

STAND. COM. REP. NO.

594

Honolulu, Hawaii

Feb 20, 2009

RE: H.B. No. 1780

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1780 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS,"

begs leave to report as follows:

The purpose of this bill is to ensure public safety while making available effective services that enable offenders to successfully reintegrate into the community, helping to reduce the cost of corrections, and allowing judges to use their discretion in sentencing offenders, by changing the minimum sentencing of repeat offenders from being mandatory to discretionary.

The Office of the Public Defender, the state representative from the 11th Representative District, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Drug Policy Forum of Hawaii, and several concerned individuals testified in support of this bill. The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, and a concerned individual opposed this measure.

Your Committee has amended this bill by:

- (1) Allowing defendants who are repeat offenders under section 706-606.5, Hawaii Revised Statutes, to be sentenced to probation; and

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- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1780, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



J.W. RIKI KARAMATSU, Chair



