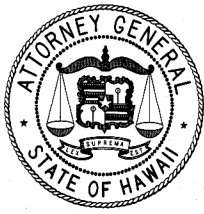




# SB2111

Measure Title:	MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.
Report Title:	Honolulu Prosecuting Attorney Package; Appropriation (\$)
Description:	Appropriates moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu for the career criminal prosecution unit.
Companion:	<a href="#">HB1667</a>
Package:	Honolulu Prosecuting Attorney
Current Referral:	PSM/JDL, WAM
Introducer(s):	KOUCHI (Introduced by request of another party)



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

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2111, MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

**BEFORE THE:**

SENATE COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS, AND ON JUDICIARY AND LABOR

**DATE:** Wednesday, February 10, 2016 **TIME:** 8:30 a.m.

**LOCATION:** State Capitol, Room 016

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

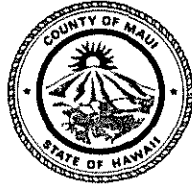
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Chairs Nishihara and Keith-Agaran and Members of the Committees:

The Department of the Attorney General supports this bill because it would provide funds for services provided by the Department of the Prosecuting Attorney of the City and County of Honolulu. To the extent that these funding amounts can be supported within the State's financial plan, they would help fulfill the requirements of chapter 845, Hawaii Revised Statutes, Career Criminals.

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 reduced, which has resulted in positions being held vacant. This funding request is needed to staff the CCP program so that the prosecution of career criminals can be pursued to the greatest extent.

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



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TESTIMONY  
ON

SB 2111 - MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU

February 10, 2016

The Honorable Clarence K. Nishihara  
Chair  
The Honorable Will Espero  
Vice Chair  
and Members  
Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Honorable Gilbert S.C. Keith-Agaran  
Chair  
The Honorable Maile L. Shimabukuro  
Vice Chair  
and Members  
Senate Committee on Judiciary and Labor

Chairs Nishihara and Keith-Agaran, Vice Chairs Espero and Shimabukuro, and Members of the  
Committees:

The Department of the Prosecuting Attorney, County of Maui, SUPPORTS SB 1111 -  
Making an Appropriation to the Department of the Prosecuting Attorney of the City and County  
of Honolulu. SB 2111 appropriates funds to the Department of the Prosecuting Attorney of the  
City and County of Honolulu for the career criminal prosecution unit program.

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 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 SB 2111.

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

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

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PROSECUTING ATTORNEY



ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE CLARENCE K. NISHIHARA, CHAIR  
SENATE COMMITTEE ON PUBLIC SAFETY,  
INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR  
SENATE COMMITTEE ON JUDICIARY AND LABOR**

**Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawai'i**

February 10, 2016

**RE: S.B. 2111; RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF THE  
PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.**

Chair Nishihara, Chair Keith-Agaran, Vice Chair Espero, Vice-Chair Shimabukuro, members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs, 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. 2111. This bill is part of our Department's 2016 legislative package.

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 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 program, which it originally 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, the Department will have the tools necessary to protect our public from career criminals. The current balance needed to maintain this program at its current level of operation within our Department is **\$492,125**.

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. 423, which will provide the funding needed to provide this important state-mandated service to our community. Also, as the legislative session progresses, we kindly request that our funding in this bill be inserted into the State Budget. Thank you for the opportunity to testify on this matter.

**MITCHELL D. ROTH**  
PROSECUTING ATTORNEY

**DALE A. ROSS**  
FIRST DEPUTY  
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## **OFFICE OF THE PROSECUTING ATTORNEY**

### **TESTIMONY IN SUPPORT OF SENATE BILL 2111**

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

##### **COMMITTEE ON JUDICIARY AND LABOR**

Sen. Gilbert S.C. Keith-Agaran, Chair  
Sen. Maile S.L. Shimabukuro, Vice Chair

##### **COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

Sen. Clarence K. Nishihara, Chair  
Sen. Will Espero, Vice Chair

Wednesday, February 10, 2016, 8:30 AM  
State Capitol, Conference Room 016

Honorable Chairs, Keith-Agaran and Nishihara, Honorable Vice-Chairs Shimabukuro and Espero, and members of the Committee on Judiciary and Labor, and the Committee on Public Safety, Intergovernmental and Military Affairs, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of Senate Bill No. 2111.

This measure appropriates moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu, for the Career Criminal Prosecution (CCP) Unit.

The funding of this program is essential for City and County of Honolulu prosecutors and will ensure the CCP will continue to make a positive effect on the citizens of Oahu.

State law mandates that certain qualifying defendants be prosecuted under the CCP program (HRS Chapter 845). In order to avoid the unfunded mandate prohibition provided by the Hawai'i State Constitution, it was the practice for the State to provide funding for these services.

The Office of the Prosecuting Attorney, County of Hawai'i supports the passage of Senate Bill No. 2111, which will provide the funding needed to maximize our service to our community in the field of Career Criminal Prosecution. Thank you for the opportunity to testify on this matter.