STAND. COM. REP. NO. 2053

Honolulu, Hawaii

FEB 08 2012

RE: S.B. No. 2249

S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 2249 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Public Safety to permit committed persons, at the Director of Public Safety's discretion, to create products and crafts for sale including photographs, paintings, drawings, sewn items, crocheted items, woodwork, and other items deemed sellable by the Director.

Your Committee received testimony in support of this measure from Tahirih Association, Fishnet Ministries International, and three individuals. Comments were received from the Department of Public Safety.

Your Committee finds that allowing the sale of prison arts and crafts would create an incentive to engage in these activities, which are a valuable rehabilitation tool. Under this measure, a person making arts or crafts can generate proceeds from the sale of those arts and crafts, twenty-five percent of which shall be deposited into the fund of the person's facility for re-entry or rehabilitation services or programs.

Your Committee has amended this measure by:

2012-0840 SSCR SMA-1.doc

- (1) Deleting the prohibition on the creation of items that relate to the person's crime;
- (2) Requiring that twenty-five percent of the proceeds be deposited into the crime victim compensation special fund;
- (3) Requiring the Department of Public Safety to conduct a study to ascertain the practices of correctional facilities in other states with regard to the making and sale of arts and crafts by inmates, including the means by which the items are sold, the price of the articles, and the allocation of proceeds from sales, and report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2013; and
- (4) Making a conforming statutory amendment.

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. 2249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2249, 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, 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.:* SB 2249	Committee Referral: Date: I-31-12-				
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)					
KIDANI, Michelle N. (VC)					
BAKER, Rosalyn H.					
RYAN, Pohai					
SLOM, Sam					
					
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TOTAL		4	0	0	1
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: huhelle O. Lidare					
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File with Committee Rep	ort Cierk's	s Office D	rafting Agency	Committe	e File Copy

*Only one measure per Record of Votes