Honolulu, Hawaii

FEB 1 4 2008

RE: S.B. No. 2343
        S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

     Your Committee on Public Safety, to which was referred S.B.
No. 2343 entitled:

     "A BILL FOR AN ACT RELATING TO PAROLE,"

begs leave to report as follows:

     The purpose of this measure is to require the Department of
Public Safety to establish an earned-time program that provides
incentives for inmates to enroll in and complete rehabilitation
programs while incarcerated so that the inmate may qualify for
parole prior to the expiration of the inmate's minimum term of
incarceration set by the Hawaii Paroling Authority.

     Testimony in support of this measure was submitted by the
Community Alliance on Prisons, Hawaii Community College, and three
individual citizens. Testimony in opposition of this measure was
submitted by the Department of Public Safety, the Hawaii Paroling
Authority, the Department of the Prosecuting Attorney, and the
Department of the Attorney General. Comments on this measure were
submitted by Maui Economic Opportunity, Inc.

     Your Committee finds that earned-time programs do benefit
inmates, the prisons, and the community since they require inmates
to complete various rehabilitation programs that give them the
opportunity to improve upon their education, vocational training,
or physical and emotional behaviors. Completion of earned-time
programs enables the inmates to be better equipped to reintegrate
themselves back into the community upon their release from prison.
The earned-time programs also benefit the prisons by reducing the

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inmate population at the respective prison, thus helping to reduce any existing, or potential, inmate overcrowding issues.

However, your Committee finds that there must be a balance between providing earned-time programs to inmates and having the inmates satisfy their restitution requirements to the victims of their crimes. Thus, any earned-time program that is recommended by the Department of Public Safety needs to address the issue of exactly how much earned-time the inmates will receive upon the completion of each program that can be used toward reducing the time it takes to be eligible for parole.

Accordingly, your Committee has amended this measure by:

(1) Deleting its contents and requiring, instead, that the Department of Public Safety:

  (A) Consider and examine earned-time programs for Hawaii inmates incarcerated in Hawaii and on the mainland; and

  (B) Develop an earned-time program for the foregoing inmates;

(2) Amending its effective date to be upon approval; and

(3) Making technical, nonsubstantive amendments for the purpose of clarity.

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 S.B. No. 2343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2343, S.D. 1, and be referred to the Committee on Ways and Means.

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

_____
WILL ESPERO, Chair

2008-1148 SSCR SMA.doc

The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Public Safety
PBS

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2343	PBS, WAM	2/5/08

☐ The committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312　☑ Pass, with amendments 2311　☐ Hold 2310　☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
SAKAMOTO, Norman				✓
WHALEN, Paul	✓			
TOTAL	3			1

Recommendation:
☑ Adopted　　☐ Not Adopted

Chair's or Designee's Signature:

Clarence K Nishihara

*Only one measure per Record of Votes

Revised: 12/18/06