

STAND. COM. REP. NO.

280

Honolulu, Hawaii

FEB 16 2011

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

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

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

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit physically restraining inmates who are pregnant or in postpartum recovery, unless extraordinary circumstances exist, in order to allow these inmates to give birth or recover from giving birth under safe and humane conditions.

Your Committees received testimony in support of this measure from the Hawai'i Women's Coalition. Your Committees received testimony in opposition to this measure from the Department of Public Safety.

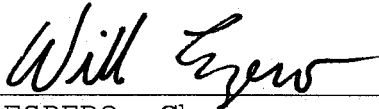
Your Committees find that the use of restraints on an inmate who is pregnant or in postpartum recovery may jeopardize the health and safety of the inmate or the inmate's unborn child. Your Committees further find that this measure balances the concerns of an inmate or inmate's child's health and public safety by protecting pregnant inmates during labor and delivery of a child and inmates in postpartum recovery, while allowing for circumstances under which corrections officers may use restraints to prevent an inmate's escape or injury.



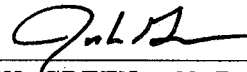
Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

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



WILL ESPERO, Chair



JOSH GREEN, M.D., Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* SB 219	Committee Referral: HTH/PGM	Date: 2-8-11		
<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
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam	/			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Michelle N. Kidani</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