



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

**DCCA News Release**

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GOVERNOR

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**AUTO BODY TECHNICIAN SENTENCED IN FIRST  
MOTOR VEHICLE INSURANCE FRAUD TRIAL**

(Honolulu)— The Department of Commerce and Consumer Affairs Director Mark E. Recktenwald announce through insurance Commissioner J.P. Schmidt that the defendant in the Insurance Fraud's first jury trial was sentenced on July 27, 2004 by the Honorable Hilary Gangnes.

Hiram Lee Whitaker III, a former auto body technician was sentenced to probation after being convicted by a jury in April of 2004. Whitaker was found guilty of Insurance Fraud, a class C felony that carries a sentence of up to 5 years of incarceration and Attempted Theft in the Second Degree, also a class C felony.

Whitaker, a former auto body technician for a local auto body shop, claimed in March of 2001 that his Toyota MR2 was vandalized while parked in front of his residence. He filed an insurance claim for the loss, however investigations revealed that the vehicle's damages were not consistent with the reported facts. Some of the damages were actually pre-existing and the jury found Whitaker guilty of attempted theft and insurance fraud.

Despite the State's request for incarceration, Whitaker was sentenced to probation. Judge Gangnes also ordered Whitaker to perform 100 hours of community service, to pay \$100 to the crime victims compensation fund, and to pay \$150 probation service fee. The filing of false claims inflates the cost of car insurance for everyone. To anonymously report insurance fraud on Oahu, call the Insurance Fraud Hotline at 587-7416. For more information call the Insurance Division at 587-6742.