

Honolulu, Hawaii

Feb 10, 2012

RE: H.B. No. 2515  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Public Safety & Military Affairs, to which was referred H.B. No. 2515 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this measure is to help strengthen the State's public safety and corrections system by:

- (1) Permitting a sentence of probation for certain second-time drug offenders;
- (2) Permitting a three-year probation term for individuals convicted for class B and class C felonies that are not sexual or child abuse offenses;
- (3) Establishing a provision for incentive time credit for probationers following certain specified criteria; and
- (4) Increasing the threshold valuation for theft in the second degree to more than \$750 from more than \$300.

The Governor, Department of Public Safety, Office of the Public Defender, Community Alliance on Prisons, The Drug Policy Forum of Hawaii, Hawaii Substance Abuse Coalition, and a concerned individual supported this measure. The Crime Victim Compensation Commission supported this measure with amendments. The Judiciary, Department of the Prosecuting Attorney of the City and County of



Honolulu, Council of State Governments Justice Center, and American Civil Liberties Union of Hawaii provided comments.

Your Committee notes that the increase in the threshold for property and services value for theft in the second degree may raise concerns among business owners and therefore respectfully requests the Committee on Judiciary to consider the potential impact of this increase on the business community should this measure move forward.

Your Committee has amended this measure by:

- (1) Excluding individuals convicted of class B or class C felonies related to criminal homicide, offenses against the family and against incompetents, and prostitution offenses from those eligible to receive a reduced, three-year term of probation;
- (2) Removing the earned time credit for probationers; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2515, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety &  
Military Affairs,

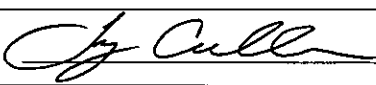
  
HENRY J. C. AQUINO, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSLR 273.12

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: HB 2515	Committee Referral: PBM, JUD, FIN	Date: 2/8/2012		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBM Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. CULLEN, Ty (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. LEE, Marilyn B.				✓
5. LUKE, Sylvia	✓			
<del>6. OKAMURA, Tom</del>				
7. SAIKI, Scott K.	✓			
8. SOUKI, Joseph M.	✓			
9. TAKAI, K. Mark				✓
10. TAKUMI, Roy M.	✓			
11. YAMASHITA, Kyle T.	✓			
12. FONTAINE, George R.	✓			
13. JOHANSON, Aaron Ling	✓			
TOTAL (13)	10	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				