STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 2 3 2011

RE:

H.B. No. 1067

H.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committees on Human Services and Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 1067, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE TRANSFER OF YOUTH TO AN ADULT CORRECTIONAL FACILITY, "

beg leave to report as follows:

The purpose and intent of this measure is to repeal section 352-28, Hawaii Revised Statutes, which authorizes the Executive Director of the Office of Youth Services, with the approval of the Family Court, to transfer a committed youth from the Hawaii Youth Correctional Facility to an adult correctional facility.

Your Committees received testimony in support of this measure from the Department of Public Safety, Department of Human Services, Office of Youth Services, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, and two individuals.

Your Committees find that this measure will ensure that youth committed to the Hawaii Youth Correctional Facility will not be transferred, for disciplinary or other reasons, to adult correctional facilities, where they would be exposed to serious adult offenders and subjected to possible physical, mental, and sexual assault.

Your Committees further find that this measure will simplify Hawaii's efforts to comply with the federal Juvenile Justice Delinquency Prevention Act, which requires that juveniles being

2011-1734 SSCR SMA.doc

securely detained must be "sight and sound" separate from adult detainees. Violation of this requirement would jeopardize future federal funding.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Safety, Government Operations, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1067, H.D. 1, and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committees on Human Services and Public Safety, Government Operations, and Military Affairs,

WILL ESPERO, Chair

Moanne Chun (Wolund Suzanne Chun Oakland, Chair

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Human Services HMS

| Bill / Resolution No.:* HB 1047 HD | Committee Referral: Date: 3-17-11 | | | | | | |
|--|---|---|--|--|--|--|--|
| The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | | | |
| The Recommendation is: | | | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313 | | | | | | | |
| Members | | Aye | Aye (WR) | Nay | Excused | | |
| CHUN OAKLAND, Suzanne (C) | | V | | | | | |
| IHARA, Jr., Les (VC) | | ν_{j} | | | | | |
| GREEN, M.D., Josh | | V | 4 T T T T T T T T T T T T T T T T T T T | To the system of | | | |
| SLOM, Sam | | | Property of the second | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | | | | |
| Control of the Control of Control of the Control of | | geographical phone (C. Saphanos gogy Ph.) | | 12 (40 Feb. 190 - 27 - 17 Feb. 190 - 28 Feb. | The state of the s | | |
| | | | | | | | |
| | | | Militar (mail et la Januar (maintea) | | | | |
| | | | | | | | |
| | | | | | | | |
| | - Symbolic De Chinama Aria - Magazin Carriel De Sylle Economic compression Democratic | Same and the same | A. Tagama and Aller and Al | ADDITION OF THE PARTY OF THE PA | februhann 1988 (1984) 1984 (1984) 1984 (1984) | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| TOTAL | | 3 | 0 | 0 | / | | |
| Recommendation: Adopted Not Adopted | | | | | | | |
| Chair's or Designee's Signature: ## ## ## ## ## ## ## ## ## ## ## ## ## | | | | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | | | | |

*Only one measure per Record of Votes

The Senate Twenty-Sixth Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Government Operations, and Military Affairs PGM

| | ee Referral: PAM, | JOL 3 | e: 3-17-1 | 1 | | | |
|--|--|--|--------------|---------|--|--|--|
| The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | | | |
| The Recommendation is: | | | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313 | | | | | | | |
| Members | Aye | Aye (WR) | Nay | Excused | | | |
| ESPERO, Will (C) | X | | | | | | |
| KIDANI, Michelle N. (VC) | | | | IX III | | | |
| BAKER, Rosalyn H. | X | | | | | | |
| RYAN, Pohai | | | | - X | | | |
| SLOM, Sam | | | | | | | |
| | | The state of the s | | | | | |
| | American State of the Control of the | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| TOTAL | 3 | | | 2 | | | |
| Recommendation: Adopted Not Adopted | | | | | | | |
| Chair's or Designee's Signature: | | | | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | | | | |

*Only one measure per Record of Votes