

STAND. COM. REP. NO.

2192

Honolulu, Hawaii

FEB 08 2024

RE: S.B. No. 2521

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 S.B. No. 2521 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 fund four deputy public defender positions and require that one deputy public defender be assigned to the family court section.

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

Your Committee finds that the Office of the Public Defender provides necessary legal representation to indigent individuals in criminal, involuntary commitment, and family law cases as required by the United States and Hawaii constitutions, state statutes, and judicial opinions. Your Committee further finds that Act 9, Session Laws of Hawaii 2020, defunded six positions in the Office of the Public Defender, and the positions were later abolished. Since then, the number of clients and prosecutions have risen to pre-pandemic numbers despite no additional attorney positions at the Office of the Public Defender to help mitigate the caseload. This measure will ensure that the Office of the Public Defender has the staff necessary to fulfil its constitutional mandate.



Your Committee has amended this measure by:

- (1) Increasing the appropriation amount to \$627,300 for four deputy public defender III positions;
- (2) Specifying that the Office of the Public Defender is required to assign one deputy public defender II to the family court section;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments 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 S.B. No. 2521, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2521, 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



