

STAND. COM. REP. NO.

1205

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 170
H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 170, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the offense of theft in the second degree to include theft of property commonly used to store items of monetary value, including but not limited to any purse, handbag, or wallet.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the State's Penal Code does not adequately address situations in which an offender takes the property of another that is commonly used to store items of personal or monetary value, including purses, handbags, or wallets. Under existing law, the prosecution must prove beyond a reasonable doubt that an accused offender intended to steal real property, such as a purse or wallet, valued in excess of \$750 to convict a defendant of theft in the second degree. Commonly, purses and wallets are not valued at more than \$750; however, these items often contain personal information of the victim as



well as the victim's family, friends, and acquaintances; sensitive medical and financial information; workplace information; photos; and other personal items of sentimental value that may be irreplaceable. Therefore, theft of a purse or wallet can result in mental and emotional hardship beyond any loss of monetary value. Your Committee finds that inclusion of the theft of purses, handbags, and wallets under the offense of theft in the second degree may deter potential offenders from committing such acts, thereby increasing public safety.

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. 170, H.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 170 , HD1	JDC	3/18/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura			✓	
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt			✓	
TOTAL	5	0	2	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Karl Rhoads</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes