

Honolulu, Hawaii
, 2026

MAR 25

RE: S.B. No. 2108
S.D. 1
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 2108, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO JURISDICTION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the factors the Family Court is required to consider in deciding whether the Family Court may waive jurisdiction over a minor held for criminal proceedings;
- (2) Preserve the Family Court's jurisdiction over a minor transferred for criminal proceedings for subsequent acts that would otherwise be within the Family Court's jurisdiction; and
- (3) Require the Family Court to retain jurisdiction over a minor if the Family Court finds by clear and convincing evidence that the minor was trafficked, sexually abused, or raped by the alleged victim in the case.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Office of Hawaiian Affairs; and Human Rights for Kids.



Your Committee finds that children who are prosecuted as adults often come from traumatic home and community environments, with more than eighty percent of minors who enter the adult criminal justice system coming from homes where one or both of the parents are absent, and more than twenty-five percent had previous involvement in the foster care or child welfare system. Youth are often targeted by adults who prey upon their vulnerabilities, lack of maturity, and susceptibility to peer pressure and emotional manipulation. Your Committee further finds that the Family Court has been incorporating the principles of trauma-informed care in the handling of juvenile cases and this measure extends these principles into a determination as to whether a juvenile should be waived into the adult court system for law violations.

Your Committee notes that under existing law, there is no minimum age requirement for a child to be waived into the adult court system. Several other states have set a minimum age of fourteen or fifteen years before a child may be prosecuted as an adult. Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider whether a similar minimum age requirement should be adopted in Hawaii.

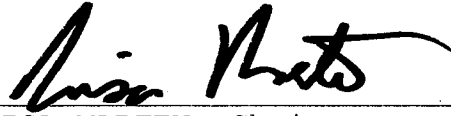
Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2108, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2108, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,



LISA MARTEN, Chair



