

STAND. COM. REP. NO.

1262

Honolulu, Hawaii

March 31, 2015

RE: H.R. No. 87

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.R. No. 87 entitled:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO FORM A WORKING GROUP TO EXAMINE SMARTER SENTENCING TO IMPROVE THE QUALITY AND RELIABILITY OF STATE CRIMINAL SENTENCING PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to form a working a working group to examine smarter sentencing to improve the quality and reliability and reliability of state criminal sentencing practices.

There were no testifiers for this resolution

Your Committee has amended this measure by:

- (1) Inserted language on page 2 lines 1-3 to include background information on sentencing done in Hawaii and who contains the legal authority on sentencing guidelines for minimum terms of imprisonment; and
- (2) In page 2 lines 5-8 recommended that the Judiciary is more appropriate in retaining authority on sentencing rather than the Hawaii Paroling Authority; and
- (3) Adopted the Department of Public Safety concerns about sentencing authority. Changed the working group request



- from Department of Public Safety to Hawaii Paroling Authority; and
- (4) Revised the language on page 2, lines 8-9 to include "such as whether a crime is especially heinous, atrocious or cruel"; and
 - (5) Inserted page 3, lines 39-42 to exempt working group members from Chapter 84; and
 - (6) 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 concurs with the intent and purpose of H.R. No. 87, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 87, H.D. 1.

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


KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature **HSCR 1262**

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HR 87	Committee Referral: JUD, FIN	Date: JUD, FIN 3/24/15		
<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="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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	✓			
2. SAN BUENAVENTURA, Joy A. (VC)	✓			
3. BELATTI, Della Au				✓
4. BROWER, Tom	✓			
5. CREAGAN, Richard P.	✓			
6. HASHEM, Mark J.	✓			
7. KAWAKAMI, Derek S.K.				✓
8. LEE, Chris				✓
9. MORIKAWA, Dee	✓			
10. NAKASHIMA, Mark M.	✓			
11. TAKAYAMA, Gregg	✓			
12. WOODSON, Justin H.				✓
13. McDERMOTT, Bob	✓			
14. THIELEN, Cynthia	✓			
TOTAL (14)	10	0	0	4
The recommendation is: <input checked="checked" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="margin-left: 150px;"><small>committee acronym(s)</small></div>				
Vice Chair's or designee's signature: <u>Karl Rhoads</u>				
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AS