

STAND. COM. REP. NO.

484

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 49
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 49 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Director of Public Safety to report any death of a correctional facility employee or inmate to the Senate President, Speaker of the House of Representatives, and legislative committee chairs having primary responsibility for public safety issues.

Your Committee received testimony in support of this measure from the Office Of Hawaiian Affairs, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, the Drug Policy Forum of Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that since the Department of Public Safety is responsible for the well-being of incarcerated people, an incident as compelling as the death of an inmate or that of an employee warrants immediate reporting. This immediate notification would help to dispel rumors, inform anxious family members, and provide a communication link between what happens in a correctional facility and policy makers.

Your Committee has amended this measure by:

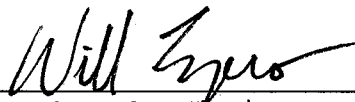
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- (1) Extending the time limit on reporting a death from twenty-four hours to forty-eight hours in order to allow sufficient time to first inform the next-of-kin of the death; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 49, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 49, S.D. 1, and be placed on the calendar for Third Reading.

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



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* SB 49	Committee Referral: PGM	Date: 2-15-11		
<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)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam	/			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes