

STAND. COM. REP. NO.

2762

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2520
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2520 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to establish
procedures for the use of administrative and disciplinary
segregation in correctional facilities.

Your Committee received testimony in support of this measure
from the Office of the Public Defender, Hawai'i Friends of
Restorative Justice, Community Alliance on Prisons, and six
individuals. Your Committee received testimony in opposition to
this measure from the Department of Public Safety and one
individual. Your Committee received comments on this measure from
one individual.

Your Committee finds that incarcerated individuals with
mental health issues are more likely to be placed in solitary
confinement than other incarcerated individuals. These
individuals who have been placed in solitary confinement are found
to have higher rates of recidivism, and even higher rates of
recidivism if the individual has a mental health issue. Your
Committee notes that while the Department of Public Safety
participates with the American Correctional Association in
standardizing its policies on administrative and disciplinary




segregation according to current national best practices, your Committee believes that creating a minimum standard in statute helps ensure appropriate oversight of solitary confinement. This measure will provide the guidance and rules needed to better regulate the use of solitary confinement and segregation by the Department of Public Safety throughout the State.

Your Committee has amended this measure by:

- (1) Defining the terms "indefinite", "prolonged", and "continuously"; and
- (2) 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. 2520, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2520, S.D. 1, and be referred to your Committee on Judiciary.

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



CLARENCE K. NISHIHARA, Chair



The Senate
 Thirtieth Legislature
 State of Hawai'i

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

Bill / Resolution No.:* SB 2520	Committee Referral: PSM, JDC	Date: 2/11/2020
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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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene				✓
FEVELLA, Kurt				✓
TOTAL	3	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: _____

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***Only one measure per Record of Votes**