

STAND. COM. REP. NO. 117

Honolulu, Hawaii
Feb 8, 2011

RE: H.B. No. 1476
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 Human Services, to which was referred H.B. No. 1476 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this bill is to expedite waiver-of-family-court-jurisdiction cases by mandating the waiver of jurisdiction and ordering of the minor to a youth correctional facility for criminal proceedings where the family court finds that the minor:

- (1) Is 15 to 17 of age; and
- (2) Allegedly committed an act that would constitute first degree murder if committed by an adult and no other charges arise from the alleged act.

This bill also authorizes the circuit court to remand the minor to the family court under certain circumstances upon motion by the minor.

The American Civil Liberties Union of Hawaii opposed this bill. The Judiciary offered comments.

Your Committee finds that requiring the Office of Youth Services/Hawaii Youth Correctional Facility to house both waived and non-waived juveniles is inadvisable.

HB1476 HD1 HSCR HUS HMS 2011-1844

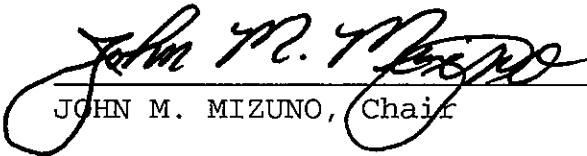


Accordingly, your Committee has amended this bill by:

- (1) Deleting the requirement that the minor be held in a youth correctional facility; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1476, H.D. 1, and be referred to the Committee on Judiciary.

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



JOHN M. MIZUNO, Chair



