

HB 2599, HD 1

RELATING TO REENTRY INTAKE SERVICE CENTERS

Description:

Amends the law to define how pretrial assessments are generated and to provide statutory authority to the Department of Public Safety to supervise persons ordered released from custody by the courts. Effective July 1, 2012. (HB2599 HD1)

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

TESTIMONY ON HOUSE BILL 2599, HD 1
RELATING TO REENTRY INTAKE SERVICE CENTERS

By

Jodie F. Maesaka-Hirata, Director
Department of Public Safety

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Tuesday, April 3, 2012; 10:00 AM
State Capitol, Conference Room 016

Chairs Espero and Hee, Vice Chairs Kidani and Shimabukuro, and Members of the
Committees:

The Department of Public Safety supports House Bill 2599, House Draft 1
Relating to Reentry Intake Service Centers. This bill defines how pretrial assessments
are initiated, provides statutory authority to the Department to supervise pre-trial
defendants released from custody by the courts and removes an existing law to reflect
current practice.

The existing statute does not specify how pretrial bail assessments are initiated.
Referrals for bail assessments come from various sources that may not be welcomed
by the defendant or required by the courts. The Intake Service Centers (ISC) conducted
over 8,550 pretrial assessments in FY 2011. The recommended changes to Section
353-10, Hawaii Revised Statutes (HRS) would clearly define the referral process for bail
assessment and optimize the limited resources within ISC.

Under current statute, the supervision of pretrial defendants released to the community by the courts is not listed as a function of the Department. The recommended changes to the statute were not specifically addressed when the pretrial functions were transferred from the Judiciary to the Department under the Hawaii Correctional Master Plan in 1973 as indicated in Section 804-7.1, HRS, where it states that the supervision of pretrial defendants would be done by a court officer. ISC receives approximately 180 defendants per month that are placed on pretrial supervision from the courts and maintains an active caseload of approximately 1000 defendants. The recommended change to the current statute is required to ensure that the Department has the statutory authority to fulfill the duties we are currently performing.

Finally, Section 353-10.3, HRS, ISC has not been involved in the pre-sentence investigation and report process for about thirty (30) years. This measure merely codifies the current assignment and duties of the Department and the Judiciary. We ask for your support on this measure.

Thank you for this opportunity to testify.