

STAND. COM. REP. NO. 617 -22

Honolulu, Hawaii  
FEB 18 , 2022

RE: H.B. No. 1463  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 1463 entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, City and County of Honolulu Department of the Prosecuting Attorney, County of Kaua'i Office of the Prosecuting Attorney, and two individuals. Your Committee received comments on this measure from the Department of Public Safety, Hawaii Paroling Authority, and Hawaii Firearms Coalition.

Your Committee finds that this measure sets forth the requirements for an application for executive pardon; the respective roles of the applicant, Governor, Department of Public Safety, Hawaii Paroling Authority, prosecuting attorneys, and Department of the Attorney General; timeframes within which certain steps of the process must occur; information and documentation needed for full consideration of the application; a means of ensuring any victim or surviving immediate family members of the victim are notified of the application and provided an

2022-1580 HB1463 HD1 HSCR HMSO



opportunity to submit information relating to the application; authorization to investigate an application; and if an application is denied, the earliest date by which a repeat application may be accepted.

Your Committee further finds that the existing pardon process does not provide for the notification or input of prosecutors and crime victims or their surviving immediate family members. This measure corrects that oversight, assures sufficient records upon which to base a sound decision, and establishes a process that promotes consistency, transparency, and uniformity in the handling of applications for executive pardons.

However, your Committee notes concerns that were expressed regarding the overall timeframe for the process to be completed and a determination on the application for executive pardon rendered, and finds that further evaluation of the required number of days for notifications and submissions is necessary. As this measure proceeds through the legislative process, your Committee requests that consideration be given to a timeframe that will not disrupt the application process.

Your Committee has amended this measure by:

- (1) Making the number of days for notifications and submissions required by this measure to occur an unspecified number of days after the notification and receipt of submissions;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1463, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1463, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on  
behalf of the members of the  
Committee on Corrections,  
Military, & Veterans,



---

TAKASHI OHNO, Chair



