
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. The legislature finds that many females return
2 to incarceration if their drug or alcohol dependencies are not
3 treated and their recovery is not supported during their
4 transition. The risk of females becoming repeat offenders due
5 to substance abuse presents economic and societal costs to the
6 public and the State's social service system.

7 Research indicates that a multitude of differing issues are
8 associated with female incarceration, often involving unresolved
9 sexual or physical trauma and substance abuse. In a majority of
10 cases in the State, female offenders commit crimes that are non-
11 violent in nature and do not pose a threat to the community.

12 The recent data from the justice reinvestment initiative
13 show that community-based substance abuse treatment programs are
14 more effective than in-prison treatments for rehabilitating
15 substance abuse addictions, especially for non-violent female
16 offenders, to break the cycle of substance abuse, crime, and
17 incarceration.



1 Since the majority of incarcerated female offenders are
2 mothers of minor children, issues that stem from fragmented
3 families often become intergenerational problems. This is
4 evidenced by the fact that the women's community correctional
5 center has mothers and daughters serving sentences together.

6 Structured community placement helps females adjust to
7 greater independence as they transition and reunite with their
8 children and families, resulting in a more integrated and
9 seamless resocialization and reentry process.

10 The purpose of this Act is to authorize eligible non-
11 violent females to be paroled into structured community
12 placement programs monitored by private organizations, where
13 they will have access to appropriate gender-responsive services.

14 SECTION 2. Section 353-64, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§353-64 Committed persons paroled.** (a) Any committed
17 person confined in any state correctional facility in execution
18 of any sentence imposed upon the committed person, except in
19 cases where the penalty of life imprisonment not subject to
20 parole has been imposed, shall be subject to parole in the
21 manner and form as set forth in this part; provided that the
22 committed person shall be paroled in the county where the



1 committed person had a permanent residence or occupation or
2 employment prior to incarceration, unless:

3 (1) The committed person will reside in a county in which
4 the population exceeds eight-hundred thousand persons;

5 (2) The committed person will be released for immediate
6 departure from the State; or

7 (3) The committed person shall be released to the county
8 in the State in which the committed person has the
9 greatest family or community support, opportunities
10 for employment, job training, education, treatment,
11 and other social services, as determined by the Hawaii
12 paroling authority; provided that to be considered for
13 parole to another county in the State, the committed
14 person shall provide a written request to the
15 department not less than six months prior to the
16 expiration of the committed person's longest minimum
17 sentence.

18 Provided further that to be eligible for parole, the committed
19 person, if the person is determined by the department to be
20 suitable for participation, must have been a participant in an
21 academic, vocational education, or prison industry program
22 authorized by the department and must have been involved in or



1 completed the program to the satisfaction of the department; and
2 provided further that this precondition for parole shall not
3 apply if the committed person is in a correctional facility
4 where academic, vocational education, and prison industry
5 programs or facilities are not available. A grant of parole
6 shall not be subject to acceptance by the committed person.

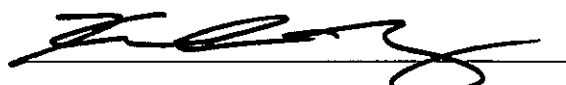
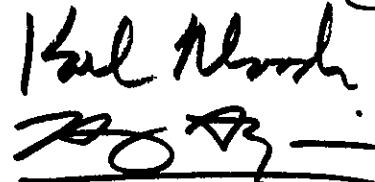
7 (b) Eligible non-violent female offenders may be paroled
8 into a structured community placement program monitored by
9 private organizations."

10 SECTION 3. New statutory material is underscored.

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

12

INTRODUCED BY:


Paul Abner


JAN 23 2013



H.B. NO. 1055

Report Title:

Parole; Structured Community Placement; Non-violent Female Offenders

Description:

Permits eligible non-violent female offenders to be paroled into structured community placement programs monitored by private organizations.

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