



**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
March 15, 2022**

**SB 2088 SD2 MAKING AN APPROPRIATION FOR THE CAREER CRIMINAL PROSECUTING UNIT**

Good afternoon, Chairperson Nakashima and members of the House Committee on Judiciary and Hawaiian Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

We are in strong support of SB 2088 SD2 Making an Appropriation for The Career Criminal Prosecuting Unit. This measure appropriates funds to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the career criminal prosecution unit. Effective 7/1/2050.

Everyday retail stores are being repeatedly targeted by thieves and we are seeing an increase in shoplifting. Many people who steal are repeat offenders who are part of organized retail crime. In other words, they steal for a living as they feel that that is their job. These offenders often feel that they can get away with their crimes as they are non-violent and they are often not sentenced, fined, or given any consequences by the courts for their actions. We are seeing a difference with the prosecutors taking on the career criminal cases and sending out the word those habitual offenders will be prosecuted.

We ask that you please pass this measure.

Mahalo for this opportunity to testify.

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CRAIG K. HIRAI  
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GLORIA CHANG  
DEPUTY DIRECTOR

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**WRITTEN ONLY**  
TESTIMONY BY CRAIG K. HIRAI  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS  
ON  
SENATE BILL NO. 2088, S.D. 2

**March 15, 2022**  
**2:00 p.m.**  
**Room 325 and Videoconference**

**MAKING AN APPROPRIATION FOR THE CAREER CRIMINAL PROSECUTION UNIT**

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2088, S.D. 2, makes an unspecified general fund appropriation as a grant-in-aid to the City and County of Honolulu in FY 23 for the Department of the Prosecuting Attorney's Career Criminal Prosecution Unit.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

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**HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS**  
**Thirty-first State Legislature**  
**Regular Session of 2022**  
**State of Hawai'i**

March 15, 2022

**RE: S.B. 2088, S.D. 2; MAKING AN APPROPRIATION FOR THE CAREER CRIMINAL PROSECUTION UNIT.**

Chair Nakashima, Vice-Chair Matayoshi 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 S.B. 2088, S.D. 2. This bill is part of the Department's 2022 legislative package, and we thank the Committee for hearing it.

The purpose of S.B. 2088, S.D. 2 is to provide additional funding needed to maintain the Department's current level of coverage for the Career Criminal Prosecution ("CCP") Unit. The amount needed to maintain current operations is **\$653,360**. This would account for the difference between actual costs, and costs covered by funding from the Department of the Attorney General and the City and County of Honolulu.

Pursuant to legislation passed in 1979, and codified as Sections 845-1, 845-2, and 845-3, of the Hawai'i Revised Statutes, the CCP 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." To address this ongoing problem, the State created the Career Criminal Prosecution program, which it originally funded annually. In the past, the Department's CCP Unit has periodically been scaled back, when there was insufficient funding to maintain full staffing. Money spent on the CCP Unit is an efficient use of resources, as it provides citizens with swift and effective justice, reducing heavy caseloads and long court delays. With your support, the Department will continue to have the tools necessary to protect our public from career criminals.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **strongly supports** the passage of S.B. 2088, S.D. 2. Thank you for the opportunity to testify on this matter.