

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 608  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and  
Military Affairs, to which was referred S.B. No. 608 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to define and  
create restrictions on the use of administrative segregation and  
disciplinary segregation in correctional facilities for the  
well-being of prisoners.

Your Committee received testimony in support of this measure  
from the Hawai'i State Commission on the Status of Women, Community  
Alliance of Prisons, Hawaii Friends of Restorative Justice,  
Ho'omanapono Political Action Committee, and four individuals.  
Your Committee received testimony in opposition to this measure  
from one individual. Your Committee received comments on this  
measure from the Department of Public Safety and two individuals.

Your Committee finds that over the past four years, the  
Department of Public Safety has participated with the American  
Correctional Association in standardizing its policies on  
administrative and disciplinary segregation according to current  
national best practices. The Department of Public Safety not only  
follows the standards set by the American Correctional Association  
but it also has instituted more cautionary practices.



Your Committee further finds that while the Department of Public Safety has applicable standards in place, creating minimum standards in statute helps ensure appropriate oversight of important matters.

Your Committee has amended this measure by:

- (1) Adopting provisions listed in the American Bar Association's *Standards for the Treatment of Prisoners* for prisoners in administrative segregation;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 608, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 608, S.D. 1, and be referred to your Committee on Judiciary.

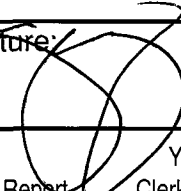
Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental, and Military  
Affairs,

  
CLARENCE K. NISHIHARA, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 608	PSM, JDC	2/5/19		
<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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
HARIMOTO, Breene	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	5	0	0	0
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