

STAND. COM. REP. NO.

2719

Honolulu, Hawaii

FEB 23 2022

RE: S.B. No. 2082

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2082 entitled:

"A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS,"

begs leave to report as follows:

The purpose and intent of this measure is to add abuse of a family or household member to those felonies that qualify for repeat offender sentencing.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual.

Your Committee finds that section 706-606.5, Hawaii Revised Statutes, was first enacted in 1976 to provide specialized sentencing provisions for repeat felony offenses and has been amended a number of times to include various class C felonies. Although this list covers a range of very serious crimes, one violent class C felony which is not on this list is felony-level abuse of a family or household member under sections 707-906(8), (9), and (10), Hawaii Revised Statutes. Given that class C felony offenses have been added to this section piecemeal over the years, your Committee believes that it was not intentional to leave felony-level abuse of a family or household member off of the list, but rather an oversight, as the three class C felony



subsections were created long after the sentencing for repeat offenders statute was enacted in 1976, and also long after the abuse of a family or household member was enacted in 1973. Until 1999, abuse of a family or household member was only classified as a misdemeanor offense. This measure will more accurately reflect the seriousness of these types of offenses in today's society by placing abuse of a family or household member on the same level as all other violent class C felonies.

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 S.B. No. 2082 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



