

STAND. COM. REP. NO.

2320

Honolulu, Hawaii

FEB 17

, 2006

RE: S.B. No. 2949
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2949 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose of this measure is to create an office of the ombudsman for prisons and probation to be administratively attached to the Department of Public Safety to investigate prisoner complaints, deaths, and riots.

Testimony in support of this measure was submitted by A Woman's Voice International, the Community Alliance on Prisons, and two individuals. The Department of Public Safety submitted testimony in opposition to this measure. The Office of the Ombudsman submitted comments.

Your Committee finds that the existing Office of the Ombudsman currently has authority to address issues relating to prisoners at state facilities, and that it would be more appropriate to extend the scope of those duties to all prisoners than to establish an additional ombudsman. Thus, as almost fifty per cent of Hawaii's inmates are transferred to out-of-state facilities, it is necessary to give the Office of the Ombudsman the authority to investigate complaints against an out-of-state facility and cases of death or riot at an out-of-state facility.

Your Committee amended this measure to provide the Office of the Ombudsman the authority to investigate out-of-state, private,


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or federal correctional facilities or institutions that have contracts with the Department of Public Safety to house Hawaii's inmates. Your Committee has restricted that authority to the facilities themselves, and not their employees.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2949, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2949, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



