

ACT 256

S.B. NO. 2875

A Bill for an Act Relating to Pre-sentence Diagnosis.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 706-602, Hawaii Revised Statutes, is amended to read as follows:

“§706-602 Pre-sentence diagnosis, notice to victims, and report. (1) The pre-sentence diagnosis and report shall be made by personnel assigned to the court, intake service center or other agency designated by the court and shall include [an]:

- (a) An analysis of the circumstances attending the commission of the crime[, the];
- (b) The defendant’s history of delinquency or criminality, physical and mental condition, family situation and background, economic status and capacity to make restitution or to make reparation to the victim or victims of his crimes for loss or damage caused thereby, education, occupation, and personal habits[, and any];
- (c) Information made available by the victim or other source concerning the effect that the crime committed by the defendant has had upon said victim, including but not limited to, any physical or psychological harm or financial loss suffered; and
- (d) Any other matters that the reporting person or agency deems relevant or the court directs to be included.

(2) The court personnel, service center, or agency shall give notice of the Criminal Injuries Compensation Act, the application for compensation procedure, and the possibility of restitution by the defendant to all victims of the convicted defendant’s criminal acts.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 25, 1990.)