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# HOUSE RESOLUTION

REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE  
ESTABLISHMENT OF FAIR AND PROPORTIONAL FINES FOR CERTAIN  
PENALTIES IN HAWAII TO ENSURE A FAIR AND MEANINGFUL  
DETERRENT TO ILLEGAL BEHAVIOR FOR INDIVIDUALS ACROSS THE  
ECONOMIC SPECTRUM.

1           WHEREAS, penalties for some violations and infractions in  
2 all areas of law in Hawaii tend to be flat fines, including but  
3 not limited to speeding, and negligent or reckless actions; and  
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5           WHEREAS, such actions can lead to serious injuries or death  
6 and in the case of traffic violations are a leading cause of  
7 vehicular accidents and manslaughter in Hawaii; and  
8

9           WHEREAS, penalties for those violations and infractions  
10 should serve as a meaningful deterrent to illegal behavior;  
11 however, a flat fine often serves as a meaningful deterrent only  
12 for those to whom it has a financial impact, making for an  
13 unfair application of justice in Hawaii; and  
14

15           WHEREAS, while a fine for \$200 may serve as a meaningful  
16 deterrent to illegal behavior for an individual of average  
17 means, it may require a \$2,000 fine to serve as a meaningful  
18 deterrent to illegal behavior for a wealthy individual; now,  
19 therefore,  
20

21           BE IT RESOLVED by the House of Representatives of the  
22 Thirtieth Legislature of the State of Hawaii, Regular Session of  
23 2019, that a task force be established to review and report on  
24 the establishment of fair and proportional fines for certain  
25 penalties in Hawaii to ensure a fair and meaningful deterrent to  
26 illegal behavior for individuals across the economic spectrum;  
27 and



1 BE IT FURTHER RESOLVED that the task force shall consist  
2 of:

- 3
- 4 (1) The Chief Justice of the Hawaii Supreme Court, or the
- 5 Chief Justice's designee, who shall chair the task
- 6 force;
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- 8 (2) The state Attorney General, or the Attorney General's
- 9 designee;
- 10
- 11 (3) The state Public Defender, or the Public Defender's
- 12 designee;
- 13
- 14 (4) The Prosecuting Attorney of each county, or the
- 15 Prosecuting Attorney's designee;
- 16
- 17 (5) The Chair of the House of Representatives committee on
- 18 Judiciary;
- 19
- 20 (6) The Chair of the Senate committee on Judiciary; and
- 21
- 22 (7) Any others appointed by the chair of the task force;
- 23 and
- 24

25 BE IT FURTHER RESOLVED that the task force is requested to  
26 submit a report of its findings and recommendations, including  
27 any proposed legislation, no later than twenty days prior to the  
28 convening of the Regular Session of 2020; and

29  
30 BE IT FURTHER RESOLVED that certified copies of this  
31 Resolution be transmitted to the Governor; the Chief Justice of  
32 the Hawaii Supreme Court; the Attorney General of the State of  
33 Hawaii; the Public Defender of the State of Hawaii; and the  
34 Prosecuting Attorney of each county.

OFFERED BY:

*[Handwritten signatures]*

Lyn DeCrite *[Signature]* *[Signature]* *[Signature]*

*[Signature]* *[Signature]* *[Signature]*

