

STAND. COM. REP. NO.

2580

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2687

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2687 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS,"

begs leave to report as follows:

The purpose of this measure is to repeal the petty misdemeanor offense of criminal trespass onto public parks and recreational grounds.

Testimony in support of this measure was submitted by the Office of the Public Defender; the American Civil Liberties Union of Hawaii; the Institute for Human Services, Inc.; the Interfaith Alliance Hawaii; Partners in Care; and four individuals. Testimony in opposition to this measure was submitted by the Kuli`ou`ou/Kalani Iki Neighborhood Board #2 and the Honolulu Police Department. The Department of Land and Natural Resources submitted comments on the measure.

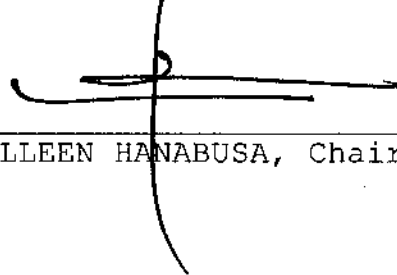
In 2004, the Legislature enacted Act 50, Session Laws of Hawaii 2004, to deter squatting on public parks and recreational grounds. However, this law implicated important social issues that generated debate within the community as to its effectiveness in addressing the issue of squatting. Subsequently in 2005, the Legislature established the petty misdemeanor offense of criminal trespass onto public parks and recreational grounds and repealed the amendments made to the offense of criminal trespass in the second degree by Act 50.



Your Committee finds that the new petty misdemeanor offense of criminal trespass onto public parks and recreational grounds may still have some problems as to its effectiveness in addressing the issue of squatting. Given that, your Committee finds it appropriate to repeal section 708-814.5, Hawaii Revised Statutes, which prohibits criminal trespass onto public parks and recreational grounds.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2687 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Hawaiian Affairs,



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COLLEEN HANABUSA, Chair



