

STAND. COM. REP. NO.

1490

Honolulu, Hawaii

April 5, 2013

RE: S.B. No. 1176  
S.D. 1  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1176, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING  
AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to improve the parole system in Hawaii by ensuring the timely nomination of new members to the Hawaii Paroling Authority, requiring the release of parole hearing decisions within a specified timeframe after the hearing, and establishing how quorum is determined for action on matters before the Hawaii Paroling Authority. Specifically, this measure:

- (1) Allows the Chief Justice of the Hawaii Supreme Court, Director of Public Safety, President of the Hawaii State Bar Association, and President of the Hawaii Chapter of the National Association of Social Workers to appoint designees to represent them on the Hawaii Paroling Authority nomination panel that nominates members of the Authority for the Governor's consideration;
- (2) Requires certain information regarding parole decisions by the Hawaii Paroling Authority to be made public no more than 30 days after a parole release hearing; and

SB1176 HD2 HSCR JUD HMS 2013-3243



- (3) Requires three Hawaii Paroling Authority panel members for a quorum for a parole release hearing, unless there is a recusal due to a conflict of interest, in which case two panel members will satisfy the quorum requirement.

The Department of Public Safety, Hawaii Paroling Authority, and one concerned individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Allowing the panel to proceed with two members if it is determined by the chairperson of the Hawaii Paroling Authority that a sitting panel member is excused for good cause, including recusal or unanticipated absence;
- (2) Making it effective upon approval; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 1176, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1176, S.D. 1, H.D. 2.

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



---

KARL RHOADS, Chair



