

Honolulu, Hawaii

February 14, 2014

RE: H.B. No. 2116
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2116 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING FOR JUVENILE OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to require the criminal courts to account for the developmental differences between juvenile and adult defenders when sentencing juveniles by:

- (1) Establishing sentence modification procedures and sentencing considerations for offenses committed by an individual prior to their turning age eighteen;
- (2) Abolishing life imprisonment without parole as a sentencing option for those convicted for offenses committed while under the age of eighteen; and
- (3) Limiting the minimum term of incarceration required before a person sentenced for an offense committed while under eighteen years of age may be eligible for parole.

The Campaign for the Fair Sentencing of Youth and several concerned individuals supported this bill. The Richardson Students for the Rights of Children and Hawai'i Appleseed Center for Law and Economic Justice supported the intent of the measure



and provided comments. The Department of the Prosecuting Attorney commented on this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to facilitate discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully notes that there was considerable opposing testimony on this matter, and that because your Committee on Judiciary has considerable experience in matters of sentencing, your Committee encourages further discussion and consideration should your Committee on Judiciary choose to consider this measure.

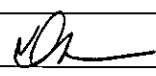
As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2116, H.D. 1, and be referred to the Committee on Judiciary.

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


MELE CARROLL, Chair



Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 2116	Committee Referral: HUS, JUD	Date: 2/13/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. CARROLL, Mele (C)				✓
2. KOBAYASHI, Bertrand (VC)	✓			
3. BELATTI, Della Au				✓
4. CREAGAN, Richard				✓
5. HASHEM, Mark J.	✓			
6. JORDAN, Jo		✓		
7. MORIKAWA, Dee		✓		
8. OSHIRO, Marcus R.				✓
9. WOODSON, Justin H.	✓			
10. FUKUMOTO, Beth	✓			
TOTAL (10)	4	2		4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				