

STAND. COM. REP. NO. 630 -12

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2514
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2514, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose of this measure is to implement recommendations of the Justice Reinvestment Working Group relating to improvements in the pre-trial process, parole, restitution, and availability of services in the criminal justice system and Department of Public Safety.

The Governor, Office of the Public Defender, Office of Hawaiian Affairs, Crime Victim Compensation Commission, Hawaii State Commission on the Status of Women, American Civil Liberties Union of Hawaii, and Drug Policy Forum of Hawaii provided testimony in support of this measure. The Department of Public Safety and Hawaii Paroling Authority testified in support, with suggested amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu expressed concerns, with suggested amendments. James Lindblad, of A-1 Bonding, Inc., and the Retail Merchants of Hawaii, provided comments.

Your Committee is concerned with the guidelines regarding staffing to caseload ratios provided for in Section 13 of this measure. Your Committee is not satisfied with the methodology or justification provided by the Department of Public Safety in quantifying and qualifying the use of these ratios. Your

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Committee believes these guidelines merit closer scrutiny, given the prospective fiscal impact and operational effect they may have upon this measure's success.

Your Committee has amended this measure by:

- (1) Inserting language recommended by the Hawaii Paroling Authority into section 353-66(e), Hawaii Revised Statutes, relating to discretion of the authority to consider if the prisoner constitutes a significant risk to the public or to the prisoner's self and credit for time served;
- (2) Inserting language recommended by the Hawaii Paroling Authority into section 706-670, Hawaii Revised Statutes, relating to discretion of the authority to consider if the prisoner constitutes a significant risk to the public or to the prisoner's self;
- (3) Changing the effective date to January 7, 2059, to facilitate further discussion on the measure; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2514, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2514, H.D. 2.

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



GILBERT KEITH-AGARAN Chair



