

STAND. COM. REP. NO. 1419

Honolulu, Hawaii

April 5, 2011

RE: S.B. No. 49
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 Legislative Management, to which was referred S.B. No. 49, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide a communication link between what happens in a correctional facility and policy makers by requiring the Director of Public Safety (Director) to report any death of a correctional facility employee or inmate to the Senate President, Speaker of the House of Representatives, and legislative committee chairs having primary responsibility for public safety issues. Specifically, this measure applies to deaths that occur:

- (1) At a correctional facility; or
- (2) From an injury sustained at a correctional facility.

The Office of Hawaiian Affairs and American Civil Liberties Union of Hawaii supported this bill. The Department of Public Safety (PSD) opposed this measure.

Your Committee notes that, according to PSD, the current notification process for deaths occurring at a correctional facility that involve inmates or correctional facility employees

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involves notification of the Director of PSD through the chain of command and notification of the Governor by the Director.

Accordingly, your Committee has amended this bill by:

- (1) Requiring the Director to report the death of a correctional employee or inmate to the Governor and having the Governor report the death to the Legislature rather than requiring the Director to report directly to certain members of the Legislature; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 49, 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. 49, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Legislative
Management,



KYLE T. YAMASHITA, Chair



