

STAND. COM. REP. NO.

2954

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2848
H.D. 3
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water, Land, and Housing and Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 2848, H.D. 3, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to reestablish native Hawaiian cultural practices to reduce recidivism, prevent crime, and ensure long-term positive changes by:

- (1) Establishing a wellness center task force within the Legislature to move forward with the concept of a *pu'uhonua*, or wellness center; and
- (2) Requiring the task force to establish a location for the *pu'uhonua* on lands owned or controlled by the State, with preference given to the site formerly used as the Kulani Correctional Facility in East Hawaii.

Your Committees received testimony in support of this measure from the Department of Public Safety; Association of Hawaiian Civic Clubs, Oahu Council; Na Maka O Ka 'Aina; Buddhist Peace Fellowship, East Hawaii Chapter; Community Alliance on Prisons; Malu 'Aina Center for Non-violent Education & Action; 'Ohana Ho'opakele; Na Kupuna Moku O Keawe; and twenty-three individuals. Your Committees received comments on this measure from the



Department of Land and Natural Resources; Department of Hawaiian Home Lands; and Office of Hawaiian Affairs.

Your Committees find that a *pu'uhonua* - which is defined in Pukui and Elbert's Hawaiian Dictionary (1986) as a "place of refuge, sanctuary, asylum, place of peace and safety" - would help redirect the lives of incarcerated individuals. Your Committees also find that a work release pilot program would provide similar benefits to incarcerated individuals. Such a program will cultivate the work ethic of the individuals in the program, making their reentry into society less traumatic.

Your Committees have amended this measure by:

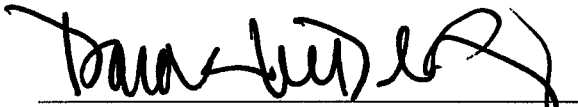
- (1) Deleting its contents and inserting the contents of S.B. No. 3016, S.D. 2, which:
 - (A) Requires the Department of Public Safety, in cooperation with 'Ohana Ho'opakele and other restorative justice groups, to prepare a plan for the creation of a *pu'uhonua* on lands owned or controlled by the State, with preference for the site of the *pu'uhonua* given to the former Kulani Correctional Facility site;
 - (B) Requires the Department of Public Safety to submit a report to the Legislature on its plan, findings, and recommendations, including the factors used in determining site selection, no later than twenty days prior to the convening of the Regular Session of 2013;
 - (C) Creates a work release pilot program on the Big Island to allow certain incarcerated individuals to work on community projects that benefit the local community and the State; and
 - (D) Requires the Department of Land and Natural Resources to collaborate with the Department of Public Safety to identify potential community projects on the Big Island that may benefit from inclusion in the pilot program; and

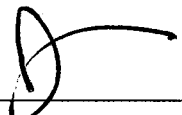


- (2) Changing the effective date to upon approval; provided that the work release pilot program is repealed on June 30, 2015.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water, Land, and Housing 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 H.B. No. 2848, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2848, H.D. 3, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Hawaiian Affairs and Water, Land, and Housing and Public Safety, Government Operations, and Military Affairs,


DONOVAN M. DELA CRUZ, Chair


BRICKWOOD GALUTERIA, Chair


WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

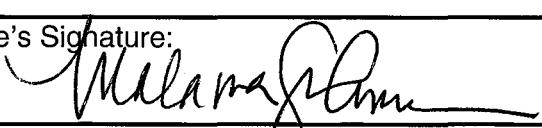
Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* HB 2848 HD3	Committee Referral: HWN/WLH/PGM, WAM	Date: 3/12/12		
<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
GALUTERIA, Brickwood (C)	✓			
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani				✓
HEE, Clayton				✓
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	5			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2848, HD3	HWN/WLH/PGM,WAM	3-12-12		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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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.:*	Committee Referral:	Date:		
HB 2848, HD3	HWN/WLH/PGM, WAA	3/12/12		
<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	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Will Espero</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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