

STAND. COM. REP. NO. 1723

Honolulu, Hawaii
MAR 31, 2025

RE: S.B. No. 544
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 Judiciary & Hawaiian Affairs, 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 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 Hawaiian Affairs; Office of the Public Defender; Human Rights for Kids; Rights4Girls; ACLU of Hawai'i; Opportunity for Youth Action Hawai'i Kawaihoa; and one individual.

Your Committee finds that children differ from adults in cognitive development, decision-making, and susceptibility to external influences, which must be considered when sentencing minors convicted of adult crimes. Research shows that many minors in the criminal justice system have experienced significant trauma, abuse, or adverse childhood experiences, impacting their behavior and rehabilitation potential. This measure would allow the courts to account for the unique psychological and developmental differences between children and adults when



sentencing minors for adult crimes and to depart from mandatory minimums and sentencing enhancements if the reduction is warranted based on specific factors, recognizing the impact of childhood trauma and circumstances on juvenile offenders.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 544, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 544, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



