

STAND. COM. REP. NO.

605

Honolulu, Hawaii

MAR 05 2015

RE: S.B. No. 1116
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1116 entitled:

"A BILL FOR AN ACT RELATING TO RECORDS OF FORENSIC
EXAMINATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to create
consistency within the Hawaii Revised Statutes to ensure that the
Hawaii State Hospital receives copies of court ordered examination
reports upon commitment to the hospital.

Your Committee received testimony in support of this measure
from the Department of Health.

Your Committee finds that court ordered examination reports
provide treatment teams at the Hawaii State Hospital with specific
information for treatment focus, planning, and assessment, and
management of risk. Under the existing unfit to proceed law, the
Department of Health is required to receive the order of
commitment accompanied by copies of the court ordered examination
papers regarding the physical and mental condition of the
defendant. However, under the existing acquit and commitment law,
the Department is required to receive only the court order, but
not copies of the court examination papers. This measure creates
consistency between the laws pertaining to unfit to proceed and
acquit and commitment so that the Hawaii State Hospital receives
the court order examination reports.



Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1116, 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
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



