

STAND. COM. REP. NO.

171

Honolulu, Hawaii

FEB 11 2019

RE: S.B. No. 852

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 S.B. No. 852 entitled:

"A BILL FOR AN ACT RELATING TO RESTITUTION FOR VICTIMS OF CRIME,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that reimbursement to crime victims includes lost earnings, mental health treatment, counseling, and therapy.

Your Committee received testimony in support of this measure from the Hawai'i Psychological Association, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual.

Your Committee finds that ambiguity exists as to what losses are eligible for reimbursement to victims of crimes. Your Committee further finds that losses suffered by victims of crimes can include things such as the cost of damaged or stolen property and hospitalization, as well as lost earnings and the cost of mental health treatment. Your Committee additionally finds that in order for the victim of a crime to be made as whole as possible, a broader range of losses should be explicitly made eligible for reimbursement, which is what this measure aims to do.

Your Committee has amended this measure by:



- (1) Removing redundant statutory language;
- (2) Changing the effective date to July 1, 2019; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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 S.B. No. 852, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 852, 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.:* SB 852	Committee Referral: JDC, WAM	Date: 2/1/19		
<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	4	0	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