



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2017**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 491, S.D. 1, RELATING TO MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Wednesday, March 22, 2017      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Dawn Martin, Criminal Justice Planning Specialist

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Chair Nishimoto and Members of the Committee:

The Department of the Attorney General supports this measure, provided that its passage does not replace or adversely impact priorities as indicated in our Executive budget. This bill would provide funds for services that are provided by the Department of the Prosecuting Attorney for the City and County of Honolulu to help fulfill the requirements of chapter 845, "Career Criminals," Hawaii Revised Statutes.

The Legislature established the Career Criminal Prosecution (CCP) program because it found that a substantial and disproportionate amount of serious crime is committed by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. The Legislature's intent was to support increased efforts by prosecuting attorneys' offices to prosecute career criminals. By their nature, CCP cases are often labor intensive and require experienced and well-trained deputy prosecutors. Since fiscal year 2007-2008, funding for the CCP program has been reduced, which has resulted in positions being held vacant. This funding request is needed to staff the CCP program so that the prosecution of career criminals can be pursued to the greatest extent.

We respectfully ask the Committee to pass this bill. Thank you for the opportunity to provide testimony.

**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 491, SD1

A BILL FOR AN ACT MAKING AN APPROPRIATION TO  
THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF  
THE CITY AND COUNTY OF HONOLULU

### **COMMITTEE JUDICIARY**

Rep. Scott Y. Nishimoto, Chair  
Rep. Joy A. San Buenaventura, Vice Chair

Wednesday, March 22, 2017, 2:00 P.M.  
State Capitol, Conference Room 325

Honorable Chair Nishimoto, Honorable Vice Chair San Buenaventura, and Members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 491, SD1.

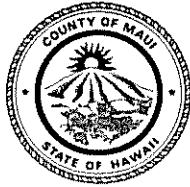
This measure appropriates moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Career Criminal Prosecution (CCP) Unit.

Pursuant to legislation passed in 1979, and codified as Sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes, the Career Criminal Prosecution program was created because a disproportionate amount of serious crimes are committed by a relatively small number of multiple- and repeat-felony offenders, commonly known as "career criminals." In response, the State created the Career Criminal Prosecution program, which it originally 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, the Department will have the tools necessary to protect our public from career criminals. The current balance needed to maintain this program at its current level of operation within the Department of the Prosecuting Attorney, City and County of Honolulu is **\$492,125**.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 491, SD1. Thank you for the opportunity to testify on this matter.

ALAN M. ARAKAWA  
Mayor



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

DEPARTMENT OF THE PROSECUTING ATTORNEY  
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Deputy Prosecuting Attorney  
Supervisor - Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY  
ON  
SB 491, SD 1 - MAKING AN APPROPRIATION TO THE  
DEPARTMENT OF THE PROSECUTING ATTORNEY  
OF THE CITY AND COUNTY OF HONOLULU

March 22, 2017

The Honorable Scott Y. Nishimoto  
Chair  
The Honorable Joy A. San Buenaventura  
Vice Chair  
and Members  
House Committee on Judiciary

Chair Nishimoto, Vice Chair San Buenaventura and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui strongly supports SB 491, SD 1. This measure makes an appropriation to the Department of the Prosecuting Attorney of the City and County of Honolulu, for the Career Criminal Prosecution (CCP) Unit.

The CCP Program was mandated to the counties with the enactment of Chapter 845, Hawaii Revised Statutes, back in 1979. The CCP program was created because the Legislature found that "a substantial and disproportionate amount of serious crime is committed against the people by a relatively small number of multiple and repeat felony offenders." Further, the Legislature "intends to support increased efforts by prosecuting attorneys' offices to prosecute career criminals through organizational and operational techniques that have been proven effective in selected counties in other states."

In order to avoid the unfunded mandate prohibition under the Constitution of the State of Hawaii, it has long been the practice of the Legislature to provide funding for the CCP program. This bill will address the issue of shrinking funding from the State, while personnel expenses have increased. As with all counties, experienced deputy prosecutors and staff are assigned to the CCP program because of the serious nature of the offenses.

Accordingly, the Department of the Prosecuting Attorney, County of Maui, requests that this measure be PASSED.

Thank you very much for the opportunity to testify.

**Justin F. Kollar**  
Prosecuting Attorney

**Jennifer S. Winn**  
First Deputy

**Amu I. Reali** First Deputy



**Rebecca Vogt Like**  
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 SENATE BILL 491, SD1

A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE  
DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY  
AND COUNTY OF HONOLULU

COMMITTEE ON JUDICARY

Representative Scott Y. Nishimoto, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Wednesday, March 22, 2017, 2:00 P.M.  
State Capitol, Conference Room 325

Honorable Chair Nishimoto, Honorable Vice Chair San Buenaventura, and Members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Kaua'i submits the following testimony in support of Senate Bill No. 491, SD1.

This measure appropriates moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Career Criminal Prosecution (CCP) Unit.

Pursuant to legislation passed in 1979, and codified as Sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes, the Career Criminal Prosecution program was created because a disproportionate amount of serious crimes are committed by a relatively small number of multiple- and repeat-felony offenders, commonly known as "career criminals." In response, the State created the Career Criminal Prosecution program, which it originally 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, the Department will have the tools

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necessary to protect our public from career criminals. The current balance needed to maintain this program at its current level of operation within the Department of the Prosecuting Attorney, City and County of Honolulu is **\$492,125.**

The Office of the Prosecuting Attorney, County of Kaua'i supports the passage of Senate Bill No. 491, SD1. Thank you for the opportunity to testify on this matter.

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

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PROSECUTING ATTORNEY

CHRISTOPHER D.W. YOUNG  
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE SCOTT NISHIMOTO, CHAIR**  
**HOUSE COMMITTEE ON JUDICIARY**  
**Twenty-Ninth State Legislature**  
**Regular Session of 2017**  
**State of Hawai'i**

March 22, 2017

**RE: S.B. 491, S.D. 1; MAKING AN APPROPRIATION TO THE DEPARTMENT OF  
THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

Chair Nishimoto, Vice Chair San Buenaventura, and members of the House 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. 491, S.D. 1. This bill is part of the Department's 2017 legislative package.

Pursuant to legislation passed in 1979, and codified as Sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes, the Career Criminal Prosecution program was created because a disproportionate amount of serious crimes are committed by a relatively small number of multiple- and repeat-felony offenders, commonly known as "career criminals." In response, the State created the Career Criminal Prosecution program, which it originally funded annually. Money spent on this unit is an efficient use of resources, as it provides citizens with swift and effective justice, reducing heavy caseloads and long court delays. With your support, the Department will have the tools necessary to protect our public from career criminals. The current balance needed to maintain this program at its current level of operation within our Department is \$492,125.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports the passage of S.B. 491, S.D. 1, which will provide the funding needed to provide this important state-mandated service to our community. Thank you for the opportunity to testify on this matter.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 21, 2017 3:18 PM  
**To:** JUDtestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for SB491 on Mar 22, 2017 14:00PM\*

**SB491**

Submitted on: 3/21/2017

Testimony for JUD on Mar 22, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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