

STAND. COM. REP. NO. 2980

Honolulu, Hawaii

MAR 06 2026

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, 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 and intent of this measure is to:

- (1) Amend the factors a family court is required to consider in deciding whether the court may waive jurisdiction over a minor or adult 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 court finds by clear and convincing evidence that the minor was trafficked, sexually abused, or raped by the alleged victim in the case before or during the commission of the alleged offense.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Human Rights for Kids, and three individuals.



Your Committee finds that early childhood trauma and abuse are closely associated with cases in which children are tried as adults. Research on the prevalence of past trauma and abuse among children tried as adults is compelling: over seventy percent of these children suffered physical and mental abuse before their offense, while forty-five percent experienced sexual abuse. Once they become involved in criminal proceedings, outcomes for children are bleak. Justice-involved youth often experience elevated behavioral health risks, including risk of substance use and suicidality, all while receiving limited services or care. These outcomes are especially common and challenging for youth from historically marginalized communities.

Your Committee further finds that international standards adopted through the United Nations Convention on the Rights of the Child expressly demand for children to be treated in an age-appropriate manner and for legal proceedings to treat them with humanity and respect. This measure aligns state law with international standards, ensures just treatment of children in the judicial system, mitigates long-term risks of recidivism and poor health outcomes, and recognizes the fundamental differences between child and adult offenders.

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. 2108, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



