

Honolulu, Hawaii

April 28, 2016

RE: H.B. No. 2391  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2391, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE RELEASE OF CERTAIN MISDEMEANANTS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to prevent overcrowding at community correctional centers by authorizing the Director of Public Safety to release detainees or inmates charged on or after July 1, 2016, with petty misdemeanor or misdemeanor offenses; provided that the detainee or inmate is not disqualified based on present charges or past arrest or conviction of certain serious or violent offenses. This measure also requires the Director of Public Safety to report to the Legislature on the effects of this measure and sunsets on July 1, 2020.

HB2391 CD1 HCCR HMS 2016-3355-1



Your Committee on Conference has amended this measure by:

- (1) Clarifying that no person who has previously been convicted of any offense that involves injury or threat of injury to the person of another, including offenses related to sexual harassment, harassment by stalking, and violation of an order of protection or temporary restraining order, shall be eligible for early release; and
- (2) Clarifying that the appropriate court and prosecuting attorney shall receive notice of a misdemeanor's release from custody not later than forty-eight hours before the actual release.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2391, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2391, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

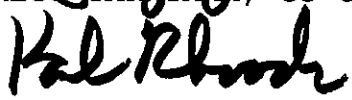
ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

  
CLARENCE K. NISHIHARA, Chair

  
GILBERT S.C. KEITH-AGARAN,  
Co-Chair

  
GREGG TAKAYAMA, Co-Chair

  
KARL RHOADS, Co-Chair



Hawaii State Legislature  
**Record of Votes of a  
 Conference Committee**

CER 70-16

Bill / Concurrent Resolution No.: <b>HB 2391, HD 2, SD 2</b>	Date/Time: <span style="font-size: 18pt; font-family: cursive;">4/27/16 3:42 PM</span>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
NISHIHARA, Clarence K., Chr.	✓				TAKAYAMA, Gregg, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
ESPERO, Will	✓				SAN BUENAVENTURA, Joy A.	✓			
					POUHA, Feki	✓			
<b>TOTAL</b>	<b>3</b>				<b>TOTAL</b>	<b>4</b>			

A = Aye                      WR = Aye with Reservations                      N = Nay                      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**

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