

STAND. COM. REP. NO.

2551

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2162
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2162, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS,"

begs leave to report as follows:

The purpose of this measure is to amend the Crime Victims' Bill of Rights to include notice to the victim and surviving immediate family members as to an offender's unfitness to stand trial, transfer to the state hospital or other psychiatric facility, or regaining fitness to proceed.

This measure also requires the Director of Health to provide notification of an offender's unauthorized absences to the victim witness assistance division of the applicable county department of the prosecuting attorney, so that the victim witness assistance division can in turn notify the victim and surviving immediate family members by the most reasonable and expedient means.

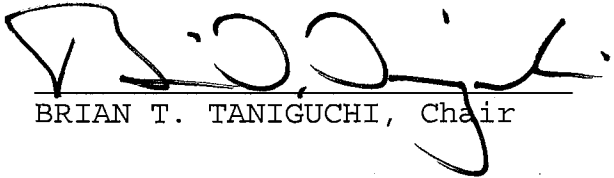
Your Committee finds that the safety, emotional, and justice needs of victims are equally compelling when an offender is confined in a mental health facility as when a convict is incarcerated in a prison. Under existing law, victims and surviving immediate family members, upon written request, must be notified of "major developments" in certain felony cases. However, clarification of "major developments" is required to ensure timely notification of certain planned custodial changes for the offender and unauthorized absences of the offender. This measure provides that clarification.



Your Committee has amended this measure by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2162, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2162, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 2162, SD1	Committee Referral: HTH, JGO	Date: 2/23/10		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	4	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes