

STAND. COM. REP. NO. 3400

Honolulu, Hawaii

MAR 24 2022

RE: H.B. No. 1567
H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 1567, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PRETRIAL REFORM,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, nonviolent petty misdemeanor offenses, or nonviolent misdemeanor offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawai'i Alliance for Progressive Action, Common Cause Hawaii, Imua Alliance, Faith Action for Community Equity, and twenty-six individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, and Retail Merchants of Hawaii. Your Committee received comments on



this measure from the Judiciary, Department of Public Safety, American Civil Liberties Union of Hawai'i, and Hawaii Substance Abuse Coalition.

Your Committee finds that the State's practice of making the payment of a money bond a condition for pretrial release discriminates based on wealth, exacerbates racial disparities, results in over-incarceration, and imposes unnecessary costs on individuals and society at large. On February 1, 2021, eight hundred eighty-three people were incarcerated throughout the State even though they had not been convicted of a crime. Feeding and caring for an incarcerated person costs \$198 a day in Hawaii. Before the coronavirus 2019 pandemic, the State was spending approximately \$209,000 a day, or \$76,000,000 annually, of taxpayer dollars to incarcerate more than one thousand people statewide, simply because they were too poor to afford bail. These costs come with trade-offs with other state spending priorities like education and healthcare. This measure will reduce the harms of the cash bail system upon the community by taking a necessary step in the State's phased approach to pretrial reform.

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 H.B. No. 1567, H.D. 1, 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,

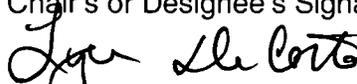


CLARENCE K. NISHIHARA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1567, HD1	PSM, JDC	3/22/2022		
<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)	✓			
DECOITE, Lynn (VC)	✓			
BAKER, Rosalyn H.	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1
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