

Honolulu, Hawaii

, 2024

FEB 13

RE: H.B. No. 1812
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 1812 entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Restrict the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain exceptions;
- (2) Prohibit the use of solitary confinement and require the use of appropriate alternatives for committed persons who are members of a vulnerable population;
- (3) Require the Department of Corrections and Rehabilitation (Department) to develop written policies and procedures regarding solitary confinement by July 1, 2025;
- (4) Require the Department to develop policies and procedures to review committed persons placed in solitary confinement and develop a plan for committed persons currently in solitary confinement by April 1, 2025; and



- (5) Require the Department to submit a report to the Legislature and Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawaii Disability Rights Center; National Alliance on Mental Illness Hawaii; Opportunity Youth Action Hawai'i; Community Alliance on Prisons; ACLU Hawai'i; CARES; and five individuals. Your Committee received testimony in opposition to this measure from the Department of Corrections and Rehabilitation. Your Committee received comments on this measure from two individuals.

Your Committee finds that solitary confinement is a severe form of punishment that is closely associated with long-lasting psychological harm and poor post-release outcomes. Your Committee further finds that there are insufficient restrictions and policies and procedures on the use of solitary confinement in the State. Your Committee believes that this measure addresses this need by restricting certain solitary confinement practices and requiring the Department of Corrections and Rehabilitation to develop policies and procedures for solitary confinement.

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.

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. 1812, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1812, 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



