

STAND. COM. REP. NO.

2589

Honolulu, Hawaii

MAR 01 2018

RE: S.B. No. 2742  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2742 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to resolve inconsistencies in the processing of expungements and public dissemination of criminal history record information related to cases in which the defendant is acquitted or charges are dismissed by reason of physical or mental disease, disorder, or defect or the defendant is involuntarily hospitalized.

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

Your Committee finds that the Hawaii Criminal Justice Data Center is responsible for the collection, storage, and dissemination of criminal history record information in such a manner as to balance the right of the public and press to be informed, the right to privacy of individuals, and the responsibility of law enforcement agencies to prevent crimes and detect and apprehend criminals. This measure will resolve inconsistencies in existing law governing the retention and dissemination of criminal history record information in cases in which a person has been acquitted or charges have been dismissed



by reason of physical or mental disease, disorder, or defect, or when the person has been involuntarily hospitalized.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2035, to encourage further discussion; and
- (2) 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2742, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2742, S.D. 1, and be placed on the calendar for Third Reading.

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



BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 2742</b>	Committee Referral: <b>JDC</b>	Date: <b>2/20/18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes