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LATE TESTIMONY

STATE OF HAWAII
**CRIME VICTIM COMPENSATION
COMMISSION**

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TESTIMONY ON SENATE BILL 2026
RELATING TO PAROLE

by

Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Tuesday, January 26, 2010; 1:15 PM
State Capitol, Conference Room 229

Good morning Chair Espero, Vice Chair Bunda and Members of the Senate Committee on Public Safety and Military Affairs. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify before you today. The Commission supports the passage of Senate Bill 2026, with amendments. Senate Bill 2026 amends Chapter 353, Hawaii Revised Statutes, by adding two new sections, and also amends section 351-62.5. The first new section authorizes the paroling authority to assess a mandatory parole service fee (the "Fee") against all parolees who have the ability to pay; provides that the Fee is payable after any outstanding restitution or crime victim compensation fees are paid in full; provides that 80% of the Fee shall be deposited to the parole services special fund and 20% to the crime victim compensation special fund; and provides that the Fee be assessed against parolees supervised outside of the state, if allowable under the interstate compact. The second new section creates a parole services special fund; provides that the moneys in the fund be used by the Hawaii paroling authority to defray the expense of operating the parole system and enforcing the conditions of parole; and prohibits the fund from being used to pay paroling authority salaries. Finally, SB 2026 amends section 351-62.5, HRS, to provide that Fees may be deposited into the crime victim compensation fund.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related

LATE TESTIMONY

WRITTEN ONLY

TESTIMONY BY GEORGINA K. KAWAMURA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
ON
SENATE BILL NO. 2026

January 26, 2010

RELATING TO PAROLE

Senate Bill No. 2026 establishes a parole service fee as a condition of parole, and creates the parole services special fund to defray non-salary expenses of the Hawaii Paroling Authority in operating the parole system. The special fund would generate revenues through deposits of 80% of the new \$150 parole service fee; the remaining 20% of the fee would be deposited into the existing crime victim compensation special fund.

We have concerns with this bill. As a matter of general policy, this department does not support the creation of any special or revolving fund which does not meet the requirements of Sections 37-52.3 and 37-53.4 of the Hawaii Revised Statutes. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. It is difficult to determine whether the fund will be self-sustaining.