

STAND. COM. REP. NO. **647**

Honolulu, Hawaii

**MAR - 1 2013**

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

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 1176 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to allow certain  
individuals who serve on the panel that nominates Hawaii Paroling  
Authority members to select designees to represent them on the  
panel.

Your Committee received testimony in support of this measure  
from the Department of Public Safety and Hawaii Paroling  
Authority.

Your Committee finds that the Hawaii Paroling Authority  
nomination panel includes the Chief Justice of the Hawaii Supreme  
Court, the Director of Public Safety, President of the Bar  
Association of Hawaii, and President of the Hawaii Chapter of the  
National Social Workers Association. The panel is responsible for  
vetting the list of applicants, conducting interviews, and  
submitting not less than three names per vacancy for the  
Governor's consideration. Your Committee finds that this work  
averages three to five full days of meetings - a schedule that is  
often impractical for individuals in high level positions to  
regularly attend and still complete their existing work  
responsibilities. This measure allows the Chief Justice, Director  
of Public Safety, and Presidents of the Hawaii State Bar



Association and Hawaii Chapter of the National Social Workers Association to appoint designees to represent their organizations at these meetings to ensure the timely nomination of new members.

Your Committee finds that in the interest of transparency, certain information should be made available to the public following parole release hearings. This basic information includes the inmate's name, whether the parole request was granted or denied, and the reason for a denial of a parole request. However, your Committee notes that this measure is not intended to require confidential information to be made public.

Your Committee further finds that under existing law, there is no set quorum requirement for the Hawaii Paroling Authority. Your Committee finds that a clear quorum requirement should be codified, with provisions that govern situations in which a conflict of interest arises that requires recusal of an Authority member.

Your Committee has amended this measure by:

- (1) Requiring certain information regarding parole decisions by the Hawaii Paroling Authority to be made public after a parole release hearing;
- (2) Requiring three Hawaii Paroling Authority panel members for quorum, unless there is a recusal due to a conflict of interest, in which case two panel members shall satisfy the quorum requirement; and
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1176, 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,  
Intergovernmental and Military  
Affairs,

*Will Espero*


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WILL ESPERO, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 1176</b>	Committee Referral: <b>PSM</b>	Date: <b>2-28-13</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, Josh				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes