

Honolulu, Hawaii

MAR 20 2019

RE: H.B. No. 437
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 437, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION FOR MENTAL HEALTH SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize crime victim compensation for mental health services for survivors in cases involving a death and for children who witness domestic violence.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Hawai'i State Commission on the Status of Women, Department of Health, Department of the Prosecuting Attorney of the City and County of Honolulu, The Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, Parents and Children Together, Mental Health America of Hawai'i, Hawaii Women's Coalition, and two individuals.

Your Committee finds that violent crimes often have profound negative effects on persons other than the direct victim. Surviving family members of deceased victims frequently incur significant expense for mental health treatment on top of the trauma of losing a loved one. Similarly, child witnesses of



domestic violence often require counseling and other treatment to help them understand and heal from the trauma of what they witnessed. Your Committee further finds that the purpose of crime victim compensation is to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. This measure will expand crime victim compensation to cover certain individuals other than the direct victims of certain violent crimes.

Your Committee has amended this measure by:

- (1) Making conforming amendments to new statutory language to better match existing statutory language relating to the crime of abuse of family or household member; and
- (2) Making it effective upon approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 437, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 437, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* HB 437 HD1	Committee Referral: JDC, WAM	Date: 3/14/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike		✓		
KIM, Donna Mercado	✓			
FEVELLA, Kurt				✓
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes