

Honolulu, Hawaii
Fe 4 15, 2008

RE: H.B. No. 3362
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 3362 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this bill is to require that minors at least 15 years-of-age be tried as an adult for committing the offenses of murder in the first and second degree and sexual assault in the first and third degrees.

Many individuals testified in support of this bill. The Office of the Public Defender and several concerned individuals opposed this measure. The Judiciary provided comments.

Your Committee respectfully requests the Committee on Judiciary to examine constitutional due process and other legal issues raised by this measure.

Your Committee has amended this bill by:

- (1) Limiting the measure only to the murder offenses; and
- (2) Clarifying that minors subject to these provisions should be held in a youth correctional facility.

Other technical, nonsubstantive amendments were made for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3362, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



