

STAND. COM. REP. NO.

2760

Honolulu, Hawaii

MAR 18 2010

RE: H.B. No. 2266  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Public Safety and Military Affairs, to which was referred H.B. No. 2266, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Public Safety:

- (1) To address, to the best of the Department's ability, sexual assault in prison and make every effort to seek grant moneys from the federal government to implement those efforts;
- (2) To annually report data to the Legislature on specified information; and
- (3) To report to the 2011 Legislature on its efforts to implement the federal Prison Rape Elimination Act in state correctional facilities under the Department's jurisdiction.

Your Committee received testimony in support of this measure from five private entities and two individuals. Testimony in opposition was received from one state department. Written testimony presented to the Committee may be reviewed on the Legislature's website.



The federal Prison Rape Elimination Act of 2003, among other things, created the National Prison Rape Reduction Commission to study the causes and consequences of sexual abuse in confinement and to develop standards for correctional facilities nationwide that would set in motion a process to eventually eliminate prison rape. The Act applies to all public and private institutions that house adult or juvenile offenders and to community-based correctional agencies. The Prison Rape Elimination Act:

- (1) Requires development of standards for detection, prevention, reduction, and punishment of prison rape;
- (2) Standardizes collection and dissemination of information on the incidence of prison rape; and
- (3) Awards grants to help state and local governments implement the Act's provisions.

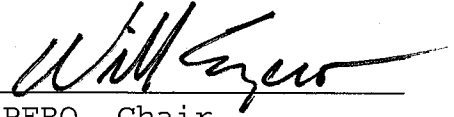
Your Committee finds that this measure requires the Department of Public Safety to address the issue of sexual assault in prison. The psychological effects of sexual assault can re-traumatize victims for years following an assault. Although sexual abuse typically leaves few visible scars, most victims suffer persistent and sometimes lifelong mental and physical repercussions. This measure addresses this issue by requiring the Department of Public Safety to establish policies and procedures to provide appropriate treatment to victims of prison rape and to prevent the occurrence of prison rape.

Your Committee has amended this measure by changing the effective date to upon approval, and by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2266, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2266, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety and  
Military Affairs,

A handwritten signature in cursive script, appearing to read "Will Espero", written over a horizontal line.

WILL ESPERO, Chair



**Record of Votes**  
**Committee on Public Safety and Military Affairs**  
**PSM**

\*Only one measure per Record of Votes