

STAND. COM. REP. NO.

242

Honolulu, Hawaii

FEB 06

, 2025

RE: H.B. No. 1376
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Public Safety, to which was referred H.B. No. 1376 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates; and
- (2) Prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from ACLU Hawai'i; Imua Alliance; and two individuals. Your Committee received testimony in opposition to the measure from the Department of Corrections and Rehabilitation. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the State has relied on private, out-of-state prisons to house a significant number of the State's

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incarcerated individuals for more than two decades. These individuals are serving their sentences away from family, friends, and their support systems. Your Committee further finds that the State is currently planning for the construction of a new correctional facility. This new facility, along with a shift to focusing on diversion, should allow the Department of Corrections and Rehabilitation to reduce the number of inmates at out-of-state prisons.

Your Committee has amended this measure by:

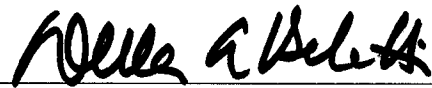
- (1) Deleting its preamble;
- (2) Deleting language that would have prohibited the State from committing, transferring, or housing any inmate at a private correctional facility beginning on July 1, 2030;
- (3) Adding language to require that:
 - (A) Beginning July 1, 2028, the Director of Corrections and Rehabilitation (Director) reduce the number of committed felons incarcerated at private, out-of-state correctional institutions by twenty-five percent; and
 - (B) Beginning July 1, 2030, the Director reduce the number of committed felons incarcerated at private, out-of-state correctional institutions by fifty percent;
- (4) Requiring the Department of Rehabilitation and Corrections to report to the Legislature on its actions and progress in meeting the requirements of paragraph (2);
- (5) Deleting language that would have prohibited the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission;
- (6) Changing the effective date to July, 1, 3000, to encourage further discussion; and



- (7) 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1376, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



DELLA AU BELATTI, Chair



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Bill/Resolution No.: <div style="font-size: 1.5em; font-weight: bold;">HB 1376</div>	Committee Referral: <div style="font-size: 1.5em; font-weight: bold;">PBS, JHA, FIN</div>	Date: <div style="font-size: 1.5em; font-weight: bold;">2/25/2025</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input type="checkbox"/> Pass, unamended (as is) </div> <div> <input checked="" type="checkbox"/> Pass, with amendments (HD) </div> <div> <input type="checkbox"/> Hold </div> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) </div>				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. IWAMOTO, Kim Coco (VC)	✓			
3. HASHEM, Mark J.	✓			
4. ICHIYAMA, Linda				✓
5. LAMOSAO, Rachele F.	✓			
6. MORIKAWA, Dee				✓
7. POEPOE, Mahina	✓			
8. WOODSON, Justin H.				✓
9. SHIMIZU, Garner M.	✓			
10. SOUZA, Kanani	✓			
TOTAL (10)	7			3
The recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div> <input checked="" type="checkbox"/> Adopted </div> <div> <input type="checkbox"/> Not Adopted </div> </div> <div style="margin-top: 5px;"> If joint referral, _____ did not support recommendation. <div style="margin-left: 100px;">committee acronym(s)</div> </div>				
Vice Chair's or designee's signature: _____ <div style="font-size: 1.5em; font-weight: bold; text-align: center;">File Clerk</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				