

SB 2970

MAKING A GRANT-IN-AID FOR THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

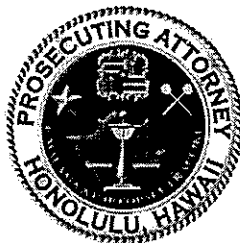
Description:

Makes a grant-in-aid for the department of the prosecuting attorney of the county of Maui for the career criminal prosecution program.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE WILL ESPERO, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND
MILITARY AFFAIRS
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawai'i

Tuesday, February 1, 2012

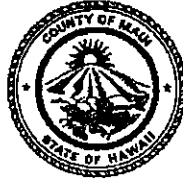
RE: S.B. 2970; RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF HAWAII.

Chair Espero, Vice Chair Kidani, and members of the Senate Committee on Public Safety, Government Operations, and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of S.B. 2970, allocating funds for the Department of the Prosecuting Attorney of the County of Maui to provide services for its state mandated Career Criminal Prosecution Unit.

Pursuant to legislation passed in 1979, and codified as Hawaii Revised Statutes sections 845-1, 845-2, and 845-3, the Career Criminal Prosecution program was created because a disproportionate amount of serious crimes were committed against the people by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. The legislature directed the Attorney General to support prosecuting attorney's offices with funds and technical assistance. The Department of the Prosecuting Attorney of the County of Maui created the Career Criminal Prosecution Unit. Money spent on this unit is an efficient use of resources, especially when we are trying to provide our citizens with swift and effective justice, and reduce heavy caseloads and long court delays. With your support, deputy prosecuting attorneys will have the tools necessary to make our community better by removing chronic criminals from the public.

For these reasons, please support S.B. 2970 for our colleagues in the Department of the Prosecuting Attorney of the County of Maui. Thank you for the opportunity to testify.

ALAN M. ARAKAWA
Mayor



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TESTIMONY

ON

SB 2970 - MAKING A GRANT-IN-AID FOR THE DEPARTMENT OF THE
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

February 7, 2012

The Honorable Will Espero
Chair
The Honorable Michelle N. Kidani
Vice Chair
and Members
Senate Committee on Public Safety, Government Operations, and Military Affairs:

SB 2970, Making a Grant-in-Aid for 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, Hawai'i 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 positions 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 Hawai'i 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 SB 2970, or in the alternative, PASS SB 2970 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.