

STAND. COM. REP. NO.

1390

Honolulu, Hawaii

March 24, 2017

RE: S.B. No. 488
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 488, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEARCH WARRANTS,"

begs leave to report as follows:

The purpose of this measure is to allow the courts to authorize a person or entity to provide technical assistance to a law enforcement officer or sheriff's deputy who is executing a search warrant pertaining to an electronic device or storage media.

The Department of the Attorney General, Honolulu Police Department, City and County of Honolulu Prosecuting Attorney, and Maui Police Department testified in support of the measure. One individual testified in opposition.

Your Committee has amended this measure by replacing its contents with H.B. No. 300, H.D. 1, which was heard by your Committee on February 3, 2017, and the purpose of which is a similar measure, except that it:

- (1) Clarifies that both sheriff's deputies and police officers may execute a search warrant and obtain



technical assistance from an authorized individual or entity;

- (2) Changes the effective date to July 1, 2050, to encourage further discussion; and
- (3) Makes technical, nonsubstantive amendments for clarity, style, and consistency.

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. 488, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 488, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



SCOTT Y. NISHIMOTO, Chair



