

STAND. COM. REP. NO.

1582

Honolulu, Hawaii

April 10, 2015

RE: S.B. No. 213
S.D. 2
H.D. 3

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 213, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to reduce the cost of imprisonment, reduce litigation for wrongful imprisonment, and ensure a fair and efficient mechanism for recalculating the sentences of inmates whose sentences may have mistakenly been served consecutively, rather than concurrently. Specifically, this measure:

- (1) Applies to inmates with multiple terms of imprisonment imposed prior to the enactment of Act 193, Session Laws of Hawaii 2008, which provided clarification on whether and when multiple terms of imprisonment should run consecutively or concurrently; and
- (2) Requires the Department of Public Safety to provide written notice to the foregoing persons regarding sentence recalculation and the right for court review of the sentence.

The American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Ho'omana Pono LLC, and a few concerned

SB213 HD3 HSCR FIN HMS 2015-3172



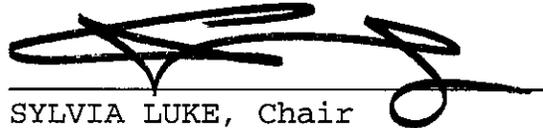
individuals supported this measure. The Hawaii Innocence Project and a few concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 213, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 213, S.D. 2, H.D. 3.

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



SYLVIA LUKE, Chair



