
SENATE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW PAROLE
POLICIES IN HAWAII AND OTHER JURISDICTIONS TO DETERMINE THE
EXTENT TO WHICH PAROLE POLICIES IN HAWAII CONTRIBUTE TO THE
PRISON POPULATION.

1 WHEREAS, Hawaii follows an indeterminate sentencing model
2 in which an offender, if sentenced to prison for a felony
3 offense, is sentenced to the maximum term authorized by law, and
4 thereafter, a minimum term is established that the offender must
5 serve before being eligible for release on parole; and
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7 WHEREAS, the Legislature has enacted numerous provisions
8 requiring the imposition of a mandatory minimum term of
9 imprisonment for a variety of felony offenses, and under these
10 provisions, an offender may not be paroled from prison until, at
11 the earliest, the mandatory minimum term has been served; and
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13 WHEREAS, the operational capacity of Hawaii's prison
14 facilities is 1,878 inmates; however, those facilities housed an
15 average of 1,691 inmates during fiscal year 2007, while
16 approximately two thousand three hundred inmates were housed in
17 mainland correctional facilities at an annual cost in excess of
18 \$56,000,000, with another two hundred inmates housed at the
19 Federal Detention Center in Honolulu at an annual cost of
20 \$8,000,000; and
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22 WHEREAS, the Hawaii Paroling Authority has established the
23 following policies: (1) setting the minimum term that an
24 offender must serve prior to release on parole; (2) reviewing
25 the offender's case immediately prior to release on parole; and
26 (3) taking back into custody those offenders who violate the
27 terms and conditions of the offender's release on parole; and
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29 WHEREAS, the Hawaii Paroling Authority has approximately
30 forty-five authorized parole officer positions and each parole



1 officer carries an approximate caseload of sixty to eighty
2 parolees; and

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4 WHEREAS, many offenders have difficulty maintaining stable
5 housing, employment, and sobriety, which consequently may lead
6 to the offender failing to comply with the terms and conditions
7 of their parole by neglecting to advise their parole officer of
8 all changes in their address or employment, failed drug or
9 alcohol tests, or even the commitment of another crime; and

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11 WHEREAS, a 2005 study by the Urban Institute suggests that
12 supervised parole may not play a significant role in reducing
13 recidivism; and

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15 WHEREAS, although the Urban Institute study shows that
16 supervised parole works best for female offenders, offenders
17 with few prior arrests, public order offenders, and those
18 imprisoned for violating a condition of an earlier parole, the
19 difference in the rate of success of supervised parole with the
20 above groups of offenders in comparison to other groups was
21 insignificant; and

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23 WHEREAS, a significant portion of the prison population is
24 comprised of previously paroled offenders who have been returned
25 to prison for violating one or more terms and conditions of
26 parole; and

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28 WHEREAS, the growth of Hawaii's prison population continues
29 unabated, with increasing demands for more mainland and local
30 prison space; now, therefore,

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32 BE IT RESOLVED by the Senate of the Twenty-fourth
33 Legislature of the State of Hawaii, Regular Session of 2008, the
34 House of Representatives concurring, that the Legislative
35 Reference Bureau is requested to review parole policies in
36 Hawaii and in other states to determine the extent to which
37 Hawaii's parole policies contribute to Hawaii's burgeoning
38 prison population; and

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40 BE IT FURTHER RESOLVED that the Legislative Reference
41 Bureau is also requested to review the:

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43 (1) Criteria used to consider offenders for release on
44 parole;



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- 2 (2) Criteria used to determine terms and conditions of
- 3 parole and the level of supervision;
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- 5 (3) Criteria used to determine whether a parole violator
- 6 will be taken back into custody for a parole
- 7 violation; and
- 8
- 9 (4) Rates of recidivism for offenders according to gender,
- 10 prior criminal history, substance abuse history, type
- 11 of offense for which paroled, type of supervision, and
- 12 new offense; and
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14 BE IT FURTHER RESOLVED that the Department of Public Safety
15 and the Hawaii Paroling Authority are requested to cooperate
16 with the Legislative Reference Bureau in performing the review
17 by providing access to policy materials and information and
18 aggregated, non-confidential statistical information about
19 paroled offenders; and
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21 BE IT FURTHER RESOLVED that the Legislative Reference
22 Bureau is requested to submit a report to the Legislature of its
23 findings no later than twenty days prior to the convening of the
24 Regular Session of 2009; and
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26 BE IT FURTHER RESOLVED that certified copies of this
27 Concurrent Resolution be transmitted to the Director of the
28 Legislative Reference Bureau, the Director of Public Safety, and
29 the Chair of the Hawaii Paroling Authority.

