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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 to read as follows:

3           "**§353-10 Intake service centers.** (a) There shall be  
4 within the department of public safety, an intake service center  
5 for adults in each of the counties to screen, evaluate, and  
6 classify the admission of persons to community correctional  
7 centers. Each center shall be directed and managed by a manager  
8 and shall be staffed by a team of psychiatrists, social workers,  
9 technicians, and other personnel as may be necessary. The  
10 director of public safety may appoint full-time or part-time  
11 professional and clerical staff or contract for professional  
12 services.

13           (b) The centers shall:

- 14           (1) Provide orientation, guidance, and technical services;  
15           (2) Provide social-medical-psychiatric-psychological  
16           diagnostic evaluation;



1           (3)   ~~[(A)] Provide pretrial assessments on adult~~  
2                   ~~offenders that are consented to by the defendant or~~  
3                   ~~that are ordered by the court; and~~  
4                   ~~[(B)]~~ Conduct internal pretrial risk assessments on  
5                   adult offenders within three working days of admission  
6                   to a community correctional center which shall then be  
7                   provided to the court for its consideration; provided  
8                   that this paragraph shall not apply to persons subject  
9                   to county or state detainers, holds, or persons  
10                  detained without bail, persons detained for probation  
11                  violation, persons facing revocation of bail or  
12                  supervised release, and persons who have had a  
13                  pretrial risk assessment completed prior to admission  
14                  to a community correctional center. For purposes of  
15                  this [ ] subparagraph [ ], "pretrial risk assessment"  
16                  means an objective, research-based, validated  
17                  assessment tool that measures a defendant's risk of  
18                  flight and risk of criminal conduct while on pretrial  
19                  release pending adjudication;

20           ~~[(4) Assist in the conduct of presentence assessments on~~  
21                   ~~adult offenders and the preparation of presentence~~  
22                   ~~reports when requested by the courts;~~



- 1       ~~(5)~~ (4) Provide correctional prescription program  
2           planning and security classification;
- 3       ~~(6)~~ (5) Provide other personal and correctional services  
4           as needed for both detained and committed persons;
- 5       ~~(7)~~ (6) Monitor and record the progress of persons  
6           assigned to correctional facilities who undergo  
7           further treatment or who participate in prescribed  
8           correctional programs; ~~and~~
- 9       ~~(8)~~ (7) Provide continuing supervision and control of  
10          persons ordered to be placed on pretrial supervision  
11          by the court and persons ordered by the director~~(-)~~;  
12          and
- 13       (8) Provide pretrial bail reports to the courts on adult  
14       offenders that are consented to by the defendant or  
15       that are ordered by the court. The pretrial bail  
16       reports shall be confidential and shall not be deemed  
17       to be public records. A copy of a pretrial bail  
18       report shall be provided only:
- 19       (A) To the defendant or defendant's counsel;  
20       (B) To the prosecuting attorney;  
21       (C) To the department of public safety;



1           (D) To any psychiatrist, psychologist, or other  
2           treatment practitioner who is treating the  
3           defendant pursuant to a court order;

4           (E) Upon request, to the adult client services  
5           branch; and

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

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

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

- 12           (1) Section 3 shall take effect on January 1, 2013;
- 13           (2) Section 7 shall take effect on July 1, 2012, for any  
14           individual on parole supervision on or after July 1,  
15           2012;
- 16           (3) Section 8 shall take effect on July 1, 2012, and shall  
17           be applicable to individuals committing an offense on  
18           or after that date; and
- 19           (4) Sections 3, 7, 8, 10, and 11 shall be repealed on  
20           July 1, 2018, and sections 353-10, 353-66, 706-670(1),  
21           353-22.6, and 353-69, Hawaii Revised Statutes, shall



1           be reenacted in the form on which it read on June 30,  
2           ~~[2018-]~~ 2012."

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

5           SECTION 4. This Act, upon its approval, shall take effect  
6 on July 1, 2013; provided that the amendments made to section  
7 353-10, Hawaii Revised Statutes, by section 1 of the Act shall  
8 not be repealed when that section is reenacted on July 1, 2018,  
9 pursuant to section 14 of Act 139, Session Laws of Hawaii 2012.

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**Report Title:**

Intake Service Centers; Pretrial Bail Reports

**Description:**

Requires intake service centers to provide pretrial bail reports to the courts on adult offenders that are consented to by the defendant or that are ordered by the court and amends the law to provide statutory authority to the courts to treat information contained in the pretrial bail reports as confidential. Repeals the intake service centers' duty to provide pretrial assessments on adult offenders that are consented to by the defendant or ordered by the court and assist in the conduct of presentence assessments on adult offenders and the preparation of presentence reports when requested by the courts. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

