



## **TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-EIGHTH LEGISLATURE, 2016**

---

**ON THE FOLLOWING MEASURE:**

H.B. NO. 1688, RELATING TO APPROPRIATIONS TO THE HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Thursday, February 11, 2016

**TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Julie Ebato, Crime Prevention and Justice Assistance Division

---

Chair Rhoads and Members of the Committee:

The Department of the Attorney General supports this bill. These funds support necessary services provided by the Hawaii County Office of the Prosecuting Attorney. Specifically, these funds permit the Prosecuting Attorney to fulfill the requirements of chapter 845, "Career Criminals," Hawaii Revised Statutes, to the extent that these funding amounts can be supported within the State's financial plan.

The Legislature established the Career Criminal Prosecution (CCP) program because it found that a substantial and disproportionate amount of serious crime is committed by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. The Legislature's intent was to support increased efforts by prosecuting attorneys' offices to prosecute career criminals. By their nature, CCP cases are often labor intensive and require experienced and well-trained deputy prosecutors. Since fiscal year 2007-2008, funding for the CCP program has been significantly reduced, which has resulted in positions being held vacant. This funding request is needed to fully staff the CCP program so that the prosecution of career criminals can be pursued to the greatest extent.

We urge the Committees to pass this bill. Thank you for the opportunity to provide testimony.

**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 HALEKĪ 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 1688**

#### **A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY**

##### **COMMITTEE ON JUDICIARY**

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Thursday, February 11, 2016, 2:00 PM  
State Capitol, Conference Room 325

Honorable Chair, Rhoads, Honorable Vice-Chair San Buenaventura, and members of the Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 1688.

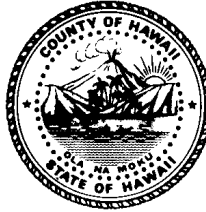
This measure appropriates funds to the Office of the Prosecuting Attorney, County of Hawai'i, for the Career Criminal Prosecution (CCP) Unit.

The CCP unit was established because a disproportionate amount of serious crimes are committed against the public by a relatively small number of multiple and repeat-felony offenders, commonly known as "career criminals." Money spent on this unit is an efficient use of resources, in terms of providing citizens with swift and effective justice.

This unit consist of highly qualified staff, who are committed to justice and prosecuting career criminals. Continued funding will have a positive impact within our community by providing citizens with swift and effective justice, and will reduce long court delays in the prosecution of serious crimes. In addition, state law mandates that certain qualifying defendants be prosecuted under the CCP program (HRS Chapter 845).

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of House Bill No. 1688, which will provide the funding needed to maximize our services to our community in the field of Career Criminal Prosecution. Thank you for the opportunity to testify on this matter.

**Karen Eoff**  
Council Member  
Council District 8 - North Kona



Phone: (808) 323-4280  
Fax: (808) 329-4786  
Email: karen.eoff@hawaiicounty.gov

## HAWAI'I COUNTY COUNCIL

County of Hawai'i  
West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740

February 9, 2016

House Committee on Judiciary  
Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Re: Support for HB1688; Relating to Appropriations to the  
Hawai'i County Office of the Prosecuting Attorney;  
February 22, 2016 at 2:00 p.m., Conference Room 325

Dear Committee:

On behalf of myself and constituents of Council District 8, North Kona, our support for the above referenced bill is expressed, with brief testimony provided as follows:

I fully support the appropriation of funds to the Hawai'i County Office of the Prosecuting Attorney for the career criminal prosecution unit, which includes the hiring of staff that is deemed necessary.

I strongly encourage the passing of this bill.

Sincerely,

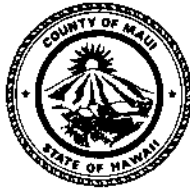
A handwritten signature in dark ink that reads "Karen Eoff".

---

KAREN EOFF, Vice Chair,  
Council District 8, North Kona

KE.wpb

ALAN M. ARAKAWA  
Mayor



JOHN D. KIM  
Acting Prosecuting Attorney

ROBERT D. RIVERA  
Acting 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

**LATE**

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

TESTIMONY  
ON  
HB 1688 - RELATING TO APPROPRIATIONS TO THE  
HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY

February 11, 2016

The Honorable Karl Rhoads  
Chair  
The Honorable Joy A. San Buenaventura  
Vice Chair  
and Members  
House Committee on Judiciary

Chair Rhoads, Vice Chair San Buenaventura and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui, SUPPORTS HB 1688 - Relating to Appropriations to the Hawaii County Office of the Prosecuting Attorney. HB 1688 appropriates funds to the Hawaii County Office of the Prosecuting Attorney for the career criminal prosecution unit.

State law mandates that certain qualifying defendants be prosecuted under the Career Criminal Prosecution (CCP) program (HRS Chapter 845). In order to avoid the unfunded mandate prohibition provided by the Hawaii State Constitution, it was the practice for the State to provide funding for the CCP. This bill will provide the necessary funding required for the CCP is required by state law.

Accordingly, the Department of the Prosecuting Attorney, County of Maui, SUPPORTS the passage of this bill. We ask that the committee PASS HB 1688.

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