



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

S.B. NO. 133, RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, February 4, 2021 **TIME:** 9:15 a.m.

LOCATION: State Capitol, Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Landon M.M. Murata,
Deputy Attorney General, at 586-1049)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (“Department”) opposes this bill.

The purpose of this bill is to amend section 28-11, Hawaii Revised Statutes (HRS), to require that at least one investigator from the Department be based in each county of the State. The bill does not provide for any funding to support this requirement and instead requires that the Department reorganize existing positions or fill vacant positions to meet the requirements of the amendment.

As an initial matter, the Department disagrees with the bill’s contention that the COVID-19 pandemic (pandemic) and the related travel restrictions “severely limited, delayed, and in some cases deterred investigators from the department of the attorney general from carrying out their duties.” As law enforcement officers, the Department investigators can be granted exemptions to perform their duties without being subject to the travel restrictions. As a result, the pandemic and the related travel restrictions have had no impact on the Department’s Investigations Division’s ability to deploy investigative resources to the neighbor island counties when necessary.

Furthermore, the vast majority of cases regularly investigated by the Department’s Investigations Division occur in the City and County of Honolulu. When an incident or complaint arises that requires investigators to be deployed to the neighbor island counties, two or more investigators are normally sent. Even if the

volume of cases on the neighbor island counties justified basing a full-time investigator in each county, it is not as simple as transferring investigators or investigator positions currently based in the City and County of Honolulu to each of the other three counties. Any reduction in the number of investigators in the City and County of Honolulu will negatively impact operations in the county where, as previously mentioned, the vast majority of cases handled by the Investigations Division arise.

Additionally, investigators currently share or borrow space from sister agencies when they conduct investigations in other counties. If the Department is required to station investigators in each county, this practice of sharing or borrowing space would be adversely impacted, if it could continue at all. The Department would be required to set up permanent workplace accommodations, including renting office space, purchasing office equipment, setting up an interview room with related equipment, providing for evidence storage, installing a security system, and acquiring parking. The bill does not include provisions to fund either the investigator positions or an investigations office on each of the three neighbor island counties.

For these reasons, the Department respectfully opposes this bill.

Thank you for the opportunity to testify.

Mitchell D. Roth
Mayor



Lee E. Lord
Managing Director

Robert H. Command
Deputy Managing Director

County of Hawai'i
Office of the Mayor

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February 3, 2021



Chairman Karl Rhodes
Vice-Chairman Jarrett Keohokalole
Senate Committee on Judiciary
Hawai'i State Legislature
415 S. Beretania Street
Honolulu, Hawai'i 96813

**Subject: S.B. 133, RELATING TO THE DEPARTMENT OF
THE ATTORNEY GENERAL**
Hearing Date: Thursday, February 4, 2021
Time/Place of Hearing: 9:15 a.m.

Aloha Chair Rhodes:

The County of Hawai'i fully supports Senate Bill 133, which will require at least one Attorney General investigator to be based in each county in the State.

The Covid crisis has exposed the need for critical state services to be located on Neighbor Islands when travel between islands is interrupted during emergencies. This travel restriction severely limited, delayed, and in some cases deterred investigators from the department of the attorney general from carrying out their duties.

Because of this, the requirement that at least one investigator from the department of the attorney general to be based in each county is entirely appropriate.

The County of Hawai'i humbly asks for your committee's support.

Mahalo,

LEE E. LORD
Acting Mayor
County of Hawai'i