

STAND. COM. REP. NO.

3230

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2033
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2033, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF JUSTICE,"

begs leave to report as follows:

The purpose and intent of this measure is to establish procedures for the effect of finding of unfitness to proceed for defendants charged with misdemeanors and petty misdemeanors not involving violence or attempted violence.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, Hawaii Substance Abuse Coalition, Hawai'i Wildfire Management Organization, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that the issue of mental health has resulted in the incarceration of numerous non-violent individuals charged with low-level and petty misdemeanors within the state prison facilities, where they reside without receiving mental health services. This measure would provide individuals the opportunity to be placed in the custody of the Director of Health within an institution for detention, assessment, care, and



treatment, thereby allowing for a mental health clinical team to adequately focus on the proper treatment plan for the individual.

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 S.B. No. 2033, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* SB 2033 SD1	Committee Referral: CPH, JDC	Date: 2/21/2020		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado				/
FEVELLA, Kurt	/			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes