

STAND. COM. REP. NO.

1560

Honolulu, Hawaii

MAY 05 2009

RE: H.C.R. No. 27
H.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Public Safety and Military Affairs, to which was referred H.C.R. No. 27, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to request a study of disparate treatment of Native Hawaiians in Hawaii's criminal justice system.

Testimony in support of this measure was submitted by one state agency, three organizations, and one individual. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds there is compelling evidence that Native Hawaiians have received disparate treatment in the Hawaii criminal justice system. According to recent studies, Native Hawaiians account for twenty per cent of the total population of the State but around forty per cent of the State's prison population. Native Hawaiians average twenty-three per cent of all arrests in the State, and are twice as likely to be incarcerated as any other group. Native Hawaiian males and females make up forty-five per cent of all parolees statewide, and scholars have concluded that Native Hawaiians are at the greatest risk of being re-arrested and returning to prison.



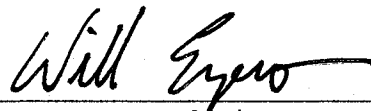
The high rates of incarceration have profound implications for Native Hawaiians. For example, almost sixty per cent of children placed in child protective services are Native Hawaiian. Of those children, eight per cent to thirty-three per cent have incarcerated parents. Studies suggest that adult children of incarcerated mothers are two and one-half times more likely to be incarcerated than adult children of incarcerated fathers. Ninety-five per cent of the one hundred twenty female Hawaii inmates incarcerated at a single mainland facility are mothers.

Thirty-nine per cent of the 1,844 inmates from the State who are residing in mainland facilities are Native Hawaiian, and there is a growing concern that if Native Hawaiian inmates continue to be transferred to mainland facilities, further removed and disconnected from their families, it may lead to a higher recidivism rate and adversely contribute to their children's behavior.

A careful study with a multi-method approach which includes quantitative and qualitative analysis has the potential to produce favorable policy reforms which address the disparate treatment of Native Hawaiians.

As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27, H.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety and
Military Affairs,




WILL ESPERO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* HCR 27, HD1	Committee Referral: PSM	Date: 5/4/09		
<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)	✓			
BUNDA, Robert (VC)				✓
ENGLISH, J. Kalani	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
KIDANI, Michelle N.				✓
HEMMINGS, Fred				✓
TOTAL	4			23 <i>WR</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:right; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes