

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2103

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Economic Development, Environment, and Technology, to which was referred S.B. No. 2103 entitled:

"A BILL FOR AN ACT RELATING TO SEARCH WARRANTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow a judge or magistrate to authorize a person or entity to assist a law enforcement officer or deputy of a sheriff or chief of police with the execution of a search warrant; and
- (2) Allow the court to authorize a law enforcement officer to obtain technical assistance in the execution of a search warrant from individuals or entities who are located within or outside of the State in the examination of an electronic device or storage media.

Your Committees received testimony in support of this measure from the Department of the Attorney General; Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Kaua'i; and Police Department, City and County of Honolulu.

Your Committees find that existing law requires that a search warrant be executed by a law enforcement officer. However, there are many cases involving electronic evidence that law enforcement officers are unable to execute without specialized assistance from



non-law enforcement personnel. Thus, this measure facilitates more efficient and effective investigations and searches while allowing the judge to set limitations on the manner in which the assistance is provided.


As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Economic Development, Environment, and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2103 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Labor and Economic Development,  
Environment, and Technology,



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GLENN WAKAI, Chair



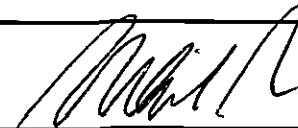
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GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

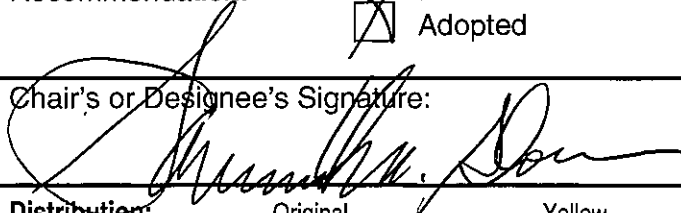
**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 2103</b>	Committee Referral: <b>JDL/EET, WAM</b>	Date: <b>2/9/16</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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
██████████				
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>4</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

The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Economic Development, Environment, and Technology**  
**EET**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2103	JDL/EET, WAM	2/17/16		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	X			
SLOM, Sam (VC)	X			
BAKER, Rosalyn H.	X			
ESPERO, Will				X
GALUTERIA, Brickwood	X			
IHARA, Jr., Les	X			
KEITH-AGARAN, Gilbert S.C.				X
RUDERMAN, Russell E.	X			
THIELEN, Laura H.	X			
<b>TOTAL</b>	7	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
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