

Chapter 22 - Department of the Prosecuting Attorney

To accomplish the charter’s mandate to serve and advance the general welfare and safety of city and county residents, the Department of the Prosecuting Attorney (PAT) investigates and prosecutes violations of all statutes, ordinances, and regulations for which there are criminal sanctions occurring within the City and County of Honolulu. The department also represents the people and the State of Hawai`i in criminal proceedings in District Court, Circuit Court, and Family Court, as well as in appeals heard by the Hawai`i Intermediate Court of Appeals and Hawai`i Supreme Court.

PAT consists of eleven divisions:

<p style="text-align: center;">Appellate</p> <ul style="list-style-type: none"> • Represents the State of Hawai`i in all matters filed in state appellate courts and provides research and reference assistance 	<p style="text-align: center;">Career Criminal</p> <ul style="list-style-type: none"> • Prosecutes cases involving defendants who commit crimes while on probation or parole 	<p style="text-align: center;">Domestic Violence</p> <ul style="list-style-type: none"> • Prosecutes cases of domestic abuse and protective order violations 	<p style="text-align: center;">Elder Abuse Unit</p> <ul style="list-style-type: none"> • Charges and prosecutes cases in which victims are senior citizens • Provides outreach to help the elderly avoid financial scams
<p style="text-align: center;">Investigative Services</p> <ul style="list-style-type: none"> • Provides security for department employees, serves warrants and subpoenas, and conducts criminal investigations 	<p style="text-align: center;">Juvenile</p> <ul style="list-style-type: none"> • Prosecutes cases involving offenders under the age of 18 that are adjudicated in Family Court 	<p style="text-align: center;">Misdemeanor and Traffic</p> <ul style="list-style-type: none"> • Prosecutes misdemeanor cases and motor vehicle and traffic violations, such as distracted driving 	
<p style="text-align: center;">Screening and Intake</p> <ul style="list-style-type: none"> • Confers with police on criminal reports and determines proper charges to file 	<p style="text-align: center;">Sex Assault Unit</p> <ul style="list-style-type: none"> • Prosecutes felony sex assault and promotion of prostitution cases 	<p style="text-align: center;">Trials</p> <ul style="list-style-type: none"> • Prosecutes cases within the First Circuit Court’s jurisdiction, such as murder, robbery, assault, and identity theft 	<p style="text-align: center;">Victim/Witness Kokua Services</p> <ul style="list-style-type: none"> • Assists and supports crime victims whose cases are being prosecuted by the department

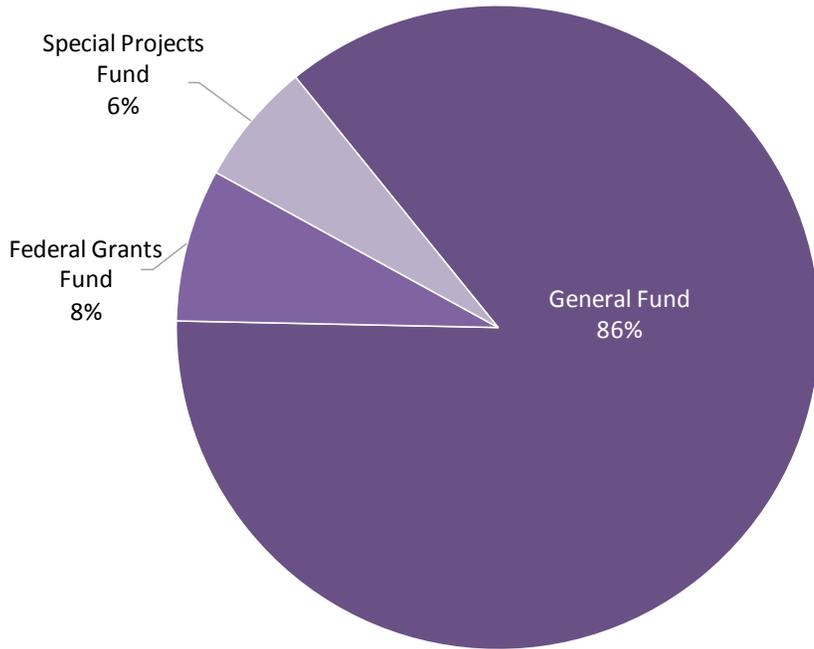


To promote and ensure public safety and order through effective, efficient, and just prosecution.

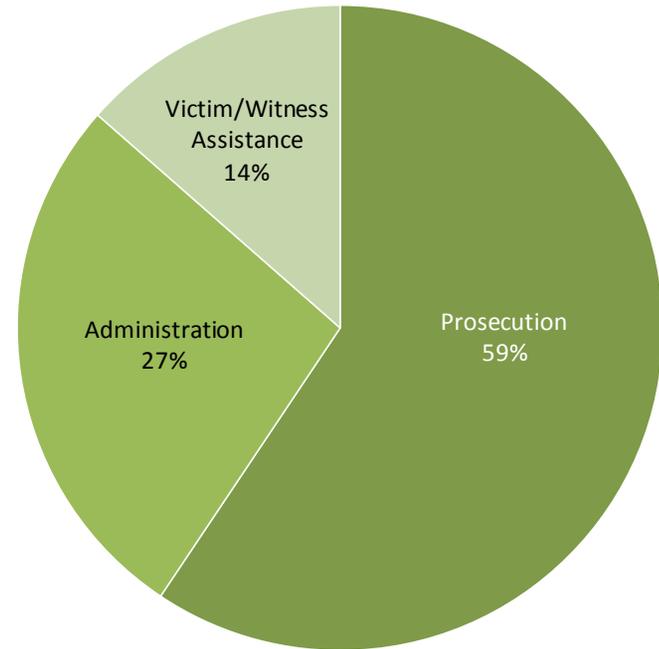
Mission Statement

Spending and Staffing

Fund Sources



Fund Uses



	Revenue (\$ millions)	Total Operating Expenditures (\$ millions)	Staffing		Cost Per FTE ¹	Overtime Expenditures ²	
			Total Authorized FTE	Total Vacant FTE		Total	Non-Holiday
FY 2015	\$2.30	\$20.40	289.0	54.0	\$70,601	\$12,700	\$12,022
FY 2016	\$2.37	\$21.60	289.0	56.0	\$74,736	\$25,501	\$25,392
FY 2017	\$2.89	\$23.65	290.0	51.0	\$81,547	\$55,709	\$54,069
FY 2018	\$2.82	\$22.88	289.0	58.0	\$79,172	\$54,043	\$50,590
FY 2019	\$3.39	\$23.84	289.0	63.0	\$82,480	\$159,743	\$155,756
Change from last year	20%	4%	0%	9%	4%	196%	208%
Change over last 5 years	47%	17%	0%	17%	17%	1158%	1196%

Source: Department of Budget and Fiscal Services. ¹Cost per FTE = Operating Expenditures/Total Authorized FTE. ²Overtime pay is established by bargaining unit agreement, as applicable.

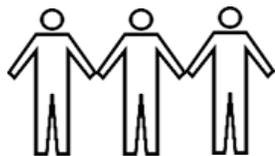
Spending and Staffing



Overtime Expenditures

160 K ▲ 196%

Total overtime expenditures have increased 196% from \$54,043 in FY 2018 to \$159,743 in FY 2019. PAT attributes this increase to the mass recall of old bench warrants and staff vacancies in the Misdemeanor/Traffic Branch and Witness Assistance Division.



Vacant FTE

63 FTE ▲ 9%

Vacancies have increased by 9% from FY 2018 to FY 2019. PAT attributes this increase to the difficulty in filling entry-level, clerical typists positions and Victim Witness Counselors.

FY 2019 ACCOMPLISHMENTS

- Implemented procedures to support the use of the Honolulu Police Department's body-worn cameras in criminal prosecution
- Executed search warrants at 10 suspected brothels operating as massage parlors
- Received a \$700,000 grant from the Department of Justice to establish the Honolulu County Human Trafficking Task Force that began meeting in May 2019

Five-Year Trend



- Over the past five years, the department's operating expenditures have increased 17% from \$20.4 million in FY 2015 to \$23.84 million in FY 2019. PAT attributes this increase to the operational costs of the Honolulu Prosecutor's Safe House: personnel, security, and guard services.



Blue Star Search Warrant

Photo Courtesy of the Department of the Prosecuting Attorney

CHALLENGES MOVING FORWARD — FY 2020

- *Implementing new strategies to prosecute domestic violence cases more effectively*
- *Implementing new strategies to prosecute drunk driving and vehicular homicide cases more effectively*

Highlights

The Department of the Prosecuting Attorney (PAT) prosecutes violations of statutes, ordinances and regulations within the City and County of Honolulu for which there are criminal sanctions. The department represents the people and the State of Hawai'i in criminal proceedings in District Court, Circuit Court and Family Court, as well as appeals heard by the Hawai'i Intermediate Court of Appeals and Hawai'i Supreme Court.

The office is comprised of approximately 100 deputy prosecutors and 180 support staff, which includes clerical workers, investigators, and victim-witness counselors assigned to various divisions.

Over the past five years, the total number of cases accepted has increased 75% from 16,348 total cases accepted in FY 2015 to 28,635 total cases accepted in FY 2019. The department attributes the increase to implementing an electronic case management system in FY 2015. The department further explained that policies, procedures, and processes for implementing the new case management system were still evolving, which resulted in fewer accepted cases in FY 2015.

In conjunction with the State Office of the Public Defender and the Hawai'i Judiciary, PAT has participated in Community Outreach Court (COC) proceedings. It was created to assist people facing multiple low-level quality of life offenses and alleviate congestion in district courts. The COC does not seek to criminalize homelessness but attempts to connect them with services through case managers while providing accountability for outstanding charges and bench warrants.



Community Outreach Hearing in Kaneohe

Photo Courtesy of the Department of the Prosecuting Attorney

	Total Cases		Felony Jury Trials				Felony Domestic		White Collar Crime
	Accepted	Resolved ¹	Total Convictions ²	Total Non-Convictions	Murder Cases	Elder Abuse Cases	Violence Cases ³	Total Cases	
FY 2015	16,348	12,394	23	64	10	199	512	16	
FY 2016	28,439	14,665	28	37	8	152	471	20	
FY 2017	29,102	15,329	28	27	12	195	592	15	
FY 2018	29,489	9,288	53	42	8	217	553	19	
FY 2019	28,635	22,523	54	38	9	205	418	14	
Change from last year	-3%	142%	2%	-10%	13%	-6%	-24%	-26%	
Change over last 5 years	75%	82%	135%	-41%	-10%	3%	-18%	-13%	

Source: The Department of the Prosecuting Attorney. ¹Resolved statistic not fully representative as resolutions may take years to complete and be recorded in a different year than initiated. ²As of FY 2018, convictions include split decisions and felony charged defendants found guilty of a lesser crime. ³Felony domestic violence cases are reported by calendar year. Total includes cases charged, reclassified, and declined.