
A BILL FOR AN ACT

RELATING TO PRE-SENTENCING PROCEDURES.

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

1 SECTION 1. Section 706-602, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) The pre-sentence diagnosis and report shall be made
4 by personnel assigned to the court, intake service center or
5 other agency designated by the court and shall include:

6 (a) An analysis of the circumstances attending the
7 commission of the crime;

8 (b) The defendant's history of delinquency or criminality,
9 physical and mental condition, family situation and
10 background, economic status and capacity to make
11 restitution or to make reparation to the victim or
12 victims of the defendant's crimes for loss or damage
13 caused thereby, education, occupation, and personal
14 habits;

15 (c) Information made available by the victim or other
16 source concerning the effect that the crime committed
17 by the defendant has had upon said victim, including



1 but not limited to, any physical or psychological harm
 2 or financial loss suffered;
 3 (d) Information concerning defendant's compliance or non-
 4 compliance with any order issued under section 806-11;
 5 [and]
 6 (e) An assessment of whether a sentence of community
 7 service under section 706-605 would be appropriate for
 8 the defendant; and
 9 [~~e~~] (f) Any other matters that the reporting person or
 10 agency deems relevant or the court directs to be
 11 included."

12 SECTION 2. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 begun before its effective date.

15 SECTION 3. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY:

Marie Bosee [Signature]
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Report Title:

Pre-sentence Diagnosis and Report; Community Service

Description:

Requires the pre-sentence diagnosis and report administered upon felons, youthful offenders, and other defendants as ordered by the court, to include an assessment of whether it would be appropriate to sentence the defendant to perform community service.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

