STAND. COM. REP. NO. **610** -20

Honolulu, Hawaii

, 2020

FEB 14
RE: H.B. No. 2749
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. 2749 entitled:

"A BILL FOR AN ACT RELATING TO PROSECUTORIAL TRANSPARENCY," begs leave to report as follows:

The purpose of this measure is to increase prosecutorial transparency in the State by:

- (1) Requiring the offices of the prosecuting attorney of the respective counties to collect and publish certain data relating to criminal defendants and prosecutorial decision-making; and
- (2) Establishing a prosecutorial transparency advisory board.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Filipina Advocacy Network, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawaii, American Civil Liberties of Hawaii, Hawaii Friends of Restorative Justice, Community Alliance on Prisons, Faith Action for Community Equity Hawaii, Ohana Hoopakele, Young Progressives Demanding Action, and twelve individuals. Your Committee received comments on this measure from the Office of Information Practices, City and County of Honolulu Department of the Prosecuting

Attorney, County of Kauai Office of the Prosecuting Attorney, and County of Hawaii Office of the Prosecuting Attorney.

Your Committee finds that information and data about the offices of the prosecuting attorney of the respective counties and their practices are difficult to access and understand. Your Committee further finds that providing access to this information will improve accountability and inform the public about the decision-making processes within these offices.

Your Committee has amended this measure by:

- (1) Amending the purpose section;
- (2) Amending the data each office of the prosecuting attorney must collect, disclose, and maintain;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) 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. 2749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2749, H.D. 1, and be referred to your Committee on Finance.

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

CHRIS LEE, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 670-20

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2749	Committee Referral:	Date:	/12/	2007
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  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				
J. DROWER, Tom				
4. CREAGAN, Richard P.				<u> </u>
5. LOWEN, Nicole E.				
6. McKELVEY, Angus L.K.		Annual Control of the	· · · · · · · · · · · · · · · · · · ·	
7. NAKASHIMA, Mark M.				
8. PERRUSO, Amy A.			Service source	
9. SAY, Calvin K.Y.				
10 TAKANAMA C				
10. TAKAYAMA, Gregg				
11. YAMANE, Ryan I.		<u> </u>		
12. THIELEN, Cynthia				
TOTAL (12)	9			<u>3</u>
The recommendation is:  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				