

DAVID Y. IGE  
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STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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**MARI McCAIG**  
Chair

**MARTHA ROSS**  
Interim Commissioner

**ABELINA M. SHAW**  
Commissioner

**PAMELA FERGUSON-BREY**  
Executive Director

TESTIMONY ON HOUSE BILL 210  
RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING  
ATTORNEY OF THE CITY AND COUNTY OF HONOLULU

by

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

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

Friday, February 6, 2015; 2:00 PM  
State Capitol, Conference Room 325

Good afternoon Chair Rhoads, Vice Chair San Buenaventura and members of the House Committee on Judiciary. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in support of House Bill 210. House Bill 210 appropriates funds for grants-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the career criminal prosecution unit and for the victim witness assistance program.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

The Commission estimates that over eighty percent (80%) of the violent crime victims who apply for compensation are referred through the county victim witness assistance programs. The county victim witness assistance programs play an important role in mitigating the emotional and financial suffering experienced by victims through their referrals to the Commission and to other social service agencies. The county victim witness assistance programs also support and guide victims through the criminal justice process, helping to ensure that offenders can be successfully prosecuted.

Many victims and surviving family members, particularly victims and survivors of violent crimes like murder and sexual assault, would not be able to make it through the criminal justice process without the support and guidance of a victim witness advocate. Victim witness advocates notify crime victims of hearing dates and major developments in their case, accompany victims and survivors to court where necessary, and help victims and survivors with victim impact statements to enable them to exercise their right to be heard at sentencing. This is all in addition to informing victims and survivors about the social services and financial assistance available to them as crime victims.

The county victim assistance programs need sufficient funding for staff in order to continue to provide these important services. The Commission urges you to support the appropriation of grants-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the victim witness assistance program. Thank you for providing the Commission with the opportunity to testify in support of House Bill 210.

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

**Diana Gausepohl-White**  
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**TESTIMONY IN SUPPORT OF  
HB210 – RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

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

**House Committee on Judiciary**  
**February 6, 2015, 2:00 p.m., Conference Room 325**

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

The County of Kaua'i, Office of the Prosecuting Attorney, **STRONGLY SUPPORTS** HB210 – Relating to Appropriations to the Department of the Prosecuting Attorney of the City and County of Honolulu.

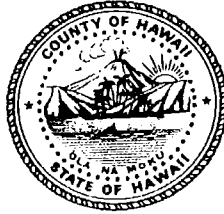
In supporting these Appropriations, we adopt the reasoning set forth in the testimony submitted by the Department of the Prosecuting Attorney of the City and County of Honolulu and echo the testimony we set forth in our testimony in support of the Kaua'i Prosecutor's bill (HB414). The Career Criminal Prosecution Unit and Victim Witness Assistance Program are vital, state-mandated programs that address the most serious criminals and provide direct services to victims of crime.

Accordingly, we are in **STRONG SUPPORT** of HB210. We request that your Committee **PASS** the Appropriations.

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

MITCHELL D. ROTH  
PROSECUTING ATTORNEY

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## OFFICE OF THE PROSECUTING ATTORNEY

### TESTIMONY IN SUPPORT OF HOUSE BILL 210

#### A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU

#### COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair

Friday, February 6, 2015, 2:00 p.m.  
State Capitol, Conference Room 325

Honorable Chair Rhoads, 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. 210.

This measure appropriates moneys to the department of the prosecuting attorney of the city and county of Honolulu for the career criminal prosecution unit and victim witness assistance program.

The funding of these programs are essential for the City and County of Honolulu prosecutors and will ensure the career criminal prosecution unit and victim witness assistance program continue to make a positive effect on the citizens of Oahu. We also request Hawai'i county's Bill, HB 1404, is funded and passed.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of House Bill No. 210. Thank you for the opportunity to testify on this matter.

Respectfully,

Mitchell D. Roth  
Prosecuting Attorney  
County of Hawai'i

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

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**THE HONORABLE KARL RHOADS, CHAIR**  
**HOUSE COMMITTEE ON JUDICIARY**  
**Twenty-Eighth State Legislature**  
**Regular Session of 2015**  
**State of Hawai'i**

February 6, 2014

**RE: H.B. 210; RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

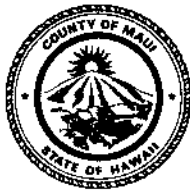
Chair Rhoads, Vice Chair Buenaventura and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in strong support of House Bill 210.

Pursuant to legislation passed in 1979, and codified as sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes ("HRS"), the Career Criminal Prosecution program was created 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." In response, the State created the Career Criminal Prosecution Unit, which it has funded annually. Money spent on this unit is an efficient use of resources, in terms of providing citizens with swift and effective justice, and reducing heavy caseloads and long court delays. With your support, our deputy prosecuting attorneys will have the tools necessary to protect our public from chronic criminals.

Since 1983, the Legislature has also provided support for the Victim Witness Assistance Program. In 1986, the Legislature enacted section 28-111, Hawaii revised Statutes, which established the Victim Witness Assistance program on a statewide basis. The statute established the program in the Department of the Attorney General, with the purpose of providing information, assistance, funding, and support services to the victims and witnesses of crimes committed in Hawaii.

In conclusion, the Department of the Prosecuting Attorney strongly supports the passage of H.B. 210, which will provide the funding needed to maximize our service to our community in the fields of Career Criminal and Victim Witness Assistance. Also, as the legislative session progresses, we kindly request that our funding in this bill is inserted into the State Budget. Thank you for the opportunity to testify on this matter.

ALAN M. ARAKAWA  
Mayor



JOHN D. KIM  
Acting Prosecuting Attorney  
  
ROBERT D. RIVERA  
Acting First Deputy Prosecuting Attorney

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Deputy Prosecuting Attorney  
Supervisor, Appellate, Asset Forfeiture and Administrative Services Division

TESTIMONY  
ON  
HB 210 - MAKING APPROPRIATIONS TO THE  
DEPARTMENT OF THE PROSECUTING ATTORNEY  
OF THE CITY AND COUNTY OF HONOLULU

February 6, 2015

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 210 - Making Appropriations to the Department of the Prosecuting Attorney of the City and County of Honolulu. HB 210 appropriates funds to the Department of the Prosecuting Attorney of the City and County of Honolulu for the career criminal prosecution unit and victim witness assistance program.

State law mandates that certain qualifying defendants be prosecuted under the Career Criminal Prosecution (CCP) program (HRS Chapter 845). State law also mandates to the counties that crime victims and witnesses in criminal cases are afforded certain rights and must be provided with specified services (HRS Chapter 801D). 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 these services. This bill will provide the necessary funding required for these programs that are 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 210.

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