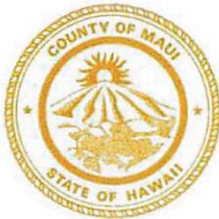


MICHAEL P. VICTORINO  
Mayor

ANDREW H. MARTIN  
Prosecuting Attorney

MICHAEL S. KAGAMI  
First Deputy Prosecuting Attorney

ROBERT D. RIVERA  
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

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COUNTY CLERK

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July 15, 2021

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

APPROVED FOR TRANSMITTAL

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

*Michael P. Victorino* 7/20/21  
Mayor Date

For Transmittal to:

Honorable Alice L. Lee, Chair  
and Members of the Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

**SUBJECT: DEFENDANT/WITNESS TRIAL PROGRAM**

Dear Chair Lee and Members:

In accordance with Ordinance No. 5217, Bill 46 (2021), Draft 1, Fiscal Year 2022 Budget, we are hereby transmitting to you a copy of Administrative Directive No. 19-01 from the State of Hawaii, Department of Budget and Finance. This authorizes the County of Maui to be reimbursed for allowable expenses incurred by witnesses and defendants in criminal proceedings in the amount of \$50,000.00.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at ext. 7777.

Sincerely,

*Andrew H. Martin*

ANDREW H. MARTIN  
Prosecuting Attorney

Attachment

COUNTY COMMUNICATION NO. 21-373



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