

JAN 20 2012

A BILL FOR AN ACT

RELATING TO CORRECTIONAL FACILITIES.

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

1 SECTION 1. The legislature finds that the safety and
2 security of correctional facilities depends in large part upon
3 the effective enforcement of prohibitions against contraband.
4 Hence, correctional facilities typically screen visitors for
5 drugs. However, these measures are undermined by the lack of
6 similar screening procedures for correctional staff. To close
7 all avenues by which contraband may potentially enter
8 correctional facilities, the legislature believes that every
9 person entering these facilities, including correctional staff,
10 should be subject to the same drug screenings.

11 The purpose of this Act is to improve the safety and
12 security of correctional facilities by requiring all
13 correctional facility staff to undergo the same drug screenings
14 as visitors to these facilities.

15 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
16 amended by adding a new section to part I to be appropriately
17 designated and to read as follows:



1 "§353- Drug screening of correctional staff. (a)
 2 Except as provided in subsection (b), all correctional officials
 3 and employees, as a condition of entering any correctional
 4 facility, shall be subject to the same drug screenings to which
 5 visitors to the facility are subjected.

6 (b) No correctional official or employee shall be required
 7 under this section to submit to any physical search as a
 8 condition of entering a correctional facility unless the results
 9 of a drug screening indicate the presence of drugs as defined in
 10 section 710-1022(2).

11 (c) This section shall supersede any conflicting provision
 12 of any collective bargaining agreement.

13 (d) For the purposes of this section, "drug screening"
 14 means any method to detect the presence of drugs, as defined in
 15 section 710-1022(2), on a person or among the person's
 16 possessions."

17 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

Frzanne Chun Oakland

Bill Egan
John Han
Michael Han
Mike Hubbard



S.B. NO. 2252

Report Title:

Correctional Facilities; Staff; Drug Screening

Description:

Requires all correctional facility staff to undergo the same drug screening as visitors to the facility.

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