

Sample Cases: Thinking Broadly About Restitution

Examples of Expenses Successfully Sought in Restitution

Adoption Fees

State v. Alcalá, 348 P.3d 570 (Kan. 2015).

Animal-Related

People v. Baker, No. CO76653, 2015 WL 1894294 (Cal. Ct. App. Apr. 24, 2015).

Commonwealth v. Lee, 947 A.2d 199 (Pa. Super. Ct. 2008).

Attorney Fees

United States v. Bahel, 662 F.3d 610 (2d Cir. 2011).

United States v. Skowron, 839 F. Supp. 2d 740 (S.D.N.Y. 2012).

Arling v. State, 559 So. 2d 1274 (Fl. Dist. Ct. App. 1990).

People v. Oshana, 965 N.E.2d 1174 (Ill. App. Ct. 2012).

State v. Gerhardt, 385 P.3d 1049 (Or. 2016).

State v. Anderson, 573 N.W.2d 872 (Wis. Ct. App. 1997).

Credit Repair/Protection

State v. Maxwell, 802 N.W.2d 849 (Minn. Ct. App. 2011).

Fencing

People v. Quevedo, No. F049371, 2007 WL 520333 (Cal. Ct. App. Feb. 21, 2007).

Guard Dog & Self-Defense Classes

In re Isaiah F., No. A108434, 2005 WL 3047954 (Cal. Ct. App. Nov. 15, 2005).

Internal Investigations

State v. Brewer, 989 P.2d 407 (Mont. 1999).

Locating Family Members

State v. Maldi, 537 N.W.2d 280 (Minn. 1995).

Lost Income and Sick/Personal/Vacation Time (Past/Future)

United States v. Evers, 669 F.3d 645 (6th Cir. 2012).

United States v. Serawop, 505 F.3d 1112 (10th Cir. 2007).

People v. Giordano, 170 P.3d 623 (Cal. 2007).

People v. Perez, 413 P.3d 266 (Colo. App. 2017).

People v. Turn, 896 N.W.2d 805 (Mich. Ct. App. 2016).

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Physical Health Costs (Past/Future)

United States v. Doe, 488 F.3d 1154 (9th Cir. 2007).
State v. Howard, 815 P.2d 5 (Ariz. Ct. App. 1991).
People v. Phelps, 48 Cal. Rptr. 2d 855 (Cal. Ct. App. 1996).
State v. Corbus, 249 P.3d 398 (Idaho 2011).

Medical Costs for Suicide Attempt Resulting from Criminal Conduct

State v. Do, No. 2 CA-CR 2014-0166, 2015 WL 1988201 (Ariz. Ct. App. Apr. 29, 2015).
State v. Bradley, No. C1-95-741, 1995 WL 635367 (Minn. Ct. App. Oct. 31, 1995).
State v. Jent, 299 P.3d 332 (Mont. 2013).
Smiley v. State, 417 P.3d 174 (Wyo. 2018).

Mental Health Costs (Past/Future)

United States v. Osman, 853 F.3d 1184 (11th Cir. 2017).
United States v. Pearson, 570 F.3d 480 (2d Cir. 2009).
W.S. v. State, 174 P.3d 256 (Alaska Ct. App. 2008).
State v. J.B., 643 So. 2d 402 (La. Ct. App. 1994).
State v. Oakes, 13 A.3d 293 (N.H. 2010).
State v. Allen, 858 P.2d 176 (Or. Ct. App. 1993).
Commonwealth v. Boyles, 595 A.2d 1180 (Pa. Super. Ct. 1991).
State v. Ruiz, 366 P.3d 1230 (Utah Ct. App. 2016).

Minimum Restitution

State v. Rey, 890 N.W.2d 135 (Minn. Ct. App. 2017).

Moving Expenses and Temporary/Permanent Relocation

People v. Tinoco, No. E064372, 2016 WL 4491466 (Cal. Ct. App. Aug. 26, 2016).
People v. Bryant, 122 P.3d 1026 (Colo. Ct. App. 2005).
Santiago v. State, 669 So. 2d 334 (Fla. Dist. Ct. App. 1996).
State v. Beechum, 833 P.2d 988 (Kan. 1992).
State v. Rodriguez, 863 N.W.2d 424 (Minn. Ct. App. 2015).
State v. Shepherd, 60 A.3d 213 (Vt. 2012).

Noneconomic Damages

People v. Lehman, 202 Cal. Rptr. 3d 386 (Cal. Ct. App. 2016).

Participation in Criminal Proceedings

People v. Crisler, 81 Cal. Rptr. 3d 887 (Cal. Ct. App. 2008).
People v. Garrison, 852 N.W.2d 45 (Mich. 2014).
State v. Palubicki, 727 N.W.2d 662 (Minn. 2007).
State v. Bruce, 907 N.W.2d 773 (N.D. 2018).
State v. Kirschner, 368 P.3d 21 (Or. 2016).



Property Repair

United States v. Washington, 434 F.3d 1265 (11th Cir. 2006).
United States v. Hackett, 311 F.3d 989 (9th Cir. 2002).
People v. Stanley, 279 P.3d 585 (Cal. 2012).
People v. Cortes, No. A150225, 2018 WL 2998752 (Cal. Ct. App. June 15, 2018).
People v. Smith, 181 P.3d 324 (Colo. Ct. App. 2007).
State v. Kennedy, 528 N.W.2d 9 (Wis. Ct. App. 1994).

Property Remediation

United States v. Oceanpro Indus., 674 F.3d 323 (4th Cir. 2012).
United States v. Brock-Davis, 504 F.3d 991 (9th Cir. 2007).
United States v. Quillen, 335 F.3d 219 (3d Cir. 2003).
Commonwealth v. Buckley, 57 N.E.3d 1051 (Mass. App. Ct. 2016).

Property Replacement

United States v. Kaplan, 839 F.3d 795 (9th Cir. 2016).
United States v. Genschow, 645 F.3d 803 (6th Cir. 2011).
Reeves v. State, 24 So. 3d 549 (Ala. Crim. App. 2009).
Dubois v. People, 211 P.3d 41 (Colo. 2009).
People v. Rednour, 665 N.E.2d 888 (Ill. App. Ct. 1996).
Fleischer v. Commonwealth, 822 S.E.2d 679 (Va. Ct. App. 2019).

Reward Money

People v. Dillingham, 881 P.2d 440 (Colo. Ct. App. 1994).

Security Systems

People v. T.R., No. D055049, 2010 WL 2332934 (Cal. Ct. App. June 10, 2010).
State v. Christy, 383 P.3d 406 (Or. Ct. App. 2016).

Traditional Ceremonies and Funeral Expenses

United States v. Iron Cloud, 312 F.3d 379 (8th Cir. 2002).
People v. Keichler, 29 Cal. Rptr. 3d 120 (Cal. Ct. App. 2005).
People v. Jurian, Nos. B244575, B250118, 2018 WL 1100763 (Cal. Ct. App. Feb. 28, 2018).
Critsley v. State, 573 So. 2d 167 (Fl. Dist. Ct. App. 1991).
Hughes v. State, 815 N.W.2d 602 (Minn. 2012).
State v. Tenerelli, 598 N.W.2d 668 (Minn. 1999).
State v. Ceballos, 230 P.3d 954 (Or. Ct. App. 2010).

Transportation and Travel Expenses

United States v. Searle, 65 F. App'x 343 (2d Cir. 2003).
United States v. Estep, 378 F. Supp. 2d 763 (E.D. Ky. 2005).



Transportation and Travel Expenses, Cont'd

State v. Patterson, 384 P.3d 92 (Mont. 2016).

Tuition/School-Related Expenses

In re Andrew C., 160 P.3d 687 (Ariz. Ct. App. 2007).

People v. Cortez, No. A140355, 2015 WL 1789071 (Cal. Ct. App. Apr. 17, 2015).

Commonwealth v. Casanova, 843 N.E.2d 699 (Mass. App. Ct. 2006).

Unlicensed Contractors

People v. Walker, 211 Cal. Rptr. 3d 829 (Cal. App. Dep't Super. Ct. 2016).

Warranties

In re D.R., No. C061770, 2010 WL 2474807 (Cal. Ct. App. June 18, 2007).



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