

STAND. COM. REP. NO.

639

Honolulu, Hawaii

MAR - 1 2013

RE: S.B. No. 60  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 60 entitled:

"A BILL FOR AN ACT RELATING TO VICTIMS OF CRIMES,"

begs leave to report as follows:

The purpose and intent of this measure is to require victims  
of crimes and surviving immediate family members to be notified of  
their right to participate in the restorative justice process.

Your Committee received testimony in support of this measure  
from the Office of Hawaiian Affairs, Community Alliance on  
Prisons, and two individuals.

Your Committee finds that research has shown that restorative  
justice interventions are more effective at reducing repeat crime  
and reducing recidivism than existing mainstream justice systems.  
Studies indicate that the experience of restorative justice where  
offenders confront their crime victims reduces the frequency of  
reconviction by an average of twenty-seven percent.

In 2000, the Judiciary adopted a resolution committing the  
Judiciary to continue to act in accordance with the principles of  
restorative justice and the concept of "Pono Kaulike". In 2003,  
the Hawaii District Court began a project called Pono Kaulike with  
a program objective to help parties reconcile after conflict, help  
victims, and reduce recidivism in offenders by promoting offender  
empathy for victims. As such, this measure continues the concept  
of restorative justice by requiring notification to victims of

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crimes and surviving immediate family members regarding their right to participate in the restorative justice process under the basic bill of rights for victims and witnesses.

Your Committee has amended this measure by:

- (1) Adopting the suggested language submitted by the Office of Hawaiian Affairs to include Native Hawaiian reconciliation practices, such as ho'oponopono, as part of restorative justice processes;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 60, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 60, S.D. 1, and be placed on the calendar for Third Reading.

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



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CLAYTON HEE, Chair



