

S.B. NO. 2746

JAN 25 2010

A BILL FOR AN ACT

RELATING TO CORRECTIONS.

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

1 SECTION 1. Section 353-10, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§353-10 [~~Reentry intake~~] Intake and reentry service
4 **centers.** There shall be within the department of public safety,
5 [a] an intake and reentry [~~intake~~] service center division for
6 adults in each of the counties, to screen, evaluate, and
7 classify the admission of persons to community correctional
8 centers and to provide for the successful reentry of persons
9 back into the community. Each center shall be directed and
10 managed by a manager and shall be staffed by a team of
11 psychiatrists, social workers, technicians, and other personnel
12 as may be necessary. The director of public safety may appoint
13 full-time or part-time professional and clerical staff or
14 contract for professional services to carry out the duties of
15 the centers as identified in this section.

16 The centers shall:

17 (1) Provide orientation, guidance, and technical services;

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- 1 (2) Provide social-medical-psychiatric-psychological
2 diagnostic evaluation;
- 3 (3) Provide pretrial assessments on adult offenders for the
4 courts and assist in the conduct of presentence
5 assessments on adult offenders and the preparation of
6 presentence reports when requested by the courts;
- 7 (4) Provide correctional prescription program planning and
8 security classification;
- 9 (5) Provide such other personal and correctional services
10 as needed for both detained and committed persons;
- 11 (6) Monitor and record the progress of persons assigned to
12 correctional facilities who undergo further treatment
13 or who participate in prescribed correctional programs;
- 14 (7) Ensure that the present and future reentry needs of
15 persons committed to correctional facilities are being
16 evaluated and met in an effective and appropriate
17 manner;
- 18 (8) Provide additional reentry services to include working
19 closely and collaborating with the furlough programs in
20 each county that are currently managed by the
21 department's institutions division;

1 (9) Work closely and collaborate with the Hawaii paroling
2 authority; and

3 (10) Work closely and collaborate with the corrections
4 program services division."

5 SECTION 2. Act 24, First Special Session Laws of Hawaii
6 2009, is amended by amended section 3 to read as follows:

7 "SECTION 3. (a) Effective January 1, 2010, there is
8 established within the department of public safety a reentry
9 commission to work with the department in monitoring and
10 reviewing the comprehensive offender reentry program, including
11 facility educational and treatment programs, rehabilitative
12 services, work furloughs, and the Hawaii paroling authority's
13 oversight of parolees. The reentry commission may make
14 recommendations to the department, the Hawaii paroling authority,
15 and the legislature regarding reentry and parole services.

16 (b) The reentry commission shall consist of eleven members
17 who shall be appointed by the governor in accordance with section
18 26-34, Hawaii Revised Statutes, as follows:

19 (1) [~~Four~~ Five members shall be selected by the governor;
20 provided that at least one of the four shall be a
21 former inmate and none shall be government employees;

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1 (2) Two members shall be selected by the president of the
2 senate;

3 (3) Two members shall be selected by the speaker of the
4 house of representatives;

5 [~~4~~] ~~One member shall represent the American Civil Liberties~~
6 ~~Union;~~

7 5] (4) One member shall represent the Community Alliance
8 on Prisons; and

9 ~~6~~] (5) One member shall be a former inmate who has
10 successfully been reintegrated into the community.

11 (c) The reentry commission shall meet at least quarterly
12 and members shall serve without compensation, but may be
13 reimbursed for expenses, including travel expenses that are
14 necessary for the performance of their duties.

15 (d) The commission shall cease to exist on July 1, 2014."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



BY REQUEST

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Report Title:

Reentry; Public Safety; Reentry Commission

Description:

Amends the name of a division of the Department of Public Safety to more accurately reflect the division's duties and removes the member representing the American Civil Liberties Union from the reentry commission.

JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO CORRECTIONS.

PURPOSE: To amend the name of a division of the Department of Public Safety to more accurately reflect the division's duties and to remove the member representing the American Civil Liberties Union from the Reentry Commission.

MEANS: Amend section 353-10, Hawaii Revised Statutes, and section 3 of Act 24, First Special Session Laws of Hawaii 2009.

JUSTIFICATION: The division of the Department of Public Safety that was renamed in Act 24, First Special Session Laws of Hawaii 2009, was not accurate and the "Intake and Reentry Service Center Division" is a more accurate name for the duties performed by this division. The member representing the American Civil Liberties Union on the Department of Public Safety's Reentry Commission (Commission) could easily encounter a conflict of interest by participating on the Commission, learning of a situation within Public Safety that in turn is litigated by the American Civil Liberties Union. By deleting the member from the Commission, the potential conflict will be avoided.

Impact on the public: There should be no impact on the public as this measure will simply rename a division and delete a member from a commission.

Impact on the department and other agencies: This bill will assist the department by having one of its divisions named appropriately and also eliminating the potential for a conflict of interest.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

OTHER AFFECTED None.
AGENCIES:

EFFECTIVE DATE: Upon approval.