

STAND. COM. REP. NO. 1302

Honolulu, Hawaii

April 1, 2011

RE: S.B. No. 1067
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1067, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROBATION,"

begs leave to report as follows:

The purpose of this bill is to allow for more effective and specific mental health treatment to offenders on probation by:

- (1) Clarifying that certain adult probation records may be released to mental health service providers who are nationally accredited or licensed by the State for the purpose of therapy or rehabilitation; and
- (2) Establishing procedures to protect against improper disclosure of confidential information.

The Hawaii Substance Abuse Coalition, Domestic Violence Action Center, The Salvation Army, and Ku Aloha Ola Mau testified in support of this measure. The Judiciary supported the intent of this bill. The Office of the Public Defender opposed this measure.

SB1067 HD2 HSCR JUD HMS 2011-3438



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Your Committee has amended this bill by:

- (1) Adding that the information may be given upon the screening for admission to a program to provide clearer disclosure guidelines; and
- (2) Changing the effective date to January 7, 2059, and adding a sunset date.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1067, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1067, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGARAN, Chair



