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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

April 11, 2022

Mr. Andrew H. Martin, Prosecuting Attorney
Department of the Prosecuting Attorney
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Martin:

SUBJECT: FISCAL YEAR ("FY") 2023 BUDGET (PA-1) (BFED-1)

May I please request you be prepared to answer the following questions at the BFED Committee meeting held via BlueJeans on **April 13, 2022**.^{*} This will enable the Committee to comprehensively review the FY 2023 Budget. Please also submit your answers to bfed.committee@mauicounty.us by the end of the day on **April 13, 2022**. **Date subject to change without notice.*

Overall

1. How are grant funds for the Special Needs Advocacy program used? (Page 559, Program Budget) (SS)

Salaries and Wages (Category "A")

1. How many vacant positions currently exist within the Department? (Page 17-10, Budget Details; Page 557, Program Budget) (KTK) (MM)
 - a. Please list the job titles of all vacant positions. (MM)
 - b. What will you do to attract and retain high quality candidates for these positions? (KTK)
2. The Department is requesting three expansion positions in FY 2023. Please provide the following information: (Page 17-10, Budget Details, Index Code 906156A; Page 557, Program Budget)

- a. What circumstances necessitate the proposed new positions? Please explain the need for the proposed new positions. (KTK) (TP) (SS)
 - b. What will you do to attract and retain high quality candidates for these positions? (KTK)
 - c. Are the currently proposed positions sufficient to meet the anticipated needs and increased workload of the department? (KRF)
 - d. How long will it take to recruit for the Information Systems Analyst V and Investigator III expansion positions? (MM)
3. While considering the department's workforce needs, were there any additional positions in consideration for your budget request? If so what were the titles of those positions, their job descriptions, and the potential costs? (Page 17-10, Budget Details, Index Code 906156A; Page 557, Program Budget) (KRF)
 4. Will one additional Deputy Prosecuting Attorney and one Investigator III assist with clearing the case backload? What is the current backload of cases? (Page 17-10, Budget Details, Index code 906156A) (SS)
 5. What will the expansion position Information Systems Analyst V work on? What are the obstacles, if any, in filling this position at the current salary? How was the salary established? (Page 17-10, Budget Details, Index code 906156A) (SS)

Operations and Equipment (Categories "B" and "C")

1. Are any of the items under Index Code 906156B related to recruitment and marketing for the three expansion positions under the General Prosecution Program? If so, please provide the Sub-Object Code. (Pg.17-12, Budget Details) (TP)
2. The FY 2023 Budget includes the deletion of a one-time appropriation of \$40,450 for the eProsecutor case-tracking system. Please provide greater detail on the deletion of this cost. (Page 17-13, Budget Details, Index Code 906156B, Sub-Object Code 6244; Page 556, Program Budget) (KRF)

Mr. Andrew H. Martin
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3. The FY 2023 Budget includes the deletion of a one-time appropriation of \$50,000 in funding for Community Outreach Courts. Please provide the following: (Page 17-14, Budget Details, Index Code 906158B, Sub-Object Code 6132; Page 556, Program Budget)
 - a. Please provide greater detail on the department's decision to delete the funding. (KRF)
 - b. What, if anything, was achieved in terms of collecting data to support Community Outreach Courts? (TK)
 - c. What more needs to be done to create a Community Outreach Court in Maui County? (Page 556, Program Budget) (TK)

Thank you for your attention to this request. Should you have any questions, please contact me or the Committee staff (Lesley Milner at ext. 7886, Jerry Paredes at ext. 7140, or Yvette Bouthillier at ext. 7758).

Sincerely,



KEANI N.W. RAWLINS-FERNANDEZ, Chair
Budget, Finance, and Economic
Development Committee

bfed:2023bgt:220409apa01:kmata

cc: Mayor Michael P. Victorino
Budget Director

BFED Committee

From: BFED Committee
Sent: Monday, April 11, 2022 12:43 PM
To: Andrew.Martin@co.maui.hi.us
Cc: BFED Committee; 'Michelle Santos'; 'Zeke Kalua'; michele.yoshimura@co.maui.hi.us
Subject: (PA-1) PLEASE READ attached letter re: FISCAL YEAR ("FY") 2023 BUDGET (BFED 1) (PA-1)
Attachments: (PA-1) Correspondence to Prosecuting Attorney 04-11-2022.pdf

Mr. Martin: Please refer to the attached letter from the Budget, Finance, and Economic Development (BFED) Committee Chair, April 11, 2022.

Mayor's Office (attention: Michelle Santos and Zeke Kalua): Please forward the attached letter to Mayor Victorino.

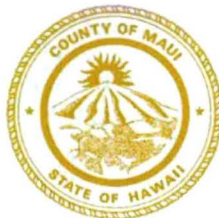
Ms. Yoshimura: FYI

Thank you,
Yvette Bouthillier, Secretary
BFED Committee

MICHAEL P. VICTORINO
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

MICHAEL S. KAGAMI
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
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WAILUKU, MAUI, HAWAII 96793
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April 14, 2022

Ms. Michele Yoshimura
Budget Director, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 4/14/22

Mayor Date

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

For Transmittal to:

Honorable Keani N.W. Rawlins-Fernandez, Chair
Budget, Finance, and Economic Development Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

**SUBJECT: FISCAL YEAR (“FY”) 2023 BUDGET QUESTIONS/REQUESTS
(PA-1) (BFED-1)**

Dear Chair Rawlins-Fernandez:

This letter is in response to the Budget, Finance, and Economic Development Committee’s letter dated April 11, 2022. As requested, we are providing the following responses to your request:

Overall

1. How are grant funds for the Special Needs Advocacy Program used? (SS)

Response: Special Needs Advocacy Program funds are established through the Victims of Crime Act, or “VOCA.” VOCA funds support the Department’s direct victim services in the following ways:

- Funding five (5) Victim/Witness Counselor positions and an Office Operations Assistant;
- Providing sub-awards of \$30,000 each to Women Helping Women and Child

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and Family Service in order to provide for advocates to staff the domestic violence hotline and counseling services to victims of sexual assault across Maui County, including Moloka`i, Lana`i, and Hana;

- Funding for victims, and for counselor accompaniment, for inter-island travel to minimum term hearings, for travel from Lana`i and Moloka`i to Maui for court hearings, or to relocate victims of crime to islands outside of Maui County;
- Office supplies and equipment, including counselor cell phones that allow counselors to call and text with victims from numbers that don't indicate their affiliation with the County or Prosecutor's Office;
- Covering the cost of forensic sexual assault examinations when the victim does not wish to contact the police department, and funding through other victim service agencies is unavailable;
- Training, membership, and conference fees for Victim/Witness Counselors to events such as the Conference on Crimes Against Women and Children;
- Emergency funds for services to victims such as child care, filing fees for restraining orders, interpreter fees for victims, and emergency relocation of victims and their families who need to leave the county or state immediately in order to ensure their safety, as well as provide for rental expenses and utility startup costs.

Salaries and Wages (Category "A")

1. How many vacant positions currently exist within the Department? (KTK) (MM)

Response: The Department currently has six (6) full-time openings, two (2) additional full-time openings for which a new hire has been selected but hasn't started yet, and four (4) part-time openings which include three (3) internships. For one of the full-time openings (Administrative Officer) the final interview(s) will be scheduled for the week of 4/18/2022.

- a. Please list the job titles of all vacant positions. (MM)

Response: Currently vacant positions are as follows:

P-26243 Law Technician I: Requisition open; selected candidate declined employment offer; Changed recruitment to PWOE Intra-department with deadline date of 03/28/2022; (1) application received and forwarded to DPS for review; Position is currently filled by TA

P-26289 Legal Clerk III: Requisition open; Second eligibility list received; Rejected submitted names; Awaiting next eligibility list

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P-28708 Legal Clerk III: Requisition open; Second eligibility list received; Rejected submitted names; Awaiting next eligibility list

P-26397 Investigator III: Incumbent transferred to county funded position; Awaiting eligibility list

P-28716L Deputy Prosecuting Attorney: Incumbent transferred to F/T DPA 03/16/2021; New hire anticipated start date 06/15/2022

P-29818 Victim/Witness Counselor I: Incumbent transferred to county funded position; New hire anticipated start date 5/9/2022

P-30924 Office Operations Assistant II: Incumbent retired on 10/31/2021

P-26435 Administrative Officer: Incumbent resigned effective 3/31/2022; panel interviews of six (6) candidates complete; final interview will be scheduled for the week of 4/18/22

P-30929 P/T Student Internship: Internship completed COB 08/13/2021

P-30930 P/T Student Internship: Internship completed COB 09/03/2021

P-30942 P/T Deputy Prosecuting Attorney: Not intending to fill at this time

P-31523 Internship Law Clerk (unfunded EP): Incumbent transferred to F/T DPA 11/09/2020

- b. What will you do to attract and retain high quality candidates for these positions? (KTK)

We continue to be proactive in our recruitment for all positions, our employees serving as our top recruiters for positions department-wide. Both the Prosecuting Attorney and the First Deputy have been involved with recruiting, interviewing, and selecting candidates. We continue to discuss the Department's mission, values, and goals which not only serves as the foundation for our office culture, but has also served as a valuable recruiting tool.

2. The Department is requesting three expansion positions in FY 2023. Please provide the following information:
- a. What circumstances necessitate the proposed new positions? Please explain the need for the proposed new positions. (KTK) (TP) (SS)

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Honorable Michael P. Victorino
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Response: The expansion positions requested are the next step in the evolution of the strategic vision for the office. The expansion positions will assist the Department in achieving two of its key goals: fostering public confidence in the Department and the Criminal Justice System through the diligent pursuit of justice by ethically, fairly, and effectively prosecuting cases; and developing and implementing modern, innovative programs that help keep our community safe. These positions also speak to the Department's core value of excellence in that they will serve to incorporate new ideas and best practices into the work that we do.

Specifically, the positions will support the Department's strategic initiatives toward the establishment of a Crime Strategies Unit ("CSU") and by establishing early disposition and diversion programs for certain low-level, non-violent felonies. These two initiatives will work hand-in-hand to lessen the burden and strain on the criminal justice system while providing for swift accountability, reduce recidivism, and enhance public safety by directing resources to those individuals who are responsible for driving crime within our community. The Department's new CSU will collect data and intelligence on crime trends and individuals driving crime, analyze the information, enhance our partnerships with partner agencies, and gather input from the community on public safety issues. The inflow of data and intelligence from MPD will be a key to this strategic initiative and help inform our prosecutorial and policy decisions. Instead of focusing on individual cases, the CSU will holistically improve public safety through data analysis, public engagement, and enhanced partnerships with law enforcement.

We have reviewed national best practices for the creation of a CSU, obtained materials on implanting various models of a CSU from the Prosecutor's Center for Excellence and the Manhattan District Attorney's Office, and have attended virtual trainings on the creation of a CSU in the office. The model that best fits our Department and its needs includes an assigned DPA, an analyst, and an investigator.

- b. What will you do to attract and retain high quality candidates for these positions?
(KTK)

In addition to the information provided with respect to attracting and retaining high quality candidates as described above, we would post openings for these positions, specific to the CSU, with organizations including the National District Attorneys Association in order to potentially attract candidates that may have CSU experience in other jurisdictions.

- c. Are the currently proposed positions sufficient to meet the anticipated needs and increased workload of the department? (KRF)

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Response: An additional Legal Clerk may be necessary in the near future depending on the progression of the Community Outreach Court project.

- d. How long will it take to recruit for the Information Systems Analyst V and Investigator III expansion positions? (MM)

Response: Based on past experience, we anticipate a short recruitment for the Investigator III position. We are unsure how long it will take to recruit the Information Systems Analyst V position.

3. While considering the department's workforce needs, were there any additional positions in consideration for your budget request? If so what were the titles of those positions, their job descriptions, and the potential costs? (KRF)

Response: The Department would benefit greatly from the addition of a Grant Management Program Specialist III (SR20-C \$4,250 monthly). Having a position dedicated to developing, writing, and managing grant opportunities would put the department in the best possible position to leverage funding sources beyond the General Fund.

4. Will one additional Deputy Prosecuting Attorney and one Investigator III assist with clearing the case backlog? What is the current backlog of cases? (SS)

Yes, we believe so. We estimate that our current felony screening backlog is approximately 300 cases, excluding drug cases.

5. What will the expansion position Information Systems Analyst V work on? What are the obstacles, if any, in filling this position at the current salary? How was the salary established? (SS)

The Information Systems Analyst V position will work to support the Department's new Crime Strategies Unit as well as support our courtroom technology program, manage the multitude of confidential criminal justice databases and judiciary databases the department utilizes, assist in the maintenance and development of the department's case management system, and serve as the liaison between the department and ITSD.

Operations and Equipment (Categories "B" and "C")

1. Are any of the items under Index Code 906156B related to recruitment and marketing for the three expansion positions under the General Prosecution Program? If so, please provide the Sub Object Code. (TP)

Response: Yes, under Sub Object Code 6101.

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Honorable Michael P. Victorino
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2. The FY 2023 Budget includes the deletion of a one-time appropriation of \$40,450 for the eProsecutor case-tracking system. Please provide greater detail on the deletion of this cost. (KRF)

Response: A contract revision in the department's favor resulted in the reduction of implementation costs for eProsecutor. The cost of implementation is now fully covered by grant funds.

3. The FY 2023 Budget includes the deletion of a one-time appropriation of \$50,000 in funding for Community Outreach Courts. Please provide the following:
 - a. Please provide greater detail on the department's decision to delete the funding. (KRF)

Response: The Community Outreach Court program is currently scheduled to hold its first hearings on July 15, 2022.

- b. What, if anything, was achieved in terms of collecting data to support Community Outreach Courts? (TK)

Response: Because the Community Outreach Court will not begin hearings until July, 2022, no data has been collected.

- c. What more needs to be done to create a Community Outreach Court in Maui County? (TK)

Response: The Judiciary, Public Defenders, MPD and the Prosecutor's Office have targeting a start date of July 15, 2022. While the program will begin on that date utilizing present resources for all stakeholders, the addition of a case coordinator will be necessary for the project to succeed long term. The Case Coordinator plays a key role in the intake and monitoring of program participants. Without the position, the COC will be restricted by the number of participants that the assigned Deputy Public Defender is able to monitor on his/her own.

Thank you for giving us the opportunity to respond to your questions. Should you have any questions, please feel free to contact me at (808)270-7600.

Sincerely,



ANDREW H. MARTIN
Prosecuting Attorney

BFED Committee

From: Melissa Agtunong <Melissa.P.Agtunong@co.maui.hi.us>
Sent: Thursday, April 14, 2022 5:05 PM
To: BFED Committee
Cc: Andrew Martin; Michael Kagami
Subject: FY 2023 Budget (PA-1)
Attachments: (PA-1) Response.pdf

Please see attached response from the Department of the Prosecuting Attorney.

Mahalo,
Melissa Jahja (Agtunong)
Office of the Mayor | County of Maui
(808)270-8263