

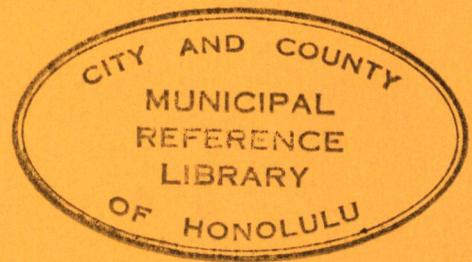
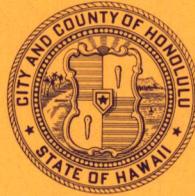
*Report - Prosecuting
attorney*

MAYOR'S OFFICE
CITY & COUNTY
HONOLULU

1959

ANNUAL REPORT

1960 JUN 27 PM 4 16



OFFICE OF THE
PROSECUTING ATTORNEY

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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ANNUAL REPORT

1959



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CITY AND COUNTY OF HONOLULU



CITY AND COUNTY OF HONOLULU
OFFICE OF THE PROSECUTING ATTORNEY
HONOLULU 13, HAWAII

March 30, 1960

Honorable Neal S. Blaisdell
Mayor, City and County of Honolulu
Honolulu Hale
Honolulu 13, Hawaii

Dear Mayor Blaisdell:

In accordance with Section 12-107,
Charter of the City and County of Honolulu,
1959, I transmit herewith a summary of the
business transacted by this office and the
financial report for the year 1959.

Respectfully submitted,


JOHN H. PETERS

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CRIMINAL AND TRAFFIC CASES

PROCESSED IN THE

Honolulu District Court
Rural District Courts
Circuit Court
Supreme Court

-0-

	<u>Pending 1/1/59</u>	<u>New Cases</u>	<u>Completed</u>	<u>Pending 12/31/59</u>
Honolulu District Court	364	89,283	89,395	252
Rural District Courts:				
Ewa	33	8,838	8,800	71
Koolauloa	4	337	339	2
Koolaupoko	60	6,686	6,708	38
Wahiawa	19	3,648	3,632	35
Waialua	13	807	813	7
Waianae	6	1,691	1,685	12
Circuit Court	88	838	827	99
Supreme Court	4	9	6*	7

* 1 case was appealed from the Supreme Court of the State of Hawaii to the Ninth Circuit Court of Appeals and judgment in favor of the State was affirmed.

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G R A N D J U R Y

362 cases presented: 350 True Bills and 12 No Bills

TRUE BILLS

<u>Crime</u>	<u>Number</u>
Abortion	1
Assault, Indecent	4
Assault with intent to rape	1
Assault and battery with a weapon	14
Assault and battery with intent to commit a felony	1
Assault and battery with intent to maim or disfigure	2
Bribery, attempted	1
Bribery of participants in games or sports (St. Louis)	1
Burglary in the first degree	73
Burglary in the first degree, attempted	6
Burglary in the second degree	23
Carnal abuse	4
Conspiracy	1
Embezzlement	3
Embezzlement of public property	1
Escape	13
Failure to render assistance	1
Forgery	3
Forgery and passing	21
Forgery, passing	1
Incest	4
Incest, attempted	1
Larceny in the first degree	17
Malicious burning	1
Malicious conversion	47
Manslaughter	2
Murder in the first degree	4
Murder in the second degree	5
Murder in the second degree, attempted	1
Negligent homicide	13
Rape	7
Receiving stolen goods	1
Robbery in the first degree	10
Robbery in the first degree, attempted	2
Robbery in the second degree	10
Robbery in the second degree, attempted	1

<u>Crime</u>	<u>Number</u>
Sex 16	31
Sodomy	8
Unlawful possession of marijuana	8
Unlawful sale of marijuana	<u>2</u>
TOTAL	<u>350</u>

NO BILLS

Burglary in the first degree	1
Burglary in the first degree, attempted	1
Burglary in the second degree	1
Malicious conversion	1
Negligent homicide	2
Rape	3
Sex 16	<u>3</u>
TOTAL	<u>12</u>

* * * * *

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CASES REFERRED BY HONOLULU POLICE DEPARTMENT
FOR INVESTIGATION AND DISPOSITION

<u>Pending</u> <u>1/1/59</u>	<u>New</u> <u>Cases</u>	<u>Completed</u>	<u>No</u> <u>Bills</u>	<u>Dismissed</u>	<u>No</u> <u>Action</u>	<u>Pending</u> <u>12/31/59</u>
32	547	344	10	26	163	36

* * * * *

CRIMINAL REPORT

DISPOSITION OF CASES IN THE FIRST CIRCUIT COURT
DURING THE YEAR 1959

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED			Cases Dismissed	Mt. Granted	Mt. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived	Nolle Prossed							
Abortion															1
Accessory before the fact														1	
Affray	2	11	1									1a			1
Assault and battery	24	24	8		4	1	1	4	1	1	4				4
A&B in a manner likely to sicken, humiliate or degrade..	1	1									1				
Assault and battery, intermediate	7	7	4		1	1				1					
A&B on police officer	3	3	1					2							
Assault with a weapon	3	3	3											1	
A&B with a weapon	14	14	6	4			2						1b	1	1
A&B with intent to commit a felony (escape)	1	2		1											
A&B with intent to maim or disfigure	2	2	1	1										1	
Assault with intent to rape ..	2	4		1								1c			
Assault, indecent	5	5	3	1								1d			2
Assignation	1	1	1												

1a 1 case - 10 defendants: 9 plead guilty; 1 acquitted on jury waived trial.
 1b 1 case - 1 defendant: plead guilty to Intermediate assault and battery.
 1c 1 case - 1 defendant: plead guilty to Intermediate assault and battery.
 1d 1 case - 3 defendants: all plead guilty to Intermediate Assault and battery.

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED		Nolle Prossed	Cases Dismissed	Mit. Granted	Mit. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived								
Bribery, attempted															1
Bribery of participants in amateur sports & contests ..	1	2										1e			
Burglary 1°	74	105	62	7								5f	1	5	4
Burglary 1°, attempted	6	7	5		1							1g	1	4	1
Burglary 2°	23	27	19		1	1			1				1		
Carnal abuse of a female under 12	4	4				2	1					1h			1
Common nuisance	1	1						1							1
Conspiracy 1°															
Consuming liquor in a public place	1	1									1				
Contributing to the de- linquency of a minor	9	9	8					1							
Disorderly conduct	4	5			1		2			1					2
Drunk in a public place	3	3								3					1
Embezzlement 1°	1	1	1												2
Embezzlement of public property	1	1	1												
Escape (felony)	9	11	7					2						1	5
Escape (misdemeanor)	5	5	2							2	1				
Failure to render assistance.	1	1	1												

1e 1 case - 2 defendants: 1 plead guilty; 1 convicted on jury trial.
5f 1 case - 4 defendants: 3 plead guilty; 1 nolle prossed.
2 cases- 3 defendants each: 2 plead guilty; 1 convicted on jury trial.
1 case - 3 defendants: 1 plead guilty; 1 convicted on jury trial; 1 nolle prossed.
1 case - 2 defendants: 1 plead guilty; 1 convicted on jury trial.
1g 1 case - 2 defendants: 1 plead guilty; 1 convicted on jury trial.
1h 1 case - 1 defendant : plead guilty to Indecent assault.

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED		Nolle Prossed	Cases Dismissed	Mit. Granted	Mit. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived								
Forgery	3	3	3												1
Forgery and passing a forged writing	23	23	22					1						1	1
Forgery, passing a forged writing															1
Fraudulent drawing	11	11	4							6	1				
Gambling	37	37	36					1							4
Going offensively armed	6	6	3					1		2					1
Gross cheat, attempted	1	1	1												
Harboring escapee	2	2	2												
Ill-treatment of child	1	1								1					1
Incest	4	4	3		1										
Incest, attempted	1	1	1												
Interfering with duties of police officer	3	3	2					1							
Larceny 1°	16	23	14		1							1j		4	1
Larceny 2°	16	16	4					2		9	1				2
Larceny under false pre- tenses															1
Lewd and lascivious conduct..	2	2	1	1											
Lottery	2	2						1	1						4
Lottery, aid, abet and assist in a lottery	1	1						1							
Malicious burning	1	1	1												
Malicious conversion	40	46	36	1	1			2					1	5	7
Malicious injury	1	1						1							
Manslaughter	1	1										1k		2	1

1j 1 case - 2 defendants: 1 plead guilty; 1 convicted on jury waived trial.

1k 1 case - 1 defendant : plead guilty to Assault and battery.

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED		Nolle Prossed	Cases Dismissed	Mlt. Granted	Mlt. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived								
Murder 1°	2	2	1	1											2
Murder 2°	5	5		2		1		1				1m			1
Murder 2°, attempted	1	1										1n			
Negligent homicide	9	9	3	3		3							2	1	6
Non-support	1	1	1												
Procuring and pimping	1	1		1											
Prostitution	6	6	1					3	1		1				
Rape	2	9		1			1						3		5
Receiving stolen goods (misdemeanors)	5	5	4					1							
Receiving stolen goods (felonies)	1	1	1												
Removal of sand from public beach															1
Rent control	1	1						1							
Revocation of suspended sentence and imposition of sentence	2	2								1	1				
Robbery 1°	7	18	1	1								5p			6
Robbery 1°, attempted	3	4	3												
Robbery 2°	9	16	4	4				1						3	1
Robbery 2°, attempted															1

1m 1 case - 1 defendant : plead nolo contendere to Manslaughter.
1n 1 case - 1 defendant : plead guilty to A&B with a weapon.
5p 1 case - 3 defendants: 2 convicted on jury trial; 1 nolle prossed.
1 case - 2 defendants: 1 plead guilty; 1 convicted on jury trial.
1 case - 3 defendants: 1 plead guilty; 1 convicted on jury trial; 1 acquitted on jury trial.
1 case - 4 defendants: all plead guilty to Robbery 2°.
1 case - 3 defendants: 2 plead guilty; 1 convicted on jury trial.

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED		Nolle Prossed	Cases Dismissed	Mit. Granted	Mit. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived								
Sex under 16	29	29	25	1	1	1						1q	3	6	3
Sex under 16, attempted														1	1
Sodomy	7	7	4	1	1			1		1					
Soliciting	2	2						1							
Soliciting, aiding and abetting	1	1									1				
Soliciting, sidewalk	41	41	35							6					
Threatening	5	5							3	1	1				
Trespassing	1	1						1							
Unlawful cultivation of marijuana (cannabis sativa).														1	
Unlawful possession of marijuana (cannabis sativa).	6	6	3	1				2							
Unlawful possession of marijuana (cannabis sativa) with intent to sell	1	1	1												1
Unlawful sale of marijuana (cannabis sativa)	2	2		1				1							
Unlawful possession of fire- arms	2	2	2												
Unlawful possession of narcotics														1	
Unlawfully on the premises ..	10	10						4	1	4	1				
Violation of fire alarm ord..	1	1								1					
Zoning violation	1	1						1							
Subtotals carried forward ..	544	635	356	34	13	12	14	32	7	40	14	22	12	39	80

1q 1 case - 1 defendant: plead guilty to Intermediate assault and battery.

Municipal Reference & Records Center

MUNICIPAL REFERENCE LIBRARY
CITY AND COUNTY OF HONOLULU

O F F E N S E	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED		Nolle Prossed	Cases Dismissed	Mit. Granted	Mit. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived								
Driving while license suspended or revoked (\$160-62)	9	9	4							5					
Driving while license suspended for failure to file proof of financial responsibility (\$160-98) ..	3	3	2					1							
Driving with restricted license (\$160-46)		1	1												
Driving without headlights (\$311-7)	1	1								1					
Driving without license (\$160-32)	25	25	3							21	1				1
Driving without motorcycle license (\$160-36)	1	1								1					
Drunk driving (\$311-28)	12	12	8		1			1		1		1r			1
Failure to furnish proof of financial responsibility (\$160-122d)	6	6	2							4					
Failure to produce license upon demand (\$160-45)	1	1								1					
Failure to register vehicle (\$160-10)	1	1								1					
Failure to remain at accident (V-2)	6	6	2		1					3					
Failure to report accident (VI-6)	2	2	2												
Following too closely (IX-9)	5	5	3		1					1					
Improper left turn (VIII-1).	2	2	1					1							

1r 1 case - 1 defendant: plead guilty to Careless and heedless driving.

OFFENSE	Cases Disposed	No. of Defts.	Pleas	CONVICTED		ACQUITTED			Cases Dismissed	Mit. Granted	Mit. Denied	Other Disp.	No Bills	Comm. Dismissed	Cases Pending
				Jury	Jury Waived	Jury	Jury Waived	Noile Prossed							
Inattention to driving (XVII-23)	19	19	7			1	3		8						4
No front license plate (§130-10)	1	1	1												
No left rear mud guard (XX-29)	1	1	1												
Overtaking another vehicle (IX-3)	1	1							1						
Pedestrian's right of way (XVIII-2)	6	6	4		1				1						
Permitting unauthorized person to drive (§160-63)	2	2							2						
Right of way (XI)	14	14	6		2	1		1	4						3
Speeding (VII-1)	70	70	32		2		1		35						2
Striking fixed object upon highway (V-5)	1	1	1												
Striking unattended vehicle (V-4)	3	3	2						1						
Unsafe backing (XVII-13) ...	3	3						1	2						
Unsafe changing of lanes (IX-8)	4	4	2	2											1
Unsafe emergence from parked position (VIII-6)	1	1	1												
Unsafe emergence from private driveway (XII-2)	1	1							1						
Unsafe movement (VIII-7) ...	4	4	1			1			2						
TOTALS - 1959	827	918	479	36	22	12	21	39	9	168	18	23	12	39	99

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PROBATION AND MISCELLANEOUS CASES

DISPOSED OF IN THE

Circuit Court

-0-

Probation:

Motions for revocation of probation granted	62
Motion for revocation of probation denied	1
Motions to amend order of probation granted	9
Motions for termination of probation granted	9
Motions for suspension of probation granted	3
Motions for revocation of probation continued	3

Miscellaneous:

Contempt proceedings	1
Modification of support order	1
Motion for dismissal (peace bond cancelled)	1
Motion for discharge of pauper granted	1

* * * * *

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INVESTIGATIONS COVERING OTHER STATUTORY VIOLATIONS

(City and County Ordinances)

(Rules and Regulations of County and State Agencies)

-0-

<u>Violation</u>	<u>Investigated</u>	<u>Cleared</u>	<u>Pending</u>
Building Code	28	26	2
Public Works	27	24	3
Subdivision	6	6	0
Zoning	<u>102</u>	<u>88</u>	<u>14</u>
TOTAL	<u>163</u>	<u>144</u>	<u>19</u>

In addition to the above investigations, other requests for investigation and enforcement have been investigated and found to involve civil matters or to be under the jurisdiction of other agencies.

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DELINQUENT ACCOUNTS

University of Hawaii Library

Library of Hawaii

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Received

235

Cleared

103

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ANNUAL FINANCIAL REPORT

<u>Object of Expenditure</u>	<u>Appropriated</u>	<u>Expended</u>	<u>Balance</u>
Salaries and Wages	\$163,265.02	\$155,579.65	\$7,685.37
Other Personal Services	2,950.00	2,554.40	395.60
Contractual Services	7,201.60	6,377.46	824.14
Materials and Supplies	1,200.00	1,168.36	31.64
Fixed Charges	95.00	91.18	3.82
Equipment	1,000.00	747.96	252.04
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TOTAL	\$175,711.62	\$166,519.01	\$9,192.61
	<hr/>	<hr/>	<hr/>

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A3 Honolulu. Office of the Prosecuting Attorney.
1959 Annual report: Honolulu. Office of the
Copy 3 Prosecuting Attorney. Honolulu: 1951-59.

Annual. Prior to 1959 issued under earlier
name, Office of the Public Prosecutor.

From 1968/69 continued in Departmental &
agency reports of the city & county of Honolu-
lu.

Library holdings: 1951 thru 1958 (2 c.
each year); 1959 (3 c.).

1. Courts - Honolulu. 2. Public prosecutors -
Honolulu. I. Honolulu. Office of the Public
Prosecutor.