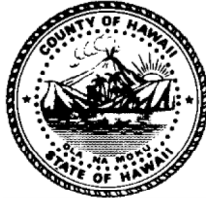


**Mitchell D. Roth**  
Mayor



**Paul K. Ferreira**  
Police Chief

**Kenneth Bugado, Jr.**  
Deputy Police Chief

## County of Hawai`i

### POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998  
(808) 935-3311 • Fax (808) 961-8865

March 22, 2021

Representative Aaron Ling Johanson  
Chairperson and Committee Members  
Committee on Consumer Protection and Commerce  
415 South Beretania Street, Room 329  
Honolulu, Hawai`i 96813

RE : SENATE BILL 1286, SD 1, HD 1, MAKING AN APPROPRIATION TO THE OFFICE  
OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY

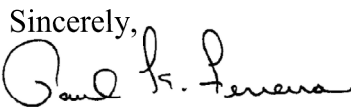
HEARING DATE : March 24, 2021  
TIME : 2:00 P.M.

Dear Representative Johanson:

The Hawai`i Police Department **strongly supports** the passage of Senate Bill 1286, SD 1, HD 1, seeking to appropriate funds to the Office of the Prosecuting Attorney for Hawai`i County for the Career Criminal Prosecution Unit.

We are in agreement with Hawai`i County Prosecutor Kelden Waltjen that a disproportionate amount of serious crimes are committed against the public by a relatively small number of multiple and repeat-felony offenders, commonly known as "career criminals." Further, that the Career Criminal Prosecution Unit is an efficient use of resources, in terms of providing citizens with swift and effective justice, and by reducing heavy caseloads and long court delays.

It is for these reasons, we urge this committee to approve this legislation. Thank you for allowing the Hawai`i Police Department to provide comments relating to Senate Bill 1286, SD 1, HD 1.

Sincerely,  
  
PAUL K. FERREIRA  
POLICE CHIEF

**Justin F. Kollar**  
Prosecuting Attorney



**Rebecca Vogt Like**  
Second Deputy

**Jennifer S. Winn**  
First Deputy

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

**OFFICE OF THE PROSECUTING ATTORNEY**

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

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

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**THE HONORABLE AARON LING JOHANSON, CHAIR**  
**THE HONORABLE LISA KITAGAWA, VICE CHAIR**  
**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**  
**THIRTY-FIRST STATE LEGISLATURE**

Regular Session of 2021  
State of Hawai'i

March 23, 2021

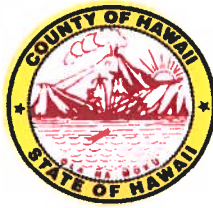
**RE: S.B. 1286 SD1 HD1 – MAKING AN APPROPRIATION TO THE OFFICE  
OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY**

Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection & Commerce, the Office of the Prosecuting Attorney of the County of Kaua'i STRONGLY SUPPORTS S.B. 1286 SD1 HD1 with an additional amendment to create similar appropriations for all four counties in the State of Hawai'i.

In 1979 this legislature enacted H.R.S. § 845 Career Criminals. It was enacted in response to the disproportionate amount of serious crime being committed against the people by a relatively small number of multiple and repeat offenders, commonly known as career criminals. The findings by that legislative body are more evident in the state today. This calls for funding for each county prosecutor so that they may more effectively prosecute career criminals. The financial appropriation to support the career criminal prosecution program in each county is a financially sound decision as it provides the people of the state timely justice, will reduce the amount of prosecutorial caseloads associated with career criminals, and increase judicial efficiency.

For these reasons, the Office of the Prosecuting Attorney strongly supports the passage of S.B. 1244 SD1 HD1 with an additional amendment to create appropriations for each county in the State of Hawai'i. Thank you for this opportunity to testify.

Mitchell D. Roth  
Mayor



Lee E. Lord  
Managing Director

Robert H. Command  
Deputy Managing Director

County of Hawai'i  
Office of the Mayor

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March 23, 2021

Chair Aaron Ling Johanson  
Vice-Chair Lisa Kitagawa  
House Committee on Consumer Protection & Commerce  
Hawai'i State Legislature  
415 S. Beretania Street  
Honolulu, Hawai'i 96813

**Subject: S.B. 1286, SD 1, HD 1, MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY**  
**Hearing Date: Wednesday, March 24, 2021 at 2:00 p.m.**  
**Time/Place of Hearing: Via Video Conference / Conference Room 329**

Aloha Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection & Commerce,

On behalf of the County of Hawai'i, I am expressing my unequivocal support for SB 1286, SD 1, HD 1, for fiscal year 2022-2023 which provides subsidy to the Office of the Prosecuting Attorney for Hawai'i County, supporting their Career Criminal Prosecution Unit.

As the former Prosecuting Attorney for Hawai'i County I can attest to the importance these funds have in keeping our community safe. Career criminals commit a disproportionate amount of serious crime on our island. The loss of these funds will have a negative impact on the staffing level of our Career Criminal Prosecution program, resulting in lower prosecution rates and will ultimately deny justice for victims.

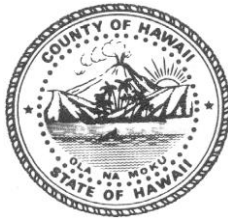
I humbly ask for your committee's utmost consideration and support of this important bill. Please feel free to contact me for any additional information.

Mahalo,

Mitchell D. Roth  
Mayor  
County of Hawai'i

**KELDEN B.A. WALTJEN**  
PROSECUTING ATTORNEY

**STEPHEN L. FRYE**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



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KAMUELA, HAWAII 96743  
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## OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN STRONG SUPPORT OF  
SENATE BILL 1286 SD1, HD1

A BILL FOR AN ACT MAKING AN APPROPRIATION TO  
THE OFFICE OF THE PROSECUTING ATTORNEY, COUNTY OF HAWAII

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Representative Aaron Ling Johanson, Chair

Representative Lisa Kitagawa, Vice Chair

Wednesday, March 24, 2021, 2:00 p.m.  
Via Video Conference & Conference Room 329

Honorable Chair Johanson, Honorable Vice Chair Kitagawa, and Members of the Committee on Consumer Protection & Commerce, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in **strong support** of Senate Bill No. 1286 SD1, HD1.

This measure makes an appropriation to the Office of the Prosecuting Attorney, County of Hawai'i for the Career Criminal Prosecution Unit (CCP), and is the most critical piece of legislation impacting our office placed before the legislature this year.

In Hawai'i County, violent crime trends and property offenses continue to rise as a result of the COVID-19 pandemic, influx of illegal narcotics and prohibited ownership/possession of illegal firearms and weapons. As a result, crime has become one of the most prevalent challenges our community faces.

The CCP program finds its origins in HRS 845-1, which provides in relevant part, “[T]he legislature finds that a disproportionate amount of serious crime is committed against the people by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. In enacting this chapter, the legislature intends to support increased efforts by prosecuting attorneys’ offices to prosecute career criminals through organizational and operational techniques . . .”

HRS 845-2 further clarifies, “There shall be established a career criminal prosecution program, whose purpose shall be the investigation and prosecution of those persons identified as habitual or career criminals. The office of the attorney general shall administer the program, and develop a plan of financial and technical assistance for prosecuting attorneys’ offices . . .”

Since the establishment of the CCP program, our office has used this financial assistance, to fund positions dedicated to the prosecution of habitual or career criminals. By focusing on these offenders, our office has been able to address recurring and ongoing criminal activity and prioritize public safety. Having this funding is critical to retain staff with the skills and experience necessary to effectively manage CCP.

The Office of the Prosecuting Attorney, County of Hawai'i remains committed to the pursuit of justice with integrity and commitment. For the foregoing reasons, the Office of the Prosecuting Attorney, County of Hawai'i, strongly supports the passage of Senate Bill No. 1286 SD1, HD1. Thank you for the opportunity to testify on this matter.

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

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515

STEVEN S. ALM  
PROSECUTING ATTORNEY



THOMAS J. BRADY  
FIRST DEPUTY  
PROSECUTING ATTORNEY

**THE HONORABLE AARON LING JOHANSON, CHAIR**  
**HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE**  
Thirty-first State Legislature  
Regular Session of 2021  
State of Hawai'i

March 24, 2021

**RE: S.B. 1286, S.D. 1, H.D. 1; MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY OF HAWAII COUNTY.**

Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection and Commerce, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in support of S.B. 1286, S.D. 1, H.D. 1.

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.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of S.B. 1286, S.D. 1, H.D. 1. Thank you for the opportunity to testify on this matter.

**SB-1286-HD-1**

Submitted on: 3/22/2021 2:01:39 PM

Testimony for CPC on 3/24/2021 2:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Allen Bartolome     | Individual          | Support                   | No                        |

Comments:

Greetings Chair Johanson, Vice Chair Kitagawa and members of the House Committee on Consumer Protection & Commerce. I humbly ask for your support for this measure to keep our community safe and hold repeat and violent felony offenders accountable.

Thank you for the opportunity to testify in this matter.

**SB-1286-HD-1**

Submitted on: 3/22/2021 3:57:07 PM

Testimony for CPC on 3/24/2021 2:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Gerard Silva        | Individual          | Support                   | No                        |

Comments:

I support this bill to keep our community safe.