

# **SB 227**

## **MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI**

Appropriates funds to the department of the prosecuting attorney of the county of Maui for the prosecution of cases under the drug court and mental health court programs.

PSM/JDL, WAM

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE WILL ESPERO, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR  
SENATE COMMITTEE ON JUDICIARY AND LABOR**

**Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawai'i**

February 12, 2015

**RE: S.B. 227; MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI.**

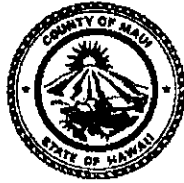
Chair Espero, Chair Keith-Agaran, Vice Chair Baker, Vice-Chair Shimabukuro, members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of S.B. 227.

Since Hawaii'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. Deputy prosecuting attorneys play an important role in Drug Court--ensuring that this program is a success--and truly want to see offenders turn their lives around; this, in turn, also decreases criminal activity in our communities.

Mental health courts, another state mandated program, also play a key role in assuring that offenders receive appropriate treatment. Deputy prosecuting attorneys work hard in these courtrooms to pursue appropriate prosecution and proper sentencing in these matters.

For all of the foregoing reasons, the Department of the Prosecuting Attorney strongly supports the passage of S.B. 227, which will provide the funding needed to maximize services in the community, in the fields of Drug Court and Mental Health Court. Also, as the legislative session progresses, we kindly request that the funding in this bill be inserted into the State Budget, along with similarly necessary funding for each county prosecutor. Thank you for the opportunity to testify on this matter.

ALAN M. ARAKAWA  
Mayor



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

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Deputy Prosecuting Attorney  
Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY  
ON  
SB 227 - MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

February 9, 2014

The Honorable Will Espero  
Chair  
The Honorable Rosalyn H. Baker  
Vice Chair  
and Members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Honorable Gilbert S.C. Keith-Agaran  
Chair  
The Honorable Maile S.L. Shimabukuro  
Vice Chair  
and Members of the Senate Committee on Judiciary and Labor

Chair Espero, Vice Chair Baker, Chair Keith-Agaran, Vice Chair Shimabukuro, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** SB 227 - Making Appropriations to the Department of the Prosecuting Attorney of the County of Maui. SB 227 appropriates funds to the Department of the Prosecuting Attorney of the County of Maui for the prosecution of cases under the drug court and mental health court programs.

When the Judiciary created the drug and mental health court programs, the Department had no option but to comply by prosecuting qualifying cases in those court programs. The

impact on the Department is that each court has dedicated to it one deputy prosecutor and one law technician. The following expenses are related to those positions:

Drug Court (salary + fringe):	
1 Deputy Prosecutor	\$ 209,537.86
1 Law Technician I	67,527.80
Mental Health Court (salary + fringe):	
1 Deputy Prosecutor	\$ 209,537.86
1 Law Technician I	<u>67,527.80</u>
Grand Total:	\$ 554,110.12

The Department struggles to meet this obligation. The Department has already absorbed much of the expenses of other state-mandated programs (Career Criminal Prosecution and Victim/Witness Assistance). The Department appreciates any financial assistance it can receive to help it meet its mandated responsibility.

Accordingly, the Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** the passage of this bill. We ask that the committee **PASS SB 227**.

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

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

**Diana Gausepohl-White**  
Victim/Witness Program Director

**OFFICE OF THE PROSECUTING ATTORNEY**

**County of Kaua'i, State of Hawai'i**

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TESTIMONY IN SUPPORT OF  
SB227 – MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i

Senate Committees on Public Safety, Intergovernmental and Military Affairs  
AND Judiciary and Labor  
February 12, 2015, 9:10 a.m., Conference Room 016

Chairs Espero and Keith-Agaran, Vice Chairs Baker and Shimabukuro, and  
Members of the Committees:

The County of Kaua'i, Office of the Prosecuting Attorney, **STRONGLY SUPPORTS** SB227 – Making Appropriations to the Department of the Prosecuting Attorney of the County of Maui. The Appropriation would fund the Department's prosecution of cases under the Drug Court and Mental Health Court programs.

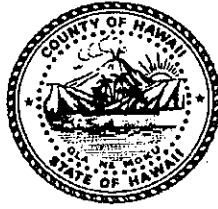
In supporting these Appropriations, we adopt the reasoning set forth in the testimony submitted by the Department of the Prosecuting Attorney of the County of Maui.

Accordingly, we are in **STRONG SUPPORT** of SB227. We request that your Committee **PASS** the Appropriations.

Thank you very much for the opportunity to provide testimony on these Appropriations.

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
FIRST DEPUTY  
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**OFFICE OF THE PROSECUTING ATTORNEY**

TESTIMONY IN SUPPORT OF SENATE BILL 227

A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE  
DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE  
COUNTY OF MAUI

COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL AND MILITARY AFFAIRS  
Sen. Will Espero, Chair  
Sen. Rosalyn H. Baker, Vice Chair

COMMITTEE ON JUDICIARY AND LABOR  
Sen. Gilbert S.C. Keith-Agaran, Chair  
Sen. Maile S.L. Shimabukuro, Vice Chair

Thursday, February 12, 2015, 9:10 a.m.  
State Capitol, Conference Room 016

Honorable Chairs Espero and Keith-Agaran, Vice-Chairs Baker and Shimabukuro, and Members of the Committees on Public Safety, Intergovernmental And Military Affairs and Judiciary and Labor, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 227.

This measure appropriates funds to the department of the prosecuting attorney of the county of Maui for the prosecution of cases under the drug court and mental health court programs.

The funding of these programs are essential for Maui prosecutors and will ensure the drug court and mental health programs continue to make a positive effect on the citizens of Maui.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 227, which will provide the funding needed to maximize our service to our community. Thank you for the opportunity to testify on this matter.