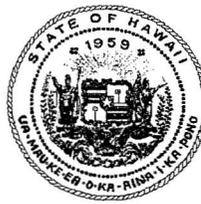


LINDA LINGLE
GOVERNOR



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No. _

TESTIMONY ON SENATE BILL 207, SD1
RELATING TO CORRECTIONAL FACILITIES

By
Clayton A. Frank, Director
Department of Public Safety

House Committee on Public Safety
Representative Faye P. Hanohano, Chair
Representative Henry J.C. Aquino, Vice Chair

Thursday, March 19, 2009; 10:00AM
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) strongly opposes Senate Bill 207, SD1. This measure seeks to require the PSD to report any inmate and/or correctional facility employee death to the Governor, the President of the Senate, Speaker of the House of Representatives, and the Legislature within 24 hours.

The PSD appreciates the legislature's interest in these types of unfortunate events, but we believe this measure is unnecessary. At present, PSD already has in place well established procedures in place regarding the internal reporting and investigation of incidents in our facilities and those that may occur on the mainland. PSD already notifies the Governor's Office of all serious incidents involving staff, inmates, or visitors to our facilities and those that house inmates from Hawaii on the mainland.

It should also be noted that all serious incidents including deaths are immediately reported to the appropriate authorities, including the police departments and medical examiners, and investigations are completed. Serious injuries and deaths at correctional and detention facilities is often followed by litigation. Therefore, information regarding the incident released prior to the completion of an investigation and/or the medical examiners autopsy report would be premature and speculative at best. Premature release of incident related information may also

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serve to undermine the State's position during subsequent litigation and frustrate legitimate government operations. Therefore, the PSD respectfully requests that this matter be held.

Thank you for the opportunity to provide testimony on this matter.