
A BILL FOR AN ACT

RELATING TO FAMILY VISITS.

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

1 SECTION 1. The legislature finds that families are a
2 resource to offenders during their incarceration. The support
3 of family members can also play a key role in an offender's
4 rehabilitation, transition, and successful re-entry from prison
5 or jail to the community. By bringing together an offender and
6 an offender's family through positive, consistent, and mutually
7 desirable contact, the correctional system will be improving
8 public safety and strengthening communities.

9 The purpose of this Act is to ensure the right of family
10 members to visit inmates.

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

14 "§353- Visits from family members. (a) Family members
15 shall be allowed to visit an inmate at any state correctional
16 facility during official visiting hours.

17 (b) A visit from a family member shall be preapproved and
18 prescheduled. Notwithstanding any other law to the contrary,



1 preapproved and prescheduled visits for which family members
2 have incurred substantial costs, including but not limited to
3 travel from a neighbor island or the mainland, shall not be
4 cancelled due to staff absenteeism or any non-emergency
5 situation. In the event that there are insufficient numbers of
6 security staff available to maintain the safety of the facility,
7 these visits shall be conducted in a non-contact setting.

8 (c) The department shall develop internal policies and
9 procedures consistent with this section.

10 (d) For the purposes of this section, "family members"
11 means persons who are related to each other by blood, marriage,
12 adoption, or legal guardianship."

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ _____, or so
15 much thereof as may be necessary for fiscal year 2006-2007, to
16 the department of public safety for the purpose of retrofitting
17 facilities with non-contact visitation areas.

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

20 SECTION 4. New statutory material is underscored.

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



Report Title:

Corrections; Family Visits

Description:

Restricts the department of public safety from canceling preapproved and prescheduled family visits with inmates in cases where the family has incurred substantial costs. Provides that if a visit cannot take place based upon a lack of available security staff, the visit shall take place in a non-contact setting. Appropriates funds. (SD2)

