

Honolulu, Hawaii

February 14, 2019

RE: H.B. No. 1061
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 H.B. No. 1061 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Create procedural and administrative requirements for law enforcement agencies for eyewitness identifications of suspects in criminal investigations; and
- (2) Specify the remedies available to a defendant for noncompliance.

The Office of the Public Defender testified in support of this measure. The Department of the Prosecuting Attorney of the County of Maui, Maui Police Department, Hawai'i Police Department, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and an individual testified in opposition. The Committee on the Rules of Evidence of the Hawai'i Supreme Court and Department of the Attorney General provided comments.



Your Committee has amended this measure by:

- (1) Deleting the remedies available to a defendant for noncompliance;
- (2) Changing its effective date to January 28, 2081, to promote further discussion; 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 H.B. No. 1061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1061, H.D. 1, and be referred to your Committee on Finance.

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



CHRIS LEE, Chair



