

Honolulu, Hawaii

February 28, 2013

RE: H.B. No. 182
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 182 entitled:

"A BILL FOR AN ACT RELATING TO JUVENILES,"

begs leave to report as follows:

The purpose of this measure is to permit a court to dispose of a juvenile case by referring the child defendant to a restorative justice program when the court deems it would be in the best interest of the child and the child admits guilt.

The Community Alliance on Prisons and a few concerned individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Office of Hawaiian Affairs provided comments.

Your Committee has amended this measure by clarifying:

- (1) That a restorative justice program is an approach to justice that focuses on the offender, the victim, and community, and fosters cooperation among those parties to address the violation committed and prevent future crime;
- (2) That restorative justice programs include restorative dialogues, restorative conferences, restorative justice circles, restorative sessions, Native Hawaiian reconciliation practices like ho'oponopono, or any type



of restorative justice group process where offenders and victims meet individually or with their loved ones, or with a facilitator; and

- (3) 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. 182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 182, H.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



