

2008 ANNUAL REPORT

**EDWARD BYRNE MEMORIAL STATE AND LOCAL
LAW ENFORCEMENT ASSISTANCE
&
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE
GRANTS**



STATE OF HAWAII

**DEPARTMENT OF THE ATTORNEY GENERAL
CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION
GRANTS AND PLANNING BRANCH**

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EXECUTIVE SUMMARY

Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, et seq., as amended, establishes the Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne) Program and, in 2005, the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The JAG program replaced both the Byrne and Local Law Enforcement Block Grant (LLEBG) programs. Subsequently, there is a JAG portion that is made directly available to counties for their administration and so are managed separately from the funds mentioned in this report.

The Act authorizes the Bureau of Justice Assistance to make formula grants to states, for use by states and local units of government, for the purpose of enforcing state and local laws which establish offenses similar to those established in the Controlled Substances Act (21 U.S.C. 801 et seq.). The Byrne program seeks to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. The JAG program supports the same areas and, like the Byrne program, allows states and local governments to support a broad range of activities to prevent and control crime. This annual report reflects the cumulative results of Hawaii's state and county projects funded with the Byrne program and the state administered portion of the JAG program (State JAG).

The Governor has designated the Department of the Attorney General to administer Hawaii's Byrne grant and the State JAG program. The Governor's Committee on Crime (GCOC), the advisory body for the formula grant program, designated six funding priority areas for the Byrne program and nine funding priority areas for the State JAG program.

Priority Areas

Byrne Program

Drug Interdiction and Treatment
Juvenile Crime
Prison Overcrowding
Property Crime
System Improvement
Violent Crime

State JAG Program

Children and Elder Protection
Criminal Justice Information System
Community Prosecution
Cyber Crime
Drug Interdiction
Offender Services
Property Crime
Public Safety Communication
Violent Crime

This annual report reflects the results of the Byrne and State JAG funded projects from July 1, 2007 to June 30, 2008. The projects funded in this report were supported by awards from the FY 2003 and 2004 Byrne grants and/or the FY 2005, 2006, and 2007 State JAG grants. The grants are primarily used to support and seed a large number of projects where funding is limited or non-existent.

Listed below in italics are some of the authorized purpose areas that Hawaii was approved to use for State JAG funding, and descriptions of the project accomplishments.

Children Protection

- The Hawaii County Office of the Prosecuting Attorney formed a specialized unit to prosecute individuals who persistently and deliberately evade court ordered child support obligations. It is a unique program where previously only a few people have been prosecuted under Hawaii law. The unit initiated 18 investigations, completed 11 investigations, executed 1 search warrant, and referred 5 cases to the unit's deputy prosecuting attorney for a charging decision.

Criminal Justice Information System

- The Hawaii Criminal Justice Data Center's Lights Out Transaction Controller (LOTC) can transmit demographic information to CJIS-Hawaii and fingerprint information to the Automated Fingerprint Identification System (AFIS) to trigger simultaneous searches in both systems. The simultaneous searches are matched to offender information received from the arrest/booking system. LOTC has processed approximately 5,000 transactions per month. These transactions included both criminal and civil fingerprint identification transactions. Sixty-five percent of all LOTC transactions are being processed automatically with no human operator intervention and are completed at the state level in 5 minutes or less and at the FBI in 15 minutes or less. The next phase will involve implementing automated identification of first time offenders and is expected to increase the overall automation level to between 75 and 85 percent of all criminal bookings.

Cyber Crime

- The Hawaii High Technology Crime Unit (HHTCU) strategy to stop computer and computer-related crime is to train its task force members in computer related crimes, conduct public awareness briefings, and investigate and prosecute such crimes. The unit investigated approximately 58 theft or Internet fraud cases, 7 identity theft cases, 2 unauthorized access of a computer cases, 49 electronic enticement of a child cases, 28 child pornography cases, and 3 child prostitution cases. Throughout the year, HHTCU provided 3 trainings to task force members, provided a platform for peers network, and continued to build sustainable relationships with task force members.

Drug Interdiction

- Several large multi-agency sting operations were successfully conducted by the Hawaii, Kauai, and Maui Police Departments, which resulted in the Hawaii Narcotics Task Force seizing 6,429.57 grams of crystal methamphetamine, 2,549.19 grams of cocaine, 130.14 grams of heroin, and 106,259.56 grams of marijuana. Nine hundred and three arrests were made, and \$194,981 in cash, 25 weapons, and 36 vehicles were seized.

- The Statewide Marijuana Eradication Task Force seized 566 marijuana plots and 41 indoor marijuana grows in which 58,378 plants were destroyed. The estimated value of the eradicated marijuana was \$58,378,000. Eight hundred fifty-five arrests were made, \$209,023 seized, and 36 weapons were confiscated.
- The Maui Police Department's Police Against Street Sales (PASS) project has enabled police officers to augment the efforts of the Vice Division by conducting basic narcotics investigations. This pool of officers, working in conjunction with vice narcotics officers, received appropriate narcotics training, resources, equipment, and supervision to help address street drug sales. The goal is to disrupt illegal street drug sales within Maui County through a coordinated effort between the Maui Police Department Uniformed Services Bureau, Investigative Services Bureau, and the Vice Division-Narcotics Section. Eight hundred thirty-five new drug cases were initiated, 415 suspects were arrested, and 6,131.73 grams of crystal methamphetamine, and 1,303.31 grams of marijuana were seized.

Offender Services

- An Oahu mental health court program provided assessment, treatment, and discharge planning services for offenders with severe and persistent mental illnesses. The program depends on the coordinated work between the court, the Department of Health-Adult Mental Health Division, probation, prison, treatment service providers, housing and welfare assistance, and case management services. The first three graduates completed the program in February 2008. Twenty-eight clients are participating in the mental health court program. Of the 28 active clients, 23 clients are in approved housing; 9 are in school, or in paid or voluntary employment for 20 hours or more a week; and 15 clients are engaged in pro-social activities.

Of the thirty-four clients that entered the program, 17 clients suffer from schizophrenia, 6 clients suffer from a schizoaffective disorder, 5 clients suffer from bipolar disorders, 3 clients suffer from major depressive disorders, and 3 clients suffer from a post-traumatic stress disorder. Twenty-one of the 34 participants were in jail prior to being accepted into the program.

- The Interagency Council on Intermediate Sanctions continued to build on the accomplishments made since its inception in 2002. The staff continued to work on matching the risk and needs of the assessed adult offender, and training evaluators and service providers on evidence-based offender programs to reduce offender recidivism. The Council is instituting quality assurance for the various standards adopted and established a research infrastructure to measure whether the improvements sought are achieved. Several funding sources, together with the JAG funds, helped to support the project's activities.

Property Crime

- The Honolulu Police Department conducted 24 “Keep Your Identity” presentations, increasing the total number of presentations to 114 since the program’s inception. The audience of 490 people during this reporting period included church organizations, community associations, hospital personnel, senior citizen associations, judiciary personnel, and military personnel. The presentations covered the growing problem of identity theft, how to prevent identity theft, and what people can do if they suspect they are a victim of identity theft.

Violent Crime

- The Honolulu Police Department used grant funds to track and seize stolen firearms and firearms used in the commission of crimes. The project staff generated 22 investigations and seized 37 firearms. Twelve individuals were arrested for various weapons violations.
- The Department of the Attorney General’s Sex Offender Registration Compliance project continued a collaborative effort that included three department divisions: the Hawaii Criminal Justice Data Center, and the Investigations and the Criminal Justice Divisions. The project staff proactively monitors the compliance and enforcement of the Hawaii Revised Statutes 846E, the Registration of Sex Offenders and Other Covered Offenders and Public Access to Registration Information. The staff also identifies those who are not in compliance with the sex offender registration requirements. Two hundred nine cases of unverified or unregistered offenders were investigated. Forty-six offenders came into compliance, and 32 new cases were referred for prosecution. Fourteen offenders were with non-compliance and 2 of the 14 were convicted for failure to comply.

INTRODUCTION

Purpose

All activities funded under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (Byrne) and the state portion of the Edward Byrne Memorial Justice Assistance Grant Program (State JAG) for the period July 1, 2007 to June 30, 2008 are covered in the 2008 State Annual Report as required under Section 522 (42 U.S.C. 3711 et seq.).

Administration of the Formula Grant Program

The Department of the Attorney General is the state agency designated to administer the Byrne grant and the State JAG grant. The Crime Prevention and Justice Assistance Division (CPJAD) is responsible for the development of the strategy and for administering grant awards to state and county criminal justice agencies. The Attorney General chairs the Governor's Committee on Crime (GCOC), whose membership includes two police chiefs, two prosecuting attorneys, a judge, the administrative director of the court, the directors of the Departments of Public Safety and Health, the chairperson of the Hawaii Paroling Authority, the superintendent of the Department of Education, and the U.S. Attorney (ex-officio member). The GCOC is the advisory body for the Byrne and State JAG grants.

In addition to the Byrne and State JAG grants, CPJAD also manages the federal Victims of Crime Act Victim Assistance grant, the Violence Against Women STOP Act (VAWA) grant, the VAWA discretionary grants, the Paul Coverdell grant, the Project Safe Neighborhood grant, the Anti-Gang Initiative grant, the Human Anti-Trafficking grant, and the Residential Substance Abuse Treatment for State Prisoners grant.

Distribution of Formula Grant Funds

The total funding amount for the programs covered in this report is \$3,174,601.

In preparation for the submittal of its application for the Byrne and State JAG funds, the CPJAD solicits not only criminal justice data but also information regarding agency and system needs. This information enables CPJAD to identify unmet needs and gaps in services. Based on the crime data and identified needs (gathered during the year prior to the implementation of a multi-year strategic plan), the GCOC determines priorities for the strategy.

A broad spectrum of Hawaii's criminal justice system benefits from the Byrne and State JAG funds. Continuation and new programs were operational in the four county police departments, two county prosecuting attorneys' offices, the Judiciary, the Department of the Attorney General, the Department of Public Safety, and the Department of Land and Natural Resources.

Under both the Byrne and State JAG programs, states are required to pass through a specified amount of funds to local units of government. The Bureau of Justice Statistics determines the amount by assessing the percentage of state funding as compared to local funding for criminal justice. The pass-through requirement is a minimum level of funding for local governments, not a ceiling. The current pass through requirement for Hawaii is 49.53 percent.

Other areas covering the federal requirements on the distribution of funds changed when the grant program switched from the Byrne to the JAG program. Below is a summary of the distribution requirements for the Byrne and JAG programs.

✦ *Byrne*

States are required to use at least 5 percent of their formula grant awards for the improvement of criminal justice records. Accurate and timely information is vital for criminal justice agencies to make sound decisions that affect public safety. The re-designed Criminal Justice Information System (CJIS) is Hawaii's information system that maintains arrest, conviction, fingerprints, and status records of adult offenders. The criminal justice agencies rely upon this database to make crucial decisions.

The Byrne grant requires a 25 percent cash match of the total program cost and limits program support to 48 months of funding. The only exceptions to the 48 months of funding are multi-jurisdictional drug task forces, multi-jurisdictional gang task forces, victim assistance programs, and projects funded under the Criminal Justice Records Improvement Program.

The Byrne program has 29 congressionally defined purpose areas that can be funded.

✦ *State JAG*

Unlike the Byrne grant, the JAG program has no mandatory set aside for criminal justice records improvement.

The JAG program does not require a match requirement or limit the number of months that can be supported by JAG. However, the GCOC approved two administrative policies to maximize available funds and local contributions. The GCOC policies are:

- 20 percent cash match is required of the total program cost, and
- to continue the 48-month funding cap as established under Byrne. The 48 months starts anew under JAG, therefore, the period counted under the Byrne grant is not added to the 48 months available under the State JAG. Multi-jurisdictional task forces are exempt from the 48-month rule, to ensure that statewide coordination of drug interdiction efforts is continued.

The JAG program has six congressionally defined purpose areas that can be funded.

Overview of Programs as Linked to State Strategy

✦ *Byrne*

The Byrne grant multi-year strategy seeks to address six priority areas that are affecting Hawaii's criminal justice system. The areas are drug interdiction and treatment, prison overcrowding, property crime, violence (domestic, child, and sex assault), system improvement, and juvenile crime.

✦ *State JAG*

The programs funded under the State JAG grant reflect the goals and objectives of Hawaii's 2005 multi-year strategy. The State JAG grant multi-year strategy seeks to address seven of the nine priority areas that are affecting Hawaii's criminal justice system.

The following priorities were funded during the July 2007 to June 2008 report period.

Children Protection – Efforts to increase protective factors that keep children safe and healthy while reducing factors that may increase the risk for child abuse and neglect.

Criminal Justice Information System – The state's criminal justice information system is a criminal history repository system that has electronic interfaces with other automated systems such as police booking, prosecutor case management, court information, and corrections management.

Cyber Crime – Program prevents, investigates, and prosecutes computer/computer related crimes. Investigators manage complex investigations and deputy attorneys general work to resolve legal and investigative issues raised by emerging computer and telecommunications technologies. Program trains state and local law enforcement personnel on computer forensic investigations.

Drug Interdiction/Prevention – In response to the ever-burgeoning drug problem in Hawaii, a sizeable portion of Byrne and JAG funds has been committed to drug interdiction. Key components in addressing the drug problem have been task force efforts in interdiction and marijuana eradication.

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

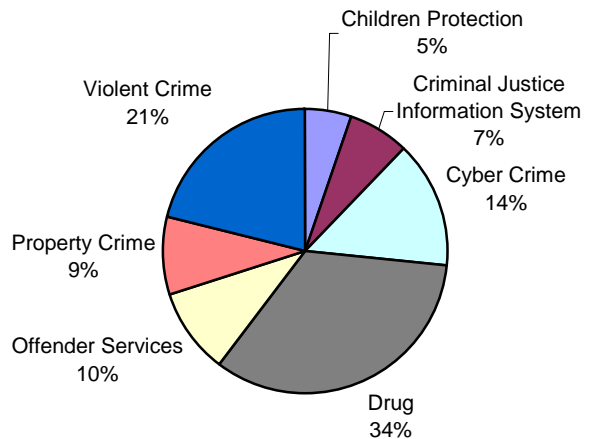
Property Crime – Hawaii's ranking for larceny-theft crime rate continues to be in the top five among the 50 states. In addition to the traditional property crimes (forging checks, vehicle theft, burglary), identity theft is on the rise in Hawaii and elsewhere and criminals have become savvy in using computers and the Internet to conduct illicit activities.

Violent Crime – Violent crimes against children, sex offenses, homicides, and firearm violations top the list of the programs funded under this priority area.

**Funding Amounts by Priority Area
July 2007 – June 2008**

Children Protection	\$169,784
Criminal Justice Information System	\$218,719
Cyber Crime	\$455,504
Drug	\$1,069,088
Offender Services	\$307,240
Property Crime	\$287,336
Violent Crime	<u>\$666,930</u>
	\$3,174,601

Percentage of Funding by Priority Area



Organization of Report

This report includes a brief description of each program area, including project goals, objectives, activities, performance measures, and accomplishments of programs funded by the Byrne grant from July 1, 2007 to June 30, 2008. The total funding for the program area is also reported. Projects funded with Byrne FY 2003 and FY 2004 awards and the State JAG FY 2005 FY 2006, and FY 2007 awards were active during the reporting period.

While this is an annual report, some projects started after July 1, 2007 or ended prior to June 30, 2008. Therefore, some projects may not have been operational for 12 months. The funding amounts reported are the federal amounts awarded by CPJAD for the contracts that were active from July 1, 2007 to June 30, 2008.

EVALUATION PLAN AND ACTIVITIES

The evaluation plan of the Crime Prevention and Justice Assistance Division (CPJAD) includes the following components:

- The project goals and objectives are reviewed upon the submission of an application for funding. CPJAD staff work with the subgrantees to develop appropriate and measurable goals and objectives.
- Progress reports must be submitted by the subgrantees every six months for the project duration and upon termination of the project. The reports are reviewed by CPJAD staff to ensure that sufficient information is contained in the reports to document project activities and whether progress is being made towards meeting the goals and objectives.
- CPJAD monitors projects frequently. This includes desk monitoring (review of fiscal and program reports, telephone contacts, etc.) and site visits. Site visits include a review of fiscal documents (e.g., invoices) to ensure expenditures are consistent with the budget, a discussion of program activities and progress towards meeting objectives, and a discussion of any problems or technical assistance needs.
- Subgrantees conduct a self-assessment upon termination of the project. The final report must document the achievement of the goals and objectives. Some subgrantees hire an independent consultant, using Byrne Memorial funds, to conduct an evaluation.
- CPJAD staff completes a closeout report on each project and makes an assessment as to whether or to what extent objectives were met and what impact the project made.

Evaluations, in the form of self-assessments, are required of all projects funded and is the primary source of evaluation findings for CPJAD.

CPJAD staff conducted a series of Grant Writing and Grant Administration Training across the state. The training was conducted on July 17, 2008 on Oahu (13 attended), on July 18, 2008 on Maui (12 attended), on July 19, 2008 on Kauai (7 attended), and on July 20, 2008 on the Big Island (30 attended). The training focused on the Project Effectiveness Model and basic grant administration, a basic step-by-step lesson on writing a grant proposal.

CHILDREN PROTECTION

NON-SUPPORT PROSECUTION

Program Overview

Although Hawaii County has the highest rate of non-compliance of child support orders statewide, enforcement of child support payment orders in the county was not a priority due to limited county resources. Under Hawaii Revised Statutes §709-903, persistent non-support is a misdemeanor offense. Prosecution can be pursued if there is a record that the individual is able but repeatedly and knowingly fails to provide support payments. Approximately 16,767 (or 16.89 percent) of all active child support enforcement cases statewide are from Hawaii County. Of the 16,767 cases, more than half of the custodial parents are not making regular monthly child support payments.

Hawaii County leads the state in negative social indicators. According to the Mental Health Association 2004 Survey of Social Indicators, Hawaii County has 12.4 percent of the state's population with a disproportionate amount of food stamp recipients (20.9 percent), Temporary Aid to Needy Families (20.1 percent), Temporary Aid to Other Needy Families recipients (20.1 percent), and Social Security Income/Social Security Disability Insurance recipients (20.2 percent).

The Hawaii County Office of the Prosecuting Attorney sought grant funds to support dedicated staff to investigate obligors and prepare the cases for court.

The Hawaii County Office of the Prosecuting Attorney received FY 2005 and FY 2007 funds in the amount of \$169,784.

Goals and Objectives

The goal of this project is to increase child support compliance and to decrease the total amount of arrearages.

The objectives are:

- to screen, identify, and investigate cases that are in violation of HRS §709-903 (Persistent Non-Support) from a list referred by the State Child Support Enforcement Agency and to prosecute obligors who appear to be guilty of the violation;
- to screen and identify welfare fraud, tax fraud, or other fraudulent cases from among the list of delinquent child support obligors. Investigation of such cases will be referred to the Department of Human Services, Department of Taxation, or other appropriate agencies;

DRUG INTERDICTION

HAWAII NARCOTICS TASK FORCE

Program Overview

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

The lead agency of the HNTF is the Maui Police Department. The Honolulu Police Department participates in task force operations without the receipt of Byrne grant funds.

Aggregate Funding Information

Three projects received funding during the report period. The Maui Police Department received FY 2004 and FY 2005 funds totaling \$87,370; the Kauai Police Department received FY 2004 and FY 2005 funds totaling \$40,000; and the Hawaii Police Department received FY 2004 funds totaling \$119,199. Total funding for the Hawaii Narcotics Task Force program was \$246,569.

Goals and Objectives

The goal of the Hawaii Narcotics Task Force program is to reduce the availability of drugs in Hawaii.

The objectives are:

- to meet at least quarterly;
- to make drug-related arrests;
- to make drug, weapon, and asset seizures; and
- to provide training to task force members.

Program Activities

State, federal, and county law enforcement continued to seize illicit drugs in Hawaii. In recent years the demand for crystal methamphetamine has leveled off while the demand for and the supply of cocaine remains high. The supply of these drugs has been coupled with increased purity allowing for those involved in its importation to further increase their profit margins. These “hard” drugs are neither locally found nor produced. Instead, they are imported into the

state via air, postal, and marine/maritime vessels. It has been documented that illicit drugs are predominantly transported via commercial and private air transportation as well as federal and private mail couriers. Precursor chemicals, and for the most part, most illicit drugs are not locally produced but are smuggled into the state resulting in increased trafficking and importing activities. Intelligence information and post investigations confirm this increase.

The profit to be made in drug trafficking remains potentially high. Consequently, drug organizations have invested money, time, and effort to establish elaborate distribution networks that are extremely sophisticated and well organized. These networks continue to filter down to the low level “street dealers” who deal drugs to support their own habits and remain highly visible to the general public.

Because the majority of drugs are being imported into the state, the task force focus is on mid- to high-level drug dealers. Operations are enhanced by utilizing multiple law enforcement agencies, consisting of at least one county police department and a federal agency, i.e., Drug Enforcement Administration (DEA) or the Federal Bureau of Investigation (FBI). The use of undercover officers from other jurisdictions is effective in infiltrating drug organizations. Canine units continue to play an important role in intercepting drugs. Ongoing training is an integral component of task force operations. Officers have attended local and out-of-state training and conferences. Regular task force meetings are necessary not only to plan joint operations but also to discuss pertinent task force issues.

Performance Measures/Indicators and Evaluation Methods

- number of task force meetings held,
- number of drug-related arrests,
- types and amount of drugs seized,
- types and amounts of asset seized, and
- types of training attended.

Program Accomplishments and Evaluation Results

The task force met quarterly to focus on intelligence sharing, training opportunities, grant administration, and tactical planning.

The task force seized 106,259.26 grams of marijuana, 6,429.57 grams of crystal methamphetamine, 2,549.19 grams of cocaine, and 130.14 grams of heroin in the three counties.

**Table 1
Hawaii Narcotics Task Force Drug Seizures in Grams, 7/1/2007 – 6/30/2008**

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

In addition to drug seizures, the three police departments reported 1,283 arrests and the seizure of \$194,981 in cash, 25 weapons, and 36 vehicles.

**Table 2
Hawaii Narcotics Task Force Arrests and Seizures, 7/1/2007 – 6/30/2008**

COUNTY	Number of Arrests	Cash Seized (U.S. Dollars)	Weapons Seized	Vehicles Seized
Hawaii	850	\$26,314	8	3
Kauai	157	\$28,829	17	25
Maui	276	\$139,838	0	8
TOTAL	1,283	\$194,981	25	36

The drug and asset seizures were the result of several investigations. In July 2007, HCPD task force officers received information that crystal methamphetamine was being distributed at a Waiakea gas station in Hilo. A search warrant resulted in the confiscation of 2.8 grams of crystal methamphetamine, 120.4 grams of powdered cocaine, and the seizure of \$314 in U.S. currency. Two adult males with Oahu addresses and an adult female with a Big Island address were arrested.

In August 2007, HCPD officers executed a search warrant of a residence in the Puna area of the Big Island. A total of 177.2 grams of powdered cocaine was confiscated from within the residence and from the bushes located near the edge of the property. Also seized was \$1,840 in U.S. currency. An adult male Mexican national and a female adult with a California address were arrested. After interviewing the suspects, it was learned that the female was the courier who “body carried” the cocaine on a flight from Los Angeles. It was also determined that the Mexican national was wanted as a suspect for a 2001 “Operation Pipeline” drug investigation on the Big Island but who, at the time, had fled before he could be apprehended.

In August 2007, KPD concluded “Operation Green Stream.” Other federal and local agencies involved in the operation included the DEA, FBI, IRS, ICE, ATF, U.S. Coast Guard, U.S. Postal Service, Federal Protective Services, HPD, MPD, HCPD, and the State DLNR. A total of nine federal search warrants were issued and executed on four residences and five vehicles. Five federal arrest warrants were issued, one state search warrant was issued and executed, and three arrested were made under state charges. A total of 5,922 marijuana plants were seized including 30.2 pounds of processed marijuana and \$1,675 in U.S. currency. Also seized were five vehicles valued at \$50,070, one boat with trailer valued at \$2,000, and real property.

In September 2007, the MPD Vice Division, Special Response Team and Criminal Intelligence Unit executed multiple search warrants upon the residents of a Wailuku residence. The search warrant was based on intelligence gathering and controlled purchases of illicit drugs from the primary target of this investigation. Total seizures included 6.54 grams of marijuana, 17.91 grams of crystal methamphetamine, drug paraphernalia, and \$288 in U.S. currency. The suspect and his associate were arrested for the drug offenses.

In September 2007, “Operation Falcon II” was conducted by the KPD with the assistance of the U.S. Marshal Service and the Hawaii Fugitive Task Force. A total of 42 bench warrants were served. Two search warrants were executed resulting in three felony and two misdemeanor arrests. The operation seized 34 grams of methamphetamine and \$1,975.

In October 2007, MPD Vice officers conducted a controlled delivery of a parcel that had been initially intercepted in Honolulu. The parcel contained over three pounds of marijuana for a Lahaina address. The investigation resulted in one arrest and the recovery of 19.05 grams of processed marijuana. .

In October 2007, KPD officers conducted “Operation Garden Ice.” Assisting in the operation were the DEA, FBI, ICE, IRS, ATF, U.S. Coast Guard, the U.S. Postal Service, the Federal Protective Services, the Hawaii National Guard, the state DLNR, HPD, HPD, and HCPD. The operation resulted in 10 search warrants being issued and executed on Kauai, two on Oahu, one on Maui, one in Hawaii County. A total of eight people were arrested on Kauai, two on Oahu, one in Maui and Kona, and four in California. Kauai seizures included six firearms, five vehicles and one motorcycle, two ounces of crystal methamphetamine (56.69 grams), one marijuana plant, and \$1,091. The Sacramento seizures included one-quarter pound of crystal methamphetamine, two shotguns, one SKS semi-automatic rifle, \$19,500, and real property.

To keep abreast of trends and the latest investigative techniques, 54 task force members attended 15 training workshops.

<u>Training</u>	<u>Date</u>	<u>Location</u>	<u># Attending</u>
Operation Jetway Training	07/2007	Chicago	2
Dept. Attorney General – Wiretap Training	08/2007	Honolulu	1
12 th Annual Covert Operations Conference	08/2007	Las Vegas	2
Money Laundering & Financial Investigation Training	08/2007	Honolulu	1
Vohne Liche Kennels Training (Selection & Purchase of Drug K9)	08/2007	Denver	1
Hawaii Narcotics Task Force (Quarterly Meetings)	08/2007	Honolulu	5
	02/2008	Honolulu	4
	05/2008	Honolulu	3
California Narcotics Officers Assn. Conf.	11/2007	Reno	2
Campaign Against Marijuana Planting	01/2008	Lake Tahoe	3
Calif. Narcotics Canine Assn . Conference	01/2008	Burbank	2
Currency, Banking, and Retrieval System For Law Enforcement Personnel	02/2008	Honolulu	2

Hawaii Narcotics Canine Training	03/2008	Honolulu	5
Inter-County Criminal Intelligence Unit (ICCIU) Training	03/2008	Maui	14
Domestic Cannabis Enforcement and Suppression Program – National	04/2008	Seattle	4
WSIN Training	04/2008	Sacramento	2
Operation Hemisphere Training	04/2008	Honolulu	1

MARITIME INTELLIGENCE AND ENFORCEMENT

Program Overview

The primary focus of the program is to address maritime drug trafficking and drug activity in state and county harbors. Intelligence indicate that stringent airport and air cargo screening and increased security measures discourage drug traffickers from using airline carriers. According to the Department of Land and Natural Resources (DLNR), which has primary responsibility for the state's boating and ocean recreational programs, traffickers rely on the maritime sector for the importation and distribution of illegal drugs. A primary objective of the project is to pursue drug trafficking investigations in state recreational harbors and waters.

The DLNR Division of Conservation and Resources Enforcement (DOCARE) received \$90,000 in FY 2006 funds for this project.

Goals and Objectives

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

The objectives are:

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

Program Activities

This is the fourth year of operation for the project. Although it had a slow beginning, the project initiated all activities to meet project objectives and goals. Investigative and operational hardware/equipment were purchased; data systems and secured intelligence connections are now being accessed; coordinated, multi-agency efforts were initiated; and both investigations and intelligence sharing activities are now underway. For the past few years, intelligence in the maritime sector has been limited due to limited coordination and collaboration among various

local, state, and federal agencies. The project fills this void by increasing its enforcement presence in the maritime sector and collaboration efforts with the Western States Information Network (WSIN) and the state High Intensity Drug Trafficking Area (HIDTA).

DOCARE continues to work with the Hawaii Narcotics Task Force (HNTF), Big Island Ice Task Force, Drug Enforcement Administration (DEA), U.S. Coast Guard (USCG), U.S. Customs and Border Patrol (CBP), U.S. National Park Service, Department of Public Safety – Narcotics Enforcement Division (NED), Federal Bureau of Investigation (FBI), U.S. Marshal Service, National Marine Fisheries Service, and Harbor Police. DOCARE is currently authorized to access the Criminal Justice Information System, WSIN, HIDTA, and the Next Generation Network System (NGN). All of these secured database systems are used by project personnel for information/intelligence gathering and sharing.

DOCARE is working with the Hawaii Police Department Criminal Intelligence Unit, an analytical team from the DEA, HIDTA, USCG, MPD, and HPD in an ongoing investigation of reported marijuana trafficking via the maritime sector. The project's maritime enforcement efforts to deter drug activity within the state's recreational harbor facilities have resulted in the initiation of several other drug-related investigations.

Performance Measures/Indicators and Evaluation Methods

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

Program Accomplishments and Evaluation Results

DOCARE participated in 23 interagency and/or task force meetings to obtain and share relevant information and intelligence particularly regarding drug activity and trafficking in the maritime sector. DOCARE continues to review, verify, and follow up with all sources of information and intelligence received regarding trafficking activity. Since the project's first year of operation, there has been a significant increase in intelligence information gathered and disseminated. As a result, DOCARE has initiated 148 drug-related investigations in the state's recreational harbors and facilities and 7 surveillance or drug-bust operations. Project staff was also involved in the arrest of 35 individuals.

During the project period, DOCARE participated in a joint federal, state, and county operation (“Operation Green Stream”) on the island of Kauai. As a result this drug operation, two vehicles, and a small boat of undetermined value were seized. The operation also resulted in the eradication of 5,920 marijuana plants and the seizure of approximately 20 pounds of dried processed marijuana with an estimated street value of over \$1 million. DOCARE officers also seized marijuana pipes, ice pipes, and zip lock bags containing marijuana residue and packaging paraphernalia.

The project reports that a considerable amount of intelligence has been gathered and disseminated which has resulted in surveillance operations and various “sweeps” in the harbors, recreational boating areas, and outlying neighborhoods. Investigations conducted indicated a large indoor marijuana grow operation in the district of Puna on the Big Island. Subsequent search warrants resulted in several arrests, drug seizures, and financial asset forfeitures. Bail was set at \$1 million for one individual from the Kalapana Sea View Estates, and a \$500,000 bail was set for another from Hawaiian Paradise Park. The seizures have not yet been totaled, and the investigation is continuing.

DOCARE continues to encounter and receive numerous reports of drug-related activity occurring in the state harbors and recreational boating areas. Officers who have conducted surveillance and sweeps in those areas report a decrease in illicit activity due to the increased surveillance and activity of DOCARE. The officers have also observed that this drug activity will often “migrate” to different locales because of the increased pressure of law enforcement. When DOCARE officers increase patrols in those desolate areas, the “migration” moves on to other boat harbors or waterfront areas. DOCARE will continue to network with its partners to share intelligence and conduct inter-agency surveillance, operations, and patrols.

Project-related asset seizures have resulted from several joint drug operations. In one inter-agency operation, DOCARE assisted in the execution of a search warrant in the Pohoiki areas of the Big Island. Seizure proceedings have been initiated on the ten-acre parcel of land that includes several houses, a sawmill, and tens of thousands of board feet of dried milled exotic Hawaiian wood. (A board foot is equal to 144 cubic inches of wood.) The estimated value of the seizures is in excess of \$250,000. Also seized were 630 marijuana plants, several pounds of dried processed marijuana, and an AR-16 rifle. The investigation is continuing.

During this period, 34 DOCARE officers attended seven narcotics and drug-related training sessions, project strategy meetings, and federal training seminars.

There were 18 informational and drug awareness community presentations conducted at community events and at various schools throughout the state.

POLICE AGAINST STREET SALES (PASS)

Program Overview

The Maui Police Department (MPD) Investigative Services Bureau investigates all crimes of violence, fraud, theft, controlled substances, and crimes relating to juveniles; apprehends the perpetrators of these crimes; and compiles evidence and information for the prosecution of persons charged with criminal offenses. The Bureau is divided into four divisions. One of the four divisions is the Vice Division that houses the Narcotics Section.

The Police Against Street Sales (PASS) project was designed to address the problem of street drug sales in Maui County. The Vice Division, Narcotics Section has limited resources and personnel to properly address the problem of street drug sales. The unit has traditionally averaged only nine investigators for the entire county, which includes three islands. For the past ten years, the number of investigators in the division has not increased, and for the last four years, the unit averaged five investigator vacancies. Traditionally, community police and patrol officers in the Uniformed Services Bureau have been under equipped and under trained to address the street dealer problem. These officers have only basic narcotics training and little surveillance equipment.

The PASS project enabled police officers to augment the efforts of the Vice Division by conducting basic narcotics investigations. This pool of officers, working in conjunction with vice narcotics officers, received appropriate narcotics training, resources, equipment, and supervision to help address street drug sales.

The Maui Police Department received FY 2006 funds totaling \$33,440 for this project.

Goals and Objectives

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

The objectives are:

- to train Uniformed Services and Investigative Services personnel to conduct knock and talk strategy (when police ask permission to enter the person's home to conduct a search without the need for a warrant), and other investigative techniques;
- to certify Uniformed Services and Investigative Services personnel to conduct presumptive field tests on illicit drugs; and
- to assist Vice Division personnel in illegal drug investigations.

Program Activities

Vice Division personnel provided in-service training in the knock and talk strategy, undercover buys, confidential informant buys, search warrants, case activation, and deconfliction for departmental personnel from the Uniformed Services and Investigative Services Bureaus. Vice personnel have also certified officers to conduct the presumptive field tests for illegal drugs. The field test is required in court to establish probable cause that the drug tested is a controlled substance. To be certified, officers must pass a four-hour course. Sixteen hours of training are needed to cover the training topics.

When personnel from the Uniformed Services and Investigative Services Bureaus receive complaints of a street drug sales problem, their respective commanders assess the circumstances, and, if necessary, trained officers from those units may respond separately. The commanders can also contact the Vice Division to coordinate a joint action plan. That action may involve the knock and talk strategy or other action (e.g., surveillance, search warrant, etc.). It has been left to the discretion of the commanders to request assistance from the Vice Division (as each district or division has its own personnel or equipment limitations).

Performance Measures/Indicators and Evaluation Methods

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

Program Accomplishments and Evaluation Results

The PASS project has completed its fourth year of operation. Started in 2003, the project continued to address the street drug sales problem that has a negative impact on the quality of community life in Maui County. The project augmented the eight police districts by providing each with special investigative equipment and supplies including power point projectors and portable screens used for search warrant, intelligence, operation briefings, as well as drug presentations, and training.

PASS training class was conducted in February 2008. A total of nine Uniformed Services personnel and two Investigative Services officers received the training on how to use the knock and talk strategy, conduct undercover strategies, write and initiate search warrants, initiate new cases, and avoid conflicts with other on-going investigations. All of the officers were certified to conduct presumptive field tests on illicit drugs.

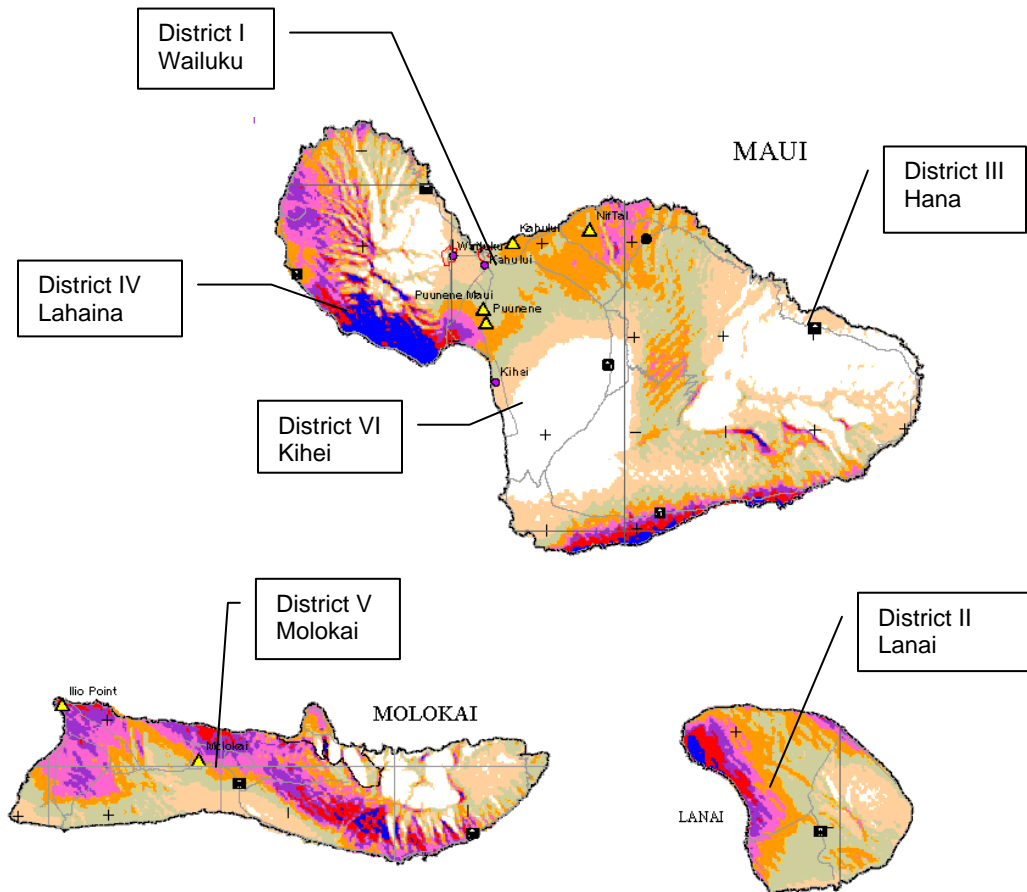
Personnel from the Vice Division assisted Districts I, II, V, and VI on various occasions resulting in the initiation of 835 drug cases and the arrest of 415 individuals for drug violations.

Drugs seizures including 303.31 grams of crystal methamphetamine and 6,131.73 grams of processed marijuana.

Table 3
Vice Division Assistance Provided
By District and Month

DISTRICT	July 07	Aug 07	Sept 07	Oct 07	Nov 07	Dec 07	Jan 08	Feb 08	Mar 08	Apr 08	May 08	June 08
I -Wailuku		X	X				X			X		
II -Lanai												X
III-Hana												
IV-Lahaina												
V -Molokai		X	X									X
VI-Kihei								X				

Maui Police Department Patrol Districts I-VI
 (Island Photos from the Hawaii Wind Working Group)



The following are examples of drug investigations that the Vice Division assisted at the district level:

August 2007: Vice officers assisted District V, Molokai, in executing two search

warrants in Kauanakakai. The investigation resulted in the arrest of one adult for numerous narcotic offenses.

September 2007: Vice officers assisted District V, Molokai, in executing a search warrant. The ensuing investigation resulted in the arrest of two adults for various drug offenses.

January 2008: Vice personnel assisted District I, Wailuku, in street enforcement efforts and initiated an investigation involving Promotion of a Dangerous Drug.

February 2008: Vice officers assisted District VI, Kihei, in street enforcement efforts that resulted in the arrest of one individual on various narcotic offenses.

April 2008: Vice personnel assisted District I, Wailuku, in street enforcement efforts that resulted in the arrest of one adult and one juvenile for various narcotic charges.

June 2008: Vice officers assisted District V, Molokai, in executing two separate search warrants that resulted in the arrest of two adult for several narcotic offenses.

June 2008: Vice personnel assisted District II, Lanai, in drafting and executing a search warrant. The investigation resulted in the arrest of one individual for numerous drug offenses.

STATEWIDE MARIJUANA ERADICATION TASK FORCE

Program Overview

The Statewide Marijuana Eradication Task Force is a multi-agency effort to eradicate cultivated marijuana. Critical elements of the task force include joint missions, investigations, and surveillance; regular meetings; and ongoing and standardized training. The use of private and government helicopters is an integral component of the manual eradication missions. Only the Department of Land and Natural Resources, Hawaii Branch conducts herbicidal spraying on state land. Members of the task force include personnel from county, state, and federal law enforcement agencies with leadership and coordination being provided by the Drug Enforcement Administration (DEA) through the Domestic Cannabis Eradication/Suppression Program (DEC/SP).

Aggregate Funding Information

Four agencies received funding: the Hawaii Police Department received FY 2004 funds totaling \$159,000; the Honolulu Police Department received FY 2004 and FY 2007 funds totaling \$187,687; the Maui Police Department received FY 2004 and FY 2007 funds totaling \$196,156; and the Kauai Police Department received FY 2004 and FY 2005 funds totaling \$59,396. Total funding for the Statewide Marijuana Eradication Task Force program was \$602,239.

Goals and Objectives

The goal of the Marijuana Eradication Task Force is to reduce the availability of marijuana in the State of Hawaii.

The objectives are:

- to maintain the statewide marijuana eradication task force,
- to eradicate cultivated marijuana plants on public and private land,
- to conduct joint eradication missions,
- to make arrests for marijuana cultivation, and
- to seize assets.

Program Activities

Bi-monthly meetings were held to schedule eradication missions, discuss pertinent issues, and inform members of upcoming training or significant events. These meetings were rotated among the four counties. Eradication missions that focus on crop destruction are held throughout the year. The suitable climate, combined with nutrient-rich soils, provide optimal

cultivation conditions for growers to plant and harvest marijuana at any time of the year. Consequently, no distinct planting or harvesting seasons exist.

The program entails continued manual eradication methods that currently provide the most effective means of reducing the availability of marijuana. Herbicidal eradication missions are conducted periodically. Enforcement and interdiction efforts such as stake-outs, street level enforcement, execution of search warrants continue to be utilized and have resulted in the prosecution of individuals involved in both outdoor/indoor marijuana activities as well as distribution operations.

Indoor marijuana cultivation occurs less frequently than outdoor cultivation. Locals, independents, and organized traffickers continue to operate most indoor grow sites in the state. Indoor grows are confiscated upon the execution of search warrants. Surveillance and investigations are also conducted.

Training remains an essential and regular component of the program, especially as it relates to rappelling from the helicopters. Continuous training is provided to task force members, and is required to participate in the coordinated operations of the task force. The training ensures better safety of personnel, improves the quality of task force investigations and operations, ensures professional conduct during missions, and provides standardized procedures, techniques, and use of equipment.

Performance Measures/Indicators and Evaluation Methods

- number of task force meetings held,
- number of training sessions held,
- number of marijuana plots destroyed,
- number of plants eradicated,
- value of marijuana plants eradicated,
- number of individuals arrested for cultivation of marijuana, and
- amount of assets seized.

Program Accomplishments and Evaluation Results

Hawaii ranks among the top four states in the eradication of marijuana (following California, Kentucky, and Tennessee) and continues to be recognized for its effective efforts by the DEA DEC/SP. Hawaii is a primary source area for high potency marijuana. Statewide law enforcement interdiction efforts have led to a decline in overall marijuana production in the state in recent years, however, local, Polynesian, Asian, and Caucasian drug trafficking organizations and independent dealers continue to cultivate marijuana.

During the period, three task force meetings were held: Kauai, December 2007; Honolulu, February 2008; Hawaii, June 2008.

The DEA continues to serve as the coordinating agency for the task force. Task force members include the DEA, U. S. Army, Hawaii County Police Department, Honolulu Police Department, Kauai Police Department, Maui Police Department, Department of Land and Natural Resources, Hawaii National Guard, Civil Air Patrol, and Department of the Attorney General.

Each county conducted eradication missions with a minimum of three task force agencies participating and often with personnel from other counties. The Department of Land and Natural Resources eradicated marijuana from state lands (native forests, watersheds, and other environmentally sensitive areas), while the police departments destroyed marijuana on private lands.

The task force located 566 plots and 41 indoor grows and destroyed 58,378 marijuana plants. The value of a marijuana plant is estimated at \$1,000. The total dollar value for the marijuana plants destroyed is \$58,378,000.

Table 4
Statewide Marijuana Eradication Task Force Activities, 7/1/2007 – 6/30/2008

AGENCY	No. of Marijuana Plots	No. Indoor Grows	No. Plants Destroyed
Hawaii Police Dept.	146	34	23,855
Honolulu Police Department	106	0	6,954
Kauai Police Department	60	1	3,953
Maui Police Department	254	6	23,616
TOTAL	566	41	58,378

Recent years have seen a decrease in the amount of marijuana plants destroyed. Because of past eradication efforts, marijuana is now grown in smaller plots and in more remote areas. This has resulted in increased effort with lower yields. The rental of private helicopter services remains a significant cost. With only a limited number of government helicopters available, the task force agencies rely primarily on privately-owned helicopters. Despite the decrease in outdoor marijuana grows, there does not appear to be a significant increase in indoor grows. Indoor marijuana cultivation appears to be somewhat static. Hawaii County, which has the largest landmass, normally is the biggest contributor to the statewide marijuana plant count.

Table 5
Statewide Marijuana Eradication Task Force Arrests, Currency, and Weapon Seizures
7/1/2007 – 6/30/2008

AGENCY	No. Arrests	Currency Seized	Weapons Seized
Hawaii County Police Dept.	750	\$38,736	17
Honolulu Police Department	12	\$21,945	3
Kauai Police Department	18	\$56,024	16
Maui Police Department	75	\$92,318	0
TOTAL	855	\$209,023	36

Training occurs on a regular basis, usually prior to each mission, and includes areas such as rappelling, helicopter safety, aerial reconnaissance, tracking methods, safety observer requirements, etc.

Thirty-eight task force members attended twelve training events. (See below)

<u>Training</u>	<u>Date</u>	<u>Location</u>	<u># Attending</u>
13 th Annual Covert Operations Conference	08/2007	Las Vegas	2
Water Egress Training	10/2007	Honolulu	8
43 rd Annual California Narcotics Officers Association Conference	11/2007	Reno	2
Rappel Training	12/2007	Honolulu	4
National Marijuana Eradication Awards	01/2008	Washington, DC	1
California Narcotics Canine Assn. Conf.	01/2008	Burbank, CA	2
Rappel Recertification Training	02/2008	Maui	6
National Marijuana Initiative (NMI) Conf.	03/2008	San Diego	2
DCE/SP National Training Conference	04/2008	Nashville	6
22 nd Annual WSIN Training Conference	04/2008	Sacramento	2
Indoor Grow Site Safety Officer Training	05/2008	Folsom, CA	2
Targeted Operation Arrest & Surveillance Team (TOAST)	06/2008	Roseburg, OR	1

DRUG PREVENTION

DA GRAD LEADERSHIP TRAINING

Program Overview

According to the federal Bureau of Justice Statistics, nearly 40% of youth who are incarcerated in state-operated facilities said that they were under the influence of drugs at the time of their offenses. A recent Hawaii Student Alcohol, Tobacco, and Other Drug Use Study of the Alcohol and Drug Abuse Division, Department of Health, indicates that 10% of sixth graders, 22% of eighth graders, 40% of tenth graders, and 49% of twelfth graders used illicit drugs.

According to the National Institute on Drug Abuse, it is estimated that *“every dollar spent on drug prevention will save about five dollars in future treatment costs related to drugs, alcohol, and cigarettes.”* The Office on National Drug Control Policy (ONDCP) encourages a *“... focus on using education and community action to stop drug use before it starts. Drug prevention efforts are our first line of defense against illegal drug use. Programs aimed at preventing drug use are invaluable in educating young people about the dangers of drug use and reinforcing a climate of social disapproval of drug use.”*

The Drug Abuse Resistance Education (DARE) program is a evidence-based, drug education and prevention curriculum taught by certified law enforcement officers. DARE is currently taught in 135 elementary schools, 6 intermediate/middle schools, and 3 high schools on Oahu. The Gang Resistance Education and Training (GREAT) program is a gang education and prevention curriculum also taught by certified law enforcement officers in 23 middle schools on Oahu.

The DARE After GREAT Right After DARE (DA GRAD) Leadership Training Camp is a three-day camp that provides leadership training and skills to approximately 50 middle school students who have undergone the DARE and GREAT training. The overall theme of the camp is leadership development and team building through a drug-free life. The students participate in team- and trust-building activities, cultural diversity, and problem-solving exercises and also receive drug, gang, and violence prevention lessons. Activities also include reviewing lessons from DARE and GREAT curricula, leadership skills, good decision-making, goal setting, non-violent behavior, and bullying.

The Honolulu Police Department received FY 2004, FY 2005, and FY 2006 funds of \$96,840 for this project.

Goals and Objectives

The goal of the project is to prevent middle/intermediate school students from becoming involved with drugs, gangs, and violence.

The objectives are:

- to identify public middle school 7th and 8th grade students who have completed the DARE and GREAT curricula and to reinforce lessons learned from those two programs;
- to provide leadership training and skills through the three-day leadership training camp and to provide follow up mentoring and monitoring services for these identified 7th and 8th grade students; and
- to encourage and assist these identified 7th and 8th grade students to utilize leadership skills learned by becoming future leaders in their schools and communities and to serve as positive role models for their peers.

Program Activities

Specific activities include the following:

Seventh and eighth graders from various middle/intermediate schools on Oahu will be selected. These students will be graduates of the DARE and GREAT middle school curricula. Selection will be based on each student's leadership potential, as viewed by the teachers and the officers.

The students will attend a two-night, three-day training session held at Mokuleia. During this training session, the students will be exposed to team- and trust-building activities; problem-solving exercises; cultural awareness; and drug, gang, and violence prevention lessons.

- 1) HPD drug and gang resistance officers will provide reviews of the DARE and GREAT curricula. The emphasis will be on individual decision-making. The officers will encourage students to lead by positive example when making decisions about drugs, gangs, and violence.
- 2) The "Ropes Course," administered by camp counselors, challenges the students to overcome physical obstacles and to do problem solving. The students work together in small groups to achieve goals while learning communication skills, patience, innovative thinking, and problem solving techniques. The students examine leadership styles of others while developing their own techniques. The course enables the students to better understand motivation, cooperation, and the use of language.
- 3) A cultural awareness piece will be conducted through a field trip to the Polynesian Cultural Center. The field trip will be supplemented by discussions on their experiences at the center, how people from other Polynesian cultures think and behave, and appreciating different cultural practices. Emphasis will focus on avoiding stereotypes, and most importantly,

to understand how they are viewed by other cultures. This knowledge will help students to communicate effectively across Hawaii's culturally diverse landscape.

Finally, a follow-up event will be conducted to reunite participants, to re-emphasize leadership training and skills from the camps, and to reinforce DARE and GREAT anti-drug, gang, and violence lessons.

Performance Measures/Indicators and Evaluation Methods

- number of leadership camps conducted;
- number of individuals (7th and 8th grade students from public middle/intermediate schools) participating in the HPD sponsored leadership training camp;
- number of positive responses to the post training and education survey questionnaires; and
- number of participating students who have been identified in the juvenile justice system for unlawful behavior.

Program Accomplishments and Evaluation Results

During the project period, the HPD Juvenile Services Division conducted a DA GRAD Leadership Training at Mokuleia. Forty-six public middle/intermediate school students attended the leadership camp, and 45 of the students completed the full training. During the leadership camp, students participated in team problem solving exercises with the Low-Ropes/High-Ropes Course. The students went to the Polynesian Cultural Center to expand their cultural sensitivity by noting some of the similarities and differences between different Polynesian groups. At the leadership camp, HPD drug and gang resistance officers provided a review and discussion of DARE and GREAT lessons. Additionally, the officers held a discussion with the students on decision-making, anger management, and goal setting.

As with previous leadership training camps, a follow-up event was held two months after the summer camp. Again, the purpose of the follow-up event is to reinforce lessons learned during the camp and to conduct a survey of the student's progress as a leader at his or her school or neighborhood/community. This year, 75% (33 of the 45 students who completed the training) attended the follow-up event held at a restaurant/game center to foster team building through play and competition activities. The students were divided into groups and challenged other teams at the various skill games. The event was a positive bonding experience for the students as they encouraged each other to do their best. This year, a DVD was produced with still photographs and video footage highlighting the key elements of the camp.

Each student was given a pre and post-camp survey, with six and eight questions respectively, regarding self-esteem and leadership qualities. All of the students reported that there was some improvement in their leadership skills after attending the camp. The students

also reported that the camp helped them to better understand themselves and others. All of the students indicated improved leadership skills and were also able to articulate qualities a leader should possess. Additionally, the students indicated a variety of instances where they had utilized their improved leadership abilities either at school or in the community. Students reported improved self-confidence and communication skills.

At the previous DA GRAD Leadership Camp in July 2006 a total of 47 students attended the camp. In September 2006, one student was arrested for unlawful behavior. As of October 2007, a juvenile justice check of all 47 students indicated no change in the data. The one student who was identified in September 2006 did not re-offend, and no other students were identified as law violators.

OFFENDER SERVICES

INTERAGENCY COUNCIL ON INTERMEDIATE SANCTIONS

Program Overview

The Council's mission is to develop a shared vision for the enhancement of Hawaii's intermediate sanctions and to guide the collaborative effort to realize that shared vision. Council members consisting of the Departments of Public Safety, Health, Attorney General, and the Judiciary, continue collaboration on sharing expenses and resources.

Assisted by a National Institute of Corrections (NIC) technical assistance grant, the Council met in December 2001 and February 2002 with NIC representatives, George Keiser, Mark Gornik, Brad Bogue, and William Woodward, for initial implementation planning. The initial work by the Council reflected the following decisions on its goal, direction, and needs:

- ☞ That the vision of the Council is reduction of recidivism by 30% of offenders across all sectors of Hawaii's criminal justice system;
- ☞ That recidivism would be defined as a new arrest, or probation, parole, or pretrial revocation within three years of onset of community supervision;
- ☞ That the system will adopt statewide adult offender assessment protocols. The empirically-based Level of Services Inventory-Revised (LSI-R) and Adult Substance User Survey (ASUS) protocols will be used; and
- ☞ That the initial scope for the assessment protocols is statewide implementation of screening and LSI-R/ASUS for all adult felons and screening of adult misdemeanants for actuarial development.

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

The funds that the Judiciary received during this reporting period supported the Council's effort from July to September 2007. Judiciary received FY 2006 funds in the amount of \$30,834.

Goals and Objectives

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

The objectives are:

- to improve the LSI-R assessment and protocol and quality assurance process;
- to improve the method used to match offender risks and needs to services;
- to increase the number of evidence-based offender programs; and
- to improve interagency access to offender information.

Program Activities

The Council continues to invest resources to train probation and parole officers in motivational skills and offender cognitive (COG) skills development. These techniques are important to modify criminal thinking, a key factor to reduce recidivism among offenders and to change their behavior.

The Council continued to build on the accomplishments made since its inception in 2002. The staff continued to work on matching the risk and needs of the assessed adult offender, and training evaluators and service providers on evidence-based offender programs to reduce offender recidivism. The Council worked towards instituting quality assurance for the various standards adopted and establishing a research infrastructure to measure whether the improvements sought are achieved. Several funding sources, together with the JAG funds, helped to support the project's activities.

The grant-funded coordinator is tasked with:

- 1) Establishing and maintaining out-of-state networking with funding and oversight agencies such as the National Institute of Corrections, National Institute of Justice, American Probation and Parole Association, and International Correctional Association;
- 2) Having primary staff oversight in ensuring continuity and coordination of the Departments of Public Safety, Health, Attorney General, and the Judiciary agreements;
- 3) Working directly with the Council's co-chairpersons for coordinating and implementing the Council's plans and activities, and assists in the formulation and modification of its policies and procedures;
- 4) Assisting in drafting and publishing supporting documentation on current criminal justice and community correctional philosophies for operational standards; and
- 5) Monitoring the Council's progress in reaching its goals and objectives.

Performance Measures/Indicators and Evaluation Methods

- method used to improve the LSI-R assessment and protocol and quality assurance process,
- method used to improve the motivational interviewing and cognitive behavioral interventions used by probation and parole,
- information on Hawaii's offender programs based on the program assessment instrument that was conducted,
- number of service providers trained in the criteria for criminal justice contracted services, and
- use and application of interagency offender data.

Program Accomplishments and Evaluation Results

The Council sustained three subcommittees: Training, Program, and Research Subcommittees. The training subcommittee focused on sustaining the LSI-R, ASUS, motivational interviewing, cognitive behavioral intervention training efforts for new staff and refresher training for existing staff. The training subcommittee also worked to procure training services from the University of Hawaii, School of Social Work. This was a shift from developing and using in-house staff to conduct the training. The original in-house staff had worked as both a probation/parole/corrections officers and trainers and was having difficulty maintaining the two demanding roles.

The program subcommittee organized a mandatory training for state-funded programs that provide services to offenders. The "Training on Evidence-Based Offender Programs" was held on August 22-23, 2007 at the John A. Burns School of Medicine. The subcommittee members coordinated 5 funding sources to cover the trainer's fee and travel expenses as well as to offset a portion of travel expenses for neighbor island participants. The training sought to build on three areas: 1) service provider's core knowledge of evidence-based programs to reduce recidivism, 2) service provider's understanding and application of risk assessment instruments, and 3) improving working relations between service providers, probation, parole, and corrections to reduce recidivism. One hundred thirty-one participants attended the August 22, 2007 training, and 115 participants attended the August 23, 2007 training. Sixty-seven public and private programs were invited to the training.

The research subcommittee continued to assess the data generated from the LSI-R and ASUS assessment instruments. The grant-funded Council's researcher finalized five reports during this reporting period. The reports provided information on the offender population and provided a baseline and analyses for the following areas: (1) Offender Demographics; (2) LSI-R Initial Assessment Statistics; (3) ASUS Initial Assessment Statistics; and (4) Treatment Level. The reports included:

LSI-R & ASUS Scorecards Report (2002-2007).

Average Change in LSI-R Risk and Protective Scores, by Risk Classification Level,
All Assessments Completed through April 2007

LSI-R & ASUS Primary Report (2004-2006)

LSI-R & ASUS on Hawaii; Oahu; Kauai; and Maui (2004-2006)

LSI-R & ASUS Parole Report (2005-2006)

Based on research findings, it is reasonable to theorize that the improvements in the risk assessment scores of the targeted, higher risk offenders are due to the efforts being made by probation and parole officers in utilizing their training in evidence-based practices to provide quality supervision and interactions with offenders. The report on the *Average Change in LSI-R Risk and Protective Scores, by Risk Classification Level* indicates that over the course of multiple risk assessments, average risk scores decreased (i.e., improved) for offenders in the three highest risk classification levels, and increased for offenders in the two lowest levels. During the same time period, average protective scores increased (i.e., improved) for offenders in the four highest risk classification levels, and decreased for those in the lowest level.

As of October 1, 2007, the federal JAG funds were exhausted, and the Council became solely supported by state funding and other resources.

MENTAL HEALTH COURT

Program Overview

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

In addition to creating an advisory group for the Mental Health Court, a Mental Health team was formed to help oversee the clients selected by the program. The team consists of representatives from the First Circuit Court, Adult Clients Services Branch; Office of the Public Defender; Department of the Prosecuting Attorney; Department of Public Safety, Oahu Intake Service Center; Department of Health (DOH), Adult Mental Health Division; and the treatment program case managers. The grant covers the cost of a full-time MHC coordinator and probation officer, a consultant (evaluator), assessment services, and client support services.

The Judiciary (First Circuit Court) received a total of \$212,406 in grant funds. FY 2004 funds in the amount of \$39,580 covered the last part of 2007 and FY 2007 funds in the amount of \$172,826 to cover the 2008 calendar year.

Goals and Objectives

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

The objectives are:

- Increase the number of offenders with serious mental illness (SMI) who are redirected from incarceration to treatment;
- Reduce the number of days offenders with SMI spend in jail;
- Improve client's ability to reintegrate successfully into society; and
- MHC promotes public safety and facilitates the participant's engagement in treatment.

Program Activities

The MHC staff continues to work with the DOH Adult Mental Health Division (AMHD) to ensure timely and comprehensive assessment and treatment for all MHC participants. The full AMHD menu of services will be considered for inclusion in each participant's individualized treatment plan. Potential participants continue to be referred and screened, admitted participants are oriented to the court and diverted to treatment, agency partnerships continue to be solidified, and data continues to be collected in order to evaluate and improve the court. The program includes regular court supervision and status hearings, medication management, cognitive behavioral interventions, case management, substance abuse treatment, and other ancillary services.

The clients enter MHC from four possible points (tracks) in the judicial system:

- 1) Pre-Charge (pending) Felony Case
- 2) Pre-Adjudication Felony
- 3) Post-Plea, Post-Trial Felons
- 4) Probation/Deferred Acceptance of a Guilty Plea Revocation

Performance Measures/Indicators and Evaluation Methods

- number of clients in MHC,
- number of days between admission decision and start of MHC program,
- number of graduates post discharge and number of graduates that re-enter the judicial system, and
- number of participants by gender, track, length in program, admission status, diagnosis, and psycho-social status.

Program Accomplishments and Evaluation Results

As of June 2008, 28 participants (17 males, 11 females) are enrolled, three clients completed the program, two were terminated, and one is deceased. On February 19, 2008, a graduation ceremony was held for the first three clients who completed the program. The local paper reported that MHC Judge Michael Wilson called it a "celebration of therapeutic justice." The three were in the program for an average of two and a half years and received mental health treatment services, and employment and housing assistance. None of the graduates have returned to the criminal justice system.

MHC assessed clients held at the Oahu Community Correctional Center within 7 days, and clients in the community within 14 days. This allows the programs to begin treatment planning and services.

The program staff developed an instrument to assess the readiness of the client to progress through the program's four phases. Two clients are in Phase 4 (pre-graduation phase), 11 clients are in Phase 3 (continuing care), 8 clients are in Phase 2 (stabilizing lifestyle), and 7 clients are in Phase 1 (orientation, treatment planning, and referral). During this reporting period, 4 clients were admitted into the program.

Of the 34 clients accepted into the program, 61% (21) were in jail when they were accepted into the MHC program. For those in jail and awaiting acceptance into MHC, the shortest length in jail before starting MHC was 2 days and the longest length was 104 days. The majority of the 34 clients had an average/prospective sentencing term of 5 years in prison prior to being accepted in MHC. Common offenses committed by the clients included: Theft in the Second Degree (11 clients), Promoting a Dangerous Drug in the Third Degree (11 clients), Drug Paraphernalia (10 clients), Forgery in the Second Degree (7 clients), and Unauthorized Control of a Propelled Vehicle (3 clients).

Of the 34 clients admitted, 11 clients had no prior mental health assessment or diagnosis, 30 were assessed as having an alcohol or substance abuse problem, 11 had adequate housing, and 2 were employed.

Of the 28 active clients, 23 clients are in approved housing; 9 are in school, or in paid or voluntary employment for 20 hours or more a week; and 15 clients are engaged in pro-social activities.

The majority of the 34 clients suffer from schizophrenia (17), followed by schizoaffective disorder (6), bipolar disorders (5), major depressive disorders (3), and post-traumatic stress disorder (3).

For the average length in the program (2.5 years) the cumulative number of program violations is relatively low. Four clients had three violations, 3 clients had two violations, and 10 clients had one violation. Three clients were arrested for a new crime (all petty misdemeanors) and of the 3, 2 clients had 4-5 positive tests for drug use. These 2 clients also held the highest number of positive drug tests among MHC participants. While in MHC (cumulative count), 14 clients had tested negative for drugs, 9 clients had tested positive once for drugs, 7 clients had tested positive twice for drugs, and 2 clients had tested positive three times for drugs.

The Judiciary was awarded funds from the 2008 Hawaii Legislature to continue the MHC program after the FY 2007 grant funds are exhausted.

WOMEN ON PAROLE

Program Overview

Parity of treatment, diversion, and re-entry programs for women are crucial in ensuring that female offenders have the opportunity to successfully reintegrate into the community. Substance abuse treatment services, in general, are more effective for women when provided in conjunction with services which address pro-social skills and attitudes, improve parenting skills, provide job development/vocational training, help with financial management, and include counseling for sex abuse, domestic violence, post-traumatic stress disorder, and other mental health services. The provision of treatment and re-entry services are especially important for these women who are often non-violent offenders but are frequently re-incarcerated for technical violations while on probation and parole.

Compounding the problem is the continuing growth of female offenders incarcerated in Hawaii's state prison and jails that exceeds the housing capacity. To ease the population growth, private prisons on the mainland have been contracted to incarcerate approximately 170 women.

Each month, approximately 15 females are considered for parole. Of the 15 females, approximately 3 are not released due to the lack of appropriate housing and support. The Hawaii Paroling Authority used Byrne funds to contract with a service provider for transitional services for high needs female parolees.

The Hawaii Paroling Authority received FY 2006 funds in the amount of \$64,000.

Goals and Objectives

The goal is to decrease recidivism among high needs female parolees.

The objectives are:

- 60 percent of the parolees will not return to prison on a technical violation or for a new criminal arrest or technical violation, and
- 50 percent of the parolees will be placed into an approved independent living arrangement.

Program Activities

Female parolees received transitional living services which include housing, case management services, drug testing, substance abuse relapse prevention, job readiness training, cognitive behavioral sessions, anger management training, budgeting, leisure time management training, counseling on relationships, parenting classes, and daily living skills. The services were provided in a community-based transitional program designed specifically for female offenders. The participants were in the program from six to twelve months.

Performance Measures/Indicators and Evaluation Methods

- number of participants;
- number of participants returned to prison on a technical violation or for a new criminal arrest;
- number of participants who were placed into independent living; and
- number of participants who completed the program and remained drug free.

Program Accomplishments and Evaluation Results

- By the end of the project period (March 2008), 9 women participated in the program.
- Of the 9 women, only 1 participant returned to prison on a technical violation (for not completing the program). None of the participants were arrested for a new crime.
- Of the 9 women, 3 (33%) remain in the program, 3 (33%) were placed in approved independent living, 1 (11%) was discharged due to medical reasons, and 2 (22%) were discharged for violating program rules.
- Of the 3 women who completed the program, all remained drug free by the end of the project period (March 2008).

PROPERTY CRIME

KEEP YOUR IDENTITY

Program Overview

Identity theft, a relatively new kind of crime, is increasing at an alarming rate. In 2003, the Federal Trade Commission (FTC) survey to determine the magnitude of the problem concluded “that over a one-year period, nearly 10 million people – or 4.6 percent of the adult population – discovered they were victims of some form of identity theft.” The FTC has noted that national identity theft cases have increased by 874% between the years 2000 to 2004. In Honolulu between 1999 and 2003, the number of forgery, fraud, and identity theft cases reported increased nearly 400%.

Officials became more concerned over growing identity theft cases in 2001 when the Honolulu Police Department (HPD) reported that forgery and fraud cases exceeded 5,000 reported cases for the first time in ten years.

Although identity theft is a fast-growing crime, many Oahu citizens are still unaware of the identity theft problem and know little about how to prevent the crime or how to respond once they become victims of the crime. To address this problem, HPD and other concerned agencies supported enactment of a new identity theft statute. To further combat this crime, HPD initiated (through a previous Local Law Enforcement Block Grant and this project) a community public awareness and information/education effort to educate the public regarding identity theft.

The Honolulu Police Department received FY 2005 funds of \$41,336 for this project.

Goals and Objectives

The goal of the project is to combat the growing crime of identity theft.

The objectives are:

- to identify and work with potential target audiences in the community who are interested in learning about the crime of identity theft;
- to educate the public with a one to two hour identity theft PowerPoint presentation tailored to the needs of the audience;
- to provide supplemental identity theft educational brochures and materials to the audience as a resource tool and for their future reference; and
- to train the involved detectives on how to best conduct identity theft investigations.

Program Activities

Detectives, normally assigned to investigate felony property crime cases, will work to identify, locate, and link with target audiences interested in learning more about identity theft: senior citizen associations, community associations, community fairs, church groups, military personnel and dependents, neighborhood security watch groups, law enforcement personnel, Better Business Bureau, schools, Rotary Clubs, business community groups/leaders, law firms, realtor associations, hotel employees, and retail merchants. The detectives will conduct one to two hour PowerPoint presentations on the crime of identity theft. The detectives will be available seven days per week to conduct the “Keep Your Identity” presentations.

The “Keep Your Identity” presentations will cover: 1) the growing problem of identity theft; 2) how to prevent identity theft; and 3) the steps a person should follow to correct a theft of their identity. Supplemental brochures and other materials on identity theft will also be distributed.

HPD will also partner and work with local or national television and newsprint media to reach statewide audiences.

To keep abreast of the latest schemes, crime trends/patterns, and investigative techniques in identity theft, the detectives will seek relevant training on Internet databases, fraud investigations, cyber-theft investigations, theft of special assets, eBay investigations, interviewing and interrogations, property crime case preparation, pawn intelligence, etc.

Performance Measures/Indicators and Evaluation Methods

- number of presentations conducted,
- number of individuals participating in the HPD training and education presentations,
- number of positive responses to the post training and education survey questionnaires, and

Program Accomplishments and Evaluation Results

HPD detectives conducted 24 additional identity theft presentations for a cumulative total of 114 presentations since the program’s inception. A total of 490 citizens received education and training (cumulative total of 4,562) on identity theft. Presentations were made to church organizations, community associations, community fairs, hospital personnel, senior citizen associations, Judiciary employees, and military personnel. Of the 2,148 surveys returned from the participants, 98-99% indicated that the presentations were well received, very useful, and would recommend it to others.

PROPERTY CRIME PROSECUTION

Program Overview

Property crimes are considered the least serious, but the most numerous crimes in the nation. There were an estimated 9,983,568 property crimes in the Nation in 2006.¹ The state of Hawaii has a high property crime rate of 4,230.4 per 100,000 residential population.² In 2006, 79% of the arrests were property crimes. Property crimes include burglary, arson, motor vehicle theft, and larceny-theft. Recent data shows larceny-theft arrests make up 56% of all arrests.³ Larceny-theft includes fraud, identity theft, forgery, computer crime, negotiating a worthless negotiable instrument, credit card theft and/or fraudulent use, and embezzlement.

In 2005, the County of Kauai had a property crime rate of 3,329 per 100,000 residential population, of which larceny-theft accounted for 83% of all arrests.⁴ To effectively prosecute and improve public safety, the County of Kauai Office of the Prosecuting Attorney (OPA) established a Property Crime Prosecution Unit (PCPU). Through the process of vertical prosecution, all property and white collar crime cases are assigned to the program's Special Prosecuting Attorney (SPA), who manages the case through all stages of the criminal justice system. The advantages of vertical prosecution is the SPA gains a better understanding of the facts of each case (incident), establishes better rapport with victims and witnesses, and becomes well versed in the laws and procedures necessary to effectively prosecute property crime cases.

The Kauai County Office of the Prosecuting Attorney received FY 2005 funds in the amount of \$104,000 and FY 2006 funds in the amount of \$142,000.

Goals and Objectives

The goal is to improve public safety in the County of Kauai through efficient and effective prosecution of offenders who commit property crimes, with priority given to white collar crimes.

The objectives are:

- 90% of police reports shall be screened and charged (or declined) within 30 days of receipt;
- 90% of property crime cases will be processed through the specialized PCPU utilizing vertical prosecution;
- 90% of all cases filed involving property crime will result in a conviction; and

¹ U. S. Department of Justice, Federal Bureau of Investigations, Crime in the United States 2006

² Ibid.

³ Unpublished UCR data for CY2006, provided by the Crime Prevention and Justice Assistance Division, Department of the Attorney General, State of Hawaii, August 2008.

⁴ Crime in Hawaii, 2005 Uniform Crime Report; Department of the Attorney General, May 2007.

- the Specialized Prosecuting Attorney will conduct three (3) community briefings aimed at preventing property crime, with priority given to white collar crimes.

Program Activities

The PCPU unit staff consists of a full-time Special Prosecuting Attorney (SPA) and a part-time legal clerk. The unit staff works closely with the Kauai Police Department and the Victim Witness Counselors from OPA. The SPA has joined the Hawaii Identity Theft and Financial Fraud Task Force and attends relevant training to update prosecutable skills and knowledge.

The police reports from the KPD are screen for prosecution. The PCPU unit may return the report for further investigation or decline it for insufficient evidence. The SPA handles the case through all stages of the criminal justice system including: preliminary hearings, plea negotiations, evidentiary hearings, trials, and sentencing.

Performance Measures/Indicators and Evaluation Methods

- data and summary reports,
- number of cases screened/processed,
- number of cases declined/charged,
- number of convictions,
- number of community briefings conducted, and
- list of training sessions attended.

Program Accomplishments and Evaluation Results

The statistical data and summary reports show the PCPU successfully met three out of four objectives. Statistics indicate 100% of the cases (incidents) received were screened and charged (or declined) within 30 days of receipt. The SPA vertically prosecuted 12 out of 12 felony crime cases. The SPA obtained a 94% conviction rate, which includes 20 cases where the defendant pled as charged or pled to lesser charges. One case was dismissed by the state upon discovery of exculpatory evidence after charges were filed.

The SPA position became vacant and a newly hired deputy prosecuting attorney filled the position in December 2007. The current SPA is well versed in property crimes. Given the short period of time of the project period and date of hire, the SPA did not attend any specialized training or conduct any community briefings.

The SPA maintains a computerized system to track cases as they are received and processed through the criminal justice system. There were 49 new incidents received for screening all of which were screened within 30 days of receipt. Fourteen cases were pending indictment in Circuit Court, 15 cases were screened and indicted, 16 cases were screened and prosecution was denied, and 4 cases were screened and referred back to KPD for follow-up investigation.

Twenty-eight cases were closed. Of the 28 cases, 13 pled guilty or no contest as charged, 12 pled to a lesser charge, 2 were found guilty by bench trial, and 1 case was dismissed (by the prosecution). In all, 224 cases are pending prosecution, of which 54 cases are pending screening, 20 cases are awaiting sentencing, 14 cases are pending indictment in Circuit Court, 42 cases are scheduled for trial, 16 cases have bench warrants, and 78 cases were referred to KPD for follow-up investigation.

The program has been able to reduce the number of pending cases by 49%; and effectively screen and charge 98% of the police reports received and vertically prosecute 95% of cases.

VIOLENT CRIME

DOMESTIC VIOLENCE PROSECUTION

Program Overview

Domestic violence remains a complex and challenging problem on the rural island of Kauai. During calendar year 2005, there were 441 reports received by the Kauai Police Department (KPD). The increased volume of domestic violence reports received for processing and the amount of cases pending processing through the criminal justice system has grown by approximately 35 percent. To aggressively prosecute those who engage in domestic violence, the Kauai Office of the Prosecuting Attorney established a Domestic Violence Prosecution Unit (DVPU). The core principles of the unit have been to provide vertical prosecution, expedite screening and processing of cases, and achieve successful conviction rates. A Special Prosecuting Attorney (SPA) is assigned to handle all domestic violence cases through all stages of the criminal justice system. Vertical prosecution creates a sense of trust between the prosecutor and the victim because the prosecutor deals with the victim from the start of the case to its completion. The SPA gains a better understanding of the elements involved in these cases including the victims, witnesses, and the accused. This method enables the SPA to become well versed in the laws and procedures central to domestic violence cases and to establish a broader understanding of the unique challenges these cases present.

The Kauai Office of the Prosecuting Attorney received FY 2005 funds in the amount of \$45,600 to partially fund the DVPU.

Goals and Objectives

The goal of this project is to improve public safety in the County of Kauai through efficient and effective prosecution of those who commit crimes of domestic violence and who violate restraining/protection orders.

The objectives are:

- to expand the DVPU by increasing staffing from two part-time positions to two full-time positions;
- 90% of police reports received by the Prosecutor's Office involving domestic violence will be screened and charged (or declined) within 30 days of receipt;
- 95% of domestic violence cases will be processed through the specialized DVPU utilizing vertical prosecution;
- 75% of all cases filed involving domestic violence will result in a conviction;
- the amount of pending domestic violence cases will be reduced by 20% for FY 06-07;

- 80 subpoenas will be served to victims and witnesses through a private company, in situations where the County Investigator and KPD are unable to provide the service;
- 80 temporary restraining orders will be served through a private company upon receipt of a referral from the YWCA Sex Assault Treatment Program, in situations where KPD is unable to provide the service; and
- the DVPU attorney shall improve his/her prosecutorial skills by attending at least one specialized training program per year conducted.

Program Activities

The Office of the Prosecuting Attorney received additional funding to employ the DVPU staff on a full-time basis. The SPA screens and processes cases, declines or charges a case, makes all court appearances, files all court documents and litigates the case(s) at the trial stage.

Performance Measures/Indicators and Evaluation Methods

- data and summary reports,
- number of cases screened/processed,
- number of cases declined/charged,
- number of convictions,
- number of subpoenas/temporary restraining orders served,
- description of training sessions attended,

Program Accomplishments and Evaluation Results

The statistical data and summary reports show the DVPU successfully met six objectives. The SPA screened 98% of all domestic violence police reports received within 30 days of receipt, vertically prosecuted 98% of domestic violence cases charged by the SPA, and obtained a 77% conviction rate. The number of pending cases was reduced from 73 to 43, which is a 41% reduction.

The SPA gained useful advocacy skills and training at the National Institute on the Prosecution of Domestic Violence (Seattle, Washington); and the Basic Trial Advocacy Course (Maui); and the National Institute for Trial Advocacy Kauai Prosecutor's Training (Kauai).

The Kauai Office of the Prosecuting Attorney announced and selected a provider to serve subpoenas to victims and witnesses as needed. The contract for such service was executed in April 2008.

Pursuant to the Hawaii Revised Statutes, only law enforcement officers can serve temporary restraining orders. Therefore, private service is no longer a viable option. The DVPU will work with KPD to coordinate and retain the services of off-duty sheriffs or police officers to serve offenders with temporary restraining orders.

HOMICIDES

Program Overview

Hawaii has no statute of limitation for the prosecution of murder in the first and second degrees, and attempted murder in the first and second degrees. State law requires that a person convicted of First Degree Murder or Attempted First Degree Murder shall be sentenced to life imprisonment without the possibility of parole. Sentences for convictions of Second Degree Murder or Attempted Second Degree Murder may include life with or without the possibility of parole.

When murders go unsolved and languish over several years, it becomes difficult for police to maintain their efforts while new cases arise. Thus some murders remain unsolved and the perpetrators are never identified. It requires homicide investigators with specialized skills to properly screen and identify leads, witnesses, and evidence that direct them to a suspect or suspects. Only then can a case can be proved beyond a reasonable doubt.

For murder cases, more than a third (35.13%) of the victims and offenders were acquaintances or friends, 21% were immediate family member or spouse, and 15% of the victims did not know their offender.

The Department of the Attorney General received FY 2003 funds in the amount of \$104,850 and FY 2006 funds in the amount of \$128,555.

Goals and Objectives

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

The objectives are:

- to screen referred cases and if the case meets the project's criteria, then the squad will investigate said case,
- to forward the case to the respective county prosecutor in cases where a suspect(s) has/have been identified and located,
- to provide technical assistance to coalition agencies conducting cold homicide investigations, and
- to provide specialized training to coalition members.

Program Activities

The Cold Case Squad began operating in October 2004 and worked to address unsolved (cold) homicide cases by increasing investigation and prosecution efforts through the specialized

squad. The project sustained a staff of two investigators working in conjunction with county police and prosecutors. The staff was successful in securing cooperative agreements with coalition members representing Honolulu, Hawaii, Kauai, and Maui County police departments and prosecuting attorneys from all counties. The squad worked to improve coalition members' investigative skills and to increase information sharing to move investigations forward.

Performance Measures/Indicators and Evaluation Methods

- number of cases investigated, and
- number of offenders prosecuted.
- Specialized training provided to coalition members; and number attended.

Program Accomplishments and Evaluation Results

Since the inception of the squad, 16 cold cases were accepted, with 15 cases still active. The Kauai Police Department referred a case during the reporting period. Two cases are under review by the Criminal Justice Division (2 part-time deputy attorneys general are assigned to the cold cases), and 1 case is scheduled for trial in December 2008.

The project staff held a DNA evidence collection and management training with Dr. Angela Williamson of Bode Technology on June 2008 in Honolulu. Thirty participants attended the training that included the Honolulu Police Department.

PROJECT CLEAN SWEEP

Program Overview

The Honolulu Police Department, District 3 (D-3), encompasses Pearl City and the areas from Red Hill to Village Park and Waipahu. In 2004, the D-3 Crime Reduction Unit (CRU) took steps to investigate the availability of weapons for sale through the illicit drug industry. The investigation found that it was alarmingly easy to obtain a number of illegal weapons. In only two weeks, a total of eight weapons were recovered including two 9mm Smith and Wesson handguns stolen from police officers, an Uzi assault pistol, a .30 caliber military carbine with folding stock, a modified shot gun, a .30 caliber hunting rifle, and a Glock pistol. D-3 CRU's effort is to safeguard both officers and civilians by reducing the number of stolen weapons and unregistered firearms in the community.

Case Example: In June 2005, a 30-year-old suspect was arrested with two pounds of "ice." He was found sleeping in a vehicle. As the suspect was being apprehended, he attempted to grab at a weapon that was later identified as a fully loaded Smith and Wesson 9mm handgun that had been stolen from an HPD officer in 2003.

This project provides an opportunity for law enforcement to actively pursue individuals involved in the sale or distribution of illegal, unregistered, and/or stolen weapons. In 2005, the initial year of the project, D-3 reported confiscating 10 weapons. As will be seen, the number of confiscated weapons has increased significantly during the course of the project.

The Honolulu Police Department received FY 2005 funds in the amount of \$84,000.

Goals and Objectives

The goal is to reduce the number of illegally acquired firearms in the community thereby helping to prevent violent and drug-related crimes and improving the community's quality of life.

The objectives are:

- to increase investigations of stolen and unregistered firearms in District 3 by 20%,
- to increase the recovery of stolen and unregistered firearms in District 3 by 20%, and
- to increase the number of individuals arrested for selling/distributing stolen or unregistered firearms in District 3 by 20%.

Program Activities

The project experienced a slow start and a few initial setbacks. During the initial implementation phase, the project encountered technical problems that reduced the number of

operations that could be completed. Despite this setback, the project staff (CRU officers that included a sergeant and several other officers) continued to identify and recover illegal firearms. The project staff investigated the whereabouts of the firearms, and identified and recovered unregistered and/or stolen firearms. The project staff continues to work closely with personnel from Project Safe Neighborhoods, Project Weed and Seed, and the Hawaii High Intensity Drug Trafficking Area. Project staff continued to work with federal agents from the Bureau of Alcohol, Tobacco, Firearms, and Explosives; Drug Enforcement Administration (DEA); Federal Bureau of Investigation; and Immigration and Customs Enforcement. These efforts continue a pattern of working cooperatively with county, state, and other federal law enforcement personnel.

Performance Measures/Indicators and Evaluation Methods

- number of investigations of stolen and/or unregistered firearms,
- number of stolen and/or unregistered firearms recovered, and
- number of individuals arrested for selling/distributing stolen and/or unregistered firearms.

Program Accomplishments and Evaluation Results

During the report period, the project staff generated 22 investigations and seized 37 firearms (compared to confiscating 10 weapons during the initial project year). Twelve individuals were arrested for various weapons violations. Additionally, project personnel procured needed investigative equipment and worked to maintain collaborative working relations with related HPD units and federal agencies involving joint investigations and operations. This effort included coordinated narcotics trafficking investigations to recover illegal firearms in the community.

Provided below are some case examples of successful efforts to recover some of these illegal weapons:

- In August 2007, D-3 CRU officers obtained information that a male on the Waianae Coast had several rifles up for sale. The sale was “open to anyone with cash,” but an introduction was needed from a known acquaintance or friend. Officers identified and investigated the individual and found an outstanding \$100 traffic warrant. The 25-year-old male was eventually arrested. A total of seven firearms were confiscated along with a stun gun and various ammunition rounds. Illegal drugs and drug paraphernalia were found.
- In August 2007, D-3 CRU officers confiscated an illegal 32 caliber semi-automatic pistol that was available for purchase on the street. In another incident, patrol officers responded to a disturbance call and found a male armed with an AK 47 assault rifle. The armed individual was evidently “looking” for another man (who was threatened and warned that he would be shot). The armed male was eventually arrested without

additional incident. A 9 mm pistol was recovered with information from a confidential source.

- In January 2008, D-3 CRU officers recovered four antique rifles and a hand grenade (that was later found to be inert). The weapons in question were stolen in a burglary and were subsequently reported as missing to the police.

These case examples and the continued success of the CRU clearly indicate that illegal weapons are circulating in the community. As can be seen, many of these weapons eventually end up in the hands of criminals. Also evident is the cooperation and coordinated effort involved in these investigations (joint operations involving, for example, HPD and federal law enforcement personnel). Project involvement with such federal initiatives as Weed and Seed and Project Safe Neighborhoods also provide options regarding prosecution on the state or federal levels (which can involve much harsher sentencing).

SEX OFFENDER REGISTRATION COMPLIANCE

Program Overview

Hawaii's response to sex crimes has been investigation, prosecution, offender supervision, victim assistance, and sex assault treatment. With the implementation of the state's sex offender registration program, few resources have been dedicated to tracking and prosecuting sex offenders who violate the registration requirements. As of June 2007, 910 sex offenders failed to register, and 377 did not complete the verification notice that they are required to update, sign, and return to the Hawaii Criminal Justice Data Center. This does not include offenders who subsequently are incarcerated and are waived from completing the verification notice.

Hawaii Revised Statutes (HRS) 846E covers the sex offender registration and public notification requirements. HRS 846E-9 defines the penalties for the covered offender who fails to comply with the registration requirements. A covered offense includes "crimes against minors" or a crime within the definition of "sexual offense" as defined under HRS 846-1. HRS 846 E-9 states:

- (a) A person commits the offense of failure to comply with covered offender registration requirements if the person is required to register under this chapter and the person intentionally, knowingly, or recklessly:
- (1) Fails to register with the attorney general by providing to the attorney general or the Hawaii criminal justice data center the person's registration information;
 - (2) Fails to report in person to the chief of police where the covered offender's residence is located, for purposes of having a new photograph taken within five years after the previous photograph was taken;
 - (3) Fails to register in person with the chief of police having jurisdiction of the area where the covered offender resides or is present within three working days whenever the provisions of section 846E-2(e) require the person to do so;
 - (4) Fails to notify the attorney general or the Hawaii criminal justice data center of a change of any of the covered offender's registration information in writing within three working days of the change;
 - (5) Provides false registration information to the attorney general, the Hawaii criminal justice data center, or a chief of police;
 - (6) Signs a statement verifying that all of the registration information is accurate and current when any of the registration information is not substantially accurate and current;

- (7) Having failed to establish a new residence within the ten days while absent from the person's registered residence for ten or more days:
 - (A) Fails to notify the attorney general in writing within three working days that the person no longer resides at the person's registered residence; or
 - (B) Fails to report to a police station in the State by the last day of every month; or
- (8) Fails to mail or deliver the periodic verification of registration information form to the attorney general within ten days of receipt, as required by section 846E-5; provided that it shall be an affirmative defense that the periodic verification form mailed to the covered offender was delivered when the covered offender was absent from the registered address and the covered offender had previously notified the Hawaii criminal justice data center that the covered offender would be absent during the period that the periodic verification form was delivered.

(b) Any person required to register under this chapter who intentionally or knowingly violates subsection (a) shall be guilty of a class C felony.

(c) Any person required to register under this chapter who recklessly violates subsection (a) shall be guilty of a misdemeanor.

(d) For any second or subsequent offense, any person required to register under this chapter who intentionally, knowingly, or recklessly violates subsection (a) shall be guilty of a class C felony. [L 1997, c 316, pt of §2; am L 2004, c 59, §5; am L 2005, c 45, §10; am L 2006, c 106, §5]

The number of unregistered and non-compliant offenders in the state was running unabated with no strategy in place to enforce the law. The project focused on enforcing the registration requirements and improving the quality and completeness of the sex offender information on the registry and the public sex offender website. The project targeted the following specific groups:

- a. Unregistered Sex Offenders: There are 910 offenders convicted of sex offenses who remain unregistered. Some are incarcerated or deceased, while the others have unknown whereabouts.
- b. Offenders with Unverified Information: Of the 2,505 currently on the registry, there are 377 that have not verified their information as part of the 90-day verification statutory requirement.
- c. Delinquent Sex Offenders: As of June 2007, there are 28 sex offenders who have not completed the entire registration process, so their information on the registry is incomplete.

The Department of the Attorney General received FY 2004 funds in the amount of \$170,864, and FY 2005 funds in the amount of \$88,559.

Goals and Objectives

The goal is to improve the quality of information on Hawaii's sex offender registry by developing an effective law enforcement tracking methodology for unregistered and non-compliant offenders.

The objectives are:

- to resolve the status of the Unregistered Sex Offenders within 12 months;
- to reduce the Unverified Sex Offenders by 25 percent within 12 months; and
- to develop a system with agency partners to monitor and address the Delinquent Sex Offenders.

Program Activities

The project is focused on improving the quality of the information on Hawaii's sex offender registry by developing an effective law enforcement tracking methodology for unregistered and noncompliant sex offenders and to prosecute sex offenders who fail to comply with the registration requirements defined in HRS 846E. The project activities include working to improve the information management of registration records in Honolulu. The project staff is primarily responsible for conducting a systematic and thorough search for information necessary to locate an offender and preparing cases that meet the criteria for legal action. Assisting the project staff are the Honolulu Police Department, and deputy attorneys general from the Criminal Justice Division. The Hawaii Criminal Justice Data Center (HCJDC) manages and oversees the registry, and hence this project.

Performance Measures/Indicators and Evaluation Methods

- status of the 910 unregistered sex offenders,
- number of unverified sex offenders investigated,
- status of unverified sex offenders investigated, and
- status of procedures to reduce the number of Delinquent Sex Offenders.

Program Accomplishments and Evaluation Results

- The project staff continues to update the listing of offenders who are unregistered in order to begin tracking and investigating these cases. A repository system that was created a year ago has been improved to better track and monitor the progress

of the cases under investigation. A computerized system developed by HCJDC Information Technology staff allows the deputy attorneys general, the investigators, and project staff, to view digital versions of the registrant file. This paperless system has freed the project staff from having to manually copy and forward the records to the investigators and deputy attorneys general for their review and follow-up.

The number of unregistered sex offenders, offenders with unverified information, and offenders who are delinquent and have not completed the registration process continues to fluctuate. The fluctuations are based in part on the proactive requirements the statute places on the registrant. While new offenders may fall into compliance, any number of new or previously registered sex offenders may fall out of compliance.

Target Population	June 2007	November 2007	May 2008
Unregistered Sex Offenders	910	797	733
Offenders with Unverified Information~	377	510	508
Delinquent Sex Offenders	28	15	45

(~) As part of the statutory 90-day verification

- Offenders with unverified information (who did not complete and return the information verification that is due every 90 days) were compiled in a listing. During this reporting period, 209 additional cases (unverified or unregistered) have been investigated. During the investigations, it was found that 44 offenders had been deported or are deceased, 46 offenders came into compliance, and 32 new cases were referred for prosecution.
- The Criminal Justice Division charged 14 offenders with non-compliance, two of the 14 were convicted for failure to comply, three offenders that had been charged in the prior reporting period were arrested, and four offenders charged in the prior reporting period were sentenced.
- The program staff continued to work with the county police departments; the Department of Public Safety; and federal agencies that include the DHS, Immigration and Custom Enforcement; U.S. Marshal Service; and the U.S. Attorney’s Office-Hawaii District to facilitate information sharing and clarify policies and procedures. HCJDC’s administration continued to convene the Sex Offender Registration Team (SORT), a working group tasked with promoting cooperation and providing direction for Hawaii’s sex offender registry, the enforcement of HRS 846E and the incorporation of federal legislation into HRS 846E. SORT meets monthly to discuss member’s roles and areas of responsibility, legislation and the registry program, the Adam Walsh Child Protection and Safety Act (Pub.L. 109-248) and final guidelines, grant proposals to support SORT activities, and training and equipment needs.

STATEWIDE SEXUAL ASSAULT MULTI-DISCIPLINARY TRAINING

Program Overview

There are a number of professionals associated with cases involving victims of sexual assault. The complexities related to identifying and serving the victim's needs and holding the offender accountable include, but is not limited to, the police, prosecutors, service providers, medical profession, and therapists/counselors. These professionals have expressed a need for up-to-date training that is multi-disciplinary in nature. The Hawaii County Office of the Prosecuting Attorney sponsored a two-day statewide multi-disciplinary training for these organizations and agencies to improve the delivery of sexual assault services within the criminal justice system. National and as local speakers were invited to share their knowledge and experience on the complexities of a victim's needs and strategies to effectively investigate and prosecute sexual assault crimes. The training was comprehensive and addressed a wide range of issues. Workshops were interactive and integrated various professionals in the field.

The Hawaii County Office of the Prosecuting Attorney received FY 2003 funds in the amount of \$44,502.

Goals and Objectives

The goal of this project is to improve the delivery of sexual assault services within the criminal justice system through statewide multi-disciplinary training.

The objectives are:

- to increase the law enforcement skill levels in the arrest and investigation of sexual assault crimes through attendance in specialized training;
- to increase the prosecutorial skill levels through attendance in specialized training sessions that address charging, trial preparation and trial tactics in sexual assault cases;
- to increase the medical/forensic response to sexual assault by providing training that address the collection of forensic evidence;
- to increase the response skills of sexual assault victim service providers and advocates by providing training on victim involvement in the criminal justice system and other relevant topics; and
- to assess the impact of the various training components on conference participants through an end-of-conference evaluation tool.

Program Activities

The Hawaii County Office of the Prosecuting Attorney sponsored a two-day statewide training on Oahu for professionals who deal with victims of sexual assault. Participants included police officers, prosecutors, medical/forensic examiners, and victim advocates. Planning for the training included representatives from to ensure a multi-disciplinary program.

Performance Measures/Indicators and Evaluation Methods

- number of participants,
- number of training sessions and types conducted,
- number of participants per special sessions, and
- training survey results.

Program Accomplishments and Evaluation Results

A total of 92 participants (44 neighbor island participants, 39 Oahu participants, and 9 presenters) attended the Third Annual Statewide Sexual Assault Multi-Disciplinary Training held on October 2007. There were representatives from each county and various disciplines, including prosecutors, victim/witness advocates, police, forensic examiners (physicians, sex assault nurse examiners (SANE)), sexual assault support services (crisis intervention specialists, counselors/therapists, educators); as well as state representation from the Department of Human Services (DHS)-Child Welfare Services; DHS-Adult Intake; the Judiciary, Children's Justice Center, and the Department of the Attorney General.

The conference theme focused on a victim-centered system response from a multi-disciplinary team approach. The overall sentiment was there was a need to provide more information to victims, their families, and the general community about services offered, steps in the criminal justice system, and helping victims/families deal with the various agencies/systems they encounter.

The training topics included "what justice is for victims," the role of the prosecutor, charging decisions, rape myths, victim impact, credibility issues, and victim behavior. Pre-trial motions, protection motions, shields, confrontation clause, and other prosecutorial tactics were also covered. A panel of prosecutor, therapist, crisis worker, and a University of Hawaii professor discussed the strength and challenges of Hawaii's response to sexual assault.

The session also covered secondary victims and key players involved with effectively prosecuting child sexual abuse, forensic digital imaging, victim restoration, expert testimony to explain victim behavior, working with families recovering from sexual abuse, profiling Internet predators, human trafficking, involuntary intoxicated victims, and Internet dangers.

Participants completed evaluations for each workshop and provided feedback. Participants rated the Internet dangers workshop the highest as to information shared as the most useful to their work. Intoxicated victims workshop was rated second as to useful information shared as applicable to their work.

Ninety percent of the participants rated the overall conference as “excellent” or “above average,” and 94% rated the speakers as “excellent” or “above average”. Eighty percent rated the information useful to their work. When asked how likely participants would approach their work differently based on the information gained at the workshop, 37% stated, “most definitely,” 52% stated “probably,” and an additional 11% stated, “possibly.”

At the end of the conference, a number of participants provided written feedback and commented on the value of these training sessions, such as: having a better understanding of the biological development of young adults, importance of pre-trial motions and its relevancy prior to trial, being more sensitive to victims’ needs/feelings, and understanding counterintuitive behavior. Participants see a need to continue to work as part of a multi-disciplinary team to increase services needed for adult cases and improve tracking. Some participants see a need to be more informative to victims during the SANE exam. Overall, participants understood the value of a taking a collaborative approach and establishing multi-disciplinary teams, respecting each profession’s role and responsibilities to successfully address the victims needs and hold the offenders accountable. Police, prosecutors, and the professionals in related agencies reported they gained new skills and knowledge. Newly trained personnel as well as veterans in the field hope another multi-disciplinary training will be offered.

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