



# **Office of the Prosecuting Attorney**

**Fiscal Year 2021 Annual Report**

**July 1, 2021 – June 30, 2022**

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## **OFFICE OF THE PROSECUTING ATTORNEY (OPA)**

### **I. MISSION STATEMENT**

It is our mission to promote the fair, impartial and expeditious pursuit of justice in every case, to ensure safer communities, and to promote integrity in our profession. It is also our mission to temper justice with compassion, and to do our work in an open, transparent, and accountable way.

### **II. DEPARTMENT GOALS**

- A. Diligently represent the County of Kaua'i and the State of Hawai'i in the prosecution of all offenses arising under the laws of the State and the ordinances and regulations of the county of Kaua'i in a swift manner, and to ensure justice is served in each case.
- B. Advocate for crime victims' rights and ensure that victims have an active voice in the criminal process by maintaining a fully staffed Victim/Witness Program (VWP).
- C. Maintain close relationships with federal, state, and local law enforcement agencies to ensure successful prosecution of criminal offenses.
- D. Increase presence and participation at the State Legislature to ensure a coherent legislative agenda regarding public safety.
- E. Develop community-oriented prosecution by strengthening outreach, accessibility, and participation.
- F. Maintain a high level of ethical integrity and professionalism.
- G. Practice effective fiscal management and strive to achieve optimum levels of operational efficiency.

### **III. PROGRAM DESCRIPTION**

#### **OPA Case Management and Workflow**

- A. Program Objectives
  - 1. Maximize the Journal Technologies Case Management System (JustWare) features to generate accurate and meaningful statistical reports.

2. Interface between state agency database systems (Juvenile Justice Information System and Hawai'i Criminal Justice Information System).

B. Program Highlights

1. Implemented an at-a-glance dashboard in case management software that displays vital information/notes of defendant.
2. Successful integration of case management software with Kaua'i Police Department's Spillman software to automate the import and sharing of discovery documents.
3. Completed interface between OPA and State of Hawai'i Juvenile Justice Information System.
4. Regular updates of new statute language in case management software and charging manual to eliminate expired language.

Victim/Witness Program (VWP)

A. Objectives

1. Provide services to at least 800 victims.
2. Of the total number of victims who receive services, a cumulative percentage of at least sixty percent will be victims of high priority categories as follows:
  - a. Child abuse
  - b. Sexual assault
  - c. Domestic violence
  - d. Surviving family member of murder or negligent homicide

B. Highlights

1. Served 891 victims and provided 2,441 services.
2. Served 178 witnesses and provided 511 services.
3. Served 624 victims of a high priority category, or a cumulative percentage of seventy percent.

C. Program Highlights

1. Domestic violence is consistently the highest priority category and comprises 40% of all victims served during this fiscal year. Our unit created a brochure designed specifically for victims of domestic violence and translated it into 12

languages:

- Ō‘lelo Hawai‘i
- Ō‘lelo Ni‘ihau
- Ilocano
- Tagalog
- Marshallese
- Chuukese
- Pohnpeian
- Spanish
- Cantonese
- Mandarin
- Japanese
- Vietnamese

2. Participated in a multi-disciplinary team meeting with congressional staff from the offices of Senator Schatz and Senator Hirono to address the needs, response, and funding for children who have been sexually assaulted.

a. Grant Programs

Domestic Violence Prosecution Unit (DVPU)

- i. DVPU has been funded through the STOP Violence Against Women Grant since 1997. This unit consists of one 0.65 FTE Deputy Prosecuting Attorney whose primary role is to focus solely on Domestic Violence and Temporary Restraining Order violations.
- ii. DVPU’s goal is to improve public safety through efficient and effective prosecution of domestic violence crimes, including the violation of restraining/protective orders.

Grant Program Highlights

- i. From July 1, 2021 to June 30, 2022, there were two hundred twenty- three (223) domestic violence cases received, of which, one hundred six (106) cases resulting in conviction (55%).

Department of Transportation Highway Safety Grant

- i. The Department of Transportation Highway Safety Grant supports .50 FTE the Traffic Support Resource Prosecutor (TSRP). The TSRP serves as the statewide representative and is responsible for facilitating a coordinated, multi-disciplinary

approach to impaired driving prosecution and other traffic crimes, based on the National Highway Traffic Safety Administration's Traffic Safety Resource Prosecutor Manual. The TSRP mentors fellow Deputy Prosecuting Attorneys on the prosecution of vehicular crimes, such as Operating a Vehicle Under the Influence of an Intoxicant (OVUII), misdemeanor and felony Negligent Homicide and Negligent Injury cases.

#### Grant Program Highlights

- i. From July 1, 2021 to June 30, 2022, the OPA achieved a seventy-five percent (75%), or forty (40) of fifty-three (53) cases, conviction rate in vehicular crimes.

#### b. Property Crime Prosecution

##### Program Objectives

- i. Partner with community organizations and law enforcement to recognize and respond to trends.
- ii. Civil nuisance abatement of "drug houses" - which have a direct and indirect impact on property crimes.

##### Program Highlights

- i. Successful leveraging of plea agreements to convict property offenders and obtain restitution for victims of property crimes.

#### c. Community- Oriented Prosecution Program Objectives

- i. Attend community and/or Mayor's Community meetings.

##### Program Highlights

- i. Participated in multiple community interviews/programs both in-person and via video conferencing.

#### d. Support Staff

##### Program Objectives

- i. Maintain cross-training of support staff.
- ii. Provide continual support in continuous e-filing implementations by Judiciary.

#### Program Highlights

- i. Support staff received continuous training in all courts, broadening their knowledge of different court operations.
  - ii. Successfully transitioned staffing levels during the COVID-19 pandemic to fifty percent in-house and fifty percent teleworking without a reduction in service or detriment to office operations.
- e. Alcohol and Drug Abuse Division (Life's Choices)
- i. Successfully transitioned staff into assessing the issues and pinpointing where concerns are in the community and the populations impacted.
  - ii. Staff was able to focus on the Partnership for Success Assessment Plan along with other substances in adolescents.

#### Program Highlights

- i. Collaborated with various community coalitions and organizations to follow the Partnership for Success (PFS) Plan and its focus on alcohol use, along with other substances.
- ii. Drug Summit 2022. Collaboration of professionals from local, state and federal agencies, business, prevention and treatment providers, law enforcement personnel, and community stakeholders.

#### **IV. BUDGET**

- A. Operating Budget, \$5,651,836 (Ordinance B-2022-886).

#### **V. ACCOMPLISHMENTS/EVALUATION**

- A. Implemented a wide range of written policies designed to reflect the Office of the Prosecuting Attorney's mission of tempering justice with compassion, by seeking alternatives to mass incarceration for non-violent offenders who do not pose a public safety risk.
- B. During the largest surge of the Omicron Covid-19 variant on Kaua'i this winter, we successfully transitioned clerical, investigative and administrative staff into partial teleworking. This quick action provided no interruption of service to the

community and also prevented the spread of the virus as well as internal outbreaks among the staff who tested positive.

- C. Collaborated with Hale 'Opio and the Vera Institute's Motion for Justice Program to implement a program that would create a measurable reduction in racial disparities in case outcomes; increased understanding of history of racial injustice within the criminal justice system among deputies, advocates and administrative staff, especially in the Hawai'i-specific context of colonialism; community engagement and understanding of the campaign's justice to pursue racial equity.
- D. Completed a successful jury trial resulting in the conviction of Murder in the Second Degree while strategically balancing the challenges of COVID-19's impact on the Judiciary system and operational procedures.
- E. Improved the phone directory system so that phone calls are directed to a live person working in each section of the office so that callers received immediate assistance and reach the pertinent section that they are calling for.