

Administrative Meeting of the  
Crime Victim Compensation Commission (CVCC) Minutes  
Tuesday, November 15, 2022  
1164 Bishop Street, 1<sup>st</sup> Floor Conference Room  
Honolulu, Hawai`i

Present: Commissioners: Mari McCaig Bellinger (Chair) and Jo Kamae Byrne

Staff: Executive Director Pamela Ferguson-Brey, Amanda Sawa (Restitution), Randi Barretto (Special Projects, Mass Violence), Leanna Bair (Post-Conviction Victim Advocacy Program), and Joy Takatsuka

Agenda
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Appeal Hearings were held prior to the Administrative Meeting. Appeal Hearings are closed to the public due to confidentiality.

The Administrative Meeting was called to order at 3:16 p.m. by Commission Chair, Mari McCaig Bellinger.

- I. Approval of Minutes: Because there was not a quorum of attendees from the June 28, 2022, meeting, the approval of the minutes for that meeting were deferred.
  
- II. Justice Reinvestment (JRI) Update:
  - A. Restitution Project
    - i. Overall Restitution Collected from Inmates and Parolees as of November 15, 2022, totaled \$4.86 million since the start of the project.
    - ii. Fiscal year FY 2022 total to date is down compared to fiscal year FY 2021. Working to determine where collection problems may be occurring. Monthly collection reports continue to be shared with PSD and HPA for their review and action.
    - iii. PSD Inmate Collections for FY2022 were lower than the previous two fiscal years. One of the large reasons is because Saguaro Correctional Center is behind in cutting checks for collections. Saguaro has stated that due to short staffing and other issues it is behind on cutting checks for inmate deductions. The Commission’s Restitution staff continues to work with the Department’s Restitution and Victim Services (RAVS) staff to continue to monitor Saguaro’s progress. In recent previous years, inmates received COVID economic payments plus incentive payments to receive COVID shots which contributed to the increase in collections. Those funds are no longer coming in contributing to the decline in Collections.
    - iv. PSD informed the Commission that all of the Furlough Programs across the state were reopened after COVID. Recently conducted an audit of furlough rosters. Maui Community Correctional Center and Hawaii Community Correctional Center were fully compliant. Kauai Community Correctional Center and Women’s Community Correctional Center had one or two inmates not making payments. Informed facilities who are working to correct the issue. Oahu Community Correctional Center (OCCC) who run the Laumaka Work Furlough Program and Module 20 furlough programs had 35 inmates who owed restitution; however, only 12 were making payments. A report was prepared on the findings and sent to PSD Deputy Director of Corrections who forwarded the report to the wardens with a directive to correct the

- deficiencies. We have been contacted by 1 Case Manager at OCCC but have not heard anything further. Will continue to monitor OCCC and work with PSD to get them compliant.
- v. Hawaii Paroling Authority (HPA) – As of close of FY 2022, restitution totals increased over FY 2021. Previously, HPAs collection numbers were down so the Commission prepared a report which was given to HPA. Staff met with HPA and they have made efforts to increase their collections which have resulted in higher collection numbers for FY 2022.
  - vi. Preparing annual submission of abandoned restitution money; we submit any unclaimed or unpaid money to the State’s Unclaimed Property Program. Per HRS 523A, as of end of May, any funds abandoned for a year must be escheated by the end of the calendar year. For some of the victims, we have been trying to locate them for years. We do prioritize trying to locate victims/payees before we escheat the funds.

### III. Victim Services

#### A. Post-Conviction Victim Advocacy Program (PCVAP)

- i. Although federal grant program funding ended, on June 30, 2022, the Program has continued to provide support to victims with direct services including assistance, follow up to restitution payments, compensation applications, safety planning, education on victim’s rights, and community referrals.
- ii. Continue to provide Program training. Recent trainings include to Hawai‘i island Victim Assistance Unit in September 2022 and to JRI Victim Services Workgroup in October 2022.
- iii. Continuing to work on Post-Conviction Assistance for Victims ([pavhawaii.com](http://pavhawaii.com)) website to increase awareness of resources by providing a comprehensive map of victims’ rights and available services. Continuing to develop content and victim-centered language for the website.
  - 1. Presented *PavHawaii.com: An Innovative Solution to Post-Conviction Advocacy*, a presentation about the development of the website at two national conferences:
    - a. 2022 National Association of Victim Assistance in Corrections (NAVAC) Conference in Manchester, New Hampshire, in September 2022
    - b. National Training Institute 2022, hosted by the National Center for Victims of Crime, in St. Louis, Missouri, in October 2022
  - 2. Received a lot of interest from other states about the website and its development

#### B. HI-SAVIN/PSD-RAVS Update

- i. The SAVIN Coordinator position is vacant as of August 2022. There is an interim Coordinator.
- ii. PSD has four positions to be filled for SAVIN. Will work with them to fill positions.
- iii. RAVS busy because staff taking on duties of both SAVIN and RAVS functions.
- iv. SAVIN/RAVS are physically located within the Commission office to facilitate the victim services work and collaboration with Restitution. Negotiating with the building to move SAVIN/RAVS into a separate (but nearby) office space.
- v. Honolulu Prosecutor’s Office just informed the Commission that effective December 1, 2022, that post-conviction victim services will be moved from their Victim Witness Kokua staff to SAVIN/RAVS. Will work with Prosecutor’s Office on transition of services.

IV. Mass Casualty Update (Mass Violence Project)

- A. We have a Mass Violence Response Plan started in 2017 and finalized in 2019. It is a guideline for victim services and for our partners to understand victim services response. Provides procedures and ways to collaborate, and plan, prepare, and respond to a Mass Violence Incident.
- B. Plan was recognized by the Office of Victims of Crime Training and Technical Assistance (OVC TTAC) and has become a national model. State and County agencies are now recognizing that victim services are a part of the response in a Mass Violence Incident.
- C. Working with others to include updates into Plan as
- D. Bi-Monthly Mass Violence workgroup meetings with 50+ attendees now as more people understand victim services. Having different agencies present at each meeting.
- E. The Commission continues to work with OVC TTAC Consultant. Did a refresher training with County Prosecutors.
- F. Attended National Leave No Victim Behind Conference. Met and heard from States where incidents occurred, and they were not ready.
- G. Executive Director presented about the Commission's work on Mass Violence preparation with the Medical University of South Carolina at the Gave Texas compensation program a copy of Hawai'i's plan. After the Uvalde incident, a copy of Hawai'i's Plan was given to the Governor of Texas.
- H. Upcoming training: *Mental Health Response to Hawai'i Mass Violence Incidents*. Working with the National Mass Violence Victimization Resource Center to provide two 2-day training on O'ahu and Hawai'i Island for victim service providers in February 2023. Topics include: Psychological First Aid, Trauma-Informed Care, Responding to Mass Violence Incidents, and Self Care.

V. 2023 Legislative Session

- A. Both bills submitted by the Commission for the 2022 Legislative Session died. Legislative stepped in to save the Commission by moving all compensation positions to be general funded effective FY 2023. However, due to a discrepancy in the paperwork submitted, two positions will continue to be special funded with the other 6 will be general funded. Working with PSD staff to ensure that the 2 positions be included for general funding for FY 2024 as a housekeeping measure.
- B. Looking to do a court monitoring because Compensation Fee collections are drastically down. Received only \$250,000-\$300,000 down from the high of over \$1,000,000. Part of the problem has to do with recent case law that provides that judges do not have to look at a defendant's ability to pay compensation fee in the future. Court monitoring has increased compensation fee collections in previous years.

VI. Unfinished Business – None

VII. Executive Session Pursuant to Hawaii Revised Statutes § 92-4 and § 92-5  
The Commissioners did not meet in Executive Session.

VIII. Adjournment – The meeting was adjourned at 4:17 p.m.