

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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**THE HONORABLE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawai'i**

February 19, 2014

**RE: H.B. 1647, H.D. 1; RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF
THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the House Committee on Finance, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of House Bill 1647, H.D. 1.

Pursuant to legislation passed in 1979, and codified as sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes ("HRS"), the Career Criminal Prosecution program was created because a disproportionate amount of serious crimes are committed against the public by a relatively small number of multiple- and repeat-felony offenders, commonly known as "career criminals." In response, the Department created the Career Criminal Prosecution Unit, which the State has funded annually. Money spent on this unit is an efficient use of resources, in terms of providing citizens with swift and effective justice, and reducing heavy caseloads and long court delays. With your support, our deputy prosecuting attorneys will have the tools necessary to remove chronic criminals from the public. For the Career Criminal Prosecution Unit, we are asking for **\$344,015.00**.

To provide specialized support for victims and/or witnesses of crime, the Legislature also established the Victim Witness Assistance Program on Oahu in 1983. In 1986, the Legislature enacted HRS §28-111, which expanded this program statewide, under the administration of the Department of the Attorney General. The purpose of this program is to provide information, assistance, and support services to the victims and/or witnesses of crimes committed in Hawaii. To maintain the current level of services to victims and witnesses, the Department of the Prosecuting Attorney is requesting **\$183,651.00** for the Victim Witness Assistance program.

In 2013, the Judiciary implemented a new specialty court program known as Veterans Treatment Court. This program provides a dedicated environment and specialized services for veterans who commit offenses, as many of these veterans suffer from depression, post traumatic stress disorder, and other mental challenges stemming from their military service. Through Veterans Treatment Court, appropriate services are coordinated with the assistance of the federal

Veterans Administration, providing these veterans with the care they need, while also addressing their offenses and minimizing recidivism. The Department requests **\$50,799.00** for purposes of Veterans Treatment Court.

Aside from incarcerating or fining those who violate Hawai'i's laws, the Department strongly supports rehabilitation efforts for those who are on probation or released from prison, to help them be productive and law-abiding citizens. Programs such as Drug Court and Hawai'i's Opportunity Probation with Enforcement ("HOPE") reportedly reduce recidivism and save the State multi-millions of dollars annually, and the Department has played a significant role in furthering these programs, since their implementation.

Since Hawai'i's first Drug Court Program was incepted on Oahu in 1996, Drug Court has expanded to the islands of Hawai'i, Kaua'i, Maui, and Moloka'i, serving offenders within those criminal court and Family Court systems. Because the design and structure of each Drug Court is developed locally, these programs are unique and sensitive to the cultural population of each island, while remaining consistent with the benefits of drug court programs nationwide. These programs are also an efficient use of State resources, with Adult Drug Court costing about \$137/day (in comparison to incarceration that costs seven times more), and Juvenile Drug Court costing \$227/day (in comparison to incarceration that costs six times more).

Our deputy prosecuting attorneys play an important role in Drug Court, ensuring that this program is a success. To meet our responsibilities for Drug Court in the First Circuit, the Department is requesting **\$107,788.22**.

In addition to Drug Court, the Department also continues to play an important role in the Judiciary's HOPE program, as noted above. The Department requests **\$337,244.00** for purposes of meeting its duties in HOPE. This level of funding is needed as HOPE currently includes over 3,000 participating probationers, which places a significant strain on the Department's resources.

In conclusion, the Department of the Prosecuting Attorney strongly supports the passage of H.B. 1647, H.D. 1, which will provide the funding needed to maximize our service to our community in the various fields of Career Criminal, Victim Witness Assistance, Veterans Court, Drug Court, and HOPE. Thank you for the opportunity to testify on this matter.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
**CRIME VICTIM COMPENSATION
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TESTIMONY ON HOUSE BILL 1647 HOUSE DRAFT 1
RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING
ATTORNEY OF THE CITY AND COUNTY OF HONOLULU

by

Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Wednesday, February 19, 2014; 3:00 PM
State Capitol, Conference Room 308

Good afternoon Chair Luke, Vice Chair Nishimoto, Vice Chair Johanson, and members of the House Committee on Finance. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in support of House Bill 1647, HD1. House Bill 1647, HD1, appropriates funds for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the career criminal prosecution unit, victim witness assistance program, veterans court, drug court, and Hawai'i's opportunity probation with enforcement program.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

The Commission estimates that over eighty percent (80%) of the violent crime victims who apply for compensation are referred through the county victim witness assistance programs. The county victim witness assistance programs play an important role in mitigating the emotional and financial suffering experienced by victims through their referrals to the Commission and to other social service agencies. The county victim witness assistance programs also support and guide victims through the criminal justice process, helping to ensure that offenders can be successfully prosecuted.

Many victims and surviving family members, particularly victims and survivors of violent crimes like murder and sexual assault, would not be able to make it through the criminal justice process without the support and guidance of a victim witness advocate. Victim witness advocates notify crime victims of hearing dates and major developments in their case, accompany victims and survivors to court where necessary, and help victims and survivors with victim impact statements to enable them to exercise their right to be heard at sentencing. This is all in addition to informing victims and survivors about the social services and financial assistance available to them as crime victims.

The county victim assistance programs need sufficient funding for staff in order to continue to provide these important services. The Commission urges you to support the appropriation of grants-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the victim witness assistance program. Thank you for providing the Commission with the opportunity to testify in support of House Bill 1647, HD1.



.STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1647, HD1 (HSCR 461-14)
RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE
PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU

PRESENTED TO THE

COMMITTEE ON FINANCE

BY

MR. RONALD P. HAN
DIRECTOR OF THE STATE OFFICE OF VETERANS SERVICES

February 19, 2014

Good afternoon Chair Luke, Vice Chairs Nishimoto & Johanson and Committee Members:

I'm Ron Han, Director of the State Office of Veterans Services (OVS). I appreciate this opportunity **to support** House Bill 1647, HD1. This measure would appropriate funds to include support of the Veterans Treatment Court in Hawaii.

The Veterans Treatment Court (VTCs) under the leadership of First Circuit Court Judge Ed Kubo has treated 10 defendants in its first year of operation. The need to fully fund full-time employment (FTE) authorizations is paramount as more attorneys submit applications for eligibles to participate in this worthy program.

This program has a very low recidivism rate, has garnered successes in dealing with veterans for various issues, and has established viable monitoring links towards rehabilitation. Over 100 VTCs across the nation have experienced a reduced number of repeat offenders, thereby reducing our overall prison population.

We defer to the agency with direct responsibility for implementation of this measure.

The OVS supports the concepts and intent expressed in this measure as long as its implementation does not impact or replace the priorities set forth in the Executive Budget for Fiscal Year 2015.

Thank you for this opportunity to speak on behalf of Hawaii's Veterans and their families.