

Honolulu, Hawaii

March 16, 2012

RE: S.B. No. 2248
S.D. 2
H.D. 1

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

Sir:

Your Committee on Public Safety & Military Affairs, to which was referred S.B. No. 2248, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to ensure that aging or seriously ill prisoners who pose a low risk to public safety are no longer punished through imprisonment by creating a medical or "compassionate" release program for certain ill, disabled, and geriatric inmates. Specifically, this measure, among other things:

- (1) Requires the Department of Public Safety to assess and refer inmates to the Hawaii Paroling Authority for possible medical release;
- (2) Provides that an inmate in the custody of the Department shall be eligible to be considered for medical release if the inmate meets specified criteria under certain procedures;
- (3) Requires the Hawaii Paroling Authority to set reasonable conditions on an inmate's medical release; and




- (4) Requires the Hawaii Paroling Authority to promptly order an inmate returned to custody of the Department to await a revocation hearing if credible information that an inmate has failed to comply with any reasonable condition set upon the inmate's release has been received.

The Office of Hawaiian Affairs, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and several concerned individuals testified in support of this measure. The Department of Public Safety testified in opposition to this measure. The Hawaii Paroling Authority provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2248, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2248, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety &
Military Affairs,


HENRY J.C. AQUINO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Public Safety & Military Affairs

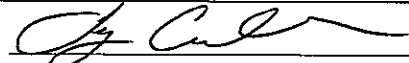
Bill/Resolution No.: CB 2248 CD 2	Committee Referral: PBM, JUD, FIN	Date: 3-15-2012
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

PBM Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. CULLEN, Ty (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. LEE, Marilyn B.	✓			
5. LUKE, Sylvia	✓			
6. SAIKI, Scott K.	✓			
7. SOUKI, Joseph M.				✓
8. TAKAI, K. Mark	✓			
9. TAKUMI, Roy M.	✓			
10. YAMASHITA, Kyle T.	✓			
11. FONTAINE, George R.	✓			
12. JOHANSON, Aaron Ling	✓			
TOTAL (12)	11	0	0	1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: 

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