

STAND. COM. REP. NO. 1075-22

Honolulu, Hawaii

MAR 18 , 2022

RE: S.B. No. 2115
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 2115, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ROOM CONFINEMENT OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to establish conditions and time limits for placing a minor in room confinement at a detention or shelter facility.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of the Public Defender, Office of Youth Services, Opportunity Youth Action Hui, Hawai'i Psychological Association, and ACLU of Hawai'i. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that research and experience show that room confinement of youth is not an effective deterrent for misbehavior nor does it give youth the skills needed to behave differently in the future. Your Committee further finds that long periods of isolation have negative consequences for youth as youth are particularly vulnerable to the mental and emotional effects of room confinement. Nationally, there has been a recognition of the

2022-2176 SB2115 HD1 HSCR HMSO



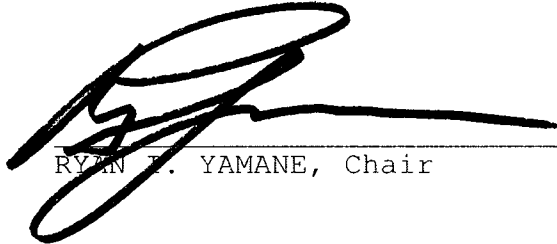
harmful effects of solitary confinement or prolonged room confinement on juveniles in detention. This measure protects the health and safety of minors by establishing limits and conditions for room confinement of a minor at a detention or shelter facility.

Your Committee has amended this measure by:

- (1) Clarifying that any decision to hold, rather than place or hold, a minor due to a mental health emergency must be made by a mental health professional;
- (2) Requiring the Judiciary, rather than the Department of Human Services, to publish a report on its website detailing its detention center's compliance with room confinement requirements; and
- (3) Changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2115, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2115, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN T. YAMANE, Chair



Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.: SB 2115 SD1	Committee Referral: HHH, JHA, FIN	Date: 03/15/2022		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HHH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TAM, Adrian K. (VC)	✓			
3. GATES, Cedric Asuega	✓			
4. HAR, Sharon E.	✓			
5. KAPELA, Jeanne	✓			
6. NISHIMOTO, Scott Y.	✓			
7. WARD, Gene	✓			
TOTAL (7)	7			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				