

STAND. COM. REP. NO.

1271

Honolulu, Hawaii

APR 14 2011

RE: S.R. No. 37
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.R. No. 37 entitled:

"SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN EARNED TIME PROGRAM,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Department of Public Safety to plan and implement an earned time program for committed persons who are serving time for a non-violent drug offense and who have successfully completed a residential drug abuse program. This measure further requests the Department to develop, establish, and implement certain standards and procedures for the earned time program.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, the Drug Policy Forum of Hawai'i, National Association of Reformed Criminals, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that many correctional jurisdictions in the United States use an incentive system that rewards inmates for positive behavior, commonly known as credit for good time served. An earned time program provides for release on parole before the expiration of an inmate's minimum term upon demonstration of progress toward rehabilitation in certain categories. An earned

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time program is necessary for inmates to have a sense of accomplishment and achievement, both of which are critical to successful rehabilitation and re-entry into the community.

Your Committee has amended this measure by:

- (1) Amending various references for accuracy and clarity;
- (2) Requesting the Department of Public Safety to:
 - (A) Review statutory provisions relating to sentences of imprisonment and mandatory imprisonment sentences;
 - (B) Include in its plan for the earned time program those committed persons who have been sentenced for longer than one year and who have successfully completed the recommended programming while incarcerated;
 - (C) Describe its progress in implementing an earned time program in its Re-Entry Master Plan; and
 - (D) Make recommendations to the Legislature on suggested legislation to enable a good time program to be implemented;
- (3) Deleting the reference to posting in the correctional facility the Department's standards and procedures for the earned time program; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 37, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 37, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,

Will Espero

WILL ESPERO, Chair



