STAND. COM. REP. NO. 202

Honolulu, Hawaii

February 8

2019

RE: H.B. No. 1289 H.D. 1

п.р. т

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Public Safety, Veterans, & Military Affairs, to which was referred H.B. No. 1289 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PRETRIAL REFORM," begs leave to report as follows:

The purpose of this measure is to implement recommendations of the Criminal Pretrial Task Force convened pursuant to House Concurrent Resolution No. 134, House Draft 1, Regular Session of 2017.

The Judiciary, Office of Hawaiian Affairs, IMUAlliance, Community Alliance on Prisons, Young Progressives Demanding Action, A-1 Bail Bonds, and several concerned individuals supported this measure. The Honolulu Police Department and Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Department of Public Safety, Department of the Attorney General, Office of the Public Defender, Hawaii Disability Rights Center, and a concerned individual offered comments.

Your Committee has amended this measure by:

(1) Authorizing the Department of Public Safety's Pretrial Service Officers limited access to offenders' financial circumstances for the purpose of viewing other state agencies' relevant data related to employment wages and taxes and including the data in the offender's bail report;

- (2) Authorizing the Director of Public Safety to release a defendant if a defendant is unable to post bail in the amount of \$99 or less; provided that electronic defendant monitoring devices are used;
- (3) Requiring community correctional centers at least every three months to conduct regular reviews and surveys of the jail population to identify pretrial defendants who may be appropriate for pretrial release or supervision; 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 Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1289, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Veterans, & Military Affairs,

GRECO TAKAYAMA, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

H50R 208

## Record of Votes of the Committee on Public Safety, Veterans, & Military Affairs

Bill/Resolution No.: HB 1289	Committee Referral: PVM, JUD, FIN	02/06/1	9	
☐ 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)				
PVM Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	√		<del> </del>	
2. GATES, Cedric Asuega (VC)	<b>V</b>			
3. KOBAYASHI, Dale T.				
4. KONG, Sam Satoru	V		<u>alamining grown and a state</u>	
5. NISHIMOTO, Scott Y.	V			Second Miles and Consumer
6. OHNO, Takashi				
7. McDERMOTT, Bob				
			····	
			****	
			· .	
TOTAL (A)	7			
TOTAL (7)		_		
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				