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## SENATE RESOLUTION

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REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE  
PAROLE PILOT PROGRAM.

1           WHEREAS, by the end of 2006, there were approximately  
2 2,400,000 prisoners in correctional facilities across the United  
3 States, and 4,200,000 on probation; and  
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5           WHEREAS, many probationers often fail to show up for  
6 scheduled appointments with their probation officers and decline  
7 to take mandatory drug tests or test positive for illegal drug  
8 use; and  
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10           WHEREAS, studies show that as many as half of all  
11 probationers go on to break the law again; and  
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13           WHEREAS, in 2004, the Circuit Court of the First Circuit  
14 launched a probation modification project, also known as  
15 Hawaii's Opportunity Probation with Enforcement, or HOPE; and  
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17           WHEREAS, under conventional probation systems, probationers  
18 often commit numerous probation violations, such as failing to  
19 appear for appointments with their probation officer or failing  
20 a drug test; and  
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22           WHEREAS, these violations typically go unpunished for  
23 months or years, until the number of violations accumulate to  
24 the point that the probationer faces severe consequences,  
25 including revocation of probation and being sentenced to a long  
26 prison term; and  
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28           WHEREAS, under the HOPE program, sanctions are imposed for  
29 each probation violation; and  
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31           WHEREAS, while these sanctions may be relatively minor,  
32 often only a few days in jail, they are imposed immediately  
33 rather than months or years after the violation; and  
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35           WHEREAS, in a one-year, randomized controlled trial  
36 comparing HOPE probationers to probationers in a control group,



1 HOPE probationers were fifty-five per cent less likely to be  
2 arrested for a new crime, seventy-two per cent less likely to  
3 use drugs, sixty-one per cent less likely to skip appointments  
4 with their supervisory officer, and fifty-three per cent less  
5 likely to have their probation revoked; and  
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7 WHEREAS, as a result of their improved progress, the HOPE  
8 probationers involved in the controlled trial served or were  
9 sentenced to, on average, forty-eight per cent fewer days of  
10 incarceration than probationers in the control group; now,  
11 therefore,  
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13 BE IT RESOLVED by the Senate of the Twenty-fifth  
14 Legislature of the State of Hawaii, Regular Session of 2010,  
15 that the Hawaii Paroling Authority is requested to establish a  
16 two-year pilot project similar to the Judiciary's probation  
17 modification project, Hawaii's Opportunity Probation with  
18 Enforcement, or HOPE; and  
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20 BE IT FURTHER RESOLVED that the Legislature requests that  
21 the two-year pilot parole modification project consist of not  
22 more than thirty parolees to be chosen by the Hawaii Paroling  
23 Authority; and  
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25 BE IT FURTHER RESOLVED that the Legislature requests that  
26 the parole modification program:  
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- 28 (1) Provide formal warning to the parolees, in a hearing  
29 before the Hawaii Paroling Authority, that violation  
30 of the conditions of parole shall have consequences;  
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- 32 (2) Require the parolees to submit to randomized drug  
33 testing;  
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- 35 (3) Order the arrest of parolees who test positive for  
36 illegal drug use;  
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- 38 (4) Order the arrest of parolees who miss a scheduled  
39 appointment with their parole officer, fail to appear  
40 for a required drug test, or otherwise violate the  
41 conditions of their parole;  
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- 43 (5) Impose sanctions on parolees who violate the  
44 conditions of their parole; and



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(6) Ensure that parolees in need of drug treatment, mental health therapy, or other social services shall receive the needed treatment; and

BE IT FURTHER RESOLVED that the Legislature requests that:

- (1) Parolees involved in the parole modification program be made aware of the sanctions that will be imposed for violating the conditions of their parole;
- (2) Sanctions be imposed within a short period of time from the occurrence of the violation; and
- (3) Sanctions include the modification of the terms of parole to include short terms of incarceration, which may be increased if a parolee continues to violate the conditions of parole; and

BE IT FURTHER RESOLVED that the Hawaii Paroling Authority is requested to submit a preliminary report to the Legislature, not later than December 1, 2011, and a final report not later than December 1, 2012, on:

- (1) The progress of the pilot project;
- (2) Cost analysis and an accounting of expenses;
- (3) Relevant data on program participants;
- (4) Program and management evaluations; and
- (5) Any other pertinent information, recommendations, or proposed legislation, if any, to determine whether the program should be continued; and

BE IT FURTHER RESOLVED that the State Attorney General and the HOPE program of the Judiciary are requested to assist the Department of Public Safety to gather information on cost analysis and an accounting of expenses and on relevant data on program participants for purposes of the preliminary and final reports to the Legislature; and



1 BE IT FURTHER RESOLVED that certified copies of this  
2 Resolution be transmitted to the Chairperson of the Hawaii  
3 Paroling Authority, the State Attorney General, and Judge Steven  
4 S. Alm of the Circuit Court of the First Circuit.

