

Mr. Chairman and members of the committee, thank you for your time this morning. My name is Bryan Kline, and I was elected as Westmoreland County Clerk of Courts in 2009, and was reelected last year. Since being elected in 2009, I have made one of my priorities protecting the rights of crime victims, and ensuring that they are receiving restitution payments.

When I was first elected, I quickly realized we had a problem with collections, and a lot of money was owed to the county, the commonwealth, and to the victims of crime. I decided to tackle this problem. I formed a collections committee through the criminal justice advisory board, and got everyone on the same page.

I then developed an Administrative Cost Hearing Process that has been very successful. I have presided over thousands of these hearings and hold them monthly.

The criteria for these hearings is that the defendant is no longer on probation and has not made a payment in 180 days. A lot of the payments we receive for these hearings are individuals paying their case balance off or bringing their payment plan current. I have helped implement the Administrative Cost Hearing program in Montgomery County, and have been contacted by other Clerk of Courts in order to help them establish this program.

In 2013, from the Administrative Cost hearings we collected \$146,635.55. After modifying this program in 2014, we have collected \$71,719.25 so far this year. At the hearings in February, we collected over \$19,000 in just one day. These are monies that were deemed uncollectable in the past.

Through the Criminal Justice Advisory Board, we also established a collections court that is held once a month. The collections court that was established collected almost \$50,000 in 2013 and \$20,500 so far in 2014. Through these programs, we have collected monies that were owed from

cases dated as far back as 1976.

Based on recommendation 14 by the restitution task force

I met with the County Prison Board and obtained an administrative court order from the President Judge, which mandates county sentenced inmates to pay 20 percent out of their inmate accounts towards court cost, fines, and restitution. We started these deductions in July 2013 and collected \$48,642.39 that year. So far this year, we have collected \$25,834.46. We receive a check from the county prison every month ranging from \$8,000-\$10,000. Westmoreland County is a 3rd Class County and we average 440 inmates monthly.

This is the same procedure that the department of corrections uses. We received roughly \$6,170 from the department of corrections monthly last year. Attached to my testimony, is a copy of the administrative court order that allows the county deductions.

I have also taken the burden of collecting fees off of the tax payers, by assessing an \$11.50 administrative fee on every case that is processed in my office. The tax payers had nothing to do with these crimes committed, and should not be subsidizing the collection of these fines.

The Clerk of Courts has the authority to suspend driver's licenses for nonpayment of court cost, fines and restitution if a title 75 offense is committed, such as a DUI or any driving related offense. I found this to be a very effective tool. I started suspended drivers licenses in 2011 and have suspended over 500 licenses to date.

Every time that a crime victim is sent a restitution check from office, we include a change of address post card, which may be return if the victim

has moved. Its little procedure like this that helps us keep a up to date address on the crime victim.

In 2009, prior to me taking office, 4.5 million dollars was collected. Last year we collected 5.8 million dollars. This year I anticipate collecting over 6 million dollars.

All of these programs that I have discussed can be implemented by all of the Clerk of Courts in the Commonwealth. More importantly, these programs give crime victims the justice that that they deserve.

In closing, I will read a thank you note that I received from a victim of crime:

Dear Mr. Kline,

I wanted to send you a huge thank you for all of your hard work in getting defendants to pay restitution. I have been following the articles in the Tribune Review about what you are doing to get money to victims of crime.

I was a crime victim in 2006 and I have received restitution payments for the past 3 months after receiving nothing for years.

I am sure that I can speak for many victims of crime and how grateful we are to you for all that you have done in such a short amount of time. Many thanks.

IN THE COURT OF COMMON PLEAS OF
WESTMORELAND COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

Administrative Order of Court

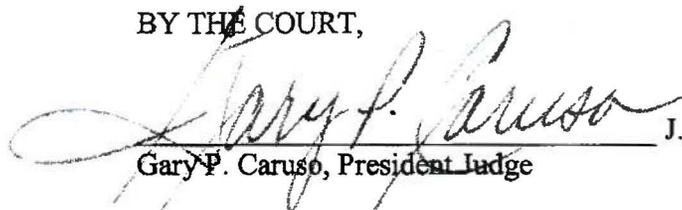
Case No. 1014 MD of 2012

RE: Clerk of Courts

ORDER OF COURT

AND NOW, to wit, this 3rd day of Nov, 2012, it is hereby ORDERED,
ADJUDGED and DECREED that in compliance of Title 42 Section 9728(b)(5) that the
Westmoreland County Jail shall be authorized to make monetary deductions from
Inmates' personal accounts for the purpose of collecting restitution or any other court
order obligation or costs imposed under Title 42 Section 9721(c)(1). The monetary
deduction(s) received, by the Westmoreland County Jail, shall be transmitted to the
Westmoreland County Clerk of Courts Office to specifically be applied to restitution or
any other court-ordered obligation that the Offender is subject to by way of conviction,
plea or general plea within the sentence issued by the Westmoreland County Court of
Common Pleas - District 10.

BY THE COURT,


Gary P. Caruso, President Judge

Attest


Clerk of Courts