

STAND. COM. REP. NO.

578

Honolulu, Hawaii
February 15, 2019

RE: H.B. No. 336
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Public Safety, Veterans, & Military
Affairs, to which was referred H.B. No. 336 entitled:

"A BILL FOR AN ACT RELATING TO HAWAII STATE AND CONTRACTED
CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to require the Director of the
Department of Public Safety, within forty-eight hours, to report
to the Governor, and for the Governor to report to Legislature,
certain information concerning:

- (1) The death of an inmate incarcerated in a state or
contracted correctional facility; or
- (2) The death, or injury causing the death, of an employee
of a correctional facility or community correctional
center on the grounds where Hawaii inmates reside.

This measure also authorizes the Director to withhold the
disclosure of the decedent's name pending notification of the next
of kin, or if the decedent's name is otherwise protected from
disclosure under state or federal laws.

The Office of Hawaiian Affairs, Hawaii Disability Rights
Center, a Kaua'i County Councilmember, and Ho'omanapono Political

HB336 HD1 HSCR PVM HMS 2019-2174



Action Committee supported this measure. The Department of Public Safety, Department of the Attorney General, and Community Alliance on Prisons offered comments.

Your Committee has amended this measure by:

- (1) Requiring the Director's report to include any indication of sexual assault leading to the death of an inmate or employee;
- (2) Clarifying that the Director has the discretion to withhold the disclosure of any information protected from disclosure by state or federal laws pending notification of the death to the next of kin; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 336, H.D. 1, and be referred to your Committee on Judiciary.

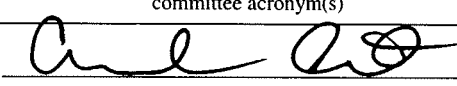
Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Veterans, & Military Affairs,



GREG TAKAYAMA, Chair



Record of Votes of the Committee on Public Safety, Veterans, & Military Affairs

Bill/Resolution No.: HB 336	Committee Referral: PVM, JUD	Date: 2/13/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PVM Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	✓			
2. GATES, Cedric Asuega (VC)	✓			
3. KOBAYASHI, Dale T.	✓			
4. KONG, Sam Satoru	✓			
5. NISHIMOTO, Scott Y.	✓			
6. OHNO, Takashi	✓			
7. McDERMOTT, Bob	✓			
TOTAL (7)	7			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				