
A BILL FOR AN ACT

RELATING TO HABITUAL PROPERTY CRIME.

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

1 SECTION 1. The legislature finds that the vast majority of
2 reported crimes in Hawaii are property crimes (larceny-theft,
3 burglary, and motor vehicle theft), which constituted
4 approximately ninety-three per cent of all reported crimes in
5 2012 according to statistics released by the department of the
6 attorney general. However, the law enforcement closure rate for
7 property crimes in Hawaii was only fourteen per cent in 2012
8 compared to forty-eight per cent for all reported violent crimes
9 (murder, rape, robbery, and aggravated assault) in the same
10 year. These statistics demonstrate that current practices in
11 the criminal justice system are ineffective in reducing or
12 eliminating the most prevalent crimes in this State.

13 The legislature further finds that a large portion of
14 property crimes in Hawaii are committed by habitual offenders.
15 Increasing the sanctions for habitual property offenders may
16 provide more effective deterrents to recidivism.

17 The purpose of this Act is to reduce recidivism among
18 property crime offenders by amending the sentencing options for



1 habitual property crime to require that the offender serve the
2 entire one-year term of imprisonment imposed as a condition of
3 probation.

4 SECTION 2. Section 708-803, Hawaii Revised Statutes, is
5 amended by amending subsection (4) to read as follows:

6 "(4) For a conviction under this section, the sentence
7 shall be either:

8 (a) An indeterminate term of imprisonment of five years;

9 or

10 (b) A term of probation of five years, with conditions to
11 include but not be limited to a mandatory term of
12 imprisonment of one year [~~of imprisonment.~~] without
13 possibility of furlough or work-release."

14 SECTION 3. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY:

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JAN 09 2014



H.B. NO. 1542

Report Title:

Habitual Property Crime; Terms of Probation; Mandatory Term of Imprisonment

Description:

Amends the sentencing options for habitual property crime by requiring that the offender serve the entire one-year term of imprisonment imposed as a condition of probation.

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