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Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
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## COUNTY COUNCIL

COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

April 9, 2024

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

Dear Mr. Martin:

**SUBJECT: FISCAL YEAR ("FY") 2025 BUDGET** (BFED-1) (PA-3)

Thank you for participating in the Committee's discussions on April 8, 2024.

May I please request the process the Department undertook with the Department of Personnel Services to secure a higher salary for the Victim Witness Director. (Page 21-3, Budget Details)

May I further request that, after approval by the Office of the Mayor, you transmit a written response to [bfed.committee@mauicounty.us](mailto:bfed.committee@mauicounty.us) by **April 16, 2024**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, Kasie Apo Takayama at ext. 7665, or Yvette Bouthillier at ext. 7758).

Sincerely,

A handwritten signature in black ink that reads "Yuki Lei K. Sugimura".

YUKI LEI K. SUGIMURA, Chair  
Budget, Finance, and Economic  
Development Committee

bfed:2025bgt:240408apa01:clm

cc: Mayor Richard T. Bissen, Jr.  
Acting Budget Director

## BFED Committee

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**From:** BFED Committee  
**Sent:** Wednesday, April 10, 2024 8:25 AM  
**To:** Andrew.Martin@co.maui.hi.us  
**Cc:** BFED Committee; Shelly DeMattos; Glen Duran; Karen Montalvo; Michelle Santos; Zeke Kalua; Lesley Milner; Kristina Cabbat  
**Subject:** PLEASE READ attached letter re: FISCAL YEAR ("FY") 2025 BUDGET (BFED 1) (PA-3); reply by 4/16/24  
**Attachments:** (PA-3) Correspondence to Prosecuting Attorney.pdf  
**Categories:** Processed

**Mr. Martin:** Please refer to the attached letter from the Budget, Finance, and Economic Development (BFED) Committee Chair, dated April 9, 2024. Please respond by **April 16, 2024**

**Mayor's Office (attention: Michelle Santos and Zeke Kalua):** Please forward the attached letter to Mayor Bissen for his information.

**Ms. Milner:** FYI

Thank you,  
Yvette Bouthillier, Senior Secretary  
BFED Committee

**RICHARD T. BISSEN, JR.**  
Mayor


**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First 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

April 12, 2024

Lesley Milner   
Acting Budget Director  
200 South High Street  
Wailuku, Hawaii 96793

Honorable Richard T. Bissen, Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

**APPROVED FOR TRANSMITTAL**

  
\_\_\_\_\_  
Mayor Date

For Transmittal to:

County Council  
County of Maui  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Chair Sugimura and Members,

**SUBJECT: RESPONSE TO FISCAL YEAR (“FY”) 2025 BUDGET (BFED-1)(PA-3)**

In response to your request for the process the Department undertook with the Department of Personnel Services (DPS) to secure a higher salary for the Victim Witness Director. (Page 21-3, Budget Details), we have outlined the process below.

1. The Department engaged in conversations with DPS to evaluate the most effective options to increase the Victim Witness Director salary after conducting research of salaries of the same position in the other counties. It was determined a RAM would be the most appropriate action.
2. The Department completed the RAM form – attached.
3. Submitted the RAM form to DPS via Guru, *Request for DPS Services* for review and approval.

Sincerely,

  
ANDREW H. MARTIN  
PROSECUTING ATTORNEY

att: Recruit Above the Minimum, Department Request

## REQUEST FOR RECRUITMENT ABOVE THE MINIMUM STEP

All initial appointments shall be made at the minimum rate of the appropriate salary range.

The director may authorize recruitments and appointments above the minimum rate of pay within the appropriate salary range when, based on previous recruitment history and difficulty in filling similar positions, it is determined to be impracticable to do so at the minimum rate.

If a situation arises that requires the appointing authority to request an alternate adjustment; the appointing authority shall prepare and submit a written justification. Such written justification shall include the following:

1. Class title Victim Witness Program Director  
Position No. P-26313  
Geographical location (if relevant to request) \_\_\_\_\_
2. Recommended pay range and step above minimum (for EMCP, recommend proposed range within existing pay grade) see attached
3. Historical or other information which establishes difficulty in recruitment and/or retention of qualified applicants, such as:
  - a. Vacancy data, including the number of current and anticipated vacancies, number of vacancies on active recruitment, vacancy experience with other positions in the class, etc.
  - b. Recruitment data, including internal and external efforts and their results, number of qualified and unqualified applicants, number of acceptances received in proportion to job offers;
  - c. Turnover data, including a comparison of current and previous voluntary quit rates and reasons for leaving;
  - d. Other pertinent data, including unusual working conditions, unique elements of the job, special license requirements, number or licensed workers, or number of institutions that employ such licensed workers.
4. Any other information that supports the recommended pay rates such as:
  - a. Results of previous recruitment efforts that were conducted at lower or

higher pay rates; comparable rates utilized by other jurisdictions or private sector.

- b. Pay rate at which the agency last employed an applicant for the class of work (length of service in the class? entry rate of pay?)
- c. Pay rates at which other incumbents and previous incumbents were hired;
- d. Highest paid subordinates and their job classifications and lengths of service.

Department of the Prosecuting Attorney  
 Request to Recruit Above the Minimum Step  
 Victim/Witness Director

2. The department requests the ability to hire within the prevailing EM03 Salary range in accordance to Circular No. IIC/22-02 dated August 1, 2022, based on level of experience.

Eff. 07/01/2023 \$83,592.00 to \$119,232 + \$1,620 WIRP

Eff. 07/01/2024 \$86,92 to \$123,516.00 + \$1,680 WIRP

3.

a-c. The historical data for the last 9 years is as below:

BEGIN DATE	END DATE	TERMINATION REASON	NUMBER OF CANDIDATES INTERVIEWED
1/3/2022	8/14/2023	Resigned - Opportunity with FBI	3
6/16/2020	6/30/2021	Resigned	NO DATA AVAILABLE
6/2/2014	3/15/2020	Resigned - Opportunity in Las Vegas	NO DATA AVAILABLE

This will be the Department’s third Victim/Witness Program Director in less than three (3) years. Previous recruitments have produced limited candidates, especially those with the level of experience and knowledge that the Department is looking for. While the most recent recruitment in 2021 resulted in a highly-qualified candidate accepting the position, she resigned after just twenty (20) months in order to accept a lateral position on the Mainland at a much higher pay rate. Losing previous directors in this position, and for this reason, has been a historical issue as it was the reason we lost the long-time director who held the position from 2014 to 2020 to Clark County, Nevada. We have historically had the lowest-paid director in the State.

d. The Victim/Witness Program Director is a difficult position to fill due to the specialized qualification requirements and relevant experience.

*Training and Experience : A combination of education and experience substantially equivalent to graduation from an accredited college or university with major work in sociology, social work, psychology or a related field and five (5) years of professional counseling experience in social services, three (3) of which shall have been in the criminal justice system and which shall have involved crises intervention, psycho-social*

Department of the Prosecuting Attorney  
Request to Recruit Above the Minimum Step  
Victim/Witness Director

*evaluation or victim/witness advocacy, and two (2) of which shall have been in a supervisory capacity.*

*Knowledge of: principles and practices of supervision and administration; laws, rules, regulations and procedures relating to the criminal justice system, including those applicable to the State Criminal Injuries Compensation Commission; procedures governing legislative proceedings; public and private community resources providing services and benefits pertinent to the Victim/Witness program; crises intervention, counseling and psycho therapeutic techniques; training methodology; principles of research and report writing.*

*Ability to: plan, organize, direct and coordinate the work of others; formulate, develop and improve operational policies, practices and procedures; obtain, analyze and evaluate facts; assess biopsychosocial needs of victims and witnesses of violent crimes; utilize a wide variety of interviewing techniques and deal with individuals of different types and background; develop and implement training programs; draft legislation and present testimony; prepare budget estimates; prepare clear and concise reports and correspondence; establish and maintain harmonious and effective relationships with others.*

4. The department strives to attract and hire quality candidates that not only meet the qualification requirements, but are able to further the department's goals of raising more awareness to victim's rights and services that are available to them.

- a. Refer to 3

- b-c. The most recent incumbent resigned on August 2, 2023 for another job opportunity. All incumbents were hired at the minimum range for the salary range for the EM 03 class. Increases to pay have only been in accordance to Collective Bargaining Agreements. There have been no efforts to recruit at a higher salary range for this position in the past.

## **BFED Committee**

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**From:** Shirley Blackburn <Shirley.Blackburn@co.maui.hi.us>  
**Sent:** Friday, April 12, 2024 4:47 PM  
**To:** BFED Committee  
**Cc:** Andrew Martin; Karen Montalvo; Shelly DeMattos  
**Subject:** (BFED-1) (PA-3)  
**Attachments:** Shirley Blackburn.vcf; (BFED-1) (PA-3).pdf

Aloha,

Please see attached correspondence from Department of Prosecuting Attorney.

Mahalo,

**Shirley L. Blackburn**

Budget Specialist

County of Maui

Office of the Mayor

[shirley.blackburn@co.maui.hi.us](mailto:shirley.blackburn@co.maui.hi.us)

(808) 270-7516