

S.B. NO. 1306

JAN 26 2011

A BILL FOR AN ACT

RELATING TO CORRECTIONS.

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

1 SECTION 1. The legislature finds that there are three
2 major components within the department of public safety -
3 administration, corrections, and law enforcement. The
4 responsibility of corrections is to protect the community by
5 keeping offenders that have been ordered detained apart from the
6 public in a safe and humane environment while ensuring the
7 safety of the community by preventing escapes and preparing the
8 inmates for their eventual return to society.

9 There are a number of programs within corrections that can
10 be operated in a more efficient and cost effective manner, while
11 still delivering the programs and services needed within the
12 department. Clarifying the function and purpose of these
13 programs and consolidating the responsibilities among staff can
14 preserve a significant amount of funds.

15 It would better serve the offender, the community, and the
16 department if the current statutory status of the reentry intake
17 service center divisions were separated by creating a reentry

1 services and separate intake service centers. The functions of
2 the intake service centers and the reentry services are distinct
3 and should be separated. The Institutions Division shall have
4 authority over the reentry services. The reentry services
5 should coordinate with the county, state, federal, and community
6 organizations working together in a more localized, focused, and
7 concentrated effort to better serve the needs of adult offenders
8 within the respective counties where the offenders are
9 incarcerated or will return upon their release.

10 Since the duties and responsibilities of both the reentry
11 services and the intake service centers are related to the
12 community correctional centers, the intake service centers
13 should be located within the community correctional centers,
14 thus saving on the expense of renting office space outside the
15 facilities.

16 The purpose of this Act is to clearly define the purpose
17 and objectives of both the reentry services and intake service
18 centers within the department and to make these services more
19 efficient and cost effective.

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

1 “§353-10 Reentry services and intake service centers. There
2 shall be within the department of public safety, [a] reentry
3 [~~intake~~] services [~~center~~] for adult[s] offenders and a separate
4 intake service center in each of the counties[7]. The intake
5 service centers will [~~to~~] screen, evaluate, and classify the
6 admission of persons to community correctional centers. The
7 reentry services will [~~and to~~] provide for the successful
8 reentry of persons back into the community. Each intake service
9 center shall be staffed by a team of [~~psychiatrists,~~] social
10 workers, technicians, and other personnel as may be
11 necessary[7], and will be located in a community correctional
12 center in each county. Reentry services staff will be located
13 in all correctional facilities. There will be a Statewide
14 Reentry Coordinator located in headquarters to provide guidance
15 to the reentry staff in the correctional facilities and to
16 collaborate with other agencies and reentry entities.

17 The director of public safety may appoint full-time or
18 part-time professionals and clerical staff or contract for
19 professional services to carry out the duties of the intake
20 service centers and reentry services as identified in this
21 section.

22 The intake service centers shall:

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- 1 (1) Provide orientation, guidance, and technical services;
- 2 (2) Provide social-medical-psychiatric-psychological
- 3 diagnostic evaluation;
- 4 (3) Provide pretrial assessments on adult offenders for
- 5 the courts and assist in the conduct of presentence
- 6 assessments on adult offenders and the preparation of
- 7 presentence reports when requested by the courts;
- 8 (4) Provide correctional prescription program planning and
- 9 security classification;

10 The reentry services shall:

- 11 [~~5~~](1) Provide such other personal and correctional
- 12 services as needed for both detained and committed
- 13 persons;
- 14 [~~6~~](2) Monitor and record the progress of persons assigned
- 15 to correctional facilities who undergo further treatment
- 16 or who participate in prescribed correctional programs;
- 17 [~~7~~](3) Ensure that the present and future reentry needs of
- 18 persons committed to correctional facilities are being
- 19 evaluated and met in an effective and appropriate
- 20 manner; Provide additional reentry services to include
- 21 working closely and collaborating with the furlough

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1 programs in each county that are currently managed by
2 the department's institutions division;

3 [~~8~~](4) Work closely and collaborate with the Hawaii
4 paroling authority; and

5 [9](5) Work closely and collaborate with the corrections
6 program services division.

7 [~~10~~](6) Work closely and collaborate with the health care
8 division to ensure the mental health and medical needs
9 of adult offenders are being met.

10 SECTION 3. The department of public safety shall not
11 receive any additional funding in the department's operating
12 budget to carry out the purpose of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon approval.

16

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INTRODUCED BY: Q. B. T. J.

18

BY REQUEST

Report Title:

Relating to Corrections.

Description:

This measure amends Section 353-10, Hawaii Revised Statutes, to separate the intake service centers and reentry services within the department of public safety.

JUSTIFICATION SHEET

DEPARTMENT: PUBLIC SAFETY

TITLE: A BILL FOR AN ACT RELATING TO CORRECTIONS

PURPOSE: This bill amends Section 353-10, Hawaii Revised Statutes, to provide a more operationally efficient and cohesive corrections division, by creating separate intake service centers and reentry services. This bill allows the corrections division to save significant funds by moving all intake service centers as well as reentry services into the correctional facilities, thus eliminating the need to rent office space outside the correctional facilities. This bill also clarifies the expanded role of the institution division's duties and responsibilities regarding reentry efforts.

MEANS: Amend Section 353-10, Hawaii Revised Statutes.

JUSTIFICATION: The existing statute renamed the Reentry Intake Service Centers. The current statute does not address fundamental and inherent areas of responsibility that should have been separate to be more operationally efficient, cohesive, and better able to address the needs of adult offenders. As written this bill more appropriately realigns the Institutions Division, and renames the Reentry Intake Service Centers to Intake Service Centers, and creates a much more efficient, practical and separate intake services centers and reentry services. This bill also provides for the more efficient use of resources that will ensure the initial assessment, programming and sequential phasing, housing, and community supervision of offenders.

Impact on the public: This initiative will provide for more efficient intake and reentry services for adult offenders and eliminate redundant responsibilities. This initiative will also save the state funding

on rent while simultaneously providing a more operationally efficient intake service centers and reentry services process.

Impact on the department and other agencies:

This measure also clarifies roles and responsibilities within the department, and where cooperative efforts will be utilized to achieve an improved system for offender reentry. This measure will greatly assist the department and other reentry entities in operating more efficiently within the law.

GENERAL FUND: None.
OTHER FUNDS: None.
PPBS PROGRAM
DESIGNATION: N/A.
OTHER AFFECTED
AGENCIES: Judiciary.
EFFECTIVE DATE: Upon approval.