

Honolulu, Hawaii

FEB 06 2023

RE: S.B. No. 455  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Public Safety and Intergovernmental and  
Military Affairs, to which was referred S.B. No. 455 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM  
OVERSIGHT COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the term of the Oversight Coordinator for the  
Hawaii Correctional System Oversight Commission;
- (2) Specify that the Hawaii Correctional Oversight  
Commission shall take measures as necessary to maintain  
confidentiality in investigations; and
- (3) Broaden the Oversight Coordinator's power to make  
inquiries, obtain information, and inspect the premises  
of agencies and correctional facilities.

Your Committee received testimony in support of this measure  
from the Department of Public Safety, Hawaii Paroling Authority,  
Hawaii Correctional System Oversight Commission, Malama Makua,  
Community Alliance on Prisons, and eleven individuals. 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 Office of Information Practices.

Your Committee finds that the Hawaii Correctional System Oversight Commission is critical to facilitating the correctional system's transition to a rehabilitative and therapeutic model. Despite being established in 2019 to meet this goal, funds were not released to the Commission until 2022, preventing the hiring of necessary staff and greatly impeding progress in achieving the Commission's mandate. Your Committee believes that broadening the Oversight Coordinator's powers and increasing the Oversight Coordinator's term will allow the Commission to function more productively and compensate for delays caused by a lack of funding. This measure will increase the Hawaii Correctional Oversight Commission's efficiency and allow the Commission to make substantial steps in achieving its goals by extending the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission, specifying that the Commission shall take measures as necessary to maintain confidentiality in investigations, and broadening the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

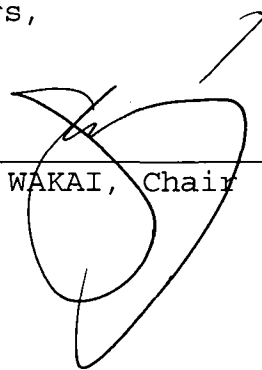
Your Committee has amended this measure by:

- (1) Requiring the Oversight Coordinator be subject to the advice and consent of the Senate;
- (2) Amending the Oversight Coordinator's term to four years, beginning with oversight coordinators that are appointed after January 1, 2050;
- (3) Authorizing the Hawaii Correctional System Oversight Commission to hold meetings closed to the public for purposes relevant to conducting an investigation not otherwise authorized by section 92-5, Hawaii Revised Statutes;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 455, S.D. 1, and be referred to your Committee on Judiciary.

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

  
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GLENN WAKAI, Chair

