

STAND. COM. REP. NO.

586

Honolulu, Hawaii

Feb 20, 2009

RE: H.B. No. 1151

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 1151 entitled:

"A BILL FOR AN ACT RELATING TO RESTRICTED ACCESS TO  
CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this bill is to improve safety and security within the prison system by authorizing the search of persons and vehicles entering state correctional facility grounds.

The Department of Public Safety (PSD) supported this bill. The American Civil Liberties Union opposed this measure. The Community Alliance on Prisons submitted comments.

Your Committee acknowledges PSD's testimony in which it states, "PSD will promulgate administrative policy that will govern the search of vehicles and persons coming on grounds that will clarify the factors to be considered before a search is conducted, similar to probable cause." Concerns regarding this language were raised, and your Committee respectfully requests the Committee on Judiciary to further review this statement to determine if the rules should be "conditioned" on probable cause rather than being based on something similar. Therefore, your Committee has amended this bill by changing its effective date to July 1, 2025, to encourage further discussion.

HB1151 HD1 HSCR PBS HMS 2009-2393



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. 1151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1151, H.D. 1, and be referred to the Committee on Judiciary.

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

  
\_\_\_\_\_  
FAYE HANOZANO, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

Record of Votes of the Committee on Public Safety

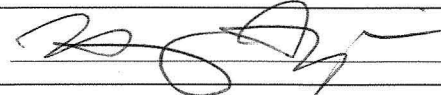
Bill/Resolution No.: <b>HB 1151</b>	Committee Referral: <b>PBS, JUD</b>	Date: <b>2-19-2009</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. AQUINO, Henry J.C. (VC)	✓			
3. AWANA, Karen Leinani		✓		
4. KEITH-AGARAN, Gilbert S.C.	✓			
5. LEE, Marilyn B.				✓
6. NAKASHIMA, Mark M.	✓			
7. RHOADS, Karl	✓			
8. SAIKI, Scott K.	✓			
9. SOUKI, Joseph M.				✓
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
<b>TOTAL (12)</b>	<b>7</b>	<b>1</b>		<b>4</b>

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
 committee acronym(s)

Vice Chair's or designee's signature: 

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