

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2248  
S.D. 2  
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 S.B. No. 2248, S.D. 2, 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 ensure that seriously ill or disabled prisoners who pose a low risk to public safety are no longer punished through imprisonment by improving procedures for the medical release program.

The Office of Hawaiian Affairs, American Civil Liberties Union, Community Alliance on Prisons, and numerous individuals testified in support of this measure. The Hawaii Paroling Authority and one individual testified in support with amendments. The Department of Public Safety testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Specifying that the medical release hearing is administrative;
- (2) Increasing to 30 days the period of time between the receipt of the medical release report and the hearing; and



(3) Changing the effective date to July 1, 2012.

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 S.B. No. 2248, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2248, S.D. 2, H.D. 2.

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

  
\_\_\_\_\_  
GILBERT KEITH-AGARAN, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

<b>Bill/Resolution No.:</b> SB 2248 SD2 HD1	<b>Committee Referral:</b> PBM, JUD, FIN	<b>Date:</b> 3/21/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.	✓			
5. CARROLL, Mele	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.	✓			
11. SOUKI, Joseph M.	✓			
12. TSUJI, Clift	✓			
13. FONTAINE, George R.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
<b>TOTAL (15)</b>	14	0	0	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ <i>Hal Rhoads</i>				
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