



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

H.B. NO. 1352, RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL OPERATING BUDGET.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Wednesday, February 6, 2019 **TIME:** 2:10 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Clare E. Connors, Attorney General, or
David Moore, Administrative Services Manager

Chair Lee and Members of the Committee:

The Department of the Attorney General (Department) supports H.B. No. 1352 and provides the following comments.

The bill appropriates sums to fund the operations of the Department for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The program appropriations reflected in H.B. No. 1352 represent the Department's request for additional funds for the following functions:

(1) \$2.5 million to provide funding for Statewide Security Operations. These funds are needed to ensure the safety of the public during incidents involving civil disobedience or disruption. The consistent recommendation from consultants familiar with tragic incidents such as mass shooting events has been that state and local governments budget for the high emergency costs associated with these events. For FY18 and FY19 thus far, the impact from failing to obtain the requested \$2.5M for security operations has luckily been minimal, primarily because there were emergency appropriations for the most significant state emergencies – the eruptions and flooding. However, in past events such as the APEC Conference, where state, county and federal law enforcement agencies had to deal with emergency crises, the agencies had difficulty finding monies to pay for the unanticipated emergency response costs because they were unbudgeted. Significantly, if events such as the recent march in Iolani Palace

and the invasion of OHA by the Kingdom of Atooi escalate, and construction on Maunakea proceeds, we anticipate needing significant funding to enable well-coordinated emergency responses that will ensure the safety of all involved.

(2) Convert 4.0 FTE from interdepartmental (U) funding to general funds due to the federal Department of Human Services' reduction in the Department's billing rate. The federal Department of Human Services changed its methodology to calculate the federal billing rate. This change has resulted in a reduction of our billing rate by 25%. In turn, this translates into reducing the federal reimbursements to the Department by \$600,000. This request accounts for the reduced federal reimbursements caused by the change in the calculation methodology.

(3) \$370,000 in non-recurring general funds for IT needs. These funds are needed to replace computers and printers that are old, slow, inefficient and becoming obsolete. Last fiscal year, the Legislature appropriated half of the Department's request to upgrade its computer technology. This current request is for the second half of that funding request, which will allow the Department to utilize the Government Private Cloud and to obtain the upgraded edition of our ProLaw system, and integrated software solution designed to automate the practice and manage the business of law.

(4) Funds for implementation of Act 113, Session Laws of Hawaii (SLH) 2018, regarding the Hawaii Sexual Assault Response and Training (HSART) Program. This request provides for one full time position and permanent funding for the HSART program, which is currently only funded through fiscal year 2019.

(5) Two FTE positions and funds to implement Act 187, SLH 2018, regarding the Department of Labor and Industrial Relations collections program for violation of labor laws. After meeting with the Department of Labor and Industrial Relations, we agreed there are sufficient collection accounts to warrant the funding of these additional positions. Although Act 187 contemplates collections for Wage Standards and Occupational Safety and Health, we have identified numerous other programs that need collection assistance, such as Disability Compensation, Unemployment Insurance, and Boiler and Elevators.

(6) One Deputy Attorney General to assist with the growing caseload from the Department of Public Safety. This growing caseload includes litigation, advice and counsel, document review, habeas corpus and Rule 40 petitions, procurement, contract review, and a variety of other law enforcement issues.

(7) One Office Assistant for the Kauai Family Law Office. The Kauai Family Law Office is a two-person operation (one deputy and one legal clerk), which has experienced a 30% increase in its caseload over the last two years. The legal clerk is often overwhelmed with the workload. Further, the staff must close the office when the deputy and legal clerk goes to court or to file documents, so an additional clerk would enable the office to remain open during business hours.

Please see a detailed description of these requests in Attachment A, "Department of the Attorney General: Fiscal Year 2020 & 2021 Add-ons."

Thank you for the opportunity to testify. We respectfully request that the Committee pass this bill and incorporate Attachment A into the bill.

Department of the Attorney General

Fiscal Year 2020 & 2021 Add-ons

ATTACHMENT "A"

**FB 19-21 BIENNIUM BUDGET
DEPARTMENT SUMMARY OF OPERATING BUDGET ADJUSTMENT REQUESTS
DEPARTMENT OF THE ATTORNEY GENERAL**

Req Cat	B&F Code	Prog ID/Orig	Dept Pri	Description	MOF	FY 20		FY 21	
						FTE (P)	\$ Amount	FTE (T)	\$ Amount
		100/AA	1	Special Events Security	A		2,500,000		
		100/AA	2	Reduction of federal reimbursement rate.	A	4.00	300,000	4.00	2,500,000
		100/AA	3	Reduction of federal reimbursement rate.	U	(4.00)	(480,000)	(4.00)	(480,000)
		100/AA	3	IT needs for Legal Services (ATG100).	A		370,000		
		100/AC	4	Implement Act 113, SLH 2018 - Hawaii Sexual Assault Response and Training (HSART) Program	A	1.00	130,614	1.00	130,614
		100/CU	5	Implement Act 187 SLH 2018 - DLIR Collections program for violation of labor laws.	U	2.00	179,800	2.00	233,400
		100/AA	6	Add Deputy Attorney General (DAG) for the Department of Public Safety	A	1.00	51,000	1.00	93,000
		100/AA	7	Add Office Assistant position for the Kauai Family Law Office	A	1.00	15,500	1.00	31,100

TOTAL ADJUSTMENTS:	5.00	-	3,066,914	5.00	-	2,808,114
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Request Category Legend:	
TO	Trade-Off/Transfer
UP	Conversion of Unbudgeted Positions
FE	Fixed Cost/Entitlement
FA	Federal Fund Adjustments
GI	Governor's Initiatives
HS	Health, Safety, Court Mandate
FY	Full Year Funding for New Positions
NR	Adjustment for Non-Recurring Items
OR	Other Requests

TOTAL ADJUSTMENTS:	
By MOF	
General	7.00
Special	-
Federal Funds	-
Other Federal Funds	-
Private	-
County	-
Trust	-
Inter-departmental Transfer	(2.00)
Revolving	-
Other	-

**FB 19-21 BIENNIUM BUDGET
DEPARTMENT SUMMARY OF OPERATING BUDGET ADJUSTMENT REQUESTS
DEPARTMENT OF THE ATTORNEY GENERAL**

Req Cat	B&F Code	Prog ID/Org	Dept Pri	Description	MOF	FY 20		FY 21	
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		100/AA	1	Special Events Security	A		2,500,000		2,500,000
		100/AA	2	Reduction of federal reimbursement rate.	A	4.00	300,000	4.00	300,000
		100/AA	3	Reduction of federal reimbursement rate.	U	(4.00)	(480,000)	(4.00)	(480,000)
		100/AA	3	IT needs for Legal Services (ATG100).	A		370,000		
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GI	Governor's Initiatives
HS	Health, Safety, Court Mandate
FY	Full Year Funding for New Positions
NR	Adjustment for Non-Recurring Items
OR	Other Requests

TOTAL ADJUSTMENTS:

By MOF		FY 20	FY 21
A	General	7.00	7.00
B	Special	-	-
N	Federal Funds	-	-
P	Other Federal Funds	-	-
R	Private	-	-
S	County	-	-
T	Trust	-	-
U	Inter-departmental Transfer	(2.00)	(2.00)
W	Revolving	-	-
X	Other	-	-
TOTAL		5.00	5.00
\$ Amount		3,066,914	2,808,114

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

Date Prepared/Revised : 9/28/2018

Program ID/Org. Code: ATG100AA
Program Title: Legal Services

Department Priority: 1

Department Contact: David Moore Phone: 586-1289

Request Category:

I. TITLE OF REQUEST: Special Events Security

Description of Request:

Funds required for security at special events.

- Trade-Off/Transfer (+) _____ (-) _____
- Conversion of Unbudgeted Positions _____
- Fixed Cost/Entitlement _____
- Federal Fund Adjustment Req _____
- Governor's Initiatives _____
- Health, Safety, Court Mandates X
- Full Year Funding for New Positions _____
- Adjustment for Non-Recurring Items _____
- Other _____

II. OPERATING COST SUMMARY

	FY 20 Request		FY 21 Request		FY 22 (\$ thous)	FY 23 (\$ thous)	FY 24 (\$ thous)	FY 25 (\$ thous)
	FTE (P)	FTE (T)	FTE (P)	FTE (T)				
A. Personal Services		1,700,000			1,700,000			
B. Other Current Expenses		800,000			800,000			
C. Equipment								
L. Current Lease Payments								
M. Motor Vehicles								
TOTAL REQUEST	0.00	2,500,000	0.00	0.00	2,500,000	0	0	0

By MOF: A
B
N
P
R
S
T
U
W
X

2,500,000

2,500,000

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

MOF	FY 20 Request		FY 21 Request		FY 22 (\$ thous)	FY 23 (\$ thous)	FY 24 (\$ thous)	FY 25 (\$ thous)
	FTE (P)	FTE (T)	FTE (P)	FTE (T)				
III. OPERATING COST DETAILS								
A. Personal Services (List all positions) Position Title, SR Other Personal Services Overtime Fringe Benefits Turnover Savings		1,700,000			1,700,000			
Subtotal Personal Service Costs	0.00	1,700,000	0.00	0.00	1,700,000	0	0	0
By MOF	0.00	1,700,000	0.00	0.00	1,700,000	0	0	0
A	0.00	0	0.00	0.00	0	0	0	0
B	0.00	0	0.00	0.00	0	0	0	0
N	0.00	0	0.00	0.00	0	0	0	0
B. Other Current Expenses (List by line item) Travel (Air, per diem, rentals) Supplies		500,000 300,000			600,000 200,000			
Subtotal Other Current Expenses	800,000	800,000			800,000	0	0	0
By MOF	800,000	800,000			800,000	0	0	0
A	0	0			0	0	0	0
B	0	0			0	0	0	0
N	0	0			0	0	0	0
C. Equipment (List by line item) Subtotal Equipment By MOF		0			0	0	0	0
A	0	0			0	0	0	0
B	0	0			0	0	0	0
N	0	0			0	0	0	0
L. Current Lease Payments (Note each lease) Subtotal Current Lease Payments By MOF		0			0	0	0	0
A	0	0			0	0	0	0
B	0	0			0	0	0	0
N	0	0			0	0	0	0
M. Motor Vehicles (List Vehicles) Subtotal Motor Vehicles By MOF		0			0	0	0	0
A	0	0			0	0	0	0
B	0	0			0	0	0	0
N	0	0			0	0	0	0
TOTAL REQUEST	0.00	2,500,000	0.00	0.00	2,500,000	0	0	0

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

IV. JUSTIFICATION OF REQUEST

Various State agencies (Departments of Public Safety, Land and Natural Resources, Transportation and Attorney General) provide security to State lands and buildings and for major national and international conferences and in cases of terrorism, civil disobedience and natural disasters. These funds will cover overtime, operational costs and reimbursement to special funds that cannot be charged while the law enforcement officers are providing such services.

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

Law enforcement from Departments of Public Safety, Transportation, Land & Natural Resources and Attorney general will be able to access these funds.

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes: i.e., HRS)

XI. OTHER COMMENTS

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

N	0	0	0	0	0	0	0	0
TOTAL REQUEST	0.00	0.00	0.00	0.00	0.00	0.00	(180,000)	(180)
	(180,000)	(180,000)	(180,000)	(180,000)	(180,000)	(180,000)	(180)	(180)
	0	0	0	0	0	0	0	0

IV. JUSTIFICATION OF REQUEST

The federal Department of Human Services (DHS) implement a methodolgu change in calculating the billing rate for DHS cases. In thepast the rate was calculated on the total salaries of all Deputy Attorneys General and support of those Deputies, including fringes and clerial support. the new methodology was to just use the salaries of those Deputies tha actually bill hours for DHS cases. this has reduced our billing rate from \$147.36 per hour down to \$109.47, which is 74.3% of the current rate. This process was managed by the firm of Maximus.

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes; i.e., HRS)

None

XI. OTHER COMMENTS

The old calculation determined the costs of all 186 attorney positions and the applicable share of statewide indirect costs, ATG management costs, ATG Administrative Services costs, Legal Assistants costs, Legal Clerks costs, Office Assistants costs, and Investigators costs that support the 186 attorney positions. The total costs were divided by the number of anticipated work hours for the 186 attorneys.

The new calculation determined the costs of attorney positions that completed timesheets with DHS work hours, approximately 40, and the applicable share of statewide indirect costs, ATG management costs, ATG Administrative Services costs, Legal Assistants costs, Legal Clerks costs, Office Assistants costs, and Investigators costs that support these isolated attorney positions. The total costs were divided by the number of work hours performed by the isolated number of

The reason the federal cognizant agency requested the new calculation was the federal cognizant agency wanted to see actual hours on timesheets as the base for the calculation. Future calculations will use the number of actual hours shown on the timesheets prepared by attorneys.

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

IV. JUSTIFICATION OF REQUEST

See attached

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes; i.e., HRS)

None

XI. OTHER COMMENTS

IT needs for Legal Services

\$230,000 PC replacement: 230 computers/monitors to complete the computer refresh for ATG Legal/JJIS.

\$10,000 to complete the update of printers: 20 units to replace old printers that have been in use for 17+ years with replacement parts now unavailable.

\$10,000 for two print servers: Even as new servers are created in the GPC, there still is a need for print servers for faster response times.

\$35,000 for conversion to State Active Directory: For seamless integration with the state's central resources such as Government Private Cloud (GPC).

\$40,000 to replace 8 Network switches (end of life October 2019): Eight of the switches in our network infrastructure will reach their end of life in October 2019, and will be unsupported. Request replacing them with new ones as part of the normal refresh cycle.

\$45,000 to upgrade ProLaw: Prolaw is the department's case management system. The current version of the program was installed in 2012 and is now unsupported. We need to upgrade to the latest version possible, which will involve assistance and training from the vendor.

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

Department Priority: 4

Program ID/Orq. Code: ATG100 AC
Program Title: Justice Assistance

Department Contact: Julie Ebato Phone: 587-7442

I. TITLE OF REQUEST:

Description of Request:

Funding for Hawaii Sexual Assault Response and Training Program (Act 113 SLH 2018)

Request Category:

- Trade-Off/Transfer (+) _____ (-) _____
- Conversion of Unbudgeted Positions _____
- Fixed Cost/Entitlement _____
- Federal Fund Adjustment Req _____
- Governor's Initiatives _____
- Health, Safety, Court Mandates _____
- Full Year Funding for New Positions _____
- Adjustment for Non-Recurring Items _____
- Other X _____

II. OPERATING COST SUMMARY

	FY 20 Request		FY 21 Request		FY 22 (\$ thous)	FY 23 (\$ thous)	FY 24 (\$ thous)	FY 25 (\$ thous)
	FTE (P)	FTE (T)	FTE (P)	FTE (T)				
A. Personal Services	1.00		1.00		69,732	70	70	70
B. Other Current Expenses					60,882	61	61	61
C. Equipment								
L. Current Lease Payments								
M. Motor Vehicles								
TOTAL REQUEST	1.00	0.00	1.00	0.00	130,614	131	131	131

By MOF: A
B
N
P
R
S
T
U
W
X

130,614

131

131

131

131

III. OPERATING COST DETAILS

MOF	FY 20 Request		FY 21 Request		FY 22 (\$ thous)	FY 23 (\$ thous)	FY 24 (\$ thous)	FY 25 (\$ thous)
	FTE (P)	FTE (T)	FTE (P)	FTE (T)				
A	1.00		1		69,732	70	70	70

A. Personal Services (List all positions)
HSART Coordinator, SR N/A

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

	1.00	0.00	69,732	1.00	0.00	69,732	70	70	70	70	70	70
#991816												
Fringe Benefits												
Turnover Savings												
Subtotal Personal Service Costs	1.00	0.00	69,732	1.00	0.00	69,732	70	70	70	70	70	70
By MOF												
A	1.00	0.00	69,732	1.00	0.00	69,732	70	70	70	70	70	70
B	0.00	0.00	0	0.00	0.00	0	0	0	0	0	0	0
N	0.00	0.00	0	0.00	0.00	0	0	0	0	0	0	0
B. Other Current Expenses (List by line item)												
Intra-State Travel for HSART Meetings & TA (budget items include airfare, per diem, rental car, parking)			17,616			17,616	18	18	18	18	18	18
Out-of-State Travel for HSART Coord (budget items include airfare, per diem, ground transportation, registration fees)			3,000			3,000	3	3	3	3	3	3
Annual Statewide Training			10,000			10,000	10	10	10	10	10	10
Office Supplies			910			910	1	1	1	1	1	1
Sexual Assault Evidence Kits			11,856			11,856	12	12	12	12	12	12
Contract w/private DNA Lab for testing			17,500			17,500	18	18	18	18	18	18
Subtotal Other Current Expenses			60,882			60,882	62	62	62	62	62	62
By MOF												
A			60,882			60,882	62	62	62	62	62	62
B			0			0	0	0	0	0	0	0
N			0			0	0	0	0	0	0	0
C. Equipment (List by line item)												
Subtotal Equipment			0			0	0	0	0	0	0	0
By MOF												
A			0			0	0	0	0	0	0	0
B			0			0	0	0	0	0	0	0
N			0			0	0	0	0	0	0	0
L. Current Lease Payments (Note each lease)												
Subtotal Current Lease Payments			0			0	0	0	0	0	0	0
By MOF												
A			0			0	0	0	0	0	0	0
B			0			0	0	0	0	0	0	0
N			0			0	0	0	0	0	0	0
M. Motor Vehicles (List Vehicles)												
Subtotal Motor Vehicles			0			0	0	0	0	0	0	0
By MOF												
A			0			0	0	0	0	0	0	0

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

B	0	0	0	0	0	0
N	0	0	0	0	0	0
TOTAL REQUEST	1.00	0.00	130,614	1.00	0.00	132,132

IV. JUSTIFICATION OF REQUEST

The purpose of this request is to provide permanent funding for the Hawaii Sexual Assault Response and Training (HSART) Program. Act 113 (SLH 2018), passed by the 2018 Legislature, established the HSART Program within the Department of the Attorney General. Section 4 of Act 113 appropriated out of the DNA Registry Special Fund, the sum of \$350,743 or so much thereof as may be necessary for fiscal year 2018-2019 for the staffing, training, materials and travel expenses of the HSART program and for costs related to testing and storage of sexual assault evidence collection kits pursuant to Chapter ____, Hawaii Revised Statutes. No funding was provided beyond FY 2019. The DNA Registry Special Fund was created to collect fees from convicted offenders to cover the cost to test convicted felony offender DNA. Income into the fund is based on DNA fees collected from offenders. Currently, the DNA testing fee is about \$35. The Fund was not established to generate revenue to cover the cost of the HSART program, which includes the costs for DNA testing of sexual assault kits.

HSART consists of members who are directly involved with the use, management, and testing of sexual assault evidence collection kits, or are involved with, communicate with, or otherwise support sexual assault victims, including but not limited to the respective police departments of each county, the state or county Combined DNA Index System (CODIS) administrator, the respective prosecuting attorney departments of each county, and sexual assault service providers. The membership includes representatives from the four police departments, HPD's Scientific Investigation Section (aka State Crime Lab), the four prosecuting attorney's offices, the four sexual assault treatment providers, the sexual assault forensic/nurse examiner from each county, and the Department of the Attorney General.

The purpose of HSART is to strengthen the coordinated community response and level of quality care for victims of sexual assault. HSART shall develop and maintain: 1) specific guidelines for all medical forensic examinations in the State; 2) a protocol for the collection of forensic evidence included within the sexual assault evidence collection kit; 3) a statewide standard data set for tracking sexual assault evidence collection kits; 4) policies and procedures regarding the proper preservation, transfer, tracking, and disposal of kits; and 5) appropriate language for disclosures that shall be made to any person undergoing a medical forensic examination. An annual statewide inventory and report of sexual assault evidence collection kits is to be submitted to the Legislature each year. Act 113 establishes mandatory submission and testing requirements for the sexual assault evidence collection kits and requires that an electronic tracking system for sexual assault evidence collection kits be established by January 1, 2020. Lastly, Act 113 specifies that a victim of sexual assault has a right to notification and other information regarding the sexual assault and the sexual assault evidence collection kit.

The funds provided by Act 207 (SLH 2016), the National Sexual Assault Kit Initiative Grant (2016), and Act 113 (SLH 2018) created the impetus for Hawaii's reform efforts for the timely and complete testing of reported sexual assault kits, tracking of the kits, appropriate storage and retention of kits, victim-centered notification, and the annual reporting of the kits. The National SAKI grant was a discretionary grant specifically to test the 1,950 sexual assault kits in the custody of the Honolulu Police that were never tested. The federal grant cannot be used to test new or current sexual assault kits. Act 207 provided funding to test the previously untested sexual assault kits in the custody of the Hawaii, Maui, and Kauai Police Department prior to July 1, 2016.

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

In order to meet the requirements of Act 113, a full-time HSART coordinator is needed. The HSART coordinator will be responsible for convening regular meetings of the HSART members and working group meetings; coordinating training for HSART members; compiling data needed for the annual Legislative report; and providing technical assistance to county Sexual Assault Response Teams. The HSART coordinator will also be responsible for ensuring that National best practices are applied such as the U.S. Department of Justice, National Institute for Justice (NIJ), National Best Practices for Sexual Assault Kits, a Multidiscipline Approach (August 2017). NIJ identifies 35 recommendations to positively impact sexual assault response and experiences to victims and to ultimately result in safer communities. The recommendations include using a collaborative multidisciplinary approach for sexual assault cases, addressing the minimum criteria in the National Adult and Adolescent Protocol, supporting transparency and accountability of law enforcement for sexual assault kits, establishing investigative considerations, processing sexual assault kits in the laboratory, and identifying post analysis policy considerations.

The requested budget items include: 1) salary for 1.0 FTE HSART Coordinator, 2) travel costs for neighbor island HSART members to attend one-day meetings on Oahu (six meetings per year); 3) travel costs for the HSART Coordinator to provide technical assistance to county Sexual Assault Response Teams (one trip per county per year); 4) travel costs for the HSART Coordinator to attend one national training or conference per year; 5) seed funds to supplement local funds/resources for an Annual Statewide Training hosted by a county on a rotating basis; 6) office supplies; 7) purchase of 375 sexual assault evidence collection kits for distribution to each county; and 8) contract with a private DNA laboratory to test 25 (backlog) sexual assault evidence collection kits.

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

This request addresses HRS Sections 226-22(b)(2),(5) and 226-105(6), to provide needed services to victims of sexual assaults and to educate the public on the issue.

VI. INFORMATION SYSTEMS AND TECHNOLOGY

Not applicable.

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

The resources provided will benefit State programs/agencies that come in contact with sexual assault victims. It also provides the opportunity for government and private agencies to better collaborate to help sexual assault victims, prosecute sexual assault offenders, and to improve prevention programs.

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

Not applicable.

IX. EXTERNAL CONFORMANCE REQUIREMENTS

Not applicable.

X. REQUIRED LEGISLATION (Please specify appropriate statutes: i.e., HRS)

Not applicable.

XI. OTHER COMMENTS -- None

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

TOTAL REQUEST	2.00	0.00	179,800	2.00	0.00	233,400	233	233	233
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IV. JUSTIFICATION OF REQUEST

Pursuant to Act 187, 2017, the legislature established a Labor Law Enforcement Special Fund to finance collection of penalties and fees for violation of labor law. Two positions were established: one for an attorney and the other a legal assistant in the Department of the Attorney General. I, along with Deputies and legal assistants have met with the Director and representatives of various DLIR programs and determined that there are sufficient collections accounts to warrant funding these positions.

Although the bill contemplates collections for Wage Standards (HRS §§ 388-9.7 & 388-10) and for Occupational Safety and Health (HRS § 396-10), through communication with the DLIR programs, we have identified numerous other DLIR programs that are also interested in pursuing collection efforts. These programs include Disability Compensation, Unemployment Insurance and Boiler & Elevators.

In addition to direct collections enforcement action, the positions may also serve various advice and counsel roles for DLIR. For example, some DLIR programs may benefit from adjusting practices that may lead to enforcing compliance prior to referring the matter to our office for collections. As issues are encountered, the positions may identify better practices for the DLIR programs to help minimize the need for collection efforts later thereby saving moneys in the long run.

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes; i.e., HRS)

None

XI. OTHER COMMENTS

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

	A	1.00	45,000	90,000	90	90	90	90	90	90
Other Personal Services Deputy Attorney General SRNA 991808	A	1.00	45,000	90,000	90	90	90	90	90	90
**6 months										
Fringe Benefits	T		0	0	0	0	0	0	0	0
Turnover Savings										
Subtotal Personal Service Costs	A	1.00	45,000	90,000	90	90	90	90	90	90
By MOF	B	1.00	45,000	90,000	90	90	90	90	90	90
	T	0.00	0	0	0	0	0	0	0	0
		0.00	0	0	0	0	0	0	0	0
B. Other Current Expenses (List by line item)										
Licenses & on-going supplies	A		2,000	3,000	3	3	3	3	3	3
Subtotal Other Current Expenses	A		2,000	3,000	3	3	3	3	3	3
By MOF	B		0	0	0	0	0	0	0	0
	T		0	0	0	0	0	0	0	0
C. Equipment (List by line item)										
PC, Chair, phone, etc.	A		4,000							
Subtotal Equipment	A		4,000							
By MOF	B		0							
	T		0							
L. Current Lease Payments (Note each lease)										
Subtotal Current Lease Payments	A		0							
By MOF	B		0							
	N		0							
M. Motor Vehicles (List Vehicles)										
Subtotal Motor Vehicles	A		0							
By MOF	B		0							
	N		0							

FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL

TOTAL REQUEST	1.00	0.00	51,000	0.00	0.00	93,000	93	93	93
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IV. JUSTIFICATION OF REQUEST

See attached

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes; i.e., HRS)

XI. OTHER COMMENTS

2018 Request to Establish Additional Deputy Attorney General Position To Service the Department of Public Safety

The Public Safety, Hawaiian Home Lands and Housing Division of the Department of the Attorney General has three Deputy Attorney General positions dedicated to servicing the Department of Public Safety which handles all matters. This number is inadequate to appropriately address the workload engendered by PSD and its inmate population. The caseload is heavy and often involves the need for urgent response which impacts other work.

The caseload involves a variety of litigation and advice and counsel topics, including: inmate litigation/claims, advice and counsel and document review, involving every aspect of PSD affairs including habeas corpus petitions and Rule 40 petitions (in which inmates claim that they should not be held or should be treated differently for a variety of reasons), procurement and contracting issues, mental health and medical care issues, calculation of sentences and credit for time served and other release issues, restitution, religious freedom, disability accommodation and other civil rights claims, the paroling authority, the crime victim compensation commission, the re-entry commission, development, construction and maintenance, a variety of law enforcement (Sheriff and Narcotics Enforcement) issues, assistance with questions related to correctional investigations, interstate compact issues, sunshine laws among many other issues. Our attorneys practice in all courts, state and federal, trial and appellate levels, as well as in administrative forums. Additionally, they handle extraditions, pardons and commutation requests.

The work volume is high and has increased over the years. Added to this high volume caseload are the development projects for new correctional facilities. These projects are in their planning stages and will, over time, require much more assistance from department attorneys.

Another Deputy Attorney General position is requested to allow this division to appropriately service the needs of PSD.

**FB 19-21 BUDGET
OPERATING BUDGET ADJUSTMENT REQUEST
DEPARTMENT OF THE ATTORNEY GENERAL**

TOTAL REQUEST	1.00	0.00	15,500	1.00	0.00	31,100	31	31	31	31
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IV. JUSTIFICATION OF REQUEST

This office of two, (1 deputy, 1 legal clerk) has seen a 25-30% increase in the number of cases, and thus workload, over the last two years. The legal clerk is overwhelmed with the additional amount of work to be done, and there are periods of time when the office has to be closed to the public because neither the deputy nor the legal clerk are physically present (e.g. the deputy is in court hearings and the legal clerk is filing documents at court or going to the post office; or the legal clerk is on vacation / sick leave and the deputy has no clerical support). Having an additional person in the office will alleviate some of the clerical work to be done and will allow for the office to remain open throughout the day.

V. RELATIONSHIP OF THE REQUEST TO STATE PLAN OR FUNCTIONAL PLAN

VI. INFORMATION SYSTEMS AND TECHNOLOGY

VII. IMPACT ON OTHER STATE PROGRAMS/AGENCIES

VIII. IMPACT ON FACILITY REQUIREMENTS (R&M, CIP)

IX. EXTERNAL CONFORMANCE REQUIREMENTS

X. REQUIRED LEGISLATION (Please specify appropriate statutes; i.e., HRS)
None

XI. OTHER COMMENTS

HB-1352

Submitted on: 2/2/2019 12:42:05 AM

Testimony for JUD on 2/6/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

Waste of Money and time. All they do is take care of there friends just fallow the money.

HB-1352

Submitted on: 2/2/2019 2:43:46 PM

Testimony for JUD on 2/6/2019 2:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Comments	No

Comments:

To be used in any way the Attorney General chooses or are there specific guidelines?