

STAND. COM. REP. NO.

624

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 969
S.D. 2

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 969, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to permit a conditional search of any person or vehicle entering upon the grounds of a correctional or detention facility.

Under this measure, the entry of any person or vehicle onto state correctional or detention facility grounds may be conditioned upon a search for weapons or contraband, if the correctional staff gives the person notice and an opportunity to decline a conditional search prior to conducting the search. This measure also requires correctional staff to have probable cause of contraband on a person prior to requiring a strip search of that person.

Your Committee finds that it is in the best interest of public safety that any person or vehicle entering upon the grounds of a correctional or detention facility be subject to a conditional search.

Your Committee has amended this measure by making technical, nonsubstantive amendments.



As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 969, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 969, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 969, SDI	PSM, JGO	2/27/09		
<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 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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam	✓			
TOTAL	4	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes