

STAND. COM. REP. NO. 2066

Honolulu, Hawaii

FEB 08 2012

RE: S.B. No. 2058
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2058 entitled:

"A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL
CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to add certain
felonies for which criminal charges may be instituted by written
information.

Your Committee received testimony in support of this measure
from the Department of the Prosecuting Attorney of the City and
County of Honolulu; the Police Department of the City and County
of Honolulu; and the Department of the Prosecuting Attorney of the
County of Maui. Testimony in opposition to this measure was
submitted by the American Civil Liberties Union of Hawaii; the
Community Alliance on Prisons; and one private individual.

Your Committee finds that as new criminal laws have been
passed or amended, the written information law has not been
amended accordingly to include those new or amended laws. As
such, this measure adds certain felonies that are comparable to
the felonies listed in the existing written information law.

Your Committee notes that the Judiciary did not submit any
written testimony, and encourages the Judiciary to participate in
the ongoing discussion as this measure moves through the
legislative process.

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Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to ensure further discussion; and
- (2) Inserting the correct section number for the crime of unauthorized entry into a dwelling in the first degree, and making other 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 and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2058, S.D. 1, and be placed on the calendar for Third Reading.

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



CLAYTON HEE, Chair



