



STATE OF HAWAII - KA MOKU'ĀINA 'O HAWAII  
Department of Public Safety -  
Ka 'Oihana Ho'opalekana Lehulehu

**CRIME VICTIM COMPENSATION  
COMMISSION -  
KE KOMIKINA UKU LAAHI KALAIMA**

Fifty-First Annual Report  
July 1, 2021 – June 30, 2022

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## Executive Summary

In 1967, the Hawai'i State Legislature created the Crime Victim Compensation Commission (the Commission) to mitigate the financial impact suffered by victims of violent crime. The Commission disburses funds to pay un-reimbursed expenses for crime-related losses experienced by victims who suffer physical or emotional injury, or death, as the result of a violent crime. Many victims of crime would not be able to receive rehabilitation services, counseling services, or bury a loved one without compensation awarded by the Commission.

In Fiscal Year (FY) 2022, the legislature saved the Commission from closing by providing general funds for the Commission's staff positions. Prior to that the Commission was primarily funded through the assessment of a Crime Victim Compensation Fee<sup>1</sup> that was created by the legislature in 1998 to act as a funding source for the Commission's crime victim compensation program. The Judiciary was tasked with assessing and collecting the Compensation Fee.

Unfortunately, Compensation Fee collection shortfalls by the Judiciary over many years effectively deprived the Commission of the funding reserve it needed to survive. These funding shortfalls so limited the Commission's funding reserve that the Commission was in danger of closing.

### Commission Projects:

The **Medical Expense Reduction Project** seeks to reduce and contain escalating medical expenses by: 1) requesting that medical treatment providers agree to accept as payment in full from the Commission a payment that is reduced by thirty percent (30%) for the medical services provided in cases involving uninsured crime victims; and 2) negotiating with the medical treatment providers to each accept a proportionate share of the Commission's maximum award as payment in full for the medical services provided in cases where a victim's total medical expenses incurred exceed the statutory maximum award of \$20,000.00. Over the course of the Project, the Commission has saved victims and the Commission over \$2,900,000.

The **Mass Violence and Terrorism Response Project** (Mass Violence Project) is working to ensure that the Commission and other victim service providers are integrated into the County and State Emergency Response and Incident Command plans in order to provide timely crime victim assistance and compensation services for victims and survivors of mass violence incidents. The Commission continues to lead this effort to integrate victim services through the *Mass Violence Planning Workgroup* and by providing mass violence training opportunities.

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<sup>1</sup> HRS 351-62.6 Compensation Fee. (a) The court shall impose a compensation fee upon every defendant who has been convicted or who has entered a plea under section 853-1 and who is or will be able to pay the compensation fee. The amount of the compensation fee shall be commensurate with the seriousness of the offense as follows: (1) Not less than \$105 nor more than \$505 for a felony; \$55 for a misdemeanor; and (3) \$30 for a petty misdemeanor.

In 2018, the Commission established the *Mass Violence Planning Workgroup*, an interdisciplinary network comprised of representatives from county, state, and federal victim service providers, first responders, non-governmental organizations (NGOs), and emergency management agencies. The workgroup has completed the Mass Violence Response Plan for Victim Services and the Memorandum of Understanding (MOU) on Mutual Aid Between County Prosecutors. This partnership is working to create a network of integrated services for victims, survivors, surviving family members, and communities impacted by mass violence.

The Commission received two grants from the United States Department of Justice's Office for Victims of Crime Training and Technical Assistance Center (DOJ-OVCTTAC) for a consultant to assist with the development of the state's victim services response plan to a mass violence incident and to provide training. In FY 2022, the Commission continued its work with the DOJ-OVCTTAC consultant to coordinate two different trainings. The first training was a two-day virtual meeting for county emergency management responders and victim service providers on *Responding to Victims/Survivors of Mass Violence and Terrorism*. The training provided best practice approaches to mass violence and allowed participants to partake in small- and large-scale incident tabletop exercises. The second training, co-sponsored by the Maui County Prosecutor's Office, was a one-day training entitled, *Mass Violence Response Training for Hawai'i's County Prosecutors*. The training highlighted the importance of strengthening collaborations, developing plans, and understanding the role and responsibilities of the Prosecutor's office during a mass violence incident. Attendees included the four county prosecutors and their victim witness units.

These collaborations and ongoing trainings are critical pieces in the support of victims, survivors and communities impacted by mass violence. The manner in which victims, families, and the community are treated and supported during a mass violence incident has a tremendous impact on their short- and long-term recovery.

The **Restitution Recovery Project** (the Restitution Project) began in 2003 to collect restitution payments from inmates and parolees, and to disburse those funds to their crime victims, or to the Commission in cases where the Commission previously provided a compensation award to the crime victim. Restitution is paid to directly reimburse the Commission in cases where the Commission previously paid a compensation award to the crime victim for medical and mental health expenses, or funeral costs, generating the necessary funding for more crime victims to receive assistance.<sup>2</sup> The Restitution Project has opened almost 11,300 restitution and compensation fee cases and collected over \$6,000,000.00 to disburse to crime victims from January 1, 2003, through June 30, 2022.

As a result of the Restitution Project, more victims have received increased amounts of restitution payments from offenders, and the Commission has received more reimbursements through restitution for compensation previously paid on behalf of crime victims. These increased restitution payments support and enhance the victim's ability to recover, serve to hold

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<sup>2</sup> Section 706-646(2), Hawai'i Revised Statutes, provides, in part, that "the court shall order restitution to be paid to the crime victim compensation commission in the event that the victim has been given an award for compensation under chapter 351."

the offender accountable to the victim of their crime, and assist the offender in developing a sense of self-respect by righting the wrongs the offender has committed.

In 2011, the Governor appointed the Commission 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 (CSG) in partnership with the Pew Center on the States and the DOJ Bureau of Justice Assistance, to develop a policy framework to address identified areas of concern within Hawai'i's criminal justice system. Part of the Commission's role as a member of the JRI Working Group was to engage crime victims, survivors, and victim services providers and advocates in identifying key issues and concerns specific to the JRI initiative. The JRI Working Group's policy framework became the basis for the JRI legislation.

The Hawai'i State Legislature passed the Justice Reinvestment Act (Act 139) during the 2012 legislative session. JRI is landmark legislation that created the first comprehensive investment in victim services that has since become a national model. According to the CSG, Hawai'i's JRI efforts represent the highest number of substantive policy inclusions for crime victims to date in any state's justice reinvestment project.

The investment in Victim Services was intended to increase offender accountability by improving consistency of restitution collection and by enhancing victim safety planning. To assist in the implementation of the victim services component, the Commission serves as the Lead Co-Chair of two JRI implementation workgroups – the JRI Restitution Workgroup and the JRI Victim Services Workgroup. The workgroups are comprised of representatives from the Commission, the Judiciary, Victim Witness Programs of the County Prosecutor's Offices, Department of Public Safety (PSD), Hawai'i Paroling Authority (HPA), and the Department of the Attorney General. The Victim Services Workgroup also includes representatives of the victim services community.

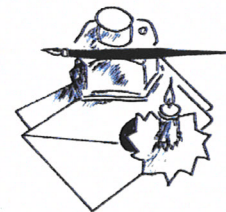
The Commission continues to chair these workgroups.

The Commission applied for and was awarded a 2-year Victims of Crime Act (VOCA) Victim Assistance Grant from the Office for Victims of Crime (OVC) for the **CVCC-HPA Crime Victim Advocacy Project (CVAP)**. CVAP established a corrections-based program in partnership with HPA to provide direct victim services during the parole process. The Project supported victims of crime by providing assistance/follow up to restitution/compensation application, safety planning, education on victims' rights and community referrals. The grant funding was for the period from July 1, 2020, through June 30, 2022. While grant funding to continue the Project was not renewed, the Project demonstrated the need for victim services during the parole process.

The Commission and PSD are working together on an initiative to create a joint post-conviction victim service program to ensure that victim needs, community safety, and offender accountability are in the forefront of operational practices in Hawai'i from the time an offender is incarcerated through their release into our community.

## Mission Statement

“The Commission seeks to treat every crime victim and survivor with dignity and respect, acknowledging the tremendous impact that violent crime has upon crime victims and our society.”



## Overview and History

The Hawai‘i State Legislature created the Commission in 1967 to compensate victims of violent crimes for their out-of-pocket expenses, losses, and pain and suffering resulting from the crime. The Commission was only the third organization of its kind in the country when it was established.

To be eligible for an award, a victim of a violent crime must report the crime to law enforcement without undue delay, apply to the Commission for compensation within eighteen (18) months after the date of the incident, and provide the Commission with documentation of their expenses and losses (i.e., medical bills, insurance statements, pay stubs, etc.) resulting from the crime.

The Commission has processed over 30,000 victim applications since 1984<sup>3</sup>, and, since inception, has awarded over thirty-one million dollars (\$31,000,000), in addition to almost two million nine hundred thousand dollars (\$2,900,000) in medical expense savings, in compensation to crime victims. These awards have assisted victims with medical costs, counseling costs, lost wages, and funeral 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.

In 1998, the legislature created the Crime Victim Compensation Fee<sup>4</sup> to act as the funding base for the Commission’s crime victim compensation program. The Judiciary was tasked with assessing and collecting the Compensation Fee.

During the implementation period of compensation fee collections, the Commission continued to rely primarily on State general funds to finance compensation awards and cover operating costs. In 2003, the Commission’s compensation program became fiscally self-sufficient.

Unfortunately, Compensation Fee collection shortfalls by the Judiciary over many years effectively deprived the Commission of the funding reserve it needed to survive. These funding

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<sup>3</sup> Statistical data for the number of applications received by the Commission prior to 1984 is unavailable.

<sup>4</sup> HRS 351-62.6 Compensation Fee. (a) The court shall impose a compensation fee upon every defendant who has been convicted or who has entered a plea under section 853-1 and who is or will be able to pay the compensation fee. The amount of the compensation fee shall be commensurate with the seriousness of the offense as follows: (1) Not less than \$105 nor more than \$505 for a felony; \$55 for a misdemeanor; and (3) \$30 for a petty misdemeanor.



shortfalls so limited the Commission's funding reserve that the Commission was in danger of closing.

In FY 2022, the legislature saved the Commission from closure by providing general funds for the Commission's staff positions. The legislature left the compensation fee intact to fund compensation payments to violent crime victim and survivors. The continued reductions in collections appear to jeopardize the Commission's ability to provide compensation awards to violent crime victims.

# Annual Activity

## Operations

During FY 2022, the Commission received 386 new applications for compensation and processed 490 compensation awards. The Commission gives each application full consideration and works to ensure accurate and efficient claims processing.

FY 2003 was the first year that the Commission operated without expending any Hawai'i taxpayer dollars. This means that all funds expended by the Commission for compensation come from non-tax revenue sources including the Compensation Fee. The Compensation Fee is the main source of the Commission's income and the receipt of Federal VOCA Funds is directly tied to the expenditure of the Compensation Fee. The Commission necessarily must rely on cooperation and support from the Judiciary to assess and collect the Compensation Fee from convicted offenders in all eligible cases. Unfortunately, Compensation Fee collection shortfalls by the Judiciary over many years effectively deprived the Commission of the funding reserve it needed to survive. These funding shortfalls so limited the Commission's funding reserve that the Commission was in danger of closing. In FY 2022, the legislature saved the Commission from closing by providing general funds for the Commission's staff positions.

***“I wanted to thank you so much for all of your help. How hard you worked to help make it possible to get my son...taken care of. There was so little time but you helped so much in making everything work out so that we could all be part of spreading his ashes. Thank you so much.”***

*Parents of a murder victim*

### Administrative Fees:

The Commission paid \$28,792.00 for the annual 5% central service expense fee for FY 2022 and \$35,223.00 to the Department of Budget & Finance for the Commission's pro-rata share of administrative expenses incurred by PSD based on all non-tax revenue collected on, or on behalf of, the Commission. These assessments are paid on all income sources except for money received from the Federal VOCA funds. The payment of these assessments pose a challenge to the Commission's ability to maintain fiscal self-sufficiency.

These assessments are imposed on money collected to reimburse the Commission. When the Commission compensates a crime victim, the Commission can seek reimbursement from the defendant who committed the crime via court ordered restitution.<sup>5</sup> However, when the Commission is paid the restitution, the Commission must pay the two assessments again. Thus, the Commission receives less than what it paid the crime victim even when the restitution is paid in full.

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<sup>5</sup> Section 706-646(2), Hawai'i Revised Statutes, provides, in part, that “the court shall order restitution to be paid to the crime victim compensation commission in the event that the victim has been given an award for compensation under chapter 351.”

## **Compensation in Action - Compensation for Crime-Related Expenses**

### Case #1 – Murder Victim

The 32-year-old male Victim was stabbed by a male suspect and died as a result of his wounds. His death was classified as Murder. The Commission awarded the statutory maximum of \$10,000.00 which consisted of \$1,618.00 for funeral expenses and \$8,382.00 for the Victim's three minor children to cover the loss of his supporting income.

### Case #2 – Assault Victim

The 22-year-old male Victim was assaulted by several males. The Victim suffered substantial injuries and did not have medical insurance. The Commission negotiated with medical providers to accept \$16,766.12 as payment in full to satisfy medical expenses owed totaling \$135,445.24.

### Case #3 – Abuse of Family/Household Member Victim

The 49-year-old female Victim was assaulted by her boyfriend. The Victim suffered a deviated septum, fractured teeth, and multiple contusions and incurred \$1,440.28 in medical and dental co-payments. The Commission was able to pay all of the co-payments directly to the providers so the Victim would not have to pay her expenses out of pocket.

### Case #4 – Sexual Assault of a Minor Victim

The 6-year-old male Victim was sexually assaulted by a male relative. The Victim suffered emotional and physical trauma. The Commission has currently paid \$240.00 in co-payments for mental health treatment. The Victim is still under the care of a mental health treatment provider and the Commission will continue to award compensation for these services.

### Case #5 – Attempted Murder Victim

The 23-year-old female Victim was stabbed multiple times by a male suspect. The Victim suffered serious injuries that are likely to result in permanent nerve damage. The Victim did not have medical insurance. The Commission negotiated with her medical providers to accept \$16,025.17 as payment in full to satisfy \$110,269.52 in medical expenses.

### Case #6 – Assault Victim Restitution Recovery

The 14-year-old male Victim was assaulted by another minor male. Victim suffered a broken jaw and emotional trauma. He incurred \$389.95 in medical and therapy co-payments. The Commission was able to pay the therapy expenses directly to the therapist so that the Victim's parents did not have to pay his expenses out of pocket. With the assistance of prosecutors and victim witness advocates, the Commission requested, and the court ordered, that the defendant be held accountable for his actions and pay restitution to reimburse the Commission. Within four months of the restitution being ordered, the Commission received payment in full.

## Commission Projects

### Medical Expense Reduction Project



The Commission initiated the Medical Expense Reduction Project in FY 2006 to reduce overall medical expenses of uninsured victims of violent crime. Escalating medical costs have continued to further tax the Commission's already limited resources. This is especially evident in cases where the victim's medical expenses are not covered by medical insurance. In an attempt to mitigate rising medical costs, the Medical Expense Reduction Project has proven to be an unqualified success and absolutely necessary to allow the Commission to continue providing much-needed financial assistance to the victims of violent crimes in Hawai'i.

Compensation for crime-related medical expenses is limited under Section 351-62(b), Hawai'i Revised Statutes, to a maximum of \$20,000.00 in cases involving compensable medical expenses for catastrophic injuries. This limit is easily exceeded when a violent crime victim is hospitalized for more than several days. Many crime victims who are uninsured fall into the gap group who make too little money to afford medical insurance, and too much money to qualify for Quest medical insurance.

The Commission has taken a two-pronged approach to this issue:

1. Medical Expenses Do Not Exceed the \$20,000.00 Statutory Limit

The Commission requests that medical treatment providers agree to accept 70% payment from the Commission as payment in full for their services for uninsured crime victims. In this way, the crime victim is not responsible for the remaining 30% of the expenses, and the Commission retains more funds to benefit other crime victims.

2. Medical Expenses Exceed the \$20,000 Statutory Limit

The Commission leverages the \$20,000 maximum award against the full amount of the medical expenses owed by the crime victim by requesting that the medical providers accept the Commission's payment as payment in full. This has enabled the Commission to leverage the \$20,000 maximum award available for compensable medical expenses to benefit the crime victim by not having any remaining balance due.

While not all medical providers in the cases selected for the Medical Expense Reduction Project agreed to accept a reduced payment as payment in full, in the Medical Expense Reduction Project cases where the Commission was successful in FY 2022, crime victims realized savings of \$50,839.44 from medical bills of \$96,151.47 in the aggregate, a savings of almost fifty-three percent (53%).

Over the course of the Project, the Commission has saved victims and the Commission almost \$2,900,000.

## Mass Violence and Terrorism Response Project

Incidents of mass violence and terrorism are on the rise across the country and require a specialized response to address the complex and unique needs of mass violence crime victims and traumatized communities. Agencies with specialized training are needed to coordinate effective and timely responses, providing information and assistance to victims of crime, in conjunction with other support agencies and victim service organizations. Access to supplemental federal crime victim compensation and assistance funds can be made available to assist in acts of domestic terrorism or mass criminal violence.



AP Photo

The Commission's **Mass Violence and Terrorism Response Project** has been working to ensure that Hawai'i's mass violence response integrates the needs of victims, survivors, and the community into State and County Emergency response plans and incident command systems. The manner in which victims and families are treated and supported during a mass violence incident has a tremendous impact on their ability to recover in the short- and long-term.

The Commission plays an important role in providing direct assistance to victims and survivors by providing compensation for:

- Victims directly injured in the incident (Medical/Mental Health Expenses);
- Persons not injured but engaged in business/education activities at the site of the mass violence incident (Mental Health Expenses only);
- Witnesses to the incident (Mental Health expenses only);
- Relatives of a deceased victim (Mental Health and Funeral Expenses only).

The Commission also coordinates the development of partnerships between state, federal, and local victim service providers, first responders, and emergency management agencies. The Commission's efforts in establishing victim assistance in Mass Violence/Terrorism response has been aided by technical assistance from the Department of Justice OVCTTAC, and consultation and coordination with the National Mass Violence Victimization Resource Center (NMVVRC) based at the Medical University of South Carolina (MUSC) who have helped to establish several mass violence response efforts, including:

- a) The Mass Violence Planning Workgroup;
- b) The Mass Violence Victim Response Plan;
- c) A Memorandum of Understanding (MOU) on Mutual Aid Between County Prosecutors
- d) Acknowledgement in the Hawai'i Emergency Management's Emergency Support Function (ESF) 6 - Mass Care Response
- e) Annual Statewide Trainings to Plan, Prepare, and Respond to Mass Violence Incidents

## **Mass Violence Planning Workgroup**

The Commission established a Mass Violence Planning Workgroup to ensure that complex and unique needs of victims, survivors, and the community are incorporated into the state's Mass Violence/Terrorism response. The Workgroup helps to identify and maximize available community resources and address any resource gaps by coordinating among its members.

In FY 2019, the Commission received a grant from the Department of the Attorney General's Crime Prevention and Justice Assistance Division (AG-CPJAD) to facilitate meetings of the Mass Violence Planning Workgroup. This grant facilitated monthly meetings with county, state, and federal victim assistance programs to develop guidelines and protocols for a coordinated response to mass violence incidents.

The Workgroup includes representatives from all four county victim witness units, federal victim service specialists from the FBI and the U.S. Attorney's Office; representatives from state and federal Homeland Security, county and state emergency management, the medical examiner, and various non-profit and community organizations.

## **Mass Violence Victim Response Plan**

In 2017, the Commission partnered with OVCTTAC to draft language for Hawai'i's *Mass Violence Victim Response Plan (Victim Response Plan)*. The Victim Response Plan was developed in consultation with over 60 stakeholders comprised of government, non-profit, community, corporate, and faith-based organizations to address the complex and unique needs of victims, survivors, and communities impacted by a mass violence/terrorism incident.

The Victim Response Plan was finalized in 2019 and recognized by the Department of Justice OVCTTAC and placed on their website to assist other states in developing their own state plans.

The Commission continues to update its mass violence procedures, improve interagency coordination, and develop inter-office protocols that reflect the language in the Victim Response Plan. For example, the Commission designed a short-form application specifically for mass violence/terrorism incidents and translated it into the twelve (12) most common languages in Hawai'i. The Mass Violence applications are available through the Commission's website and are updated for each specific incident. The Commission continues to collaborate with the County Prosecuting Attorneys' Victim Assistance Programs to develop protocols so that the victim service providers can mobilize quickly if an incident occurs anywhere within the state.

The Commission continues to update the Victim Response Plan to incorporate best practices as we learn from Mass Violence/Terrorism incidents that occur in other states.

## **Memorandum of Understanding on Mutual Aid**

Prosecution-based Victim Witness Assistance Programs provide critical assistance through crisis intervention and support to victims, survivors, and the community to address the short- and long-term impact of the incident.

The Commission worked with the county prosecutors to create a MOU for mutual aid in the event that a mass violence/terrorism incident overwhelms the resources of a Victim Witness Assistance Program.

The MOU strengthens the partnership between the counties by outlining each county's mutual aid commitment to victim assistance in incidents of mass violence/terrorism throughout the state.

### **Emergency Support Function (ESF) 6 – Mass Care Response to Mass Violence Incidents Statewide Training on Mass Violence Incidents**

The Commission finalized language in the Hawai'i Emergency Management Emergency Support Function (ESF) 6 Annex emergency response draft that acknowledges the role of victim service providers during a mass violence event.

The Commission continues to work with Hawai'i Emergency Management to ensure protocols are updated and language is included that differentiates mass violence/terrorism from other disasters, and acknowledges the unique needs of crime victims and the specialized services available to them.

### **Annual Statewide Trainings – Planning and Preparing to Respond to Mass Violence Incidents**

The Commission continues to provide training to ensure a coordinated and victim-centered response to a mass violence incident.

In FY 2019, the Commission received additional technical assistance from the Department of Justice OVCTTAC to conduct two additional trainings: 1) *Responding to Victims/Survivors of Mass Violence and Terrorism* training for statewide responders and victim service providers; and 2) *The Mass Violence Response Training for Hawai'i's County Prosecutors*.

In September 2021, the Commission, in conjunction with the OVCTTAC Consultant, hosted a 2-day statewide training, *Responding to Victims/Survivors of Mass Violence and Terrorism*. The training included a refresher course and review of the Mass Violence Response Plan. The training ended with tabletop exercises where groups prepared, planned, and responded to small- and large-scale incidents.

These collaborations and ongoing trainings are critical pieces in preparing to respond to a mass violence/terrorism incident in support of mass violence/terrorism victims and the community. While we hope this type of incident never happens, we also need to be prepared for when it does.

## Restitution Recovery Project



***“...in the criminal justice system, the victim of crime is almost always neglected. By requiring the convicted person to make restitution and reparation to the victim, justice is served. In so doing, the criminal repays not only “society” but the persons injured in the criminal’s act. There is a dual benefit to this concept: the victim is repaid for his loss and the criminal may develop a degree of self-respect and pride in knowing that he or she righted the wrong committed.”***

Sen. Stand. Comm. Rep. No 789, in 1975 Senate Journal @1132, commentary on the Senate’s intent in passing HRS section 706-605(1)(e) which authorizes Courts to order restitution.

Section 706-605(1)(e), Hawai‘i Revised Statutes, was enacted in 1975 to provide the Courts with specific statutory authority to order defendants to make restitution payments to reimburse the economic losses suffered by the victims of their crime. Since the passage of this provision, a significant number of victims have not received the court-ordered restitution that they are entitled to. Victims have found it particularly difficult to recover court-ordered restitution from sentenced felony<sup>6</sup> inmates and parolees.

The Judiciary previously processed restitution payments for all offenders, including inmates and parolees. For a decade, the Judiciary made efforts to divest itself of the responsibility for processing restitution payments made by inmates and parolees. During this time period, the Judiciary and PSD had been at an administrative stalemate over who was responsible for processing restitution payments made by inmates and parolees.

The system to process court-ordered restitution payments was not working. In order to open a restitution account for an inmate or parolee, the Judiciary required the name and address of the victim before they would accept any restitution payments. This procedure created a significant barrier to the payment of restitution by inmates and parolees. In many cases it was difficult or impossible for PSD and HPA to secure the name and address of the victim. Victim service providers were understandably uncomfortable about giving the names and addresses of domestic abuse, sexual assault, and other crime victims to PSD and HPA. There were concerns that victim safety would be jeopardized if an inmate or parolee inadvertently saw the name and address of their victim in their case file.

Despite numerous meetings between the Judiciary, PSD, HPA, and victim service providers, and several false starts, efforts to resolve this issue ultimately failed until the Commission stepped forward. With the support of the PSD Director, HPA, and the Honolulu Victim Witness Kokua Program, the Commission initiated a pilot project to collect and disburse restitution paid by inmates and parolees.

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<sup>6</sup> Excludes inmates sentenced to incarceration as a condition of probation.



On January 1, 2003, the Commission initiated the pilot Restitution Project to collect and disburse restitution paid by inmates and parolees. The Commission has opened almost 11,300 restitution

***“Because of the collaborative efforts between the Crime Victim Compensation Commission and the Hawai‘i Paroling Authority, there are more timely payments of restitution to crime victims than there have been in the past.”***

*Tommy Johnson, Administrator, Hawai‘i Paroling Authority*

and compensation fee cases and collected over \$6,000,000.00 to disburse to crime victims from January 1, 2003 through June 30, 2022. Information identifying the whereabouts of crime victims is kept confidential so that the safety needs of victims are being met. The barriers that made it difficult for PSD and HPA

to open restitution accounts at the Judiciary have also been eliminated. PSD and HPA need only send restitution payments to the Commission and the Commission disburses the restitution to the victim.

A functional Restitution Project benefits all involved. It is now easy for Parole Officers to increase the accountability of offenders by having them repay the crime victim they injured. This Project also assists the County Victim Witness Programs in their efforts to restore the crime victims they serve. In cases where the Commission previously provided compensation awards to crime victims for medical, mental health, or funeral costs, the Commission receives direct reimbursement of those funds, allowing more crime victims to receive assistance.<sup>7</sup>

***“Restitution is the cornerstone of restorative justice. Saying we are committed to restorative justice means nothing unless we make a sincere and concerted effort to make sure victims get restitution - without that - restorative justice means nothing. If an offender is not serious about paying restitution, they are not serious about rehabilitating themselves.”***

*Dennis Dunn, Director, Victim Witness Kokua Program, Department of the Prosecuting Attorney, City and County of Honolulu*

## **Restitution Collection**

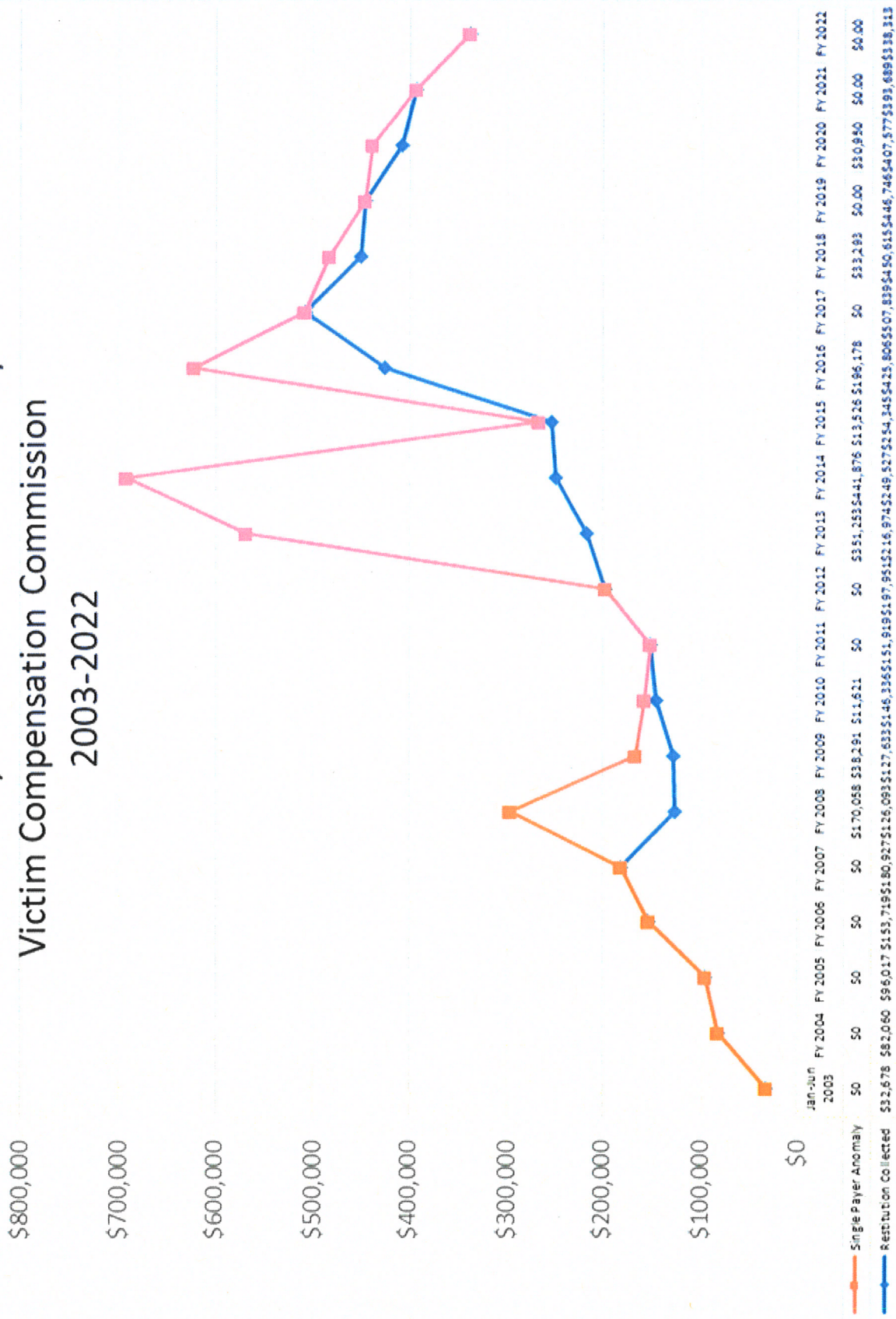
Restitution collection from inmates and parolees<sup>8</sup> has increased significantly over the life of the Project. In the first six months (January – June 2003) of the Restitution Project, the Commission collected slightly more than \$22,000.00 and in the past fiscal year (FY 2022), the Commission collected \$338,312.81. The Commission believes that the significant increase in restitution collections over the life of the Restitution Project reflect the gradual institutionalization of restitution assessment by judges and collection of restitution by the correctional facilities and HPA, however, more needs to be done to improve the reliability and efficiency of restitution collection.

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<sup>7</sup> Section 706-646(2), Hawai‘i Revised Statutes, provides, in part, that “the court shall order restitution to be paid to the crime victim compensation commission in the event that the victim has been given an award for compensation under chapter 351.”

<sup>8</sup> Restitution payments are from inmates and parolees and do not include payments from inmates incarcerated as a condition of probation.

# Restitution Collection by Inmates and Parolees by the Crime Victim Compensation Commission 2003-2022



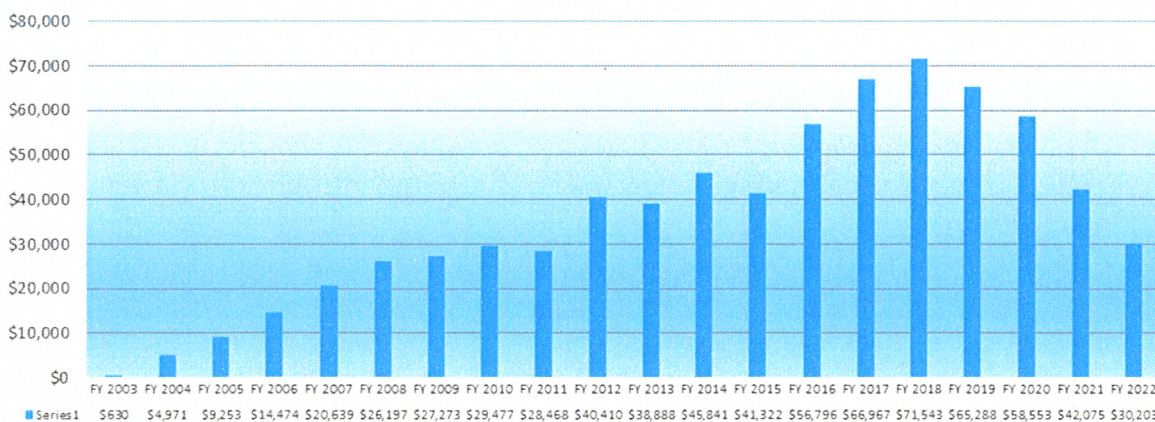
When the project began in FY 2003, the Commission paid out \$13,660.00 in 79 disbursements. In FY 2022, the Commission paid out \$269,280.37 in 2,727 distributions to victims. The amount of restitution disbursements in FY 2022 was almost 20 times higher than the amount paid in FY 2003 while the number of disbursements was more than 34 times higher in FY 2022 than in FY 2003.

The significant increase in the number and amount of disbursements reflect that the Commission’s Restitution Project is opening more cases and collecting more restitution and compensation fee payments from inmates and parolees. The thirty-fold increase in collection is also reflected in the additional workload of the Commission’s restitution staff. Should collections continue to increase, it will create a burden on Commission staff that may be alleviated only by increasing staff.

### Compensation Fee Collection

The Restitution Project also resulted in an increase in the collection of the Compensation Fee from inmates and parolees. In the first fiscal year of the Project (FY 2003), which was only six months (from January 2003-June 2003), the Commission collected \$630.45; in FY 2022, the Commission collected \$30,202.93 in Compensation Fees.

**Compensation Fee Collections from Inmates and Parolees through the Crime Victim Compensation Commission Restitution Project/JRI Project by Fiscal Years 2003 - 2022**



Note: The chart used in previous years’ Annual Reports reflected the amounts collected and transferred to the Commission’s special fund during the respective fiscal year; the current chart reflects the total amount collected during the fiscal year.

While HPA has authority to collect Compensation Fees from a parolee, the correctional facilities do not presently have statutory authority to garnish inmate wages to pay court-ordered Compensation Fees, however, inmates can and do voluntarily pay their Compensation Fees to

the Commission. Even though the Commission's data shows that inmates can and do pay their court-ordered Compensation Fee, many judges continue to waive the Compensation Fee for inmates believing that they do not have the ability to pay.

## Justice Reinvestment Initiative

In 2011, Governor Abercrombie appointed the Commission 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 in partnership with the Pew Center on the States and the DOJ Bureau of Justice Assistance (BJA), to develop a policy framework to address identified areas of concern within Hawai'i's criminal justice system. Hawai'i became the first state to reinvest substantial money into victim services. Part of the Commission's role as a member of the JRI Working Group was to 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 Hawai'i State Legislature passed the Justice Reinvestment Act (Act 139), commonly referred to as the JRI Act, during the 2012 legislative session. Hawai'i's JRI Act included the first investment in comprehensive victim services as a part of JRI in the nation. The JRI investment in victim services made victims' needs and offender accountability key parts of the JRI Act. The primary goals of the JRI victim services component are (1) to ensure victim and community safety; (2) to establish a permanent, self-funded statewide victim notification program (SAVIN); and (3) to ensure victim restitution is ordered and enforced in all eligible cases. The JRI victim services component has since become a national model. The Commission's Executive Director's efforts to ensure the passage of the JRI investment in victim services was recognized when she received the DOJ Office for Victims of Crime, Crime Victim Financial Restoration Award in April 2013 from United States Attorney General Eric Holder.

To meet victim needs and increase offender accountability, the JRI Act increased the amount of restitution to be paid by inmates and created 22 victim service positions. Prior to the JRI Act, Section 353-22.5, Hawai'i Revised Statutes, required the director of public safety to deduct 10% of inmate wages to satisfy restitution orders. The JRI Act increased the amount to be deducted from inmate accounts to 25% of all earnings, deposits and credits and increasing the frequency of the disbursements to crime victims. To assist victims with collection of restitution and coordination of safety planning and notification, fifteen positions for county-based victim advocates were created; two positions were created to be part of the corrections-based victim service program within PSD; and five positions were created within the Commission to establish a data driven restitution accountability program that monitors restitution collections and disbursements, and identifies problems and issues with restitution collection. The JRI Act also appropriated funding for the Commission to create a comprehensive computer database to track restitution orders, collections and payments to victims. An additional \$100,000.00 grant from the DOJ, BJA was secured by the Commission for the database.

To assist in the implementation of the Restitution and Victim Service components of the JRI Act, the Commission was selected as the lead co-chair of the two JRI Implementation Working Group subcommittees – the JRI Restitution Workgroup and the JRI Victim Services Workgroup. The

JRI Restitution Workgroup and the JRI Victim Services Workgroup are comprised of representatives from the Judiciary, Victim Witness Programs of the county prosecutor's offices, PSD, the Hawai'i Paroling Authority, and the Department of the Attorney General. The JRI Victim Services Workgroup also includes representatives of the victim services community.

JRI Restitution Workgroup:

The JRI Restitution Workgroup established the following goals:

- 1) Facilitate the implementation of victim restitution collection pursuant to Section 353-22.6, Hawai'i Revised Statutes, which was amended by Act 139 on July 1, 2012, to increase the amount of restitution payable by inmates from 10% of inmates wages to 25% of all funds deposited into an inmate's account;
- 2) Address issues that impact the timely and accurate collection of restitution by improving interagency collaboration and establishing policies and procedures to ensure consistent restitution collection; and
- 3) Develop a statewide restitution database within the Commission to provide policy makers with comprehensive data about court-ordered restitution.

The JRI Restitution Workgroup was tasked with monitoring the effective implementation of Section 353-22.6, Hawai'i Revised Statutes, as amended by the JRI Act. The JRI Act increased the amount of restitution payable by inmates from 10% of inmates wages to 25% of all funds deposited into an inmate's account. The JRI Restitution Workgroup, in conjunction with PSD, identified the issues affecting the implementation of the 25% deduction of inmate earnings, deposits, and credits, and worked together to find solutions to the issues.

The workgroup identified the following issues affecting the implementation of the 25% deduction of inmate earnings, deposits, and credits:

- The 25% deduction of inmate earnings, deposits, and credits has not been consistently implemented in all of the correctional facilities.
- PSD does not consistently identify all restitution cases.
- PSD does not receive all of the necessary court documents.
- After the statute was amended to require the 25% restitution deduction, some judges continued to order inmates to pay no restitution at all or at a rate less than 25%, despite the legislature's intent to increase the restitution collection to 25%. This issue was prospectively resolved in 2016 by Act 231 which mandates that inmates pay 25% of their earnings, deposits and credits when they are incarcerated, regardless of any court order requiring a lesser payment.
- There was no restitution policy for the payment of restitution by inmates on furlough status. The Commission requested an Attorney General's opinion on this issue. Based on the Attorney General's opinion and with the leadership of PSD's Director, PSD adopted a policy that 25% of an inmate's furlough income be collected to satisfy the inmate's restitution obligation. A total of

\$665,986.63 was collected from inmates on furlough beginning in FY 2016 through FY 2022.

- A software modification that now allows PSD to specify a restitution deduction rate for each individual inmate resolved an issue with PSD's Inmate Trust Accounting System that could not accommodate the varying restitution deduction amounts.

The JRI Restitution Workgroup continues to work collaboratively with PSD and the Judiciary to remove obstacles to timely, consistent and accurate collection of restitution. The workgroup monitors progress, helps to identify the agencies that need to be included in the discussions, and assists in bringing the necessary parties together in a collaborative atmosphere. The Workgroup continues to work on potential solutions to problems such as ensuring that PSD receive the necessary court documents and developing standardized language for restitution orders.

The JRI Restitution Workgroup oversaw the creation of the Commission's web-based Compensation and Restitution Management System (CRMS) that improves the efficiency of processing restitution payments and enables access by remote users within PSD and the Paroling Authority. In February 2016, the Commission deployed CRMS for use by Commission staff and remote users throughout PSD and the Paroling Authority. The system features custom case management tools, streamlined payment processing, and expanded data collection and enhanced reporting capabilities which enable data-driven analysis of the effectiveness of restitution collection from inmates and parolees in Hawai'i.

An interagency partnership with the Hawai'i Criminal Justice Data Center has also allowed the development of a case-level data-sharing interface between the Criminal Justice Data Center's Criminal Justice Information System (CJIS) and CRMS. Information about the amount of restitution ordered statewide is downloaded quarterly from CJIS to CRMS where it is linked to case-level data about the amount of restitution paid by offenders.

Completion of the Commission's restitution database provided an opportunity for analysis of an unprecedented, statewide restitution dataset that helps to inform the public, policy makers and policy implementers about the state of restitution management in the State of Hawai'i. In March 2017, the Commission contracted with the CSG Justice Center to conduct an in-depth data analysis about statewide restitution orders and about the collection of restitution from inmates and parolees throughout Hawai'i. CSG, in conjunction with the Office of the Lieutenant Governor, presented their findings for policy makers and practitioners from PSD, the Paroling Authority, the Judiciary, and the Hawai'i State Legislature. The final report and presentation were released in February 2018.

In April 2019, the Commission again contracted with the CSG to perform an updated data analysis about statewide restitution orders and collections from inmates and parolees. As part of the contract, CSG prepared presentation materials and a publication regarding their findings to be shared with local stakeholders and other interested parties nationally. Finally, CSG assisted the Commission with establishing automated data dashboard reports to enable more efficient sharing of restitution data with the Commission's partners. The final presentation materials, publication, and updated data were released in December 2021.

To address some of the issues of the JRI Restitution Workgroup (as stated on page 18), the Commission was instrumental in securing a federal VOCA grant, through the Hawai'i Department of the Attorney General, to centralize PSD's restitution operations for timely collection and disbursement of court-ordered inmate restitution owed to victims and payees. The VOCA grant provides funding for PSD staff to coordinate/manage restitution collection and assist victims and the public with information and referrals regarding victim rights, restitution, compensation, the criminal justice process, and resources in the community. The Commission provides on-going technical assistance and administrative support. to the VOCA-funded staff under a Memorandum of Agreement (MOA) that outlines the roles and responsibilities of the Commission and PSD. The Commission facilitates monthly meetings with VOCA-funded PSD staff to discuss the status of the project's goals and objectives and to address any issues impacting the collection of statutorily mandated restitution.

In November 2017, the Commission was awarded a Victims of Crime Act-Statistical Analysis Center (VOCA-SAC) Partnership Grant from the Department of Justice, Center for Victim Research. The goals of the VOCA-SAC Partnership Grant are two-fold: (1) to foster collaboration between victim service practitioners and researchers; and (2) to increase the availability and utility of research evidence about victim service policies, programs and practices. The Commission partnered with Chaminade University of Honolulu's (CUH) Criminology and Criminal Justice Program to collect data about restitution orders and collections from a sample of cases where the Commission awarded compensation to crime victims and requested restitution from offenders in return. The data was analyzed to identify potential gaps in the criminal justice system where restitution is not being enforced as required by law and in accordance with victims' statutory rights. Through this data, the Commission identified a significant gap between when the offender was ordered to pay restitution and when the offender made their first restitution payment. As part of the federal VOCA grant, the Commission is working to address this issue.

#### JRI Victim Services Workgroup:

As co-chair of the JRI Victim Services Workgroup, the Commission worked with the other members of the workgroup to address and accomplish the following three goals:

Goal 1: Establish A Correction Based Victim Services Program Within The Department Of Public Safety To Coordinate With County Victim Services Programs Regarding Victim And Community Safety Planning And To Develop A Victim Impact Panel That Promotes Offender Accountability.

In July 2012, JRI authorized the creation of a Correction Based Victim Services Program (CBVS Program) within PSD and created staff positions for a CBVS Program. At that time, Hawai'i was the only state without a corrections-based victim service program. Hawai'i's CBVS Program is envisioned to include the SAVIN Program to coordinate with community victim service providers to ensure that victims receive timely notification of offender custody status as required by HRS §801D-4, and have appropriate safety planning, educate offenders about the



impact of the crime on victims through victim impact panels, and ensure that victims are protected from harassment by incarcerated offenders.

To facilitate the creation of a CBVS Program, the Commission drafted a letter for the PSD Director's signature to the National Institute of Corrections (NIC) requesting technical assistance in developing a strategic plan for the creation of a CBVS Program. The Commission coordinated the Strategic Planning Meeting bringing together the NIC facilitator with crime victims, victim witness coordinators from the four counties, statewide victim service providers, members of the criminal justice community, and personnel from PSD. The strategic plan's goals include:

- Improve the post-conviction victim notification services (SAVIN).
- Implement an impact of crime program for offenders within PSD.
- Assure inmate accountability in fulfilling restitution obligations to crime victims.

In April 2016, focus groups were conducted on Maui, Oahu, Hawai'i, and Kauai to gain input on how the post-conviction needs of crime victims could be better met. Their input helped shape how a CBVS Program will achieve the strategic plan's goals.

In the Spring of 2016, as part of a pilot project and in partnership with PSD and the Hawai'i County Office of the Prosecuting Attorney, Victim Impact Classes (VIC) were held. VICs created a safe environment for several crime victims to share with inmates how they were impacted by the crimes committed against them. Sharing their experiences provided a healing opportunity for the crime victims. And for many inmates, this was the first time that they confronted how their crimes adversely affected their victims. Feeling empathy for others assists inmates in their rehabilitation and helps to prevent the commission of future crimes.

***“It was hard to go back and think about, talk about, kinda relive that experience but it also reminded me that I am strong and a survivor.”***

Crime Victim Speaker

***“It was not only the best class that I ever took while in prison, but the only class that made me see the other side of the people we hurt.”***

Inmate Participant

In early 2017, PSD and the JRI Victim Services Workgroup discussed the need for a domestic violence intervention (DVI) program for domestic violence offenders in prison or under community supervision (furlough) and received training from a consultant who had established DVI and victim services for the Minnesota Department of Corrections. In 2018, PSD piloted the project at Kulani

Correctional Facility (KCF) on the Big Island. The project used the Emerge Model, a nationally recognized program that incorporates abuser education groups, individual counseling, and victim services. Services to the victims and families of the inmates participating in the DVI were coordinated between PSD, a non-profit provider (Child and Family Services), and the Hawai'i County Office of the Prosecuting Attorney Victim Assistance Program.

Goal 2: Create A Self-Funded, Sustainable, Victim-Centered SAVIN Program Which Provides Victim Notification Of Changes In Offender Custody Status And Parole Hearing Notices, And Convene The SAVIN Governance Committee Which Is Tasked With Ensuring That The SAVIN Program Implementation Is Victim Centered.

HRS § 801D-4, provides crime victims and witnesses with the right, upon request, to be notified by PSD of changes in the custody status of the offender. Prior to 2008, PSD provided manual notification through the county victim assistance programs in the county Prosecutors' Offices. This manual notification system was not uniformly applied in each of the counties, was only available during regular business hours, and resulted, in some cases, with untimely notification made to victims and witnesses. In order to address these concerns, PSD applied for and, in 2008, received federal grant funds to establish SAVIN. The federally-funded SAVIN Program was temporary until JRI legislation created the permanent SAVIN program and established the SAVIN Governance Committee.

SAVIN is an essential element of JRI. The ability of crime victims to have input in decision making about the appropriateness of an offender's release, and the impact of the offender's release on the victim's safety, as well as on the safety of the community at large, is dependent on timely notification of custody status. Since its establishment, SAVIN has provided thousands of crime victims, witnesses, survivors, victim service providers, law enforcement agencies, and concerned members of the public with automatic, timely notification in advance of changes in an offender's custody status.

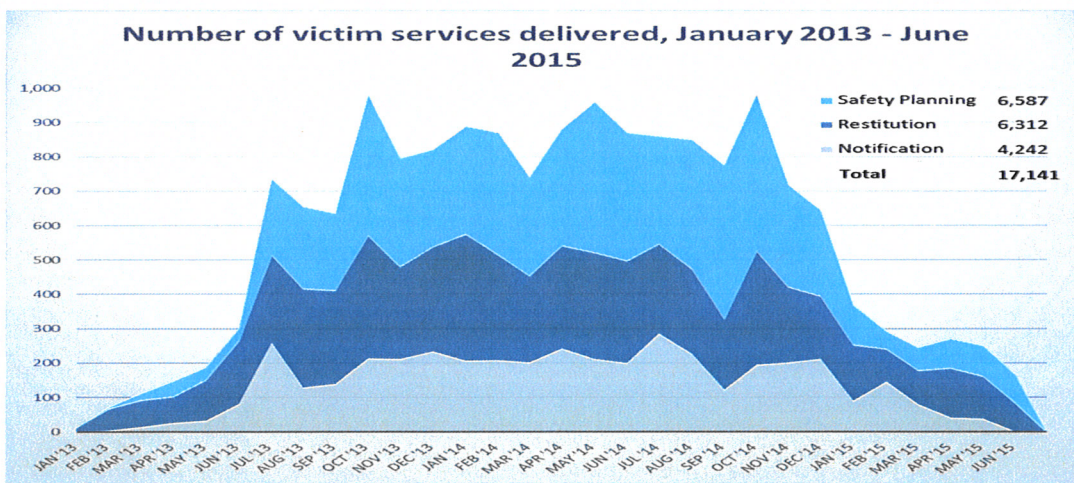
In conformity with the DOJ BJA standards, JRI legislation created the SAVIN Governance Committee whose mission is to ensure that SAVIN is victim centered. The Commission chairs the SAVIN Governance Committee. The Committee is comprised of county victim service providers and advocates, crime victims, technology experts, members of the criminal justice community, and the Commission's Executive Director. The SAVIN Governance Committee's purpose is to ensure that the implementation of the SAVIN Program is based on victim-focused principles of victim/survivor safety, confidentiality, and autonomy while maintaining the balance between agency-level decision-making and broad-based input from the participants and users of the SAVIN program which includes victims and survivors.

Goal 3: Establish JRI Victim Service Positions Within The County Prosecutor's Offices To Ensure Information Sharing Within The Victim Services Programs

And To Assist Victims With Safety Planning, Restitution, And Offender Custody Status Notification

JRI funded fifteen victim service positions within the four counties' Victim Witness Assistance Programs. These positions were established to assist and inform victims about safety planning, restitution recovery, and offender custody status notification. All fifteen victim services positions were filled; however, these positions were only funded until July 30, 2014.

To measure the impact of the fifteen victim service positions, the Victim Services Workgroup created a uniform, standardized dashboard data collection tool for use by the county Victim Witness Assistance Programs to collect information on the implementation of JRI from the counties.



The chart above shows the impact that the fifteen positions has had on victim services.

During the 2014 legislative session only \$200,000.00 of the \$794,595.00 necessary to fully fund the fifteen positions was appropriated and no funds were appropriated by the legislature during its 2015 session. Because of the importance of these positions serving crime victims and survivors, and the necessary essential element of service to the victim service component of the justice reinvestment initiative, the Department of the Attorney General pledged VOCA grant funds from the DOJ Office for Victims of Crime. These positions are continuously funded with VOCA grant funds.

The VOCA Restitution Collection Project is a result of many years of partnership and collaboration between PSD and the Commission. The VOCA grant, with the prospect of continued funding for positions at PSD, complements the four county victim assistance programs while improving restitution collection to comply with statutory obligations.

The collaborative efforts of the JRI Restitution and the JRI Victim Services Workgroups together with the leadership and commitment of the Director of PSD have led to a significant increase in restitution collections and increased services for Hawai'i's crime victims.

## CVCC-HPA Crime Victim Advocacy Project

Hawai‘i was the only state without a corrections-based victim services program. In 2019, a national post-conviction victim advocate and program development consultant was brought in to work in consultation with Hawai‘i’s victim services community to identify gaps in existing services and opportunities to establish a program within PSD. The strategic plan identified the fragmentation of victim services in Hawai‘i as a significant barrier to providing quality services to victims.



The National Association of Victim Assistance in Correction’s (NAVAC) 2021 *National Survey of Post-Conviction Victim Services* found that post-conviction victim/survivor services were often hard to access due to insitutional barriers, including a lack of prioritization of victim concerns within corrections and parole, fragmentation of services, a lack of awareness of the rights of victims/survivors, a lack of access to safety planning and other direct services that left the safety and other needs of victims largely unaddressed.

To address this issue, the Commission collaborated with HPA to submit a VOCA Assistance Grant proposal to establish a corrections-based program to provide direct victim services during the parole process. The Commission was awarded a 2-year VOCA Victim Assistance Grant from OVC. The goals of the **CVCC-HPA Crime Victim Advocacy Project** were to ensure victim needs, community safety, and offender accountability are in the forefront of corrections-based practices in Hawai‘i from the time an offender is incarcerated, through parole, and upon release into our community. The Project supported victims of crime by providing the following services: assistance/follow up to restitution/compensation application, safety planning, education on victims' rights and/or information on community referrals.

The Project also promoted advocacy for victims’ rights through the following corrections-based projects:

### **Training**

Trainings regarding the Project and crime victims’ concerns during the parole process were provided to local and state-wide victim service agencies during the entirety of the project. From March 2022 - May 2022, the Commission hosted a five-part training series presented by a national post-conviction consultant, *Crime Victim Support: From Sentencing to Sentence Expiration*, about the immediate and long-term needs and concerns of crime victims once an offender is sentenced to when they are eligible for release.

### **National Crime Victim Rights’ Week**

The Commission co-led the National Crime Victims’ Rights Week Coalition in planning and hosting events to commemorate National Crime Victims’ Rights Week in April 2022. Events included an in-person proclamation ceremony and victim resource fair and an online candlelight vigil to honor victims and survivors. Information about victim service resources and other events were provided throughout the week via a website created specifically for the event.

**Podcast**

The Commission produced and hosted the *Hear Me! (My Voice, My Story)* podcast, a post-conviction podcast created to bring awareness to the experiences of victims/survivors, community members and justice professionals.

**Website**

Pavhawaii.com is a website being created to increase awareness of resources by providing the victim service community a comprehensive map of victims' rights and available services for victims of crime throughout the criminal justice system.

**Conference Presentations**

The Commission presented *PavHawaii.com: An Innovative Solution to Post-Conviction Advocacy*, a presentation on the development of the website at the NAVAC Conference in September 2022 and the National Training Institute (NTI) hosted by the National Center for Victims of Crime (NCVC), in October 2022.

**Project Funding**

The Commission submitted a proposal for an OVC VOCA grant to continue the *CVCC-HPA Crime Victim Advocacy Project*, but unfortunately continued funding was not awarded. Although the project has ended, the Commission continues to collaborate with PSD and HPA and advocate for corrections-based victim service programming and victims' rights.

## Assessment and Collection of the Mandatory Crime Victim Compensation Fee

In FY 2022, the Legislature saved the Commission from closing by providing general funds for the Commission's staff positions. Prior to that the Commission was primarily funded through the assessment of a Crime Victim Compensation Fee.<sup>9</sup> While the Legislature provided general funds for the Commission's staff positions, they retained the Compensation Fee to fund direct payments to cover the crime-related expenses of violent-crime victims. The Commission is concerned, based on the Judiciary's history of Compensation Fee collections and recent collection patterns, that Compensation Fee collections will be insufficient to cover direct payments for violent-crime victims.

The Legislature established the mandatory Crime Victim Compensation Fee in 1998 to provide a funding base for the Commission to begin the process of becoming fiscally self-sufficient. The mandatory Compensation Fee must be assessed by judges against every offender who is convicted of, or who enters a deferred plea (DAG/DANC) to, a petty misdemeanor, misdemeanor, or felony, and is able to pay the fee.<sup>10</sup> The Judiciary is responsible for collecting the Compensation Fee.

Since the implementation of the Compensation Fee in 1998, the Commission encountered significant barriers to collecting the Compensation Fee. For fiscal years 1999, 2001, and 2002 combined, the Judiciary fell nearly one million dollars short of its own estimates for Compensation Fee collections. After 2002, the Judiciary simply ceased providing estimates for Compensation Fee collections. At that time, courtroom surveys revealed that judges were not ordering the Compensation Fee in all eligible cases. For example, judges were (1) waiving the Compensation Fee but assessing fines with lower priority; (2) not assessing the Compensation Fee for each eligible offense committed by the same defendant; or (3) unaware of the Compensation Fee altogether.

When attempts to collaborate with the Judiciary failed in 2005, the Legislature acted by increasing the Crime Victim Compensation Fee by five dollars (\$5.00) in all crime categories. The Judiciary's collection of the Compensation Fee again fell short of anticipated collection increases. Concerned that insufficient funds were being collected, the Legislature passed a resolution in 2007 requiring the Judiciary to report its progress in ordering and collecting the Compensation Fee. According to the Judiciary's response, the Compensation Fee was ordered in 79%, and waived in 21%, of eligible cases.

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<sup>9</sup> HRS 351-62.6 Compensation Fee. (a) The court shall impose a compensation fee upon every defendant who has been convicted or who has entered a plea under section 853-1 and who is or will be able to pay the compensation fee. The amount of the compensation fee shall be commensurate with the seriousness of the offense as follows: (1) Not less than \$105 nor more than \$505 for a felony; (2) \$55 for a misdemeanor; and (3) \$30 for a petty misdemeanor.

<sup>10</sup> Section 351-62.6, Hawai'i Revised Statutes, provides that the court shall assess a Compensation Fee against every convicted offender, or offender who enters a deferred plea, and who is or will be able to pay the Fee. Fees are assessed as follows:

1. a \$30 fee for a petty misdemeanor;
2. a \$55 fee for a misdemeanor; and
3. a \$105 to \$505 fee for a felony.

As a result of the Legislature holding the Judiciary accountable, collections from the Compensation Fee increased in FY 2008 and FY 2009. However, collections dropped off in FY 2010, FY 2011 and FY 2012. In FY 2013, collections dropped to a ten-year low of \$788,139.00. In FY 2014, collections increased slightly to \$811,806.41; since then, collections have continued to drop.

In FY 2020, the Judiciary collected \$509,822.67 in Compensation Fees - the lowest collection since FY 2001. In FY 2021, Compensation Fee collections rose slightly to \$533,611.91. In FY 2022, Compensation Fee collections dropped to \$400,396.52, the second lowest it has been since the creation of the Fee.

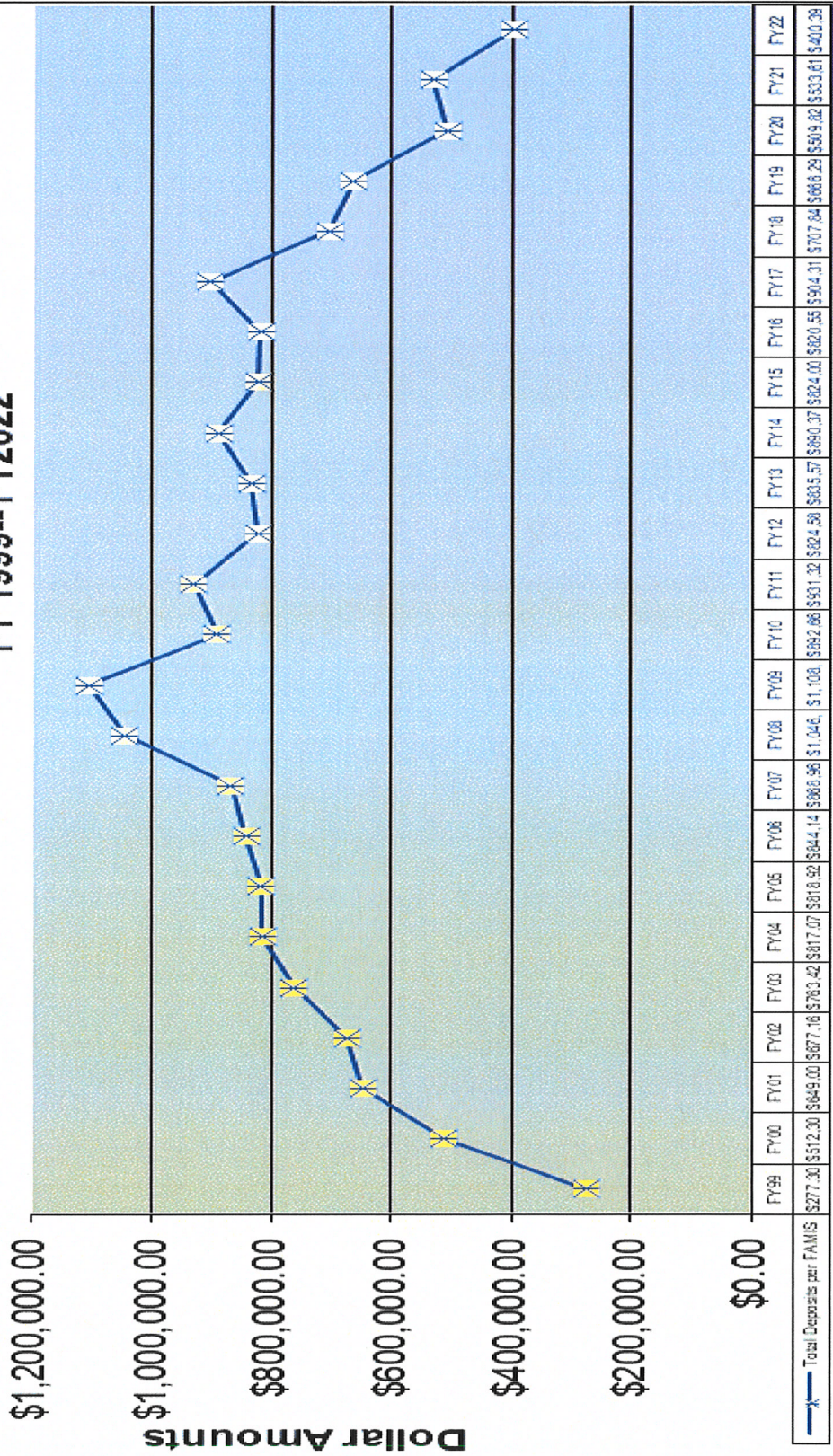
Due to concerns about the unanticipated decline in Compensation Fee collections, in 2022 the Commission conducted a brief survey of misdemeanor cases from the District Family Court of the First and Fifth Circuits. The survey found that in the District Family Court of the First Circuit (Honolulu), the Compensation Fee was ordered in only 24% of the cases. In the District Family Court of the Fifth Circuit (Kauai), the Compensation Fee was ordered in 100% of the cases.

The disparity in Compensation Fee orders between the First and Fifth District Family Court cases - 100% vs. 24% - highlights the disparate collection practices across the jurisdictions and suggests that the Judiciary applies no uniform standards in ordering the Compensation Fee.

The Commission is acutely aware that its ability to assist crime victims depends on judges ordering the Compensation Fee, and the Judiciary successfully collecting the Compensation Fee from offenders in all eligible cases. For this reason, the Commission remains committed to its efforts to ensure that the Compensation Fee is assessed by judges and collected by the Judiciary in all eligible cases. The Commission will continue to closely monitor whether judges are ordering the Compensation Fee in all eligible cases. The collection of the Compensation Fee by the Judiciary directly impacts the Commission's ability to fund compensation for violent crime victims.



## Compensation Fee Collection by the Judiciary FY 1999-- FY2022





## Conclusion

The Commission continues to pursue strategies to further improve services to crime victims and to mitigate the costly and emotionally devastating impact of violent crime on citizens and visitors through continued collaborative efforts.

**STATE OF HAWAII  
DEPARTMENT OF PUBLIC SAFETY  
CRIME VICTIM COMPENSATION COMMISSION**

**ANNUAL REPORT**

**July 1, 2021 to June 30, 2022**

	Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
Hawaii - Hilo	19-0403	Female	23	Hispanic	AA - Assault, Adult	Award	\$50.00
	19-0440	Female	49	Other	AA - Assault, Adult	Award	\$100.00
	19-0441	Male	30	Other	AA - Assault, Adult	Award	\$100.00
	19-0442	Male	36	Other	AA - Assault, Adult	Award	\$150.00
	19-0718	Female	48	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$300.00
	20-0011	Female	45	Multiracial	AA - Assault, Adult	Award	\$200.00
	20-0178	Male	23	Hawaiian	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
	20-0229	Female	49	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$100.00
	20-0235	Female	39	Other	AA - Assault, Adult	Award	\$25.00
	20-0237	Female	14	White/Caucasian (not Portugese)	SACF - Sexual Assault, Child by Family	Award	\$200.00
	20-0241	Male	33	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
	20-0266	Male	52	Multiracial	AA - Assault, Adult	Award	CS - Collateral Source \$247.90
	20-0286	Female	12	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
	20-0287	Female	14	Hawaiian	SAC - Sexual Assault, Child	Award	\$175.00
	20-0299	Female	26	Hawaiian	AA - Assault, Adult	Award	\$100.00
	20-0355	Male	53	Hawaiian	AA - Assault, Adult	Award	\$25.00
	20-0392	Female	26	Filipino	AAF - Assault, Adult by Family Member	Denial	NCC - Not a Covered Case \$0.00
	20-0419	Male	50	Multiracial	AA - Assault, Adult	Award	\$100.00
	20-0430	Female	23	Unknown	KID - Kidnapping AA - Assault, Adult	Award	\$200.00
	20-0431	Female	22	Unknown	AAF - Assault, Adult by Family Member	Award	\$100.00
20-0432	Female	22	Unknown	AAF - Assault, Adult by Family Member	Award	\$100.00	
20-0449	Female	11	Other	ACF - Assault, Child by Family Member	Award	\$175.00	
20-0450	Female	44	Other	AAF - Assault, Adult by Family Member	Award	\$125.00	

**STATE OF HAWAII  
DEPARTMENT OF PUBLIC SAFETY  
CRIME VICTIM COMPENSATION COMMISSION**

**ANNUAL REPORT**

**July 1, 2021 to June 30, 2022**

Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
20-0461	Female	28	Filipino	AA - Assault, Adult	Award	\$125.00
20-0489	Male	54	Black/African American	AAF - Assault, Adult by Family Member	Denial	CS - Collateral Source \$0.00
20-0512	Female	10	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$100.00
20-0513	Female	6	Hawaiian	ACF - Assault, Child by Family Member	Denial	NCC - Not a Covered Case \$0.00
20-0514	Female	7	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$100.00
20-0523	Female	17	Filipino	AC - Assault, Child	Award	\$50.00
20-0526	Female	28	Multiracial	AAF - Assault, Adult by Family Member	Award	\$100.00
20-0528	Female	8	Filipino	SACF - Sexual Assault, Child by Family	Award	\$100.00
21-0012	Male	23	Multiracial	AA - Assault, Adult	Award	\$148.53
21-0032	Female	26	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00
21-0033	Female	34	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$87.09
21-0034	Female	32	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0043	Male	36	Hawaiian	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
21-0085	Female	4	White/Caucasian (not Portugese)	SACF - Sexual Assault, Child by Family	Award	\$100.00
21-0087	Female	49	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00
21-0091	Female	46	Hawaiian	AA - Assault, Adult	Denial	NCC - Not a Covered Case \$0.00
21-0093	Male	59	White/Caucasian (not Portugese)	TT - Terroristic Threatening AA - Assault, Adult	Award	\$50.00
21-0130	Female	39	Hispanic	AA - Assault, Adult	Award	\$25.00
21-0136	Female	48	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0150	Female	42	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0156	Female	57	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$827.35
21-0158	Female	37	Hawaiian	SAC - Sexual Assault, Child	Denial	NPR - No Police Report \$0.00
21-0163	Female	27	Multiracial	AAF - Assault, Adult by Family	Award	\$50.00

**STATE OF HAWAII  
DEPARTMENT OF PUBLIC SAFETY  
CRIME VICTIM COMPENSATION COMMISSION**

**ANNUAL REPORT**

**July 1, 2021 to June 30, 2022**

Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award	
			Member				
21-0164	Female	28	Multiracial	TT - Terroristic Threatening	Denial	NCC - Not a Covered Case	\$0.00
21-0165	Female	57	Hawaiian	SAA - Sexual Assault, Adult	Denial	CS - Collateral Source	\$0.00
21-0171	Female	28	Unknown	ATM - Attempted Murder	Denial	CS - Collateral Source	\$0.00
21-0180	Female	41	White/Caucasian (not Portugese)	AA - Assault, Adult	Denial	CS - Collateral Source	\$0.00
21-0214	Female	23	Other	SAA - Sexual Assault, Adult	Award		\$150.00
21-0232	Male	67	Multiracial	AA - Assault, Adult	Denial	CS - Collateral Source	\$0.00
21-0234	Female	36	Filipino	AAF - Assault, Adult by Family Member	Award		\$100.00
21-0240	Female	31	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award		\$100.00
21-0252	Female	42	Multiracial	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0253	Female	31	Filipino	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0254	Male	5	Hawaiian	ACF - Assault, Child by Family Member	Award		\$100.00
21-0255	Female	4	Other	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0263	Male	32	Hawaiian	AA - Assault, Adult	Award		\$25.00
21-0264	Male	67	Japanese	AA - Assault, Adult	Award		\$50.00
21-0265	Male	64	Portugese	NI2 - Negligent Injury II	Denial	CS - Collateral Source	\$0.00
21-0271	Female	32	Black/African American	SAA - Sexual Assault, Adult	Award		\$25.00
21-0272	Female	34	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0275	Female	75	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$175.00
21-0284	Female	21	Hispanic	AA - Assault, Adult	Denial	NCC - Not a Covered Case	\$0.00
21-0286	Female	28	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$663.31
21-0287	Male	51	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$662.06
21-0307	Female	38	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0309	Female	18	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$316.50

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
21-0310	Female	44	Unknown	AAF - Assault, Adult by Family Member	Award	\$125.00
21-0314	Female	6	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$200.00
21-0326	Female	14	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
21-0327	Female	17	White/Caucasian (not Portugese)	SAC - Sexual Assault, Child	Award	\$125.00
21-0341	Male	38	Hawaiian	AA - Assault, Adult	Award	\$100.00
21-0348	Female	47	Japanese	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
21-0359	Female	64	Unknown	SAA - Sexual Assault, Adult	Award	\$175.00
21-0366	Female	32	Hawaiian	AA - Assault, Adult	Award	\$200.00
21-0367	Female	29	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0385	Female	57	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$100.00
21-0388	Female	53	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0392	Male	46	Filipino	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
21-0393	Female	31	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$50.00
21-0394	Male	16	White/Caucasian (not Portugese)	AC - Assault, Child	Award	\$50.00
21-0401	Male	26	Hawaiian	AA - Assault, Adult	Award	\$25.00
21-0402	Male	54	Filipino	AA - Assault, Adult	Award	\$150.00
21-0412	Female	23	Other	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0415	Female	34	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0416	Male	67	Black/African American	AA - Assault, Adult	Award	\$50.00
21-0422	Female	69	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$200.00
21-0431	Female	19	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$125.00
21-0432	Male	25	Multiracial	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0001	Female	52	Puerto Rican/Latino	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0002	Female	53	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
				Member		
22-0005	Male	15	White/Caucasian (not Portugese)	NI2 - Negligent Injury II	Denial	CS - Collateral Source \$0.00
22-0010	Male	31	Puerto Rican/Latino	AAF - Assault, Adult by Family Member	Denial	CS - Collateral Source \$0.00
22-0011	Male	43	Hawaiian	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
22-0012	Female	32	Black/African American	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0013	Male	54	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$100.00
22-0014	Male	54	White/Caucasian (not Portugese)	TT - Terroristic Threatening	Denial	NCC - Not a Covered Case \$0.00
22-0015	Female	25	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0016	Female	25	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0024	Male	40	Filipino	AA - Assault, Adult	Denial	IC - Improper Claim \$0.00
22-0025	Female	46	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0031	Female	64	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0034	Female	29	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0040	Male	61	Multiracial	AA - Assault, Adult	Award	\$50.00
22-0041	Male	20	Multiracial	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
22-0051	Female	42	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0063	Female	17	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$150.00
22-0074	Female	43	Multiracial	AA - Assault, Adult	Award	\$3,757.37
22-0075	Male	46	Other	AA - Assault, Adult	Award	\$100.00
22-0079	Female	36	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00
22-0080	Female	38	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case. \$0.00
22-0081	Female	34	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
22-0082	Female	29	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$100.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
22-0083	Female	29	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0090	Female	41	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0098	Female	19	Hawaiian	AA - Assault, Adult	Award	\$50.00
22-0104	Female	28	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0108	Female	85	Portugese	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00
22-0113	Male	38	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00
22-0126	Female	34	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Denial	IEC - Insufficient Evidence of a Crime \$0.00
22-0128	Female	29	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0136	Female	20	Multiracial	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0137	Female	60	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$125.00
22-0158	Female	37	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$150.00
22-0162	Female	32	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0165	Female	47	Multiracial	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0173	Female	50	Hawaiian	NH1 - Negligent Homicide I, DUI	Denial	CS - Collateral Source \$0.00
22-0176	Male	25	Hawaiian	AA - Assault, Adult	Award	\$25.00
Hawaii - Kona 19-0460	Male	35	Multiracial	AA - Assault, Adult	Denial	NPR - No Police Report \$0.00
20-0057	Female	16	Multiracial	SAC - Sexual Assault, Child	Award	\$150.00
20-0320	Female	35	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0045	Male	24	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00
21-0069	Female	52	White/Caucasian (not Portugese)	NCC - Not a Covered Crime	Denial	AWA - Applicant Withdrew Application \$0.00
21-0204	Male	52	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0230	Male	64	Filipino	AA - Assault, Adult	Award	\$968.39
21-0296	Male	68	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Denial	CS - Collateral Source \$0.00



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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award	
21-0313	Male	51	Hispanic	AA - Assault, Adult	Award	\$25.00	
21-0395	Female	38	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00	
21-0396	Female	38	Multiracial	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00	
22-0032	Female	61	Multiracial	AAF - Assault, Adult by Family Member	Award	\$150.00	
22-0033	Female	26	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$100.00	
22-0049	Female	27	Hispanic	AA - Assault, Adult	Award	\$100.00	
22-0100	Female	28	Multiracial	AAF - Assault, Adult by Family Member	Denial	CS - Collateral Source \$0.00	
22-0121	Female	61	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00	
22-0150	Female	49	Other	AAF - Assault, Adult by Family Member	Award	\$75.00	
Honolulu - Oahu	18-0178	Female	3	Black/African American	SACF - Sexual Assault, Child by Family	Award	\$1,264.00
	18-0236	Male	14	Black/African American	SAC - Sexual Assault, Child	Award	\$932.38
	18-0311	Male	50	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Denial	IEC - Insufficient Evidence of a Crime \$0.00
	19-0008	Female	59	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$50.00
	19-0096	Female	17	Filipino	SAA - Sexual Assault, Adult KID - Kidnapping	Award	\$871.93
	19-0192	Female	46	Japanese	AA - Assault, Adult	Award	\$50.00
	19-0218	Female	15	White/Caucasian (not Portugese)	AC - Assault, Child	Award	\$100.00
	19-0416	Female	37	Multiracial	AAF - Assault, Adult by Family Member	Award	\$100.00
	19-0453	Female	15	Hawaiian	ACF - Assault, Child by Family Member	Award	\$150.00
	19-0495	Female	85	Filipino	HA - Homicide, Murder, Mans; Adult	Award	\$3,500.98
	19-0555	Female	18	Multiracial	AAF - Assault, Adult by Family Member	Award	\$380.06
	19-0692	Female	49	Multiracial	AAF - Assault, Adult by Family Member	Denial	IC - Improper Claim \$0.00
	20-0099	Female	14	Other	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
20-0128	Female	26	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$50.00
20-0207	Female	17	White/Caucasian (not Portugese)	AC - Assault, Child	Denial CS - Collateral Source	\$0.00
20-0209	Male	52	Chinese	AA - Assault, Adult	Award	\$25.00
20-0242	Male	67	Japanese	AA - Assault, Adult	Award	\$20,000.00
20-0273	Female	51	Hawaiian	AA - Assault, Adult	Award	\$25.00
20-0291	Male	50	Chinese	AA - Assault, Adult	Award	\$25.00
20-0341	Female	34	Filipino	TT - Terroristic Threatening AAF - Assault, Adult by Family Member	Award	\$100.00
20-0455	Male	46	Multiracial	ATM - Attempted Murder	Award	\$100.00
20-0500	Male	30	Filipino	ATM - Attempted Murder	Award	\$4,106.72
20-0541	Female	64	Korean	AA - Assault, Adult	Award	\$2,292.93
21-0028	Male	28	Other	HA - Homicide, Murder, Mans; Adult	Award	\$4,000.00
21-0035	Female	0	Hispanic	HCF - Homicide of Child by Family Member	Award	\$0.00
21-0053	Female	71	Japanese	HA - Homicide, Murder, Mans; Adult	Award	\$2,580.00
21-0063	Male	62	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0088	Male	56	Japanese	AA - Assault, Adult	Award	\$25.00
21-0090	Female	41	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$175.00
21-0092	Female	65	Korean	AA - Assault, Adult	Award	\$3,386.87
21-0109	Male	66	Asian Mix	AA - Assault, Adult	Award	\$75.00
21-0110	Male	30	Black/African American	AAF - Assault, Adult by Family Member AA - Assault, Adult	Award	\$450.00
21-0116	Female	42	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$5,099.52
21-0117	Female	58	Hawaiian	AA - Assault, Adult	Award	\$4,944.92

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
21-0119	Female	19	Japanese	SAA - Sexual Assault, Adult	Award	\$25.00
21-0128	Female	75	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$459.17
21-0131	Female	10	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$200.00
21-0132	Female	8	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$200.00
21-0133	Female	9	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
21-0137	Female	43	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$191.94
21-0144	Female	52	Filipino	AA - Assault, Adult AAF - Assault, Adult by Family Member TT - Terroristic Threatening KID - Kidnapping	Award	\$1,009.76
21-0146	Female	14	Japanese	SAC - Sexual Assault, Child	Award	\$297.99
21-0147	Female	41	Filipino	ATMF - Attempted Murder by Family Member	Award	\$2,030.23
21-0148	Female	33	Japanese	SAA - Sexual Assault, Adult	Award	\$734.00
21-0152	Female	41	Other	AAF - Assault, Adult by Family Member	Denial IC - Improper Claim	\$0.00
21-0159	Female	20	Multiracial	AA - Assault, Adult	Award	\$50.00
21-0161	Male	63	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$75.00
21-0166	Female	26	Other	SAA - Sexual Assault, Adult	Denial IC - Improper Claim	\$0.00
21-0167	Female	54	Hawaiian	AA - Assault, Adult	Award	\$50.00
21-0179	Female	75	Chinese	AA - Assault, Adult	Award	\$1,775.00
21-0181	Male	33	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$1,382.00
21-0187	Male	14	Hawaiian	AA - Assault, Adult	Award	\$75.00
21-0189	Male	17	Multiracial	AC - Assault, Child	Award	\$50.00
21-0198	Female	7	Other	SACF - Sexual Assault, Child by Family	Award	\$584.70
21-0199	Female	45	Japanese	NCC - Not a Covered Crime	Denial NCC - Not a Covered Case	\$0.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award	
21-0200	Female	45	Japanese	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0201	Female	46	Japanese	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0202	Female	12	Multiracial	SAC - Sexual Assault, Child	Award		\$100.00
21-0205	Male	32	Hawaiian	HA - Homicide, Murder, Mans; Adult	Award		\$4,000.00
21-0208	Female	14	White/Caucasian (not Portugese)	SAC - Sexual Assault, Child	Award		\$175.00
21-0209	Female	38	Multiracial	AA - Assault, Adult	Award		\$25.00
21-0211	Male	58	Multiracial	AA - Assault, Adult	Award		\$25.00
21-0212	Male	27	Hawaiian	HA - Homicide, Murder, Mans; Adult	Denial	CS - Collateral Source	\$0.00
21-0215	Male	0	Hawaiian	ACF - Assault, Child by Family Member	Award		\$100.00
21-0216	Male	0	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0217	Male	0	Hawaiian	ACF - Assault, Child by Family Member	Award		\$75.00
21-0218	Female	27	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0219	Female	28	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$75.00
21-0220	Female	28	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$75.00
21-0221	Female	28	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0222	Female	28	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$100.00
21-0223	Female	7	Multiracial	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0224	Female	47	Other	AAF - Assault, Adult by Family Member	Award		\$75.00
21-0226	Male	15	White/Caucasian (not Portugese)	AC - Assault, Child	Denial	CS - Collateral Source	\$0.00
21-0228	Female	25	Portugese	ATM - Attempted Murder	Award		\$175.00
21-0229	Female	43	Filipino	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0231	Male	62	Black/African American	AA - Assault, Adult	Award		\$50.00

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21-0233	Female	71	Korean	SAA - Sexual Assault, Adult	Award	\$200.00
21-0235	Female	34	Filipino	ATM - Attempted Murder	Award	\$150.00
21-0239	Male	36	Multiracial	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
21-0242	Male	38	Other	AA - Assault, Adult	Award	\$25.00
21-0247	Female	44	Hispanic	AAF - Assault, Adult by Family Member	Award	\$125.00
21-0248	Female	44	Hispanic	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0249	Female	24	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0250	Female	24	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$100.00
21-0256	Male	70	Filipino	AA - Assault, Adult	Award	\$50.00
21-0257	Male	22	Filipino	AA - Assault, Adult	Award	\$25.00
21-0258	Male	14	Filipino	AA - Assault, Child	Award	\$50.00
21-0259	Female	13	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
21-0260	Female	35	Multiracial	AA - Assault, Adult	Award	\$50.00
21-0262	Female	51	Samoan	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0266	Female	26	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0267	Female	31	Other	AA - Assault, Adult	Award	\$50.00
21-0268	Female	33	Japanese	AA - Assault, Adult	Award	\$279.09
21-0269	Male	33	Japanese	AA - Assault, Adult	Award	\$677.78
21-0273	Female	29	Filipino	AAF - Assault, Adult by Family Member	Award	\$100.00
21-0274	Female	38	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$163.00
21-0276	Female	21	Japanese	SAAF - Sexual Assault, Adult by Family	Award	\$50.00
21-0277	Female	59	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00
21-0278	Male	39	Multiracial	AA - Assault, Adult	Award	\$50.00
21-0280	Female	38	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family	Denial	BFP - Beyond Filing Period \$0.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award	
				Member			
21-0281	Female	43	White/Caucasian (not Portugese)	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0282	Female	25	White/Caucasian (not Portugese)	HAF - Homicide of Adult by Family Member	Award		\$4,000.00
21-0283	Male	32	White/Caucasian (not Portugese)	HAF - Homicide of Adult by Family Member	Award		\$928.31
21-0285	Male	70	White/Caucasian (not Portugese)	NI2 - Negligent Injury II	Denial	CS - Collateral Source	\$0.00
21-0290	Male	47	Multiracial	NH2 - Negligent Homicide II	Denial	CS - Collateral Source	\$0.00
21-0291	Male	47	Hispanic	AA - Assault, Adult	Award		\$25.00
21-0294	Female	38	Hawaiian	AA - Assault, Adult	Award		\$50.00
21-0298	Female	25	Black/African American	AA - Assault, Adult	Denial	CS - Collateral Source	\$0.00
21-0299	Female	57	Hawaiian	NI2 - Negligent Injury II	Denial	CS - Collateral Source	\$0.00
21-0303	Male	63	Black/African American	AA - Assault, Adult	Award		\$50.00
21-0304	Female	21	Filipino	AA - Assault, Adult	Award		\$50.00
21-0306	Female	31	Hawaiian	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0308	Male	40	Hawaiian	AA - Assault, Adult	Denial	CS - Collateral Source	\$0.00
21-0311	Female	11	Samoan	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0312	Female	17	Samoan	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0315	Male	65	Japanese	AAF - Assault, Adult by Family Member	Denial	BFP - Beyond Filing Period	\$0.00
21-0316	Male	8	Samoan	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0317	Male	12	Samoan	SACF - Sexual Assault, Child by Family	Award		\$200.00
21-0318	Male	12	Hawaiian	AC - Assault, Child	Award		\$50.00
21-0319	Female	14	Multiracial	AC - Assault, Child	Award		\$50.00
21-0320	Female	35	Filipino	AAF - Assault, Adult by Family Member	Award		\$75.00
21-0321	Male	73	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$50.00

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21-0323	Female	19	Multiracial	HA - Homicide, Murder, Mans; Adult	Denial	CS - Collateral Source	\$0.00
21-0324	Male	74	Chinese	AA - Assault, Adult	Award		\$50.00
21-0325	Male	55	Filipino	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case	\$0.00
21-0328	Male	19	Other	HA - Homicide, Murder, Mans; Adult	Award		\$4,000.00
21-0329	Female	40	Hispanic	AA - Assault, Adult	Award		\$5,100.00
21-0336	Male	16	Hawaiian	AC - Assault, Child	Award		\$50.00
21-0338	Male	49	Filipino	AA - Assault, Adult	Award		\$50.00
21-0339	Female	41	Hispanic	AAF - Assault, Adult by Family Member	Award		\$50.00
21-0340	Male	48	Other	AA - Assault, Adult	Denial	IC - Improper Claim	\$0.00
21-0342	Female	32	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$25.00
21-0343	Male	37	Unknown	NHI - Negligent Homicide I, DUI	Denial	CS - Collateral Source	\$0.00
21-0351	Female	37	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$374.68
21-0352	Female	61	Korean	AA - Assault, Adult	Denial	CS - Collateral Source	\$25.00
21-0353	Female	25	Chinese	AA - Assault, Adult	Award		\$25.00
21-0357	Male	15	Filipino	SAC - Sexual Assault, Child	Award		\$175.00
21-0358	Female	67	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$140.00
21-0361	Male	39	Hawaiian	KID - Kidnapping	Award		\$150.00
21-0364	Female	80	Chinese	AA - Assault, Adult	Award		\$2,351.29
21-0365	Female	54	Asian Mix	AAF - Assault, Adult by Family Member	Award		\$500.00
21-0368	Female	49	White/Caucasian (not Portugese)	AA - Assault, Adult	Award		\$25.00
21-0371	Female	32	Hispanic	SAA - Sexual Assault, Adult	Award		\$1,692.37
21-0372	Female	16	Hawaiian	AA - Assault, Adult	Award		\$50.00
21-0377	Female	19	Multiracial	AA - Assault, Adult	Award		\$351.95
21-0378	Male	13	Black/African American	AC - Assault, Child	Award		\$50.00
21-0379	Female	31	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award		\$25.00

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21-0380	Female	13	Other	ACF - Assault, Child by Family Member	Award	\$125.00
21-0381	Female	27	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0382	Female	27	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0383	Female	27	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00
21-0384	Female	27	Hawaiian	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00
21-0386	Female	25	Other	SAA - Sexual Assault, Adult	Award	\$25.00
21-0387	Female	23	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0390	Female	5	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
21-0391	Female	42	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$164.35
21-0398	Male	50	Multiracial	HA - Homicide, Murder, Mans; Adult	Denial	CTI - Contributory \$0.00
21-0403	Female	28	Multiracial	AAF - Assault, Adult by Family Member KID - Kidnapping	Award	\$655.00
21-0404	Female	67	Chinese	NH1 - Negligent Homicide I, DUI	Denial	CS - Collateral Source \$0.00
21-0405	Male	30	Multiracial	AA - Assault, Adult	Award	CTI - Contributory \$0.00
21-0406	Female	44	Filipino	AAF - Assault, Adult by Family Member	Award	\$100.00
21-0407	Female	25	Multiracial	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0410	Female	16	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$150.00
21-0411	Female	7	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$200.00
21-0414	Female	58	Other	HA - Homicide, Murder, Mans; Adult	Denial	CS - Collateral Source \$0.00
21-0417	Female	33	Filipino	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0418	Male	13	Hispanic	AC - Assault, Child	Award	\$344.82
21-0420	Female	36	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$25.00
21-0421	Male	67	Hawaiian	AA - Assault, Adult	Award	\$50.00



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21-0424	Male	63	Hawaiian	AA - Assault, Adult	Award	\$50.00
22-0004	Male	29	Hawaiian	AA - Assault, Adult	Award	\$25.00
22-0007	Female	6	Multiracial	SACF - Sexual Assault, Child by Family	Award	\$515.00
22-0017	Female	44	Hawaiian	AAF - Assault, Adult by Family Member	Denial	IC - Improper Claim \$0.00
22-0018	Female	44	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0019	Female	43	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0020	Female	43	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0021	Female	43	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$320.80
22-0023	Male	31	Other	ATMF - Attempted Murder by Family Member	Award	\$200.00
22-0027	Female	36	Unknown	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0028	Female	36	Unknown	AAF - Assault, Adult by Family Member	Award	\$200.00
22-0029	Female	47	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0035	Female	44	Multiracial	SAA - Sexual Assault, Adult	Award	\$25.00
22-0036	Female	43	Other	AAF - Assault, Adult by Family Member	Award	\$200.00
22-0042	Female	40	Japanese	SAA - Sexual Assault, Adult	Award	\$150.00
22-0046	Female	23	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$100.00
22-0047	Female	19	Hawaiian	AA - Assault, Adult	Award	\$25.00
22-0048	Male	21	Hawaiian	AA - Assault, Adult	Award	\$4,775.00
22-0053	Male	47	Unknown	HA - Homicide, Murder, Mans; Adult	Award	\$5,500.00
22-0059	Male	3	Filipino	HCF - Homicide of Child by Family Member	Award	\$4,000.00
22-0060	Male	28	Multiracial	HA - Homicide, Murder, Mans; Adult	Award	\$4,000.00
22-0061	Female	40	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$25.00

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22-0062	Male	68	Chinese	AA - Assault, Adult	Award	\$319.40
22-0065	Female	51	Multiracial	AA - Assault, Adult	Award	\$100.00
22-0066	Female	51	Multiracial	AA - Assault, Adult	Award	\$100.00
22-0067	Female	51	Multiracial	AA - Assault, Adult	Award	\$100.00
22-0068	Female	51	Multiracial	AA - Assault, Adult	Award	\$1,103.79
22-0069	Female	33	Filipino	AAF - Assault, Adult by Family Member	Award	\$150.00
22-0076	Female	51	Multiracial	SAAF - Sexual Assault, Adult by Family	Award	\$200.00
22-0085	Female	72	Hawaiian	AA - Assault, Adult	Award	\$414.54
22-0087	Female	23	Multiracial	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0091	Male	23	White/Caucasian (not Portugese)	HA - Homicide, Murder, Mans; Adult	Award	\$4,000.00
22-0095	Female	36	Filipino	AA - Assault, Adult	Award	\$2,400.03
22-0106	Male	37	Multiracial	HA - Homicide, Murder, Mans; Adult	Award	\$4,113.60
22-0107	Female	43	Chinese	AA - Assault, Adult	Award	\$175.00
22-0110	Male	56	Japanese	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0115	Male	60	Other	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
22-0117	Female	53	Black/African American	AA - Assault, Adult	Denial	INM - Inmate \$0.00
22-0119	Female	51	Multiracial	NCC - Not a Covered Crime	Denial	INM - Inmate \$0.00
22-0120	Male	58	Other	NCC - Not a Covered Crime	Denial	NCC - Not a Covered Case \$0.00
22-0129	Female	52	Filipino	AAF - Assault, Adult by Family Member	Award	\$75.00
22-0130	Female	52	Filipino	AAF - Assault, Adult by Family Member	Award	\$50.00
22-0131	Female	14	Other	ACF - Assault, Child by Family Member	Award	\$100.00
22-0132	Male	16	White/Caucasian (not Portugese)	AC - Assault, Child	Award	\$634.04
22-0145	Male	33	Other	AA - Assault, Adult	Award	\$25.00
22-0160	Female	39	Multiracial	AA - Assault, Adult	Award	\$50.00

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22-0169	Female	29	Filipino	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0171	Female	41	Filipino	AA - Assault, Adult	Denial	CS - Collateral Source \$0.00
22-0178	Female	57	Hawaiian	AA - Assault, Adult	Award	\$25.00
22-0179	Female	44	Multiracial	AA - Assault, Adult	Award	\$25.00
22-0185	Female	31	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$150.00
22-0189	Female	32	White/Caucasian (not Portugese)	KID - Kidnapping	Award	\$200.00
Kauai - Kauai 18-0432	Male	10	Multiracial	SAC - Sexual Assault, Child	Denial	DC - Duplicate Claim \$0.00
20-0220	Male	40	Puerto Rican/Latino	AA - Assault, Adult	Award	\$50.00
21-0003	Female	51	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$886.57
21-0065	Male	55	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$665.00
21-0157	Male	25	Other	AA - Assault, Adult	Award	\$1,897.23
21-0363	Female	44	Other	AAF - Assault, Adult by Family Member	Denial	AWA - Applicant Withdrew Application \$0.00
22-0064	Female	44	Other	NCC - Not a Covered Crime	Denial	AWA - Applicant Withdrew Application \$0.00
22-0103	Female	49	Multiracial	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0118	Female	12	Hawaiian	SAC - Sexual Assault, Child	Award	\$200.00
22-0123	Female	17	White/Caucasian (not Portugese)	SAAF - Sexual Assault, Adult by Family	Award	\$75.00
Maui - Lanai 20-0407	Male	67	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$625.79
21-0419	Female	28	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Denial	IC - Improper Claim \$0.00
Maui - Maui 19-0266	Male	12	Multiracial	AA - Assault, Adult	Award	\$200.00
20-0134	Male	30	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$1,788.30
20-0167	Female	19	Filipino	N12 - Negligent Injury II	Denial	CS - Collateral Source \$0.00
20-0345	Female	36	Korean	N11 - Negligent Injury I	Denial	CS - Collateral Source \$0.00
20-0518	Female	12	Hawaiian	SACF - Sexual Assault, Child by Family	Award	\$200.00
20-0534	Male	74	Hawaiian	AA - Assault, Adult	Denial	IC - Improper Claim \$0.00

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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
21-0113	Female	77	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$3,035.00
21-0174	Female	27	Multiracial	AA - Assault, Adult	Denial IC - Improper Claim	\$0.00
21-0176	Female	35	Hawaiian	AA - Assault, Adult	Denial CS - Collateral Source	\$0.00
21-0177	Male	39	Other	AA - Assault, Adult	Award	\$50.00
21-0213	Female	18	Other	AAF - Assault, Adult by Family Member	Denial IC - Improper Claim	\$0.00
21-0331	Female	50	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$50.00
21-0333	Female	38	Hawaiian	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0335	Female	14	Multiracial	SAC - Sexual Assault, Child	Award	\$175.00
21-0355	Female	43	American Indian/Alaska Native	AA - Assault, Adult	Denial CS - Collateral Source	\$0.00
21-0389	Female	30	Filipino	AAF - Assault, Adult by Family Member	Award	\$100.00
21-0397	Male	47	Hispanic	AA - Assault, Adult	Award	\$100.00
21-0408	Female	42	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Denial CS - Collateral Source	\$0.00
21-0425	Male	56	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
21-0428	Female	34	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$75.00
21-0429	Female	27	White/Caucasian (not Portugese)	SAA - Sexual Assault, Adult	Award	\$175.00
22-0009	Male	41	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$50.00
22-0026	Female	59	Hispanic	AA - Assault, Adult	Award	\$25.00
22-0038	Male	73	Filipino	NH1 - Negligent Homicide I, DUI	Denial CS - Collateral Source	\$0.00
22-0039	Female	36	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$125.00
22-0043	Female	39	American Indian/Alaska Native	AAF - Assault, Adult by Family Member	Award	\$200.00
22-0096	Female	25	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member Violation of Protective Order	Award	\$125.00

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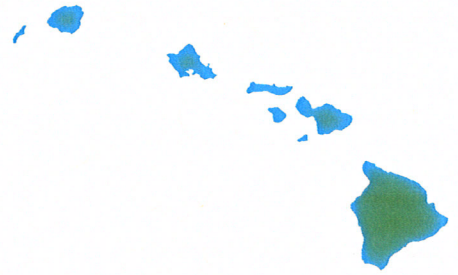
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Case #	Victim Sex	Victim Age	Crime	Decision	Remarks	Total Award
22-0109	Male	62	Chinese	AA - Assault, Adult	Award	\$50.00
22-0116	Female	35	Hawaiian	SAAF - Sexual Assault, Adult by Family	Denial	CS - Collateral Source \$0.00
22-0181	Male	71	White/Caucasian (not Portugese)	AA - Assault, Adult	Award	\$75.00
22-0196	Female	42	White/Caucasian (not Portugese)	AAF - Assault, Adult by Family Member	Award	\$1,991.29
19-0423	Female	59	Japanese	KID - Kidnapping	Denial	COJ - Crime Outside Jurisdiction \$0.00
20-0179	Female	31	White/Caucasian (not Portugese)	UNKNOWN	Denial	IEC - Insufficient Evidence of a Crime \$0.00

# Victim Restitution Matters:

## Four Lessons from Hawai'i to Ensure Financial Justice for Crime Victims

When a crime is committed, the victim of the crime pays a price—whether physically, emotionally, financially, or a combination of these. For many crime victims, restitution is the primary pathway to mitigate the financial impact of the crime; however, the restitution process is often inefficient and fraught with institutional barriers. One state—Hawai'i—decided to tackle these issues head on and ultimately increased the number of people convicted of a crime who pay restitution and the frequency and amount of restitution disbursed to crime victims. Hawai'i's four-pronged approach combined institutional changes with interagency collaboration to prioritize restitution in the state. As a result of Hawai'i's efforts, the state has upended commonly held assumptions about the ability of people convicted of a crime to pay restitution. Other states can take similar actions to improve their restitution programs to ensure financial justice for crime victims and accountability for people convicted of crimes.



### Hawai'i's Results at a Glance

**100+%**

increase in the number of people incarcerated and on parole paying restitution

**139%**

increase in the amount of restitution collected from people incarcerated or on parole

**88%**

increase in the number of restitution disbursements of \$25 and higher to crime victims

**51%**

increase in the number of cases in which restitution is paid in full in three years or less

*"Restitution helps repair the financial harm the victim endured, while requiring the person who committed the crime to accept responsibility for their actions, taking a key step toward their rehabilitation. Saying that we want to repair financial harm means nothing to victims unless we make a sincere and concerted effort to make sure they get restitution. If an offender is not serious about paying restitution, they are not serious about rehabilitating themselves." —Dennis Dunn, Director, Victim Witness Kokua Program, Department of the Prosecuting Attorney, City and County of Honolulu*



**State of Hawai'i**  
Crime Victim Compensation Commission



**Justice Center**  
THE COUNCIL OF STATE GOVERNMENTS

# The Reality of Restitution

Restitution offsets the financial harm of crime-related expenses by holding the person who committed the crime financially accountable to the crime victim through a court order. Although restitution is a right to which victims are entitled, a restitution order is only the first step. The failure to order and enforce restitution can undermine a victim's faith and trust in the criminal justice system.

In addition to the trauma of being victimized, for the 40 percent of Americans who cannot afford an emergency expense of a few hundred dollars, the unexpected financial burden resulting from a crime can make being victimized even more devastating.<sup>1</sup> Unless restitution is paid in full in a timely manner, many crime victims never financially recover from the crime or cannot afford to replace what is lost or damaged.

The challenge of restitution collection can be attributed to a number of conflicting interests and institutional complexities. These include the following:

## **1. Widely held misperceptions that people convicted of a crime cannot pay restitution**

Criminal justice agencies are often slow to collect restitution because they believe people convicted of a crime cannot afford to pay it. Advocates for people convicted of crime suggest that they lack sufficient resources to pay restitution. On the other hand, crime victim advocates note that victims often cannot afford to cover their crime-related financial losses and need restitution to recover. It is a sentenced individual's obligation to take financial responsibility for their criminal actions, and it is the government's obligation to enforce court-ordered restitution on behalf of crime victims.

## **2. Conflation of restitution with legal financial obligations (LFOs) and failure to prioritize restitution payments above LFOs**

The purpose and importance of restitution is obscured by the conflation of restitution with other LFOs. Restitution is a monetary reimbursement paid directly to crime victims by the person who committed the crime to repay them for their crime-related losses. For many crime victims,

restitution is the primary pathway to recoup their crime-related financial losses. LFOs are fines and fees imposed on the person who committed the crime by the state to fund and maintain the criminal justice infrastructure. Unlike restitution, LFOs support general criminal justice functions that jurisdictions choose to fund by relying on people who commit crimes to pay for services instead of allocating tax dollars for these functions.

Unfortunately, not all states prioritize restitution payments over LFOs and ensure victims receive priority for restitution payments over governmental agencies, insurance companies, and others. By prioritizing restitution above LFOs, policymakers increase the likelihood that crime victims will be made financially whole and that the people convicted of crime will pay restitution in full. In addition, it will offer people convicted of crime a meaningful chance to repair the harm they caused.

## **3. Lack of data in many states to accurately evaluate their restitution programs**

The lack of data collection and analysis and insufficient collaboration between agencies charged with restitution management leaves most states unable to answer basic questions about restitution, including how much is owed, collected, and disbursed as well as how much people sentenced to pay restitution can really pay. Without this information, states cannot accurately evaluate how well their restitution management is working and what improvements need to be made. By enhancing data collection, states can evaluate the impact of their efforts to improve restitution collection and disbursement to victims. In Hawai'i, data changed the restitution narrative from "can't pay" to "can pay."

*“Hawai’i has demonstrated that people convicted of a crime can pay restitution when states make it a priority. By taking action that any state can take, Hawai’i has doubled the amount of restitution collected and disbursed to victims in just a few years. My hope is that other states will adopt a similar approach to help victims receive what is rightfully theirs.”*  
—Pamela Ferguson-Brey, Executive Director of Hawai’i’s Crime Victim Compensation Commission

## Hawai’i Takes Action

In 2011, Hawai’i pursued a data-driven Justice Reinvestment Initiative to improve the state’s criminal justice and corrections practices in order to increase victim and public safety and reduce the number of people being held in mainland<sup>2</sup> prisons because state facilities were filled. Victim advocates pushed back on the proposed reduction because the mainland facilities consistently collected more restitution compared with Hawai’i’s correctional facilities.

The Crime Victim Compensation Commission’s (CVCC) role in this process was to ensure that decisions about reform initiatives were informed by the needs of victims, survivors, and community safety. The CVCC worked with victims, survivors, and advocates to identify key issues and concerns related to Justice Reinvestment. One key concern was the shortfall in restitution collections. Failure to collect and pay restitution left many crime victims unable to recover from the physical, emotional, and financial impact they suffered as a result of the crime.

At the time, Hawai’i law required that only 10 percent of an incarcerated person’s wages be set aside for restitution to their crime victims, regardless of whether they had additional funds in their prison accounts. This resulted in scant amounts of restitution being collected. In addition, restitution collection in Hawai’i’s correctional facilities was, at times, inconsistent.<sup>3</sup>

Justice Reinvestment proposed to reduce system delays by releasing people from confinement, which could result in less time for them to meet their restitution obligations to crime victims before release. This, combined with Hawai’i’s small and inconsistent restitution collections, caused victim advocates to be concerned that the amount of restitution collected would decrease if things did not change. Incarcerated people often had sufficient

resources in their prison accounts to begin making meaningful payments toward victim restitution at the time of their confinement.

In 2012, as part of Justice Reinvestment, Hawai’i enacted legislation that included provisions to increase the amount of restitution collected from 10 percent of an incarcerated person’s wages to 25 percent of their wages and all cash deposits received into their prison accounts. These changes increased the likelihood that restitution would be collected and that meaningful restitution would be paid to crime victims more promptly.

Eight years after the state passed Justice Reinvestment legislation, Hawai’i has the data to demonstrate the success of these changes: (1) the number of people incarcerated and on parole who are paying restitution has increased more than 100 percent; (2) restitution collections from people incarcerated or on parole have increased 139 percent; (3) the number of disbursements of \$25 and higher to crime victims has increased 88 percent; and (4) the number of cases in which restitution is paid in full in three years or less has increased 51 percent.

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### **How did Hawai’i do it? By taking four key actions that any state can pursue:**

- 1. Foster an institutional culture where restitution is a priority for agency leaders and staff.*
- 2. Increase coordination and collaboration across agencies to collect, track, and disburse restitution effectively.*
- 3. Collect, analyze, and share restitution data.*
- 4. Assess and improve statutory and administrative restitution policies and practices.*



# Four key actions Hawai'i has taken to improve restitution collection

## 1. Foster an institutional culture where restitution is a priority for agency leaders and staff.

Leadership from state and local agencies responsible for seeking, ordering, collecting, tracking, and disbursing restitution is critical to ensuring that agency policies and practices are updated and that staff are implementing them correctly to maximize the amount of restitution recovered for crime victims.

Hawai'i's CVCC has been a leader in improving restitution collection in the state for decades. As part of the state's Justice Reinvestment effort, CVCC advocated for and was instrumental in helping policymakers decide to increase the amount of restitution deducted from incarcerated people's accounts, leading to the change in statute in 2012.<sup>4</sup> At that time, the state also appropriated funding for county-based victim advocate positions and positions within Hawai'i's Department of Public Safety (PSD) and CVCC to improve restitution and victims' services. Further, CVCC has proactively sought funding from the federal government through the Victims of Crime Act to support two positions in PSD to improve the consistency and accuracy of collecting restitution payments from incarcerated people. Through CVCC's efforts to develop and maintain its restitution database, Hawai'i now has the data to show the impact of policy and practice changes. In 2011, 640 people in prison or jail were making payments toward a restitution obligation. By 2018, 1,295 people were paying restitution obligations through wage deductions, cash receipts, voluntary contributions, and work furlough payments.<sup>5</sup>

As state leaders were having conversations about prioritizing restitution during Justice Reinvestment, Hawai'i's Paroling Authority (HPA) also began focusing on making restitution collection a priority in 2012. HPA's administrator ensured that agency staff understood restitution collection was a priority and delivered training to parole officers emphasizing the importance of their role in collecting restitution, helping officers communicate effectively with crime victims, and identifying strategies for

enforcing and collecting restitution. The agency recognized officers who made restitution a priority and authorized officers to use incentives and sanctions in response to compliance, or lack thereof, with the restitution payment plan. After the restitution data dashboard launched in 2016, HPA leadership began reviewing trends to ensure that parole officers continued to collect restitution payments. These efforts led to a notable increase in the number of people on parole paying restitution. As a result, more people were paying restitution more frequently and the total number of payments and amount collected increased (see Figure 1).

**Figure 1. Restitution Collections from People on Parole in Hawai'i, FY2013 and FY2018<sup>6</sup>**

	FY2013	FY2018	% Change
Number of people on parole paying restitution	147	303	<b>106%</b>
Total number of payments received	674	1,586	<b>135%</b>
Total amount collected	\$69,962	\$166,302	<b>138%</b>

Note that not all individuals on parole owe restitution.

## Three steps states can take to ensure that leadership is committed and ready to take action

1. Incorporate restitution collection into correctional agency and supervision agency missions to ensure that restitution is prioritized.
2. Train corrections and supervision workforce in restitution management and provide ongoing technical and other support as needed.
3. Report to policymakers about the importance of restitution and the impact of collection and disbursement efforts.

“Payment in full of restitution is an integral part of the rehabilitative process, and this is continually reinforced throughout the period of supervision. Restitution is not voluntary; the court orders it as part of the sentence, and the parole board sets it as a condition of supervision. Parole officers who use every opportunity to discuss restitution help lead people on parole to repay the obligation to their victims who can better recover financially as a result.”  
 —Tommy Johnson, Hawai'i Paroling Authority Administrator

## 2. Increase coordination and collaboration across agencies to collect, track, and disburse restitution effectively.

No one agency is responsible for all facets of restitution. While every state is different, successful restitution practices require coordination across courts, county clerks, prosecutors, defense attorneys, corrections staff, supervision officers, and victim advocates and victims' rights attorneys. Agencies need to clearly identify their roles and responsibilities for restitution management and work together to identify and solve problems.

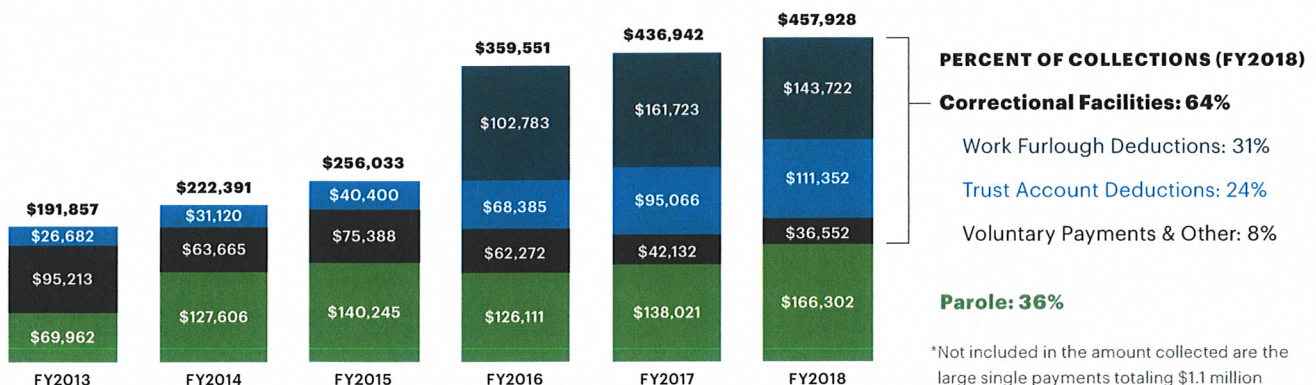
Prior to 2012, system-wide efforts in Hawai'i to monitor and enforce compliance with restitution orders were undermined by a lack of policy and information sharing. To assist with implementing the 2012 legislation, the state created the Justice Reinvestment Initiative Victim Restitution Workgroup and the Justice Reinvestment Initiative Victim Services Workgroup. These workgroups identified issues with implementing the legislation and collaboratively developed solutions to remove obstacles to the timely, consistent, and accurate collection of restitution. Both workgroups included representatives from the judiciary, victim witness programs of the county

prosecutor's offices, PSD, HPA, the Department of the Attorney General, and CVCC.<sup>7</sup> Their collaboration continues today and has been essential to improving restitution management and doubling the amount of restitution collected between FY2013 and FY2018 (see Figure 2) even while the institutional population declined 6.4 percent (from 5,853 to 5,477 people) and the parole population declined 1.7 percent (from 1,589 to 1,562 people).

### Three steps states can take to ensure that all relevant agencies work together

1. Identify agencies responsible for restitution management and their roles and responsibilities for improving the restitution process.
2. Convene an interagency working group to facilitate collaboration, information sharing, and problem-solving. Where possible, address any IT infrastructure issues that interfere with agencies' ability to communicate electronically with one another.
3. Ensure that responsible agencies collectively review restitution data and promote implementation of policies and practices to improve restitution management.

Figure 2. Restitution Collections in Hawai'i Correctional Facilities, Work Furlough, and Parole, FY2013–FY2018\*<sup>8</sup>



“One way that we can see this work in other states is to...find ways to establish those baselines and be able to show those numbers. It can make a big difference in being able to show how victims are actually being helped by this and also help bring about even more policy or legislative fixes if that’s what’s necessary in your state to be able to restore victims in a just way.” —Former Hawai’i Attorney General Doug Chin

### 3. Collect, analyze, and share restitution data.

Criminal justice agencies need to do more than commit to collecting restitution data. Relevant agencies need to obtain and share data about how much restitution is ordered, collected, and disbursed to ensure that orders of restitution do not fall through the cracks, payments to victims are not delayed, and people convicted of a crime are held accountable.

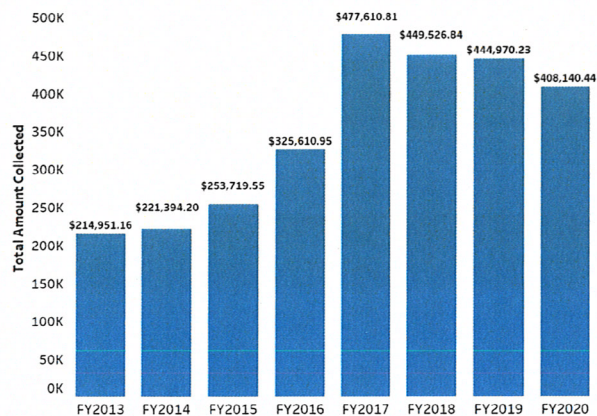
Prior to 2012, Hawai’i state policymakers and criminal justice professionals had limited information about the outcomes of restitution orders because state agencies did not prioritize analyzing and sharing restitution data. To address this issue, Hawai’i obtained funding from the U.S. Department of Justice and provided funds of its own for the CVCC to build a restitution database that identifies who owes restitution, how much they owe, to whom it is owed, how it is collected, when it is collected, and how it is disbursed. CVCC launched the database in early 2016. Now, CVCC routinely updates its restitution data dashboard and distributes it to leaders in PSD and HPA who use the data to monitor progress and track outcomes (see Figure 3).

### Three steps states can take to improve data collection and analysis

1. Require agencies responsible for the collection, tracking, and disbursement of restitution to establish baseline data for current practices. Examples of basic data metrics include the number of people making restitution payments, the amount of restitution collected, the number of people receiving restitution payments, and the amount of restitution disbursed on both a monthly and an annual basis.
2. Upgrade data systems to effectively manage the collection of restitution and to capture restitution data.
3. Require responsible agencies to measure performance, track trends over time, and regularly report to policymakers and/or the public on performance measures. Such performance measures might include collections by county, by court of jurisdiction, and by supervising officer or prison/jail facility responsible for collecting the restitution. Identifying gaps in the collections process throughout the year will help increase the number of collections overall.

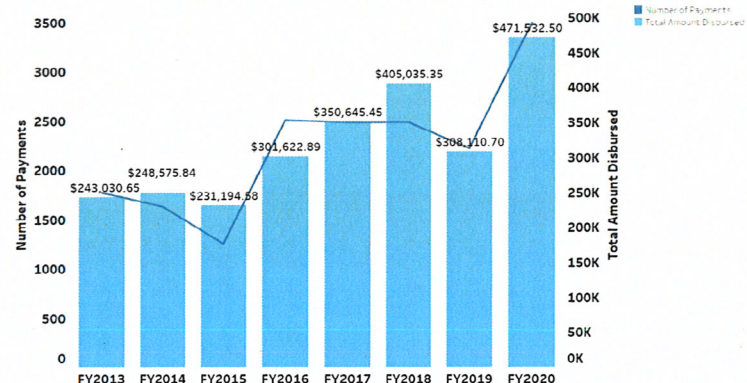
Figure 3. Sample of Hawai’i’s Restitution Dashboard

#### Overall Restitution Collections from Inmates and Parolees



#### Victim Disbursements

##### Amount and Number of Payments by Fiscal Year



“PSD is committed to holding people accountable for their crimes and ensuring that incarcerated people who owe restitution pay it. Our decision to require incarcerated people on work furlough to pay restitution has led to a significant increase in the amount of restitution collected.” —Nolan Espinda, Former Director of Hawai‘i’s Department of Public Safety

#### 4. Assess and improve statutory and administrative restitution policies and practices.

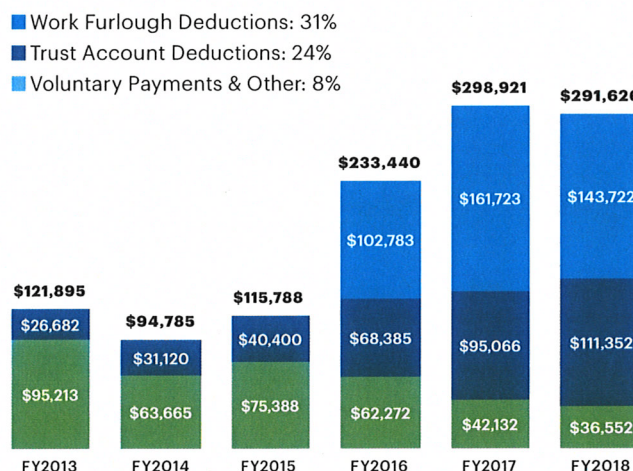
Statutory and administrative policies are the foundation to ensuring that restitution is ordered, collected, tracked, and disbursed. States and public safety agencies can evaluate their policies to determine whether there are mandates to ordering restitution; if they require a minimum percentage or amount of restitution collected; how restitution is prioritized relative to LFOs; what sources are covered by required minimums (e.g., wages, deposits into incarcerated people’s accounts); and the frequency of collections and disbursements. States and public safety agencies can ensure that policies prioritize and incentivize restitution collection and disbursement.

Prior to making statutory changes in 2012, Hawai‘i required PSD to deduct 10 percent of incarcerated people’s wages to pay restitution. In practice, this money was deducted inconsistently, creating uncertainty among victims about if or when they would receive restitution. In 2012, Hawai‘i enacted legislation increasing the amount of money deducted from incarcerated people’s accounts to 25 percent of all wage earnings and cash deposits. The legislation also improved the regularity of those deductions by requiring PSD to deduct the funds on a monthly basis. CVCC is required to distribute payments to victims once a restitution account accrues \$25 or on an annual basis, whichever occurs first. With regular deductions, payments to victims became more consistent and certain.

In 2016, state statute was further amended to clarify that all restitution orders are subject to the 25-percent deduction even if the courts ordered a lesser payment. PSD also updated its policy to clarify that the wages earned by people who are housed in community correctional centers and are allowed to work outside of the facility through the state’s work furlough program are also subject to a 25-percent deduction. Permitting deductions from furlough wages led to a significant increase in the

amount collected and helps people leave prison with lower amounts of restitution owed. As a result of these changes to policy and practice, the amount of money deducted from incarcerated people’s accounts more than doubled between FY2013 and FY2018 (see Figure 4).

**Figure 4. Restitution Collections in Hawai‘i Correctional Facilities and Work Furlough, FY2013–FY2018<sup>49</sup>**



<sup>49</sup>Not included in the amount collected are the large single payments totalling \$1.1 million.

#### Three steps states can take to assess and improve policy and practice

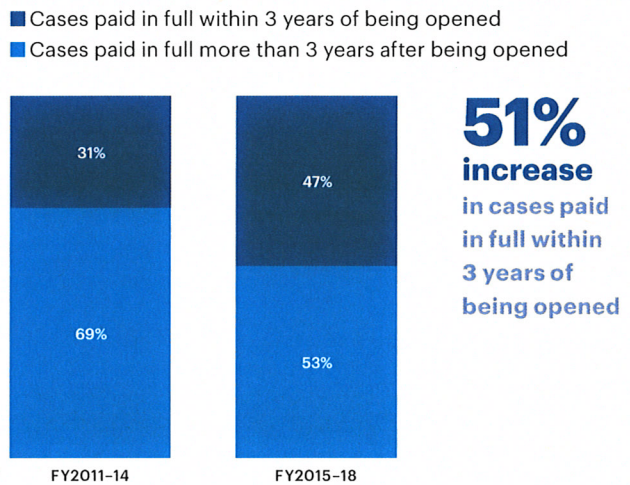
1. Examine and strengthen statutory and departmental policies governing restitution management and prioritize restitution above LFOs.
2. Provide statewide guidance to agencies on interpreting and implementing laws and policies related to victim restitution to improve consistency.
3. Require regular deductions of restitution payments from incarcerated people’s accounts and regular disbursements to victims to promote accountability, predictability, and consistency for both victims and people convicted of crime.

“One more link of my chain is cut. I am still tethered to what I did. But there is one less link on my chain.”  
 —Person convicted of a crime who fully paid restitution, Hawai’i

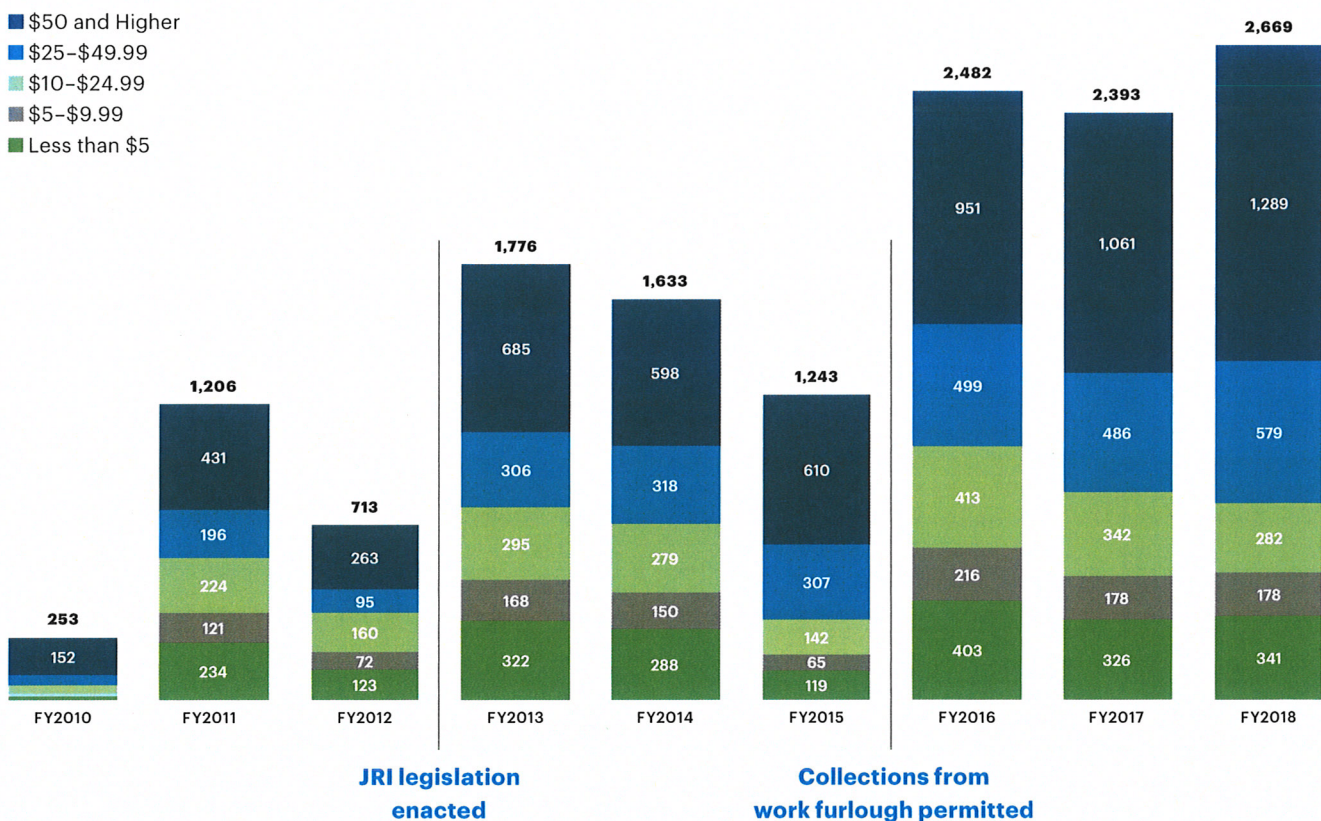
# Conclusion

Each of these four actions was critical to increasing the amount of restitution collected and disbursed to victims in Hawai’i. Now, as Hawai’i continues to improve practices, significantly more victims are receiving their full restitution within three years, and victims are receiving greater amounts of restitution more frequently (see Figures 5 and 6). Having data on restitution dispels the misperception that people who are convicted of a crime cannot afford to pay court-ordered restitution to crime victims. However, more work needs to be done to ensure that restitution is prioritized over LFOs. Increasing the amount paid and the speed with which restitution is paid off holds people who have committed crimes accountable for their actions and provides financial justice for crime victims.

**Figure 5. Percent of CVCC Cases Paid in Full Within Three Years of Being Opened, FY2011–FY2018<sup>10</sup>**



**Figure 6. Number and Amount of Restitution Payments to Hawai’i Victims, FY2010–FY2018<sup>11</sup>**



# Timeline of Hawai'i's Actions

**2011**

Hawai'i began pursuing a Justice Reinvestment approach. State law only required 10 percent of an incarcerated person's earned wages to be set aside for restitution.

**2012**

Hawai'i enacted Justice Reinvestment legislation (Acts 130 and 190), which increased the amount of money deducted from incarcerated people's accounts to 25 percent of all wage earnings and cash deposits and improved the regularity of those deductions by requiring PSD to deduct the funds monthly.

Hawai'i appropriated funding for victim advocate positions and to improve restitution and victims' services.

To assist with implementing the 2012 legislation, the state created the Justice Reinvestment Initiative Victim Restitution Workgroup and the Justice Reinvestment Initiative Victim Services Workgroup.

HPA improved existing officer training that incorporated victims' perspectives on restitution; recognized officers who made restitution a priority; and authorized officers to use incentives and sanctions in response to compliance, or lack thereof, with the restitution payment plan.

**2016**

CVCC launched its restitution database and shared outcomes with PSD, HPA, and the Justice Reinvestment Initiative Restitution and Victim Service Workgroup members. HPA leadership began reviewing trends over time in the data dashboard to ensure that parole officers continued to collect restitution payments. PSD began using the data to monitor progress and track outcomes.

State statute was further amended to clarify that all restitution orders are subject to a 25-percent deduction even if the courts ordered a lesser payment.

PSD updated its policy to clarify that the wages earned by people who are housed in community correctional centers and are allowed to work outside of the facility through the state's work furlough program are also subject to a 25-percent deduction.

**2018**

After receiving approval for funding from the federal government through the Victims of Crime Act in 2017, PSD created and filled two positions to improve the consistency and accuracy of collecting restitution payments from incarcerated people.

**2020-2021**

CVCC is updating its data dashboard to streamline reporting and improve the efficiency of restitution collections.

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## Endnotes

1. Board of Governors of the Federal Reserve System, "Report on the Economic Well-Being of U.S. Households in 2017" (Washington, DC: Federal Reserve Board, 2018).
2. People housed on the mainland were held in a correctional facility in Arizona.
3. CVCC Hawai'i Restitution dashboard provided to CSG Justice Center staff, "JRI Restitution Dashboard – thru 7.31.19.pdf."
4. The Council of State Governments Justice Center, "National Award Recognizes Justice Reinvestment Improvements to Victim Restitution in Hawai'i," (New York: The Council of State Governments Justice Center, 2013), <https://csgjusticecenter.org/national-award-recognizes-justice-reinvestment-improvements-to-victim-restitution-in-hawaii/>.
5. Hawai'i PSD December 2018 end-of-month report: "Pop-Reports-EOM-2019-12-31.pdf" available from <https://dps.hawaii.gov/about/divisions/corrections/>. The number of sentences including a restitution order has been consistent between 2010 and 2018. Therefore, the increase in number of people paying restitution is attributable to policy changes, not sentencing practices.
6. The Council of State Governments Justice Center analysis of CVCC's Hawai'i restitution database, May 17, 2019. Data in this presentation includes both data from CVCC's dashboard reports and analysis of case level data from the Restitution Manager database. Prior to February 2016 when the new database was launched, the case-level data did not consistently include values in certain fields identifying the payment source. Therefore, slight variations in the case level data and in the dashboard reports exist.
7. The JRI Victim Services Workgroup also includes representatives of the victim services community.
8. CVCC Hawai'i Restitution dashboard provided to CSG Justice Center staff, "JRI Restitution Dashboard – thru 7.31.19.pdf" and case level analysis of CVCC restitution collections. Large payment anomalies of \$25,000 or higher have been excluded to show upward trending regular collection patterns.
9. Ibid.
10. CSG Justice Center analysis of CVCC case level restitution data provided to CSG Justice Center staff on May 17, 2019.
11. CVCC restitution data for disbursements to victims provided to CSG Justice Center staff on May 17, 2019. Outliers, defined as single payments over \$10,000, are removed from the chart. The figures in this chart do not include accounting adjustments for amounts below \$0 and may differ slightly from CVCC's published figures.