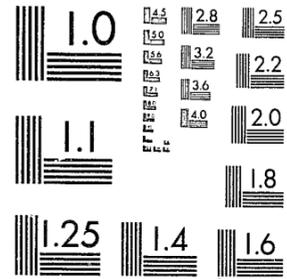


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REPORT
OF
CONFERENCE PROCEEDINGS
GOVERNOR'S CONFERENCE ON CRIME



Convened at
WASHINGTON PLACE
HONOLULU, HAWAII
ON
JANUARY 14, 1981

GOVERNOR'S CONFERENCE ON CRIME
Wednesday, January 14, 1981
Washington Place

GEORGE R. ARIYOSHI, Governor

PARTICIPANTS:

WILLIAM S. RICHARDSON, Chief Justice, Supreme Court, The Judiciary
YOSHIMI HAYASHI, Judge, Intermediate Court of Appeals
WENDELL K. HUDDY, Judge, First Circuit Court
KASE HIGA, Judge, Second Circuit Court
ERNEST KUBOTA, Judge, Third Circuit Court
KEI HIRANO, Judge, Fifth Circuit Court
RUSSELL KONO, Judge, District Court, First Circuit
EILEEN ANDERSON, Mayor, City and County of Honolulu
HANNIBAL TAVARES, Mayor, County of Maui
HERBERT MATAYOSHI, Mayor, County of Hawaii
EDUARDO MALAPIT, Mayor, County of Kauai
FRANCIS KEALA, Chief of Police, City and County of Honolulu
ROY HIRAM, Chief of Police, County of Kauai
JOHN SAN DIEGO, Chief of Police, County of Maui
GUY PAUL, Chief of Police, County of Hawaii
BOYD MOSSMAN, Prosecuting Attorney, County of Maui
GERALD MATSUNAGA, Prosecuting Attorney, County of Kauai
CHARLES MARSLAND, Prosecuting Attorney, City and County of Honolulu
JON ONO, Prosecuting Attorney, County of Hawaii
WALLACE WEATHERWAX, Acting U. S. Attorney
WAYNE MINAMI, Attorney General, State of Hawaii
FRANKLIN SUNN, Director, Department of Social Services and Housing
SUSUMU ONO, Chairman, Department of Land and Natural Resources
GEORGE YUEN, Director, Department of Health
THOMAS HUGO, Chairman, Hawaii Paroling Authority
IRWIN TANAKA, Director, State Law Enforcement Planning Agency

RESOURCE SPEAKERS:

MARC OLEY, Police Planning Specialist, State Law Enforcement Planning Agency
WALTER IKEDA, Attorney, Private Practice
EDWIN WATSON, Deputy Attorney General, State of Hawaii

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ACQUISITION

REPORT
OF
CONFERENCE PROCEEDINGS

GOVERNOR'S CONFERENCE ON CRIME

U.S. Department of Justice
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CONVENED
AT
WASHINGTON PLACE
HONOLULU, HAWAII
ON
JANUARY 14, 1981



EXECUTIVE CHAMBERS

HONOLULU

GEORGE R. ARIYOSHI
GOVERNOR

FOREWORD

This is a report to the people of Hawaii on the discussions, proceedings, and conclusions of those participating in a recent Governor's Conference on Crime.

Obviously, crime is such a complex issue that one conference, at whatever level, cannot arrive at definitive answers. However, we did make a significant start.

Much more needs to be done and, certainly, will be done.

This first conference was conceived and planned with certain considerations in mind:

- 1) That the discussions among the participants be open and candid, and focus on system-wide concerns, as opposed to unique or isolated agency problems;
- 2) That crime, in general, and the three issues selected in particular, are extremely complex and involve a multitude of variables; and
- 3) That these and other issues will need further discussions, and should be the subject of future conferences, if the results of this conference are to produce worthwhile results.

Crime is a problem that involves us all. The solutions to this problem, and the very problem itself, reside with us all.

No group of men or women, whatever their offices, in one meeting, can unilaterally change the conduct and the attitudes of our society.

It will take hundreds of thousands of persons, working in many different areas, to correct the ills articulated at this conference, and to achieve the goals enunciated.

A wise man once said that a journey of a thousand miles begins with the first step.

We have taken that first step in a concerted effort to combat crime, at all levels, in this State. And we intend to take many more steps. To take these steps, we will require the help, the encouragement, and the support of hundreds of thousands of our citizens.

It is in your name that we are making this effort. The ultimate responsibility rests with you.

I am happy to make a digest of this first conference available, and I hope that its explorations, and discussions, will lead to a continuing effort to fight crime, and to further justice, in this State.


George R. Ariyoshi

INTRODUCTION

The first Governor's Conference on Crime was convened by Governor Ariyoshi to stimulate dialogue and foster cooperation among the principal policy makers and administrators within our criminal justice system on urgent criminal justice issues facing this State.

The conference was convened with the realization that the criminal justice system needed to be examined and new alternatives explored.

The Governor determined that to facilitate a productive dialogue at the conference, it was important to focus attention on specific issues. Although many issues, such as juvenile crime and crime prevention, also lend themselves to separate conferences, the issues ultimately selected for this first conference concerned police, prosecutors, judges and corrections officials.

These issues were deemed important because they are at the heart of many of the immediate problems facing the system, and are the subject of a great deal of community concern and frustration.

The three issues selected for conference consideration are:

ISSUE I

The presence of philosophical and operational conflicts between the police, prosecutors, and the Judiciary has resulted in a decreasing proportion of arrested persons being charged, prosecuted and incarcerated.

This issue was selected because a great deal of citizen dissatisfaction and criminal justice agency frustration have resulted from the "fall out," or attrition, of persons from point of arrest to point of sanction or punishment by the system. There is anger and concern about the reasons for, and the solutions to, this apparent high level of arrestee attrition.

ISSUE II

The absence of well-defined State philosophies and practices which can facilitate a more orderly and understandable processing of convicted persons has resulted in:

- (a) Prison overcrowding;
- (b) An inability to project prison population and needs;
- (c) Frustration on the part of inmates, adult corrections officers and prison administrators;
- (d) Community confusion as to the purpose of corrections and the problems of prison administration;
- (e) Inadequate security and safety for inmates, adult corrections officers and the community-at-large; and
- (f) A need to examine current trends of commitment and prison population, sentencing practices and alternatives, probation, facility needs, in-community alternatives, and parole.

This issue was selected because of more acute public awareness and concern about the processing of arrested persons, and the disposition, or sentencing, of convicted persons. This awareness, articulated in many ways, has caused elected officials, legislators, judges and criminal justice administrators to adopt policies which have led to increased detention of pre-trial arrestees, higher proportions of convicted persons being sent to prison, and longer minimum sentences.

The result of these new attitudes and policies has been the creation of dangerous and, in some cases, unmanageable situations within our corrections institutions.

ISSUE III

The increasing incidence of violent and property crimes occurring in Hawaii's parks and beaches has resulted in:

- (a) A reluctance born of fear on the part of citizens to use these facilities; and
- (b) Repeated attacks upon unsuspecting visitors not aware of the dangers present in many locations.

The third issue was selected because recent criminal incidents have caused us to be more aware of the problems of crime and intimidation within our parks. These incidents, and their attendant publicity, have created an unfavorable climate regarding the use and enjoyment of these facilities by citizens and visitors alike.

FORMAT

These three issues were presented at the conference by the following resource speakers:

- Issue I: Marc Oley, Police Planning Specialist, State Law Enforcement Planning Agency
- Issue II: Walter Ikeda, Attorney, Private Practice
- Issue III: Edwin Watson, Deputy Attorney General, State of Hawaii

The issue papers appear in Section I of this report.

After the three issues were presented, the morning discussion groups met (see Appendix B for group assignments) to discuss each of the issues and formulate recommendations through group consensus.

Each morning group reported its respective discussion group's reactions and recommendations on each of the issues to the entire conference group.

The afternoon discussion group participants (see Appendix C for group assignments) met with their respective County or State representatives to discuss the same three issues from a County or State perspective.

The four County discussion groups addressed the three issues and formulated recommendations from their perspective, through group consensus. The State group formulated recommendations from its perspective.

Each group reported its reactions and recommendations on each issue. A compendium of the reactions/recommendations of the four morning groups and five afternoon groups appear in Section II of this report.

The entire conference group then participated in a decision-making session, chaired by the Governor, on each of the issues. The decisions made during this session are discussed in Section III of this report and reflect a conference consensus.

SECTION I
PRESENTATION
OF
ISSUE PAPERS

(It should be noted that these issue papers were drafted for the purpose of generating discussion and debate among conference participants and do not necessarily reflect the opinions of all conferees.)

ATTRITION OF ARRESTS WITHIN HAWAII'S CRIMINAL JUSTICE SYSTEM

Presentation By Marc Oley of SLEPA

The enormous attrition of arrests that we find, as cases pass through the prosecution and court bureaucracies, is at the center of a much larger process of attrition, from victimization to incarceration.

Central to all of this is that most offenses do not lead to arrest. While offenders eventually may be apprehended because of the number of offenses they commit, a discouraging percentage of individual criminal episodes go unresolved.

Many crimes are not even reported to the police, and in many of the criminal episodes that are reported to the police, the officer is not given sufficient information to justify making an arrest.

Further, a larger process of attrition continues even after conviction, with only a small number of those convicted subsequently being incarcerated.

It is difficult, especially for victims, to see how justice is being done in a system in which the majority of offenders are not arrested, the majority of arrestees are not convicted, and the majority of convicted defendants are not punished.

Furthermore, the cost of attrition is staggering. To the extent that criminal perpetrators are set free, justice is not being done; opportunities to reduce crime through incapacitation and deterrence are lost; police, prosecutor, and court resources are consumed with apparently meager results; and the victims are doubly violated.

Interagency Conflicts

The failure of most arrests to end in conviction may be symptomatic of conflict among the objectives of the police, the prosecutor, and the Judiciary. It may also be the product of the incompleteness of the information available to those who make up the criminal justice system.

ISSUE I

The presence of philosophical and operational conflicts between the police, prosecutors, and the Judiciary has resulted in a decreasing proportion of arrested persons being charged, prosecuted and incarcerated.

No element of the criminal justice system completely discharges its responsibility simply by achieving its own immediate objective. It must also cooperate effectively with the system's other elements.

We also are suffering from an intolerable amount of one component pointing its finger at other components, while at the same time not objectively, and meaningfully, evaluating its own performance. Each component's functions are inextricably tied to the other components, and policies must be developed and implemented based upon mutual agreement.

In addition to a general lack of cooperative planning based upon mutual agreement, the information which is currently available on the total system, or the individual component's operations within the total system, is woefully inadequate. The Statistical Analysis Center, as of today, has not yet achieved what it set out to achieve. The reasons appear to be:

- A misunderstanding of SAC's role by components within the system;
- Leadership problems (this problem has been recently alleviated); and
- An absence of real commitment on the part of some criminal justice agencies to the OBTS/CCH concept.

The problem of system coordination in decision-making is further aggravated by community pressures and the unavailability of adequate information.

Options

We must now acknowledge that the status quo in regard to attrition, and system interaction, is not acceptable. The statistics and the declining community confidence in the system tell us this.

While our options appear to be limited, we do have some that we should consider. These options involve decisions dealing with the allocation of financial resources within the system.

The options appear to be:

- (a) Maintain the status quo of financial expenditures for criminal justice and maintain current operational practices;
- (b) Greatly expand total system-wide expenditures for criminal justice;
- (c) Maintain the current proportion of expenditures, but establish priorities based upon available resources in areas which we determine need the greatest concentration of effort; or
- (d) Increase some expenditures (i.e. more prosecutors) while establishing priorities based upon available resources.

Attrition from Arrest to Charge

Currently, much of the attrition takes place between an offense being reported and a formal charge being made.

For example, out of 1,161 reported violent crimes in 1973, only 289 persons were ultimately charged. The fact that a high proportion of reported incidents are not cleared, or that a high proportion of persons arrested are not indicted, is not necessarily an indication of poor police operations. However, we do know that the sheer volume of incidents reported to the police has created a situation whereby many cases do not receive adequate attention. The problem of volume, and how to deal with it, manifests itself when the cases reach the Criminal Investigation Division.

Closer examination of police arrests in 1973 shows that over half the arrests did not reach the trial stage, and of that half that did not reach trial, approximately two-thirds "washed out" because of evidence and/or witness problems.

We must ask ourselves two questions:

- I. What can the police do to respond to the sheer numbers of reported offenses?

2. How can the police address the evidence and witness problems which were so prominent in the "washed out" cases?

In dealing with the volume of reported incidents, particularly at the Criminal Investigation Division level, the police might:

1. Acknowledge their limited resources and establish case investigation priorities;
2. Establish case solvability criteria for the purpose of eliminating cases which have a low probability of solution or conviction; and/or
3. Give patrol officers increased investigation responsibility.

In addressing the reasons for "washed out" cases after arrest, the police must be cognizant of the following considerations:

- a. The police have a continuing responsibility after arrest;
- b. When the arresting officer manages to recover tangible evidence, the prosecutor has a much stronger case;
- c. When the police are able to bring more cooperative witnesses to the prosecutor, the probability of conviction is significantly enhanced;
- d. When the police are able to make the arrest soon after the offense--especially in robberies, thefts and burglaries--tangible evidence is more often recovered and conviction is more likely;
- e. A relatively small number of officers make a majority of arrests that lead to convictions; and
- f. Law enforcement officials must not be preoccupied with a perspective that does not extend beyond arrest.

These considerations suggest several points which law enforcement administrators should evaluate in regard to department operations:

- a. Law enforcement officials must take a larger view in improving police

effectiveness to facilitate improvement in the entire criminal justice system;

- b. Law enforcement managers should address current reward and promotional policies which promote to administrative and command positions the most productive patrol officers and investigators; and
- c. There are training needs that must be addressed in terms of improving the quality of arrests; decreasing the time between offense and arrest; improving evidence collection and processing; and gaining and maintaining the cooperation of citizen witnesses and victims.

A final observation to consider is that most large law enforcement departments in the United States are organized and operated in manners which discourage close relationships with the people being policed.

The closer a police officer's relationship is with the people on his beat, the more people he knows and the more those people trust him, the greater his chances are of reducing crime.

Policemen cannot solve a crime if they do not know one has been committed, or if people in the community do not cooperate. We need citizens who report crimes and then commit themselves to serving as witnesses. Members of the public have a critical role to play in crime control.

Attrition from Arrest to Trial

From our 1973 sample of 1,161 reported incidents, 359 suspects were arrested, 289 were charged, 229 were indicted, and only 158 were convicted. The 158 ultimately convicted represent approximately 44% of those arrested. The interaction which takes place between those involved--the victim, the person arrested, the police, and the prosecutor, from the point of arrest to trial, is loaded with opportunities for the arrested person to avoid conviction. It is extremely

important for both the police and the prosecutor, if they are to reduce these opportunities for attrition, to establish a mutually supportive relationship. There is no excuse for a lack of communication between these two agencies. When the relationship, or the communication, between these two agencies deteriorates, the result will be a greater proportion of "washed out" cases and higher levels of frustration among personnel of both agencies. These symptoms have appeared periodically in several jurisdictions over the past several years.

In an effort to establish better prosecutor-police relationships, it is important that one or more deputy prosecutors be available at the police department during the second and third watches to respond to questions, and to provide legal opinions, in regard to immediate case situations. This can strengthen future legal action immeasurably.

Additionally, it is important that the prosecutors in each county conduct periodic training sessions for both patrol officers and detectives.

The prosecutors can also contribute to a reduction in attrition if each office is adequately staffed and trained, and each deputy has the time to adequately prepare cases. Such action must include an appropriate amount of discussion with police officers who will appear at the trial. It has been pointed out by some observers that in many instances, the prosecutors' witnesses are inadequately prepared. This becomes particularly crucial in light of the fact that the number, and credibility, of witnesses is an important factor in obtaining convictions.

Another disturbing statistic is the length of delay from arrest to indictment, and from arrest to trial. While it is difficult to establish the responsibility for the delay from arrest to trial (usually about seven months), we have discovered that the prosecutors' offices in many cases contribute to the delay from arrest to indictment. At present it takes an average of three months for a case to go from arrest to indictment.

It should be possible in most instances to indict no later than one month after arrest. If our goal is swift justice--and it should be--we must analyze the reasons for the seven-month delay for trials. This time lapse is unacceptable. It should be closer to four months, which would be consistent with the federal speedy trial act.

Finally, it is important that the prosecutor's office, especially in Honolulu, complete as soon as possible the installation of a computerized management information system. Without this capability, the management of Honolulu's large caseload is most difficult, and the unwelcome products of this unmanageability are delays, witness frustration, and even greater attrition.

CAREER CRIMINAL PROGRAM

Crime reduction, through incapacitation, is the primary basis for the career criminal program. Even though there have been few attempts nationally, or in Hawaii, to evaluate the success of the program in terms of either its estimated or actual effect on future arrests or future crime, it is generally conceded that the success of the program in reducing crime rests on the extent to which certain conditions exist, or can be created. The conditions are:

- (1) There is a small group of offenders which account for a large proportion of the crime rate.
- (2) This small group of offenders is apprehended eventually by the criminal justice system.
- (3) When apprehended, this small group of offenders can be identified as having the greatest potential for future crime.
- (4) When identified, this group of offenders can be convicted and incarcerated for a length of time that will prevent them from committing additional crimes.

In examining persons arrested for violent felonies in 1973 in Honolulu, our analysis shows that repeat offenders are a real problem. In the past five years, the 359 persons whose criminal careers were part of the Honolulu Advertiser's survey, logged 493 new felony charges.

Sixty-nine of them are responsible for 412 of the charges. In other words, fewer than 20% of those sampled accounted for more than 80% of the subsequent felony charges among that group.

The key question to ask when examining the value of career criminal programs is, "What is the potential crime reduction based upon the prosecutor's efforts to target career criminals for prosecution and ultimate incapacitation?"

The term that is commonly used is "selective incapacitation." Career criminal programs attempt to reduce future crime by selecting certain cases for intensive prosecutor and police preparation, rather than trying to improve the preparation of all cases.

Turning to the questions of structuring career criminal programs for maximum effectiveness, the choice of the target group seems to be very important. Most studies indicate that general, or random, incapacitation seems to be clearly ineffective. Even the highest possible percentage of serious arrests that might be prevented was quite small if there was no attempt to identify those likely to recidivate in the future.

It does seem that targeting on felonies is more efficient than including misdemeanants, even though many misdemeanants do turn out to be serious recidivists.

It does not seem appropriate to include homicide, sexual assault, and assault defendants in career criminal programs from the standpoint of crime reduction, even though these are serious crimes that the public is extremely concerned about.

If career criminal resources are targeted on such cases, it should be clear that the goal is retribution, rather than incapacitation.

Recidivism

An important question for career criminal programs is whether the persons most likely to have further contact with the criminal justice system can be identified in advance. While study results vary somewhat according to the particular measure of recidivism being used, many variables were consistently related to recidivism.

Beginning with the current offense type, burglary was one such variable. An arrest for robbery was also a significant predictor of recidivism.

The offenses that career criminals seemed to be involved with principally are, in the approximate order of frequency: burglary, robbery, larceny (if not first offender), misdemeanor drug offenses (if not a first offender), and assault. Targeting on other crimes, such as homicide and sexual assault, may be appropriate for other reasons, but such a concentration for a career criminal program is not supported by the research.

Moving to variables that describe a defendant's criminal history, the number of previous arrests--whether arrested in the past five years, and the number of convictions--were almost always important predictors of recidivism. Three types of arrest in the two years preceding the current arrest also predicted recidivism.

Also, the notion of the "professional robber" or "professional burglar" is not supported by current studies. While there is some tendency for violent and property offenders to specialize, few defendants were arrested for only one type of crime.

Prosecution of offenders involves making many hard policy decisions about how to allocate resources. There are simply too many cases for all of them to receive concentrated attention. Choices about which ones should receive special attention have to be based on a variety of criteria, one of which should be recidivism potential. Career criminal programs will not have an effect on future crime if the people who are targeted are in fact not likely to repeat.

Career criminal programs appear to have some potential for reducing future crime, but only if the four conditions stated at the beginning of this section hold true. The program must be implemented, bearing this in mind, in order to have any hope of success. Otherwise, the program may have public appeal but, nevertheless, will not have much beneficial effect on the crime rate.

Some in Hawaii's criminal justice system have suggested that setting "crime specific" strategies is not acceptable, and that we must apportion our resources to

all facets of criminal behavior. This strategy of developing certain priorities has precedent when we consider career criminal programs, and when we also consider our limitation of resources, the issue becomes even more palatable.

It is recommended that we re-evaluate our career criminal program to assess whether our criteria for selection are consistent with current study results. It is further suggested that a close look be taken at the needs of each county to determine whether or not the placement of career criminal attorneys is appropriate.

ISSUE II

The absence of well-defined State philosophies and practices which can facilitate a more orderly and understandable processing of convicted persons.

THE DEVELOPMENT PROCESS OF CORRECTIONAL GOALS AND AN OVERALL PLAN

Presentation by Walter Ikeda, Attorney in Private Practice

Prior to 1970, the Hawaii correctional system had no coordinated plan for handling criminal offenders, although there was an existing informal coordination between agencies which included the police, the courts, and corrections administrators.

The passage of the Federal Omnibus Crime Control and Safe Streets Act of 1968 generated large federal grants to the states and counties designed to upgrade police and correctional efforts, and to establish an organizational structure for providing assistance to the counties and to the states. The State Law Enforcement Planning Agency and Juvenile Delinquency Planning Agency was created in 1969.

An early undertaking of SLEPA was to coordinate a revamping of the correctional system. In 1970, the Legislature, through Act 179, mandated SLEPA to develop a master plan for the Hawaii State correctional system.

From 1970 to 1973, the agency was involved in formulating a master plan. It sought participation of agencies which had contact with the correctional process. It organized a steering committee for guidance and consultation, and to be used as a reviewer of the plan development. The committee included members of the police departments, attorneys, the judiciary, correctional administrators, and private social service agencies.

It also enjoyed assistance from the National Clearinghouse for Criminal Justice Planning and Architecture (NCCJPA), which was associated with the University of Illinois, and which had been heavily involved with the Law Enforcement Assistance Administration in setting up correctional plans for a number of state jurisdictions.

SLEPA sought to develop a wider data base on criminal offenders using

personal profiles and statistical information made available by all agencies involved in the correctional process.

In 1973, the master plan and implementing legislation was presented to the Legislature. While there was not unanimity on the goals and the features of the correctional master plan, the general conclusion reached was that criminal behavior was a result of sociological factors, including cultural disorganization and social alienation, and that the most effective treatment for most offenders would be from community-based, rather than institutionally-based programs.

The goals, however, were never regarded as definitive. In 1977, there was a major reassessment of all of Hawaii's criminal justice standards and goals. A task force was created which focused on goals for the police, the courts, adult corrections, and juvenile justice.

As with the 1973 plan, the task force on corrections included a cross section of persons with vast knowledge of the criminal justice process. It recommended goals, including the rights of offenders, sentencing practices, emphasis on community-based programs, probation and parole, manpower development, and professional correctional management.

These goals were not a major refocusing of the goals of the correctional master plan, but they did reflect the constant searching for reassurance that the goals and premises stated in the correctional master plan were sound.

The reevaluation of goals was prompted in part by a national report of the National Advisory Commission on Criminal Justice Standards and Goals, which was appointed in October 1971, and which presented its report to the President in January 1973.

Many of the goals of the national task force, the Hawaii task force, and the correctional master plan are common. These include the emphasis on offender rights, the use of community-based programs, and increased professionalism in correctional management.

Review of the Premises in Development of Goals, Improving Administration, and Development of a Plan

Act 179, Session Laws of Hawaii 1970, was construed to mandate the development of a comprehensive plan which accounts for all phases of the criminal justice system relating to the rehabilitation of the adult offender.

The plan, when presented to the Legislature in 1973, included the development and description of the various types of treatment programs which are essential to meet the needs of all offenders introduced into the system. It also included the development of various kinds of facilities which are essential to support and implement those programs. The plan was to provide for the policies and mechanism for coordinating the correctional effort and an emphasis on upgraded correctional management.

It was visualized as an open-ended process with a series of components or parts reflecting progressive stages for program development and implementation.

One of the major functions the HSCMP addresses is the recommendation of a range of correctional resources to protect the public and to facilitate the positive reintegration of the offender into society.

While there was allowance for modification, program development, and facility design, the factors of location, construction, staffing and cost were premised on several factors:

1. Society is entitled to maximum protection against the harmful effects of criminal behavior.
2. In some cases, this protection can only be achieved by removing the offender from contact with society.
3. The objective of modern correctional programs is to rehabilitate offenders, and to seek their return to productive community life.
4. Incarceration is not an end in itself, but rather an adjunct to the rehabilitation objective. Incarceration is to be utilized when society's

protection, or the protection of the offender, requires it as a setting for treatment and rehabilitation. Given these views, the degree of security and length of stay involved in incarceration need to be adjusted to the rehabilitation goal.

5. Treatment and rehabilitation, without incarceration, should be used when possible.
6. The most promising method of rehabilitating the offender is through community-based treatment programs designed to promote and facilitate the offender's interaction with the community in which they must function.

In 1973, the passage of the Hawaii Correctional Master Plan indicated a commitment to the concept that community based correctional programs are preferred to institutional programs, and that the individualization of treatment and differentiated handling of the great variety of offenders is vital to a substantial reduction of crime.

The Act further focused on the State's emphasis on corrections by establishing a major role for a new agency, the Intake Service Center. Its function was to evaluate criminal offenders, upgrade correctional building facilities, and create a Board to advise the Governor on policies for the Intake Service Center. Providing community alternatives in dealing with the offenders was to be a key function of the Intake Service Center.

The plan was detailed. It called for community correctional centers to provide medium security, a high security correctional facility, and suggested community-based programs, including vocational training, education, halfway houses, early attention to crisis situations, and outside treatment.

To ascertain the projected size of facilities, a straight-line projection based on population growth was used. Based on the 1990 lowest inmate projection,

capital improvement funds were requested to build, and to modify, facilities with a housing capacity of 546 inmates, including the high security and community correctional centers. Approximately \$30,000,000 has been expended or obligated from 1973 to 1980 for the construction of facilities.

In 1973, construction costs were earmarked at \$50 per square foot per inmate, or approximately \$23,000 per inmate based on 460 square feet per inmate. By 1980, this cost rose to more than \$140 per square foot, or approximately \$50,000 per cell, per inmate.

Manifestation of Problems with Correctional Goals and the Correctional Master Plan

A study submitted to the Tenth Legislature by the Intake Service Center in December of 1979, in response to Senate Resolution No. 169, reported that the correctional facilities experienced an average population in excess of their rated capacities (see figure 1). Since the time of that report, admissions have increased.

There are several reasons responsible for the exceeding of projections. An increased crime rate is significant (figure 2). Also, the average minimum sentence for offenders has gradually increased, rather than decreased as projected (figure 3).

The increased spread of felony admissions of criminal offenders, as contrasted with felony releases, has contributed to the higher population counts (figure 4).

Special problems have arisen on the island of Oahu where there is a new Community Correctional Center that was scheduled to open in mid-1980, but has been delayed. Further, the old cellblocks of Hawaii State Prison were scheduled to be renovated to provide better housing for inmates. This proposal was approved. However, the renovation has been delayed.

This delay is due to the need to provide alternate living quarters for half of the population while repairs are made. These difficulties, coupled with virtually no

FIGURE 1

Population of Correctional Facilities,
by Facility, on 10/26/80

Facility	Capacity	In-House Population ¹ 10/26/80	Over(+)/Under(-) Capacity	Percentage Over(+)/ Under(-) Capacity
HSF	72	128	+56	+78%
KCF	65	44	-21	-32%
CRCs	23	9	-14	-61%
HCCC	24	35	+11	+46%
MCCC	22	33	+11	+50%
KCCC	16	33	+17	+106%
OCCC	546 ²	541	-5	-1%

¹In addition, there are 149 inmates, who are under the jurisdiction of the DSSH but are held on mainland facilities, on furlough, or in other non-DSSH programs.

²Because of staff shortages, 3 modules with a total of 78 beds cannot be occupied.

FIGURE 2

STATE OF HAWAII -
POPULATION AND CRIME RATES, 1970-1978

	POPULATION ¹	CRIME RATES ²	PERSONAL CRIME RATES	PROPERTY CRIME RATES
1970	769,913	5,267.1	117.2	5,149.9
1971	798,000	5,382.5	176.7	5,205.8
1972	820,900	4,518.3	146.9	4,371.4
1973	844,100	4,957.9	163.0	4,795.0
1974	854,100	6,010.9	212.2	5,798.7
1975	868,400	5,999.4	217.5	5,781.9
1976	886,600	5,320.7	229.1	6,091.6
1977	894,800	6,543.2	224.5	6,318.7
1978	896,700	7,129.9	269.8	6,860.2

¹Population figures from Department of Planning and Economic Development, State of Hawaii.

²Rates are per 100,000 Resident population.

FIGURE 3

TREND OF AVERAGE MINIMUM SENTENCES, AS PROJECTED
BY CORRECTIONAL MASTER PLAN VERSUS ACTUAL

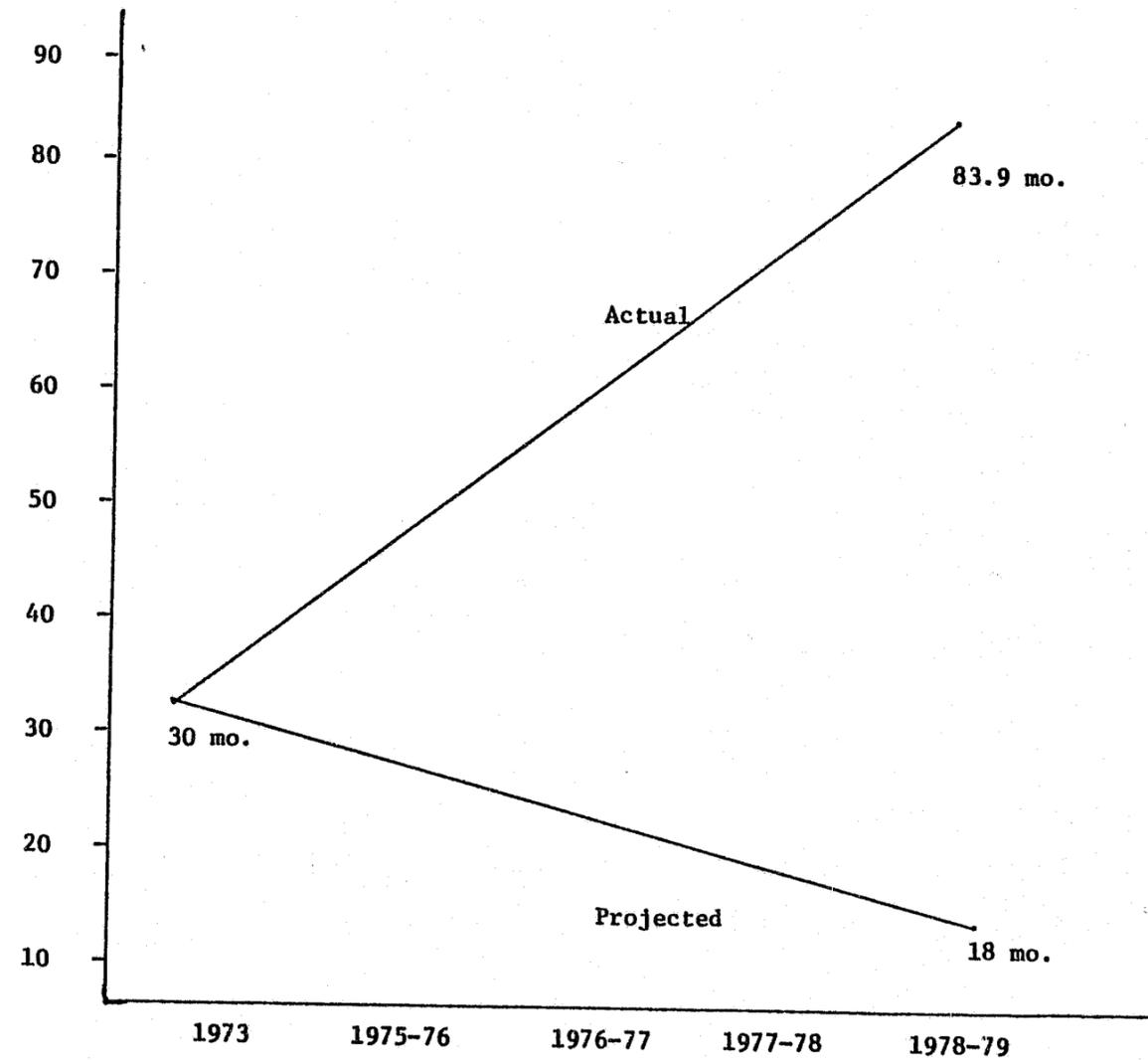
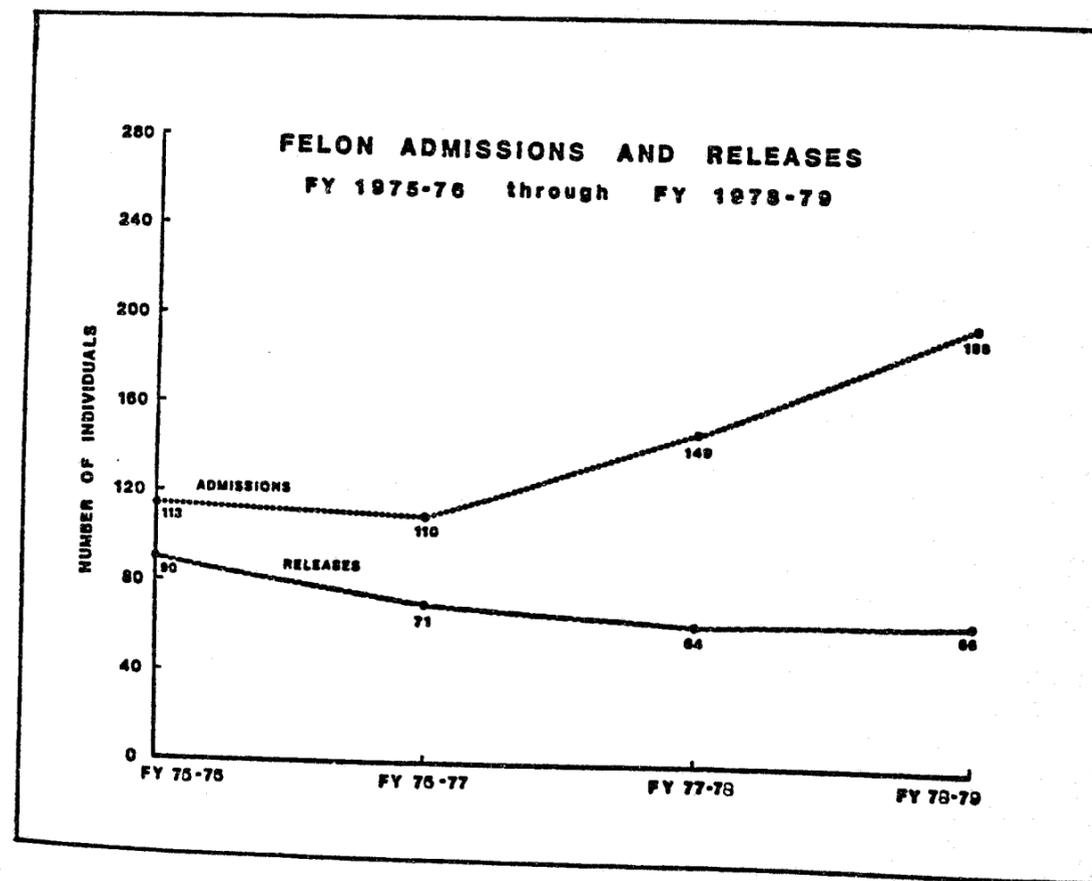


FIGURE 4

Admissions and Releases

The increase in the felon population is better understood by the trend of admissions and releases as seen in Figure 2. While felon admissions increased 34 percent (from 113 to 199) over FY 1975-76, releases decreased by 27 percent (from 90 to 66).



The population count is actually based on admissions rather than individuals. It is possible that a small percentage of felons were admitted twice during a year and thus were counted twice.

in-community programming on Oahu, creates overcrowded conditions.

As figure 5 indicates, on Oahu, the capacity of the Community Correctional Center is less than the actual count because three modules cannot be used.

The Halawa High Security Facility presents additional problems. This structure is now designed to house 72 offenders, but has accommodated more than 100 for months. Further, the medical clinic at the facility, which is designed to hold no more than 10 at a time, has accommodated about 30 inmates. To complicate the situation, there are inmates in the clinic who should be referred to the Kaneohe State Hospital. Unfortunately, the CIS units at the hospital are at maximum capacity, and officials there have a policy not to exceed this maximum. Thus, it may not be possible to get relief in this area in the short term.

A scan of the Neighbor Islands reveals more overcrowding (figure 6). The only facility not overcrowded is Kulani Honor Camp, with a capacity of 110, which averages at half capacity or less. Kulani was intended to hold only minimum security prisoners who are in a pre-parole release stage. It has been an under-used facility primarily because not enough offenders qualify to be placed in the category of pre-release.

Overcrowding has many ramifications. For one, it compromises the safety of the public, inmates, and correctional officers.

One facet of such a detrimental side effect is the work stoppages at Oahu Community Correctional Center and Halawa.

Also, riot conditions surfaced at Oahu Community Correctional Center, resulting in the death of one inmate and serious injuries to another, as well as an adult correctional officer. While such stoppages and rioting are not totally attributable to overcrowding, this condition obviously contributes to friction and hostility between inmates, and makes the job of corrections officials that much more difficult.

FIGURE 5

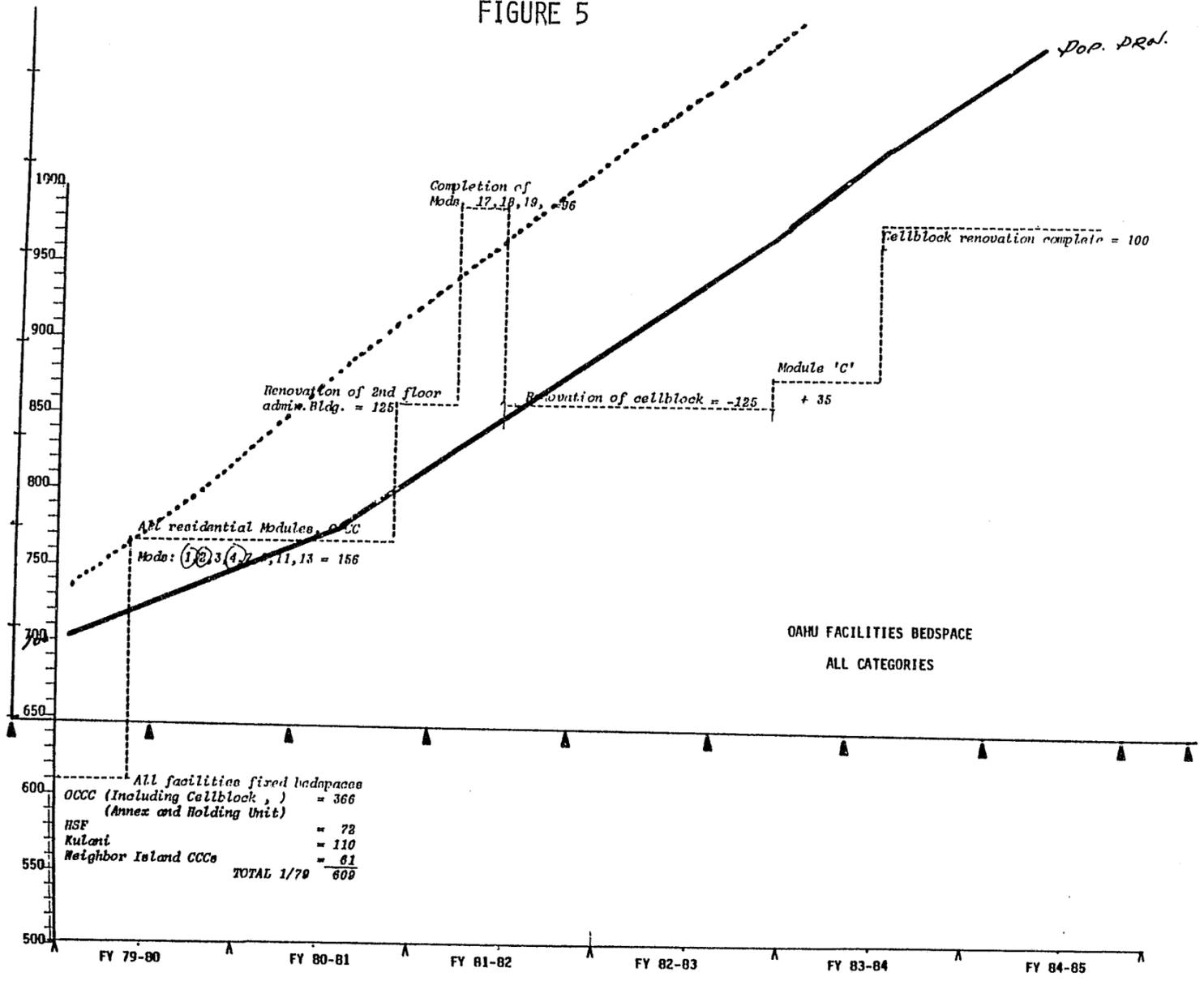
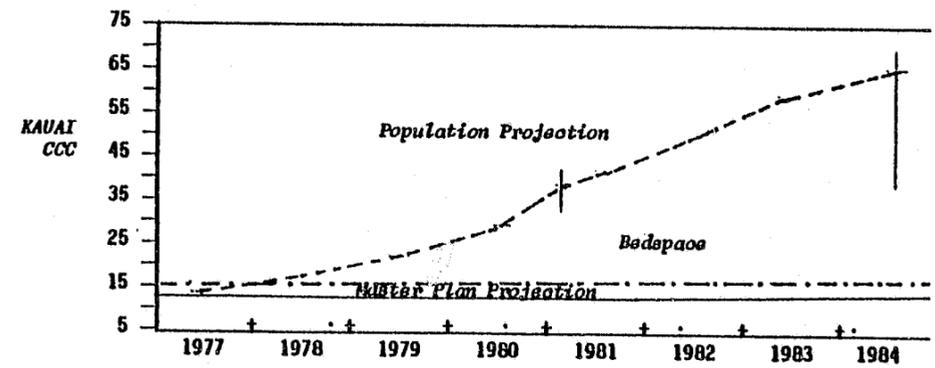
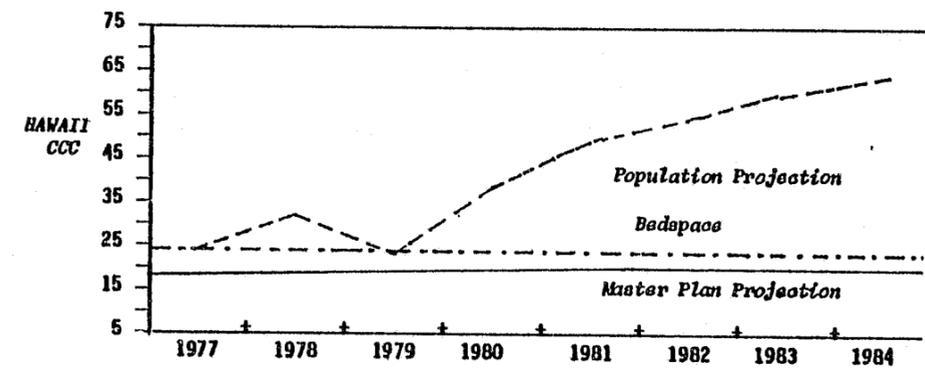
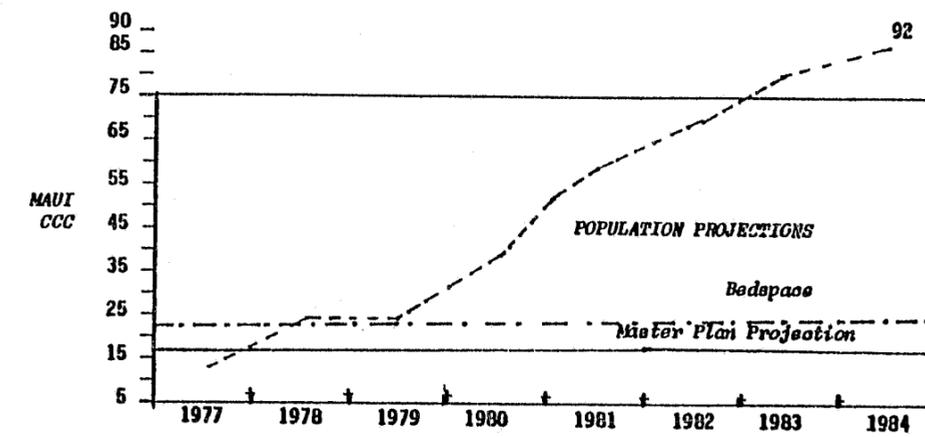


FIGURE 6



Other overcrowding effects include staffing patterns which require mandatory 12 hour shifts for corrections officers at Oahu Community Correctional Center. This, quite obviously, creates personnel problems, and makes recruiting of new personnel considerably more difficult.

There are other aspects. Overcrowding places a physical burden on facilities and equipment, and it also generates higher costs for capital replacements and expenditures.

Overcrowding also interferes with effective functioning of programs. It disrupts priorities. Administrators are forced to focus primary attention on keeping offenders secure, housed, clothed, and fed. They are denied the time to plan programs that will assist offenders to return to the community as responsible citizens.

Assessment of Overall Goals and Plan

The goals in the Correctional Master Plan have been re-examined at least on two occasions since the plan was introduced in 1973. The 1977 evaluation of correctional goals and the report on the correctional master plan of 1980 do not suggest goals different from the goals of the correctional master plan. All suggest that the focal point of correctional administration should be on community treatment of most offenders.

They suggest better use of all resources available through coordination of treatment and better diagnostic evaluation of offenders. The creation of intake service centers recommended in the correctional master plan was intended to accomplish the coordination of such treatment and diagnostic evaluation of offenders.

While possibly the Intake Service Centers have not fulfilled expectations, they still are regarded as the best way to develop coordinated treatment for offenders and comprehensive diagnostic evaluations.

There was constant recognition that continued incarceration was appropriate in certain instances and, therefore, the need for a high security correctional facility.

The continued emphasis on community-based treatment suggests that goals and premises were well conceived.

Assessment of the Achievement of the Goals and Plan

We would be less than realistic if we did not admit that the execution of the goals and plans has fallen short of expectations.

The planners cannot be faulted for under-estimating population at the facilities.

The commitment to the plan has not been adequate. A 1980 report on the Intake Service Center indicates that the police, prosecutors' offices, criminal defense, judiciary, parole authority, and many private agencies have not been involved in the implementation of the correctional master plan.

The Intake Service Centers were beset with difficulties in becoming operational.

One area of deficiency is in the diagnostic evaluation of criminal offenders referred to the centers. The key to successful treatment of any offender is having enough information about his or her deficiencies. The Intake Service Center was designed to gather information about each person and, on the basis of that information, it was to coordinate the treatment program. Without adequate information, the centers are restricted in what they can achieve. One basic problem was that pre-sentence investigations and probation supervision reports were not transferred by the court to the Intake Service Center as originally recommended.

One aspect crucial to the ultimate success of the master plan was to undertake the development of programs to which criminal offenders can be alternatively directed.

It is not enough to place adjudged offenders on probation with minimum supervision, or to release offenders from institutional confinement, simply because the plan provides for this. Some progress has been made in this area, but much more needs to be accomplished.

There is now a proposal by the Intake Service Center to establish a community service restitution program. This is authorized by present legislation which says that offenders can be sentenced by a judge after conviction to perform services for the community under the supervision of a governmental agency, or a benevolent or charitable organization, a community service group, or under other appropriate supervision.

This had been available before, but not as a systematic alternative program. The potential is significant. If properly handled, every offender enrolled in such a program would be potentially one less person in institutional confinement. The program would, of course, exclude certain types of convicted offenders--those convicted of grade A felonies, and at the other end of the scale, those who have committed the least serious offenses.

Other community alternatives have not, however, been fully developed. There are programs providing for the transition to life in the community of committed offenders, such as the conditional release center which houses felons who undergo group therapy and in-house supervision, but who also work in the community. The conditional release center and John Howard Association Liliha House I and II also house persons who are about to reenter society on parole. They live in a residence with supervisory treatment. These programs generally have worked well.

There are also specialized community treatment programs for persons with special problems of alcoholic abuse and drug abuse, which have worked only moderately well. Programs such as Habilitat do not apply to all offenders, although the problem is widespread.

The Correctional Master Plan identified a wide array of programs of such vocational training, education and community job placement. While some progress is being made by the parole and probation divisions in these areas, no major programs have been developed. The promise is still apparent, although the fulfillment is not.

Vocational training programs to date are promising in theory but extremely difficult to accomplish. If the inability of some persons to cope in an economically sophisticated society is recognized, training to better enable an offender to be able to cope would seem to be useful.

The difficulty of getting employers to participate in meaningful programs, because of the precarious nature of the economy, and opposition from groups opposed to singling out criminal offenders for preferred job treatment, have adversely affected the success of vocational programs.

Similarly, educational programs offer much promise but operate in a longer range because the actual educational level of many offenders is low. A base of sufficient education has to be established before further education on a high school, community college, or college level can be achieved.

The Intake Service Center also was conceived to provide comprehensive diagnostic services, coordination of treatment programs, and monitoring of progress of criminal offenders from the time they are first arrested, to the time they are discharged from incarceration. Pre-sentence investigation, a function now handled by the probation staff of the Judiciary, was eventually to be transferred to

the ISC. The report on the Intake Service Center in 1980, however, points out that little progress has been made, and there seems to be no plan for implementation. The report suggested, however, that the Judiciary should consider whether the pre-sentence investigation unit should be transferred to the ISC in order to start facilitating the progress in coordination.

Fundamental to the achievement of correctional goals is the development of career correctional managers.

Correctional officers do receive more training, in contrast to the period before the master plan existed. However, the high turnover rate among correctional officers indicates a fundamental problem in retaining experienced, highly motivated persons. During the period July 1, 1979, to October 31, 1980, there were 129 appointments of correctional officers. Of this number, there have been 81 resignations. The number of ACO's totaled 287 as of July 1, 1979, and 333 as of July 1, 1980.

Recommendations

The similarity of recommendations dealing with the treatment of criminal offenders by persons knowledgeable about the criminal justice process suggests that the goals of the Correctional Master Plan, with emphasis on community treatment of offenders, are still valid.

There is nothing wrong in the Judiciary releasing fewer persons on probation, or setting longer maximum sentences, and the parole board setting longer minimum sentences for those incarcerated, provided there is sufficient flexibility within the correctional system to work with offenders in community-based programs or other alternatives.

A simple philosophy of getting tough and punishing offenders would have an enormous impact cost-wise and the development of the community alternatives may be ignored.

The public and press perception of the failure of the correctional system stems primarily from persons who commit crimes while on probation or on parole. If, however, community programs were in place, and personnel sufficiently trained and motivated, and with enough staffing to deal effectively with a limited number of persons, the incidence of crimes committed by persons in these categories could be substantially lessened.

Similarly, if the Intake Service Centers were able, as originally envisioned, to undertake the principal role of diagnosing, coordinating, and assimilating information about each offender, the possibility of errors being made with offenders also will be lessened.

There is a further need of acquiring public acceptance of the necessity of treating many offenders in the community.

This is not an easy public relations undertaking. The impact of offenders being used in community service restitution projects, if a success, should be sufficiently publicized as an example of a community-based treatment program.

Other programs should be pushed as soon as possible.

Therefore, the recommendations would be to:

1. Emphasize strongly community-based programs. Although these programs have a rehabilitative function, they also serve to insure that an offender is not being released into the community with only minimal monitoring. These programs require a heavy commitment on the part of the offenders.
2. Carry out the original purpose of Intake Service Centers to coordinate treatment programs and provide centralized diagnostic information.
3. Emphasize the importance of personnel in all facets of the program, particularly the retention of personnel with direct contact with offenders such as social workers and correctional officers.

Career administrators should be further advanced with emphasis on training, and benefits, taking into account hazards, and the high burnout syndrome prevalent on jobs of this type. The practice of job rotation and sabbatical leaves should be studied.

4. Emphasize the public information aspect of the correctional master plan. The media must be accurately informed on the purpose, the intent, and the progress of the programs, if the public is to be convinced of the importance of well defined correctional goals.
5. Re-evaluate construction of correctional facilities in light of master plan population projections being exceeded, and the effect of other factors, such as community-based programs and minimum sentences, and make commitment to build additional facilities if the newly-formulated projections exceed master plan projections.

Throughout, it should be remembered that correctional administration is not conducive to neat statistics. It deals with a small group of the population with unacceptable and unstable behavior. There are no acceptable median prison terms, rates of persons released on parole, or rates of persons who are diverted into community programs.

Perhaps, at best, one can hope for a system that is humanely and efficiently run, and where everything within reason is done to identify those who can be helped, and provide the opportunity for making something of their lives.

INCREASING INCIDENCE OF VIOLENT AND PROPERTY CRIMES PLAGUING HAWAII'S PARKS AND BEACHES

Presentation by Edwin Watson, Deputy Attorney General

The materials on this topic were obtained with the help and cooperation of the police departments of the various counties, and we thank them for their help.

More detailed statistics covering the Part I Offenses, i.e., the offenses of murder, rape, robbery, assault and theft within the various counties, are attached.

Table I covers County parks on the Island of Hawaii. "Theft" refers to theft from autos, as well as theft of personal belongings from the beaches or parks.

Table II provides statistics on the 17 State parks on the Island of Hawaii.

Table III covers County parks on the Islands of Maui and Molokai for the period November, 1979, to October, 1980. Data on State parks is found in Table IV.

The statistics on Maui County show no high number of assaults in any one particular County park; rather, there were isolated cases at the various County parks. However, the thefts from autos and theft of personal belongings showed a high concentration at those parks or areas frequented by tourists; i.e., Big Beach and Polo Beach at Makena each had 40 cases, Honolua Bay at Lahaina had 55 cases, Slaughterhouse at Lahaina had 60 cases, and Wailea at Kihei had 42 cases of theft.

The statistics for the 12 State parks on Maui/Molokai indicate that theft was the biggest problem with 16 cases reported at Iao State Park in Wailuku.

Table V relates to County parks on the Island of Kauai.

Table VI covers the 12 State parks on the Island of Kauai.

Statistics for the Island of Kauai indicate some headway in the police battle with crime in the parks and beaches.

This appears to be a result of the drive of the Kauai Police Department to curtail crime, in coordination with the State Land Department's Division of

Conservation and Resources Enforcement (DOCARE), which handles enforcement in State parks and on State property.

In addition, the Kauai Prosecutor's Office has been extremely helpful and cooperative in providing continued training for the State enforcement officers on Kauai.

The prosecutor cited cases of errors made by enforcement personnel, in general, in their investigation, handling and presentation of the evidence, mistaken identification, insufficient notes, etc. A refresher course included:

1. Proper taking of notes at the scene of a violation;
2. Handling, tagging, storing and presentation of evidence in court;
3. Properly identifying people;
4. Providing pertinent information in reports; and
5. How to be a witness in court.

The officers initially had received instructions in these courses; however, periodic refresher courses are helpful.

Table VII provides statistics on County parks on the Island of Oahu.

In reviewing the statistics for the various Counties, it could be interpreted that, except for thefts from autos and of personal belongings from the beaches and parks, there aren't many major Part I offenses being committed on the Neighbor Islands. Honolulu, on the other hand, should be considered in a separate category.

Also, when one looks at the statewide statistics on crimes within our State parks system, and considers that approximately 17 million people visited our State parks during fiscal year 1979-1980, one could conclude that, except for a few isolated incidents of major Part I crimes, the problem is not as serious as it has been made out to be by the media.

However, we must remember that statistics can be compiled and interpreted in many ways by different people to suit their purposes, and that the statistics may not necessarily portray the true picture.

For example, the table for the Island of Kauai shows "Assaults 'O' " for State parks in 1980. These statistics do not include the much publicized assault case of Canadian Roger Clapham which occurred in January, 1980, at Lydgate Park. This is because that case is classified as a misdemeanor and the statistics do not include misdemeanors.

Referring to Table VII for the Island of Oahu, in 1980, there were approximately 1,616 Part I Offenses committed in the County parks on Oahu. However, this accounts for only 43.6% of the total 3,709 cases during this period. The other cases, being lesser degrees of assault, harassment, theft, auto break-ins, etc., are not included in the statistics.

Aside from the Part I Offenses of murder, rape, robbery, assault and theft which are covered by the statistics, four major problem areas are identified as being drinking, lesser degrees of assault and theft, and vandalism.

Drinking on our beaches and parks has become a problem because of certain groups who gather daily to drink. As the alcohol inevitably takes effect, these persons intimidate or harass other individuals or families using the beaches and park areas; or they cause disturbances, or engage in fights among themselves, and with other groups. Some, after drinking, get brave and reckless and either assault or rob individuals on the beach.

Some may recall a case less than two years ago involving a 19-year-old Canadian at Ala Moana Beach Park who was invited to drink with a group of local individuals. They later beat him to death, and threw his body in the lagoon after robbing him of approximately \$3 and a guitar.

Two similar cases occurred within the last three months, both at the Hawaiian Village Lagoon area.

In one case a 19-year-old American, who was a military dependent visiting from England where his father was stationed, was invited to drink with a group of

locals at the Hilton Lagoon area. That night they robbed him of his backpack, \$900, his passport and all of his personal belongings.

Several people gave him some clothes which he kept in a clean plastic garbage bag, and he got a job with the beach boys concession doing odd jobs to earn a few dollars each day. Several nights later, while he was asleep on the beach at the Lagoon area, someone stole his bag with the little that he had left.

In another case, a 20-year-old Canadian youth who had been sleeping in the Hawaiian Village Lagoon area to save money was invited to drink with some locals on the beach. Eventually, they intimidated him, and started going through his backpack. However, several adults were walking by, and the locals took off. The Canadian stayed in a hotel for a couple of nights, cut short his vacation, and returned to Canada instead of going to the Neighbor Islands to camp as he had originally planned.

Surprisingly both of these individuals had not reported the incident to the police, nor did they want to report it.

The problems on the beaches and parks have not consisted strictly of physical assaults, but also involve intimidation and harassment of individuals and families using the beaches and parks by groups who constantly, and daily, congregate and drink.

Also, within the Waikiki Beach area, some special problems which the police face are conflicts between the Samoan and Hawaiian groups and, also, conflicts between the locals and servicemen. Both of these confrontive situations seem to have moderated to some extent.

There has been a number of incidents involving locals and servicemen which do warrant concern. There probably are more. One of the problems in gathering accurate information is that a number of such incidents go unreported. There has been a number of incidents where, unless the serviceman was seriously injured and

required an ambulance, he would simply leave the scene before the police are called or arrived. The reason is that they know they would be severely reprimanded by their commanding officer if they got into trouble with the locals, whether or not they started it, or even if it wasn't their fault.

With respect to thefts from autos, and thefts of personal belongings from the beach and park areas, the statistics reveal a high number of such offenses in those areas frequented by tourists. Theft from autos and parks and beaches obviously are a serious and persistent problem.

Table VIII offers statistical information on the problem of vandalism within our parks.

During fiscal year 1979-1980, approximately 142 incidents of vandalism occurred within our State parks which cost the taxpayers \$31,093. These 142 incidents occurred in 26 of the 66 State parks throughout the State, leaving approximately 40 State parks without any incidents of vandalism. When one considers that approximately 17 million people visited our State parks during 1979-1980, vandalism may not appear to be a serious problem. However, such acts of vandalism pose a great inconvenience to the general public; they deprive the public of the use and enjoyment of our parks, by having toilets, basins and showers either broken or stolen.

Within the City and County of Honolulu, there are approximately 225 County parks. During fiscal year 1979-1980, 453 incidents of vandalism occurred in the 40 most popular County parks, costing the taxpayers approximately \$47,909. These acts of vandalism include defacing public property and destruction of property; it does not include items which were stolen, such as toilets, basins, showers, etc., which are categorized under "theft." Therefore, the same 40 County parks suffered a grand total loss of approximately \$127,266 to vandalism and theft in fiscal year 1979-1980.

Vandalism, as such, is difficult to curb because it normally occurs late at night and on weekends. Therefore, both the State Parks Division and the Department of Parks and Recreation of the City and County of Honolulu, have closed several of their parks at night to vehicular traffic. This has helped, substantially, in minimizing vandalism.

Several of the major problem areas that have been discussed are drinking, assault, theft and vandalism. Several possible solutions are:

1. To obtain and maintain useful statistics on major problem areas, i.e., drinking, assault, theft and vandalism, which give a more accurate picture of what actually is happening in our parks and on our beaches, rather than statistics on Part I Offenses, i.e., murder, rape, robbery, assault (felony) and theft (felony).
2. Greater communication and exchange of information between State and County law enforcement agencies and, also, between law enforcement agencies and County prosecutors.
 - a. An exchange of such information would alert other enforcement agencies of particular problems, i.e., a rash of thefts from autos or of assaults, etc., in a particular area.
 - b. There may be instances in which the police are faced with certain enforcement problems in the field, but because of priorities or the screening process set up by the Prosecutor's Office, these cases are not taken to court, and, therefore, the police may have difficulty in resolving their problems. Hence greater communication between the law enforcement agencies and the County Prosecutor's Office would be helpful.
3. Coordination and use of joint State and County enforcement activities in areas required or when shortage of manpower exists.

- a. The County Police Departments have on occasion conducted certain enforcement activities, such as raids on public parks and beaches to curtail drinking within our parks and beaches, use of Plain Clothes Units on the streets and beaches to curtail theft of personal belongings, and stakeouts at certain beach parking lots to curtail thefts from autos. However, because of a shortage of manpower, these details have been periodic only. Perhaps in such cases, especially on the Neighbor Islands, such details can be comprised of both State and County law enforcement personnel to alleviate the manpower shortage problem.
4. Increase in manpower to patrol heavily used parks.
 - a. Increase in police patrols of County parks and/or increase in manpower of County parks police to increase their visibility within the parks.
 - b. Expansion of authority and manpower of the existing Division of Conservation and Resources Enforcement of the State Department of Land and Natural Resources rather than establishing a new Park Ranger system.
5. Discontinue issuance of camping permits for secluded park areas as well as park areas which cannot be adequately patrolled at night.
6. Close vehicular access to park areas at night.
7. Enforcement officers rather than park caretakers to occupy caretaker's residence.
 - a. The enforcement officers could patrol the park during the night and be immediately available if a crime occurs within the park.
8. Determine feasibility of providing caretakers with uniform shirts with the hope that the higher visibility of State employees may serve to deter the occurrence of certain crimes.

9. Telephones are available in only 25 of the 66 State parks. Determine feasibility of installing telephones in the remaining 41 State parks which presently do not have telephones.
10. Approximately 29 of the 66 State parks are presently without electricity for night lights. Determine feasibility of providing electricity and night lights in these parks.

TABLE I

		ISLAND OF HAWAII														
		1978					1979					1980				
COUNTY PARK SITE	LOCATION	Murder	Rape	Robbery	Assault	Theft	Murder	Rape	Robbery	Assault	Theft	Murder	Rape	Robbery	Assault	Theft
Harry K. Brown Beach Park	Kalapana, Puna	1				3					4					3
Glenwood Park	Glenwood, Puna															1
Isaac Hale Beach Park	Pohoiki, Puna															
Hookena Beach Park	Hookena, South Kona				2				1							
Kahaluu Beach Park	Kahaluu, North Kona				3				1							2
Kaimu Beach	Kalapana, Puna								1							
Kapaa Beach Park	Kapaa, North Kohala															
Kaumana Caves	Kaumana, Hilo					1										
James Kealoha Beach Park	Keaukaha, Hilo								1							
Keokea Beach Park	Niulii, North Kohala					1										1
Kolekole Beach Park	Wailea, Hilo				2				2							
Laupahoehoe Beach Park	Laupahoehoe, N. Hilo								1							
Leleiwi Beach Park	Keaukaha, Hilo				2				1							
Liliuokalani Gardens	Waiakea, Hilo					1										
Magic Sands	Alii Dr. Kailua, Kona															
Mahukona Beach Park	Mahukona, North Kohala													1		
Napoopoo Beach Park	Napoopoo, South Kona					2									3	4
Onakahakaha Beach Park	Keaukaha, Hilo		1		2				3							
Punaluu Beach Park	Punaluu, Kau															
Seeds Bay Beach Park	Waiakea, Hilo		1													
S. M. Spencer Beach Park	Kawaihae, South Kohala					16		1		7					3	4
Waikamalo Park	Honohina, North Hilo			1												
Waiohinu Park	Waiohinu, Kau															
Waipio Valley Lookout	Kukuihaele, Hamakua									1						
Whittington Beach Park	Honuapo, Kau															
Milolii Beach Park	Milolii, South Kona					1										
	TOTAL	1	3	3	36		1		6	17		1	6	15		

TABLE II

ISLAND OF HAWAII

STATE PARK SITE	LOCATION	1978					1979					1980				
		Murder	Rape	Robbery	Assault	Theft	Murder	Rape	Robbery	Assault	Theft	Murder	Rape	Robbery	Assault	Theft
Old Kona Airport	Kailua, Kona															
Akaka Falls	Honomu, Hawaii			1	1									1		2
Wailoa River State Park	Waiakea, Hilo														2	4
Lava Tree	Pahoa, Puna															
Manuka	Manuka, Kau					4										
Mauna Kea																
Pohakuloa	Pohakuloa Area															
Hale Pohaku																
MacKenzie	Opihikao, Puna		1													
Hapuna Beach	Hapuna, S. Kohala					1							1		1	
Lapakahi State Historical Park	Kapaau, Kohala					16				9					17	
Hikiau Heiau Historical Site	Napoopoo, S. Kona															
Kalopa	Kalopa, Hamakua									1						
Kilauea	Volcano, Puna															
Wailuku River-Rainbow Falls	Hilo			1		9								1		9
Wailuku River-Boiling Pots	Piihonua, Hilo									1						
	TOTAL:	1	2	1	31		1	1	22		1	2	3	32		
		1	1	5	1	67	1	1	1	6	39	1		3	9	47

GRAND TOTAL: ALL PARKS (State & County)

TABLE III

ISLAND OF MAUI/MOLOKAI

NOVEMBER, 1979 TO OCTOBER, 1980

COUNTY PARK SITE	LOCATION	MURDER	RAPE	ROBBERY	ASSAULT	THEFT
BALDWIN	PAIA				5	12
D. T. FLEMING			1			24
WELLS	WAILUKU				1	1
BIG BEACH	MAKENA					40
CHANG'S	MAKENA					9
HALFWAY	MAKENA		1			1
LA PEROUSE	MAKENA					4
MAKENA	MAKENA					14
POLO	MAKENA					40
HONOLUA BAY	LAHAINA					55
MALU ULU OLELE	LAHAINA				4	1
SLAUGHTERHOUSE	LAHAINA					60
KALAMA	KIHEI				2	5
KAMAOLE I	KIHEI	1			2	
KAMAOLE II	KIHEI					3
KAMAOLE III	KIHEI				3	1
MUD FLATS	KIHEI					5
WAILEA	KIHEI					42
WINDMILL	KIHEI					7
KANAHA & NASKA	KAHULUI				6	13
HOOKIPA	HAMAKUPOKO					11
KAKAHAIA	MOLOKAI					2
ONE ALII	MOLOKAI					3
	SUBTOTAL	1	2		23	353
	ALL OTHER COUNTY PARKS				10	52
	TOTAL	1	2		33	405

*Cases listed in table reflect approximately 69.7% of total 633 cases during this time period.

TABLE IV

ISLAND OF MAUI/MOLOKAI

NOVEMBER, 1979 TO OCTOBER, 1980

<u>STATE PARK SITE</u>	<u>LOCATION</u>	<u>MURDER</u>	<u>RAPE</u>	<u>ROBBERY</u>	<u>ASSAULT</u>	<u>THEFT</u>
IAO STATE AND KEPANIWAI	WAILUKU					16
LAUNIUPOKO	LAHAINA					1
PAPALAU	OLOWALU					2
PUAA KAA	HANA					2
SMALL BEACH	MAKENA					4
WAHIKULI	LAHAINA					6
PALAAU	MOLOKAI				2	1
	TOTAL				2	32

*Cases listed in table reflect approximately 32.7% of total 104 cases during this time period.

TABLE V

ISLAND OF KAUAI

COUNTY PARK SITE	LOCATION	1978					1979					1980				
		MURDER	RAPE	ROBBERY	ASSAULT	THEFT	MURDER	RAPE	ROBBERY	ASSAULT	THEFT	MURDER	RAPE	ROBBERY	ASSAULT	THEFT
Haena Beach Park	Haena					12					4					1
Anini Beach Park	Anini					1				4						
Anahola Beach Park	Anahola					12			1	11						1
Hanamaulu Beach Park	Hanamaulu			1		13			1	1		1				
Niumalu Beach Park	Niumalu					1			1	3						
Salt Pond Beach Park	Hanapepe			1		5				9						
TOTAL:				2		44			3	32			1			2

GRAND TOTAL: ALL PARKS (State & County):

		2		109				3		103			1			7
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**TOTAL Campers for above Beach Parks
 1 - Fiscal Year '78 - '79: 11,312
 2 - Fiscal Year '79 - '80: 11,046

TABLE VI

ISLAND OF KAUAI

STATE PARK SITE	LOCATION	1978					1979					1980				
		MURDER	RAPE	ROBBERY	ASSAULT	THEFT	MURDER	RAPE	ROBBERY	ASSAULT	THEFT	MURDER	RAPE	ROBBERY	ASSAULT	THEFT
Kokee State Park	Kokee					4					3					6
Polihale	Mana					25					31					40
Napali Coast State Park:	Napali Coast															
1 - Milolii																
2 - Nualolo-Kai																
3 - Kalalau						1					5					
Lydgate State Park	Wailua															
1 - Lydgate						29					32					5
2 - Wailua River State Park						6										
TOTAL:						65					71					51

** TOTAL Campers for above State Parks:

1 - Calendar Year '79: 57,691

2 - Calendar Year '80: 35,419

*** The following informations are provided for the above statistics:

1 - Both State and County Parks are those where ten or mobile camping are permitted.

2 - Statistics are for Part I Offenses, only.

3 - Thefts includes both FROM VEHICLES and FROM CAMPSITES.

TABLE VII

ISLAND OF OAHU

JANUARY 1980 TO NOVEMBER 1980

COUNTY PARK SITE	Murder	Rape	Robbery	Assault	Theft	TOTAL
ALA MOANA BEACH PARK	1	1	11	40	109	162
WAIMANALO BEACH PARK			1	9	144	154
HANAUMA BAY BEACH PARK				3	128	131
MAKAPUU BEACH PARK				4	125	129
SANDY BEACH PARK		1		10	81	92
KUHIO BEACH PARK			5	13	60	78
WAIKIKI BEACH CENTER			3	6	41	50
NANAKULI BEACH PARK		1	4		43	48
QUEEN SURF	1	1	4	9	30	45
MAILI BEACH PARK			2	5	38	45
KEEAU BEACH PARK				2	40	42
KAPIOLANI REAGIONAL PARK		1	7	5	27	40
KAILUA BEACH PARK		1	1	9	26	37
POKAI BAY BEACH PARK	1		1	10	22	34
BELLOWS FIELD BEACH PARK		1		2	28	31
MAKAHA BEACH PARK			1	2	26	29
BLOW HOLE LOOK-OUT					27	27
KAHANA BAY BEACH PARK		2		2	18	22
HONOLULU ZOO				1	21	22
DIAMOND HEAD LOOK-OUT		1			18	19
SUBTOTAL	3	10	40	132	1052	1237
ALL OTHER COUNTY PARKS	4	8	12	62	293	379
TOTAL	7	18	52	194	1345	1616

*Cases listed in table reflect approximately 43.6% of total 3709 cases during this time period.

	1978	1979	1980
MURDER	1	0	7
RAPE	15	11	18
ROBBERY	49	51	52
ASSAULT	109	70	194
THEFT	1742	1082	1345
TOTAL	1916	1214	1616

TABLE VIII

NUMBER OF VANDALISM INCIDENTS AND COST BY PARK AND DISTRICT, FY 1979-80

District/Park	Incidents		Cost	
	No.	% of Total	Total	Ave. Incident
<u>OAHU</u>				
Aina Moana	35	25	\$ 2,096	\$ 60
Waimanalo	25	18	7,903	316
Honolulu Stadium	17	12	3,552	209
Diamond Head	2	1	175	88
Ualakaa	1	1	1,000	1,000
Malaekahana	13	9	912	70
Nuuanu Pali	3	2	835	278
Kaena	5	4	2,910	582
Sand Island	2	1	4,206	2,103
Kahana	2	1	72	36
Kaiaka	1	1	100	100
	106	75%	\$23,761	\$ 224
<u>HAWAII</u>				
Wailoa River	9	6	\$ 1,714	\$ 190
Lava Tree	2	1	174	87
Hapuna	6	4	387	64
Manuka	4	3	236	59
MacKenzie	2	1	15	7
Rainbow Falls	1	1	300	300
Boiling Pots	1	1	500	500
Akaka	2	1	808	404
	27	19%	\$ 4,134	\$ 153
<u>KAUAI</u>				
Kokee	2	1	\$ 365	\$ 182
Na Pali-Kalalau	1	1	1,980	1,980
Wailua River	1	1	450	450
Haena	1	1	14	14
Polihale	1	1	90	90
	6	4%	\$ 2,899	\$ 483
<u>MAUI/MOLOKAI</u>				
Wahikuli	2	1	\$ 205	\$ 102
Iao Valley	1	1	94	94
	3	2%	\$ 299	\$ 100
<u>STATEWIDE</u>				
TOTALS:	142		\$31,093	\$ 219

TABLE IX

NUMBER AND COST OF VANDALISM INCIDENTS IN STATE PARKS, FY 1979-1980

Year/Month		Number of Incidents	Cost
1979	July	7	\$ 571
	August	10	658
	September	17	1,714
	October	10	6,559
	November	15	5,483
	December	7	1,991
1980	January	6	1,304
	February	9	999
	March	13	1,710
	April	9	1,131
	May	16	4,231
	June	23	4,742
TOTALS (STATEWIDE)		142	\$31,093

SECTION II
COMPENDIUM
OF
REACTIONS AND RECOMMENDATIONS
FROM THE
MORNING AND AFTERNOON DISCUSSION GROUPS

This section outlines reactions, and recommendations, resulting from the discussions held in the four morning groups and the five afternoon groups. Because of the constraints of time, and the complexity of some of these issues, it was not possible to include many of the reactions and recommendations in the final conference resolutions agreed upon by the participants and covered in Section III of this report.

Since a number of the recommendations not included within the final resolutions received strong support, we believe that they are an important part of the conference proceedings and should be reported.

We recognize that several of the recommendations are presently ongoing, (i.e., victim/witness programs, career criminal program) but are included in this report because their continuation or expansion were deemed important by the conference participants.

The reactions and recommendations which follow are presented as responses to each of the three issues, and are grouped under subheadings, to provide a more cohesive presentation.

ISSUE I

Statewide Information System

- Support for the completion and expansion of a comprehensive data system which will provide elected officials, department heads, agency administrators, and the public-at-large with reliable and timely information upon which informed decisions can be made.

The Statistical Analysis Center should have this responsibility.

Upgrading the System's Operational Efficiency

- A recognition of the interdependency of all criminal justice agencies, and a determination to work together for the improvement of the total system's efficiency.
- A need to provide the criminal justice system (police, prosecutors, judiciary, corrections) with a Statewide training fund, supported by fines levied against convicted persons, or a surcharge attached to traffic fines.
- Support for more police, prosecutors and judges. This support is contingent upon the completion of a county by county needs-assessment, establishing the benefits which would accrue to the community if these additional expenditures were made.

Included within the needs assessment would be an attempt to establish standards and guidelines through which our criminal justice system's performance can be evaluated.

Disposition of Arrested Persons

- A need to examine current processing of arrested persons to facilitate a quicker resolution of pending charges, and to reduce the time from arrest to indictment to trial.

- A need to examine current procedures for the processing and disposition of persons arrested for misdemeanors for the purpose of reducing the time and resources which the police, the prosecutors and judiciary commit to this group of defendants.
- Support for the placement of a prosecutor intake and screening unit in the Honolulu Police Department for the purpose of reducing communication problems between the police and the prosecutors and increasing prosecutor input at the point of arrest.

Career Criminal Program

- Support for the continuation of the career criminal program with a further commitment to examine the feasibility of providing career criminal prosecutors with improved training opportunities and pay incentives.

Community Participation and Responsibility

- A statewide witness protection program administered by the Attorney General's Office.
- The continuation and/or implementation of victim/witness programs in each county.
- A public information campaign focusing on how citizens can become better witnesses and the importance of witness cooperation in obtaining convictions.
- A public information campaign encouraging citizen awareness of the role they can play in crime prevention.
- A reaffirmation of the criminal justice system's commitment to the protection of witnesses and the vigorous investigation and prosecution of all reported cases of witness intimidation.

- The need for the Judiciary to provide witness facilities which reduce the potential of intimidation by and contact with defendants during trials.

ISSUE II

Correctional Master Plan

- A need to re-assess the correctional master plan as it relates to the State's correctional philosophy, the role and responsibilities of the Intake Service Center and the need for alternatives to imprisonment.

State's Correctional Philosophy

- A need to examine the correctional master plan's reliance on community-based programs in light of community sentiment and the realization that the programs envisioned have not materialized.

Intake Service Center

- A recognition of the necessary role which can be played by the Intake Service Center if its designed purpose of coordinating treatment programs and providing centralized diagnostic information is fully realized.

Alternatives to Probation and Imprisonment

- A recognition of the need for meaningful alternatives to probation for offenders who do not require incarceration but should receive positive forms of official sanction, including mandatory, and supervised, weekend community service.

In conjunction with the need for meaningful alternatives to probation, we should explore alternatives to formal court processing for this type of offender.

Corrections Administration

- A need to increase administrative flexibility in the handling of prisoners. In this regard, we recognize the personnel problems confronting the Corrections Division, and believe that policies must be pursued which address career development, the retention of personnel, and strong administrative support for line officers.

Prison Security

- An acknowledgement of the security problems within our prison facilities, and a request to explore alternatives such as county police departments assuming security roles within our high security facilities. Included is a request to examine the feasibility of regional prisons operated by the Federal government and/or additional high security facilities.

Lack of Bedspace at All the Community Correctional Centers and the Halawa High Security Facility

- A recognition of the immediate problem of inadequate bedspace at the Maui Community Correctional Center, Hawaii Community Correctional Center, Kauai Community Correctional Center, Oahu Community Correctional Center, and the Halawa High Security Facility. In light of this situation, there is a need to re-evaluate correctional facility population projections and needs based upon recent legislation, the lack of community-based alternatives, and recent shifts in sentencing policies on the part of judges and the parole board.

This statement also recognizes the need for a cost assessment of additional facilities and staff as a result of recent changes in commitment policies.

Probation

- A need to assess probation as a viable sentencing alternative in light of the realization that supervision of, and the accountability for, probationers is at best a tentative proposition.

ISSUE III

Statutes

- A need for the enactment of legislation prohibiting drinking in all parks, State and County.

State and County Coordination

- A belief that the supervision of all parks should be a joint State and County responsibility. This includes:
 - a. A provision for greater communication and exchange of information between State and County enforcement officers;
 - b. The coordination and use of joint State/County enforcement in certain areas, or when a shortage of personnel exists;
 - c. A commitment by County police departments to provide training to State/County parks personnel; and
 - d. The establishment of uniform law enforcement in all parks.

Enforcement/Security

- The need exists to upgrade State enforcement officers (DOCARE) capabilities. This may entail the rewriting of certain job descriptions. The following needs are recognized:
 - a. Increase patrolling of secluded or heavily used parks, using existing DOCARE officers, instead of establishing a park ranger system;
 - b. Enforcement officers occupying caretaker's residence;

- c. Close vehicle access to certain park areas at night;
- d. Greater use of volunteers in parks for security; and
- e. A commitment to design parks recognizing the present dangers and problems.

Camping

- Adoption of a policy which discontinues the issuance of camping permits in secluded park areas which cannot be adequately patrolled.
- A commitment to establish a model camping site incorporating security measures on a trial basis.

SECTION III
CONFERENCE RESOLUTIONS

The resolutions outlined in this section received the general agreement of all conference participants. The Governor directed this general session and received conferee consensus on the following resolutions. (See conference agenda in appendix).

Criminal Justice System Support

1. To provide training for criminal justice personnel funded by fines levied on criminal and traffic cases.
2. To review police, prosecutor and judicial workload statewide for the purpose of evaluating the request that more resources be committed to the criminal justice system.
3. To support the completion and expansion of a comprehensive data system that will provide elected officials, department heads, agency administrators, and the public-at-large, with reliable and timely information upon which informed decisions can be made.
4. The career criminal program has been effective and its continuation is endorsed.

Corrections

1. The State has the responsibility for incarceration and must assure that when a defendant is sentenced it will provide the necessary facilities.
2. The State must review laws affecting its correctional facilities to strengthen the ability of the correctional staff to efficiently and effectively operate the prison.
3. The State will explore with the Federal government the feasibility of creating regional maximum security prisons on an interstate basis. The states would share in the funding of such regional prisons.

4. The State will explore the feasibility of local police departments taking over the operation of state security functions.
5. The State recognizes the need to make the intake Service Center (ISC) work effectively within its concepts and to bring all functions related to the ISC responsibilities under the ISC in an effort to avoid duplication of effort.
6. The State recognizes a need to develop alternatives to the present court system for punishment. To be considered are:
 - a. A community restitution work program for certain types of offenders who admit guilt prior to trial; and
 - b. A community restitution work program for certain types of convicted persons as an additional sentencing alternative.

Park Security

1. To enact legislation which prohibits the drinking of alcoholic beverage in all parks.
2. It is recognized that it is not possible to make every State and County park safe all the time. We must, however, provide more security in selected areas. This will be done through the use of centralized enforcement personnel within the Department of Land and Natural Resources coordinated with County and police officials.

Other Resolutions

1. To insure a smooth working relationship among those working in the criminal justice system on Oahu, the mayor, police chief, prosecutor, state and judiciary officials will meet on a continuing basis. Currently such meetings are taking place in Kauai, Maui and Hawaii counties.
2. Crime prevention and juvenile crime are important issues and future conferences to deal specifically with these matters should be held.

These resolutions are not to be considered complete and all inclusive. The conferees were in agreement that the conference provided a good forum to direct our collective efforts and felt that if the recommendations emanating from the conference are implemented we will have taken the first step in restoring the communities' confidence in our criminal justice system.

Time constraints limited the number of resolutions which reached agreement. Now work will commence on reviewing the various other recommendations, and resolutions, resulting from group discussions.

APPENDIX

CONFERENCE AGENDA

(Moderator - Wayne Minami)

- 8:30 a.m. - 8:45 a.m. Welcome and Opening Remarks by Governor George R. Ariyoshi
- 8:45 a.m. - 9:05 a.m. Presentation of Issue I (Philosophical and Operation Conflicts Between the Police, Prosecutors and Judiciary) by Marc Oley
- 9:05 a.m. - 9:25 a.m. Presentation of Issue II (The Absence of Well-Defined State Correctional Philosophies and Practices) by Walter Ikeda
- 9:25 a.m. - 9:45 a.m. Presentation of Issue III (The Increasing Incidence of Violent and Property Crimes Plaguing Hawaii's Parks and Beaches) by Edwin Watson
- 9:45 a.m. - 10:00 a.m. Coffee Break
- 10:00 a.m. - 12:00 Noon Discussion Groups to Address Each Issue and Formulate Recommendations
- 12:00 Noon - 1:00 p.m. Lunch
- 1:00 p.m. - 1:45 p.m. Discussion Groups Report Their Reactions and Recommendations on the Three Issues to the Entire Group
- 1:45 p.m. - 3:15 p.m. County Groups and Statewide Group Meet and Discuss the Three Issues from the County and Statewide Perspective, Respectively
- 3:15 p.m. - 3:30 p.m. Coffee Break
- 3:30 p.m. - 4:00 p.m. Discussion Groups Report Their Reactions and Recommendations to the Entire Group
- 4:00 p.m. - 4:45 p.m. Decision-Making on Each Issue under the Direction of the Governor
- 4:45 p.m. - 5:00 p.m. Closing Remarks by Governor
Adjournment - Wayne Minami

APPENDIX B

Morning Discussion Groups

Group I

William Richardson
Wendell Huddy
Eduardo Malapit
John San Diego
Jon Ono
Thomas Hugo

Group II

Yoshimi Hayashi
Kei Hirano
Hannibal Tavares
Guy Paul
Charles Marsland
Wayne Minami
Susumu Ono

Group III

Kase Higa
Russell Kono
Herbert Matayoshi
Francis Keala
Gerald Matsunaga
Wallace Weatherwax
Franklin Sunn

Group IV

Ernest Kubota
Eileen Anderson
Roy Hiram
Boyd Mossman
George Yuen
Irwin Tanaka

APPENDIX C

Afternoon Discussion Groups

Group I (Oahu)

Wendell Huddy
Russell Kono
Eileen Anderson
Francis Keala
Charles Marsland

Group II (Kauai)

Kei Hirano
Eduardo Malapit
Roy Hiram
Gerald Matsunaga

Group III (Hawaii)

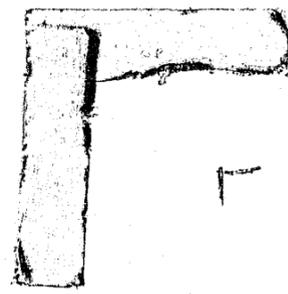
Ernest Kubota
Herbert Matayoshi
Guy Paul
Jon Ono

Group IV (Maui)

Kase Higa
Hannibal Tavares
John San Diego
Boyd Mossman

Group V (Statewide)

William Richardson
Yoshimi Hayashi
Wallace Weatherwax
Wayne Minami
Franklin Sunn
Susumu Ono
George Yuen
Thomas Hugo
Irwin Tanaka



END