



# UNIVERSITY OF HAWAI'I SYSTEM

## ANNUAL REPORT

REPORT TO THE 2006 LEGISLATURE

Report on the Establishment of a Task Force  
to Determine Whether Classification of the  
Offenses of Assault and Terroristic Threatening Based on  
the Occupation of the Victim is Still Necessary

SCR 141, SLH 2005

January 2006

Report to the 2006 Legislature  
On the Establishment of a Task Force to Determine  
Whether Classification of the Offenses of Assault and Terroristic Threatening  
Based on the Occupation of the Victim Is Still Necessary

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The Task Force established by SCR141 met and considered the Legislature's charge "to Determine Whether Classification of the Offenses of Assault and Terroristic Threatening Based on the Occupation of the Victim Is Still Necessary."

We believe that there is no apparent need for additional occupational categories at this time.

Further, we believe that additional data and sophisticated social scientific inquiry would be necessary to assess whether the enhancements by occupation already in place under Hawai'i law deter crime or have other significant effects.

Some, but not all of the Task Force members, make the following suggestions about possible criteria:

1. Provide an incentive for vigorous prosecution;
2. Act as a deterrent against such offenses;
3. Make our school environments safer;
4. Better enable prosecuting attorneys to obtain convictions; and
5. Afford police officers some additional measure of protection, even while acknowledging that the law might not have any deterrent effect because assaults on police officers usually happen in the heat of the moment.

Please feel free to let me know if you have any questions. Thank you.

Sincerely yours,



Aviam Soifer  
Dean and Professor of Law  
Task Force Chairperson