

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2069

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. 2069 entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit civil asset forfeiture except when the covered offense is chargeable as a felony and the owner of the asset has been convicted; and
- (2) Require the Attorney General to deposit the net proceeds of the forfeited property to the credit of the state general fund.

Your Committee received testimony in support of this measure from the Office of the Public Defender, American Civil Liberties Union of Hawaii, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawaii, Community Alliance on Prisons, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Department of the Attorney General, Office of the Prosecuting Attorney of the County of Hawaii, Office of the Prosecuting Attorney of the County of Kauai, Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one



individual. Your Committee received comments on this measure from Grassroot Institute of Hawaii.

Your Committee finds that requiring a criminal conviction before permanently confiscating an offender's property will help establish an important protection for property owners and ensure fairness in the asset forfeiture 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. 2069 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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



CHRIS LEE, Chair



