

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1028
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1028 entitled:

"A BILL FOR AN ACT RELATING TO YOUTH FEES AND FINES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow a court to order community service in place of the assessment of any fines and fees against a person who is adjudicated for a traffic offense committed while the person was a minor under the age of eighteen years, or against the person's parent or guardian.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Juvenile Justice State Advisory Council, Community Alliance on Prisons, Debt Free Justice Hawai'i, ACLU Hawai'i, Opportunity for Youth Action Hawai'i, 'Ekolu Mea Nui, Nā 'Ōpio Waiwai, and CARES.

Your Committee received comments on this measure from the Judiciary and Department of the Attorney General.

Your Committee finds that charging fees, fines, and court costs to youth is harmful to young people and their families. Additionally, in the State, the consequences of these costs fall disproportionately on Native Hawaiian, Pacific Islander, and Black youth, who are more likely to be arrested, detained, and unable to afford fees and fines. Your Committee further finds that data



indicates that minors and their parents, the large majority of whom are Native Hawaiian, struggle to cover the exorbitant debt assessed to them by the courts. For example, from January 2019 to September 2024, only thirty-two percent of restitution ordered by the courts against minors was paid during that six-year period, with only seventeen percent of fines ordered by the courts against minors being paid during that same timeframe. This measure will help juveniles and their families concentrate their financial resources on accessing other services more in line with rehabilitation, such as basic needs, housing, counseling services, education, and mental health services.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1028, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1028, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1028</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/7/25</div>		
<div><input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____</div>				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended <small>2312</small></div><div><input checked="" type="checkbox"/> Pass, with amendments <small>2311</small></div><div><input type="checkbox"/> Hold <small>2310</small></div><div><input type="checkbox"/> Recommit <small>2313</small></div></div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓	✓		
GABBARD, Mike (VC)	✓	✓		
CHANG, Stanley	✓	✓		
SAN BUENAVENTURA, Joy A.	✓	✓		
AWA, Brenton	✓	✓		
TOTAL	5	—	—	—
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">Mike Gabbard</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"><div>Original File with Committee Report</div><div>Yellow Clerk's Office</div><div>Pink Drafting Agency</div><div>Goldenrod Committee File Copy</div></div>				

*Only one measure per Record of Votes