



GOV. MSG. NO. 1167

EXECUTIVE CHAMBERS  
HONOLULU

APR 30 2013

NEIL ABERCROMBIE  
GOVERNOR

April 30, 2013

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 30, 2013, the following bill was signed into law:

SB1183 SD2 HD1

RELATING TO INTAKE SERVICE CENTERS  
ACT 067 (13)

*Aloha*  
Sincerely,  
*Neil Abercrombie*

NEIL ABERCROMBIE  
Governor, State of Hawaii

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# A BILL FOR AN ACT

RELATING TO INTAKE SERVICE CENTERS.

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

1           SECTION 1. Section 353-10, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) The centers shall:

4           (1) Provide orientation, guidance, and technical services;

5           (2) Provide social-medical-psychiatric-psychological  
6 diagnostic evaluation;

7           (3) ~~[(A)] Provide pretrial assessments on adult~~  
8 ~~offenders that are consented to by the defendant or~~  
9 ~~that are ordered by the court; and~~

10           ~~[(B)]~~ Conduct internal pretrial risk assessments on  
11 adult offenders within three working days of admission  
12 to a community correctional center which shall then be  
13 provided to the court for its consideration; provided  
14 that this paragraph shall not apply to persons subject  
15 to county or state detainers, holds, or persons  
16 detained without bail, persons detained for probation  
17 violation, persons facing revocation of bail or  
18 supervised release, and persons who have had a



1 pretrial risk assessment completed prior to admission  
2 to a community correctional center. For purposes of  
3 this ~~[+]~~subparagraph~~+~~, "pretrial risk assessment"  
4 means an objective, research-based, validated  
5 assessment tool that measures a defendant's risk of  
6 flight and risk of criminal conduct while on pretrial  
7 release pending adjudication;

8 ~~[(4)] Assist in the conduct of presentence assessments on~~  
9 ~~adult offenders and the preparation of presentence~~  
10 ~~reports when requested by the courts;~~

11 ~~+(5)]~~ (4) Provide correctional prescription program  
12 planning and security classification;

13 ~~+(6)]~~ (5) Provide other personal and correctional services  
14 as needed for both detained and committed persons;

15 ~~+(7)]~~ (6) Monitor and record the progress of persons  
16 assigned to correctional facilities who undergo  
17 further treatment or who participate in prescribed  
18 correctional programs; ~~[and~~

19 ~~+(8)]~~ (7) Provide continuing supervision and control of  
20 persons ordered to be placed on pretrial supervision  
21 by the court and persons ordered by the director~~[-]~~;

22 and



1       (8) Provide pretrial bail reports to the courts on adult  
2       offenders that are consented to by the defendant or  
3       that are ordered by the court. The pretrial bail  
4       reports shall be confidential and shall not be deemed  
5       to be public records. A copy of a pretrial bail  
6       report shall be provided only:

7       (A) To the defendant or defendant's counsel;

8       (B) To the prosecuting attorney;

9       (C) To the department of public safety;

10       (D) To any psychiatrist, psychologist, or other  
11       treatment practitioner who is treating the  
12       defendant pursuant to a court order;

13       (E) Upon request, to the adult client services  
14       branch; and

15       (F) In accordance with applicable laws, persons, or  
16       entities doing research."

17       SECTION 2. Act 139, Session Laws of Hawaii 2012, is  
18       amended by amending section 14 to read as follows:

19       "SECTION 14. This Act shall take effect on July 1, 2012;  
20       provided that:

21       (1) Section 3 shall take effect on January 1, 2013;

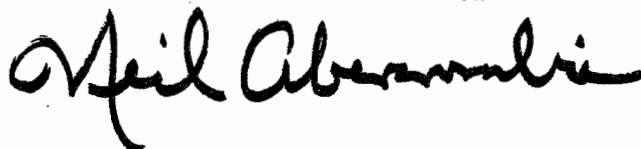


- 1 (2) Section 7 shall take effect on July 1, 2012, for any
- 2 individual on parole supervision on or after July 1,
- 3 2012;
- 4 (3) Section 8 shall take effect on July 1, 2012, and shall
- 5 be applicable to individuals committing an offense on
- 6 or after that date; and
- 7 (4) Sections 3, 7, 8, 10, and 11 shall be repealed on
- 8 July 1, 2018, and sections 353-10, 353-66, 706-670(1),
- 9 353-22.6, and 353-69, Hawaii Revised Statutes, shall
- 10 be reenacted in the form on which [~~it~~] they read on
- 11 June 30, [~~2018-~~] 2012."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act, shall take effect on July 1, 2013;  
15 provided that the amendments made to section 353-10, Hawaii  
16 Revised Statutes, by section 1 of this Act shall not be repealed  
17 when that section is reenacted on July 1, 2018, pursuant to  
18 section 14 of Act 139, Session Laws of Hawaii 2012.

APPROVED this 30 day of APR, 2013



GOVERNOR OF THE STATE OF HAWAII