

Honolulu, Hawaii

April 5, 2006

RE: S.B. No. 2602  
S.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 S.B. No. 2602, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Allow additional persons and entities to access adult probation records;
- (2) Require that the residence address, work address, home telephone number, or work telephone number of a current or former defendant be provided to a collection agency or licensed attorney contracted by the Judiciary to collect any delinquent court-ordered penalties, fines, restitution, sanctions, and court costs;
- (3) Restrict access to adult probation records by a victim seeking civil enforcement of court-ordered restitution to the name and contact information of the defendant's adult probation officer;
- (4) Allow records and information relating to a defendant's risk assessment and need for treatment services or information related to a defendant's past treatment and assessments to be provided to certain persons and entities;




- (5) Stipulate that any person, agency, or entity receiving records or the contents thereof is subject to the same disclosure restrictions as adult probation offices; and
- (6) Provide penalties for the improper use of information or use of the information outside of the scope of official duties.

The Office of the Public Defender, Domestic Violence Clearinghouse and Legal Hotline, and a concerned individual supported this bill. The Hawaii Substance Abuse Coalition supported the intent of this measure. The Judiciary and Crime Victim Compensation Commission supported this bill with amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Department of Health submitted comments.

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 S.B. No. 2602, S.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,

  
for SILVIA LUKE, Chair



