STAND. COM. REP. NO.



Honolulu, Hawaii FEB 0 6 2013

RE: S.B. No. 72 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred S.B. No. 72 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Public Safety to assess and refer inmates to the Hawaii Paroling Authority for possible medical release.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and four individuals.

Your Committee finds that compassionate medical release programs for inmates provide relief to prison systems dealing with an increasingly older population subject to more medical issues and higher treatment costs. Releasing inmates who are found to pose no or little risk to public safety could save the State millions of dollars in health care costs, relieve prison overcrowding, and offer a more dignified and humane death to those who would otherwise die in prison.

Under the medical release program proposed by this measure, inmates will be considered for medical release at the request of the Director of Public Safety, inmate, or the inmate's representative, if the inmate meets specified criteria. The Hawaii Paroling Authority is required to grant or deny the request



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after a hearing, set reasonable conditions on an inmate's medical release, and promptly order an inmate returned to custody to await a revocation hearing if the Hawaii Paroling Authority receives credible information that an inmate has failed to comply with any reasonable conditions of medical release.

Your Committee has amended this measure by:

- (1) Making the medical release program a three-year pilot program;
- (2) Changing the effective date to July 1, 2013; and
- (3) 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, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 72, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 72, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

Will Syno

WILL ESPERO, Chair



The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Intergovernmental and Military Affairs PSM

Bill / Resolution No.:*	Committee		Da	te:	
61372	PSM	,JDL		1-29-	2013
The committee is reconsidering its previous decision on this measure.					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)					
BAKER, Rosalyn H. (VC)		~	÷		
GALUTERIA, Brickwood		V.			
GREEN, Josh		\checkmark			
SLOM, Sam					
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TOTAL		4			1
Recommendation:					
Chair's or Designee's Signature: Kosalp H Bab					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes