

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second 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, Lihu'e, Hawai'i 96766  
808-241-1888 ~ FAX 808-241-1758  
Victim/Witness Program 808-241-1898 or 800-668-5734

---

TESTIMONY IN SUPPORT OF  
HB158 – MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

Justin F. Kollar, Prosecuting Attorney  
County of Kaua'i

Senate Committee on Ways and Means  
April 6, 2015, 9:05 a.m., Conference Room 211

Chair Tokuda, Vice Chair Kouchi, and Members of the Committee:

The County of Kaua'i, Office of the Prosecuting Attorney, **STRONGLY SUPPORTS** HB158 – Making Appropriations to the Department of the Prosecuting Attorney of the County of Maui. The Appropriation would fund the Department's prosecution of cases under the Drug Court and Mental Health Court programs.

In supporting these Appropriations, we adopt the reasoning set forth in the testimony submitted by the Department of the Prosecuting Attorney of the County of Maui.

Accordingly, we are in **STRONG SUPPORT** of HB158. We request that your Committee **PASS** the Appropriations.

Thank you very much for the opportunity to provide testimony on these Appropriations.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO  
PROSECUTING ATTORNEY



ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE JILL N. TOKUDA, CHAIR  
SENATE COMMITTEE ON WAYS AND MEANS  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawai`i**

April 6, 2015

**RE: HB. 158; MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE COUNTY OF MAUI.**

Chair Tokuda, Vice Chair Kouchi, and members of the Senate Committee on Ways and Means, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in strong support of H.B. 158.

Since Hawaii's first Drug Court Program was inception on Oahu in 1996, Drug Court has expanded to the islands of Hawai'i, Kaua'i, Maui, and Moloka'i, serving offenders within those criminal court and Family Court systems. Because the design and structure of each Drug Court is developed locally, these programs are unique and sensitive to the cultural population of each island, while remaining consistent with the benefits of drug court programs nationwide. These programs are also an efficient use of State resources, with Adult Drug Court costing about \$137/day in comparison to incarceration that costs seven times more, and Juvenile Drug Court costing \$227/day in comparison to incarceration that costs six times more. Deputy prosecuting attorneys play an important role in Drug Court--ensuring that this program is a success--and truly want to see offenders turn their lives around; this, in turn, also decreases criminal activity in our communities.

Mental health courts, another state mandated program, also play a key role in assuring that offenders receive appropriate treatment. Deputy prosecuting attorneys work hard in these courtrooms to pursue appropriate prosecution and proper sentencing in these matters.

For all of the foregoing reasons, the Department of the Prosecuting Attorney strongly supports the passage of H.B. 158, which will provide the funding needed to maximize services in the community, in the fields of Drug Court and Mental Health Court. Also, as the legislative session progresses, we kindly request that the funding in this bill be inserted into the State Budget, along with similarly necessary funding being requested for each county prosecutor. Thank you for the opportunity to testify on this matter.

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
FIRST DEPUTY  
PROSECUTING ATTORNEY



655 KĪLAUEA AVENUE  
HILO, HAWAII 96720  
PH: (808) 961-0466  
FAX: (808) 961-8908  
(808) 934-3403  
(808) 934-3503

WEST HAWAII UNIT  
81-980 HALEKI'I ST, SUITE 150  
KEALAKEKUA, HAWAII 96750  
PH: (808) 322-2552  
FAX: (808) 322-6584

## **OFFICE OF THE PROSECUTING ATTORNEY**

### TESTIMONY IN SUPPORT OF HOUSE BILL 158

#### A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

#### COMMITTEE WAYS AND MEANS

Sen. Jill N. Tokuda, Chair  
Sen. Ronald D. Kouchi, Vice Chair

Monday, April 6, 2015, 9:05 a.m.  
State Capitol, Conference Room 211

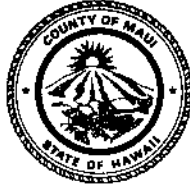
Honorable Chair Tokuda, Vice-Chair Kouchi, and Members of the Committee on Ways and Means, , the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 158.

This measure appropriates funds to the Department of the Prosecuting Attorney of the County of Maui for the prosecution of cases under the drug court and mental health court programs.

The funding of these programs are essential for Maui prosecutors and will ensure the drug court and mental health programs continue to make a positive effect on the citizens of Maui.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of House Bill No. 158. Thank you for the opportunity to testify on this matter.

ALAN M. ARAKAWA  
Mayor



JOHN D. KIM  
Prosecuting Attorney

ROBERT D. RIVERA  
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY  
COUNTY OF MAUI  
150 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

CONTACT: RICHARD. K. MINATOYA  
Deputy Prosecuting Attorney  
Supervisor - Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY  
ON  
HB 158 - MAKING APPROPRIATIONS TO THE  
DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE COUNTY OF MAUI

April 6, 2015

The Honorable Jill N. Tokuda  
Chair  
The Honorable Ronald D. Kouchi  
Vice Chair  
and Members  
Senate Committee on Ways and Means

Chair Tokuda, Vice Chair Kouchi and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** HB 158 - Making Appropriations to the Department of the Prosecuting Attorney of the County of Maui. HB 158 appropriates funds to the Department of the Prosecuting Attorney of the County of Maui for the prosecution of cases under the drug court and mental health court programs.

We understand that our request for these funding items caused some confusion, because the other prosecutors requested funding for the Career Criminal Prosecution ("CCP") and Victim-Witness ("V/W") programs. Over the years, we were able to absorb much of those programs into the County's budget, leaving only one position under each program funded by the State. However, the Drug Court and Mental Health Court programs, unlike CCP and V/W, are relatively new. These are the areas in which we need assistance to participate with these State mandated programs.

When the Judiciary created the drug and mental health court programs, the Department had no option but to comply by prosecuting qualifying cases in those court programs. The

impact on the Department is that each court has dedicated to it one deputy prosecutor and one law technician. The following expenses are related to those positions:

Drug Court (salary + fringe):	
1 Deputy Prosecutor	\$ 209,537.86
1 Law Technician I	67,527.80
Mental Health Court (salary + fringe):	
1 Deputy Prosecutor	\$ 209,537.86
1 Law Technician I	<u>67,527.80</u>
Grand Total:	\$ 554,110.12

The Department struggles to meet this obligation. The Department appreciates any financial assistance it can receive to help it meet its mandated responsibility.

Accordingly, the Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** the passage of this bill. We ask that the committee PASS HB 158 with the amounts identified above.

Thank you very much for the opportunity to provide testimony on this bill.