STAND. COM. REP. NO. 58

Honolulu, Hawaii Feb 19, 2011 RE: H.B. No. 132

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 132 entitled:

"A BILL FOR AN ACT RELATING TO THE COLLECTION OF DNA SAMPLES FROM ARRESTEES OF SEXUAL OFFENSES AGAINST MINORS,"

begs leave to report as follows:

The purpose of this bill is to require the collection of DNA, print impressions, and, in certain cases, blood specimens from arrestees for sex offenses against minors.

The Surviving Parents Coalition testified in support of this bill. The Office of the Public Defender, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Japanese American Citizens League, and several concerned individuals opposed this measure. A concerned individual provided comments.

Your Committee has amended this bill by:

- Inserting a provision to establish a mechanism to expunge those samples taken upon arrest for sex offenses against a minor;
- (2) Limiting the samples authorized for collection upon arrest to DNA samples;



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- (3) Changing its effective date to January 7, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for 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. 132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 132, H.D. 1, and be referred to the Committee on Finance.

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

GILBERT KEITH-AGARAN, Chair





Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date:	15111	
HB 132				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Dess, unamended (as is) X Pass, with amendments (HD) Dess, Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C)			
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.	<u> </u>			
5. CARROLL, Mele				
6. HERKES, Robert N.				レ
7. ITO, Ken				
8. LUKE, Sylvia	<u> </u>			
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift	~			
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
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TOTAL (16)	12	∂	0	4
The recommendation is: Adopted Image: Not Adopted If joint referral,				
Vice Chair's or designee's signature: Kal Mook				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				