

MICHAEL P. VICTORINO
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OFFICE OF THE
COUNTY COUNCIL

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI

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April 9, 2019

Ms. Michelle M. Yoshimura *MMY*
Budget Director, County of Maui
200 South High Street
Wailuku, HI 96793

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 4/10/19
Mayor Date

For Transmittal to:

Honorable Keani Rawlins-Fernandez
Chair, Economic Development & Budget Committee
Maui County Council
200 South High Street
Wailuku, HI 96793

RE: REQUESTS/QUESTIONS FROM THE APRIL 1, 2019 MEETING (PA-3)
(EBD-1)

Dear Chair Rawlins-Fernandez:

This letter is in response to the Economic Development and Budget Committee letter dated, April 2, 2019. As requested, we are providing the following responses to your request:

1. Relating to Budget Details, page 16-25, index code 196835, sub-object code 6129, in expanding the Special Needs Advocacy Program, what types of service will be provided with the proposed increase of \$285,086? Please provide a detailed description and implementation.
(MM)

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We recently received a letter from the Department of the Attorney General's Office informing our department that our budget has increased in the amount of \$27,460.00. This raised our grant award from \$622,420.00 to \$649,880. We anticipate another increase of \$45,000 to conduct a statewide mass violence conference on Maui.

We will be requesting an increase in grant funds mid fiscal year based on statewide savings that may be available to other counties. The extra funds would help our department in creating our Children's Peace Center.

2. Relating to Budget Details, page 16-3, index code 906016A, sub-object code 5205: The adopted overtime for FY2019 was \$15,000 down from approximately \$45,000 in actual overtime for both FY2018 and FY2017. The request for FY2020 is \$20,000.

a. How does the Department intend to address the issue of overtime? (KK)

For Fiscal Year 2020, we are requesting an expansion position to assist the administrative staff with their daily duties to decrease the need for overtime.

b. What is the current expenditure on overtime for FY 2019 to date? Is the Department on course to remain within \$15,000 for FY 2019?

The current expenditure for index code 906016A, sub-object code 5205 overtime to date is \$37,382.12. We will apply cost saving from our "A" account to cover the excess overtime amount.

c. The overtime note from FY2020 references expected overtime from office staff completing software upgrades. Are these the only sources of expected overtime for FY2020? If not, what are the other likely sources of overtime?

The Administrative staff has a constant flow of daily requests from employees and outside agencies that require research and gathering information. The demands of the administrative staff have increased with implementing policies and procedures in changes with legal procedures with the courts and the Attorney General's Office, Federal and State Reporting of grants and interfacing with new state-wide criminal data tracking systems together with the Maui Police Department's ILEADS data tracking system. Administrative staff must

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continuously respond to employees and public complaints, grievance issues, maintenance, and repair of office equipment, building maintenance, and participate in database testing with the various State criminal data tracking systems.

3. Relating to Budget Details, page 16-2, index code 906016A, item PA-XXXX: will two Law Clerk internships be sufficient for the department? How does the Department intend to use the interns?(KK)

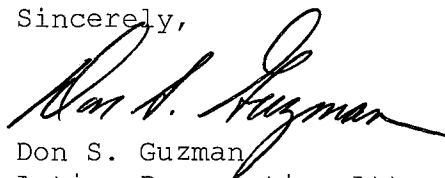
Law clerks would be exempt employees pursuant to HRS 76-77(3). Law clerk position (03 EP) are filled by law school students and/or law school graduates awaiting their bar results during a time period not to exceed ninety (90) days. The Department is requesting two (2) temporary law clerk positions. Hiring law clerks provides a practical and economical way for the Department to evaluate candidates for future Deputy Prosecuting Attorney (DPA) position vacancies. They can be evaluated for their sense of purpose, ability to be trained, and attitude, at a lower cost of

an entry-level attorney. Although law clerks are not hired specifically to provide direct service to the public, they do perform valuable service in support of our attorneys. As we have done in the past, we will utilize the law clerk interns to assist with legal research and writing assignments, including pending appeals, motions to suppress, and evidentiary issues for trial. We will also utilize them to assist in the preparation of evidence and exhibits for trial.

The above legal responsibilities will also assist the law clerk(s) in making a more informed decision about their career choice and provide the Department with the opportunity to hire candidates who have shown an interest and have been willing to do the work of the Department. Furthermore, law clerks who eventually fill DPA positions are more likely to become career prosecutors, thus, saving the Department costs associated with filling vacancies.

If you have any further questions or require further information, please do not hesitate to call me at 270-7777.

Sincerely,



Don S. Guzman
Acting Prosecuting Attorney