

MAR 07 2025

SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY TO URGE COURTS TO PRIORITIZE VICTIM AND
WITNESS RIGHTS TO SPEEDY TRIALS.

1 WHEREAS, victims of sexual offenses may endure harmful
2 effects from court proceedings that require victims to relive
3 their trauma, including depression, emotional distress, and
4 post-traumatic stress disorder (PTSD); and

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6 WHEREAS, young victims are particularly vulnerable to
7 developing disorders as a result of participating in court
8 proceedings; and

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10 WHEREAS, to address these effects, many states have passed
11 "speedy trial" statutes to minimize the length of the
12 proceedings; and

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14 WHEREAS, Hawaii remains one of the few states that lack a
15 "speedy trial" statute for victims; and

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17 WHEREAS, the Family Court, District Court and Circuit Court
18 have discretion in considering a motion to postpone or continue
19 a proceeding; now, therefore,

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21 BE IT RESOLVED by the Senate of the Thirty-third
22 Legislature of the State of Hawaii, Regular Session of 2025, the
23 House of Representatives concurring, that the Judiciary is
24 requested to urge the Family Court, District Court, and Circuit
25 Court to prioritize victim and witness rights to speedy trials,
26 including consideration of any substantial adverse impact that
27 postponement poses to a victim or witness, in the consideration
28 of a motion to postpone or continue a proceeding involving
29 offenses charged under part V of chapter 707, Hawaii Revised
30 Statutes; and

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32 BE IT FURTHER RESOLVED that the Judiciary is requested to
33 urge the Circuit Court to minimize a minor's involvement in a



1 proceeding for a criminal offense against a minor or any other
2 criminal proceeding involving a minor victim or minor witness of
3 any physical abuse. In deciding whether to grant a continuance,
4 the Judiciary is requested to urge the court to take into
5 consideration the age of the minor and the potential adverse
6 impact that the delay may have on the minor's well-being, to
7 allow no more than three continuances by either party, unless
8 good cause is shown, and to commence a trial within twelve
9 months of the charge or indictment, unless good cause is shown;
10 and

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12 BE IT FURTHER RESOLVED that certified a copy of this
13 Concurrent Resolution be transmitted to the Judiciary.

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16 OFFERED BY:

Kurt Ferrell

