STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 0 3 2011

RE: S.B. No. 48 S.D. 1

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

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 48 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Director of Public Safety to effect the transfer of a committed felon to any correctional facility located in this State, if the transfer is in the best interests of the State and the welfare of the committed felon will be best served by the transfer. This measure also includes criteria to be considered prior to making the decision to transfer.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, the Drug Policy Forum of Hawai'i, and seven individuals.

Your Committee finds that a rehabilitation program for incarcerated persons that includes regular family visits results in extensive benefits for an incarcerated person. The Department of Public Safety has been sending Hawaii inmates to Mainland prisons and transferring Hawaii inmates between in-state facilities at an increasing rate. Frequent transfers are of concern because they disrupt educational, vocational, treatment, and other programs that are integral to successful rehabilitation and reentry into society. This is particularly true of inmates detained in Mainland prisons.



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Accordingly, your Committee has amended this measure by:

- (1)Prohibiting the transfer of inmates to the mainland if the inmate has twelve months or less to serve on a sentence before being eligible to be paroled; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 48, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 48, S.D. 1, and be placed on the calendar for Third Reading.

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

Will ESPERO, Chair



The Senate Twenty-Sixth Legislature State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:			Date:	
SIB 48	PGM			2-17-11	
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
ESPERO, Will (C)				t an The second se	
KIDANI, Michelle N. (VC)					
BAKER, Rosalyn H.					
RYAN, Pohai					
SLOM, Sam			an go at an ear anning ann an		The second s
TOTAL		5	P	0	D
Recommendation:					
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