

Honolulu, Hawaii

APR 28 2011 , 2011

RE: S.B. No. 49
S.D. 1
H.D. 2
C.D. 1

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

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 49, S.D. 1, H.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to require the Director of Public Safety to report the death of any correctional facility employee or inmate to the Governor, who in turn, is required to report the death to the Legislature.

Your Committee on Conference finds that since the Department of Public Safety is responsible for the well-being of incarcerated people, an incident as compelling as the death of an inmate or that of an employee warrants immediate reporting. This immediate notification would help to dispel rumors, inform anxious family members, and provide a communication link between what happens in a correctional facility and policy makers.



It is the intent of your Committee on Conference that the Director of Public Safety report to the Governor on the death of any correctional facility employee or inmate as soon as possible, regardless of whether or not the official cause of death has been determined. The Governor would in turn report the death to the Legislature. Thereafter, as soon as the official cause of death has been determined, the Director of Public Safety shall again report the official cause of death to the Governor who in turn shall report it to the Legislature.

Your Committee on Conference has amended this measure by:

- (1) Changing to forty-eight hours the time within which the Department of Public Safety shall report the death of a correctional facility employee or inmate to the Governor and within which the Governor shall report the death to the Legislature;
- (2) Requiring the Department of Public Safety to immediately report the official cause of death to the Governor upon a determination of the official cause of death and the Governor to immediately report the official cause of death to the Legislature;
- (3) Inserting an effective date of upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

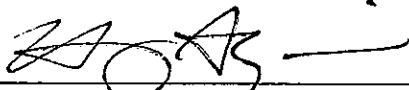
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 49, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 49, S.D. 1, H.D. 2, C.D. 1.




Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


HENRY J.C. AQUINO, Co-Chair


WILL ESPERO, Chair


KYLE T. YAMASHITA, Co-Chair



