

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 148  
H.D. 2  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 148, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WRONGFUL IMPRISONMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to provide redress to persons wrongfully imprisoned in the State.

Specifically, the measure:

- (1) Establishes procedures for a person who was wrongfully convicted and imprisoned to petition for a claim for damages against the State; and
- (2) Provides for immediate services to persons wrongfully convicted and imprisoned.

Your Committee received written comments in support of this measure from Community Alliance on Prisons; the Hawaii Innocence Project, Hoomana Pono, LLC; and three individuals. Your Committee received written comments in opposition to the measure from the Department of the Attorney General and the Hawaii Paroling Authority.

Your Committee finds that innocent persons who have been wrongfully convicted of crimes and subsequently imprisoned have been uniquely victimized, have distinct challenges re-entering society,



and have difficulty achieving legal redress due to a variety of substantive and technical obstacles in the law. Your Committee believes that the compensation and services provided by this measure will help wrongfully convicted persons transition back into society and will increase their future self-sufficiency.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 148, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 148, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



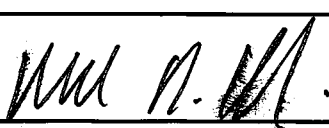
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JILL N. TOKUDA, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB148, HD2, SD1	JDL, WAM	04/06/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	10	0	1	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod				
File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes