



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2018**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2173, MAKING AN APPROPRIATION FOR THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

**BEFORE THE:**

SENATE COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS AND ON JUDICIARY

**DATE:** Friday, February 9, 2018

**TIME:** 9:30 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** Russell A. Suzuki, Acting Attorney General, or  
Shaleigh Tice, Branch Chief, Crime Prevention Justice Assistance  
Division

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Chairs Nishihara and Taniguchi and Members of the Committees:

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 of 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.

**SB-2173**

Submitted on: 2/6/2018 2:59:12 PM

Testimony for PSM on 2/9/2018 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard K. Minatoya	Maui Department of the Prosecuting Attorney	Support	No

Comments:

The Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** SB 2173, Making an Appropriation to the Department of the Prosecuting Attorney of the City and County of Honolulu.

The Career Criminal Prosecution (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.

The Department of the Prosecuting Attorney, County of Maui, requests that SB 2173 be **PASSED**.

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

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

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**THE HONORABLE CLARENCE K. NISHIHARA, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

**THE HONORABLE BRIAN T. TANIGUCHI, CHAIR  
SENATE COMMITTEE ON JUDICIARY**

**Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawai'i**

February 9, 2018

**RE: S.B. 2173; MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

Chair Nishihara, Chair Taniguchi, Vice-Chair Wakai, Vice-Chair Rhoads, 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. 2173. This bill is part of the Department's 2018 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.

The requested funding is greatly needed to continue operating our Career Criminal Prosecution unit at its current capacity and caseload, essentially maintaining positions that are currently filled. 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 balance needed to maintain this program at its current level of operation within our Department is **\$493,818**.

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. 2173, 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.