

STAND. COM. REP. NO. 1109-22

Honolulu, Hawaii

MAR 18 , 2022

RE: S.B. No. 2771
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 Corrections, Military, & Veterans, to which was referred S.B. No. 2771, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RISK AND NEEDS ASSESSMENT FOR FEMALE OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop a pretrial female risk and needs assessment tool and conduct internal pretrial female risk and needs assessments to measure the female offender's risk of flight, criminal conduct, or harm to the community; and
- (2) Require the pretrial female risk and needs assessment tool to consider factors important to female offenders when considering their risk of reoffending and treatment needs.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and three individuals. Your Committee received comments on this measure from the Department of Public Safety.

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Your Committee finds that women's pathways to incarceration, risk factors for recidivism, and rehabilitation needs differ from those of men and are not adequately identified or addressed by assessment tools that were originally developed for males in the criminal justice system. Parenting stress, lack of childcare, and the need for single mothers to support their family are among the risk factors and needs not identified in non-gender-responsive assessments. This measure ensures the accurate and effective assessment of female offenders by requiring the Department of Public Safety to develop a tool and conduct on female offenders pretrial risk and needs assessments for risks of flight, reoffending, or harming the community.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$40,000 to allow the Department on Public Safety to conduct a quantitative study of candidate instruments.

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 S.B. No. 2771, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2771, 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 Corrections,
Military, & Veterans,


TAKASHI OHNO, Chair



