

STAND. COM. REP. NO.

1039

Honolulu, Hawaii

MAR 19

, 2021

RE: S.B. No. 387
S.D. 1
H.D. 1

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

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 387, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to establish the conditions and time limits for placing a child in room confinement in a detention or shelter facility.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Youth Services, Hawaii Psychological Association, and ACLU of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and Judiciary.

Your Committee finds that Congress passed the First Step Act in 2018, which prohibits facilities that confine youth in federal custody from using room confinement as punishment and permits such confinement only when youth behavior poses a risk of physical harm that cannot be otherwise de-escalated. In addition to Congress, the United States Department of Justice, and prominent national professional organizations have taken strong positions against the isolation of youth. This measure ensures the basic safety and

2021-2442 SB387 HD1 HSCR HMSO



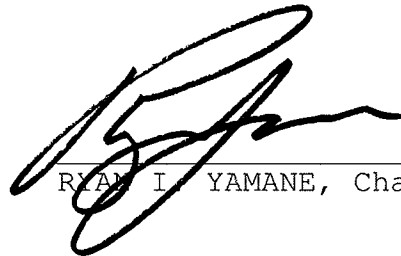
protection of the State's youth by establishing statutory conditions and time limits on room confinement at detention and shelter facilities.

Your Committee has amended this measure by:

- (1) Clarifying that status offenders shall not be placed in secure detention or shelter facilities;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 387, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 387, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN I. YAMANE, Chair



