

STAND. COM. REP. NO. 437

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1539

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 1539 entitled:

"A BILL FOR AN ACT RELATED TO BAIL HEARINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to grant defendants a right to a prompt bail hearing.

Your Committee received testimony in support of this measure from the Judiciary, Department of Public Safety, Office of the Public Defender, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Community Alliance on Prisons, Ho'omanapono Political Action Committee, and five individuals.

Your Committee finds that House Concurrent Resolution No. 134, H.D. 1 (2017), established a task force to examine and make recommendations regarding criminal pretrial practices and procedures to maximize public safety, maximize court appearances, and maximize pretrial release of the accused and presumed innocent.

Your Committee further finds that the task force's investigations revealed that the current system is inconsistent as to whether and when a pretrial defendant is accorded a bail hearing. Your Committee finds that this measure helps ensure a prompt hearing for pretrial defendants, many of whom are



considered low-risk defendants for whom release pending trial would be appropriate.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1539 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,

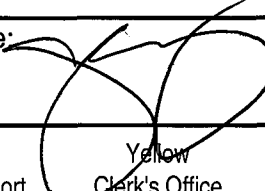
Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1539	PSM, JDC	2/5/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes