

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 2269

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2269 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities;
- (2) Prohibit the establishment of private correctional facilities in the State; and
- (3) Allow the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only if the facility is operated by the Department of Public Safety.

Your Committee received testimony in support of this measure from Imua Alliance; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that private prisons incentivize the cycle of crime by providing a financial motivation for the further criminalization of nonviolent offenses and imposition of longer



sentences because private prisons are run as businesses and without inmates, private prisons cannot turn a profit. Additionally, private prisons are not subject to the same freedom of information and open records laws as government agencies. Without access to information, it is impossible to know what injuries are being suffered by detainees. Former security guards who have worked at private prisons say that prisoner abuse is rampant because disclosure of allegations is extremely rare. Your Committee believes that if the State decides to construct a new jail capable of housing approximately one thousand three hundred inmates, then the jail should be operated by the State. This measure will prevent the development of for-profit prisons in the State by repealing the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities, prohibiting the establishment of private correctional facilities in the State, and allowing the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only upon the condition that the facility is operated by the Department of Public Safety.

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. 2269 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Commerce and Consumer Protection.

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

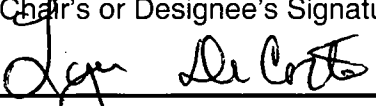
Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

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

Bill / Resolution No.:* SB 2269	Committee Referral: PSM, JDC/CPN	Date: 2/1/2022		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	✓			
DECOITE, Lynn (VC)	✓			
BAKER, Rosalyn H.	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes