
HOUSE CONCURRENT RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY
THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO
PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN
DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND
IMPRISONED.

1 WHEREAS, under Hawaii law, innocent people who are
2 wrongfully imprisoned must sue to receive compensation for the
3 deprivation of their freedom; and
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5 WHEREAS, other states have enacted compensation laws to
6 prevent wrongfully convicted persons from having to endure the
7 long and costly process of litigation to receive compensation
8 after being released from prison; and
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10 WHEREAS, House Bill No. 1985, introduced in the Regular
11 Session of 2012, is based on the national Innocence Project's
12 model compensation law and establishes a process that provides
13 compensation and services to persons who can demonstrate they
14 were wrongfully convicted of a crime and imprisoned; and
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16 WHEREAS, the enactment of a comprehensive compensation
17 measure for those who were wrongfully convicted of a crime and
18 imprisoned should be based upon compelling data or anecdotal
19 evidence demonstrating the need for legislation; now, therefore,
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21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-sixth Legislature of the State of Hawaii, Regular Session
23 of 2012, the Senate concurring, that the Attorney General is
24 requested to convene a task force to study the need for state
25 legislation on innocence redress to provide compensation and
26 services to persons who can demonstrate they were wrongfully
27 convicted of a crime and imprisoned; and
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1 BE IT FURTHER RESOLVED that the Attorney General, or the
2 Attorney General's designee, is requested to serve as the chair
3 of the task force and appoint the following persons to the task
4 force:

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- 6 (1) Judges that adjudicate criminal cases within the
7 State;
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 - 9 (2) The prosecuting attorney of each county of the State,
10 or their respective designees;
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 - 12 (3) The state Public Defender, or the state Public
13 Defender's designee;
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 - 15 (4) A representative from the Criminal Justice and
16 Corrections Section of the Hawaii State Bar
17 Association;
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 - 19 (5) Experts on scientific testing of evidence in criminal
20 cases; and
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 - 22 (6) Any other members as the chair of the task force deems
23 appropriate; and
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25 BE IT FURTHER RESOLVED that the Department of the Attorney
26 General is requested to provide administrative support for the
27 task force; and

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29 BE IT FURTHER RESOLVED that in conducting the study, the
30 task force is requested to consider the provisions of House Bill
31 No. 1985 (2012); and

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33 BE IT FURTHER RESOLVED that the task force is requested to
34 submit a report of its findings and recommendations, including
35 any proposed legislation, to the Legislature no later than
36 twenty days prior to the convening of the Regular Session of
37 2013; and

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39 BE IT FURTHER RESOLVED that certified copies of this
40 Concurrent Resolution be transmitted to the Chief Justice of the
41 Hawaii Supreme Court, the Administrative Director of the Courts,
42 the Attorney General, the Prosecuting Attorney of each county of
43 the State, the State Public Defender, and the Chair of the



1 Hawaii State Bar Association's Criminal Justice and Corrections
2 Section.

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