



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

H.B. NO. 120, MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Tuesday, January 31, 2023 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Julie Ebato, Administrator, Crime Prevention and Justice
Assistance Division

Chair Tarnas and Members of the Committee:

The Department of the Attorney General supports this measure, provided that its passage does not replace or adversely impact the priorities indicated in our executive budget. This bill would provide funds to support the victim witness assistance services provided by the Department of the Prosecuting Attorney, City and County of Honolulu.

The Department of the Prosecuting Attorney, City and County of Honolulu, is one of the four recipients of the State Victim-Witness (VW) Assistance funds. The program funding has not been adjusted for inflation and the actual cost for program staff since 1995.

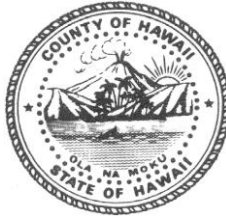
For the 28-year period covering fiscal years 1994-1995 to 2022-2023, State VW funding has steadily declined. For fiscal year 1994-1995, the State VW allocation was \$1,038,794 and the fiscal year 2022-2023 allocation is \$401,078.

The funding would support the Hawaii State Planning Act, chapter 226, Hawaii Revised Statutes, specifically, section 226-22(b)(5), "efforts to prevent domestic abuse and child molestations and assist victims of abuse and neglect," and section 226-105, "[p]riority guidelines in the area of crime and criminal justice: . . . (6) Increase public and private efforts to assist witnesses and victims of crimes and to minimize the costs of victimization." The funding also supports the victim-witness assistance program as established by section 28-111, Hawaii Revised Statutes.

The VW program administered by the Department of the Attorney General is to provide information, assistance, and support services to the victims of and witnesses to crimes committed in the State. This bill benefits the Department of the Attorney General by providing the Prosecuting Attorney with additional funding to assist victims and witnesses of crime in the City and County of Honolulu. We respectfully ask the Committee to pass this bill. Thank you for the opportunity to provide testimony.

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

STEPHEN L. FRYE
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KILAUEA AVENUE
HILO, HAWAII 96720
PH: (808) 961-0466
FAX: (808) 961-8908

74-675 KEALAKEHE PARKWAY
KAILUA-KONA, HAWAII 96740
PH: (808) 322-2552
FAX: (808) 322-6584

64-1067 MAMALAHOA HIGHWAY, C-3
KAMUELA, HAWAII 96743
PH: (808) 887-3017
FAX: (808) 887-3016

OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF HOUSE BILL 120

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

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair

Tuesday, January 31, 2023 at 2:00 p.m.
Via Videoconference
State Capitol Conference Room 325
415 South Beretania Street

Honorable Chair Tarnas, Vice-Chair Takayama and Members of the Committee on Judiciary & Hawaiian Affairs. The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in support of House Bill 120.

This bill was drafted to appropriate funding to the Victim Witness Assistance Program for the Department of the Prosecuting Attorney of the City and County of Honolulu.

The Victim Witness Assistance Program was established to provide information, assistance, and support services to victims and witnesses to crimes committed in the State. In order to stay in compliance with these criteria, Hawai'i Revised Statutes ("HRS") Section 28-111 requires the Attorney General to allocate appropriate funding for these programs. Our Office and the County of Hawai'i is also reliant upon these funds for our own Victim Assistance Unit, which houses our Office's Restorative Justice Program, the only program of its kind in our State.

Per HRS 801D-4, victims and witnesses are entitled to certain rights upon written request, which includes receiving information on the status of their case, protection from threats and harm, assistance in expedited property return, and offender custody notifications. It is crucial that funding is secured for this program in order to hire and retain the necessary staff that can support victims and witnesses throughout the criminal case. Crimes such as domestic violence, sexual assault, homicide, robbery, and burglary have a detrimental and traumatic impact on victims and witnesses. It is important for them to receive immediate and adequate services in order for them to start the process of healing and feeling safe, and to be an integral part of pursuing justice in their case.

The County of Hawai'i, Office of the Prosecuting Attorney remains committed to pursuing justice with integrity and commitment. For the foregoing reasons, the, County of Hawai'i, Office of the Prosecuting Attorney Supports the passage of House Bill No. 120. Thank you for the opportunity to testify on this matter.

HB-120

Submitted on: 1/27/2023 4:08:11 PM

Testimony for JHA on 1/31/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

The money should Go to The other Islands Like Hawaii, Maui, Kawi instead Of Ohau they get all the money every year and leave the othe Islands to fight for the Scraps. Lets be more Fair !!!!

HB-120

Submitted on: 1/30/2023 2:58:00 PM

Testimony for JHA on 1/31/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in STRONG SUPPORT

HB 120
County
Prosecuting
Attorney 1

CARES

COMMUNITY ADVOCACY RESEARCH EDUCATION SERVICES

to.

the House
Committee
JHA

Aloha Chair, Vice Chair & the JHA Committee,

The Hawaii State
Legislature

CARES testifies in strong support of HB 120.

from

Zhizi Xiong
(Angela
Melody
Young)
Creator

The prosecuting attorney's victim witness assistance program provides specialized services to victims & witnesses of violent crime who are going through the criminal justice system. These crimes include assaults, sexual assaults, terroristic threatening, kidnapping, reckless endangering, kupuna abuse, child abuse, and partner abuse. The victim or witness will be provided crisis counseling and an orientation to the criminal justice system.

A lot of regular citizens who have to go through a hearing, the appeals process or legal proceedings, will not know how to navigate the process. But it is crucial to provide support for those who are summoned to testify and have to know the due process of the law. When witnesses & victims are supported, it gives more opportunity for equity & justice to applied to a situation and also it is an opportunity to address the roots of a matter.

808-724-0047

alohadivinedesign@gmail.com





CARES

When we look at a federal equivalent the DEA's Victim Witness Assistance Program, there are numerous resources provided for school safety, stopping bullying amongst youths, dating abuse, human trafficking, cyber crimes. The goal is prevention when addressing these roots of the violations of the law before it becomes a crime.



Thank you for the opportunity to testify.

Blessings,



ANGELA MELODY YOUNG

Zhizi Xiong



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 DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai`i

January 31, 2023

RE: H.B. 120; MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

Chair Tarnas, Vice-Chair Takayama and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in strong support of H.B. 120. This bill is part of the Department's 2023 legislative package, and we thank you for hearing it.

The purpose of H.B. 120 is to provide additional funding in the amount of \$736,785, to maintain the current level of service for the Department’s Victim Witness Kokua Services (“VWKS”) Unit. This is the remaining balance between actual costs, and costs covered by federal funds, funding from the Department of the Attorney General, and the funding from the City and County of Honolulu. VWKS advocates assist in guiding victims, witnesses and/or surviving family members through the criminal justice system—before, during, & after criminal prosecution of a case—and are specifically trained & qualified to do so.

Historically, the Legislature has supported the Victim Witness Assistance Program since 1983. In 1986, the Legislature enacted HRS §28-111, which established the Victim Witness Assistance program on a statewide basis. While the statute established this program within the Department of the Attorney General, all direct services are provided by each county’s prosecuting attorney, in order to provide the most up-to-date information, assistance, funding, and support services to the crime victims and witnesses in their respective counties. Adequate funding is necessary for our Department to be able to continue these vital services.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports the passage of H.B. 120. Thank you for the opportunity to testify on this matter.