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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STATE OF IDAHO,

Plaintiff,

V.

BRYAN C. KOHBERGER,

Defendant.

CASE NUMBER CR01-24-31665

**DEFENDANT'S OBJECTION TO THE
STATE'S REQUEST FOR ADDITIONAL
RESTITUTION**

COMES NOW, Bryan C. Kohberger, by and through his attorneys of record, and hereby objects to the State's Request for Additional Restitution filed September 22, 2025. The grounds for objection are that 1) the plea agreement specified funeral expenses and funds reimbursed through Idaho's Crime Victim Compensation Fund in an amount to be determined within 60 days

from July 23, 2025. Mr. Kohberger stipulated to those amounts, resulting in court orders in the amount of \$28,956.88 on August 29, 2025; 2) the additional funds sought do not qualify as an economic loss under Idaho Code 19-5304 because Steve and Kristi Goncalves and Karen Larmie received extensive funds through multiple GoFundMe campaigns that specifically asked for and covered the expenses sought; and 3) Mr. Kohberger has no ability now or in the future to pay restitution because he is serving four consecutive life sentences plus 10 years.

Procedural History

A Judgment was entered against Mr. Kohberger on July 23, 2025. The plea agreement stated, “That State may seek restitution orders regarding funeral expenses and Crime Victims Compensation reimbursement in an amount to be determined.” The Judgment of conviction ordered \$251,227.50 in criminal fines¹ and fees², \$20,000 as civil judgment³ for each of the families named in the indictment and also directed the State “to notice restitution for hearing if the parties cannot stipulate to an amount within sixty (60) days.”⁴ With respect to the Crime Victim’s Compensation Program, and funeral expenses, the parties so stipulated on August 27, 2025, to \$28,956.88, and corresponding orders were entered on August 28, 2025. On September 22, 2025, the State filed its “State’s Request for Restitution and Motion to Seal Exhibit” seeking an additional \$20,409.32 for Kristi and Steve Goncalves and \$6,920.32 for Karen Laramie. An itemized statement with receipts was attached under seal. No documentation showing reimbursement by the Crime Victim’s Compensation fund was included.⁵ The receipts relate to travel and accommodation.

¹ Pursuant to I.C. § 18-122A, fines on each Count I-V in the amount of \$50,000 for a total of \$250,000.00. Judgment of Conviction, p. 4.

² Court costs and various fees on each Count I-V = (\$10.00 + \$17.50 + \$10.00 + \$75.00 + \$100.00 + \$3.00 + \$15.00 + \$15.00) x 5 = \$245.50 x 5 = \$1,227.50. Judgment of Conviction, p. 3.

³ Civil Judgments were filed on August 28, 2025.

⁴ This motion was filed 61 days after the Judgment of Conviction and Commitment filed on July 23, 2025.

⁵ The State produced receipts for urns totaling \$1,420.00 for Goncalves and \$1587.79 for Laramie. Mr. Kohberger does not disagree that these qualify as a funeral expense but does request that the court consider all factors set forth in Idaho Code Section 19-5304(7).

Argument

Plea Agreement

The plea agreement is unambiguous about the restitution categories Mr. Kohberger agreed to pay and once receipts and verification were provided, he stipulated accordingly. “This Court must consider contractual terms that are expressly provided in the plea agreement, as well as those contractual terms that are implied.” *State v. Foeller*, 168 Idaho 884 (2021), 888 citing *State v. Doe*, 138 Idaho 409, 410-11 (Ct. App. 2003). Given the express language in the plea agreement, the only additional receipts submitted that may fall within the contractual terms are those for the urns. The State has an obligation to stand by the terms of the plea agreement that Mr. Kohberger relied upon. *Puckett v. U.S.*, 556 U.S. 129, 137 (2009).

Economic Loss

Idaho Code Section 19-5304(1)(a) defines economic loss as:

“Economic loss” includes, but is not limited to, the value of property taken, destroyed, broken, or other harmed, lost wages, and **direct out of pocket losses or expense**, such as medical expense resulting from the criminal conduct, but does not include less tangible damage such as pain and suffering, wrong death or emotional distress. (emphasis added).

Several GoFundMe campaigns resulted in funds raised for the Goncalves and Laramie families. Specifically, one GoFundMe campaign for Madison and Kaylee raised \$73,493. These funds were promoted as going to both families. See <https://www.gofundme.com/f/madison-may-mogen> (last visited October 6, 2025). Another GoFundMe campaign for Karen Laramie raised \$48,815.00 to “Help Maddie’s Family Attend the Idaho Trial” and also clarified that the funds were in fact used to travel to Boise for hearings, including the sentencing. See <https://www.gofundme.com/f/help-maddies-family-attend-the-idaho-trial> (last visited October 6, 2025). A third GoFundMe campaign for Steve and Kristi Goncalves raised \$85,583.00 for the purpose of attending court hearings in Boise after venue was changed. See

<https://www.youtube.com/watch?v=ksLNtFwH2AQ> and <https://www.gofundme.com/f/help-kaylee-goncalves-family-attend-trial?cdn-cache=0> (last visited October 6, 2025).

Given the specific funds sought and obtained for expenses to travel to Boise, the request should be denied because neither family suffered an economic loss for that which the State seeks reimbursement. Both families did indicate a desire to refund any donations after the case resolved after sentencing, but whether they were able to accomplish this or donor's requested funds returned is not included in the State's motion.⁶

Inability to Pay

Idaho Code Section 19-5304(7) provides guidance in determining whether restitution would be appropriate and states that the court should consider “the amount of economic loss **sustained** by the victim as a result of the offense, the financial resources, **need and earning ability of the defendant**, and other factors as the court deems appropriate.” (emphasis added) *State v. Foeller*, 168 Idaho 884, 888 (2021). Economic loss is addressed above and in light of the GoFundMe donations, the specific funds for which the Goncalves's and Karen Larmie seek reimbursement (travel to Boise), there is no sustained economic loss. Additionally, Mr. Kohberger has no ability to earn money or pay money given his four consecutive life sentences plus 10 years. Unlike other cases where the Idaho courts have ordered restitution for short and long prison sentences, Mr. Kohberger's is different. He will never have the ability to pay restitution and even though he stipulated to restitution amounts, there is no foreseeable ability for him to ever make payment. *State v. Garcia*, 166 Idaho 661 (2020). Under Idaho law, he will never be able to profit by way of book, movie, or entertainment of any kind. *See* Idaho Code Section 19-5301.

⁶ GoFundMe's policy on returning donations is that once the recipient has received the funds, it is up to the recipient to decide whether and how to return funds. <https://support.gofundme.com/hc/en-us/articles/203604214-Refunding-your-donors>. In all three GoFundMe campaigns, the funds were paid to the families and any amount that may or may not have been returned to donors is unclear. *See* <https://www.newsnationnow.com/us-news/midwest/goncalves-family-refund-donations-kohberger-plea-deal/> (last visited October 6, 2025).

Conclusion

For all of the reasons stated above, Mr. Kohberger objects to the request for additional restitution. He waives his own attendance at a hearing on this matter and requests that he not be transported because his defense counsel will be present.

DATED this 7 day of October 2025.



Anne C. Taylor



Elisa G. Massoth



Bicka Barlow

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served as indicated below on the 7 day of October, 2025, addressed to:

Latah County Prosecuting Attorney –via Email: paservice@latahcountyid.gov

Elisa Massoth – via Email: emassotht@kmrs.net

Jay Logsdon – via Email: Jay.Logsdon@spd.idaho.gov

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