
HOUSE CONCURRENT RESOLUTION

REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE
ESTABLISHMENT OF FAIR AND PROPORTIONAL FINES FOR CERTAIN
PENALTIES IN HAWAII TO ENSURE A FAIR AND MEANINGFUL
DETERRENT TO ILLEGAL BEHAVIOR FOR INDIVIDUALS ACROSS THE
ECONOMIC SPECTRUM.

1 WHEREAS, penalties for some violations and infractions in
2 all areas of law in Hawaii tend to be flat fines, including but
3 not limited to speeding, and negligent or reckless actions; and
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5 WHEREAS, such actions can lead to serious injuries or death
6 and in the case of traffic violations are a leading cause of
7 vehicular accidents and manslaughter in Hawaii; and
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9 WHEREAS, penalties for those violations and infractions
10 should serve as a meaningful deterrent to illegal behavior;
11 however, a flat fine often serves as a meaningful deterrent only
12 for those to whom it has a financial impact, making for an
13 unfair application of justice in Hawaii; and
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15 WHEREAS, while a fine for \$200 may serve as a meaningful
16 deterrent to illegal behavior for an individual of average
17 means, it may require a \$2,000 fine to serve as a meaningful
18 deterrent to illegal behavior for a wealthy individual; now,
19 therefore,
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21 BE IT RESOLVED by the House of Representatives of the
22 Thirtieth Legislature of the State of Hawaii, Regular Session of
23 2019, the Senate concurring, that a task force be established to
24 review and report on the establishment of fair and proportional
25 fines for certain penalties in Hawaii to ensure a fair and
26 meaningful deterrent to illegal behavior for individuals across
27 the economic spectrum; and



H.C.R. NO. 210

1 BE IT FURTHER RESOLVED that the task force shall consist
2 of:

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- 4 (1) The Chief Justice of the Hawaii Supreme Court, or the
- 5 Chief Justice's designee, who shall chair the task
- 6 force;
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- 8 (2) The state Attorney General, or the Attorney General's
- 9 designee;
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- 11 (3) The state Public Defender, or the Public Defender's
- 12 designee;
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- 14 (4) The Prosecuting Attorney of each county, or the
- 15 Prosecuting Attorney's designee;
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- 17 (5) The Chair of the House of Representatives committee on
- 18 Judiciary;
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- 20 (6) The Chair of the Senate committee on Judiciary; and
- 21
- 22 (7) Any others appointed by the chair of the task force;
- 23 and
- 24

25 BE IT FURTHER RESOLVED that the task force is requested to
26 submit a report of its findings and recommendations, including
27 any proposed legislation, no later than twenty days prior to the
28 convening of the Regular Session of 2020; and

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30 BE IT FURTHER RESOLVED that certified copies of this
31 Concurrent Resolution be transmitted to the Governor; the Chief
32 Justice of the Hawaii Supreme Court; the Attorney General of the
33 State of Hawaii; the Public Defender of the State of Hawaii; and
34 the Prosecuting Attorney of each county.

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OFFERED BY:







