

Honolulu, Hawaii

FEB 28 , 2020

RE: H.B. No. 2068
H.D. 2

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. 2068, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF JUSTICE,"

begs leave to report as follows:

The purpose of this measure is to limit to one hundred eighty days:

- (1) The period of conditional release granted to defendants charged with class C felonies that do not involve violence or attempted violence; and
- (2) The period of commitment to the Department of Health of defendants charged with class C felonies that do not involve violence or attempted violence.

Your Committee received comments in opposition to this measure from the Judiciary and Department of the Attorney General. Your Committee received comments on this measure from the Department of Health, Office of the Public Defender, and Hawaii Disability Rights Center.

Your Committee finds that the State's finite resources should be prioritized to provide the utmost care and supervision for



defendants who have a propensity for violent behavior due to mental illness, rather than keeping non-violent defendants committed longer than necessary. Your Committee believes that this measure will concentrate the State's limited resources to helping persons that are in dire need of intervention.

Your Committee has amended this measure by:

- (1) Deleting provisions pertaining to the period of conditional release granted to defendants charged with class C felonies that do not involve violence or attempted violence;
- (2) Making an unspecified number of days the length of the period of commitment to the Department of Health of defendants charged with class C felonies that do not involve violence or attempted violence; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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. 2068, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2068, H.D. 2.

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


CHRIS LEE, Chair



