

State of Hawaii
Department of the Attorney General



**REPORT OF THE
SURVEILLANCE REVIEW UNIT**

**Pursuant to Section 803-47(c),
Hawaii Revised Statutes**

*Submitted to
The Twenty-Fourth State Legislature
Regular Session of 2007*

INTRODUCTION

The Surveillance Review Unit was established in the Department of the Attorney General in June 2006 by section 28-141, Hawaii Revised Statutes, enacted by Act 200, Session Laws of Hawaii 2006. The purpose of the Unit is to provide for the review of all applications for interception of wire, oral, or electronic communications under chapter 803, Hawaii Revised Statutes, prior to their submittal to a designated judge. Section 803-47(c), Hawaii Revised Statutes, requires a report by the Attorney General "reporting" the number of pen register orders and orders for traps and trace devices applied for by law enforcement agencies of the State" to be submitted no later than twenty days prior to the convening of each regular session of the Legislature.

BACKGROUND

Section 28-141, Hawaii Revised Statutes, established the Surveillance Review Unit and requires that the Unit's deputy attorney general shall review the application in a timely manner and recommend any necessary additions or changes to the application. Then the deputy attorney general shall prepare a written memorandum recommending approval or disapproval of the application which shall be submitted to the designated judge with the application. At present, the Department of the Attorney General, Criminal Justice Division has assigned a deputy attorney general to the Surveillance Review Unit, who will be responsible for establishing standards and procedures for the timely review of these applications to ensure continuity and conformity with the applicable law.

ORDERS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES

As of December 22, 2006, the Unit has not received any application requesting an order authorizing a pen register or a trap or trace device.