

STAND. COM. REP. NO.

1071

Honolulu, Hawaii

, 2023

MAR 03

RE: H.B. No. 823

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 823, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the scope of inmate and corrections employee deaths that are reported and require the reports of deaths to be published on the Department of Corrections and Rehabilitation's website; and
- (2) Clarify the information to be included in the reports after the official cause of death is determined and mandate public access to certain information within those reports.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Hawai'i Health & Harm Reduction Center, Community Alliance on Prisons, Ho'opono Na Mea Ola, The Civil Beat Law Center for the Public Interest, Opportunity Youth Action Hawai'i, and five individuals. Your Committee received comments on this measure from the Department of Public Safety.

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Your Committee finds that this measure will increase transparency and accountability in the State's criminal justice system by expanding the scope of information to be collected and reported on an inmate's death while incarcerated in a state or state-contracted correctional facility and requiring certain information from the report to be made available to the public.

Your Committee has amended this measure by:

- (1) Changing the effective date to upon approval; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 823, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 823, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



