

MAR 10 2010

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# SENATE CONCURRENT 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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1           WHEREAS, while these sanctions may be relatively minor,  
2 often only a few days in jail, they are imposed immediately  
3 rather than months or years after the violation; and  
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5           WHEREAS, in a one-year, randomized controlled trial  
6 comparing HOPE probationers to probationers in a control group,  
7 HOPE probationers were fifty-five per cent less likely to be  
8 arrested for a new crime, seventy-two per cent less likely to  
9 use drugs, sixty-one per cent less likely to skip appointments  
10 with their supervisory officer, and fifty-three per cent less  
11 likely to have their probation revoked; and  
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13           WHEREAS, as a result of their improved progress, the HOPE  
14 probationers involved in the controlled trial served or were  
15 sentenced to, on average, forty-eight per cent fewer days of  
16 incarceration than probationers in the control group; now,  
17 therefore,  
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19           BE IT RESOLVED by the Senate of the Twenty-fifth  
20 Legislature of the State of Hawaii, Regular Session of 2010, the  
21 House of Representatives concurring, that the Hawaii Paroling  
22 Authority is requested to establish a two-year pilot project  
23 similar to the Judiciary's probation modification project,  
24 Hawaii's Opportunity Probation with Enforcement, or HOPE; and  
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26           BE IT FURTHER RESOLVED that the Legislature requests that  
27 the two-year pilot parole modification project consist of no  
28 more than thirty parolees who are considered to be at high risk  
29 of violating the conditions of their parole; and  
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31           BE IT FURTHER RESOLVED that the Legislature requests that  
32 the parole modification program:  
33

- 34           (1) Provide formal warning to the parolees, in a hearing  
35           before the Hawaii Paroling Authority, that violation  
36           of the conditions of parole shall have consequences;  
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- 38           (2) Require the parolees to submit to weekly randomized  
39           drug testing;  
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- 41           (3) Order the arrest of parolees who test positive for  
42           illegal drug use;  
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- 1 (4) Order the arrest of parolees who miss a scheduled  
2 appointment with their parole officer, fail to appear  
3 for a required drug test, or otherwise violate the  
4 conditions of their parole;
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- 6 (5) Impose sanctions on parolees who violate the  
7 conditions of their parole; and
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- 9 (6) Ensure that parolees in need of drug treatment, mental  
10 health therapy, or other social services shall receive  
11 the needed treatment; and
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13 BE IT FURTHER RESOLVED that the Legislature requests that:

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- 15 (1) Parolees involved in the parole modification program  
16 be made aware of the sanctions that will be imposed  
17 for violating the conditions of their parole;
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- 19 (2) Sanctions be imposed within a short period of time  
20 from the occurrence of the violation; and
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- 22 (3) Sanctions include the modification of the terms of  
23 parole to include short terms of incarceration, which  
24 may be increased if a parolee continues to violate the  
25 conditions of parole; and
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27 BE IT FURTHER RESOLVED that the Hawaii Paroling Authority  
28 is requested to submit a preliminary report to the Legislature,  
29 not later than December 1, 2011, and a final report not later  
30 than December 1, 2012, on:

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- 32 (1) The progress of the pilot project;
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- 34 (2) Cost analysis and an accounting of expenses;
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- 36 (3) Relevant data on program participants;
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- 38 (4) Program and management evaluations; and
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- 40 (5) Any other pertinent information, recommendations, or  
41 proposed legislation, if any, to determine whether the  
42 program should be continued; and
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44 BE IT FURTHER RESOLVED that a certified copy of this



# S.C.R. NO. 191

1 Concurrent Resolution be transmitted to the Chairperson of the  
2 Hawaii Paroling Authority.  
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OFFERED BY:

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*Fred...*

*R...*

*Michelle...*

