STAND. COM. REP. NO.

Honolulu, Hawaii February 19, 2016

RE: H.B. No. 2359 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2359, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH PROCEDURES,"

begs leave to report as follows:

The purpose of this measure is to ensure the timely and relevant administration of mental health examinations to support the expedient administration of justice and due process for defendants who may have mental health issues. Specifically, this measure reduces the time defendants spend in state custody awaiting forensic mental health examinations and the resultant rulings on fitness to proceed and penal responsibility by separating the two evaluations.

The Department of Health and two individuals testified in support of this measure. The City and County of Honolulu Department of the Prosecuting Attorney opposed this measure. The Office of the Public Defender and an individual commented on this measure.

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. 2359, H.D. 1, and recommends that it be referred to your Committee on Finance.



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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB2359. HD, HLT,	EREFERTAL:	Date:	2/16/16	
 The committee is reconsidering its previous decision on the measure. 				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A. (VC)				
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.				
6. HASHEM, Mark J.				
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.	(
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob				
14. THIELEN, Cynthia				
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TOTAL (14)	10			2_
The recommendation is: Adopted INot Adopted / /If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				