

STAND. COM. REP. NO.

1140

Honolulu, Hawaii

MAR 22 2007

RE: H.B. No. 1440  
H.D. 3

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

Madam:

Your Committee on Public Safety, to which was referred H.B. No. 1440, H.D. 3, entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the jurisdictional authority of the Office of the Ombudsman when investigating the contractual acts of any correctional facility with which the Department of Public Safety has contracted to hold individuals committed to the custody of the Director of Public Safety.

Your Committee received testimony in support of this measure from the American Civil Liberties Union, Community Alliance on Prisons, Mestizo Association, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Office of the Ombudsman.

Your Committee finds that it is vital for inmates of Hawaii currently held in mainland correctional institutions have access to an independent body in order to investigate contractual claims. Your Committee further finds that this measure serves as an important mechanism to clarify and broaden the Ombudsman's scope of authority and ensures that inmates from Hawaii are not left without essential tools to address grievances with mainland correctional institutions. Your Committee has left the appropriation amount in this measure unspecified for further discussion in the next Committee. It is the intent of your

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Committee to extend the scope of the Ombudsman's jurisdiction to mainland facilities in order to preserve and protect the health, safety, and the legal rights of Hawaii's inmates.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1440, H.D. 3, and recommends that it pass Second Reading and be referred to the Committees on Judiciary and Labor and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,



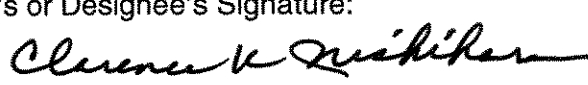
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WILL ESPERO, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

Record of Votes  
Committee on Public Safety  
PBS

Bill / Resolution No.:* <b>HB 1440 HD3</b>	Committee Referral: <b>PBS, JDL</b>	Date: <b>3-15-07</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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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		✓		
<b>TOTAL</b>	<b>3</b>	<b>1</b>		
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