STAND. COM. REP. NO. 585 -20

Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 1972

H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1972, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RELEASE,"

begs leave to report as follows:

The purpose of this measure is to establish a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmate who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Hawaii Disability Rights Center, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority.

Your Committee finds that correctional facilities in this State are housing a growing number of elderly inmates who often have extensive medical needs. Your Committee further finds that this measure strikes an appropriate, compassionate balance when considering whether an inmate's medical condition and the low risk to public safety warrant the inmate's release before the expiration of the inmate's sentence. Your Committee believes that this measure creates a system of checks that will be protective of the public while reducing the costs associated with continuing to

house a functionally declining, and in some cases terminally ill, population.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1972, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1972, H.D. 2.

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

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date	: , ,)
HB 1972 HDI	PVM, JUD, FII	7	2/12/202	
☐ 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. LEE, Chris (C)				
2. SAN BUENAVENTURA, Joy	A. (VC)			
3. BROWER, Tom				
4. CREAGAN, Richard P.		Telephone in the Charles		
5 LOWEN Made E				
5. LOWEN, Nicole E.				
6. McKELVEY, Angus L.K.				i, 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 1977 - 19
7. NAKASHIMA, Mark M.				<u> 1444 (1549), Amerikan kabili 155</u>
8. PERRUSO, Amy A.			<u>i 2 </u>	
9. SAY, Calvin K.Y.				
10. TAKAYAMA, Gregg				
11. YAMANE, Ryan I.				
12. THIELEN, Cynthia				
TOTAL (12)	11	1	0	
The recommendation is: Not Adopted				
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				