

MAR 07 2025

SENATE 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,
23 that the Judiciary is requested to urge the Family Court,
24 District Court, and Circuit Court to prioritize victim and
25 witness rights to speedy trials, including consideration of any
26 substantial adverse impact that postponement poses to a victim
27 or witness, in the consideration of a motion to postpone or
28 continue a proceeding involving offenses charged under part V of
29 chapter 707, Hawaii Revised Statutes; and
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31 BE IT FURTHER RESOLVED that the Judiciary is requested to
32 urge the Circuit Court to minimize a minor's involvement in a
33 proceeding for a criminal offense against a minor or any other
34 criminal proceeding involving a minor victim or minor witness of
35 any physical abuse. In deciding whether to grant a continuance,
36 the Judiciary is requested to urge the court to take into



1 consideration the age of the minor and the potential adverse
2 impact that the delay may have on the minor's well-being, to
3 allow no more than three continuances by either party, unless
4 good cause is shown, and to commence a trial within twelve
5 months of the charge or indictment, unless good cause is shown;
6 and

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8 BE IT FURTHER RESOLVED that certified a copy of this
9 Resolution be transmitted to the Judiciary.

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12 OFFERED BY:

Kurt Ferrell

