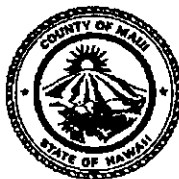


ALAN M. ARAKAWA
Mayor



JOHN D. KIM
Prosecuting Attorney
ROBERT D. RIVERA
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

CONTACT: RICHARD. K. MINATOYA
Deputy Prosecuting Attorney
Supervisor, Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY

ON

HB 1789 - MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

February 2, 2012

The Honorable Gilbert S.C. Keith-Agaran
Chair
The Honorable Karl Rhoads
Vice Chair
and Members
House Committee on Judiciary

Chair Keith-Agaran, Vice Chair Rhoads and Members of the Committees on Judiciary:

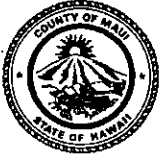
HB 1789, Making an Appropriation to the Department of the Prosecuting Attorney of the County of Maui, proposes to make an appropriation to the Maui County Department of the Prosecuting Attorney for the Career Criminal Prosecution ("CCP") program. The CCP program is mandated by Chapter 845, Hawaii Revised Statutes ("HRS").

The Department of the Prosecuting Attorney, County of Maui, SUPPORTS the passage of this bill. The intent of the CCP program was to have senior, experienced deputy prosecutors handle cases for defendants to meet the career criminal criteria. When the program first started, our department received a grant for multiple attorney and clerical position to handle CCP cases. Over the years, funding decreased, and the County of Maui absorbed most of these positions into the county's budget. However, one senior deputy prosecutor position remains funded by the CCP program. The Department of the Attorney General informed us that it is not planning to fund the grant in the coming fiscal year.

Because the CCP program is mandated by HRS Chapter 845, the provision prohibiting unfunded mandates in Article VIII, Section 5 of the Constitution of the State of Hawaii applies. We believe that the County of Maui acted in good faith by including as many of the positions as possible into its budget. The one senior deputy position (the deputy prosecutor in the position has over 20 years experience) that remains has a salary and fringe benefit cost of \$145,465. We humbly ask for the State's assistance in funding this position.

We ask that the committee PASS HB 1789, or in the alternative, PASS HB 1789 AS AMENDED by inserting the amount of \$145,465 into the bill.

Thank you very much for the opportunity to provide testimony on this bill.



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

February 1, 2012

The Honorable Gilbert S.C. Keith-Agaran, Chair
And Members of the Committee on Judiciary
House of Representative
State Capitol
Honolulu, HI 96813

RE: HB 1789, Making an Appropriation to the Department of the Prosecuting Attorney of the County of Maui

Dear Chair Keith-Agaran and Members of the Committee:

The Maui Police Department supports the passage of HB 1789. The passage of this bill will make an appropriation to the Department of the Prosecuting Attorney of the County of Maui, for the purpose of funding the agency's Career Criminal Prosecution ("CCP") program. This worthwhile program will not only assist the Department of the Prosecuting Attorney, but will maximize our concerted efforts to target those criminals who are significantly impacting crime in our community.

The Maui Police Department asks that you support the passage of HB 1789.

Thank you for the opportunity to testify.

Sincerely,


GARY A. YABUTA
Chief of Police