

Administrative Meeting of the
Crime Victim Compensation Commission (CVCC) Minutes
Thursday, February 4, 2021
Via Videoconference

Present: Commissioners: Chair Martha Ross, Clifton Y.S. Choy, and Sandra Joy Eastlack
Staff: Executive Director Pamela Ferguson-Brey

Agenda

The Administrative Meeting was called to order at 2:32 p.m. by Commission Chair Martha Ross.

I. Approval of Minutes:

The Minutes of the August 12, 2020, meeting were moved for approved by Clifford Choy and seconded by Sandra Joy Eastlack. The minutes were unanimously approved.

II. CVCC-HPA Crime Victim Advocacy Project:

The Victim Advocate/Program Manager for the CVCC-HPA Crime Victim Advocacy Project spoke about this new project. The Commission was awarded a 2-year grant for \$274,171.00 through VOCA for post-conviction victim services in partnership with the Hawai'i Paroling Authority (HPA). A Memorandum of Agreement between the Commission and HPA was signed on October 30, 2020. The program is being developed to ensure victims receive information about direct services to include victims' rights education, victim notification, safety planning, restitution collection and other information and referrals they may need.

Currently working with a consultant to map out a resources guide for victims through the criminal justice process. Also working on developing a podcast to provide information about the program, share stories from victims, and have community service providers on to provide information about the services they provide.

The Program Manager has met with the heads of the four county Victim Witness Programs, the Hawai'i Statewide Automated Victim Information and Notification Program, the Restitution and Victim Services Program within PSD and with the Commission's Restitution Program. She has developed a list of victims for initial outreach about the new program. She has begun a collaboration with the Victim Witness Kokua Services on Oahu to begin a pilot to share information so victims get seamless services and is scheduled to present an orientation about the program to HPA supervisors.

III. Justice Reinvestment (JRI) Update:

A. Restitution Project

There has been an impact on restitution collections since the start of the pandemic. The Commission's JRI Restitution Project has collected over \$4.21 million in restitution since the beginning of the project. Restitution payments have been coming in every month and payments have been going

out to victims every month. Since the beginning of the pandemic, the furloughed inmates have not been leaving the facilities to work so their payments are at or near zero. Collections from incarcerated individuals have actually gone up during the pandemic. Parolee payments have decreased during this time.

The article about restitution collection in Hawai'i that was written with the Council of State Governments (CSG) has been finalized and copies were provided to the Commissioners. The article is available through CSGs website. The Commission was asked to submit a proposal to present about Hawai'i's Restitution Project at the (virtual) National Crime Victims Compensation conference in August 2021. American Parole Administrators International newsletter includes an article about the Hawaii project between the Commission and HPA. Anne Seymour, national victim advocate, puts out a "Monday Missive" and the article was included in the previous week's message. The Commission has also been contacted by a legislator from Michigan for input on drafting a new Michigan restitution statute. Maryland restitution staff contacted the Commission and requested information about the Restitution Project database.

B. Victim Services Project

The last Victim Services Project group meeting was postponed until further notice due to the pandemic.

Hawaii Statewide Automated Victim Information Notification System (HI-SAVIN):

The Commission's Special Projects Coordinator has been elected as the chair of the SAVIN Governance Committee. Communication between PSD/SAVIN Coordinator and the Governance Committee has greatly improved. The RFP to upgrade the operating system has been issued.

Department of Public Safety's Restitution and Victim Services (PSD-RAVS) Project:

Continue to have meetings with the VOCA-funded RAVS team. Commission provides ongoing technical assistance regarding their funding grant. Funding for the project has been promised for another year.

Upcoming grant:

The Commission has applied for a National Crime Victims' Rights Week (NCVRW) Community awareness project grant of \$5,000. The funds would be used for a National Crime Victims' Rights Week (April 18-24, 2021) virtual event to include a virtual candlelight vigil website that includes resources and information for victims and survivors about services available to them.

IV. Mass Casualty Update/Statewide Response to Mass Violence for Victim Services:

The Department of Justice's Office for Victims of Crime has recognized the Commission's Mass Violence Response Plan by including the Plan as a model on its website. The Plan is a living document and the plan is for it to constantly be updated. Having the Plan has helped provide guidance to the counties for drafting their response plans. The Commission is continuing to work with OVC TTAC to look for funding opportunities to continue mass violence response training. In addition to advanced training for those who have previously attended training, the Commission is looking to expand training to mental health providers as there is currently a gap in these services.

Continuing to hold monthly mass violence victim response group meetings.

Continuing to work with the State of Hawai'i Emergency Management Agency to further develop and ensure that victim services are included as part of the ESF 6 for mass casualty incidents.

Because of the violence that occurred in the Capitol in January and due to the continued threat of violence at state capitols, the Commission worked closely with the Honolulu Victim Witness Program to be prepared to respond in the event of a mass violence incident.

V. 2021 Legislative Session:

The Commission is facing the 2021 legislative session concerned about its survival as an agency in light of the State's fiscal situation. Prior to the pandemic, the Judiciary's collection of compensation fees has been on a downward trend. With the closure of the courts due to the pandemic, collection fees have further declined. In an effort to limit spending, the compensation program has reduced benefits and is currently half staffed. The Commission requested and the Governor included funding in his budget for state fiscal year 2022 to allow the Commission time to rebuild its special fund and again become a self-funded program. There are currently two bills of concern that would eliminate the Commission: HB 1298 takes the balance of the Commission's special funds as of December 30, 2020, while HB 1299 seeks to eliminate the Commission's special fund. Working with the Department and will request that community partners submit testimony to support the Commission.

The Commission, along with compensation programs nationwide, was notified about a federal bill (VOCA Fix Bill) to increase the VOCA match from 60% to 75% and to ensure that the VOCA fund continues to receive funds that have recently been diverted because defendants have been paying fines into the general fund rather than pleading and paying into the VOCA fund. The Commission wrote letters to and contacted staff at the offices of Hawai'i's Senate and House members.

VI. COVID-19 Commission Response: No additional updates

VII. Sunshine Law Compliance: Timely Posting of Agenda and Minutes on the Internet:

The Commission was contacted by Civil Beat about the Commission's failure to post its agenda and minutes on its website. The Commission moved swiftly to post the agendas and minutes for the past two years and will continue to ensure that the Commission meets statutory deadlines for posting minutes and agendas.

VIII. Executive Session Pursuant to Hawai'i Revised Statutes §92-4 and §92-5:

The Commissioners did not move into Executive Session.

IX. Adjournment:

The next meeting is scheduled for Thursday, May 6, 2021. The meeting was adjourned at 3:18 p.m.