

Honolulu, Hawaii

April 22, 2010

RE: H.B. No. 2266
H.D. 1
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2266, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to address sexual abuse in prisons by requiring the Department of Public Safety (PSD) to:

- (1) Prioritize the establishment of counseling services for victims of sexual assault in prisons, and transparency standards for zero-tolerance policies regarding sexual assault;
- (2) Provide annual data to the Legislature regarding acts of sexual assault and sexual misconduct against persons in PSD custody; and



- (3) Report to the Legislature on any implementation of the federal Prison Rape Elimination Act of 2003 (Federal Act) in state correctional facilities under PSD's jurisdiction.

Sexual abuse in correctional facilities threatens the fundamental rights of prisoners to safety, dignity, and justice. Your Committee on Conference finds that this measure facilitates the establishment of policies and standards to prevent the occurrence of prison rape and provide appropriate treatment to victims.

Your Committee on Conference has amended this bill by:


- (1) Requiring PSD's report on the implementation of the Federal Act to include such efforts in correctional facilities under contract with PSD; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2266, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2266, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE



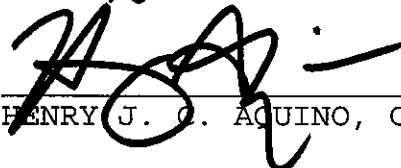
WILL ESPERO, Chair



FAYE HANOZANO, Co-Chair



SHAN S. TSUTSUI, Co-Chair



HENRY J. C. AQUINO, Co-Chair



Hawaii State Legislature

CCR 17-10

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 2266, HD 1, SD 1	Date/Time: April 19, 2010 9:25 am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

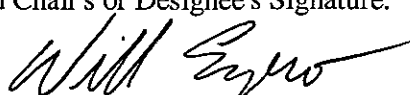
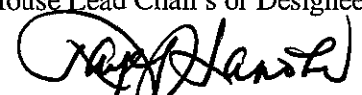
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ESPERO, Will, Chr.	✓				HANOHANO, Faye P., Co-Chr.	✓			
TSUTSUI, Shan S., Co-Chr.	✓				AQUINO, Henry J.C., Co-Chr.	✓			
GALUTERIA, Brickwood	✓				PINE, Kymberly Marcos				✓
TOTAL	3	0	0	0	TOTAL	2	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution:

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