STAND. COM. REP. NO. 2759

Honolulu, Hawaii

FEB 2 9 2024

RE: S.B. No. 3033

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3033 entitled:

"A BILL FOR AN ACT RELATING TO PHYSICAL EVIDENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the criminal offense statute for tampering with physical evidence to adopt the wording of the Model Penal Code for the same offense.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that tampering with physical evidence can take many forms beyond what is provided in existing statute. Your Committee further finds that the current statute on tampering with physical evidence omits several phrases from the corresponding offense in the Model Penal Code that are needed to comprehensively combat physical evidence offenses. This measure incorporates the corresponding offense wording of the Model Penal Code, which will increase the public's trust and confidence in the investigations conducted by the State and local law enforcement and increase the credibility of available evidence.

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. 3033 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair

## The Senate Thirty-Second Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution	Bill / Resolution No.:* Committee		Referral:	Dat		
SB 303	SB 3033		DC	02	2/15/2	4
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:						
ii 30, then the previous decision was to.						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
	Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)			V			
GABBARD, Mike (VC)			V/			
ELEFANTE, Brandon J.C.						
SAN BUENAVENTURA, Joy A.						
AWA, Brenton						
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	TOTAL		<u></u>			
Recommendation:  Adopted  Not Adopted						
Chair's or Designee's Signature:						
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Cop						
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\*Only one measure per Record of Votes