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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY
TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
ON
SENATE BILL NO. 428

March 11, 2025
2:00 p.m.
Room 325 and Videoconference

RELATING TO WITNESS FEES

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

Senate Bill (S.B.) No. 428 amends Sections 607-12 and 621-7, HRS, to:

1) increase the fees paid to witnesses in civil trials from \$4 a day for attending court and \$6 for attending court coming from another island to \$30 a day and \$36 a day, respectively; 2) increase the fees paid to non-expert witnesses in criminal trials from \$20 a day to \$40 a day; 3) change the fees paid to witnesses in civil trials for travel expenses from \$0.20 a mile to the mileage allowance prescribed by the Administrator of General Services; and 4) authorize reimbursement for witnesses in civil trials for their use of common carriers to get to and from court.

B&F is annually appropriated \$1,893,933 in general funds to pay for witness fees and other related expenses. Should this amount be reached, payments are then halted and deferred to the next fiscal year. As such, any statutory increase in witness fees and/or reimbursements will require a proportionate appropriation increase in order for B&F to disburse these funds in a timely manner.

Thank you for your consideration of our comments.

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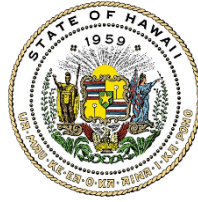
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March 10, 2025

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S.B. No. 428: RELATING TO WITNESS FEES

Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

The Office of the Public Defender **supports S.B. No. 428**

The Office of the Public Defender submits that there is a need to increase the compensation to witnesses in criminal cases. The increase from \$20 to \$40 is an acknowledgment that witnesses are a critical part of the administration of justice. It is understood that the fee is nominal. However, this increase helps offset the time away from work and family that witnesses spend participating in criminal proceedings.

Thank you for the opportunity to comment on this measure.

**DEPARTMENT OF THE PROSECUTING ATTORNEY
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**THE HONORABLE DAVID TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i**

March 10, 2025

RE: S.B. 428; RELATING TO WITNESS FEES.

Chair Tarnas, Vice Chair Poepoe, and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in **strong support** of S.B. 428.

Witnesses are absolutely essential for the criminal justice system to properly function. We could not fulfill our mission without testimony from those whose personal knowledge or trained experience establishes the elements for a case. Witnesses are often at the mercy of mercurial court schedules and must forsake other obligations on multiple occasions. Many are frightened to appear and testify against dangerous individuals. But so many accept these hardships and brave these fears out of a simple desire to see truth and justice prevail.

Trials are not simply about the disposition of the case. A criminal trial establishes the public record of what the defendant thought and did. That record comes from witnesses who honor their civic obligation to give sworn testimony before judges, juries, and grand juries.

Forty dollars and mileage remains a nominal fee, but it recognizes the priceless role that witnesses serve in upholding the rule of law.

We strongly urge this Committee to support S.B. 428.

Thank you for the opportunity to testify.



Committee on Judiciary and Hawaiian Affairs
Chair David A. Tarnas, Vice Chair Mahini Poepoe

3/11/25 at 2:00 p.m. 325 via Videoconference
SB 428 Relating to Witness Fees

TESTIMONY

Stephen Munkelt, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The League of Women Voters of Hawaii supports BILL NUMBER SB 428

This Senate Bill, SB 428, will increase the fees for witnesses in both civil and criminal cases and will cover the basic costs of transportation to attend court. The League of Women Voters supports fair and equitable procedures which can build public trust in court proceedings and judgments. This bill will lower barriers to appearing in court to testify, especially for those with limited financial means.

The jury or judge hearing a case in our courts makes a decision based on the facts presented in evidence. Most facts are presented through witnesses, and if a witness does not appear the jury or court is missing facts. This could make decisions less reliable or accurate, with significant impacts on the parties and the community. Many witnesses may not need a financial incentive to appear, and may not even request witness fees, which would keep the costs down. For others the compensation for expenses incurred and the implied appreciation of their service in support of justice may be the incentive that gets them to court.

For these reasons the League of Women Voters of Hawaii **supports SB 428**.

Thank you for the opportunity to submit testimony.

Stephen Munkelt
Legislative Committee