

IN THE COURT OF APPEALS OF IOWA

No. 6-450 / 05-1104
Filed July 12, 2006

STATE OF IOWA,
Plaintiff-Appellee,

vs.

KEVIN EUGENE HOAGLUND,
Defendant-Appellant.

Appeal from the Iowa District Court for Warren County, Peter A. Keller,
Judge.

Kevin Hoaglund appeals the district court's restitution order. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Stephan J. Japuntich,
Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Martha E. Boesen, Assistant Attorney
General, Gary Kendell, County Attorney, and Doug Eichholz, Assistant County
Attorney, for appellee.

Considered by Vogel, P.J., and Zimmer and Vaitheswaran, JJ.

VAITHESWARAN, J.

A jury found Kevin Hoaglund guilty of assault on his girlfriend's ex-husband. The State's Crime Victim Assistance Division compensated the ex-husband for medical expenses and lost income associated with the crime. At sentencing, the State requested restitution of \$13,741.88 on behalf of the Crime Victim Assistance Division. The district court granted the request.

On appeal, Hoaglund challenges this restitution order. He argues there is no causal connection between the crimes he was found to have committed and the payments made by the Division. This argument presupposes that a causal connection must be shown.

In *State v. Bradley*, 637 N.W.2d 206, 215 (Iowa Ct. App. 2001), we recognized that our courts have interpreted the restitution statute to require a causal connection between the acts of the offender and the damages claimed by the victim. See *State v. Holmberg*, 449 N.W.2d 376, 377 (Iowa 1989); *State v. Mai*, 572 N.W.2d 168, 171 (Iowa Ct. App. 1997). We noted, however, that this requirement applied to victim restitution orders as opposed to orders to repay the Crime Victim Assistance Division. *Bradley*, 637 N.W.2d at 215. We stated "[n]o such discretion exists in regard to crime victim assistance payments. The district court is not only authorized but mandated to order restitution for these amounts, subject only to the offender's reasonable ability to pay." *Id.* Based on this language, we conclude the district court was not required to establish a causal

connection between the assaults and the repayments sought on behalf of the Crime Victim Assistance Division.¹ We affirm the court's restitution order.

AFFIRMED.

¹If a proximate cause showing were required in connection with this type of restitution order, we would have no trouble finding sufficient evidence to satisfy this requirement.