

DAVID Y. IGE
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CRAIG K. HIRAI
DIRECTOR

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DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
HOUSE BILL NO. 1377, H.D. 1, S.D. 1

April 7, 2021
9:45 a.m.
Room 211 and Videoconference

RELATING TO CITATIONS

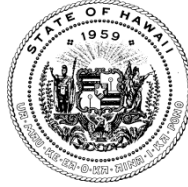
The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 1377, H.D. 1, S.D. 1.

H.B. No. 1377, H.D. 1, S.D. 1, establishes an Electronic Citation Program; a \$2 electronic citation surcharge; and an Electronic Citation Special Fund to be administered by the Judiciary for traffic, misdemeanor, or other citations that are transmitted electronically to the Clerk of the Court. It also requires the Judiciary to adopt rules to establish a formula to distribute the special funds to the respective law enforcement agencies and the Administrative Director to the Courts. This bill also appropriates an unspecified amount of general funds in FY 22 to cover start-up costs for the Electronic Citation Program. If enacted, this measure would be effective upon approval, except for the unspecified general fund appropriation which would be effective on July 1, 2021.

As a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds

should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to H.B. No. 1377, H.D. 1, S.D. 1, it is difficult to determine whether the proposed special fund would be self-sustaining.

Thank you for your consideration of our comments.



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

April 7, 2021
9:45 A.M.
State Capitol, Teleconference

H.B. 1377, H.D. 1, S.D. 1
RELATING TO CITATIONS

Senate Committee on Ways and Means

The Department of Transportation (DOT) **supports** H.B. 1377, H.D. 1, S.D. 1 with amendments. This bill creates an electronic citation program under the Judiciary and establishes an electronic citation surcharge.

The implementation of an electronic, or eCitation, system would help rectify numerous deficiencies with paper citations, such as supervisors, prosecutors and Judiciary personnel having to decipher difficult-to-read handwritten notes, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These sometimes lead to dismissal of traffic citations and delays in access to citations by the person who has been cited and Judiciary staff who process the citations.

eCitation technology provides numerous benefits to law enforcement, Judiciary and to the general public, including:

- Time savings and accuracy by scanning driver license and registrations to autopopulate eCitations;
- Officer and motorist safety as law enforcement officers spend less time on the side of the road writing and issuing the citation;
- Improved accuracy and efficiency in citation data entry into law enforcement agencies' Records Management Systems and the Judiciary Information Management System;
- Elimination of in-person deliveries or mailing of citations from rural police districts to the courts;
- Faster access to citations for violators who need to pay the fines; and
- Analysis of eCitation data (types of violations, geolocations, times of issuance, etc.) that can be used for traffic safety.

We believe that a statewide eCitation system is essential as we move towards streamlining processes and finding more efficient and effective solutions.

However, we don't believe that a surcharge of \$2.00 is sufficient for the system to be self-sustaining. During Federal Fiscal Year 2020 of the pilot programs in Honolulu and Maui, nearly \$450,000.00 in federal grant funds were used towards eCitation devices, data analytics, user licenses, etc., and that was only a limited number of users within the two counties (including police departments and prosecutors) and the First and Second Circuits of the Judiciary. Including the other counties into the eCitation system would increase these costs.

Federal funds may be used to supplement some of the start-up costs for the remaining counties, but we respectfully request that the surcharge be increased to \$5.00 per citation to cover costs for annual maintenance, user licenses, engineering, connectivity, etc. This is the model that other jurisdictions have followed, according to <http://www.ecitationcoalition.com/public-policy/>.

We also request the following amendment to the bill:

- Page 3, lines 5-6 – Change “county police departments” to “law enforcement agencies”

Thank you for the opportunity to provide testimony.



LATE

The Judiciary, State of Hawai'i

Testimony to the Thirty-First Legislature, 2021 Regular Session

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Wednesday, April 7, 2021, 9:45 a.m.
VIA VIDEOCONFERENCE

WRITTEN TESTIMONY ONLY

By:

Mark M. Santoki
Acting Deputy Chief Court Administrator
First Circuit

Bill No. and Title: House Bill No. 1377, H. D. 1, S. D. 1, Relating to Citations.

Purpose: Creates an electronic citation program under the judiciary and establishes an electronic citation surcharge.

Judiciary's Position:

The Judiciary SUPPORTS this measure. The Judiciary respectfully request that the surcharge amount be restored to \$5.00 in the original bill. An analysis of the pilot program shows that with only a \$2.00 surcharge the Judiciary would have insufficient funds necessary to expand the program to Hawaii Island and Kauai counties.

Currently, the eCitations program is being used by the Maui Police Department and the Honolulu Police Department. The current eCitations usage for Honolulu and Maui County is at 15% and 30% respectfully of all citations issued. Planned expansion of the program would involve tripling the number of participating police officers in Honolulu, and doubling the usage in the other counties.



Due to the COVID-19 pandemic, the number of citations issued statewide in 2020 was significantly lower and resulted in only 143,302 citations being paid. The Judiciary estimates that just maintaining the current status of the program with a \$2 surcharge would result in an estimated deficit of \$193,241. With a \$5 surcharge, the Judiciary estimates that the program will have an estimated balance of \$236,665 which will allow for the expansion of the project as intended.

The Judiciary has found that eCitations have resolved handwriting legibility issues and eliminated the need to collect and scan paper citations. Although the program has improved case initiation efficiency, the eCitation program is not yet fully integrated with the Judiciary's Information Management System (JIMS). Once the systems are fully integrated, the Judiciary anticipates that there will no longer be delays in traffic case initiation and the motorist's ability to pay eligible fines/fees online. The Judiciary believes that the eCitation pilot program has shown to be a valuable tool and hopes to expand the program Statewide.

Thank you for the opportunity to testify on this measure.



MICHAEL P. VICTORINO
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

April 1, 2021



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means
31st Legislature 2021
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: HOUSE BILL 1377 RELATING TO CITATIONS

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:

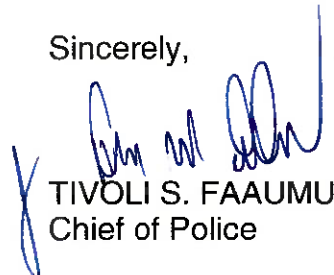
The Maui Police Department SUPPORTS the passage of HB 1377, HD1, SD1, creating an electronic citation program and establishing an electronic citation surcharge.

Our department currently uses electronic citations. This technology allows our officers to more efficiently enforce traffic laws by eliminating hand-written paper citations and ensure they are submitted to the judiciary in a timely and secure manner. There is an added benefit for the safety of the officer and public as less time will be spent stopped on the side of the road while the citation is being issued. Also, data is entered instantly which will allow for quicker access and improved accuracy that can be used for records management and analysis.

This pilot program is funded by a federal grant that will eventually end. Moving toward a permanent statewide program will benefit everyone. Establishing a surcharge that will be distributed to each county will defray expenses and costs related to maintenance of the program.

Thank you very much for the opportunity to testify.

Sincerely,



TIVOLI S. FAAUMU
Chief of Police

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

**THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
THIRTY-FIRST STATE LEGISLATURE**

Regular Session of 2021
State of Hawai'i

April 5, 2021

RE: H.B. 1377 HD1 SD1 – RELATING TO CITATIONS

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Senate Committee on Ways and Means, the Office of the Prosecuting Attorney of the County of Kaua'i SUPPORTS H.B. 1377 HD1 SD1.

The purpose of H.B. 1377 HD1 SD1 is to create an electronic citation ("eCitation") program under the Judiciary and establish an eCitation surcharge to help fund the program. Successful eCitation pilot programs currently exist in the First and Second Circuits (Oahu and Maui), this legislation would allow programs to expand statewide.

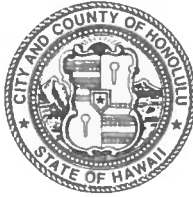
The implementation of an eCitation system will have many benefits over paper citations, such as improved legibility for supervisors, prosecutors, and Judiciary personnel who currently sometimes have difficulty deciphering handwritten notes, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These situations sometimes lead to dismissal of traffic citations and delays in access to citations.

We believe that implementation of a Statewide eCitation program will benefit the State by improving efficiency, saving time for law enforcement, judiciary personnel, and infraction offenders, and improved data collection for the purpose of improving traffic safety.

For these reasons, the Office of the Prosecuting Attorney supports the passage of H.B. 1377 HD1 SD1. Thank you for this opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE

CT-LC

April 7, 2021

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

SUBJECT: House Bill No. 1377, H.D. 1, S.D. 1, Relating to Citations

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1377, H.D. 1, S.D. 1, Relating to Citations.

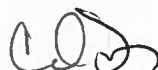
The HPD and Maui Police Department are conducting a pilot program using an electronic citation (eCitation) system. The eCitation system resolves issues that include the timely delivery of citations from the law enforcement agency to the Hawaii State Judiciary. Some of the benefits of the eCitation system are that it allows faster access for violators who wish to pay their fines and eliminates the task of prosecutors and Judiciary personnel having to interpret difficult to read handwritten citations. In addition, the eCitation system decreases the time that the officers spend interacting with motorists on the roadside, which is an officer safety concern.

This program is currently being funded by a federal grant that will expire. The establishment of an electronic surcharge will ensure that each participating county will have the necessary funding to cover the costs of maintaining this program.

The Honorable Donovan M. Dela Cruz, Chair
and Members
April 7, 2021
Page 2

The HPD urges you to support House Bill No. 1377, H.D. 1, S.D. 1, Relating to Citations, and thanks you for the opportunity to testify.

Sincerely,



Calvin Tong, Major
Traffic Division

APPROVED:



Susan Ballard
Chief of Police

HB-1377-SD-1

Submitted on: 4/5/2021 3:28:59 PM

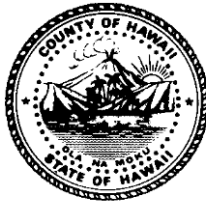
Testimony for WAM on 4/7/2021 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William Hankins	Testifying for Maui Police Department	Support	No

Comments:

Currently MPD and HPD are the only law enforcement agencies involved in a pilot program using electronic citations. The pilot program is 100% federal grant funded , and it is not expected to last forever. We need to move forawrd with implementing electronic citations statewide across all LE agencies. To do this we need funding to support the program. This bill provides us a financial means to begin gradually expanding the program permanently. The benefits of electronic citations are widespread. Officers can quickly issue citations spending less time roadside. Errors due to legibility are obsolete with electronic citations. Once the citation is issued by the officers, the citation is immediately uploaded to the judiciary for processing saving time and money to handle processing versus manual entery. Citations turned in late by officers are no longer an issue with the electronic citation program, thus less citations will be dismissed due to timeliness. Please support this bill and help Hawaii law enforcement and our state judiciary move forward with the benefits of electronic citations permanently

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
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April 5, 2021

Senator Donovan M. Dela Cruz
Chairperson and Committee Members
Committee on Ways and Means
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: HOUSE BILL 1377, HD1, SD1, RELATING TO CITATIONS
HEARING DATE: APRIL 7, 2021
TIME: 9:45 A.M.

Dear Senator Donovan M. Dela Cruz:

The Hawai'i Police Department supports House Bill 1377, HD1, SD1 with its purpose to create an electronic citation program under the judiciary and establishes an electronic citation charge. The implementation of an electronic citation, "eCitation," system would provide accurate and up to date data and information to the judiciary and law enforcement agencies. The eCitation would be completed using a computer or electronic device making them much easier to read and understand. Using eCitations will reduce the amount of work hours needed by staff to decipher handwritten citations and then enter the data into the records management systems at both the judiciary and law enforcement agencies. Officers will be able to complete citations more efficiently and reduce their time at the scene in a potentially dangerous area or situation.

The judiciary will receive information more timely upon completion and approval of the citations rather than waiting for manual entry and delivery of the hard copies days later. This will reduce the possibility of citations being dismissed for being delayed. Electronic citations will benefit the violators who can pay the fines for violations much sooner. It may prevent them from having to make multiple trips in to the courts to pay their fines. It will reduce the number of times that staff will need to assist them.

The eCitation system was intended to be a self-sustaining program. HB1377, HD1, SD1 reduces the surcharge \$2.00 per citation, which will not allow for sufficient funding for this program. The surcharge does not include any of the initial start-up costs associated with purchasing equipment, programming of systems, and training of staff. The Hawai'i Police Department recommends that the initial proposed surcharge be reinstated to \$5.00, so that the drivers who violate traffic laws will be responsible for funding the cost of this program, and thereby make it a self-sustaining system.

It is for these reasons, we urge this committee to approve this legislation with the originally proposed surcharge of \$5.00. Thank you for allowing the Hawai'i Police Department to provide comments relating to House Bill 1377, HD1, SD1.

Sincerely,

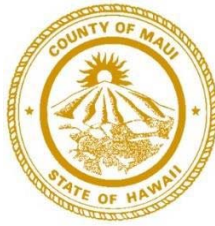
PAUL K. FERREIRA
POLICE CHIEF

MICHAEL P. VICTORINO
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ANDREW H. MARTIN
Prosecuting Attorney

MICHAEL S. KAGAMI
First Deputy Prosecuting Attorney

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TESTIMONY ON
H.B. 1337, HD1, SD1
RELATING TO CITATIONS.

April 6, 2021

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
and Members of the Committee on Ways and Means

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui supports H.B. 1377, HD1, SD1, Relating to Citations. This bill creates an electronic citation (“eCitation”) program under the Judiciary and establishes an electronic citation surcharge.

eCitation technology provides numerous benefits to law enforcement, the Judiciary and to the general public, including: increased efficiency and accuracy, greater officer and motorist safety, and improved timeliness with processing in the Judiciary Information Management System. In addition, analysis of eCitation data (i.e., types of violations, geolocations, and times of issuance) can be used to implement traffic safety programs and improve the safety of our roadways.

In Maui, the Maui Police Department currently uses eCitations through a federal grant-funded pilot program. The eCitation pilot program in Maui is considered a success - the technology allows MPD officers to more efficiently enforce traffic laws and ensure that citations are submitted to the Judiciary in a timely, accurate, and secure manner. However, the federal grant funding is not permanent. This bill creates a statewide eCitation program that will establish a surcharge to be distributed to each county to defray expenses and costs related to maintenance of the program, and ensure that the benefits of eCitation technology are successfully implemented across the State.

Thank you very much for the opportunity to provide testimony on this bill. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.