

JAN 18 2019

A BILL FOR AN ACT

RELATING TO FORENSICS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that much progress has
2 been made to decrease the backlog of rape kit testing in the
3 State and speed up other forensic tests to assist law
4 enforcement in its duties. Statutes of limitations require that
5 timely testing is an obligation of the State to protect the
6 rights and safety of its citizens. Act 207, Session Laws of
7 Hawaii 2016, made a substantial impact on reducing the backlog.
8 However, there are still not adequate forensic testing resources
9 in Hawaii, particularly outside of Oahu. Neighbor islands must
10 rely on the Honolulu police department scientific investigation
11 section, which is stretched thin, or mainland laboratories for
12 forensic testing.

13 The legislature further finds that forensic samples are
14 being sent from Hawaii to Sorenson Forensics, a private
15 laboratory in Utah which specializes in DNA testing, or to
16 Forensic Analytical Laboratories in California. While it is
17 good to have these resources, it is not cost effective. To



1 bring a case to trial built around DNA testing results from
2 these mainland laboratories, it costs the county of Hawaii
3 between \$30,000 and \$60,000 because in-person testimony is
4 required. Testing is usually conducted by multiple technicians
5 in an assembly-like fashion. The courts require each technician
6 handling a sample to testify in support of the chain of custody.
7 The laboratories charge hourly rates for the personnel, travel
8 time, waiting time, and accommodations. The Honolulu police
9 department scientific investigation section has expanded its
10 staff and can handle its current workload, but demand is likely
11 to increase as Act 113, Session Laws of 2018, sets deadlines for
12 sexual assault kit testing.

13 The purpose of this Act is to provide funding for neighbor
14 islands to conduct local forensic testing.

15 SECTION 2. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2019-2020 and
18 the same sum or so much thereof as may be necessary for fiscal
19 year 2020-2021 as a grant-in-aid to the county of Hawaii for
20 forensic testing resources, including equipment and personnel,
21 for the Hawaii police department.



1 The sums appropriated shall be expended by the county of
2 Hawaii for the purposes of this Act.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2019-2020 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2020-2021 as a grant-in-aid to the county of Maui for
8 forensic testing resources, including equipment and personnel,
9 for the Maui police department.

10 The sums appropriated shall be expended by the county of
11 Maui for the purposes of this Act.

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so
14 much thereof as may be necessary for fiscal year 2019-2020 and
15 the same sum or so much thereof as may be necessary for fiscal
16 year 2020-2021 as a grant-in-aid to the county of Kauai for
17 forensic testing resources, including equipment and personnel,
18 for the Kauai police department.

19 The sums appropriated shall be expended by the county of
20 Kauai for the purposes of this Act.

21



S.B. NO. 655

1 SECTION 5. This Act shall take effect on July 1, 2019.

2

INTRODUCED BY:

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Kurt Favelle



S.B. NO. 655

Report Title:

Forensic Testing; DNA Testing; Counties; Appropriation; Grant-in-Aid

Description:

Provides funding, as a grant-in-aid to the counties, for forensic testing for the Hawaii police department, Maui police department, and Kauai police department.

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