

STAND. COM. REP. NO.

1353

Honolulu, Hawaii

MAR 29 2007

RE: H.B. No. 1358
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committees on Public Safety and Human Services and Public Housing, to which was referred H.B. No. 1358, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY,"

beg leave to report as follows:

The purpose of this measure is to clarify the purpose of the Hawaii Youth Correctional Facilities.

Specifically, the measure changes the purpose of the Hawaii Youth Correctional Facility from a place where a youth is punished to one where the youth is rehabilitated.

The Attorney General, the Department of Human Services Office of Youth Services, the Community Alliance on Prisons, the American Civil Liberties Union of Hawai'i, and the Hawaii Youth Services Network submitted testimony in support of this measure.

According to the testimony, this measure is consistent with best practices in juvenile corrections and will assist staff to carry out the modern purposes of a youth correctional facility, which is to rehabilitate and prepare youth for reentry into the community.



Your Committees find that the change in language marks a change in philosophy that will help guide the protocols that are applied at the Hawaii Youth Correctional Facilities.

It is your Committees' intent to help ensure that youth receive the services they need for successful and productive reentry into the community. According to the Attorney General, a technical, corresponding amendment is necessary to section 571-48(1)(A), Hawaii Revised Statutes. Therefore, your Committees have amended this measure by:

- (1) Amending section 571-48(1)(A), Hawaii Revised Statutes, to replace the term "incarceration" with the term "custody"; and
- (2) Making technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety and Human Services and Public Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1358, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1358, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Human Services and Public
Housing,



SUZANNE CHUN OAKLAND, Chair


WILL ESPERO, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii


Record of Votes
Committee on Public Safety
PBS

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1358 HD1	PBS/HSP	3-22-07
<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	
ESPERO, Will (C)	✓	
NISHIHARA, Clarence K. (VC)	✓	
SAKAMOTO, Norman	✓	
WHALEN, Paul		✓
TOTAL	3	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency		

*Only one measure per Record of Votes

The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Human Services and Public Housing
HSP

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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
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
HOOSER, Gary L.				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

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