



# **Office of the Prosecuting Attorney**

**Fiscal Year 2019 Annual Report**

**July 1, 2018 – June 30, 2019**

Justin Kollar  
Prosecuting Attorney

## **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 functional 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. Improved and streamlined the discovery sharing process through the implementation of evidence.com, a web-based software that allows secure sharing of body cam videos between KPD, OPA and defense counsel.

Victim/Witness Program (VWP)

A. Objectives

1. Of the total number of victims who receive services, a cumulative percentage of at least sixty percent (60%) 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 942 victims and provided 2,590 services.
2. Served 274 witnesses and provided 686 services.
2. Served 649 victims of a high priority category, or a cumulative percentage of sixty-nine percent (69%).

a.7 Grant Programs

**Sex Assault Prosecution Unit (SAPU)**

- i. SAPU was established on July 1, 2016. This unit consists of one (1) 0.90 FTE Deputy Prosecuting Attorney that focuses solely on sex assault cases crimes that occur in the County of Kaua'i.
- ii. SAPU's goal is to improve public safety through efficient and effective prosecution of those who commit sexual assault crimes and increase services to victims of sexual assault.

### **Grant Program Highlights**

- i. From July 1, 2018 to June 30, 2019, there were a total of forty (40) cases received. Eighty-two percent (82%), or twenty-seven (27) out of thirty-three (33) cases closed, resulted in conviction.

### **Domestic Violence Prosecution Unit (DVPU)**

- i. DVPU has been funded through the STOP Violence Against Women Grant since 1997. This unit consists of one (1) 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, 2018 to June 30, 2019, there were a total of two hundred ninety-nine (299) domestic violence cases received and twenty-one (21) violation of protective orders cases received. Ninety-eight percent (98%) or 116 out of 118 cases closed resulted in conviction.

### **Department of Transportation Highway Safety Grant**

- i. The Department of Transportation Highway Safety Grant supports 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**

In Calendar Year 2018, the OPA achieved an eighty-seven percent (87%), or 127 cases out of 146, conviction rate in vehicular crimes.

### **Drug Nuisance Abatement Unit**

- i. The Drug Abatement Unit (DNAU) was established on April 1, 2017. The unit consists of a 1.0 FTE Special Investigator who focuses on conducting efficient and effective investigations of all drug nuisance abatement complaints, assists in the prosecution of these

complaints, and raises community awareness on how to effectively report drug nuisance in local neighborhoods and communities.

#### Grant Program Highlights

- i. Since its inception, the DNAU has successfully closed down and disrupted activities of more than twenty (20) drug houses on Kaua'i. In most situations, the investigator is able to work with the homeowner and mortgage companies to address the problem property without the need to resort to litigation.

#### Career Criminal Prosecution Unit

- i. The Career Criminal Prosecution Program (CCPP), funded by the State of Hawai'i Department of the Attorney General, funds one full time Deputy Prosecuting Attorney whose primary focus is to investigate and prosecute individuals identified as "career criminals" as well as liaison with the Department of Justice Offices of the United States Attorneys.

#### Grant Program Highlights

- i. Thirteen (13) new cases were opened and charged as career criminals, with a total of twenty-eight (28) counts of offenses.
  - ii. Twenty-one (21) career criminal cases and sixty-nine (69) counts received dispositions.
  - iii. Seventeen (17) cases and eighteen (18) counts of career criminal dispositions were convicted by either plea agreement or trial.
- a. 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.
  - ii. Filed first ever complaint for abatement of nuisance
- b. Community- Oriented Prosecution

#### Program Objectives

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

Program Highlights

- i. Participated in multiple community interviews/programs

c. 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.

**IV. BUDGET**

- A. Operating Budget, \$4,345,660 (Ordinance B-2018-841).

**V. ACCOMPLISHMENTS/EVALUATION**

- A. Maintained low turnover in staff.
- B. Effectively partnered with state and federal partners on legislative initiatives.
- C. Crime rates in the community remained low.