aging (VOCA grant funding). Representatives from the Crime Prevention and Justice Assistance Division and the grant-funded projects have been meeting to share information, discuss project activities/concerns, and to better coordinate the projects. One issue of particular interest has been efforts to strengthen and clarify the referral process of cases from

the Department of Human Services (DHS), Adult Protective Services (APS), to the Honolulu Police Department for criminal investigation.

APS employs a total of eight social workers statewide to investigate cases involving abuse of dependent adults. On Oahu, there are four APS social workers responsible for these investigations. Additionally, the Oahu APS unit employs one registered nurse and two social services assistants. The registered nurse is responsible for conducting initial physical assessments during investigations, provides consultation, and identifies any physical/medical needs of the victim. The social services assistants support the social workers with their investigation and case management services.

The DHS Annual FY 2002 Report indicates that APS investigated 509 dependent adults cases of which 75% were individuals 60 years or older. Of the 509 cases, 217 (43%) were confirmed for abuse, neglect, or financial exploitation. Subsequent re-abuse within a 12-month period occurred in 3.1% of the confirmed reports. The agency's goal is to maintain the number of dependent adults who are re-abused within a 12-month period to less than 5%.

The problem of elder abuse is analogous to domestic violence 20 years ago when it was predominately viewed as a family matter to be addressed privately. Training to identify and respond to domestic violence was almost non-existent and few services were available. Elder abuse is a compound problem. This population, in addition to geriatric issues, has the inherent problems of domestic violence. Leaving the abusive relationship is not easy, victims are often isolated, and reporting to authorities may cause greater problems and exasperate the abuse.

### **Homicides**

The results of a survey of the county police departments reflect that three of the four counties report having detectives assigned to homicide cases in addition to other violent crimes. The Hawaii County (HCPD), Maui (MPD), and Kauai (KPD) Police Departments utilize a crimes against person unit that includes the investigation of robbery, assaults, terroristic threatening, and kidnapping, as well as homicides. HCPD's unit consists of 9 detectives and a lieutenant; MPD's unit consists of 4 detectives and a lieutenant; and KPD utilizes 2 full-time detectives, 2 part-time (relief) detectives, and a lieutenant. The Honolulu Police Department (HPD) is the only department with a dedicated homicide unit. HPD's unit consists of 6 detectives and a lieutenant.

In the last three years, the annual caseload for HPD's homicide unit was 25 cases. The average caseload for a HCPD detective is 145 cases, which includes other non-homicide cases. Homicide accounts for 5% of HCPD cases assigned to the unit. HCPD reported that the ideal caseload would be 100-125 cases per detective. MPD reported an annual caseload of 140 cases per detective with 1% to 4% being homicide cases. KPD reported a monthly caseload ranging from 50-100 cases per detective with their ideal caseload being 20-30 cases per detective.

The county police departments since 1970 have investigated approximately 1,211 homicide cases of which 72.3% of these are Oahu cases, 19.5% are Hawaii cases, and 4% each are cases from Maui and Kauai Counties.

### Number of Homicides by County

Period	Oahu**	Hawaii	Maui	Kauai	Total
2000-present	93	30	6	9	138
1990-1999	293	73	24	13	403
1980-1989	158	74	19	14	265
1970-1979	332	58	--	13	403
Before 1970	--	2	--	--	2
Total	876	237	49	49	1,211

CPJAD Survey 1/2004 (\*\* HPD statistics unavailable for 1982, 1984-87, 1970-72; -- info not available/provided)

The county police departments report that of the 1,211 homicides investigated, 205 (16.9%) remain unsolved.

### Number of Unsolved Homicides by County

Period	Oahu**	Hawaii	Maui	Kauai	Total
2000-present	7	3	2	3	15
1990-1999	33	10	6	4	53
1980-1989	45	8	4	5	62
1970-1979	59	10	--	5	74
Before 1970	--	1	--	--	1
Total	144	32	12	17	205

CPJAD Survey 1/2004 (\*\* HPD statistics unavailable for 1982, 1984-87, 1970-72; -- info not available/provided)

For support staff and services used to help investigate homicides, HPD reports using polygraph examiners, services from their Scientific Investigation Section, officers from the Missing Person Detail, canine corps, and officers from Crime Reduction Unit and Specialized Services Division. HCPD and MPD use polygraph examiners, criminalist for evidence recovery, and traffic enforcement unit when applicable. KPD has an evidence lieutenant and uses a contracted or HPD's polygrapher.

To improve the investigation of homicides, HPD had looked into establishing a team of detectives to assist with cold cases and HCPD into establishing a dedicated homicide unit. MPD reports that establishing a DNA laboratory would allow for in-house testing of evidence that currently is sent to a private provider. The scope of DNA testing in homicide investigations can vary which affects the cost of such services. Therefore, DNA testing can sometimes cost \$12,000 per case, which is a significant sum for the counties. KPD reports that an evidence specialist would allow their detectives to focus on other aspects of a homicide case similar to other police departments.

### Resources Needed to Investigate Homicides

Staffing/Service/Equipment	HPD	HCPD	MPD	KPD
Additional Investigation Lt/Detectives	X	X		
Specialized homicide/cold case unit	X	X		
Evidence Technicians		X		X
Clerical Support		X		
Office/Investigative Equipment		X		
DNA laboratory			X	

CPJAD Survey 1/2004



## **CYBER CRIMES**

Through P.L. 105-119, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) launched the Internet Crimes Against Children Task Force Program to assist law enforcement agencies to obtain the skills and resources necessary to prevent child sexual exploitation via the Internet. The program seeks to develop effective responses to cyber-enticement and child pornography that encompass forensic and investigative components, training and technical assistance, victim services, and community education.

The Hawaii Internet Crimes Against Children Task Force was established by the Department of the Attorney General, Criminal Justice Division. In FY 2003, the Department received \$400,000 from the OJJDP.

As reliance on computer-dependent infrastructures continues to increase, the number of criminals who are able to exploit vulnerable network systems continues to rise correspondingly. Interconnectivity, spurred by the rapid and broad adoption of common networking protocols, provides criminals with relatively easy access to these systems. Computer crimes or cyber crimes against business/corporate, governmental, financial, health, educational, and informational infrastructure networks are increasing in number, sophistication, and severity. In many cases, the tools and technology used by law enforcement to investigate these crimes are not keeping pace with the instruments used by these criminals.

Act 200 was enacted in Hawaii in June 2002 to address the problem of utilizing computer technology to commit crimes against children. It created criminal offenses relating to the electronic enticement of children. Electronic enticement of a child in the first degree, which is a class B felony, occurs when a person who, using a computer or any other electronic device, intentionally or knowingly communicates with a minor with the intent to promote or commit a felony, and intentionally or knowingly travels to the agreed upon meeting place at the agreed upon meeting time. Electronic enticement of a child in the second degree is a class C felony.

In February 2003, a 27-year-old male was the first suspect to be indicted on a charge of first-degree electronic enticement of a child. He is accused of using the Internet to arrange a meeting for the purpose of sexual activity with a person represented to him to be a 13-year-old girl.

Shortly after Hawaii's electronic enticement went into effect, a 34-year-old Oahu man pled guilty in federal court in August 2002 to charges that he used the Internet to lure a 13-year-old Kauai girl to have sex with him. The man traveled to Kauai to meet with the minor and videotaped the sexual encounters.

While recent changes in the law were made to address cyber crimes, rules and regulations have not evolved to match the new realities and barriers facing law enforcement investigators. The lack of adequate resources for budgets and training remain significant impediments for investigators working in a discipline where cutting-edge skills and technology are essential. These technological advances show no signs of slowing down. Consequently, law enforcement will continue to struggle to stay technologically up-to-date.

Locally, only the Honolulu Police Department (HPD) and the Department of the Attorney General Hawaii High Technology Crime Unit have personnel trained to properly investigate computer related crimes and to perform forensic analysis of suspect computers on the state and local levels. Although HPD does provide some assistance to outside jurisdictions, priority is given to police department cases. Finally, no other state or local law enforcement agency has properly trained computer forensic examiners who would be qualified to testify as expert witnesses in a criminal trial.

The FBI's Hawaii office recently established its first cyber crime squad in January 2003 responding to what investigators are calling an "explosive growth" in computer related crimes.

## **PROPERTY CRIMES**

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

Several collaborative efforts involving communities include community policing, Neighborhood Security Watch Programs, citizen patrols, and Weed and Seed.

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

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

Citizen patrols are organized groups of residents who patrol the community on foot or in cars to deter, detect, and report crimes to the police.

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

The Department of Human Services (DHS) is responsible for investigating cases involving elder abuse and neglect in the state, which also includes financial exploitation. (Refer to violent crime section for more on elder abuse and neglect.) The Department of Human

Services finds it difficult to fully investigate cases involving financial exploitation because of inadequate staffing and the absence of personnel with accounting and/or auditing expertise.

With the Byrne-funded Financial Exploitation project (limited to Oahu), the department now has dedicated staff specifically hired and trained to investigate cases of financial exploitation. The project staff consists of a social worker, an investigator/auditor, and a social services assistant. The social worker is primarily responsible for coordinating the investigations and case management services. The investigator/auditor reviews case information, bank and credit card statements, and other financial documents to determine if financial exploitation has occurred and the extent of the exploitation. The social services assistant provides assistance to both the social worker and the investigator/auditor. Without the special project personnel, appropriate investigation and follow up for these financial exploitation cases would be severely limited.

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

## DRUG INTERDICTION

In 1999, Hawaii was designated as a High Intensity Drug Trafficking Area by the Office of National Drug Control Policy. The mission of the Hawaii HIDTA is to measurably reduce drug trafficking, thereby reducing the impact of illicit drugs to society and increasing citizen safety in Hawaii and other areas of the country. The Hawaii HIDTA develops and implements comprehensive and coordinated intelligence, interdiction, investigative, and prosecutorial initiatives to deter, disrupt, dismantle and ultimately destroy drug trafficking organizations in the state. The goal of the Hawaii HIDTA is to reduce drug trafficking by 10% over two years and 25% over five years.

### HIDTA Initiatives, FY 2003

Initiative	Implementing Agency	Funding
<b>Investigative Support Center</b> <i>Provides subject and event deconfliction, intelligence and analytical support, information sharing, and enhanced case support for HIDTA initiatives</i>	HPD DEA U. S. Customs	<b>\$442,418</b> \$342,868 \$ 64,550 \$ 35,000
<b>Hawaii Airport Task Force</b> <i>To identify persons utilizing commercial airports, U.S. postal facilities, seaports, and private mail/cargo firms to facilitate the movement of illegal drugs and drug proceeds throughout the State of Hawaii</i>	DEA* HPD U. S. Postal Service	<b>\$252,441</b> \$209,989 \$ 19,452 \$ 23,000
<b>Money Laundering/Asset Forfeiture</b> <i>Detect, disrupt and dismantle drug organizations that launder proceeds from illegal activities by tracing assets and the flow of drug money proceeds both internationally and domestically into and out of the State of Hawaii</i>	U. S. Customs HPD	<b>\$ 79,200</b> \$ 67,200 \$ 12,000
<b>Foreign Interdiction</b> <i>Disrupt and dismantle organizations smuggling drugs into Hawaii from foreign sources as either a final destination or transit point to other parts of the U.S. or U.S. territories</i>	U. S. Customs HPD	<b>\$ 79,600</b> \$ 54,600 \$ 25,000
<b>HI Impact</b> <i>Dismantle, disrupt, arrest and prosecute drug trafficking organizations, drug gangs and organized crime groups involved in drug distribution, drug manufacturing, money laundering and other drug related crimes</i>	HPD HCPD-Hilo HCPD-Kona MPD KPD DEA FBI ATF	<b>\$751,430</b> \$183,410 \$ 89,410 \$ 78,610 \$123,570 \$ 70,410 \$ 39,000 \$147,500 \$ 19,520

**HIDTA Initiatives, FY 2003 (continued)**

<p><b>Prosecutorial</b>  <i>To increase the level of coordination and information sharing among all interdiction and investigative initiatives, to provide prompt legal guidance to all investigative task forces during the investigative stage, and to effectively and efficiently prosecute the cases developed by or through the Hawaii HIDTA initiatives</i></p>	<p>HPD</p>	<p><b>\$106,934</b></p>
<p><b>Clandestine Labs</b>  <i>To provide oversight, consolidate training and to coordinate a first response to clandestine laboratories</i></p>	<p>PSD (NED)</p>	<p><b>\$ 31,000</b></p>

\*distributes funds to MPD, HCPD, and KPD

FY 2003 funding for the Hawaii HIDTA is \$2,500,000.

The Drug Enforcement Administration (DEA) deploys Mobile Enforcement Teams (MET) to assist state and local law enforcement agencies in dealing with drug-related violent crimes. Four areas in Hawaii have utilized the MET: Hilo, Kona, Maui, and Waipahu.

A more recently established DEA program targeting drug organizations is the Regional Enforcement Teams (RET). The intent of the program is to address the threat of drug trafficking organizations that have established networks of cells in smaller, non-traditional trafficking locations in the United States. There have been no RET deployments in Hawaii.

The DEA's Domestic Cannabis Eradication/Suppression Program provides funding to the four police departments and the Department of Land and Natural Resources to address the problem of cultivated marijuana, utilizing a coordinated, multi-jurisdictional approach. A total of \$1,072,000 was awarded in calendar year 2003: \$346,000 to the Department of Land and Natural Resources, \$151,000 to the Honolulu Police Department, \$266,000 to the Hawaii County Police Department, \$166,000 to the Maui Police Department, and \$143,000 to the Kauai Police Department. The DEA, Hawaii National Guard, Civil Air Patrol, and the U.S. Army also participate in the program but do not receive funding.

The same agencies also receive funding through the Byrne Memorial program. FY 2003 awards include \$150,000 to the Department of Land and Natural Resources, \$37,500 to the Honolulu Police Department, \$151,500 to the Hawaii County Police Department, \$67,200 to the Maui Police Department, and \$33,000 to the Kauai Police Department.

With funding from the Byrne Memorial program, the Hawaii Narcotics Task Force, comprised of the Maui Police Department, the Hawaii County Police Department, and the Kauai Police Department, targets mid- to high-level drug traffickers in the state. The Maui Police Department is the lead agency for the task force. FY 2003 awards include \$54,750 to the Maui Police Department, \$55,500 to the Hawaii County Police Department, and \$24,000 to the Kauai Police Department. Unfunded agencies include the Honolulu Police Department, DEA, FBI, U.S. Customs, and the Hawaii National Guard.

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

Hawaii has three Weed and Seed sites on Oahu in Kalihi-Palama/Chinatown, Waipahu, and Ewa. Hawaii County (Pahoa) and the Waianae Coast on Oahu are in the process of applying for Weed and Seed designation; Kauai County also has an interest in seeking designation.

Three of the four county prosecutors operate a community prosecution program. The general goal of the program is to reduce crime and fear and to enhance the quality of life in the community. In partnership with the community, other law enforcement, government and non-government agencies, problems such as illegal drugs that affect the community are solved. One strategy to address drug houses is the use of the state's drug nuisance abatement law. The law allows for civil complaints to be filed against landlords for drug activity on their property. Landlords who fail to comply with an injunction to stop the drug nuisance activity could have their property forfeited to the state. In addition to the community prosecution program, the Department of the Attorney General established in July 2003 a drug nuisance abatement unit in response to the crystal methamphetamine problem impacting many of Hawaii's communities.

Shortage of personnel is a perennial problem for the police departments. Transfers, retirement, and out-of-state law enforcement opportunities compound the vacancy problem for not only the narcotics/vice divisions but for the entire department.

Current training is necessary to keep up with the latest trends and technology. Fueled by huge profits, drug traffickers can quickly adapt their methods and locations.

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#### **IV. PRIORITIES AND THE NATIONAL DRUG CONTROL STRATEGY**

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The Byrne grant requires that a state strategy shows the relationship of its priorities to the National Drug Control Strategy of 1) Stopping Use Before It Starts: Education and Community Action; 2) Healing America's Drug Users: Getting Treatment Resources Where They Are Needed; and 3) Disrupting the Market: Attacking the Economic Basis of the Drug Trade.

Four of the five state priorities are related to the National Drug Control Strategy. Cyber Crimes is the only priority that is not one of the three National Drug Control Strategy priorities.

##### **OFFENDER SERVICES**

*-Healing America's Drug Users: Getting Treatment Resources Where They Are Needed*

The priority area of Offender Services was established to address the needs of offenders requiring crucial services that include substance abuse treatment and support services such as employment, housing, and counseling services. Programs, such as drug courts, have demonstrated that services when provided with close supervision can decrease the likelihood of offenders re-entering the criminal justice system for new crimes or violations. For offenders suffering from co-occurring disorders such as mental health and substance abuse, the impact of getting both mental health and drug treatment is crucial if the objective is towards stabilization and reintegration. Without adequate mental health services, offenders are known to self-medicate with illegal and non-prescribed drugs to remedy their illness; compounding their primary problem. Highly addicted and potent drugs like crystal methamphetamine can induce mental health problems as well.

##### **VIOLENCE**

*-Healing America's Drug Users: Getting Treatment Resources Where They Are Needed*

Sex offenses, violent crimes against the elderly, and homicides result from a variety of factors (personal, situational, cultural, economic), even when drugs are a cause they are likely to be only one factor among many.

The annual Bureau of Justice Statistics (BJS) National Crime Victimization Survey (NCVS) asks victims of violent crimes who reported seeing the offender whether they perceived the offender to be under the influence of drugs or alcohol. According to the 1998 survey, 30% of victims could not determine whether the offender was under the influence of a substance. Of those who could make a determination, about 31% reported that the offender was under the influence of alcohol and/or drugs.

The National Drug Control Strategy requires closing the "denial gap" as a Nation to create a climate in which Americans confront drug use honestly and directly, encouraging those in need to enter and remain in drug treatment when applicable.



## **PROPERTY CRIMES**

### *-Disrupting the Market: Attacking the Economic Basis of the Drug Trade*

The FBI's 2001 Uniform Crime Report reflects that Hawaii ranked first in the nation for the rate of larceny-theft and second for Index I Property Crimes. In 2000, Hawaii also had a third (35.9%) of the detained arrestees in Hawaii test positive for methamphetamine, followed by 30.4% for marijuana, 22.6% for multiple drugs, and 15.8% for cocaine. The National Drug Control Strategy recognizes the "inherent link between drug supply and drug demand, a link that is particularly visible in the behavior of the addicted drug user...This should not come as a surprise: addicts must spend almost all their disposable income on illegal drugs." Unfortunately, what they cannot earn, offenders are known to steal to support their drug use.

## **DRUG INTERDICTION**

### *- Stopping Use Before It Starts: Education and Community Action, and -Disrupting the Market: Attacking the Economic Basis of the Drug Trade*

Similar to the national strategy, Hawaii's strategy includes the priority to support multi-jurisdictional investigations directed at the most significant drug-trafficking organizations responsible for distributing most of the drugs in Hawaii. Multi-jurisdictional investigations are encouraged to maximize limited resources to disrupt drug offenders and to destroy marijuana growing on public and private land. Disrupting the drug market is also an important public health matter, to ensure that state parks are safe for visitors; and to ensure that clandestine labs do not endanger the children of offenders and nearby residents. Community prosecutors work to provide education and community activities to stop illegal drugs, and work to disrupt the sales and distribution of drugs in their assigned communities. Multi-jurisdictional task forces also conduct community education on drug and crime awareness.

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## V. SELECTED PROGRAMS

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These are the programs that Hawaii may fund under the Byrne grant. The number of projects and level of funding for each program under the FY 2004 grant will be finalized in June 2004 when the selection process is completed. A program is not an individual project but a general statement identifying a solution to address identified problems.

**Priority Area:** Offender Services

**Program Name:** Substance Abuse Treatment

**Date BJA Approved the Program:** 1992

**National Priorities:** Healing America's Drug Users: Getting Treatment Resources Where They Are Needed

**Byrne Purpose Area:**

#13 Providing programs which identify and meet the treatment needs of adult and juvenile drug-dependent and alcohol-dependent offenders.

**Description of the Program:**

Hawaii has a serious problem with crystal methamphetamine that has generated strong community support for more substance abuse resources both in prevention and treatment. This program seeks to address the growing problem of crystal methamphetamine and other substance abuse among adult offenders, and to address treatment gaps where services are least available: pre-trial, jail, parole, neighbor islands, and to adult female offenders.

**Performance Measures:**

- a. Number of adult offenders served (funded)
- b. Number of institutional-based programs
- c. Number of community-based programs
- d. Number of drug or alcohol-focused programs

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Offender Services

**Program Name:** Alternatives to Incarceration

**Date BJA Approved the Program:** 1991

**National Priorities:** Healing America's Drug Users: Getting Treatment Resources Where They Are Needed

**Byrne Purpose Area:**

#20 Providing alternatives to prevent detention, jail and prison for persons who pose no danger to the community.

**Description of the Program:**

The Women's and the Oahu Community Correctional Centers were operating under a federal consent decree from 1985-1993 for alleged unconstitutional conditions due in large part to prison overcrowding. Due to progress made in complying with the terms of the consent decree, a Settlement Agreement was reached in 1993. Since then, the correctional centers and facilities have swelled with offenders. The Department of Public Safety, Judiciary, and Hawaii Paroling Authority are struggling to manage the current offender populations and address current staff shortages, overcrowded facilities, and limited funding for offender treatment services. This program supports system improvements to identify those offenders who pose no danger to the community and to match offenders with programs that are effective in reducing recidivism.

**Performance Measures:**

- a. Number of alternative courts or programs created
- b. Number of offenders participating in programs

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Offender Services

**Program Name:** Mental Health Treatment/Case Management

**Date BJA Approved the Program:** 2002

**National Priorities:** Healing America's Drug Users: Getting Treatment Resources Where They Are Needed

**Byrne Purpose Area:**

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

**Description of the Program:**

Offenders who are mentally ill require more attention and intervention than other offenders. The lack of proper service resources, specifically, appropriate case management, treatment monitoring, offender compliance, discharge planning, and community transition often result in these offenders de-compensating and re-offending when they return to the community. This program seeks to (1) to identify offenders with mental illness; (2) to create treatment opportunities to prepare offenders to transition back to the community; and (3) to assist transition of these offenders by providing discharge planning to ensure community aftercare to help maintain their mental health and to reduce recidivism.

**Performance Measures:**

- a. Number of offenders in prison/jail-based programs
- b. Number of offenders in community-based programs
- c. Number of prison/jail-based programs
- d. Number of community-based programs

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Violence

**Program Name:** Sex Offender Management and Treatment

**Date BJA Approved the Program:** 1992

**National Priorities:** Healing America's Drug Users: Getting Treatment Resources Where They Are Needed

**Byrne Purpose Area:**

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

**Description of the Program:**

Hawaii has identified gaps in the management and treatment of sex offenders. This program area supports the management of sex offenders to ensure offender compliance with state sex offender registration and public notification requirements. It also supports management components of sex offender treatment. Projects funded in this program area will provide resources such as personnel, equipment, and training to address the issue. Specialized units may be formed, and protocols developed, as appropriate.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of offenders prosecuted

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Violence

**Program Name:** Elder Abuse

**Date BJA Approved the Program:** 1998

**National Priorities:** Healing America's Drug Users: Getting Treatment Resources Where They Are Needed

**Byrne Purpose Area:**

#18 Improving the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, child abuse and abuse of the elderly.

**Description of the Program:**

National estimates of elder abuse and neglect range from 3 to 10% of the elderly population. This estimate could mean that there are as many as 6,000 to 20,000 elderly victims of abuse in Hawaii. This program area supports the investigation and prosecution of elder abuse and support for the elder victims. Projects funded in this program area will provide resources such as personnel, equipment, and training to address the issue. Specialized units may be formed. The program may include improvement of elder abuse protocols within an agency and between agencies.

**Performance Measures:**

- a. Number of criminal and juvenile justice system personnel trained in domestic/family violence intervention
- b. Number of offenders arrested
- c. Number of offenders prosecuted
- d. Number of offenders that completed domestic/family violence education and/or treatment programs
- e. Number of victims referred for assistance by age group and sex

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Violence

**Program Name:** Homicides

**Date BJA Approved the Program:** 2001

**National Priorities:** Not applicable

**Byrne Purpose Area:**

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

**Description of the Program:**

The arrest of a murderer is the first, yet most important, step in the criminal justice system. Without an arrest, none of the accepted forms of punishment can be applied. (*Analysis of Variation Affecting the Clearance of Homicides, C. Wellford, J. Cronin*) This program area supports the investigation and prosecution of homicides. Projects funded in this program area will provide resources such as specialized personnel, equipment, and training to address the issue. Specialized units may be formed, and protocols developed, as appropriate.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of offenders prosecuted

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Cyber Crimes

**Program Name:** Cyber Crimes

**Date BJA Approved the Program:** 2001

**National Priorities:** Not applicable.

**Byrne Purpose Area:**

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

**Description of the Program:**

Complaints of offenses committed with computers and the Internet are increasing as the technology improves and is accessible to the general population. This program area address crimes committed with the use of this technology. Crimes can be both violent and property crimes. Violent crimes classification include offenses related to child pornography, Internet solicitation of children, and cyber-stalking. Those classified as property crimes include crimes such as forgery and identity thefts, embezzlement, stolen property, and fraud committed through the Internet. Projects funded in this program area will provide resources such as personnel, equipment, and training to address the issue. Specialized units may be formed or enhanced.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of offenders prosecuted

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.



**Priority Area:** Property Crimes

**Program Name:** Property Crimes

**Date BJA Approved the Program:** 1998

**National Priorities:** Disrupting the Market: Attacking the Economic Basis of the Drug Trade

**Byrne Purpose Area:**

#5 Disrupting illicit commerce in stolen goods and property.

**Description of the Program:**

In Hawaii, property crimes account for the overwhelming majority of the total crime rate. This program area addresses property crimes, which include larceny-theft, burglary, auto theft (UCR Part I Offenses), as well as embezzlement, forgery, and fraud (UCR Part II Offenses). Crimes such as financial exploitation and identity theft (unless computer related) would fall into this area. Projects funded in this program area will provide resources such as personnel, equipment, and training to address the issue. Specialized units may be formed, or enhanced. Collaboration between agencies and with the community is encouraged.

**Performance Measures:**

- a. Total value of stolen property recovered
- b. Number of offenders arrested
- c. Number of offenders prosecuted

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Drug Interdiction

**Program Name:** Organized Crime/Narcotics

**Date BJA Approved the Program:** 1987

**National Priorities:** Disrupting the Market: Attacking the Economic Basis of the Drug Trade

**Byrne Purpose Area:**

#2 Multi-jurisdictional task force programs that integrate Federal, State and/or local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

**Description of the Program:**

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

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of drug seizures
- c. Quantity by weight (e.g., ounces, grams, dose units) and drug type
- d. Total value of funds and assets forfeited

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Drug Interdiction

**Program Name:** Marijuana Task Force

**Date BJA Approved the Program:** 1987

**National Priorities:** Disrupting the Market: Attacking the Economic Basis of the Drug Trade

**Byrne Purpose Area:**

#2 Multi-jurisdictional task force programs that integrate Federal, State and/or local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

**Description of the Program:**

Hawaii continues to rank among the top three states in the eradication of marijuana and is recognized annually for its efforts by the Drug Enforcement Administration. The Marijuana Task Force is a cooperative effort to eradicate cultivated marijuana in Hawaii. Critical elements of the task force include joint missions, investigations, and surveillance; regular meetings; and ongoing and standardized training. The use of private and government helicopters is an integral component of eradication missions. Manual eradication is the primary method of crop destruction with herbicidal spraying being conducted only by the Department of Land and Natural Resources, Hawaii Branch.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of drug seizures
- c. Quantity by weight (e.g., ounces, grams, dose units) and drug type
- d. Total value of funds and assets forfeited

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Drug Interdiction

**Program Name:** Community Prosecution

**Date BJA Approved the Program:** 2000

**National Priorities:** Disrupting the Market: Attacking the Economic Basis of the Drug Trade

**Byrne Purpose Area:**

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

**Description of the Program:**

Essential components of successful community prosecution include: direct interaction between the prosecutor's office and the community which results in a process through which the prosecutor and residents work together to identify problems and solutions; use of partnerships among public and private agencies and the community; a clearly defined geographic target area; emphasis on problem solving, public safety and quality-of-life issues; development of alternative, community-focused case disposition strategies; and on-going program assessment. Activities under this program include identifying local public safety concerns; working with community policing officers to educate, motivate, organize and mobilize communities; educating school age children about drug education and prevention; expediting screening of drug cases; and enforcing drug nuisance abatement laws.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of offenders prosecuted

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** Drug Interdiction

**Program Name:** Drugs and Other Serious Crimes

**Date BJA Approved the Program:** New

**National Priorities:** Disrupting the Market: Attacking the Economic Basis of the Drug Trade

**Byrne Purpose Area:**

#7A Improving the operational effectiveness of law enforcement through the use of crime analysis techniques, street sales enforcement, schoolyard violator programs, gang-related and low-income housing drug control programs.

**Description of the Program:**

The major drugs in Hawaii are marijuana, crystal methamphetamine, cocaine, and heroin. This program area addresses drugs and other serious crimes by a single agency or jurisdiction. Projects funded in this program area will provide resources such as personnel, specialized equipment, and training to address the issue. Specialized units may be formed, or enhanced. Collaboration between agencies and with the community is encouraged.

**Performance Measures:**

- a. Number of offenders arrested
- b. Number of offenders prosecuted
- c. Number of drug seizures
- d. Quantity of seizure by weight (e.g., ounces, grams, dose units) and drug type
- e. Total value of funds and assets forfeited

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

**Priority Area:** 5% Set Aside

**Program Name:** Criminal Justice Records Improvement

**Date BJA Approved the Program:** Not Applicable

**National Priorities:** Not Applicable

**Byrne Purpose Area:**

#15B Criminal justice information systems to assist law enforcement, prosecution, courts and corrections organizations (including automated fingerprint identification systems).

**Description of the Program:**

The Act requires each SAA to set aside 5% of its grant funds for criminal justice records improvement. These funds must be spent on programs that promote one or more of the following goals: completion of criminal histories to include the final disposition of all arrests for felony offenses; full automation of all criminal justice histories and fingerprint records; enhancement of the frequency and quality of criminal history reports to the FBI; improvement of state records systems and the sharing of all records described above with the Attorney General; and improvement of state records systems and the sharing of all the records described above and the child abuse crime records required under the National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.) among state criminal justice agencies.

**Performance Measures:**

- a. Number of records automated
- b. Number of systems enhanced or automated

**Evaluation Target Date or Evaluation Waiver:**

Refer to Evaluation Requirement-Performance Measures on page 52.

## **EVALUATION REQUIREMENT—PERFORMANCE MEASURE**

### **General Requirement**

The SAA will continue to use the Project Effectiveness Model with its sub-grantees. The PEM was developed with the assistance of BJA. It ensures that grant applications have a logical link between problem statement, goals, objectives, project activities, budget, and performance measures. In this manner, projects can report whether, or to what extent, objectives were accomplished, and performance measures. This will enable the SAA to report on the applicable performance measures required for a specific purpose area, as well as obtain and report information on other accomplishments.

### **Evaluation Plan**

A Byrne requirement is that at least one program must be evaluated within the first four years of receiving the FY 2004 grant award. The SAA's plan is that the State Statistical Analysis Center (SAC) hire a full time project researcher to evaluate Byrne programs. Neither the SAA nor the SAC currently have personnel resources for this task. The Department of the Attorney General is in the process of establishing and filling this position.

It is anticipated that the position will be filled by summer. The SAA and the SAC will determine the priority for programs to be evaluated. The evaluator will concentrate on the program that is the top priority for evaluation, as well as prepare projects for subsequent evaluations in other program areas. The first program evaluation will be completed by the 4-year deadline.

The evaluation plan will be updated and submitted to BJA when a program is selected for evaluation. We are requesting a waiver for all other program areas at this time.

The SAA may also contract with a private or University evaluator/consultant or award funds to a sub-grantee for evaluation purposes.

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## VI. COORDINATED EFFORTS

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This section describes how the Byrne funds connect with or is coordinated with other federal programs and funding sources.

### *Drug Abuse Education and Prevention*

Since 1989, HINET, the Hawaii Network of federally-funded drug prevention agencies, has been meeting monthly to discuss plans for the use of the federal funds, concerns related to the coordination, and training and technical expertise. Representatives are from the Department of Health-Alcohol and Drug Abuse Division (ADAD), Department of Health-Community Adolescent Health Program, Department of Education, Department of the Attorney General, Office of Youth Services, Housing and Community Development Corporation of Hawaii, University of Hawaii Curriculum Resource Development Group, Kamehameha Schools (a private, non-profit native-Hawaiian organization), and the Pacific Resources for Education and Learning (PREL).

The Department of Education, the Office of Youth Services, and PREL administer parts of the Safe and Drug-Free Schools and Communities Act funds. The Department of Health administers the Substance Abuse and Mental Health Services Act funds and the Department of the Attorney General administers the Byrne Memorial Grant and the Residential Substance Abuse Treatment Grant.

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

### *Drug Abuse Treatment*

From 1996-2002, the Byrne grant was used for the planning and implementation of drug courts in Hawaii. Funding from the OJP, Office of Drug Court Program, was also used to support the drug court program during the critical phase when Byrne and local funds were not enough to sustain the number of offenders and treatment activities on Maui and Oahu. Since then, the drug court program has been adopted by the state with funding in each of the four judicial circuits. Byrne funds were also used to plan for the juvenile drug court program, which was later funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and then by the state.



Project Bridge, a program for substance abuse offenders preparing to exit prison, is benefiting from the Interagency Council on Intermediate Sanction (ICIS) effort to match offenders with appropriate treatment, offender services, and supervision resources. The goal is to reduce recidivism among offenders. This interagency cooperative agreement is a statewide vision for offender management in probation, parole, and prison. As a participating member of ICIS, Project Bridge receives training that is consistent with ICIS objectives. Project Bridge is funded by the Residential Substance Abuse Treatment for State Prisoners grant. The ICIS coordinator and program activities are funded in part by the Byrne grant.

### *Non-Drug Programs*

To maximize Byrne funds, projects related to youth (eg. gang, violence, drug prevention) are referred to the state Office of Youth Services (OYS). OYS is the state administrative agency for OJJDP funds and operates the state juvenile detention facility.

Projects related to victim services are referred to the Office for Victims of Crime (OVC) and the Office on Violence Against Women grants, which are managed by the SAA, the Department of the Attorney General.

For the Byrne solicitation, the Department of the Attorney General requires applying agencies to provide information if other local or federal funding is being sought to finance the project. This information allows the SAA to coordinate use of the Byrne grant.

The SAA also periodically reviews the Local Law Enforcement Block Grant Program in Hawaii to reduce any duplicated efforts with the Byrne grant.