

STAND. COM. REP. NO. 2429

Honolulu, Hawaii

FEB 10 2020

RE: S.B. No. 2047
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2047 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Judicial Council to appoint an advisory committee to conduct a comprehensive review of the Hawaii Penal Code and make recommendations to the Legislature of any necessary amendments to ensure that the penal code is consistent, in harmony with recent justice trends, and continually forceful and effective.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i and six individuals. Your Committee received comments on this measure from the Judiciary, Community Alliance on Prisons, and two individuals.

Your Committee finds that H.C.R. No. 155, S.D. 1, Regular Session of 2015, requested the Judicial Council to appoint a committee to review and recommend revisions to the Hawaii Penal Code. Accordingly, the Judicial Council convened a penal code review committee comprising of twenty-nine members, who met in 2015 and recommended the legislation enacted by Act 231, Session Laws of Hawaii 2016. Your Committee finds that although review of the penal code has taken place nearly every decade, modern trends require that review occur more frequently. Therefore, your



Committee finds that it is time once again for the Judicial Council to appoint a committee to review and recommend revisions to the Hawaii Penal Code.

Your Committee has amended this measure by specifying that the advisory committee shall make recommendations to the Legislature necessary to ensure that the penal code reflects best practices and data driven research, rather than ensuring that the penal code is in harmony with recent criminal justice trends.

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 S.B. No. 2047, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2047, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2047	Committee Referral: JDC, WAM	Date: 01/28/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado				/
FEVELLA, Kurt	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes