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## SENATE RESOLUTION

REQUESTING THE OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS TO COLLECT, COMPILE, AND SHARE DATA ON THE ASSESSMENT OF FEES, COURT COSTS, FINES, AND RESTITUTION IN CASES AGAINST MINORS.

1           WHEREAS, research shows that charging fees, fines, costs,  
2 and restitution to youth is harmful to young people and their  
3 families; and

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5           WHEREAS, in the State, these consequences  
6 disproportionately fall on Native Hawaiian, Pacific Islander,  
7 and Black youth, who are more likely to be arrested, detained,  
8 and unable to afford fees, fines, costs, and restitution; and

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10          WHEREAS, although state law authorizes courts to charge  
11 youth and their families a range of fees and fines, judges  
12 across the state rarely impose such costs in practice; and

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14          WHEREAS, research shows that fees and fines serve no public  
15 safety function and may instead undermine public safety by  
16 increasing the likelihood of youth recidivism; and

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18          WHEREAS, because youth cannot afford to pay restitution,  
19 crime survivors rarely see any compensation for harm they may  
20 have experienced; and

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22          WHEREAS, jurisdictions in the majority of states that  
23 assess fees, costs, fines, and restitution to youth spend more  
24 money trying to collect those outstanding debts than they  
25 receive in revenue; and

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27          WHEREAS, there is a growing consensus that fees and fines  
28 should not be assessed for mistakes made in a person's youth,  
29 regardless of the age or jurisdiction in which the person is  
30 adjudicated or sentenced; and

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32          WHEREAS, several states throughout the country have  
33 prohibited the imposition of fees and limited the impact of  
34 restitution on young people and their families; now, therefore,



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BE IT RESOLVED by the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, that the Office of the Administrative Director of the Courts is requested to collect, compile, and share data on the assessment of fees, court costs, fines, and restitution in cases against minors; and

BE IT FURTHER RESOLVED that the data is requested to include:

- (1) The total and annual average amounts of fees, court costs, fines, and restitution that are assessed, collected, waived, and outstanding in cases against minors for each of the last five years; and
- (2) For the circuit, family, and district courts in each judicial district, a description of each fee, court cost, or fine that can be assessed in cases against minors, and their respective amounts; and

BE IT FURTHER RESOLVED that the Office of the Administrative Director of the Courts is requested to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chief Justice of the Hawaii Supreme Court and Administrative Director of the Courts.

OFFERED BY: \_\_\_\_\_

