

STAND. COM. REP. NO.

86

Honolulu, Hawaii

FEB 06 2013

RE: S.B. No. 72
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 72 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the
Department of Public Safety to assess and refer inmates to the
Hawaii Paroling Authority for possible medical release.

Your Committee received testimony in support of this measure
from the Department of Public Safety, Office of the Public
Defender, Community Alliance on Prisons, American Civil Liberties
Union of Hawaii, and four individuals.

Your Committee finds that compassionate medical release
programs for inmates provide relief to prison systems dealing with
an increasingly older population subject to more medical issues
and higher treatment costs. Releasing inmates who are found to
pose no or little risk to public safety could save the State
millions of dollars in health care costs, relieve prison
overcrowding, and offer a more dignified and humane death to those
who would otherwise die in prison.

Under the medical release program proposed by this measure,
inmates will be considered for medical release at the request of
the Director of Public Safety, inmate, or the inmate's
representative, if the inmate meets specified criteria. The
Hawaii Paroling Authority is required to grant or deny the request

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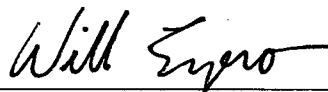
after a hearing, set reasonable conditions on an inmate's medical release, and promptly order an inmate returned to custody to await a revocation hearing if the Hawaii Paroling Authority receives credible information that an inmate has failed to comply with any reasonable conditions of medical release.

Your Committee has amended this measure by:

- (1) Making the medical release program a three-year pilot program;
- (2) Changing the effective date to July 1, 2013; and
- (3) 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 Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 72, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 72, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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



WILL ESPERO, Chair



