

STAND. COM. REP. NO.

1987

Honolulu, Hawaii

APR 24 2023

RE: S.R. No. 202

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.R. No. 202 entitled:

"SENATE RESOLUTION REQUESTING THE OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS OF THE HAWAII STATE JUDICIARY TO COLLECT, COMPILE, AND SHARE DATA ON THE ASSESSMENT OF FEES, COURT COSTS, FINES, AND RESTITUTION IN CASES AGAINST MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Administrative Director of the Courts of the Hawaii State Judiciary to collect, compile, and share data on the assessment of fees, court costs, fines, and restitution in cases against minors.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Office of the Public Defender, Hawai'i Friends for Restorative Justice, Hawaii Health & Harm Reduction Center, American Civil Liberties Union of Hawai'i, Policy Advocacy Clinic at Berkeley Law, Opportunity Youth Action Hawai'i, and Institute for Justice. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that research shows that charging fees, fines, costs, and restitution to youth is harmful to young people and their families. In Hawai'i, the consequences of such costs fall disproportionately on Native Hawaiian, Pacific Islander, and Black youth, who are more likely to be arrested, detained, and



unable to afford fees, fines, costs, and restitution. There is a growing consensus that fees and fines should not be assessed for mistakes made in a person's youth, regardless of the age or jurisdiction in which the person is adjudicated or sentenced. This measure will encourage the Administrative Director of the Courts of the Hawaii State Judiciary to produce information that will help determine whether the State should prohibit the imposition of fees and fines on young people.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 202 and recommends its adoption.

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



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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SR 202</b>	Committee Referral: <b>JDC</b>	Date: <b>4/20/23</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312       Pass, with amendments 2311       Hold 2310       Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓	/		
GABBARD, Mike (VC)	✓	/		
ELEFANTE, Brandon J.C.	✓	/		
SAN BUENAVENTURA, Joy A.	✓	/		
AWA, Brenton	✓	/		
<b>TOTAL</b>	<b>5</b>	<b>—</b>	<b>—</b>	<b>—</b>

Recommendation:  Adopted       Not Adopted

Chair's or Designee's Signature:  


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**\*Only one measure per Record of Votes**