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THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirty-first State Legislature
Regular Session of 2022
State of Hawai'i

February 1, 2022

RE: S.B. 2088; MAKING AN APPROPRIATION FOR THE VICTIM WITNESS ASSISTANCE PROGRAM.

Chair Rhoads, Vice-Chair Keohokalole and members of the Senate Committee on Judiciary, 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. 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 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. Thank you for the opportunity to testify on this matter.



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OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON JUDICIARY
ON
SENATE BILL NO. 2088

February 1, 2022
9:30 a.m.
Via 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 appropriates an unspecified amount of general funds for
FY

23 for the Department of the Prosecuting Attorney of the City and County of Honolulu as
a grant-in-aid for the Career Criminal Program.

B&F notes that 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.