

DEPARTMENT OF THE ATTORNEY GENERAL

ag.hawaii.gov

The Department of the Attorney General, established under section 26-7, HRS, is headed by the Attorney General. The Department administers and renders state legal services, including furnishing written legal opinions to the Governor, the Legislature, and such state departments and officers as the Governor may direct; represents the State in all civil actions in which the State is a party; approves as to legality and form all documents relating to the acquisition of any land or interest in lands by the State; and unless otherwise provided by law, prosecutes cases involving violations of state laws and cases involving agreements, uniform laws, or other matters that are enforceable in the courts of the State.

Crime Prevention and Justice Assistance Division

The Crime Prevention and Justice Assistance Division coordinates crime prevention research projects and uniform crime statistic reports, administers federal and state grants relating to the improvement of criminal justice systems, coordinates crime prevention training activities, and develops and maintains the juvenile justice information system.

Hawaii Criminal Justice Data Center

The Hawaii Criminal Justice Data Center, established under section 846-2, HRS, is responsible for the statewide criminal history record information system, statewide Automated Fingerprint Identification System, statewide Sex Offender and Other Covered Offender Registry,¹ and the Adult Criminal Information website (eCrim).

Investigation Division

The Investigation Division is responsible for providing investigative services in three general categories: criminal, civil, and administrative.

Child Support Enforcement Agency

The Child Support Enforcement Agency, created by section 576D-2, HRS, is responsible for administering the child support enforcement program, which involves establishing, collecting, and enforcing child support payments owed to children by their absent parents. In this connection, the Agency, through attorneys in the Department, files or appears in actions to establish paternity for children born out of wedlock; obtains, enforces, or modifies an order of support on behalf of any dependent or other person for whom the Agency has a duty to obtain or

¹ See chapter 846E, HRS.

enforce an order of support; locates absent parents; and intercepts tax refunds of parents who are delinquent in making their child support payments.

Office of Child Support Hearings

The Office of Child Support Hearings is responsible for establishing, modifying, suspending, terminating, and enforcing child support obligations and providing a fair administrative hearing for child support disputes pursuant to chapters 91 (Administrative Procedure) and 576E (Administrative Process for Child Support Enforcement), HRS.

Legal Services Divisions

The various legal services divisions are responsible for providing legal services to the Governor, executive departments and agencies, the Legislature, and the Judiciary, and for enforcing laws. The divisions are organized according to the program areas they serve and include tort litigation, tax, labor, land/transportation, administration, civil recoveries, commerce and economic development/antitrust, special assignments, employment law, criminal justice, Medicaid fraud, health and human services, family law, education, public safety, Hawaiian home lands, and housing divisions.

Services provided by the divisions include furnishing written legal opinions, representing the State in all court and administrative agency actions, approving the legality and form of all contracts and documents relating to the acquisition of land or any interest in lands by the State, and prosecuting cases involving violations of state laws, agreements, and uniform laws.

ATTACHED FOR ADMINISTRATIVE PURPOSES

Hawaii Correctional System Oversight Commission

The Hawaii Correctional System Oversight Commission² oversees the State's correctional system and has jurisdiction over investigating complaints at correctional facilities and facilitating a correctional system transition to a rehabilitative and therapeutic model. The Commission is also tasked with establishing maximum inmate population limits for each correctional facility and developing policies to prevent facility overcrowding. The Commission further works with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees.

² The Hawaii Correctional System Oversight Commission was established by Act 179, Session Laws of Hawaii 2019, from the consolidation of the Department of Public Safety's Reentry Commission and Corrections Population Management Commission.

The Commission consists of five members, appointed by the Governor, President of the Senate, Speaker of the House of Representatives, Chief Justice, and the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, respectively. The Commission is administered and supervised by an oversight coordinator who is appointed by the Governor.

Law Enforcement Officer Independent Review Board

The Law Enforcement Officer Independent Review Board was established by Act 161, SLH 2016, and codified in chapter 28, part XI, HRS. The Board is responsible for reviewing criminal investigations of incidents of officer-involved deaths conducted by law enforcement agencies. The Board evaluates the fairness of investigations and determines whether criminal prosecution or further investigation is warranted.

Law Enforcement Standards Board

The Law Enforcement Standards Board was established by Act 220, SLH 2018, and codified in chapter 139, HRS, to establish standards for employment as a law enforcement officer and to certify persons to be qualified as law enforcement officers, with jurisdiction over county police officers, state public safety officers, and employees of the departments of transportation, land and natural resources, attorney general, and taxation with police powers. The Board is also charged with establishing minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for schools operated by or for the State or a county for the specific purpose of training law enforcement officers.

ADVISORY BODY

Commission to Promote Uniform Legislation

The five-member Commission to Promote Uniform Legislation, established under sections 3-1 and 26-7, HRS, acts in an advisory capacity to the Attorney General and the Legislature on matters relating to the promotion of uniform legislation. Commissioners are appointed to four-year terms by the Governor with the advice and consent of the Senate; however, under section 26-7, HRS, the two-term, eight-year limit does not apply to members of the Commission.

The Commission works with the Uniform Law Commission³ to promote uniformity of state laws in areas in which uniformity is practicable and desirable. The adoption by the states of the uniform acts prepared by the Uniform Law Commission is voluntary, and acts that would be advantageous to the State are promoted by the Commission for passage by the Legislature.

³ Formerly known as the National Conference of Commissioners on Uniform State Laws.

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