REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ESTABLISH A WORKING GROUP TO STUDY FORENSIC LABORATORIES IN THE STATE.

WHEREAS, forensic science is the process of using science to resolve legal issues; and

WHEREAS, forensic science may involve the application of various fields of science, including anthropology, biology, chemistry, engineering, genetics, medicine, pathology, voice analysis, psychiatry, and toxicology, to matters involving law enforcement; and

WHEREAS, the Honolulu Police Department's Scientific Investigation Section includes the only full-service forensic laboratory in the State; and

WHEREAS, the Scientific Investigation Section's forensic laboratory is commonly referred to as the "crime lab"; and

WHEREAS, other law enforcement agencies in the State have more limited facilities and trained staff available for the application of forensic science; and

WHEREAS, there may be opportunities to improve the application of forensic science for law enforcement purposes in the State; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, the House of Representatives concurring, that the Department of the Attorney General is requested to establish a working group to study forensic laboratories in the State; and

BE IT FURTHER RESOLVED that the working group is requested to include:
(1) One representative from the Federal Bureau of Investigation;

(2) One representative from the Department of Public Safety;

(3) One representative from the Judiciary;

(4) One representative from the police department of each county;

(5) One representative from the department or office of the prosecutor of each county;

(6) One representative from the Office of the Public Defender;

(7) One representative from the private criminal defense bar;

(8) One representative appointed by the Hawaii State Bar Association;

(9) One representative from the American Civil Liberties Union;

(10) The chair of the Senate standing committee with primary subject matter jurisdiction over public safety;

(11) The chair of the House of Representatives standing committee with primary subject matter jurisdiction over public safety; and

(12) A professor of forensic science from Chaminade University; and

BE IT FURTHER RESOLVED that the working group is requested to study the capabilities, staffing levels, caseloads, and task completion times of forensic laboratories in the State; and
accréditation requirements and other issues related to the
operation of forensic laboratories; and

BE IT FURTHER RESOLVED that the working group is requested
to specifically analyze the following issues:

(1) The number of forensic tests conducted annually by the
Honolulu Police Department and other crime
laboratories in this State;

(2) The sources of requests to the Honolulu Police
Department and other crime laboratories in this State
for forensic testing;

(3) The number of requests to the Honolulu Police
Department and other crime laboratories in this State
from state agencies for forensic testing;

(4) Methods by which the Honolulu Police Department sends
evidence to other states for forensic testing;

(5) The number of times each year that the Honolulu Police
Department sends evidence to other states for forensic
testing;

(6) The costs for forensic testing that is conducted in
other states for the Honolulu Police Department;

(7) Additional costs related to forensic testing,
including costs for experts from other states to
teach to this State to testify as prosecution
witnesses;

(8) Any projected increases in costs for forensic testing
in this State;

(9) The sources of funding for DNA testing of felons who
are convicted in this State; and

(10) The sources of funding for equipping and operating
forensic laboratories in this State and in other
states; and
BE IT FURTHER RESOLVED that the working group is requested to provide an interim report, including any findings, recommendations, and proposed legislation, through the Attorney General, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2018; and

BE IT FURTHER RESOLVED that the working group is requested to provide a final report, including any findings, recommendations, and proposed legislation, through the Attorney General, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2019; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Attorney General, the Federal Bureau of Investigation, the Director of Public Safety, Chief Justice, the police chief of each county, the Prosecuting Attorney of each county, the Office of the Public Defender, the Hawaii State Bar Association, the American Civil Liberties Union, and Chaminade University.