

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 544

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 544 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF MINOR
DEFENDANTS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow courts to depart from mandatory minimum and sentencing enhancements when sentencing minor defendants if the court believes the reduction is warranted given certain factors.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Hawaiian Affairs, Human Rights for Kids, Opportunity for Youth Action Hawai'i, Law Enforcement Action Partnership, and three individuals.

Your Committee finds that children are different from adults and that these differences must be taken into account when children are being sentenced for adult crimes. For example, children are more vulnerable to negative influences and outside pressures, including from their family and peers, and they have limited control over their own environment and lack the ability to extricate themselves from horrific, crime-producing settings. Your Committee also finds that research demonstrates that children tried as adults have often been victims of physical, emotional, and sexual abuse, and come from home settings where domestic violence, substance abuse, mental illness, and incarceration are



common. This measure will create a fairer and more just system for the determination of an appropriate sentence for any juvenile waived into the adult system.

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. 544 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,

Karl Rhoads

KARL RHOADS, Chair



**Record of Votes
Committee on Judiciary
JDC**

*Only one measure per Record of Votes