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## A BILL FOR AN ACT

RELATING TO PAROLE.

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

1           SECTION 1. Chapter 353, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§353-     Earned-time program.   (a)     There is  
5 established the earned-time program to be administered by the  
6 department of public safety. Under this program, a committed  
7 person shall be eligible for parole before the expiration of the  
8 person's minimum term set by the Hawaii paroling authority upon  
9 demonstrating progress towards rehabilitation in each of the  
10 following categories to the extent the category is available at  
11 the committed person's correctional facility:

12           (1)   Work, vocational, or occupational training and skills,  
13               including skills such as attendance, promptness,  
14               performance, cooperation, care of materials, and  
15               safety;

16           (2)   Social adjustment skills, including skills such as  
17               group living, housekeeping, personal hygiene, and  
18               cooperation;



- 1        (3) Counseling sessions and self-help groups;
- 2        (4) Therapeutic and other similar departmental programs;
- 3                and
- 4        (5) Education or literacy programs.
- 5        (b) The following committed persons are ineligible for the
- 6 earned-time program:
- 7        (1) A person serving a mandatory minimum until the
- 8                person's mandatory minimum has been served;
- 9        (2) A person serving a term of life imprisonment without
- 10                the possibility of parole; and
- 11        (3) A person serving a sentence for a class A felony.
- 12        (c) A committed person demonstrating progress as required
- 13 under subsection (a) who is certified by the person's case
- 14 manager according to departmental procedure shall earn credits
- 15 under the program. Each month served according to the
- 16 requirements of the earned-time program shall be equal to ten
- 17 days for each month, and pro rata for any portion of a month
- 18 served in accordance with program requirements.
- 19        (d) The department shall review the performance of each
- 20 person committed to the custody of the director, review
- 21 certified records of the person's performance in the earned-time
- 22 program, and may grant, withhold, withdraw, or restore,

1 consistent with the provisions of this section and procedures  
2 and standards under subsection (d), an earned-time deduction  
3 from the person's minimum term of imprisonment set by the Hawaii  
4 paroling authority. The review shall be conducted annually  
5 while the person is incarcerated and shall vest upon being  
6 granted. If the annual review changes the amount of earned-time  
7 vested for the person committed, then the director shall notify  
8 the crime victim, if any, of the person's adjusted minimum term  
9 completion date.

10 (e) The department shall develop, establish, and implement  
11 the following standards and procedures for the earned-time  
12 program:

- 13 (1) Objective standards for measuring progress in each of  
14 the categories listed in subsection (a);  
15 (2) Procedures for evaluating, recording, and certifying  
16 progress under the earned-time program; and  
17 (3) Procedures for awarding earned-time deductions and  
18 recording and applying days earned under the earned-  
19 time program.

20 (f) The following information about the earned-time  
21 program shall be made available in writing to all eligible  
22 committed persons upon request, and shall be conspicuously



1 posted in an area of the correctional facility where committed  
2 persons may review them:

3 (1) Departmental standards and procedures for the earned-  
4 time program; and

5 (2) Equivalencies between:

6 (A) Days served in accordance with earned-time  
7 program requirements and credits earned; and

8 (B) Credits earned and days earned.

9 (g) Notwithstanding any other provision of this section,  
10 earned-time shall not reduce the minimum term of any committed  
11 person by a period of time that is more than twenty-five per  
12 cent of the person's minimum term."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten signatures and names of legislators]*

Colleen Meyer  
 Kama Jenkins  
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 Mark Moses  
 Rick T. P. Attwell  
 Syla B. Berg

*[Other illegible handwritten signatures]*

**Report Title:**

Early Parole; Earned Credit; Alternative Program

**Description:**

Establishes an earned-time program providing incentives for inmate rehabilitation in which inmates may earn reductions in the minimum term of imprisonment set by the Hawaii paroling authority by making consistent progress in all of the following areas: work and vocational training, social adjustment, counseling, self-help, therapeutic, educational, and literacy programs. Effective upon approval.

