

STAND. COM. REP. NO.

173

Honolulu, Hawaii

FEB 11 , 2021

RE: H.B. No. 1082
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 1082 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish a moratorium on the construction of any new correctional facilities in the State on or after July 1, 2021, including the planned construction of a new facility to replace the existing Oahu Community Correctional Center; and
- (2) Prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Office of the Public Defender, Hawai'i Friends of Justice & Civic Education, Community Alliance on Prisons, Kokua Kalihi Valley, Ohana Ho'opakele, American Civil Liberties Union of Hawai'i, Habilitat, and numerous individuals. Your Committee received

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testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that planning for the new Oahu Community Correctional Center should be paused to facilitate further dialogue and assessment of all critical factors and needs of a new correctional facility on Oahu. Questions over the right size for any new facility are impacted by systemic changes the Hawaii Correctional System Oversight Commission (Commission) is evaluating. The Commission has estimated that each bed in the new jail would cost taxpayers \$380,000 and the cost of housing a large number of pretrial detainees statewide is over \$180,000 per day. Your Committee further finds that the Commission's ongoing work makes it an appropriate body to solicit input and recommendations from on any proposed new corrections facility or any expansion proposal for existing correction facilities.

Accordingly, your Committee has amended this measure by:

- (1) Limiting the construction moratorium to one year, from July 1, 2021 to June 30, 2022;
- (2) Removing the prohibition against construction of a new correctional facility or expansion of an existing correctional facility unless the Commission first approves of the facility;
- (3) Prohibiting the construction of a new correctional facility or expansion of an existing correctional facility unless the Department of Public Safety first obtains the input of and recommendations from the Commission, and the Commission's input and recommendations are included in any environmental impact statement for the project;
- (4) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1082, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Corrections,
Military, & Veterans,



TAKASHI OHNO, Chair



