

Table
Number **Table Name**

| | |
|------------------------------|--|
| <u>04.01</u> | Actual Index Offenses Known to the Police, by County: 1996 to 2006 |
| <u>04.14</u> | Courts, Judges, Magistrates, and Attorneys: 2006 to 2008 |
| <u>04.16</u> | United States Bankruptcy Court Cases Filed Under Chapter 7, 11 and 13 of the Bankruptcy Code: 1997 to 2008 |
| <u>04.17</u> | State Judiciary Cases Filed, By Type of Action: 2006 to 2008 |
| <u>04.18</u> | State Judiciary Cases Terminated, by Type of Action: 2006 to 2008 |
| <u>04.19</u> | 2008 |
| <u>04.20</u> | Median Ages and Average Sentences of Sentenced Felon Population: 1997 to 2008 |
| <u>04.21</u> | Inmate Population at Contracted Facilities in Other States: 1997 to 2008 |

**Table 4.01-- ACTUAL INDEX OFFENSES KNOWN TO THE POLICE,
BY COUNTY: 1996 TO 2006**

[Index Offenses include murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. Excludes arson in the Index Offenses total. Actual offenses include reported or known offenses, less unfounded cases. Figures revised from *Data Books* prior to 2000 to exclude negligent manslaughter]

| Year | State total | | City and County of Honolulu | Hawaii County | Kauai County | Maui County |
|------|-------------|---------|-----------------------------------|------------------|-----------------|----------------|
| | Number | Rate 1/ | | | | |
| 1996 | 77,961 | 64.8 | 60,059 | 6,855 | 2,977 | 8,070 |
| 1997 | 71,492 | 59.0 | 53,410 | 7,317 | 2,849 | 7,916 |
| 1998 | 63,623 | 52.4 | 47,453 | 6,757 | 2,263 | 7,150 |
| 1999 | 57,324 | 47.4 | 42,678 | 5,815 | 2,076 | 6,755 |
| 2000 | 62,987 | 52.0 | 46,659 | 6,425 | 2,578 | 7,325 |
| 2001 | 65,947 | 54.1 | 48,442 | 6,985 | 2,346 | 8,174 |
| 2002 | 75,238 | 61.2 | 57,271 | 6,936 | 3,045 | 7,986 |
| 2003 | 69,267 | 55.8 | 50,912 | 7,133 | 3,043 | 8,179 |
| 2004 | 63,665 | 50.8 | 46,628 | 6,219 | 2,701 | 8,117 |
| 2005 | 64,067 | 50.5 | 44,953 | 8,278 | 2,221 | 8,615 |
| 2006 | 58,347 | 45.6 | 41,055 | 6,760 | 2,711 | 7,821 |

1/ Annual rate per 1,000 resident population based on July 1 estimates by the U.S. Census Bureau, as revised through Dec. 27, 2007. Rates for 2000 and beyond may differ from previous *Data Books* due to revisions to these population figures. Population estimates for 1991 through 1999 were revised based upon the April 1, 2000 figures which were released April 19, 2002. Rates may also differ from those released by the Department of the Attorney General due to these population revisions.

Source: Hawaii State Department of the Attorney General, Crime Prevention and Justice Assistance Division, Uniform Crime Reports (annual) <<http://hawaii.gov/ag/cpja/main/rs/Folder.2005-12-05.2910/>> accessed November 14, 2008; calculations by the Hawaii State Department of Business, Economic Development & Tourism.

**Table 4.14-- COURTS, JUDGES, MAGISTRATES, AND ATTORNEYS:
2006 TO 2008**

[As of June 30]

| Subject | 2006 | 2007 | 2008 |
|--|-------|-------|-------|
| Federal judges and magistrates: 1/ | | | |
| U.S. Bankruptcy Court | 1 | 1 | 1 |
| U.S. District Court | 7 | 7 | 7 |
| State justices and judges: 1/ | | | |
| Supreme Court | 5 | 5 | 5 |
| Intermediate Court of Appeals | 6 | 6 | 6 |
| Circuit Courts 2/ | 33 | 33 | 33 |
| Assigned to Family Court | 3 | 3 | 3 |
| District Courts 3/ | 36 | 36 | 37 |
| Assigned to Family Court | 15 | 15 | 16 |
| Land Court | (4/) | (4/) | (4/) |
| Tax Appeal Court | (4/) | (4/) | (4/) |
| Attorneys licensed in Hawaii (includes judges) | 6,930 | 7,053 | 7,236 |
| Active | 4,553 | 4,726 | 4,732 |
| Inactive | 2,377 | 2,327 | 2,504 |

1/ Authorized full-time positions.

2/ Includes judges assigned to the Family Court, a division of the Circuit Courts. In addition, Circuit Court judges may be assigned to hear matters before the Land Court and Tax Appeal Court, both of which are specialized courts separate from the Circuit Courts. There are four Circuit Courts, convened in five locations.

3/ Includes judges assigned to the Family Courts, a division of the Circuit Courts. There are four District Courts, one in each of the four judicial circuits, convened in 22 locations.

4/ Caseload assigned to Circuit Court judges.

Source: Office of the Clerk, U.S. District Court, records; Office of the Administrative Director of the Courts, State Judiciary, records; Hawaii State Bar Association, records.

Table 4.16-- UNITED STATES BANKRUPTCY COURT CASES FILED UNDER CHAPTER 7, 11 AND 13 OF THE BANKRUPTCY CODE: 1997 TO 2008

[Based upon original chapter designation at the time the case is originally filed. Table includes cases filed in 2008 which were on the caseload as of December 31, 2008]

| Year | Chapter 7 1/ | | | Chapter 11 2/ | | | Chapter 13 3/ | | |
|---------|--------------|-----------|-----------|---------------|-----------|-----------|---------------|-----------|-----------|
| | Total | Busi-ness | Per-sonal | Total | Busi-ness | Per-sonal | Total | Busi-ness | Per-sonal |
| 1997 | 3,956 | 124 | 3,832 | 46 | 41 | 5 | 454 | 19 | 435 |
| 1998 | 5,265 | 79 | 5,186 | 27 | 24 | 3 | 518 | 6 | 512 |
| 1999 | 4,882 | 59 | 4,823 | 30 | 29 | 1 | 500 | 6 | 494 |
| 2000 | 4,012 | 44 | 3,968 | 34 | 22 | 12 | 486 | 3 | 483 |
| 2001 | 4,497 | 39 | 4,458 | 22 | 20 | 2 | 506 | 2 | 504 |
| 2002 | 4,032 | 36 | 3,996 | 20 | 18 | 2 | 432 | - | 432 |
| 2003 | 3,293 | 39 | 3,254 | 29 | 25 | 4 | 459 | 2 | 457 |
| 2004 | 2,714 | 29 | 2,685 | 18 | 12 | 6 | 366 | 4 | 362 |
| 2005 | 4,125 | 62 | 4,063 | 17 | 15 | 2 | 340 | 3 | 337 |
| 2006 4/ | 793 | 16 | 777 | 9 | 6 | 3 | 151 | 1 | 150 |
| 2007 | 1,127 | 40 | 1,087 | 15 | 13 | 2 | 242 | 2 | 240 |
| 2008 | 1,618 | 53 | 1,565 | 23 | 21 | 2 | 436 | 8 | 428 |

1/ Chapter 7 cases involve the bankruptcy trustee's gathering and sale of the debtor's nonexempt assets, from which holders of claims will receive distributions in accordance with the provisions of the Bankruptcy Code. (Excerpt taken from Bankruptcy Division Public Information Series, Administrative Office of the United States Courts)

2/ Chapter 11 is the business reorganization chapter. This type of bankruptcy is used primarily by businesses which wish to reorganize and continue in operations after bankruptcy. The business is allowed to continue operations during the pendency of the case and a trustee is appointed only upon motion of a creditor or party in interest. The debtor is required to file a plan of reorganization. Creditors may vote on the plan and the court is required to approve it. (United States Bankruptcy Court of the District of Hawaii)

3/ Chapter 13 is designed for individuals with regular income who desire to pay their debts but are currently unable to do so. The primary benefit of Chapter 13 relief is the ability to repay creditors, in full or in part, in installments over a three to five year period, during which time creditors are prohibited from starting or continuing collection efforts. (Excerpt taken from Bankruptcy Division Public Information Series, Administrative Office of the United States Courts)

4/ On April 20, 2005, President Bush signed into law the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA"). BAPCPA made substantial changes to the Bankruptcy Code. Most BAPCPA changes apply only to cases file on or after October 17, 2005. (Excerpt taken from Bankruptcy Division Public Information Series, Administrative Office of the United States Courts)

Source: United States Bankruptcy Court of the District of Hawaii, records; Administrative Office of the United States Courts, *Bankruptcy Basics*

<<http://www.uscourts.gov/bankruptcycourts/bankruptcybasics.html>> accessed January 12, 2007.

**Table 4.17-- STATE JUDICIARY CASES FILED, BY TYPE OF ACTION:
2006 TO 2008**

[Fiscal year ending June 30]

| Court and type of action | 2006 | 2007 | 2008 |
|---|--------|--------|--------|
| Supreme Court 1/ | 3,091 | 477 | 367 |
| Primary cases | 321 | 102 | 110 |
| Appeals | 269 | 33 | 38 |
| Original proceedings | 52 | 69 | 72 |
| Supplemental proceedings | 2,770 | 375 | 257 |
| Intermediate Court of Appeals 2/ | 514 | 2,794 | 2,704 |
| Primary cases | 319 | 522 | 525 |
| Appeals | 319 | 522 | 525 |
| Supplemental proceedings | 195 | 2,272 | 2,179 |
| Circuit Courts Proper | 11,424 | 11,308 | 11,661 |
| Civil actions | 3,448 | 3,582 | 4,198 |
| Probate proceedings | 1,564 | 1,527 | 1,400 |
| Conservatorship/Guardianship proceedings 3/ | 341 | 320 | 3/ 251 |
| Miscellaneous proceedings | 1,085 | 1,094 | 1,128 |
| Criminal actions | 4,815 | 4,577 | 4,480 |
| Part I offenses | 1,955 | 1,830 | 1,891 |
| Part II offenses | 2,860 | 2,747 | 2,589 |
| Trust proceedings | 171 | 208 | 204 |
| Family Courts | 32,469 | 34,092 | 36,932 |
| Marital actions and proceedings | 5,720 | 5,508 | 5,660 |
| Uniform reciprocal enforcement of support | 412 | 490 | 390 |
| Adoption proceedings | 703 | 673 | 675 |
| Parental proceedings | 2,051 | 1,832 | 1,942 |
| Domestic Abuse Protective Orders (Ch. 586) | 4,654 | 4,505 | 4,532 |
| Miscellaneous proceedings | 2,435 | 2,179 | 2,613 |
| Criminal actions | 3,209 | 3,029 | 3,057 |
| Children's referrals | 13,285 | 15,876 | 18,063 |

Continued on next page.

**Table 4.17-- STATE JUDICIARY CASES FILED, BY TYPE OF ACTION:
2006 TO 2008 -- Con.**

| Court and type of action | 2006 | 2007 | 2008 |
|------------------------------|---------|------------|------------|
| District Court | 561,528 | 4/ 513,441 | 4/ 526,494 |
| Civil | 17,469 | 17,823 | 22,405 |
| Regular civil | 14,080 | 14,001 | 18,636 |
| Small claims | 3,389 | 3,822 | 3,769 |
| Traffic | 491,609 | (4/) | (4/) |
| Moving - arrest and citation | 156,557 | (4/) | (4/) |
| Non-moving | 139,014 | (4/) | (4/) |
| Parking | 196,038 | (4/) | (4/) |
| Traffic | (4/) | 457,972 | 464,717 |
| Criminal | (4/) | 46,091 | 46,381 |
| Non criminal | (4/) | 223,255 | 216,620 |
| Parking violations | (4/) | 182,434 | 195,011 |
| Other violations | (4/) | 1 | 2 |
| Administrative reviews | (4/) | 6,191 | 6,703 |
| Other violations | 3,369 | 2,551 | 2,776 |
| Criminal actions | 49,081 | 35,095 | 36,596 |
| Part I offenses | 4,747 | 3,715 | 4,257 |
| Part II offenses | 44,334 | 31,380 | 32,339 |

1/ Data exclude cases transferred to the Intermediate Court of Appeals: 318 in 2006, none in 2007, and none in 2008. In accordance with Act 202, Session Laws of Hawaii 2004, new appeals are filed at the Intermediate Court of Appeals, effective July 1, 2006.

2/ Data exclude cases transferred back to the Supreme Court: none in 2006, 2 in 2007, and 2 in 2008. In accordance with Act 202, Session Laws of Hawaii 2004, new appeals are filed at the Intermediate Court of Appeals, effective July 1, 2006.

3/ Category description changed from "Guardianship proceedings" to "Conservatorship/Guardianship proceedings" in 2008. Although the category description was changed in 2008, conservatorship cases were being reported in this line since 2006.

4/ In 2007, a new case-based reporting system for traffic filings began. In this system, a traffic case involving multiple offenses is counted as one case, and the most serious offense is selected for classification purposes. The new reporting categories are based on the latest "State Court Guide to Statistical Reporting" published by the National Center for State Courts.

Source: The Judiciary, State of Hawaii, records.

**Table 4.18-- STATE JUDICIARY CASES TERMINATED, BY TYPE OF ACTION:
2006 TO 2008**

[Fiscal year ending June 30]

| Court and type of action | 2006 | 2007 | 2008 |
|---|-------------|-------------|-------------|
| Supreme Court 1/ | 3,220 | 582 | 427 |
| Primary cases | 454 | 202 | 162 |
| Appeals | 397 | 134 | 90 |
| Original proceedings | 57 | 68 | 72 |
| Supplemental proceedings | 2,766 | 380 | 265 |
| Intermediate Court of Appeals 2/ | 520 | 2,813 | 2,638 |
| Primary cases | 317 | 559 | 469 |
| Appeals | 317 | 559 | 469 |
| Supplemental proceedings | 203 | 2,254 | 2,169 |
| Circuit Courts Proper | 9,713 | 8,274 | 10,832 |
| Civil actions | 3,745 | 3,179 | 3,558 |
| Probate proceedings | 788 | 605 | 1,198 |
| Conservatorship/Guardianship proceedings 3/ | 185 | 195 | 3/ 240 |
| Miscellaneous proceedings | 1,203 | 682 | 1,764 |
| Criminal actions | 3,738 | 3,548 | 3,958 |
| Part I offenses | 1,506 | 1,420 | 1,557 |
| Part II offenses | 2,232 | 2,128 | 2,401 |
| Trust proceedings | 54 | 65 | 114 |
| Family Courts | 29,800 | 32,257 | 34,749 |
| Marital actions and proceedings | 5,229 | 5,452 | 5,640 |
| Uniform reciprocal enforcement of support | 357 | 452 | 376 |
| Adoption proceedings | 640 | 694 | 760 |
| Parental proceedings | 1,669 | 1,652 | 2,469 |
| Domestic Abuse Protective Orders (Ch. 586) | 4,638 | 4,499 | 4,525 |
| Miscellaneous proceedings | 2,143 | 1,940 | 2,918 |
| Criminal actions | 2,732 | 3,053 | 2,713 |
| Children's referrals | 12,392 | 14,515 | 15,348 |

Continued on next page.

**Table 4.18-- STATE JUDICIARY CASES TERMINATED, BY TYPE OF ACTION:
2006 TO 2008 -- Con.**

| Court and type of action | 2006 | 2007 | 2008 |
|------------------------------|---------|------------|------------|
| District Court | 477,930 | 4/ 421,115 | 4/ 504,622 |
| Civil | 14,831 | 17,863 | 17,334 |
| Regular civil | 11,849 | 14,158 | 13,933 |
| Small claims | 2,982 | 3,705 | 3,401 |
| Traffic | 412,913 | (4/) | (4/) |
| Moving - arrest and citation | 144,550 | (4/) | (4/) |
| Non-moving | 122,057 | (4/) | (4/) |
| Parking | 146,306 | (4/) | (4/) |
| Traffic | (4/) | 373,252 | 454,237 |
| Criminal | (4/) | 42,679 | 45,285 |
| Non criminal | (4/) | 187,723 | 212,060 |
| Parking violations | (4/) | 136,725 | 190,254 |
| Other violations | (4/) | 8 | 5 |
| Administrative reviews | (4/) | 6,117 | 6,633 |
| Other violations | 3,085 | 2,156 | 2,367 |
| Criminal actions | 47,101 | 27,844 | 30,684 |
| Part I offenses | 4,483 | 3,584 | 3,823 |
| Part II offenses | 42,618 | 24,260 | 26,861 |

1/ Data exclude cases transferred to the Intermediate Court of Appeals: 318 in 2006, none in 2007, and none in 2008. In accordance with Act 202, Session Laws of Hawaii 2004, new appeals are filed at the Intermediate Court of Appeals, effective July 1, 2006.

2/ Data exclude cases transferred back to the Supreme Court: none in 2006, 2 in 2007, and 2 in 2008. In accordance with Act 202, Session Laws of Hawaii 2004, new appeals are filed at the Intermediate Court of Appeals, effective July 1, 2006.

3/ Category description changed from "Guardianship proceedings" to "Conservatorship/Guardianship proceedings" in 2008. Although the category description was changed in 2008, conservatorship cases were being reported in this line since 2006.

4/ In 2007, a new case-based reporting system for traffic dispositions (entry of judgement) began. In this system, a traffic case involving multiple offenses is counted as one case, and the most serious offense is selected for classification purposes. The new reporting categories are based on the latest "State Court Guide to Statistical Reporting" published by the National Center for State Courts.

Source: The Judiciary, State of Hawaii, records.

**Table 4.19-- INMATES PRESENT IN STATE CORRECTIONAL FACILITIES:
ANNUAL AVERAGES, 1997 TO 2008**

[Mean head count for fiscal year ending June 30]

| Year | Total | Adult facilities 1/ | | | | Juvenile facilities 2/ | |
|------|-------|---------------------|-------------------|---------------|------------------------|------------------------|-------|
| | | Sentenced felons | Sentenced jail 3/ | Not sentenced | Technical violators 4/ | Boys | Girls |
| 1997 | 3,450 | 5/ 1,557 | 343 | 994 | 498 | 50 | 8 |
| 1998 | 4,157 | 5/ 1,662 | 432 | 1,348 | 644 | 61 | 10 |
| 1999 | 3,811 | 5/ 1,456 | 438 | 1,163 | 667 | 60 | 27 |
| 2000 | 3,669 | 5/ 1,426 | 337 | 1,062 | 752 | 75 | 17 |
| 2001 | 3,855 | 5/ 1,687 | 318 | 974 | 801 | 58 | 17 |
| 2002 | 3,988 | 5/ 1,797 | 363 | 949 | 794 | 70 | 15 |
| 2003 | 3,943 | 5/ 1,809 | 430 | 867 | 751 | 69 | 17 |
| 2004 | 4,130 | 5/ 1,915 | 506 | 890 | 740 | 65 | 14 |
| 2005 | 3,990 | 5/ 1,846 | 459 | 932 | 694 | 6/ 52 | 6/ 7 |
| 2006 | 3,921 | 5/ 1,781 | 312 | 1,036 | 733 | 6/ 47 | 6/ 12 |
| 2007 | 3,708 | 5/ 1,705 | 262 | 1,062 | 615 | 6/ 52 | 6/ 12 |
| 2008 | 3,553 | 5/ 1,661 | 337 | 912 | 571 | 6/ 59 | 6/ 13 |

1/ Includes eight facilities: Oahu, Hawaii, Kauai, and Maui Community Correctional Centers; Kulani Correctional Facility, Halawa Correctional Facility, Women's Community Correctional Center, and Waiawa Correctional Facility.

2/ Hawaii Youth Correctional Facility.

3/ Includes felon probationers serving jail terms under one year.

4/ Consists of parole and probation violators, previously included in the "Not Sentenced" category.

5/ For 1997 and 1998, excludes sentenced felons incarcerated in three contracted out-of-state facilities; for 1999 through 2006, excludes sentenced felons incarcerated in four contracted out-of-state facilities; for 2007, excludes sentenced felons incarcerated in five contracted out-of-state facilities; and for 2008, excludes sentenced felons incarcerated in three contracted out-of-state facilities. Also excludes jail inmates held in the Federal Detention Center from 2002 to the present.

6/ From 2005, figures include only youths physically housed in juvenile facility.

Source: Hawaii State Department of Public Safety, records; Hawaii State Department of Human Services, Office of Youth Services/Hawaii Youth Correctional Facility, records; calculations by the Hawaii State Department of Business, Economic Development & Tourism.

Table 4.20-- MEDIAN AGES AND AVERAGE SENTENCES OF SENTENCED FELON POPULATION: 1997 TO 2008

[Years ended June 30 unless otherwise specified. These data cover only sentenced felons under the jurisdiction of the State's correctional facilities, in hospitals, in mainland facilities, and on community release status. Parolees are not included. Average sentence calculations include life with parole sentences]

| Year | Median age (years) 1/ | | Average sentence (months) | | |
|------|-----------------------|-------------------------|---------------------------|----------|--------------------|
| | At admission | Currently as of June 30 | Felons admitted | | Felons released 2/ |
| | | | Minimum | Maximum | |
| 1997 | 33.3 | 34.3 | 51.2 | 3/ 106.0 | 38.9 |
| 1998 | 33.5 | 34.9 | 45.2 | 3/ 105.2 | 36.7 |
| 1999 | 33.7 | 31.9 | 47.6 | 3/ 105.5 | 34.4 |
| 2000 | (NA) | (NA) | (NA) | (NA) | (NA) |
| 2001 | 34.9 | 37.3 | (NA) | (NA) | 36.5 |
| 2002 | 33.8 | 32.8 | (NA) | (NA) | 34.7 |
| 2003 | 34.2 | 37.0 | (NA) | (NA) | 34.7 |
| 2004 | 34.9 | 37.1 | (NA) | (NA) | 31.2 |
| 2005 | 35.0 | 37.7 | (NA) | (NA) | 34.5 |
| 2006 | 34.5 | 37.8 | (NA) | (NA) | 38.9 |
| 2007 | 35.7 | 38.3 | (NA) | (NA) | 42.1 |
| 2008 | 35.5 | 38.9 | (NA) | (NA) | 42.3 |

NA Not available.

1/ For sentenced felon population on June 30.

2/ Includes releases to parole, time served, deaths, and all other release types. Category title was shown as "Felons released: time served" in previous *Data Books* , but data included all release types.

3/ Average based on statutory maximum sentences for each offense grade.

Source: Hawaii State Department of Public Safety, Correctional Information System (CIS) and records; Hawaii Paroling Authority, annual reports.

**Table 4.21-- INMATE POPULATION AT CONTRACTED FACILITIES
IN OTHER STATES: 1997 TO 2008**

[Fiscal year ending June 30]

| Year | Population at contracted facilities | Assigned total inmate population 1/ | % of total inmate population |
|-------------|--|--|---|
| 1997 | 300 | 4,604 | 6.5 |
| 1998 | 600 | 5,216 | 11.5 |
| 1999 | 1,178 | 5,043 | 23.4 |
| 2000 | 1,079 | 5,127 | 21.0 |
| 2001 | 1,194 | 5,412 | 22.1 |
| 2002 | 1,232 | 5,569 | 22.1 |
| 2003 | 1,295 | 5,657 | 22.9 |
| 2004 | 1,579 | 5,958 | 26.5 |
| 2005 | 1,730 | 6,092 | 28.4 |
| 2006 | 1,844 | 6,251 | 29.5 |
| 2007 | 2,009 | 6,045 | 33.2 |
| 2008 | 2,014 | 6,014 | 33.5 |

1/ Number of inmates on a specific date who are under the jurisdiction of the Hawaii Department of Public Safety. This includes inmates physically present at one of the correctional facilities operated by the Department of Public Safety, housed in an out-of-state or contracted facility, on furlough, in a medical facility, on escape status or serving intermittent sentences.

Source: Hawaii State Department of Public Safety, *Annual Report 2003* and Inmate Population "Department of Public Safety End of Month Population Report"
<http://www.hawaii.gov/psd/psd_home.php> accessed June 6, 2005 and records.