

Honolulu, Hawaii

FEB 10 , 2022

RE: H.B. No. 2312
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 2312 entitled:

"A BILL FOR AN ACT RELATING TO PRISON REFORM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish within the Judiciary, for administrative purposes, a Women's Corrections Implementation Commission to ensure the implementation of recommendations of the task force on prison reform, formed pursuant to House Concurrent Resolution No. 85 (2016), which were made in the final report to the Legislature during the Regular Session of 2019; and
- (2) Appropriate funds to support the Women's Corrections Implementation Commission.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Friends of Restorative Justice, Hawaii Health & Harm Reduction Center, Women's Prison Project, and one individual. Your Committee received testimony in opposition to this measure from The Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Department of Public Safety, Department of Budget and Finance,



Hawai'i State Ethics Commission, and League of Women Voters of Hawaii.

Your Committee finds that the Women's Corrections Implementation Commission proposed by this measure would be tasked with:

- (1) Developing and implementing an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Ensuring the implementation of recommendations of the task force on prison reform, formed pursuant to House Concurrent Resolution No. 85 (2016), which were made in the final report to the Legislature during the Regular Session of 2019;
- (3) Reviewing existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
- (4) Considering model programs that include residential, in-person and community-based rehabilitation programs; supportive and subsidized housing; restorative justice; and educational programs.

Your Committee further finds that formation of the Women's Corrections Implementation Commission is consistent with a collaborative and gender-specific approach to rehabilitating women in the criminal justice system. The Commission is not intended to be a temporary commission and it would therefore be appropriate to codify provisions establishing and governing the Commission.

Your Committee has amended this measure by:

- (1) Codifying the provisions establishing and governing the Women's Corrections Implementation Commission;
- (2) Removing the Sunshine Law and financial disclosure exemptions proposed by this measure;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and



- (4) 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 is in accord with the intent and purpose of H.B. No. 2312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2312, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



TAKASHI OHNO, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 201-22

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

Bill/Resolution No.: <i>HB 2312</i>		Committee Referral: <i>CMV, UHA, FIN</i>		Date: <i>2/4/22</i>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
	CMV Members	Ayes	Ayes (WR)	Nays	Excused
1.	OHNO, Takashi (C)	X			
2.	GANADEN, Sonny (VC)	X			
3.	BRANCO, Patrick Pihana	P			
4.	KOBAYASHI, Bertrand	6			
5.	KONG, Sam Satoru	X			
6.	MORIKAWA, Dee	X			
7.	TARNAS, David A.	X			
8.	McDERMOTT, Bob				X
TOTAL (8)		7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>					
Vice Chair's or designee's signature: <i>[Signature]</i>					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					