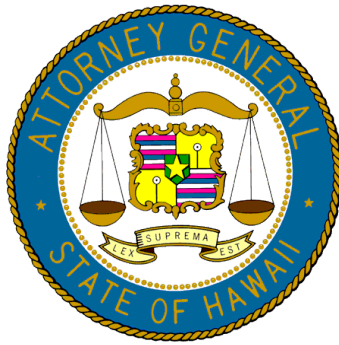


# Gun Violence and Prevention in Hawaii: Landscape & Findings

May 2024



Department of the Attorney General  
Crime Prevention and Justice Assistance Division



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## PART I: INTRODUCTION

The Gun Violence and Prevention in Hawaii Report: Landscape & Findings (Landscape Report) provides an overview of the complexity of gun violence and prevention in Hawaii. The Landscape Report is intended to be used as a resource by the Firearm Crisis Intervention Advisory Board (Board) to guide discussion and decision-making on the use of the U.S. Department of Justice, Byrne State Crisis Intervention Program (SCIP) funds. The Board, as required by SCIP, consists of representatives from law enforcement, the community, courts, prosecution, behavioral health providers, victim services, and legal counsel. A member of the Board shared that this subject can be politically and emotionally polarizing. Maintaining objectiveness in addressing gun violence and gun violence prevention, that may be perceived as a form of gun control, is an on-going effort.

The Board has defined “gun violence” as any use or threatened use of a firearm to self or others. Per Hawaii Revised Statutes (HRS), Section 134-1 Definitions, “‘Firearm’ means any weapon, for which the operating force is an explosive, including but not limited to pistols, revolvers, rifles, shotguns, automatic firearms, noxious gas projectors, mortars, bombs, and cannon.”

The Landscape Report includes information on Hawaii gun laws, the extent of gun violence in Hawaii (data on Hawaii violent crime and the use of firearms, gun violence involving juveniles, gun violence and significant other-current or former, firearm suicide, line of duty deaths, mass violence), and efforts to reduce and/or prevent gun violence. The data sources include: Department of the Attorney General, Department of Health, Hawaii State Judiciary, Department of Law Enforcement, Honolulu Police Department, and other organizations, including but not limited to, Giffords Law Center to Prevent Gun Violence, RAND Corporation, Gun Violence Archive, Centers for Disease Control and Prevention, and Advanced Law Enforcement Rapid Response Training Center at Texas State University.

The Landscape Report has several caveats:

- Data on gun violence or the use of a firearm in the commission of a crime is not readily available across all crimes. Data is available on homicide (murder), robbery, and aggravated assault and is not available on drug offenses and simple assaults that include stalking, intimidation, coercion, and hazing.
- Data from the Gun Violence Archive (GVA) is copyrighted. GVA’s data aggregation is proprietary, and the GVA data is not in the public domain or subject to Creative Common licensing.
- To complete the Landscape Report in a timely manner, the information used could not be verified/cross checked. For example, Hawaii data queried from the GVA may include other gun violence that otherwise would not be included. GVA states that suicides are not part of its normal data collection procedures, but murder-suicides and suicides associated with officer involved incidents are included. Yet, the Hawaii data included two incidents that were suicides, and

neither were murder-suicide or officer involved suicide. When discrepancies were found, the data used in the Landscape Report was adjusted accordingly and a notation was made.

- Due to time and resource limitations, the Landscape Report provides a general (versus complete) picture of gun violence and prevention in Hawaii.

## PART II: FINDINGS

The findings in the Landscape Report include:

- When compared to other states, Hawaii ranks low for gun violence. Gun violence includes suicides, homicides, shootings by police, and unintentional deaths.
- Several national advocacy organizations that study gun laws and the correlation to gun violence indicate that Hawaii's comprehensive gun laws make a difference in preventing gun violence.
- Prevention, detection, awareness, and response to red flags that someone poses a risk to themselves or public safety are on-going challenges.
- Johns Hopkins Bloomberg School of Public Health, *Firearm Purchaser Licensing Laws Linked to Fewer Fatal Mass Shootings*<sup>1</sup> 2020 report states that firearm purchaser licensing laws (that include background checks and waiting periods) are associated with fewer fatal mass shootings. Previous Johns Hopkins Bloomberg School of Public Health research shows that these same laws are associated with reduction in rates of firearm homicides and suicides.
- Hawaii's FBI Uniform Crime Report, Violent Index Crimes for 2020 and 2019 (the most recent data available) reflect that firearms were the least used weapon at 13.5% and 12.8% in 2020 and 2019, respectively. In contrast, strongarm weapons (hands, fists, feet, etc.) were the most used weapon at 38% and 41% in 2020 and 2019, respectively. Violent crimes include murders, robberies, and aggravated assaults.
- The Gun Violence Archive (GVA), an online archive of gun violence incidents collected from over 7,500 law enforcement, media, government and commercial sources, Hawaii data from 2014 to 2023 reflects that:
  - there were 553 gun violence incidents, of which 129 victims were killed, 221 victims were injured, 74 suspects were killed, 24 suspects were injured, and 302 suspects were arrested;

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<sup>1</sup> Johns Hopkins Bloomberg School of Public Health, viewed October 28, 2023, February 12, 2020 <https://publichealth.jhu.edu/2020/firearm-purchaser-licensing-laws-linked-to-fewer-fatal-mass-shootings>

- the highest number of gun violence incidents occurred in 2016 (70 incidents) and in 2018 (76 incidents).
- GVA Hawaii data covering 2021 to 2023, reflects that areas on Oahu with a Honolulu zip code have the largest number of gun violence incidents at 60 incidents, followed by Waianae at 20 incidents. For 2021 to 2023, the most frequent incidents in areas outside of Oahu were in Hawaii County: Ocean View (4 incidents), Pahoa (4 incidents) and Mountain View (2 incidents).
- News stories on gun violence involving juveniles in Hawaii are of particular concern when the reporting is presented with poor use of data, unclear use of terms such as gun deaths and young people, and with generalized statements on gangs. A greater sense of fear and concern in the community is created that gun violence in Hawaii is growing when the news stories are not well researched and written.
- In Hawaii, the youngest victims of gun violence are victims of domestic violence. Gun violence involving juveniles for the period covering 2014 to 2023 accounted for 21 incidents. Two incidents involved the deaths of the youngest victims: a murder-suicide (a father and his 3-year-old son), and a family annihilator (a father who killed his wife and two young children, a 5-year-old son and 7-year-old daughter).
- Of the 14 gun violence incidents in Hawaii for the period 2014 to 2023, involving significant other-current or former, 9 incidents (64%) were murder-suicide. Of the 9 murder-suicide incidents, 3 incidents (33%) involved suspects in the 80- to 99-year-old age group and appeared to be mercy killings.
- While Hawaii's firearm suicide rate is consistently lower than most states, the numbers do reflect a troubling picture. Suicides are the leading cause of fatal injuries among Hawaii residents, accounting for 25% of the total; and suicides make up 65% of all firearm deaths. Only 31% of decedents from suicide with mental health problems were receiving treatment, and this proportion was much lower for residents of Hawaii, Kauai, and Maui Counties (8%), compared to those living on Oahu (40%). Greater access to and available mental health services and crisis support systems are needed to reduce suicides (including firearm suicides) in Hawaii, Kauai, and Maui Counties.
- The Hawaii State Coalition Against Domestic Violence and The Judiciary are mapping the processes and intersections between firearm acquisition (gun permit, purchase, registration) and the domestic violence protective order process (including notice to respondent of disqualification of possessing firearms; respondent relinquishing firearms). The map identifies the system steps/processes, agencies that are involved, applicable laws, and questions and/or gaps in the system.

- As of March 2023, The Judiciary found one case where a petition for a Gun Violence Protective Order (GVPO) was filed. The petition was denied, and the matter deemed moot in March 2020 as the court had granted a 10-year protective order in a related domestic violence case which included a gun prohibition.
- Hawaii does not have a dedicated GVPO office, program, or staff. There are no GVPO navigators to assist petitioners with what the process is, what the order provides, and information on resources specific to GVPO.
- In February 2024, the Hawaii Office of Homeland Security (OHS) released its Targeted Violence Prevention (TVP) Strategy Implementation Plan; to be implemented in the next three years to mitigate violence within the State.
- Hawaii has one known non-profit organization based on Oahu, Adult Friends for Youth, that meets the criteria for the U.S. Department of Justice Community Violence Intervention approach that focuses on high-risk individuals, gun violence, specific violent crime problems, as well as historical and structural challenges that often result in community violence.
- Hawaii does not have a public awareness campaign on responsible gun ownership and safely securing guns that could mitigate suicides with firearms and accidental deaths due to firearms.

## PART III: HAWAII GUN LAWS

Hawaii has some of the most comprehensive gun laws in the nation. Hawaii Revised Statutes (HRS), Chapter 134, Firearms, Ammunition and Dangerous Weapons, includes Part I. General Regulations, Part II. Firearms, Dealers’ Licenses, Part III. Dangerous Weapons, Part IV. Gun Violence Protective Orders, and Part V. Electric Guns. Each part and its sections are listed in the table below.

HRS Section 134-1 Definitions. “‘Firearm’ means any weapon, for which the operating force is an explosive, including but not limited to pistols, revolvers, rifles, shotguns, automatic firearms, noxious gas projectors, mortars, bombs, and cannon.”

HRS CHAPTER 134 FIREARMS, AMMUNITION AND DANGEROUS WEAPONS	
<p><b>Part I. General Regulations</b></p> <p><a href="#">134-1</a> Definitions</p> <p><a href="#">134-2</a> Permits to acquire</p> <p><a href="#">134-2.5</a> Permits for motion picture films or television program production</p> <p><a href="#">134-3</a> Registration, mandatory, exceptions</p> <p><a href="#">134-3.5</a> Disclosure for firearm permit and registration purposes</p> <p><a href="#">134-4</a> Transfer, possession of firearms</p> <p><a href="#">134-5</a> Possession by licensed hunters and minors; target shooting; game hunting</p> <p><a href="#">134-6</a> Repealed</p> <p><a href="#">134-6.5</a> Relief from federal firearms mental health prohibitor</p> <p><a href="#">134-7</a> Ownership or possession prohibited, when; penalty</p> <p><a href="#">134-7.2</a> Prohibition against seizure of firearms or ammunition during emergency or disaster; suspension of permit or license</p> <p><a href="#">134-7.3</a> Seizure of firearms upon disqualification</p> <p><a href="#">134-7.5</a> Seizure of firearms in domestic abuse situations; requirements; return of</p> <p><a href="#">134-8</a> Ownership, etc., of automatic firearms, silencers, etc., prohibited; penalties</p> <p><a href="#">134-8.5</a> Bump fire stock, multiburst trigger activator, or trigger crank; prohibition</p> <p><a href="#">134-9</a> Licenses to carry other than pistols and revolvers; penalty</p> <p><a href="#">134-10</a> Alteration of identification marks</p>	<p>prohibited</p> <p><a href="#">134-10.2</a> Manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number; penalty</p> <p><a href="#">134-10.5</a> Storage of firearm; responsibility with respect to minors</p> <p><a href="#">134-11</a> Exemptions <a href="#">134-12</a> Repealed</p> <p><a href="#">134-12.5</a> Forfeiture of firearms, ammunition, deadly or dangerous weapons, and switchblade knives; when</p> <p><a href="#">134-13</a> Revocation of permits</p> <p><a href="#">134-14</a> Report</p> <p><a href="#">134-15</a> Restriction of materials for manufacture of pistols or revolvers</p> <p><a href="#">134-16</a> Repealed</p> <p><a href="#">134-17</a> Penalties</p> <p><a href="#">134-18</a> Qualified immunity for physicians, psychologists, or psychiatrists who provide information on permit applicants</p> <p><a href="#">134-21</a> Carrying or use of firearm in the commission of a separate felony; penalty</p> <p><a href="#">134-22</a> Possession of a firearm with intent to facilitate the commission of a felony drug offense; penalty</p> <p><a href="#">134-23</a> Place to keep loaded firearms other than pistols and revolvers; penalty</p> <p><a href="#">134-24</a> Place to keep unloaded firearms</p> <p><a href="#">134-25</a> Place to keep pistol or revolver; penalty</p> <p><a href="#">134-26</a> Carrying or possessing a loaded</p>



<p><a href="#">134-27</a> Place to keep ammunition; penalty</p> <p><a href="#">134-28</a> Explosive devices; prohibitions; penalty</p> <p><a href="#">134-29</a> Reporting lost, stolen, or destroyed firearms; Penalties</p> <p><b>Part II. Firearms, Dealers' Licenses</b></p> <p><a href="#">134-31</a> License to sell and manufacture firearms; fee</p> <p><a href="#">134-32</a> License to sell and manufacture firearms; conditions</p> <p><a href="#">134-33</a> Punishment for violations of section <a href="#">134-32</a></p> <p><a href="#">134-34</a> National emergency, when</p> <p><b>Part III. Dangerous Weapons</b></p> <p><a href="#">134-51</a> Deadly weapons; prohibitions; penalty</p> <p><a href="#">134-52</a> Switchblade knives; prohibitions; penalty</p> <p><a href="#">134-53</a> Butterfly knives; prohibitions; penalty</p> <p><b>Part IV. Gun Violence Protective Orders</b></p> <p><a href="#">134-61</a> Definitions</p> <p><a href="#">134-62</a> Court jurisdiction</p> <p><a href="#">134-63</a> Commencement of action; forms</p> <p><a href="#">134-64</a> Ex parte gun violence protective order</p> <p><a href="#">134-65</a> One-year gun violence protective order issued after notice and hearing</p> <p><a href="#">134-66</a> Termination and renewal</p> <p><a href="#">134-67</a> Relinquishment of firearms and ammunition</p>	<p>firearm on a public highway; penalty</p> <p><a href="#">134-68</a> Return and disposal of firearms or ammunition</p> <p><a href="#">134-69</a> Reporting of order to Hawaii criminal justice data center</p> <p><a href="#">134-70</a> Penalties</p> <p><a href="#">134-71</a> Law enforcement to retain other authority</p> <p><a href="#">134-72</a> Lack of liability for failure to seek order</p> <p><b>Part V. Electric Guns</b></p> <p><a href="#">134-81</a> Definitions</p> <p><a href="#">134-82</a> Restrictions on use, sale, offer for sale, distribution, and transfer of electric guns and cartridges</p> <p><a href="#">134-83</a> License to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges; fee</p> <p><a href="#">134-84</a> Sale, offer for sale, distribution, or transfer of electric guns or cartridges</p> <p><a href="#">134-85</a> Disposal of electric gun or cartridge</p> <p><a href="#">134-86</a> Ownership or possession prohibited</p> <p><a href="#">134-87</a> Exemptions</p> <p><a href="#">134-88</a> Storage of electric gun; responsibility with respect to minors</p> <p><a href="#">134-89</a> Carrying or use of electric gun in the commission of a separate misdemeanor</p> <p><a href="#">134-90</a> Carrying or use of electric gun in the commission of a separate felony</p>
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Hawaii’s long-standing limits on open (public gun) carry laws preceded Hawaii becoming a state in 1959, where such limits to open carry were established under the Hawaii Kingdom. Hawaii Attorney General Holly Shikada’s legal opinion dated July 7, 2022 to Hawaii Governor David Ige on the ‘Public Carry Licensing Under Hawaii Law Following New York State Rifle & Pistol Association v. Bruen’ states, “Hawai‘i law – in recognition of the potential risks to public safety – has imposed limits on the public carry of firearms for over 150 years.”

Hawaii’s conceal carry laws were revised in response to the U.S. Supreme Court, June 23, 2022 ruling on New York State Rifle & Pistol Association v. Bruen. Senate Bill 1230, SD2, HD2, CD1, a Bill for an Act Relating to Firearms was enacted (as Act 52,

Session Laws of Hawaii 2023) by Governor Josh Green on June 2, 2023. Act 52 provides that HRS Chapter 134, is amended by adding seven new sections to Part I that includes:

- §134-9.1 Carrying or possessing a firearm in certain locations and premises prohibited; penalty;
- §134-9.2 Duty to maintain possession of license while carrying a firearm; duty to disclose; penalty;
- §134-9.3 Leaving unsecured firearm in vehicle unattended; penalty;
- §134-9.4 Unlawful conduct while carrying a firearm; penalty;
- §134-9.5 Carrying or possessing a firearm on private property of another person without authorization; penalty;
- §134-9.6 Annual report on licenses to carry; and
- §134-9.7 Failure to conceal a firearm by a concealed carry licensee; penalty.

Several national advocacy organizations that study gun laws and the correlation to gun violence indicate that Hawaii’s comprehensive gun laws make a difference in preventing gun violence. Everytown for Gun Safety (EGS) has ranked Hawaii #3 in the country for gun laws strength. EGS states<sup>2</sup>, “*Hawaii has some of the strongest gun laws in the country and leads the nation with the lowest rate of gun deaths a year. Among many of its life saving laws, the state has a law that requires gun purchasers to obtain a license and complete a [firearm safety course](#).*”

The Giffords Law Center to Prevent Gun Violence (Giffords)<sup>3</sup> has graded Hawaii an A-, a grade defined by the State’s gun law strength (Hawaii ranks 5 out of 50), gun death rate, and gun deaths per 100,000. Giffords states, “*Hawaii has taken courageous steps to protect its residents, enacting some of the strongest gun laws in the country and setting an example for other states.*”

The RAND Corporation published, *What Science Tells Us About the Effects of Gun Policies* (Updated January 10, 2023)<sup>4</sup>, as part of the RAND Gun Policy in America Initiative. RAND studied gun policies against available research and found that there was little research and so many of the findings on the impact of gun policies were inconclusive or limited.

RAND reported that for the policies where the strength of evidence was ‘Moderate’- “two or more studies found significant effects in the same direction, and contradictory evidence was not found in other studies with equivalent or stronger methods,” they were for the following:

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<sup>2</sup> Everytown for Gun Safety, viewed October 28, 2023 <https://everytownresearch.org/rankings/state/hawaii/>

<sup>3</sup> Giffords Law Center to Prevent Gun Violence, viewed October 28, 2023, <https://giffords.org/lawcenter/gun-laws/states/hawaii/>

<sup>4</sup> RAND Corporation, viewed April 29, 2024 <https://www.rand.org/research/gun-policy/key-findings/what-science-tells-us-about-the-effects-of-gun-policies.html>

#### Policies Regulating Who May Legally Own, Purchase, or Possess Firearms:

- There is moderate evidence that:
  - \* minimum age requirements for purchasing a firearm decrease firearm suicides among young people;
  - \* prohibitions associated with domestic violence decrease intimate partner homicides; and
  - \* surrender of firearms with expanded classes of prohibited possessors decreases firearm-involved intimate partner homicides.

#### Policies Regulating Firearm Sales and Transfers:

- There is moderate evidence that:
  - \* background checks decrease total homicides and firearm homicides and;
  - \* waiting periods decrease firearm suicides and total homicides.

The Rand Corporation identified policies where the strength of evidence was ‘Supportive’- “At least three studies not compromised by serious methodological weaknesses found suggestive or significant effects in the same direction using at least two independent data sets,” they were for the following:

#### Policies Regulating the Legal Use, Storage, or Carrying of Firearms:

- There is supportive evidence that child-access prevention laws decrease:
  - \* firearm suicides among young people;
  - \* unintentional firearm injuries and deaths for children; and
  - \* firearm homicides or firearm assault injuries among young people.
- There is supportive evidence that shall-issue concealed-carry laws increase total homicides and firearm homicides.
- There is supportive evidence that stand-your-ground laws increase firearm homicides.

Most of RAND’s findings on gun policies that resulted in moderate or supportive outcomes are covered in Hawaii’s gun laws.

Johns Hopkins Bloomberg School of Public Health, *Firearm Purchaser Licensing Laws Linked to Fewer Fatal Mass Shootings*<sup>5</sup> 2020 report states that firearm purchaser licensing laws (that includes background checks and waiting periods) are associated with fewer fatal mass shootings. Previous Johns Hopkins Bloomberg School of Public Health research shows that these same laws are associated with reduction in rates of firearm homicides and suicides. It was noted that “*Nine states—Connecticut, Hawaii, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York, North Carolina—and the*

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<sup>5</sup> Johns Hopkins Bloomberg School of Public Health, viewed October 28, 2023, February 12, 2020 <https://publichealth.jhu.edu/2020/firearm-purchaser-licensing-laws-linked-to-fewer-fatal-mass-shootings>

*District of Columbia currently have some form of firearm purchaser or owner licensing laws.”*

## **PART IV: THE EXTENT OF GUN VIOLENCE IN HAWAII**

When compared to other states, Hawaii ranks low for gun violence. Gun violence includes suicides, homicides, shootings by police, and unintentional deaths. Giffords ranked Hawaii 49 out of 50 in gun death rate and reported Hawaii’s gun death per 100,000 at 4.8. In comparison: Massachusetts is ranked 50 out of 50 in gun death rate with gun death per 100,000 at 3.4; Mississippi is ranked 1 out of 50 in gun death rate with gun death per 100,000 at 33.9.

### **A. Violent Crime and Use of Firearms**

The U.S. Department of Justice, Federal Bureau of Investigation (FBI), Uniform Crime Reporting (UCR) Program generates reliable statistics for use by law enforcement. Hawaii’s UCR data is collected by the Hawaii Department of the Attorney General, Research and Statistics Branch with data provided by the Hawaii, Honolulu, Kauai, and Maui Police Departments. The data from the UCR Program includes violent crimes (murder/non-negligent manslaughter, forcible rape, robbery, and aggravated assault) and the type of weapon used during the commission of the crime.

Below are the Hawaii highlights for 2020 and 2019 UCR Violent Crime Index, the most current data available.

#### **2020 Highlights**

- There were 3,642 violent Index Crimes reported statewide, yielding a rate of 258 offenses per 100,000 residents. Hawaii’s violent Index Crime rate in 2020 was 3.1% lower than the rate reported in 2019, and 2.7% higher than the rate reported in 2011.
- In 2020, the rate of reported offenses for two violent crimes decreased in the State of Hawaii: robbery, by 19.0% to reach a record low level; and rape, by 8.0%. The rate of reported offenses for the other two violent crimes increased: murder, by 9.0%; and aggravated assault, by 6.7%.
- In 2020, two police officers from the Honolulu Police Department were killed in the line of duty in the State of Hawaii, and 282 police officers were assaulted, yielding a rate of 9.7 assaults per 100 officers.
- Thirty-nine murders were reported statewide in 2020. Males comprised 90.5% of the alleged murder offenders and 71.8% of the victims. Approximately 42.0% of the murder victims knew the offenders, and firearms were used in 17 (43.6%) of the murders.

- Of the 3,057 murders, robberies, and aggravated assaults reported statewide in 2020, 38.0% were committed using strongarm weapons; 29.1% with “other” or unknown weapons; 19.4% with knives or other edged weapons; and 13.5% with firearms.

## 2019 Highlights

- There were 3,782 violent Index Crimes reported statewide in 2019, yielding a rate of 267 offenses per 100,000 residents. Hawaii’s violent Index Crime rate in 2019 was 3.8% higher than the rate reported in 2018, and 0.8% below the rate reported in 2010.
- In 2019, the rate of reported offenses for one violent crime decreased in the State of Hawaii: rape, by 10.9%. The rate of reported offenses for the other three violent crimes increased: murder, by 0.3%; robbery, by 13.7%; and aggravated assault, by 4.5%.
- In 2019, no police officers were killed in the line of duty in the State of Hawaii and 283 police officers were assaulted in the line of duty, yielding a rate of 10.2 assaults per 100 officers.
- Thirty-six murders were reported statewide in 2019. Males comprised 88.0% of the alleged murder offenders and 61.0% of the victims in 2019. Approximately 56.7% of the murder victims knew the offenders, and “other” or unknown weapons were used in 33.3% of the murders. Firearms were used in 8 (22.2%) of the 36 murders.
- Of the 3,142 murders, robberies, and aggravated assaults reported statewide in 2019, 41.0% were committed using strongarm weapons; 28.9% with “other” or unknown weapons; 17.3% with knives or other edged weapons; and 12.8% with firearms.

For 2020 and 2019, the number of firearms used in the commission of a violent crime including murder was less than the number of strongarm weapons, less than the number of knives or other edged weapons, and less than the number of other or unknown weapon.

For information on UCR data on Homicide and Other Violent Crimes by County, refer to Appendix A.

The Gun Violence Archive (GVA) is an online archive of gun violence incidents collected from over 7,500 law enforcement, media, government and commercial sources daily in an effort to provide near-real time data about the results of gun violence. The GVA Hawaii data covers 2014 to 2023 and includes 553 entries/incidents. Suicides are not part of GVA’s normal data collection procedures however, GVA collects data on suicides associated with officer involved incidents and murder-suicides.

Below is the Hawaii GVA data for 2021 to 2023, specifically the number of incidents, victims killed, victims injured, suspects killed, suspects injured, and suspects arrested. Also included are summaries of incidents and whether one or more victims were killed, whether one or more victims were injured, and the most frequent city or county locations incidents occurred.

For Hawaii GVA data for 2021 to 2023, Honolulu had the largest number of incidents. Hawaii County had a significantly lower number of incidents than Honolulu, however, compared to Kauai and Maui Counties, Hawaii County had the largest number of incidents in the districts of Ocean View, Mountain View, and Paho. For comparison, the Hawaii GVA data for 2014 (data from 10 years ago) is also listed.

**Gun Violence Archive - Hawaii Data  
Gun Violence Incidents for 2021 to 2023 & 2014**

**Calendar Year 2021**

No. of incidents	58
Victims killed	13
Victims injured	28
Suspects killed	10
Suspects injured	2
Suspects arrested	22

- 13 incidents resulted in 1 victim killed.
- 4 incidents resulted in more than 1 victim injured; 19 incidents resulted in 1 victim injured.

Most Frequent City or County listed:	Honolulu (24 incidents)
Next Frequent City or County listed:	Waianae (9 incidents)
Most Frequent Outside of Oahu:	Paho (4 incidents)

**Calendar Year 2022**

No. of incidents	41
Victims killed	15
Victims injured	27
Suspects killed	5
Suspects injured	3
Suspects arrested	19

- 15 incidents resulted in 1 victim killed.
- 3 incidents resulted in more than 1 victim injured; 19 incidents resulted in 1 victim injured.

Most Frequent City or County listed: Honolulu (16 incidents)  
Next Frequent City or County listed: Ewa Beach (4 incidents) &  
Waianae (4 incidents)  
Most Frequent Outside of Oahu: Mountain View (2 incidents)

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### Calendar Year 2023

No. of incidents	50
Victims killed	17
Victims injured	36
Suspects killed	9
Suspects injured	2
Suspects arrested	22

- 16 incidents resulted in 1 victim killed, 1 incident resulted in 2 victims killed.
- 5 incidents resulted in more than 1 victim injured; 24 incidents resulted in 1 victim injured.

Most Frequent City or County listed: Honolulu (20 incidents)  
Next Frequent City or County listed: Waianae (7 incidents)  
Most Frequent Outside of Oahu: Ocean View (4 incidents)

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### Calendar Year 2014

No. of incidents	25
Victims killed	6
Victims injured	11
Suspects killed	2
Suspects injured	2
Suspects arrested	9

- 6 incidents resulted in 1 victim killed.
- 11 incidents resulted in 1 victim injured.

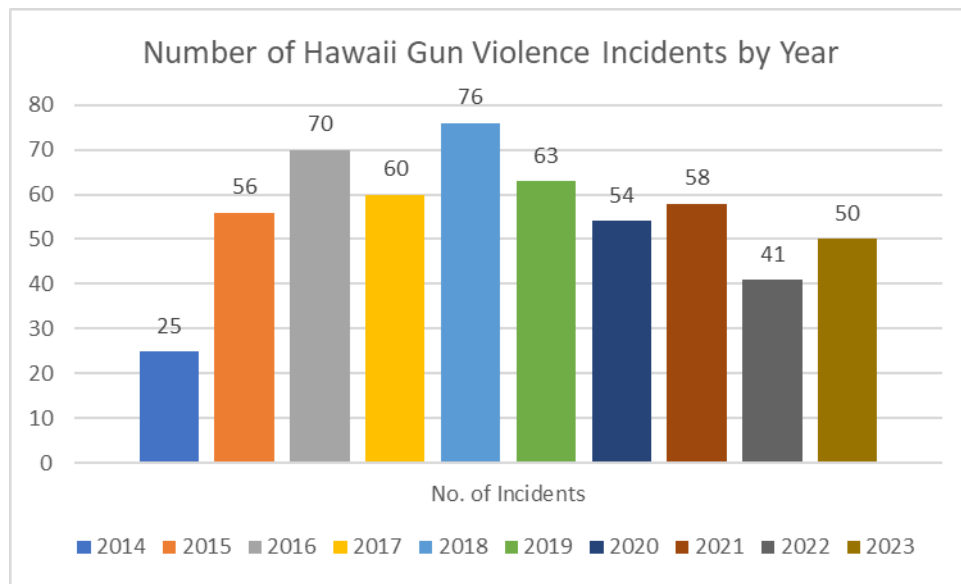
Most Frequent City or County listed: Honolulu (8 incidents)  
Next Frequent City or County listed &  
Most Frequent Outside of Oahu: Mountain View (2 incidents)  
Captain Cook (2 incidents)  
Holualoa (2 incidents)

The table below is a listing of GVA data for 2014 to 2023. The year with the lowest number of incidents for Hawaii was 2014; GVA began its data collection in 2014. In comparison, 2016 and 2018 had the highest number of incidents at 70 and 76 incidents respectively, with 42 and 34 suspects arrested. For incidents that occurred in 2015, there

was a high percentage of suspects arrested with 51 suspects arrested out of the 56 incidents. Currently, there is no upward trend in the number of incidents/year since 2018.

The use of an assault rifle (AR-15, AK-47, and all variants defined by law enforcement) was identified in 5 incidents. The data does not reflect any particular trend such as an increase in the number of incidents from year to year.

Gun Violence Archive - Hawaii Data 2014 to 2023										
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
No. of Incidents	25	56	70	60	76	63	54	58	41	50
Victims killed	6	8	24	5	14	12	15	13	15	17
Victims injured	11	23	13	19	21	20	23	28	27	36
Suspects killed	2	4	10	3	17	11	3	10	5	9
Suspects injured	2	3	4	1	3	2	2	2	3	2
Suspects arrested	9	51	42	36	34	37	30	22	19	22



Gun Violence Archive - Hawaii Data – Use of Assault Rifle 2014 to 2023										
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
No. of Incidents	-	-	1	1	1	1	-	-	1	-
Victims killed	-	-	-	1	-	2	-	-	1	-
Victims injured	-	-	-	2	-	1	-	-	-	-
Suspects killed	-	-	-	-	-	1	-	-	-	-



Suspects injured	-	-	-	-	-	-	-	-	-	-
Suspects arrested	-	-	1	1	-	-	-	-	-	-

(-) denotes 0

## B. Gun Violence Involving Juveniles

For the period 2014 to 2023, the largest number of gun violence incidents involving juvenile incidents occurred in 2023. There were no incidents reported for 2020 and 2018.

<u>Year</u>	<u>No. of Incidents</u>
2023	6
2022	4
2021	1
2020	0
2019	1
2018	0
2017	1
2016	3
2015	3
2014	2

For the 6-year period covering 2014 to 2019, 10 incidents were recorded. Honolulu was the most frequent city of gun violence involving a juvenile with 3 incidents, followed by Pahoa with 2 incidents. Of the 10 incidents recorded from 2014 to 2019:

- 4 juveniles were fatally injured with the youngest victim a 5-year-old male,
- 2 juveniles were injured,
- no juvenile suspects were killed or were arrested for murder,
- 3 juveniles were arrested for possession of a firearm in 3 different incidents, and
- 2 juveniles were accidentally shot (self-inflicted), with 1 resulting in a fatal injury.

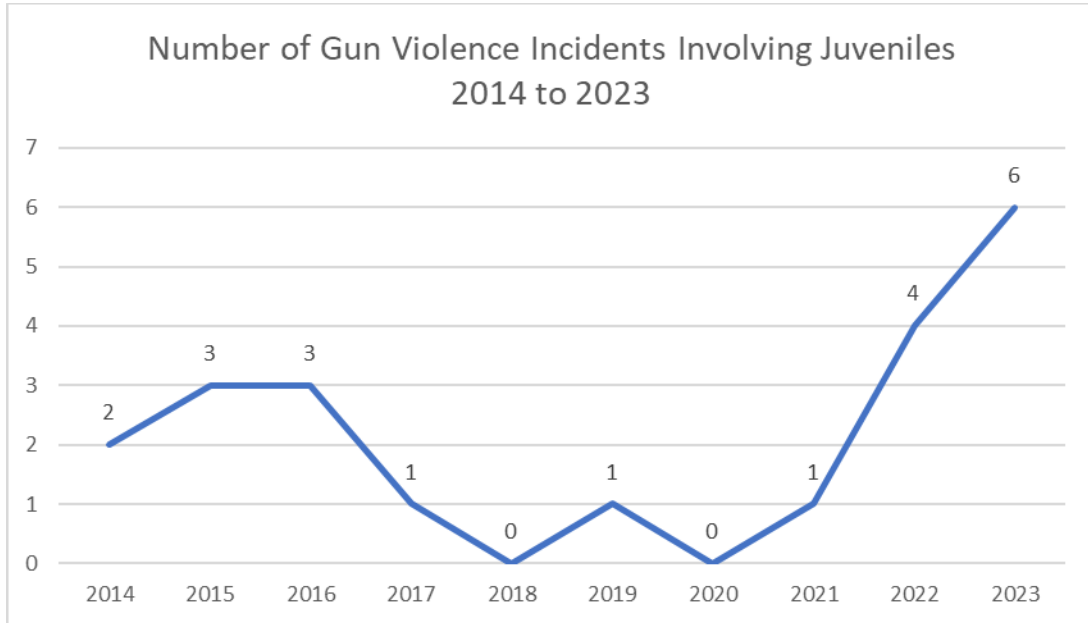
For the 3-year period covering 2021 to 2023, 11 incidents involving juveniles were reported by GVA. The incidents included police-involved shooting, drive-by shooting, accidental shooting, shooting involving family/acquaintances, shooting for unknown reasons, illegal possession of a firearm, and other.

Similar to the 2021, 2022, and 2023 GVA firearm data in the preceding pages, Honolulu was the most frequent city of gun violence involving a juvenile with 5 incidents, followed by Waianae with 3 incidents. Of the 11 incidents recorded from 2021 to 2023:

- 3 juveniles were fatally injured with the youngest victim a 3-year-old male,
- 5 juveniles were injured,
- 1 juvenile suspect was killed,
- 2 juvenile suspects were arrested for murder, and 1 juvenile was arrested for bringing a gun to school, and
- 1 juvenile was accidentally killed.

Three incidents found in the GVA for this period were not added in this report, specifically an incident related to a double suicide involving an adult and juvenile, and two incidents related to BB guns but no firearms.

The 21 incidents for the period covering 2014 to 2023, reflect that the youngest victims of gun violence are victims of domestic violence. In the 2 incidents involving the deaths of the youngest victims, 1 incident involved a murder-suicide (a father and his 3-year-old son), and 1 incident was a family annihilator, a father who killed his wife and two young children, a 5-year-old son and 7-year-old daughter.



The following table provides a summary of the incidents involving juveniles from 2021 to 2023.

Month/Year	City	Incident
Jul-23	Honolulu	A shooting in Kalihi that left a 20-year-old man in critical condition. A 15-year-old male was also injured.
Jun-23	Waianae	17-year-old female was with three other people in Maili when a gray SUV pulled up and a group of men exited the car, and one male from the group shot at the four, striking the female in the head.
May-23	Kapolei	12-year-old male brought a gun to Kapolei Middle School, causing a brief lock down of the school.
May-23	Waianae	16-year-old male shot and fatally injured 17-year-old over a conflict between the two in Makaha.
Apr-23	Waianae	23-year-old man was charged with murder, attempted murder and firearm offenses in connection with the mass

Month/Year	City	Incident
		shooting at a Maili cockfight that killed two and wounded three others. Petitions were filed against a 16-year-old male for all the same charges.
Apr-23	Honolulu	17-year-old male was critically injured after being shot multiple times in Liliha by an unknown suspect.
Aug-22	Hawi	11-year-old male was accidentally shot and killed at a Boy Scouts campsite.
Jul-22	Honolulu	19-year-old male shot a 17-year old male multiple times during a fight at a public park.
May-22	Honolulu	15-year-old male was shot multiple times by a suspect with a firearm during a fight.
Feb-22	Waialua	3-year-old male and his 37-year old father, died of an apparent murder-suicide, both shot in the chest by the father.
Apr-21	Honolulu	16-year-old male was killed by police during a police stop.

News stories on gun violence and juveniles in Hawaii are of particular concern when the reporting is presented with poor use of data, unclear use of terms such as gun deaths and young people, and with generalized statements on gangs. A greater sense of fear and concern in the community is created that gun violence in Hawaii is growing when the news stories are not well researched and written.

For example, in May 2022, University of Hawaii Criminologist Meda Chesney-Lind was interviewed by a local news station for a story titled, *Criminologists see uptick in gun violence involving Hawaii young people*. The news reported, “between 2010 and 2019, Hawaii saw a 38% increase in gun deaths, and between 2017 and 2022, Oahu saw an 85% increase in murders.”

Ms. Chesney-Lind stated, “I think the main thing is we can no longer assume that Hawaii is immune from the problem of gun violence, the way we had been decades past.” She added, “violent criminals are getting younger and less likely to solve problems with their fists... Our gangs that used to just restrict themselves to knives or just fists or maybe baseball bats have apparently been getting guns and using guns in confrontations.”

The news station then noted the following:

- Two months ago, 19-year-old Nainoa Damon was charged with second-degree murder following a deadly shooting of an 18-year-old man in Tantalus;
- Not too long after, 19-year-old Justice Manumalo Kaio was arrested. He allegedly shot a 20-year-old man in Waikiki; and
- Just recently, 21-year-old Calijah Melvin Maleko was arrested on suspicion of attempted murder after a shooting near Thomas Square Thursday night. Two

*other suspects were booked on suspicion of third-degree assault. The victims were all under the age of 20.*

The following two statements were evaluated for accuracy as cited in the news story:

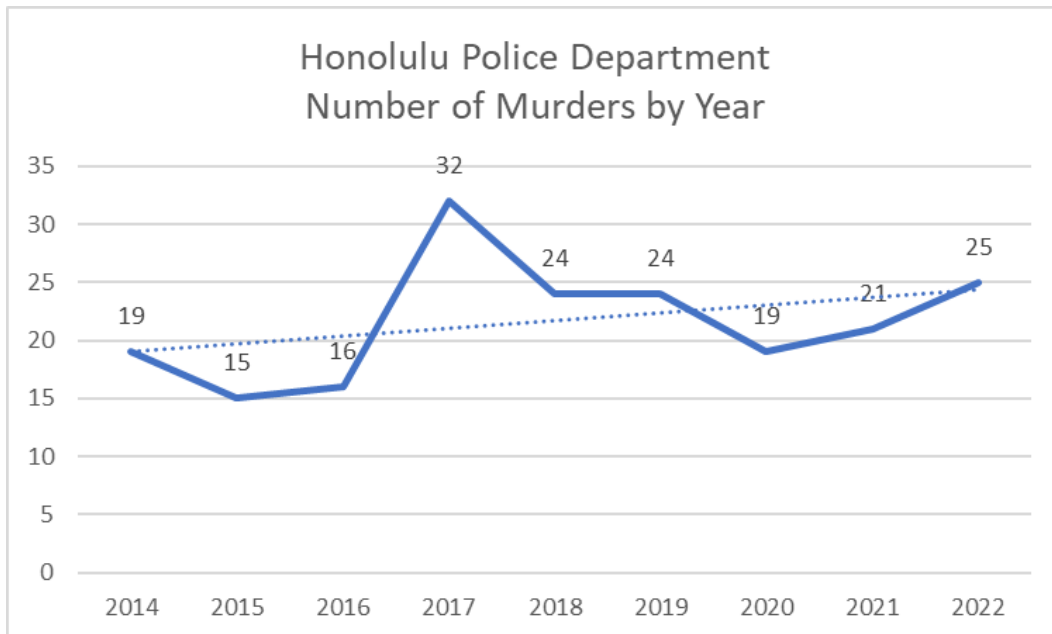
- between 2010 and 2019, Hawaii saw a 38% increase in gun deaths; and
- between 2017 and 2022, Oahu saw an 85% increase in murders.

For the first statement, the information appears correct. The identical statement was found in a 2-page, Everytown for Gun Safety (updated January 2021) summary report<sup>6</sup>. This summary report, however, also noted that, *“In Hawaii, 65% of gun deaths are suicides and 23% are homicides. This is compared to 60% and 38% nationwide, respectively.”* The news story failed to mention that most of the gun deaths cited are suicides.

For the second statement, the information is incorrect. The 2014 to 2022 data on murder from the Honolulu Police Department’s Annual Report<sup>7</sup> is organized in the chart below. The chart reflects:

- 2017, there were 32 murders, the highest number for this period;
- 2015 there were 15 murders, the lowest number for this period;
- 2022, there were 25 murders; and
- Murders between 2017 and 2022 were down by 21.8% (not up by 85%).

As a side note, the HPD data for 2021 and 2022 reflects that no juveniles (less than 18 years old) were arrested for murder.



<sup>6</sup> Everytown for Gun Safety, viewed April 16, 2024, <https://everystat.org/wp-content/uploads/2019/10/Gun-Violence-in-Hawaii-2.9.2021.pdf>

<sup>7</sup> Honolulu Police Department, Annual Report, viewed May 7, 2024, <https://www.honolulu.org/information/annual-report/>

The Department’s Juvenile Justice Information System (JJIS) is a statewide information system that combines juvenile offender information from the police, prosecutors, Family Court, and the Hawaii Youth Correctional Facility for use by the participating agencies in tracking juvenile offenders. JJIS is also the repository for statewide information on runaway and missing children. JJIS does produce reports on juveniles arrested for murder but publishes a data arrest summary in major offense types. Arrests for murder is included in the Weapons/Intimidation Offenses category that includes Terroristic Threatening 1; Weapons Offenses (felony that includes unlawful possession of deadly weapons, such as firearms, explosives); Harassment; and Weapons (misdemeanor). JJIS is unable to query when a juvenile is arrested for murder, which arrests involved a firearm.

HRS Chapter 134, Firearms, Ammunition, and Dangerous Weapons includes Part I. General Regulations, Section 134-7(a), Ownership or possession prohibited, when; penalty. Under this section, it states that “*No person who is a fugitive from justice or prohibited from possessing a firearm or ammunition under title 18 United States Code section 922 or any other provision of federal law shall own, possess, or control any firearm or ammunition.*” Subject to limited exceptions, federal law prohibits the possession (unlawful for a person to sell, deliver or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile) of a handgun or handgun ammunition by any person under the age of 18 [[18 U.S.C. § 922\(x\)\(2\)](#)].

JJIS data search from Fiscal Years 2019 to 2023 for juveniles arrested for violating this section resulted in 3 arrests for FY 2020 and no arrests for FYs 2019, 2021, 2022, and 2023. The arrestees were 3 males, a 14-, 15-, and 16-year-old for the same incident that occurred in Hawaii County.

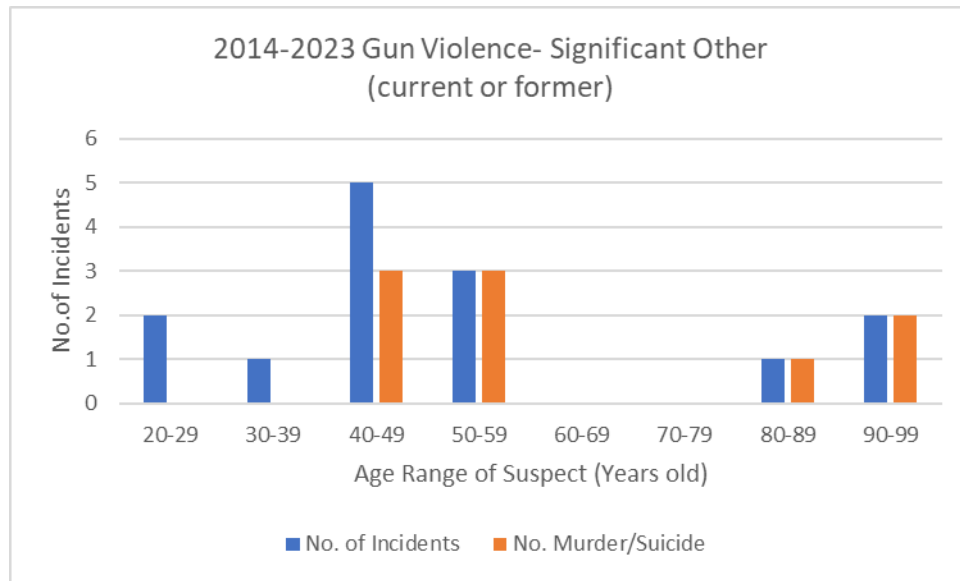
### C. Gun Violence Involving Significant Other- Current or Former

GVA data on Hawaii gun violence involving the suspect’s relationship and the query containing “Significant others-current or former” from 2014 to 2023 reflects 14 incidents. Of the 14 gun violence incidents, 3 incidents occurred in 2023 and 2018, 2 incidents occurred in 2021 and 2016, and 1 incident occurred in 2022, 2019, 2017, and 2015.

Hawaii’s average number of gun violence incidents involving significant other-current or former for this 10-year period is 1.4 incidents per year; however, it should be noted that studies such as Susan Sorenson’s *Guns in Intimate Partner Violence: Comparing Incidents by Types of Weapon*, notes that “... *there appears to be a link: firearm ownership has been associated with batterers’ likelihood of threatening a partner with a gun, a firearm in the home has been associated with batterers’ use of the gun against the partner, and, in a study of 199 abused pregnant women, firearm access was associated*

with more severe abuse. In a study in Canada, firearm access was associated with severity of assault but not because of firearm use.”<sup>8</sup>

Of the 14 gun violence incidents in Hawaii involving significant other-current or former, 9 incidents (64%) were murder-suicide. Of the 9 murder-suicide incidents, 3 incidents (33%) involved suspects in the age range of 80- to 99-year-old and appeared to be mercy killings.



#### D. Firearm Suicide

Quick Facts About Firearm Suicide from The Educational Fund to Stop Gun Violence (now the Johns Hopkins Center for Gun Violence Solutions):

- Nearly 23,000 Americans die by firearm suicide every year.
- More than 60% of gun deaths are suicides.
- Half of all suicides are by firearm.
- Suicide attempts by firearm are almost always deadly – 9 of 10 firearm suicide attempts result in death.
- Access to a firearm in the home increases the odds of suicide more than three-fold.
- The firearm suicide rate in America is 8 times higher than in other industrialized countries.

The Centers for Disease Control and Prevention, National Center for Health Statistics, reflects that Hawaii’s 2020 firearm injury death rate is 3.4 (per 100,000) or 50 deaths, ranking Hawaii as the lowest firearm injury death rate in the nation. Hawaii’s 2021

<sup>8</sup> Sorenson SB. Guns in intimate partner violence: Comparing incidents that involve a gun, other weapon, or no weapon. *Journal of Women’s Health*, 2017;26(3):249-258.

firearm injury death rate increased from 2020 and is 4.8 (per 100,000) or 71 deaths, placing Hawaii as the second lowest firearm injury death rate in the nation.

The Prevent Firearm Suicide, a project of the Educational Fund to Stop Gun Violence, provides the following Hawaii data:

- Suicides make up 65% of all firearm deaths.
- Nearly 1 in 5 suicides are by firearm.
- In 2019, there were 41 firearm suicide deaths.
- Hawaii's firearm suicide rate has been consistently lower than most states, in 2019, Hawaii had the 4th lowest firearm suicide rate in the country.
- The majority of suicide decedents are males.
- White males in particular are disproportionately impacted by firearm suicide.
- Asian/Pacific Islander males have the second highest firearm suicide rate in the State.

While the State's firearm suicide rate is consistently lower than most states, the numbers indicate a troubling picture. Suicides are the leading cause of fatal injuries among Hawaii residents, accounting for 25% of the total; and suicides make up 65% of all firearm deaths. Only 31% of decedents from suicide with mental health problems were receiving treatment, and this proportion was much lower for residents of Hawaii, Kauai, and Maui Counties (8%), compared to those living on Oahu (40%).

The Hawaii Department of Health, Hawaii Injury Prevention Plan (HIPP) 2018-2023 identifies four core focus areas: drowning prevention, fall prevention among older adults, suicide prevention, and traffic safety. For the focus area on suicide prevention, HIPP defines the "Magnitude of the Problem" and provides "Recommended Strategies."

#### *Suicide Prevention: Magnitude of the Problem<sup>9</sup>*

Suicides were the leading cause of fatal injuries among Hawaii residents, accounting for 25% of the total. (Drug poisonings would be the leading mechanism, if intent was not taken into account.) The number of fatalities varied inconsistently over the 5-year period from 2013 to 2017, although the 219 deaths in 2019 was the highest total to date. A commensurate decrease in the number of deaths coded as "undetermined intent" (i.e. generally possible suicides) has also complicated the assessment of trends.

Residents of Oahu had significantly lower mortality or morbidity rates than residents of any other county. Fatality rates among all Neighbor Islands were not significantly different. These findings are consistent with national reports of higher rates, or risk, of suicide among more rural populations. Fatality rates peaked among 20 to 29 year-old Hawaii residents, and progressively decreased

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<sup>9</sup> Hawaii Department of Health, Hawaii Injury Prevention Plan (HIPP) 2018-2023, Page 19.

over the age span. Males comprised 80% of the victims and had significantly higher rates than female residents of nearly every age group.

Related autopsy records documented a history of mental illness for at least two-thirds (68%) of suicide victims, most commonly a “depressed mood” (54%); 24% had a diagnosis of depression. However, only 31% of decedents with a mental health problem were receiving treatment, and this proportion was much lower for residents of Neighbor Islands (8%), compared to those living on Oahu (40%). The most common “life stressors” were “problems” or “crisis” with their intimate partner (17%) or health (17%), with the former more prevalent among younger victims (29%) and the latter more prevalent (43%) among victims 65 years of age and older.

#### *Suicide Prevention: Recommended Strategies<sup>10</sup>*

The Emergency Medical Services and Injury Prevention System Branch (EMSIPSB) places a priority on having injury prevention strategies recommended by a community-driven action plan or informed by key implementing partners. Because a multitude of factors influence individual behavior, the strategies target risk and protective factors, framed across the individual, relationship, community, and policy levels. Refer to Appendix B for HIPP Strategies to Target Risk and Protective Factors.

The Centers for Disease Control defines a firearm injury as a gunshot wound or penetrating injury from a weapon that uses a powder charge to fire a projectile. Weapons that use a powder charge include handguns, rifles, and shotguns. Injuries from air- and gas-powered guns, BB guns, and pellet guns are not considered firearm injuries as these types of guns do not use a powder charge to fire a projectile.

In the context of firearm suicide, it should be noted that there are other types of firearm injuries, which can be fatal or nonfatal<sup>11</sup>:

- Intentionally self-inflicted
  - Includes firearm suicide or nonfatal self-harm injury from a firearm
- Unintentional
  - Includes fatal or nonfatal firearm injuries that happen while someone is cleaning or playing with a firearm or other incidents of an accidental firing without evidence of intentional harm
- Interpersonal violence
  - Includes firearm homicide or nonfatal assault injury from a firearm

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<sup>10</sup> Hawaii Department of Health, Hawaii Injury Prevention Plan (HIPP) 2018-2023, Page 21.

<sup>11</sup> Centers for Disease Control and Prevention, viewed April 12, 2024  
<https://www.cdc.gov/violenceprevention/firearms/fastfact.html>



- Legal intervention
  - Includes firearm injuries inflicted by the police or other law enforcement agents acting in the line of duty
    - For example, firearm injuries that occur while arresting or attempting to arrest someone, maintaining order, or ensuring safety
  - The term *legal intervention* is a commonly used external cause of injury classification. It does not indicate the legality of the circumstances surrounding the death.
- Undetermined intent
  - Includes firearm injuries where there is not enough information to determine whether the injury was intentionally self-inflicted, unintentional, the result of legal intervention, or from an act of interpersonal violence.

## E. Hawaii Line of Duty Deaths<sup>12</sup>

In Hawaii, of the 62 officers that died in the line of duty, 22 deaths (35.4%) were due to gunfire, followed by 13 deaths (20.9%) due to motorcycle crash.

## F. Mass Violence

The terms mass violence and active shooter are often thought of as one and the same. However, an active shooter event may not lead to mass murders. Literature reviews indicate that there is not one universal definition for mass murders or shootings but generally the definition used requires that a minimum number of people be shot or killed (usually three or four). Most of the research on mass violence focuses on workplace violence, school violence, and hate crimes.

The article, *Active-shooter events in the workplace: Findings and policy implications* (May 2017), from the Journal of Business Continuity & Emergency Planning Volume 11, No. 1, provides an “in-depth examination of 105 active shooter events (ASEs) in the workplace that occurred from 2000-2015, which include three main categories: factories and warehouses (26), offices (29), and retail locations (50). Overall, 619 people were shot, and 282 people were killed in ASEs at businesses during this period. Attacks were more likely to occur during standard business hours, with a spike at 7pm. In all but two cases, the ASE involved a single shooter. Most (55%) of the events ended before police arrival. By contrast, 45% of the ASEs ended after police arrival. To promote a safe work environment, business owners and management may consider (1) utilizing a systematic strategy to detect, assess, and manage individuals that may pose a threat to others (threat assessment), (2) training employees how to respond effectively to ASEs, and (3) making physical security changes to buildings (access control).”

Workplace violence occurs everywhere, including Hawaii. On November 2, 1999, eight people were shot in the Xerox building located on Nimitz Highway in Honolulu by a

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<sup>12</sup> Source: Officer Down Memorial Page Link: <https://www.odmp.org/search/browse/hawaii>

service technician employee; wounding seven fatally. The decedents were the shooter's co-workers and his supervisor. To date, this is the largest mass shooting in Hawaii.

Nationally, there is a growing trend of mass violence in public settings. For example, the October 1, 2017, Route 91 Harvest music festival in Las Vegas where a gunman shot and killed 60 people; and resulting in 867 injured; the May 14, 2022, Tops Friendly Market in Buffalo, NY where a gunman shot 13 people and fatally injured 10 people; and the May 24, 2022 shooting at Robb Elementary School in Uvalde, TX, where an 18-year-old gunman shot 38 people and fatally injured 19 children and 2 teachers.

The Advanced Law Enforcement Rapid Response Training (ALERRT) Center at Texas State University maintains an active shooter database with the descriptions for the active attacks that occurred in the United States between 2000 and 2019. For Hawaii, the database reflects just one incident that occurred in 2019:

On December 4, 2019 at 2:30 pm in Honolulu, Hawaii, a 22-year-old, Latino male killed two and wounded one person with a M4 rifle. The attacker also had a M9 handgun. The attack took place at a public venue. It started when the attacker was assigned to stand watch at a submarine at Joint Base Pearl Harbor-Hickman. At some point, the attacker began firing. All of the victims were shot during this time. The incident ended with the attacker committing suicide.

The most recent mass violence in Hawaii occurred in April 2023, five people were shot, two were fatally injured during an altercation at a late-night cockfight.

Prevention, detection, awareness, and response to red flags that someone poses a risk to public safety are on-going challenges.

The Hawaii State Office of Homeland Security (OHS) has established a framework to organize and coordinate its response to protect against, prepare for, respond to, and recover from terrorism and targeted violence-related incidents. The *Terrorism and Targeted Violence, Incident Annex* (August 2021)<sup>13</sup> is a plan, "written in accordance with Hawaii Revised Statutes (HRS) Chapter 128A, Homeland Security, and applies to all state departments including agencies, offices, institutions of higher education, commissions, boards, and councils. This plan does not direct the emergency operations of local governments, federal agencies, private sector, or non-governmental organizations. However, it does provide a reference for their response plans, procedures, and actions."

The Annex is part of the State of Hawaii Emergency Operations Plan. "This Annex recognizes that incidents characterized as terrorism or targeted violence may consist of many types of threats. The scope of this Annex is limited to acts of mass violence that do not necessitate hyper specialized aspects of response. Categories of acts of terrorism or targeted violence that are addressed in this Annex include:

- a. Mass shootings.

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<sup>13</sup> State of Hawaii, Hawaii Emergency Management Agency, viewed May 6, 2024, <https://dod.hawaii.gov/hiema/files/2022/05/2021-08-02-Terrorism-and-Targeted-Violence-Annex.pdf>

- b. Arson or fire as a weapon.
- c. Bombings/explosions.
- d. Kidnapping or hostage-taking.
- e. Vehicular attacks.
- f. Other violent attacks meeting the definition of targeted violence, such as stabbings or active-shooter attacks.”

The Annex states “OHS coordinates several efforts aimed at characterizing and communicating threats to Hawaii. These initiatives are intended to be complementary to one another.

- a. Threat Team Hawaii: An ongoing initiative to improve the Level 1 Threat Assessment Team’s capability to identify and assess threats, including violent extremism reported by the community, and incorporate the work of trained Level teams to identify and assess threats as part of OHS’s all-threats program. Applicable activities of Threat Team Hawaii include:
  - 1) Providing violent extremism training, workshops, exercises, and assistance in developing County-specific Threat Teams.
  - 2) Developing an all-threats reporting and analysis system.
- b. School assessments: The STOP School Violence Threat Assessment and Technology Reporting Program helps reduce security risks and safety threats in schools by supporting the development of threat assessment teams and implementing electronic reporting tools to help mitigate school violence threats and risks.
- c. Local Prevention Framework Track: The Local Prevention Framework Track helps and supports partners at the local level to better understand the evolving terrorism and targeted violence threat environment by identifying potential actions, partners, training, and resources. Currently, the Local Prevention Framework Track is available in the Counties of Kauai, Maui, and Honolulu.”

## PART V. EFFORTS TO REDUCE AND/OR PREVENT GUN VIOLENCE

The efforts to reduce and/or prevent gun violence in Hawaii is multifaceted. It is the combination of Hawaii’s comprehensive gun laws, experienced police officers investigating violent crimes, and trained police and other first responders responding to individuals having a mental health crisis that collectively makes a difference. It is also the Hawaii Department of Health and Hawaii Office of Homeland Security improving the identification of individuals who are a danger to themselves or others due to a mental health crisis and having an appropriate response plan.

It is Hawaii’s State and County leaders improving the efficacy of responding to individuals at risk for violence to themselves and others due to a behavioral health condition. In March 2024, Governor Josh Green, M.D., Hawaii Supreme Court Chief Justice Mark E. Recktenwald, City and County of Honolulu Mayor Rick Blangiardi, the Hawaii’s State Department of Health (DOH) Adult Mental Health Division, CARE Hawaii, the Hawaii Community Foundation launched the State’s new Behavioral Health Crisis Center (BHCC) at the Iwilei Resource Center. BHCC will provide individuals,

including those who are homeless or at risk of homelessness, with short-term, sub-acute crisis services and will provide a welcoming, supportive environment that can lead to crisis stabilization and linkages to other community resource <sup>14</sup>.

It is also national efforts including the National Instant Criminal Background Check System (NICS) – national namecheck system for federal firearms licensees to determine whether a person can legally buy or own a firearm, and the universal 988 suicide and crisis lifeline number that allows someone thinking about suicide to call, text, or chat 24/7.

The following sections are additional parts of the multifaceted efforts to reduce and/or prevent gun violence in Hawaii. The efficacy of these efforts in reducing and/or preventing gun violence could be improved if loopholes or gaps that are identified are filled.

### A. Order of Protection in Domestic Violence (DV) Cases

The Department of the Attorney General, *STOP Violence Against Women Formula Grant Program, FY 2023-2025 Implementation Plan, Section II. Needs and Context*,<sup>15</sup> reflects Hawaii’s efforts on protecting and responding to victims of domestic violence.

Fifty years ago, Hawaii Revised Statutes §709-906 was enacted by Act 189, (Session Laws of Hawaii (SLH) 1973), to provide protection to a spouse from being physically abused by another spouse. The Legislature also found that, “unless it appears adverse to the best interests of all concerned, the family unity should be retained without the necessity of the abusing spouse being branded a "criminal." Toward this end, the courts are asked to aid these persons needing its assistance in order that they may be rehabilitated.”<sup>16</sup> Since 1973, HRS §709-906, on abuse of a family or household members (a.k.a. domestic violence) has been amended twenty-four times with the last amendment made in 2021.

Forty years ago, Hawaii enacted HRS Chapter 586, “Domestic Violence Protective Order,” Act 123 (SLH 1982), which has been revised and amended several times. For example, HRS §586-5.8, Transfer or release of domestic abuse victims from shared wireless plans, was established because of Act 219 (SLH 2015).

As evident by the amendments to HRS §709-906 and Chapter 586, Hawaii’s criminal justice and stakeholder response to domestic violence

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<sup>14</sup> DOH Opens Behavioral Health Crisis Center in Iwilei, viewed May 8, 2024,

<https://health.hawaii.gov/news/newsroom/doh-opens-behavioral-health-crisis-center-in-iwilei/>

<sup>15</sup> Department of the Attorney General, Crime Prevention and Justice Assistance Division, viewed May 6, 2024, [https://ag.hawaii.gov/cpja/files/2023/08/Hawaii-Implementation-Plan-FINAL\\_REVISIED\\_8.5.2022-2.pdf](https://ag.hawaii.gov/cpja/files/2023/08/Hawaii-Implementation-Plan-FINAL_REVISIED_8.5.2022-2.pdf)

<sup>16</sup> Commentary on §709-906 Abuse of a family or household member; penalty.

continues to be challenged by the complex nature of domestic violence, the various forms of domestic violence, and the control that an abuser often has on a victim. The tactics and types of abuse include, but are not limited to, coercion and threats; economic abuse; male privilege; using children; intimidation; emotional abuse; minimizing, denying, and blaming; and isolation.<sup>17</sup> Less reported forms of abuse include sexual abuse that includes reproductive coercion which includes threats to hurt the woman physically, economically, or emotionally if she refuses to become pregnant; making a woman feel guilty for not wanting to become pregnant; and accusing a woman of infidelity if she does not want to become pregnant.<sup>18</sup>

Under HRS Chapter 586 Domestic Abuse Protective Orders, individuals may seek relief from abusive behavior or imminent danger by partners or household members through restraining and protection orders:

**§586-3 Order for protection.** (a) There shall exist an action known as a petition for an order for protection in cases of domestic abuse.

(b) A petition for relief under this chapter may be made by:

- (1) Any family or household member on the member's own behalf or on behalf of a family or household member who is a minor or who is an incapacitated person as defined in section 560:5-102 or who is physically unable to go to the appropriate place to complete or file the petition; or
  - (2) Any state agency on behalf of a person who is a minor or who is an incapacitated person as defined in section 560:5-102 or a person who is physically unable to go to the appropriate place to complete or file the petition on behalf of that person.
- (c) A petition for relief shall be in writing upon forms provided by the court and shall allege, under penalty of perjury, that: a past act or acts of abuse may have occurred; threats of abuse make it probable that acts of abuse may be imminent; or extreme psychological abuse or malicious property damage is imminent; and be accompanied by an affidavit made under oath or a statement made under penalty of perjury stating the specific facts and circumstances from which relief is sought.
- (d) The family court shall designate an employee or appropriate nonjudicial agency to assist the person in completing the petition.  
[L 1982, c 123, pt of §2; am L 1983, c 18, §1; am L 1985, c 136, §1; am L 1987, c 315, §1 and c 359, §1; am L 1997, c 322, §1; am L 2000, c 186, §3; am L 2004, c 161, §31]

HRS §586-1 Definitions, defines *Dating relationship*:

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<sup>17</sup> Domestic Violence Action Center – DV During COVID-19, Tactics and Types of Abuse. (2020 DV 101, Dynamics of Domestic Violence)

<sup>18</sup> Domestic Violence Action Center – Types of Reproduction Coercion (2020 DV 101, Dynamics of Domestic Violence)

Means a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of an intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.

HRS §586-1 Definitions, defines *Family or household member*:

- (1) Means spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing or formerly residing in the same dwelling unit, and persons who have or have had a dating relationship; and
- (2) Does not include those who are, or were, adult roommates or cohabitants only by virtue of an economic or contractual affiliation.

Case notes to HRS §586-5.5 Protective order; additional orders, states “Unless expressly permitted by the court, HRS §134-7(f) unqualifiedly prohibits a person subject to an order under this chapter from possession and control of a firearm during the pendency of that order; this prohibition is effective irrespective of whether the respondent owned the firearms involved. 91 H. 438 (App.), 984 P.2d 1264 (1999).”

Refer to Appendix C for HRS Chapter 586, Domestic Abuse Protective Orders.

Refer to Appendix D for HRS Section 134-7, Firearms, Ammunition and Dangerous Weapons, (7) Ownership or possession prohibited, when; penalty.

Below are the Temporary Restraining Order (TRO) petitions filed and granted, by court circuit, for calendar years 2019 through 2022.

Temporary Restraining Order (TRO) Petitions Filed and Granted, by Court Circuit Calendar Years 2019 to 2022										
Calendar Year	Statewide		1 <sup>st</sup> Circuit		2 <sup>nd</sup> Circuit		3 <sup>rd</sup> Circuit		5 <sup>th</sup> Circuit	
	TRO Petitions Filed	TRO Petitions Granted	TRO Petitions Filed	TRO Petitions Granted	TRO Petitions Filed	TRO Petitions Granted	TRO Petitions Filed	TRO Petitions Granted	TRO Petitions Filed	TRO Petitions Granted
2019	5,119	4,142	3,005	2,534	654	635	1,150	897	310	76
2020	4,755	3,748	2,726	2,220	604	566	1,174	896	251	66
2021	4,851	3,836	2,878	2,284	606	564	1,131	914	236	74
2022	4,623	3,850	2,608	2,220	594	531	1,147	924	274	175

On April 20, 2022, Family Court cases transitioned to the Judiciary Information Management System (JIMS), a Judiciary integrated statewide case management system. The transition to JIMS allowed the Judiciary to collect firearm indicator data available in

the case record. The following are for the period covering April 20, 2022, through May 16, 2023; roughly one year.

<b>Temporary Restraining Order (TRO) Petitions Filed and Granted,                      with Firearms Indicator Data, by Court Circuit                      April 20, 2022 to May 16, 2023</b>			
	<b>TRO Petitions Filed                      between                      4/20/2022 and                      5/16/2023</b>	<b>Filed TRO Petitions with                      Firearms Indicator                      Checked Off</b>	<b>Granted TRO Petitions                      with Firearms Indicator                      Checked Off</b>
<b>Total (Statewide)</b>	5,047	711	603
<b>1st Circuit</b>	2,906	588	498
<b>2nd Circuit</b>	619	92	80
<b>3rd Circuit</b>	1,239	14	10
<b>5th Circuit</b>	283	17	15

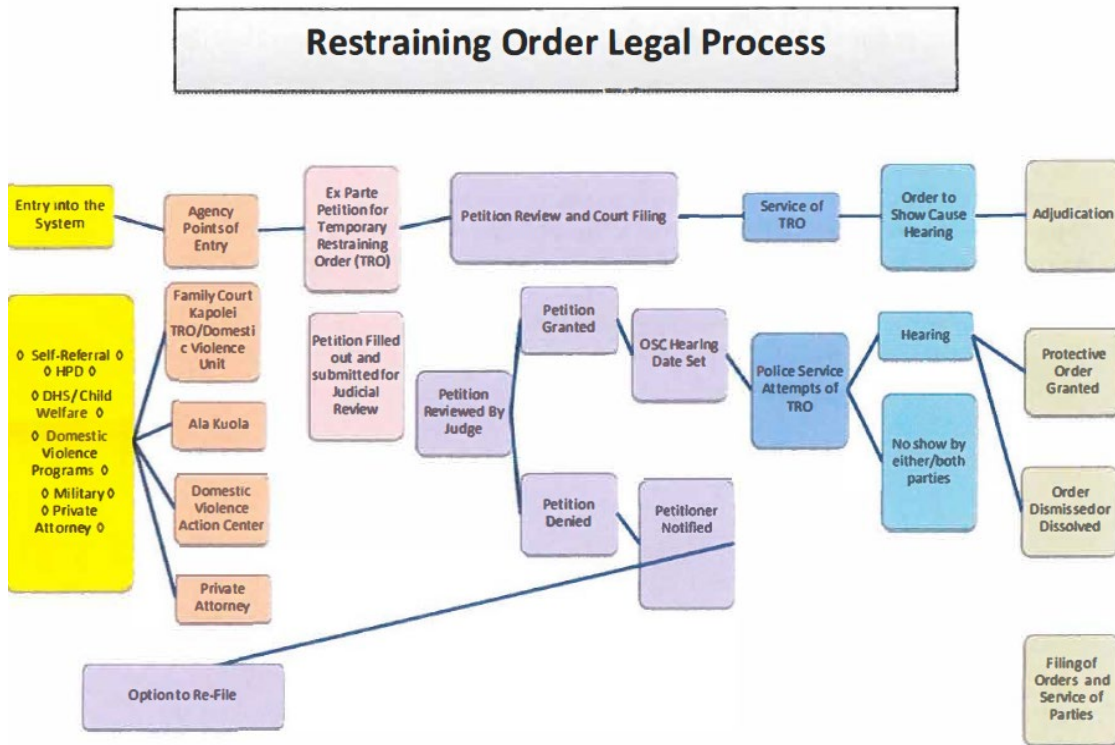
*Mapping a Pathway to Safety, A Community Safety Assessment of the City and County of Honolulu Protective Order Process, June 2016*

Source: Department of the Attorney General

Link: [Community-Safety-Assessment-Final.pdf \(hawaii.gov\)](https://www.hawaii.gov/attorney-general/wp-content/uploads/2016/06/Community-Safety-Assessment-Final.pdf)

The *Mapping a Pathway to Safety, A Community Safety Assessment of the City and County of Honolulu Protective Order Process* is a “problem-solving process for determining a more effective intervention in domestic violence cases with the goals of enhancing safety of families and communities while ensuring accountability when intervening in cases involving intimate partner violence (IPV).

The First Circuit Family Court process for obtaining a Temporary Restraining Order (TRO) and Protection Order (PO) follows a straightforward process, but may become complex, given the number of actors involved and the options provided to the petitioners at each phase. A background on the information on the TRO process and an understanding of these procedural steps play critical factors in having protection orders granted. Each chapter in this report provides an overview of the legal process, the steps involved, and the different court, legal, social agency and advocacy personnel who play a role at that point. The Assessment Team, that gathered the information for this report, offers a “snapshot” view of activities at various phases based on observations, interviews and analysis of the organization's records and written policies and procedures in place at that particular moment.”



The *Mapping a Pathway to Safety, A Community Safety Assessment of the City and County of Honolulu Protective Order* process allowed “for an interagency assessment team to work with a multidisciplinary body of public and DV advocacy organizations, to identify how problems are produced in the structure of case processing and management. The process focused on the critical Assessment Question: How does our Temporary Restraining Order/Protection Order application and issuance process allow us to keep victims safe, and thereby hold offenders accountable?” The Community Safety Assessment while comprehensive, did not cover the steps and processes for firearm retrieval/surrender, statutory provisions under HRS §586-5.5 and §134-7(f).

The Hawaii State Coalition Against Domestic Violence and The Judiciary are mapping the processes and intersections between firearm acquisition (gun permit, purchase, registration) and the DV protective order process (including notice to respondent of disqualification of possessing firearms; respondent relinquishing firearms). The map identifies the system steps/processes, agencies that are involved, applicable laws, and questions and/or gaps in the system.

One of the issues/gaps identified through the mapping process is the limited use of warrants to search and seize firearms and ammunition if the court has reason to believe the respondent owns, possesses, or has in their custody or control any firearms or ammunition that the respondent has failed to surrender, or has received or purchased a firearm or ammunition while subject to the protection order. Another issue/gap identified is the use and continuance of proof of compliance hearings if the respondent has not



complied with the surrender of firearms/ammunition, even after the term of the TRO/PO expires.

## B. Extreme Risk Protection Order (ERPO)

HRS Chapter 134, Part IV. Gun Violence Protective Orders (GVPO) was enacted in 2019 and is commonly referred at the national level as a red flag law or extreme risk protection order. This law established a process by which a law enforcement officer, family or household member, medical professional, educator, or colleague may obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another.

SCIP funding may be used to support ERPO programs, which, at minimum, must include the following—

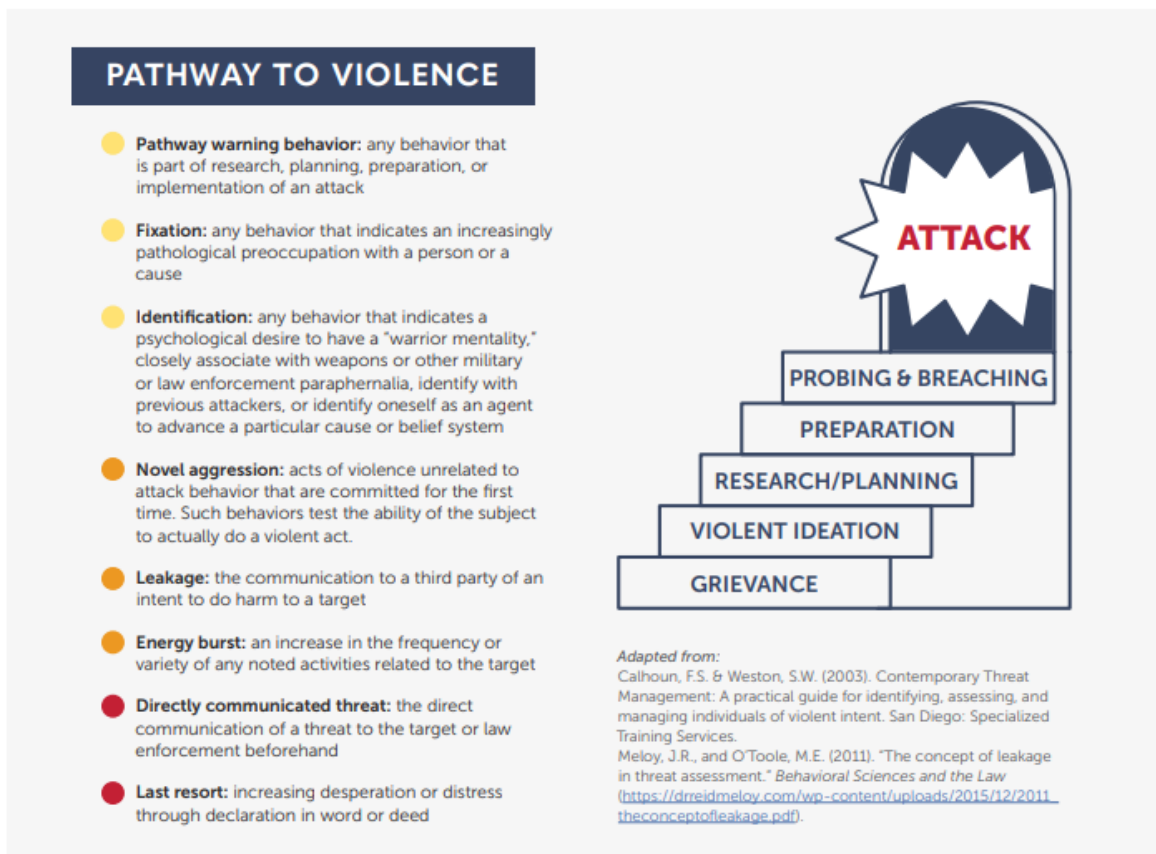
- I. pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses;
- II. the right to be represented by counsel at no expense to the government;
- III. pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and
- IV. penalties for abuse of the program.

Use of Gun Violence Protective Orders: As of March 2023, The Judiciary found one case where a petition for a GVPO was filed. The petition was denied, and the matter deemed moot in March 2020 as the court had granted a 10-year protective order in a related domestic violence case which included a gun prohibition.

## C. Hawaii Targeted Violence Prevention Plan

The Hawaii Office of Homeland Security (OHS) released its *2024 Targeted Violence Prevention (TVP) Strategy Implementation Plan*<sup>19</sup> in February 2024. It is the “*first publicly available one of its kind nationwide. The plan is an effort to preemptively address mass shootings and other violent acts by ensuring the state has the resources needed to handle unexpected incidents.*” OHS Administrator Frank Pace states that OHS “*worked closely with a diverse group of stakeholders, including public, private, and nonprofit organizations, experts, and agencies, to create the Targeted Violence Prevention (TVP) Strategy Implementation Plan. This plan is designed to be a dynamic and comprehensive framework that supports the resilience, security, and continuity of TVP initiatives across all societal levels addressing the constantly changing threats and challenges we face. By adopting both a public health and a whole-community approach, the plan aims to mitigate violence within our state.*”

With the OHS’s premise that targeted violence is not random or spontaneous, a person may exhibit all or none of the specific behaviors shown below, but the key point is that targeted violence is preventable.



<sup>19</sup> Viewed on April 16, 2024 [https://law.hawaii.gov/ohs/wp-content/uploads/sites/2/2024/02/OHS\\_TVP\\_ImplementationPlan\\_Final\\_022324.pdf](https://law.hawaii.gov/ohs/wp-content/uploads/sites/2/2024/02/OHS_TVP_ImplementationPlan_Final_022324.pdf)

OHS will measure progress made toward the 11 goals identified in the plan over the course of the three-year (2024-2026) implementation period. The 11 goals as seen in the TVP Strategy Implementation Plan are listed below.

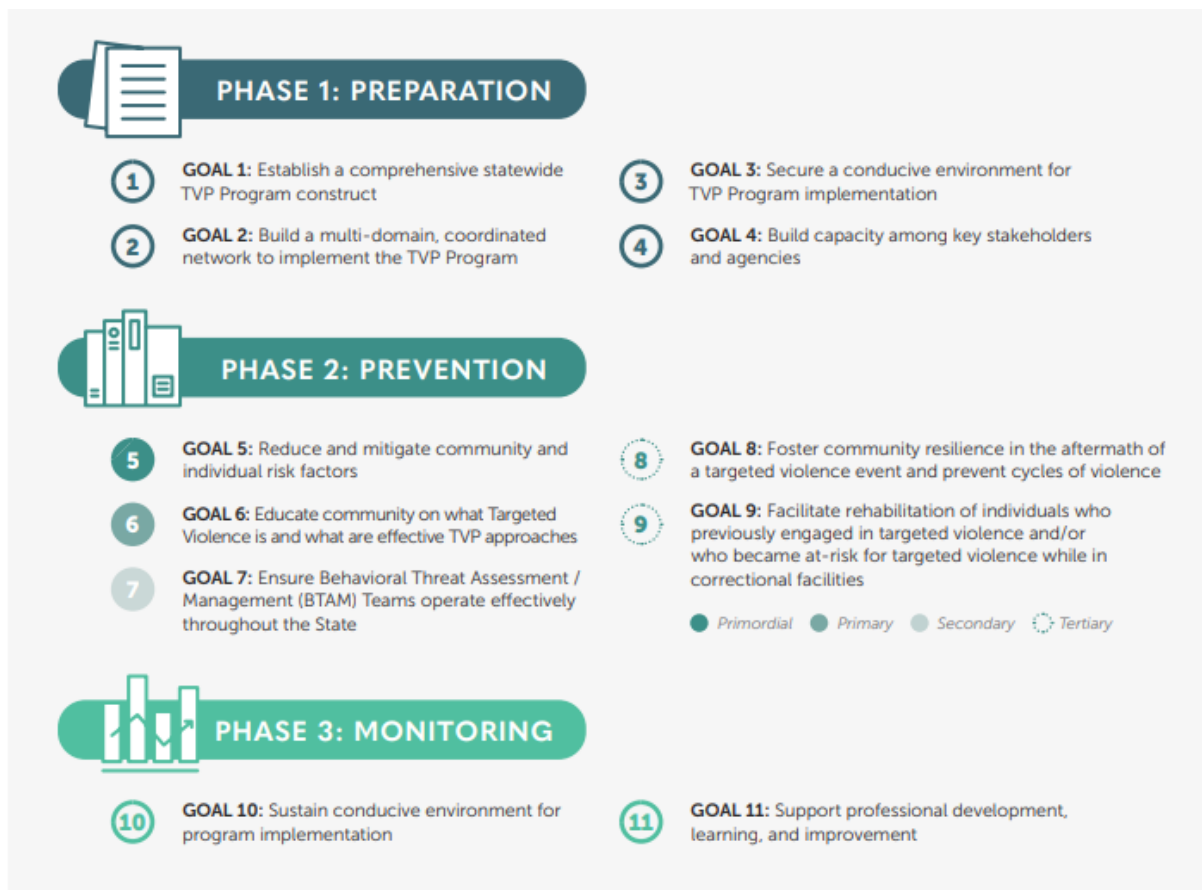


Figure ES-2: 11 Goals

## D. Community Violence Intervention (CVI)

The U.S. Department of Justice, Bureau of Justice Assistance (BJA) states, “Community violence generally happens outside the home in public spaces. Most community violence involves a relatively small number of people as victims or perpetrators, but its effects impact entire communities, eroding public health, causing economic disruption, and contributing to lasting individual and community traumas. Mitigation efforts typically focus on high-risk individuals, gun violence, specific violent crime problems, as well as the historical and structural challenges that often result in community violence.”

BJA defines Community Violence Intervention (CVI) as an “approach that uses evidence-informed strategies to reduce violence through tailored community-centered initiatives. These multidisciplinary strategies engage individuals and groups to prevent and disrupt cycles of violence and retaliation and establish relationships between individuals and community assets to deliver services that save lives, address trauma,

provide opportunity, and improve the physical, social, and economic conditions that drive violence.” It should be noted that the CVI approach differs from family violence, domestic violence, and batterers’ intervention programs that focus on family and/or intimate partner violence.

CVI includes or employs<sup>20</sup>:

- Trusted, credible messengers and practitioners to deliver key intervention elements.
- Representatives of the affected communities as full partners who provide input and guidance on the intervention’s approach.
- A focus on those individuals at highest risk of experiencing or perpetrating community violence in the near term.
- Data from multiple sources that are vetted for racial, ethnic, economic, or other biases to inform the approach.
- Practices that are informed by, and respond to, the impact of trauma on individuals and the broader population in historically underinvested communities.
- Public, private, and community stakeholders most impacted by violence, building authentic relationships to prevent violence, strengthen community resilience, and build social capital.
- Racial, ethnic, and socioeconomic equity, including understanding the many social, demographic, economic, and institutional factors that perpetuate community violence, and bringing supportive responses directly to the neighborhoods and people with the greatest need.

The National Criminal Justice Association (NCJA) created *An Overview, Community Violence Intervention Strategies* that provides additional information on community violence intervention strategies including Group Violence Interventions, Hospital-Based Violence Intervention Programs, and Violence Interrupters. Refer to Appendix E.

In Hawaii, the non-profit 501(c)(3), Adult Friends for Youth (AFY), established in 1986, provides healthy alternatives to gang membership and violence for youth living in low-income neighborhoods in Honolulu and other parts of Oahu. It is the only known program in Hawaii that aligns closely with the Community Violence Intervention model. For more information on AFY, refer to Appendix F, and the article titled, *Stakeholder’s Corner: Grantee in Hawaii Helps Redirect Lives of Youth Involved in Gangs*.

## E. Gun Buyback Program

The State’s first Gun Buyback was conducted in October 2023, funded partially with the U.S. Department of Justice, Project Safe Neighborhoods grant, and led by the Department of Law Enforcement. The Buyback was a one-day event held in two locations on Oahu, one in downtown Honolulu, and the other in Waianae. The event resulted in almost 500 firearms being collected. A \$100 gift card was provided for each handgun, rifle, shotgun,

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<sup>20</sup> National Criminal Justice Association, viewed on April 16, 2024  
<https://www.bja.ojp.gov/program/community-violence-intervention/overview>

bump stock, or Glock switch, and a \$200 gift card for each automatic firearm of any type, semi-automatic rifle, or ghost gun. A person could turn in as many firearms as they wanted, but the gift cards were limited to a maximum of three per person. Free gun locks were also provided with 83 gun locks distributed. The Department of Law Enforcement is requesting FY 2025 state funding to continue the program.

## F. Responsible Gun Ownership-Safe Gun Storage

HRS §134-10.5 Storage of firearm; responsibility with respect to minors. No person shall store or keep any firearm on any premises under the person’s control if the person knows or reasonably should know that a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor, unless the person:

(1) Keeps the firearm in a securely locked box or other container or in a location that a reasonable person would believe to be secure; or

(2) Carries the firearm on the person or within such close proximity thereto that the person can readily retrieve and use it as if it were carried on the person.

For purposes of this section, “minor” means any person under the age of eighteen years. [L 1992, c 288, §1; am L 2021, c 148, §2]

Hawaii does not have any advertisements or public awareness campaigns on responsible gun ownership and safely securing guns. However, at the national level, the End Family Fire, a joint effort from Brady and the Ad Council, “...*aims to encourage safe gun storage by putting a name to the preventable tragedies that occur when guns in the home are misused. “Family fire,” a term developed for the campaign, refers to a shooting caused by someone having access to a gun from the home when they shouldn’t have it. This includes children as well as those who display behavior that indicates they could harm themselves or others. The campaign aims to bring awareness to the issue of family fire, give gun owners a role in gun violence prevention, and encourage a national dialogue around safe storage practices—all of which can help prevent tragedies of family fire.*”

In March 2023, national public service advertisers encouraged safe gun storage to “End Family Fire” by posting an article on their efforts to encourage gun safety. This article and links to the End Family Fire public service announcements are available at: <https://www.adcouncil.org/learn-with-us/press-releases/the-ad-council-brady-encourage-gun-owners-to-prepare-for-misuse-with-help-from-mckinney>.

PART V. APPENDICES

## Appendix A. Homicides and Other Violent Crime: By Year and County

### 1. Uniform Crime Report, Crime in Hawaii, 2020

Source: Department of the Attorney General

Link: [Crime Prevention and Justice Assistance Division | CRIME IN HAWAII 2020](#)

#### 2020 Report Highlights (Statewide):

- There were 3,642 violent Index Crimes reported statewide in 2020, yielding a rate of 258 offenses per 100,000 residents. Hawaii's violent Index Crime rate in 2020 was 3.1 % lower than the rate reported in 2019, and 2.7% higher than the rate reported in 2011.
- In 2020, the rate of reported offenses for two violent crimes decreased in the State of Hawaii: robbery, by 19.0% to reach a record low level; and rape, by 8.0%. The rate of reported offenses for the other two violent crimes increased: murder, by 9.0%; and aggravated assault, by 6.7%.
- In 2020, two police officers from the Honolulu Police Department were killed in the line of duty in the State of Hawaii, and 282 police officers were assaulted, yielding a rate of 9.7 assaults per 100 officers. Crime in Hawaii, 2020 also provides data on the time of day, type of assignment, and the weapons used in assaults against police officers.
- Thirty-nine murders were reported statewide in 2020. Males comprised 90.5% of the alleged murder offenders and 71.8% of the victims. Approximately 42.0% of the murder victims knew the offenders, and firearms were used in 43.6% of the murders.
- Of the 3,057 murders, robberies, and aggravated assaults reported statewide in 2020, 38.0% were committed using strongarm weapons; 29.1% with "other" or unknown weapons; 19.4% with knives or other edged weapons; and 13.5% with firearms.

#### City and County of Honolulu

##### From 2019 to 2020:

- The rate of reported violent crimes decreased 9.9%.
- The rate of reported robberies decreased 21.6%.
- The rate of reported aggravated assaults decreased 0.4%.
- The rate of murder decreased 11.7%, with 24 murders reported for 2019, and 21 murders reported for 2020.

##### Comparing 2020 to 2011:

- The violent crime rate increased 2.6%.

- The robbery rate decreased 9.5%.
- The aggravated assault rate decreased 0.6%.
- The murder rate increased 49.5%, with 14 murders reported for 2011, and 21 murders reported for 2020.

In 2020, of the 2,440 violent crimes reported:

- Aggravated assault accounted for 54.4% (1,328).
- Robbery accounted for 30.5% (745).
- Rape accounted for 14.2% (346).
- Murder accounted for 0.9% (21)

In 2020, of the 745 reported robberies:

- Strongarm weapons (hands, fists, feet, etc.) were used in 54.5% (406).
- Firearms were used in 17.4% (130).
- Other dangerous weapons were used in 15.2% (113).
- Knives or cutting instruments were used in 12.9% (96)

In 2020, of the 1,328 reported aggravated assaults:

- Other dangerous weapons were used in 38.6% (513).
- Knives or cutting instruments were used in 29.5% (392).
- Firearms were used in 17.6% (233).
- Strongarm weapons (hands, fists, feet, etc.) were used in 14.3% (190)

In 2020, of the 21 reported murders:

- Firearms were involved in 47.6% (10).
- Knives or cutting instruments were involved in 28.6% (6).
- Strongarm weapons (hands, fists, feet, etc.) were involved in 19.0% (4).
- “Other” or unknown weapon were used in 4.8% (1)

### Hawaii County

From 2019 to 2020:

- The rate of reported violent crimes increased 68.0%.
- The rate of reported robberies increased 37.3%.
- The rate of reported aggravated assaults increased 76.4%
- The rate of reported murders increased 62.5%, with 8 murders reported for 2019, versus 13 murders reported for 2020.

Comparing 2020 to 2011:

- The violent crime rate increased 16.0%.
- The robbery rate decreased 11.6%
- The reported aggravated assault rate increased 10.6%.
- The murder rate increased 302.7%, with 3 murders reported for 2011 and 13 murders reported for 2020.



In 2020, of the 613 violent crimes reported:

- Aggravated assault accounted for 70.5% (432).
- Rape accounted for 17.8% (109).
- Robbery accounted for 9.6% (59).
- Murder accounted for 2.1% (13).

In 2020, of the 59 robberies reported:

- Other dangerous instruments were involved in 81.3% (48).
- Strongarm weapons (hands, fists, feet, etc.) were involved in 10.2% (6).
- Firearms were involved in 8.5% (5).

In 2020, of the 432 aggravated assaults reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 78.5% (339).
- Other dangerous instruments were involved in 13.7% (59).
- Knives or cutting instruments were involved in 5.5% (24).
- Firearms were involved in 2.3% (10).

In 2020, of the 13 reported murders:

- “Other” or unknown weapons were involved in 46.1% (6).
- Firearms were involved in 38.5% (5).
- Knives or cutting instruments were involved in 15.4% (2).

### Maui County

From 2019 to 2020:

- The rate of reported violent crimes decreased 11.9%
- The rate of reported robberies decreased 17.8%.
- Reported aggravated assaults decreased 2.0% in rate.
- The murder rate increased 300.7%, with 1 murder reported in 2019, versus 4 murders reported in 2020.

Comparing 2020 to 2011:

- The violent crime rate increased 0.2%.
- The robbery rate decreased 40.1%.
- The reported aggravated assault rate increased 9.3%.
- The murder rate increased 87.2%, with 2 murders reported in 2011, versus 4 murders reported in 2020.

In 2020, of the 395 violent crimes reported:

- Aggravated assault accounted for 67.1% (265).
- Rape accounted for 18.0% (71).
- Robbery accounted for 13.9% (55).
- Murder accounted for 1.0% (4).

In 2020, of the 55 robberies reported:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 67.3% (37).
- Other dangerous instruments were involved in 16.4% (9).
- Knives or cutting instruments were involved in 10.9% (6).
- Firearms were involved in 5.4% (3).

In 2020, of the 265 aggravated assaults reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 44.9% (119).
- Other dangerous instruments were involved in 38.9% (103).
- Knives or cutting instruments were involved in 13.6% (36).
- Firearms were involved in 2.6% (7).

In 2020, of the 4 reported murders:

- Other dangerous instruments were involved in 50.0% (2).
- Firearms were involved in 25.0% (1).
- Strongarm weapons (hands, fists, feet, etc.) were involved in 25.0% (1).

### Kauai County

From 2019 to 2020:

- The rate of reported violent crimes decreased 17.4%.
- The rate of reported robberies decreased 16.6%.
- The rate of reported aggravated assaults decreased 24.8%.
- The rate of reported murder decreased 66.6%, with 3 murders reported in 2019, versus 1 reported in 2020.

Comparing 2020 to 2011:

- The violent crime rate decreased 22.7%.
- The robbery rate decreased 62.4%.
- The aggravated assault rate decreased 33.8%.
- The murder rate decreased 53.0%, with 2 murders reported in 2011 and 1 murder reported in 2020.

In 2020, of the 194 violent crimes reported:

- Aggravated assault accounted for 63.9% (124).
- Rape accounted for 30.4% (59).
- Robbery accounted for 5.2% (10).
- Murder accounted for 0.5% (1).

In 2020, of the 10 robberies reported:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 70.0% (7).
- Other dangerous instruments were involved in 20.0% (2).
- Knives or cutting instruments were involved in 10.0% (1).

In 2020, of the 124 aggravated assaults reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 41.9% (52).
- Other dangerous instruments were involved in 27.4% (34).
- Knives or cutting instruments were involved in 24.2% (30).
- Firearms were involved in 6.5% (8).

In 2020, of the 1 reported murder:

- A firearm was involved in 100.0% (1)

## 2. Uniform Crime Report, Crime in Hawaii, 2019

Source: Department of the Attorney General

Link: [Crime Prevention and Justice Assistance Division | CRIME IN HAWAII 2019](#)

2019 Report Highlights (Statewide):

- There were 3,782 violent Index Crimes reported statewide in 2019, yielding a rate of 267 offenses per 100,000 residents. Hawaii’s violent Index Crime rate in 2019 was 3.8% higher than the rate reported in 2018, and 0.8% below the rate reported in 2010.
- In 2019, the rate of reported offenses for one violent crime decreased in the State of Hawaii: rape, by 10.9%. The rate of reported offenses for the other three violent crimes increased: murder, by 0.3%; robbery, by 13.7%; and aggravated assault, by 4.5%.
- In 2019, no police officers were killed in the line of duty in the State of Hawaii and 283 police officers were assaulted in the line of duty, yielding a rate of 10.2 assaults per 100 officers. Crime in Hawaii, 2019 also provides data on the time of day, type of assignment, and the weapons used in assaults against police officers.
- Thirty-six murders were reported statewide in 2019. Males comprised 88.0% of the alleged murder offenders and 61.0% of the victims in 2019. Approximately 56.7% of the murder victims knew the offenders, and “other” or unknown weapons were used in 33.3% of the murders. Firearm was used in 8 (22.2%) of the 36 murders.
- Of the 3,142 murders, robberies, and aggravated assaults reported statewide in 2019, 41.0% were committed using strongarm weapons; 28.9% with “other” or unknown weapons; 17.3% with knives or other edged weapons; and 12.8% with firearms.

### City and County of Honolulu

From 2018 to 2019:

- The rate of reported violent crimes increased 9.0%.

- The rate of reported robberies increased 19.1%.
- The rate of reported aggravated assaults increased 3.8%.
- The rate of murder increased 9.9%, with 22 murders reported for 2018, and 24 murders reported for 2019.

Comparing 2019 to 2010:

- The violent crime rate increased 4.6%.
- The robbery rate increased 4.8%.
- The aggravated assault rate decreased 7.7%.
- The murder rate increased 23.1%, with 19 murders reported for 2010, and 24 murders reported for 2019.

In 2019, of the 2,733 **violent crimes** reported:

- Aggravated assault accounted for 49.2% (1,345).
- Robbery accounted for 35.0% (958).
- Rape accounted for 14.9% (406).
- Murder accounted for 0.9% (24).

In 2019, of the 958 reported **robberies**:

- Strongarm weapons (hands, fists, feet, etc.) were used in 59.5% (570).
- Other dangerous weapons were used in 15.9% (152).
- Firearms were used in 15.5% (149).
- Knives or cutting instruments were used in 9.1% (87).

In 2019, of the 1,345 reported **aggravated assaults**:

- Other dangerous weapons were used in 38.4% (517).
- Knives or cutting instruments were used in 27.3% (367).
- Strongarm weapons (hands, fists, feet, etc.) were used in 18.8% (253).
- Firearms were used in 15.5% (208).

In 2019, of the 24 reported **murders**:

- “Other” or unknown weapon were used in 33.3% (8).
- Firearms were involved in 25.0% (6).
- Knives or cutting instruments were involved in 25.0% (6).
- Strongarm weapons (hands, fists, feet, etc.) were involved in 16.7% (4).

### Hawaii County

From 2018 to 2019:

- The rate of reported violent crimes decreased 26.8%.
- The rate of reported robberies decreased 34.2%.
- The rate of reported aggravated assaults decreased 8.4%.
- The rate of reported murders increased 32.7%, with 6 murders reported in 2018, versus 8 reported in 2019

Comparing 2019 to 2010:

- The violent crime rate decreased 33.4%.
- The robbery rate decreased 49.0%.
- The reported aggravated assault rate decreased 33.8%.
- The murder rate increased 150.1%, with 3 murders reported in 2010 and 8 murders reported in 2019.

In 2019, of the 365 **violent crimes** reported:

- Aggravated assault accounted for 67.1% (245).
- Rape accounted for 18.9% (69).
- Robbery accounted for 11.8% (43).
- Murder accounted for 2.2% (8).

In 2019, of the 43 **robberies** reported:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 60.5% (26).
- Firearms were involved in 18.6% (8).
- Knives or cutting instruments were involved in 11.6% (5). Other dangerous instruments were involved in 9.3% (4).

In 2019, of the 245 **aggravated assaults** reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 62.0% (152).
- Other dangerous instruments were involved in 26.9% (66).
- Knives or cutting instruments were involved in 7.8% (19).
- Firearms were involved in 3.3% (8).

In 2019, of the 8 reported **murders**:

- “Other” or unknown weapons were involved in 62.5% (5).
- Knives or cutting instruments were involved in 25.0% (2).
- Firearms were involved in 12.5% (1).

### Maui County

From 2018 to 2019:

- The rate of reported violent crimes increased 2.4%.
- The rate of reported robberies increased 25.4%.
- The rate of reported aggravated assaults increased 2.2%.
- The murder rate decreased 80.2%, with 5 murders reported in 2018, versus 1 reported in 2019.

Comparing 2019 to 2010:

- The violent crime rate increased 39.3%.
- The robbery rate decreased 20.4%
- The reported aggravated assault rate increased 35.5%.
- The murder rate decreased 8.5%, with 1 murder reported in 2010 and 1 murder reported in 2019.

In 2019, of the 449 **violent crimes** reported:

- Aggravated assault accounted for 60.4% (271).
- Rape accounted for 24.5% (110).
- Robbery accounted for 14.9% (67).
- Murder accounted for 0.2% (1).

In 2019, of the 67 **robberies** reported:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 64.2% (43).
- Other dangerous instruments were involved in 14.9% (10).
- Firearms were involved in 11.9% (8).
- Knives or cutting instruments were involved in 9.0% (6).

In 2019, of the 271 **aggravated assaults** reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 52.8% (143).
- Other dangerous instruments were involved in 35.0% (95).
- Knives or cutting instruments were involved in 8.9% (24).
- Firearms were involved in 3.3% (9)

In 2019, of the 1 reported **murder**:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 100.0% (1).

### Kauai County

From 2018 to 2019:

- The rate of reported violent crimes increased 17.9%.
- The rate of reported robberies decreased 52.1%.
- The rate of reported aggravated assaults increased 48.4%.
- The rate of reported murder decreased 0.1%, with 3 murders reported in 2018, versus 3 reported in 2019.

Comparing 2019 to 2010:

- The violent crime rate decreased 10.0%.
- The robbery rate decreased 37.2%.
- The aggravated assault rate decreased 16.4%.
- The murder rate increased 41.3%, with 2 murders reported in 2010 and 3 murders reported in 2019.

In 2019, of the 235 **violent crimes** reported:

- Aggravated assault accounted for 70.2% (165).
- Rape accounted for 23.4% (55).
- Robbery accounted for 5.1% (12).
- Murder accounted for 1.3% (3).

In 2019, of the 12 **robberies** reported:

- Strongarm weapons (hands, fists, feet, etc.) were involved in 75.0% (9).
- Other dangerous instruments were involved in 16.7% (2).
- A firearm was involved in 8.3% (1).

In 2019, of the 165 **aggravated assaults** reported:

- Strongarm weapons (hands, fists, feet, etc.) were used in 51.5% (85).
- Other dangerous instruments were involved in 30.3% (50).
- Knives or cutting instruments were involved in 16.4% (27).
- Firearms were involved in 1.8% (3).

In 2019, of the 3 reported **murders**:

- A knife or cutting instrument was involved in 33.3% (1).
- A strongarm weapon (hands, fists, feet, etc.) was involved in 33.3% (1).
- An “other” or unknown weapon was used in 33.3% (1).

## Appendix B. Hawaii Injury Prevention Plan (HIPP) 2018-2023 Strategies to Target Risk and Protective Factors

The Emergency Medical Services and Injury Prevention System Branch (EMSIPSB) places a priority on having injury prevention strategies recommended by a community-driven action plan or informed by key implementing partners. Because a multitude of factors influence individual behavior, the strategies in the below table target risk and protective factors, framed across the individual, relationship, community, and policy levels.

Level	Strategy	Risk factors	Protective factors
<b>Societal</b>	Promoted suicide prevention as a core component of Hawaii’s overall system of care  Ensure policies and protocols set the proper foundation for suicide prevention initiatives	Unsafe media portrayals of suicide  Stigma associated with mental health and help-seeking behaviors	Safe reporting and messaging about suicide.  Supportive community environments for marginalized people
<b>Community</b>	Increase community awareness and communication around suicide prevention as a public health problem	Lack of access to providers, medication	Availability of medical and behavioral health services and other healthcare providers
<b>Relationship</b>	Increase statewide capacity for training across multiple levels and disciplines, including a focus on cultural humility with diverse populations	Violent relationships and financial/work stress	Connectedness with caregivers and social institutions
<b>Individual</b>	Increase State and community capacity to effectively and efficiently respond to those touched by suicide and those with mental health challenges	History of mental health issues, substance abuse and prior suicide attempts	Effective and available mental health care, substance abuse treatment services



## Appendix C. HRS Chapter 586, Domestic Abuse Protective Orders

### Part I. General Provisions

#### Section

- [586-1](#) Definitions
- [586-2](#) Court jurisdiction
- [586-3](#) Order for protection
- [586-4](#) Temporary restraining order
- [586-5](#) Period of order; hearing
- [586-5.5](#) Protective order; additional orders
- [586-5.6](#) Effective date
- [586-5.8](#) Transfer or release of domestic abuse victims  
from shared wireless plans
- [586-6](#) Notice of order
- [586-7](#) Assistance of police in service or execution
- [586-8](#) Right to apply for relief
- [586-9](#) Modification of order
- [586-10](#) Copy to law enforcement agency
- [586-10.5](#) Reports by the department of human services;  
court responsibilities
- [586-11](#) Violation of an order for protection
- [586-12](#) Mutual protective orders
- [586-13](#) Domestic violence intervention; anger management

### Part II. Foreign Protective Orders

- [586-21](#) Foreign protective orders
- [586-22](#) Valid protective order
- [586-23](#) Filing of foreign protective order
- [586-24](#) Enforcement of foreign protective orders
- [586-25](#) Good faith immunity
- [586-26](#) Penalties

Appendix D. HRS Section 134-7, Firearms, Ammunition and Dangerous Weapons; Ownership or Possession Prohibited, When; Penalty

**§134-7 Ownership, possession, or control prohibited, when; penalty.** (a) No person who is a fugitive from justice or prohibited from possessing a firearm or ammunition under title 18 United States Code section 922 or any other provision of federal law shall own, possess, or control any firearm or ammunition.

(b) No person who is being prosecuted for one or more charges for a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug in a court in this State or elsewhere, or who has been convicted in this State or elsewhere of having committed a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug shall own, possess, or control any firearm or ammunition.

(c) No person shall own, possess, or control any firearm or ammunition if the person:

- (1) Is or has been under treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug, intoxicating compound as defined in section 712-1240, or intoxicating liquor;
- (2) Has been acquitted of a crime on the grounds of mental disease, disorder, or defect pursuant to section 704-411 or any similar provision under federal law, or the law of another state, a United States territory, or the District of Columbia;
- (3) Is or has been diagnosed with or treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm; or
- (4) Has been adjudged to:

(A) Meet the criteria for involuntary hospitalization under section 334-60.2; or

(B) Be an "incapacitated person", as defined in section 560:5-102, unless the person establishes, with appropriate medical documentation, that the person is no longer adversely affected by the criteria or statuses identified in this subsection.

(d) No person who is less than twenty-five years old and has been adjudicated by the family court to have committed a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug shall own, possess, or control any firearm or ammunition.

(e) No minor shall own, possess, or control any firearm or ammunition if the minor:

- (1) Is or has been under treatment for addiction to any dangerous, harmful, or detrimental drug, intoxicating compound as defined in section 712-1240, or intoxicating liquor;
- (2) Is a fugitive from justice; or

(3) Has been determined not to have been responsible for a criminal act or has been committed to any institution on account of a mental disease, disorder, or defect, unless the minor establishes, with appropriate medical documentation, that the minor is no longer adversely affected by the addiction, mental disease, disorder, or defect.

For the purposes of enforcing this section, and notwithstanding section 571-84 or any other law to the contrary, any agency within the State shall make its records relating to family court adjudications available to law enforcement officials.

(f) No person who has been restrained pursuant to an order of any court, including a gun violence protective order issued pursuant to part IV, from contacting, threatening, or physically abusing any person, shall possess, control, or transfer ownership of any firearm or ammunition, so long as the protective order, restraining order, or any extension is in effect. The protective order or restraining order shall specifically include a statement that possession, control, or transfer of ownership of a firearm or ammunition by the person named in the order is prohibited. The person shall relinquish possession and control of any firearm and ammunition owned by that person to the police department of the appropriate county for safekeeping for the duration of the order or extension thereof. At the time of service of a protective order or restraining order involving firearms and ammunition issued by any court, a police officer may take custody of any and all firearms and ammunition in plain sight, those discovered pursuant to a consensual search, and those firearms surrendered by the person restrained. If the person restrained is the registered owner of a firearm and knows the location of the firearm, but refuses to surrender the firearm or disclose the location of the firearm, the person restrained shall be guilty of a misdemeanor. In any case, when a police officer is unable to locate the firearms and ammunition either registered under this chapter or known to the person granted protection by the court, the police officer shall apply to the court for a search warrant pursuant to chapter 803 for the limited purpose of seizing the firearm and ammunition.

(g) Any person disqualified from ownership, possession, control, or the right to transfer ownership of firearms and ammunition under this section shall surrender or dispose of all firearms and ammunition in compliance with section 134-7.3.

(h) Any person who otherwise would be prohibited under subsection (b) from owning, possessing, or controlling a firearm and ammunition solely as a result of a conviction for a crime that is not a felony, and who is not prohibited from owning, possessing, or controlling a firearm or ammunition for any reason under any other provision of this chapter or under title 18 United States Code section 922 or another provision of federal law, shall not be prohibited under this section from owning, possessing, or controlling a firearm and ammunition if twenty years have elapsed from the date of the conviction.

(i) Any person violating subsection (a) or (b) shall be guilty of a class C felony; provided that any felon violating subsection (b) shall be guilty of a class B

felony. Any person violating subsection (c), (d), (e), (f), or (g) shall be guilty of a misdemeanor. [L 1988, c 275, pt of §2; am L 1990, c 191, §1; am L 1993, c 215, §1; am L 1994, c 204, §§6, 7; am L 1995, c 189, §§2, 26; am L 1998, c 133, §5; am L 1999, c 297, §1; am L 2000, c 127, §2; am L 2004, c 4, §1; am L 2006, c 27, §2; am L 2019, c 150, §3; am L 2023, c 52, §6]

### **Law Journals and Reviews**

Empowering Battered Women: Changes in Domestic Violence Laws in Hawai'i. 17 UH L. Rev. 575 (1995).

### **Case Notes**

Summary judgment granted to defendants where plaintiff's 1997 harassment conviction constituted a conviction for a "misdemeanor crime of domestic violence" and, as a matter of statutory construction, the unavailability of a procedure for either expungement, set-aside, pardon, or civil rights restoration did not remove plaintiff from the ambit of federal prohibition or by extension, this section. 855 F.3d 1067 (2017).

Defendant police chief was entitled to qualified immunity from plaintiff firearm permit applicant's 42 U.S.C. §1983 claims for monetary damages for alleged violations of plaintiff's Second Amendment right to bear arms and Fourteenth Amendment procedural due process right because a reasonable official in defendant's circumstances would not have understood that defendant's conduct violated a right that was clearly established at the time of the denial of plaintiff's permit; this section, on which the denial was based, had not been invalidated by case or legislative action. 869 F. Supp. 2d 1203 (2012).

Plaintiff firearm permit applicant's allegations that plaintiff was denied a permit and ordered to surrender plaintiff's weapons due to a conviction of harassment under §711-1106 more than ten years before and that the conviction was not a crime of violence under subsection (b) or federal law for the purposes of prohibiting ownership or possession of firearms were sufficient to state a 42 U.S.C. §1983 claim for a violation of plaintiff's Second Amendment rights. 869 F. Supp. 2d 1203 (2012).

Genuine issue of material fact existed regarding: (1) whether plaintiff had been under counseling for addiction to, abuse of, or dependence upon a drug or intoxicating liquor; and (2) whether plaintiff had been "medically documented to be no longer adversely affected" by drugs or intoxicating liquor. As a result, plaintiff had not established a Second Amendment right to possess firearms. 976 F. Supp. 2d 1200 (2013).

Subsection (b) did not disqualify plaintiff from exercising plaintiff's Second Amendment rights because the court could not conclude that plaintiff's convictions for harassment constituted a crime of violence. 976 F. Supp. 2d 1200 (2013).

Where defendants argued that plaintiff was prohibited from possessing firearms under federal law because of the federal Lautenberg Amendment, which

prohibits firearm ownership by any person who "has been convicted in any court of a misdemeanor crime of domestic violence", plaintiff's convictions for harassment did not qualify as a misdemeanor crime of domestic violence under federal law. 976 F. Supp. 2d 1200 (2013).

Where defendants asserted that plaintiff lacked standing to bring a lawsuit because plaintiff was precluded from obtaining firearms under this section, and, therefore, could not establish a violation of plaintiff's Second Amendment rights, police department's denial of plaintiff's application for a firearms permit, order to surrender firearms plaintiff possessed, and letter affirming the denial of the application constituted an "injury-in-fact" sufficient to meet the minimum requirements of Article III standing. 49 F. Supp. 3d 727 (2014).

Where plaintiff was disqualified from possessing firearms under 18 U.S.C. §922(g)(9) and applying subsection (a) would not have an impermissible retroactive effect, subsection (a) precluded plaintiff from acquiring a firearms permit. 49 F. Supp. 3d 727 (2014).

Felon convicted of possessing firearm properly sentenced under this section instead of §706-610. 68 H. 622, 725 P.2d 799 (1986).

Defendant exercised control when defendant sold gun. 70 H. 219, 768 P.2d 230 (1989).

Previously convicted felon must have intentionally, knowingly, or recklessly possessed or controlled the firearm. 70 H. 509, 778 P.2d 704 (1989).

Defendant may not assert the invalidity of the prior conviction as a defense under this section. 71 H. 101, 784 P.2d 867 (1989).

Convicted person may not assert the invalidity of the prior offense as a defense to this section. 71 H. 111, 784 P.2d 872 (1989).

Subsection (b) applies to felons who are convicted through a nolo contendere plea. 83 H. 507, 928 P.2d 1 (1996).

Where defendant's convictions were premised upon the use of "any firearm" and language of indictments and trial court's instructions "to wit, a semiautomatic pistol" did not alter the statutory elements of §§708-840, 134-6, or this section, trial court's error of not providing definition of "semiautomatic firearm" did not warrant reversal of convictions of first degree robbery, carrying or use of firearm in commission of separate felony, or felon in possession of firearm. 91 H. 33, 979 P.2d 1059 (1999).

For the purposes of subsection (b), "possession" must be analyzed using a two-pronged analysis: (1) the voluntary act of "possession" of an object "itself" is, by way of §702-202, satisfied where an individual acts knowingly with respect to his or her conduct; and (2) the requisite state of mind with respect to the attendant circumstances--i.e., the particular qualities of the object that make it illegal to possess it--is, by way of §702-204, satisfied by a reckless state of mind. 93 H. 87, 997 P.2d 13 (2000).

Where one bag containing a gun was found on truck seat next to defendant and another bag with two guns was found on truck floor where defendant had been sitting, jury could have inferred from totality of circumstances that defendant had the state of mind requisite to commit possession of a firearm and/or ammunition by a person convicted of certain crimes. 93 H. 87, 997 P.2d 13 (2000).

A person commits the offense of attempted prohibited possession of a firearm, pursuant to §705-500(1)(b) and (3), and subsection (b), if he or she intentionally engages in conduct that, under the circumstances as he or she believes them to be, constitutes a substantial step in a course of conduct intended to culminate in his or her commission of the offense of prohibited possession of a firearm. 93 H. 199, 998 P.2d 479 (2000).

As the offense of attempted prohibited possession of a firearm under this section does not include a result-of-conduct element and §705-500(2) does not therefore apply, trial court instruction erroneously defined the state of mind necessary to prove the offense of attempted prohibited possession of a firearm as something less than intentional, as required by §705-500(1)(b). 93 H. 199, 998 P.2d 479 (2000).

Pursuant to §§701-109(4)(b), 705-500(1)(b) and (3), and subsection (b), attempted prohibited possession of a firearm is an included offense of prohibited possession of a firearm. 93 H. 199, 998 P.2d 479 (2000).

Where defendant failed to carry defendant's burden of establishing that defendant's conduct--of possessing ammunition in violation of subsection (b), a class B felony involving conduct that had the potential for serious public safety consequences--was de minimis within the meaning of §702-236, appellate court's dismissal of trial court's granting of motion to dismiss charges as a de minimis infraction under §702-236 affirmed. 123 H. 329, 235 P.3d 325 (2010).

Where the State's evidence only went so far as to show defendant's ownership and presence in the vehicle and defendant's proximity to the firearm and ammunition, absent evidence of intent, the circuit court correctly granted defendant's renewed motion of judgment of acquittal; the appeals court thus erred in vacating circuit court's judgment by concluding that there was sufficient evidence of intent for jury to infer that defendant constructively possessed the subject rifle and ammunition in violation of subsection (b). 128 H. 18, 282 P.3d 560 (2012).

Requisite state of mind for a violation of subsection (b) is that of acting intentionally, knowingly, or recklessly; failure to instruct jury on state of mind element, as required by §701-114(1)(b), was prejudicial and not harmless error. 78 H. 422 (App.), 895 P.2d 173 (1995).

Where State failed to establish defendant's prior felony conviction and no lesser included offense of a felon in possession of a firearm or ammunition in chapter 134, defendant's convictions of being a felon in possession of a firearm and firearm ammunition under subsection (b) reversed. 82 H. 517 (App.), 923 P.2d 934 (1996).

Under subsection (b), multiple punishments are not authorized for violating the prohibition against possession of "any firearm or ammunition therefor"; thus, where defendant was already convicted of possessing a firearm, defendant could not be convicted for possession of ammunition loaded into that firearm. 89 H. 59 (App.), 968 P.2d 1070 (1998).

Although evidence that defendant had previously been convicted of a felony was relevant for purposes of this section, evidence that defendant may have received ineffective assistance of counsel during that prior felony trial would not

have any bearing on the validity of that felony conviction; thus, trial court did not err in precluding evidence that defendant may have received ineffective assistance during prior trial. 90 H. 489 (App.), 979 P.2d 85 (1999).

Unless expressly permitted by the court, subsection (f) unqualifiedly prohibits a person subject to a chapter 586 order from possession and control of a firearm during the pendency of that order; this prohibition is effective irrespective of whether the respondent owned the firearms involved. 91 H. 438 (App.), 984 P.2d 1264 (1999).

Trial court erred in sentencing defendant to ten years of incarceration with a mandatory minimum term of ten years under §706-660.1(3)(c) as convicting defendant of being a felon in possession of a firearm pursuant to subsection (b) and sentencing defendant to a mandatory minimum term of imprisonment pursuant to §706-660.1(3)(c) essentially punished defendant twice for a single possession of a firearm; a rational interpretation of §706-660.1 is that the legislature did not intend its application for felonies where the entirety of the felonious conduct is the use or possession of a firearm. 107 H. 273 (App.), 112 P.3d 759 (2005).

In a prosecution of a felon under subsection (b) for possession of firearm ammunition, the State must prove, whether by direct or circumstantial evidence, that the ammunition was "actually loaded"; given detective's authoritative identification of the bullets as ammunition, and in the absence of evidence that the ammunition was not loaded or otherwise incapable of being fired, was substantial evidence that the ammunition was actually loaded. 108 H. 124 (App.), 117 P.3d 856 (2005).

Mentioned: 9 H. App. 333, 839 P.2d 1186 (1992).

## Appendix E. NCJA: An Overview of Community Violence Intervention Strategies



## An Overview: Community Violence Intervention Strategies

### History of Community Violence Interventions

Community violence consists of the intentional use of physical force or power, threatened or actual, against another person, group or community in a specific location that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.

When referring to community violence, homicides are highlighted as the number one issue, particularly homicides from gun violence; however, it is important to acknowledge the toll of nonfatal violent injuries when researching community violence as they far outnumber fatal deaths by more than one hundred-to-one.





Community violence intervention has been in existence for decades with community-based organizations successfully reducing violence through locally driven, data informed alternative public safety measures. Several models for Community Violence Intervention (CVI) include but are not limited to street outreach, group violence intervention, crime prevention through environmental design and hospital-based violence intervention programs. The Biden Administration is supporting localities to adopt and advance this suite of approaches.



### UPDATED OCTOBER 2021!

Visit the Bureau of Justice Assistance's (BJA) [Community Violence Intervention \(CVI\) page](#), home to recordings of a 4-part webinar series produced by the White House and numerous other CVI resources.

Several models for Community Violence Intervention (CVI) include, but are not limited to:

-  Group Violence Intervention
-  Hospital-based Violence Intervention Programs
-  Violence Interrupters
-  Crime Prevention Through Environmental Design



### Group Violence Interventions (GVI)

A form of problem-oriented policing and often funded through law enforcement agencies, GVI is based on the understanding that a small, identifiable group within a community is responsible for the majority of violence.

The individuals typically associated with this violence tend to be affiliated in groups with violence stemming from local rivalries and competition. While these groups are many times marked as “crews” or “gangs”, these terms are intentionally avoided within this work as they infer organized structure and exclude informal street groupings that account for a majority of the violence. This strategy also highlights that this violence more than likely stems from conditions of economic desperation and is frequently committed by the most chronically underserved individuals. Given this understanding, this model relies heavily on the “carrot and stick” theory: providing individuals with resources but also ensuring they understand that if they do not put down the guns, there will be consequences through enforcement.

**While there are a variety of GVI programs, there are specific components required as part of this model. These components include the following:**

- An organized cohort of respected and credible community members, faith leaders, social service providers, researchers, and law enforcement officials
- A working list of individuals (identified by cohort) in the community most at risk for committing or becoming the victims of violence
- “Custom notifications” to alert identified individuals that they are on the working list
- Intimate in-person meetings or “call-ins” between the community cohort and the working list. These meetings include the following:
  - Strong communication to “stop the violence” and “put the guns down”;
  - Opportunity for enrollment in wrap-around resources for attendees included but not limited to GED tutoring, transportation assistance, mental health treatment, housing support, and tattoo removal;
  - Law enforcement messaging regarding swift and sure legal action if violence is not ceased;
  - Highlight the powerful “focused deterrence” effect of deterring crime by increasing the swiftness, severity and certainty of punishment for crimes by implementing a mix of law enforcement, social services, and community mobilization.

The key feature of GVI is the understanding that community is the primary deterrent of violence. While law enforcement plays an essential role, GVI is grounded in the participation of community leaders. Because of the community’s centralized role, at-risk individuals are more likely to recognize enforcement as “legitimate” as they see officers acting on behalf of the neighborhood and community. This method also has the potential to lead to building and/or repairing strained relationships between law enforcement and community.

The GVI model has a remarkably strong track record, featuring a documented association with homicide reductions of 30–60%. **A commonly known program, Operation Ceasefire, was developed in Boston** in the mid-1990s and was associated with a 61% reduction in youth homicide, bringing attention to this strategy.



### **Hospital-Based Violence Intervention Programs (HVIPs)**

Given their immediate access to those who have been harmed by violence, hospitals have become the first line of support for victims and provides time for the reduction of tensions between the victim and perpetrator that may lead to retaliatory violence.

These multi-disciplinary programs, HVIPs, partner medical staff and credible community-based partners to support victims of violent crime through safety planning, services, and trauma-informed care. [Research](#) indicates that victims of violence are at a higher risk for being revictimized as well as becoming perpetrators of violence. The time these victims spend recovering in the hospital serves as an opportunity to tackle the potential for retaliatory

tion and recidivism. Studies show that victims in healthcare settings are particularly poised to interventions to reduce violence and promote positive behavior change.

Recognizing that victimization does not typically end with an isolated incident, providers use the hospital setting to offer resources that will follow the individual back into the community. These resources are presented to the patients by outreach workers while in the hospital and those workers support the victims once reentering the community. These resources include but are not limited to community-based services, mentoring, home visits, follow-up assistance, and long-term case management as well as protective factors such as social support, job readiness, and educational attainment that reduce risk factors like substance misuse and chronic unemployment. This ensures that even as the patient is released, the wrap around services and support follows them back into the community.

While still a relatively new approach, states, like New Jersey, are finding ways to fund HBVIs through federal funding. In 2020, New Jersey was able fund all nine of the states HBVIs with VOCA funds.

## **STOP** Violence Interrupters

Street outreach programs are a public health approach to violence intervention. The premise is that violence, specifically homicides and shootings, mimic a disease that spreads rapidly throughout a community.

Violence Interrupters (VIs), or street level conflict mediators, are the main component of street outreach programs to prevent and reduce

**While clean green space is often identified as the main factor in CPTED, the strategy consists of four key components:**

Access Control: designing streets, sidewalks, building entrances, and neighborhood gateways to clearly indicate transitions from the public environment to semi-private and private areas

Surveillance: maximizing the visibility of people, parking areas, vehicles, and site activities. Examples include strategic placement of windows, doors, walkways, parking lots, and vehicular routes.

Territorial Reinforcement: Using sidewalks, landscaping, and porches to help distinguish between public and private areas, showing signs of “ownership” that send “hands off” messages to those who may commit violent crimes.

Maintenance: Addressing management and maintenance of space such as proper upkeep (mowing grass, trimming trees and landscaping, picking up trash, repairing broken windows and light fixtures, and painting over graffiti). This signals that a location or facility is well cared for and therefore would be inhospitable to a criminal and that an owner, manager, or neighbor is watching out for the property and could spot illegal behavior.

violence. VIs are selected based on their credibility within a community and many times are returning citizens who were previously engaged in high-risk behaviors such as group or gang involvement. The VIs credibility provides a common ground with which these interrupters can approach high-risk individuals. Their history within the community offers invaluable knowledge and understanding of the community’s interworking including strained or tense rela-

tionships that could ultimately lead to violent conflict.

Given their unique understanding of the communities in which they lived and are now working, the majority of their time is spent in the streets to build trust, network, and connect with high-risk individuals to better understand where violent conflicts may arise. This means their main role is to prevent retaliatory violence and to ensure unresolved conflict does not escalate to a fatal level.

Part of the challenge reported by VI programs is the part-time status and poor pay for the violence interrupters. Many believe that VIs should be full time employees of the city, whether through the Mayor's Office or the Department of Health and Human Services and should be physically located within smaller communities that have heightened risks of violence. The UCLA Social Justice Research Partnership conducted a review of one of the first successful Violence Interrupter programs as well as how to begin a program like this, click [here](#).



### Community Driven Crime Prevention Through Environmental Design (CPTED)

Community Driven Crime Prevention Through Environmental Design (CPTED) is a long term, multi-disciplinary strategy using urban planning, architectural design, and the management of built and natural environments to reduce gun violence. Research indicates that a community's physical environment, bettered by simply cleaning up trash, is a critical component of creating safety within a community and should be prioritized as an investment by the city.

Research conducted by the University of Pennsylvania also indicates that adding greenery, incorporating better lighting, cleaning up trash, and providing clean and open spaces for community gathering leads to violence reduction without displacing or relocating crime.

Cities, like Seattle, have seen success using CPTED and funded the initiative through federal funding, the Byrne Criminal Justice Innovation grant. To learn more about their initiative click [here](#).

This document was created with the support of Grant No. 2019-DP-BX-K002 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Appendix F. OJJDP News @ a Glance: Stakeholder’s Corner: Grantee  
in Hawaii Helps Redirect Lives of Youth Involved in Gangs



## OJJDP News @ a Glance

This issue highlights a webinar where youth spoke candidly about their needs during reentry, an OJJDP grantee in Hawaii that offers youth healthy alternatives to gang membership, and how partnerships between Tribes and states benefit Native youth.

### Message From the Administrator: Listening to Young People

# Stakeholder's Corner: Grantee in Hawaii Helps Redirect Lives of Youth Involved in Gangs

By Deborah L.K. Spencer-Chun, President and CEO, Adult Friends for Youth

[Adult Friends for Youth](#) was founded in 1986 to provide healthy alternatives to gang membership and violence for youth living in low-income neighborhoods in Honolulu, HI, and other parts of Oahu. We rely on nondirective, nonjudgmental practices and emphasize academic achievement to encourage youth to take charge of their lives.

Our fiscal year 2020 grant awarded under OJJDP's [Comprehensive Anti-Gang Programs for Youth](#) solicitation supports individual and group counseling for gangs and friendship groups with an average age of 15 to 16. Our approach to gang intervention is to work with a gang as a unit rather than serving individuals. To transform the life of one youth, we need to work with everyone that individual interacts with. The groups we serve average 15 to 20 youth.

One of the major advantages of working with an entire gang is the peer pressure exerted on each member—to show up to our weekly sessions and model the behaviors and decisionmaking we try to instill. We find that participants hold each other accountable when we're not around.

OJJDP's [Comprehensive Gang Model](#) provides Adult Friends for Youth with a structure to collaborate with community partners, implement a specialized curriculum, and advocate for the needs of youth involved in gangs. Our curriculum incorporates social-emotional learning and the development of positive coping skills. It provides experiential learning opportunities for youth—covering education, careers, social activities, culture, recreation, and community service—to help them transition from gang life back into the mainstream.

Our group counseling sessions are held either after school or for one class period during the school day. Staff establish a relationship with the group by engaging them in activities selected by the youth. We also work with participants individually to help them identify an alternative educational option or find employment, or to ensure they don't miss any court appearances.

Our work sometimes requires crisis intervention. To avert a planned altercation last year, for example, one of our "redirection specialists" worked with a high school administrator to remove members of two gangs from their campus to separate locations. Over the next several days, our staff talked with the youth about their underlying reasons for a fight, and reached out to older members of each gang. Ultimately, the gangs called a truce.

We consider our work a long-term, 24/7 commitment. Each youth has the cell phone number of two staff members and is encouraged to call for support or guidance at any time. Their cell phone is their lifeline, we tell participants. In fact, our support does not have a set termination date. If Adult Friends for Youth learns that a youth we worked with previously has reverted to past behaviors, we can continue where we left off, providing additional counseling.

Our nonprofit serves about 200 or more youth annually through in-school and neighborhood gang intervention counseling programs, with at least two-thirds graduating from high school or moving to the next grade level each year. In 2021, 92 percent of our participants reduced or terminated their violent behavior.



Adult Friends for Youth offers a counseling program to youth involved in gangs. Photo courtesy of Adult Friends for Youth.

The journey these youth travel as they work to turn their lives around is not easy. But through intensive counseling and prosocial activities, a focus on education, and collaboration with community stakeholders, it is possible.

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*Points of view or opinions expressed in this article are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

*Date Created: August 2, 2022*



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