

STAND. COM. REP. NO.

3177

Honolulu, Hawaii

MAR 21 2024

RE: H.B. No. 1608
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1608, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF THE PUBLIC DEFENDER,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Appropriate funds for an unspecified number of deputy public defender positions within the Office of the Public Defender; and
- (2) Require that one of the positions be assigned to the family court section.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawaii Paroling Authority, ACLU of Hawai'i, and two individuals.

Your Committee finds that the Office of the Public Defender provides legal representation for indigent defendants charged in state court with offenses involving the possibility of incarceration. However, Act 9, Session Laws of Hawaii 2020, defunded and abolished several positions within the Office of the Public Defender. Your Committee further finds that if the Office



of the Public Defender is understaffed for extended periods of time, it may result in case overloads, continuances of cases, backlogs in the courts, and other major problems in the justice system. This measure will ensure that the Office of the Public Defender meets its constitutional and statutory requirements by restoring critically important positions to the Office.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$627,300 for four deputy public defender III positions within the Office of the Public Defender;
- (2) Inserting an effective date of April 14, 2112, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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. 1608, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1608, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



