

STAND. COM. REP. NO.

3250

Honolulu, Hawaii

FEB 28 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 Judiciary, to which was referred S.B. No. 2520, S.D. 1, 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 Community Alliance on Prisons, Hawaii Disability Rights Center, Hui Aloha Aina O Ka Lei Maile Alii, and eight 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 the Office of Hawaiian Affairs.

Your Committee finds that administrative and disciplinary segregation is used on inmates who are either at risk of endangering themselves or others, or when inmates violate rules. Your Committee believes that the use of administrative and disciplinary segregation requires clearly established guidelines in order to ensure the mental health and physical safety of inmates. Administrative and disciplinary segregation can have harmful and long-lasting consequences on inmates, especially inmates with mental health issues. Your Committee further finds



that inmates with mental health issues are more likely to be placed in solitary confinement than other inmates, causing higher rates of recidivism throughout the State. While the Department of Public Safety has policies on administrative and disciplinary segregation that are in accordance with current national best practices, your Committee believes that creating a minimum standard in statute helps ensure appropriate oversight of solitary confinement and provides better regulation on the use of administrative and disciplinary segregation.

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. 2520, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2520 SD1	Committee Referral: PSM, JDC	Date: 2/27/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes