

STAND. COM. REP. NO.

208

Honolulu, Hawaii

February 8, 2019

RE: H.B. No. 1289  
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 Public Safety, Veterans, & Military  
Affairs, to which was referred H.B. No. 1289 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PRETRIAL REFORM,"

begs leave to report as follows:

The purpose of this measure is to implement recommendations  
of the Criminal Pretrial Task Force convened pursuant to House  
Concurrent Resolution No. 134, House Draft 1, Regular Session of  
2017.

The Judiciary, Office of Hawaiian Affairs, IMUAlliance,  
Community Alliance on Prisons, Young Progressives Demanding  
Action, A-1 Bail Bonds, and several concerned individuals  
supported this measure. The Honolulu Police Department and  
Department of the Prosecuting Attorney of the City and County of  
Honolulu opposed this measure. The Department of Public Safety,  
Department of the Attorney General, Office of the Public Defender,  
Hawaii Disability Rights Center, and a concerned individual  
offered comments.

Your Committee has amended this measure by:

- (1) Authorizing the Department of Public Safety's Pretrial  
Service Officers limited access to offenders' financial  
circumstances for the purpose of viewing other state

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agencies' relevant data related to employment wages and taxes and including the data in the offender's bail report;

- (2) Authorizing the Director of Public Safety to release a defendant if a defendant is unable to post bail in the amount of \$99 or less; provided that electronic defendant monitoring devices are used;
- (3) Requiring community correctional centers at least every three months to conduct regular reviews and surveys of the jail population to identify pretrial defendants who may be appropriate for pretrial release or supervision; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1289, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Veterans, & Military Affairs,

  
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GREG TAKAYAMA, Chair



