

Honolulu, Hawaii

FEB 07 , 2020

RE: H.B. No. 1740
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1740 entitled:

"A BILL FOR AN ACT RELATING TO EXECUTIVE PARDONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow the Governor to refer applications for pardon to the Attorney General for consideration and investigation, and require the Attorney General to make a recommendation;
- (2) Establish a comprehensive application process for executive pardons; and
- (3) Require the Director of Public Safety and Hawaii Paroling Authority to investigate every application for pardon referred to them by the Governor, if necessary.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney. Your Committee received comments on this measure from the Hawaii Paroling Authority.



Your Committee finds that county prosecutors and crime victims in Hawaii do not receive advance notice of applications for executive pardons. Your Committee further finds that this measure will allow prosecutors and victims to provide input for the Governor's consideration.

Your Committee has amended this measure by:

- (1) Changing the effective date from upon approval of a constitutional amendment to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Legislative Management deliberate on this measure further, your Committee notes the concerns raised by the Hawaii Paroling Authority and the overall time considerations imposed by this measure, as well as the complexity of the process.

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. 1740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1740, H.D. 1, and be referred to your Committee on Legislative Management.

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


CHRIS LEE, Chair



