

STAND. COM. REP. NO. 3117

Honolulu, Hawaii

MAR 18 2024

RE: H.B. No. 1953
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1953, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code and to recommend proposed changes;
- (2) Require the Judicial Council to appoint an advisory committee to assist in the review; and
- (3) Require the advisory committee to report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Hawaii Paroling Authority, Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawai'i, and four individuals.

Your Committee received comments on this measure from the Judiciary.



Your Committee finds that the Hawaii Penal Code is the fundamental document by which the State addresses crime. Your Committee believes that it is imperative that such an important part of state law receives full and deliberate attention from time to time to ensure the Hawaii Penal Code's continued force and effectiveness. Since 1972, reviews of the Hawaii Penal Code have occurred approximately every ten years, with the most recent review taking place in 2015. This measure will ensure that the Hawaii Penal Code remains current, effective, fair, and balanced.

Your Committee has amended this measure by:

- (1) Inserting language allowing the Judicial Council to add additional members to the advisory committee as the Council deems necessary;
- (2) Inserting an appropriation amount of \$25,000; and
- (3) Making it effective upon its approval.

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 H.B. No. 1953, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1953, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



