

Honolulu, Hawaii

APR 23 2021

RE: S.B. No. 386
S.D. 1
H.D. 2
C.D. 1

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 386, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to require:

- (1) A family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound contact with adult offenders, subject to certain circumstances; and
- (2) The circuit court to commit all convicted offenders under eighteen to Hawaii youth correctional facilities in cases where the court deems the sentence more suitable.



Your Committee on Conference finds that when a youth is transferred to the adult criminal justice system, the lifelong consequences of placement in the criminal justice system has a profoundly negative effect on both the youth and our community. Your Committee on Conference further finds that full brain development and maturity is proven to extend beyond teen years, and studies have shown that young adults reach full maturity past the age of twenty-five years. Due to these developmental facts, your Committee on Conference additionally finds that adult facilities do not provide the developmentally appropriate rehabilitative services youth require.

Your Committee on Conference has amended this measure by changing the effective date to upon its approval.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 386, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 386, S.D. 1, H.D. 2, C.D. 1.



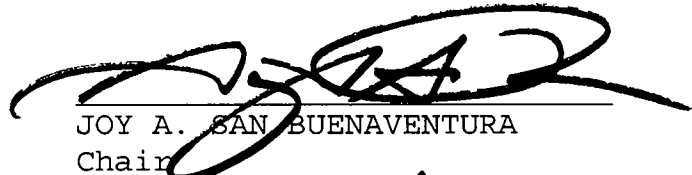
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



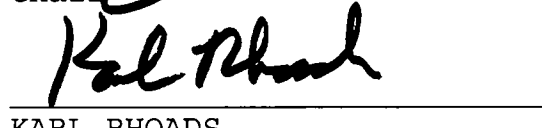
RYAN I. YAMANE
Co-Chair




JOY A. SAN BUENAVENTURA
Chair




TARASHI OHNO
Co-Chair



KARL RHOADS
Co-Chair



SCOT Z. MATSUMOTO
Co-Chair



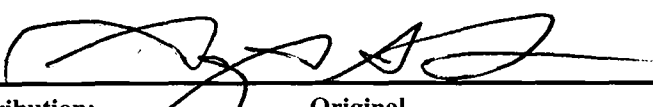

ADRIAN K. TAM
Co-Chair



Hawai'i State Legislature

CCR 92

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 386, SD 1, HD 2					Date/Time: 4/22/2021, 2:30 PM						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
SAN BUENAVENTURA, Joy A., Chr.		/				YAMANE, Ryan I., Co-Chr.		/			
RHOADS, Karl, Co-Chr.		/				OHNO, Takashi, Co-Chr.					/
ACASIO, Laura		/				MATAYOSHI, Scot Z., Co-Chr.		/			
						TAM, Adrian K., Co-Chr.		/			
						GANADEN, Sonny		/			/
						WARD, Gene					/
TOTAL		3				TOTAL		4			2
A = Aye		WR = Aye with Reservations			N = Nay			E = Excused			
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:						
											
Distribution:				Original	Yellow	Pink	Goldenrod				
				File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office	Drafting Agency				