
A BILL FOR AN ACT

RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES.

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

1 SECTION 1. Section 353-11.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§353-11.5 Restricted access to correctional facilities.**

4 (a) Except for the director and employees of the department of
5 public safety, members of the Hawaii paroling authority, and
6 those persons specified in section 353-29, no person shall enter
7 or remain on the grounds of any state correctional or detention
8 facility unless permission to so enter or remain has been
9 obtained from the administrator of the correctional facility,
10 the administrator's designated representatives, or the director.

11 (b) The entry of any person or vehicle onto state
12 correctional or detention facility grounds may be conditioned
13 upon a search for weapons or contraband; provided that prior to
14 searching the person or the person's vehicle, the correctional
15 staff shall give the person notice and an opportunity to decline
16 a conditional search provided further that the correctional
17 staff shall have probable cause to believe that the person has

1 contraband on the person prior to requiring a strip search of
2 that person.

3 ~~(b)~~ (c) Signs shall be posted at reasonable intervals
4 along the boundary of correctional or detention facilities,
5 informing the public of the restriction against access provided
6 in subsection (a) ~~(-)~~ and of the conditional entry set forth in
7 subsection (b).

8 ~~(e)~~ (d) Any person who violates subsection (a) shall be
9 guilty of a misdemeanor."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on July 1, 2050.

Report Title:

Restricted Access to Correctional Facilities; Property Search

Description:

Permits the conditional search of persons and vehicles entering state correctional or detention facility grounds. (SD2)