

STAND. COM. REP. NO.

212

Honolulu, Hawaii

FEB 15 2011

RE: S.B. No. 1294
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 Human Services and Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 1294 entitled:

"A BILL FOR AN ACT RELATING TO THE TRANSFER OF YOUTH TO AN ADULT CORRECTIONAL FACILITY,"

beg leave to report as follows:

The purpose and intent of this measure is to repeal section 352-28, Hawaii Revised Statutes, which authorizes the Executive Director of the Office of Youth Services, with the approval of the Family Court, to transfer a committed youth from the Hawaii Youth Correctional Facility to an adult correctional facility.

Your Committees received testimony in support of this measure from the Department of Human Services, Office of Youth Services, Community Alliance on Prisons, and three individuals.

Your Committees find that this measure will ensure that youth committed to the Hawaii Youth Correctional Facility will not be transferred, for disciplinary or other reasons, to adult correctional facilities, where they would be exposed to serious adult offenders and subjected to possible physical, mental, and sexual assault.

Your Committees further find that this measure will simplify Hawaii's efforts to comply with the federal Juvenile Justice Delinquency Prevention Act, which requires that juveniles being securely detained must be "sight and sound" separate from adult

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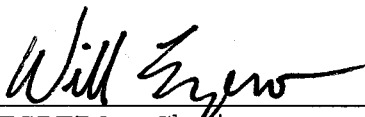


detainees. Violation of this requirement would jeopardize future federal funding.

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 Human Services 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. 1294, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1294, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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



WILL ESPERO, Chair

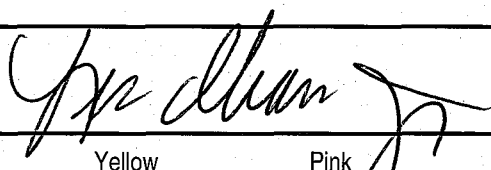


SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

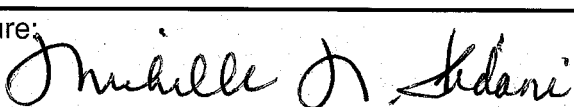
Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 1294	Committee Referral: HMS/ PGM JDL	Date:		
<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
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	0	0	1
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 Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1294	HMS/PGM, JDL	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	3			2
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	

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