Within populations that face longstanding historical disadvantage, antisocial behaviors among adolescents tend to be higher. Figure 3.14 shows that Native Hawaiian high school students are especially prone to physical fights.

**FIGURE 3.14** Violence and safety concerns among high school students  
[as a percentage of all high school student respondents, by Native Hawaiian and non-Hawaiian, 2011, Hawai‘i]

<table>
<thead>
<tr>
<th>Risk Factor</th>
<th>Native Hawaiian</th>
<th>Non-Hawaiian</th>
<th>Hawai‘i Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Were in a physical fight on school property 1 or more times during the past 12 months</td>
<td>6.4</td>
<td>8.1</td>
<td>30.1</td>
</tr>
<tr>
<td>Did not go to school on 1 or more of the past 30 days because they felt unsafe at school or on the way to/from school</td>
<td>6.9</td>
<td>6.3</td>
<td>6.6</td>
</tr>
<tr>
<td>Carried a weapon such as a gun, knife, or club on school property on 1 or more of the past 30 days</td>
<td>3.9</td>
<td>4.3</td>
<td>4.2</td>
</tr>
<tr>
<td>Carried a weapon such as a gun, knife, or club on 1 or more of the past 30 days</td>
<td>15.3</td>
<td>13.4</td>
<td>13.9</td>
</tr>
</tbody>
</table>

Source: Hawai‘i Department of Health, YRBS 2011.
Native Hawaiian high school students were more likely than were their non-Hawaiian peers to engage in physical fights, both on and off school property.

Approximately one in three Native Hawaiian high school students (30.1 percent) and one in five non-Hawaiians (19.2 percent) was involved in a physical fight at some point during the previous year.

The proportion of high school students who skipped school because they felt unsafe and who carried weapons on school property was roughly comparable between Native Hawaiians and non-Hawaiians.

Disparities in the prevalence of antisocial behaviors like fighting among Native Hawaiians and their non-Hawaiian peers carry over into more serious and criminal behavior. Rates of crime and drug use are disproportionately high within the Native Hawaiian population. This problem is exacerbated by a criminal justice system in which race and ethnicity unduly influence outcomes at multiple points in the process (Rosich 2007), including arrests (Tapia 2010; Parker and Maggard 2005; Beckett, Nyrop, and Pfingst 2006), prosecution and sentencing (Kutateladze, Lynn, and Liang 2012), and incarceration (Kansal 2005).

Although most research on race in the criminal justice system is national in scope and focused on discrimination against the African American population, two recent reports looked at the question of differential treatment of Native Hawaiians by Hawai‘i’s criminal justice system. The first was a comprehensive examination of the local penal system carried out by the Office of Hawaiian Affairs. The study used multivariate analyses to control for factors such as age, gender, and type/severity of charge, and found that compared with other major ethnic groups, Native Hawaiians are more likely to be sentenced to prison, to receive longer prison sentences and probation terms, and to have their parole revoked (Office of Hawaiian Affairs et al. 2010). The second study, which was commissioned by the Juvenile Justice State Advisory Council and the State of Hawai‘i Office of Youth Services, looked specifically at local juvenile justice data. This study concluded that “Native Hawaiian youth are the most overrepresented group relative to their proportion of the youth population and face disproportionately negative outcomes at the greatest number of decision points [in the juvenile justice system] compared to other ethnic groups” (Umemoto et al. 2012). Together, these two studies highlight the role that institutional structures play in perpetuating historical disadvantages—a fact that must be considered in any serious study of criminal behavior among Native Hawaiians.

Arrests

Our review of local disparities within the criminal justice system starts with an examination of juvenile arrest rates and trends in arrests over time. These figures should be interpreted with caution because of data quality and comparability issues and because the methodologies used to collect and report on arrests have changed repeatedly over time without consistent documentation. Despite these limitations, we find the data useful as a depiction of ongoing racial/ethnic disparities within the criminal justice system; disaggregation according to the state’s major ethnic groups shows that Native Hawaiians generally have the highest arrest rates across most types of offenses.

4. Due to changes in methodology, the data are not comparable with Ka Huōka‘i 2005 data. Refer to Appendix A for more information about crime data.
We begin with an examination of index offenses, which are more serious in nature and are used to monitor crime rates over time and across the nation. The data also show that Native Hawaiian juveniles are more likely to be arrested for an index offense than are juveniles of the other major ethnic groups in the state.\textsuperscript{5}

\textbf{TABLE 3.1} \quad \textit{Juvenile arrests for index offenses}  
\textit{[number of arrests per 10,000 children ages 10–17, by race/ethnicity, 2010, Hawai‘i]}

<table>
<thead>
<tr>
<th></th>
<th>Native Hawaiian</th>
<th>Chinese</th>
<th>Filipino</th>
<th>Japanese</th>
<th>White</th>
<th>Hawai‘i Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>130.3</td>
<td>10.6</td>
<td>71.1</td>
<td>36.4</td>
<td>78.2</td>
<td>146.5</td>
</tr>
<tr>
<td>Murder</td>
<td>0.2</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.2</td>
</tr>
<tr>
<td>Forcible rape</td>
<td>0.2</td>
<td>0.0</td>
<td>0.4</td>
<td>0.0</td>
<td>1.2</td>
<td>1.0</td>
</tr>
<tr>
<td>Robbery</td>
<td>6.6</td>
<td>0.4</td>
<td>3.2</td>
<td>1.6</td>
<td>2.9</td>
<td>9.6</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>8.7</td>
<td>0.0</td>
<td>4.7</td>
<td>2.2</td>
<td>4.3</td>
<td>9.6</td>
</tr>
<tr>
<td>Burglary</td>
<td>11.9</td>
<td>0.4</td>
<td>2.8</td>
<td>1.3</td>
<td>5.5</td>
<td>10.0</td>
</tr>
<tr>
<td>Larceny-theft</td>
<td>95.5</td>
<td>9.5</td>
<td>56.0</td>
<td>30.1</td>
<td>60.5</td>
<td>109.4</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>6.6</td>
<td>0.4</td>
<td>3.2</td>
<td>1.0</td>
<td>3.3</td>
<td>5.6</td>
</tr>
<tr>
<td>Arson</td>
<td>0.5</td>
<td>0.0</td>
<td>0.9</td>
<td>0.3</td>
<td>0.4</td>
<td>1.1</td>
</tr>
</tbody>
</table>

\textit{Sources: Hawai‘i Department of the Attorney General 2010; US Census Bureau 2010, Summary File 2.}

- Compared to other major ethnic groups in the state, Native Hawaiian juveniles had the highest rate of arrest for all index offenses combined.\textsuperscript{6}
- Native Hawaiian juveniles were the most likely to be arrested for murder, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft, but they had the second-highest rate of arrest for arson and the third-highest rate of arrest for forcible rape.

Racial/ethnic disparities in arrest rates persist when we aggregate the population of juveniles and adults.

\textsuperscript{5} See Appendix A for more information on juvenile arrest statistics.
\textsuperscript{6} In both tables relating to juvenile arrests, the statewide average (i.e., the Hawai‘i Total) exceeds the rates associated with each of the major ethnic groups in the state. The seeming contradiction can be attributed to the “alone or in combination” definition we use to estimate the population associated with each major ethnic group. This inclusive approach creates substantial overlap between the ethnic groups because multiracial/multiethnic individuals are counted in more than one category. Since these population estimates are used to scale the arrest counts, the denominators of the arrest rates for the major ethnic groups sum to a number nearly 60 percent higher than the denominator of the state total, which counts each individual—whether multiracial/multiethnic or not—just once. In short, the count of arrests for each ethnic group is scaled against a relatively high estimate of that group’s population. This deflates that ethnic group’s rate relative to the total population rate, which is scaled against an unduplicated count.
FIGURE 3.15 Trends in arrests for aggravated assault (index offense)
[number of arrests per 10,000 people, juveniles and adults combined, by race/ethnicity, 3-year weighted averages, selected years, Hawai‘i]

- The rate of arrest for aggravated assaults among Native Hawaiian juveniles and adults increased from 8.8 per 10,000 in 2003 to 9.1 per 10,000 in 2009.
- Among the major ethnic groups in the state, Native Hawaiians have been the most likely to be arrested for aggravated assault since at least 2003. In 2009, the Native Hawaiian rate of arrest for aggravated assault exceeded the statewide average by 1.8 arrests per 10,000.

FIGURE 3.16 Trends in arrests for robbery (index offense)
[number of arrests per 10,000 people, juveniles and adults combined, by race/ethnicity, 3-year weighted averages, selected years, Hawai‘i]

• Although the Native Hawaiian rate of arrest for robbery decreased by 1.1 arrests per 10,000 between 2003 and 2009, the 2009 rate exceeded the statewide average by 1.2 arrests per 10,000.

• Between 2003 and 2009, Native Hawaiians had the highest rate of arrest for robbery and were the only major ethnic group whose robbery arrest rate consistently exceeded statewide averages.

Across all of the less serious (part II) offenses tracked by law enforcement officials, Native Hawaiian juvenile arrest rates exceeded the rates of all other major ethnic groups in the state.

### TABLE 3.2 Juvenile arrests for part II offenses

[number of arrests per 10,000 children ages 10–17, by race/ethnicity, 2010, Hawai‘i]

<table>
<thead>
<tr>
<th></th>
<th>Native Hawaiian</th>
<th>Chinese</th>
<th>Filipino</th>
<th>Japanese</th>
<th>White</th>
<th>Hawai‘i Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>643.8</td>
<td>29.3</td>
<td>331.4</td>
<td>142.4</td>
<td>357.2</td>
<td>661.5</td>
</tr>
<tr>
<td>Violent</td>
<td>79.9</td>
<td>0.4</td>
<td>31.1</td>
<td>9.8</td>
<td>35.8</td>
<td>75.8</td>
</tr>
<tr>
<td>Property related</td>
<td>24.3</td>
<td>1.5</td>
<td>7.2</td>
<td>2.2</td>
<td>10.2</td>
<td>21.1</td>
</tr>
<tr>
<td>Drug manufacturing/sale</td>
<td>2.3</td>
<td>0.0</td>
<td>0.4</td>
<td>0.0</td>
<td>1.7</td>
<td>1.8</td>
</tr>
<tr>
<td>Drug possession</td>
<td>37.1</td>
<td>2.6</td>
<td>17.0</td>
<td>13.0</td>
<td>32.5</td>
<td>41.2</td>
</tr>
<tr>
<td>Gambling</td>
<td>1.1</td>
<td>0.0</td>
<td>0.0</td>
<td>0.3</td>
<td>0.2</td>
<td>0.5</td>
</tr>
<tr>
<td>Alcohol related</td>
<td>32.1</td>
<td>1.1</td>
<td>18.3</td>
<td>1.9</td>
<td>21.3</td>
<td>33.8</td>
</tr>
<tr>
<td>Other</td>
<td>185.7</td>
<td>11.0</td>
<td>124.0</td>
<td>42.4</td>
<td>98.8</td>
<td>212.1</td>
</tr>
<tr>
<td>Status</td>
<td>281.4</td>
<td>12.8</td>
<td>133.3</td>
<td>72.8</td>
<td>156.7</td>
<td>275.2</td>
</tr>
</tbody>
</table>

*Sources: Hawai‘i Department of the Attorney General 2010; US Census Bureau 2010, Summary File 2.*

• The rate at which Native Hawaiian juveniles were arrested for part II offenses (643.8 per 10,000) was more than four and a half times the rate in the Japanese population and twenty-two times the rate in the Chinese population.

• For violent and property-related crimes, Native Hawaiian juvenile arrest rates were more than twice the rates of the second-highest group (Whites).

Again, these disparities persist when we look at juvenile and adult arrests for part II offenses aggregated into a single rate.
FIGURE 3.17  Trends in arrests for violent crimes (part II offense)  
[number of arrests per 10,000 people, juveniles and adults combined, by race/ethnicity, 3-year weighted averages, selected years, Hawai‘i]

- Native Hawaiian juveniles and adults were arrested for violent crimes at a higher rate than that of any other major ethnic group between 2003 and 2009.
- The rate of Native Hawaiian arrests for violent crimes declined by 7.9 per 10,000 from 2003 to 2006, but has escalated in recent years, increasing by 3.4 arrests per 10,000 Native Hawaiians between 2006 and 2009.
- In 2009, Native Hawaiians exceeded the state’s average rate of arrest for violent crime by 14.1 per 10,000 people.
FIGURE 3.18 Trends in arrests for drug manufacturing or sales (part II offense)
[number of arrests per 10,000 people, juveniles and adults combined, by race/ethnicity, 3-year weighted averages, selected years, Hawai‘i]

- Arrests for drug manufacturing or sales among Native Hawaiians decreased from 7.4 arrests per 10,000 in 2003 to 4.1 per 10,000 in 2009—a slightly steeper decline than the decrease in statewide figures from 5.2 to 3.2 per 10,000 over the same period.
- The arrest rate for drug manufacturing or sales among Native Hawaiians in 2009 (4.1 per 10,000) exceeded the statewide average by 0.9 per 10,000.

Incarceration

Elevated arrest rates among Native Hawaiians and a criminal justice system with acknowledged inequities (Native Hawaiian Justice Task Force 2012; Umemoto et al. 2012) contribute to the overrepresentation of Native Hawaiians in the state’s prison system. The high incarceration rates among Native Hawaiians affect not only those incarcerated but also their families. Children may grow up without the social, emotional, and economic support of one of their parents and may be vulnerable to emotional problems, social stigma, high-risk behaviors, and future incarceration (Hairston 2007; Murray and Farrington 2008; Travis, McBride, and Solomon 2005).
Figure 3.19 shows the percentage of the incarcerated population accounted for by Native Hawaiians. Statistics are disaggregated by sex and by custody level, the latter of which is determined based on behavior and on the duration and balance of the sentence being served.\footnote{The five custody levels shown are defined by the Hawai’i Department of Public Safety (2012) as follows:
\begin{itemize}
  \item Community: “for inmates who have 24 months or less to serve on their sentence and are eligible to participate [in] furlough programs, extended furlough, or residential transitional living facilities.”
  \item Minimum: “for inmates with less than 48 months until their parole eligibility date; who have demonstrated through institutional conduct that they can function with minimal supervision in a correctional setting, or in the community under direct supervision.”
  \item Medium: “for inmates who have more than 48 months to their parole eligibility date; whose institutional conduct and adjustment require frequent supervision/intervention.”
  \item Close: “for those who have minimum sentences of 21 years or more, who are serious escape risks or have chronic behavioral/management problems.”
  \item Maximum: “inmates who are chronically disruptive, violent, predatory or are a threat to the safe operation of a facility.”
\end{itemize}}

Native Hawaiian adults constitute 17.7 percent (not shown) of the total adult population in Hawai’i. However, in 2012, Native Hawaiians accounted for 37.0 percent of the state’s male prison population and 40.0 percent of the state’s female prison population.

In 2012, Native Hawaiian women constituted two-fifths (40.0 percent) of females incarcerated in state prisons and 34.5 to 62.5 percent of each security classification.

Native Hawaiians accounted for 37.0 percent of the state’s male prison population and 34.6 to 44.5 percent of each custody classification.

\footnote{The five custody levels shown are defined by the Hawai’i Department of Public Safety (2012) as follows:
\begin{itemize}
  \item Community: “for inmates who have 24 months or less to serve on their sentence and are eligible to participate [in] furlough programs, extended furlough, or residential transitional living facilities.”
  \item Minimum: “for inmates with less than 48 months until their parole eligibility date; who have demonstrated through institutional conduct that they can function with minimal supervision in a correctional setting, or in the community under direct supervision.”
  \item Medium: “for inmates who have more than 48 months to their parole eligibility date; whose institutional conduct and adjustment require frequent supervision/intervention.”
  \item Close: “for those who have minimum sentences of 21 years or more, who are serious escape risks or have chronic behavioral/management problems.”
  \item Maximum: “inmates who are chronically disruptive, violent, predatory or are a threat to the safe operation of a facility.”}
The ethnic distribution of Hawai‘i’s incarcerated population has remained relatively stable in the last decade.

Since 2002, the Native Hawaiian population in prison has been nearly twice the size of the next largest ethnic group, Whites (39.0 to 39.5 percent versus 21.0 to 23.6 percent, respectively).
CONCLUSION

Data for the last decade paint a complex picture of Native Hawaiian social and emotional well-being that points to ongoing inequities, important cultural assets, and significant improvements over time. Native Hawaiian families struggle with challenges such as single parenting—particularly families with young children—but also continue to tap resources like grandparent and hänai caregiving that are grounded in Hawaiian cultural values emphasizing ʻohana, kūpuna, and community. Culture also underlies the social support networks and spiritual faith that Native Hawaiians credit as sources of strength and resilience as well as the optimism with which Native Hawaiians assess their quality of life.

Despite these social and emotional assets, the ongoing disadvantages, limited opportunities, and institutionalized inequities faced by Native Hawaiians have a negative social impact, contributing to high rates of arrest, incarceration, and adolescent depression. However, trend data also show signs of progress, including a decline in child abuse and neglect rates, and decreases in the rates of arrest for violent crimes, drug manufacturing/sales, and robbery. Taken together, these data indicate the need to leverage Native Hawaiian social networks, spiritual strength, and cultural traditions to navigate contemporary problems and create a path toward a more positive future.