

Honolulu, Hawaii

APR 13 2007

RE: S.C.R. No. 175

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.C.R. No. 175 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO
MONITOR THE COLLECTION OF CRIME VICTIM COMPENSATION FEES,"

begs leave to report as follows:

The purpose of this measure is to require the Judiciary to provide a report to the 2008 Legislature detailing the Judiciary's progress in meeting the requirements of Act 206, Session Laws of Hawaii 1998, which provides that judges assess a mandatory crime victim compensation fee against all convicted criminal offenders who have the ability, now or in the future, to pay the fee.

The resolution requires that the Judiciary provide the following information in the report:

- (1) The actual and estimated fees collected for each fiscal year;
- (2) The total number of eligible cases where the fee was ordered, collected, or waived; and,
- (3) The criteria used by the judges where the fee was waived.

Your Committee finds that since the enactment of the law in 2003, the Judiciary has neglected to order or collect in excess of \$1,000,000. Your Committee also finds that though inmates were able to afford to pay these fees, the judges did not order payments. This is shown by the inmates paying \$500,000 in restitution yet only paying \$40,000 in crime victim fees. Your Committee further finds that the Chief Justice has written a



memorandum to the chief judges asking them for their diligence in following the law.

Your Committee received testimony in support of the resolution from the Crime Victim Compensation Commission, the Honolulu Prosecuting Attorney's Office, and the Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 175 and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <i>SCR 175</i>	Committee Referral: <i>JDL</i>	Date: <i>4-07-07</i>
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended Pass, with amendments Hold Recommit
2312 2311 2310 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
KOKUBUN, Russell S. (VC)				✓
INOUE, Lorraine R.				✓
NISHIHARA, Clarence K.	✓			
GABBARD, Mike	✓			
TOTAL	3			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Clarence K. Nishihara

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