

STAND. COM. REP. NO.

1285

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 358
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 358, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DRUG TREATMENT,"

begs leave to report as follows:

The purpose of this measure is to promote the rehabilitation of convicted drug offenders through alternatives to incarceration by authorizing the placement of certain drug offenders in secure drug treatment facilities.

Testimony in support of this measure was submitted by one organization and one individual. Testimony providing comments was submitted by one individual. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that providing convicted drug offenders with drug rehabilitation programs in a secure drug treatment facility will reduce the convicted drug offender's rate of recidivism upon release and also help convicted drug offenders develop an important and meaningful role in society. Your Committee also finds that this measure provides another alternative for rehabilitating drug offenders, and received information from proponents that no additional moneys would be needed.

Your Committee notes the testimony expressing reservations whether a secure drug treatment facility will use the proper drug

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treatment modalities that are approved by the Department of Health and that separates out inmates in the program from the general prison population where a drug abuse environment still may exist. Testimony referenced a model based on the nationally recognized program, "Second Chance", in New Mexico. That program drew much criticism for its lack of effectiveness.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to continue discussions on this issue.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 358, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 358, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

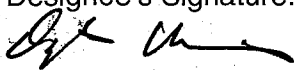


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

| | | | | |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.: | Committee Referral: | Date: | | |
| HB 358, HD1 | PSM, JGO | 4/6/2009 | | |
| <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 |
| TANIGUCHI, Brian T. (C) | ✓ | | | |
| TAKAMINE, Dwight Y. (VC) | ✓ | | | |
| BUNDA, Robert | ✓ | | | |
| GABBARD, Mike | ✓ | ✓ | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| SLOM, Sam | | ✓ | | |
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| TOTAL | 4 | 2 | 0 | 0 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes