



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

July 12, 2006

GOV. MSG. NO. 876

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: House Bill No. 2595 HD1 SD2 CD1

On July 11, 2006, House Bill No. 2595, entitled "A Bill for an Act Relating to Family Visits," became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The purpose of House Bill No. 2595 is to ensure family members can visit inmates at a correctional facility during official visiting hours.

This bill raises concerns because it is vague as to whether the Department of Public Safety may cancel visits by family members when emergency situations would so merit. The bill was passed as a result of isolated incidents of family visits being cancelled due to staffing shortages.

Recognizing the need to be more accommodating of special visits by family members, the Department of Public Safety has implemented changes to its visitation policies. The Department's policy now addresses the concerns giving rise to this bill. At the same time, it also reserves in the Department the needed flexibility to cancel visitations when security concerns merit.

I believe these visitation policy rules, coupled with the provisions of this bill, address the concerns family members of incarcerated persons may have had.

For the foregoing reasons, I have allowed House Bill No. 2595 to become law as Act 318 effective July 11, 2006 without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle", with a stylized flourish at the end.

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO FAMILY VISITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds the support of family
2 members can play a key role in an incarcerated offender's
3 rehabilitation, transition, and successful re-entry from prison
4 or jail to the community. By bringing together an offender and
5 an offender's family through positive, consistent, and mutually
6 desirable contact, the correctional system will be improving
7 public safety and strengthening communities.

8 The purpose of this Act is to ensure the right of family
9 members to visit inmates.

10 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§353- Visits from family members. (a) Family members
14 shall be allowed to visit an inmate at any state correctional
15 facility during official visiting hours.

16 (b) A visit from a family member shall be preapproved and
17 prescheduled. Notwithstanding any other law to the contrary,
18 preapproved and prescheduled visits for which family members



1 have incurred substantial costs, including but not limited to
2 travel from a neighbor island or the mainland, shall not be
3 cancelled due to staff absenteeism or any non-emergency
4 situation.

5 (c) The department shall develop internal policies and
6 procedures consistent with this section.

7 (d) For the purposes of this section, "family members"
8 means persons who are related to each other by blood, marriage,
9 adoption, or legal guardianship, or as reciprocal
10 beneficiaries."

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2006.

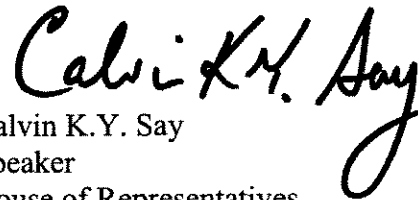


HB No. 2595 HD 1 SD 2 CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Calvin K.Y. Say
Speaker
House of Representatives

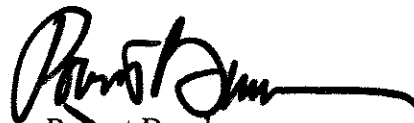


Patricia Mau-Shimizu
Chief Clerk
House of Representatives

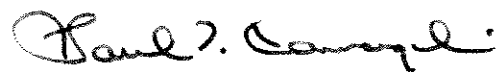
THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Robert Bunda
President of the Senate



Paul Kawaguchi
Clerk of the Senate