

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2515

H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2515, H.D. 1, 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 related to sexual or child abuse, criminal homicide, offenses against the family and against incompetents, or prostitution offenses; and
- (3) 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, Office of Hawaiian Affairs, Crime Victim Compensation Commission, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawai'i, and Community Alliance on Prisons supported the measure. The Judiciary supported the measure with amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu expressed concerns and suggested

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amendments to the measure. The Council of State Governments Justice Center offered comments on the measure. The Retail Merchants of Hawaii opposed the measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2515, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2515, H.D. 2.

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



GILBERT KEITH-AGARAN, Chair



