

Honolulu, Hawaii

MAR 31 2006

RE: H.B. No. 771
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 771, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to provide that repeat sexual offenders who have been convicted on two prior and separate occasions for an offense under section 707-730, 707-731, 707-732, or 707-733.5 shall be placed on lifetime parole upon release from prison.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender. The Hawaii Paroling Authority submitted comments on this measure.

Your Committee finds that there may be practical problems in requiring the lifetime parole of repeat sexual offenders and that more discussion is needed on this issue.

Your Committee has amended this measure to:

- (1) Allow repeat sexual offenders placed on lifetime parole to have the right to initiate a special proceeding to challenge the applicability of lifetime parole, in accordance with testimony received from the Office of the Public Defender; and



- (2) Change the effective date from July 1, 2020, to July 1, 2050, to allow for further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 771, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 771, H.D. 1, 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
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



