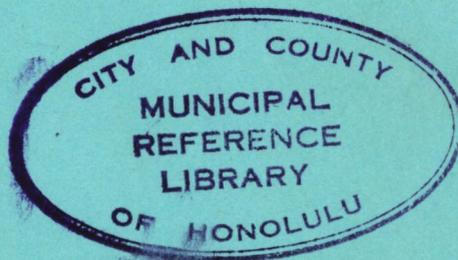


1958
ANNUAL REPORT



OFFICE OF THE
PUBLIC PROSECUTOR



CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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JOHN H. PETERS
Public Prosecutor



CITY AND COUNTY OF HONOLULU
OFFICE OF THE PUBLIC PROSECUTOR
HONOLULU 13, HAWAII

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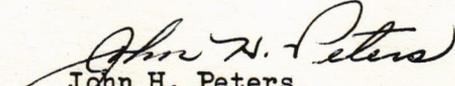
June 1, 1959

Honorable Mayor and Members
of the Board of Supervisors
City and County of Honolulu
Honolulu, Hawaii

Gentlemen:

I submit to you herewith a summary of the
business transacted by this office and the financial
report for the year 1958.

Respectfully submitted,


John H. Peters,
Public Prosecutor,
City and County of Honolulu.

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CITY AND COUNTY OF HONOLULU

June 1959

A statistical analysis of criminal and traffic cases handled by the Office of the Public Prosecutor in the Circuit Court of the First Judicial Circuit, the four Honolulu District Courts and the Rural District Courts is as follows:

	Cases Pending 1/ 1/58	New Cases Filed		Completed Cases 1958	Pending Cases 12/31/58
<u>CIRCUIT COURT:</u>	123	556	679	591	88
<u>HONOLULU DISTRICT COURTS:</u>	283	107,663	107,946	107,582	364
<u>RURAL DISTRICT COURTS:</u>					
Waianae	24	1,509	1,533	1,527	6
Ewa	43	7,821	7,864	7,831	33
Waialua	10	1,181	1,191	1,178	13
Wahiawa	28	4,197	4,225	4,206	19
Koolaupoko	41	7,435	7,476	7,416	60
Koolauloa	11	498	509	505	4

A compilation of felonies and misdemeanors handled in the Circuit Court during 1958 is as follows:

	Cases Pending 1/ 1/58	New Cases filed		Completed Cases 1958	Pending Cases 12/31/58
<u>FELONIES:</u>	87	249	336	306	30
<u>MISDEMEANORS:</u>	36	294	330	272	58

The Honorable Albert M. Felix and the Honorable Harry R. Hewitt, Judges of the Circuit Court of the First Judicial Circuit, were assigned to the criminal calendar for the year 1958. Judge Gerald R. Corbett continued to handle the contributing to the delinquency of minor cases.

The 1958 Grand Jury, whose term commenced January 16, 1958 and ended January 8, 1959, considered 254 felony cases, upon which it returned 243 true bills and 11 no bills.

SUMMARY OF CASES HANDLED IN THE SUPREME COURT
OF THE TERRITORY OF HAWAII DURING 1958

Cases pending 1/ 1/58	6	
New cases filed during 1958	<u>7</u>	13
<u>Cases disposed of during 1958:</u>		
Judgment affirmed on appeal of defendants.....	7	
Judgment reversed on appeal of defendant.....	1	
Appeal withdrawn	<u>1</u>	9
CASES PENDING 12/31/58		4

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CASES REFERRED BY HONOLULU POLICE DEPARTMENT
TO OFFICE OF THE PUBLIC PROSECUTOR FOR
INVESTIGATION AND DISPOSITION DURING 1958

Cases pending 1/ 1/58.....	30	
New cases referred during 1958	<u>495</u>	525
Cases disposed of during 1958:		
Cases referred to Grand Jury	260	
Contributing informations filed	13	
Miscellaneous cases reviewed on which no Grand Jury action was taken	<u>220</u>	<u>493</u>
FELONY CASES PENDING 12/31/58		32

1958 PROBATION AND MISCELLANEOUS CASES
DISPOSED OF IN CIRCUIT COURT

PROBATION:

Motions for revocation of probation presented and granted....	41	
Motions for revocation of probation presented and denied....	2	
Motions for revocation of probation presented where probation was not revoked, but additional conditions of probation, or additional sentences were added.....	16	
Motions for amendment to terms of probation presented and dismissed	2	
Motion for amendment to terms of probation presented and withdrawn	1	
Motions for termination of probation presented and granted...	<u>7</u>	69

MISCELLANEOUS:

Motion to set aside suspended sentence and impose sentence presented and granted	3	
Motion to set aside suspended sentence and impose sentence presented and denied	1	
Motion to discharge defendant from City and County Jail (defendant unable to pay fine) presented and granted.....	1	
Motion to correct order of forfeiture of bail bond and judgment nunc pro tunc presented and granted	1	
Petitions for Writ of Habeas Corpus Ad Prosequendum:		
for federal prisoners to appear before Territorial courts..	2	
for Territorial prisoners to appear before Federal court...	3	
Extradition proceeding (to return prisoner from Calif.)	<u>1</u>	12

INVESTIGATIONS COVERING OTHER STATUTORY
VIOLATIONS - CITY AND COUNTY ORDINANCES
AND RULES AND REGULATIONS OF COUNTY AND
TERRITORIAL AGENCIES DURING 1958

<u>VIOLATIONS:</u>	<u>Cases Investigated</u>	<u>Cases Cleared</u>	<u>Cases Pending</u>	<u>Cases Unfounded</u>
Zoning and Subdivision	152	110	23	19
Building, Electric and Plumbing	22	21	1	0
Public Works	13	12	0	1
Fire	2	2	0	0
Health	2	1	0	1
Miscellaneous nuisances	<u>24</u>	<u>13</u>	<u>0</u>	<u>11</u>
TOTAL.....	215	159	24	32

The Library of Hawaii and the University of Hawaii Library submitted requests for aid in clearing their delinquent list of book borrowers. Telephone calls were made and letters written, as a result of which 148 books were returned to the libraries or paid for.

ANNUAL FINANCIAL REPORT

1/ 1/58 to 12/31/58

<u>Account No.</u>	<u>Object of Expenditure</u>	<u>Appropriated</u>	<u>Expended</u>	<u>Balance</u>
G-1221	Salaries and Wages	\$149,415.20	\$144,644.43	\$4,770.77
G-1222	Other Personal Services	1,019.00	411.60	607.40
G-1222	Contractual Services	4,549.00	3,638.75	910.25
G-1222	Materials and Supplies	1,164.00	1,162.81	1.19
G-1222	Fixed Charges	60.00	59.08	.92
G-1223	Equipment	1,615.00	1,561.83	53.17
G-1224	Travel and per diem			
G-1225	expenses	987.60	987.60	0.00
G-1227				
G-1226	Registration fee for prosecutors for Trial Technique Clinic	<u>430.00</u>	<u>430.00</u>	<u>0.00</u>
	TOTAL.....	\$159,239.80	\$152,896.10	\$6,343.70

CRIMINAL REPORT

DISPOSITION OF CASES IN THE FIRST CIRCUIT COURT
DURING THE YEAR 1958

<u>O F F E N S E</u>	Cases Disposed	No. of Defts.	<u>CONVICTED</u>		<u>ACQUITTED</u>		Nolle Prossed	No Bill	Dismissed	Mit Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Jury	Jury Waived	Jury							
Affray.....	1	1	1										2
Assault and battery	24	24	6		3	1	1	6	2	1	4		1
A&B by means likely to humiliate, degrade or sicken.....	1	1	1										0
Assault and battery, intermediate...	5	5	3		1			1					1
Assault and battery on police officer	1	3	3										0
Assault with a weapon.....	2	2	2										1
Assault and battery with a weapon...	12	12	5	1					4			2a	3
Assault and battery with intent to maim and disfigure.....	2	2		1								1b	0
Assault, indecent	11	11	6					3	1	1			3
Assault with intent to rape.....	2	3		2				1					1
Burglary in the first degree.....	65	86	68	1	1	1		3	1	4		7c	5
Burglary 1 ^o , accessory after fact...	1	1	1										0
Burglary 1 ^o , attempted.....	2	2	1									1d	0
Burglary in the second degree.....	21	22	19	1					2				1
Carnal abuse of a female under 12...	1	1											1
Carnal abuse, attempted.....	1	1				1							0
Cockfight, present at	2	2	2										0
Contracting without a license.....	1	1										1e	0
Contributing to the delinquency of a minor	14	14	12					1	1				6
Defrauding hotel	3	3									3		0
Drunk in a public place.....	3	3								1	2		0

OFFENSE	Cases Disposed	No. of Defts.	CONVICTED		ACQUITTED		Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Jury	Jury Waived	Jury							
Embezzlement in the first degree....	5	5	4						1				0
Embezzlement of Public Property.....	1	1					1						0
Escape (felony).....	5	9	7				1		1				1
Escape (misdemeanor).....	1	1	1										0
Extortion 1 ^o , Extortion 2 ^o , att., Assault with intent to commit robbery & Assault with a weapon...	1	3										3f	0
Failure to render assistance.....	4	4	3						1				0
Forgery	3	3	3										0
Forged writing, passing a	1	1		1									0
Forgery and Passing	29	31	29						1			lg	4
Fraudulent Drawing	1	1									1		0
Gambling and Lottery	6	6	6										0
Going offensively armed	2	2	2										1
Gross cheat, attempted	1	1							1				0
Incest	3	3	1			1	1						0
Larceny in the first degree.....	18	24	16	1			3		2			2h	0
Larceny in the second degree	8	9	5		1		1		1	1			2
Larceny by false pretenses	0												1
Lewd and lascivious conduct	2	2		1						1			0
Liquor, intoxicating, use of in public park	1	1									1		0
Lottery	27	27	14	9			4						0
Lottery, sale of ticket	1	1			1								0
Malicious conversion.....	32	38	32	2	2	1		1					0
Malicious conversion, attempted.....	3	3	2					1					0
Manslaughter	3	3	1	1			1						0
Marihuana, unlawful possession of ..	2	2	1			1							0
Murder in the First Degree	3	3		1			11					1j	0
Murder in the Second Degree	5	5			1							4k	1
Murder 2 ^o , attempted	2	2	2										0
Negligent homicide.....	8	8	5	2		1							2

<u>O F F E N S E</u>	Cases Disposed	No. of Defts.	<u>CONVICTED</u>			<u>ACQUITTED</u>		Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Jury	Jury Waived	Jury	Jury Waived							
Perjury	2	2	2											0
Procuring and pimping	8	8	1	1			1		5					1
Profanity	2	2	1				1							0
Prostitution	2	2					2							3
Prostitution, aiding & abetting...	1	1					1							0
Rape	9	11	1	1	1		1		1			6(1)		0
Rape, attempted	3	3	1						1			lm		0
Rape and Sodomy	1	1		1										0
Receiving stolen goods.....	1	1	1											0
Rent control violation	0													1
Riot	6	6							6					0
Robbery in the first degree	2	4	1									3n		3
Robbery 1 ^o , attempted	1	1							1					1
Robbery in the second degree	4	4	2	1					1					0
Sexual intercourse with a female under sixteen	67	73	44	4		4	2	1	7	7		4o		1
Sodomy	3	3	1	1				1						0
Soliciting (Sec. 309-26 RIH '55)..	4	4	2							2				0
Soliciting, sidewalk (Ord. #1401).	17	17			1							16p		26
Suspended sentence revoked	4	4							1	1	2			0
Threatening	6	6							2	1	3			2
Unlawfully on the premises	6	6						1				5		2
Unlawful possession of firearms...	0													1
Subtotals carried forward.....	502	558	321	33	12	10	7	36	11	48	4	23	53	78

OFFENSE	Cases Disposed	No. of Defts.	CONVICTED			ACQUITTED		Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Fury	Fury Waived	Fury	Fury Waived							
Improper left turn (VIII-3).....	2	2	2											0
Inattention to driving(XVII-23)...	8	8			2	2	1		1	1	1			2
One way street (X).....	1	1	1											0
Overtaking another vehicle by driving off pavement (IX-4).....	1	1	1											0
Pedestrian's right of way (XVIII-2)	3	3					3							0
Permitting unlicensed driver to operate vehicle (160-63 RIH)....	1	1					1							0
Right of way (XI).....	7	7	4		1	1	1							2
Speeding (VII-1).....	23	23	14		1				1	4	3			0
Unsafe changing of lanes (IX-8)...	3	3	2				1							1
Unsafe emergence from parked position (VIII-6).....	2	2							2					0
Unsafe emergence from private driveway (XII-2).....	2	2	1			1								0
Unsafe movement (VIII-7).....	2	2	1						1					0
TOTALS - 1958:	641	696	390	38	21	12	13	45	11	55	21	33	57	88

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Other dispositions:

- 2a Assault and battery with a weapon 1 case, 1 deft. -convicted on jury waived trial of
INTERMEDIATE ASSAULT & BATTERY
1 case, 1 deft. -plead guilty to INTERMEDIATE ASSAULT & BATTERY
- 1b Assault and battery with intent to
maim and disfigure 1 case, 1 deft. -convicted on jury trial of ASSAULT & BATTERY
WITH A WEAPON LIKELY TO CAUSE GRIEVOUS
BODILY HARM (Sec. 264-5b)
- 7c Burglary in the first degree 1 case, 3 defts.- 2 defendants plead guilty
1 defendant convicted on jury trial
2 cases, 2 defts.-both plead guilty to
UNLAWFULLY ON THE PREMISES
1 case, 2 defts.-1 defendant plead guilty
1 defendant convicted on jury trial
- 1d Burglary in the first degree, attempted...1 case, 1 deft. -plead guilty to UNLAWFULLY ON THE PREMISES
- 1e Contracting without a license.....1 case, 1 deft. -appeal in mitigation withdrawn
- 3f Extortion 1^o, Extortion 2^o, attempted,
Assault with intent to commit robbery,
Assault with a weapon.....1 case, 3 defts.-Jury trial on 5 days
1 deft. plead guilty to ATT. EXTORTION 2^o,
4 counts dismissed as to other 2 defendants
- 1g Forgery and Passing1 case, 1 deft.- plead guilty to PASSING A FORGED WRITING
- 2h Larceny in the First Degree.....1 case, 2 defts.-1 deft. plead guilty
1 deft. convicted on jury waived trial

Other dispositions (contd.)

1i Murder in the first degree.....1 case 1 deft. - case nolle prossed
(defendant committed to Territorial Hospital)

1j Murder in the first degree1 case 1 deft. - plead guilty to MURDER IN THE SECOND DEGREE

4k Murder in the second degree4 cases - 1 defendant in each case -
3 defendants plead guilty to MANSLAUGHTER
1 defendant-jury trial on 6 days-changed plea to guilty to
MANSIAUGHTER

6(1) Rape 1 case-1defendant-plead guilty to INTERMEDIATE ASSAULT & BATTERY
1 case-2 defendants - 1 plead guilty to ASSAULT
1 plead guilty to ASSAULT & BATTERY
1 case-2 defendants - 1 convicted on jury trial of ASSAULT & BATTERY
1 acquitted on jury trial
1 case-1 defendant - plead guilty to ATTEMPTED RAPE

1m Rape, attempted..... 1 case-1 defendant - plead guilty to INTERMEDIATE ASSAULT & BATTERY

3n Robbery in the first degree..... 1 case-3 defendants - 2 defendants plead guilty to ROBBERY 2°
1 defendant convicted on jury trial of
ROBBERY 2°

4o Sexual intercourse with a female
under sixteen..... 1 case-4 defendants - 3 defendants plead guilty
1 defendant acquitted on jury trial

16p Soliciting, sidewalk (Ord. #1401)..... 16 cases - 16 defendants - remanded to District Court

1q Careless and heedless driving 1 case-1 defendant - plead guilty to SPEEDING

3r Drunk driving 1 case-1 defendant - appeal in mitigation withdrawn
2 cases-1 defendant in each case - plead guilty to
CARELESS AND HEEDLESS DRIVING

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A3 Honolulu. Office of the Prosecuting Attorney.
1958 Annual report: Honolulu. Office of the
Copy 2 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.

