

STAND. COM. REP. NO.

483

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 48
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 48 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Director of Public Safety to effect the transfer of a committed felon to any correctional facility located in this State, if the transfer is in the best interests of the State and the welfare of the committed felon will be best served by the transfer. This measure also includes criteria to be considered prior to making the decision to transfer.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, the Drug Policy Forum of Hawai'i, and seven individuals.

Your Committee finds that a rehabilitation program for incarcerated persons that includes regular family visits results in extensive benefits for an incarcerated person. The Department of Public Safety has been sending Hawaii inmates to Mainland prisons and transferring Hawaii inmates between in-state facilities at an increasing rate. Frequent transfers are of concern because they disrupt educational, vocational, treatment, and other programs that are integral to successful rehabilitation and reentry into society. This is particularly true of inmates detained in Mainland prisons.

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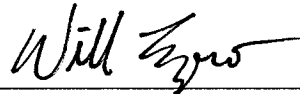


Accordingly, your Committee has amended this measure by:

- (1) Prohibiting the transfer of inmates to the mainland if the inmate has twelve months or less to serve on a sentence before being eligible to be paroled; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 48, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 48, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,



WILL ESPERO, Chair



