



*The Judiciary, State of Hawaii*

**Testimony to the Twenty-Fifth Legislature, Regular Session of 2009**

Senate Committee on Judiciary and Government Operations

The Honorable Brian T. Taniguchi, Chair

The Honorable Dwight Y. Takamine, Vice Chair

Thursday, February 26, 2009. 9:00 a.m.

State Capitol, Conference Room 016

by

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**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 843, S. D. 1, Relating to Sentencing.

**Purpose:** This measure restores a statutory provision allowing for pre-sentence mental health or medical examinations of defendants for purposes of sentencing.

**Judiciary's Position:**

The Judiciary supports this measure that is intended to restore a necessary statutory provision allowing for pre-sentence mental or medical examinations of defendants. This bill will allow the court to order a mental or medical examination as needed in order to obtain sufficient information to render an appropriate sentencing provision for a defendant.

This bill will restore portions of Section 706-603 of the Hawaii Revised Statutes (Pre-sentence mental and medical examination) that were inadvertently repealed in 2005.

Thank you for the opportunity to testify on Senate Bill No. 843, S. D. 1.