

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 3016
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3016 entitled:

"A BILL FOR AN ACT RELATING TO UNSERVED ARREST WARRANTS,"

begs leave to report as follows:

The purpose of this bill is to help eliminate the State's backlog of thousands of unserved bench warrants by creating an amnesty program for nonfelony traffic offenses committed by a person who has been sentenced to prison for a felony.

The Office of the Public Defender testified in support of this bill. The Department of the Attorney General, Police Department of the City and County of Honolulu, and the Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure.

Your Committee has amended this bill by:

- (1) Clarifying that an incarcerated person is an individual who is "continuously incarcerated within the state in a state correctional facility between June 1, 2006, and June 1, 2007";



(2) Exempting from this provision, violations relating to:

(A) Accidents involving:

(i) Bodily injury; and

(ii) Damage to vehicle or property;

(B) Racing; and

(C) Operation of a vehicle after the driver's license and privilege have been suspended or revoked for driving under the influence of an intoxicant; and

(3) Requiring the Judiciary Council, through a review committee, to conduct a review of:

(A) The backlog of arrest warrants waiting to be served upon persons incarcerated in the state's correctional facilities; and

(B) The entire backlog of arrest warrants;

and make recommendations to the Legislature regarding further necessary action.

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. 3016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3016, H.D. 1, and be placed on the calendar for Third Reading.

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


f. SYLVIA LUKE, Chair



