STAND. COM. REP. NO.

Honolulu, Hawaii , 2021

1274

MAR 24

RE: H.C.R. No. 171 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.C.R. No. 171 entitled:

"HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE USE OF NATIVE CULTURE-BASED REHABILITATION IN THE STATE'S CORRECTIONAL SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to urge the Department of Public Safety to recognize the value of culture-based rehabilitation activities in the State's correctional system.

Your Committee received testimony in support of this measure from the Department of Public Safety, Ohana Ho'opakele, Native Hawaiian Legal Corporation, Kanaeokana, and four individuals.

Your Committee finds that studies have shown that the criminal justice system disproportionately impacts Native Hawaiians and that proactive policies and oversight are needed to alter that pattern. Your Committee further finds that cultural teachings such as hula and oli, the Hawaiian language, Hawaiian religious ceremonies, and other Native Hawaiian cultural practices and programs, can serve as tools for inmates to reclaim their dignity and reassert their connection to a sense of identity, and that culture-based rehabilitation activities should be encouraged and their value recognized.

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Your Committee also finds that the Department of Public Safety supports this measure and indicated it would need assistance from the Office of Hawaiian Affairs and other indigenous Hawaiian groups to ensure it is taking the right path in implementing appropriate programs.

Your Committee has amended this measure by:

- (1) Changing the title to "URGING THE DEPARTMENT OF PUBLIC SAFETY TO RECOGNIZE THE VALUE OF CULTURE-BASED REHABILITATION ACTIVITIES IN THE STATE'S CORRECTIONAL SYSTEM.";
- (2) Noting the Native Hawaiian Legal Corporation's efforts in the Davis v. Abercrombie case to confirm the rights of Hawaii's prisoners to engage in traditional and customary practices while serving their sentences; and
- (3) 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 Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 171, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 171, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Corrections, Military, & Veterans,

State of Hawaii

House of Representatives The Thirty-first Legislature Hsca 1234

## Record of Votes of the Committee on Corrections, Military, & Veterans

Bill/Resolution No.: HCR 171	Committee CM	Referral: V, FIN	Date	3110	1/21
□ 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)					
CMV Mem	lbers	Ayes	Ayes (WR)	Nays	Excused
1. OHNO, Takashi (C)					
2. GANADEN, Sonny (V	C)	V			
	an an an ann an Anna an				
3. BRANCO, Patrick Pih	ana				
4. KOBAYASHI, Bertra	nd				
5 KONC Sam Satam	an de la service de la serv			98 <u>7 - 19</u> 86 - 1987 - 1	Same allo dana l
5. KONG, Sam Satoru		<b>*</b>			
6. MORIKAWA, Dee		$\checkmark$			and the second secon
7. TARNAS, David A.					
8. McDERMOTT, Bob					
				00 I III	
TOTAL (8)		Z	D	0	0
The recommendation is:	Adopted If joint referral,	Not Adopted did not support recommendation. committee acronym(s)			
Vice Chair's or designee's signature:Jakusto GM					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					