



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.B. NO. 221, S.D. 1, MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Friday, February 10, 2023

TIME: 10:30 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Julie Ebato, Administrator,
Crime Prevention and Justice Assistance Division,
at julie.y.ebato@hawaii.gov)

Chair Dela Cruz 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 supports the Victim-witness assistance program as established by section 28-111, Hawaii Revised Statutes (HRS). The funding would also support the Hawaii State Planning Act in chapter 226, HRS, 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

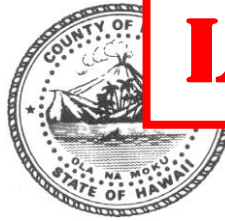
justice . . . (6) Increase public and private efforts to assist witnesses and victims of crimes and to minimize the costs of victimization."

The 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



LATE

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 SENATE BILL 221, SENATE DRAFT 1

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

COMMITTEE ON WAYS AND MEANS
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

Friday, February 10, 2023 at 10:30 a.m.
Via Videoconference
State Capitol Conference Room 211
415 South Beretania Street

Honorable Chair Dela Cruz, Vice-Chair Keith-Agaran and Members of the Committee on Ways and Means: the County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony in support of Senate Bill 221, Senate Draft 1.

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, Hawaii 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, which is 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 Senate Bill No. 221, Senate Draft 1. Thank you for the opportunity to testify on this matter.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

LATE

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 DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai`i

February 10, 2023

RE: S.B. 221, S.D. 1; MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

Chair Dela Cruz, Vice-Chair Keith-Agaran and members of the Senate Committee on Ways and Means, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in **strong support** of S.B. 221, S.D. 1. This bill is part of the Department's 2023 legislative package, and we thank you for hearing it.

The purpose of S.B. 221, S.D. 1 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 S.B. 221, S.D. 1. Thank you for the opportunity to testify on this matter.