

Honolulu, Hawaii

April 5, 2012

RE: S.B. No. 2248
S.D. 2
H.D. 3

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 2248, S.D. 2, H.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 create a medical release program within the Department of Public Safety for seriously- or terminally-ill, disabled, or elderly inmates who pose a low risk to public safety.

The Office of Hawaiian Affairs, Office of the Public Defender, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Native Hawaiian Legal Corporation, Na Aha Maluhia, First Unitarian Church of Honolulu, Malu 'Aina, and several individuals testified in support of this measure. The Department of Public Safety and Hawaii Paroling Authority commented on this measure.

Your Committee has amended this measure by:

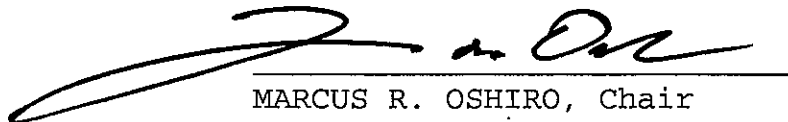
- (1) Deleting the requirement allowing an inmate and an inmate's representative to participate in an administrative hearing and submit medical and other evidence in support of a request for medical release;



- (2) Requiring the Department of Public Safety and Hawaii Paroling Authority to jointly develop appropriate policies and procedures to implement the medical release program, rather than requiring the Department of Public Safety to adopt administrative rules to implement the medical release program;
- (3) Specifying that with regard to the assessment and referral of inmates to the Hawaii Paroling Authority, medical release shall be pursuant to the jointly-established medical release program developed by the Department of Public Safety and Hawaii Paroling Authority;
- (4) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance 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. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2248, S.D. 2, H.D. 3.

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



MARCUS R. OSHIRO, Chair



