

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 859
S.D. 1

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

Madam:

Your Committees on Public Safety and Military Affairs and Human Services, to which was referred S.B. No. 859 entitled:

"A BILL FOR AN ACT RELATING TO PERSONS COMMITTED TO THE HAWAII YOUTH CORRECTIONAL FACILITIES OR TO THE CUSTODY OR CARE OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES,"

beg leave to report as follows:

The purpose of this measure is to require certain state departments to furnish information, records, and documents to the Executive Director of the Office of Youth Services to provide treatment and care for a committed youth in the correctional facility.

Testimony in support of this measure was submitted by two state agencies and one individual. Testimony in opposition of this measure was submitted by one state agency. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that providing the Executive Director of the Office of Youth Services with information, records, and documents for purposes of treating or caring for a committed youth at the correctional facility is in the best interest of the correctional facility and the committed youth; provided that the information, records, and documents are kept confidential and only used for official purposes. Your Committees also find that the timely sharing of information, records, and documents with the



Executive Director of the Office of Youth Services may facilitate the rehabilitation of the committed youth.

Your Committees have amended this measure by:

- (1) Requiring that confidential information, records, and documents in the possession of the Department of Education shall only be furnished to the Executive Director of the Office of Youth Services with a court order or consent of the youth's parent; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 859, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 859, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and Human
Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair

Will Espero

WILL ESPERO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* <i>SB 859</i>	Committee Referral: <i>PSM/HMS, JGO</i>	Date: <i>2/19/09</i>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			✓
IHARA, Jr., Les (VC)				✓
GREEN, M.D., Josh	✓			
HEMMINGS, Fred	✓			
TOTAL				
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center;"><i>Josh Green</i></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**