

Honolulu, Hawaii

FEB 19 2015

RE: S.B. No. 1331  
S.D. 1

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

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 1331 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require pretrial risk assessments, pretrial bail reports, and arraignments to be completed within five working days after an arrest;
- (2) Require intake service centers to interview lay sponsors within seven working days of their identification and allows the court to order defendants released on bail, recognizance, or supervised release to report to lay sponsors for supervision;
- (3) Prohibit judicial officers from denying bail absent a pretrial risk assessment score that reflects a high risk of flight or commission of a new criminal offense; and
- (4) Prohibit judicial officers from relying on a bail schedule or bail amount that would have been necessary to prevent release of a defendant during jail overcrowding.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons. Your Committee received



testimony in opposition to this measure from the Office of the Prosecuting Attorney of the County of Kauai.

Your Committee finds that despite the advancement in pretrial assessment since 2012, pretrial lengths of stay for those who are ultimately released before trial have increased, averaging almost seventy days. Pretrial length of stay in Hawaii remains approximately four times as long as the national average. Reentry intake service centers have conducted more timely assessments, but this alone has not produced more timely processing of cases or affected release decisions. The result, incarcerating defendants before they are ultimately released on bail, recognizance, or supervision, and before they plead or are found guilty, is costly for the State. Implementation of this measure will require timely processing and quality information for appropriate pretrial release decisions.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1331, S.D. 1, and be referred to the Committee on Judiciary and Labor.

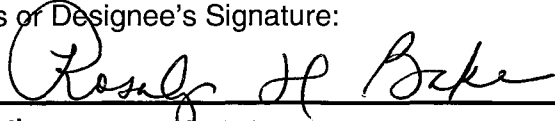
Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,

  
\_\_\_\_\_  
WILL ESPERO, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 1331</b>	Committee Referral: <b>PSM, JDL</b>	Date: <b>2-12-15</b>		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
KEITH-AGARAN, Gilbert S.C.	✓			
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
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