

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO SENTENCING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to repeal the  
2 special sentencing of habitual violent felons, commonly known as  
3 the "three strikes" law, adopted by the legislature as Act 81 in  
4 2006. The legislature finds that Act 81 is overly broad, will  
5 lead to prison overcrowding and incur excessive costs for  
6 prisoner care and prison operation, and is superfluous in light  
7 of existing law which already provides for enhanced sentencing  
8 of repeat offenders. It deprives courts of the discretion  
9 needed to formulate appropriate, individualized sentences.  
10 Moreover, despite the claim by various law enforcement officials  
11 that its adoption was necessary to protect the public from  
12 dangerous criminals, the legislature finds that this law has not  
13 been used once since its passage.

14           SECTION 2. Act 81, Session Laws of Hawaii 2006, is  
15 repealed.

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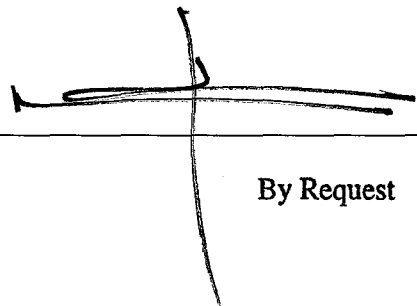


# S.B. NO. 84

1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

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By Request



**Report Title:**

Sentencing; Habitual Violent Offenders; Three Strikes

**Description:**

Repeals the law requiring habitual violent felons to be sentenced to prison for thirty years to life.

