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## HOUSE RESOLUTION

REQUESTING THE JUDICIARY TO MONITOR THE COLLECTION OF CRIME  
VICTIM COMPENSATION FEES.

1           WHEREAS, the Crime Victim Compensation Commission was  
2 established in 1967 to provide compensation to Hawaii's victims  
3 of violent crime; and  
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5           WHEREAS, the Legislature, in Act 206, Session Laws of  
6 Hawaii 1998, established the mandatory crime victim compensation  
7 fee to enable the Crime Victim Compensation Commission to become  
8 fiscally self-sufficient and to eliminate the need for general  
9 fund appropriations; and  
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11           WHEREAS, many victims experience financial hardship and  
12 cannot afford to pay for medical treatment, mental health  
13 treatment, or other services they need in order to recover from  
14 the harmful effects of violent crime, and therefore they must  
15 seek compensation from the Crime Victim Compensation Commission;  
16 and  
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18           WHEREAS, victims and their surviving family members will be  
19 further traumatized if the Crime Victim Compensation Commission  
20 lacks sufficient funding to provide them with compensation for  
21 medical, mental health, funeral, and other expenses; and  
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23           WHEREAS, chapter 351, Hawaii Revised Statutes, requires  
24 judges to assess the mandatory crime victim compensation fee  
25 against every defendant who has the ability to pay and who  
26 enters a deferred plea or who is convicted of a petty  
27 misdemeanor, misdemeanor, or felony; and  
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29           WHEREAS, the Judiciary's collection of compensation fees is  
30 less than their estimated revenue from compensation fee  
31 collections; and  
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1 WHEREAS, the Crime Victim Compensation Commission's surveys  
2 of compensation fee assessments found that judges did order  
3 defendants to pay the compensation fee in all eligible cases;  
4 and  
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6 WHEREAS, the failure to order and collect the mandatory  
7 compensation fee in all eligible cases jeopardizes the  
8 legislative intent of Act 206, Session Laws of Hawaii 1998, to  
9 eliminate the need for general fund appropriations to fund  
10 compensation for crime victims; and  
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12 WHEREAS, the Judiciary is in the best position to monitor  
13 whether judges are ordering the mandatory compensation fee; now,  
14 therefore,  
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16 BE IT RESOLVED by the House of Representatives of the  
17 Twenty-fourth Legislature of the State of Hawaii, Regular  
18 Session of 2007, that the Judiciary is requested to provide the  
19 Legislature with a report detailing the progress of the  
20 Judiciary in meeting the requirements of Act 206, Session Laws  
21 of Hawaii 1998, including specific information regarding:  
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- 23 (1) Actual versus estimated compensation fee collections;
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- 25 (2) The number of eligible cases in which the fee was  
26 ordered;
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- 28 (3) The number of eligible cases in which the fee was  
29 collected;
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- 31 (4) The number of eligible cases in which the fee was  
32 waived; and  
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- 34 (5) In eligible cases in which the fee was waived, the  
35 criteria used for waiving the fee; and  
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37 BE IT FURTHER RESOLVED that the Judiciary is requested to  
38 report its findings and recommendations to the Legislature no  
39 later than twenty days before the convening of the Regular  
40 Session of 2008; and  
41

42 BE IT FURTHER RESOLVED that certified copies of this  
43 Resolution be transmitted to the Chief Justice of the Supreme



# H.R. NO. 6

1 Court, the Administrative Director of the Courts, and the  
2 Chairperson of the Crime Victim Compensation Commission.

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OFFERED BY:

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JAN 18 2007

