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December 22, 2021

Via electronic submission

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott Saiki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Section 614-3(d), Hawaii's Revised Statutes (HRS), 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,

A handwritten signature in blue ink that reads "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

Attachment

- c: Legislative Reference Bureau Library
 Office of the Clerk, Hawaii State Senate
 Office of the Clerk, Hawaii House of Representatives



CRIMINAL JUSTICE RESEARCH INSTITUTE

2021 ANNUAL REPORT

PREPARED BY

Erin Harbinson, PhD

BACKGROUND

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. 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. Due to the complexity of the criminal pretrial process and data in the state, HRS § 614-3 acknowledges there are several steps needed before establishing a centralized statewide criminal pretrial database:

“(b) In establishing the system, the institute shall take all necessary and appropriate steps, including: (1) Identifying all current databases utilized by various state agencies to track criminal pretrial information; (2) Determining the administrative and technological feasibility of aggregating and sharing current data; and (3) Identifying critical gaps in data and information collection that are required for a robust assessment of criminal pretrial justice matters.”

This annual report reviews activities related to developing the criminal pretrial database in addition to other activities authorized under CJRI and presents an overview of the first full calendar year CJRI had a staff person to plan and carry out tasks associated with Act 179. HRS § 614-3 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.” While the database is developed, CJRI will share progress on activities in the annual report and will share data and other recommendations once a database is established with accessible data for analysis.

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. HRS § 614-2(b) reviews the scope of CJRI's work, including monitoring data and evidence-based practices of the criminal pretrial system, conducting cost-benefit analysis, monitoring national trends, and issuing reports to the public about the criminal justice system.

The CJRI annual report for 2021 provides an update to the Legislature on the activities of CJRI, including the progress towards the centralized statewide criminal pretrial database and other responsibilities articulated in Act 179.

Addressing Our Responsibilities in Act 179

page 4

Building Our Organization

page 6


Reviewing Activities from 2021

page 10

Planning Activities for 2022

page 18

ADDRESSING OUR RESPONSIBILITIES IN ACT 179



Before reviewing CJRI activities from the past year, we provide some context for the criminal pretrial landscape that directly impacts our work. Act 179 included several measures related to the criminal pretrial system in the State of Hawai'i. Besides establishing CJRI as an organization, it outlined a broad scope of work. One main priority is to establish and maintain a “centralized statewide criminal pretrial justice data reporting and collection system” (HRS § 614-3). By creating a centralized database, CJRI will be able to monitor the criminal pretrial system in the state and develop recommendations for improvement. Where appropriate, CJRI will share suggestions for legislation in its annual report.

The law around Act 179 recognizes that developing a centralized statewide database is a substantial undertaking. For instance, the law lists multiple steps including a scoping and planning process to understand the feasibility of aggregating and sharing data, and identifying gaps in the data (HRS § 614-3). As documented in the work of the Criminal Pretrial Task Force¹, the criminal pretrial system spans across many agencies including state and county authorities. Not only do these agencies have different roles, rules, and laws impacting their duties, but their data sources are just as disconnected and dispersed. Data resides in different databases and IT platforms, many of which are difficult to merge for any analysis on statewide trends or evaluation. Related, CJRI does not own or house these data and must work with agencies across the system to learn the barriers and possibilities for the criminal pretrial database, as well as discern the various limitations and gaps in the data. Despite these challenges, CJRI has been fortunate to develop productive relationships with key decision-makers across the criminal pretrial system and join interagency partnerships in the state to facilitate this work.

Scope of CJRI in HRS § 614-2



Collecting data to monitor the overall functioning of the criminal justice system



Monitoring EBP and reporting on the effectiveness of practices and policies implemented as a result of the recommendations of the criminal pretrial task force



Conducting cost-benefit analysis on various areas of operation



Monitoring national trends in criminal justice



Issuing public reports to inform all criminal justice stakeholders and the public about the functioning of the criminal justice system

While much work must be accomplished to develop a pretrial database, it is important focus on the reasons one is needed. The database will help CJRI monitor performance indicators, trends, and evaluate the system in order to make recommendations to improve the criminal pretrial system. In other words, the database must be developed as an accessible and reliable resource to provide actionable information. CJRI is developing a plan for a database in a proactive and meticulous manner to ensure the database meets the goals of the law while also developing the work in a collaborative way. Additionally, financial resources may be required to create a database, therefore thorough scoping and planning is occurring to ensure requests for resources are well planned and used responsibly and efficiently. More detail on the planning for the database is provided in the activities update.

The law describes CJRI responsibilities to accomplish steps to establish the criminal pretrial database and outlines other tasks to promote the use of research for the state (HRS § 614-2). The scope of CJRI's research is summarized in the graphic at the top of the page.

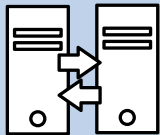
BUILDING OUR ORGANIZATION

BUILDING OUR STRATEGIC PLAN

CJRI was established with Act 179 in 2019, and thus created a brand-new organization administratively attached to the Office of the Chief Justice, Hawai'i Judiciary. CJRI is unique from many other research branches within the state because staff do not conduct research on behalf of one agency, and instead, considers the “big picture” by examining the entire system as a whole. As a new organization, CJRI needed to develop a firm foundation to meet the requirements in Act 179 and to develop a strong framework as a reputable and independent research organization for the state. A range of activities were undertaken by the director in the first year to accomplish this including drafting policies and procedures, crafting a research agenda, planning communications strategies to disseminate research, learning from other statewide criminal justice research organizations across the country on their best practices, and developing relationships with individuals across the criminal justice system, stakeholder groups, and the community. A strategic plan was developed as one essential undertaking to develop a strong organizational foundation. Presented below are our three primary goals, which were created to direct CJRI's work towards meeting the requirements in Act 179 and identify proactive and innovative goals to pursue research in the future. For more information on our goals, objectives, and strategies developed in 2021, please refer to our strategic plan document.

This strategic plan will guide the work of CJRI. Staff will refer to it regularly and use it to measure progress and prioritize requests for research and support. CJRI will update the CJRI board on goal progress regularly at the CJRI board meetings, which meet, at a minimum, quarterly.

STRATEGIC PLAN GOALS



Goal 1: Establish centralized statewide criminal pretrial justice data reporting and collection system mandated by Act 179.



Goal 2: Identify baseline metrics across the criminal justice system that measure goals of the system, in addition to exploring other measures regarding fairness, justice, and equity that are important to communities and individuals impacted by the system.



Goal 3: Disseminate research and share data on criminal justice topics in a wide range of formats to assist policymakers and the public in making informed decisions.

BUILDING OUR STAFF

CJRI received funding to hire staff to support the director in summer 2021 and began recruitment shortly thereafter. We are thrilled to announce our first research analyst was hired and began working for CJRI this fall. We have continued to recruit for the remaining two positions with the intent to fill them with candidates that satisfy the requirements and will carryout the mission. Learn more about the staff of CJRI, who are dedicated to conducting research to support and improve the criminal justice system in Hawai'i.

AERIELLE REYNOLDS, MS, RESEARCH ANALYST

Aerielle Reynolds is currently pursuing her PhD in criminal justice from Capella University, and has received her Master of Science in criminal justice administration and her Bachelor of Science in criminology and criminal justice from Chaminade University of Honolulu. Her research experience includes her time as a research fellow at Yale University's Summer Undergraduate Research Fellowship and at Purdue University's Summer Research Opportunities Program.

Her research interests include plea bargaining, corrections, recidivism, rehabilitative programming, alternatives to incarceration, and issues related to race and gender in crime.

ERIN E. HARBINSON, PHD, DIRECTOR

Prior to joining CJRI, Dr. Erin Harbinson was a research scholar for the Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota Law School where she led projects studying community corrections, authored several technical reports, and secured funding for research. Dr. Harbinson has

worked as a policy analyst for the Council of State Governments Justice Center conducting technical assistance for states implementing justice reinvestment legislation. She received her PhD in criminal justice from the University of Cincinnati and worked for the University of Cincinnati Corrections Institute. While there, she conducted trainings on risk assessment and evaluated correctional programs.

Her research interests include criminal justice policy, risk assessment, and improving the measurement of performance metrics and outcomes in criminal justice. Dr. Harbinson has been invited to speak on evidence-based practices, applied criminal justice research, and cybercrime. She has published research on parole, corrections, risk assessment, white-collar crime, and cybercrime in journals such as *Criminal Justice and Behavior*, *Journal of Crime and Justice*, *Criminal Justice Studies*, and *European Journal of Probation*.

BOARD MEMBERS

The staff at CJRI could not accomplish their work successfully without the expertise of the board. Each of the board members brings valuable knowledge from their respective roles and experience across the criminal justice system and the policymaking realm. The criminal justice system is wide-ranging, and the board is essential in helping prioritize projects and providing feedback on ways to communicate research. Their collective experience has improved the work of CJRI in several ways.

The CJRI staff thank the board members for their ongoing work and support: Judge Matthew J. Viola, CJRI Board Chair, Senior Family Court Judge, Judiciary; Nicole C. Fernandez, Corrections Programs Specialist, Department of Public Safety; Shelley Harrington, Department Human Resources Officer, Department of Public Safety; Representative Scot Z. Matayoshi, Hawai'i State Representative - District 49; and Peter Wolff, Federal Public Defender (retired).

REVIEWING ACTIVITIES FROM 2021



PRIORITIZING ACT 179

The director of CJRI started in November 2020 and shortly thereafter began planning the development of a centralized statewide criminal pretrial database and creating a strong foundation for a new organization. The director incorporated a series of methods to carryout directives described in Act 179 by focusing on the first steps to develop the database, which include:

- "(1) Identifying all current databases utilized by various state agencies to track criminal pretrial information;
 - (2) Determining the administrative and technological feasibility of aggregating and sharing current data; and
 - (3) Identifying critical gaps in data and information collection that are required for a robust assessment of criminal pretrial justice matters"
- (HRS § 614-3).

While accomplishing this work, CJRI has identified a range of logistical challenges and barriers that require a thorough planning process. Currently, criminal pretrial data is located in various databases and agencies throughout the state. As a result, the only way to analyze criminal pretrial data is to 1) rely on a separate agency to produce their own statistics for a limited snapshot of pretrial or 2) request manual data extractions from several agencies that require considerable staff time to prepare for analysis. There are some trends and metrics that can be produced within one agency's data. But these snapshots only share one part of the system and it takes several data fields from several agencies to calculate many of the performance metrics important to monitor for criminal pretrial (and suggested in law). Due to this complexity, CJRI began a project to test and scope out the work required to merge data and prepare it for analysis.

CJRI has initiated a criminal pretrial data pilot to address the complicated nature of the statewide data. Early on in the pilot process, CJRI discovered the significant amount of time required for a researcher to prepare data for a statewide analysis of the criminal pretrial system. The manual labor and time to restructure files and clean the data files takes substantial time, especially when different identifiers from different agencies must be used and data dictionaries are rare. Over the past year, CJRI has prioritized planning for the database due to the long-term nature of pursuing the project and the long-term benefits of establishing the database.

Another issue involves data quality, which is a long-term issue that will need to be addressed, but can be addressed as the database is planned. Most administrative data that is pulled from agency databases suffers many data quality issues. Not for the lack of interest by staff, but because *data are collected for agency operations and not for research*. A large amount of data is written

in text fields in order to provide staff with thorough notes to make decisions about cases, but this data cannot be pulled for quantitative analysis. There are other issues such as missing data or different data definitions. It is important to verify these issues and either address them or in some cases, identify the limitations. Otherwise, any findings produced from these analyses could be the result of data issues, and not actual trends or relationships occurring in the pretrial system. The data pilot will be used to work through and document issues related to data quality. This will be an ongoing effort along with database planning.

CJRI has used several methods to document the span of the criminal pretrial system and the databases and data issues across it. This has been critical to understanding the feasibility of merging data sources for a centralized database. An overview is provided below on the methods used to form recommendations for the centralized statewide criminal pretrial database.

Methods to Develop Recommendations

 Task Force Report	 Policy Review	 Literature Review	 Case Studies	 Observations	 Data Pilot
Relied on the wealth of information already documented by HCR 134 Task Force about Hawai'i's criminal pretrial system	Reviewed policies - HRS, rules, administrative - to learn landscape of pretrial operations and practices	Reviewed literature (and will continue to do so) on pretrial research to ensure database recommendations reflect up-to-date metrics in addition to metrics identified in HRS	Examined examples of other states establishing similar initiatives and consulted with agency experts to learn from their experiences	Met with sample of key decision-makers and actors in pretrial and observed pretrial practices to learn how practice and policy align	Piloting data analysis by using statewide datasets to document technological feasibility of linking and merging data, and understanding data capacity for trends and research

DATA ISSUES TO ADDRESS

Technology: Separate databases and IT systems across all agencies.

Legal: Unique data sharing requirements for each agency and varying levels of protections for different types of data.

Inconsistency: Different definitions for shared data elements, and in some databases, no consistent unique identifier to link records.

Quality: Varying levels of data quality within each agency, including reliability and validity of data elements tracked.

Resources: Addressing these concerns requires technology to link and host a centralized statewide database in a form that can be extracted and analyzed.

Based on our activities this past year, CJRI concludes that it is technologically feasible to create a centralized statewide criminal pretrial database, however, it is only possible with additional resources and comprehensive, long-term planning. CJRI is authoring a technical report documenting information necessary to plan and implement a database of this magnitude. The report includes information that will allow stakeholders to make an informed decision about identifying a technological solution for the criminal pretrial database. Draft findings of the report will be shared publicly before it is finalized. The report documents critical information, including: 1) databases across the criminal pretrial system and agencies impacted by the development of a centralized statewide database, 2) barriers that must be overcome, 3) the pros and cons of potential database options, 4) examples demonstrating how the database could be used to monitor and evaluate the criminal pretrial system, and 5) an implementation plan that outlines crucial steps to establish the database. CJRI has engaged with staff impacted by this work across the criminal pretrial system. This kind of undertaking should have cross-agency support and an implementation plan to ensure resources provided to develop the database are used efficiently and wisely. This includes both financial resources and staff time.

A more comprehensive report is forthcoming, but a summary of barriers to overcome are on the left.

ENGAGING WITH POLICYMAKERS AND THE COMMUNITY

As CJRI developed a strategic plan and initiated work for the centralized statewide criminal pretrial database, staff recognized a critical component of doing this work resided with building relationships and partnerships with criminal justice agencies, policymakers, and community organizations. CJRI does not own or house any of the criminal justice data, but must work with agencies to access and use it for research. Fortunately, CJRI staff have met many people across the system who have been eager to share their knowledge and partner with us to accomplish our work from Act 179 as well as develop other partnerships that support the criminal justice system. In order for CJRI to produce reports and recommendations that help inform policymakers and the community, CJRI must engage in activities that translate research into actionable information for the state of Hawai'i. Summarized below are some highlights of CJRI stakeholder engagement and partnerships from this past year.

COMMUNICATING RESEARCH

This past year a series of webinars, *Confronting Racial Injustice: Achieving Racial Equity in Hawai‘i*, was co-sponsored by the Judiciary’s Committee on Equality and Access to the Courts, the King Kamehameha V Judiciary History Center, and the Hawai‘i State Bar Association’s Civic Education Committee. Dr. Harbinson served as a panelist on “Data and the Criminal Justice System” on January 29, 2021. Associate Justice Sabrina McKenna provided introductory remarks and the panel was moderated by Willie Bagasol, Supervising Deputy Public Defender. Other panelists included Steven Alm, Honolulu City Prosecutor, and Dr. RaeDeen Keahiolalo, Principal at Magma LLC. Despite the different roles the panelists have in the criminal justice system, they all discussed the challenges in studying racial equity but recognized the urgency in doing so. Many of the obstacles in studying ways to improve racial equity are similar to the barriers for creating a centralized statewide criminal pretrial database.

This panel helped clarify ways in which CJRI could contribute to research on racial equity. More information is available in the next section that describes the formation of a data working group that will address ways to improve criminal justice data collection for race and ethnicity in Hawai‘i.

CJRI participated in an informational briefing with the House Committee on Corrections, Military, and Veterans in January 2021 prior to the legislative session. Members of the committee were interested in learning about individuals that had been released under Supreme Court orders during 2020 in an effort to reduce community transmission of COVID-19. The orders occurred after a motion was filed by public defenders and a process was initiated for them to request release for individuals who met certain criteria (i.e., non-violent offenses), which were then reviewed by judges for consideration. CJRI examined data for a small non-representative sample of people post-conviction who had been released in April 2020 in order to take a first look at this topic. Many policymakers

and the public across the country are interested in these types of actions – *what happened to crime in the community when more community options were used as an alternative to incarceration?* Across the country, state prisons, local jails, and the federal prison system sought ways to reduce incarcerated populations because of concerns about the health of people living and working in incarcerated settings, as well as the concerns with transmission into the community.² Many of these actions were aligned with research supporting the use of community alternatives, but were accelerated during COVID-19.³ While substantial changes were made to use more community options across the country, unfortunately, it is very difficult to evaluate the impacts these measures had on crime rates because of other simultaneous, far-reaching changes across the criminal justice system.⁴ For example, it is difficult to determine the impact of any actions on crime rates when they are often analyzed with arrest data. Police officers might have reduced the number of arrests and increased the use of cite and release alternatives. A range of methodological issues prevent CJRI from analyzing the impacts of changes during COVID-19 on crime, however, CJRI continued to look into this issue and has since analyzed additional data. Some lessons learned from this analysis are available in a separate report.

SERVING AGENCY PARTNERS AND THE COMMUNITY

The Interagency Council on Intermediate Sanctions (ICIS) is an organization comprised of staff from many criminal justice agencies and offices across the state. Their efforts focus on reducing recidivism and preventing future victimization. The annual recidivism study is an important part of this group's work.⁵ This study tracks recidivism in the state each year to understand how the system is changing and improving. This research project and several more illustrate the group's mission in

action of using data to inform their work. Because systemwide research is critical to this group, CJRI staff has joined meetings and workgroups to identify additional ways to partner and collaborate on projects. More detail is provided in the Activities for 2022 section regarding CJRI and ICIS collaborations.

Staff at CJRI are participating in groups that align with strategic plan priorities while serving important efforts to improve the state's criminal justice system. Dr. Harbinson was appointed by the Chief Justice to serve as a commission member for the Gun Violence and Violent Crimes Commission (GVVCC). The GVVCC is chaired by Christopher D. W. Young in the Department of the Attorney General's office with several members spanning the criminal justice and health systems. CJRI has embraced other opportunities this past year to learn from and work with other community members in the areas of domestic violence, gender responsive issues, and several other topics in criminal justice. These efforts are important to furthering CJRI's work. Often, initiatives occur in silos, but CJRI strives to work with others to ensure they are not duplicative and seeks ways to collaborate.

DISSEMINATING RESEARCH

Staff at CJRI have been planning a platform to share our work and resources in an accessible and informative way. CJRI will host a website to disseminate the findings from our research and lessons learned from across the country. The website will include research reports and materials authored by staff, as well as information on projects and initiatives underway. The website will focus on making research and data digestible for a varied audience to help inform the public on complex criminal justice issues.

PLANNING ACTIVITIES FOR 2022



The strategic plan guides CJRI activities to ensure we prioritize our responsibilities outlined in the law.

CJRI staff reviewed the strategic plan and considered current research needs along with the requests received from our stakeholders and criminal justice partners to identify activities for the next year. Because the criminal justice system is broad and the number of potential projects can outweigh CJRI resources, we presented the proposed activities below to the CJRI board for review.

We will pursue the activities in this section to help us accomplish our goals and address the needs of the criminal justice system in Hawai'i for 2022. The activities are organized by each of the three goals from the strategic plan. This is not an exhaustive list and will be flexible, based on resources and other needs that may arise over the next year.

In furtherance of **Goal 1: Establish centralized statewide criminal pretrial justice data reporting and collection system mandated by Act 179.**

Review technological solutions for the database including potential timelines and costs. Based on CJRI's research and review of other similar state efforts to link disparate data systems, there are varied options to pursue for a technological solution to create the database. CJRI will report out on these options by describing the strengths and weaknesses of different database options, and estimate costs associated with each of the them. Related, CJRI will clarify business needs from an IT perspective to provide more information regarding the database or software solutions sought. Other states have pursued similar work in their own ways with varied technological partnerships and contracts. There are many logistical issues to work through for the creation of a database of this magnitude, as well as challenges working within many legal and procurement constraints. CJRI is conducting a thorough search of technological solutions to ensure a cost-efficient option is available. This information will help inform the selection of a database and request for resources to support it.

Finalize technical report that documents the findings from the review of the criminal pretrial system during 2021 and provides recommendations to develop centralized statewide criminal pretrial justice database. CJRI has dedicated time this past year to prioritize the database as directed by law. As described earlier in this report, a variety of methods were employed to identify local databases, determine the technological feasibility of creating the pretrial database, and document gaps in data (HRS § 614-3). This appraisal will be included in the report and provides sufficient information to identify different options for the state to consider for a centralized statewide database for criminal pretrial data.

The technical report will include an implementation plan in anticipation of the extensive amount of coordination necessary to create a database across agencies and staff. A substantial amount of manual labor is required to merge, clean, and analyze criminal pretrial data in its current form across various criminal justice agencies in the state. Because of limited staffing resources, CJRI needs to identify a priority: either pursue and plan for a technological solution, or focus on manual data extractions and clean data to analyze historical criminal pretrial data in next year's annual report. CJRI observes the value of the long-term benefits of establishing a database bridged across systems with a software and/or IT solution and as such, will prioritize planning for this option. Most importantly, this option will meet the goals of creating a database as articulated in Act 179. An implementation plan will be necessary to coordinate across different agencies and different staff and departments within those agencies. CJRI staff has already engaged staff from different agencies to receive input and feedback on the development of this plan.

Establish a data working group comprised of members involved in research and data collection across primary agencies involved with the criminal pretrial system. There are several steps required to understand the data landscape across the state's criminal pretrial system. The law describes this process as "Identifying critical gaps in data and information collection that are required for a robust assessment of criminal pretrial justice matters" (HRS § 614-3). This includes identifying missing data that is not collected in current databases, learning what information is collected electronically or through paper files, assessing how consistently information is entered by agencies, and many other challenges related to data. These issues pose several barriers to the development of a database and especially concerning the quality of the data. However, it will take experts from each of the agencies to identify these issues and develop realistic solutions to address them. It is important to have these staff involved when a centralized statewide database is developed. Each agency contributing data to this new system will need to identify new

policies and processes to enter data within their respective agency. The data working group will need to include a research and/or IT person from each of the main agencies hosting databases with criminal pretrial information.

Continue pretrial data pilot to understand data quality issues, including missing data, inconsistent data, and other gaps that prevent the development of a comprehensive database. CJRI initiated a data pilot in 2021 to assess and document the technical challenges of merging and analyzing criminal pretrial data sources. This data pilot is a long-term project due to the complexity of the data sources. For instance, data must be manually extracted from different agencies and merged. This process is not straightforward because of varying database structures, such as differences in the unit of analysis (i.e., tracking an individual or a court case) and subsequent use of unique identifiers (i.e., an arrest number or a state identifier for the individual), or different data definitions across and within agencies. Missing data and data entry errors are other common data quality issues. Data quality is critical to a database since researchers must calculate performance metrics from reliable and valid measures. Reliability refers to consistency. To illustrate, each data entry person would measure a concept and enter the same information the same way each time. Validity, however, refers to how well the variable or construct reflects the concept it is intended to measure. For example, risk assessment tools are subjected to validation studies in which a tool is analyzed with statistics to determine if the tool predicts the outcome it was intended to predict. If a risk assessment tool developed to predict recidivism demonstrates a significant relationship predicting the outcome of rearrest, the tool is viewed as having predictive validity. Data quality is critical to research. If invalid or unreliable measures are used to calculate criminal pretrial performance indicators, the results could be inaccurate or incorrect.

In furtherance of Goal 2: Identify baseline metrics across the criminal justice system that measure goals of the system, in addition to exploring other measures regarding fairness, justice, and equity that are important to communities and individuals impacted by the system.

Task data working group with identifying ways to improve data collection for race and ethnicity data for the criminal pretrial database. CJRI will study issues of racial equity in the criminal pretrial system, and subsequently has made it a priority to help address obstacles in studying this locally. This past legislative session, Senate Concurrent Resolution No. 5 (2021) called for the disaggregation of Native Hawaiian and Pacific Islander data in recognition of the need to have more accurate data on race and ethnicity for the state of Hawai'i. However, several changes will need to be made to operations and processes to do this. An underlying barrier to studying race and the criminal justice system is due to the data quality issues with race and ethnicity data. Research in other fields has explored different ways to measure race and ethnicity, and one major challenge resides in the way in which it is collected.⁶ Depending on the research and the setting, some might ask an individual to self-report while others might use observation to collect it. There are assorted issues to consider with these different approaches. Another impediment to disaggregating this data is related to IT. Most criminal justice data systems have drop-down fields in their IT system for information (such as gender) collected with frequency and with categories. Many agencies may need financial support and IT help to make changes to their databases. Regardless of the operational process, it also requires data entry staff to be trained on collecting the information consistently. In some agencies where data systems are used by most line staff as a case management system, that could mean creating new policies and training hundreds of staff. The data working group is well-suited to identify ways to improve the data collection process regarding this information, and CJRI will coordinate with the Office of Hawaiian Affairs and the SCR5 Data Governance Task Force on this endeavor.

Conduct ICIS annual recidivism study and use the study to begin exploring statewide performance metrics. One of the most common, if not the most common, metric used in the criminal justice system is recidivism. In years prior, an annual recidivism study was conducted by research staff in the Crime Prevention and Justice Assistance Division, Department of Attorney General's Office. This study is essential to ICIS since they focus their efforts on reducing recidivism, and this study has been conducted over the years to benchmark and monitor the work of ICIS. CJRI will conduct the next annual recidivism study as collaborative effort to continue this work for ICIS and as part of CJRI's goals to improve metrics for the criminal justice system.

CJRI research staff is looking forward to conducting this study that provides vital information about the state's criminal justice system.

Furthermore, working with this data will allow CJRI to identify baseline metrics for the criminal justice system.

Analyze data on risk and needs assessments information to provide a snapshot of the programmatic needs of people across the criminal justice system. CJRI has participated with various interagency workgroups and meetings this past year to identify partnerships as it pursues research projects. It is not uncommon for research and policy changes to occur in silos, and we strive to bridge those efforts. CJRI will examine data on the programmatic needs for individuals in the criminal justice system, including individuals who are incarcerated and reentering the community. This data will be analyzed in the context of the broad evidence-base for practices that reduce recidivism and will supply local data to inform the work of organized efforts focused on improving corrections. Several stakeholders have expressed interest in this topic and as a result, CJRI will build off of the recidivism study and take a closer look at the programmatic needs of the criminal justice population.

In furtherance of **Goal 3: Disseminate research and share data on criminal justice topics in a wide range of formats to assist policymakers and the public in making informed decisions.**

Publish website for CJRI that provides organizational information, links to reports, and other material to provide timely and accessible information for criminal justice decision-makers and the public. CJRI has planned a website to make resources accessible for the public. CJRI will use the site to share reports, presentations, and other materials developed by staff. We are cultivating a resource and identifying creative and innovative ways to explain complex criminal justice research for a wide audience. We will use the site to host this information such as data visualizations or webinars.

Finalize first current issues brief reviewing and sharing research for the community. CJRI has begun drafting its first current issues brief, which is a short summary of a current policy issue and research on the topic. The first brief will focus on an issue related to pretrial. It may be difficult to conduct studies with local data, but often, there are other studies to refer to that can inform local decision-making. CJRI can use this format to share national trends and lessons learned from other jurisdictions. The goal of the current issues brief is to disseminate research and information in a digestible way for a varied audience.

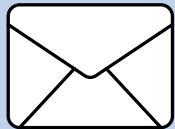
ENDNOTES

- ¹ https://www.capitol.hawaii.gov/session2019/bills/JC1_.pdf
- ² See, for example: Crime & Justice Institute's tracking: <https://www.cj institute.org/corona/> or Brennan Center's overview: <https://www.brennancenter.org/our-work/research-reports/reducing-jail-and-prison-populations-during-covid-19-pandemic>
- ³ Jackson et al. (2021): *How the Criminal Justice System's COVID-19 Response Has Provided Valuable Lessons for Broader Reform: Looking to the Future*. Retrieved from: https://www.rand.org/pubs/research_briefs/RBA108-6.html
- ⁴ Jackson et al.
- ⁵ For past ICIS recidivism study reports, see: <https://icis.hawaii.gov/documents/>
- ⁶ See p. 27-28 for discussion on different approaches to collecting information on race: <https://counciloncj.org/wp-content/uploads/2021/09/Trends-in-Correctional-Control-FINAL.pdf>

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