

STAND. COM. REP. NO. 1724

Honolulu, Hawaii

MAR 31, 2025

RE: S.B. No. 691
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 691, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURTS,"

begs leave to report as follows:

The purpose of this measure is to establish a minimum age of twelve before a child may be adjudicated for any alleged or attempted violation of law.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Human Rights for Kids; National Youth Justice Network; and one individual. Your Committee received testimony in opposition to this measure from Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds the United States remains the only country without a fully established minimum age for juvenile delinquency adjudication, placing young children at risk of involvement in the criminal justice system despite their limited cognitive development and understanding of legal proceedings. Research indicates that children under the age of twelve lack the intellectual maturity to form criminal intent, but still require

2025-2705 SB691 HD1 HSCR HMSO



appropriate services and interventions when engaging in harmful behavior. This measure would ensure that such young children are not subjected to legal proceedings.

Your Committee has amended this measure by:

- (1) Limiting the scope of the petition alleging violation of attempted violation of any federal, state, or local law or county ordinance so that the Family Court retains the ability to exercise jurisdiction over children with issues of school nonattendance or behavioral concerns; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 691, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 691, S.D. 1, 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



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB091 SD1	Committee Referral: Jha	Date: 3/14/25		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris	✓			
10. GARCIA, Diamond				✓
11. SHIMIZU, Garner M.	✓			
TOTAL (11)	9	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted 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				