

MICHAEL P. VICTORINO  
Mayor

DON S. GUZMAN  
Prosecuting Attorney

ROBERT D. RIVERA  
First Deputy Prosecuting Attorney

ANDREW H. MARTIN  
Second Deputy Prosecuting Attorney



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

November 06, 2019

Michele Yoshimura *my*  
Budget Director, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Honorable Michael Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

For Transmittal to:

APPROVED FOR TRANSMITTAL

*[Signature]* 11/7/19  
Acting Mayor Date

Honorable Kelly King, Chair  
and Members of Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair King and Members:

SUBJECT: DOMESTIC VIOLENCE INVESTIGATION

In accordance with Ordinance No.4988 Bill No. 36 (2019) Draft 1, of Fiscal Year 2020 Budget, we are hereby transmitting to you a copy of the notice of grant award from the State of Hawaii Department of the Attorney General, Crime Prevention and Justice Assistance Division, for the above program, grant number 17-WF-02 for the period of July 1, 2019 to June 30, 2020 in the total amount of \$73,283.00, where the federal funds award amount is \$54,962.00 and the 25% County match requirement totals \$18,321.00

Thank you for your kind attention to this matter. Should you have any questions, please feel free to contact me at. #270-7632.

Sincerely,

*[Signature]*  
Don Guzman  
Prosecuting Attorney

Attachment

COUNTY COMMUNICATION NO. 19-461

RECEIVED  
2019 NOV -7 PM 3:25  
OFFICE OF THE  
COUNTY CLERK



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

January 2, 2019

**ADMINISTRATIVE DIRECTIVE NO. 19-01**

**TO:** Department of Budget and Finance, Department of Accounting and General Services and Department of Attorney General

**FROM:** David Y. Ige  
Governor

**SUBJECT:** Reimbursement of Expert Witness Fees and Other Expenses to Counties

**Purpose**

Hawai'i Revised Statutes sections 621-7, 621-8, 621-9, 836-2 and 836-3, provide budgetary procedures for the covering of expenses when subpoenaing witnesses to testify for the State in criminal cases. The statutes do not clearly delineate what constitutes allowable expenses and should be clarified by appropriate legislative action. An attempt to seek legislative clarification last session failed. Pending such clarification and in order to promote the efficient administration of criminal prosecutions by the State, I direct appropriate executive branch agencies as follows:

**Policy:**

This Administrative Directive shall be effective for an interim period from the date of this directive until legislative clarification is obtained.

1. County Prosecutors may submit to the Department of Budget and Finance the following:

**Allowable Expenses:**

Costs for law enforcement officers, including overtime, to transport a Defendant.

Expert witness fees, including preparation, travel, waiting, and testimony.

Per diem at a rate comparable to that of permanent employees of the State.

Expenses Specifically Excluded:

Costs in excess of the per diem, except as approved by the Department of Budget and Finance. Approval must be obtained prior to the excess expense being incurred.

/S/

\_\_\_\_\_  
David Y. Ige  
Governor, State of Hawai'i

**DEC 24 2018**

\_\_\_\_\_  
Date

**Karen Montalvo - RE: January 2019 Memo re: Administrative Directive No. 19-01 - Reimbursement of Expert Witness Fees and Other Expenses to Counties**

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**From:** "Ban, Tracy M" <Tracy.M.Ban@hawaii.gov>  
**To:** Karen Montalvo <Karen.Montalvo@co.maui.hi.us>  
**Date:** 10/7/2019 9:20 AM  
**Subject:** RE: January 2019 Memo re: Administrative Directive No. 19-01 - Reimbursement of Expert Witness Fees and Other Expenses to Counties  
**Cc:** Donald Guzman <Donald.Guzman@co.maui.hi.us>, Elmer Cabacungan <Elmer.Cab...>  
**Attachments:** AD-19-01-Reimbursement-of-Expert-Witness-Fees-and-Other-Expenses-to-Counties\_V1.pdf

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Karen

Attached is a copy of Administrative Directive No. 19-01.

Aloha  
Tracy

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**From:** Karen Montalvo <Karen.Montalvo@co.maui.hi.us>  
**Sent:** Friday, October 4, 2019 11:29 AM  
**To:** Ban, Tracy M <Tracy.M.Ban@hawaii.gov>  
**Cc:** Donald Guzman <Donald.Guzman@co.maui.hi.us>; Elmer Cabacungan <Elmer.Cabacungan@co.maui.hi.us>  
**Subject:** January 2019 Memo re: Administrative Directive No. 19-01 - Reimbursement of Expert Witness Fees and Other Expenses to Counties

Hi Tracy,

Per your conversation this morning with Liane Ogata regarding the above subject, can you please send the above.

**See attached sample of Memo sent to our office in January, 2018.**

Thank you for your time and assistance.

Karen Y. Montalvo  
Law Office Manager  
Department of the Prosecuting Attorney  
County of Maui  
150 S. High Street  
Wailuku, Hawaii 96793

Tel. No. [\(808\)270-7777](tel:(808)270-7777) main line or [\(808\)270-7650](tel:(808)270-7650) direct line

Fax. No. [\(808\)270-7625](tel:(808)270-7625)

Email: [Karen.Montalvo@co.maui.hi.us](mailto:Karen.Montalvo@co.maui.hi.us)

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o. State and Federal Assets Forfeiture Program	100,000
(1) Provided, that a quarterly report shall be submitted to Council on the use of forfeiture funds.	
p. Violence Against Women Act (VAWA) - State Attorney General	55,000
10. Department of the Prosecuting Attorney	
a. Asset Forfeitures Program	100,000
(1) Provided, that a quarterly report shall be submitted to Council on the use of forfeiture funds.	
b. Career Criminal Program	215,000
(1) Provided, that disbursement for salaries and premium pay is limited to 1.0 LTA equivalent personnel.	
c. Defendant/Witness Trial Program	170,000
d. Domestic Violence Investigations Program	80,000
(1) Provided, that disbursement for salaries and premium pay is limited to 1.0 LTA equivalent personnel.	
e. Edward Byrne Memorial Justice Assistance Grant Program	125,000
f. Food Stamp Fraud Prosecution Program	5,000
g. Hawaii Criminal Justice Data Center	50,000
h. Highway Safety Grant Program	100,000
i. Prosecutors Training Program	50,000
j. Special Needs Advocacy Program	1,000,000
(1) Provided, that disbursement for salaries and premium pay is limited to 7.0 LTA equivalent personnel.	
k. Victim/Witness Assistance Program	110,000
(1) Provided, that disbursement for salaries and premium pay is limited to 1.0 LTA equivalent personnel.	
11. Department of Public Works	
a. Federal Highway Administration, Federal-Aid and Other Transportation Grants	8,097,000
b. Federal Highway Administration, Assessment of County of Maui Coastal Roads for Effects of Climate Change, Sea Level Rise, and Shoreline Erosion	560,000