
A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1 SECTION 1. The legislature finds that the Hawaii paroling
2 authority plays a vital role in the State's criminal justice
3 system. The paroling authority determines minimum terms of
4 incarceration for almost all inmates sentenced to prison; grants
5 parole when it determines that an inmate is ready for release
6 into the community; establishes terms and conditions of parole
7 for each offender granted parole; oversees parole officers who
8 monitor and supervise parolees; grants discharges from parole;
9 and makes recommendations for pardons and commutations of
10 sentences.

11 The paroling authority was reconstituted by Act 92, Session
12 Laws of Hawaii 1976, with one full-time chair and two part-time
13 members. In the past thirty-six years, its workload has
14 increased eight-fold due to the rise in incarceration rates.
15 However, the paroling authority continues to be composed of one
16 full-time and two part-time members. Because it is essentially
17 a part-time body, the paroling authority finds proper
18 deliberation very difficult when reviewing cases and making



1 decisions that are vital to public safety. Further, the
2 paroling authority is experiencing severe difficulties in
3 carrying out its responsibility in assuring that the terms and
4 conditions of parole are properly enforced with its existing
5 staff.

6 The purpose of this Act is to add two more part-time
7 members of the Hawaii paroling authority and authorize the
8 governor to set the salary of the chair of the paroling
9 authority.

10 SECTION 2. Section 353-61, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§353-61 Hawaii paroling authority; appointment; tenure;**
13 **qualifications.** Members of the paroling authority shall be
14 nominated by a panel composed of the chief justice of the Hawaii
15 supreme court, the director, the president of the bar
16 association of Hawaii, a representative designated by the head
17 of the Interfaith Alliance Hawaii, a member from the general
18 public to be appointed by the governor, and the president of the
19 Hawaii chapter of the National Association of Social Workers.
20 The panel shall submit to the governor the names of not less
21 than three persons, designated as the nominees, for chairperson
22 or as a member, for each vacancy. The requirement for



1 nomination by the panel established under this section shall
2 only apply to a nominee's nomination by the governor to an
3 initial term on the paroling authority and not to any subsequent
4 consecutive term of a sitting paroling authority member or
5 chairperson whose initial appointment to office was made
6 pursuant to a nomination by the panel.

7 The governor shall appoint, in [+]the[+] manner prescribed
8 by section 26-34, a paroling authority to be known as the Hawaii
9 paroling authority, to consist of [~~three~~] five members one of
10 whom shall be designated chairperson. Appointments shall be
11 made for terms of four years, commencing from the date of
12 expiration of the last preceding term. Any vacancy in an
13 unexpired term shall be filled by appointment for the
14 [+]remainder[+] of the unexpired term. Nominees to the
15 authority shall be selected on the basis of their qualifications
16 to make decisions that will be compatible with the welfare of
17 the community and of individual offenders, including their
18 background and ability for appraisal of offenders and the
19 circumstances under which offenses were committed."

20 SECTION 3. Section 353-63, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "**§353-63 Service of Hawaii paroling authority members;**
2 **compensation; expenses.** The chairperson of the Hawaii paroling
3 authority shall serve on a full-time basis. The other [~~two~~]
4 four members shall serve on a part-time basis. Effective July
5 1, [~~2005,~~] 2012, the chairperson of the Hawaii paroling
6 authority shall be paid a salary [~~set at eighty seven per cent~~
7 ~~of the salary of the director of public safety.~~] that is
8 established by the governor. The compensation of each of the
9 part-time members shall be eighty per cent of the hourly wage
10 paid the chairperson. For each hour engaged in the official
11 duties of the authority, each part-time member of the authority
12 shall be paid an hourly wage at the percentage rate specified in
13 this section based on the hourly wage paid the chairperson;
14 provided that compensation shall not exceed eighty per cent of
15 the total regular working hours in a month; provided further
16 that part-time members shall not be entitled to any vacation,
17 sick leave, or other benefits except as provided in this
18 section. All paroling authority members shall receive their
19 necessary expenses for travel and incidentals which shall be
20 paid from appropriations provided the authority for such
21 purposes, on vouchers approved by the director of public
22 safety."



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2012-2013 to
4 carry out the purposes of this Act, including the purchase of
5 office equipment and other expenses related to the new part-time
6 members of the Hawaii paroling authority.

7 The sum appropriated shall be expended by the department of
8 public safety for the purposes of this Act.

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Paroling Authority; Appropriation

Description:

Adds two part-time members of the Hawaii paroling authority for a total of four part-time members. Requires the governor to establish the salaries of the chair of the Hawaii paroling authority. Appropriates funds for the increase in salary and additional equipment needs. Effective 7/1/2050. (SD2)

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