

Honolulu, Hawaii

FEB 16 2021RE: S.B. No. 1243
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 1243 entitled:

"A BILL FOR AN ACT RELATING TO THE PHASEOUT OF PRIVATE
CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the State to phase out the use of private
correctional facilities for incarceration of Hawaii
inmates; and
- (2) Prohibit the construction of new correctional facilities
or the expansion of existing correctional facilities
without the approval of the Hawaii Correctional System
Oversight Commission.

Your Committee received testimony in support of this measure
from the Office of the Public Defender; Office of the Prosecuting
Attorney of the County of Kaua'i; Hawaii Government Employees
Association, AFSCME Local 152, AFL-CIO; Imua Alliance, Community
Alliance on Prisons, League of Women Voters, and three
individuals. Your Committee received comments on this measure
from the Department of Public Safety.



Your Committee finds that the State has relied on contracted private, for-profit prisons to house a significant portion of the State's prison population for more than two decades. Private correctional facilities' goal of generating the greatest possible profit is in direct conflict with providing safe and humane conditions. Your Committee further finds that the inmates who serve their sentences in these out-of-state facilities are effectively exiled thousands of miles away from their families, friends, and crucial support networks. The impacts of this isolation are felt disproportionately by the native Hawaiian inmates, who are significantly more likely to be transferred to out-of-state prisons than inmates of other ethnicities. This measure will phase out the use of private prisons, which will bring out-of-state inmates back to Hawaii and closer to their families, support systems, and local communities.

Your Committee has amended this measure by specifying that beginning July 1, 2022, rather than July 1, 2021, the Director of Public Safety shall commence reducing the number of committed felons incarcerated in private correctional institutions.

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. 1243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1243, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

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

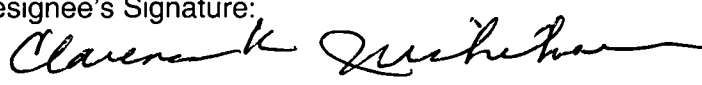
Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1243	PSM, WAM/JDC	Feb. 9, 2021		
<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
NISHIHARA, Clarence K. (C)	/			
ENGLISH, J. Kalani (VC)	/			
BAKER, Rosalyn H.	/			
RIVIERE, Gil				/
FEVELLA, Kurt	/			
TOTAL	4	-	-	/
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes