

[CHAPTER 353F]
CORRECTIONS POPULATION MANAGEMENT COMMISSION

Section

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Cross References

Intermediate sanctions for selected offenders and defendants, see §§353-10.5, 353-63.5, and 706-605.1.

" **[\$353F-1] Corrections population management commission established.** There is established a corrections population management commission, hereinafter referred to as the commission, to be attached administratively to the department of public safety. The objective of the commission shall be to establish maximum inmate population limits for each correctional facility and to formulate policies and procedures to prevent the inmate population from exceeding the capacity of each correctional facility. [L 1993, c 343, pt of §2]

" **[\$353F-2] Maximum inmate populations; guidelines.** The commission shall establish for each correctional facility, maximum inmate population limits which may be enforced by the director of public safety. Population limits shall be established pursuant to guidelines adopted by the commission, which guidelines may be adopted without regard to the requirements of chapter 91. The guidelines shall ensure the safety of the public. [L 1993, c 343, pt of §2]

" **[\$353F-3] Recommendations.** The commission shall recommend to the appropriate authorities, cost-effective mechanisms, legislation, and policies to prevent the inmate population from exceeding the limits established pursuant to section 353F-2. These recommendations shall include estimates of fiscal impact. In addition, the commission shall consider and make recommendations on the following to the appropriate authorities:

- (1) Strategies for the management of projected growth in the inmate population;
- (2) Bail and other pretrial release programs;
- (3) Legislation relating to sentencing;
- (4) Judicial sentencing policies;
- (5) Intermediate punishments and other alternatives to incarceration;
- (6) Probation programs;
- (7) Inmate classification systems;
- (8) Reintegration and treatment programs for inmates;
- (9) Paroling policies and supervision programs; and
- (10) Future construction of correctional facilities. [L 1993, c 343, pt of §2]

" **§353F-4 Composition; expenses.** (a) The corrections population management commission shall consist of thirteen

members. The state attorney general, the director of public safety, the administrator of the office of Hawaiian affairs, a representative of the county departments of the prosecuting attorney to be selected by the prosecuting attorneys, the state public defender, the chairperson of the Hawai'i paroling authority, the president of the senate, and the speaker of the house of representatives, or their designated representatives, shall be members of the commission. The chief justice of the Hawai'i supreme court shall appoint one judge and one adult probation administrator of the judiciary as members of the commission. The governor shall appoint one member from the private sector who is knowledgeable on issues pertaining to reintegrating offenders into the community and one member from the public who is knowledgeable on issues relating to the criminal justice system and has substantial experience or expertise in traditional Native Hawaiian practices. Additionally, the chairperson of the Hawai'i paroling authority shall appoint one rehabilitated offender, who is knowledgeable on issues pertaining to reintegrating offenders into the community, as a member of the commission.

(b) The members of the commission shall serve without compensation but shall be reimbursed for expenses necessary in the performance of their duties.

(c) The governor shall appoint the chairperson of the commission from among its members. [L 1993, c 343, pt of §2; am L 1994, c 155, §2; am L 2000, c 177, §1; am L 2013, c 154, §2]

" **[\$353F-5] Annual report.** The commission shall submit to the legislature, not fewer than twenty days prior to the convening of each regular session, an annual report of its activities and of its recommended legislative proposals. [L 1993, c 343, pt of §2]

" **[\$353F-6] Executive secretary; staff.** The department of public safety shall appoint an executive secretary and additional staff as necessary to carry out the functions of the commission. All staff shall be appointed without regard to chapter 76. [L 1993, c 343, pt of §2; am L 2000, c 253, §150]