

**HB238**

**HD1**

**LATE**

**TESTIMONY**

**TESTIMONY BY KALBERT K. YOUNG  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR  
ON  
HOUSE BILL NO. 238, HD 1**

**MARCH 18, 2014**

**RELATING TO WITNESSES**

House Bill No. 238, House Draft 1, raises the per diem rate for out-of-state witnesses from \$110 to an unspecified amount, provides an additional unspecified amount per 24-hour day if an inter-island witness is required to stay overnight and changes the effective date to July 1, 2030.

The Department of Budget and Finance (Department) primarily serves as the conduit for witness fee payments certified by the public prosecutor or county attorney for witnesses subpoenaed on behalf of the State and by the public defender for witness subpoenaed on behalf of the defendant. The FY 15 funding level for witness fees totals \$1.89 million and does not include the proposed cost increases for reimbursements. If this proposal is approved, the Department would require additional appropriations to support the additional costs. Should there be no increase in existing funding levels and should this bill pass, there will be insufficient funds in the program for witness fees. Witness fee payments would be delayed until such time that sufficient appropriations are available.

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

**Diana Gausepohl-White, LSW**  
Victim/Witness Program Director

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TESTIMONY IN SUPPORT OF  
HOUSE BILL NO. 238 HOUSE DRAFT 1  
RELATING TO WITNESSES

Diana Gausepohl-White, County of Kaua'i Victim/Witness Program Director  
County of Kaua'i

Senate Committee on Judiciary and Labor

Tuesday, March 18, 2014  
10:00 a.m., Room 016

Honorable Chair Hee, Vice-Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor:

The Office of the Prosecuting Attorney, County of Kaua'i **strongly supports** House Bill No. 238, HD1 which allows for long overdue increases in per diem stipends provided to victims and witnesses traveling from another country, state, or island to participate in the criminal justice process.

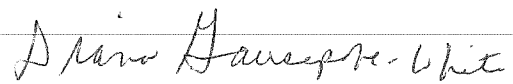
The legislature established per diem stipends in 1989 to cover personal expenses for food and lodging. Although sufficient at that time, the amounts have been inadequate for many years.

Victims and witnesses traveling from another county or state receive \$110.00 per 24 hour period, while those traveling from another island are given a mere \$55.00. In contrast, County and State employees traveling out-of state currently receive \$145.00. The stipend for inter-island travel if staying overnight is \$90.00.

We expect victims and witnesses to return to Kaua'i to cooperate with our office in prosecuting offenders. I think it only fair they receive at least as much as we do.

Thank you for the opportunity to testify on this matter.

Sincerely,

A handwritten signature in cursive script, reading "Diana Gausepohl-White".

Diana Gausepohl-White  
Victim/Witness Program Director  
County of Kaua'i