

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

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515

DWIGHT K. NADAMOTO  
ACTING PROSECUTING ATTORNEY

LYNN B.K. COSTALES  
ACTING FIRST DEPUTY  
PROSECUTING ATTORNEY



**THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR**  
**SENATE COMMITTEE ON WAYS AND MEANS**  
**Thirtieth State Legislature**  
**Regular Session of 2020**  
**State of Hawai'i**

February 27, 2020

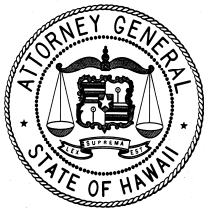
**RE: S.B. 2179, S.D. 1; RELATING TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY.**

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. 2179, S.D. 1. This bill is part of the Department's 2020 legislative package.

Pursuant to legislation passed in 1979, and codified as Sections 845-1, 845-2, and 845-3, Hawai'i Revised Statutes, 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.

The requested funding is greatly needed to continue operating our Career Criminal Prosecution unit at its current capacity and caseload, essentially maintaining positions that are currently filled. Money spent on this unit is an efficient use of resources, as it provides citizens with swift and effective justice, reducing heavy caseloads and long court delays. With your support, the Department will have the tools necessary to protect our public from career criminals.

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. 2179, S.D. 1, which will provide the funding needed to provide this important state-mandated service to our community. Thank you for the opportunity to testify on this matter.



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTIETH LEGISLATURE, 2020**

---

**ON THE FOLLOWING MEASURE:**

S.B. NO. 2179, S.D. 1, RELATING TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY.

**BEFORE THE:**

SENATE COMMITTEE ON WAYS AND MEANS

**DATE:** Thursday, February 27, 2020 **TIME:** 10:35 a.m.

**LOCATION:** State Capitol, Room 211

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

(For more information, contact Shaleigh Tice, Grants and Planning Branch Chief, Crime Prevention and Justice Assistance Division, at (808-586-1157)

---

Chair Dela Cruz and Members of the Committee:

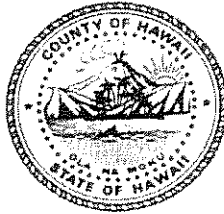
The Department of the Attorney General supports this measure, provided that its passage does not replace or adversely impact the priorities indicated in our executive budget. This bill would provide funds for services that are provided by the Department of the Prosecuting Attorney of the City and County of Honolulu to help fulfill the requirements of chapter 845, "Career Criminals," Hawaii Revised Statutes.

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 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. This funding request is needed to staff the CCP program so that the prosecution of career criminals can be pursued effectively.

We respectfully ask the Committee 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 KILAUEA AVENUE  
HILO, HAWAII 96720  
PH: (808) 961-0466  
FAX: (808) 961-8908  
(808) 934-3403  
(808) 934-3503

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

## OFFICE OF THE PROSECUTING ATTORNEY

### TESTIMONY IN SUPPORT OF SENATE BILL 2179

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

##### COMMITTEE ON WAYS AND MEANS

Sen. Donovan M. Dela Cruz, Chair

Sen. Gilbert S.C. Keith-Agaran, Vice Chair

Thursday, February 27, 2020, 10:35 a.m.  
State Capitol, Conference Room 211

Honorable Chair Dela Cruz, Honorable Vice Chair Keith-Agaran, 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 Senate Bill No. 2179.

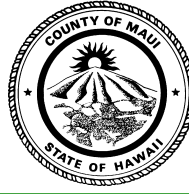
This measure makes an appropriation to the Office of the Prosecuting Attorney, City and County of Honolulu, for the Career Criminal Prosecution Unit (CCP).

The CCP 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." Money spent on this unit is an efficient use of resources, in terms of providing citizens with swift and effective justice, and by reducing heavy caseloads and long court delays.

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. ~~Having this funding is critical to enable, equip and retain staff with the necessary tools~~ and skills needed to effectively deal with complex situations of CCP.

The Office of the Prosecuting Attorney, County of Hawai'i strongly supports the passage of Senate Bill No. 2179. Thank you for the opportunity to testify on this matter.

MICHAEL P. VICTORINO  
Mayor



DON S. GUZMAN  
Prosecuting Attorney

ROBERT D. RIVERA  
First Deputy Prosecuting Attorney

ANDREW H. MARTIN  
Second Deputy Prosecuting Attorney

**LATE**

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

TESTIMONY  
ON  
S.B. 2179 - RELATING TO  
THE DEPARTMENT OF  
THE PROSECUTING ATTORNEY

February 27, 2020

The Honorable Donovan M. Dela Cruz  
Chair  
The Honorable Gilbert S.C. Keith-Agaran  
Vice Chair  
and Members of the Committee on Ways and Means

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments concerning S.B. 2179 SD1, Relating to The Department of the Prosecuting Attorney. Specifically, we would like to express our support for S.B. 2179 SD 1, which would appropriate funds as a grant-in-aid to the Department of the Prosecuting Attorney for the City and County of Honolulu for the Career Criminal Prosecution Unit.

In a community where a disproportionate number of serious crimes are committed by a relatively small number of criminals who repeatedly commit felony offenses (so-called "career criminals"), successful prosecution of career criminal cases is important for public safety. Successful prosecution of these cases requires substantial amounts of time and resources, as well as experienced and trained deputy prosecutors. Funding specialized units like the Career Criminal Prosecution Unit plays a vital role in keeping our community safe by ensuring that these cases are handled swiftly, efficiently and professionally.

For these reasons, the Department of the Prosecuting Attorney, County of Maui supports the passage of S.B. 2179 S.D.1. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

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