



GOV. MSG. NO. 1177

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 26, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

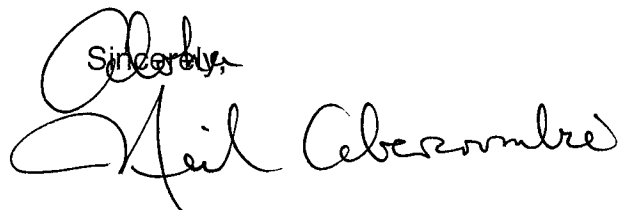
Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 26, 2012, the following bill was signed into law:

SB2866 SD1 HD2

RELATING TO COMPREHENSIVE OFFENDER
REENTRY SYSTEM.

Act 076 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on APR 26 2012

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

ACT 076
S.B. NO. 2866
S.D. 1
H.D. 2

A BILL FOR AN ACT

RELATING TO COMPREHENSIVE OFFENDER REENTRY SYSTEM.

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

1 SECTION 1. Act 8, First Special Session Laws of Hawaii
2 2007, added a new chapter to the Hawaii Revised Statutes
3 entitled "Comprehensive Offender Reentry System" to prepare
4 incarcerated individuals for reentry into the community through
5 programs and services that reflect best practices and evidence-
6 based results. The goal of reentry is to provide offenders with
7 greater opportunities to be rehabilitated while ensuring public
8 safety and reducing recidivism.

9 Act 24, Special Session Laws of Hawaii 2009, amended
10 section 353-10, Hawaii Revised Statutes, to incorporate the
11 responsibilities of offender reentry into the long-established
12 intake service centers and established the reentry commission to
13 work with the department of public safety in monitoring and
14 reviewing the comprehensive offender reentry program.

15 The purpose of this Act is to:

16 (1) Create the offender reentry office to oversee offender
17 reentry, thereby restoring the purpose of the intake
18 service centers to screen, evaluate, and classify the



1 admission of persons to community correctional
2 centers; and

3 (2) Reconstitute the reentry commission, expand its
4 duties, and extend its repeal date.

5 SECTION 2. Chapter 353H, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§353H- Offender reentry office. There shall be
9 established within the department of public safety an offender
10 reentry office to oversee the development and implementation of
11 the comprehensive offender reentry system.

12 The offender reentry office shall:

- 13 (1) Ensure that the present and future reentry needs of
14 persons committed to correctional facilities are being
15 evaluated and met in an effective and appropriate
16 manner;
- 17 (2) Develop and implement risk needs assessment tools to
18 properly place offenders in programs and services;
- 19 (3) Match offenders to programs and services that address
20 risks and needs identified;
- 21 (4) Monitor and record progress made by offenders while
22 participating in prescribed programs and services;



- 1 (5) Identify and make recommendations to address needs not
2 addressed by programs and services;
- 3 (6) Provide training opportunities for department staff
4 and service providers in assessments and evidence-
5 based practices;
- 6 (7) Work closely and collaborate with the community
7 service and work furlough programs located in the
8 community correctional centers and correctional
9 facilities;
- 10 (8) Work closely and collaborate with the Hawaii paroling
11 authority; and
- 12 (9) Work closely and collaborate with community partners
13 such as organizations, businesses, and concerned
14 citizens."

15 SECTION 3. Section 353-10, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~§353-10 [Reentry intake]~~ Intake service centers. There
18 shall be within the department of public safety, [~~a reentry~~] an
19 intake service center for adults in each of the counties, to
20 screen, evaluate, and classify the admission of persons to
21 community correctional centers [~~and to provide for the~~
22 ~~successful reentry of persons back into the community~~]. Each



1 center shall be directed and managed by a manager and shall be
2 staffed by a team of psychiatrists, social workers, technicians,
3 and other personnel as may be necessary. The director of public
4 safety may appoint full-time or part-time professional and
5 clerical staff or contract for professional services [~~to carry~~
6 ~~out the duties of the centers as identified in this section~~].

7 The centers shall:

- 8 (1) Provide orientation, guidance, and technical services;
- 9 (2) Provide social-medical-psychiatric-psychological
10 diagnostic evaluation;
- 11 (3) Provide pretrial assessments on adult offenders for
12 the courts and assist in the conduct of presentence
13 assessments on adult offenders and the preparation of
14 presentence reports when requested by the courts;
- 15 (4) Provide correctional prescription program planning and
16 security classification;
- 17 (5) Provide such other personal and correctional services
18 as needed for both detained and committed persons; and
- 19 (6) Monitor and record the progress of persons assigned to
20 correctional facilities who undergo further treatment
21 or who participate in prescribed correctional
22 programs [+



- 1 ~~(7) Ensure that the present and future reentry needs of~~
2 ~~persons committed to correctional facilities are being~~
3 ~~evaluated and met in an effective and appropriate~~
4 ~~manner;~~
- 5 ~~(8) Provide additional reentry services to include working~~
6 ~~closely and collaborating with the furlough programs~~
7 ~~in each county that are currently managed by the~~
8 ~~department's institutions division;~~
- 9 ~~(9) Work closely and collaborate with the Hawaii paroling~~
10 ~~authority; and~~
- 11 ~~(10) Work closely and collaborate with the corrections~~
12 ~~program services division]."~~

13 SECTION 4. Act 24, Special Session Laws of Hawaii 2009, is
14 amended by amending section 3 to read as follows:

15 "SECTION 3. (a) Effective January 1, 2010, there is
16 established within the department of public safety a reentry
17 commission to work with the department in monitoring and
18 reviewing the comprehensive offender reentry program, including
19 facility educational and treatment programs, rehabilitative
20 services, work furloughs, and the Hawaii paroling authority's
21 oversight of parolees. The reentry commission may make
22 recommendations to the department, the Hawaii paroling



1 authority, and the legislature regarding reentry and parole
2 services. The reentry commission shall ensure that the
3 comprehensive offender reentry system under chapter 353H, Hawaii
4 Revised Statutes, is implemented as soon as practicable to
5 provide programs and services that result in the release of
6 inmates on parole when the maximum terms have been served
7 instead of delaying the release for lack of programs and
8 services.

9 (b) The reentry commission shall consist of ~~[eleven]~~ ten
10 members who shall be ~~[appointed by the governor in accordance~~
11 ~~with section 26-34, Hawaii Revised Statutes,]~~ selected as
12 follows:

- 13 ~~[(1) Four members shall be selected by the governor;~~
14 ~~provided that at least one of the four shall be a~~
15 ~~former inmate and none shall be government employees;~~
- 16 ~~(2) Two members shall be selected by the president of the~~
17 ~~senate;~~
- 18 ~~(3) Two members shall be selected by the speaker of the~~
19 ~~house of representatives;~~
- 20 ~~(4) One member shall represent the American Civil~~
21 ~~Liberties Union;~~



1 ~~(5) One member shall represent the Community Alliance on~~
2 ~~Prisons; and~~

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

5 (1) Three members shall be selected by the governor, of
6 whom one shall be a rehabilitated former inmate;

7 (2) Three members shall be selected by the president of
8 the senate;

9 (3) Three members shall be selected by the speaker of the
10 house of representatives; and

11 (4) The reentry coordinator shall serve as an ex officio
12 nonvoting member.

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

17 (d) The commission shall cease to exist on ~~[July 1, 2014.]~~
18 December 1, 2015."

19 SECTION 5. Members of the reentry commission appointed
20 pursuant to Act 24, Special Session Laws of Hawaii 2009, shall
21 cease to be members of the reentry commission on June 30, 2012.

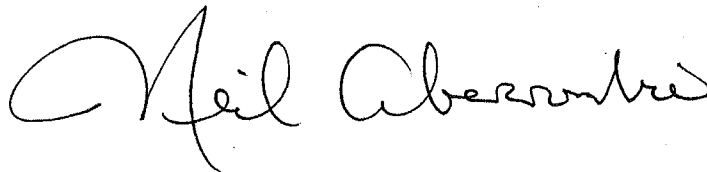


1 Beginning July 1, 2012, new members to the reentry commission
2 shall be selected pursuant to section 4 of this Act.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on July 1, 2012.

APPROVED this 26 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII