

STAND. COM. REP. NO.

228

Honolulu, Hawaii

FEB 09 , 2023

RE: H.B. No. 824
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Corrections, Military & Veterans, to which was referred H.B. No. 824 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RELEASE,"

begs leave to report as follows:

The purpose of this measure is to establish a medical release program for certain ill, disabled, or impaired inmates who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Hawaii Disability Rights Center, Hawai'i Health & Harm Reduction Center, Community Alliance on Prisons, and four individuals. Your Committee received comments on this measure from the Department of Public Safety and Hawaii Paroling Authority.

Your Committee finds that compassionate medical release programs for inmates provide relief to prison systems dealing with an increasingly older population subject to more medical issues and higher treatment costs. Releasing inmates who are found to pose no or little risk to public safety could save the State millions of dollars in health care costs. Additionally, this measure would relieve prison overcrowding and offer a more dignified and humane death to those who would otherwise die in prison.

2023-1246 HB824 HD1 HSCR HMSO-1



Your Committee has amended this measure by:

- (1) Clarifying the definition of "director" to mean the Director of Public Safety;
- (2) Specifying that requests for medical release initiated by an inmate or an inmate's representative include the grounds for the request, relevant diagnoses and prognosis, and a statement describing how and why the inmate meets the criteria for medical release;
- (3) Clarifying the information that the Hawaii Paroling Authority receives when the Director of Public Safety forwards a request for medical release, including deleting language that would have required the Director to submit a medical release report to the Hawaii Paroling Authority within twenty days of receiving the request;
- (4) Deleting language that would have specified the Hawaii Paroling Authority's responsibilities related to hearings for requests for medical release, including certain hearing timeline requirements;
- (5) Authorizing the Director of Public Safety to hold a request for medical release, under certain conditions; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider the anticipated staffing requirements for a medical release program, including eight full-time equivalent (8.0 FTE) permanent positions.

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. 824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 824,



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,


MARK J. HASHEM, Chair



