

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2523

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2523 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:

- (1) Authorize the Director of Public Safety to withhold certain information regarding deaths at correctional facilities or community correctional centers; and
- (2) Require the Director to include in the report regarding the death that is submitted to the Governor a description of the circumstances and cause of death.

Your Committee received testimony in support of this measure from Community Alliance on Prisons. Your Committee received comments on this measure from the Department of Public Safety and one individual.

Your Committee finds that whenever a death occurs in a correctional facility, the Director of Public Safety is mandated to report to the Governor, who then reports to the Legislature, regarding the death of an inmate. Under existing law, your Committee finds that the Director of Public Safety has the discretion to withhold disclosure of certain information regarding the death. Your Committee wants to provide more transparency with



regard to the correctional system by requiring disclosure of additional information relating to the death of an inmate. Your Committee recognizes that the Director of Public Safety is mandated by other laws to not disclose any information that may identify the decedent. However, your Committee believes that the Governor and Legislature should be privy to the circumstances and cause of death of all inmates in state correctional facilities. This measure will improve transparency in the correctional system by requiring the Director of Public Safety to disclose specified information regarding a death in a correctional facility.

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. 2523 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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



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CLARENCE K. NISHIHARA, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 2523</b>	Committee Referral: <b>PSM, JDC</b>	Date: <b>2/11/2020</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes