

STAND. COM. REP. NO.

341

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1058

S.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 S.B. No. 1058 entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

begs leave to report as follows:

The purpose of this measure is to require the Attorney General, with the assistance of various public and private entities, to coordinate a review of the impact of diverting marijuana and low-level felony drug offenders to treatment centers rather than incarceration in the criminal justice system.

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

Your Committee finds that diverting marijuana and low-level felony drug offenders to treatment centers rather than incarceration relieves the criminal justice system from overcrowding of inmates and reduces costs to the State for incarcerating those drug offenders. Your Committee also finds that an unbiased report on the costs and benefits of a low-level drug offender diversion program is warranted under the current economy in an effort to make fiscally-sound policy decisions.

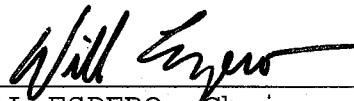


Your Committee has amended this measure by adding the following list of representatives to the group that the Attorney General may call upon for assistance in conducting the required review:

- (1) A representative of the Office of the Public Defender;
- (2) A representative of the American Civil Liberties Union of Hawaii;
- (3) A representative of a community advocacy group with at least fifteen years of experience, research, and statistical data to provide to the Attorney General; and
- (4) A criminologist or researcher that can analyze the most current statistical data.

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 is in accord with the intent and purpose of S.B. No. 1058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1058, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

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.:* SB 1058	Committee Referral: PSM, JEO	Date: 2-12-09
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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)	X			
BUNDA, Robert (VC)	X			
ENGLISH, J. Kalani				X
GABBARD, Mike				X
GALUTERIA, Brickwood	X			
KIDANI, Michelle N.	X			
HEMMINGS, Fred				X
TOTAL	4			3

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes