



Supreme Court — THE JUDICIARY • STATE OF HAWAII

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JUDICIARY COMM. NO. 29

Mark E. Recktenwald
CHIEF JUSTICE

December 23, 2020

Honorable Ronald D. Kouchi
Senate President
Hawaii State Capitol
415 S. Beretania Street, Room 409
Honolulu, HI 96813

Honorable Scott K. Saiki
Speaker, House of Representatives
Hawaii State Capitol
415 S. Beretania Street, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Section 614-3(d), Hawaii Revised Statutes (Act 179, Session Laws of Hawaii 2019), the Judiciary is transmitting a copy of the Report on the Criminal Justice Research Institute.

In accordance with Section 93-16, Hawaii Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

MARK E. RECKTENWALD
Chief Justice

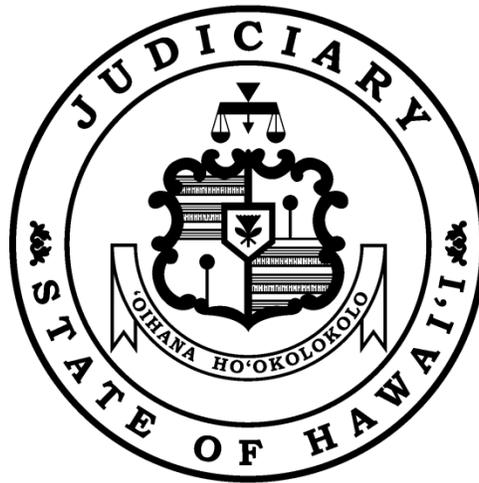
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**ANNUAL REPORT TO THE THIRTY-FIRST LEGISLATURE
2021 REGULAR SESSION**

ON

**ACT 179, SESSION LAWS OF HAWAI'I 2019
HRS § 614-3 (d)**

A Report on the Criminal Justice Research Institute



Prepared by:

**Criminal Justice Research Institute
Office of the Chief Justice
The Judiciary, State of Hawai'i**

December 2020

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A Report on the Criminal Justice Research Institute

This report is respectfully prepared pursuant to Act 179, Session Laws of Hawai'i 2019, Hawai'i Revised Statutes (HRS) 614, which requests an annual report from the Criminal Justice Research Institute that reviews and analyzes data on the criminal pretrial system and includes, if applicable, any proposed legislation.

BACKGROUND

The Criminal Justice Research Institute (CJRI) was established with Act 179 for the purposes of collecting and analyzing criminal pretrial system data and conducting research for the state to support the criminal justice system. Within this context, HRS § 614-3 directs the Criminal Justice Research Institute to provide an annual report to the legislature. Specifically, the law states: "The institute shall compile an annual report that reviews and analyzes data from the system to evaluate the effectiveness of the State's criminal pretrial system and identify possible improvements. The institute shall submit the report, including any proposed legislation, to the legislature no later than twenty days prior to the convening of each regular session".

In addition to an evaluation of Hawai'i's criminal pretrial system, CJRI is authorized to study all areas of the criminal justice system in order to provide a more comprehensive approach to helping the state protect the rights of individuals, increase system efficiencies, and apply cost controls, if warranted. HRS § 614-2 lists these primary functions as, but are not limited to: "(1) Collecting data to monitor the overall functioning of the criminal justice system; (2) Monitoring evidence-based practices and reporting on the effectiveness of practices and policies implemented as a result of the recommendations of the criminal pretrial task force established by House Concurrent Resolution No. 134, House Draft 1 (2017); (3) Conducting cost-benefit analysis on various areas of operations; (4) Monitoring national trends in criminal justice; and (5) Issuing public reports to inform all criminal justice stakeholders and the public about key areas of the criminal justice system" (HRS § 614-2 (b)).

The annual report is designed to provide an update to the legislature on the activities of CJRI, with a primary focus of an analysis of the criminal pretrial system.

ACCOMPLISHMENTS FOR 2020

CJRI is newly established within the Judiciary. The members of the CJRI Board are dictated by Act 179 and they were appointed by specific governmental entities. The Board members are:

Office of the Chief Justice: Judge Matthew J. Viola, First Circuit Court;
Office of the Governor: Nicole C. Fernandez, Department of Public Safety;
Office of the Director of Public Safety: Shelley D. Harrington, Department of Public Safety;
State of Hawaii, the Senate President: Peter Wolff, Federal Public Defender (retired)
State of Hawaii, Speaker of the House of Representative: Vacant.

The Judiciary through the efforts of the CJRI Board developed position descriptions for all positions allocated by ACT 179. The CJRI Board conducted applicant reviews and interviews, which culminated in the hiring of an individual for the Director position. The Chief Justice concurred with the Board's recommendation and we are proud to report that the selected Director has the knowledge, skills, and abilities to ensure the requirements of ACT 179 are met. The Chief Justice appointed Dr. Erin Harbinson as the Director of the Criminal Justice Research Institute in October 2020. Dr. Harbinson has the credentials and experience, which includes a doctoral degree in criminal justice and prior experience conducting research and technical assistance with other State criminal justice agencies. The CJRI Board has been meeting regularly, at least once per quarter. Since Dr. Harbinson was hired, the board has met with her and will continue to require at a minimum, quarterly meetings on the status of CJRI. The Director will be working closely with the Board in setting policy objectives for CJRI.

GOALS FOR 2021

CJRI's Director will continue to meet with impacted agencies prior to formulating a centralized statewide criminal pretrial data reporting and collection system. The varying data collection systems (i.e., Judiciary, County Police, Prosecutors, Department of Public Safety, etc.) and the capacity of the data to be used for research requires an understanding of the technological limitations of each system.

The first priority for the CJRI is to develop a plan to collect the data from the various systems to create a unified and centralized data system for criminal pretrial information. Due to the complexity of the data systems across the state, as well as budget and staffing constraints, the timeline to develop a criminal pretrial data collection system is currently difficult to outline with specific parameters. To accomplish this requirement, Dr. Harbinson is developing an action plan for CJRI that will include prioritized goals and objectives for establishing the centralized criminal pretrial data collection system.