

STAND. COM. REP. NO.

257

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 1132
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. 1132 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Extend the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission from two years to six years;
- (2) Specify that the Commission shall take measures as necessary to maintain confidentiality in investigations; and
- (3) Broaden the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Paroling Authority, Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, Hawai'i Friends of Restorative Justice, and four individuals. Your Committee received testimony in opposition

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to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the Hawaii Correctional System Oversight Commission was established to investigate complaints at correctional facilities and facilitate a transition to a rehabilitative and therapeutic model of corrections; establish maximum inmate population limits for each correctional facility and formulate policies to prevent overcrowding; monitor, review, and make recommendations about the comprehensive offender reentry program and parole services; and ensure that the comprehensive offender reentry system is working properly. This measure improves the work of the Commission to, among other things, advance the correctional system in the State toward a rehabilitative and therapeutic model.

Your Committee has amended this measure by:

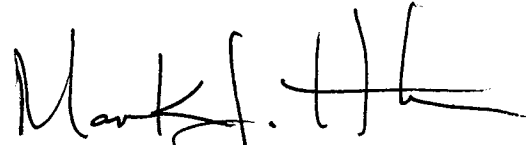
- (1) Specifying that at the conclusion of an investigation by the Hawaii Correctional System Oversight Commission, the Commission is required to publish a summary of the investigation, without information that would identify any complainant or witness, and any action taken by the Commission in response;
- (2) Deleting language that would have established certain requirements for the Commission when it conducts an investigation, including meeting requirements to maintain confidentiality;
- (3) Authorizing the Commission to hold a meeting closed to the public to discuss with the Oversight Coordinator a complaint investigated when necessary to maintain confidentiality, under certain conditions;
- (4) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (5) 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. 1132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1132, H.D. 1, and be referred to your Committee on Finance.

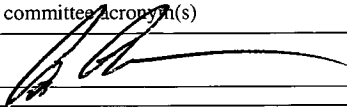
Respectfully submitted on
behalf of the members of the
Committee on Corrections,
Military & Veterans,



MARK J. HASHEM, Chair



Record of Votes of the Committee on Corrections, Military & Veterans

Bill/Resolution No.: HB 1132	Committee Referral: CMV, FIN	Date: 2/8/23		
<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)				
CMV Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)	✓			
2. CHUN, Cory M. (VC)	✓			
3. GANADEN, Sonny	✓			
4. ICHIYAMA, Linda	✓			
5. MORIKAWA, Dee	✓			
6. POEPOE, Mahina	✓			
7. TAKAYAMA, Gregg	✓			
8. SOUZA, Kanani	✓			
TOTAL (8)	8			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align:center; font-size: small;">  </div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				