



STATE OF HAWAII
**CRIME VICTIM COMPENSATION
COMMISSION**

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TESTIMONY ON SB 2087 SD 1
MAKING AN APPROPRIATION FOR THE VICTIM WITNESS ASSISTANCE PROGRAM

by

Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Friday, February 18, 2022; 10:00 AM
Conference Room 211 & Videoconference

Good morning Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Senate Committee on Ways and Means. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in support of Senate Bill 2087, SD1. SB 2087, SD1, appropriates funds for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the victim witness assistance program.

The Hawai'i State Legislature established the Crime Victim Compensation Commission in 1967 as a safety net for violent crime victims. The Commission assists victims of violent crimes with medical costs, counseling costs, lost wages, and funeral and burial expenses not covered by other sources. Many victims would not be able to receive rehabilitation services, counseling services, or bury a loved one without compensation awarded by the Commission.

The Commission estimates that over eighty percent (80%) of the violent crime victims who apply for compensation are referred through the county victim witness assistance programs. The county victim witness assistance programs play an important role in mitigating the emotional and financial suffering experienced by victims through their referrals to the Commission and other social service agencies. The county victim witness assistance programs also support and guide victims through the criminal justice process, helping to ensure that offenders can be successfully prosecuted.

Many victims and surviving family members, particularly victims and survivors of violent crimes like murder and sexual assault, would not be able to make it through the criminal justice process without the support and guidance of a victim witness counselor. Victim witness counselors notify crime victims of hearing dates and major developments in their case,

accompany victims and survivors to court where necessary, and help victims and survivors with victim impact statements to enable them to exercise their right to be heard at sentencing. This is all in addition to informing victims and survivors about the social services and financial assistance available to them as crime victims.

The county victim assistance programs need sufficient funding for staff to continue to provide these important services. The Commission urges you to support the appropriation of grants-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the victim witness assistance program. Thank you for providing the Commission with the opportunity to testify in support of Senate Bill 2087, SD1.

DAVID Y. IGE
GOVERNOR



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GLORIA CHANG
DEPUTY DIRECTOR

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FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 2087, S.D. 1

February 18, 2022
10:00 a.m.
Room 211 and Videoconference

**MAKING AN APPROPRIATION FOR THE VICTIM WITNESS ASSISTANCE
PROGRAM**

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2087, S.D. 1, appropriates \$371,722 in general funds as a grant-in-aid to the City and County of Honolulu in FY 23 for the Department of the Prosecuting Attorney's Victim Witness Assistance Program.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

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THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
Thirty-first State Legislature
Regular Session of 2022
State of Hawai`i

February 18, 2022

RE: S.B. 2087, S.D. 1; MAKING AN APPROPRIATION FOR THE VICTIM WITNESS ASSISTANCE PROGRAM.

Chair Dela Cruz, Vice-Chair Keith-Agaran and members of the Senate Committee on Ways and Means, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in **strong support** of S.B. 2087, S.D. 1. This bill is part of the Department's 2022 legislative package, and we thank the Committee for hearing it.

The purpose of S.B. 2087, S.D. 1 is to provide additional funding in the amount of **\$371,722**, to maintain the current level of service for the Department's Victim Witness Kokua Services ("VWKS") Unit. This is the remaining balance between actual costs, and costs covered by federal funds, funding from the Department of the Attorney General, and the funding from the City and County of Honolulu. VWKS advocates assist in guiding victims, witnesses and/or surviving family members through the criminal justice system—before, during, & after criminal prosecution of a case—and are specifically trained & qualified to do so.

Historically, the Legislature has supported the Victim Witness Assistance Program since 1983. In 1986, the Legislature enacted HRS §28-111, which established the Victim Witness Assistance program on a statewide basis. While the statute established this program within the Department of the Attorney General, all direct services are provided by each county's prosecuting attorney, in order to provide the most up-to-date information, assistance, funding, and support services to the crime victims and witnesses in their respective counties. Adequate funding is necessary for our Department to be able to continue these vital services.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **strongly supports** the passage of S.B. 2087, S.D. 1. Thank you for the opportunity to testify on this matter.

SB-2087-SD-1

Submitted on: 2/14/2022 11:53:02 AM

Testimony for WAM on 2/18/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dara Carlin, M.A.	Individual	Support	No

Comments:

Stand in Support.