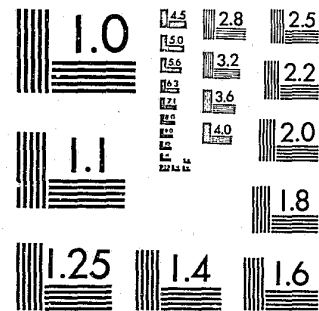


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United States Department of Justice  
Washington, D. C. 20531

8/19/83

# CRIMINAL JUSTICE TRAINING

A Report to the  
Hawaii State Legislature



by the  
**HAWAII CRIME COMMISSION**  
State Capitol  
Honolulu, Hawaii 96813

December 1981

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This report is respectfully submitted to the Legislature,  
State of Hawaii, pursuant to Act 16, First Special Session,  
Ninth Legislature, State of Hawaii, 1977 as amended.

THOMAS T. OSHIRO  
Chairman  
Hawaii Crime Commission

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ACKNOWLEDGMENTS

The staff wishes to acknowledge the invaluable assistance and cooperation received in this study from agencies and individuals both in Hawaii and throughout the nation. Without such cooperation, this work could not have been done.

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## EXECUTIVE SUMMARY

## EXECUTIVE SUMMARY

### Introduction

This report is the culmination of a year long study by the Crime Commission on criminal justice training. Throughout the United States, more and more training is being offered to a larger segment of the criminal justice system in the hopes of improving the overall effectiveness of the system. This study was conducted to seek ways of improving training programs in Hawaii. It was based on research, surveys, and extensive interviews.

### Recommendations

The Crime Commission offers two recommendations to address the training needs of Hawaii's criminal justice system: 1) establish the Hawaii State Criminal Justice Academy; and 2) establish the Hawaii State Criminal Justice Standards and Training Commission. The Commission would set standards and mandate training for all components of Hawaii's system. The Academy would provide an ongoing, comprehensive program of relevant and important courses.

### Hawaii Today

The police training programs in Hawaii are probably as good as any in the nation today. The training provided by other agencies is sparse. All segments of the system would greatly benefit from a continuing program of up-to-date education tailored to meet Hawaii's specific needs.

### Mainland Trends

Nationwide, law enforcement agents receive the most extensive training by far, with prison guards averaging about half that amount and all other professionals lagging far behind. For all types of personnel, the amount of training is increasing. Most states set training standards through a

commission or council. The federal government, professional organizations, and many state and private institutions offer a variety of training courses across the nation which some states supplement with their own comprehensive programs.

#### Conclusions

It is clear that Hawaii has the need for a criminal justice academy and standards and training commission. These two steps would mark a commitment on the part of the state government to creating the highest quality criminal justice system possible. The interest is there; the desire for a better system of training is evident; and the need for additional training is apparent.

#### I. INTRODUCTION

## I. INTRODUCTION

As crime continues to plague the community, the pressure on government leaders to "do something" is greater than ever. The tendency has been to look to the criminal justice system to reduce crime. Even though few agree on the causes of crime and despite the fact that the justice system does not become involved until crimes have already been committed, both government officials and the public expect that improvements in the system will reduce crime.

There are two basic ways to improve the criminal justice system--either enlarge it or make it more efficient. The first option involves not only hiring more personnel--more police, prosecutors, judges, probation officers, etc.--but also building more facilities. It would be extremely costly, adding substantially to the current budget which is already approximately \$100 million per year. There is also no assurance that more would be necessarily better.

The other option is to improve the functioning of the current system. This can be accomplished by improving the skills of existing personnel, refining procedures and policies, and increasing communication and coordination both within and between agencies. These changes require minimal expenditures, all falling into the category of training. It is this option, increasing and improving criminal justice training in Hawaii, which is the subject of this report.

The first aim of any training effort should be to improve the professional skills of the personnel operating the system. This must include both pre-employment training for new employees and continuing education for



all staff members. Hand in hand with this, this effort should be the attempt to better the operation of each agency as a whole. This involves an on-going re-evaluation of the goals of the agency, communication of these goals to the employees, and the updating of policies and procedures. The results should be more consistency, through a more uniform approach to problems.

The most important training aim, from the viewpoint of the system as a whole, is to improve communication and cooperation between the various agencies of the criminal justice system. There is a tendency for agencies to operate rather independently of one another. This is fostered by the separation of powers between the three branches of government; by the division of responsibilities among local, state and federal agencies; and by the clear delineation of duties and responsibilities by statute. Because of this tendency, there is some fragmentation of effort which is clearly harmful to the system. Means must be developed through the training process, by which the staff of each agency better learns the functions and responsibilities of other parts of the system and how all can mesh their efforts together to work toward common goals.

The need to return to a truly systemic approach to crime has been repeatedly demonstrated over the past decade. As one scholar wrote, the 1970's were:

a period of awakening--or reawakening--to the concept of an interrelated, interlocking criminal justice system as the proper arena for dealing with an alarming crime and public safety problem. A succession of national study commissions, the introduction of large-scale federal assistance for crime control and the best thinking from both professional administrators and the academic community emphasized the impact of each system component on the others. The fragmentation and isolation of

the various segments were deplored and the need for coordination and planning proclaimed.\*

The institution of such a systemic approach can be greatly facilitated by an effective training program. Joint training of officials from different agencies can foster discussion of common concerns and lead to coordination of effort. Uniform training, even if done separately by agency, can lead to better understanding of the criminal justice system as a whole and a more thorough knowledge of the functions, duties, and responsibilities of each segment. Better understanding can only foster improved communication and cooperation.

The purpose of this study is to identify ways of improving criminal justice training in Hawaii to meet the goals discussed above. The report is divided into four parts. Chapter II presents recommendations for a training program to help promote a more cohesive criminal justice system in Hawaii. Chapter III describes how criminal justice personnel are presently trained in Hawaii. Chapter IV presents an overview of current trends in training across the nation. The last section, Chapter V, details conclusions reached in the study.

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\*Daniel L. Skoler, "Antidote for the Nonsystem: State Criminal Justice Superagencies", State Government, Vol. 49, No. 1 (Winter, 1976), pp. 2-3.

## RECOMMENDATIONS

## II. RECOMMENDATIONS

The Crime Commission offers two recommendations to address the training needs of Hawaii's criminal justice system: 1) establish the Hawaii State Criminal Justice Academy; and 2) establish the Hawaii State Criminal Justice Standards and Training Commission. These two steps could together go far toward improving the system, providing better justice in our state, and increasing public confidence.

### 1. Establish the Hawaii State Criminal Justice Academy.

A clear need exists for a state facility to train personnel from all agencies involved in Hawaii's criminal justice system. The Hawaii State Criminal Justice Academy would facilitate training in many ways. Being administered and funded by the state, it would provide ongoing access to all criminal justice agencies throughout Hawaii. Offering up-to-date courses on relevant topics on a continuing basis would allow both more and better training for most agencies. Specific needs could be met in a timely fashion. Standardized courses would acquaint the staff of each agency with the functions and responsibilities of the other parts of the system, thereby fostering better cooperation. A sense of unity of the system and shared purpose could be created. The academy would also serve as the center for collecting and disseminating the latest relevant information, such as supreme court decisions or changes in the law. All segments of Hawaii's criminal justice system would benefit by the establishment of such an academy.

The facility should be designed to meet the varied needs of Hawaii's criminal justice agencies. It should be located on Oahu and offer both dormitory and cafeteria space. It should offer, in addition to classrooms and library, specialized areas such as a shooting range, physical fitness

areas, and mock crime scenes. Either a new facility could be built, which could thus be designed to meet everyone's needs, or existing state buildings not currently in use could be developed into an academy. In either case, the academy should be separate enough from surrounding structures to allow for adequate security.

The creation of a Hawaii State Criminal Justice Academy would signal a commitment by the state to provide Hawaii's citizens the best protection possible. Such an academy would work to constantly improve Hawaii's criminal justice system.

2. Establish the Hawaii State Criminal Justice Standards and Training Commission.

Hawaii is one of only a handful of states which does not set statewide standards for criminal justice training. Most states establish training standards through a commission or council. The Hawaii State Criminal Justice Standards and Training Commission should be established as a permanent body to oversee Hawaii's training needs. It should be empowered by statute to set standards and mandate training for all components of Hawaii's criminal justice system.

The creation of the Criminal Justice Standards and Training Commission would bring Hawaii in line with the rest of the United States in this regard. More important, the Commission would function to ensure the highest quality personnel possible for Hawaii's criminal justice system. By mandating the type and amount of training required, monitoring compliance, and certifying the trainers, the Commission would promote standards of excellence for the system. It would also be a vehicle for ensuring that Hawaii's training be kept up-to-date, constantly adjusting to changing needs.

Besides setting standards and mandating training, the Commission should also have other functions. It should administer the Criminal Justice Academy. Part of that duty would be to certify and hire, as necessary, the staff of the Academy. It should also develop courses, in conjunction with the various agencies involved.

Any enabling legislation needed to enact these recommendations will be submitted to the 1982 legislature and later added to this report as an attachment.

### III. HAWAII TODAY

### III. HAWAII TODAY

In Hawaii today, one can easily identify the agencies of the criminal justice system. This is primarily due to the smallness of the state, which allows for centralized agencies. For example, each of the four counties has a police force, but there is no statewide police force (e.g., state troopers) or separate forces within jurisdictions (e.g., a Hilo police force). The only two major agencies that are county agencies are the police and the prosecutors. All others are centralized in Honolulu with branches located around the islands.

The following section is based on interviews with key training officials within the various criminal justice agencies. It describes the current status of training within these agencies, any plans for altering or adjusting these programs in the near future, and the officials' opinions concerning the concept of a statewide criminal justice academy. Each representative who was interviewed is identified, along with his/her position.

#### A. The Police

1. Training objectives. (Major Eugene Uemura, Training Director, HPD, was interviewed).

Honolulu Police Department (HPD) offers the most extensive police training for their recruits available in the United States. The duration of this training is thirty-one weeks and its purpose is multifaceted. Police, unlike lawyers and social workers, do not enter the training program with degree in the basic. Police officers have to be taught their role in law enforcement from the beginning. Therefore, the object of the training is to produce the most well rounded officer possible in the six months allotted for recruit training.

After this initial training, police officers receive practical, on-the-job instruction. For the first four to six months on duty, the new officers serve on the "fourth watch"--that is, not a regularly scheduled shift, but a special one where they are supervised intensely by sergeants. The fourth watch patrols particular areas, usually Waikiki or downtown, in small groups. After they have served on the fourth watch and the sergeants think they are ready, the recruits move into regular positions.

#### 2. Perceived effectiveness.

Major Eugene Uemura, training director for HPD, is deservedly proud of the reputation HPD has for its training program. Honolulu is ranked lowest in the nation for yearly incidents in which an officer draws his gun and fires. This means the department seems to have effectively taught its officers alternative methods for dealing with dangerous confrontive situations.

The effectiveness of the program can also be measured by the public's opinion of the police. In the fall of 1980, the Hawaii Crime Commission staff interviewed 80 victims of crime in Hawaii. These victims were asked to rank the different criminal justice agencies with which they came in contact. The police uniformly received the highest marks (85.5 percent good or excellent). In another study, victims of sexual offenses also ranked the police high (90 percent good or excellent). It appears that the public thinks the police do a good job. The training program certainly deserves some of the credit.

#### 3. Training setting.

Currently, police recruits are trained in many different locations. The setting is selected to meet the needs of that particular aspect of training.

Because HPD has developed successful working relationships with other (state, federal, and private) agencies over the years, access to numerous training facilities has been granted. The Hawaii National Guard lets the police use their classrooms; Kaneohe Marine Air Station lets them use vacant runway for driving practice and tests; Camp Smith is used for mock crime scenes; and a Kaimuki aikido school gives them access to a gym.

The need to borrow the space of other agencies has been necessitated by the fact that no police training academy exists. This lack of a facility has detracted from the program. Such will not be the case in the future. A police training academy will be built in Waipahu on thirty-two acres of land. This is a goal for which the police have been striving for many years. The academy will be built in stages--it is to be started in a few months and the final stage should be completed in 1986. Plans for the academy include classrooms, gym, pool, shooting range, driving range, canine training area, mock crime scene area, a courtroom for practicing mock trials, and other facilities.

#### 4. Training techniques.

Training is generally divided into three parts: 1) academic; 2) police required skills (e.g., firearms, riot control, mace); and 3) physical ability and agility. While the recruits are in school, they are being evaluated on many different levels including punctuality, personal appearance, attendance, and politeness. Students receive both classroom and field instruction for thirty-one weeks. The training is very detailed and is constantly being updated to meet the changing needs of the community. For instance, a representative of the Sexual Identity Center addresses each class about the problems that homosexuals encounter. Other minority groups also come to speak

and inform the recruits a better understanding of unique needs and traits of these groups.

Training begins with intense classroom instruction and is followed by police skill development and practical application. This is continued by well supervised evaluation and further training in the field. New officers are on probation for one year following the completion of training.

The academic training, which includes criminal justice system overview, rules of evidence, and the court system, sometimes relies on other agencies for assistance. For example, the prosecutor's office provides rules of evidence training and presents the introduction to the court system. HPD, by introducing their recruits to representatives of various criminal justice agencies, is attempting to acquaint its people with the criminal justice system. The police are unique in this aspect--they appear to be more willing to have other agencies assist them in training than these same agencies are willing to use the police in a reciprocal manner.

Ten days of the instruction is devoted to "mock crime scenes." This is perhaps the most important part of the training, for it is here that a grasp of theoretical and technical knowledge is put to the test. Actors from the community volunteer their time to pose as the victims and offenders of crimes. This gives many recruit a frighteningly realistic portrayal of what their job will be like. Some recruits may be dropped from the program at this late date if they cannot cope with these situations. The desired qualities are the adeptness and speed in sizing up the situation at hand and the ability to make proper decisions about handling the case.

Police training does not end with recruit training. Police officers on the job receive various types of additional training. These roughly fall

into the categories of update, promotional, and specialized. These include motor patrol in-service training, supervisory training (when an officer is promoted), and roll call training (which is a variety of lectures and demonstrations given during the half hours to an hour devoted to roll call). "Training keys" are given to all department heads each month, detailing what information their personnel should be familiar with. Also, quality tests are required annually on firearms and physical ability. Stress classes have recently been added to give the officers a chance to deal with the stress that such a job procedures.

Additional specialized training is sometimes given by other agencies. The FBI provides annual training in whatever area HPD selects from a catalog of courses offered that year. The Drug Enforcement Agency (DEA) provides education on drug law enforcement and awareness. Officers are also sent to the mainland for specialized training when needed. They are expected to bring back the information to share with others. Finally, when experts in different fields come to town, the police try to have them give lectures at the department. Usually, video tapes of the presentation are made so that they may be used in the future.

In the event that an officer wishes to pursue a college degree, he/she can receive credit for his/her recruit training from several local colleges. Chaminade College will give 30 credits toward a baccalaureate; Honolulu Community College and Hawaii Pacific College each will give 12 credits towards an associate degree.

##### 5. Faculty and staff.

HPD has a large training staff which reviews the general academic requirements and is in charge of the police skills and practical training.



In addition, experts within HPD conduct the specialized training. For example, the crime lab is responsible for ten hours of criminalistics training and the identification section gives nine hours of fingerprinting classes. Furthermore, each department head within HPD gives a lecture on the function of his department. One of the reasons the high standard of training is able to be maintained is that HPD has such a large, competent training staff. Los Angeles Police Department, for example, has to rely heavily on the use of video tapes for training because they cannot afford to pay staff to do it. HPD has not suffered from money restrictions as have many of their mainland counterparts.

In addition to training their own recruits, HPD is contracted by the state to train other peace officers.

#### 6. Future direction.

With the building of a new police academy, there will certainly be changes in the training program over the next five years. However, no substantive changes have yet been proposed. Any changes made will be to adjust the program to fit into the new academy and continue to update the program to meet the changing needs of the community. The current high standards will be maintained as long as no monetary restrictions are imposed.

#### 7. Reaction to a criminal justice academy.

Major Uemura saw positive aspects in establishing a statewide criminal justice academy. HPD would probably be willing to participate in any venture that would improve the criminal justice system, but not at the expense of diluting its program. The city and county of Honolulu has been most generous to HPD for training purposes, which has contributed greatly to the success of the program. For that reason, HPD is cautious about going into joint training with the other counties.

The different needs of each county must be taken into consideration when planning joint training. For example, Kauai would not need extensive training in riot control, while police who will be in urban areas do. Big Island officers are required to handle many more cases involving natural disasters (e.g., lava flows, tsunamis) than the other counties, plus they have very large beats that require vast knowledge of the areas so that they can work effectively. Even though HPD is cautious about weakening its own program, it is willing to help other agencies as much as possible.

## B. The Adjudication Process

Those involved in the court process are attorneys, which means they have completed at least three years of law school and passed the Hawaii Bar Examination. Therefore, these men and women, unlike the police, begin their jobs with a strong foundation. Their training is how to practically apply that knowledge to the jurisdiction in which they practice.

The three segments of the criminal justice system that are directly involved in the court process are the prosecutors, the defense attorneys, and the judges.

### 1. Prosecutors.

Mr. George Yamamoto, First Deputy Prosecutor, City and County of Honolulu, spoke with commission staff about training.

#### a. Oahu.

1) Training objectives. There is no formal training of new prosecutors per se. There is a brief orientation by the person's supervisor, lasting one day, to familiarize him with the location of the various courts and what types of cases are heard in each. The new prosecutor is then assigned to traffic court for four to eight months. The first week of that assignment is spent in observation. From the second week, he is on his own. The objective of this phase is to give the new employee experience in court and familiarize him with Hawaii's system.

During the latter part of the traffic court assignment, the new prosecutor is assigned to help out in circuit court on a case-by-case basis. He assists one senior prosecutor through the course of a trial, serving as second counsel. When enough experience has been gained in this manner, he is then assigned felony cases of his own, starting with less serious offenses (like car theft

and second degree burglary). Again, the objective of this phase of training is to allow the attorney to gain trial experience.

In the past, the office has been able to send six to eight people per year to the mainland for additional, usually specialized, training. About six prosecutors per year have gone to Northwestern University for a week and two or three have gone to Hastings in San Francisco each year for a trial advocacy course. In addition, some have gone to New York for training on organized crime; some have been at the Southern Police Institute in Louisville for classes on rape; and some have gone to Houston for National Association of District Attorneys classes. Occasional seminars have also been offered by the Attorney General's Office on specific topics, like the evidence code, when the need has arisen. In the past, there was also LEAA money to bring speakers to Hawaii on specialized topics, like trial techniques, but that is no longer available. All in all, continuing education is based on mainland classes, with the only restriction being availability of funds.

2) Perceived effectiveness. The ideal training program would include several more elements. After the period served in District Court, the new prosecutor would move to research for a period before beginning in Circuit Court. This would give the new person more time and allow a pool of experienced District Court prosecutors to help out when needed. Also, two or three of the most experienced prosecutors would be available to help train the others. Finally, more people could be sent to the mainland and more speakers would be brought here. If this ideal program could be instituted, then the training would be seen as highly effective. At the present time, lack of staff, heavy case load, rapid turnover, and lack of funds precludes extensive training. Mr. Yamamoto views experience as more valuable than any other training and, as such, the

system now in effect seems to work fairly well. The main problem is retaining experienced attorneys who, even with more pay, would not stay because of the job stress.

3) Training setting. All training is done in-house (i.e., in the courtroom) or at education institutions on the mainland. The occasional seminar is held in a public building.

4) Training techniques. All training for new prosecutors is on-the-job. It is a matter of gaining experience, learning by doing, and seeking information as the need arises on each case. Continuing education is in the classroom setting. Such teaching, according to Mr. Yamamoto, is not effective until the prosecutor has significant trial experience. There are also some videotapes available but they are seldom used due to lack of time. Since trial experience is the greatest teacher, Mr. Yamamoto makes it a practice not to plea bargain on good cases so as to give the prosecutors more trial experience.

5) Faculty and staff. Supervisors give the original orientation and experienced prosecutors help new ones during felony trials. The Attorney General's Office occasionally puts on a seminar. Speakers sometimes come from the mainland and some prosecutors are sent to the mainland. There are no training specialists in the office.

6) Future direction. As discussed above, the Honolulu Office of the Prosecutor would like to designate several experienced prosecutors to lead training. Also, the training program would be more formalized and more people would get the opportunity to attend classes on the mainland. The main restraint is lack of funding. The office is also talking to the University of Hawaii Drama Department to arrange some public speaking classes. Much of a trial is in presentation.

7) Reaction to criminal justice academy. When presented with the idea of a state-funded criminal justice academy, Mr. Yamamoto reacted favorably. He liked the idea of having regular classes in specialized subjects available locally. The cost for his office to unilaterally bring in people has become prohibitive. There are some possibilities for joint training in areas like the evidence code. He would not want to train jointly with the Public Defender's Office in some areas, like trial techniques and strategies. The main drawback with any training scheme, from his point of view, is taking time off from trials to attend the sessions. Judges will not allow the office to close for a week at a time.

Mr. Yamamoto's main concern is that classes will merely duplicate what is now available. To avoid this, he suggested that a training fund be made available to all prosecutors' offices, to be spent as needed, rather than having an academy created. The factors inhibiting current training, heavy case loads and rapid turnover of personnel, would still be present even with a special training fund. However, certainly more could be done than is possible at present.

b. Hawaii. (Jon Ono, Hawaii County Prosecutor, was interviewed.)

As Hawaii County's Prosecutor, Jon Ono is responsible for the training of his deputies. New attorneys are trained in-house by the others on the staff. Some deputies are sent to the mainland for additional training. There is also update-and new-information training done quarterly, with the entire staff attending the statewide prosecutors' seminar when offered. Mr. Ono has plans for increasing and improving the training in the future, but they are being held on the side right now due to lack of funds.

One feels that a centralized criminal justice academy would be useful,

especially having facilities for training available. On the Big Island, the prosecutor's office participates actively in the training programs of other criminal justice agencies. This is done with the police, the probation department and Hawaii County Intake Service Center.

c. Kauai.

1) Training objectives. a) Train new deputy prosecuting attorneys to the point when they can handle cases at the circuit court level on their own. b) Ensure that all deputy prosecuting attorneys are kept abreast of the latest developments in criminal procedure and law.

2) Perceived effectiveness. Training program perceived as effective.

3) Training setting. No specific physical facility is used.

4) Training techniques. a) New deputy prosecuting attorneys learn via on-the-job training wherein they are accompanied, observed, instructed, and assisted by a senior deputy prosecuting attorney at the district court level, proceeding eventually to the circuit court when they are perceived as being ready to so proceed. b) If funds are available, an attempt is made to send all deputy prosecuting attorneys to a week-long program sponsored by the National Association of District Attorneys at Northwestern University which provides basic instruction in all phases of criminal prosecution.

5) Faculty/staff. None.

6) Future direction. No change in the present method of training is foreseen due to the relatively small staff, the lack of turnover, and the effectiveness of the present method of training.

7) Reaction to a criminal justice academy. Having a state-run criminal justice academy would be desirable from a cost-effectiveness standpoint. However, sending personnel to a school run on a national basis also

is also beneficial. For example, participation in the National Association of District Attorneys program at Northwestern University has the advantage of placing deputy prosecuting attorneys from Kauai in close and direct contact with prosecuting and district attorneys from around the nation, resulting in mutually beneficial sharing of experiences and ideas. If the proposed academy is conducted only for Hawaii criminal justice system professionals, obviously this kind of positive learning would not take place.

d. Maui.

1) Training objectives. a) Train new deputy prosecuting attorneys to the point where they can handle cases at the circuit court level on their own. b) Ensure that all deputy prosecuting attorneys are kept abreast of the latest developments in criminal procedure and law.

2) Perceived effectiveness. Training program perceived as effective.

3) Training setting. No specific physical facility is used or is available.

4) Training techniques. a) New deputy prosecuting attorneys learn via on-the-job training wherein they are accompanied, observed, instructed, and assisted by a senior deputy prosecuting attorney at the district court level, proceeding eventually to the circuit court when they are perceived as being ready to so proceed. b) Once a year a two-day seminar is conducted, involving all deputy prosecuting attorneys, wherein specialists are brought in to share their knowledge and expertise in criminal prosecution (e.g., U.S. Strike Force attorney, criminal law expert from the U.H. School of Law faculty).

5) Faculty/staff. None.

6) Future direction. No major changes in the present method of training is foreseen due to the relatively small staff, the lack of turnover, and the effectiveness of the present method of training. However, video equipment has recently been purchased and its use to augment trial preparation and all phases of training, from prosecution to investigation, is planned.

7) Reaction to a criminal justice academy. Having an in-state criminal justice academy providing the kinds of prosecutor training available only on the mainland has its obvious cost advantages. However, it is planned that this facility will be used to train all the state's police recruits, then there may be a problem if the length of training is too long as the counties would be paying these recruits but not have their services or even their presence while they are in training.

## 2. Public Defenders.

Eric Moon, Assistant Public Defender, spoke with Crime Commission staff about training.

### a. Training objectives.

Most new public defenders are hired as soon as they pass the Hawaii Bar Examination and this is usually their first job as a professional attorney. The thrust of the training is to educate these people in Hawaii's criminal procedures and give them rudimentary trial practice. The training is on-the-job and is, in effect, ongoing for the first year; starting with research, moving on to District Court with misdemeanor cases and preliminary hearings, and then going to Circuit Court for felony trials.

### b. Perceived effectiveness.

The training program would be effective but it has not been imple-

mented properly due to staffing problems. The starting pay for public defenders is \$4-5,000 less per year than new prosecutors receive, the pace is fast, and the case load is heavy. Due to these factors, turnover is rapid, which does not allow for the attorneys to go through the steps at a pace desired. The process often has to be accelerated to get the lawyers into the courtroom to cover the large case load. This acceleration just adds to the rapid burnout of public defenders which adds to the turnover of the staff.

### c. Training setting.

Training begins in-house with the research department. Once the attorney is introduced to the courtroom, most of the remainder of training will continue there on-site. There are no facilities available to the office strictly for training purposes.

### d. Training techniques.

The flow of training, as mentioned briefly above, is to begin in the research department and end in the Circuit Court. Ideally, the new public defenders would spend three to six months in the research department to become familiar with criminal procedure and case law in Hawaii. Next, they would observe misdemeanor trials at the District Court level, where they would be assigned soon after to handle cases. During the first few weeks, the public defenders are observed by the supervising attorney for District Court and evaluated on their performance. They meet with their supervisor for additional evaluation and instruction.

After the public defender has acquired a grasp of the District Court process, he is moved on to the Circuit Court. Circuit Court Division has two supervisors to watchover the new public defenders. As in District Court, the first step is to observe other cases and attorneys in action and, if time

permits, sit in as a second in a few cases to get the experience of participation without the full responsibility of the case. At the same time, they are also becoming acquainted with the criminal procedures of the court. For their first "solo" cases they are assigned class C felonies, then move up to higher class felonies and more difficult cases as they gain experience and show the capability of handling these cases.

Other types of in-service training offered to the staff as a whole are trial practice, review of the new evidence code (given by the Continuing Legal Education of the American Bar Association), guest lectures on various subjects (e.g., Matthew Pyun on voir dire examinations, the Attorney General's Office on handling insanity-commit cases), and other workshops as made available.

e. Faculty/staff.

Training is conducted by the supervisors in the different divisions of the office, but these supervisors are also attorneys whose time may be needed in the courtroom. The supervisors are the most experienced public defenders, so they take the major cases (murder, rape, robbery, etc.) themselves. This cuts down on the time they have to devote to direct supervision. As stated above, experts from outside the office also come in to share their knowledge and experience with the Public Defender's office.

f. Future direction.

Since Barry Rubin has been appointed to the office of State Public defender, he has wanted to start a new, more structured training program for public defenders. However, the turnover and case load of the office has been so high that it is not possible at this time to plan and implement such a program. Until these other issues are resolved, training will continue as outlined above.

g. Reaction to a criminal justice academy.

Mr. Moon sees merit in the idea of having a statewide criminal justice academy. What would help his agency the most would be cooperation from the judges and courts in the training process. Mock trials would be especially beneficial to the new attorneys. New attorneys need to adjust to current judicial practices because each circuit judge runs his court differently.

An academy has the potential of facilitating information among attorneys. This would include information on briefs, motions, and case law. This function used to be filled by the Prosecutors and Public Defenders Clearinghouse, which has now closed due to the loss of LEAA monies. Some private lawyers in Hawaii have gotten together to try and fill the gap but they have had only limited success. These lawyers have been willing to cooperate with the public defender, but an academy would ensure a more regular exchange of information. The Public Defender's office would like to be able to participate with continuing legal education courses offered on the mainland, but constraints of time and money prohibit this. The office does try to get together with other legal groups and bring in speakers from the mainland, a function an academy would certainly enhance.

Mr. Moon feels that training with attorneys from other public offices such as the Prosecutors' and the Attorneys Generals' could only help the Public Defender's office. He is more ambivalent about joint training with other criminal justice agencies, saying that the public defenders don't really deal with other groups.

3. Judges.

a. Training objectives.

When a judge is appointed to the bench, he is not only trained in



courtroom procedure but also educated in the legal aspects of his new role. Mr. Cingcade talked to us about both training and education, which are integral and necessary to the judge's role. Training is what happens when someone is introduced to a new job, promoted, etc., and most of this is conducted on the job. Education is aimed at expanding a judge's legal and procedural understanding and is conducted regularly by professional organizations such as the National Judicial College (NJC). Therefore, the purpose of training is to acclimate lawyers to their new and changing role as judges, and the purpose of education is to allow judges to keep abreast of trends and changes in the law and judicial proceedings.

b. Perceived effectiveness.

In-house training and professional education have been wedded in such a way that Mr. Cingcade believes judges are well prepared for their duties. Mr. Cingcade indicated that the support staff of the judge is probably the most critical aspect in determining a court's effectiveness. The need for a well-trained and experienced support staff for judges is crucial because it is these people who make the system run. It takes a new judge about two to three months to become familiar with the new assignment and duties and a competent staff at that time is most beneficial. Therefore, a new judge is assigned the most experienced staff the judiciary can muster up. This has been working well in the past, with old employees teaching the new ones. Recently, however, the judiciary has lost many old employees to retirement and in-house training of new personnel is suffering accordingly. The judiciary is currently working on developing a new training program for the staff.

c. Training setting.

The training of new judges is conducted both in Hawaii and on the mainland. The educational part is offered at well-established institutions on the mainland. Seminars for Hawaii State judges are held bi-annually at local hotels.

d. Training techniques.

When a judge is appointed to the bench, he must attend training on the mainland as soon as possible after appointment. This is supplemented locally with on-the-job training. There is an orientation for new judges, which includes: one hour with the Chief Justice for an overview of the system and the duties of the judge; one hour with Mr. Cingcade on 1) the importance of all the employees of the judiciary, 2) how to make use of them, and 3) how to establish and maintain positive working relationships with the assigned staff; and, one final hour with the deputy director of the Judiciary on court procedures. After this orientation, the new judge is slowly integrated into the job. The administrative judge of his section is to see that the new appointee is performing duties accurately and in accordance with department policy. New judges are also evaluated to help them do as good a job as possible. For mainland training, judges are assigned school based on the court in which they are to serve:

- 1) Appellate judges attend a basic seminar at New York University which is offered once a year in the summer;
- 2) District Court judges go to National Judicial College (NJC) for a two week intensive course on limited jurisdiction (class hours are from 8 a.m. to 9 p.m. daily); and,
- 3) Circuit Court judges also go to National Judicial College, but for a four week basic course for general jurisdiction (Class hours also 8 a.m. to 9 p.m.).

The participants in the National Judicial College have been very satisfied with the courses offered, but they feel that too much is compressed into too short a period of time. Every three years judges are allowed to return to National Judicial College for a graduate course of their choices.

The expense of sending judges to National Judicial College is great--\$65 per day for lodging and meals, plus air fare and tuition. The tuition will also probably go up drastically in the next few years because it is now up to National Judicial College to generate its own funds. However, Mr. Cingcade believes that the experience which the judges gain there is invaluable and that the state must continue to take advantage of the National Judicial College. Also, every year Hawaii gets to send two or three judges to the college at NJC's expense to be part of the staff. They act as discussion study group leaders.

The discipline at NJC is strict. If a judge is late to class, he must explain why to the dean. If a judge is not attending, his home jurisdiction is informed. A lot of discipline is maintained by both the staff and the students themselves.

Within the state of Hawaii, the judiciary has a seminar for all judges every two years. NJC used to organize and run the seminar but now the UH School of Law does it, using the NJC curriculum. The seminars have been presented for the past fifteen years, with the UH running them the last two times--1978 and 1980. All District Court judges also go to traffic courses held by the American Bar Association at Northwestern University. This aids them in the handling of criminal cases because the rules of evidence are the same. Some judges went to San Francisco recently to attend classes in

sentencing the traffic offender. Again, this is so similar to criminal sentencing (i.e., what has to be taken into consideration) that it too helps with improving skills for dealing with the criminal offender. For Family Court judges who deal with delinquency cases, the National Council of Juvenile Court Judges is in association with NJC for training purposes. Juvenile law is so specialized and different from the rules of adult criminal law that a juvenile judge could not sit on the adult bench and be able to make correct decisions. Also, the juvenile judge often has to work more as a social agent than a judge.

e. Faculty/staff.

The administrative judges are responsible for both guiding and evaluating a new appointee in the court. They have the burden of seeing that the court runs smoothly and in accordance with law. NJC has a staff and faculty of its own, as do other professional organizations that are utilized by the state for training and educational purposes.

Within the state, Professor Addison Bowman of the UH School of Law is primarily responsible for the continuing education of Hawaii's judges. Professor Bowman is a consultant to the judiciary in many ways. He wrote the new rules of evidence code, thus all testifying relative to that topic: he is the author of the bench book for judges (a sort of 'how to on the bench'); he compiles a reference material book for judges (e.g., what have the recent Supreme Court decisions been); and he is also the advisor on criminal education. Criminal law is one of the fastest changing areas of law, so judges must be constantly updated on what is happening.

f. Future direction.

Stressing the importance of the support staff within the judiciary,

Mr. Cingcade mentioned that the Judiciary is designing a new training program for the staff. Right now, he feels the format of the continuing education of judges in Hawaii has to be altered because there are so many more judges than before. With fifty-one judges in the state, it is difficult to meet all of their needs at the bi-annual seminars. While this problem has been discussed within the judiciary, no plans for altering the current program have yet been developed.

g. Reaction to criminal justice academy.

Mr. Cingcade does not think that an academy could replace the training that judges are currently given. He said that joint training with others in the criminal justice system would not work well. Judges would not be free to act in mock trial situations because statements made there could possibly be used to establish judicial bias at a later date. Even among the judges themselves, they tend to separate along the lines of who are their peers in the court. During the state seminars on management, regular judges are separated from administrative judges so as to allow them to feel free to speak up.

If the academy had dorm space and cafeteria, perhaps the judiciary could hold its bi-annual meetings there. There has always been concern about security when all of Hawaii's judges have met in one place. An academy might make security preparations easier.

Mr. Cingcade believes there is a great need for exchange of ideas in the criminal justice field, especially among lawyers. He also feels that the state must look to the vital support staff of the criminal justice system, saying good legal secretaries are worth their weight in gold. More attention must be paid to the needs and training of this support staff when considering training within the criminal justice system overall.

C. Corrections

Once an offender has been found guilty, he is sentenced by a judge in accordance with Chapter 706, Hawaii Revised Statutes. Whether sentenced to prison, probation plus jail, or purely probation, the convicted person is now placed in the correctional end of the criminal justice system. This area includes the state prison system and jails, the adult probation department and the paroling authority. The paroling authority makes the crucial decision of determining when an incarcerated felon is allowed to return to the community, and is responsible for guiding inmates once they are out.

1. Prison and jail.

There are two parallel staffs in the prison and jail system. "Correctional care" is provided by guards who are responsible for the custody of the inmates and "Correctional services" by the social workers and counsellors who attempt to introduce inmates to established programs for rehabilitation.

a. Correctional care. (Capt. Reynolds, Director of Training for the Oahu Community Correctional Center, was interviewed.)

1) Training objectives. As with police recruits, those who are hired as Adult Correctional Officers (ACO) rarely have any criminal justice background and have to be taught their duties from the beginning. The focus of the training is threefold: 1) management of the inmate population in the correctional setting; 2) interpersonal relationships; and 3) institutional crisis intervention.

2) Perceived effectiveness. Captain Reynolds, Director of Training for the Oahu Community Correctional Center, would like to expand the course to better prepare the ACO for his job, but as with the Public Defender's Office,

turnover is so rapid that the need to keep the facility adequately staffed must take precedence over training. The training division considers themselves to be doing well if only fifty percent of the new recruits drop out during the first year of service. It is difficult to get people to apply for a job in which there is high risk and low pay. There is no incentive for guards to improve themselves educationally. If a guard was to get a master's degree in Criminal Justice Administration, it would not increase his chances for promotion or pay raise. However, a person holding a Master's of Social Work begins the job at higher pay and may quickly advance to supervisory positions. Many people use the prison as a stepping stone to increase their chances of getting into the police training.

3) Training setting. All training is done on location at Oahu Community Correctional Center (OCCC) or the host facility in an area assigned for this purpose. Up until last year, training was conducted on the grounds of the old youth facility in Kailua but was moved over to OCCC. Currently, there are plans to move training back to Kailua due to a lack of sufficient space at OCCC. More room is needed for the "action" part of the training when recruits act out prison situations to learn different techniques in handling them.

4) Training techniques. Currently, guard recruits are not required to hold a High School diploma but Reynolds has been insisting upon it. He does not want to be burdened with teaching his guards to read and write along with all the other training. New recruits receive three weeks of training: 40 hours of Basic Correctional Techniques (which cover everything from the organization of DSSH to how to handle a disruptive inmate); 40 hours of Interpersonal Relationships (a course that will be exclusively offered to

incumbent officers, and was given to all ACOs last year); and 40 hours of Institutional Crisis Intervention. A copy of the current schedule of classes is attached in Appendix B.

Basic Correctional Techniques are taught primarily in the traditional classroom manner, using video tapes, lectures, and daily tests. The second two weeks--Interpersonal Relationships and Institutional Crisis Intervention--involve learning appropriate techniques for different types of situations and the practical application of those techniques through role playing.

The new ACO is placed in the institution after the first week of basic techniques and is taught the remainder of the courses when time permits. As of now, there is no formal promotional or supervisory training for sergeants, lieutenants or captains. Most of this is done by the superior officer and supervisor on the job.

Captain Reynolds said that most of the training in Hawaii is based on the Federal and California models, but he also uses a Canadian model. If a newly hired ACO is enrolled in the police science or criminal justice program at Chaminade, he will be granted 9 credits towards his degree for participation in the training.

5) Faculty/staff. Reynolds has two others to run the training with him and all three participate actively in the training process. Once a recruit is placed in the institution, the officers are responsible for seeing that the new guard is performing this task correctly and for evaluating his performance. Captain Reynolds has received extensive training over the years from federal and other state agencies. This, he says, has been invaluable to him. One of the best courses he was able to take was Institutional Crisis Intervention in 1979. He has used this course as a model for his 40-hour course.

6) Future direction. Captain Reynolds feels strongly that only 40 hours of Basic Correctional Techniques is inadequate. As of August 1981, that course is being expanded to 120 hours (three weeks of training). Nonetheless, he says, all the training in the world can never really prepare a person for the realities of the job of Adult Correctional Officer. Much of this has to come after the ACO is placed. Therefore, supervision on the job is most important. Currently, there is no promotional training offered, but Reynolds and his staff have developed a program that they hope to have implemented as soon as possible, thus improving the supervisory skill of the officers (see Appendix C for proposed course outline).

The training has been altered considerably during the past ten years of development, due primarily to the new rule guards have been assigned in the module system. Guards are no longer required to be custody/security-oriented, but are directed toward the social service end of the job.

7) Reaction to criminal justice academy. When first questioned by the Crime Commission staff concerning the use of an academy and joint training among different departments within the criminal justice system, Captain Reynolds said that he and others had tried a similar project in 1974. That group drafted a bill concerning "career development in criminal justice" which was submitted to the Senate but not acted upon.

Reynolds and his staff are enthusiastic about the possibility of joint training and would like to see something done in that direction. The areas Reynolds felt could be shared with other agencies include: 1) police-firearms, riot control, the handling of a crime scene for evidence, and hostage negotiations; and 2) parole and probation workers--an overview of the penal code and the criminal justice system in general, interpersonal relations, and crisis intervention.

This is a good time for such a venture because federal funding will be dissipating next year and the state is going to have to supply its own funding. The National Institute of Corrections will probably try to get some federal monies together, but it will not be nearly as much as before. Up to the present, most funding has come from the Federal Government. From 1973 to 1976, the training program was attached to UH College of Continuing Education and funded primarily by LEAA grants. From 1976 to the present, the training program has been run by DSSH with continued federal funding. Therefore, any attempt to consolidate training of personnel of different agencies should be fiscally wise.

b. Correctional services.

Captain Reynolds is partially responsible for the training of social workers and counsellors. The prison system has great difficulty in retaining staff and, therefore, has to often rely on emergency hires as correctional counsellors. These workers are required to have completed a baccalaureate degree. During their stay with the prison, they receive no formal training, just on-the-job introduction. Those who are being hired as permanent staff must either have a master's degree in a relevant field or have a baccalaureate degree with substantial experience in the area of criminal justice counselling. These people are then put through the Correctional Training Center, receiving training similar to that of the guards. Still much of the practical training has to wait until they are on duty. New workers are put under the care of a more seasoned employee (often, the "old" employee has been there only six months) to learn the procedures and processes of the prison.

Mr. Murakami, an administrator at the Oahu Community Correctional Center, attributes the heavy turnover to the poor working conditions found at the prison. New workers are ill prepared for what goes on in such a setting. The corrections division has offered voluntary classes on how to manage the stress of the job but attendance has been poor. There are a few classes offered each year by the Hawaii Institute for Management and Analysis in Government (HIMAG) for those who are going into administration (i.e., unit managers) but nothing else is offered for the other workers.

There are many practical areas that could be covered with a criminal justice academy. These include the process and procedures of the criminal justice system, practice (as correctional counsellors are sometimes required to testify in court), and exposure to the criminal justice system and its agencies. Any training that could better introduce the new worker to what life is like behind the walls would be a tremendous asset to the prison. Mr. Murakami favors the formation of such a school and likes the idea of trying to foster better understanding between the various agencies.

## 2. Probation.

### a. Training objectives.

Most Adult Probation Officers (APO) have a master's degree in either social work or a related field. Like lawyers, they come to the job with the basics and are trained in how to apply their schoolbook and practical knowledge in the probationary setting.

### b. Perceived effectiveness.

Mr. Kanada, Supervisor of Adult Probation, First Circuit Court, is reasonably satisfied with current training and believes it must be working fairly well because he has a fine group of dedicated and conscientious

workers. He explained that APOs are quite independent. They have a case load to manage as best as they can. He believes that the working conditions are very good and this is reflected by the fact that the working conditions are very good and this is reflected by the fact that there is very little staff turnover in the department. Usually when a staff person leaves, it is either to move on to a better paying job, to be promoted out of the department, or to retire.

Mr. Kanada described the problem of education and training as a complex one. The field of probation is constantly changing and all the APOs need to continually update their knowledge. Situations arise with probationers that require broad knowledge on the part of the APO. Mr. Kanada especially feels the need to have certain information made readily available. The office also needs legal guidance in many areas and there is no agency willing to assume this responsibility. Deputy Attorneys General, prosecutors, and judges often do not have the answers or do not want to answer the questions put to them. At one time, Mr. Kanada asked the prosecutor to assign one person just to handle probation problems, but this was never done.

One problem with which the department is faced is the heavy case load each APO must carry. It is currently in excess of 140 cases which tends to be too many. Parole officers have a case load of about 20 active clients; family court has 40 to 50. The reason such a load is so difficult to handle is that the type of cases assigned to them has changed. Once, the majority of cases was classified as minimum supervision which required a direct contact with the officer only once in three months. Now, the majority is classified as intensive supervision, which requires no less than one direct contact per month plus much more telephone and mail contact. Harry feels



that the classification system currently being used for supervision is most reasonable and should not be changed. A change, which would probably be to reduce the amount of direct contact visits in lieu of hiring more staff to handle the overload, could end up endangering the public.

c. Training setting.

All training is done on site under the direction of a supervisor. There are no facilities set aside exclusively for training purposes.

d. Training techniques.

Currently, new probation officers have an orientation period of three to five days depending upon the amount of previous experience they have. The supervisor of the particular division to which the new APO is assigned oversees this orientation. Areas that are covered include procedure, philosophy of the office, office forms, and reading case records to familiarize the worker with them. Then, the new APO is assigned a light workload and is closely supervised until the supervisor feels the worker can "solo". Other in-service training includes holding meetings that involve the branches on specific topics (e.g., revocation procedure, restitution). Also, the University of Hawaii, DSSH Mental Health Division, and other agencies offer relevant workshops that the APOs attend. The Hawaii Correctional Association usually provides guest speakers to address members few times a year, but it has not been able to do so in the past two years.

In the past, a new APO had trainee status for the first three years they worked in the office but Civil Service changed that practice. It dictated that anyone with a master's degree in social work or a related field (e.g., criminology, guidance and counseling) will be hired as a journeyman. Furthermore, Civil Service does not like to consider anyone

without an advanced degree for the position of APO. The few employees who hold only a bachelor's degree must be attending school to get the master's degree. Others also continue to go to school just to keep abreast of what is happening in the field.

e. Faculty/staff.

The supervisor of each division within the Adult Probation Department is responsible for implementing the training program for new APOs. As mentioned above, other agencies do offer assistance in specific areas which augments the Department's training resources.

f. Future direction.

There are no plans for altering the training program at present. However, Mr. Kanada feels that there is some need for expanded training especially practical training. For example, new APOs are very nervous about testifying in court. Also, they need to learn crisis intervention/physical skills to deal with unruly clients (some APOs just need to have the assurance of possessing the skill to reduce fear--rarely does anyone get hurt). They also need to study criminal procedure to better understand the system as a whole. The APD had neither the resources nor the time to include such topics in its training at the present time.

g. Reaction to criminal justice academy.

Mr. Kanada was receptive to the idea of a statewide criminal justice academy. He believes that helping promote better understanding among all the CJS agencies through joint training would be good. For example, if the HPD suspects a probationer of committing crimes but does not have sufficient evidence to make an arrest, it will request that the Probation Department revoke his probation. However, probation needs as

much probable cause to revoke as the police needs to arrest. Lack of understanding on this point leads the police to blame the probation department for keeping these people on the street.

When asked what groups could be trained successfully with the APO, Mr. Kanada agreed with Tom Hugo that parole officers and APOs have much in common with each other but not with the prison counselors or any others who work with those who are incarcerated. The area which he feels most needs to be covered is criminal procedure--and this is for all agencies, not just his. He would also like to have his workers better informed of the services available in the community and how to refer clients to the proper agency. Joint training would help clarify who in the system has what responsibilities. For example, if a woman is having a problem with her husband who is on probation, the police will often tell her to call his probation officer to handle the matter when, actually, the police are supposed to handle the case like any other domestic dispute and the probation officer is to have nothing to do with it. There is also a lack of clear cut guidelines which could be identified and, hopefully, remedied with joint training.

Other areas in which Mr. Kanada would like to see his workers trained include Hawaii's Statutes, case law, and search and seizure. Of special concern to his workers is the question of liability. Congress has passed a liability law with insurance for all federal probation officers and he would like to see something like that here in Hawaii for his workers.

Mr. Kanada sees a tremendous need to have relevant information disseminated among the probation officers. He spends much of his time reviewing case law to identify the trends in probation today and has become the resource person to the other probation officers in the state. This

function could be performed more systematically on a permanent basis by a criminal justice academy.

3. The paroling authority. (Thomas Hugo, Chairman of HPD, was interviewed.)

a. Training objectives.

Parole officers are social workers who hold at least bachelor's degrees in social work. Like probation, the object of orientation is to introduce the new employee to the working policies of the office and the practical application of social work principles in the parole setting.

b. Perceived effectiveness.

Mr. Thomas Hugo, Chairman of the Hawaii Parole Board, feels that with little turnover on the staff, the workers must be getting enough orientation and training to feel comfortable in their role. He thinks the light turnover and training may also be due to "manageable" case load and relatively few problems with the parolees. Currently, there are eleven officers with a case load of 25 units each. Of that, five units are for pardon cases (about sixty pardons are granted per year, usually in old cases where the parolee has not been in trouble for many years). Usually, parole officers leave only to retire. Many of those who come to work for HPA worked in probation before, but rarely does the new hiree have parole experience.

c. Training setting.

All training is conducted on-site. Right now, if the office was able to get funding for training, there would be no place to hold it. Providing facilities is one aspect in which an academy would be helpful.

d. Training techniques.

There is no formal training for parole board members or parole

officers. Parole officers hold a bachelor of social work degree; no other degree is accepted. Mr. Hugo would like to see any college degree accepted because he feels that the only purpose of the collegiate background is to teach the worker to think and be able to intelligently apply what he is taught once on the job. The only course at UH that directly applies to parole is "Parole and Probation", offered irregularly in the School of Social Work by Dr. Jack Nagoshi, and this course does not really prepare the student for future work in parole.

New workers are trained by field supervisors from a policy perspective. As they acclimated to the job, the direct supervision is curtailed. Policy is continually altered to be in accordance with the needs of the present parole population as determined by weekly meetings of all the parole officers.

e. Faculty/staff.

Field supervisors are responsible for the training of staff, with no one delegated the exclusive responsibility of training.

f. Future direction.

Ideally, Mr. Hugo would like to see officers trained over a nine week period of time broken down as follows:

- 3 weeks (40 hours per week) of the basics of the workings of criminal justice system and technical aspects of parole work.
- 3 weeks (20 hours per week class, 20 hours per week field) of half time field training to ease the officer into the job.
- 3 weeks (40 hours per week field) where the worker is closely supervised until they can work on their own.

There is no funding for such a program at the current time.

Mr. Hugo would like to see the state offer incentives for educational achievement to improve the worker's performance such as; paying of tuition and books, and, giving time off for school. He would also like to grant

merit raises, but civil service does not allow him to do this. Currently, his only training option is to bring in the outer island officers occasionally for seminars in Honolulu (such as the recent seminar with the Attorney General about evidentiary questions).

g. Reaction to criminal justice academy.

To have a facility available for implementation of a training program would be the most valuable asset of a CJA from Mr. Hugo's perspective. As far as joint training is concerned, he does not think that parole officers could be successfully trained with correctional officers because the prison is custody-oriented and a parole officer's job is to try to reintegrate the parolee into society as quickly and effectively as possible. It would be possible to have some joint training with correctional counsellors at OCCC. He feels that the attitude of the worker is probably the most important trait in the job; education helps but if the attitude is not one conducive to the job and the needs of the parolee, the worker may not be an asset to the office.

#### IV. MAINLAND TRENDS

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As stated above, the purpose of this study is to investigate the feasibility of establishing a statewide criminal justice academy by standardizing the training of criminal justice personnel who deal with law enforcement, the judicial process and corrections. This goal has created a need to discover what is being done in other jurisdictions. Such knowledge can aid greatly in developing standards for the training of criminal justice personnel in Hawaii.

A letter was sent to every state and the District of Columbia outlining the Commission's intent and requesting relevant information. We were specifically interested in the training methods presently employed in each state in regard to police, prosecutors, public defenders, judges and correctional personnel from initial training through continuing education. We also requested any relevant instructional materials. To focus on our specific areas of interest, the following outline was incorporated into our letter of request:

- I. The principles and theories upon which your current program is based, such as:
  - \* principles of the criminal justice system;
  - \* procedural points such as processing of the offender, evidentiary questions, filing of charges and cases;
  - \* interagency communication and cooperation
- II. Who is trained:
  - \* Which of the groups mentioned above does receive training prior to assuming new positions?
  - \* On what level is training conducted - local, county or state?

- \* Is training divided along occupational lines (e.g., prosecutors trained separately from judges) or does the task fall under one umbrella program?

### III. The program:

- \* The format (e.g., seminars with professional panels or guest lectures, regularly scheduled classes, mock trials or simulation of other relevant situations)?
- \* Are any audio or visual aids integrated with the program?
- \* How is the training funded? Do any funds come from beyond the state level?

### IV. Evaluation:

- \* Is the program evaluated to determine its effectiveness?
- \* If so, how?

Responses were received from 34 states and Washington, DC. Also Crime Commission staff reviewed literature and studies concerning national trends in the training and education of criminal justice personnel.<sup>1</sup>

Nationwide, law enforcement agents receive the most extensive training by far. Prison guards average about half the training police receive, with all the other professionals lagging far behind. For all types of personnel, the amount of training offered is increasing: "There has been considerable growth in entry-level training in the last several years...Within the last five years, the duration of training offered to entry-level personnel has

<sup>1</sup>The American Justice Institute initiated an effort to standardize criminal justice training called Project STAR---Systems and Training Analysis of Requirements for Criminal Justice System participants--in 1971. The project involved comprehensive research effort to identify roles, tasks, and performance objectives for all basic operational criminal justice personnel, including police officers, prosecuting attorneys, defense attorneys, judges, caseworkers, and corrections officers. As of this printing, an evaluation of this project was unavailable for study.

increased in almost 80 percent of the agencies surveyed [in the 1978 Manpower study]."<sup>2</sup> This tendency is a part of a trend, during the past twenty years, whereby the field of criminal justice has become increasingly professionalized. During that time, large amounts of money were funneled into programs such as the Law Enforcement Education Program with the explicit purpose of encouraging personnel from all components of the criminal justice system to continue their education. Much of this funding was granted through the Law Enforcement Assistance Administration.<sup>2a</sup>

As the demand increased for greater academic education on the part of criminal justice personnel, many colleges and universities created criminal justice programs, concentrated largely at the undergraduate level. Graduation from such a program has become a job requirement and even more education will be required in the future, as one scholar pointed out: "As the field continues to professionalize, job specifications will include advanced degree work as a basic requirement, most likely even for the lower level entrants. Consider, for example, that in the Federal Bureau of Prisons during the 1974-1975 fiscal year, 75% of those applying for correctional officer jobs (guards) in the system had bachelor's degrees."<sup>3</sup> In light of this, college criminal justice program must be reviewed as part of this study. Also, the extent to which this type of academic education contributes to job performance.

<sup>2</sup>National Manpower Survey: p. V-274.

<sup>2a</sup>Cohn: p. 44.

<sup>3</sup>Cohn: p. 45.

The three major components of the criminal justice system are the police, the courts, and corrections. National trends in training and any noteworthy programs are discussed below for each of these components.

#### A. Police Training

As mentioned above, law enforcement officers receive far more training than any other criminal justice professionals. Usually, this training is conducted through some type of academy either agency-affiliated or connected with an educational institution. The 1978 National Manpower Survey of Criminal Justice Education and Training summarized well the use of such academies in the United States:

\* Agency-affiliated academies are the largest single sources of entry-level training for law enforcement officers, providing such training to agencies which employ 57 percent of law enforcement employees. About 75 percent of all agencies with 500 or more employees use their own academies, whereas smaller agencies rely mainly on state or regional academies, or--to a much lesser extent--on academies of other agencies or those affiliated with educational institutions.

\* States vary considerably in the number and types of academies they utilized. Differences in degree of urbanization, in availability of agency-affiliated community educational resources and in state or local training policies explain some of these variations.

\* The NAC Standard for law enforcement training is 400 hours. Agency-affiliated training averages 494 hours; regional and state academies training, 382 hours; and academically-affiliated training, 290 hours. In agency-affiliated and academically affiliated academies, the duration of training increases as the size of the group increases. Nearly the opposite pattern is true of state and regional academies.

\* Academies play a considerable role in-service training. Nearly 9 out of 10 of those surveyed

offer at least one in-service course. The most frequently offered are criminal law, criminal investigations, and firearms. Nine percent of the academies offer supervision and management training."<sup>4</sup>

The role of the law enforcement academy in the United States is already well established. The content of recruit training has been changing to include more purely academic classes taught by regular faculty at universities.

College level work is being expected more and more by police agencies from their new recruits. A 1975 study on the characteristics of police education indicates that police have been educationally upgraded to a transitory stage between high school and college. The study reveals that the educational levels in a particular agency result from extrinsic rather than intrinsic characteristics of that agency, most notably being: 1) agency career and promotional opportunities; 2) agency prestige; 3) higher educational employment requirements; and, 4) reward programs for completed education.<sup>4a</sup> The study offers three reasons for this growing emphasis on academic education: "Three distinct but related rationales are developed relevant to educational upgrading. The rationales involve police ability to control crime, perform their order maintenance function, and properly exercise discretion."<sup>5</sup> College background can allow the officer to be better motivated with a greater ability to apply systems and technology when functioning as a crime controller. The maintenance of order is accomplished by a balanced use of social counselling and law enforcement techniques. Finally, a broader knowledge of discretionary power ensures the proper exercise of that power.

<sup>4</sup>National Manpower Survey: pp. 309-312.

<sup>4a</sup>Hoover: p. IX.

<sup>5</sup>Hoover: p. VI.



It must be remembered that college education is only one type of training necessary for a good officer. This type of education can never replace the need for street level training of a potential police officer. Most of the specific duties of the patrolman can only be learned adequately through experience. One author has made the point that selecting for college education is really a trade off, that the department loses some qualities in gaining others:

The police role involves knowledge of dozens of formulas, dozens of forms, and scores of "ways of doing things." No amount of formal instruction given in the classroom will, for instance, prevent a police recruit from being "had" a few times by con artists on the street. Sociologists...have observed that there is a significant body of knowledge in the police service characterized by the term "street wisdom." It is unfortunate that far too many administrators, and even a number of educators, have looked to formal educational programs to enhance a student's ability to apply and use street wisdom. It will simply not happen. As a matter of fact, we could probably expect certain deficiencies in this regard on the part of college graduates. One aspect of street wisdom is knowledge of the value systems, jargon, and the like of lower socio-economic classes, and the recruitment of college graduates will diminish rather than increase the possession of such knowledge on the part of police forces. A college-educated officer will not necessarily be a better officer in every possible way. Some hard decisions have to be made regarding the attributes one is willing to give up in any personnel selection process in order to gain other attributes.<sup>6</sup>

While a strictly college educated police officer is not the answer, law enforcement academies also have their weak spots. They tend to emphasize traditional law enforcement subjects, such as investigative

<sup>6</sup>Hoover: p. 5.

methods and criminal evidence, at the expense of more socially relevant issues like juvenile delinquency and the place of the officer in the community.<sup>7</sup> The ideal would seem to be academic training used to bolster the police academy work.

In considering law enforcement training, it is important to understand the role of the police in society. Certainly, all are aware that the police are the crime fighters and traffic controllers (their two most visible functions). However, their most primary role is that of maintaining the order of the community. It has been pointed out that understanding this function of the police, as contrasted to the law enforcement function, "is fundamental to understanding the police role."<sup>8</sup> Maintaining order basically refers to resolving conflict situations by facilitating consensual resolutions. As much as anything, it involves counselling, crime prevention, and intervention in potential explosive situations to restore order to the community.<sup>9</sup>

With such high expectations of the law enforcement officer, the need to have effective training is essential. Therefore, the National Association of State Directors of Law Enforcement Training (NASDLET) compiled a monograph to discover what the state of police training is today and to try to develop some uniform standards. The resultant opus is an invaluable source book for discovering what is required of police recruits in each state. The development of a standardize program is not included at this point but it is something for which NASDLET continues to work.

<sup>7</sup>National Manpower Survey: p. 311.  
<sup>8</sup>Hoover: p. 8.  
<sup>9</sup>Hoover: p. 8-9.

states provide large scale organizational studies with the other four states normally providing single topic special surveys. There is no charge for this service in any state. All but one state generally follows up to determine if recommendations have been implemented.

Eight states feel NASDLET should recommend the minimum size for agencies to effectively function while 31 oppose this.

A state by state review further shows that police and law enforcement officers are given very extensive training.

California, often a leader in innovative approaches, developed the first statewide police training in the late 1930's. This step made a significant contribution to upgrading California police. The state had grown considerably since the inception of statewide training when the need for generating more money to expand the program became apparent. In 1959, the Commission on Peace Officer Standards and Training (POST) was established and this was to be funded by a unique financial assistance program. The money came from the Peace Officers Training Fund, established and maintained in the State Treasury. The Executive Director of POST, Norma C. Boehm, wrote:

The means of financing has been called the "taxpayer's delight" since it is a "use" tax on criminal and traffic violators. A \$5 assessment is levied on every \$20 or fraction thereof of criminal fines imposed and collected by the courts. A \$1.25 assessment is levied on every \$20 or fraction thereof of fines for violations of the Vehicle Code for [sic] violation of city or county ordinances relating to the operation of motor vehicles, excepting offenses relating to parking or registration. Thus, no tax is levied on the law abiding California citizen, and the program is ironically funded by the people who are violating the very laws which the police officers are trained to uphold.<sup>10</sup>

<sup>10</sup>In Correspondence with the Hawaii Crime Commission, August 30, 1980.

The following excerpts from the executive summary of the NASDLET gives a broad but concise overview of the "state of the art" of police training:

#### General

As of July 1, 1978 there were 45 states that had established some form of "Peace Officer Standards and Training Commission" to set and enforce statewide minimum selection and/or training standards. The states of Hawaii, Mississippi, Missouri, Tennessee, and West Virginia had not. (Missouri was established as of January 1, 1979 and data herein is reported as of that date).

The movement began in 1959 with California and New York with New Jersey and Oregon following in 1961. Most Commissions function as an independent entity in State Government (18), while six are part of the Criminal Justice Planning Agency, six are part of the Attorney General's Office, and four are part of the State Police or Highway Patrol. The number of new officers appointed, subject to the Commission's jurisdiction in the year ending June 30, 1978, ranged from a low of 90 in Delaware to a high of 7,204 in Texas.

#### Basic Training

Only four states required a new peace officer to complete basic training before exercising peace officer powers while 29 states required completion within one year. The content of the course was established by empirical task analysis in only two states (California and New Jersey) and the number of required hours averaged 395 for 47 states.

Equivalent training is recognized in 30 states, however, only six states require skills and knowledge performance test to make this determination. A total of 20 states report an unequivocal or qualified "yes" to requiring the basic course to be presented in a performance objective format.

#### Supervisory, Management, and Executive Training

Training for newly promoted supervisors is available in 41 states and required in 28. Management training is available in 36 states and mandatory in 21. Executive training is available in 36 states and mandatory in 26.

#### Update Training

Update, refresher, or advanced officer training is required in only 12 states for first line officers and in only five

states for supervisors. The average hourly requirement is 39 hours and 47.5 hours respectively.

#### Instructors

Instructors are approved/certified/credentialed in 37 states. Twenty-eight states know how many instructors they have approved.

#### Individual Certifications

Only 17 states report not having some type of certification program. However, only seven states report that officers must meet continuing ongoing requirements to maintain certification. Certificates are used for salary incentive payments in 12 states, for education incentive in eight states, promotional qualification in 14, and for lateral transfer in eleven states.

#### Minimum Selection Standards

A total of 39 states report having minimum standards that must be met by local government jurisdictions. Standards have been challenged in court in seven states and four have been decided with the standards having been affirmed. The others were not decided as of the reporting date.

The minimum age for entry level peace officers is 18 in 15 states, 19 in two states, 20 in three states, 21 in ten states, and some other age in one state.

Six states had no minimum education requirement while only one had some college requirement at entry or as a condition to entry.

Nine states do not send fingerprints to the FBI and eight do not send them to their State Bureau of Identification.

A felony conviction (of one type or another) is not disqualifying in 12 states.

A background investigation is not required in 16 states.

Physical requirements do not exist in 15 states and five states do not require a medical examination. Psychological examinations are required in eight states.

Only Maryland is empowered to set minimum promotion standards.

#### Management Survey/Counseling Programs

These services are provided to some degree in 14 states. Ten

The Maryland Police Training Commission has established minimum standards and mandated a 385 hour entrance level police training program. Until 1978, the Commission did much of the direct training but with the establishment of certified academies in various areas of state, it no longer had to assume that task. The Commission continued to coordinate training and certify programs that will fulfill the mandate on police training.

The Annual Report of the Commission submitted in January 1980 indicates that the Commission is filling its legislative mandate, but not without problems. Two areas were identified as problems that need to be resolved in the coming years:

1) Study of overall training patterns indicates a need for more entrance-level and in-service training to be conducted by approved schools and academies. The Commission staff does not have the resources to conduct "hands-on" mandated and needed training and must rely on departmental or cooperative efforts to do so;

2) Training content, teaching strategies and systems for evaluation of training must be created to guide all entrance-level and mandated in-service level programs. A new training apparatus must be designed to extensively revise or wholly replace the current subject-oriented curriculum. Such a curriculum would be based upon the attainment or performance-oriented objectives. The identification of such objectives requires an expensive analysis of all the tasks of police agencies throughout the State. Federal funding has been received to make the task analysis and develop the performance objectives.<sup>11</sup>

There is an ongoing need to revise the program to meet the changing needs of the state. Furthermore, as the Maryland Commission shifts from direct training to more of an overseer role, there is also a pressing need to find an effective evaluation mechanism. As indicated in the Maryland Commission's annual report, this is the direction in which it is moving.

<sup>11</sup> Maryland Police and Correctional Training Commission Annual Report, January 1980.

This method of financing the POST program has been quite successful. There was approximately 16 million in the fund for the 1980-1981 fiscal year. Participation in the program by cities and counties is voluntary but it has run at nearly one hundred percent. Jurisdictions which agree to adhere to the selection and training standards become eligible for monetary assistance. Assistance is provided through reimbursement for out-of-pocket training expenses and subvention of salaries paid to officers trained. Services, principally management counselling and professional certificates, are provided free of charge to local police administrators. During the 1979-1980 fiscal year, city and county jurisdictions collectively received more than \$11,652,000 to defray police training expenditures.

Most states now have a board similar to POST with many relying on California's example as a model. The exceptions are West Virginia, Tennessee and Hawaii. Maryland's response to the Commission's letter of inquiry was the most complete. It discussed what the standards and goals of law enforcement training commissions should include, and provided detailed examples of how to carry out the goals of the commission. In Maryland, a person who is applying for a law enforcement position must meet minimum selection standards which include such categories as education, citizenship and age requirements, background investigation, and examination by a licensed physician. Once an applicant is selected, he receives a probationary appointment as a law enforcement officer for one year. It is during this year that he must successfully complete the entrance-level police training program.

## B. Judicial System

The participants in the court process--prosecutors, defense attorneys and judges--receive the least training when hired. Much of their on-the-job training is geared toward learning legal procedure for the jurisdiction in which they will practice. Therefore, continuing education is very important for this group.

By far, the most influential organization in setting standards for the training of judicial system participants is the American Bar Association. Although its impact is felt throughout the judicial system, going far beyond just the education of lawyers, education is one of its important functions. The ABA, along with the American Law Institute, has a committee on continuing education which coordinates continuing legal education programs offered throughout the country. The purpose of the committee is to offer members of the bar the broadest opportunities for continuing their professional education while minimizing duplication of effort on the part of different professional organizations.<sup>12</sup> The programs offered cover all areas of law, including criminal. The direction of each seminar varies depending upon the participants and the subject matter. Examples of programs offered to prosecutors, defense attorneys and judges will be discussed in those respective subdivisions below.

Besides the ABA, there are numerous professional groups that offer continuing education to law practitioners. For the most part, these groups are organized along the lines of the field of practice a lawyer chooses, such as the National Judicial College, Association of Trial Lawyers of

<sup>12</sup>Committee on Continuing Legal Education, The CLE Register, Volume 26, Number 11, November 1980, inside front cover.

America, and the National College of Criminal Defense.

# 1. Prosecutors.

The prosecutor holds a critically important position in the criminal justice system because he works in close cooperation with the police, courts and corrections. Due to this, he is in excellent place to assist in the coordination of the activities of the various other agencies of the system.<sup>13</sup> Another important element is the amount of power the prosecutor's office can wield over the whole criminal justice system. As the ABA stated in 1970: "...the power of the prosecutor to initiate criminal prosecution rests in him as an authority in the administration of criminal justice at least as sweeping as, and perhaps greater than, the authority of the judge who presides in criminal cases...the prosecutor is vested with virtually unreversible power as to the persons to be prosecuted or not."<sup>14</sup> With this in mind, it is disheartening to note that another characteristic of the most prosecutors' offices is the inadequate level of training. In 1967, the President's Crime Commission noted that:

There has been deplorable inattention to the development of curricula and training techniques in the investigative, administrative, and broader law enforcement policy roles played by the prosecutor. These matters have not been seen as suitable subjects for the attention of law schools and the legal scholarly community...Large metropolitan prosecutors' offices should develop a training program for new assistants...There is also a need for training programs on a state or regional level to reach prosecutors and assistants in small offices.<sup>15</sup>

Reports such as these have not given unheeded and described below are some examples of what is currently being offered to aid and enhance the skills of prosecuting attorneys around the country.

<sup>13</sup>Felkenes, p. 149.

<sup>14</sup>Ibid., p. 156.

<sup>15</sup>Ibid., p. 157.

The National College of District Attorneys was established in 1970 at Bates School of Law of the University of Houston. The impetus for the formation of the college was the recommendation made by the President's Commission on Law Enforcement and Administration Justice. Several professional organizations got together and developed a program for the career prosecutor which became the basis for establishing the college. Bates Law Schools (also the home of the National College of Criminal Defense) offered use of office space and facility support which was readily accepted. The purpose of the college is:

"...to improve the skills of the prosecutor. The primary goals inherent in this mission are to assist in the definition of the prosecutor as a vital and unique member of the legal profession and of criminal justice system; to promote the identification and understanding of the roles and responsibilities of the office of public prosecutor; to aid in the improvement of the legal, technical, and ethical art and science of prosecution; and to establish contact with as many prosecutors as possible. In addition, the College encourages a professional attitude for support personnel in the prosecutor's office."<sup>16</sup>

Present courses at the college vary from two and one-half days to three weeks and range from specific topics to broad overviews of criminal justice subjects. The college trains approximately 1,500 persons annually. The long courses are held at Bates, with many short courses (e.g., prosecuting crimes against persons, prosecuting drug cases, law and evidence for the prosecution advocate) being held off-campus in various locations around the country. The three main resident courses held annually are:

Career Prosecutor Course: A three-week course which is an intensive study of the office of the prosecuting attorney.

<sup>16</sup>McMannis Assc., p. II-75.

The course presents a chronological study of the role of the prosecutor from the criminal act to the return of the accused to society. (150 attendants)

Executive Prosecutor Course: A one-week course designed for prosecutors or assistants serving in a policy-making decision capacity. (160 attendants)

Prosecutor's Office Administrator: A three-week course taught in independent one-week segments which provides specialized management training for prosecutor's office administrators and managers. (25 attendants at each session)<sup>17</sup>

Another widely recognized educational program for trial lawyers (both prosecutorial and defense) is the National Institute for Trial Advocacy established in 1972, NITA conducts one national session at the University of Colorado at Boulder in the summer and five regional sessions each year. The Institute describes its unique instructional method in the following way:

The teaching methodology involved heavy use of learning by doing, utilizing the technology of videotaping for critical evaluation of the students' performance of trial problems. The faculty was instructed to lecture little, to critique, and when feasible, to demonstrate correct methods. However, the emphasis was on student performance. The readings, case materials, and booklets of instruction to faculty and students underscored the instructional methods. These teaching methods make the program unique.<sup>18</sup>

As one of its goals, NITA has made an effort to train others in its trial advocacy teaching methods. Approximately fifty law schools have already adopted NITA materials and educational approaches.<sup>19</sup> An evaluation of the NITA program showed that the faculty and teaching techniques received very high ratings by participants. Many participants made personal changes on the basis of the training and most recommend NITA to others.<sup>20</sup>

<sup>17</sup>Ibid., p. II-76.  
<sup>18</sup>Ibid., p. II-99.  
<sup>19</sup>Ibid., p. II-100.  
<sup>20</sup>Ibid., p. 7.

Continuing legal education programs that are offered throughout the country, coordinated by the ALI-ABA Committee on Continuing Professional Education, also play an important role in the further training of prosecutors. Some examples of these courses are "Anatomy of a Criminal Trial", "Prosecutor's Office Administrator Course", "Use of Expert Witnesses", "Direct/Cross Examination", and "Organized Crime". These courses are offered regionally, but rarely in Hawaii. The attendance in Hawaii would be small and thus the program would not be fiscally advantageous to the sponsors. Therefore, Hawaii prosecutors must be sent to the mainland to be exposed to this education.

Many states already have statewide training programs for their prosecutors. Although most are not mandatory, some jurisdictions do require that their attorneys take a certain amount of continuing legal education each year, usually about fifteen hours. The attorney can select any course he likes based on his interest and future direction.

About half the states which do have statewide prosecutor training accomplish this through their Police Officers Standards and Training Commission or a similar council. Two examples are the Arizona Prosecuting Attorneys Advisory Council and the Massachusetts Criminal Justice Training Council. Other states, such as California, provide training through the state District Attorneys Association. The remaining states conduct training through their state department of justice, criminal justice division. States with a board or council usually mandate by law that the board or council shall establish training for prosecutors and shall establish standards for such training. Most train only on a voluntary basis. Very few require that prosecutors



must receive a certain number of training hours prior to, or, even after assuming their duties.

Statewide prosecutor training programs vary from occasional workshops to a regular seasonal schedule of training. All utilize formal classroom work which some supplement with mock trials and audio-visual presentations. Some states also maintain a resource center. All of these programs offer in-state training and some also fund out-of-state courses.

The most developed programs seem to offer a new prosecutors course and an advanced course. These are periodically supplemented with topical seminars, usually one or two days each. The basic training courses work on technique and the topical seminars provide up-to-date information about specific areas. New Jersey uses longer seminars, such as one on economic crime and government corruption which lasts eighty hours. Listed below are some of the seminars presented in various states:

- Search and Seizure
- Confessions
- Trial Strategy
- Forensic Science
- Appellate Practice
- Effective Supervision
- Management by Objectives
- Psychological Persuasion in the Courtroom
- Use of Electronic Surveillance and the Law
- Criminal Law
- Victimology
- Obtaining Testimony from the Young Child Abuse Victim
- Crime Prevention
- Theft Law
- Homicide Cases
- White Collar Crime
- Scientific Evidence and Expert Testimony
- Prosecution and Defense of Economic Crime
- Basic Felony Offenses
- Juvenile Justice Update
- Basic Misdemeanor/Traffic Offenses

Some states fund prosecutor training out of a general criminal justice training fund generated from assessments on all fines. Others depend on federal funding, state funding, or a combination of the two. Most which utilized federal monies are now seeking state funding after the termination of LEAA. Several states in that situation have been forced to curtail or end their successful training programs.

Arizona finances its training from the Prosecuting Attorneys' Advisory Council Training Fund. This fund is generated by an assessment of one dollar or two percent, whichever is greater, on every fine, penalty, and forfeiture collected by the courts.

The Arizona Prosecuting Attorneys' Advisory Council was established in mid-1977 and has been given the task of providing training programs for prosecuting attorneys and other criminal justice personnel. This is only one of the duties of the Council, others being to give assistance in the preparation at trial briefs, forms and instruction, and to conduct research and studies that would be of interest and value to all prosecutors and their staffs. The Council is also mandated to establish training standards for prosecutors and assist in meeting those standards by promulgating rules and procedures relating to such standards.

Ohio State, which has elected prosecutors, offers an institute for newly elected prosecutors shortly after they take office. In addition, there are five or six training sessions held annually for prosecutors and their assistants at which there is generally an average attendance of 100 out of the 800 persons occupying these positions in the state. Federal funding has been used to support this training as well as to pay the cost tuition for

prosecutors who desire to attend training out of state. It appears that these funds will not be renewed and at this time the Prosecuting Attorneys Association is not certain as to how it will continue the training.

## 2. Public Defenders.

The need for counsel for a defendant was expressed by the United States Supreme Court in a decision made in 1932.

The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent layman has small and sometimes no skill in the science of law....Left without the aid of counsel, he may be put on trial without a proper charge and convicted of competent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he may have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he is not guilty, he faces the danger of conviction because he does not know how to establish his innocence.<sup>21</sup>

Since that time, the right to counsel has been a constitutional right for anyone charged with a capital crime. A subsequent decision in 1963 extended this right to all felony criminal defendants.<sup>22</sup> The role of the public defender evolved as a result of these decisions. The public defender is a publicly employed attorney whose task is to ensure that indigent defendants always receive the fundamental right, under law, to counsel.<sup>23</sup>

The public defender has, in most jurisdictions, a training program which begins in the lower courts. This provides time for thoroughly familiarizing himself with the procedures before handling felony cases.<sup>24</sup> The public

<sup>21</sup>Powell v Alabama 287 U.S. 45, 68-69.

<sup>22</sup>Gideon v Wainwright 372 U.S. 335.

<sup>23</sup>Felkenes, p. 194.

<sup>24</sup>Ibid., p. 196.

defender system is constantly monitored by the ABA to assure that these attorneys abide by standards pertaining to defense services.<sup>25</sup> This helps to ensure that the indigent defendant does in fact receive his constitutionally guaranteed rights to competent counsel.

What is offered to defense attorneys (both public and private) is very similar to the programs offered to prosecutors. The National College of Criminal Defense (NCCD) performs the same function for public defenders as the National College of District Attorneys does for prosecutors. NCCD was established in 1973 as a non-profit Texas corporation sponsored jointly by the American Bar Association, the National Association of Criminal Defense Lawyers, and the National Legal Aid and Defenders Association. The primary goals and objectives of NCCD, as stated by that college, are "to improve the quality of representation for the indigent defendant in the United States. A by-product is to improve the quality of representation for all defendants."<sup>26</sup>

The program offered at NCCD concentrate on strategy and techniques of trial practice. The college, like NCDA, holds national institutes on a regional basis dealing with subjects like jury selection, appellate advocacy and forensic science. During the summer, NCCD offers two-week seminars at Bates College of Law in trial practice. These courses utilize participatory and demonstration techniques, including mock trials with paid actors who serve as jurors.

An evaluation of NCCD made in 1978 by a team from LEAA found that

<sup>25</sup>Ibid., p. 197.

<sup>26</sup>McMannis Assc., p. II-88.

participants recommended more integration of NCCD with NCDA, including joint programs. Both colleges are located at Bates College of Law of the University of Houston which makes such integration feasible.

As presented above, public defenders also attend the National Institute of Trial Advocacy and relevant courses made available to them through the ALI-ABA committee on Continuing Professional Education. Programs that hold particular interest for defense attorneys include Discovery Criminal Practice, Trial Advocacy, Criminal Defense Lawyers, and Anatomy of a Criminal Trial.

When reviewing what training various states offer to their criminal justice personnel, the severe shortage of training for public defenders becomes evident. On-the-job training is relied on most. Only a few states have made attempts to fill the gap between on-the-job training and that offered by the national professional groups. Arkansas, for example, offers "refresher" training with a seminar format through the auspices of the Arkansas Crime Commission. All funds are obtained at the state level and the Arkansas Crime Commission has the responsibility of evaluating the program.

The best effort to provide standardized, comprehensive training for public defenders has been made by Georgia. In 1975, the Governor of Georgia created the Georgia Indigent Defense Council to plan and conduct a statewide training program. The Attorney General of Georgia characterized the council's function in this way:

The council is charged by law with a number of responsibilities and functions; not the least of which is to plan and provide comprehensive, systematic training for public defenders and private attorneys accepting indigent appointments. This training is statewide in scope, addresses both pre-service and in-service training of

defender personnel, is designed to include client interview, jury selection, trial skills, the art of cross examination, use of expert witnesses, procedures, and post conviction remedies. The council's training program also includes a statewide tape availability program and the development and use of a trial manual and other publications. Annually, this training reaches approximately 150 public defenders and private attorneys accepting indigent defense appointments through statewide and regional in-state seminars, and by sending some 12 to 15 selected individuals to out-of-state colleges and seminars.<sup>27</sup>

This program seems to be both the most comprehensive and the most systematic of any in the United States.

### 3. Judges.

A newly appointed Judge to the bench rarely begins his job without more than a cursory knowledge of what a judge's duties entail. While he certainly has had experience as an attorney, his exposure to criminal law is probably minimal.<sup>28</sup>

The need for effective in-service training has been recognized as a problem in our criminal justice system, but resolution of the situation has been slow in coming:

It is only in recent years that there has been any kind of concerted effort toward judicial training and this has come mainly from the Joint Committee for the Effective Administration of Justice.

This group has assisted in organizing seminars, training programs, and other sessions in which a new judge is exposed to the criminal justice aspects of his new position. It may sound rather extraordinary for a person who is appointed as a judge to receive instruction on empanelling a jury, handling courtroom decorum, expediting cases appearing on a docket, instructing a jury, handling intricate problems of evidence (especially in the area of searches and seizures), sentencing,

<sup>27</sup>In Correspondence with HCC, September 11, 1980.  
<sup>28</sup>Felkenes, p. 204.

preparing questions for appeal, and ruling objections; but the fact remains that there has been no systematic approach to preparing appointees in the art of judgeship.<sup>29</sup>

This situation has been rectified to some extent with the creation of national institutes for the training of judges.

The most active judicial training organization in the United States today is the National Judicial College (NJC) located at the University of Nevada in Reno. Since it was founded in 1964, more than ten thousand judges nationwide have had training at NJC. The creation of the college has been praised from all sides--the professionals, the faculty and the students. Chief Justice Warren Burger called it "one of the most significant developments affecting the administration of justice in this century." Faculty member Judge Bertand Foritsky of St. Paul, Minnesota said, "The exchange of ideas among judges from all states is necessary. In-state education cannot provide this type of feedback. I found myself, and I know from talking to others, that one of the benefits derived is that it is reassuring to know that every judge, all over the country, faces the same problems. It tends to build self-confidence."<sup>30</sup> Participants have consistently rated the college high in effectiveness. Three areas were identified as having most impact on the judges: substantive knowledge in specific areas of the law; courtroom related procedures (particularly techniques for handling jury trials, pre-trial activities, and sentencing procedures); and, personal skills that were communication and courtroom related.<sup>31</sup>

<sup>29</sup>Felkenes, p. 204.

<sup>30</sup>SB-A, December 14, 1980, p. 48.

<sup>31</sup>Mc Mannis Assoc., p. II-120.

Programs that are offered at NJC are classified as Resident, Extension, and Special and Innovative:

The Resident Programs are divided into three categories. Programs of the first category, the General Sessions, are designed to acquaint trial judges with major legal subjects and trial bench skills. The substance of the curriculum, which runs from two to four weeks, depends on the scope of jurisdiction and prior legal training of the judge. The second category, Graduate programs, offers an advanced level of instruction to the experienced judge who has typically completed a general course. Specialty Programs, the third resident category, treat particular legal areas, such as search and seizure, etc., in depth and cross lines of jurisdiction.

Extension programs occur at the request of state supreme courts, judicial organizations, and law schools. These programs, which range in length from one day to one week, are held locally, statewide, or regionally, and their topics are geared to the needs of the particular judiciary sponsoring the program.

Special and Innovative Programs have a principal theme or subject that is treated in a conference format by members of all branches of government and various judicially related disciplines."<sup>32</sup>

Another highly respected training program for judges is the Institute of Judicial Administration, New York University School of Law, which is responsible for conducting the Appellate Judges Seminars. The goals and objectives of the program are to provide continuing judicial education and to improve the quality of decision making and the administration of the appellate courts.<sup>33</sup> The Institute operates only in the summer, offering two residential seminars annually. One is for judges of the highest appellate courts and one for judges of the intermediate appellate courts. Examples of the programs presented at a recent seminar are as follows:

<sup>32</sup>Ibid., p. 118.

<sup>33</sup>Ibid., p. II-5.

#### INTERMEDIATE APPELLATE JUDGES SEMINAR

Judicial Administration including Supervisory Administration,  
the Decisional Process, Relationships between Intermediate  
and Higher Appellate Courts, Efficient Administration of  
and Entire Judicial System, and Technological Aids.  
Appellate Review in Criminal Cases.  
New Developments in Conflict of Laws.  
Appellate Review of Decisions of Administrative Agencies.  
Principles and Techniques of Statutory Interpretation.  
Free Press and Fair Trial.  
Law and the Computers.  
Nature and Function of the Appellate Judicial process.  
Opinions including Critique of Quality of Judicial Opinions,  
Style in Judicial Writing, and What a Law Editor Looks  
for in Judicial Opinions.  
State Courts and the Federal System.  
Current Trends in Accident Law.

#### SENIOR APPELLATE JUDGES SEMINAR

All of the programs listed for the Intermediate Appellate  
Judges Seminar, plus the following:  
U.S. Supreme Court Current Decisions.<sup>34</sup>

The program is rated by the participants as one of the best in which they  
have ever participated. A program evaluation indicated that the "Appellate  
Judges Seminar Program has, over the years, enjoyed such recognition and  
acclaim as to minimize the need for extensive marketing."<sup>35</sup> The number of  
judges that can be trained each year is small (40), but the Institute must  
continue this size in order to maintain the high quality of the programs.

Many other programs also deal with the training of judges: the Institute  
for Court Management, the American Academy of Judicial Education, and the  
Appellate Judges Conference. They have been evaluated as effective institu-  
tions but have not enjoyed the same favorable reputation as the two afore-

<sup>34</sup>Ibid., p. II-5.

<sup>35</sup>Ibid., p. II-7.

mentioned groups. All these education institutes perform a valuable role in  
seeing that judges administer justice to the best of their ability.

The ALI-ABA Committee on Continuing Professional Education also includes  
courses for judges in the Continuing Legal Education Register. These  
include Case Decisions, Release from Jail/Creative Sentencing, Court Admi-  
nistration, and New Legal Developments.

On the national level as shown above, there seems to be adequate  
training for new judges. However, because courtroom procedures can vary from  
jurisdiction to jurisdiction, these national educational programs must be  
complimented with an equal amount of training on the local level. Local level  
training programs for newly appointed judges need to be developed wherever  
possible.

There are many states that offer training to newly appointed or elected  
judges. Most judges are not mandated to attend these training sessions.  
Florida is exemplary in broad spectrum of training it offers which is  
providing not only all types of judges but also to other court personnel.  
Attendance is voluntary, but the response from the courts has been excellent.

Following is a list of the programs offered in Florida. Most courses  
last two or three days:

#### Florida Judicial College:

Offered in March of each year for all judges elected  
or appointed during preceding 12 months.  
This is a basic course in judicial case management,  
trial supervision, substantive and procedural law,  
and court administration.

#### Circuit Judges Annual Educational Meeting:

Offered in Spring of each year for all circuit judges.  
The program content changes with each meeting; the  
following is a sample program:

evidence,  
time and case management,  
judicial writing, and  
sentencing and substantive  
law updates

Circuit Judges Annual Conference:

Offered in Fall of each year for all circuit judges. The program content changes with each meeting, but would be similar to that of the educational meeting. The program is usually limited to two days of the conference.

County Judges Annual Educational Meeting:

Offered during Winter of each year to all county judges. The program content changes with each meeting. The following is a sample program:  
sentencing,  
garnishment and replevin, and  
stress management and health  
maintenance

County Judges Annual Conference:

Offered during Summer of each year to all county judges. The program content changes with each meeting, but would be similar to that of the educational meeting. The educational portion is usually limited to one and one-half to two days of the meeting.

Appellate Judges Annual Educational Meeting:

Offered during Spring of year to all appellate judges. The program content changes with each program. The following is a sample program:  
administrative procedure act;  
jurisdictional issues in 1980 constitutional  
amendment.

Appellate Research Aides Orientation Program:

Offered during Fall of each year to new appellate research aides. The program content is the same, with minor alterations each year. The following is the current presentation:  
monitoring oral argument of  
the Supreme Court,  
writing in appellate judicial  
practice, and  
research resources and drafting  
opinions

Court Administrators:

Usually offered during Spring of each year to all court administrators. The program content varies, but would be similar to the following schedule:

court reporting,  
role and administrative techniques,  
sentencing guidelines,  
juror utilization,  
court information system,  
budgeting,  
personnel classification, and  
citizen dispute settlement

Judicial Secretaries:

Offered at various times during year to all judicial secretaries. This program covers preparation of expense vouchers (this is a pilot program developed especially for judicial secretaries. Future programs are anticipated, but content and mode of presentation have not been decided). The program is presented in the respective circuits by a representative of the Education and Training Unit. They average 75% of local secretaries at each presentation.

Traffic Adjudication Program - County Judges:

This is a special pilot program to be offered during December 1980. The class is limited to 55 county judges (by invitation). The program content will cover criminal traffic offenses. A special Highway Safety grant will underwrite the costs of travel for participants. The American Academy of Judicial Education is preparing the program materials.<sup>36</sup>

Connecticut also has a comprehensive training program for judges. It consists mostly of continuing education, although small, personalized orientation programs are available to newly-appointed judges. The small number of new judges appointed annually makes it impractical to offer state-level training. Rather, a special effort is made to provide written

<sup>36</sup>Dianne Lynn, Administrative Asst., Education & Training Unit, Florida State Courts System, In Correspondence with the Hawaii Crime Commission, October 10, 1980.

materials designed specifically for the orientation of new judges.

The goals of the Connecticut Judicial Department's continuing education programs are well stated by the training director.

The object of judicial education programs and materials is to provide the judge with an opportunity to gain substantive knowledge of law and an ability to skillfully perform their /sic/ myriad judicial duties. The format of each seminar or conference will differ depending upon the goals of the program, as determined by a representative planning group, and the most effective adult education techniques designed to achieve these goals. When it is appropriate and desired by the participants, judicial education activities will include administrative staff and other criminal justice system representatives. Multi-day institutes that are currently being developed will make greater use of mock trials and videotape exercises. Program evaluations are employed regularly to supplement formal, educational needs assessments.<sup>37</sup>

Connecticut and Florida are two states which have taken the lead in meeting the educational needs of their judiciaries.

<sup>37</sup>Anthony B. Fisser, Esq., Director, Continuing Ed., Judicial Dept., State of Connecticut, Correspondence with Hawaii Crime Commission, November 19, 1980.

### C. Corrections

The personnel at the correctional end of the system are, for the most part, social workers and guards. Most of the social workers (probation officers, parole officers and custodial counsellors) have had schooling in the direct delivery of social services to clients. Therefore, their on-the-job training emphasizes the policies and procedures of the office to which they are attached. Guards, on the other hand, are usually new to the field and need much more basic training in order to perform their function adequately. The differing needs of these two groups are reflected in the amount and direction of the training offered them.

#### 1. Correctional officers.

Guard training can be most likened to police training. These two groups do perform similar jobs. Both are concerned with maintenance of order, except that the guard is responsible for order in a hostile community of incarcerated persons. This difference necessitates an alternate approach to training. Sam Samples of the Federal Prison System, Department of Justice, writes, "There is some relationship between the training of police and correctional staff in such areas as firearms, self-defense and interpersonal communications; however, most areas of their training are worlds apart."

Many state correctional training offices model their programs after those of the Federal Bureau of Prisons. The federal government conducts its training out of the Federal Law Enforcement Training Center at Olynco, Georgia. Teaching is primarily conducted by correctional staff. Joint use of the federal training facility cuts down on overhead costs considerably, but not on the need for two staffs--one to train law enforcement personnel, the other, corrections.



The Bureau of Prisons has the most complete and well established set of standards for correctional personnel training available. There is entry level through advanced level training required of all those who work in corrections: guards, secretaries, personnel managers, medical personnel, etc. Examples of training programs are:

a. Institution Familiarization.

Each new employee must complete 80 hours of institution familiarization training during the first 80 hours of duty.

b. Introduction to correctional techniques.

Each new employee must complete the "Introduction to Correctional Techniques" course (110 hours) at the Staff Training Center, not later than the beginning of the 4th month after entry-on-duty.

c. Supervisors safety training.

Each newly assigned supervisor of an inmate detail must complete 8 hours of Safety Training. In addition, each supervisor will receive 2 hours of refresher training each year.

d. Annual correctional training.

Each employee who has completed the probationary year, must complete 24 hours of correctional training each year. The training will include the following minimum amounts in the areas specified:

Self Defense	4 hours
Disturbance Control	4 hours
Firearms	4 hours
Fire Protection/Safety	4 hours
Institution Option	8 hours

e. Annual job specialty training.

Each employee, who has completed the probationary year, must complete 16 hours of job specialty training each year. This training should be related to the employee's occupational specialty or to specific duties regularly performed. This includes administrative, managerial and supervisory training for those who perform such duties. For Correctional Officers,

4 hours of this training will be in self-defense. (This is in addition to the 4 hours of self-defense training required under Standard number (8) Annual Correctional Training.)

f. Orientation for correctional supervisors.

Each employee selected as a GS-9 Correctional Supervisor must complete the "Orientation for Correctional Supervisors" course within 6 months of appointment. Each GS-9 Correctional Counsellor who is promoted to GS-11 Correctional Supervisor must complete the "Orientation for Correctional Supervisors" course within 6 months of promotion.

g. Advanced correctional supervision.

Each correctional supervisor must complete the "Advanced Correctional Supervision" course within two years of appointment.

h. Advanced correctional techniques.

Each interested employee with 3 years of Prison System experience will be given the opportunity to attend the Advanced Correctional Techniques course. Institutions will advertise this training and schedule the attendance of applicants on a systematic basis. Employees who wish to repeat the training may apply again every 5 years.

The literature received from the Federal Bureau of Prisons indicates that the training programs are continually monitored and evaluated to keep them up to standard and to determine where the strengths and weaknesses are. The programs are altered when need be in response to these evaluations.

The American Correctional Association (ACA) is a national organization for professionals in the field of corrections. Within this organization, there is a Correctional Standards Committee that has developed training programs on a wide variety of subjects offered on site throughout the mainland. Anthony P. Travison, Executive Director of ACA, explains that the purpose in training is to develop specific skills that participants need on the jobs:

During the last decade, and in particular the past five years, the attitude and climate in regards to the significance of training held by correctional administrators has undergone a vast transformation. Correctional personnel are receiving intensive training in the principles

and practices of every aspect of corrections to a much greater degree. This has led to increasing recognition of the importance of training for the proper and efficient operation of their entire organization and as the primary agent for achieving progress.

Correctional personnel at all levels require a variety of skills and abilities for organizing, planning, designing, conducting, and evaluating correctional procedures. Correctional staff are increasingly being asked to assist in other organizational development activities requiring additional skills in problem solving, group processes and systems design. Their role is becoming more complex and demanding.

Examples of courses offered to meet the needs of these more complex and demanding roles include:

- Crisis Intervention and Hostage Negotiations,
- Managing Stress in Corrections,
- Stress Reduction Techniques for Inmates,
- Proposal Writing for Corrections,
- Fire Emergency Planning,
- How to Develop Policies and Procedures,
- Defensive Tactics for the Correctional Environment,
- Legal Issues Training,
- Emergency Evacuation Procedures,
- Managing Community Corrections Facilities,
- Dealing with the Mentally Ill Offender, and
- Parole Firearms Instructor Training.

All ACA training programs are experience based, emphasizing maximum participant involvement. The learning experience in these programs incorporates a philosophy of "learning-by-doing" in a highly concentrated format. Principles being taught are applied to simulated situations to give the participants a chance to see how theory is applied to their work situations.

Few states are mandated by law to train their correctional workers, but many do have official policies relating to training standards. Reviewing what is offered on the state level indicates that a broad base of material is covered in a relatively short period of time. Nebraska, for example, has a

policy relating to the minimum standards of training for all correctional personnel that requires 36 hours of initial training covering the following areas:

- Correctional history and philosophy;
- Security procedures and emergency plans;
- Inmate attitude and behavior;
- Supervision techniques, including special inmate and minority group relations;
- Legal rights of inmates;
- Administration and management of facility, personnel, and planning;
- Legal problems in jail administration;
- Recent developments in penology and corrections;
- Establishing and maintaining necessary records; and
- Emergency medical procedures.

This is a lot of material to be absorbed in 36 hours. However, Nebraska also requires additional annual training in the field of corrections:

In addition to the initial training, a minimum of eighteen (18) hours of yearly in-service training is required for facility administrators and facility employees of all jail facilities. The yearly in-service training shall not be waived. College courses, university courses, seminars, correspondence courses, or other training programs may fulfill the in-service training requirement if they are of a nature that will increase the employee's value to his facility.

In Tennessee, all state corrections personnel receive two weeks of basic training within the first six months of employment. The reason that this training is not given before the employee starts to work is that training is offered only in Nashville and Memphis and then only irregularly. In the first week of basic training, all state correctional employees receive identical instruction. In the second week, however, treatment, juvenile and field personnel are separate for specific training.

Sometime after the employees have completed this basic training, they receive forty hours of in-service training. This instruction is given at the

place of employment. It is designed to enhance the workers' skills in their particular areas of employment.

## 2. Probation and parole.

The American Correctional Association extends its purpose to include parole and probation officers as correctional professionals. Much of what ACA offers in the way of training seminars also applies to parole and probation officers. There is not much to be found for these officers beyond what the ACA makes available. Therefore, one must look to individual states' programs for training methods and innovative training ideas.

Maryland was the first state in the union to create a commission which sets standards of selection and training for parole, probation and institutional correctional officers. It is still one of only twelve states setting such standards by one method or another. The Maryland Correctional Training Commission was established in 1971. The purpose of the commission was well stated by the Maryland General Assembly at the Commission's inception:

The General Assembly hereby finds and declares that a need for improvement in the administration of the correctional system exists in order to better protect the health, safety and welfare of Maryland citizens; that the ultimate goal of the correctional system is to make the community safer by reducing the incidence of crime; that establishing a system with significantly increased power to reduce recidivism and prevent recruitment into criminal careers will require a sufficient number of qualified staff to perform the many tasks to be done; that recent studies have revealed that greater training preparation for correctional work would be highly desirable; that this need can be substantially met by the creation of educational and training programs for persons who seek careers as correctional, probation and parole officers; that such persons should be required, while serving in a probationary capacity prior to permanent appointment, to receive efficient training provided at facilities approved by a commission created for such purpose;

spread over a six week period of time. The course is organized as follows:

### Program Orientation (9 hours)

- A. Learning Climate
- B. Assessment

### Block I. Introduction to Corrections (30 hours)

- A. The Evaluation of Corrections
- B. The Elements of the Criminal Justice System in Maryland: Purpose and Functions
- C. Field Tours

### Block II. Administrative Tasks (9 hours)

- A. Organization of the Division of Parole and Probation
- B. Records and Report Procedures
- C. Grievance Procedures

### Block III. Supervision Tasks (48 hours)

- A. Correctional Casework Practices
- B. Probation Supervision
- C. Domestic Offender Supervision
- D. Parole Supervision
- E. Initial Interviews
- F. Constructive Coercion
- G. Clients with Special Problems
- H. Counseling the Resistant Client
- I. Caseload Management
- J. Reality Therapy

### Block IV. Investigation Tasks (18 hours)

- A. Presentence Investigations
- B. Other Investigations
- C. Case Analysis

### Block V. Enforcement Tasks (36 hours)

- A. Legal Aspects
- B. Special Reports, Final Reports, and Interstate Compact Requests
- C. Parole Revocation Procedure (Includes Preliminary Hearings)
- D. Probation Violation Procedure
- E. Parole Revocation Hearing
- F. Violation of Probation Hearing
- G. Domestic Case Violation Procedures

### Closure (6 hours)

- A. Closure
- B. Evaluation
- C. Graduation

**CONTINUED**

**1 OF 2**

that by qualifying and becoming proficient in the field of corrections, such persons shall individually and collectively better insure the health, safety, and welfare of the citizens of this State.\*

This paragraph more than adequately sums up the purpose of training those who will be working with convicted felons: to ensure as best as possible, that felons will not continue to commit criminal acts against society. The powers granted to the Commission to accomplish this task are, in part:

To prescribe standards for the approval and continuation of approval of all schools at which correctional, parole or probation training courses required by the Commission shall be conducted including but not limited to present existing state, regional, county and municipal training schools;

To approve and issue certificates of approval to such correctional training schools, to inspect such schools from time to time, and to revoke for cause any approval or certificate issued to such school;

To prescribe the curriculum, the courses of study, attendance requirements, eligibility to attend, equipment and facilities, and standards of operation for such training schools;

To certify correctional officers who have satisfactorily completed training programs and to issue appropriate certificates to such correctional officers;

To make a continuous study of correctional training methods and procedures for all correctional schools and to consult with and accept the cooperation of any recognized federal, state, or municipal correctional agency or educational institution;

To consult and cooperate with universities, colleges and institutions for the development of all general and specialized courses of study for correctional officers as defined in this section; and

To consult and cooperate with other departments and agencies of the State concerned with correctional training.\*a

As a result of the above mandate, the Commission adopted rules and regulations for the training of correctional officers on June 30, 1976. These rules and regulations required that all "parole/probation agents" must complete a Minimum Standards Entrance Level Training Course of 156 hours within one year of their employment. The course is designed to fit a 26 day school schedule,

\*State

\*aIbid.

The program appears to be complete and comprehensive in scope.

The Maryland Model is not without problems. As with every other state, Maryland is feeling the impact of federal fiscal cutbacks and the inability or willingness of its state legislature to make up the difference. This loss of federal monies has most directly affected the quality of the Commission's training programs. The Commission is no longer able to provide the most up to date material or to adequately monitor the enforcement of its Rules and Regulations.\* In spite of these fiscal problems, the foundation for training probation and parole officers provided by the Maryland Commission is an exemplary project, worthy of careful consideration. It could serve as a model if Hawaii were to initiate such a program of its own.

The California State Board of Corrections is in the process of developing standards and training objectives for corrections and probation officers. In 1979, the Board conducted a Corrections Personnel Standards and Training Project and subsequently forwarded its recommendations to the state legislature. The recommendations were acted upon in the 1980 legislative session and resulted in an act relating to corrections and probation officers (effective September 21, 1980):

SECTION 1. Section 6035 of the Penal Code is amended to read:  
6035. (a) For the purpose of raising the level of competence of local corrections and probation officers, the board shall adopt, and may from time to time amend, rules establishing minimum standards for the selection and training for such officers employed by any city, county, or city and county. All such rules shall be adopted and amended pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code.

The Board of Corrections responded quickly to the assignment of creating standards for selection and training of correctional and probation workers. It designed eleven courses to meet the needs of basic through administrative

\*Maryland Correctional Training Commission, 7th & 8th Annual Report to the Governor, January 21, 1980, p. 45.

training, ranging from 40 to 200 hours. The proposed courses included:

Basic Probation Officer Course.

The basic probation officer course consists of a minimum of 200 hours of instruction to be completed in the first year of employment, except that training as required by Section 832 of the Penal Code shall be completed within 90 days of employment as a probation officer.

Advanced Probation Officer Course.

The advanced probation officer course consists of a minimum of 40 hours of instruction beyond the basic course. Such instruction shall be completed during an employee's second year of employment.

Management Course.

The management course consists of a minimum of 160 hours of instruction. One hundred twenty hours of instruction are in general management topics and 40 hours are in specialized areas of juvenile institutions, jails/adult institutions, or probation operations. Such specialized instruction is required as appropriate to the organizational setting. Managers, as defined in these regulations, are required to participate in this course.

Mandatory annual training has also been required:

a) Each eligible staff member shall complete annual required training during any year he/she is not participating in a basic, advanced, supervisory, management or administrator course as identified in Section 171 of these regulations.

b) Annual required training is designed to provide updating and refresher instruction. Flexibility, consistent with the refresher concept, is permitted in course content and method of instruction in order to meet changing conditions and local needs.

The Board of Corrections maintains a Corrections Administrative Manual (CAM) which sets forth details for the standards, procedures, and forms to implement the above educational programs. The Board continues to make revisions on the requirements and content of the CAM in response to public hearings. It expects to have the regulations finalized by the next legislative session for submittal to the appropriate committee for approval.

A decade ago, training for correctional workers was greatly lacking. Today, more training is becoming available and some states have implemented mandatory hiring standards and training requirements. Slowly, more and more jurisdictions are realizing that in order to have an impact on recidivism, there is a need for a well trained, competent staff to deal with convicted offenders. It is hoped that these developments will add substantially to the professionalism of the criminal justice system and contribute to halting the spiraling crime rate.

#### D. Criminal Justice Training Panels

Some states have chosen to address the issue of criminal justice training through the establishment of statewide training councils and boards. The purpose of these boards is to standardize selection and training criteria and mandate the minimum training requirements for criminal justice personnel. Several states already have commissions, council and/or boards that are involved with selection and training standards for the criminal justice system. The direction and scope of responsibility assigned to these public organizations vary greatly from state to state. Some set standards and policy only, others train the trainers, and, still others function as the primary trainers themselves.

Michigan is one state that is currently identifying the major needs in criminal justice education and attempting to find ways of dealing effectively with those needs. Mr. Charles R. Davoli, Director of the Training Education Task Force of the Michigan Commission on Criminal Justice, forwarded some of the preliminary work. This included synopses of states with some sort of statewide criminal justice training council. The program descriptions presented below are based primarily on these synopses. These programs illustrate the varying types of boards and commissions that exist around the nation.

##### 1. Washington State Criminal Justice Training Commission.

Established in 1975, the Commission is empowered by statute to set standards and mandate training for police, corrections, prosecutors, defenders and magistrates. For the first five years of its existence, the Commission also recommended training and standards for judges and support personnel in

the courts. This function was turned over to the Washington State Supreme Court in 1980 because the judiciary feels that, as the third branch of government, the executive branch (under which the Commission operates) should not make policy decisions affecting it.

The Commission staff does not conduct training itself, rather it develops and prepares courses and administers the program. All instructors are hired by contract.

The following training is currently offered by the Commission:

- a. police - 11 weeks basic training and wide range of in-service training.
- b. corrections - 80 hours basic training for guards, 2 weeks of training for probation and parole officers (the latter is not mandated).
- c. prosecutors, defenders, state attorneys general - 2 to 3 day orientation courses plus some in-service training.

##### 2. Kentucky Bureau of Training.

The Bureau of Training was established in 1978 as an addition to the Kentucky Department of Criminal Justice. Its primary function is to conduct training for police and correctional employees as dictated by the Kentucky Law Enforcement Council, which establishes the standards of training. Required training need not be taken through the Kentucky Bureau of Training but participation by local municipalities in the Bureau's required basic and in-service training programs is high due to a pay incentive program. The pay incentive is fifteen percent of base pay with a cutoff when base pay plus incentive reaches \$20,000 annually.



Initially, the Bureau of Training was to offer courses for court employees, including judges, but judicial training was transferred to the state court as a result of recent judiciary reorganization. Therefore, the bureau currently offers the following training:

- a. police - 400 hours basic training, as mandated for all police officers, and an additional 40 hours in-service training is offered annually.
- b. corrections - 96 hours of basic training and 40 hours annual in-service training, which are required for all correctional institution employees, are offered. Three days of orientation is provided at the Bureau of Corrections. This is followed by one week at the Bureau of Training's Academy, after which the students return to the Bureau of Corrections for the remainder of the training. Training is also provided for all institutional managers.
- c. parole and probation officers - The officers receive forty hours of induction training when first employed, then twenty to forty hours of in-service training annually.

3. Virginia Criminal Justice Services Commission.

The Commission, which is appointed by the governor, sets standards, programs and curriculums for criminal justice personnel. Training is conducted by the Commission through a series of twelve regional academies, each of which is operated by its own board of directors. The instructors are criminal justice practitioners, FBI agents, state attorneys and college instructors.

Training courses are mandated by the Commission for law enforcement and correctional personnel:

- a. police - Entry level 289 hours; in-service 40 hours every 24 months.
- b. corrections - Entry level jailors require 120 hours of training if unarmed, but if armed require an additional 24 hours training including qualification on the range. In-service jailors require 20 hours every two years if unarmed, 21 hours if armed including qualification on range. State adult correctional officers require entry level training of 188 hours if unarmed, 192 if armed including qualification.

The Commission does not offer training for judges, prosecutors or public defenders. The Executive Director of the Commission indicated he wanted no part of training for judges because of the separation of powers between the executive and judicial branches of government.

4. North Carolina Justice Academy.

The NCJA is a division of the North Carolina Department of Justice, under the auspices of the Attorney General's Office. NCJA is a training agency in itself that directs the majority of its programs to law enforcement officers. It also has a Criminal Justice Services Department that teaches and certifies criminal justice trainers who give courses in certain local jurisdictions around the state. The academy provides training for jailors, but not prison workers. The training of correctional probation and parole officers is conducted by the Corrections Department which uses NCJA's facilities for that purpose. Occasionally, special training is offered on a specific topic (e.g., North Carolina's new presumptive sentencing law) to all criminal justice personnel.

5. Montana Training Facility.

The Montana Training Facility is a good example of an organization established to facilitate training but not to set standards. It provides the physical plant, the teachers, and conducts courses to satisfy the requirements mandated by law and by other agencies.

The following types of training are conducted:

- a. police - The POST Council sets mandatory minimum entry level standards, and the Montana Training Facility provides the training to meet the standards for the Highway Patrol, local police and sheriffs, fish and game officers, and university security personnel. Current minimum standard is 280 hours. There are advisory (not mandatory) standards for intermediate, advanced and management police training, and those types of courses are provided at MTC. Intensive, short term training is provided to local agencies on request. The topics respond to serious local problems and are provided as often as resources are available.
- b. juvenile - A juvenile trainer provides training for social workers aftercare personnel, and juvenile probation and parole workers. There are no established standards for juvenile training.
- c. magistrate - Some magistrate training is mandated by the Supreme Court. Training is conducted at the MTC but the Supreme Court supplies the trainers. MTC personnel help with the administrative/housekeeping functions.
- d. county attorneys - There are no standards for county attorneys but the attorney general employs a coordinator for county attorneys who supplies training through MTC. MTC personnel help to make arrangements

and provide other administrative/housekeeping assistance.

- e. Correctional personnel - There are no correctional standards and correctional training is not provided at MTC although correctional officers, such as sheriffs' deputies, may attend the basic 280 hour police course. Both local and state level correctional personnel also may attend special training concerning topics such as terrorism or bombs.

The programs described above exemplify the different approaches the states are taking to address the need for training of criminal justice personnel. The scope and responsibility of the different state councils and commissions vary greatly. The State of Hawaii should draw upon the variety of experiences represented in these programs to create the solution that would best satisfy its own needs.

## V. CONCLUSIONS

## V. CONCLUSIONS

Throughout the United States, more and more is being offered in the way of training to criminal justice personnel. This movement has come in response to reports by government agencies, universities and private research groups that recommend better training as a way to significantly improve the overall effectiveness of the criminal justice system. Many jurisdictions have mandated both the type and amount of training required of their criminal justice personnel, including groups traditionally regarded as not requiring further education--prosecutors, judges, and probation and parole workers. Recently, the U.S. Attorney General's Task Force on Violent Crime pointed out the need for increased training nationwide. It singled out law enforcement personnel, prosecutors, and corrections officials, saying "it is clear that in order to implement an effective national program to combat serious crime, the various components of the criminal justice system must have personnel who are highly skilled and specially trained."\*

In light of this movement, it is important that Hawaii evaluates its current training programs and seeks to remedy any deficiencies.

### Law Enforcement.

The police training programs now in operation in Hawaii are perhaps as good as any in the nation. Hawaii must strive to maintain such high standards and keep up with modern trends. If anything, perhaps the police should provide more management training. Investigators in other state and county agencies could certainly benefit from increased training in their special areas of interest.

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\*Attorney General's Task Force on Violent Crime, Final Report, August 17, 1981, p. 63.

#### Prosecutors.

Hawaii's prosecutor training consists of on-the-job training, sparsely supplemented by occasional mainland seminars for selected staff members. Much more could be done to upgrade and regularize this education. Local seminars, tailored to Hawaii's prosecutorial needs, would be of great benefit.

#### Public Defenders.

The Public Defender's Office offers only minimal training for its employees. On-the-job training is supplemented by occasional local seminars. The staff has not been able to attend continuing legal education courses on the mainland. The office would very much like to have more training available.

#### Judges.

Hawaii's judges currently have a fairly extensive in-service training program based on mainland courses and a bi-annual statewide meeting. Local training could not replace that received at the National Judicial College but it could certainly supplement it. An on-going program of local seminars would certainly help judges in their specific duties. Judicial support staff, a vital component of the judicial system, would greatly benefit from increased and improved training.

#### Corrections.

Prison guards receive a minimal amount of local pre-service and in-service training. Training officials feel more could be done in both areas, especially promotional and administrative training. They would welcome an on-going program to help meet these needs. Social workers and counsellors at the prison would also greatly benefit from increased training availability.

#### Probation.

Hawaii's Probation Department currently has a very limited training

program. With small staff turnover, the greatest need appears to be in-service training. Many areas have been identified for specialized training which currently are not being addressed including case law and the latest trends in probation.

#### Parole.

There is no formal training for either parole board members or parole officers. All the training is on-the-job instruction, provided by field supervisors. The parole board would like to see several months of structured training for new parole officers and continuing in-service classes.

### SUMMARY

There are certain deficiencies in the training programs of all agencies in Hawaii's system. First of all, all personnel should be given a thorough overview of the entire criminal justice system. Each agency should be taught about the functions of all other agencies, which would help establish better working relationships. Second, update training should be provided to and required of all staff members. Third, every agency has need of management training. Finally, all segments of the system would benefit from education about the latest relevant changes in the field.

These considerations in mind, it is clear that Hawaii has need for a criminal justice academy. Such a school would provide the specialized education that each agency needs as well as the general courses required by all. It would bring together the personnel from many different agencies, thus promoting a spirit of unity of purpose and cooperation. It would facilitate increased training of the highest quality and ensure that such education is the most complete and up-to-date.

It is also clear that Hawaii should join the rest of the nation in establishing statewide training guidelines. To this end, a criminal justice standards and training commission should be established on a permanent basis. The commission should establish standards, monitor compliance, develop training curricula, certify trainers, and administer the criminal justice academy.

These two steps would mark a commitment on the part of the state government to creating the highest quality criminal justice system possible. The interest is there; the desire for a better system of training is evident; and, the need for additional training is apparent. What is now needed is for the state to take a positive step toward improving the criminal justice system, as other states have done, by providing better training at all levels of that system.

## APPENDICES

# H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of June 1981			
HPC-204-2 HPD Rules & Regulations	8 hrs	June 8 to 12	Lt. H. Kepaa
HPC-204-1 Departmental Directives	8 hrs	June 8 to 12	Ofr. C. Bomba
EXAM:	2 hrs	June 15	
HPC-110-8 Military Drill	10 hrs	June 8 to 12	Sgt. G. Miyamoto
HPC-110-10 Physical Training	88 hrs	June 9 to Nov 18	Sgt. G. Miyamoto
EXAM:	4 hrs	Nov 24 to 25 Nov	
HPC-101 Administration of Justice	30 hrs	June 15 to Jul 2	See Schedule
EXAM:	2 hrs	Jul 6	
HPC-204 Organization & Management	19 hrs	June 22 to Jul 1	See Schedule
EXAM:	2 hrs	Jul 7	
HPC-210 Hawaii Penal Code	10 hrs	June 22 to 29	Training Staff
Section 106-668			
EXAM:	2 hrs	June 29	
HPC-110-11 Self Defense	98 hrs	June 24 to 7 Dec	Sgt. C. Fujii
EXAM:	4 hrs	Dec 8 & 9	

APPENDIX A

# H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
<u>Month of July, 1981</u>			
HPC-211-4 Revised Ordinances Exam: HPC-211-4	6 hrs. 2 hrs.	June 30 to Jul 7 Jul 13	Sgt. D. Sakai
HPC-211-1 Credit Card Laws	6 hrs.	Jul 6 to 8	Lt. H. Kepaa
HPC-211-2 Firearms Laws	6 hrs.	Jul 6 to 9	Sgt. R. Burke
HPC-211-3 Liquor Laws Exam: HPC-211-1 to 4	6 hrs. 2 hrs.	Jul 8 to 10 Jul 13	Sgt. D. Sakai
HPC-212-1 Laws of Arrest Exam: HPC-212-1	12 hrs. 2 hrs.	Jul 7 to 23 Jul 27	Lt. W. Ornellas
HPC-212-2 Rules of Evidence Exam: HPC-212-2	12 hrs. 2 hrs.	Jul 10 to 24 Jul 28	Prosecutor's Office
HPC-212-3 Search and Seizure Exam: HPC-212-3	36 hrs. 2 hrs.	Jul 15 to Aug 13 Aug 14	S/A M. Moroney
HPC-201 Criminalistics Exam: HPC-201	8 hrs. 2 hrs.	Jul 10 to 14 Jul 17	Crime Lab
HPC-200 Criminal Investigation Practical Exercise Exam: HPC-200	44 hrs. 8 hrs. 2 hrs.	Jul 30 to Sep 9 Aug 8 to 9 Sep 9	Sgt. C. Fujii Sgt. C. Fujii
HPC-201-2 Fingerprinting	9 hrs.	Jul 20 to 24	I.D. Section
HPC-210 Hawaii Penal Code Exam: HPC-210 (Section 900-1111)	10 hrs. 2 hrs.	Jul 14 to 24 Jul 29	Training Staff



H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of August			
HPC-212-3 Search and Seizure Exam:	36 hrs 2 hrs	Jul 15 Aug 8 to 13 Aug 14	Agent M. Moroney
HPC-200 Criminal Investi- gation	44 hrs 8 hrs 2 hrs	Aug 3 to Sep 9 Aug 8 to 9 Sep 9	Sgt. C. Fujii
HPC-208 Report Writing	63 hrs	Aug 3 to Oct 10	Ofr. C. Bomba
HPC-210 Hawaii Penal Code Exam: 701-1250	24 hrs 2 hrs	Aug 19 to Sep 4 Sep 8	Training Staff
HPC-110-4 First Responder	23 hrs	Aug 17 to Sep 2	Nurse M. Kelso

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<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of September 1981			
HPC-210 Hawaii Penal Code Section 701-1250 EXAM:	8 hrs 2 hrs	Sep 1 to 4 Sep 8	Training Staff
HPC-200 Criminal Investigation	10 hrs	Sep 1 to 9	Sgt C Fujii
HPC-208 Reporting Writing EXAM: (Incorporated)	60 hrs	Jul 27 to Sep 24	Ofr C. Bomba
HPC-209 Emotional Crisis Intervention EXAM:	36 hrs 2 hrs	Sep 3 to 30 Oct 6	Ofr. W. Hemje
HPC-207 Juvenile Administration EXAM:	28 hrs 2 hrs	Sep 10-29 Sep 30	Sgt. R. Huddy Det. K, Payne

# H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>		<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of	October			
HPC-203	Traffic Laws Exam:	20 hrs 2 hrs	Oct 1 to 6 Oct 7	Lt. H. Kepaa
HPC-120	A/C Inspection	2hrs	Oct 5	
HPC-120	Chief's Inspection	2hrs	Oct 7	
HPC-110-4	Water Safety	12hrs	Oct 5 to 7	Mr. V. Goo
8 HPC-120	79th Graduation	2hrs	Oct 8	
HPC-201	Intoxilyzer	8 hrs	Oct 9	Mr. G. Chang
HPC-209	Emotional Crisis Intervention	4hrs	Oct 1 to 8	Ofr. W. Hemji
HPC-203-4	DUI Procedures	4 hrs	Oct 8	Sgt. W. Ortego
HPC-110-13	Tactical Driving	48 hrs	Oct 14 to Nov 6	Sgt. H. Auld
	Firearms Training	48 hrs		Sgt. R. Burke
	Traffic Investigation	48 hrs		Ofr. A. Elliazar
HPC-110-2	Defensive Driving	8 hrs	Oct 13	Training Staff

# H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of November			
HPC-110-12 Special Weapons	8 hrs	Nov 9	Sgt. R. Burke
HPC-110-9 Night Firing	8 hrs	Nov 10	Sgt. R. Burke
HPC-202 Patrol Procedures EXAM:	90 hrs 2 hrs	Nov 16 to Dec 9 Dec 8	Sgt. D. Sakai
HPC-110-1 Cardio-Pulmonary Resuscitation			
HPC-110-10 Physical Training	(refer previous months)		
HPC-110-11 Self Defense	"	"	

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<u>Course Number &amp; Titles</u>	<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of December			
HPC-120 Drug Awareness	11 hrs	Dec 8 to 9	Maj E Uemura
HPC-110-7 Traffic Control Issuance of Citation	8 hrs 8 hrs	Dec 10	Ofr. E. Elliazar Ofr. C. Akana
HPC-110-5 Mock Crime Scenes	72 hrs	Dec 14 to 24	Training Staff
HPC-110-6 Mock Trials	32 hrs	Dec 28 to 31	Training Staff
HPC-120 Administration Time	32 hrs	Dec 24 & 31	

# H.P.D. TRAINING SCHEDULE

<u>Course Number &amp; Titles</u>		<u>Number of Hours</u>	<u>Dates</u>	<u>Instructors</u>
Month of January				
HPC-120-8	A/C Inspection	2 hrs	Jan 4	Training Staff
HPC-120-4	Comprehensive Exam	14 hrs	Jan 4 to 5	
HPC-120-8	Chief's Inspection	2 hrs	Jan 6	
HPC-120-11	Recruit Program Critique	2 hrs	Jan 6	
100 HPC-120-7	Graduation Rehearsal	12 hrs	Jan 7	
HPC-120-3	Police Chief's Greetings	2 hrs	Jan 8	Chief F. Keala
HPC-120-10	ID Photos	2 hrs	Jan 8	Personnel Division
HPC-120-2	A/C Field Opns	2 hrs	Jan 8	A/C E. Ross
HPC-120-9	4th Watch Orientation	2 hrs	Jan 8	4th Watch Sergeants

# COURSE EXAMINATIONS

<u>DATES</u>	<u>Course Numbers</u>	<u>Course Titles</u>	<u>Type</u>
June 15	HPC-204-1&2	Directives/Rules and Regulations	Academic
June 29	HPC-210	Criminal Law HPC Sec 106-668	Academic
July 6	HPC-101	Administration of Justice	Academic
July 7	HPC-204	Organization and Management	Academic
July 13	HPC-211-4	Revised Ordinances	Academic
July 13	HPC-211-1 to 4	Credit Cards/Firearms/Liquor Laws	Academic
July 17	HPC-201	Criminalistics	Academic
July 27	HPC-212-1	Laws of Arrest	Academic
July 28	HPC-212-2	Rules of Evidence	Academic
July 29	HPC-210	Criminal Law HPC Sec 900-1111	Academic
August 14	HPC-212-3	Search and Seizure	Academic
September 8	HPC-210	Criminal Law HPC Sec 701-1250	Academic
September 9	HPC-200	Criminal Investigation	Academic
September 30	HPC-207	Juvenile Administration	Academic
101 September 24	HPC-208	Report Writing	Academic
October 6	HPC-209	Emotional Crisis Intervention	Academic
October 7	HPC-203-3	Traffic Laws	Academic
October 13	HPC-110-2	Defensive Driving	Academic
October 14 to Nov 6	HPC-110-13	Tactical Driving	Skill
		Firearms Training	Skill
		Traffic Investigation	Skill
November 24 & 25	HPC-110-10	Physical Training	Skill
December 2	HPC-110-1	Cardio-Pulmonary Resuscitation	Skill
December 8 & 9	HPC-110-11	Self Defense	Skill
December 9	HPC-202	Patrol Procedures	Academic
December 18-23	HPC-110-5	Mock Crime Scenes (Situational)	Skill
January 4-5 1982	HPC-120-8	Comprehensive Examination	

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Monday	0700 - 0750	Introduction	Lecture	Reynolds/Spurlock
	0750 - 0800	Break		
	0800 - 0850	Orientation	Lecture	Reynolds/Spurlock
	0850 - 0900	Break		
	0900 - 0950	Organizational Structure Criminal Justice Overview	Lecture	Reynolds/Wales
	0950 - 1000	Break		
	1000 - 1100	Correctional History The Mission of Corrections	Lecture	Spurlock
	1100 - 1200	Lunch		
	1200 - 1250	Report Writing	Lecture	Wales
	1250 - 1300	Break		
	1300 - 1350	Report Writing	Lecture	Wales
	1350 - 1400	Break		
	1400 - 1450	Report Writing	Lecture	Wales
	1450 - 1500	Break		
	1500 - 1600	Report Writing	Lecture & Test	Wales

APPENDIX B

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Monday		<u>HOMEWORK:</u>  <u>Reading Assignments:</u>  Search & Seizure Supervision of Inmates Discipline/Control  <u>Tests:</u>  Take Home 1 & 3		
Tuesday  103	0700 - 0750	Search & Seizure	Lecture	Wales
	0750 - 0800	Break		
	0800 - 0812	Officer Safety	Video Tape	Spurlock
	0812 - 0845	Staff Inmate Relations Part 1 & 2	Video Tape	Spurlock
	0845 - 0855	Break		
	0855 - 0950	Institutional Climate	Lecture	Spurlock
	0950 - 1000	Break		
	1000 - 1025	Supervision of Inmates	Video Tape	Spurlock
	1025 - 1100	Supervision of Inmates	Lecture	Spurlock
	1100 - 1200	Lunch		



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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Tuesday	1200 - 1250	Discuss Take Home Tests 1 & 3	Review	Spurlock
	1250 - 1300	Break		
	1300 - 1350	Discipline/Control	Lecture	Reynolds/Spurlock
	1350 - 1400	Break		
	1400 - 1420	Inmates Emotional Disturbance	Video Tape	Wales
	1420 - 1450	Special Inmates	Lecture	Wales
	1450 - 1500	Break		
	1500 - 1600	Adjustment Procedures	Lecture	Reynolds/Wales
Wednesday		<u>HOMEWORK:</u>		
		<u>Reading Assignments:</u>		
		Communications Human Relations		
Wednesday		<u>Tests:</u>		
		Take Home 4 & 5		
Wednesday	0700 - 0750	Discuss Take Home Tests 4 & 5	Review	Spurlock
	0750 - 0800	Break		

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Wednesday	0800 - 0815	Officer Observation	Video Tape	Reynolds/Spurlock
	0815 - 0850	Emergency Plans	Lecture	Reynolds/Spurlock
	0850 - 0900	Break		
	0900 - 0950	Communications/Equipment	Lecture	Reynolds/Wales
	0950 - 1000	Break		
	1000 - 1100	Human/Public Relations	Lecture	Spurlock
	1100 - 1200	Lunch		
	1200 - 1220	Security in a Correctional Facility	Video Tape	Reynolds/Spurlock Wales
	1220 - 1250	Security	Lecture	Reynolds/Spurlock Wales
		a. Admissions/Release		
	1250 - 1300	Break		
	1300 - 1350	Security	Lecture	Reynolds/Spurlock Wales
		b. Tool/Key Control		
	1350 - 1400	Break		

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Thursday	0800 - 0815	Security in a Dinning Room	Video Tape	Reynolds/Spurlock Wales
	0815 - 0850	Food Services	Lecture	Reynolds/Spurlock Wales
		a. Dinning Hall		
		b. Module Dinning		
		c. Preparation		
		d. Rules and Regulations (Corrections Division - Security)		
	0850 - 0900	Break		
	0900 - 0915	Transportation of Prisoners	Video Tape	Reynolds/Spurlock Wales
	0915 - 0950	Transportation	Lecture	Reynolds/Spurlock Wales
		a. Vehicle/Common Carrier - Ground		
		b. Preparation/Search - Restraints		
	0950 - 1000	Break		
	1000 - 1100	Transportation	Lecture	Reynolds/Spurlock Wales
		a. Air		
		b. Preparation		
		c. Coordination/Contingency		
	1100 - 1200	Lunch		

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Thursday	1200 - 1215	Courtroom Demeanor	Video Tape	Wales
	1215 - 1250	Courtroom Demeanor	Lecture	Wales
	1250 - 1300	Break		
	1300 - 1600	Demonstrations	Application	Reynolds/Spurlock Wales
		a. Restraints b. Search of Inmates c. Search of Buildings/Cells  <u>HOMEWORK:</u>  <u>Reading Assignments:</u>  Drugs/Narcotics Standards of Conduct Performance Standards  <u>Tests:</u>  Take Home Block 2		
Friday	0700 - 0750	Drugs/Narcotics	Lecture	Wales
	0750 - 0800	Break		
	0800 - 0850	Standards of Conduct	Lecture	Reynolds
	0850 - 0900	Break		
	0900 - 0950	Performance Standards	Lecture	Reynolds

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SCHEDULE  
BASIC CORRECTIONAL TECHNIQUES

DAY	TIME	SUBJECT	METHOD	INSTRUCTOR
Friday	0950 - 1000	Break		
	1000 - 1100	Review of Tests	Review	Spurlock
	1100 - 1200	Lunch		
	1200 - 1250	Discussion/Critique	Review	Spurlock
	1250 - 1300	Break		
	1300 - 1350	Reveiw	Review	Spurlock
	1350 - 1400	Break		
	1400 - 1500	Final Examination	Test	
	1500 - 1600	Graduation Ceremonies		

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APPENDIX C

PROPOSED OCCC/HHSF SUPERVISION TRAINING

Course Designed for Fifteen Participants (Sgts., Lts., Capts.)

5 Days - 40 Hours

1st day, 8 hours

I. 4 hours, Objectives (Omission) in Security

- A. Job Description
- B. Roles & Responsibilities
- C. Authority (Productivity)

II. 4 hours, Scheduling

- A. Formulas (REquirements)
- B. Overtime Management
- C. Sick Leave Management
- D. Vacation

2nd day, 8 hours

III. 8 hours, Job Performance Reports (JPR)

- A. Expectations
- B. Sanctions (Restrictions)
  - 1. New Hires (Probation)
  - 2. Permanent Employees
- C. How to Write J.P.R.'s
  - 1. Words (Objectivity-Concreteness)
  - 2. Formulas
  - 3. "Stroke"

3rd day, 8 hours

IV. 8 hours, Leadership

- A. Models
- B. Methods
- C. Counselling
- D. Discipline
  - 1. Methods
    - a) Formal
    - b) Informal

4th day, 8 hours

V. 8 hours, Job Stress

- A. Problems
  - 1. Work Related
  - 2. Personal
- B. Resolution
  - 1. Action
  - 2. Referral
- C. Morale
  - 1. Absenteeism
  - 2. Turnover

NOTE: ROLE PLAY  
GROUP EXERCISE  
S- BENSON  
R (STIM)

5th day, 8 hours

VI. 4 hours, Group Exercises (Small Groups)

- A. Hypothetical Situations
- B. Critique

○ VII. 4 hours, Evaluation Exercise (Small Groups)

- A. Self
- B. Subordinate
- C. On-the-job Training (OJT)
- D. Discipline
- E. Morale

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