

Honolulu, Hawaii April S , 2013 RE: S.B. No. 1176 S.D. 1 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1176, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to improve the parole system in Hawaii by ensuring the timely nomination of new members to the Hawaii Paroling Authority, requiring the release of parole hearing decisions within a specified timeframe after the hearing, and establishing how quorum is determined for action on matters before the Hawaii Paroling Authority. Specifically, this measure:

- (1) Allows the Chief Justice of the Hawaii Supreme Court, Director of Public Safety, President of the Hawaii State Bar Association, and President of the Hawaii Chapter of the National Association of Social Workers to appoint designees to represent them on the Hawaii Paroling Authority nomination panel that nominates members of the Authority for the Governor's consideration;
- (2) Requires certain information regarding parole decisions by the Hawaii Paroling Authority to be made public no more than 30 days after a parole release hearing; and



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(3) Requires three Hawaii Paroling Authority panel members for a quorum for a parole release hearing, unless there is a recusal due to a conflict of interest, in which case two panel members will satisfy the quorum requirement.

The Department of Public Safety, Hawaii Paroling Authority, and one concerned individual provided comments on this measure.

Your Committee has amended this measure by:

- Allowing the panel to proceed with two members if it is determined by the chairperson of the Hawaii Paroling Authority that a sitting panel member is excused for good cause, including recusal or unanticipated absence;
- (2) Making it effective upon approval; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1176, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1176, S.D. 1, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

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Record of Votes of the Committee on Judiciary

	ittee Referral:	Date:	12/13	
$\Box \text{ The committee is reconsidering its previous decision on the measure.}$				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	<u> </u>			
2. HAR, Sharon E. (VC)	X			
3. BELATTI, Della Au	<u> </u>			
4. BROWER, Tom	×			
5. CABANILLA, Rida T.R.	r			X.
6. CARROLL, Mele				X
7. ITO, Ken				X
8. KAWAKAMI, Derek S.K.	X			•
9. LEE, Chris	<u> </u>			
10. TSUJI, Clift	_ X			
11. WOOLEY, Jessica	<u> </u>			
12. MCDERMOTT, Bob	<u>X</u>			
13. THIELEN, Cynthia	<u> </u>			
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TOTAL (13)	10			3
The recommendation is:				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				