

STAND. COM. REP. NO.

3316

Honolulu, Hawaii

MAR 22 2022

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 2312, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission in the Judiciary to ensure implementation of the recommendations from the final report of the House Concurrent Resolution No. 85 (2016) task force, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the judicial system;
- (2) Require the Commission to consider model programs including residential, in-person, and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs; and
- (3) Appropriate funds to support the Women's Corrections Implementation Commission.



Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Health & Harm Reduction Center, Women's Prison Project, and two individuals. Your Committee received comments on this measure from the Department of Public Safety, Hawai'i State Commission on the Status of Women, and Department of Budget and Finance.

Your Committee finds that the criminal justice system is set up to address the correctional concerns and needs of men because most crime is committed by men. However, criminal justice researchers have established that women differ in their offending patterns, both in kind and degree. Women are less likely to engage in acts of violence against others, which reduces the public safety risk to others if they are sentenced to probation, community service, or residential treatment programs instead of prison. Women are also more likely to suffer from substance abuse addiction and poor mental health that, if left untreated, become risk factors that can lead to increased recidivism. This measure will help to ensure that state systems are functioning as well as they can to promote the ongoing health and safety of local communities by establishing a Women's Corrections Implementation Commission to ensure the timely implementation of the recommendations from the House Concurrent Resolution No. 85 (2016) task force.

Your Committee has amended this measure by:

- (1) Adding the Public Defender or the Public Defender's designee to the Commission;
- (2) Allowing for the commission member representing the Department of the Prosecuting Attorney to come from any county in Hawaii, not only Honolulu; and
- (3) 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 H.B. No. 2312, H.D. 1, as amended herein, and recommends that it pass Second Reading in the



form attached hereto as H.B. No. 2312, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



