

THE SENATE
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2019

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 5, 2019
TIME: 1:15 p.m.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

A G E N D A

<u>SB 572</u> Status & Testimony	RELATING TO PUBLIC SAFETY. Requires the auditor to conduct a performance audit of certain offices and programs within the department of public safety. Appropriates funds.	PSM, WAM
<u>SB 599</u> Status & Testimony	RELATING TO THE CRIMINAL JUSTICE SYSTEM. Establishes the Criminal Justice Assessment Commission within the Department of Public Safety to recommend methods that will promote collaboration among the state and county criminal justice entities. Appropriates moneys.	PSM, JDC/WAM
<u>SB 606</u> Status & Testimony	RELATING TO MARIJUANA. Repeals all criminal penalties regarding marijuana except with regard to furnishing marijuana to a minor. Requires courts to expunge a person's criminal record for a marijuana conviction if that charge was the only charge emanating from a single set of facts and circumstances.	PSM, JDC
<u>SB 608</u> Status & Testimony	RELATING TO CORRECTIONS. Creates restrictions on the use of administrative segregation and disciplinary segregation in corrections facilities.	PSM, JDC
<u>SB 1077</u> Status & Testimony	RELATING TO HAWAII STATE AND CONTRACTED CORRECTIONAL FACILITIES. Requires the Director of Public Safety, in the event of any death of an inmate who is in a state or contracted correctional facility or correctional facility or community correctional center employee, to provide a report to the Governor and Legislature with certain information regarding the death. Authorizes Director to withhold disclosure of decedent's name under specific conditions.	PSM

<p>SB 1264 Status & Testimony</p>	<p>MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY. Makes an emergency appropriation to provide funds for the Department of Public Safety to pay for the temporary housing of 248 inmates at a non-state facility for the remaining six months of fiscal year 2019, during work on capital improvements to the Halawa Correctional Facility, under DAGS Job No. Job No. 12-27-5644 – security electronics and hardware repairs and improvements.</p>	<p>PSM, WAM</p>
<p>SB 1421 Status & Testimony</p>	<p>RELATING TO CRIMINAL PRETRIAL REFORM. Implements recommendations of the Criminal Pretrial Task Force convened pursuant to House Concurrent Resolution No. 134, House Draft 1, Regular Session of 2017.</p>	<p>PSM, JDC/WAM</p>
<p>SB 1486 Status & Testimony</p>	<p>RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Amends section 329-104(c), Hawaii Revised Statutes, to allow the Department of Public Safety Narcotics Enforcement Division Administrator to disclose, at the Administrator's discretion, confidential information from the Electronic Prescription Accountability System, more commonly known as the Prescription Drug Monitoring Program, to authorized employees of the Department of Health Alcohol and Drug Abuse Division and the Emergency Medical Services and Injury Prevention Systems Branch.</p>	<p>PSM, CPH</p>
<p>SB 1503 Status & Testimony</p>	<p>RELATING TO VOTING. Allows incarcerated persons who were Hawaii residents immediately prior to incarceration to vote in Hawaii elections by absentee ballot.</p>	<p>PSM, JDC/WAM</p>
<p>SB 1538 Status & Testimony</p>	<p>RELATING TO BAIL. Requires bail to be set in reasonable amounts based upon all available information, including the alleged offense, possible punishment upon conviction, and the offender's financial ability to afford bail. Repeals the requirement of an officer letting to bail to consider the punishment to be inflicted on conviction and the pecuniary circumstances of the party accused.</p>	<p>PSM, JDC</p>
<p>SB 1539 Status & Testimony</p>	<p>RELATED TO BAIL HEARINGS. Adds provision that, upon formal charge and detention, defendants shall have the right to a prompt bail hearing concerning release or detention and whether any condition will reasonably assure the defendant's appearance. Permits defendants to be represented by counsel at the hearing, or have one appointed if they are financially unable to obtain representation. Permits defendants to present evidence and witnesses and to cross-examine witnesses who appear at the hearing.</p>	<p>PSM, JDC</p>

SB 1540

**Status &
Testimony**

RELATING TO CORRECTIONS.

PSM, JDC

Requires intake service centers to conduct pretrial risk assessments and prepare bail reports within two, instead of three, working days. Requires bail reports to include a complete copy of the pretrial risk assessment, including, among other requirements, a written explanation of administrative scoring overrides. Requires the pretrial risk assessment to include the defendant's financial circumstances and risk of violence or harm to any person and the general public. Requires the pretrial risk assessment tool and procedures to be reviewed every five years and the review findings publicly reported.

Decision Making to follow, if time permits.

Click [here](#) to submit testimony.

Testimony may be submitted up to 24 hours prior to the start of the hearing.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

If you require auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written), ASL interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-6970.

Senator Clarence K. Nishihara
Chair