

STAND. COM. REP. NO.

1058

Honolulu, Hawaii

MAR 1 - 2019

RE: S.B. No. 192  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 192, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize courts to order the release of certain qualifying criminal defendants upon the execution of unsecured financial bonds.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs; Office of the Public Defender; Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii; Young Progressives Demanding Action; LGBT Caucus of the Democratic Party of Hawaii; Community Alliance on Prisons; IMUAlliance; We Are One, Inc.; Drug Policy Forum of Hawaii; Ohana Hoopakele; Prince Kuhio Hawaiian Civic Club; and numerous individuals.

Your Committee received written comments on this measure from the Hawaii Disability Rights Center.

Your Committee recognizes that a defendant in custody who lacks sufficient cash resources to pay the necessary amount of bail can be detained for weeks, months, or even longer before a trial is conducted. Your Committee further finds that, in the meantime, the defendant faces the potential loss of employment,



housing, or child custody. Your Committee recognizes that this measure is intended to provide certain defendants a process by which they may petition the courts for unsecured bail, and when appropriate, a means for the courts to grant those petitions.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 192, S.D. 1, and recommends that it pass Third Reading.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 192, SDI</b>	Committee Referral: <b>JDC, WAM</b>	Date: <b>2/20/19</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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil				X
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>11</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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