

Honolulu, Hawaii

FEB 12 2007

RE: S.B. No. 1484

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Public Safety, to which was referred S.B. No. 1484 entitled:

"A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS,"

begs leave to report as follows:

The purpose of this measure is to expand financial responsibility of an incarcerated person for results of that person's actions.

Specifically, this measure expands the sources of moneys that can be garnished from an inmate to include moneys received through a judgment or settlement. This measure also expands the purposes for which an incarcerated person's moneys can be garnished to include court ordered crime victim compensation fees.

The Crime Victim Compensation Commission and the Department of the Prosecuting Attorney submitted testimony in support of this measure. The Office of the Public Defender submitted testimony in opposition of this measure.

Your Committee finds that many victims of crime depend on financial assistance from the Crime Victim Compensation Fund and that financial recovery also has an effect on their emotional and psychological recovery. The Crime Victim Compensation Fund is financed by mandatory crime victim compensation fees required to be imposed against the offender by the court under existing state law. However, there is no authority for garnishing inmate wages or other earnings to comply with the court order.



Your Committee finds that should an offender benefit financially from a money judgment or settlement, that money should be available for garnishment to pay the court ordered victim compensation fee and other financial obligations required by law. Therefore, expanding garnishment sources to include money judgments and settlements, and expanding garnishment purposes to include a court ordered victim compensation fee is a fair and reasonable amendment of the Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1484 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,



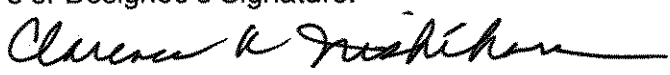
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WILL ESPERO, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Public Safety**  
**PBS**

Bill / Resolution No.:* <b>SB 1484</b>	Committee Referral: <b>PBS, WAM</b>	Date: <b>2/06/07</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
SAKAMOTO, Norman				✓
WHALEN, Paul	✓			
<b>TOTAL</b>	<b>3</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes