

Honolulu, Hawaii  
March 3, 2011

RE: H.B. No. 1155  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1155 entitled:

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

begs leave to report as follows:

The purpose of this bill is to update the list of crimes that warrant mandatory minimum sentences under the Hawaii Repeat Offender Law by:

- (1) Specifying the class A and B felonies and deleting certain class C felonies; and
- (2) Adding the crime of attempting to commit any of the specified felonies;

that trigger mandatory minimum sentencing.

The Office of the Public Defender, American Civil Liberties Union, and National Association of Reformed Criminals testified in support of this measure. The Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, and Honolulu Police Department opposed this bill.

Your Committee has amended this bill by:


- (1) Adding new class A and B felonies that warrant mandatory minimum sentences;



- (2) Reinstating certain deleted class C felonies (except section 708-831 relating to theft in the first and second degree, and section 708-836 relating to unauthorized control of propelled vehicle) and adding new class C felonies that warrant mandatory minimum sentences;
- (3) Changing the effective date to January 7, 2059, to promote further discussion; and
- (4) Making technical, nonsubstantive changes 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. 1155, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1155, H.D. 1, and be placed on the calendar for Third Reading.

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

  
\_\_\_\_\_  
GILBERT KEITH-AGARAN, Chair



