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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE CRIMINAL JUSTICE RESEARCH INSTITUTE, IN  
COLLABORATION WITH THE JUDICIARY AND DEPARTMENT OF PUBLIC  
SAFETY, TO REPORT ON THE OUTCOMES OF INDIVIDUALS RELEASED  
ON BAIL AND OTHER FORMS OF PRETRIAL RELEASE.

1           WHEREAS, several jurisdictions, including Hawai'i, have  
2 explored abolishing the use of monetary bail as a condition of  
3 pretrial release, an effort commonly known as bail reform; and  
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5           WHEREAS, when deliberating whether to enact bail reform  
6 measures, consideration of statistical information is critical  
7 to the discussion, such as the percentage of individuals  
8 released on bail who while in the community pending trial were  
9 subsequently arrested for committing new crimes, failed to  
10 appear at a required court appearance, or experienced other  
11 adverse outcomes, and how these adverse outcomes compare to  
12 individuals released on other grounds, such as supervised  
13 release and release on recognizance; and  
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15           WHEREAS, the Harry Frank Guggenheim Foundation's January  
16 2023 report entitled *Is Bail Reform Causing an Increase in*  
17 *Crime?* assessed bail reform in eleven jurisdictions, which did  
18 not include Hawai'i, for the effect, if any, of bail reform on  
19 crime and found that "[v]iolent crime trends after reforms  
20 present no clear or obvious pattern in these  
21 jurisdictions...neither violent nor nonviolent crimes or charges  
22 increased markedly immediately after jurisdictions implemented  
23 bail reform."; and  
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25           WHEREAS, Hawai'i's current bail system continues to use  
26 monetary bail as a condition of pretrial release; however, data  
27 on the outcomes of individuals released after meeting bail have  
28 not been compiled or publicly reported; and  
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30           WHEREAS, the Criminal Justice Research Institute was  
31 established by Act 179, Session Laws of Hawaii 2019, within the



1 Office of the Chief Justice to assess the administrative and  
2 technological feasibility of collecting, aggregating, and  
3 reporting on criminal pretrial data for purposes of establishing  
4 a centralized statewide criminal pretrial justice data reporting  
5 and collection system; and

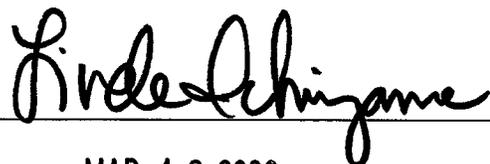
6  
7 WHEREAS, the Criminal Justice Research Institute has, as  
8 part of its progress towards establishing a pretrial database,  
9 identified statewide pretrial data sources from the Hawaii State  
10 Judiciary that would reveal the outcomes of individuals released  
11 into the community pending trial; now, therefore,

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13 BE IT RESOLVED by the House of Representatives of the  
14 Thirty-second Legislature of the State of Hawaii, Regular  
15 Session of 2023, the Senate concurring, that the Criminal  
16 Justice Research Institute, in collaboration with the Judiciary  
17 and Department of Public Safety, is requested to compile and  
18 report data on the outcomes of individuals released into the  
19 community pending trial, to include the numbers and percentages  
20 of individuals who met bail; were on supervised release; or were  
21 released on recognizance and who, while pending trial,  
22 subsequently were arrested for committing new crimes, failed to  
23 appear at a required court appearance, or other adverse  
24 outcomes; and

25  
26 BE IT FURTHER RESOLVED that the Criminal Justice Research  
27 Institute is requested to submit a report on the pretrial data  
28 to the Legislature by December 1, 2023, and it is requested that  
29 the report be made publicly available and posted on the Criminal  
30 Justice Research Institute's website; and

31  
32 BE IT FURTHER RESOLVED that certified copies of this  
33 Concurrent Resolution be transmitted to the Chief Justice of the  
34 Hawaii Supreme Court, Director of Public Safety, Director of the  
35 Criminal Justice Research Institute, Administrator of the  
36 Criminal Justice Data Center, and Oversight Coordinator of the  
37 Hawaii Correctional System Oversight Commission.

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OFFERED BY:



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