

Honolulu, Hawaii

FEB 09 2012

RE: S.B. No. 2450

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B.
No. 2450 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose and intent of this measure is to establish mandatory minimum prison terms for certain offenses committed against a person who the defendant knows or reasonably should have known is sixty years of age or older.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney, City and County of Honolulu; Healthcare Association of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from the Community Alliance on Prisons and the League of Women Voters of Hawaii.

Your Committee finds that although the law currently provides harsher penalties for felonies that cause death or serious bodily injury to an elderly person, there are no such penalties for targeted elderly persons for financial crimes. Financial crimes against the elderly have been a growing problem in Hawaii, where it is common to see several generations living under the same roof. In May of 2006, the *Honolulu Advertiser* published a series of nine articles regarding the financial abuse of seniors, indicating the Adult Protective Services had received more than one thousand eight hundred reports of suspected incidents, during



the two years prior. It is believed that these numbers are expected to increase as Hawaii's baby boomers age.

Your Committee further finds that stiffening the penalties for offenders of crimes against elder persons relating to theft and identity theft will provide greater protection for Hawaii's aging population and present greater deterrence to those who would contemplate targeting Hawaii's elderly for financial gain.

Your Committee recognizes the seemingly arbitrary designation of the apparent age of victims targeted by this measure as sixty years or older and urges further discussion of the issue as this measure progresses.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to ensure further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2450, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2450, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



SUZANNE CHUN OAKLAND, Chair



Record of Votes
Committee on Human Services
HMS

*Only one measure per Record of Votes