

STAND. COM. REP. NO.

1920

Honolulu, Hawaii

APR 01 , 2019

RE: S.B. No. 414
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 414, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE,"

begs leave to report as follows:

The purpose of this measure is to create procedural and administrative requirements for law enforcement agencies for eyewitness identifications of suspects in criminal investigations.

The Office of the Public Defender testified in support of this measure. The County of Hawai'i Office of the Prosecuting Attorney, County of Kaua'i Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, Hawai'i Police Department, Honolulu Police Department, and Maui Police Department testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Deleting the remedies available to a prosecutor or defendant for noncompliance with the eyewitness identification requirements;
- (2) Changing its effective date to January 28, 2081; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 414, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 414, 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,



CHRIS LEE, Chair



