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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED.

1           WHEREAS, under Hawaii law, innocent people who are  
2 wrongfully imprisoned must sue to receive compensation for the  
3 deprivation of their freedom; and  
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5           WHEREAS, other states have enacted compensation laws to  
6 prevent wrongfully convicted persons from having to endure the  
7 long and costly process of litigation to receive compensation  
8 after being released from prison; and  
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10           WHEREAS, House Bill No. 1985 and Senate Bill No. 2176,  
11 introduced in the Regular Session of 2012, are based on the  
12 national Innocence Project's model compensation law and  
13 establish a process that provides compensation and services to  
14 persons who can demonstrate they were wrongfully convicted of a  
15 crime and imprisoned; and  
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17           WHEREAS, the enactment of a comprehensive compensation  
18 measure for those who were wrongfully convicted of a crime and  
19 imprisoned should be based upon compelling data or anecdotal  
20 evidence demonstrating the need for legislation; now, therefore,  
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22           BE IT RESOLVED by the House of Representatives of the  
23 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
24 of 2012, the Senate concurring, that the Attorney General is  
25 requested to convene a task force to study the need for state  
26 legislation on innocence redress to provide compensation and  
27 services to persons who can demonstrate they were wrongfully  
28 convicted of a crime and imprisoned; and  
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1 BE IT FURTHER RESOLVED that the Attorney General, or the  
2 Attorney General's designee, is requested to serve as the chair  
3 of the task force and appoint the following persons to the task  
4 force:

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- 6 (1) Judges that adjudicate criminal cases within the  
7 State;
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  - 9 (2) The prosecuting attorney of each county of the State,  
10 or their respective designees;
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  - 12 (3) The state Public Defender, or the state Public  
13 Defender's designee;
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  - 15 (4) A representative from the Criminal Justice and  
16 Corrections Section of the Hawaii State Bar  
17 Association;
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  - 19 (5) Experts on scientific testing of evidence in criminal  
20 cases; and
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  - 22 (6) Any other members as the chair of the task force deems  
23 appropriate; and
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25 BE IT FURTHER RESOLVED that the Department of the Attorney  
26 General is requested to provide administrative support for the  
27 task force; and

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29 BE IT FURTHER RESOLVED that in conducting the study, the  
30 task force is requested to consider the provisions of House Bill  
31 No. 1985, Regular Session 2012; and

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33 BE IT FURTHER RESOLVED that the task force is requested to  
34 submit a report of its findings and recommendations, including  
35 any proposed legislation, to the Legislature no later than  
36 twenty days prior to the convening of the Regular Session of  
37 2013; and

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39 BE IT FURTHER RESOLVED that certified copies of this  
40 Concurrent Resolution be transmitted to the Chief Justice of the  
41 Hawaii Supreme Court, the Administrative Director of the Courts,  
42 the Attorney General, the Prosecuting Attorney of each county of  
43 the State, the State Public Defender, and the Chair of the



1 Hawaii State Bar Association's Criminal Justice and Corrections  
2 Section.

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