

Honolulu, Hawaii

APR 25 2019

RE: S.B. No. 414  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 414, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to create procedural and administrative requirements for law enforcement agencies for eyewitness identifications of suspects in criminal investigations.

Your Committee on Conference finds that mistaken eyewitness identification contributes to a significant majority of wrongful convictions that are later overturned by DNA evidence. Your Committee on Conference additionally finds that more accurate eyewitness identifications increase the ability of police and prosecutors to solve crimes, convict the guilty, and protect the innocent. This measure implements systemic changes in administering



eyewitness identification procedures to improve the accuracy of eyewitness identifications.

Your Committee on Conference has amended this measure by changing its effective date to June 1, 2020.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 414, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 414, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



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CHRIS LEE  
Chair



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KARL RHOADS  
Chair



Hawai'i State Legislature

Record of Votes of a  
Conference Committee

CCR 33

Bill / Concurrent Resolution No.: <b>SB 414, SD 1, HD 1</b>	Date/Time: <b>4/23/19 3:40pm</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

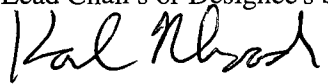
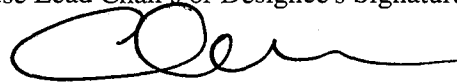
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				LEE, Chris, Chr.	✓			
GABBARD, Mike				✓	BROWER, Tom	✓			
WAKAI, Glenn	✓				MORIKAWA, Dee	✓			
FEVELLA, Kurt	✓				SAY, Calvin K.Y.				✓
					THIELEN, Cynthia	✓			
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>TOTAL</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>1</b>

A = Aye                      WR = Aye with Reservations                      N = Nay                      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**                      **Original**                      **Yellow**                      **Pink**                      **Goldenrod**  
 File with Conference Committee Report                      House Clerk's Office                      Senate Clerk's Office                      Drafting Agency