

Honolulu, Hawaii
MAR 03 , 2022

RE: H.B. No. 1455
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1455 entitled:

"A BILL FOR AN ACT RELATING TO ROBBERY IN THE FIRST DEGREE,"

begs leave to report as follows:

The purpose of this measure is to amend the offense of robbery in the first degree to include as part of the offense being armed with or using an electric gun during the course of a theft or non-consensual taking of a motor vehicle.

Your Committee received testimony in support of this measure from the Honolulu Police Department and three individuals.

Your Committee finds that the Hawaii Penal Code does not adequately address potential situations in which offenders committing theft or non-consensual taking of a motor vehicle are armed with electric guns. Your Committee is concerned that criminals may start using electric guns, which became legal for members of the public on January 1, 2022, for the facilitation of these crimes since these devices can cause pain and incapacitation but are less likely to cause death or serious bodily injury. This measure accordingly aims to address this concern and deter the use of an electric gun in the commission of a crime, particularly robbery.



You Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1455, H.D. 1, and be placed on the calendar for Third Reading.

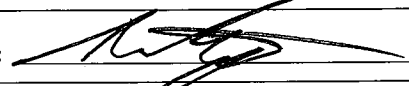
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1455	Committee Referral: JHA	Date: 2-25-22		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.				✓
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane	✓			
11. WARD, Gene	✓			
TOTAL (11)	10	0	0	1
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: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				