
A BILL FOR AN ACT

RELATING TO SUBSTANCE ABUSE TREATMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 706, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§706- Substance abuse treatment during imprisonment.

5 Whenever a defendant is sentenced to a term of imprisonment
6 pursuant to part II or IV of this chapter, the defendant shall
7 be assessed to determine the extent of the defendant's need for
8 substance abuse treatment. The assessment shall be conducted by
9 a person certified by the department of health to conduct
10 assessments. Every defendant assessed pursuant to this section
11 shall undergo treatment based upon the assessment before being
12 released."

13 SECTION 2. The attorney general shall report to the
14 legislature twenty days prior to the convening of the regular
15 session of 2008, 2009, and 2010 regarding the rate of recidivism
16 of defendants treated pursuant to this Act, including, for those
17 who reoffend, the average and mean time elapsed between release
18 and subsequent offense, the percentage of offenders whose new



1 offense was of a grade the same as, or more serious than, the
2 most serious offense for which the defendant was incarcerated,
3 and the percentage of subsequent offenses that were demonstrably
4 related to substance abuse by the defendant.

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$, or so
7 much thereof as may be necessary for fiscal year 2006-2007, for
8 substance abuse assessment and treatment of imprisoned
9 defendants pursuant to section 1 of this Act.

10 The sum appropriated shall be expended by the department of
11 public safety for the purposes of this Act.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2006.

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Alonzo M. Serrano INTRODUCED BY:

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Report Title:

Sentencing; Substance Abuse Treatment

Description:

Requires any person convicted of a crime to receive substance abuse assessment and treatment as part of sentence. Requires attorney general to report to the legislature annually regarding the effect of substance abuse treatment on the recidivism rate.

