STAND. COM. REP. NO. 652 -12

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2515 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2515, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this measure is to help strengthen the State's public safety and corrections system by:

- (1) Permitting a sentence of probation for certain secondtime drug offenders;
- (2) Permitting a three-year probation term for individuals convicted for class B and class C felonies that are not related to sexual or child abuse, criminal homicide, offenses against the family and against incompetents, or prostitution offenses; and
- (3) Increasing the threshold valuation for theft in the second degree to more than \$750 from more than \$300.

The Governor, Department of Public Safety, Office of the Public Defender, Office of Hawaiian Affairs, Crime Victim Compensation Commission, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaiii, and Community Alliance on Prisons supported the measure. The Judiciary supported the measure with amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu expressed concerns and suggested

HB2515 HD2 HSCR JUD HMS 2012-2205





amendments to the measure. The Council of State Governments Justice Center offered comments on the measure. The Retail Merchants of Hawaii opposed the measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2515, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2515, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AGARAN, Chair

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State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2515 HD1	Committee Referral: PBM, JUD, FIN Date: 2/14/12			
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C) /	-		
2. RHOADS, Karl (VC)	V			
3. BROWER, Tom	V			
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				
6. COFFMAN, Denny				V
7. HERKES, Robert N.				
8. ITO, Ken				-
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				
12. TSUJI, Clift			-	
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.		V		
15. THIELEN, Cynthia		✓ 		-
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				-
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TOTAL (15)	10	2	0	3
The recommendation is: 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				