

Honolulu, Hawaii  
April 8, 2016

RE: S.B. No. 2107

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2107 entitled:

"A BILL FOR AN ACT RELATING TO PEN REGISTERS,"

begs leave to report as follows:

The purpose of this measure is to update the electronic eavesdropping law to:

- (1) Amend the definition of "pen register" as a device that can track numbers transmitted by devices connected to a cellular network or other electronic communications service;
- (2) Clarify that a court order must specify information related to the cellular telephone or electronic device or service to which the pen register or trap and trace device (collectively referred to as "tracking device") is to be connected; and
- (3) Clarify that a court order authorizing the installation and use of a tracking device must prohibit the disclosure of the existence of the tracking device to which the telephone line, cellular telephone, or electronic device or service is attached, unless ordered by the court.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department supported this measure.

SB2107 HSCR JUD HMS 2016-3134



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 S.B. No. 2107 and recommends that it pass Third Reading.

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



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KARL RHOADS, Chair



