



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**

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**Shawn Tsuha**  
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No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL (HB) 2654  
RELATING TO VICTIM RESTITUTION

by  
Ted Sakai, Director  
Department of Public Safety

House Committee on Judiciary  
Representative Karl Rhoads, Chair  
Representative Sharon E. Har, Vice Chair

Tuesday, February 25, 2014, 2:00 PM  
State Capitol, Conferenc Room 325

Chair Rhoads, Vice Chair Har, and Members of the Committee:

The Department of Public Safety (PSD) **opposes** HB 2654 that would retroactively apply Section 353-22.6, Hawaii Revised Statutes to court ordered victim restitution orders by adding the language "notwithstanding any other law or court order to the contrary" and mandating that "the court's orders shall comply with the requirements of Section 353-22.6."

This bill is designed to address statutory conflicts with the duties and responsibilities of the courts related to victim restitution as defined in Section 706-646, Hawaii Revised Statutes and Section 353-22.6.

PSD's position is that a retroactive application overriding past court orders will create additional litigation for the State of Hawaii and PSD. It is important to highlight the bill's citation of *Quarles v. Kane*, 482 F.3d 1154 (9th Cir. 2007) was

limited to only a percentage change in the amount of restitution payments deductible from the prison wages. This significantly differs from the changes made to Section 353-22.6 in 2012, which changed the percentage from 10% to 25% and it changed the source of restitution payments from "prison annual earnings" to "all moneys earned by the inmate or deposited or credited to the inmate's individual account while incarcerated." This second part may be interpreted as imposing additional punishment in violation of the Ex Post Facto Clause.

PSD's position is to honor a court's order related to restitution, as PSD has been advised by the Department of the Attorney General that a court order is valid and must be complied with, unless challenged via the court process and a final decision has been rendered as to the order's validity.

The best approach is for PSD to work with the Courts, the Judges, and the Crime Victim Compensation Commission to ensure that the policy of restitution is maintained without additional litigation or legislative intervention.

Thank you for the opportunity to testify.

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**OFFICE OF THE PROSECUTING ATTORNEY**

TESTIMONY IN SUPPORT OF HOUSE BILL 2654

A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION

HOUSE COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Sharon E. Har, Vice Chair

Tuesday, February 25, 2:00 PM  
State Capitol, Conference Room 325

Honorable Chair Rhoads, Vice-Chair Har, and Members of the House Committee on Judiciary, the Office of the Prosecuting Attorney, County of Hawai'i submits the following testimony in support of House Bill No. 2654.

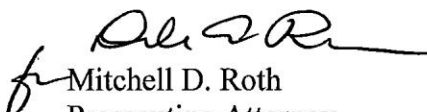
The purpose of this measure is to clarify the Director of Public Safety's authority to deduct 25% of all moneys earned, new deposits, and credits to an inmate's individual account for restitution.

Studies have shown that when a defendant is held fully accountable to their crime victims, the recidivism rate is actually lower than those defendants who are not. Section 353-22.6, Hawaii Revised Statutes was amended to increase the amount of restitution collected from inmates from 10% to 25% of all inmate earnings, deposits, and credits; however, this collection has not been uniformly applied to all inmates at all correctional facilities.

This Act will also ensure that the 25% of inmate earnings, deposits, and credits shall be deducted to satisfy victim restitution orders and that amount shall not be lowered by any other existing statute or court order. Additionally, this Act will make certain that victims of crimes will actually receive their restitution payments.

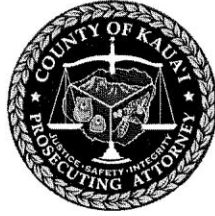
The Office of the Prosecuting Attorney of the County of Hawai'i supports the passage of House Bill No. 2654. Thank you for the opportunity to testify on this matter.

Respectfully,

  
for Mitchell D. Roth  
Prosecuting Attorney  
County of Hawai'i

**Justin F. Kollar**  
Prosecuting Attorney

**Kevin K. Takata**  
First Deputy



**Rebecca A. Vogt**  
Second Deputy

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

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TESTIMONY IN SUPPORT OF  
H.B. NO. 2654  
A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION

Justin F. Kollar, Prosecuting Attorney  
County of Kauai

House Committee on Judiciary

Tuesday, February 25, 2014  
2:00 p.m., Room 325

Honorable Chair Rhoads, Vice-Chair Har, and Committee Members:

The Office of the Prosecuting Attorney, County of Kauai submits the following testimony in **strong support** of H.B. 2654, Relating to Victim Restitution.

The Justice Reinvestment Act (Act 139), commonly referred to as the JRI Act, passed during the 2012 legislative session. The JRI Act is landmark legislation that is not only designed to increase public safety while reducing spending on corrections, but also created the first comprehensive victim services component. To meet victim needs and increase offender accountability, the JRI Act amended HRS § 353-22.6 to increased the amount of restitution to be paid by inmates from 10% of inmate wages to 25% of all earnings, deposits and credits. The clear intent of the amendment to HRS § 353-22.6 was for the inmates to pay 25% of their earnings, deposits and credits to satisfy their outstanding restitution obligations.

The JRI Act and the HRS § 353-22 amendment went into effect on July 1, 2012. After July 1, 2012, the Commission, as the clearinghouse for restitution payments collected from inmates, received court judgments containing restitution orders that were inconsistent with HRS § 353-22.6. The court judgments stated that the defendant did not need to make any restitution

payments while the inmate was incarcerated or stated that the inmate pay less than 25% of all earnings, deposits and credits. The Attorney General's Office advised the Department of Public Safety (PSD) that it must comply with the courts' orders instead of HRS § 353-22.6.

The Crime Victim Compensation Commission, in its testimony, notes that in a survey of all Halawa Correctional Facility inmates incarcerated on August 19, 2013, 140 inmates had restitution orders imposed on or after January 1, 2012. Of those 140 inmates, 29.8% of their restitution orders had court-ordered restitution payments that were for amounts less than the 25% of HRS § 353-22.6.

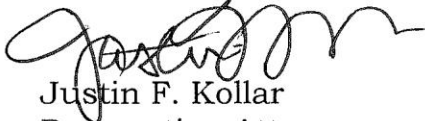
As the Commission's testimony further notes, the courts are continuing to order restitution payments that preempt HRS § 353-22.6. Crime Victims are being denied the restitution payments that the JRI Act promised them.

The Attorney General also advised PSD that the 25% deduction set forth in the amended HRS § 353-22.6 could only be applied to judgments/sentences imposed on or after July 1, 2012. As the preamble to this bill points out, due process should not be offended as HRS § 353-22.6 modifies the method of payment. Quarles v. Kane, 482 F.3d 1154 (9th Cir. 2007) (ex post facto prohibition is not implicated when the rate of payment, and not the amount of restitution, is modified). The Commission calculated that approximately \$----- will not be collected for victim in Fiscal Year 2013 because the 25% deduction of inmate earnings, deposits and credit will not be applied retroactively as the 2012 legislature intended.

This bill gives HRS § 353-22.5 the effect that the legislature intended and provides significant restitution payments to crime victims.

For these reasons, we **strongly support** H.B. 2654 as written. We ask the Committee to **pass** the bill. Thank you for the opportunity to testify on this matter.

Respectfully,



Justin F. Kollar  
Prosecuting Attorney  
County of Kaua'i



# THE SEX ABUSE TREATMENT CENTER

*A Program of Kapi'olani Medical Center for Women & Children*

*Executive Director*  
Adriana Ramelli

*Advisory Board*

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*Councilmember*  
Carol Fukunaga

David I. Haverly

Linda Jameson

Michael P. Matsumoto

Phyllis Muraoka

Gidget Ruscetta

Joshua A. Wisch

DATE: February 25, 2014

TO: The Honorable Karl Rhoads, Chair  
The Honorable Sharon E. Har, Vice Chair  
House Committee on Judiciary

FROM: Alana Peacott-Ricardos, Policy Research Associate  
The Sex Abuse Treatment Center

RE: H.B. 2654  
Relating to Victim Restitution

Good afternoon Chair Rhoads, Vice Chair Har and members of the House Committee on Judiciary. My name is Alana Peacott-Ricardos and I am the Policy Research Associate for the Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women & Children (KMCWC), an affiliate of Hawai'i Pacific Health.

SATC supports H.B. 2654, which clarifies the authority of the director of public safety to deduct 25% of all moneys earned, new deposits, and credits to an inmate's individual account for restitution.

In 2012, the Hawai'i State Legislature passed the Justice Reinvestment Act (Act 139, or the "JRI Act," as it is commonly referred). Under the JRI Act, section 353-22.6 of the Hawai'i Revised Statutes (HRS) was amended to increase the amount of restitution to be paid by inmates from 10% of inmate wages to 25% of all earnings, deposits and credits. The clear intent of the amendment was for the inmates to pay 25% of their earnings, deposits and credits to satisfy their outstanding restitution obligations.

We understand that a number of court orders since the passage of the JRI Act have not been in accord with its provisions, by stating that the defendant did not need to make any restitution payments while incarcerated or that the inmate pay less than 25% of all earnings, deposits and credits. The Department of the Attorney General advised the Department of Public Safety that it must comply with the court orders and that HRS § 353-22.6 could only be applied to judgments/sentences imposed on or after July 1, 2012.

H.B. 2654 clarifies and implements the intent of the amendment—that inmates pay 25% of their earnings, deposits and credits to satisfy their outstanding restitution obligations—notwithstanding orders to the contrary.

We urge you to support H.B. 2654 to ensure that more victims of crime receive the restitution due to them.

Thank you for this opportunity to testify.

**HB2654**

Submitted on: 2/21/2014

Testimony for JUD on Feb 25, 2014 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Todd Hairgrove	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Tuesday – February 25, 2014 – 2pm  
Conference Room 325

The House Judiciary Committee  
To: Representative Karl Rhoads, Chair  
Representative Sharon Har, Vice-Chair

Testimony in support :  
HB2654- Relating to Victim Restitution

HB 2654 clarifies the ability of the Department of Public Safety to collect 25% of inmates' money earned or sent by family members while they are incarcerated.

I have seen first hand the damage that crime does to its victims. It is not only pain and suffering but real financial hardship. This may result from catastrophic medical bills to the theft or destruction of property.

By assuring that the inmates contribute 25% of their money toward restitution, the victims can feel that they have not been forgotten.

Thank you for allowing me to testify.

Jane Huntington  
Jlh96750@yahoo.com





**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SEVENTH LEGISLATURE, 2014**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2654, RELATING TO VICTIM RESTITUTION.

**LATE**

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, February 25, 2014

**TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** David M. Louie, Attorney General, or  
Renee R. Sonobe Hong, Deputy Attorney General

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General opposes this bill in its present form.

This bill attempts to require a blanket retroactive application of section 353-22.6, Hawaii Revised Statutes (HRS), to all victim restitution orders for inmates while incarcerated. Regardless of any other law or court order to the contrary, and regardless of whether the judgment and order was issued prior to, on, or after July 1, 2012, this bill directs the Department of Public Safety to deduct 25 percent of the total moneys earned, new deposits, and credits from an inmate's individual account. Further, this bill requires the court to comply with the requirements of section 353-22.6, HRS, in establishing time and manner of payment after considering the defendant's financial ability.

We oppose this bill to the extent that it conflicts with the statutory authority of the courts to establish the time and manner of payment of restitution. Section 706-646(3), HRS, provides in relevant part:

- (3) In ordering restitution, the court shall not consider the defendant's financial ability to make restitution in determining the amount of restitution to order. **The court, however, shall consider the defendant's financial ability to make restitution for the purpose of establishing the time and manner of payment. The court shall specify the time and manner in which restitution is to be paid.** [Emphases added.]

This bill further provides that the "director of public safety *shall enforce* victim restitution orders" – specifically, the Director of the Department of Public Safety shall enforce the victim restitution orders that were imposed by the court pursuant to section 706-646(3), HRS, above.

This potentially conflicts with the directive that the director deduct the 25 percent provided for on page 3, lines 7-14 of this measure to the extent that the ordered time and manner might, in some instances, conflict with the 25 percent requirement.

The proposed amendment to section 706-646, HRS, in section 3, on page 4, lines 5-6, directs the court to comply with requirements imposed upon the Department of Public Safety to deduct 25 percent of an inmate's total moneys earned, new deposits, and credits to the inmate's individual account. If the intent is to limit the court's discretion in this regard, it would be more appropriate to provide:

The court shall specify time and manner in which restitution is to be paid[-]; provided that such payment schedule must be at least twenty five percent of an inmate's total moneys earned, new deposits, and credits to the inmate's individual account.

We note that any amendments to section 353-22.6, HRS, in this regard should also be accompanied by similar amendments to section 706-646, HRS.

Additionally, we oppose this measure because it proposes to change prior orders of judges en masse, without a hearing or notice, and in disregard of any judicial consideration that may have existed regarding the defendant's financial ability to pay. This triggers due process concerns. Further, if this bill applies retroactively, all final restitution orders, even those imposed at the previously imposed rate of 10 percent of a prisoner's annual earnings under section 353-22.6, HRS, will be legislatively amended. For these reasons, we suggest that the bill be amended to clearly allow for only prospective application by deleting the wording "[n]otwithstanding any other law or court order to the contrary" on page 3, lines 11-12, of this bill.

We note that the issue intended to be addressed by the proposed amendment to section 353-22.6, HRS, does not apply to orders that are silent as to the deduction percentage for victim restitution orders. We do not know the specific number of such judgments and orders issued prior to July 1, 2012.

For these reasons, we respectfully request that, if this measure is passed, it be passed with amendments as suggested.

NEIL ABERCROMBIE  
GOVERNOR



MARI MCCAIG  
Chair

THOMAS T. WATTS  
Commissioner

ABELINA SHAW  
Commissioner

PAMELA FERGUSON-BREY  
Executive Director

**LATE**

STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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TESTIMONY ON HOUSE BILL 2654  
RELATING TO VICTIM RESTITUTION

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

House Committee on Judiciary  
Representative Karl Rhoads, Chair  
Representative Sharon E. Har, Vice Chair

Tuesday, February 25, 2014; 2:00 PM  
State Capitol, Conference Room 325

Chair Rhoads, Vice Chair Har, and Members of the House Committee on Judiciary:

Thank you for providing the Crime Victim Compensation Commission (“Commission”) with the opportunity to testify before you today. The Commission strongly supports the passage of House Bill 2654, Relating to Victim Restitution. House Bill 2654 implements the intent of the legislature in passing the Justice Reinvestment Initiative Act to ensure offender accountability and to provide financial justice for their victims by amending Hawai‘i Revised Statutes (hereafter “HRS”) § 353-22.6 to increase the amount of restitution collected from inmates from 10% of inmate earnings to 25% of all earnings, deposits and credits.

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 expenses. The Commission undertook the Restitution Recovery Project in 2003 to disburse restitution payments collected from inmates and parolees, and to disburse those funds to their crime victims, or disburse to the Commission in cases where the Commission has previously paid a compensation award to the crime victim.

In 2011, the Commission was appointed to serve as a member of the Justice Reinvestment Initiative (JRI) Working Group. The JRI Working Group was comprised of leading state and local officials who worked with the Council of State Governments Justice Center to develop a policy framework to address identified areas of concern within Hawai'i's criminal justice system. The Commission's role as a member of the JRI Working Group was to represent and engage crime victims, survivors, and victim services providers and advocates in identifying key issues and concerns specific to the JRI initiative. The Working Group's policy framework became the basis for the JRI legislation.

The Justice Reinvestment Act (Act 139) passed during the 2012 legislative session. The JRI Act is landmark legislation that is designed to increase public safety and increase offender accountability and includes the first comprehensive victim services component in the nation. To meet victim needs and to improve offender accountability, the JRI Act amended HRS § 353-22.6 to increase the amount of restitution to be paid by inmates from ten percent (10%) of inmate earnings to twenty-five percent (25%) of all inmate earnings, deposits and credits. The clear intent of the amendment to HRS § 353-22.6, as passed, is plain and simple: inmates are required to pay 25% of all of the inmate's earnings, deposits and credits to satisfy their outstanding restitution obligations to their crime victims.

The JRI Act and the HRS § 353-22.6 amendment became effective on July 1, 2012. After July 1, 2012, the Commission, as the clearinghouse for restitution payments collected from inmates, received court judgments containing restitution orders that were inconsistent with HRS § 353-22.6. Various of the court judgments stated that the defendant did not need to make any restitution payments while the inmate was incarcerated, or stated that the inmate pay less than 25% of all earnings, deposits and credits. The Office of the Attorney General advised the Department of Public Safety (PSD) that PSD must comply with the court orders instead of complying with the provisions of HRS § 353-22.6.

In a survey of all Halawa Correctional Facility inmates incarcerated on August 19, 2013, 140 inmates had restitution orders imposed on or after July 1, 2012. Of those 140 inmates, 29.8% of

the inmates' restitution orders had court ordered restitution payments that were for amounts less than the required 25% provided for in HRS § 353-22.6.<sup>1</sup>

The following table illustrates the effect that court orders which preempt HRS § 353-22.6 have had on crime victims. The following are ten criminal court judgments in which the court ordered 10% of inmate earnings or deferred restitution payments until after an inmate's release instead of the required 25% of earnings, deposits and credits. As a result of the courts ordering 10% of inmate earnings or deferring payments until release instead of ordering 25% of earnings, deposits and credits, the victims in the ten example cases were collectively not paid \$3,728.67.

Circuit	Sentence Date	Restitution Ordered	Total Inmate Deposits (as of 1/10/2014)		Court-Ordered Deduction (Earnings Only)		Deductions Authorized by HRS§353-22.6 (25% of Total Deposits)	Total Loss to Crime Victims
			Earnings	Cash Deposits				
1	7/17/2012	\$150,542.45	\$80.32	\$939.87	10%	\$8.03	\$255.05	\$247.02
1	10/30/2012	\$3,925.43	\$201.75	\$2,325.00	10%	\$20.18	\$631.69	\$611.51
3	11/2/2012	\$1,084.00	\$0.00	\$1,565.00	10%	\$0.00	\$391.25	\$391.25
3	11/29/2012	\$440.00	\$0.00	\$1,005.00	10%	\$0.00	\$251.25	\$251.25
1	1/28/2013	\$1,845.00	\$0.00	\$1,000.00	10%	\$0.00	\$250.00	\$250.00
1	3/12/2013	\$309.19	\$92.75	\$1,650.00	10%	\$9.28	\$309.19	\$299.92
1	4/23/2013	\$6,660.00	\$166.50	\$3,411.00	10%	\$16.65	\$894.38	\$877.73
5	7/31/2013	\$14,874.28	\$0.00	\$1,500.00	Payment ordered to start after release	\$0.00	\$375.00	\$375.00
2	8/2/2013	\$2,925.22	\$0.00	\$1,010.00	10%	\$0.00	\$252.50	\$252.50
1	8/6/2013	\$36,450.25	\$0.00	\$690.00	10%	\$0.00	\$172.50	\$172.50
					Actual Collections	\$54.13		\$3,728.67

<sup>1</sup>The Commission reviewed the files of 1,054 inmates who were serving sentences on August 19, 2013 at Halawa correctional Facility for more than 1,378 criminal cases. Of those inmates, there were 140 Halawa Correctional Facility inmates who had at least one restitution order that was imposed on or after July 1, 2012. The 140 inmates had a total of 171 restitution orders imposed on or after July 1, 2012 (some inmates were serving sentences for more than one criminal case/crime). Of the 171 restitution orders, 51, or 29.8%, of those orders contradicted the required 25% deduction of inmate earnings, deposits, and credits provided for in HRS § 353-22.6. Of those 51 orders, 43 ordered restitution to be paid at a rate less than 25% of inmate earnings, deposits, and credits. The remaining 8 orders, deferred restitution payments until after the inmate was released (effectively prohibiting collection of any money pursuant to HRS § 353-22.6)

The dates of the sentences in these examples also illustrates that the courts are continuing to order restitution payments that preempt HRS § 353-22.6. Crime victims are being denied the restitution payments from offenders that the JRI Act promised them.

The Attorney General also advised PSD that the 25% deduction set forth in the amended HRS § 353-22.6 could only be applied to judgments/sentences imposed on or after July 1, 2012. As the preamble to this bill points out, due process should not be offended as HRS § 353-22.6 merely modifies the rate of payment, and in no way affects the amount of restitution originally ordered by the court. Quarles v. Kane, 482 F.3d 1154 (9th Cir. 2007) (ex post facto prohibition is not implicated when the rate of payment, and not the amount of restitution, is modified).

House Bill 2654 gives HRS § 353-22.6 , as amended, the effect that the legislature had originally intended and provides significant and timely restitution payments to crime victims.

Thank you for providing the Commission with the opportunity to testify in strong support of House Bill 2654.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY

**LATE**



**THE HONORABLE KARL RHOADS, CHAIR  
HOUSE COMMITTEE ON JUDICIARY  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawai`i**

February 25, 2014

**RE: HB 2654, RELATING TO VICTIM RESTITUTION**

Chair Rhoads, Vice-Chair Har, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of H.B. 2654.

The purpose of H.B. 2654 is to amend section 353-22.6, Hawaii Revised Statutes, to ensure that the provisions of Act 139, Hawaii Sessions Law of 2012, relating to the collection of 25% of inmate's earnings to satisfy restitution orders, are properly enforced. Contrary to the Legislature's intent in enacting this measure in 2012, both the Courts and the Department of Public Safety have failed to fully implement the 25% assessment. Instead we see many judges ordering that percentages as low as 5% of inmates wages to be assessed to cover their restitution obligations. The Department of Public Safety, in part due to advice from the Department of the Attorney General, has also provided only spotty enforcement of the 25 % assessment requirement. To insure that there are no legal obstacles to implementing the Legislature's original intent we strongly recommend the provisions of HB 2654, which explicitly state that regardless of faulty court orders to the contrary that the Department of Public Safety is required to apply a 25% assessment to all inmate wages where there is a restitution order in effect.

For the reasons stated above, the Department of the Prosecuting Attorney of the City and County of Honolulu supports H.B. 2654. Thank you for the opportunity to testify on this matter.



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
**VICTIM/WITNESS ASSISTANCE DIVISION**  
COUNTY OF MAUI

**LATE**

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RUTH MORI  
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CINDY LEE  
MARITA MULLEN  
GARY REISS  
GIZELLE KUAILANI  
JAYNA GUILLERMO

**Testimony in Support of House Bill 2654**  
**Relating to Victim Restitution**

House Committee on Judiciary  
Representative Karl Rhoads, Chair  
Representative Sharon E. Har, Vice Chair  
Hearing: February 25, 2014; 2:00 PM  
State Capitol, Conference Room 325

We are providing testimony in support of House Bill 2654 relating to Victim Restitution. House Bill 2654 implements the legislature's intent behind the 2012 amendment of Hawai'i Revised Statutes (hereafter "HRS") 353-22.6.

The Victim Witness Assistance Division of the Maui Department of the Prosecuting Attorney provided services to 3,785 victims and witnesses in 2013. These services include, but not limited to: crisis and short-term counseling, case status notification and information, court accompaniment, referral for financial assistance including Crime Victim Compensation, referral for social services, and advocacy for victim's rights. The counselors also provide services to victims relating to restitution, victim safety planning and case notification.

Victims of crime suffer unexpected consequences of the impact of the crime. Many victims suffer the trauma that the crime has caused and has had to seek mental health counseling, and/or rehabilitative services for injuries. Victims of crime also suffer financially. Many victims have incurred medical bills, funeral and burial expenses and other out of pocket expenses such as loss wages, travel expenses and legal expenses (obtaining a restraining order) to regain their sense of security and mental health.

Crime victims also carry the burden of mounting expenses associated with the crime. Many crime victims pay for their expenses by borrowing money from their families or friends or place payments on their credit cards. Many crime victims are referred to collections agencies as well. Although many crime victims suffer the effects of crime for their lifetime, restitution is only one way for crime victims to restore and regain their life prior to the offense.



Victims of crime are entitled to compensations to assist them in making them whole again as quickly as possible. House Bill 2654 would provide an significant amount of payment to crime victims. We respectfully urge you to support HB 2654.

Thank you for the opportunity to provide testimony.

Ruth Mori  
Acting Director  
Victim/Witness Assistance Division  
Department of the Prosecuting Attorney  
County of Maui