STAND. COM. REP. NO. 1208

Honolulu, Hawaii MAR 13 , 2025

RE: S.B. No. 281 S.D. 1 H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 281, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TORTURE,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of torture as a class A felony in the State.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu; Office of the Prosecuting Attorney of the County of Hawai'i; Honolulu Police Department; Hawaiian Islands Republican Women; Kulia i Ka Nu'u; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that existing criminal laws in the State fail to sufficiently address extreme acts of cruelty and sadistic abuse, leaving gaps in legal protections for vulnerable individuals, including children and adults. This measure establishes torture as a class A felony, ensuring that perpetrators of severe physical and psychological abuse face appropriate legal consequences.



Your Committee has amended this measure by:

- Including the act of knowingly depriving a minor or vulnerable person of necessary food, water, or clothing as an act that can constitute the offense of torture;
- (2) Defining "deprives";

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- (3) Clarifying the definition of "vulnerable person"; and
- (4) 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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 281, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 281, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

> Respectfully submitted on behalf of the members of the Committee on Human Services & Homelessness,

LISA MARTEN, Chair

State of Hawaii

House of Representatives The Thirty-third Legislature

Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.: SB2815D		ee Referral: 1, JHA	Date	: 3/11/2025	
 The committee is reconsidering its previous decision on the measure. 					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
HSH Mem	ıbers	Ayes	Ayes (WR)	Nays	Excused
1. MARTEN, Lisa (C)		\times			
		The second second			
2. OLDS, Ikaika (VC)		X			
3. AMATO, Terez				see an	
4. CHUN, Cory M.		X		942101	
5. KEOHOKAPU-LEE I	JOY, Sue L.				
6. TAKAYAMA, Gregg				A CONTRACTOR OF THE	
7. TAKENOUCHI, Jenn	a	X			
		iz bies i 💡			
8. ALCOS III, David		X		Antes Contraction (199	
9. GARCIA, Diamond		\times			
TOTAL (9)		9			
The recommendation is:	Adopted	Not Adopte		. <u> </u>	
	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					