

STAND. COM. REP. NO.

626

Honolulu, Hawaii

Feb 24, 2009

RE: H.B. No. 349

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 349 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE,"

begs leave to report as follows:

The purpose of this bill is to allow the admission of character evidence showing the aggressiveness of the defendant if the court allows the admission of character evidence showing the aggressiveness of the complaining witness.

The Judiciary, Department of the Attorney General, County of Hawaii Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, and County of Maui Department of the Prosecuting Attorney testified in support of this bill. The Office of the Public Defender and Hawaii Association of Criminal Defense Lawyers opposed this measure.

Your Committee has amended this bill by changing its effective date to July 1, 2046, to encourage further discussion.

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. 349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 349, H.D. 1, and be placed on the calendar for Third Reading.

HB349 HD1 HSCR JUD HMS 2009-2332



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


JON RIKI KARAMATSU, Chair



