

STAND. COM. REP. NO.

762

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 1289

H.D. 2

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. 1289, H.D. 1, 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, The Department of Public Safety, Office of Hawaiian Affairs, Community Alliance on Prisons, Young Progressives, IMUAlliance provided testimony supporting the measure. The Police Department City and County of Honolulu testified in opposition of measure. The Department of the Attorney General, Office of Public Defender, and the American Civil Liberties Union commented on the measure.

Your Committee has amended this measure by:

- (1) Requiring that each person or entity that conducts research for an intake service center be approved and contracted by the Department of Public Safety;.

HB1289 HD2 HSCR JUD HMS 2019-2278



- (2) Adding that if that if the defendant has at least one conviction for a misdemeanor crime of violence or felony crime of violence within the last twenty years, the defendant shall not qualify to be released on the defendant's own recognizance;
- (3) Defining "Prompt bail hearing"; and
- (4) Making certain provisions effective on January 1, 2020.

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. 1289, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1289, H.D. 2.

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

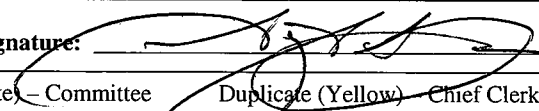


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CHRIS LEE, Chair



**Record of Votes of the Committee on Judiciary**

Bill/Resolution No.: <b>HB 289 HD1</b>		Committee Referral: <b>PV M, JUD, FID</b>		Date: <b>2/14/19</b>
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. MORIKAWA, Dee	/			
8. SAY, Calvin K.Y.				/
9. TAKAYAMA, Gregg	/			
10. YAMANE, Ryan I.	/			
11. THIELEN, Cynthia	/			
<b>TOTAL (11)</b>	<b>10</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				