

STAND. COM. REP. NO.

983

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 1101  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred H.B. No. 1101, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES,"

begs leave to report as follows:

The purpose of this measure is to ensure that investigators appointed by the Director of Human Services under section 346-4.5, Hawaii Revised Statutes, to investigate incidents at the Hawaii Youth Correctional Facilities have access to the information and records needed to conduct such investigations.

Testimony in support of this measure was provided by the State Attorney General and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the State is required through a Memorandum of Agreement with the United States Department of Justice to investigate certain incidents involving youth and violence or abuse. Your Committee further finds that some investigations require access to the records of providers of services to youth at the Hawaii Youth Correctional Facilities, which access is currently prohibited or hindered by certain state confidentiality laws. Your Committee therefore finds that this measure is necessary to authorize investigators appointed by the Director of Human Services to obtain necessary information for

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investigations in satisfaction of the Memorandum of Agreement requirements.

Your Committee has amended this measure as follows:

- (1) By amending the effective date from January 1, 2050, to July 1, 2009; and
- (2) By making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1101, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1101, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
SUZANNE CHUN OAKLAND, Chair



