

STAND. COM. REP. NO.

2201

Honolulu, Hawaii

**FEB 08 2024**

RE: S.B. No. 1392  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Public Safety and Intergovernmental and Military Affairs, to which was referred S.B. No. 1392 entitled:

"A BILL FOR AN ACT RELATING TO PERIODIC REVIEWS OF DETAINEES IN COMMUNITY CORRECTIONAL CENTERS,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the requirement for the Department of Public Safety to reassess pretrial detainees on a regular basis for reconsideration of pretrial release.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation.

Your Committee received comments on this measure from the Community Alliance on Prisons.

Your Committee finds that Act 179, Session Laws of Hawaii 2019, enacted bail reform initiatives with the goal of increasing fairness to pretrial detainees by offering greater and continuing opportunities for release prior to trial. However, your Committee further finds that there is concern that this Act has detracted from the intake service centers' production of the initial bail reports that are due to the court within three days of admission, as well as other duties and responsibilities mandated by statute. This measure will ease intake service centers workload.

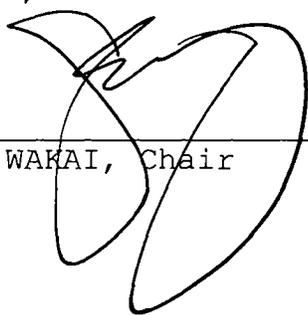


Your Committee has amended this measure by:

- (1) Changing all references to the "Department of Public Safety" to the "Department of Corrections and Rehabilitation";
- (2) Restoring language that requires periodic reviews of detainees in community correctional centers;
- (3) Extending the time requirement for pretrial release reassessments from three months to six months;
- (4) Amending section 1 to reflect its amended purpose; 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. 1392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1392, 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,

  
\_\_\_\_\_  
GLENN WAKAI, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety and Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB1392</b>	Committee Referral: <b>PSM, JDC</b>	Date: <b>1/31/24</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
FUKUNAGA, Carol	✓			
RHOADS, Karl	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

**\*Only one measure per Record of Votes**