

**DEPARTMENT OF PUBLIC SAFETY**  
**OFFICE OF THE DEPUTY DIRECTOR FOR LAW ENFORCEMENT**  
**NARCOTICS ENFORCEMENT DIVISION**  
**DIVERSION BRANCH**  
**FUNCTIONAL STATEMENT**

**PRESENT**

Under the general supervision of the head of the Narcotics Enforcement Division, Department of Public Safety, this Branch is responsible for the enforcement of Hawaii's Uniform Controlled Substance Act and the investigation and apprehension of violators of prohibited acts under provisions of Chapter 329 and Part IV of Chapter 712, HRS, and Chapter 200 through 202, Hawaii Administrative Rules Title 23. The Branch is also charged with the responsibility of carrying out an educational program on the provisions of Chapter 329 HRS for all individuals or agencies concerned. This Branch also houses the electronic prescription monitoring program.

1. Conducts investigations into the fraudulent obtaining of pharmaceutical controlled substances and regulated chemicals by individuals in violation of provisions of the Uniform Controlled Substance Act and Chapter 712.
2. Conducts investigations into the possession, use, unlawful importation, manufacturing, and distribution activities of suspects involved in the illegal diversion or manufacturing of controlled substances or regulated chemicals to the general public.
3. Carries out an educational program through classes, lectures, the dissemination of printed material or dissemination of information through any other medium on the provisions of the Uniform Controlled Substance Act to applicants and other interested individuals or agencies.
4. Records and investigates complaints and apprehend individuals or agencies found in violation of any of the provisions of Chapter 329 and/or Part IV, Chapter 712.
5. Submits investigative reports, records, and information reflective of actual investigative findings.
6. Gathers and secures all evidentiary material relevant to case investigations.
7. Confers with the State Attorney General, U.S. Attorney or prosecutors of the various counties relative to cases developed within the county as to proper and relevant charges to be placed against violators.
8. As required, testifies in court proceedings relative to investigations and/or other activities of the Division.
9. Conducts seizure and forfeiture cases on currency, vehicles and property permitted under the provisions of the Uniform Controlled Substance Act and Chapter 712.
10. Conducts seizure and forfeiture cases on currency, vehicles and property utilizing the Federal asset-sharing program with agencies of the U.S. Department of Justice and U.S. Department of Treasury.
11. Coordinates and cooperates in investigative and apprehension efforts with the Enforcement Branch.

12. Maintains and enforces violations of the State's Electronic Prescription Monitoring Program as designated under the Uniform Controlled Substance Act.
13. Establishes and maintains a policy on the procedures to audit and inspect all individuals and agencies who wish to handle, in any fashion, the marketing, sale, or dispensing of controlled substances or regulated chemicals covered under the provisions of Chapter 329.
14. Conducts scheduled or unscheduled inspections and audits of all individuals or agencies registered or permitted under the provisions of Chapter 329 to handle controlled substances or regulated chemicals.
15. Initiates and coordinates Show Cause hearings on administrative violations by registrants authorized under the Uniform Controlled Substance Act.
16. Coordinates and cooperates with Federal, State, and County agencies in matters relating to the control of any substances as delineated under Chapter 329, HRS, or any other matter of a mutual concern.
17. Annually reviews and assists the Administrator with updating the scheduling and/or designation of substances and chemicals that fall within the provisions of the Uniform Controlled Substance Act.
18. May assist Federal, State and County law enforcement agencies with investigative support, drug and chemical analysis, training and intelligence relating to the investigation of clandestine laboratories and investigations of the diversion of regulated chemicals to unlawfully manufacture controlled substances.
19. Assists the Division Administrator by submitting suggestions, recommendations, or drafts for bills that amend, repeal, or otherwise alter statutes or rules relating to controlled substances or regulated chemicals.
20. Submits records, reports and statistical information to the head of the Enforcement Branch that reflect the effectiveness of the branch's activities.
21. Communicates to the head of the Division Administrator on a current basis the branch's progress, problems, and accomplishments.
22. Submits budget requests for resources through the head of the Diversion Branch to the Administrator in order to keep operations of the section's program activities on a level that fulfills its responsibilities.
23. Conducts special investigations and assignments assigned by the Division Administrator.