

JAN 22 2008

A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 8, First Special Session Laws of Hawaii of
2 2007, is amended by amending the first new section in Part III
3 of section 2 to read as follows:

4 **"PART II. OFFENDER REENTRY LEGISLATIVE OVERSIGHT COMMITTEE**

5 **§ -21 Legislative oversight committee; established. (a)**

6 There is established a legislative oversight committee to ensure
7 transparency in the operations of the department, analyze the
8 effectiveness of the department's governance, operations, and
9 administration of its programs and services, evaluate the
10 department's purchase of community-based programs and services,
11 and review any other issues impacting the department. The
12 legislative oversight committee shall conduct site visits and
13 have access to all areas in correctional facilities, within the
14 constraints of safety and security. The legislative oversight
15 committee shall meet publicly for input and recommendations for
16 the department. The legislative oversight committee shall be
17 composed of members of the standing committees of both houses of



1 the legislature whose purview is to oversee the department. The
2 legislative oversight committee shall be jointly chaired by the
3 legislative standing committees' respective chairs.

4 (b) The legislative oversight committee shall establish a
5 work group to conduct a study and convene public hearings to
6 determine the factors that contribute to the over-representation
7 of native Hawaiians and part-Hawaiians in the State's prisons
8 and jails. While approximately twenty per cent of the State's
9 population is of native Hawaiian or part-Hawaiian ancestry, more
10 than forty per cent of the total population of incarcerated
11 felons in the State may be native Hawaiian or part-Hawaiian. It
12 shall be the priority of the work group to examine the reporting
13 system used by the department of public safety to determine the
14 number of incarcerated native Hawaiians and part-Hawaiians in
15 the correctional system to ensure that the methodology employed
16 is not producing inaccurate or misleading statistics.

17 (c) Representatives from government agencies such as the
18 department of public safety, department of health, department of
19 human services, Hawaii paroling authority, office of Hawaiian
20 affairs, the judiciary, legislative reference bureau, and the
21 University of Hawaii are invited to participate. Nonprofit
22 organizations, community groups, and other parties interested in



1 the tremendous incarceration rate of native Hawaiians may also
2 participate.

3 (d) The work group shall gather statistics and data on
4 past and present incarcerated native Hawaiians and part-
5 Hawaiians, conduct data analysis, and make recommendations to
6 reduce the percentage of incarcerated native Hawaiians and part-
7 Hawaiians. The work group shall submit a report of its findings
8 and recommendations to the legislature no later than October 1,
9 2009."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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Report Title:

Prisons; Native Hawaiians; Offender Reentry Legislative Oversight Committee

Description:

Requires the offender reentry legislative oversight committee to establish a work group to conduct a study and convene public hearings to determine the factors that contribute to the overrepresentation of native Hawaiians and part-Hawaiians in the State's prisons and jails.

