Honolulu, Hawaii

February 8 , 2018

RE: H.B. No. 2387 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 2387 entitled:

"A BILL FOR AN ACT RELATING TO THE RELEASE OF MISDEMEANANTS," begs leave to report as follows:

The purpose of this measure is to reduce overcrowding at community correctional centers by expanding the pool of pretrial and sentenced misdemeanants who may be safely released from community correctional centers upon order of the Director of Public Safety.

The Department of Public Safety supported this measure. The City and County of Honolulu Department of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, The Drug Policy Forum of Hawaii, and a concerned individual opposed this measure. The Judiciary, Domestic Violence Action Center, and Community Alliance on Prisons offered comments.

Your Committee has amended this measure by:

(1) Clarifying that a person shall be ineligible for release pursuant to the Director's orders based on a previous charge with, rather than arrest for, an offense involving bodily injury or threat of bodily injury to another: and

(2) Correcting a reference to sexual harassment in the fourth degree by changing the reference to sexual assault in the fourth degree.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2387, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2387, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Public Safety,

GREEG TEKAYAMA Chai

State of Hawaii House of Representatives The Twenty-ninth Legislature HSCR 188-18

Record of Votes of the Committee on Public Safety

Bill/Resolution No.:	Committee Referral:	Date		
HB2387	PBS, JUD, FIN	2	1118	
☐ 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)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	J			
2. GATES, Cedric Asuega (VC)				
3. CREAGAN, Richard P.	V /			
4. DeCOITE, Lynn				
4. DeCOITE, Lynn				
5. ING, Kaniela				
6. SAY, Calvin K.Y.	minika diminindi. muun mii a a a a a a a a a a a a a a a a a a	V		
7. THIELEN, Cynthia			\bigvee	
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TOTAL (7)	3	3		
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				