
A BILL FOR AN ACT

RELATING TO COMMITTED PERSONS.

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

1 SECTION 1. Section 353-10.5, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) As used in this section, "alternative programs" mean
4 programs which, from time to time, are created and funded by
5 legislative appropriation or federal grant naming the department
6 of public safety or one of its operating agencies as the
7 expending agency and which are intended to provide an
8 alternative to incarceration. Alternative programs may include:

9 (1) Home detention, curfew using electronic monitoring and
10 surveillance, or both;

11 (2) Supervised release, graduated release, furlough, and
12 structured educational or vocational programs;

13 (3) A program of regimental discipline pursuant to section
14 706-605.5; [and]

15 (4) Release of nonviolent offenders under sections
16 706-622.5(a) and 706-622.9(a), subject to the use of
17 electronic monitoring or other law enforcement
18 surveillance device; and



1 [~~(4)~~] (5) Similar programs created and designated as
2 alternative programs by the legislature or the
3 director of public safety for inmates who do not pose
4 significant risks to the community."

5 SECTION 2. Section 353-63.5, Hawaii Revised Statutes, is
6 amended by amending subsection (c) to read as follows:

7 "(c) As used in this section, "alternative programs" mean
8 programs which, from time to time, are created and funded by
9 legislative appropriation or federal grant naming the Hawaii
10 paroling authority or the department of public safety on behalf
11 of the Hawaii paroling authority as the expending agency and
12 which are intended to provide an alternative to incarceration.

13 Alternative programs may include:

14 (1) Home detention, curfew using electronic monitoring and
15 surveillance, or both;

16 (2) Intensive supervision, residential supervision, work-
17 furlough, and structured educational or vocational
18 programs;

19 (3) Therapeutic residential and nonresidential programs;
20 [and]

21 (4) Release of nonviolent offenders under section
22 706-622.5(a) and 706-622.9(a), subject to the use of



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1 electronic monitoring or other law enforcement
 2 surveillance device; and
 3 [~~4~~] (5) Similar programs created and designated as
 4 alternative programs by the legislature, the
 5 chairperson of the Hawaii paroling authority, or the
 6 director of public safety for parolees who do not pose
 7 significant risks to the community."

8 SECTION 3. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Calvin K. Iy
Rep. Hansen

JAN 23 2009

Report Title:

Committed Persons; Nonviolent Crimes; Electronic Monitoring Devices

Description:

Authorizes department of public safety and Hawaii paroling authority to release nonviolent committed persons subject to wearing electronic monitoring devices.

