

STAND. COM. REP. NO. 1432

Honolulu, Hawaii

April 6, 2011

RE: S.B. No. 219
S.D. 1
H.D. 1

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

Sir:

Your Committees on Public Safety & Military Affairs and Health, to which was referred S.B. No. 219, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

beg leave to report as follows:

The purpose of this bill is to protect female inmates and their unborn babies by prohibiting the physical and mechanical restraint, including shackling and handcuffing, of inmates who are pregnant or in postpartum recovery, unless extraordinary circumstances exist.

The House of Representatives member from the 38th District; Hawaii State Democratic Women's Caucus; a County of Maui Councilmember; Healthy Mothers, Healthy Babies Coalition of Hawaii; The American Congress of Obstetricians and Gynecologists, Hawaii Section; Community Alliance on Prisons; American Civil Liberties Union of Hawaii; Planned Parenthood of Hawaii; National Association of Reformed Criminals; Alu Like, Inc.; Hawaii Women's Coalition; and The Drug Policy Action Group supported this bill. The Department of Public Safety supported the intent of this bill.

Your Committees have amended this bill by:

- (1) During transport, prohibiting restraints of any kind on any committed female during any portion of her pregnancy, if her physician so orders; and

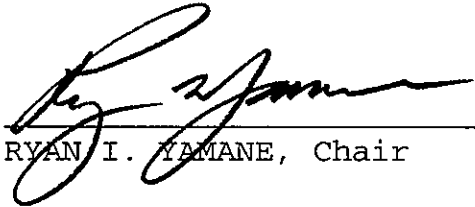
SB219 HD1 HSCR PBM-HLT HMS 2011-3504



- (2) Requiring that all treating physicians, midwives, or nurses be informed of the requirements of restraints as they relate to pregnant offenders; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 219, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 219, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety &
Military Affairs and Health,



RYAN I. YAMANE, Chair



HENRY J.C. AQUINO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSR 1432

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: SB 219 SD1	Committee Referral: PBM/HLT	Date: 3/24/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBM Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. CULLEN, Ty (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. LEE, Marilyn B.	✓			
5. LUKE, Sylvia				✓
6. SAIKI, Scott K.				✓
7. SOUKI, Joseph M.				✓
8. TAKAI, K. Mark	✓			
9. TAKUMI, Roy M.	✓			
10. YAMASHITA, Kyle T.	✓			
11. FONTAINE, George R.	✓			
12. JOHANSON, Aaron Ling	✓			
TOTAL (12)	9	Ø	Ø	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

