

**Testimony of the Office of the Public Defender,
State of Hawaii to the Senate Committee on
Judiciary**

March 15, 2019

H.B. No. 1353 HD1: RELATING TO THE OFFICE OF THE PUBLIC DEFENDER
OPERATING BUDGET

Chair Rhoads and Members of the Committee:

We respectfully request favorable consideration of H.B. No. 1353 HD1 which contains additions to the Office of the Public Defender's ["OPD"] base budget. The OPD provides constitutionally mandated legal representation to indigent persons accused of criminal offenses. Deputy Public Defenders appear in all of the state's courts on a daily basis from the District Courts to the Hawai'i Supreme Court. The OPD has branch offices on Oahu, Maui, Kauai and Hawaii island (Hilo and Kona).

H.B. No. 1353 HD1 contains much needed appropriations which would allow the OPD to continue to efficiently deliver services to the public and to improve our current operations. In FY 2019-2020, we are asking for \$76,778 in relocation expenses for our Kona branch office and \$97,832 for the procurement of a dedicated case management software system.

Our first request is for \$76,778 in relocation expenses for our Kona branch office. It is anticipated that in the fall of 2019, the Judiciary will open the new Kona Judiciary Complex. This complex will house the civil, criminal and family court rooms in West Hawaii. This future location of the Kona judiciary is at 74-5456 Kamaka Eha Ave., Kailua-Kona, HI 96740. The OPD is presented with a dilemma in terms of distance from the new courthouse. The location of our Kona branch office is at 81-948 Waena 'Oihana Loop, Kealahou, HI 96750. This location would put our office approximately 11 miles from the new West Hawaii courthouse.

Both a morning trip to the courthouse from the current OPD office building and an afternoon trip back to the office would encounter rush hour traffic and would conservatively be about 45 minutes each way. For our office to most efficiently perform its duties, it is essential that we be within a reasonable distance to the courthouse. Frequently, our deputy public defenders must return to the office between morning and afternoon court sessions to prepare for upcoming hearings, draft and file orders, motions and other pleadings, prepare subpoenas and perform a multitude of other tasks. It is not uncommon for the deputies to make more than one trip between the office and the courthouse each day. The distance and traffic situation between our current OPD office location and the new courthouse would mean a large part of the day would be spent in traffic and would drastically decrease the efficiency of our representation.

The Department of Accounting and General Services [“DAGS”] is assisting with the OPD relocation in Kona and has presented us with the \$76,778 figure in estimated premises preparation and moving expenses.

Our second request is for \$97,832 to procure a dedicated case management software system. The OPD handles an annual average of over 4000 felony cases and over 20,000 misdemeanor, family court and appellate cases statewide. Electronic storage and retrieval of case information is currently achieved through a database system created in-house with Microsoft Access. However, this rudimentary system presents many disadvantages that are better addressed with a proprietary case and document management system. Some of these disadvantages include limited querying and document tracking, limited ability to provide statistics by case type or client demographics, and lack of remote access. A dedicated case management system will resolve these issues and provide certain information benefits to the OPD, its clients and the public:

1. Allow for detailed case history information on a case-by-case basis including information such as the documents filed, actions, and decisions of the court, and case participants.
2. Ability to access the system from anywhere via web-connected computer or other smart device. This allows on-demand retrieval of legal documents and other vital information when necessary and where necessary.
3. Organization by case types, which allows for efficient accommodation. Cases can be organized into felony, misdemeanor, traffic, or juvenile case subtypes. Cases can be further flagged with an unlimited number of unique statuses for special handling or statistical reporting.
4. Managing of every aspect of a case, from charge disposition to sentencing, and from pre-trial supervision and pre-sentence orders to post-trial supervision or appeals.

Our request for FY 2021 includes \$14,756 for anticipated annual rental payments for the new Kona office space and \$24,000 for annual hosting fees for the case management system.

Thank you for the opportunity to provide testimony in this matter.