
HOUSE RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE NEED FOR STATE LEGISLATION ON INNOCENCE REDRESS TO PROVIDE COMPENSATION AND SERVICES TO PERSONS WHO CAN DEMONSTRATE THEY WERE WRONGFULLY CONVICTED OF A CRIME AND IMPRISONED.

1 WHEREAS, under Hawaii law, innocent people who are
2 wrongfully imprisoned must sue to receive compensation for the
3 deprivation of their freedom; and
4

5 WHEREAS, other states have enacted compensation laws to
6 prevent wrongfully convicted persons from having to endure the
7 long and costly process of litigation to receive compensation
8 after being released from prison; and
9

10 WHEREAS, House Bill No. 1985, introduced in the Regular
11 Session of 2012, is based on the national Innocence Project's
12 model compensation law and establishes a process that provides
13 compensation and services to persons who can demonstrate they
14 were wrongfully convicted of a crime and imprisoned; and
15

16 WHEREAS, the enactment of a comprehensive compensation
17 measure for those who were wrongfully convicted of a crime and
18 imprisoned should be based upon compelling data or anecdotal
19 evidence demonstrating the need for legislation; now, therefore,
20

21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-sixth Legislature of the State of Hawaii, Regular Session
23 of 2012, that the Attorney General is requested to convene a
24 task force to study the need for state legislation on innocence
25 redress to provide compensation and services to persons who can
26 demonstrate they were wrongfully convicted of a crime and
27 imprisoned; and
28

29 BE IT FURTHER RESOLVED that the Attorney General, or the
30 Attorney General's designee, is requested to serve as the chair
31 of the task force and appoint the following persons to the task
32 force:



- 1
- 2 (1) Judges that adjudicate criminal cases within the
- 3 State;
- 4
- 5 (2) The prosecuting attorney of each county of the State,
- 6 or their respective designees;
- 7
- 8 (3) The state Public Defender, or the state Public
- 9 Defender's designee;
- 10
- 11 (4) A representative from the Criminal Justice and
- 12 Corrections Section of the Hawaii State Bar
- 13 Association;
- 14
- 15 (5) Experts on scientific testing of evidence in criminal
- 16 cases; and
- 17
- 18 (6) Any other members as the chair of the task force deems
- 19 appropriate; and
- 20

21 BE IT FURTHER RESOLVED that the Department of the Attorney
22 General is requested to provide administrative support for the
23 task force; and

24
25 BE IT FURTHER RESOLVED that in conducting the study, the
26 task force is requested to consider the provisions of House Bill
27 No. 1985 (2012); and

28
29 BE IT FURTHER RESOLVED that the task force is requested to
30 submit a report of its findings and recommendations, including
31 any proposed legislation, to the Legislature no later than
32 twenty days prior to the convening of the Regular Session of
33 2013; and

34
35 BE IT FURTHER RESOLVED that certified copies of this
36 Resolution be transmitted to the Chief Justice of the Hawaii
37 Supreme Court, the Administrative Director of the Courts, the
38 Attorney General, the Prosecuting Attorney of each county of the
39 State, the State Public Defender, and the Chair of the Hawaii

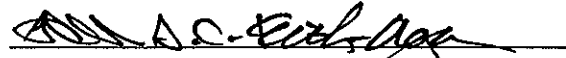





H.R. NO. 91

1 State Bar Association's Criminal Justice and Corrections
2 Section.

3
4
5

OFFERED BY:




Karl Rhoads


MAR 13 2012

