

STAND. COM. REP. NO.

2741

Honolulu, Hawaii

FEB 21 2024

RE: S.B. No. 2347

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2347 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of habitual violent misdemeanor crime to allow the prosecution to charge a person who is convicted of three or more violent misdemeanors within five years with a class C felony.

Your Committee received testimony in support of this measure from the Department of Law Enforcement; Department of the Prosecuting Attorney of the City and County of Honolulu; Honolulu Police Department; State of Hawaii Organization of Police Officers; Institute for Human Services, Inc.; and eleven individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawai'i, Drug Policy Forum of Hawaii, and seven individuals.

Your Committee finds that under existing law, people who commit the offense of assault in the third degree, assault against a law enforcement officer in the second degree, and sexual assault in the fourth degree face a maximum sentence of one year in jail and a maximum fine of \$2,000. However, most people convicted of



these offenses, including repeat offenders, spend very little time, if any, in jail. By facing almost no consequences, offenders convicted of these misdemeanors quickly learn that they will not be held accountable and are free to commit the same crimes repeatedly. Your Committee believes that giving prosecutors the discretion to charge a person with any combination of three or more convictions of assault in the third degree, assault against a law enforcement officer in the second degree, and sexual assault in the fourth degree within a five year period with a class C felony will address these problems. This measure will hold those who commit repeated acts of misdemeanor violence accountable and deter others from committing repeated acts of misdemeanor violence.

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. 2347 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



