Honolulu, Hawaii

, 2024

FEB 13

H.B. No. 1812 RE:

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 1812 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Restrict the use of solitary confinement in stateoperated and state-contracted correctional facilities, with certain exceptions;
- (2) Prohibit the use of solitary confinement and require the use of appropriate alternatives for committed persons who are members of a vulnerable population;
- (3) Require the Department of Corrections and Rehabilitation (Department) to develop written policies and procedures regarding solitary confinement by July 1, 2025;
- (4)Require the Department to develop policies and procedures to review committed persons placed in solitary confinement and develop a plan for committed persons currently in solitary confinement by April 1, 2025; and

(5) Require the Department to submit a report to the Legislature and Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawaii Disability Rights Center; National Alliance on Mental Illness Hawaii; Opportunity Youth Action Hawai'i; Community Alliance on Prisons; ACLU Hawai'i; CARES; and five individuals. Your Committee received testimony in opposition to this measure from the Department of Corrections and Rehabilitation. Your Committee received comments on this measure from two individuals.

Your Committee finds that solitary confinement is a severe form of punishment that is closely associated with long-lasting psychological harm and poor post-release outcomes. Your Committee further finds that there are insufficient restrictions and policies and procedures on the use of solitary confinement in the State. Your Committee believes that this measure addresses this need by restricting certain solitary confinement practices and requiring the Department of Corrections and Rehabilitation to develop policies and procedures for solitary confinement.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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. 1812, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1812, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

MARK J. HASHKM, Ch.

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 289-24

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

Bill/Resolution No.: HB 1812	Committee Referral:	Dates	11311-	2024
☐ The committee is reconsidering its previous decision on the measure.				
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)				
2. CHUN, Cory M. (VC)	· V			
3. GANADEN, Sonny			::	
4. ICHIYAMA, Linda				,
4. ICHIYAMA, Linda				
5. MIZUNO, May Besario				
6. MORIKAWA, Dee	V	Training Training	· · · · · · · · · · · · · · · · · · ·	
薩 袋 建聚聚基皮 计用用工法 19	1 位 1 / 20 / 20 / 20 / 20 / 20 / 20 / 20 /			
7. POEPOE, Mahina	✓			
8. TAKAYAMA, Gregg				
9. SOUZA, Kanani	V			-
-				
FOR 17 (0)	<u></u>			
TOTAL (9)				2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				