

JAN 22 2010

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. According to The Pew Center on the States, one
2 in thirty-two adults in Hawaii is under correctional control.
3 The legislature recognized that the financial, social, and
4 economic costs of incarceration without rehabilitation are
5 staggering, and thus enacted Act 8, First Special Session Laws
6 of Hawaii 2007 (Act 8), also known as the Community Safety Act
7 of 2007 and codified as chapter 353H, Hawaii Revised Statutes.
8 Act 8 established a comprehensive offender reentry system under
9 the purview of the department of public safety. One key
10 component of Act 8 requires the department of public safety to
11 submit annual reports through 2010 relating to the
12 implementation, progress, and effectiveness of the program
13 components specified in Act 8.

14 While the department's annual report lists program
15 activities and statistics, it does not include information on
16 program outcomes. The legislature finds that performance
17 indicators are an effective way to track the progress of the



1 comprehensive reentry system and to reflect the philosophical
2 change to the department's approach to rehabilitation and
3 reentry mandated by Act 8. Additionally, the legislature
4 requires specific data to accurately assess programs established
5 and to continue to improve public policy.

6 The purpose of this Act is to:

- 7 (1) Direct the department of public safety to establish
8 key performance indicators or measures to be
9 incorporated in reports that evaluate the outcomes of
10 program components as required in Act 8; and
11 (2) Require the department of public safety to report
12 quarterly to the legislature specific program
13 participation data.

14 SECTION 2. Chapter 353H, Hawaii Revised Statutes, is
15 amended by adding two new sections to be appropriately
16 designated and to read as follows:

17 "§353H- Performance indicator reporting. (a) The
18 department of public safety shall develop performance measures
19 that accurately reflect progress toward specific goals,
20 including but not limited to:

- 21 (1) Improving recidivism rates;
22 (2) Decreasing prisoner assaults on correctional staff;



1 (3) Reducing correctional staff turnover; and

2 (4) Improving departmental efficiencies in staffing,
3 budgeting, and data management and analysis.

4 (b) The department shall submit a report to the
5 legislature within thirty days of the last working day of the
6 months of March, June, September, and December, beginning with
7 the period ending on September 30, 2010. Each report shall
8 reference key performance indicators that track rehabilitation
9 and reentry efforts for individuals being prepared to exit the
10 correctional system.

11 (c) The key performance indicators shall include, but not
12 be limited to:

13 (1) The number of individuals enrolled in and who have
14 completed a general education diploma or competency-
15 based diploma;

16 (2) The number of individuals for whom a reentry plan is
17 filed and the number of individuals who exit jail or
18 prison with a reentry plan;

19 (3) Drug test failure rates of inmates while incarcerated
20 and while on parole;



1 (4) The number of inmates currently enrolled in and who
2 have completed drug treatment programs provided by the
3 department of public safety;

4 (5) The number of inmates currently enrolled in and who
5 have completed restorative circles;

6 (6) The number of parolees who have applied for a
7 reduction of their minimum sentence, the number of
8 applications approved and denied, and, when
9 applicable, the reasons for the denial of a parolee's
10 application; and

11 (7) The number of parole revocation hearings and the
12 results of parole revocation hearings that, when
13 applicable, explain why the parolees' revocation was
14 denied.

15 The department of public safety shall post the reports
16 electronically on the department's internet website in a timely
17 manner.

18 §353H- Quarterly reporting requirements. For each
19 program established pursuant to this chapter, the department
20 shall report on a quarterly basis the following information:

21 (1) A complete list of programs offered;

22 (2) The length of each program;



- 1 (3) Each program's success rate, including the percentage
2 of participant completion in the previous two years;
3 (4) A description of participant criteria assessed by the
4 program for admittance;
5 (5) Number of available positions with each program;
6 (6) Number of potential participants on waiting lists;
7 (7) Number of participants that do not complete the
8 program;
9 (8) Summary of reasons why participants do not complete
10 the program; and
11 (9) A complete list of programs offered in the past and no
12 longer offered with an explanation of reasons for
13 termination of the program."

14 SECTION 3. Section 353G-13, Hawaii Revised Statutes, is
15 amended by amending subsection (c) to read as follows:

16 "(c) The department of public safety, in conjunction with
17 the department of health, shall report on [~~an annual~~] a
18 quarterly basis to the legislature and to the governor, its
19 findings concerning the need for and implementation of the
20 various provisions of this chapter. The report shall include
21 information collected under subsection (a) and a synopsis of
22 information or data necessary to determine the impact, utility,



1 and cost-benefits of the provisions of this chapter. The report
2 shall also include:

- 3 (1) A complete list of programs offered;
- 4 (2) The length of each program;
- 5 (3) Each program's success rate, including the percentage
6 of participant completion in the previous two years;
- 7 (4) A description of participant criteria assessed by the
8 program for admittance;
- 9 (5) Number of available positions with each program;
- 10 (6) Number of potential participants on waiting lists;
- 11 (7) Number of participants that do not complete the
12 program;
- 13 (8) Summary of common reasons why participants do not
14 complete the program; and
- 15 (9) A complete list of programs offered in the past and no
16 longer offered with an explanation of reasons for
17 termination of the program."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Inmate Rehabilitation; Reentry System; Reporting Requirements

Description:

Requires the department of public safety to establish performance indicators; requires quarterly reports of the established performance indicators, criminal offender treatment programs, and programs established pursuant to the community safety act.

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