
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 Act 8, First Special
2 Session Laws of Hawaii 2007 (Act 8), enacted the Community
3 Safety Act, which is codified as chapter 353H, Hawaii Revised
4 Statutes. The Community Safety Act established a comprehensive
5 offender reentry system under the purview of the department of
6 public safety. Act 8 also required the department of public
7 safety to submit to the legislature annual reports through 2010
8 relating to the implementation, progress, and effectiveness of
9 the program components specified in Act 8.

10 The legislature notes that while the department of public
11 safety's annual reports required by Act 8 listed program
12 activities and statistics, they did not include information on
13 program outcomes. The legislature finds that performance
14 indicators are an effective way to track the progress of the
15 comprehensive reentry system and to reflect any change to the
16 department's approach to rehabilitation and reentry as mandated
17 by Act 8.



1 The purpose of this Act is to:

- 2 (1) Require the department of public safety to establish
3 key performance indicators or measures to be
4 incorporated in reports that evaluate the department's
5 efforts to improve offender reentry and
6 rehabilitation; and
7 (2) Consolidate into one report other specified reports of
8 the department of public safety.

9 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§353- Annual corrections program report. (a) No later
13 than twenty days prior to the convening of each regular session,
14 beginning with the regular session of 2019, the department shall
15 submit an annual corrections and program report, among other
16 reports that may be required from time to time, that
17 consolidates into one report the reports required by the
18 following laws:

- 19 (1) Act 144, Session Laws of Hawaii 2007, section 4,
20 codified as section 353C-2(b), relating to mental
21 health services for committed persons;



(2) Act 193, Session Laws of Hawaii 2010, relating to
cognitive restructuring;

(3) Section 353H- , relating to key performance
indicators; and

(4) Section 367D-8, relating to gender-responsive programs
for women;

provided that the repeal or expiration of any individual
reporting requirement described in paragraphs (1) through (4)
shall not repeal or otherwise affect the department's duty to
submit the consolidated report pursuant to this section with the
content required for the remaining reporting requirements that
have not been repealed or expired.

(b) The department shall post the report electronically on
the department's website in a timely manner."

SECTION 3. Chapter 353H, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:

"§353H- Key performance indicators; reporting. (a) The
department shall develop key performance indicators that
accurately reflect progress toward specific goals, including:

(1) Reducing the rate of recidivism;



1 (2) Decreasing prisoner assaults on correctional staff;

2 (3) Reducing correctional staff turnover; and

3 (4) Improving departmental efficiencies in staffing,
4 budgeting, and data management and analysis.

5 (b) The department shall include in its annual report to
6 the legislature pursuant to section 353- a report section
7 that shall reference key performance indicators for the fiscal
8 year that ended before the report. The section shall track
9 rehabilitation and reentry efforts for individuals who are
10 prepared to exit the correctional system.

11 (c) The key performance indicators shall include:

12 (1) The total number of intakes, by month, including how
13 many intakes by facility in each month have been in
14 the system within the last fiscal year;

15 (2) Offender population counts by facility for each month
16 of the fiscal year;

17 (3) The number of individuals who have obtained a high
18 school diploma by successfully completing the general
19 educational development test or an equivalent
20 competency-based diploma;



- 1 (4) The number of individuals who received vocational
2 training or rehabilitation programming;
- 3 (5) The number of inmates assessed with substance abuse
4 problems, and the total number of inmates assessed
5 with no reported substance issues;
- 6 (6) Drug test failure rates of inmates while incarcerated;
- 7 (7) The number of individuals who have completed a drug
8 treatment program provided by the department;
- 9 (8) The number of individuals who have completed drug
10 education classes and out-patient treatment services;
- 11 (9) The cost per inmate per day, per facility;
- 12 (10) The median length of stay, excluding inmates who have
13 life or parole sentences;
- 14 (11) The total number of inmates released, by month by max
15 out or parole;
- 16 (12) The number of individuals who applied for reduction of
17 minimum inclusive of approval or denial by
18 jurisdiction and month, the number of parole
19 revocation hearings approved or denied per month, and
20 the number of individuals for whom a reentry plan is



1 filed and the number of individuals who exit jail or
2 prison with a reentry plan;

3 (13) The total number of pretrial detainees and the number
4 of pretrial detainees admitted each month by type of
5 crime, bail amount, risk assessed, gender, race, and
6 age;

7 (14) The number of pretrial detainees released or
8 discharged each month and the reason for the release
9 or discharge by type of crime, bail amount, risk
10 assessed, gender, race, and age;

11 (15) The average length of stay for pretrial detainees by
12 reason for release or discharge, type of crime, bail
13 amount, risk assessed, gender, race, and age;

14 (16) The number of pretrial detainees held on cash bail by
15 type of crime, bail amount, risk assessed, gender,
16 race, and age;

17 (17) The average amount of time for completing and
18 verifying pretrial risk assessment by type of crime,
19 bail amount, risk assessed, gender, race, and age; and



1 (18) The number of pretrial detainees readmitted by reason
2 for release, reason for readmission, type of crime,
3 bail amount, risk assessed, gender, race, and age."

4 SECTION 4. Section 353C-2, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "[+] (b) [+] The department of public safety shall include in
7 its annual report to the legislature [~~not later than twenty days~~
8 ~~prior to the commencement of the 2008 regular session, and every~~
9 ~~session thereafter, with]~~ pursuant to section 353- a report
10 section that includes its achievements, continuing improvements,
11 and ongoing problems in providing the appropriate mental health
12 care to committed persons under its jurisdiction."

13 SECTION 5. Section 367D-8, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§367D-8 Annual report.** The department of public safety
16 and the office of youth services shall [~~submit an~~] include in
17 its annual report to the legislature [~~no later than twenty days~~
18 ~~before the convening of each regular session]~~ pursuant to
19 section 353- a report section on the following areas:
20 program descriptions, type and costs of contracts made, name of
21 the private agency awarded each contract, and the success of



1 each contract in meeting program specifications. The report
2 section shall detail the development of the comprehensive
3 continuum of care to address the gender-responsive needs of
4 Hawaii's female offenders and female adjudicated youth both in-
5 state and abroad. The report section shall also highlight the
6 existing gaps in the system and include recommendations for
7 resources needed to reach a seamless continuum of care and other
8 relevant information concerning the creation of a gender-
9 responsive environment for female offenders and female
10 adjudicated youth."

11 SECTION 6. Act 193, Session Laws of Hawaii 2010, is
12 amended by amending subsection (c) of section 2 to read as
13 follows:

14 "(c) The department of public safety shall [~~submit an~~
15 include in its annual report to the legislature pursuant to
16 section 353- , Hawaii Revised Statutes, a report section on
17 these programs in Hawaii's correctional facilities [~~no later~~
18 ~~than twenty days prior to the convening of each regular session,~~
19 ~~beginning with the regular session of 2011~~].

20 The [~~annual~~] report section shall include but not be
21 limited to:



- 1 (1) Descriptions of the various programs;
- 2 (2) Criteria for access/entry to the programs;
- 3 (3) The number of native Hawaiians who participated in the
- 4 programs;
- 5 (4) The number of non-Hawaiians who participated in the
- 6 programs;
- 7 (5) The number of native Hawaiians who completed the
- 8 programs;
- 9 (6) The number of non-Hawaiians who completed the
- 10 programs;
- 11 (7) The number of participants paroled/"maxed out";
- 12 (8) Recidivism after three months, six months, nine
- 13 months, and one year; and
- 14 (9) Successes and challenges in administering the
- 15 programs."

16 SECTION 7. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Inmate Rehabilitation; Reentry System; Performance Indicators

Description:

Requires the Department of Public Safety to establish key performance indicators for inmate reentry system. Requires reports, using key performance indicators, to be provided to the legislature. Creates the annual corrections and program report as a consolidated report of other annual reports. Effective 7/1/2050. (SD2)

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