

STAND. COM. REP. NO.

210

Honolulu, Hawaii

FEB 15 2011

RE: S.B. No. 986
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 Hawaiian Affairs, to which was referred
S.B. No. 986 entitled:

"A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to create a task force,
administratively attached to the Office of Hawaiian Affairs, to
lessen the instances of the people of Hawaii, especially Native
Hawaiians, becoming entangled in the criminal justice system and
to appropriate funds for the task force. The intent of this
measure is to formulate policies and procedures to eliminate the
disparate treatment of all peoples in Hawaii's criminal justice
system, with a particular focus on Native Hawaiians.

Your Committee received testimony in support of this measure
from the Office of Hawaiian Affairs, Association of Hawaiian Civic
Clubs, American Civil Liberties Union of Hawai'i, Community
Alliance on Prisons, and three individuals. Your Committee
received testimony in opposition to this measure from the
Department of the Prosecuting Attorney of the City and County of
Honolulu and one individual.

Your Committee finds that the report entitled "The Disparate
Treatment of Native Hawaiians in the Criminal Justice System",
notes that the number of Native Hawaiians in the criminal justice
system accumulates at each stage from arrest through parole.
While Native Hawaiians are arrested at a comparable rate to other



populations, they are more likely to be incarcerated, have longer sentences, or have their parole revoked.

Your Committee further finds that actions to address the findings in the report are long overdue and looks forward to receiving the recommendations for cost-effective mechanisms, legislation, and policies to reduce or avoid unnecessary involvement with the criminal justice system.

Your Committee has amended this measure by:

- (1) Changing the effective date from upon approval to July 1, 2011, to reflect the date the fiscal year begins; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 986, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 986, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,

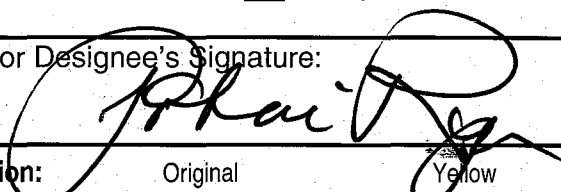


BRICKWOOD GALUTERIA, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 986</i>	<i>HWN, WAM</i>	<i>2-9-11</i>		
<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
GALUTERIA, Brickwood (C)	✓			
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani				✓
HEE, Clayton				✓
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	<i>5</i>			<i>3</i>
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