STAND. COM. REP. NO.

294

Honolulu, Hawaii

FEB 13 , 2023

RE: H.B. No. 823 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Corrections, Military & Veterans, to which was referred H.B. No. 823 entitled:

"A BILL FOR AN ACT RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the scope of inmate deaths that are reported to the Governor and Legislature;
- (2) Require the reports of inmate deaths to be published on the Department of Corrections and Rehabilitation's website;
- (3) Clarify the information to be included in the reports; and
- (4) Mandate public access to certain information within those reports.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Hawaii Health & Harm Reduction Center, Opportunity Youth Action Hawaii, Community Alliance on Prisons, The Civil Beat Law Center for the

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Public Interest, Civil Rights Corps, and five individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that inmates in state or state-contracted correctional facilities have died while incarcerated with questions surrounding their cause of death. Additionally, information about these deaths is not informative or transparent. This measure is a critical step toward helping the public better understand potential systemic shortcomings that may continue to keep the State's criminal justice system unsafe and will increase transparency and accountability.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) 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. 823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 823, 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,

MARK J. HASHEM, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

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

Bill/Resolution No.: HB 823	Committee Referral:		Date: 2/8/23	
☐ The committee is reconsidering its prev				
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 Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)	V			
2. CHUN, Cory M. (VC)	V			
3. GANADEN, Sonny			at a summaria	
4. ICHIYAMA, Linda				
	V			
5. MORIKAWA, Dee			-	4 M #2 - 1, 12 (1) (4)
6. POEPOE, Mahina				
7. TAKAYAMA, Gregg				
7. Immirima, orogg			<u> </u>	
8. SOUZA, Kanani				
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TOTAL (8)	δ			
The recommendation is: Adopted If joint referral, did not support recommendation. committee as for ym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				