

Honolulu, Hawaii
, 2020

RE: **FEB 14**
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



